

BCTF
HEALTH

and

SAFETY

Handbook

2019



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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.

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 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.

Responsibilities

General Duties of Employers, Workers, Supervisors

Workers Compensation Act, Part 3, Division 3, section 115-117
Section 115 General duties of employers

- (1) Every **employer** must
 - (a) ensure the health and safety of
 - (i) all workers working for that employer, and
 - (ii) any other workers present at a workplace at which that employer's work is being carried out, and
 - (b) comply with this Part, the regulations and any applicable orders.

- (2) Without limiting subsection (1), an employer must
 - (a) remedy any workplace conditions that are hazardous to the health or safety of the employer's workers,
 - (b) ensure that the employer's workers
 - (i) are made aware of all known or reasonably foreseeable health or safety hazards to which they are likely to be exposed by their work,
 - (ii) comply with this Part, the regulations and any applicable orders, and
 - (iii) are made aware of their rights and duties under this Part and the regulations,
 - (c) establish occupational health and safety policies and programs in accordance with the regulations,
 - (d) provide and maintain in good condition protective equipment, devices and clothing as required by regulation and ensure that these are used by the employer's workers,
 - (e) provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace,
 - (f) make a copy of this Act and the regulations readily available for review by the employer's workers and, at each workplace where workers of the employer are regularly employed, post and keep posted a notice advising where the copy is available for review,
 - (g) consult and co-operate with the joint committees and worker health and safety representatives for workplaces of the employer, and
 - (h) co-operate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

Section 116 General Duties of Workers

- (1) Every **worker** must
 - (a) take reasonable care to protect the worker's health and safety and the health and safety of other persons who may be affected by the worker's acts or omissions at work, and

- (b) comply with this Part, the regulations and any applicable orders.
- (2) Without limiting subsection (1), a worker must
- (a) carry out his or her work in accordance with established safe work procedures as required by this Part and the regulations,
 - (b) use or wear protective equipment, devices and clothing as required by the regulations,
 - (c) not engage in horseplay or similar conduct that may endanger the worker or any other person,
 - (d) ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,
 - (e) report to the supervisor or employer
 - (i) any contravention of this Part, the regulations or an applicable order of which the worker is aware, and
 - (ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,
 - (f) co-operate with the joint committee or worker health and safety representative for the workplace, and
 - (g) co-operate with the Board, officers of the Board and any other person carrying out a duty.

Section 117 General duties of supervisors

- (1) Every **supervisor** must
- (a) ensure the health and safety of all workers under the direct supervision of the supervisor,
 - (b) be knowledgeable about this Part and those regulations applicable to the work being supervised, and
 - (c) comply with this Part, the regulations and any applicable orders.
- (2) Without limiting subsection (1), a supervisor must
- (a) ensure that the workers under his or her direct supervision
 - (i) are made aware of all known or reasonably foreseeable health or safety hazards in the area where they work, and
 - (ii) comply with this Part, the regulations and any applicable orders,
 - (b) consult and cooperate with the joint committee or worker health and safety representative for the workplace, and
 - (c) co-operate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

Duties and Functions of the Joint Occupational Health and Safety (JOHS) Committees

1. When is a committee required?

Workers Compensation Act, Part 3, Division 4, section 125, 127-130
Section 125 When a joint committee is required

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.

2. Who is on the committee?

Section 127 Membership of joint committee

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

- (a) it must have at least four 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 two co-chairs, one selected by the worker representatives and the other selected by the employer representatives.

3. How are committee members chosen?

Section 128 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.

Section 129 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.

4. What are the duties and functions of the joint committee?

Section 130 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 this Part and the regulations and to monitor their effectiveness;
- (f) 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;
- (g) to ensure that accident investigations and regular inspections are carried out as required by this Part and the regulations;
- (h) to participate in inspections, investigations and inquiries as provided in this Part and the regulations;
- (i) to carry out any other duties and functions prescribed by regulation.

Reporting Incidents or Injury

All accidents, injuries, occupational illness, and near misses must be reported to the employer. Reporting to the employer may include reporting to the supervisor, or to the occupational first aid attendant.

Initial reporting of an incident may be done orally or may be done via email. It is always advisable to copy your local on emails when reporting in this manner. This should be followed up with a form such as the WCB Form 6A.

The WCB Form 6A, is the recommended document and meets the criteria of both the WCB and BCTF. It is also legal to use employer forms for reporting, as long as they meet the criteria of the Form 6A.

NOTE: A WCB form 6A is not a claim for compensation. It is a report to the employer of an incident, accident, exposure or other unsafe condition. This form does not go to WCB.

Time is important with reporting. The employer must complete preliminary investigations within 48 hours of a reported incident.

If you are injured:

1. Seek first aid if required.
2. Report to employer.
3. Complete WCB Form 6A (or equivalent).
4. If the illness or injury results in seeking medical aid beyond first aid or if there is time away from work, complete a claim for compensation.
This could be in the form of a WCB Form 6 (available on line) or calling WCB Teleclaim at 1-888-967-5377 (1-888-WORKERS), Monday to Friday.
5. If seeing a medical doctor report if the injury is from the workplace.

NOTE: See the forms section for a sample investigation form (Form WCB Form 6A).

Investigations (New)

Legislation surrounding accident investigations changed in 2016. New legislation establishes strict timelines on when investigations must be completed and what is required.

1. What must be investigated?

Workers Compensation Act, Part 3, Division 10, Sections 173 – 176
Section 173 Incidents that must be investigated

- (1) An employer must conduct a preliminary investigation under section 175 and a full investigation under section 176 respecting any accident or other incident that
 - (a) is required to be reported by section 172,
 - (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.

2. What is Preliminary Investigation?

Section 175 Preliminary investigation, report and follow-up action

- (3) An employer must, immediately after the occurrence of an incident described in section 173, 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 176, the recurrence of similar incidents.
- (4) 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.

- (5) Following the preliminary investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1) (b).
- (6) (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.

NOTE: The timelines for the preliminary investigation. The investigation must occur immediately, and be completed within 48 hours. Corrective actions must be undertaken without undue delay following completion of the report.

3. What is Full Investigation?

Section 176 Full investigation, report and follow-up action

- (1) An employer must, immediately after completing a preliminary investigation under section 175, undertake a full investigation to, as far as possible,
 - (a) determine the cause or causes of the incident investigated under section 175,
 - (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.

NOTE: For a full investigation, the employer must have the investigation completed within 30 days. A copy of the investigation must be submitted to the site-based JOHS committee. A copy of the investigation must be submitted to the Workers Compensation Board within 30 days of the occurrence. Corrective actions must be completed without undue delay and submitted to WCB.

4. Who does the investigations?

Section 174 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.
 - (1.1) 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.
- (2) [Repealed 2015-22-8.]
- (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).

NOTE: See the forms section for a sample investigation form (Form 52E40).

Recommendations

The Joint Occupational Health and Safety Committee may recommend to the employer actions that would be preventative or to remediate hazards.

The procedure for recommendations is outlined in the Workers Compensation Act:

Workers Compensation Act, Part 3, Division 4, section 133
Section 133 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, which may investigate the matter and may, by order, establish a deadline by which the employer must respond.
- (6) Nothing in this section relieves an employer of the obligation to comply with this Part and the regulations.

NOTE: See the forms section for a sample investigation form (Form Appx 6)

Workplace Violence

Workplace violence is a health and safety concern. It includes all violence and threats directed to a worker from any one, other than a worker.

*Occupational Health and Safety Regulations, Part 4, Sections 4.27- 4.31
Violence in the Workplace*

Section 27 Definition

In sections 4.28 to 4.31, "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.

Policy definition clarification

Section 4.27 applies to all persons committing violence except where a worker of the same employer is the victim. Workers of the same employer are covered by section 4.25. Verbal abuse or harassing behaviour is not included in the definition of violence for the purpose of section 4.27 unless it includes threats or behaviour which give the worker reasonable cause to believe that the worker is at risk of injury.

All workers working at a "multiple-employer" workplace within the meaning of section 118 of Part 3 of the *Act* are treated as fellow workers for the purpose of section 4.27. Violence or threats between these workers are not covered by the provision.

The definition of "violence" in section 4.27 covers the situation where a worker affected by a threat has reasonable cause to believe that the worker is at risk of injury. It does not apply where a person other than the worker has such a belief. If there is a dispute over whether the worker has reasonable cause, the worker may invoke the procedure under section 3.12.

All threats against a worker or the worker's family must be treated as serious matters. When the employer is made aware of the threat, the employer is required to notify the worker, if the worker is not already aware of the threat, and to notify the police or similar authority responsible for the protection of public safety. If the employer is unable to contact the worker, the employer should advise a family member so that appropriate precautions can be taken. The employer and any other persons involved are also required to cooperate in any investigations necessary to protect the worker or worker's family. The means of fulfilling these responsibilities should be included in the written Workplace Violence Protection Program.

A threat against a worker's family that is a result of the worker's employment is considered a threat against the worker for the purpose of section 4.27.

Where a threat is made against a worker's family, any person who becomes aware of the threat must report it to the person's supervisor or the employer.

Section 4.27 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.

Section 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.
- (c) Repealed. [B.C. Reg. 312/2003, effective October 29, 2003.]
[Amended by B.C. Reg. 312/2003, effective October 29, 2003.]

*See Part 3 (Occupational Health and Safety) of the *Workers Compensation Act* and Part 3 (Rights and Responsibilities) of the OHS Regulation.

Section 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, and
 - (d) procedures for reporting, investigating and documenting incidents of violence.

Section 4.31 Advice to consult physician

- (1) Repealed. [B.C. Reg. 312/2003, effective October 29, 2003.]
- (2) The employer must ensure that a worker reporting an injury or adverse symptom as a result of an incident of violence is advised to consult a physician of the worker's choice for treatment or referral.
[Amended by B.C. Reg. 312/2003, effective October 29, 2003.]

Note: The requirements for risk assessment, procedures and policies, the duty to respond to incidents and to instruct workers are based on the recognition of violence in the workplace as an occupational hazard. This hazard is to be addressed by the occupational health and safety program following the same procedures required by this Occupational Health & Safety Regulation to address other workplace hazards.

Indoor Air Quality

Indoor Air quality is both a health and safety hazard as well a learning condition in the classroom. Indoor Air Quality complaints can range from mould to dust to temperature and should all be taken seriously.

When to investigate?

Occupational Health and Safety Regulations, Part 4, Sections 4.79 -4.80

Section 4.79 Investigation

- (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.

Note: In subsection (2)(a), carbon dioxide is considered a marker indicator of sufficient outdoor air, not as a toxic air contaminant for which the exposure limit established by section 5.48 would apply. Normally, ambient levels are approximately 350 ppm, but may be higher in locations such as urban areas or during weather conditions such as inversions. Ambient levels may be assumed to be 350 ppm unless sampling establishes otherwise.

Section 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* [PDF 1.5 MB] for information on acceptable temperature and humidity levels.

Right to Refuse Unsafe Work

All workers have the right to refuse unsafe work. The right to refuse is not a threat, but is an action and a legal obligation. The right to refuse is set out in regulation and has a specific process.

Occupational Health and Safety Regulations, Part 3, Sections 3.12 – 3.13

Section 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.

Section 3.12 No discriminatory action

- (1) A worker must not be subject to discriminatory action as defined in section 150 of Part 3 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 discriminatory action.

Note: The prohibition against discriminatory action is established in the *Workers Compensation Act* Part 3, Division 6, sections 150 through 153.

Training and Education

An effective JOHS committee has trained and knowledgeable members.

Training for new committee member and worker reps?

*Occupational Health and Safety Regulations, Part 3, Division 4, Section 135
Section 3.27 Joint Health and Safety Committees, (effective April 3, 2017), Minimum training requirements for new joint committee members or worker health and safety representatives*

- (1) In this section, a reference to a joint committee does not include a joint committee established and maintained under section 126 of the Workers Compensation Act, if
 - (a) an order under section 126 (1) of the Workers Compensation Act respecting the joint committee provides for a variation as set out in subsection (2) (b) of that section of the *Act*, and
 - (b) the variation is in regards to providing instruction and training to the members of the joint committee.
- (2) The employer must ensure that each member of the employer's joint committees who was selected on or after April 3, 2017 to be a member receives, as soon as practicable but no more than 6 months after becoming a member, a total of at least 8 hours of instruction and training, as set out in subsection (4).
- (3) The employer must ensure that the worker health and safety representative at each workplace who was selected on or after April 3, 2017 to be a representative receives, as soon as practicable but no more than 6 months after becoming a representative, a total of at least 4 hours of instruction and training, as set out in subsection (5).
- (4) The instruction and training referred to in subsection (2) must include the following topics:
 - (a) the duties and functions of a joint committee under section 130 of the *Workers Compensation Act*;
 - (b) the rules of procedure of the joint committee as established under or set out in section 131 of the *Workers Compensation Act*;
 - (c) the requirements respecting investigations under sections 173 to 176 of the *Workers Compensation Act*;
 - (d) the requirements respecting inspections under sections 3.5, 3.7 and 3.8 of this regulation and how to make regular inspections under section 3.5 of regulation;
 - (e) the requirements respecting refusal of unsafe work under section 3.12 of this regulation;
 - (f) the requirements respecting the evaluation of joint committees under section 3.26 of this regulation.
- (5) The instruction and training referred to in subsection (3) must include the topics described in subsection (4)(a), (c), (d) and (e).

- (6) Subsection (2) does not apply in respect of a person who is a member of a joint committee if
- (a) 2 years or less before becoming a member of the joint committee, the person was a member of that joint committee or a different joint committee, and
 - (b) the person, as a member of the joint committee or a different joint committee as set out in paragraph (a), received at least 8 hours of instruction and training on the topics described in subsection (4).
- (7) Subsection (3) does not apply in respect of a person who is a worker health and safety representative at a workplace if
- (a) 2 years or less before becoming a worker health and safety representative at a workplace, the person was
 - (i) a member of a joint committee, or
 - (ii) a worker health and safety representative at that workplace or a different workplace, and
 - (b) the person, as a member of a joint committee, or as a worker health and safety representative at the workplace or a different workplace, as set out in paragraph (a), has received at least 4 hours of instruction and training on the topics described in subsection (5).
- (8) The employer must ensure that a person who receives instruction and training as set out in subsection (2) or (3) receives a copy of the person's training record as soon as practicable after the training is completed.
- (9) The employer must, with respect to each person who receives instruction and training as set out in subsection (2) or (3), keep the person's training record until 2 years from the date the person ceases to be a member of the employer's joint committee or a worker health and safety representative, as applicable.
- (10) For greater certainty, the instruction and training required under subsection (2) or (3) of this regulation is not educational leave as set out in section 135 of the *Workers Compensation Act*.

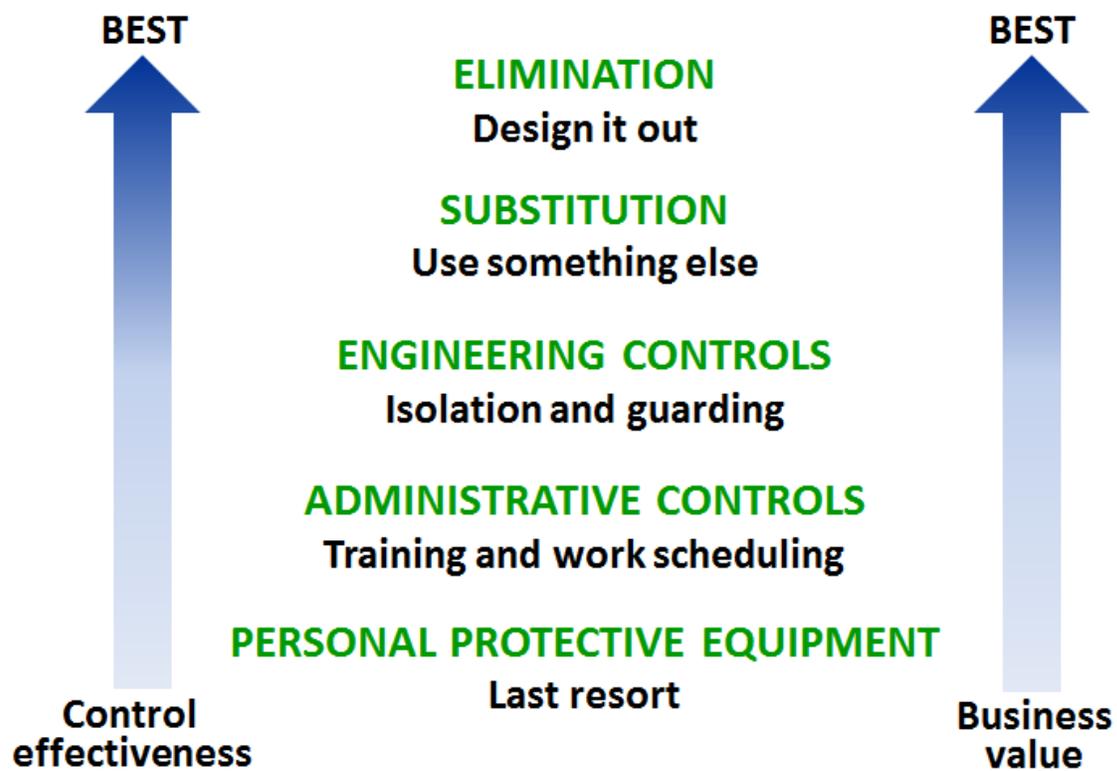
Leave for committee training

Section 135 Education leave Employer

- (1) Each member of a joint committee is entitled to an annual educational leave totalling 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.

For the most current WCB legislation, regulations and policies please consult www.worksafefbc.ca.

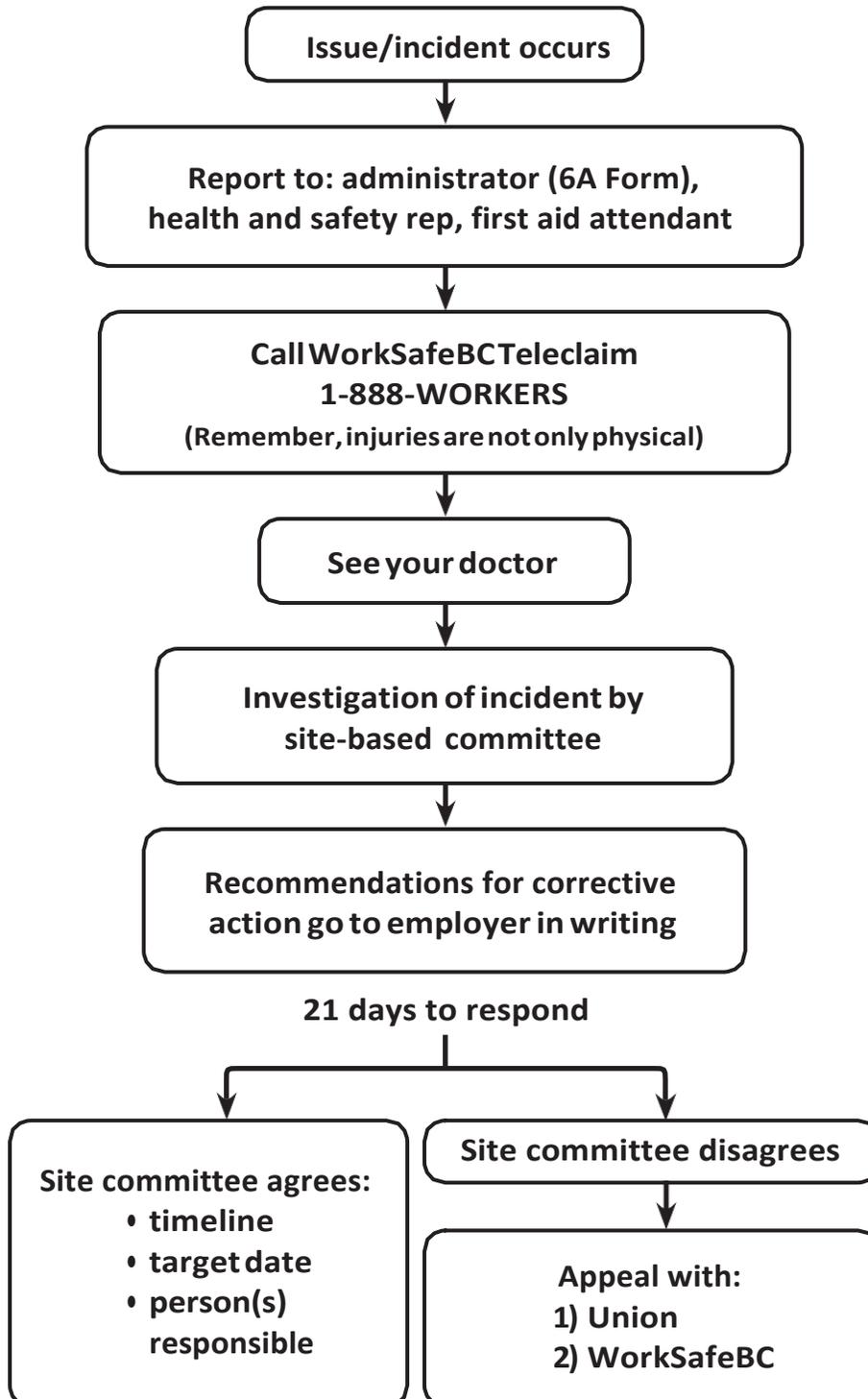
Hierarchy of Controls



National Institute for Occupational Safety and Health - <http://www.cdc.gov/niosh/docs/2013-136/>

Reporting & Investigation Process

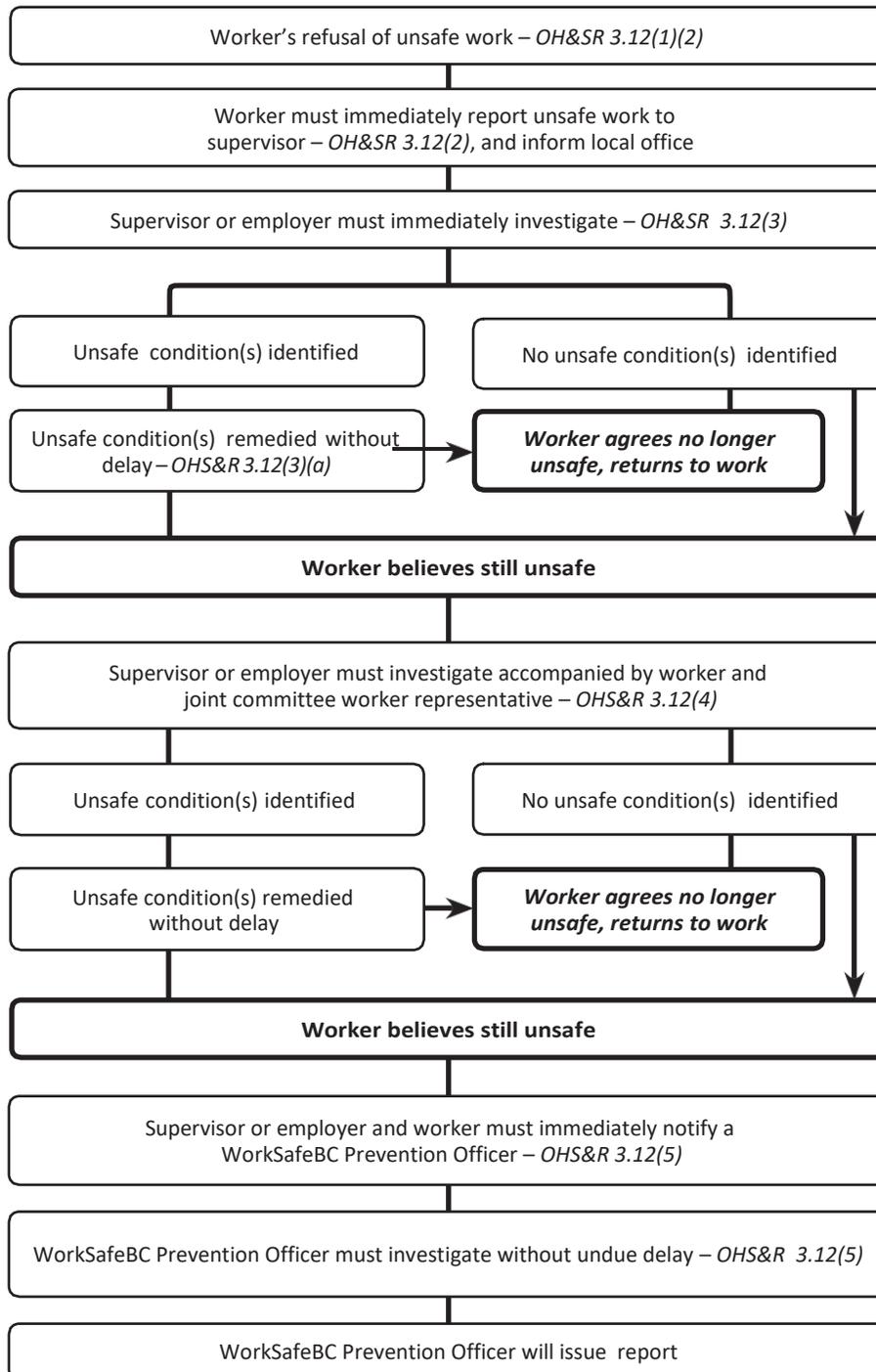
Health and Safety Reporting Process



Refusal of Unsafe Work

Refusal of Unsafe Work

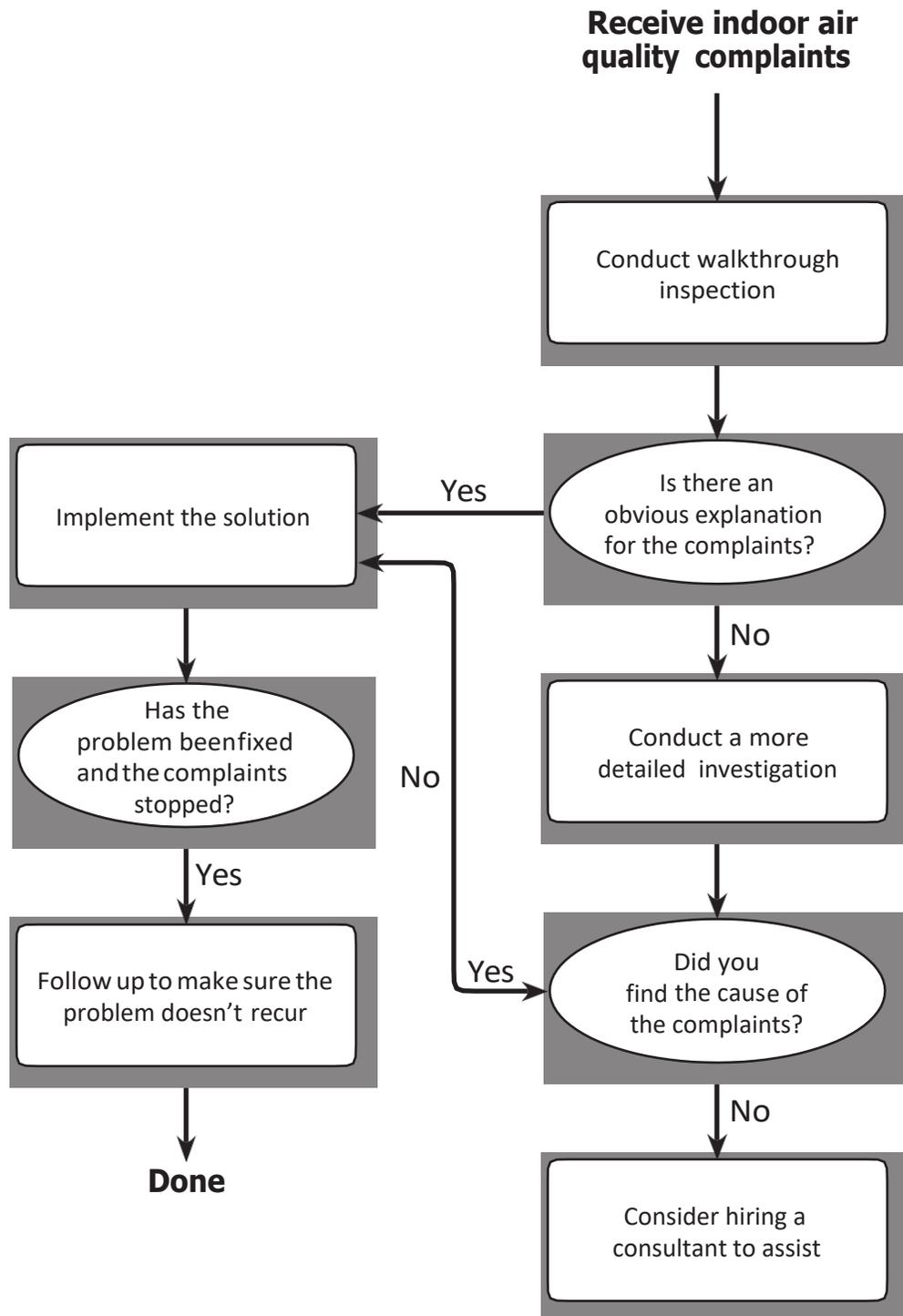
(Occupational Health and Safety Regulation (OH&SR) Sections 3.12 and 3.13)



Worker must not be subject to disciplinary action for acting in compliance with refusal to work requirements – OH&SR 3.13(1)

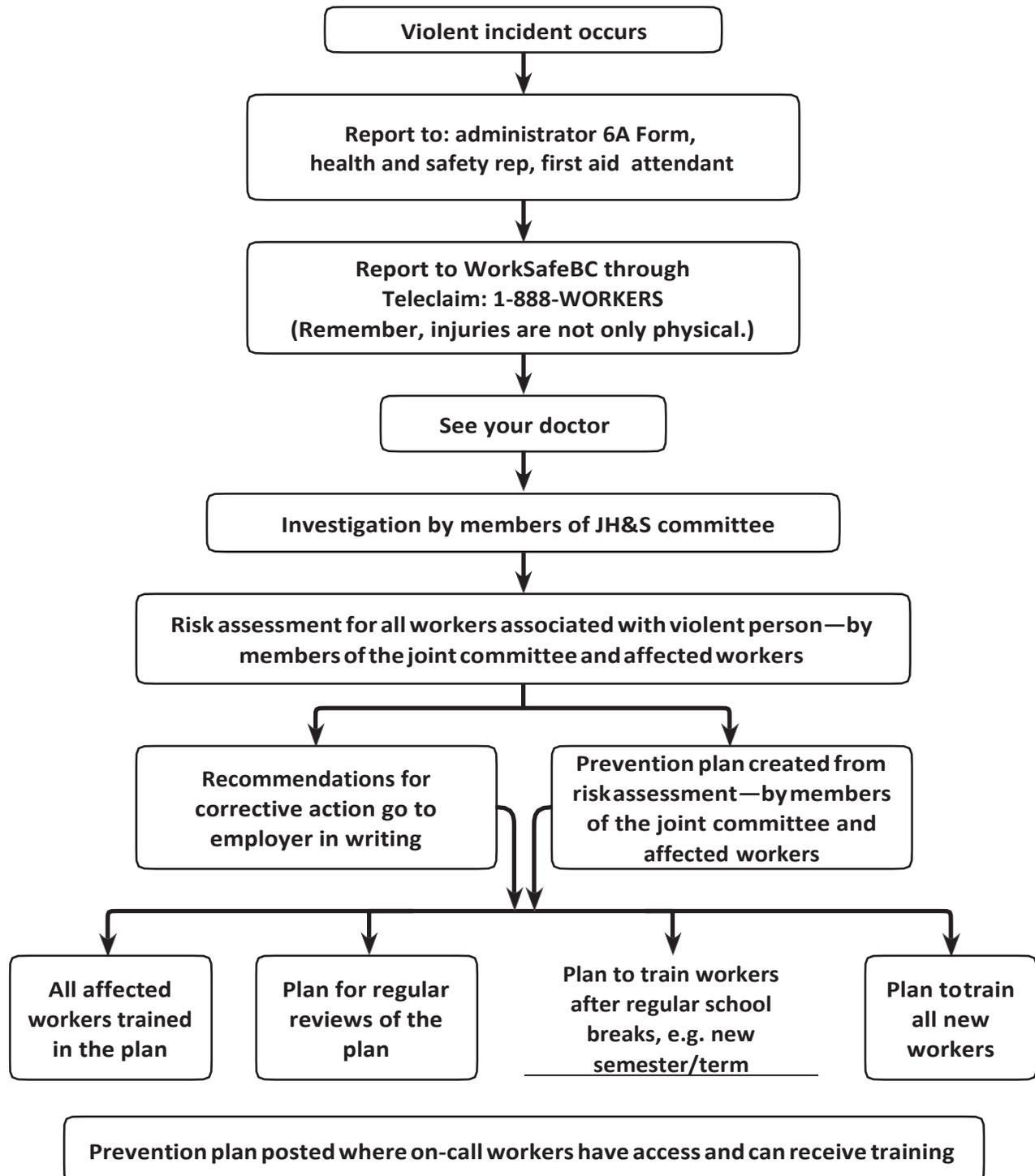
The Investigation Process

Indoor Air Quality Investigation



Violence Prevention

Violent Incident Reporting Process



Who Does What? Incident Reporting Forms

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 these 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.

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.	OR	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)

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"/> Unsure/other (please explain below)	
<input type="checkbox"/> Slip or trip	<input type="checkbox"/> Sharp edge		
<input type="checkbox"/> Twist	<input type="checkbox"/> Fire or explosion		
<input type="checkbox"/> Fall	<input type="checkbox"/> Harmful substance in the work environment		

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)
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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/ 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.

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