Impact of the decision-making environment on policy responses to road worker fatality in Manitoba and Saskatchewan

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ABSTRACT

OBJECTIVES: Fatal accidents often lead to policy changes. However, the existing decision-making environment is critical to policy responses. This study compares the policy responses to similar events in Manitoba and Saskatchewan. The key question explores the extent to which the policy decisions in each province differ despite the similarity of the events.

METHODS: Key documents were examined. Provincial court rulings, workplace health & safety incident investigation reports, court transcripts and police reports were used to compare resulting policy changes as well as the socio-political and economic decision-making context. Relevant clauses in resulting legislation were also compared to assess the specific changes that were made in each province.

RESULTS: In each province, a young, female highway construction worker was killed. However, the provinces responded in very different ways. In Saskatchewan, the Premier called for recommendations to improve worker safety, initiating an in-depth governmental study and the development of a broad safety strategy. In Manitoba, political and social pressures shifted the decision-making environment and contributed to the rushed passing of a bill focused on traffic fine increases that resulted in record-breaking traffic fine revenue while failing to include broader safety measures.

CONCLUSION: Different decision-making contexts can lead to vastly different policy outcomes even when responding to very similar events. Key differences included time constraints, access to information and the nature of the political process invoked.

KEY WORDS: Safety; accidents; police; workplace; Manitoba; Saskatchewan

La traduction du résumé se trouve à la fin de l'article.

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Roadway traffic fatalities remain a central concern for policy-makers. This problem is important for road users as well as construction workers, who must coexist with vehicles. When workers are injured, policy and law makers often re-evaluate existing policy. However, contextual factors and the decision-making environment can vary, and therefore so can policy responses to similar events. Recently, two similar highway-worker fatalities occurred in Canada – one in Manitoba and one in Saskatchewan. They both led to legal changes but the changes were starkly different. In Manitoba, changes primarily involved increases in fines, while in Saskatchewan the event led to a broader examination and the development of a more comprehensive safety strategy. The fact that two apparently similar critical events occurred in different provinces within a short time frame presents a unique opportunity to examine the role of decision-making environments while in effect holding the type of event constant. This is useful because under normal circumstances, different kinds of events call for different kinds of policy responses. The purpose of this paper is to examine the role of decision-making environments in the formation of public health and safety policy. In particular, the paper examines the ways in which the decision-making environment differed between the two provinces and how this led to vastly different policy responses. A recent theoretical taxonomy of decision-making environments and outcomes is applied to contextualize results within the larger realm of policy-making.

WORKER SAFETY IN CONSTRUCTION ZONES

The safety of workers on highway construction projects remains a critical safety issue, and accidents within work zones pose a threat to all road users.¹ This policy challenge is compounded by the fact that the severity of injuries to highway workers is affected by a range of factors, including the location of the work zone, work duration, time of day and type of work activity.² In addition, socio-cultural factors such as the number of licensed drivers, the ratio of workers travelling by carpool, and drivers with limited English-speaking ability are associated with higher crash risk.³ Because of the complex nature of relevant policy, legal responses to critical events should also be carefully considered and cannot be reduced to easily implemented solutions.⁴

Knowledge about the effectiveness of various safety strategies has been in continual evolution and recent research has identified strategies that have effectively improved worker safety on highways. Within this research, roadside signage has been identified as a critical piece of the puzzle and has become a focus.⁵ Various signage structures and arrangements have been found to be effective, but of critical importance is that signs are

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visible, easy to understand and give an accurate picture of what drivers are about to face.

In addition to adequate signing, however, many supplemental strategies have been identified. The use of highway flaggers is an effective tool for safety in highway work zones.^{1,6} However, although flaggers are part of the safety structure to protect other workers, the flaggers themselves are at risk and depend on other aspects of the material arrangements. In a sense, by the nature of their work, flaggers transfer the risk of injury from other workers to themselves. Therefore, not only must safety policies aim at the safety of workers in general, they should include attention to flaggers.

Other effective instruments include emergency flasher control devices, which get drivers' attention and encourage them to slow down,⁷ and portable electronic message signs.⁸ Such message signs are particularly useful because not only do they get the attention of drivers, they have the capacity to transmit a number of clear messages in rotating cycles.

Since drivers slow down when they see an enforcement vehicle, it has also been found that mock police vehicles are effective ways to reduce speeds and increase the headway between vehicles entering work zones.⁹ There are also a number of ways in which police vehicles can be positioned in order to achieve the best results. For example, this strategy is particularly effective if the mock vehicle is placed in a location that surprises drivers.¹⁰

In addition, there are physical instruments that have been found to be effective. Rumble strips have been known to be an effective way to prevent head-on collisions in two-lane highways by placing them along the centre line.¹¹ Recently, portable plastic rumble strips have been developed that can safely be placed across approaching lanes of traffic. These are particularly effective when placed ahead of a flagger, and have resulted in reduced driver speeds as well as an increased general sense of caution among drivers.¹² Comparative tests have found that safety instruments can be made more effective by particular combinations. For example, using a flagger, ensuring that speed reduction signs are placed on both sides of the road and "floating" a short reduced-speed zone alongside the actual work activity has been found to be the best combination.¹

POLICY-MAKING STYLES

Policy-making is a complex process. For this reason, it cannot be expected that policy responses will be evidence-based. Rather, there is a nuanced relationship between policy-makers and academic research,¹³ and available evidence is only one of the many influences. Recent research has suggested that there is an ongoing shift toward evidence-based justice policy,¹⁴ and that policy-making bodies have different capacities for the collection and use of empirical evidence.¹⁵ It has also been illustrated that Canadian federal budgets have effects on policy decisions, including, for example, cuts to programs that affect public health.¹⁶ Policy responses to worker safety, then, are not exempt from budgetary influence, and the influence of budgets has also been illustrated at the municipal level.¹⁷ This suggests that the environment within which policies are made is of critical importance.

It has recently been illustrated that particular combinations of contextual factors lead to particular decision-making styles. Based

on this, a taxonomy of decision-making styles has been developed.¹⁸ The taxonomy identifies four styles, each resulting from a combination of contextual factors. Contextual factors are measured on two dimensions. The first concerns the level of constraints on decision-makers (time constraints, availability of relevant information and how clearly the problem is defined). The second dimension concerns the complexity of the policy context (the number of actors and settings that are affected). Based on these two dimensions, policy decisions can be associated with four styles.¹⁹ "Type 1" occurs when a policy decision concerns a single setting and few actors (low complexity) and ample time, available information, and a clearly defined problem (low constraint). The type 1 style is characterized by rational decision-making. "Type 2" occurs when complexity is low but constraint is high (time and information are limited, problem unclear). Type 2 is characterized by incremental decision-making, which involves marginal shifts from the status quo.

In more complex settings, which tends to be the case for public policy,¹⁸ decision-making falls into types that are less researched and understood.¹⁹ "Type 3" occurs when constraints are low but complexity is high. This type is characterized by multiple rounds of review and input, and is common within legislation-based policy-making. This type of decision-making is "inherently political and hence can be expected to combine rational and irrational elements in final decisions ... with less consistently predictable results, allowing for large swings in decisions depending on the nature of the "vetopoints" and other characteristics of actor behaviours" (p. 664).¹⁹ Finally, "Type 4" occurs when both constraints and complexity are high – for example, when many actors are affected, time constraints are severe, information is unavailable and the problem is poorly defined. Type 4 involves bureaucratic politics and "garbage can decision-making".¹⁹ At its foundation, "garbage can decision-making" is characterized by "collections of choices looking for problems, issues and feelings looking for decision situations in which they might be aired, solutions looking for issues to which they might be an answer, and decision-makers looking for work" (p. 1).²⁰ Because of this, when complexity and constraints are high, decision-making may become infected by opportunism. This type of decision-making tends to result in unpredictable and often irrational decisions.¹⁹ Since the events examined are similar, it must be the decision-making environment (rather than the type of event) that shapes policy responses.

METHOD

Detailed information describing each event were obtained from two main sources. First, workplace health safety incident reports, which tend to be very thorough and focus upon the issue of worker safety, were examined. These documents provide detailed information about the contextual factors and causes of each event. The reports also contain detailed recommendations to improve worker safety, and the recommendations are targeted at the employers as well as government. The second source of detailed information about the events are the official court rulings and transcripts. Since court proceedings review all relevant evidence and arguments, these documents provided a detailed picture of each event.

To examine the contextual factors surrounding the policy-making, transcripts from legislative debates were reviewed. These

record main arguments of policy actors and decision-makers throughout the process which reveal key factors like time pressures, political tactics and statements given by politicians. Transcripts from committee stages of legislative processes reveal the specific arguments raised by various policy actors and agencies. Statements made by decision-makers were also compared to the recommendations made in workplace health and safety reports to examine the extent to which decision-makers pursued safety-focused ideas. Finally, the resulting legislation itself was examined to provide a clear picture of the outcome of the decision-making process.

Document analysis was used in the examination of the texts to assess the relationships, pressures and dynamic of the debates and the narrative of the workplace safety report. This approach is particularly relevant to parliamentary debates, which are free flowing and interactive. Further, since debates occur over several stages (for example, three legislative readings), themes that persist across all of the sessions reveal the core decision-making priorities.

Interviews with key stakeholders could benefit further investigation of this question (and expansion of the question), but would require interviewees to recall detailed aspects of their actions from up to four years ago. For the objectives of this paper, however, documented records give a reliable picture of the events and decision-making environments to understand key reasons for each province's policy response and situate them theoretically.

RESULTS

In outcome, the two events are the same since they each resulted in the death of a young, female construction flagger. However, available documents indicate that the specific circumstances and causes of the events differ in important ways.

THE EVENT IN MANITOBA

On October 18, 2010, a young female construction worker was killed on a provincial road in Manitoba near Winnipeg. The worker was working as a "flagger", holding a warning sign and helping to control traffic entering the construction site. The worker was struck by a vehicle and died in hospital shortly thereafter. The circumstances of the event, however, were complex. This is borne out in two sources: the court decision delivered on June 28, 2013, which found the driver not guilty of the charge of dangerous operation of a motor vehicle causing death,²¹ and the Workplace Safety & Health Division Incident Investigation Report, which is extensive and describes every aspect of the tragic event.²² These sources point to three key contributing factors.

The first pertains to the worker's actions. According to both documents, the flagger was using an iPod and/or cell phone with ear buds at the time of the incident, contrary to employer rules. The court ruling noted that the worker's use of ear buds "undoubtedly impacted her hearing, her concentration and her cognizance for oncoming traffic" (p. 22)²¹ The flagger also stepped into the middle of the lane and, according to the court ruling, may have come from behind a parked car. This was contrary to the training and policies in effect at that time for flaggers which states that flaggers should never stand or walk in front of oncoming traffic and must make sure there are no vehicles parked nearby.²³

The second cause of the accident noted in the documents was that the flagger was working a great distance from where the actual

work was being done (both the court ruling and the investigation report estimate the distance to have been around 150–200 m). According to the court ruling, the construction site was marked as having a reduced speed "when workers are present", but workers were not visible from the location of the incident. This is also evidenced by the fact that workers at the worksite were unaware of the incident until a passing car stopped to inform them. The ruling notes that no reason was given as to why the worker was so far away from the actual work zone.²¹ Moreover, the distance between the worker and the work site was contrary to the Manitoba Infrastructure and Transportation (MIT) Work Zone Traffic Control Manual in effect at the time. In the manual, a construction flagger must be within 30 m of where the actual work is taking place.²⁴ Yet, the ruling states that the worker "was in a location that a reasonably prudent driver would not have expected her to be".²¹

The final contributing factor identified in the documentation was insufficient traffic signage. Of critical importance is that the Incident Investigation Report observed that although the province often uses lane closure warning signs and "prepare to stop" signs in such situations, neither of those signs were present at the time of the incident. The incident report goes on to recommend that MIT enhance signing regulations to require the use of those signs.²²

THE EVENT IN SASKATCHEWAN

On August 24, 2012, a construction worker was killed by a vehicle on a Saskatchewan highway. As was the case in the Manitoba incident, the worker was a young female flagger holding a warning sign and directing traffic approaching the worksite. The causes of the event in Saskatchewan, however, were different. According to the court ruling, roadside signage was sufficient and the flagger was in close proximity to the work zone at her station. Roadside signs included an electronic message board alternately displaying the messages "Road Work Ahead", "Be Prepared to Stop", and "Reduce Speed Ahead". This was followed by a "Construction Ahead" sign, two "No Passing" signs (5.2 km apart), a "Men Working" sign and finally, a "Flagger Ahead" sign.²⁵

The ruling also states that the driver of the vehicle had passed several other vehicles in the no-passing zone and was travelling 90 km/h in the 60 km/h zone, which contributed to his being found guilty of dangerous driving causing death.²⁵ In addition, according to the ruling, as he approached the work zone, he was looking at a folder of documents. He opened the window, which caused the documents to blow around, and, after gathering the documents, he looked up to see the flagger at her station only 20 feet ahead of him. Accident analysis showed that he had not applied brakes prior to the flagging station.²⁵

While the events in Manitoba and Saskatchewan were similar in terms of the ultimate outcome (the death of a young female flagger), the central causes were different. The Manitoba case specifically warrants amendments to its road signing and flagging regulations, since those were key causes of the event and the incident investigation report recommended such changes. However, the actual responses reflect different decision-making contexts and styles.

Although the Transportation Association of Canada provides national guidelines for traffic control surrounding worksites, each province has developed its own traffic control manual, and policies differ from province to province.¹ For this reason, provinces have

the ability to respond in different ways to similar incidents. On the surface, the events both suggest a “type 3” decision-making style. Complexity is relatively high given the number of affected actors and stakeholders as well as the wide geographic impact. But constraints seem to be low: the problem is clearly defined, information and evidence is available, and there are no specific deadlines that must be met. In addition, the type 3 context commonly appears within governments,¹⁹ and both provinces have legislation-based policy-making systems, which are characteristic of the type 3 decision-making context. Importantly, the type 3 style is inherently political, combining rational and irrational elements.

POLICY RESPONSE IN SASKATCHEWAN

After the event, the Saskatchewan Premier directed the Minister of Highways and Infrastructure, the Attorney General and the Minister responsible for Saskatchewan Government Insurance (SGI) to identify recommendations to improve work zone safety.²⁶ Only a month after the event, in the fall of 2012, portable rumble strips were placed before all flagger-controlled highway work zones. The investigation was initiated in response to the flagger’s death, but went further by developing a safe systems framework involving engineering, legislation, enforcement and education. Saskatchewan traffic engineers reported the changes that were made:²⁷

1. In order to reduce driver confusion as to whether workers are present, a tab has been added to the “Road Work Ahead” sign stating “Workers Present”. When workers leave the site, they cover the sign. Speeding fines in work zones when workers are present have been tripled, and drivers are notified of this on speed reduction signs.
2. A sign indicating the end of the construction zone was mandated to be placed as close to the end of the work zone as possible.
3. A “passing permitted” sign was mandated to be placed as close as possible after the work zone.
4. Rumble strips were mandated for work zones located on high volume roads and projects longer than five days in duration. The rumble strips must be placed prior to the speed limit signs. These were actually implemented a month after the event, but the investigation formally mandated them for particular kinds of work zones.
5. Variable message signs had always been mandated in Saskatchewan, but following the investigation, clear regulations were implemented for their use (for example, governing their location relative to the work zone and the standardization of specific messages).
6. Roadside gateway assemblies were mandated for projects on high volume roads or those lasting more than five days.
7. Radar feedback signs were mandated for use after the speed reduction sign in projects lasting longer than five days. These are signs that determine vehicle speed and post the speed for the driver to see. Muhr and Kent (2014) note that although evidence is mixed regarding their general use, they seem to be effective in temporary speed zones like highway work zones.

8. Dual signing was mandated (placing the sign on both sides of the road). Signs that must be dualled are Road Work Ahead, signs showing the presence of a flagger, and any regulatory signs like speed limits. Muhr and Kent (2014) note that this is to ensure that all drivers can see the signs even if there is a large vehicle travelling beside them.

These changes reflect the fact that conducting literature searches was a central component of the process. This is important since availability of information is an aspect of low constraint, which facilitates the type 3 decision-making style. Second, this policy response went beyond addressing the specific causes of the flagger’s death. Since the driver was found at fault and signage was sufficient, a punitive response may be rational. Nevertheless, the broad exploration for recommendations was typical of approaches taken within the type 3 environment, which include complexly structured, multi-actor deliberations.¹⁹ There was one other change made in Saskatchewan that warrants its own discussion. Since the longstanding presence of photo radar as a revenue source impacted Manitoba’s policy response (as will be illustrated in the following section), it is noteworthy that Saskatchewan introduced photo radar to work zones as part of the safety changes. Photo radar began in Saskatchewan work zones on July 15, 2013. Not surprisingly, the government website referred to the flagger’s death when announcing the implementation. However, the program was structured in ways that help mediate the revenue-driven aspect of photo radar. First, there must be signs indicating to drivers that photo radar may be present. This is based on evidence suggesting that drivers will reduce speed if they perceive a greater chance of receiving a ticket, and it is in line with research showing that visibility of enforcement has a deterrent effect.^{9,10} The photo enforcement program is operated by the same company that operates the program in Manitoba, but Saskatchewan pays the company a flat rate, whereas in Manitoba the company is paid on a per-ticket basis. Finally, in Saskatchewan the revenue goes to Saskatchewan Government Insurance rather than directly into police revenue as it happens in Manitoba. Moreover, the implementation of photo enforcement was a small part of a broader policy response.

POLICY RESPONSE IN MANITOBA

As discussed above, the causes of the Manitoba event were not attributable solely to the driver’s actions. Rather, the location and actions of the flagger and, more significantly, insufficient traffic signage were identified causes. Given this, it could be expected that Manitoba would respond with a comprehensive review like that performed in Saskatchewan. However, the response in Manitoba was in stark contrast to that, involving changes that in many cases directly contradict the findings of available safety research.

In Manitoba, a review of flag-person rules was completed in 2012, but it focused on changes to workplace safety regulations rather than binding legislation.²⁸ At the legislative level, rather than immediately calling for recommendations toward an overall safety strategy, the Minister of Infrastructure and Transportation introduced a bill about three years after the event. Bill 2, *Highway Traffic Amendment Act (Safety of Workers in Highway Construction Zones)* was introduced on November 15, 2013. The problem was clearly defined – speeding in construction zones – and the

proposed solution was simple: increased fine amounts. This aspect of the bill did not address many of the recommendations made during the committee stage of the bill's development. The Manitoba Federation of Labour, for example, called for allowing employers to move signs along the road with the progress of a project (as a "floating speed zone"), and for Manitoba to follow Saskatchewan's lead and implement rumble strips.²⁸ However, the proposed bill did not address these strategies.

During house debates, the Opposition often referred to the government's recent expansion of the GST sales tax as well as its proposals to increase provincial sales tax rates.²⁸ These efforts of the government reflect the budgetary challenges being faced at the time. Another issue that was raised concerned the photo enforcement program, which had been operating in construction zones since 2008. The program had faced challenges, however, because tickets were being issued at times when no workers were present despite signage indicating that reduced speeds were only in effect when passing workers, and courts had been going back and forth on the issue.²⁸ In some cases, court rulings had led to the cancelation or refunding of fine revenue.

Other aspects of the house debates seem to reflect type 4 decision-making. The merits of the bill received very little attention in any of the readings.²⁸ Many references were made to the government's delay in addressing the issue, to the point where it became a central focus of the discussions. In the third reading, on the last day before the holiday break, the Government and the Opposition spent much of the time blaming each other for delays.²⁸ This reflects the centrality of time constraints on the process – that criticisms revolve around delays while the bill is being debated on the last possible day.

The other focus concerned the Opposition's criticism that the bill will be used to generate revenue, referring to it as a "tax grab".²⁸ This criticism exemplified the political nature of the photo traffic enforcement program, which generates considerable revenue but could be shut down if there is sufficient public opposition.²⁹ Education of motorists and the need for better signage were raised, but not often, and related amendments were never proposed. During the committee stage, presenters also pointed to the need for better signage and questioned the fact that the bill was so specific about increasing fine amounts and yet silent on safety measures.²⁸ In the end, the government position was that those safety elements would be addressed in changes to workplace regulations (to be determined in the future) rather than legislation.²⁸

Through all the debates, there was little if any discussion about whether increasing fines is effective. This is critical since available evidence suggests that it is not,²⁸ and the omission of information gathering during the process is an aspect of the type 4 environment. In the end, the bill was passed unanimously on December 5 – the last day before the holiday break.

On the surface, the clearly defined problem is an aspect of the type 3 decision-making environment. However, the bill was rushed through the legislative stages because of political and popular criticisms that the government should have addressed the issue sooner.²⁸ That pressure created severe time constraints, which is a characteristic of the type 4 environment. These time constraints discouraged an analysis of available information and evidence – in effect, making information unavailable to the process. These factors transformed the decision-making environment to one more closely resembling type 4, which is more open to

exploitation since it may involve "collections of choices looking for problems".²⁰ The budgetary pressure on the government at the time may have created an incentive to create revenue-generating policy, and the context was shifting in a way that could facilitate it.

Photo traffic enforcement had become established as a long-term source of revenue that could be exploited toward this end. In Manitoba, traffic enforcement had become a major source of police revenue, particularly in Winnipeg. Winnipeg's photo enforcement program was established in May 2002. Tickets were first issued at 12 intersection cameras in January 2003. In addition to the 12 intersection cameras, 5 mobile photo enforcement vehicles began operating in playgrounds, school zones and construction zones. Since that time, the program has expanded. By 2006, there were 48 monitored intersections and 10 mobile units.³⁰ One of the unique aspects of Winnipeg's program is that, unlike in other cities, most of the revenue generated through fines goes directly into the police budget. Annually in Winnipeg, photo enforcement revenue makes up about 88% of overall traffic enforcement revenue and approximately 40% of the revenue collected by police beyond core government funding, generating approximately \$1.1 million per month.³¹ Various other government departments also benefit through the collection of related fees. In a type 4 environment, which leads to "garbage can" decision-making, photo enforcement provided an avenue through which budgetary shortfalls can be addressed.

On May 16, 2014, "Brittany's Law" took effect in Manitoba. The law achieved four things. First, it allowed double-fined areas to be photo-enforced. Second, the new law eliminated the stipulation that workers must be present. Third, the law removed restrictions regarding the length of reduced-speed zones and where signage must be placed. Finally, the law made double-fined, reduced-speed construction zones photo-enforceable 24 hours per day, including weekends and holidays. These changes seem disconnected from the actual causes of the event, however. In fact, the elimination of signage requirements within the legislation runs contrary to the finding that insufficient signage was a key cause of the fatality.

The changes, however, have served the creation of photo-enforceable, double-fined stretches of unmarked roadway many kilometres after vehicles have passed the actual construction work. We have observed some stretches that approach 30 km in length. This legal change makes sense from a revenue standpoint, since longer construction zones are associated with higher speeds as drivers lose patience, especially in areas with little work activity.³²

Because of such implementation, the legislation had a substantial effect on police and government revenue. The Winnipeg Police Service Financial Report for the quarter immediately following the implementation of the resulting new law in 2014 states that the new law combined with additional construction zone enforcement generated additional revenue that was "much greater than last year" (p. 4).³³ The report goes on: "This combination of events, plus good winter road conditions, assisted in the speed reduction program having the highest year in revenue since inception" (p. 4). Apparent in these statements, then, is that the program seeks ways that can "assist" in generating revenue, and that under the new law, "good road conditions" have become a source of revenue as well. The fact that the program has had its most profitable year since its 2003 inception is framed as a success in terms of revenue rather than a failure in terms of safety.

The structure of “Brittany’s Law”, therefore, does not appear to address the safety of flaggers in construction zones. However, the impact of the doubled fines on police revenue has been substantial, having “aided in achieving higher revenues” and “assisted in the speed reduction program having its highest year in revenues since inception”.³³

CONCLUSION

Despite the similar outcomes of the events examined, differing decision-making environments led to starkly different responses. Although both events seem to reflect the type 3 decision-making environment, contextual factors in Manitoba shifted the environment to reflect a type 4 environment. In this case, political and popular pressures created time constraints and reduced access to information, thereby shifting the environment toward type 4, which is more open to exploitation. The emotional aspects of the type 4 environment (“issues and feelings looking for decision situations in which they might be aired”²⁰) are even apparent in that the law was named in remembrance of the deceased worker.

The legislative response in Manitoba was more punitive in nature even though the driver was not driving recklessly and insufficient signage was found to be a key factor. In Saskatchewan, where the driver was found to have been driving dangerously, the response was nevertheless less focused on punishing drivers. This suggests that, at least in these cases, the specific circumstances played a relatively minor role in defining legislative outcomes. It is possible, however, that such circumstances have a subtle and complex relationship with decision-making by, for example, influencing those who attend public hearings to make formal arguments and determining which interest groups become involved.

This analysis has also illustrated that public safety policies with revenue-generating potential (such as photo traffic enforcement) can serve as a tool for exploiting irrational decision-making environments to serve budgetary needs of governments, even when doing so may compromise the positive impact of legislation on public safety.

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RÉSUMÉ

OBJECTIFS : Les accidents mortels contribuent souvent à changer les politiques. Le milieu décisionnel existant est toutefois un élément primordial des politiques adoptées en réponse à de tels accidents. Notre étude compare les politiques adoptées au Manitoba et en Saskatchewan en réponse à des événements semblables. La question clé est de déterminer la mesure dans laquelle les décisions stratégiques de chaque province diffèrent malgré la similarité des événements qui en sont à l'origine.

MÉTHODE : Nous avons examiné des documents clés. Les décisions judiciaires provinciales, les rapports d'enquête sur les incidents de santé-sécurité au travail, les transcriptions de témoignages et les constats de

police ont permis de comparer les modifications des politiques, ainsi que le contexte sociopolitique et économique de la prise de décision. Nous avons aussi comparé les dispositions pertinentes des lois résultant des décisions pour évaluer les modifications précises adoptées dans chaque province.

RÉSULTATS : Dans chacune des deux provinces, une jeune ouvrière de la construction effectuant des travaux sur la chaussée a été tuée. La réponse de chaque province a toutefois été très différente. En Saskatchewan, le premier ministre a demandé des recommandations pour améliorer la sécurité au travail, ce qui a donné lieu à une étude gouvernementale approfondie et à l'élaboration d'une vaste stratégie de sécurité. Au Manitoba, les pressions politiques et sociales ont ébranlé le milieu

décisionnel et contribué à l'adoption précipitée d'un projet de loi qui a haussé les amendes pour infractions routières, ce qui a entraîné des recettes record en amendes routières, mais n'a pas élargi les mesures de sécurité.

CONCLUSION : Différents contextes décisionnels peuvent donner lieu à des politiques tout à fait différentes, même en réponse à des événements très semblables. Les différences clés étaient les contraintes de temps, l'accès à l'information et la nature du processus politique invoqué.

MOTS CLÉS : sécurité; accidents; police; lieu de travail; Manitoba; Saskatchewan