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2007-June-25

WorkSafeBC
Prevention Policy & Regulation Review Department
Policy and Research Division
PO Box 5350 Station Terminal
Vancouver, BC V6B 5L5

Via E-mail: Regquery@worksafebc.com

Dear Sirs:

RE: PROPOSED AMENDMENT TO OH&S REGULATION PART 4: GENERAL CONDITIONS

The City of Nanaimo is please to comment on the above proposed amendment.

All of the proposed changes to the Working Alone or in Isolation Regulation are not supported.

The definition of "to work alone or in isolation" is so all-encompassing that it would apply to every employee, in every workplace in the Province. Including "in ill health" as a criteria, makes the definition too broad. No employer is able to predict or assess when an employee will be "in ill health." There are many employees in the workplace who currently take medications to treat their medical conditions. Most supervisors and managers are not aware of an employee's medical information. Workers would need to disclose this medical information to employers so that the appropriate controls are put in place for the given circumstances.

We support the existing regulation 4.21 (1) which provides a more workable framework for safeguarding the workforce with respect to Working Alone or In Isolation matters. The proposed 4.21, with the removal of "under conditions which present a risk of disabling injury...", would mean every employer in the province would need to create a written procedure for nearly every employee; this is not a practicable. Examples would be a secretary who is alone in the office over lunch time, or someone who arrives at the office earlier than everyone else, or someone who is the last to leave at night. In situation where there is no

risk of disabling injury due to the type of work, the employee could become ill with the flue and not be able to call for help.

Employee health & safety is an important matter. Employers should not be held responsible for naturally occurring events or medical conditions which result in workplace incidents when they are not aware of and do not control such conditions.

Written procedures should be required when there is a reasonable risk of injury. Everyone working behind a closed office door could be at risk of ill health. The proposed changes are too broad to be workable or enforceable.

The existing Regulation is a more reasonable approach, where the requirements apply to situations where workers are alone, there is a risk of injury, and they would not be able to secure immediate assistance.

The remainder of the proposed changes do not apply to employers within the Local Government Classification Unit and are not commented on here.

The City of Nanaimo does not support this proposed amendment.

Yours truly,

Brent Kaufmann
Occupational Health & Safety Coordinator