

July 2003

Update 2003 – 4

TO: HOLDERS OF THE *PREVENTION MANUAL*

This update of the *Prevention Manual* contains amendments to the *Manual* implemented since update 2003 – 3.

The update consists of three parts:

1. Miscellaneous changes to eight items, effective July 1, 2003. These include corrections to statutory citations and revisions to improve the user's understanding of the policy. A summary of the amendments is attached and the amended pages are included as part of the package.
2. List of policies retired from the Prevention Division's *Policy and Procedure Manual* as of July 1, 2003. The listed retired policies may be removed from your copy of the *Policy and Procedure Manual*.
3. Revised Appendix 1 - Index of Retired Decisions from Volumes 1 - 6 (Decisions No. 1 - 423) of the *Worker's Compensation Reporter*, for insertion in your *Prevention Manual*. Appendix 1 has been updated to reflect the retirement of a further 118 decisions, effective June 17, 2003.

If you have any questions regarding subscription information for updates to the *Prevention Manual*, please call WCB Customer Service provided by Benwell Atkins/Moore at 1-866-271-4879.

DOUGLAS J. ENNS
Chair, Board of Directors

Attachments

SUMMARY OF MISCELLANEOUS CHANGES TO THE *PREVENTION MANUAL*

- (1) **D4-135-1** Amended to correct a statutory citation. The reference to section 133(3) has been changed to section 133 of the *Workers Compensation Act*.
- (2) **D6-150/151/152-1** Amended to remove references to sections 147 and 148, statutory provisions that have not been proclaimed into effect.
- (3) **D12-196-1** Amended to make the policy congruent with Items D12-196-3 and D12-196-6. Addition of a sentence, illustrating an example where an administrative penalty may be imposed for violation of a particular section that is “essentially the same” as another violation.
- (4) **D12-196-2** Amended to update the policy with current terminology, and to make the policy consistent with the *Occupational Health and Safety Regulation (“OHSR”)*. Replacement of the term “snags” with the term “dangerous trees” in the list of violations considered to be high risk in the absence of evidence to the contrary.
- (5) **D12-196-6** Amended to correct an error in the citation of an *OHSR* section. Replacement of section 20.22 with section 20.11 of the *OHSR*.
- (6) **D24-69-1** Amended to update the policy. Removal of reference to outdated licenses, re-phrasing of the policy, and correction of a spelling error.
- (7) **D24-77-1** Amended to clarify requirements for first aid records. Policy re-phrased to clarify that only one set of first aid records must be kept on fishing vessels.
- (8) **R33-41-1** Amended to remove the suggestion that the WCB requires medical certification for blasters. Removal of the words “and blasters”.

**LIST OF *POLICY AND PROCEDURE MANUAL*
POLICIES TO BE RETIRED AS OF JULY 1, 2003**

The following policies that relate to the former *Industrial Health and Safety Regulations* have been “retired” from the *Policy and Procedure Manual* as of July 1, 2003.

Please remove these policies from your copy of the *Policy and Procedure Manual*.

POLICY NO.	POLICY TITLE
1.2.4	Board Authority under the Regulations
1.3.11	Inspection Procedures for Juvenile Employees
1.7.1	Education and Training
1.9.3	Medical Screening and Biological Monitoring
1.9.4	Certification of Medical Fitness
17.10(3)	Reverse Flow Check Valves
26.22	Guarding Moving Parts
32.22	Minimal Acceptable Bracing and Ties for Scaffolds
70.0.2.04	Absence of Specific Regulations
70.0.6.02	Accident Reports and Investigations

July 2003

PREVENTION MANUAL

Transmittal Sheet for Update 2003 - 4

**Check
As
Done**

**Remove Old Pages
Numbered/Titled:**

Insert New Pages Numbered/Titled:

- | | | |
|--------------------------|---|--|
| <input type="checkbox"/> | D4-135-1
Joint-Committees - Educational Leave | D4-135-1
Joint-Committees - Educational Leave |
| <input type="checkbox"/> | D6-150/151/152-1
Discriminatory Actions/Failure to Pay
Wages - Scope | D6-150/151/152-1
Discriminatory Actions/Failure to Pay
Wages - Scope |
| <input type="checkbox"/> | D12-196-1
Administrative Penalties - Criteria for
Imposing | D12-196-1
Administrative Penalties - Criteria for
Imposing |
| <input type="checkbox"/> | D12-196-2
Administrative Penalties - High Risk
Violations | D12-196-2
Administrative Penalties - High Risk
Violations |
| <input type="checkbox"/> | D12-196-6
Administrative Penalties - Amount of
Penalty | D12-196-6
Administrative Penalties - Amount of
Penalty |
| <input type="checkbox"/> | R24-69-1
Diving, Fishing and Other Marine
Operations - Fishing Operations -
General Requirements - Application | R24-69-1
Diving, Fishing and Other Marine
Operations - Fishing Operations - General
Requirements - Application |
| <input type="checkbox"/> | R24-77-1
Diving, Fishing and Other Marine
Operations - Fishing Operations -
General Requirements - Reporting
Injuries | R24-77-1
Diving, Fishing and Other Marine
Operations - Fishing Operations - General
Requirements - Reporting Injuries |
| <input type="checkbox"/> | R33-41-1
Occupational First Aid - Certification of
First Aid Attendants - Medical
Certificates | R33-41-1
Occupational First Aid - Certification of
First Aid Attendants - Medical Certificates |
| <input type="checkbox"/> | Appendix 1 | Appendix 1 |

July 2003

**RE: Joint Committees –
Educational Leave**

ITEM: D4-135-1

BACKGROUND

1. Explanatory Notes

Section 135 provides for educational leave for members of joint committees. Section 135(3) requires the employer to provide the leave without loss of pay or other benefits.

2. The Act

Section 135:

- (1) Each member of a joint committee is entitled to an annual educational leave totalling 8 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.

POLICY

Members of joint health and safety committees are entitled to take time off from work to attend occupational health and safety training courses conducted by or with the approval of the Board.

Decisions as to when members will attend courses, what courses they will attend and at what time and place will normally be made as follows:

- An individual member will bring his or her request to the committee.
- If the committee agrees, the committee will forward the request to the employer.

- If the committee does not agree, or is unable to come to a decision within a reasonable time, the individual member may forward the request to the employer.
- Upon receiving a request from either the committee or the individual member, the employer will make its decision within a reasonable time. The employer will give reasons in writing where required by section 133. In making its decision, the employer must act in a manner consistent with the purpose and intent of section 135. Permission must not be unreasonably denied.

If a member of the committee considers that the employer is not allowing the member the leave to which he or she is entitled under section 135, the member may, after following the above process, complain to the Board. The Board will investigate the matter. Depending upon its findings, the Board may:

- decide that no further action is appropriate;
- attempt to resolve the dispute; or
- make an order under section 187 requiring the employer to comply with section 135.

If the employer does not pay a worker's wages for leave taken under section 135, a complaint can be made to the Board under section 152.

PRACTICE

There is no PRACTICE for this Item.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	s.135, <i>Workers Compensation Act</i>
CROSS REFERENCES:	See also s. 152, <i>Workers Compensation Act</i> ; Joint Committees – Procedures and Resolving Disagreements (Item D4-132/133-1), Discriminatory Actions/Failure to Pay Wages – Investigation of Complaint (Item D6-153-1) and Orders – General Authority (Item D12-187-1)
HISTORY:	Item developed to implement the <i>Workers Compensation (Occupational Health and Safety) Act, 1998</i> , effective October 1, 1999. Effective July 1, 2003 subsequent minor change made to correct an error in statutory citation; section 133(3) was removed and replaced with section 133.
APPLICATION:	

**RE: Discriminatory Actions/
Failure to Pay Wages -
Scope**

ITEM: D6-150/151/152-1

BACKGROUND

1. Explanatory Notes

Workers have a right to complain to the Board regarding:

- “discriminatory action” by their employer or union; or
- the failure by their employer to pay wages required by Part 3 or the regulations.

“Discriminatory action” includes any act or omission by an employer or union, or a person acting on behalf of an employer or union, that adversely affects a worker with respect to any term or condition of employment, or of membership in a union.

The *Act* defines “discriminatory action” by including within it certain matters. The phrase could also include other matters that normally fall within the meaning of “discrimination”. However, the *Act* only provides rights for a worker when the “discriminatory action” relates to the matters outlined in section 151.

Section 152 describes how a worker, who considers that the worker’s employer or union has taken, or threatened to take, discriminatory action against the worker or has failed to pay the wages required by Part 3 or the regulations, may make a complaint to the Board. It includes the time limits within which the complaint must be made.

2. The Act

Section 150:

- (1) For the purposes of this Division, "**discriminatory action**" includes any act or omission by an employer or union, or a person acting on behalf of an employer or union, that adversely affects a worker with respect to any term or condition of employment, or of membership in a union.
- (2) Without restricting subsection (1), discriminatory action includes
 - (a) suspension, lay-off or dismissal,

- (b) demotion or loss of opportunity for promotion,
- (c) transfer of duties, change of location of workplace, reduction in wages or change in working hours,
- (d) coercion or intimidation,
- (e) imposition of any discipline, reprimand or other penalty, and
- (f) the discontinuation or elimination of the job of the worker.

Section 151:

An employer or union, or a person acting on behalf of an employer or union, must not take or threaten discriminatory action against a worker

- (a) for exercising any right or carrying out any duty in accordance with this Part, the regulations or an applicable order,
- (b) for the reason that the worker has testified or is about to testify in any matter, inquiry or proceeding under this Act or the *Coroners Act* on an issue related to occupational health and safety or occupational environment, or
- (c) for the reason that the worker has given any information regarding conditions affecting the occupational health or safety or occupational environment of that worker or any other worker to
 - (i) an employer or person acting on behalf of an employer,
 - (ii) another worker or a union representing a worker, or
 - (iii) an officer or any other person concerned with the administration of this Part.

Section 152:

- (1) A worker who considers that
 - (a) an employer or union, or a person acting on behalf of an employer or union, has taken, or threatened to take, discriminatory action against the worker contrary to section 151, or

- (b) an employer has failed to pay wages to the worker as required by this Part or the regulations

may have the matter dealt with through the grievance procedure under a collective agreement, if any, or by complaint in accordance with this Division.

- (2) A complaint under subsection (1) must be made in writing to the Board,
- (a) in the case of a complaint referred to in subsection (1) (a), within 1 year of the action considered to be discriminatory, and
- (b) in the case of a complaint referred to in subsection (1) (b), within 60 days after the wages became payable.
- (3) In dealing with a matter referred to in subsection (1), whether under a collective agreement or by complaint to the Board, the burden of proving that there has been no such contravention is on the employer or the union, as applicable.

POLICY

Section 152 applies to a failure of the employer to pay wages to the worker as required by the Part.

Some sections do not use the term "wages", but require the worker to be paid for lost time, notably:

- 134(2) (time off work by members of joint committees);
- 135(3) (educational leave for committee members - section 152 only applies to the payment of wages, not other costs such as travel expenses);
- 182(4) (worker accompanying inspection); and
- 192(1) (lay off resulting from stop work order).

As the payments under these sections are in substances "wages", a failure to pay them may be remedied by a complaint under section 152.

PRACTICE

There is no PRACTICE for this Item.

EFFECTIVE DATE: July 1, 2003
AUTHORITY: ss. 150, 151, and 152 *Workers Compensation Act*
CROSS REFERENCES:
HISTORY: Item developed to implement the *Workers Compensation (Occupational Health and Safety) Act, 1998, effective October 1, 1999*. Effective July 1, 2003 minor change made to strike out references to sections 147 and 148, as these sections were never proclaimed into effect.

APPLICATION:

**RE: Administrative Penalties –
Criteria for Imposing**

ITEM: D12-196-1

BACKGROUND

1. Explanatory Notes

Section 196(1) sets out the criteria for imposing an administrative penalty.

An administrative penalty must not be imposed if the employer exercised “due diligence” to prevent the failure, non-compliance or conditions to which the penalty relates. Item D12-196-10 sets out more information with respect to “due diligence”.

2. The Act

Section 196(1):

The Board may, by order, impose an administrative penalty on an employer under this section if it considers that

- (a) the employer has failed to take sufficient precautions for the prevention of work related injuries or illnesses,
- (b) the employer has not complied with this Part, the regulations or an applicable order, or
- (c) the employer’s workplace or working conditions are not safe.

POLICY

The main purpose of administrative penalties and similar levies is to motivate the employer receiving the penalty and other employers to comply with the *Act* and regulations.

The Board will consider imposing an administrative penalty when:

- an employer is found to have committed a violation resulting in high risk of serious injury, serious illness or death;

- an employer is found in violation of the same section of Part 3 or the regulations on more than one occasion. This includes where, though a different section is cited, the violation is essentially the same, for example, citations of sections 8.11 and 20.11 of the *OHS Regulation* for failure to use safety headgear;
- an employer is found in violation of different sections of Part 3 or the regulations on more than one occasion, where the number of violations indicates a general lack of commitment to compliance;
- an employer has failed to comply with a previous order within a reasonable time;
- an employer knowingly or with reckless disregard violates one or more sections of Part 3 or the regulations. Reckless disregard includes where a violation results from ignorance of the *Act* or regulations due to a refusal to read them or take other steps to find out an employer's obligations; or
- the Board considers that the circumstances may warrant an administrative penalty.

If violations or other circumstances requiring consideration of a penalty have occurred, the following additional factors will also be considered in deciding whether to propose or to levy the penalty:

- whether the employer has an effective, overall program for complying with the *Act* and the regulations;
- whether the employer has otherwise exercised due diligence to prevent the failure, non-compliance or conditions to which the penalty relates;
- whether the violations or other circumstances have resulted from the independent action of workers who have been properly instructed, trained and supervised;
- the potential seriousness of the injury or illness that might have occurred, the number of people who might have been at risk and the likelihood of the injury or illness occurring;
- the past compliance history of the employer, including the nature, number and frequency of violations, and the occurrence of repeat violations;
- the extent to which the employer was aware or should have been aware of the hazard or that the *Act* or regulations were being violated;

- the need to provide an incentive for the employer to comply;
- whether an alternative means of enforcing the regulations would be more effective; and
- other relevant circumstances.

PRACTICE

There is no PRACTICE for this Item.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	s.196(1), <i>Workers Compensation Act</i>
CROSS REFERENCES:	See also Administrative Penalties – High Risk Violations (Item D12-196-2), Prior Violations and Orders (Item D12-196-3), Due Diligence (Item D12-196-10 and s. 196(6) of the <i>Workers Compensation Act</i>)
HISTORY:	Item developed to implement the <i>Workers Compensation (Occupational Health and Safety) Amendment Act, 1998</i> , effective October 1, 1999. Consequential changes subsequently made to the restatement of section 196 to reflect the <i>Workers Compensation Amendment Act, 2002</i> and to the Explanatory Notes, the restatement of section 196 and the cross-references to reflect the <i>Workers Compensation Amendment Act (No. 2), 2002</i> , on March 3, 2003. Effective July 1, 2003, minor change made to the second bullet of the policy, for congruency with Items D12-196-3 and D12-196-6.
APPLICATION:	

**RE: Administrative Penalties –
High Risk Violations**

ITEM: D12-196-2

BACKGROUND

1. Explanatory Notes

The criteria set out in Item D12-196-1 require consideration of whether a violation involves high risk of serious injury, serious illness or death.

2. The Act

See D12-196-1.

POLICY

Whether a violation involves high risk of serious injury, serious illness, or death will be determined in each case on the basis of the available evidence concerning:

- the likelihood of an injury, illness or death occurring;
- the number of workers affected; and
- the likely seriousness of any injury or illness.

Violations on the list set out below are assumed to be high risk in the absence of evidence showing the contrary:

1. Working in an excavation over four feet deep without adequately supporting or sloping the sides of the excavation or adopting other safeguards allowed by the regulations.
2. Working within the specified minimum distances from unguarded overhead energized high voltage electrical conductors without complying with the requirements of the regulations.
3. Working on equipment that is not locked-out when required.
4. Permitting workers to be exposed to situations or conditions that are immediately dangerous to life or health.

5. Permitting inadequately protected workers to be exposed to conditions that are likely to cause a chronic health effect.
6. When operating mobile equipment:
 - (a) failing to have rollover protective structures (ROPS) on equipment where required by the regulations,
 - (b) failing to install or use seat belts where required by regulation.
7. Failing to fell all dangerous trees as required by the regulations.
8. Using domino falling procedures.
9. Leaving cut-up trees.
10. Failing to take appropriate measures to control the fall of trees, for example, not leaving sufficient holding wood, carelessly cutting off corners of holding wood, not placing the backcut higher than the undercut, failing to use wedges or failing to have wedging equipment immediately available.
11. Permitting workers, other than the faller and other persons permitted by the regulations, to be within the minimum distance of two tree lengths of the tree being felled.

Even though a violation is not on the list, an administrative penalty may be considered on the basis that the evidence in that case shows the violation posed a high risk to workers.

PRACTICE

There is no PRACTICE for this Item.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	s. 196(1), <i>Workers Compensation Act</i>
CROSS REFERENCES:	See also Administrative Penalties – Criteria for Imposing (Item D12-196-1).
HISTORY:	Item developed to implement the <i>Workers Compensation (Occupational Health and Safety) Act</i> , effective October 1, 1999. Effective July 1, 2003, at number 7 of the policy, the term “snags” was removed, and replaced with “dangerous trees”.
APPLICATION:	Policy change effective July 1, 2003 applies to all orders, including orders imposing administrative penalties under section 196, issued on or after July 1, 2003.

**RE: Administrative Penalties –
Amount of Penalty**

ITEM: D12-196-6

BACKGROUND

1. Explanatory Notes

The Board is authorized to impose administrative penalties on employers for failure to comply with Part 3 of the *Act* and the regulations, and under certain other conditions. Section 196(3) provides that the Board must not impose an administrative penalty where the employer exercised due diligence. Section 196(2) provides that the Board must not impose an administrative penalty greater than \$500,000. Commencing January 1, 2004, this maximum is subject to adjustment under section 25.2 of the *Act* on January 1 of each year.

The *Act* does not specify the amount of an administrative penalty that may be imposed in particular situations.

2. The Act

Section 196(2):

An administrative penalty which is greater than \$500,000 must not be imposed under this section.

POLICY

Amounts of administrative penalties will be determined under this POLICY. No administrative penalty will be imposed where the employer exercised due diligence to prevent the failure, non-compliance or conditions to which the penalty relates.

1. “Basic amount” of the penalty

(a) Tables for determining “basic amounts”

The following tables contain the guidelines used by the Board in determining the “basic amount” of an administrative penalty.

Category A Penalties - Serious injury or illness or death; or high risk of serious injury or illness or death; or non-compliance was wilful or with reckless disregard

Assessable Payroll Range (\$)	Penalty Amount (\$)
up to 500,000	2.5% of payroll, or 2,500, whichever is greater
500,001 – 1,000,000	12,500 + 2.25% of payroll over 500,000
1,000,001 – 1,500,000	23,750 + 2.0% of payroll over 1,000,000
1,500,001 – 2,000,000	33,750 + 1.75% of payroll over 1,500,000
2,000,001 – 2,500,000	42,500 + 1.5% of payroll over 2,000,000
2,500,001 – 3,000,000	50,000 + 1.25% of payroll over 2,500,000
3,000,001 – 3,500,001	56,250 + 1.0% of payroll over 3,000,000
3,500,001 – 4,000,000	61,250 + .75% of payroll over 3,500,000
4,000,001 – 4,500,000	65,000 + .5% of payroll over 4,000,000
4,500,001 – 5,000,000	67,500 + .25% of payroll over 4,500,000
over 5,000,000	68,250 + .125% of payroll over 5,000,000, or 75,000, whichever is less

Category B Penalties – Any other violations

Assessable Payroll Range (\$)	Penalty Amount (\$)
up to 500,000	1.0% of payroll, or 1,000, whichever is greater
500,001 – 1,000,000	5,000 + .36% of payroll over 500,000
1,000,001 – 1,500,000	6,800 + .32% of payroll over 1,000,000
1,500,001 – 2,000,000	8,400 + .28% of payroll over 1,500,000
2,000,001 – 2,500,000	9,800 + .24% of payroll over 2,000,000
2,500,001 – 3,000,000	11,000 +.2% of payroll over 2,500,000
3,000,001 – 3,500,001	12,000 +.16% of payroll over 3,000,000
3,500,001 – 4,000,000	12,800 +.12% of payroll over 3,500,000
4,000,001 – 4,500,000	13,400 +.08% of payroll over 4,000,000
4,500,001 – 5,000,000	13,800 +.04% of payroll over 4,500,000
over 5,000,000	14,000 +.02% of payroll over 5,000,000, or 15,000, whichever is less

The “basic amount” of the administrative penalty will be determined on the basis of the employer’s assessable payroll for the most recent full calendar year for which figures are available at the time the penalty is imposed. The “payroll” for independent operators with Personal Optional Protection is the amount for which they have purchased coverage.

(b) Multi-site employers

Where a firm has more than one location, the Board may, in determining the “basic amount” of the penalty, use the assessable payroll at the location where the violation occurred, provided that:

- the violation has resulted from an occupational health and safety failure at that location rather than a general “program failure” on the part of the employer, and
- the employer provides the necessary payroll information for that location to the Board and cooperates in any audit that the Board considers necessary.

A “program failure” includes failure to:

- effectively communicate with all locations regarding health and safety concerns;
- provide adequate training to managers and others who implement site health and safety programs;
- make local management accountable for health and safety performance; and
- provide local management with sufficient resources for health and safety issues.

(c) Variation factors

In each individual case, the “basic amount” of the penalty may be varied by up to 30%, having regard to the circumstances, including the following factors:

- (a) nature of the violation;
- (b) nature of the hazard created by the violation;
- (c) degree of actual risk created by the violation;
- (d) whether the employer knew about the situation giving rise to the violation;

- (e) the extent of the measures undertaken by the employer to comply;
- (f) the extent to which the behaviour of other workplace parties has contributed to the violation;
- (g) employer history;
- (h) whether the financial impact of the penalty would be unduly harsh in view of the employer's size; and
- (i) any other factors relevant to the particular workplace.

2. Penalties up to \$250,000

With the approval of the President or delegate, the Board may impose an administrative penalty of up to \$250,000 where:

- (a) the employer has committed a high risk violation wilfully or with reckless disregard; and
- (b) a worker has died or suffered serious permanent impairment as a result.

3. Penalties up to the Statutory Maximum

With the approval of the President or delegate, the Board may impose an administrative penalty up to the statutory maximum where:

- (a) the employer has committed a high risk violation wilfully or with reckless disregard;
- (b) multiple fatalities have occurred or a number of workers have suffered serious permanent impairment as a result of the violation; and
- (c) there is evidence of a systemic disregard by the employer for worker safety, such as a history of serious repeated non-compliance.

4. Repeat penalties

Where an administrative penalty is imposed within three years of a decision imposing an additional assessment or a prior administrative penalty for the same violation, the penalty will be calculated as a "repeat penalty". This includes where, though a different section is cited, the violation is essentially the same, for example, citations of sections 8.11 and 20.11 of the *OHS Regulation* for failure to use safety headgear.

“Repeat penalties” will be calculated as follows:

- (a) The “basic amount” for the current penalty, including any variation, will be calculated in accordance with 1. **“Basic amount” of the penalty** above.
- (b) The “basic amount“ for the current penalty, including any variation, will then be increased as follows:

Number of additional assessments or prior penalties imposed during three years preceding penalty notice	Increase to “basic amount”
one	x2
two	x3
three	x6
four	x12
five	x24

5. Recovery of costs saved through non-compliance

The amount of any costs saved or profit made by the employer through committing the violation shall, as far as is known, be added to the penalty amount determined under 1, 2, 3, or 4 above and forms part of the administrative penalty.

6. Statutory maximum

In no case will the Board impose an administrative penalty greater than the statutory maximum then in effect.

PRACTICE

There is no PRACTICE for this Item.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	s. 196(2), <i>Workers Compensation Act</i>
CROSS REFERENCES:	See also Administrative Penalties – Criteria for Imposing (Item D12-196-1), Administrative Penalties – Prior Violations and Orders (D12-196-3), Administrative Penalties – Due Diligence (Item D12-196-10).
HISTORY:	Item developed to implement the <i>Workers Compensation (Occupational Health and Safety) Amendment Act, 1998</i> , effective May 1, 2000.

Consequential changes subsequently made throughout Item to implement the *Workers Compensation Amendment Act (No. 2), 2002*, on March 3, 2003. Effective July 1, 2003 minor change made at number four of the policy, to correct the reference of section 20.22 to section 20.11 of the *OHSR*.

APPLICATION:

This policy applies to all decisions to impose administrative penalties on and after July 1, 2003.

RE: Diving, Fishing and Other Marine Operations - Fishing Operations - General Requirements - Application **ITEM: R24.69-1**

BACKGROUND

1. Explanatory Notes

Sections 24.70 to 24.143 of the *Regulation* set out the requirements for fishing operations. Section 24.69 identifies the persons to whom these requirements apply.

2. The Regulation

Section 24.69:

Sections 24.70 to 24.143 apply to all owners, masters and crewmembers of licensed commercial fishing vessels.

Section 24.1:

“*owner*” for the purposes of sections 24.69 to 24.143, means the person who holds legal title to a fishing vessel and also includes a charterer of a fishing vessel

“*master*” for the purposes of sections 24.69 to 24.143, means the person in overall command of a fishing vessel

“*crewmember*” for the purposes of sections 24.69 to 24.143, means any person who is working on a fishing vessel

POLICY

(a) Owner

“Owner” includes a charterer of a fishing vessel. Whenever a Board officer finds a violation of a section of the *Regulation* that expressly makes the “owner” responsible and the vessel has been chartered, the order will be made both against the person holding the legal title and the charterer.

(b) Master

The master may be a "supervisor" for the purpose of other sections of the *Regulation* and the *Act*.

(c) Crewmember

The definition of "crewmember" includes all persons employed in the harvesting or transporting of fish on a fishing vessel. It includes the "master", and the "owner" when he or she is working on the vessel.

Sections 24.69 to 24.143 do not apply to passengers or other persons who do no work on the vessel or employees of contractors who come on board to repair the vessel while it is in harbour. The latter are, however, subject to other sections of the *Regulation*.

(d) Application

Many provisions of sections 24.69 to 24.143 impose obligations on the "owner", "master" or "crewmember". Some do not specifically impose an obligation on any person. These will apply to owners, masters and crewmembers, as appropriate.

Sections 24.69 to 24.143 cover all commercial fishing activities conducted from licensed vessels, including geoduck divers. Among the activities not covered are:

- fishing operations conducted entirely on shore, such as clam diggers;
- operations that fall within the category of fish farms, such as oyster farms; and
- fishing done for the purpose of obtaining the fisher's own food.

Sections 24.69 to 24.143 apply to activities incidental to fishing operations that are carried out on land, such as on the dock where the vessel is moored or in a locker where the vessel's gear is stored. The regular maintenance or minor repair of a fishing vessel conducted by the owner, master or crew or individual workers hired by the owner or master is also covered.

Sections 24.69 to 24.143 do not apply to constructing a fishing vessel or doing major repairs.

PRACTICE

For any relevant PRACTICE information, readers should consult the Prevention Division's OHS Guidelines available on the WCB website.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	ss. 24.1 and 24.69, <i>Occupational Health and Safety Regulation</i>
CROSS REFERENCES:	
HISTORY:	Replaces Policy Nos. 85.01 and 85.2 of the Prevention Division <i>Policy and Procedure Manual</i> . A housekeeping change was made on December 14, 2001. Effective July 1, 2003, the definition of crewmember under section (c) clarified and the reference to the now defunct personal commercial fishing licenses was removed.
APPLICATION:	This Item results from the 2000/2001 "editorial" consolidation of all prevention policies into the <i>Prevention Manual</i> . The POLICY in this Item merely continues the substantive requirements of Policy Nos. 85.01 and 85.2, as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy Nos. 85.01 and 85.2 were issued.

RE: Diving, Fishing and Other Marine Operations - Fishing Operations - General Requirements - Reporting Injuries **ITEM: R24.77-1**

BACKGROUND

1. Explanatory Notes

Section 24.77 requires the master of a fishing vessel to report to the owner of the fishing vessel all injuries that required medical aid and record all injuries in the vessel log book. This section must be considered in conjunction with sections 33.6 and 33.7, which set out the general occupational first aid requirements for recording injuries and manifestations of disease reported and treated.

2. The Regulation

Section 24.77:

- (1) Crewmembers must report all injuries to the master, without delay.
- (2) The master must report to the owner of the fishing vessel all injuries that required medical aid and record all injuries in the vessel log book.

Section 33.6:

- (1) The employer must maintain at the workplace a record of all injuries and manifestations of disease reported or treated.
- (2) Each entry or record required by subsection (1) must contain
 - (a) the full name of the injured worker,
 - (b) the date and time of injury or report of illness,
 - (c) the date and time the injury or illness was reported to the employer or employer's representative,
 - (d) the names of witnesses,
 - (e) a description of how the injury or illness occurred,
 - (f) a description of the nature of the injury or illness,

- (g) a description of the treatment given and any arrangements made relating to the injured worker,
 - (h) a description of any subsequent treatment given for the same injury or illness, and
 - (i) the signature of the attendant or person giving first aid, and if possible, the signature of the worker receiving treatment.
- (3) First aid records for an injury or illness reported as occurring after December 31, 1988 must be kept for at least 10 years.

Section 33.7:

- (1) Access to first aid records is restricted to individuals requiring access for reasons of medical treatment, workplace inspection, accident investigation, claims processing and appeals, and for reasons relevant to the workplace health and safety program, including the gathering of statistics.
- (2) First aid records must be available for inspection by an officer of the board.
- (3) Persons with access to first aid records must keep confidential the information contained in the records, except as required for the legitimate purpose of their access.
- (4) On request, a worker must be given a copy of first aid records for any treatment or report pertaining to the worker.

POLICY

Sections 33.6 and 33.7 provide for keeping a first aid book and access to first aid records. These sections must be complied with to the extent they are consistent with section 24.77, which requires the master to report injuries requiring medical aid to the owner and record all injuries in the vessel log book. The vessel log book thereby becomes the first aid book and records required by sections 33.6 and 33.7. Therefore, it is not necessary to keep a dual set of first aid records.

PRACTICE

For any relevant PRACTICE information, readers should consult the Prevention Division's OHS Guidelines available on the WCB website.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	ss.24.77, 33.6 and 33.7, <i>Occupational Health and Safety Regulation</i>
CROSS REFERENCES:	
HISTORY:	Replaces Policy No. 85.13 of the Prevention Division <i>Policy and Procedure Manual</i> . Effective July 1, 2003, a minor change was made to the policy statement, to clarify that only one set of first aid records is required.
APPLICATION:	This Item results from the 2000/2001/2002 "editorial" consolidation of all prevention policies into the <i>Prevention Manual</i> . The POLICY in this Item merely continues the substantive requirements of Policy No. 85.13, as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 85.13 was issued.

**RE: Occupational First Aid -
Certification of First Aid Attendants -
Medical Certificates**

ITEM: R33.41-1

BACKGROUND

1. Explanatory Notes

Section 33.41 sets out the requirements that must be met before a candidate will be examined for a first aid certificate.

2. The Regulation

Section 33.41:

A candidate for examination leading to certification at Level 2 or 3 must, before a certificate is issued, provide a medical certificate of the candidate's fitness from a physician on a form acceptable to the board and every two years thereafter on renewal of the Level 2 or 3 certificate.

POLICY

A medical certificate of fitness on a form acceptable to the Board must be received by a person or organization authorized by the Board to grant Level 2 or 3 certificates, before the certificate is issued. A listing of authorized persons and organizations is available for the Board. The Board's medical certificate of fitness form used for divers certification may be used. The certificate must not be older than 6 months prior to the date received. The candidate must pay for the medical examination.

PRACTICE

For any other relevant PRACTICE information, readers should consult the Prevention Division's OHS Guidelines available on the WCB website.

EFFECTIVE DATE:	July 1, 2003
AUTHORITY:	s. 33.41, <i>Occupational Health and Safety Regulation</i>
CROSS REFERENCES:	See also Instructor and Training Agencies – Courses and Examinations (Item R33.52-1)
HISTORY:	Replaces Policy No. 80.41 of the Prevention Division <i>Policy and Procedure Manual</i> . A housekeeping change was made on December 14, 2001. Effective October 28, 2002, amendments to the <i>Occupational Health and Safety Regulation</i> were made to enable first aid certification and examination by authorized persons and organizations external to the Board. Policy changes were made on October 28, 2002, to comply with these amendments. Effective July 1, 2003, a minor change was made to the policy, to remove the suggestion that the WCB requires medical certification for blasters.
APPLICATION:	This Item generally results from the 2000/2001 “editorial” consolidation of all prevention policies into the <i>Prevention Manual</i> . The POLICY in this Item merely continues the substantive requirements of Policy No. 80.41, as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 80.41 was issued.

APPENDIX 1

INDEX OF RETIRED DECISIONS FROM VOLUMES 1 – 6 (DECISIONS NO. 1 – 423) OF THE *WORKERS' COMPENSATION REPORTER*

EXPLANATORY NOTE:

The Board of Directors Bylaw re: Policies of the Board of Directors lists the policy manuals and other documents that are policies for purposes of the *Workers Compensation Act*. Included in the list are Decisions No. 1 – 423 in volumes 1 – 6 of the *Workers' Compensation Reporter*. These Decisions consist, for the most part, of decisions made by the former commissioners on various matters between 1973 and 1991.

In order to reduce the number of sources of policies, a strategy has been approved for consolidating Decisions No. 1 – 423 into the various policy manuals, as appropriate, and “retiring” the Decisions over time.

“Retire” for this purpose means that, as of the “retirement date”, the Decision is no longer current policy under the Board of Directors Bylaw.

“Retiring” does not affect a Decision’s status as policy prior to the date it was “retired”. A “retired” Decision therefore applies in decision-making on historical issues to the extent it was applicable prior to the “retirement date”. “Retiring” also does not affect the disposition of any individual matters dealt with in a Decision.

This Index sets out the Decisions from volumes 1 - 6 that have been “retired” and the “retirement date”. It will be updated as further Decisions are “retired” in the future.¹

¹ Decisions that do not appear in the Index should not necessarily be considered current policy. Decisions or parts of Decisions may have been replaced, either expressly or impliedly, by subsequent policies in the policy manuals or other policy documents. Under the Board of Directors Bylaw, where there is a conflict between policy in Decisions No. 1 - 423 and policy in a policy manual listed in the Bylaw, the policy in the manual is paramount. In the event of any other conflict between policies, the most recently approved policy is paramount.

DECISION NO.	TITLE	RETIREMENT DATE
01	Publication of Decisions	May 1, 2000
05	Partial Commutation of a Pension	June 17, 2003
08	The Measurement of Partial Disability	May 1, 2000
09	Publication of the Permanent Disability Evaluation Schedule	June 17, 2003
12	A Claim to a Solicitor's Lien	June 17, 2003
13	The Provision of Rehabilitation Services	June 17, 2003
14	Rehabilitation and Re-training	May 1, 2000
18	Dependent's Allowances	June 17, 2003
19	Industrial Hygiene and Cominco Ltd.	June 17, 2003
22	The Measurement of Partial Disability	May 1, 2000
24	The Revision of Appeal Procedures	May 1, 2000
25	Boards of Review	June 17, 2003
26	Coverage of Workmen's Compensation	January 1, 2003
27	An Application for Re-Opening	June 17, 2003
28	Oral Enquiries on Appeals to the Commissioners	May 1, 2000
30	A Claim for Death by Suicide	June 17, 2003
31	Unemployment Insurance Benefits	June 17, 2003
32	The Employment Relationship (Taxis)	January 1, 2003
33	The Measurement of Partial Disability and Proportionate Entitlements	May 1, 2000
35	Procedure on Appeals	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
36	Industrial Hygiene	June 17, 2003
37	The Replacement of Eyeglasses	June 17, 2003
38	Compensation for Loss of Hearing	June 17, 2003
40	The Calculation of Compensation and Recurrence of Disability	June 17, 2003
42	Changes in the <i>Workmen's Compensation Act</i>	June 17, 2003
43	The <i>Workmen's Compensation Amendment Act</i>	May 1, 2000
45	Claims for Silicosis	June 17, 2003
46	The Consumer Price Index	May 1, 2000
47	The Commencement of the <i>Workmen's Compensation Amendment Act, 1974</i>	June 17, 2003
49	The Coverage of Workers' Compensation	January 1, 2003
51	A Penalty Assessment and Northwood Properties Ltd.	June 17, 2003
53	Fire Fighting and Hair	June 17, 2003
55	Rehabilitation and Re-training	May 1, 2000
56	Rehabilitation Provisions for a Surviving Dependent Spouse	June 17, 2003
57	The Termination of Benefits at a Future Date	June 17, 2003
58	Industries and Classifications	January 1, 2003
61	Employers' Reports of Injuries	June 17, 2003
63	The Supply of In-File Information	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
64	Pensions for Widows aged 40 to 49 years	June 17, 2003
66	Boards of Review	June 17, 2003
67	The Commutation of Pensions	May 1, 2000
68	The Maximum Wage Rate	May 1, 2000
71	The Industrial Hygiene Regulations	June 17, 2003
72	The Reinstatement of Pensions	June 17, 2003
73	Transcripts of Interviews	May 1, 2000
74	Unborn Children	June 17, 2003
75	Canada Pension Plan Benefits	June 17, 2003
76	Dependents Resident Abroad	June 17, 2003
78	Multiple Disabilities and the Determination of the Maximum	June 17, 2003
79	Time Limit on Appeals	May 1, 2000
81	The Recurrence of Disability	June 17, 2003
82	The Consumer Price Index	May 1, 2000
84	Industrial Noise	June 17, 2003
85	Funeral Expenses	June 17, 2003
88	The Application of Consumer Price Index Increases to Re-Instated Pensions under section 25A	June 17, 2003
89	Personal Care Allowances	May 1, 2000
90	A Common-Law Wife	June 17, 2003
91	Boards of Review and the Pension Plan	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
92	Allowances to Claimants	May 1, 2000
93	Industrial Diseases	June 17, 2003
94	Industrial Diseases	May 1, 2000
96	Appeal Procedures	June 17, 2003
98	Remarriage Allowances	May 1, 2000
100	Inspection Visits	June 17, 2003
103	Safety Awards	June 17, 2003
104	The Commutation of Pensions	June 17, 2003
105	The Future Employment of a Worker Disabled by a Compensable Injury of Industrial Disease	June 17, 2003
106	A One-Man Company	May 1, 2000
109	The Dual System of Measurement for Injuries Involving the Spinal Column	June 17, 2003
111	A Penalty for Non-Registration	January 1, 2003
112	The Consumer Price Index	May 1, 2000
113	Hearing Aids	June 17, 2003
116	The Coverage of Independent Operators	January 1, 2003
117	Adjustments According to the Consumer Price Index	May 1, 2000
118	Remarriages Allowances	May 1, 2000
119	Medical Information	May 1, 2000
120	The Coverage of Workers' Compensation and Participation in Competitions	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
122	Industrial Disease	June 17, 2003
123	Changes in the <i>Workers Compensation Act</i>	May 1, 2000
125	The Commencement of <i>Workers Compensation Amendment Act, 1975</i>	May 1, 2000
130	The Review of Old Disability Pensions	June 17, 2003
135	Compensation Decisions and the Death of the Worker	June 17, 2003
136	Compensation for Hearing Loss	May 1, 2000
137	Compensation for Hearing Loss	June 17, 2003
138	The Employment Relationship	January 1, 2003
139	Medical Aid Contracts	June 17, 2003
141	A One-Man Company	May 1, 2000
143	The Maximum Wage Rate	May 1, 2000
147	Health and Safety Awards	June 17, 2003
148	The Course of Employment	June 17, 2003
149	Commercial Stock Audits	January 1, 2003
151	The Apportionment of Dependents' Allowances	June 17, 2003
153	Compensation Coverage for Volunteers	May 1, 2000
154	Legal Services for Rehabilitation Purposes	May 1, 2000
155	The Commutation of Pensions	May 1, 2000
156	The Review of Old Disability	June 17, 2003
159	The Consumer Price Index	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
160	The Calculation of Projected Loss of Earnings	May 1, 2000
161	Compensation Coverage for Volunteers	January 1, 2003
163	The Fishing Industry	January 1, 2003
164	Compensation for Hearing Loss	June 17, 2003
165	Compensation Coverage for Trainees	January 1, 2003
166	Adjustments According to the Consumer Price Index	May 1, 2000
167	Industrial Hygiene	June 17, 2003
168	The Disclosure of Information on Claim Files	May 1, 2000
169	An Employer or Independent Operator	January 1, 2003
170	The Fishing Industry	January 1, 2003
171	Allowances to Claimants	May 1, 2000
174	Time for Appeals	May 1, 2000
175	The Reimbursement of Expenses	May 1, 2000
177	Medical Research	June 17, 2003
180	Pollution	June 17, 2003
183	An Employer or an Independent Operator	January 1, 2003
184	Application of the Dual System	May 1, 2000
186	Industrial Hygiene and Cominco Ltd.	June 17, 2003
187	The Fishing Industry	January 1, 2003
188	The Course of Employment	June 17, 2003
189	Broken Glass Claims	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
190	The Coverage of Workers Compensation	June 17, 2003
191	The Consumer Price Index	May 1, 2000
192	Industrial Hygiene and Cominco Ltd.	June 17, 2003
193	Adjustments According to the Consumer Price Index	May 1, 2000
196	Boards of Review	May 1, 2000
197	The Re-Opening of Board of Review Decisions	June 17, 2003
199	The Review of Old Disability Pensions	June 17, 2003
201	Payments of Claims Pending Appeals to the Commissioners	May 1, 2000
202	Dual System of Measuring Disability	May 1, 2000
203	Legal Services for Rehabilitation Purposes	June 17, 2003
204	The Maximum Wage Rate	May 1, 2000
209	Lunch Breaks	June 17, 2003
210	Re-Openings and New Evidence	June 17, 2003
211	The Reimbursement of Expenses	May 1, 2000
212	Commutation of Pensions	May 1, 2000
213	Bunkhouses	June 17, 2003
215	Consulting Firms	January 1, 2003
216	The Consumer Price Index	May 1, 2000
217	Adjustments According to the Consumer Price Index	May 1, 2000
218	Commutation of Pensions	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
220	Proportionate Entitlement and the Dual System	May 1, 2000
223	The Fishing Industry	January 1, 2003
224	The Fishing Industry	January 1, 2003
225	The Fishing Industry	January 1, 2003
226	The Fishing Industry	January 1, 2003
228	Multiple Sclerosis	June 17, 2003
229	Industries and Employment	January 1, 2003
232	Cancer of Gastro-Intestinal Tract	June 17, 2003
233	Security and Investigation Services	May 1, 2000
234	Occupational Hygiene and Cominco Ltd.	June 17, 2003
235	Manpower Supply Agencies	January 1, 2003
236	Interim Adjudication	June 17, 2003
237	Complaints to the Commissioners in Respect of Compensation Claims	May 1, 2000
240	Training Allowances	June 17, 2003
241	Inmates on Work Release Programmes	January 1, 2003
243	Industrial Diseases	June 17, 2003
244	The Consumer Price Index	May 1, 2000
245	Adjustments According to the Consumer Price Index	May 1, 2000
246	Pulmonary Disease and "Hard Metal" Grinding	June 17, 2003
247	Workers Undergoing Custodial Care	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
248	Class 11	May 1, 2000
249	Recurrence of Disability	May 1, 2000
250	Industrial Diseases	June 17, 2003
253	Replacement of Eyeglasses and Wage Loss	June 17, 2003
254	Payment of Claims Pending Appeals to the Commissioners	May 1, 2000
255	Registration of Labour Contractors as Employers	January 1, 2003
256	Scope of Employment	June 17, 2003
257	The Maximum Wage Rate	May 1, 2000
258	The Reimbursement of Expenses	May 1, 2000
259	Common-Law Spouses – “Re-Marriage Allowance”	June 17, 2003
261	Temporary Partial Disability	June 17, 2003
262	Disability and Unemployability	June 17, 2003
264	Compensation Payable when Company Unregistered	May 1, 2000
265	The Consumer Price Index	May 1, 2000
266	Adjustments According to the Consumer Price Index	May 1, 2000
268	Industrial Hygiene and Cominco Ltd.	June 17, 2003
269	Appeal Against Penalty Levy Amounting to \$13,649.37	June 17, 2003
272	Commutations	May 1, 2000
274	Industrial Hygiene and Cominco Ltd.	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
275	Claim for Dependent Benefits	June 17, 2003
276	Compensation for Unauthorized Surgery	June 17, 2003
277	The Consumer Price Index	May 1, 2000
278	Adjustments According to the Consumer Price Index	May 1, 2000
280	Appeals & Referrals to the Commissioners	May 1, 2000
281	Re-Opening of Decisions & Time Limits on Appeals	June 17, 2003
283	Scope of Employment	June 17, 2003
284	The Maximum Wage Rate	May 1, 2000
285	The Reimbursement of Expenses	May 1, 2000
287	Proportionate Entitlement and Dual System	May 1, 2000
288	The Review of Old Disability Pensions	June 17, 2003
290	The Consumer Price Index	May 1, 2000
291	Adjustments According to the Consumer Price Index	May 1, 2000
292	Scope of Employment and Sports Professionals	June 17, 2003
294	Payment of Costs for Medical Review Reports and Examinations	June 17, 2003
295	Section 54(2)(a) Insanitary or Injurious Practices	June 17, 2003
296	Section 8 – Employment out of Province	June 17, 2003
297	Dual System and Non-Spinal Injuries	May 1, 2000
298	Appeals to Medical Review Panels	June 17, 2003

DECISION NO.	TITLE	RETIREMENT DATE
299	Hearing Aids	June 17, 2003
300	Section 52 - "Special Circumstances"	May 1, 2000
301	Single Trauma and Cancer	June 17, 2003
302	Termination and Wage Loss Benefits	June 17, 2003
303	Access to Claim Files	May 1, 2000
304	The Consumer Price Index	May 1, 2000
305	Adjustments According to the Consumer Price Index	May 1, 2000
307	The Fishing Industry	January 1, 2003
308	The Maximum Wage Rate	May 1, 2000
309	The Reimbursement of Expenses	May 1, 2000
310	Commutation of Hearing Loss Pensions	May 1, 2000
311	Commutation of Pensions	May 1, 2000
312	Transportation Costs for Physiotherapy and the Reimbursement of Expenses	June 17, 2003
313	Overpayments	June 17, 2003
314	The Consumer Price Index	May 1, 2000
315	Adjustments According to the Consumer Price Index	May 1, 2000
317	Industrial Hygiene and Cominco Ltd.	June 17, 2003
319	Clothing Allowances	May 1, 2000
321	<i>Workers Compensation Act</i>	May 1, 2000
322	The Consumer Price Index	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
323	Adjustments According to the Consumer Price Index	May 1, 2000
325	The Review of Old Disability Pensions	June 17, 2003
327	The Maximum Wage Rate	May 1, 2000
328	The Reimbursement of Expenses	May 1, 2000
329	Industrial Health and Safety Regulations	June 17, 2003
331	The Consumer Price Index	May 1, 2000
332	Adjustments According to the Consumer Price Index	May 1, 2000
334	Boards of Review	June 17, 2003
335	Principals of Limited Companies	January 1, 2003
336	The Consumer Price Index	May 1, 2000
337	Adjustments According to the Consumer Price Index	May 1, 2000
338	Disclosure of Claim Files	May 1, 2000
339	The Maximum Wage Rate	May 1, 2000
340	The Reimbursement of Expenses	May 1, 2000
341	Industrial Hygiene and Cominco Ltd.	June 17, 2003
342	Assessment of Employers	May 1, 2000
344	The Consumer Price Index	May 1, 2000
345	Adjustments According to the Consumer Price Index	May 1, 2000
346	Payment of Interest	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
347	Oral Hearings on Appeals to the Commissioners	May 1, 2000
350	Commissioners' Decisions	May 1, 2000
351	Assessment of Employers	January 1, 2003
352	The Consumer Price Index	May 1, 2000
353	Adjustments According to the Consumer Price Index	May 1, 2000
354	Industrial Hygiene and Cominco Ltd.	June 17, 2003
357	Subsistence and the Reimbursement of Expenses	June 17, 2003
358	The Maximum Wage Rate	May 1, 2000
359	The Reimbursement of Expenses	May 1, 2000
361	Coverage of the Farming Industry	May 1, 2000
362	The Maximum Wage Rate	May 1, 2000
364	Retraining of Surviving Spouses	May 1, 2000
365	The Consumer Price Index	May 1, 2000
366	Adjustments According to the Consumer Price Index	May 1, 2000
367	Hearing Aids	June 17, 2003
368	Appeals	June 17, 2003
370	Disclosure of Board Files	May 1, 2000
371	Publication of Board Manuals	January 1, 2003
372	The Consumer Price Index	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
373	Adjustments According to the Consumer Price Index	May 1, 2000
374	Appeals to the Commissioners	May 1, 2000
375	The Maximum Wage Rate	May 1, 2000
376	The Reimbursement of Expenses	May 1, 2000
377	Fraudulent Claims	June 17, 2003
380	The Consumer Price Index	May 1, 2000
381	Adjustments According to the Consumer Price Index	May 1, 2000
383	Application of Dual System	June 17, 2003
385	The Consumer Price Index	May 1, 2000
386	Adjustments According to the Consumer Price Index	May 1, 2000
387	Chiropractic Treatment	June 17, 2003
388	Assignments, Charges, or Attachments of Compensation	June 17, 2003
389	Refusals of Certificates of Fitness Under the Mines Act	May 1, 2000
390	The Maximum Wage Rate	May 1, 2000
391	The Reimbursement of Expenses	May 1, 2000
392	The Consumer Price Index	May 1, 2000
393	Appeals	May 1, 2000
395	Payments Pending Appeals	June 17, 2003
396	The Consumer Price Index	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
397	The Maximum Wage Rate	May 1, 2000
398	The Consumer Price Index	May 1, 2000
399	Appeals to Workers' Compensation Review Board	June 17, 2003
400	The Consumer Price Index	May 1, 2000
401	Experience Rating	January 1, 2003
402	Adjustments According to the Consumer Price Index	May 1, 2000
403	Appeals to Workers' Compensation Review Board	May 1, 2000
404	The Maximum Wage Rate	May 1, 2000
405	The Consumer Price Index	May 1, 2000
408	The Consumer Price Index	May 1, 2000
409	The Maximum Wage Rate	May 1, 2000
410	Disclosure of Board Files	May 1, 2000
411	The Consumer Price Index	May 1, 2000
412	The Consumer Price Index	May 1, 2000
413	The Maximum Wage Rate	May 1, 2000
414	The Consumer Price Index	May 1, 2000
415	The Consumer Price Index	May 1, 2000
416	The Maximum Wage Rate	May 1, 2000
417	Adjustments According to the Consumer Price Index	May 1, 2000
418	The Consumer Price Index	May 1, 2000

DECISION NO.	TITLE	RETIREMENT DATE
419	Schedule B	June 17, 2003
420	The Consumer Price Index	May 1, 2000
421	The Maximum Wage Rate	May 1, 2000
422	The Consumer Price Index	May 1, 2000
423	Adjustments According to the Consumer Price Index	May 1, 2000