

## PART 3: RIGHTS AND RESPONSIBILITIES

### YOUNG OR NEW WORKERS

- Definitions**
- 3.22** In sections 3.23 to 3.26:
- “new worker”** means any worker who is
- (a) new to the workplace,
  - (b) returning to a workplace where the hazards in that workplace have changed during the worker’s absence,
  - (c) affected by a change in the hazards of a workplace, or
  - (d) relocated to a new workplace if the hazards in that workplace are different from the hazards in the worker’s previous workplace;
- “young worker”** means any worker who is under 25 years of age.
- Young or new worker orientation and training**
- 3.23**
- (1) An employer must ensure that every young or new worker is given health and safety orientation and training specific to that young or new worker’s workplace as specified in subsections (2) and (3).
  - (2) Before a young or new worker begins work in a workplace, the young or new worker must receive orientation and training respecting the following topics:
    - (a) the name and contact information for the young or new worker’s supervisor;
    - (b) the employer’s and young or new worker’s rights and responsibilities under the *Workers Compensation Act* and this Regulation including the reporting of unsafe conditions and right to refuse to perform unsafe work;
    - (c) workplace health and safety rules;
    - (d) hazards to which the young or new worker may be exposed, including risks from robbery, assault or confrontation;
    - (e) working alone or in isolation;
    - (f) violence in the workplace;
    - (g) personal protective equipment;
    - (h) location of first aid facilities and means of summoning first aid and reporting illnesses and injuries;
    - (i) emergency procedures;
    - (j) instruction and demonstration of the young or new worker’s work task or work process.
  - (3) Within two weeks or as soon as practicable after a young or new worker begins work in a workplace, the young or new worker must receive orientation and training respecting the following topics:
    - (a) the employer’s health and safety program;
    - (b) WHMIS information requirements set out in Part 5, as applicable to the young or new worker’s workplace;
    - (c) contact information for the occupational health and safety committee or the worker health and safety representative, as applicable to the workplace.

<b>Documentation</b>	<b>3.24</b>	<b>An employer must:</b> <ul style="list-style-type: none"><li><b>(a) keep records of all orientation and training provided under section 3.23 or 3.26,</b></li><li><b>(b) keep records of all assessments conducted under section 3.25, and</b></li><li><b>(c) ensure copies of worksite risk assessments are readily available for review by workers.</b></li></ul>
<b>Assessing work performance</b>	<b>3.25</b>	<ul style="list-style-type: none"><li><b>(1) As soon as practicable after providing orientation and training to a young or new worker, the employer must assess the young or new worker's performance to determine if the young or new worker has received sufficient orientation and training to perform the worker's work tasks or work processes safely.</b></li><li><b>(2) Every two months of the first six months of a young worker's employment with an employer, the employer must assess and document the young worker's performance to determine if the young worker is performing work tasks or work processes safely.</b></li></ul>
<b>Additional orientation and training</b>	<b>3.26</b>	<b>An employer must provide a young or new worker with additional orientation and training if</b> <ul style="list-style-type: none"><li><b>(a) an assessment under section 3.25 or workplace observation reveals that the young or new worker is not able to perform work tasks or work processes safely, or</b></li><li><b>(b) requested by the young or new worker.</b></li></ul>

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### **Explanatory Note**

BC's 310,000 young workers make up almost 15 percent of the provincial labour force and thousands are expected to be added by 2010. BC's labour force is increasing at the rate of 3.4 percent annually, but the young worker component is growing by 8.3 percent annually. More than half of work-related incidents occur during a young worker's first six months on the job with almost 20 percent occurring during the first month. Males under the age of 25 are much more likely to be injured on the job than any other worker.

In 2005, 11 young workers died on the job, 151 were seriously injured and more than another 9,000 were injured. While the injury rate for young workers is more than twice that of the overall population, there has been a significant reduction since 1996. While the injury rate has decreased significantly over the last 5 years, the number of serious injuries to young workers has been trending upward, from 114 in 2001 to 151 in 2005.

Regardless of their age, all workers have five to seven times the risk of sustaining a workplace injury during their first month on the job.

Proposed new section 3.22 is intended to define the term "new worker" as being inclusive of any worker who is new to a workplace, or where changes to workplace hazards in the worker's absence, or new hazards present in a workplace, or relocation to another workplace, could result in the worker being exposed to hazards for which they have not received orientation and training; and to define the term "young worker" as being any worker who is under age 25.

Proposed new section 3.23 is intended to require employers to provide all young and new workers with orientation and training about safe work procedures and how to recognize hazards on the job. Orientation and training topics are divided into two categories. Those topics in proposed new section 3.23 (2) are to be covered before a young or new worker begins work in the workplace, while those topics

in proposed new section 3.23 (3) must be covered within two weeks after commencement of employment, or as soon as practicable.

Orientation and training topics to be covered in proposed new section 3.23 (2) that must be covered before a young or new worker begins work in the workplace include the following:

- (a) ***Name and contact information for the young or new worker's supervisor***  
This section is required to ensure that a young or new worker knows the identity of the individual(s) responsible for providing direction to them in the performance of their duties, and how to contact them if they are not immediately available.
- (b) ***The employer's and young or new worker's rights and responsibilities under the Workers Compensation Act and the Occupational Health and Safety Regulation***  
This topic is intended to require the employer to inform a young or new worker about their rights under the *Workers Compensation Act* and the *Occupational Health and Safety Regulation* including the obligation to report hazards, and the right to refuse unsafe work.
- (c) ***Workplace health and safety rules***  
This topic is intended to require the employer to train a young or new worker in the workplace health and safety rules specific to any workplace where the young or new worker may be expected to perform a work task or procedure.
- (d) ***Hazards to which the young or new worker may be exposed***  
This topic is intended to require the employer to train and orient a young or new worker in safe work procedures and potential hazards that could be encountered while the young or new worker is performing assigned work tasks or processes, including risks from robbery, assault or confrontation, where applicable.
- (e) ***Working alone or in isolation***  
This topic is intended to require the employer to train and orient a young or new worker about policies and procedures to be followed to ensure the well-being of the young or new worker who is assigned to work alone or in isolation.
- (f) ***Violence in the Workplace***  
This topic is intended to require the employer to train and orient a young or new worker about the policies and procedures to be followed to deal with violence in the workplace. This would include ensuring that high risk issues are addressed as part of the young or new worker's training and orientation. Those issues could include confrontation with thieves or abusive customers, the handling of money, and opening and closing the business etc.
- (g) ***Personal protective equipment (PPE)***  
This topic is intended to require the employer to provide a young or new worker with appropriate orientation and training in the use and care of personal protective equipment or clothing that the young or new worker will be required to use to safely perform their work tasks or work processes.
- (h) ***Location of first aid facilities, and means of summoning first aid and reporting illnesses and injuries***  
This topic is intended to require the employer to provide a young or new worker with orientation and training on the location of first aid facilities, the identity of the first aid attendant(s), and how to summon a first aid attendant. This topic also covers the employer's obligation to train and orient a young or new worker with the procedures that must be followed to report an illness or injury to WorkSafeBC.
- (i) ***Emergency procedures***  
This topic is intended to require the employer to train a young or new worker about potential emergency situations that could occur in the young or new worker's workplace as well as procedures to follow during an emergency situation.

- (j) ***Instruction and demonstration of the young or new worker's work task or work process***  
This topic is intended to require the employer to provide a young or new worker with both instruction and demonstration – and not simply a verbal description – of any work tasks or work processes that the young or new worker will be required to perform.

Orientation and training topics set out in proposed new section 3.23(3) to be covered within two weeks after a young or new worker starts employment, or as soon as practicable, include the following:

(a) ***The employer's health and safety program***

This topic is intended to require the employer to provide orientation and training to a young or new worker on the safety procedures and practices that are specific to the workplace(s) where the young or new worker will be performing work tasks or work processes.

(b) ***WHMIS information requirements set out in Part 5, as applicable to the young or new worker's workplace***

This topic is intended to require the employer, as applicable, to provide the young or new worker with orientation and training on the Workplace Hazardous Materials Information System ("WHMIS") including how to identify WHMIS-regulated substances in the workplace, and the precautions that should be taken when working with such products. There is no requirement for employers to provide WHMIS information where WHMIS controlled products are not, and will not be present in workplaces.

(c) ***The means of contacting the occupational health and safety committee, or worker health and safety representative***

This topic is intended to require the employer to inform a young or new worker how to contact the occupational health and safety committee, or the worker health and safety representative, or the young or new worker's supervisor or employer where applicable.

Proposed new section 3.24 is intended to require the employer to keep records of all orientation and training provided under proposed new sections 3.23 and 3.26, and assessments conducted under proposed new section 3.25.

Proposed new section 3.25(1) is intended to require the employer to assess a young or new worker's application of their safety orientation and training to ensure that the young or new worker has received sufficient orientation and training so that they are able to perform their work tasks and work processes safely.

Proposed new section 3.25(2) is intended to require employers to assess the performance of young workers every two months of the first six months of a young worker's employment with the employer.

Proposed new section 3.26 is intended to require an employer to provide additional orientation and training if they determine that the orientation and training already provided to a young worker or a new worker is not sufficient to ensure that the worker can perform their work tasks or work processes safely, or to provide additional orientation and training if requested by a young worker or a new worker.