



An employer who fails to comply with the Occupational Health & Safety Regulation or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act.

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2009/01/28	2008127840014	2	707404	001	701008	0.25	0

*The Time Recorded reflects only that time which has been charged to this inspection up until the document was printed for delivery. Subsequent time may be added for additional activity related to this inspection.

Number of Workers	Project Number	Site Visit Date	Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)
11 - 50			N	N	N	

Head Office	Job Site
RHA ENTERPRISES LTD. 41909 YARROW CENTRAL RD CHILLIWACK BC V2R5E7	Incident Site West of Sumas Crossing Highway 1 East Abbotsford BC

Portion Inspected	Not Applicable
Violations	REFER TO ORDERS ON FOLLOWING PAGE(S)

Employer Representative Name	Accompanied by Employer Representative
Harwinderpal Kaur Gill	Not Applicable
Employer Representative Position	Accompanied by Worker Representative
Principal	Not Available
Phone Number	Organization
(604) 807-4527	NON-UNION
Signature	Officer of the Board / Signature Bhatti, Mohinder

For Internal Use Only

Delivery Method: Mailed

Other
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This inspection report is being issued as a result of investigation in to a workplace incident.



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Regulation(s) Referenced in Inspection Text

OHS4.3.(1)(a), OHS4.3.(1)(b)(ii), OHS17.11.(1), OHS17.11.(5), OHS17.11.(6), WCA115.(1).(a)(i), WCA115.(2).(e)

Employer Representative	Officer of the Board
Harwinderpal Kaur Gill	Bhatti, Mohinder



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Inspection Text

ORDER FOR ADMINISTRATIVE PENALTY RFS 200800482
Section 196, Workers Compensation Act (the "Act")

On January 25, 2008, Occupational Safety Officer Mohinder Bhatti (the "Officer") issued to the employer, RHA Enterprises Ltd. (the "Employer") Inspection Report 2008127840002 in relation to violations of the Workers Compensation Act (the "Act") and the Occupational Health and Safety Regulation (the "Regulation") he observed during his investigation into a fatal accident which occurred on March 7, 2007.

Upon consideration of all available evidence, and in accordance with section 196 of the Act and applicable Prevention policy, WorkSafeBC is imposing an administrative penalty because the Employer:

1. failed to take sufficient precautions for the prevention of work related injuries or illnesses;
2. failed to comply with Section 4.3(1)(a), 4.3(1)(b)(ii), 17.11(1), 17.11(5) and 17.11(6) of the Regulation and Section 115(1)(a)(i) and 115(2)(e) of the Act;
3. failed to maintain a safe workplace or safe working conditions; and
4. did not exercise due diligence to prevent these circumstances.

The amount of the penalty is \$15,006.65 and was determined in accordance with Prevention Policy D12-196-6 based on the following:

1. the Employer's payroll;
2. the nature of the violation (determined as Category "A"); and
3. other circumstances supporting a variation of the penalty amount.

WorkSafeBC has also determined that a claims cost levy will be imposed as the injuries to workers were due substantially to:

- (a) the failure of the Employer to adopt reasonable means for the prevention of injuries, deaths or occupational diseases; or
- (b) the failure of the Employer to comply with the regulations made under Part 3 of the Act.

Pursuant to s. 73(1) of the Act, WorkSafeBC is imposing a claims cost levy

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in the amount of \$54,793.95.

The Employer, a worker, a union, or other person identified under section 96.3 of the Act who is directly affected by this decision may request a review of the decision by the Review Division of WorkSafeBC.

Information, evidence and other materials relating to this decision have been provided to the Firm. Other parties eligible to review this decision may contact the Compliance Section to obtain copies of information relating to this decision.

If you wish to request a review you must notify the Review Division in writing within 90 days of the date on this report. A Request for Review does not act as a stay or suspend the operation of this Order. Further information about the Review Division and a Request for Review Form can be found online at:

http://www.worksafebc.com/claims/review_and_appeals/health_and_safety_enforcement/default.asp

or by calling the Review Division at 604-214-5411 or 1-888-922-8804.

A copy of the Review Division's decision, with reasons, will be provided to all parties who participate in the review.

NOTE: The Employers' Advisers Office of the Ministry of Skills Development and Labour is available to provide advice or assistance to employers. Their telephone number is toll free at 1-800-925-2233.

The Workers' Advisers Office of the Ministry of Skills Development and Labour is available to provide advice or assistance to workers. Their telephone number is toll free at 1-800-663-4261.

(OHS4.3.(1)(a)) The employer must ensure that each machine and piece of equipment in the workplace is capable of safely performing the functions for which it is used.

(OHS4.3.(1)(b)(ii)) The employer must ensure that each machine and piece of equipment in the workplace is capable of safely performing the functions for which it is used and is selected, used and operated in

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accordance with the safe work practices.

(OHS17.11.(1)) A worker transportation vehicle must be operated by a competent driver licensed under the provisions of the Motor Vehicle Act, and if required, the Highway (Industrial) Act.

(OHS17.11.(5)) A worker transportation vehicle must be inspected before first use on a work shift, and properly maintained to ensure it is safe for use.

(OHS17.11.(6)) Any defect which might affect the safety of workers must be corrected before using the vehicle.

(WCA115.(1).(a)(i)) Every employer must ensure the health and safety of all workers working for that employer.

(WCA115.(2).(e)) An employer must 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.

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2009/01/28	2008127840014	0.25	0	RHA ENTERPRISES LTD.

Order No.	1	Decision	F	WCB Reference	WCA196.(1)
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A copy of this inspection report must be posted in the workplace, in a conspicuous location for 30 days or until the penalty is paid, whichever is later.

Pursuant to Section 196(1) of the Workers Compensation Act, RHA Enterprises Ltd is ordered to pay \$ 15,006.65 to the Workers' Compensation Board Accident Fund.

Order No.	2	Decision	F	WCB Reference	WCA73.(1)
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A copy of this inspection report must be posted in the workplace, in a conspicuous location, for 30 days or until the claims cost levy is paid, whichever is later.

Pursuant to s. 73(1) of the Workers Compensation Act, RHA Enterprises Ltd. is ordered to pay a claims cost levy of \$54,793.95 to the Workers' Compensation Board Accident Fund.

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