

# Asbestos Abatement Licence

Guide for Licensees

# Contents

- Terms used in this guide..... 3
- Introduction ..... 5**
  - Authority of WorkSafeBC ..... 5
  - Role of WorkSafeBC’s Licensing Services Department..... 5
- Who requires a licence? ..... 5**
  - Who does not require a licence? ..... 6
  - Independent asbestos abatement operators ..... 6
  - Certified workers ..... 7
- Licensing application process ..... 7**
  - Registering with WorkSafeBC ..... 7
  - Creating an online services profile ..... 7
  - Adding the licensing application to online services ..... 8
  - Who should complete the application?..... 11
  - What you’ll need to submit your application ..... 11
  - Associated firms or persons ..... 12
- Licensing decisions ..... 13**
  - Terms and conditions ..... 13
  - Refusal of a licence ..... 13
  - Suspension or cancellation of a licence ..... 14
- Reconsideration and reviewing a licensing decision..... 15**
  - Reconsideration..... 15
  - Requesting a review ..... 15
- Maintaining your licence ..... 16**
  - Licensing inspections ..... 16
  - Providing updates to WorkSafeBC ..... 16
- Licence renewal..... 17**
- For more information..... 17**

## Terms used in this guide

---

Act	Means the <i>Workers Compensation Act</i>
Applicant	Means the firm applying for an asbestos abatement licence (AAL)
Asbestos abatement contractor	Means an employer (a) Who carries on the business of asbestos abatement work, or (b) Who, on behalf of another person, carries out asbestos abatement work in the course of carrying on another industry of the employer
Asbestos abatement work	Asbestos abatement work is defined in the Act, and means any of the following activities carried out for the purpose of the abatement of asbestos in relation to a building: <ul style="list-style-type: none"><li>• Identifying material that is or may be asbestos-containing material (ACM)</li><li>• Collecting samples of material that is or may be ACM</li><li>• Assessing the risk posed by material that is or may be ACM</li><li>• Assessing the risk posed by working with or near material that is or may be ACM</li><li>• Removing, repairing, transporting, or disposing of material that is or may be ACM</li><li>• Planning or supervising of any of the above activities</li></ul>
Associated (firms or persons)	Refers to a business relationship between firms and/or persons at the time of application. The legal definition of “person” includes a corporation and an individual. The licensing sections of the Act addressing “persons associated” are intended to ensure that when issuing a licence to one entity, WorkSafeBC is also considering the acceptance or refusal factors in relation to corporations, directors, and officers who are associated with the applicant.
Independent asbestos abatement operator	Means “an independent operator” (a) Who is neither an employer nor a worker, and (b) Who <ul style="list-style-type: none"><li>(i) Carries on the business of asbestos abatement work, or</li><li>(ii) Carries out asbestos abatement work, on behalf of another person, in the course of carrying on another industry of the independent operator</li></ul>
Licence	Means an asbestos abatement licence issued by WorkSafeBC

---

---

Licensee                      Means a person or firm who is issued an asbestos abatement licence

---

OHS Regulation            Means the Occupational Health and Safety Regulation

---

## Introduction

WorkSafeBC is implementing new protections to help keep workers safe from the danger of asbestos. As of January 1, 2024, asbestos abatement contractors (employers) must be licensed to operate in British Columbia, and anyone performing asbestos abatement work must obtain a valid WorkSafeBC certificate appropriate to the work being performed.

This guide is a resource for employers (asbestos abatement contractors) applying for a licence to perform asbestos abatement work as defined by the Act. It is also for independent asbestos abatement operators who may choose to opt into licensing.

### Authority of WorkSafeBC

WorkSafeBC, as the licensing body, has the authority to issue, refuse, suspend, or cancel a licence, and to impose, vary, or rescind terms and conditions on a specific licence.

WorkSafeBC has the overall authority and responsibility for asbestos abatement licensing, which includes ensuring compliance with its requirements.

### Role of WorkSafeBC's Licensing Services department

WorkSafeBC established the Licensing Services department in response to the new requirements in the Act designed to increase the safety of workers and independent operators performing asbestos abatement work in relation to a building. Licensing Services reviews applications, ensures requirements are met, makes licensing decisions, and maintains the public registry.

Throughout the term of each licence, licensing and compliance officers will, through inspections and consultations, work with employers to ensure they are meeting the requirements of the licence.

## Who requires a licence?

As of January 1, 2024, employers that offer asbestos abatement services to others in relation to a building will require a valid licence.

Employers requiring a licence include the following:

- An employer in the business of removing asbestos-containing materials (ACMs) from buildings. The employer's asbestos activities may include:
  - Asbestos abatement work as part of renovation, restoration, or demolition
  - Asbestos removal activity as a consequence of a hazardous materials inspection conducted under section 20.112 of the OHS Regulation
- An employer that, in the course of carrying out work in another industry, carries out asbestos abatement work for someone else.

- An employer performing building surveys for the purpose of asbestos abatement, such as identifying, collecting, and assessing a building's ACMs.
- An employer that transports and disposes of material that is or may be ACM for the purpose of abatement of asbestos in relation to a building.

These employers are also required to ensure their workers have valid WorkSafeBC certificates for conducting asbestos abatement work. For more information, see [Learn about certificates](#).

## Who does not require a licence?

Employers that may come into contact with ACMs during the course of their work, but are not performing abatement work, will not require a licence. These employers will continue to be responsible for ensuring the health and safety of their workers through the requirements in Parts 5, 6, and 20 of the OHS Regulation. This includes providing instruction and training to workers who are at risk of exposure to asbestos.

The following employers will likely not require a licence:

- An employer that may disturb or handle ACMs in carrying out their usual maintenance, repair, or installation work in their industry, but not for performing asbestos abatement work or demolition (e.g., plumbers, electricians, HVAC contractors, elevator technicians, flooring contractors)
- An employer whose workers perform asbestos abatement work solely for that employer in relation to the employer's buildings, but do not perform that work for another person (e.g., property managers, municipalities, utilities, universities, school boards)
- An employer conducting work involving ACMs being removed from areas other than in relation to buildings (e.g., ships, tanks, and vessels; other equipment and machinery; asbestos cement piping that is underground or outdoors)
- Analytical laboratories identifying asbestos fibres in building materials

Although these employers do not require licences, they are required to ensure their workers have valid WorkSafeBC certificates if they conduct asbestos abatement work in relation to a building.

## Independent asbestos abatement operators

The Act defines an “independent asbestos abatement operator” as “an independent operator who is neither an employer nor a worker who carries on the business of asbestos abatement work, or carries out asbestos abatement work, on behalf of another person, in the course of carrying on another industry of the independent operator.” Independent operators are not required to have a licence. However, the Act permits them to get a licence, as this would allow them to participate in work that requires a licensed asbestos abatement contractor.

An independent operator who hires a worker to perform asbestos abatement is an employer and would require a licence.

Independent operators who carry out asbestos abatement work as defined by the Act will require a valid WorkSafeBC certificate. This is because the regulatory requirements apply to “persons” who carry out this work.

## Certified workers

As of January 1, 2024, workers and independent operators doing asbestos abatement work in relation to a building must be certified by WorkSafeBC. Employers may choose to pay for the cost of their workers' training. Certificates are issued to individuals and are not bound to a specific employer.

Licensed employers must use workers or independent operators with valid WorkSafeBC certificates to conduct asbestos abatement work. These certified workers or independent operators are only permitted to do asbestos abatement work appropriate to the level of work they were trained and certified to do.

See [Learn about certificates](#).

## Licensing application process

To be issued a licence, you must:

- Meet the statutory definition of asbestos abatement contractor or independent asbestos abatement operator
- Be registered with WorkSafeBC
- Pay assessments and administrative penalties as required
- Be at least 18 years of age
- Provide full and accurate information to WorkSafeBC
- Agree to the terms and conditions of a licence

**Note:** Having amounts owing to WorkSafeBC, such as outstanding assessments or administrative penalties, may affect your application for an asbestos abatement licence.

Once you have submitted your application, it will take about two to six weeks to process. Licences will be issued for one year and must be renewed annually.

There is no fee to obtain a licence.

## Registering with WorkSafeBC

If you are not yet registered with WorkSafeBC, you must do so before you can begin your licensing application. The registration process typically takes two weeks. See [Apply for coverage](#) to begin the registration process.

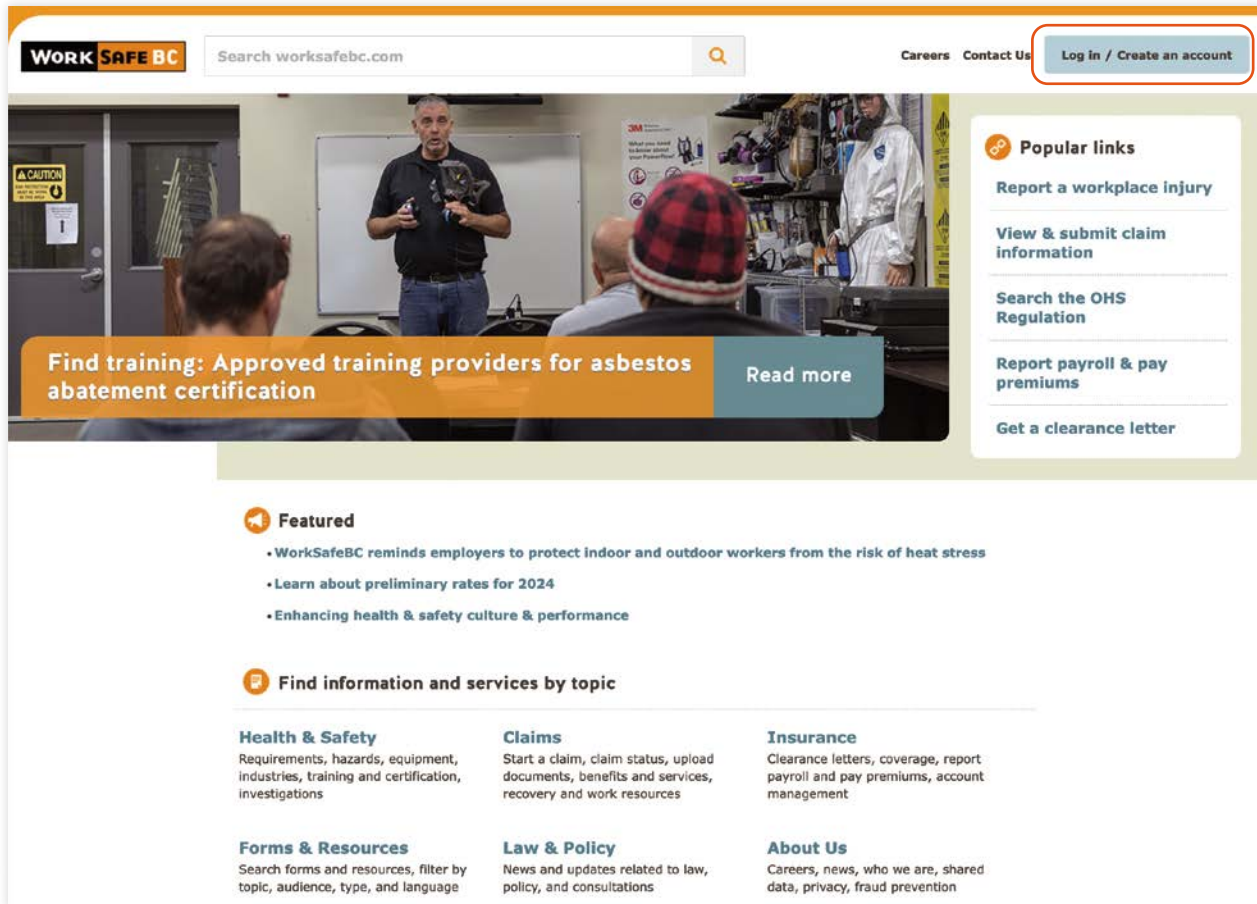
## Creating an online services profile

If you are registered with WorkSafeBC, an online services profile is the best way to apply for a licence. It's also a useful way to report payroll, pay premiums, get real-time clearance, and view your firm's rate information. If you do not have an online services account, you can [sign up for one](#).

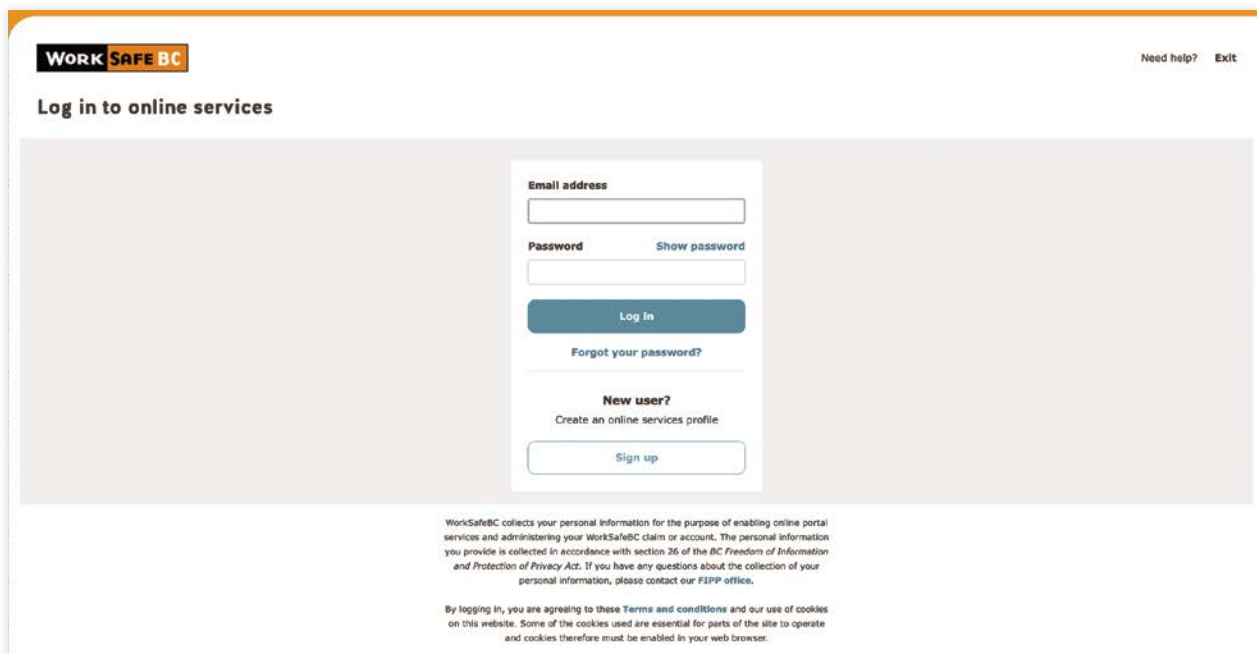
## Adding the licensing application to online services

To apply for licensing, add the licensing application to your online services as follows:

- 1 At [worksafebc.com](https://worksafebc.com), log in to [online services](#).



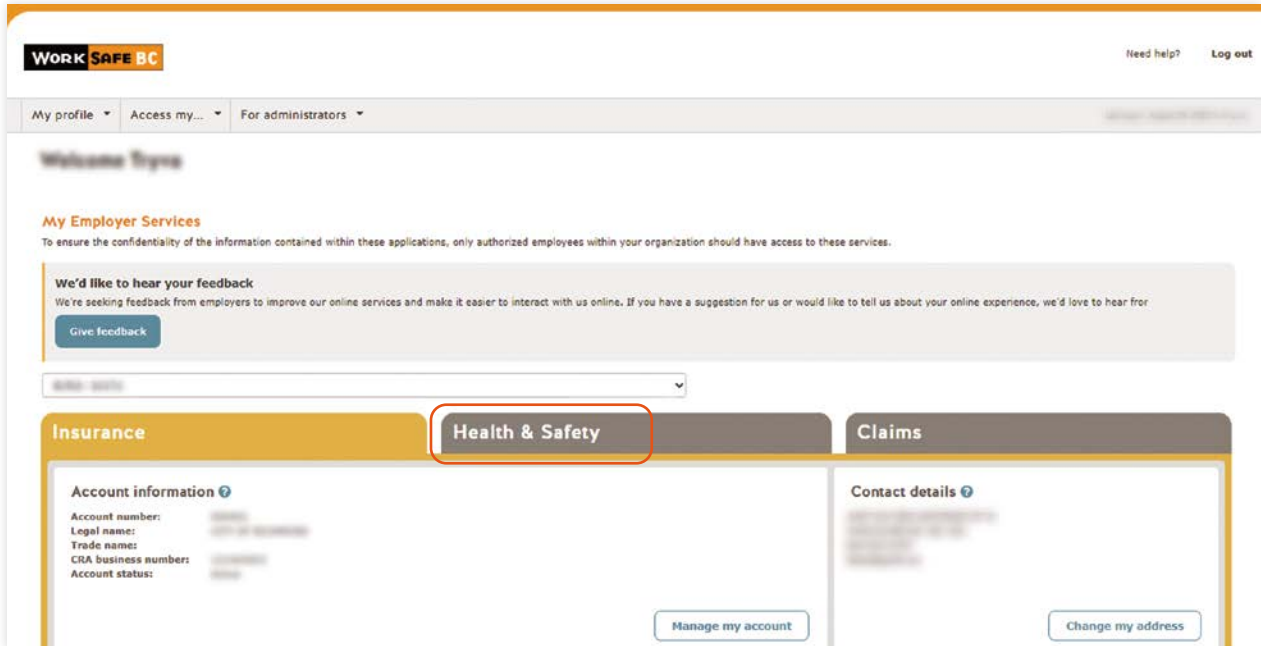
The screenshot shows the WorkSafeBC homepage. At the top left is the WorkSafeBC logo. A search bar contains the text "Search worksafebc.com". To the right are links for "Careers", "Contact Us", and "Log in / Create an account". Below the navigation is a large banner image of a man presenting to a group. A blue overlay on the banner reads "Find training: Approved training providers for asbestos abatement certification" with a "Read more" button. To the right is a "Popular links" sidebar with items: "Report a workplace injury", "View & submit claim information", "Search the OHS Regulation", "Report payroll & pay premiums", and "Get a clearance letter". Below the banner is a "Featured" section with three bullet points: "WorkSafeBC reminds employers to protect indoor and outdoor workers from the risk of heat stress", "Learn about preliminary rates for 2024", and "Enhancing health & safety culture & performance". Underneath is a "Find information and services by topic" section with six categories: "Health & Safety" (Requirements, hazards, equipment, industries, training and certification, investigations), "Claims" (Start a claim, claim status, upload documents, benefits and services, recovery and work resources), "Insurance" (Clearance letters, coverage, report payroll and pay premiums, account management), "Forms & Resources" (Search forms and resources, filter by topic, audience, type, and language), "Law & Policy" (News and updates related to law, policy, and consultations), and "About Us" (Careers, news, who we are, shared data, privacy, fraud prevention).



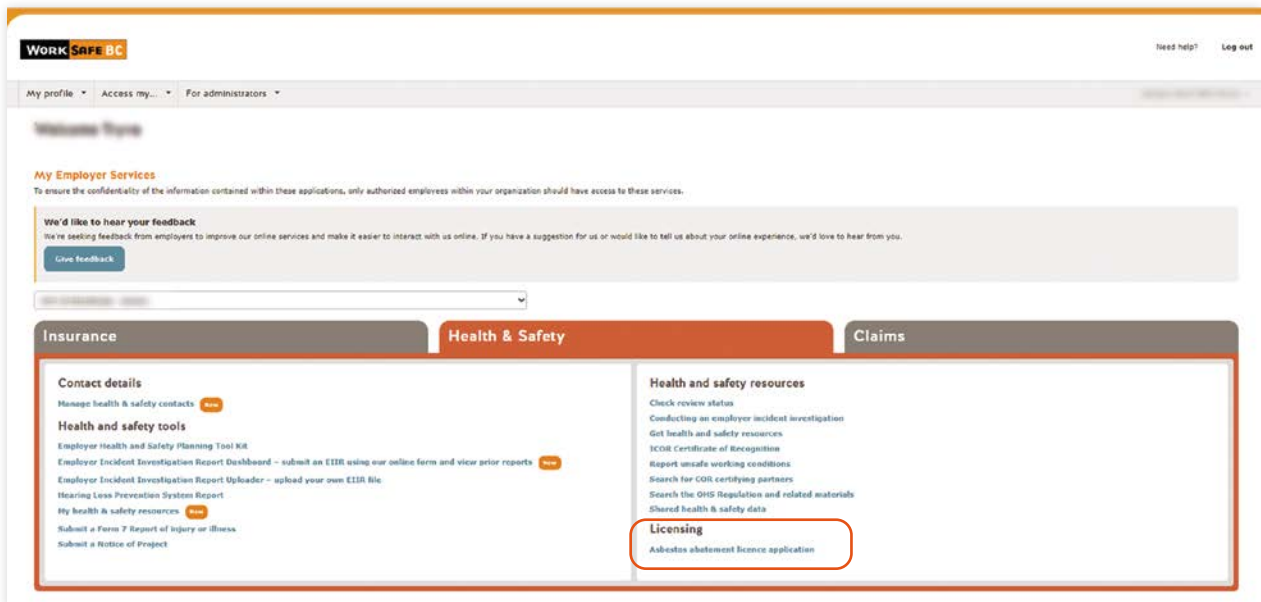
The screenshot shows the "Log in to online services" page. At the top left is the WorkSafeBC logo. At the top right are links for "Need help?" and "Exit". The main heading is "Log in to online services". Below this is a login form with fields for "Email address" and "Password", a "Show password" link, and a "Log In" button. Below the form is a link for "Forgot your password?". Underneath is a "New user?" section with the text "Create an online services profile" and a "Sign up" button. At the bottom of the page is a privacy notice: "WorkSafeBC collects your personal information for the purpose of enabling online portal services and administering your WorkSafeBC claim or account. The personal information you provide is collected in accordance with section 36 of the BC Freedom of Information and Protection of Privacy Act. If you have any questions about the collection of your personal information, please contact our FIPP office." Below that is another notice: "By logging in, you are agreeing to these Terms and conditions and our use of cookies on this website. Some of the cookies used are essential for parts of the site to operate and cookies therefore must be enabled in your web browser."



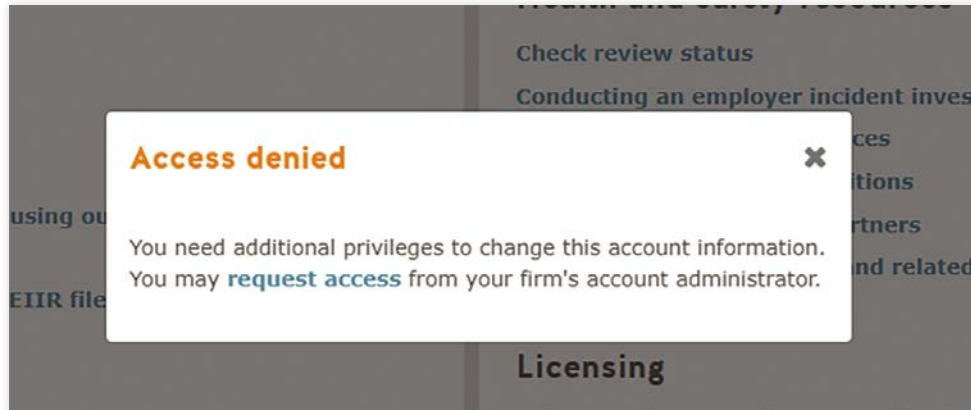
- 2 Once you are logged in (or have created an account), click the “Health & Safety” tab.



- 3 Under “Licensing,” click “Asbestos abatement licence application.”



- 4 If you do not have access to the asbestos abatement licence application yet, a pop-up box will appear. Click “request access” in the pop-up box to request a change to your online tools.



- 5 Select the appropriate WorkSafeBC account from the “Online account for” drop-down menu.

A screenshot of a web form titled "Request a change in my access to online tools" in orange text. Below the title, there is a paragraph of text: "Use this page to add or change which online tools you can use. We will send your request to the online account's administrator(s) for approval." Below this is another paragraph: "To completely remove your access to an online account, please click [here](#)." The form contains two dropdown menus. The first is labeled "Type of account" and has "Employers" selected. The second is labeled "Online account for" and has a blurred selection. This second dropdown is highlighted with a red rectangular box. Below the dropdowns, there is a section titled "Select all the online tools you would like to access" with a checkbox next to the text "Asbestos abatement licence application".

- 6 Click the checkbox to the left of “Asbestos abatement licence application.”

**Request a change in my access to online tools**

Use this page to add or change which online tools you can use. We will send your request to the online account's administrator(s) for approval.

To completely remove your access to an online account, please click [here](#).

**Type of account**

Employers

**Online account for**

EMPLOYER - EMPLOYEE

**Select all the online tools you would like to access**

Asbestos abatement licence application

- 7 Click “Continue.”
- 8 If you are the account administrator, access will be granted automatically. If you are not the account administrator, access will be granted once approved by the account administrator.
- 9 Fill in the application form. This should take about 20 minutes. Be sure to fill in all the required information.

If you have any difficulties completing the online application, email [licensing@worksafebc.com](mailto:licensing@worksafebc.com) for assistance.

## Who should complete the application?

The owner, director, officer, principal, or partner of the firm should complete the application. This individual must be at least 18 years old and have the appropriate authority within the organization to represent and bind the firm.

## What you'll need to submit your application

- The current number of workers at your firm.
- The number of workers who have a valid WorkSafeBC asbestos abatement certificate, if any (Level 1, 2, 3, or S). You do not need to have certified workers before you begin your application process.
- If applicable, the name and contact information of at least one worker who has a valid WorkSafeBC Level 3 asbestos abatement certificate.
- Contact information for all owners, directors, officers, principals, partners, and firms or persons associated with the applicant.

- Information about licences or similar authorizations in relation to asbestos abatement, whether in B.C. or another jurisdiction, during the last seven years for all owners, directors, officers, principals, partners, and firms or persons associated with the applicant, if applicable. Examples of similar authorizations include:
  - Hazardous Waste Transport Licence — Asbestos
  - Prince Edward Island Asbestos Contractor’s Certificate
  - Newfoundland and Labrador Asbestos Abatement Contractor’s Certificate

Licences cannot be transferred between firms. Each firm (i.e., WorkSafeBC account) is required to submit a separate application.

## Associated firms or persons

The term “persons associated” in the Act refers to business associations between corporations and individuals at the time the application is made. The licensing sections of the Act addressing “persons associated” are intended to ensure that when issuing a licence to one entity, WorkSafeBC also considers the refusal criteria set out in the Act in relation to firms (corporations) or persons who are associated with the applicant.

The term “persons associated” does not refer to a temporary contractual relationship such as a subcontractor hired for a particular job.

Some examples of associated firms or persons include the following:

- Ravi is an independent operator applying for a licence. Ravi is also the director of ABC Corporation. In this case, both Ravi and ABC Corporation are associated.
- Jane is a director of Planet Corporation, which is applying for a licence. Jane is also the director of Sun Corporation. Jane, Planet Corporation, and Sun Corporation are associated. Any other directors or officers at Planet Corporation who are also directors or officers at Sun Corporation, or any other corporation would also be associated.
- Alpha Corporation is applying for a licence. Alpha is an affiliate, as defined under the *Business Corporations Act*, of Delta Corporation. Delta Corporation is associated with Alpha corporation.
- ABC has multiple directors and officers, and ABC is applying for a licence. All directors and officers of ABC are considered to be “persons associated.”

The definition of affiliate under the *Business Corporations Act* should be read and understood by anyone who has established a corporate business affiliation. For example, the definition describes subsidiary relationships and corporate controlling relationships. If you are unsure whether the applicant corporation has a business affiliation as defined in the *Business Corporations Act*, you should make further inquiries to clarify any business affiliations.

## Licensing decisions

Licensing Services will decide whether to issue a licence based on criteria set out in the Act, relevant policy, the information and evidence provided by the applicant, and any other relevant information considered necessary to make an informed decision.

You will receive notice of the licensing decision in writing.

### Terms and conditions

Under section 59.05(4) of the Act, WorkSafeBC has the authority to impose on a specific licence any terms or conditions it considers appropriate in the circumstances.

If terms and conditions are imposed on your licence, reasons will be provided in the licensing decision.

Terms and conditions may be imposed, varied, or rescinded on a licence at any time during the term of the licence.

Failure to comply with any of the imposed terms and conditions may result in the suspension or cancellation of your licence.

### Receiving your licence

You will receive an email with a PDF copy of your licence. The licence includes:

- Your firm's legal and trade names
- Your firm's WorkSafeBC account number
- The licence number
- The issue date
- The expiry date
- Terms and conditions, if applicable

### Public registry

Once a licence has been issued, the licensee information will be added to the online registry posted on [worksafebc.com](http://worksafebc.com). This allows other businesses, contractors, and homeowners to identify who is, or was, licensed to perform asbestos abatement work in B.C.

### Refusal of a licence

WorkSafeBC may refuse to issue a licence if the applicant, or a firm or person associated with the applicant, has done any of the following:

- Provided false or misleading information on the application for the licence
- Failed to meet or comply with a requirement under the Act or the OHS Regulation, or with a term or condition of another licence issued

- Been refused a licence or similar authorization in relation to asbestos abatement in B.C. or another jurisdiction (i.e., another province or country)
- Held a licence or similar authorization in relation to asbestos abatement in B.C. or another jurisdiction that has been suspended or cancelled
- Been subject, in B.C. or another jurisdiction, to a penalty for contravening the law, which calls into question the applicant's or person's honesty or integrity

Consideration will be given to whether there has been a contravention that places workers and others at potential or actual risk of serious injury, illness, or death. This may include whether the violation is high risk and the magnitude of that risk.

Consideration may also be given to whether there has been a pattern or history of contraventions demonstrating a serious disregard for compliance with the Act or OHS Regulation.

Certain violations and enforcement activities related to the applicant, or a firm or person associated with the applicant, may affect the firm's ability to obtain or maintain a licence. These violations and enforcement activities include, but are not limited to, the following:

- Conducting asbestos abatement work with workers who do not hold a valid asbestos abatement certificate
- Conducting asbestos abatement work without a valid licence
- Administrative penalties
- Stop-work orders
- Stop-operations orders
- Injunctions
- Repeat violations
- Violation of [section 73](#) of the Act (claim suppression)
- Violation of [section 79](#) of the Act (obstruction)
- Violation of a stop-work, stop-use, or stop-operations order or injunction
- Conviction by a court of a violation of the Act and/or the OHS Regulation
- Having amounts owing to WorkSafeBC

### **Suspension or cancellation of a licence**

WorkSafeBC may suspend or cancel a licence in circumstances set out in the Act, including:

- Failure to meet or comply with a requirement under the Act or the OHS Regulation
- Failure to meet or comply with a term or condition of the licence
- Failure to meet or comply with a term or condition of another licence or having held another licence that has been suspended or cancelled, whether in B.C. or another jurisdiction

WorkSafeBC may also suspend or cancel a licence on the request of the licensee.

If WorkSafeBC suspends a licence, the rights and privileges conferred by the licence are suspended for a period of time as determined by WorkSafeBC. If a licence is cancelled, those rights and privileges are terminated.

Cancellation of a licence does not need to be preceded by a suspension.

## Reconsideration and reviewing a licensing decision

If you have received a decision to refuse, suspend, or cancel a licence, or to impose or vary a term or condition, and you disagree with that decision, you can request a reconsideration by Licensing Services or request a review of the licensing decision by the Review Division.

### Reconsideration

In certain circumstances, Licensing Services may reconsider their decision. Reconsideration can be initiated by an applicant or licensee, or by WorkSafeBC, but there is no formal right to reconsideration of a decision.

Notify Licensing Services as soon as possible if you can provide new information or evidence that was not considered when this decision was made, or if an administrative error influenced this decision. Licensing Services will review this information and determine if this decision should be reconsidered.

Licensing Services cannot reconsider a decision once a request for review has been filed with the Review Division.

### Requesting a review

Requests for review must be submitted in writing, to the [Review Division](#), within 90 days of the date of the decision. A request for review does not act as a stay or suspend the operation of this decision.

A review may be conducted if WorkSafeBC has made a decision to:

- Refuse to issue a licence
- Impose or vary a term or condition of a licence
- Suspend or cancel a licence

Only an asbestos abatement contractor or independent asbestos abatement operator who is directly affected by a decision referred to in section 268(1)(d) of the Act may request a review.

A Review Division decision respecting these matters may not be appealed to the Workers' Compensation Appeal Tribunal (WCAT).

## Maintaining your licence

Once issued, your licence will be valid for one year and must be renewed annually. As a licensee, you must comply with the following requirements:

- Ensure workers performing asbestos abatement work have a valid WorkSafeBC certificate appropriate to the work being performed
- Comply with all applicable requirements under the Act and the OHS Regulation
- Submit records and documents to WorkSafeBC as required
- Fully co-operate with WorkSafeBC inspections, including inspections conducted by licensing and compliance officers (LCOs)

### Licensing inspections

Once a licence is issued, WorkSafeBC will conduct regular reviews and inspections of licensees to ensure compliance with licence requirements as well as the Act and the OHS Regulation. The licensing inspections will be conducted by LCOs who will do the following:

- **Request and review specific documentation.** As part of the inspectional process, you must provide requested documentation such as recent site-specific safe work procedures, records of certified workers, or exposure control plans. LCOs will review your documentation and may reach out to you over the phone or via email to discuss. Documentation must be submitted within the required time frame.
- **Provide and review a self-evaluation questionnaire.** The questionnaire helps identify and evaluate compliance with health and safety requirements under the Act and the OHS Regulation that apply to your firm. You must complete and submit this self-evaluation questionnaire within the required time frame.
- **Coordinate and conduct inspections of active asbestos abatement workplaces.** The LCOs will set a date to conduct an inspection where active asbestos abatement work is taking place.

As set out in the Act, employers must co-operate with WorkSafeBC officers and must not hinder or obstruct inspectional activities. In addition to LCOs completing licensing inspections, WorkSafeBC prevention officers may also conduct inspections of your workplace at any time.

### Providing updates to WorkSafeBC

It is important to keep your firm's information up to date. If your ownership, address, or contact information changes, update your account by logging into [online services](#) and accessing "Manage my account" under "My Employer Services."



## Licence renewal

Licences must be renewed annually by submitting an application prior to the expiration date. Renewal applications will be accepted no earlier than three months prior to licence expiration. We recommend submitting renewal applications no later than six weeks prior to the expiration date to allow time for processing.

The application process for renewals is the same as the process for new applicants.

## For more information

Visit the [Asbestos training, certification & licensing](#) webpage on [worksafebc.com](#) for more resources. This page will be updated periodically as new information becomes available.

