



**BCTF**

**HEALTH**

and

**SAFETY**

**Handbook**

2022

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The references to *Occupational Health and Safety Regulations* and the *Workers’ Compensation Act* in this handbook are current to the time of printing. For current legislation consult [worksafebc.ca](http://worksafebc.ca).



# Workers Basic Health and Safety Rights

**All workers in British Columbia have four basic Health and Safety Rights**

## **The Right to Know**

All workers have the right to know what hazards exist in the workplace. This includes all physical and mental hazards. This also includes hazards such as risk of violence.

## **The Right to Participate**

All workers have the right to participate in Occupational Health and Safety activities in the workplace.

This right includes being able to participate in the Joint Occupational Health and Safety (JOHS) Committee, and to report hazards and injuries.

## **The Right to Refuse**

All workers have the right to refuse work that is hazardous.

## **The Right to No Discrimination**

All workers have the right to be free from reprisal for refusing unsafe work or contacting WCB.

## **Worker and Employer Responsibilities**

### **Worker Responsibilities**

As a worker, you must:

- Be alert to hazards. Report them immediately to your supervisor or employer.
- Follow safe work procedures and act safely in the workplace at all times.
- Use the protective clothing, devices, and equipment provided. Be sure to wear them properly.
- Co-operate with joint occupational health and safety committees, worker health and safety representatives, WorkSafeBC prevention officers, and anybody with health and safety duties.
- Get treatment quickly should an injury happen on the job and tell the health care provider that the injury is work-related.
- Follow the treatment advice of health care providers.
- Return to work safely after an injury by modifying your duties and not immediately starting with your full, regular responsibilities.
- Never work under the influence of alcohol, drugs or any other substance, or if you're overly tired.

### **Employer Responsibilities**

- Establish a valid occupational health and safety program.
- Train your employees to do their work safely and provide proper supervision.
- Provide supervisors with the necessary support and training to carry out health and safety responsibilities.
- Ensure adequate first aid equipment, supplies, and trained attendants are on site to handle injuries.
- Regularly inspect your workplace to make sure everything is working properly.
- Fix problems reported by workers.
- Transport injured workers to the nearest location for medical treatment.
- Report all injuries to WorkSafeBC that required medical attention.
- Investigate incidents where workers are injured, or equipment is damaged.
- Submit the necessary forms to WorkSafeBC.

## Reporting Incidents or Injury

### 1. Report your injury immediately to your employer

Your employer is responsible for getting you any necessary first aid, and for transporting you to a medical facility if that's what you need. Be sure to keep in touch with your employer if you need to be off work.

### 2. See your physician

Your doctor will recommend treatment for your injury and may refer you to other health care practitioners. Be sure to ask about what modified work duties, and activities at home, you can do to help your recovery. And always let your health care provider know that you were injured at work.

### 3. Report your injury to WCB

If you've missed work, call Teleclaim. If you haven't missed work but sought medical attention, we recommend reporting online. Before you report your injury, please review the information you'll need to provide.

## Forms

### *Form 6A: Workers Report of Injury to Employer*

- This form goes **only to the employer** and the joint committee.
- The form **does not** go to WorkSafeBC.
- Keep a copy for yourself.
- Send copies to local union office.

### *Form 6" Report of Injury to WorkSafeBC Teleclaim*

- This form reports to WorkSafeBC that there has been an accident or injury for which you have lost time at work.

**Note:** That any incident, including an accident, near miss, injury (including psychological injury), threat of violence, or occupational disease involving a BCTF member be reported to WorkSafeBC, investigated by a team which includes the worksite BCTF health and safety representative, or another BCTF member designated by the representative (As per *BCTF Members' Guide, 13.D.06*).

## Roles of Joint Occupational Health and Safety (JOHS) Committees and Worker Reps

- **Identify situations** that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
- **Consider, and promptly deal with complaints** relating to the health and safety of workers.
- **Consult with workers and the employer** on issues related to occupational health and safety, and the occupational environment.
- **Make recommendations to the employer** and the workers for the improvement of the occupational health and safety, and the occupational environment of workers.
- **Make recommendations to the employer** on educational programs promoting the health and safety of workers and compliance with OHS provisions (Part 3) of the *Workers Compensation Act* and the regulations, and to monitor their effectiveness.
- **Advise the employer** on programs and policies required under the regulations for the workplace, and to monitor their effectiveness.
- **Advise the employer on** proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers.
- **Ensure** that accident investigations and regular inspections are carried out as required.
- **Participate in inspections, investigations and inquiries** as provided in Part 3 of the *Workers Compensation Act* and Part 3 of the Regulation.

In workplaces where a worker health and safety representative is required, the representative has the same duties and functions as a joint committee, to the extent practicable.

## Joint Committees and Worker Representatives

**NEW** committee members who join after April 3, 2017, must receive a total of eight hours of instruction and training, within their first six months.

### **31 General requirements for employer to establish joint committee**

An employer must establish and maintain a joint health and safety committee:

- a. in each workplace where 20 or more workers of the employer are regularly employed, and
- b. in any other workplace for which a joint committee is required by order.

### **32 Variations in committee requirements**

1. Despite section 31, the Board may, by order, require or permit an employer to establish and maintain:
  - a. more than one joint committee for a single workplace of the employer,
  - b. one joint committee for more than one workplace or parts of more than one workplace of the employer, or
  - c. one joint committee for the workplace or parts of the workplaces of a number of employers, if the workplaces are the same, overlapping or adjoining.
2. An order under subsection (1) may
  - a. specify the workplace, workplaces or parts for which a joint committee is required or permitted, and
  - b. provide for variations regarding the practice and procedure of a joint committee from the provisions otherwise applicable under the Occupational Health and Safety (OHS) provisions or the regulations.

### **33 Membership of joint committee**

A joint committee for a workplace must be established in accordance with the following:

- a. it must have at least 4 members or, if a greater number of members is required by regulation, that greater number
- b. it must consist of worker representatives and employer representatives
- c. at least half the members must be worker representatives
- d. it must have 2 co-chairs, one selected by the worker representatives and the other selected by the employer representatives.

### **34 Selection of worker representatives**

1. The worker representatives on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:
  - a. if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions
  - b. if none of the workers are represented by a union, the worker representatives are to be elected by secret ballot
  - c. if some of the workers are represented by one or more unions and some are not represented by a union, the worker representatives are to be selected in

- accordance with paragraphs (a) and (b) in equitable proportion to their relative numbers and relative risks to health and safety
- d. if the workers do not make their own selection after being given the opportunity under paragraphs (a) to (c), the employer must seek out and assign persons to act as worker representatives.
2. The employer or a worker may request the Board to provide direction as to how an election under subsection (1)(b) is to be conducted.
  3. The employer, or a union or a worker at a workplace referred to in subsection (1)(c), may request the Board to provide direction as to how the requirements of that provision are to be applied in the workplace.

### ***35 Selection of employer representatives***

1. The employer representatives on a joint committee must be selected by the employer from among persons who exercise managerial functions for the employer and, to the extent possible, who do so at the workplace for which the joint committee is established.
2. For certainty, an individual employer may act as an employer representative.

### ***36 Duties and functions of joint committee***

A joint committee has the following duties and functions in relation to its workplace:

- a. to identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations
- b. to consider and expeditiously deal with complaints relating to the health and safety of workers
- c. to consult with workers and the employer on issues related to occupational health and safety and occupational environment
- d. to make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers
- e. to make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHS provisions and the regulations and to monitor their effectiveness
- f. to advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness
- g. to advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers
- h. to ensure that accident investigations and regular inspections are carried out as required by the OHS provisions and the regulations
- i. to participate in inspections, investigations and inquiries as provided in the OHS provisions and the regulations
- j. to carry out any other duties and functions prescribed by regulation.



### **37 Joint committee procedure**

1. Subject to the OHS provisions and the regulations, a joint committee must establish its own rules of procedure, including rules respecting how it is to perform its duties and functions.
2. A joint committee must meet regularly at least once each month, unless another schedule is permitted or required by regulation or order.

### **38 Board assistance in resolving disagreements within committee**

1. If a joint committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to the Board, which may investigate the matter and attempt to resolve the matter.
2. If the Board considers that a joint committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, the Board, on its own initiative, may investigate the matter and attempt to resolve the matter.

### **39 Employer must respond to committee recommendations**

1. This section applies if a joint committee sends a written recommendation to an employer with a written request for a response from the employer.
2. Subject to subsections (4) and (5), the employer must respond in writing to the committee within 21 days of receiving the request, either
  - a. indicating acceptance of the recommendation, or
  - b. giving the employer's reasons for not accepting the recommendation.
3. If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the Board, which may investigate and attempt to resolve the matter.
4. If it is not reasonably possible to provide a response before the end of the 21-day period, the employer must provide within that time a written explanation for the delay, together with an indication of when the response will be provided.
5. If the joint committee is not satisfied that the explanation provided under subsection (4) is reasonable in the circumstances, a co-chair of the committee may report this to the Board.
6. On receiving a report under subsection (5), the Board may investigate the matter and may, by order, establish a deadline by which the employer must respond.
7. Nothing in this section relieves an employer of the obligation to comply with the OHS provisions and the regulations.

### **40 Time from work for meetings and other committee functions**

1. A member of a joint committee is entitled to time off from work for
  - a. the time required to attend meetings of the committee, and
  - b. other time that is reasonably necessary to prepare for meetings of the committee and to fulfill the other duties and functions of the committee.
2. Time off under subsection (1) is deemed to be time worked for the employer, and the employer must pay the member for that time.

#### ***41 Educational leave for committee members***

1. Each member of a joint committee is entitled to an annual educational leave totaling eight hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.
2. A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.
3. The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

#### ***42 Other employer obligations to support committee***

1. The employer must provide the joint committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.
2. On request of the joint committee, the employer must provide the committee with information respecting
  - a. the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed,
  - b. health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge,
  - c. orders, penalties and prosecutions under the OHS provisions or the regulations relating to health and safety at the workplace, and
  - d. any other matter prescribed by regulation.

#### ***43 Committee reports***

1. After each joint committee meeting, the committee must prepare a report of the meeting and provide a copy to the employer.
2. The employer must:
  - a. if so, requested by a union representing workers at the workplace, send a copy of the reports under subsection (1) to the union,
  - b. retain a copy of the reports for at least 2 years from the date of the joint committee meeting to which they relate, and
  - c. ensure that the retained reports are readily accessible to the joint committee members, workers of the employer, officers and other persons authorized by the Board or the minister.

#### ***44 Employer must post committee information***

At each workplace where workers of an employer are regularly employed, the employer must post and keep posted

- a. the names and work locations of the joint committee members,
- b. the reports of the 3 most recent joint committee meetings, and
- c. copies of any applicable orders under this Division for the preceding 12 months.

#### **45 Worker health and safety representative**

1. A worker health and safety representative is required
  - a. in each workplace where there are more than 9 but fewer than 20 workers of the employer regularly employed, and
  - b. in any other workplace for which a worker health and safety representative is required by order of the Board.
2. The worker health and safety representative must be selected in accordance with section 34 [*selection of worker representatives on joint committee*] from among the workers at the workplace who do not exercise managerial functions at that workplace.
3. To the extent practicable, a worker health and safety representative has the same duties and functions as a joint committee.
4. Sections 39 to 42 [*rules respecting joint committees*] apply in relation to a worker health and safety representative as if the representative were a joint committee or member of a joint committee.

#### **46 Participation of alternate for worker representative**

1. This section applies if
  - a. the OHS provisions or the regulations give a worker representative the right to be present for an inspection, investigation or inquiry at a workplace, and
  - b. no worker representative is reasonably available.
2. The right to be present may be exercised by another worker who has previously been designated as an alternate by the worker representative.

## Workplace Violence and Prevention

Definition: **violence** means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.

- The potential for violence exists whenever there is direct interaction between workers and non-workers.
- Employers **must** provide a workplace as safe from the threat of violence as possible.
- If there is a risk of violence in a workplace, the employer must set up and instruct workers on procedures to eliminate or minimize the risks.
- The first step in preventing workplace violence is conducting a **risk assessment**.
- If the assessment shows that there is a risk of violence, the employer must develop and implement a workplace violence prevention program.

## Violence Prevention Program

- Should be part of a workplace's overall health and safety program
- Should be developed and implemented in co-operation with the *joint health and safety committee or worker health and safety representative*.

Components of a violence prevention program:

- Written policy to eliminate or minimize risk
- Regular risk assessments
- Prevention procedures
- Worker and supervisor training
- Procedures for reporting and investigating incidents
- Incident follow-up
- Program review.

## K–12 Workplace Violence Prevention Toolkit

The BC Primary and Secondary Education Health and Safety Advisory Committee (K–12 Advisory Committee) was established by WorkSafeBC to review occupational health and safety issues and challenges in the BC public education system, and act in an advisory capacity providing recommendations for resolution of issues and challenges.

The K–12 Advisory Committee recognizes that the K–12 sector is uniquely impacted by workplace violence. As a result, they took the initiative to establish a working group specifically focused on K–12 workplace violence prevention, with the understanding that the solutions to workplace violence could best be established by those from within the sector.

The working group brings together the following stakeholders to work collaboratively on this issue:

- Canadian Union of Public Employees
- BC Teachers' Federation
- BC Principals' and Vice Principals' Association
- BC School Superintendents Association
- School Safety Association of BC
- BC Public Schools Employers' Association
- Occupational Health and Safety Specialists representing rural and urban school districts
- WorkSafeBC.

Established in March 2019, the K–12 Workplace Violence Prevention Working Group set out to develop tools and resources that could be used to support school districts with compliance and performance efforts related to workplace violence prevention. The tools are a mechanism to support compliance with the Occupational Health and Safety Regulation; however, they do not replace a school's obligations to carry out the community violent threat risk assessment and related Ministry of Education requirements.

See link for the tools: [bcpsea.bc.ca/resources/occupational-health-safety/resources-tools/](https://bcpsea.bc.ca/resources/occupational-health-safety/resources-tools/)

## Workplace Violence

### **4.28 Risk assessment**

1. A risk assessment must be performed in any workplace in which a risk of injury to workers from violence arising out of their employment may be present.
2. The risk assessment must include the consideration of
  - a. previous experience in that workplace,
  - b. occupational experience in similar workplaces, and
  - c. the location and circumstances in which work will take place.

### **4.29 Procedures and policies**

If a risk of injury to workers from violence is identified by an assessment performed under section 4.28 the employer must

- a. establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence, and
  - b. if elimination of the risk to workers is not possible, establish procedures, policies and work environment arrangements to minimize the risk to workers.
- Repealed. [B.C. Reg. 312/2003, effective October 29, 2003.]  
[Amended by B.C. Reg. 312/2003, effective October 29, 2003.]

### **4.30 Instruction of workers**

1. An employer must inform workers who may be exposed to the risk of violence of the nature and extent of the risk.
2. The duty to inform workers in subsection (1) includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work.
3. The employer must instruct workers who may be exposed to the risk of violence in
  - a. the means for recognition of the potential for violence,
  - b. the procedures, policies and work environment arrangements which have been developed to minimize or effectively control the risk to workers from violence,
  - c. the appropriate response to incidents of violence, including how to obtain assistance

## **Bullying and Harassment**

Bullying and Harassment falls under Workplace Conduct in the OHS regulations.

A worker is bullied and harassed when someone takes an action that he or she knew or reasonably ought to have known would cause that worker be humiliated or intimidated. When an employer or supervisor takes reasonable action to manage and direct workers, it is not bullying and harassment.

Examples of behaviour or comments that might constitute bullying and harassment include:

- verbal aggression or insults
- calling someone derogatory names
- harmful hazing or initiation practices
- vandalizing personal belongings
- spreading malicious rumours.

### **Reporting Bullying and Harassment**

- If you are a worker and you have witnessed or experienced bullying and harassment in your workplace, you must report it to your employer.
- If your employer has not taken reasonable steps to address the incident, you can call the Prevention Information Line to contact an officer to discuss the incident. If the matter is still not resolved after.
- If your employer does not have bullying and harassment policies and procedures or has not taken reasonable steps to address the incident, contact the Prevention Information Line at 604-276-3100 (1-888-621-7233 toll free) and speak with a prevention officer.

### **After Reporting the Incident**

After reporting the incident to your employer and speaking with a prevention officer, you may submit a Bullying and Harassment Questionnaire, which a prevention officer will then review to determine whether or not to make further inquiries.

## **Bullying and Harassment (continued)**

### **Workplace Conduct**

#### **4.24 Definition**

"Improper activity or behaviour" includes:

- a. the attempted or actual exercise by a worker towards another worker of any physical force so as to cause injury, and includes any threatening statement or behaviour which gives the worker reasonable cause to believe he or she is at risk of injury, and
- b. horseplay, practical jokes, unnecessary running or jumping or similar conduct.

**Note:** Worker means a worker as defined under the Workers Compensation Act, and includes a supervisor or other representative of the employer (see Part 2, Division 1, section 13).

#### **4.25 Prohibition**

A person must not engage in any improper activity or behaviour at a workplace that might create or constitute a hazard to themselves or to any other person.

#### **4.26 Investigation**

Improper activity or behaviour must be reported and investigated as required by Part 3 (Rights and Responsibilities).



## Right to Refuse Unsafe Work

### Workers have the right to refuse unsafe work

- If you have reasonable cause to believe that performing a job or task puts you or someone else at risk, you must not perform the job or task.
- You **must** immediately notify your supervisor or employer, who will then take the appropriate steps to determine if the work is unsafe and remedy the situation.
- As a worker, you have the right to refuse to perform a specific job or task you believe is unsafe without being disciplined by your employer.
- Your employer or supervisor may temporarily assign a new task to you, at no loss in pay.

Refusal of unsafe work is one of the four basic rights of all workers

### Refusal of Unsafe Work Regulations

#### *3.12 Procedure for refusal*

1. A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.
2. A worker who refuses to carry out a work process or operate a tool, appliance or equipment pursuant to subsection (1) must immediately report the circumstances of the unsafe condition to his or her supervisor or employer.
3. A supervisor or employer receiving a report made under subsection (2) must immediately investigate the matter and
  - a. ensure that any unsafe condition is remedied without delay, or
  - b. if in his or her opinion the report is not valid, must so inform the person who made the report.
4. If the procedure under subsection (3) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, the supervisor or employer must investigate the matter in the presence of the worker who made the report and in the presence of
  - a. a worker member of the joint committee,
  - b. a worker who is selected by a trade union representing the worker, or
  - c. if there is no joint committee or the worker is not represented by a trade union, any other reasonably available worker selected by the worker.
5. If the investigation under subsection (4) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, both the supervisor, or the employer, and the worker must immediately notify an officer, who must investigate the matter without undue delay and issue whatever orders are deemed necessary.

### **3.12.1 Reassignment of refused work**

If a worker refuses work under section 3.12, the employer must not require or permit another worker to do the refused work unless

- a. the matter has been resolved under section 3.12(3), (4) or (5), or
- b. the employer has, in writing, advised the other worker and a person referred to in section 3.12(4)(a), (b) or (c) of all of the following:
  - i. the refusal;
  - ii. the unsafe condition reported under section 3.12(2);
  - iii. the reasons why the work would not create an undue hazard to the health and safety of the other worker or any other person;
  - iv. the right of the other worker under section 3.12 to refuse unsafe work.

[Enacted by B.C. Reg. 116/2022, effective August 22, 2022.]

### **3.13 No prohibited action**

1. A worker must not be subject to prohibited action as defined in section 47 of the *Workers Compensation Act* because the worker has acted in compliance with section 3.12 or with an order made by an officer.
2. Temporary assignment to alternative work at no loss in pay to the worker until the matter in section 3.12 is resolved is deemed not to constitute prohibited action.

[Amended by B.C. Reg. 279/2019, effective April 6, 2020.]

**Note:** The prohibition against prohibited action is established in the *Workers Compensation Act* Part 2, Division 6, sections 47 through 50.

## Steps to follow when work might be unsafe

1

### **Report the unsafe condition or procedure**

- As a worker, you must immediately report the unsafe condition to a supervisor or employer.
- As a supervisor or employer, you must investigate the matter and fix it if possible. If you decide the worker's concern is not valid, report back to the worker.

2

### **If a worker still views work as unsafe after a supervisor or employer has said it is safe to perform a job or task**

- As a supervisor or employer, you must investigate the problem and ensure any unsafe condition is fixed.
- This investigation must take place in the presence of the worker and a worker representative of the joint health and safety committee or a worker chosen by the worker's trade union. If there is no safety committee or representing trade union at the workplace, the worker who first reported the unsafe condition can choose to have another worker present at the investigation.

3

### **If a worker still views work as unsafe, notify WorkSafeBC**

- If the matter is not resolved, the worker and the supervisor or employer must [contact WorkSafeBC](#). A prevention officer will then investigate and take steps to find a workable solution.

[www.worksafebc.com/en/health-safety/create-manage/rights-responsibilities/refusing-unsafe-work](http://www.worksafebc.com/en/health-safety/create-manage/rights-responsibilities/refusing-unsafe-work)

## Indoor Air Quality

Indoor Air Quality is both a health and safety hazard as well as a learning condition in the classroom.

### When to investigate?

1. The employer must ensure that the indoor air quality is investigated when
  - a. complaints are reported,
  - b. occupancy in the space changes substantially, or
  - c. renovations involving significant changes to the ventilation system occur.
2. An air quality investigation must include
  - a. assessment of the ventilation rate, unless the indoor carbon dioxide level is less than 650 ppm above ambient outdoor levels,
  - b. inspection of the ventilation system as required in section 4.78(2),
  - c. sampling for airborne contaminants suspected to be present in concentrations associated with the reported complaints, and
  - d. a record of the complaint, the findings of the investigation, and any actions taken.

### 4.78 Preventive maintenance

1. To maintain acceptable air quality, the employer, or if the employer is not responsible for maintenance of the ventilation system, the owner of the ventilation system must establish an effective preventive maintenance program for the ventilation system.
2. Preventive maintenance must include
  - a. regular inspections
    - i. of all critical components of the ventilation system, such as dampers, fans, belts, baffles, ductwork, diffusers and control systems, and
    - ii. for conditions which would promote the growth of micro-organisms, such as water leaks or stagnant water pools,
  - b. correction of any deficiencies found during the inspections carried out under paragraph (a.),
  - c. repair or replacement of malfunctioning and consumable components, such as filters and belts, and the cleaning of air distribution systems, ducts and dampers when necessary to correct an indoor air quality deficiency,
  - d. adequate treatment of open water systems associated with ventilation equipment such as cooling towers and humidifiers, to control biological growth, and
  - e. maintenance of combustion sources, such as furnaces, space heaters and water heaters to assure proper burning and exhausting of waste gases so that recirculation of gases to the workplace will not occur.

### 4.80 Temperature and Humidity

The employer must ensure that temperature and humidity levels within the indoor work environment are maintained within acceptable comfort ranges, as far as is practicable.

**Note:** Refer to the ASHRAE publication *Handbook of Fundamentals* or to the WorkSafeBC publication *Indoor Air Quality* for information on acceptable temperature and humidity levels.

## Investigations

Employers are responsible for **immediately** conducting an investigation for any incident involving:

- Injury requiring medical treatment
- Minor injury, or no injury, but had the potential for causing serious injury
- Serious injury to a worker or a worker's death.

### Investigation Stages

- Preliminary Investigation
  - A preliminary investigation is an opportunity for employers to identify any unsafe conditions, acts, or procedures that must be addressed so work can resume safely until a full investigation has been completed.
  - Employers must complete a preliminary investigation and accompanying report within **48 hours** of an incident.
- Interim Corrective Actions
  - During the period between the incident and the conclusion of the full investigation, an employer is responsible for taking all actions reasonably necessary to prevent the incident from happening again. If an employer can identify only some of the unsafe conditions, acts, or procedures that significantly contributed to the incident, interim corrective actions may include a full or partial shutdown of the worksite, removal of equipment, or reassignment of workers to other duties.
- Full Investigation
  - A full investigation is about determining an incident's cause or causes. This involves carefully analyzing the facts and circumstances to identify the underlying factors that led to the incident.
  - Key questions to ask include:
    - What factors made the unsafe conditions, act, or procedures possible?
    - Are there any health and safety deficiencies in my management system or processes?
    - A full investigation and report must be completed within **30 days** of the incident.
- Final Corrective Actions
  - Once a full investigation has been completed, as an employer you must prepare a corrective action report that describes the unsafe conditions that led to the incident, what corrective action is necessary, and the steps you and your organization will take to implement those actions.

## **Division 6 Employer Accident Reporting and Investigations**

### ***68 Immediate notice of certain accidents***

1. An employer must immediately notify the Board of the occurrence of any accident that
  - a. resulted in serious injury to or the death of a worker,
  - b. involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,
  - c. involved the major release of a hazardous substance,
  - d. involved a fire or explosion that had a potential for causing serious injury to a worker, or
  - e. was an incident required by regulation to be reported.
2. Except as otherwise directed by an officer of the Board or a peace officer, a person must not disturb the scene of an accident that is reportable under subsection (1) except so far as is necessary to
  - a. attend to persons injured or killed,
  - b. prevent further injuries or death, or
  - c. protect property that is endangered as a result of the accident.

### ***69 Incidents that must be investigated***

1. An employer must conduct a preliminary investigation under section 71 and a full investigation under section 72 respecting any accident or other incident that
  - a. is required to be reported under section 68,
  - b. resulted in injury to a worker requiring medical treatment,
  - c. did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had a potential for causing serious injury to a worker, or
  - d. was an incident required by regulation to be investigated.
2. Subsection (1) does not apply in the case of a vehicle accident occurring on a public street or highway.

### ***70 Investigation process***

1. An investigation required under this Division must be carried out by persons knowledgeable about the type of work involved and, if they are reasonably available, with the participation of the employer or a representative of the employer and a worker representative.
2. For the purposes of subsection (1), the participation of the employer or a representative of the employer and a worker representative includes, but is not limited to, the following activities:
  - a. viewing the scene of the incident with the persons carrying out the investigation
  - b. providing advice to the persons carrying out the investigation respecting the methods used to carry out the investigation, the scope of the investigation or any other aspect of the investigation
  - c. other activities, as prescribed by the Board.

3. The employer must make every reasonable effort to have available for interview by a person conducting the investigation, or by an officer, all witnesses to the incident and any other persons whose presence might be necessary for a proper investigation of the incident.
4. The employer must record the names, addresses and telephone numbers of persons referred to in subsection (3).

### ***71 Preliminary investigation, report and follow-up action***

1. An employer must, immediately after the occurrence of an incident described in section 69, undertake a preliminary investigation to, as far as possible,
  - a. identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
  - b. if unsafe conditions, acts or procedures are identified under paragraph (a) of this subsection, determine the corrective action necessary to prevent, during a full investigation under section 72, the recurrence of similar incidents.
2. The employer must ensure that a report of the preliminary investigation is
  - a. prepared in accordance with the policies of the board of directors,
  - b. completed within 48 hours of the occurrence of the incident,
  - c. provided to the Board on request of the Board, and
  - d. as soon as practicable after the report is completed, either
    - i. provided to the joint committee or worker health and safety representative, as applicable, or
    - ii. if there is no joint committee or worker health and safety representative, posted at the workplace.
3. Following the preliminary investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1)(b).
4. If the employer takes corrective action under subsection (3), the employer, as soon as practicable, must
  - a. prepare a report of the action taken, and
  - b. either
    - i. provide the report to the joint committee or worker health and safety representative, as applicable, or
    - ii. if there is no joint committee or worker health and safety representative, post the report at the workplace.

### ***72 Full investigation, report and follow-up action***

1. An employer must, immediately after completing a preliminary investigation under section 71, undertake a full investigation to, as far as possible,
  - a. determine the cause or causes of the incident investigated under section 71,
  - b. identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
  - c. if unsafe conditions, acts or procedures are identified under paragraph (b) of this subsection, determine the corrective action necessary to prevent the recurrence of similar incidents.

2. The employer must ensure that a report of the full investigation is
  - a. prepared in accordance with the policies of the board of directors,
  - b. submitted to the Board within 30 days of the occurrence of the incident, and
  - c. within 30 days of the occurrence of the incident, either
    - i. provided to the joint committee or worker health and safety representative, as applicable, or
    - ii. if there is no joint committee or worker health and safety representative, posted at the workplace.
3. The Board may extend the time period, as the Board considers appropriate, for submitting a report under subsection (2)(b) or (c).
4. Following the full investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1)(c).
5. If the employer takes corrective action under subsection (4), the employer, as soon as practicable, must
  - a. prepare a report of the action taken, and
  - b. either
    - i. provide the report to the joint committee or worker health and safety representative, as applicable, or
    - ii. if there is no joint committee or worker health and safety representative, post the report at the workplace.

***73 Employer or supervisor must not attempt to prevent reporting***

An employer or supervisor must not, by agreement, threat, promise, inducement, persuasion or any other means, seek to discourage, impede or dissuade a worker of the employer, or a dependent of the worker, from reporting any of the following to the Board:

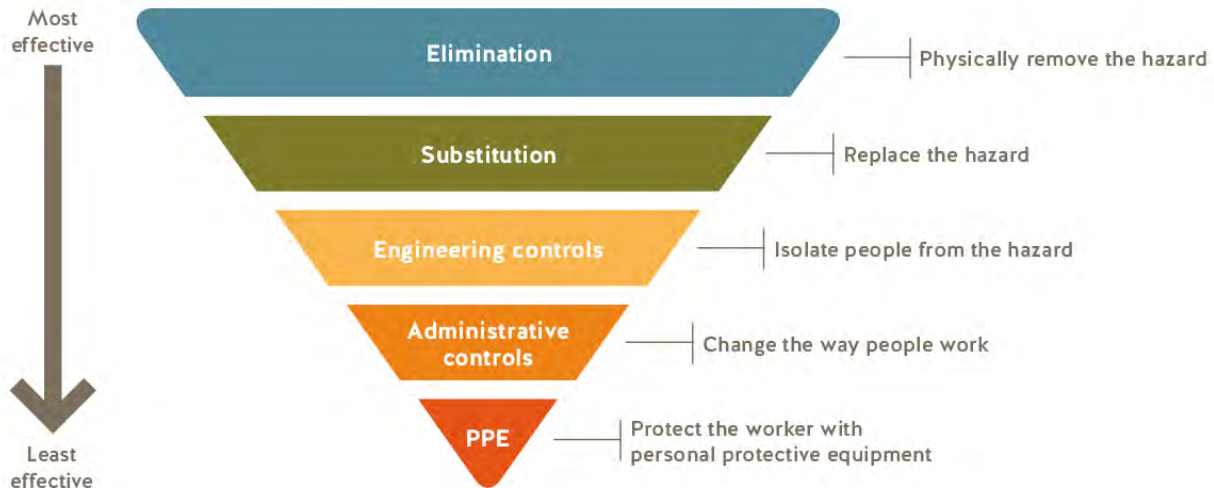
- a. an injury or allegation of injury, whether or not the injury occurred or is compensable under the compensation provisions
- b. an illness, whether or not the illness exists or is an occupational disease compensable under the compensation provisions
- c. a death, whether or not the death is compensable under the compensation provisions
- d. a hazardous condition or allegation of a hazardous condition in any work to which the OHS provisions.



## Hierarchy of Controls

When considering how to reduce the risk, there's a certain order you should follow. This is called *the hierarchy of controls*. It's important to follow the hierarchy, as shown below, rather than start with the easiest control measures. While the controls are listed in order of effectiveness, all four types of controls should be considered. They often work best in combination.

### Hierarchy of controls



#### Elimination or substitution

- Eliminating the hazard completely is always the first choice. Substitution involves replacing the material or process with a less hazardous one.

#### Engineering controls

- If you can't eliminate the hazards or substitute safer alternatives, engineering controls are the next best options. These involve using work equipment or other means to prevent workers from being exposed to a hazard.

#### Administrative controls

- Administrative controls involve identifying and implementing safe work procedures so your workers can perform their job duties safely. The findings of your risk assessment will form the basis of these safe work procedures.

#### Personal protective equipment and clothing

- Using personal protective equipment is another important control to protect workers. For example, while working with toxic chemicals may be necessary in certain workplaces such as laboratories, the use of PPE such as protective eyewear and gloves will help to reduce the exposure risk.

## Incident Reporting Forms—Who Does What?

### Workers

Form 6A—Workers Report of Injury to Employer

- This form goes **only to the employer** and the joint committee.
- The form **does not** go to WorkSafeBC.
- Keep a copy for yourself.
- Send copies to local union office.

Teleclaim

- 1-888-WORKERS—Report of Injury to WorkSafeBC
- Reports to WorkSafeBC that there has been an accident or injury for which you have lost time at work.

### Employers

Form 7—Employer’s Report of Injury or Occupational Disease

- Must be filed within three days of the incident to WorkSafeBC.

### Physicians

Form 8/11—Physician’s Report

- Doctors have those forms in their offices.

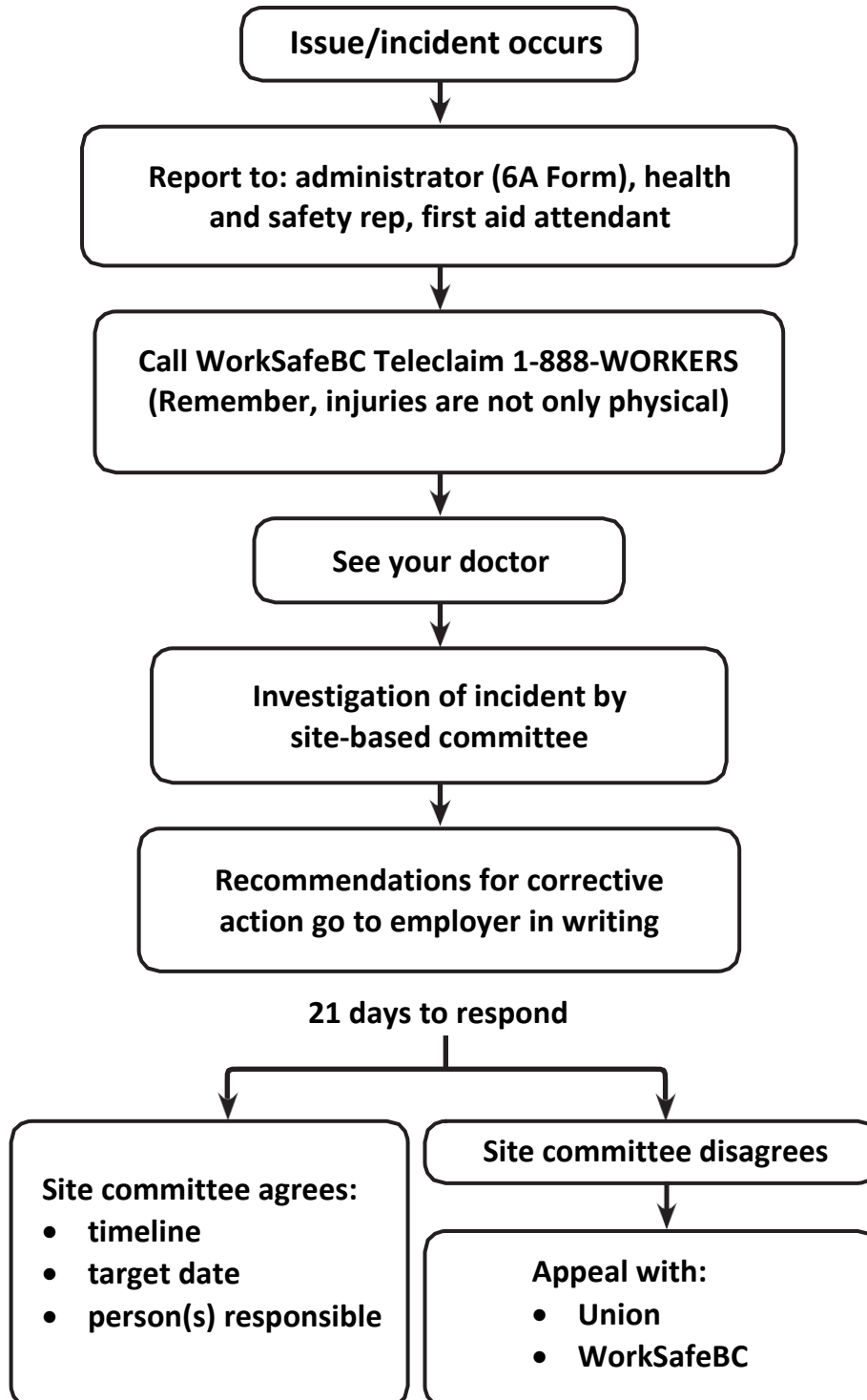
### First Aid Attendant

First Aid Record Form

Forms can be found online at the WorkSafeBC website at [www.worksafebc.com/forms](http://www.worksafebc.com/forms)

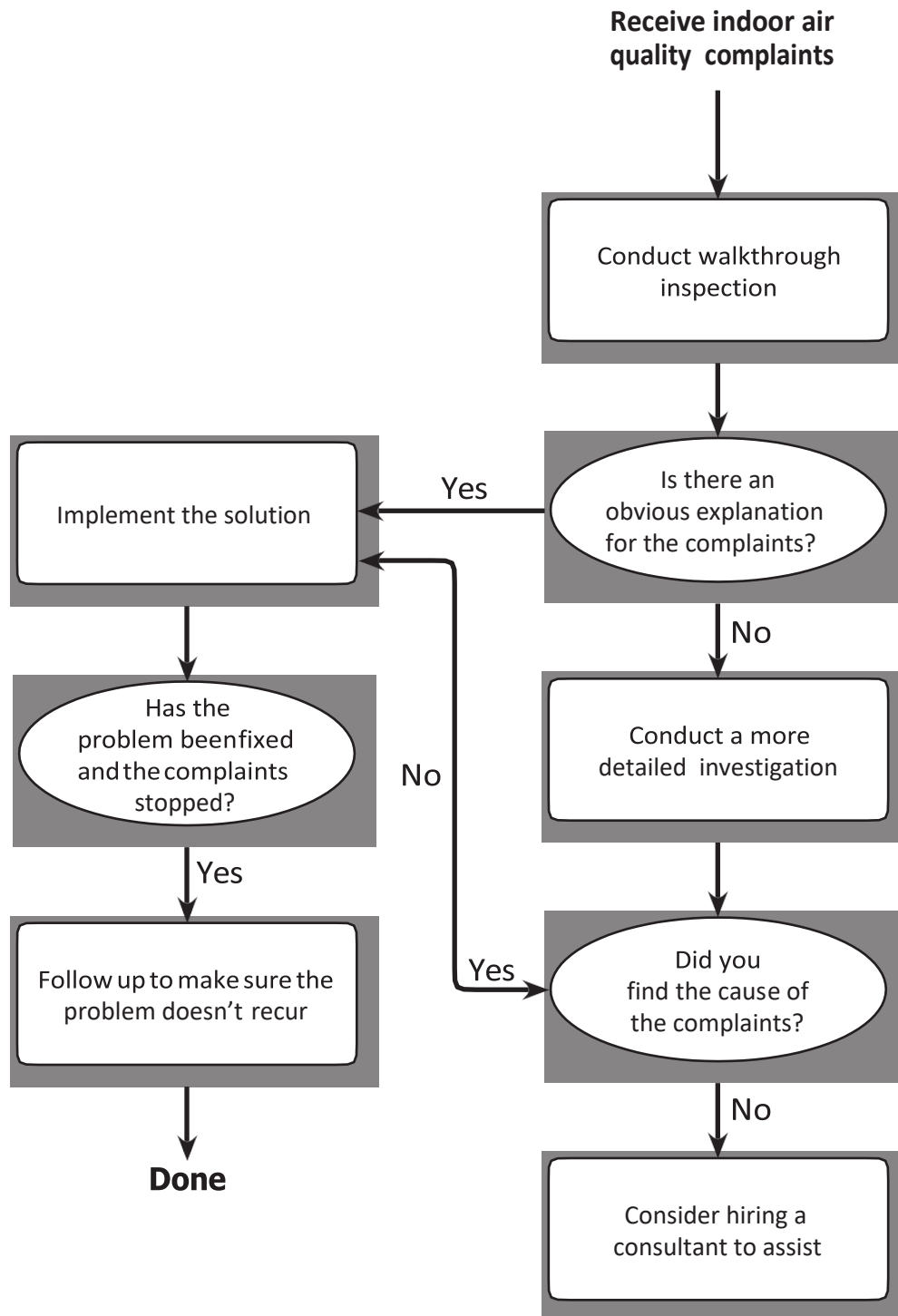
# Reporting & Investigation Process

## Health and Safety Reporting Process



# The Investigation Process

## Indoor Air Quality Investigation



# Conducting an IAQ investigation

- Treat IAQ concerns seriously and promptly.
- Collect health complaint data using a questionnaire specific for your workplace. You may need assistance from an expert.
- Look for patterns.
- Meet affected people to clarify your findings.
- Check the heating, ventilating and air-conditioning (HVAC) system with the building operator/engineer.



# Indoor Air Quality

## Take a preventative approach to IAQ



- Provide an adequate volume of outdoor air
- Ensure that air is properly distributed
- Prevent outdoor pollutants from entering the building
- Provide separate ventilation for special-use areas
- Promote the use of unscented products
- Choose building materials, paints and furniture with low emissions
- Discourage mould growth
- Follow standards and best practices for your building's ventilation, thermal comfort, and pollutant control

## Sources

Building occupants



Carbon dioxide, tobacco smoke, perfume, body odours

Building materials



Dust, fibreglass, asbestos, gases

Carpets, fabric, foam chair cushions



Dust mites

Off-gas emissions furniture, carpets, paints, workplace cleaners, solvents, pesticides, disinfectants and glues



Gases, vapours, odours, volatile organic compounds (VOCs)

Damp areas, stagnant water and condensate pans



Microbial contaminants, fungi, moulds, bacteria

Photocopiers, electric motors, electrostatic air cleaners



Ozone

## Symptoms

Dryness and irritation of the eyes, nose, throat, and skin  
Headache  
Fatigue  
Shortness of breath  
Hypersensitivity and allergies  
Sinus congestion  
Coughing and sneezing  
Dizziness  
Nausea

People generally notice their symptoms after several hours at work and feel better after they have been away from the building.

## IAQ issues

### Common Causes

- Lack of outdoor air for HVAC system
- Poorly designed or maintained HVAC system
- Pollutants from the outdoor air
- Emissions from inside sources
- Poor temperature and humidity control



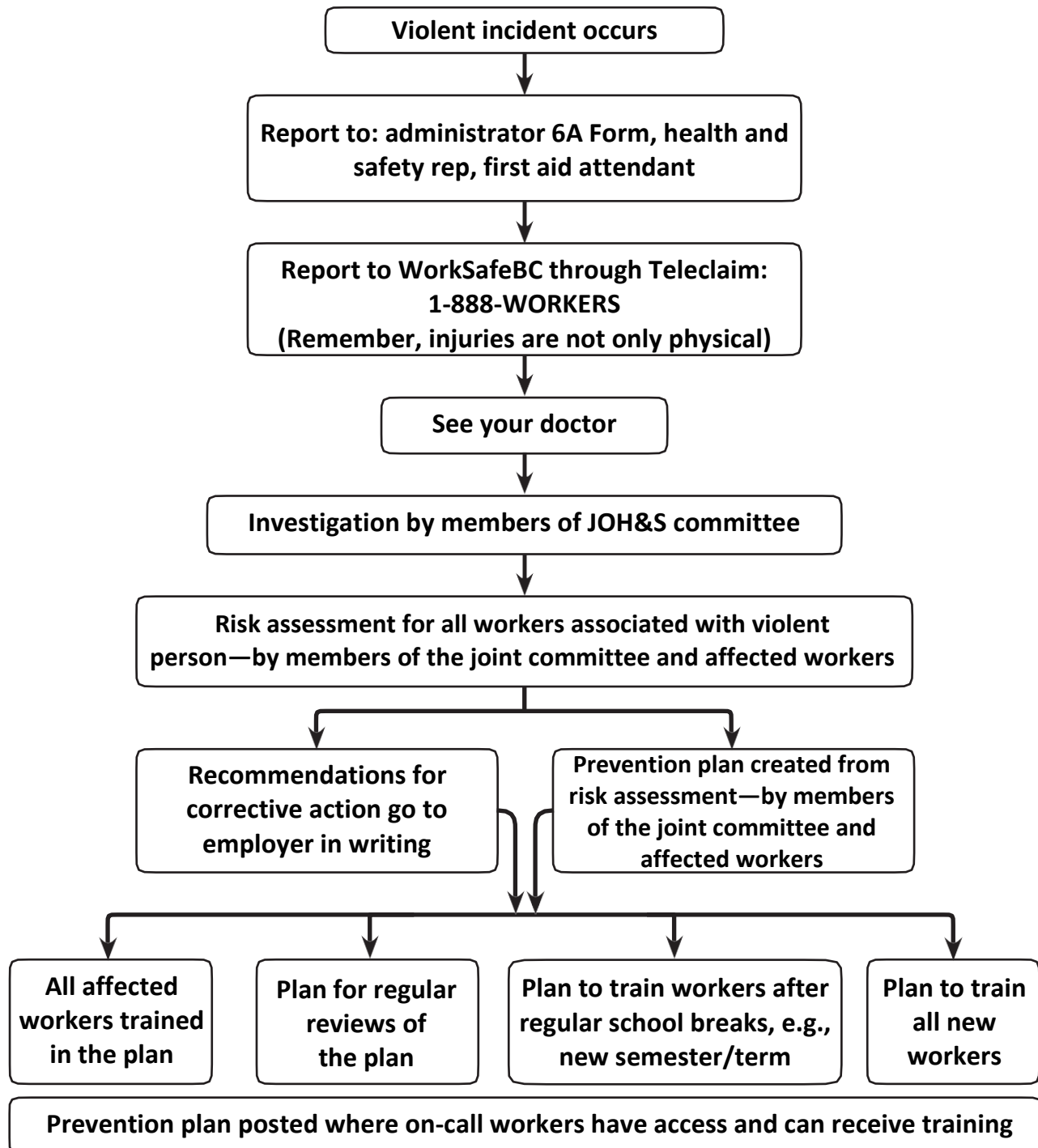
**What the law says:** All jurisdictions include the 'general duty clause' which requires employers to provide a healthy and safe workplace. This includes the provision of healthy indoor air. In addition, IAQ is implied in most building codes as design and operation criteria.



Indoor Air Quality Infographic, [www.ccohs.ca/products/posters/iaq/](http://www.ccohs.ca/products/posters/iaq/), Canadian Centre for Occupational Health and Safety (CCOHS). Reproduced with the permission of CCOHS, 2021.

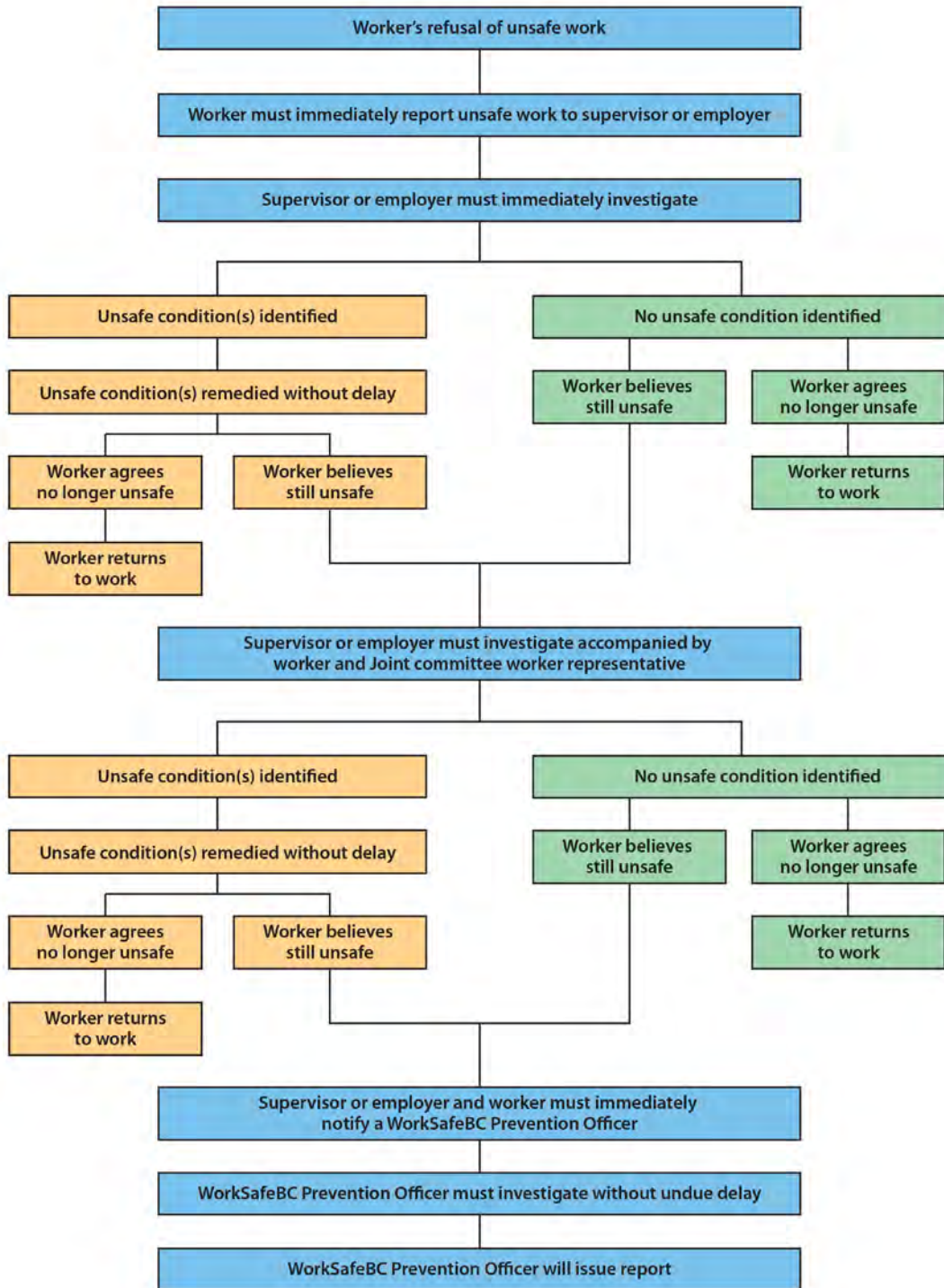
# Violence Prevention

## Violent Incident Reporting Process





## Refusal of Unsafe Work



[bcpsa.bc.ca/wp-content/uploads/documents/Publications-HealthSafetyWellDocs/ohs2008-08flowchart.pdf](http://bcpsa.bc.ca/wp-content/uploads/documents/Publications-HealthSafetyWellDocs/ohs2008-08flowchart.pdf)

# Worker's Report of Injury or Occupational Disease to Employer

► **Submit directly to employer. Do NOT submit to WorkSafeBC.**

Section 53(3) of the *Workers Compensation Act* requires that, where a worker is fit, and on request of the employer, they must provide the employer with particulars of the injury or occupational disease on a report prescribed by WorkSafeBC and supplied to the worker by the employer. This is the report prescribed.

- If requested by employer, please complete this report as it appears.
- This report should be completed by the injured worker if fit to do so. It can be completed by another individual for signature by the injured worker.
- If you need assistance with completing this form, please call WorkSafeBC Claims Call Centre at 604.231.8888 or toll-free throughout Canada at 1.888.967.5377, Monday to Friday, 8 a.m. to 6 p.m. PST.

## Worker's information

WorkSafeBC claim number (if known) X		Customer care number (if known) X	
Worker's last name X		First name X	Middle initial X
Date of birth (yyyy-mm-dd)	Personal health number (BC Services/CareCard)	Social insurance number	
Address line 1		Address line 2	
City	Province/State	Country (if not Canada)	Postal code/Zip
Home phone number (include area code)		Business phone number (include area code)	Business extension
Occupation			Gender <input type="checkbox"/> Male <input type="checkbox"/> Female

## Employer's information

Employer's organization name			
Type of business (if known)		Operating location (if known)	
Address line 1		Address line 2	
City	Province/State	Country (if not Canada)	Postal code/Zip
Employer's contact name		Employer's phone number (include area code)	Extension

## Incident information

1. Date and time of incident (yyyy-mm-dd) <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<b>OR</b>	2. Period of exposure resulting in occupational disease (yyyy-mm-dd) From _____ To _____
3. Date and time my injury or disease was first reported to my employer (yyyy-mm-dd) <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	My injury or disease was first reported to (please check one) <input type="checkbox"/> First aid <input type="checkbox"/> Supervisor <input type="checkbox"/> Office <input type="checkbox"/> Other (specify)	



# Worker's Report of Injury or Occupational Disease to Employer

Worker's last name X	First name X	Middle initial X	WorkSafeBC claim number X
Social insurance number		Personal health number (BC Services card/CareCard)	

**Incident information (continued)**

4. Name of person reported to		
5. Did you receive first aid? <input type="checkbox"/> Yes <input type="checkbox"/> No	6. Date of first aid (yyyy-mm-dd)	7. Name of first aid attendant X
8. Did you go to the hospital, a medical clinic, or see a physician? <input type="checkbox"/> Yes <input type="checkbox"/> No	9. If yes, name of physician or provider (if known) X	
10. Address of physician or provider (if known)		
11. Are you aware of any recent pain or disability in the area of your reported injury? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, please explain	
12. Was protective equipment being used? <input type="checkbox"/> Yes <input type="checkbox"/> No	13. Were there any witnesses? <input type="checkbox"/> Yes <input type="checkbox"/> No	
14. The supervisor in charge at the time of my injury was		
15. Describe how the incident happened		
16. Describe the injury in detail (what part of the body was injured)		
17. Side of body injured <input type="checkbox"/> Left <input type="checkbox"/> Right <input type="checkbox"/> Both <input type="checkbox"/> Not applicable		

# Worker's Report of Injury or Occupational Disease to Employer

Worker's last name X	First name X	Middle initial X	WorkSafeBC claim number X
Social insurance number		Personal health number (BC Services card/CareCard)	

**Incident information (continued)**

18. Describe the work incident location (address, city, province) and where incident occurred (e.g., shop floor, lunchroom, parking lot)

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19. Contributing factors — select **at least one**, and as many as applicable

<input type="checkbox"/> Lifting _____	<input type="checkbox"/> lb	<input type="checkbox"/> kg	<input type="checkbox"/> Animal bite
<input type="checkbox"/> Overexertion	<input type="checkbox"/> Struck	<input type="checkbox"/> Assault	<input type="checkbox"/> Motor vehicle accident
<input type="checkbox"/> Repetitive (activity repeated over and over again)	<input type="checkbox"/> Crush	<input type="checkbox"/> Sharp edge	<input type="checkbox"/> Unsure/other (please explain below)
<input type="checkbox"/> Slip or trip	<input type="checkbox"/> Fire or explosion	<input type="checkbox"/> Harmful substance in the work environment	
<input type="checkbox"/> Twist			
<input type="checkbox"/> Fall			

20. Did you or will you miss any time from work beyond the date of injury or exposure?

Yes     No

**Signature and report date**

21. Worker's signature	22. Date of report (yyyy-mm-dd)
------------------------	---------------------------------

**Additional information**

The BC Legislature provides impartial advisers on all workers' compensation matters. The Workers' Advisers Office (WAO) provides free advice and assistance to workers and their dependants on disagreements they may have with WorkSafeBC decisions. WAO operates independently of WorkSafeBC. They have offices throughout the province and can be contacted at [www.labour.gov.bc.ca/wab/](http://www.labour.gov.bc.ca/wab/) or by telephone: Richmond 604.713.0360, toll-free 1.800.663.4261; Victoria 250.952.4393, toll-free 1.800.661.4066; Kelowna 250.717.2096, toll-free 1.800.663.6695.

WorkSafeBC collects information on this form for the purposes of administering and enforcing the *Workers Compensation Act*. That Act, along with the *Freedom of Information and Protection of Privacy Act*, constitutes the authority to collect such information. To learn more about the collection of personal information, contact WorkSafeBC's freedom of information coordinator at PO Box 2310 Stn Terminal, Vancouver BC, V6B 3W5, or call 604.279.8171.

## Glossary

**Contaminant:** a harmful or irritant material, or nuisance dust, foreign to the normal composition of a substance, or a material that varies the normal proportions of components in a mixture, such as air.

**Hazard:** a thing or condition that may expose a person to a risk of injury or occupational disease.

**Hazard area:** an area in a workplace where a hazard exists, or is created, due to a condition in the area or the activities conducted in it.

**Hazardous product:** any product, mixture, material, or substance that is classified in accordance with the regulations made under *section 15 (1)* of the *Hazardous Products Act* (Canada) in a category or subcategory of a hazard class listed in *Schedule 2*.

**HEPA:** a high efficiency particulate air filter meeting the specifications of a nuclear grade filter, providing a 99.97% filtration efficiency at a 0.3 micrometre particle size.

**Incident:** includes an accident or other occurrence which resulted in, or had the potential for, causing an injury or occupational disease.

**Practicable:** that which is reasonably capable of being done.

**Qualified:** being knowledgeable of the work, the hazards involved, and the means to control the hazards, by reason of education, training, experience, or a combination thereof.

**Risk:** means a chance of injury or occupational disease.

**SDS:** Safety Data Sheet is a document that contains, under the headings that, by virtue of the regulations made under *section 15 (1)* of the *Hazardous Products Act* (Canada), are required to appear in the document, information about a hazardous product, including information related to the hazards associated with any use, handling, or storage of the hazardous product in the workplace.

**Supervisor:** a person who instructs, directs, and controls workers in the performance of their duties.

**WHMIS:** Workplace Hazardous Materials Information System.

[www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-01-definitions](http://www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-01-definitions)

NOTES




**British Columbia Teachers' Federation**  
100 – 550 West 6th Avenue, Vancouver BC V5Z 4P2  
Telephone 604-871-2283 • Toll-free 1-800-663-9163  
*bctf.ca*

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