

Neudorf, Leley

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]
Sent: Tuesday, June 05, 2007 1:33 PM
To: pduncan@westvancouver.ca
Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.NB6.662.2QH

Part 3: Rights and Responsibilities, relating to occupational first aid

1. Name: Peter Duncan

(a) Feedback is provided: on behalf of

Organization: District of West Vancouver Job Title: Senior Health, Safety & HR Advisor

(b) Feedback is provided: from an employer's perspective

2. E-mail: pduncan@westvancouver.ca

3. Feedback:

Section #: 3.16(1.1)

Comments: The risk assessment process is a valuable tool and process and ensures that hazards within the workplace are examined and the appropriate levels of first aid are provided. The circumstances under which this revision is being predicated are directed at moderate and high risk, remote situations. There is no reason where an employer has diligently conducted a risk assessment and in a low risk, less than 20 minutes from a hospital, determined that they do not require the recommended level of attendant/services, that they should be considered in non-compliance now where they were considered to not be in non-compliance prior to this regulation change. There were rational reasonable reasons for an employer to come to the conclusion they arrived at and are still subject to scrutiny by the Board, therefore there is no need to bring the minimums into the regulation for low risk, less than 20 minutes.

4. Please indicate your level of support of the proposed amendments:generally disagree

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #: 3.16 (1.1)

Comments: See preceding.

In addition remember that the reasons being stated for this proposed change are primarily as a result of a remote higher risk situation, therefore the changes should reflect that reality and not encompass areas that it is not relevant to.

Neudorf, Leley

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]
Sent: Tuesday, June 12, 2007 3:36 PM
To: pduncan@westvancouver.ca
Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.P26.WC2.RCM

Part 4: General Conditions, relating to working alone or in isolation

1. Name: Peter Duncan

- (a) Feedback is provided: on behalf of
Organization: District of West Vancouver Job Title: Senior Health, Safety & HR Advisor
- (b) Feedback is provided: from an employer's perspective

2. E-mail: pduncan@westvancouver.ca

3. Feedback:

Section #:4.20.1

Comments: This encompasses a vast array of situations that might well bankrupt the province. Virtually every worker at some point in their workday might be in a situation where "assistance would not be readily available to the worker (a) in case of emergency, or (b) in case the worker is injured or in ill health." Driving to and from a worksite (you have a heart attach in the vehicle); you are the last person in your office and you take ill and can't make a phone call for help; you are in the parking lot early morning or past closing of a office and slip and fall or are attacked by an assailant; the secretary who covers an office at lunch;

Any one of these scenarios would meet the conditions quoted in 4.20.1. There must be a reasonable risk of injury. How do we define readily available? How do we ensure that all persons have the ability to secure assistance in the event of ill health? Anyone working in an office with the door closed becomes at risk of experiencing a health event and not being to secure assistance due to being incapacitated. As soon as the person goes out of the parking lot they are no longer covered but still they have the same risks, perhaps more since you are much more likely to be in a vehicle accident. Are all workers to wear personal alarms or never be out of sight of a co-worker? What about going into the washroom, must we go to the bathroom in pairs? The cafe coronary comes to mind here. This section is way too broad and needs some definitions and/or specific mandatory.

4. Please indicate your level of support of the proposed amendments: generally disagree

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #:4.21 (1)

Comments: Notwithstanding the broad brush of situations noted above that would make it virtually impossible to eliminate any moment in time that a worker would meet 4.20.1 now you are referencing that without restriction that if you cannot eliminate the situation then you must have a check-in procedure. How would that work if nobody can be alone since in reality by 4.20.1's definition virtually anyone alone in a work situation would meet the definition by the ill health criteria. This whole revision is absolutely unenforceable and impossible to implement. No employer would be able to comply without drastic procedures and huge equipment costs. A much more reasonable approach would be to define that these requirements apply to situations where there are positions or situations that involve working alone or in isolation, with a risk of disabling injury, have been identified and then assessing these to determine if they require a formal check in procedure based on the risk assessment or c

an the issues be reduced or eliminated by controls. The formal check in should only be used as a last resort. Controls should only be implemented where there is a reasonable risk of injury. Do not try and bring the ill health criteria into play as that not only makes all situations where a worker is alone at all into play it also then starts to put an onus on the employer to be more intrusive into workers health conditions as there is now a liability associated with "ill health". Workers are not required to inform employers about medical conditions unless it affects the workplace. Worker goes into the washroom and has an unidentified heart condition collapses, has no cell phone or was unable to use it and dies. There was no checkin or control instituted even though the worker was in a situation "assistance would not be readily available to the worker (a) in case of emergency, or (b) in case the worker is injured or in ill health." Employer is now in contravention of the regulation. E
mployer gets sanctioned so the only recourse would be to ask all employees to go to washroom in pairs or if they don't want to do that then if they have medical conditions they must report them and then the employer would have to supply personal alarms based on lack of movement or being horizontal. As you can see this is ridiculous and beyond the capacity of the vast majority of employers in the Province.



June 28, 2007

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

The **DISTRICT OF WEST VANCOUVER** is pleased to comment on the proposed amendments to the Occupational Health and Safety Regulation.

Part 9: Confined Spaces

Section 9.18.1, Exemptions

Section 9.18.1 is being proposed to be added to provide an exemption for public water supply systems recognizing that it is impractical for isolation and de-pressurizing by means of a double block and bleed system where water is passing through piping containing valve, metering, and pressure reducing and similar below ground chambers – confined spaces that are a part of the public water system. This exemption is also applies to penstocks, power generating chambers, valves and related structures within hydroelectric dam water passageways. Currently Section 9.18 does not allow for valve isolation with pressure being maintained on the upstream side of a valve. Hence, both public water supply systems and hydroelectric dams are currently in non-compliance.

The DISTRICT OF WEST VANCOUVER neither supports nor opposes this change: this Section is still problematic.

Sections 9.18.1 (2) & (3) are still unworkable in that the requirement of being designed, constructed, maintained and certified by a professional engineer to American Water Works Association standards is impractical. Municipalities and Regional Districts cannot be expected to get certifications for every one of the thousands of chambers that were built to different standards depending on when they were constructed. Nor can they be expected to provide on-going maintenance by professional engineers, that is what the staff of the municipalities and regional districts are employed to do. It is entirely possible for someone without a professional engineer designation to be able to provide on-going maintenance.

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July 6, 2007

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The **DISTRICT OF WEST VANCOUVER** recommends that **WorkSafeBC** consider continued work with municipalities and regional districts to improve this proposed amendment.

We thank you for the opportunity to comment on the proposed regulation changes.

Thanks and regards,

Peter Duncan, CRSP
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