

OVERVIEW

TITLE: Late Night Hours

Part 4, General Conditions

Section 4.22.1, Late night retail safety procedures and requirements

1. WHAT IS THE NATURE OF THE PROBLEM TO BE SOLVED?

Currently, section 4.22.1 of the Occupational Health and Safety Regulation (“OHSR”) defines late night hours as any time between 10 pm and 6 am. This definition has caused concerns among BC private liquor stores, as the BC Liquor Control and Licensing Regulation specifies that licensee retail stores may remain open from 9 am to 11 pm. If the current definition of late night hours is maintained, private liquor stores will be forced to either close early or to hire an additional staff member or install a barrier for only one hour of operation. While these businesses are not required to remain open until 11 pm, the effect is that they cannot feasibly comply with the OHSR.

2. WHAT IS THE PURPOSE OF THE PROPOSED AMENDMENTS?

The definition of late night hours in section 4.22.1 would be amended to mean any time between 11 pm and 6 am. This amendment would harmonize the definition of late night hours in the OHSR with the allowed hours of operation under the BC Liquor Control and Licensing Regulation.

3. SOURCE OF REQUEST

The Alliance of Beverage Licensees of British Columbia

PART 4: GENERAL CONDITIONS

WORKING ALONE OR IN ISOLATION

Late night retail safety procedures and requirements 4.22.1 (1) In this section:

“late night hours” means any time between ~~10:00 p.m.~~ **11:00 p.m.** and 6:00 a.m.;

Explanatory Notes:

It is proposed to amend the definition of late night hours to mean any time between 11 pm and 6 am. The purpose of this amendment is to harmonize the Occupational Health and Safety Regulation (“OHSR”) with the BC Liquor Control and Licensing Regulation, which specifies that licensee retail stores (i.e., private liquor stores) may remain open during the hours of 9 am and 11 pm. These businesses are not required to remain open until 11 pm, but the effect is that they cannot feasibly comply with the OHSR.