ISO/OHSAS Conformance vs. Health Safety & Environmental Compliance are they equivalent?

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OUTLINE FOR TODAY'S DISCUSSION

- "Conformance" vs. "Compliance."
- Summary of Changes to ISO 14001 from the 2004 version to the 2015 version
- Summary of Differences Between OHSAS 18001 vs Proposed ISO 45001

"CONFORMANCE" VS. "COMPLIANCE."

- Are Conformance and Compliance equal?
  - Objectives of Regulations/Laws.
  - Objectives of ISO / OHSAS Standards.
  - Summary of ISO / OHSAS Standards.
  - Does having an ISO / OHSAS Registration Certificate from a third-party auditor ensure you are in compliance?

ISO Standards

Compliance Regs/Laws
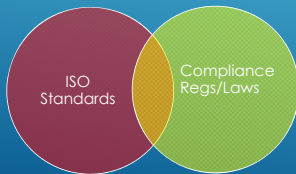
OBJECTIVES OF REGULATIONS/LAWS

- Laws are written by government authorities: Senate, Congress.
- Regulations written by government-appointed agency: EPA and OSHA.
- Each law has a specific objective to minimize impacts to human health and/or the environment.
  - Air, Water, Hazardous Materials, Wastes.
  - Occupational Health and Safety

SUMMARY OF REGULATIONS/LAWS

- Regulations have specific requirements to "comply" with:
  - Air permitting – impacts to air.
  - Storm water permitting – impacts to surface waters.
  - Tier II Reporting – notifying community of hazards.
  - Lockout/Tagout
  - Emergency Action Plan
  - Arc Flash/Electrical Safety
- Agencies audit.
- Notice of Violation if one does not "comply."
  - Fines, Increased Agency Oversight, Jail Time.

OBJECTIVES OF ISO 14001 STANDARD

- Implement a systems approach to environmental management.
- Assumes regulatory compliance as a baseline.
  - Compliance is a component of ISO 14001 Standard.
- Go above and beyond regulatory compliance (overall impacts to environment – i.e., shipping and diesel emissions).
  - Good neighbor principle. Mom, apple pie, and USA.
- Key Objective is Continual improvement.

SUMMARY OF ISO 14001 STANDARD

- ISO = International Organization for Standardization based in Geneva, Switzerland.
- ISO 14001 standard.
  - Standard is brief, less than pages.
  - Write EMS to meet "shall" statements in standard.
  - Identify Significant Risks / Effects & Prevent or Reduce Undesired Effects.
- Third-party registration body audits and provides ISO 14001 EMS certification.

SUMMARY OF ISO 14001 STANDARD

- The ISO 14001 elements are not stand-alone principles.
  - A facility must implement and integrate them all to receive registration/certification from a third party.
- EMS Documentation. – Facility is audited against what it writes in its EMS not against regulation requirements.

ISO 14001 STANDARD INTRODUCTION

- Continual Improvement is the Backbone of ISO 14001
- PDCA
  - Plan
  - Do
  - Check
  - Act

ISO CONFORMANCE VS. ENVIRONMENTAL COMPLIANCE

ISO 14001	Environmental Compliance
EMS assumes regulatory compliance is a baseline, but does NOT require the ISO 14001 lead auditor to confirm.	Environmental compliance is to be confirmed by the facility staff during its internal audits and implementation of the EMS.
EMS requires going above minimum regulatory compliance requirements.	No extra credit given for going above regulatory compliance requirements. Audit is usually a Pass/Fail evaluation.
ISO 14001 lead auditor looks for conformance with the written EMS and the shall statements; auditor is NOT required to confirm compliance with environmental regulations.	Compliance is mentioned as a component of the legal portion of the planning section of ISO 14001.
The training and certification program for ISO 14001 lead auditors does NOT require regulatory compliance auditing experience.	The ISO 14001 lead auditor may have no environmental compliance auditing experience and could miss an obvious issue.

ISO CONFORMANCE VS. ENVIRONMENTAL COMPLIANCE

- Conformance with the ISO 14001 Standard does not assure that a facility is in compliance with the environmental regulations.
- Having an ISO 14001 third-party certified registration is an accomplishment to put in front of stakeholders, the community, clients, etc.
  - However, do not assume that everything is ok under the hood because of the shiny bow on the outside.

SUMMARY OF CHANGES TO ISO 14001 FROM THE 2004 VERSION TO THE 2015 VERSION

- Why Change ISO 14001?
  - Incorporate ISO 14001 into everyday activities
  - Complete more detailed review of impacts (in and outside facility)
  - More global/360° view of the facility's impacts including internal (business continuity issues)
- Basic Changes to ISO 14001
  - 10 clauses in 2015 vs 4 clauses in 2004
  - 16 mandatory documents in 2015 vs 12 in 2004
- Facilities with existing ISO 14001 certifications have to conform with new standard by Sep 2018

SO WHAT DO THE ISO 14001 CHANGES MEAN TO YOU?

- Subclauses Removed from ISO 14001
  - Environmental Targets
  - Management Representative
  - Preventive Actions
- These are incorporated elsewhere in the new standard under different names.
  - For example, targets are now referred to as indicators

SO WHAT DO THE ISO 14001 CHANGES MEAN TO YOU?

- Significant New ISO 14001 Requirements
  - Risks & Opportunities (Clause 6.1)
  - Context of the Organization (Clause 4)
  - Interested Parties Needs and Expectations

## NEW ISO 14001 REQUIREMENTS RISKS & OPPORTUNITIES

- Managing and Assessing Risks & Opportunities replaces the previous Preventive Action Process
  - Focus on the effect of uncertainty on environmental objectives
    - Example: Availability of raw materials from foreign countries.
  - Requires Top Management to Identify Risks
    - Not just the ISO EMS Manager
    - Top Management may be aware of additional external risks and opportunities

2004 RISK ASSESSMENT FOCUS ON IMPACTS

- Look at the possible impacts of an aspect.
- Impacts = the effect of the aspect.
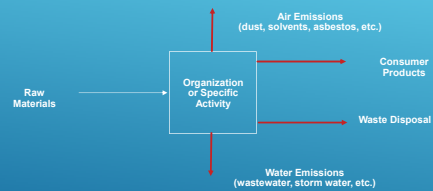
- Disposing of wastes in landfills – fills landfills and reduces use of that land for other purposes.

NEW ISO 14001 CONTEXT OF THE ORGANIZATION

- Internal Aspects
  - Any Actions or Products and Services that may affect facility's environmental performance
    - Example: availability of local raw materials may impact facility – obtain substitutes that have more harmful impacts or obtain materials from longer distances impacts transport pollution
- External
  - Legal, economic, social or political issues/drivers
    - Example: negative publicity due to an event can cause a drop in share price

NEW ISO 14001 CONTEXT OF THE ORGANIZATION

- Environmental
  - All other environmental aspects that may be susceptible to damage by facility's environmental performance
    - Example: lack of raw materials or climate change (drought)

NEW ISO 14001 INTERESTED PARTIES

- Needs and Expectations (Requirements or Obligations)
  - Regulatory agencies
  - Corporate
  - Investors
  - Customers & Contracts
  - Local Community
  - Etc.
- After the Context and the Interested Parties are determined, all activities, products, and services within that scope need to be included/evaluated in the EMS!

SUMMARY OF DIFFERENCES IN OHSAS 18001 VS PROPOSED NEW ISO 45001

- Basic Differences
  - Common high level structure as other ISO Standards
    - The format for ISO 45001 is similar to other ISO standards like ISO 9001 and ISO 14001
  - Forces organizations to incorporate the standard's requirements in its everyday operations
- Overall Aim is the Same
  - Reduce unacceptable risks and ensure safety and well being of everyone involved in the organization's activities
    - Proactively prevent injury & health impacts
- Basic Structure of ISO 45001
  - 10 clauses and 10 annexes
- Expected to be final in February 2018

PROPOSED ISO 45001 SIMILAR TO IS0 14001:2015

- Focus on Organization's Context (internal and external)
  - Consider what interested parties expect for health and safety
- Incorporate ISO standards in everyday operations
- Top management has a stronger role
  - It's not entirely up to the Safety Manager
- Identify and control risks rather than focusing on hazards

PROPOSED ISO 45001 CONTEXT OF THE ORGANIZATION

- All internal and external parties with interest in the organization's OH&S management system
  - Example – Employees, Agencies, Stockholders
- Emphasizes the needs and expectations for the workers and interested parties

PROPOSED ISO 45001 CONTEXT OF THE ORGANIZATION

- External Context Issues
  - Cultural, political, economic, legal, natural surroundings, market competition
  - New competitors, technologies, laws, new occupations
  - Key drives & trends in industry sector
  - Relationships, perceptions & values of external interested parties

PROPOSED ISO 45001 CONTEXT OF THE ORGANIZATION

- Internal Context Issues
  - Organizational structure, roles, accountabilities, capabilities, organization culture
  - Information systems, flows, decision making
  - Introduction of new products and equipment
  - Standards, guidelines, contractual relationships
  - Change in relation to working time requirements

PROPOSED ISO 45001 LEADERSHIP AND WORKER PARTICIPATION

- Now includes participation and consultation with workers
- Also emphasizes top management's responsibilities in the process

PROPOSED ISO 45001 PLANNING – RISKS & OPPORTUNITIES

- Similar to ISO 14001 changes
- Better defines the requirements for hazard identification
- Proactive approach to hazard identification

PROPOSED ISO 45001 CLAUSE 7, SUPPORT

- Consolidates all resources under the same clause
- No significant changes or new requirements other than
  - Documents and records now belong to the same category – documented information. The requirements of both standards are equivalent.
  - Ensure use of most up to date documentation to ensure worker safety

PROPOSED ISO 45001 OPERATION

- Combines operational controls and emergency preparedness and response
- New subclauses
  - Outsourced process, procurement and contractors
  - All of these are becoming commonplace in most organizations

PROPOSED ISO 45001 PERFORMANCE EVALUATION

- Not much new for this item
- Consolidates the following under this Clause
  - Monitoring and measuring
  - Evaluation of compliance obligations
  - Internal audit
  - Management review

PROPOSED ISO 45001 IMPROVEMENT

- Incidents are now part of nonconformities and corrective actions
- Continual improvement includes
  - Defining objectives of continual improvement and
  - Defining the process for continual improvement

TAKEAWAY THOUGHTS

- ISO Conformance ≠ Regulatory Compliance
  - ISO assumes regulatory compliance as a baseline and you go above and beyond
- ISO = Shall statements dealing with continual improvement
- Regulations/Laws = Things you must do or receive violations

TAKEAWAY THOUGHTS

- ISO 14001:2015 and Proposed ISO 45001 are focusing on a more 360 degree view in and outside the organization
- Both
  - have similar organization - Implementing one will assist with implementing the other
  - require top management to participate more than just at annual management reviews
  - focus on identifying risks and options – similar to business continuity planning
  - require organizations to incorporate ISO standards in everyday operations

Questions??

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If you would like more information, or
have any questions, please contact me.

THANK YOU!