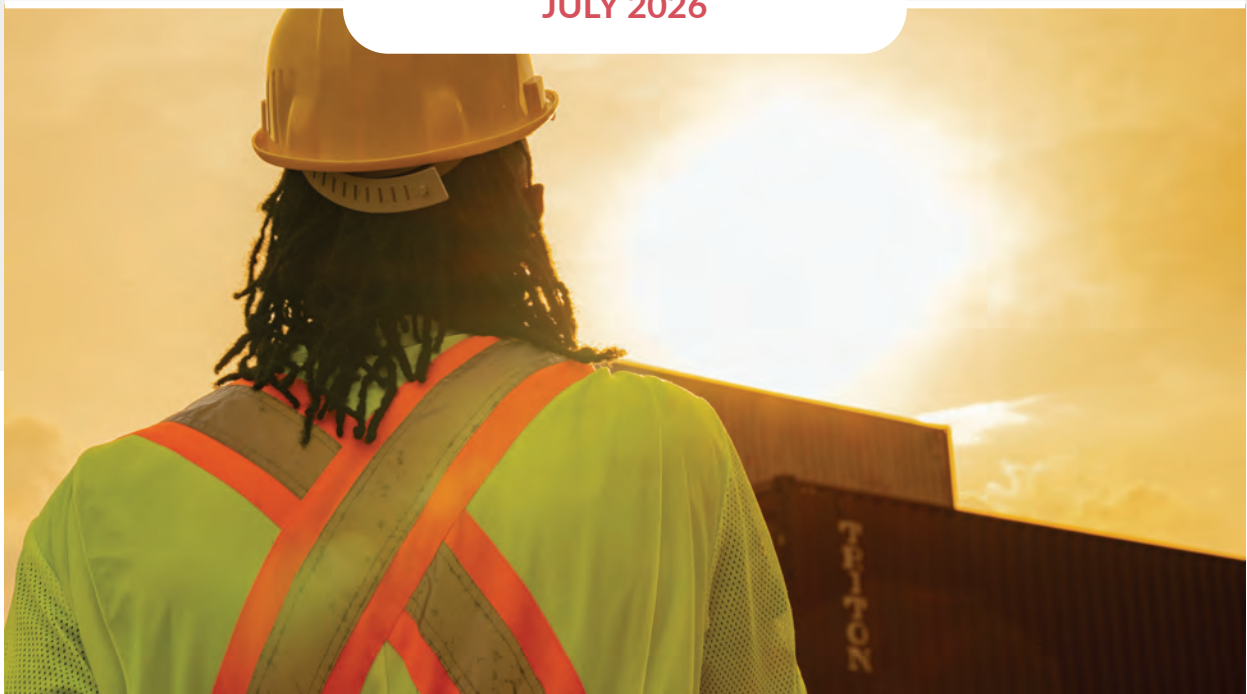


OHS Insider Newsletter

Your easiest path to OHS Compliance in Canada

JULY 2026



This Month's Highlights

As summer approaches, employers face seasonal workplace challenges and responsibilities. In this issue, we cover heat awareness, environmental contamination disclosure obligations, incident reporting for distributed teams,

and effective fire and evacuation planning. Visit OHSInsider.com to read the full articles and more.



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Heat Awareness

Preparing for Summer Work in Canadian Workplaces

We had a cold start to spring this year, but no matter how slowly temperatures rise across Canada, it is never too early for occupational health and safety (OHS) managers to proactively address the risks associated with heat exposure during summer work.

While Canadian summers are relatively short, they can bring intense and prolonged heat waves that pose serious health and safety concerns. Preparing for these conditions is a critical component of workplace safety, productivity, and regulatory compliance.

High-Risk Worksites: Where Heat Hits Hardest

Certain industries are particularly vulnerable to the effects of extreme heat. Construction and forestry worksites are among the most impacted due to prolonged outdoor exposure, physically demanding labour, and limited access to cooling infrastructure. Roadwork crews, agricultural workers, and utility maintenance teams also face elevated risks.

In construction, workers often operate heavy equipment or wear additional protective gear that traps heat, increasing the likelihood of heat stress. Forestry workers, frequently stationed in remote areas, may lack immediate access to hydration stations or emergency services. These environments require tailored heat mitigation strategies, including adjusted work schedules and enhanced supervision.

Recognizing and Preventing Heat-Related Illness

Heat-related illnesses exist on a spectrum, from mild heat fatigue and cramps to more severe conditions like heat exhaustion and heat stroke. Early symptoms may include dizziness, headache, excessive sweating, nausea, and confusion. If left unaddressed, these can escalate rapidly into life-threatening situations.

Prevention starts with awareness and training. Workers and supervisors should be educated on the signs and symptoms of heat-related illness and understand the importance of early intervention. Employers should implement heat stress policies that include:

- Scheduled rest breaks in shaded or air-conditioned areas.
- Access to cool, potable drinking water.
- Acclimatization protocols for new or returning workers.
- Monitoring weather forecasts and adjusting workloads accordingly.

It is also essential to establish emergency response procedures, ensuring that workers know how to respond if a colleague shows signs of heat stroke, which requires immediate medical attention.

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PPE and Practical Strategies to Stay Cool

Personal protective equipment (PPE) can both help and hinder heat management. While necessary for safety, certain PPE, such as helmets, gloves, and high-visibility clothing, can reduce the body's ability to dissipate heat. Selecting breathable, moisture-wicking materials and lighter-coloured garments can make a significant difference.

Cooling PPE options, such as evaporative cooling vests, neck wraps, and ventilated hard hats, are becoming more widely available and can be especially beneficial in high-heat environments. However, PPE alone is not enough. Employers should also consider administrative and engineering controls, such as:

- Rotating workers to limit exposure duration.
- Scheduling physically demanding tasks during cooler parts of the day.
- Installing fans or misting systems where feasible.
- Encouraging hydration with electrolyte-replenishing fluids.

Simple behavioural changes like wearing sunscreen, taking frequent breaks, and avoiding caffeine or heavy meals during peak heat can further support worker well-being.

Overlooked Work Environments: Hidden Heat Risks

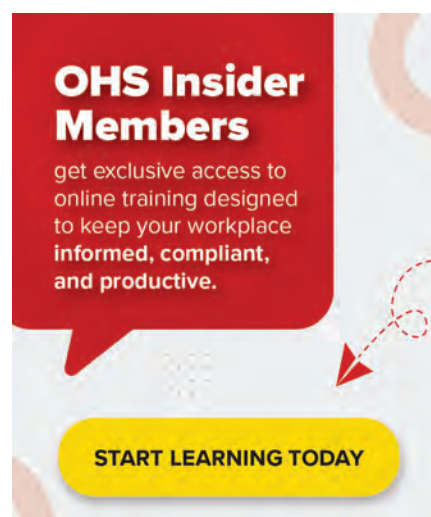
While outdoor industries often receive the most attention, several indoor and less obvious worksites are also affected by summer heat. Warehouses, manufacturing plants, commercial kitchens, and even office spaces without adequate climate control can become heat traps during warmer months.

In warehouses and factories, machinery can generate additional heat, compounding the problem. Workers in these environments may not perceive themselves at risk, leading to delayed recognition of symptoms. Similarly, delivery drivers and transit workers experience fluctuating temperatures throughout the day, often without consistent access to cooling.

OHS leaders should conduct comprehensive risk assessments across all departments, not just those traditionally associated with heat exposure. This includes evaluating ventilation systems, workload intensity, and employee awareness levels. Tailored communication campaigns can help ensure all workers understand their risk and the steps they can take to stay safe.

Conclusion

Heat awareness is a shared responsibility that requires planning, education, and ongoing vigilance. By identifying high-risk worksites, implementing preventive measures, and addressing overlooked environments, organizations can significantly reduce the risk of heat-related illness. As climate patterns continue to evolve, integrating heat safety into broader occupational health strategies will be essential for protecting workers and maintaining operational resilience.



Ask the Expert

Hiring Seasonal Workers

Hiring seasonal workers can help employers manage increased workloads during peak business periods, vacations, or temporary operational demands.

However, employers must still comply with employment standards, workplace safety obligations, and human rights requirements when recruiting and managing temporary or seasonal staff.



Question

What should employers consider when hiring seasonal workers in Canada?

Answer

When hiring seasonal workers in Canada, employers must ensure they comply with applicable employment standards legislation, workplace health and safety requirements, human rights obligations, and payroll rules. Seasonal employees are generally entitled to many of the same workplace protections as permanent employees, including minimum wage, overtime pay where applicable, vacation pay, statutory holiday entitlements, and safe working conditions. Employers should clearly define the terms of employment at the time of hire, including the expected duration of employment, work schedules, job duties, compensation, and any end-of-season arrangements. Additional considerations may apply when hiring young workers, temporary foreign workers, or employees in federally regulated industries.

Explanation

Although seasonal workers may be hired for a limited duration, employers are still responsible for complying with provincial or federal employment standards legislation. This includes maintaining proper payroll records, deducting and remitting statutory withholdings, providing required breaks and rest periods, and ensuring employees receive any legislated vacation pay or public holiday entitlements. Employers should also be cautious about misclassifying seasonal workers as independent contractors when the working relationship meets the legal definition of employment.

Employers also have obligations to provide seasonal workers with appropriate training, supervision, and protective equipment. To reduce potential disputes, employers should use written employment agreements that clearly outline expectations, duration of employment, and any policies relating to layoffs, recalls, or end-of-season terminations.

Environment

Must Seller of Land Disclose Environmental Contamination to Buyer?

Scenario: A company buys land it thinks is environmentally fit for a certain business use. Only after the sale closes does it discover that the land is contaminated and can't be used for the intended purpose. The buyer also discovers that the seller knew about the contamination but never said anything about it.

Question: Is the seller's failure to disclose the contamination grounds for money damages or rescinding the sale?

Basic Rule: If contamination constitutes a "patent defect" that a buyer could and should have discovered for itself, the seller doesn't have to disclose it. But sellers do have to disclose contamination that's considered a "latent defect" that a reasonable buyer wouldn't be expected to uncover.

Here are two cases showing how these venerable principles of contract law play out in actual land sales.

Seller Must Disclose Latent Defect Contamination

Here's a case where a court ruled that contamination was a latent defect that the seller had to disclose.

Situation

A real estate developer hires a firm to test the subsoil of a lot on which it intends to build a home. Testing reveals uncompacted landfill several feet deep. According to the engineering report, the condition threatens the integrity of the proposed building and will cost a lot of money to remedy. So, the developer scraps

the construction. A year later, it sells the lot to a construction company that it knows intends to build a house on the land without disclosing the contamination. When the buyer discovers the subsoil problem it sues the developer.

Ruling

The British Columbia Supreme Court orders the developer to pay the buyer damages for failure to disclose.

Reasoning

The normal rule of *caveat emptor*—Latin for let the buyer beware—doesn't apply to land sales involving "latent defects that are actively concealed by the seller." The developer knew perfectly well that the land was unsuitable for building a home unless the soil was excavated and replaced and that the buyer didn't have the money for such measures. Moreover, the defect wasn't one the buyer could have reasonably been expected to discover. "There was no hint or clue of anything untoward" about the land that would suggest the need for testing, said the court. Houses had been built on other lots in the same subdivision, and the city had already issued a building permit for the lot. The contract also said that the seller was delivering a "fully serviced building lot." *Hartnett v. Wailea Construction Ltd.*, [1989] B.C.J. No. 497

Seller Need Not Disclose Patent Defect Contamination

Here's a case where contamination was determined to be a patent defect that the seller didn't have to disclose.

Situation

The owner of a metal stamps plant uses varsol, a substance that Ontario environmental law classifies as a hazardous waste, to clean machinery and then dumps the chemical on the back of its property. An environmental consultant's report also warns the owner of the high risk that dirty varsol has migrated onto neighbouring properties. Less than two years later, the owner sells the land to a developer who intends to get the property re-zoned and build a condominium complex. The seller doesn't disclose the contamination. The buyer learns of the problem two months after closing and sues to rescind the sale.

Ruling

The Ontario Court of Appeal says the seller didn't have to disclose the contamination and

denies rescission.

Reasoning

At most, the contamination was a patent defect that the buyer could easily have discovered before the sale. It knew the property was zoned for industrial use and that a factory had been operating on it for years. But it chose not to conduct any physical inspection, environmental site assessment, or standard soil testing before buying the land. And unlike the seller in *Hartnett*, the factory owner didn't know that the buyer intended to use the land for residential purposes. Also unlike in the BC case, the contract didn't make any representations about the property's environmental condition. *Tony's Broadloom & Floor Covering Ltd. (Trustee of) v. NMC Canada Inc.*, 1996 CanLII 680 (ON CA)

Real Life Safety Heroes

John L. Lewis

When he was 16-years-old, John L. Lewis went to work in the coal mines of Iowa. It was 1896 and Lewis's destiny was to become a miner, just like his father. But destiny sometimes has a quirky sense of humor. Thus, while Lewis would, in fact, never leave the mines, his path turned out to be far different than what anybody expected.

From Miner to Union Leader

Lewis became a union activist and AFL (American Federation of Labor) organizer. In 1917, he was elected president of the UMWA (United Mine Workers Association). He was feared and called a despot. And for good

reason. Lewis would brook no opposition and rid the union leadership of political rivals. He secured his national reputation for pugnacity by socking one of his critics in the nose during a union convention.

But he wasn't in it for himself. Lewis used his power to fight for the miners. Conditions in the mines were appalling. Lewis fought to change them. He wasn't afraid to leverage America's dependence on coal to call strikes in 1943, during the Second World War. Even the Communists called Lewis's tactics "un-American." But they worked. By the time his career was done, Lewis would help miners win not just substantial wage increases, but health benefits, pensions and the right to organize. Union pressure also forced mine operators to implement health and safety measures to protect their workers.

Incident Reporting for Distributed Workers

Distributed work creates reporting gaps because incident reporting becomes more complex when workers are remote, mobile, or located at client sites. A worker may be alone, the supervisor may be in another city, and witnesses may work for another employer. Critical evidence can disappear quickly, and the first report may arrive through a text message rather than a formal system. That's why remote and field-worker incident reporting must be designed before an incident occurs.

The goal is not to create an overly administrative process, but to ensure workers know what must be reported, supervisors know what must be escalated, and safety staff understand what jurisdictional rules apply. Workers should report injuries, illnesses, near misses, violence or threats, vehicle incidents, equipment failures, unsafe client-site conditions, environmental exposures, ergonomic concerns, missed check-ins, property damage, and any event with serious potential. CCOHS states that workers should report actual or potential hazards immediately and do not need to wait for an injury. Serious events such as violence, vehicle crashes, chemical exposures, hazardous energy events, or unsafe client sites should trigger immediate escalation rather than waiting in an online form.

Jurisdictional reporting obligations are another major challenge. Reporting requirements vary across provinces and under federal legislation. Employers should create a jurisdictional reporting matrix identifying where workers operate, which regulator applies, what events must be reported, who reports them, timelines

for notice, and record-retention duties. Supervisors and safety staff need quick access to this information during the first hours after a serious incident.

Client-site incidents also require coordination. Employers should clarify in advance who contacts emergency services, secures the scene, notifies regulators, and investigates. Workers must understand that reporting to a client site does not replace internal reporting obligations.

Evidence preservation is especially difficult in mobile work because conditions change quickly. Employers should train workers to safely document locations, photos, witnesses, damaged equipment, and conditions when possible. Mobile reporting tools, GPS records, telematics, dispatch logs, and photo uploads can strengthen investigations. Near misses also require strong reporting systems because distributed workers are often the only people who witness hazards.

Investigations should examine distributed-work factors such as working alone, communication methods, fatigue, scheduling pressures, client-site hazards, weather, supervision, and authority to stop unsafe work. Corrective actions may involve changes to travel policies, hazard screening, PPE requirements, communication procedures, ergonomic support, or client-site escalation rules. JHSCs must also receive meaningful information about trends and corrective actions so remote and field workers remain visible within the safety program.

Month-In-Review

A roundup of new legislation, regulations, government announcements, court cases, and arbitration rulings. Visit [OHSInsider.com](https://www.ohsinsider.com) for the complete Month-In-Review. Now available by jurisdiction to keep you focused on what's been happening in your area including legal alerts, law announcements, and recent cases.



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Federal

Training: To enable construction workers to move between jurisdictions without taking safety re-training each time, federal, provincial, and territorial labour ministers agreed to harmonize their Occupational Health and Safety (OHS) curricula for Working at Heights and Mobile Elevating Work Platforms training by January 1. The ministers will reconvene this year to discuss harmonizing OHS Hoisting and Trenching training.

Alberta

Seasonal Safety: If and when it passes, newly tabled red tape cutting legislation (Bill 31) will move Alberta to permanent, year-round Mountain Daylight Time. This spring, British Columbia became the first Canadian province to end seasonal time change and make the permanent switch to Daylight Savings Time.

British Columbia

Work Injuries: There were 138 work fatalities in British Columbia in 2025, including 79 occupational disease deaths of which 36 were due to asbestos exposure. Forty-one workers were killed by traumatic workplace injuries resulting from incidents such as falls from heights, being struck by objects, and being caught in machinery. Another 18 workers died in motor vehicle incidents.

Manitoba

Environmental: Bill 18 authorizes Manitoba environment officers to issue compliance orders for Waste Reduction and Prevention Act violations. Companies that don't take the measures listed in the order will be subject to administrative monetary penalties. The Bill also includes new restrictions on knowingly providing false or misleading information to environmental officers or in reports required by the Act.

New Brunswick

Incident Reporting: WorkSafeNB adopted the electronic Worker's Application for Compensation Benefits and Employer's Report of Injury or Illness (E67) as the preferred method for workers to submit claims and employers to report OHS injuries electronically.

Newfoundland and Labrador

Workers' Compensation: Implementing revised Path 2 of the PRIME Program is a priority listed in WorkplaceNL's new 2026-28 Strategic Plan. Launched in 2023, Path 1 offers workers' compensation refunds to small employers. Path 2 covers large employers. Under the new rules, they'll have to implement a 15-element OHS best practices program to qualify for PRIME refunds.

Northwest Territories

Seasonal Safety: Premier Simpson announced that the Northwest Territories will follow British Columbia and Alberta in moving to end seasonal time changes and adopting a permanent year-round daylight-saving time standard. The government will announce the details of the transition later this year.

Nova Scotia

Environmental: Nova Scotia added 20 pollutants subject to emissions limitations under *Air Quality Regulations*, effective June 1. Full list: acrolein, ammonia, arsenic, benzene, benzo(a)pyrene, cadmium, carbon monoxide, chromium (hexavalent), cobalt, copper, dioxins and furans, formaldehyde, lead, manganese, mercury, nickel, nitrogen dioxide, coarse particles, fine particles, total suspended particles, phenol, selenium, sulphur dioxide, total reduced sulphur, vanadium,

Nunavut

Workers' Compensation: The WSCC revised the formula it uses to annually adjust pensions and other workers' compensation payments and benefits to reflect changes in the cost of living due to inflation. The Board of Directors is expected to approve the policy changes at its upcoming governance meeting in June.

Ontario

Workers' Compensation: New employment reform legislation (Bill 105) proposes to increase workers' compensation Loss-of-Earnings (LOE) benefits from 85% to 90% of a worker's take-home pay. The bill will also allow workers who choose to work past age 65 to continue receiving LOE benefits instead of having to forfeit them the way they do under the current rules.

Prince Edward Island

Infectious Illness: If and when newly tabled Bill 106 passes, PEI employers will no longer be allowed to require employees to provide a certificate signed by a medical practitioner certifying that they are or were unable to work due to illness or injury for purposes of verifying eligibility for sick leave under the Employment Standards Act.

Québec

New Laws: Applications for admission to study programs leading to one of the five most in-demand trades in the Québec construction industry increased by 80% between January and March 2026, the government announced. More than 7,600 people applied for admission to programs in the trades of carpenter, electrician, lineman, plumber, and refrigeration technician during the period.

Saskatchewan

Work Injuries: For the third year in a row, Saskatchewan's time-loss injury rate reached an all-time low of 1.66 per 100 workers in 2025, as compared to 1.72 per 100 in 2024. Total injury rates dipped from 3.91 to 3.68 per 100 workers. Total injury claims accepted increased by 0.43% to 17,401 from 17,327.

Yukon

Work Injuries: Yukon's 2025 time-loss injury rate fell to a decade-low of 1.2 per 100 workers, according to the Workers' Safety and Compensation Board's (WSCB) newly released 2025 Annual Report. Claims filed decreased nearly 10% from 893 to 813; claims accepted dipped from 706 to 629. There were four work fatalities in 2025, two more than in 2024.

Case Alerts

Infectious Illness: Duty to Accommodate Religion Doesn't Cover Personal Objection to Vaccination

A personal belief that humans are unique and “everyone should have the right to decide what is put into their body” isn't a religion, reasoned a federal court in dismissing a COVID vaccination objector's discrimination lawsuit against the Canadian Armed Forces (CAF) for failing to accommodate his religious beliefs. Protection from religious discrimination doesn't cover personal beliefs, no matter how deeply-held, that aren't connected to a spiritual faith or religion forming a relationship with the divine, the court explained [*Cholewa v. Canada (Attorney General)*, 2026 FCA 73 (CanLII), April 15, 2026].

Action Point: Dealing with vaccine refusals, whether COVID-19, influenza, measles, or any other pathogen is very tricky, even in health-sensitive settings. Find out how to take the right steps if [workers defy your mandatory vaccination policy](#).

OHS Enforcement: OK to Fine Company for Not Disclosing Client's Asbestos Records

OHS inspectors issued a \$18,000 (\$1,000 for the violation and \$1,000 per day for the 17 days it continued) administrative monetary penalty against an environmental consulting firm for refusing to provide lab testing and other records related to the presence of asbestos in an office building. The firm noted that the requested records belonged to a client and that disclosing them would violate its contractual duty to keep the information confidential. The Alberta OHS appeal board ruled that imposing the

original \$1,000 penalty for disobeying a disclosure order was reasonable because the information wasn't privileged but that tacking on the extra \$17,000 was unreasonable and “disproportionate” to the harm done. Result: The firm only had to pay \$1,000 [*Alberta Safety & Environmental Services Ltd. v Occupational Health and Safety*, 2026 ABOHSAB 5 (CanLII), March 25, 2026].

Action Point: Find out how to use [privilege rules](#) to shield confidential client records, internal investigation reports, and other sensitive safety information from OHS investigators.

OHS Enforcement: Excavation Contractor Fined \$460,000 for C-45 Criminal Negligence

A British Columbia trial court convicted an excavation contractor of two counts of C-45 criminal negligence resulting in the death of one worker and serious injury to another after a retaining wall collapsed and fell into a trench. Prosecutors asked for a \$1 million global penalty; the contractor argued for a \$345,000 fine. The sentencing judge decided that \$400,000 plus a \$60,000 victim's surcharge would be high enough to penalize the company for its inadequate training and “insufficient appreciation of foreseeable risks in trench work.” But since then it had implemented “proactive” OHS programs and was “a very different company today than it was at the time of the incident.” Having already lost customers and goodwill, loading on a more massive fine the way the prosecution wanted would serve only to threaten the survival of its business [*R. v J. Cote and Son Excavating Ltd.*, 2026 BCSC 626 (CanLII), April 15, 2026].

Action Point: The C-45 criminal negligence

standard (Section 217.1 of the *Criminal Code*) requires the prosecutor to prove that a person with control over how work is failed to take reasonable steps to prevent bodily harm to persons carrying out the work and that such failure was due to “wanton or reckless disregard for safety.” Find out what you can do to [manage criminal liability risks under C-45](#).

Hot Work: Petroleum Refiner Fined \$182,282 for Fuel Line Hot Oil Spew

An uncontrolled flow of oil occurred during an operation to clear a blockage in a heavy fuel oil line at a petroleum refinery site. One of the workers’ clothing ended up getting sprayed with hot oil. WorkSafeBC cited the employer for a host of OHS violations including failure to implement safe work procedures for the blockage clearance, perform a hazard assessment, issue a hot work permit, deploy a standby person, or ensure workers wore required PPE. Result: An administrative monetary penalty of \$182,282 [*Tidewater Midstream and Infrastructure Ltd.*].

Action Point: Find out how to implement a legally sound and effective [Hot Work and Welding Compliance Game Plan](#) at your workplace.

Powered Mobile Equipment: Government Agency Fined \$100,000 for Wildfire Worker’s ATV Rollover Death

A government worker lost control of the all-terrain vehicle (ATV) they were operating on a paved road. The ATV rolled over and ejected the worker resulting in fatal injuries. The victim’s employer was fined \$100,000 after pleading guilty to three OHS violations, including failure to train and ensure worker compliance with safe work procedures and ensure that workers who operate ATVs use

proper headwear protection [*Manitoba Dept. of Natural Resources and Indigenous Futures, Wildfire Service, Govt. Press Release, April 20, 2026*].

Action Point: Implementing an effective [Powered Mobile Equipment Operation Policy](#) like the one on the OHS Insider site can help you prevent such tragedies and the 6-figure OHS fines they can lead to.

Workplace Harassment: Brewery Worker’s Sex Discrimination Claim Lacks Validity

An assistant manager at a brewery claimed her former company assigned her end-of-shift closing duties that it didn’t ask male workers in the same position to do, such as cleaning washrooms, and then scolded for not performing them. The employer denied the charges, insisting that it applied the same closing checklist to all employees regardless of sex. The Newfoundland Human Rights Commission agreed and dismissed the manager’s sex discrimination and harassment complaint without a trial [*Osmond v Home Beverage & Specialties Inc. (Brewery Lan)*, 2026 CanLII 27654 (NL HRC), March 30, 2026].

Action Point: To deal effectively with harassment, you need to know when it’s actually taking place at your workplace. Don’t assume workers will tell you that they’re being sexually harassed like the flight attendant in this case did. Use the OHS Insider [Assessment Questionnaire template](#) to uncover hidden harassment, bullying, and stalking problems at your workplace.

Fire and Evacuation Planning

Emergency Preparedness Week in Canada took place during the first full week of May (in 2026, it ran from May 3 to May 9). For Occupational Health and Safety (OHS) managers and HR directors, this period serves as a timely reminder that fire preparedness is a critical component of protecting lives, maintaining business continuity, and meeting due diligence obligations.

Across Canada, wildfire seasons are becoming longer and more severe, while structural fires remain a persistent workplace hazard. Whether your organization operates in forestry, construction, manufacturing, healthcare, or office environments, the potential for fire-related emergencies demands a proactive and well-documented evacuation plan.

A robust fire and evacuation plan begins with a thorough hazard assessment. This includes identifying ignition sources, fuel loads, and environmental conditions that may increase fire risk. In wildfire-prone regions, external threats such as nearby forests, grasslands, or industrial operations must also be considered. Internally, common risks include electrical equipment, flammable materials, hot work activities, and inadequate housekeeping practices.

Once hazards are identified, organizations must establish clear evacuation procedures tailored to their worksites. OHS managers should ensure that evacuation maps are posted prominently and updated regularly to reflect any changes in layout or operations.

Equally important is the assignment of roles and responsibilities. Fire wardens or

floor monitors should be trained to lead evacuations, conduct headcounts, and liaise with emergency responders.

Communication is often the weakest link in emergency response. Organizations should implement multiple alert systems, such as alarms, public address systems, and mobile notifications to ensure rapid dissemination of evacuation instructions. In remote or outdoor worksites, this may include radios or satellite communication devices. During wildfire events, staying connected to local emergency alerts and municipal evacuation orders is essential.

Training and drills are where plans are put to the test. Canadian regulations typically require regular fire drills, but leading organizations go beyond minimum compliance by conducting scenario-based exercises, including blocked exits or simulated smoke conditions.

Documentation is another critical component. A written fire safety plan should outline procedures, responsibilities, training schedules, and maintenance requirements for fire protection systems such as extinguishers, alarms, and sprinklers. This document should be reviewed at least annually and after any incident or significant operational change.

As wildfire risks increase, organizations should also consider broader emergency preparedness measures. This includes business continuity planning, remote work contingencies, and coordination with local emergency services. For worksites in high-risk areas, pre-evacuation planning—such as transportation logistics and temporary relocation strategies—may be necessary.