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CONSTRUCTION LABOUR RELATIONS ASSOCIATION OF BC

November 4, 2005

WorkSafeBC
Policy and Research Division
P.O. box 5350 Station Terminal
Vancouver, BC V6B 5L5

VIA FAX

Dear Sir or Madam:

Comments on Proposed Changes to the Occupational Health & Safety Regulation

Our review of proposed changes, for the most part, appear reasonable and should provide better clarity and more current standards to the Regulation.

Our comments are as follows.

Part 3 - Occupational Health and Safety Programs (3.1): Our understanding of this a proposed change is that it is intended to correct an inadvertent deletion that was made during the March 2004 change to the First Aid Regulation. The proposed wording is to make it clear that an employer with 50 or more workers in various locations must have an occupational health & safety program as outline in Regulation 3.3.

We support this "housekeeping" change.

Part 6 - Substance Specific Requirements (6.1): This proposed amendment permits other acceptable methods for testing for the presence of asbestos fibers. The change recognizes that the WCB no longer has a testing laboratory or WCB in-house asbestos testing capability. Instead, the Regulation would reference the NIOSH methods.

Our sector of the industry appreciates the flexibility related to "other acceptable methods". We support this proposed amendment.

6.44 and 6.48: The change here is appears to be minor wording concerning cytotoxic (chemo therapy) drugs (also used to treat arthritis and related ailments). This proposed change would permit the priming of needles containing these drugs outside of a prescribed safety cabinet. It is possible that a worker may require this kind of drug (similar to insulin) to be injected during working hours. This provides an acceptable method of doing so.

We support this proposed amendment.

Part 8 Respirators: The proposed changes to the respirator regulation appears to emulate from the health industry employers, who wanted the referenced standard in the Regulation to be updated from 1993 to the current 2002 standard. The changes would update the CSA standard from 1993 to the 2002 version. This updates the technical requirements for respirators. References to respirators – the disposable paper type that is no longer in production – have been removed.

The reference to the CSA standard, which applies to SCBA in Regulation 8.37, has been updated from the 1985 edition to the 2000 standard. (CSA standards are reviewed and revised at various times for different items or issues.).

The new standard requires that if the air in a self contained breathing apparatus (SCBA) cylinder, has not been used for a period in excess of one year, the cylinder must be slowly depressurized and refilled according to the new standard. The SCBA must be serviced and maintained by qualified persons. Records must be kept of the servicing.

The reference to single use disposable respirators is removed – as they are no longer manufactured.

The foregoing changes are reasonable, but there is one major concern regarding respirator fit testing. The proposed regulation calls for fit testing to be done once per year, as opposed to the current regulation that requires fit testing to be accomplished once every two years.

In our view, a proposed change such as this should be evidence-based. There appears to be no incidents or other scientific evidence, which supports a change to annual fit testing. Further, this may be a change necessary to address the health care environment issues – but not one that would/should apply to all industries.

There is also a requirement for the worker to conduct fit checks every time the respirator is to be worn. We believe that this is a better way to ensure that a worker is not exposed to harmful material on a regular basis. We suggest that the WCB enforce the requirement that workers do their own fit checks before entering a contaminated area – once they have been shown how do to so.

We do not support the proposed change requiring annual respirator fit tests.

Part 11 - Fall Protection (11.6): This clarifies that each worker's lifeline or lanyard must be connected to an independent point of anchorage – two workers cannot tie off to the same anchor. The change also clarifies that the requirements apply equally to fall restrain and to fall arrest systems.

11.7: This proposed change deletes the requirements for drawings from a manufacturer for temporary horizontal lifelines – recognizing that these may not exist and in any case, mostly presented an impractical requirement.

These proposed changes appear reasonable. We support the proposed changes.

Part 12 - Tools, Machinery and Equipment (12.80): The proposed change updates the ANSI standard to the current versions. The standard is developed by the

manufacturers and by certain suppliers of automotive lifts in the US and Canada. The change would require automatic or fixed stops to prevent vehicles from rolling off the lifts. The change would require retrofitting at an approximate cost of \$700 to \$1,400 per lift. (This proposal is in response to the death of a student who was fatally injured when a vehicle rolled off a school automotive class lift.

These proposed amendments changes appear reasonable. We support the proposed changes.

Part 13 - Ladders, Scaffolds and Temporary Work Platforms (13.29): This proposed amendment affects lower limit travel devices for cranes, in order to prevent them from going beyond safe limits. If this not practicable in a circumstance, then the Regulation would require that a written safe work procedure be used.

13.33: The proposed change would permit boom-supported elevated work platforms to be secured to a "suitable and substantial anchorage point". This wording would accommodate anchors on this type of equipment that have been historically adequate for this application – i.e. less that 5000 pound load capacity.

We support this proposed amendment.

Part 14 - Cranes & Hoists: The proposed amendment removes a duplication. Regulation 14.25 is a duplication of Regulation 13.98, which was repealed on January 1, 2005. The regulation dealt with double blocking. Regulation 13.28 reads:

13.28 Two-blocking

(1) A crane or hoist used to raise a work platform on a load line must be equipped with

- (a) a device to prevent two-blocking at all points, or
- (b) in the case of a lattice boom crane, a two-blocking warning device.

(2) Despite subsection (1), a work procedure acceptable to the Board may be followed to minimize the risk of two-blocking if it is not practicable to maintain a two-blocking prevention or warning device on a conventional lattice boom crane used for pile driving and similar applications. [Enacted by B.C. Reg. 422/2004, effective January 1, 2005.]

We support this proposed amendment.

Part 20 - Construction, Excavation and Demolition (20.13): This proposed change deals with thrust-out crane landing platforms and replaces the requirement that the WCB give prior approval to any potential over-load and requires control measures to ensure that platforms are not over-loaded. (Cranes have much more capacity today, so crane landing platform capacities can easily be exceeded if control measures are not in place.).

This appears to be a reasonable proposition. We support the proposed change.

20.101: The proposed amendment permits, within certain criteria, the use of a secondary hoisting line on a crane to suspend workers on a work platform if no other means of accomplishing the work can be found and if this can be done safely.

The proposed amendment appears reasonable in the circumstances. We support it.

Sincerely


B.W. (Bud) Britton
Director: Health, Safety & Training