

Joint Health and Safety Committee Fundamentals

Facilitator Guide

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Introduction

WorkSafeBC has developed this *Joint Health and Safety Committee Fundamentals* course to meet the requirements of [section 3.27](#) of the Occupational Health and Safety Regulation (enacted as of April 3, 2017).

While the regulatory requirements for joint health and safety committees apply to all industries and workplaces in B.C. (except those under federal jurisdiction), it is understood that training needs and priorities will differ from one industry and organization to another.

Organization of the course

This Fundamentals course is designed to have a blended delivery method, which includes:

- An [e-learning component](#), taking approximately 2 hours
- This facilitated component, taking approximately 6 hours

This guide is designed to provide advice and assistance in delivering the facilitated component of the course. The learning could be offered in a traditional classroom setting or as facilitated distance learning.

This facilitated component of the course is designed to build on learnings delivered through the online course, with the assumption that participants will have completed the online portion of training before beginning this component. However, if you determine that it is preferable to deliver the online learning to the whole group in a facilitated setting, that can be done using the optional activity provided, “Online course review” (Module 2).

Preparation

Two tools are provided at the end of this section to help you determine participants’ training priorities and help them set their training goals:

- The “Participant profile” form is intended for participants to complete and return to you in advance of the training session.
- The “Pre-learning self-assessment” is for participants to complete and keep for their own reference.

In addition, you can customize the training if you ask participants to bring materials from their own joint committees to the training for use during the various activities, particularly:

- Rules of procedure (terms of reference)
- Meeting minutes
- Recommendations to employers

It is also recommended that participants download the [OHS Mobile App](#) prior to the course and bring it with them on their devices.

Training delivery

The instructional activities included in this Facilitator Guide are designed for a cohort of between 6 and 18 participants. If your group is larger or smaller than this you may need to adapt some procedures (e.g., changing small group work to whole group work).

In addition to this facilitator's guide, a *Participant Workbook* is provided. It contains the resources and materials participants will need during the workshop.

Learning outcomes

The following table identifies the learning outcomes for the course, and whether they are addressed by the e-learning component, the facilitated component, or both. These outcomes are based on the requirements set out in section 3.27 of the OHS Regulation.

| <i>Upon completing the Joint Health and Safety Committee Fundamentals course, participants should be able to:</i> | E-learning | Facilitated |
|---|------------|-------------|
| a. Explain the purposes of the Act, Regulation, and Guidelines | ✓ | |
| b. Summarize the duties and functions of a joint committee | ✓ | ✓ |
| c1. Explain the joint committee role in incident investigations | ✓ | ✓ |
| c2. Differentiate between types of inspections | ✓ | ✓ |
| c3. Apply procedures regarding right to refuse unsafe work to given situations | ✓ | ✓ |
| d. Summarize educational requirements for joint committee members (section 135 of the Act and section 3.27 of the Regulation) | ✓ | ✓ |
| e. Conduct an individual needs assessment for the purpose of selecting training in accordance with section 135 of the Act | | ✓ |
| f. Explain the prohibition against discriminatory action (section 150 of the Act) | ✓ | |
| g. Identify when an employer is required to consult with the joint committee | ✓ | ✓ |
| h. Differentiate between the roles of the committee co-chairs and joint committee members | ✓ | ✓ |
| i. Explain the purpose of a joint committee's rules of procedure (terms of reference) | | ✓ |
| j1. Apply policies and procedures outlined in joint committee rules of procedure | | ✓ |
| j2. Plan appropriate regular activities for a joint committee | | ✓ |
| j3. Explain the purpose of analyzing minutes from joint committee meetings | | ✓ |
| j4. Create appropriate committee recommendations (informal and formal) | | ✓ |
| k. List the traits of an effective joint committee and explain the purpose of conducting an evaluation of the joint committee's effectiveness | | ✓ |

Participant profile

A "Participant profile" is provided on the next page. By having participants complete and return this form in advance of the training session, you will be able to tailor the training to their specific learning needs.

Participant profile

Use the back of this form or another piece of paper if you need more space.

| | |
|--|--|
| Name: | Employer: |
| Occupation: | Industry type: |
| | Number of employees at your workplace: |
| Are you a worker representative <input type="checkbox"/> | employer representative <input type="checkbox"/> |
| When did you become a joint committee member? Do you have any previous joint committee experience? | |
| Do you have any previous workplace health and safety training or experience? (E.g., health and safety courses taken, safety component of job-specific training for your current or previous jobs.) | |
| Do you consider your industry/workplace to have a low, medium, or high level of safety risks? What are the most common types of injury or illness in your industry/workplace? | |
| Why did you decide to become a joint committee member? | |
| Name one thing that's important for you to learn in this course. | |

Pre-learning self-assessment

The “Pre-learning self-assessment” provided on the next page is for participants to complete and keep for their own reference. They will use this as a reference during the training to reflect on what they learn and set goals for further learning.

Pre-learning self-assessment

- For each skill and attribute listed below, consider how knowledgeable you are and/or how confident you are in your abilities. Choose the rating you feel best applies. This record is for your personal use and does not have to be shared unless you choose to do so.

| Skills, knowledge, and personal attributes that can help me be effective as a joint committee member: | No confidence or knowledge in this area | Limited confidence and knowledge | Somewhat confident and knowledgeable | Very confident and knowledgeable |
|--|---|----------------------------------|--------------------------------------|----------------------------------|
| People skills (ability to interact comfortably, relate to people, gain trust, obtain co-operation, etc.) | | | | |
| Administrative skills (ability to plan, organize, keep track of, and follow through on to-do items) | | | | |
| Research skills (ability to find needed information, answers, etc.) | | | | |
| Problem-solving skills (ability to analyze situations, take account of multiple variables, find solutions, etc.) | | | | |
| Knowledge of B.C.'s safety regulations (the <i>Workers Compensation Act</i> , the Occupational Health and Safety Regulation, the OHS Guidelines, etc.) | | | | |
| Knowledge of my workplace and my employer (physical layout, culture, organizational priorities, etc.) | | | | |
| Knowledge of work processes (who does what and how) | | | | |
| Knowledge of occupational health and safety (hazards, risks, prevention of workplace injury and disease, etc.) | | | | |
| Other relevant skills and attributes: | | | | |

- What do you hope and expect to learn in this course?

Instructional Activities

Training overview

| Modules | LOs addressed | Approx. time | Resources * |
|---|-------------------------|--------------|---|
| 1. Introductions | — | 30 min. | <ul style="list-style-type: none"> n/a |
| 2. <i>Online course review</i> <i>(Optional activity — if participants have not completed the online learning component prior to attending the facilitated workshop)</i> | a. b. c. d. e. g. h. | 90 min. | <ul style="list-style-type: none"> Joint Health and Safety Committee Fundamentals online course |
| 3. Rules of procedure | i. j1. | 30 min. | <ul style="list-style-type: none"> Participant resource: Rules of procedure Participant resource: Rules of procedure template Rules of procedure from participants' own committees (if available) |
| 4. Right to refuse | c3. | 15 min. | <ul style="list-style-type: none"> Participant resource: Refusing unsafe work — A five-step process |
| 5. Consultation | g. | 30 min. | <ul style="list-style-type: none"> Internet access or mobile app Facilitator resource: Duty to consult |
| 6. Effective communication | b. h. j3. | 60 min. | <ul style="list-style-type: none"> Participant resource: Effective communication Participant resources: Meeting Minutes — Sample 1 and 2 |
| 7. Workplace inspections | b. c2. | 45 min. | <ul style="list-style-type: none"> Participant resource: Inspections template |
| 8. Committee recommendations | b. j4. | 50 min. | <ul style="list-style-type: none"> Participant resource: Criteria for recommendations Facilitator resource: Recommendations to employer — Scenarios Facilitator resource: Sample recommendation Sample recommendations (provided by participants) |
| 9. Incident investigations | b. c1. | 60 min. | <ul style="list-style-type: none"> Internet access or mobile app Participant resource: Incident investigation — Questions Facilitator resource: Corrective action reports — Scenarios |
| 10. Committee effectiveness | k. | 30 min. | <ul style="list-style-type: none"> Video: Committee effectiveness Facilitator resource: Evaluation tool Facilitator resource: Committee evaluations — Scenarios |
| 11. Strategic planning | j2. j3. k. | 45 min. | <ul style="list-style-type: none"> Participant resource: Committee planning tool |

| Modules | LOs addressed | Approx. time | Resources * |
|----------------|---------------|--------------|---|
| 12. Next steps | e. | 20 min. | <ul style="list-style-type: none"> • Website: OHStrainingbc.com • Evaluation tool • Participant resource: Pre-learning self-assessment • Participant resource: Post-training self-assessment |
| 13. Summing up | — | 20 min. | <ul style="list-style-type: none"> • Participant resource: Resources and support |

* Participant resources are found in the *Participant Workbook*. Facilitator resources are found in this guide after each module.

Module 1: Introductions

Approximate time: 30 min.

Resources

- n/a

Activity procedure

Guided discussion

1. Introduce yourself, and provide any necessary information about housekeeping and emergency procedures, etc.
2. Ask participants to introduce themselves. Set the parameters for the introductions depending on what you learned from their participant profiles — introductions could focus on common health and safety hazards of their workplaces, what they hope to gain from this training, etc.

Module 2 (Optional): Online course review

Use this activity if participants have not completed the online learning component prior to the facilitated training.

Approximate time: 90 min.

Resources

- Joint Health and Safety Committee Fundamentals [online course](#)

Activity procedure

Guided discussion

Instructional objective: The purpose of this activity is for participants to gain an understanding of the content contained in the online course, including:

- Purpose and scope of the Act, Regulation, and Guidelines
 - Duties and functions of committees, and roles of members and co-chairs
 - Right to refuse unsafe work
 - Prohibition against discriminatory action
1. Display the online course component on screen and work through it together as a group.
 2. Invite individual participants to respond when questions are posed by the course.
 3. For the activity involving searching the Regulation (“Search Skills” in Module 1 of the e-learning), participants should work in groups of two or three.

Module 3: Rules of procedure

Approximate time: 30 min.

Resources needed

- Participant resource: Rules of procedure
- Participant resource: Rules of procedure template
- Rules of procedure from participants' own committees (if available)

Activity procedure

Group work

Instructional objective: The purpose of this activity is to have the participants actively engage with and review the applicable sections of the *Workers Compensation Act*. This is also an opportunity for participants to familiarize themselves with the structure of the Act.

1. Participants look at the sample rules of procedure (provided in resources section) and determine which parts are required by legislation and which parts are optional.

Group work

Instructional objective: The purpose of this activity is to have participants draft a workplace-specific procedure for their rules of procedure (terms of reference). Participants should draft a procedure that reflects the requirement of section 3.28 of the Regulation, paying particular attention to the requirement for worker representatives from the committee to participate in investigations.

2. *If participants do not have their own rules of procedure available:*
Referring to the rules of procedure template provided, ask participants to begin drafting rules for their committee. Focus on procedures for incident investigations, ensuring compliance with section 3.28 of the Regulation.

OR

2. *If participants have their own committee rules of procedure available:*
As time permits, ask participants to share elements of their rules. Focus on:

- Whether all the required elements are included
- Incident investigations, and how the committee's rules are compliant with section 3.28 of the Regulation

Module 4: Right to refuse

Approximate time: 15 min.

Resources

- Participant resource: Refusing unsafe work: A five-step process

Activity procedure

Instructional objective: The purpose of the activities in this module is to reinforce the five-step process for refusing unsafe work, and to allow participants to actively engage with the material.

Guided discussion

1. Refer to the participant resource, and review and discuss the five steps:
 - Workers have the right to refuse unsafe work. If a worker has reasonable cause to believe that performing a job or task puts them or someone else at risk, they must not perform the job or task. Workers must immediately notify their supervisor or employer, who will then take the appropriate steps to determine if the work is unsafe and remedy the situation.
 - As an employer, workers are your eyes and ears on the front line of workplace health and safety. When workers refuse work because they believe it's unsafe, consider it an opportunity to investigate and correct a situation that could have caused harm.
 - If a worker refuses work because it's unsafe, workplace procedures will allow the issue to be properly understood and corrected. Workers have the right to refuse to perform a specific job or task they believe is unsafe without being disciplined by the employer. The employer or supervisor may temporarily assign a new task, at no loss of pay.

Group work

2. Participants work in small groups to draft a refusal process specific to their workplace(s). Debrief as a group.

Module 5: Consultation

Approximate time: 30 min.

Resources needed

- Internet access OR [mobile app](#)
- Facilitator resource: Duty to consult

Activity procedure

Group work

Instructional objective: The purpose of this activity is to introduce participants to the scope of joint committee work and activities, and to reinforce the importance of the committee in the workplace.

1. In two teams, challenge participants to search the Act and Regulation to find references to the types of workplace health and safety situations where joint committees are required to be consulted or advised by the employer.

Note: For this activity, if you have internet access for participants it is easier to search on [worksafebc.com](#) than to use the mobile app. Select “I am a health and safety committee member,” then “Related law and policy” to see the expanded list.

OR

1. As an alternative approach, distribute the facilitator resource, and have participants discuss in their groups which situations are applicable to their own industries and workplaces.

Duty to consult

The following sections of the Regulation mandate when employers must consult with a joint committee or worker health and safety representative, and when documentation must be made available to the joint committee or worker representative.

| Section | Provision |
|------------|--|
| 2.5 | The employer must provide the committee with a copies of inspection reports. |
| 3.8 | Consultation required whenever a major mandatory investigation is conducted. |
| 3.23(2)(m) | Joint committee contact information must be provided to young and new workers. |
| 4.21(5) | The joint committee be consulted in the development of procedures for working alone. |
| 4.53(1) | Consultation required on ergonomic risk identification, assessment and control, worker education and training, and evaluation of compliance. |
| 5.5 | The joint committee must be consulted in developing a WHMIS program. |
| 5.16 | The joint committee must be provided with the safety data sheet (SDS) for any hazardous product being used, and 5.16.1 requires toxicological data to be readily available to the joint committee. |
| 5.54 | The employer must review annually any exposure control plan in consultation with the joint committee. |
| 5.59 | Consultation with the joint committee required on any investigation of symptoms due to overexposure to hazardous substances. |
| 5.97 | Consultation required on emergency plans being developed, implemented, and annually reviewed. |
| 6.10 | The employer must make documents available to the joint committee that outline why an employer was not able to substitute asbestos for a less hazardous material. |
| 8.4 | Consultation required on evaluation of workplace conditions. |
| 8.6 | Consultation required on the annual review of the personal protective equipment program (required to protect against a chemical exposure or an oxygen deficient atmosphere). |
| 8.33 | Respiratory protection must be selected in consultation with the joint committee. |
| 9.11 | Hazard assessment and confined space entry program must be done in consultation with the joint committee. |
| 21.4 | Blasting logs must be made available to worker representatives. |
| 31.9 | Test and inspection records in the firefighting industry must be made available to the joint committee. |

Module 6: Effective communication

Approximate time: 60 min.

Resources needed

- Participant resource: Effective communication
- Participant resource: Meeting minutes — Samples 1 and 2

Activity procedure

Guided discussion

Instructional objective: The purpose of this activity is to reinforce the pros and cons of communication methods.

1. Refer to the participant resource (Effective communication) and discuss general strategies for effective communication:
 - Communicate in a direct and honest manner.
 - Use plain language and avoid jargon when possible.
 - Use non-judgmental tones.
 - Keep an open mind, and avoid being too quick to offer advice or dismiss ideas.
 - Respond promptly and appropriately.
 - Ask open-ended “what if...” questions and listen carefully to responses.
 - Use active listening and information-gathering skills, including:
 - Repeating or rephrasing what you think you have heard
 - Asking follow-up questions to ensure you understand
 - Avoiding distractions that make the other person think you aren't listening or paying attention
2. Brainstorm common methods of communication participants use in their workplaces. Discuss the pros and cons (appropriate applications) of each:
 - Written (e.g., memos, written reports)
 - Oral (e.g., toolbox meetings, in-person discussions, phone calls)
 - Visual (e.g., diagrams, charts, photos, videos)
 - Demonstration (e.g., hands-on practice, models)

Group work

Instructional objective: Participants should reflect on the importance of robust and detailed minutes, and the role of minutes in communicating to the work force. This is also another opportunity to reinforce the requirements of section 130 of the Act.

3. In pairs or small groups, participants review the first sample meeting minutes provided in their workbooks (Sample 1) and determine whether the committee in the sample has adequately communicated to the workplace that it is fulfilling its duties and functions, as required by section 130 of the Act.
4. Debrief, ensuring participants understand that the format and level of detail they include in their committee minutes will depend on the needs of their workplace.

Group work

Instructional objective: This activity gives participants an opportunity to examine the appropriateness of communication methods for their own workplaces.

4. Working in groups, participants should select a communication need that might arise in their workplace, such as:
 - Health and safety initiative (e.g., reminder about PPE use)
 - Safe work procedures
 - Upcoming safety training opportunity
 - Change in equipment or work process

They should then select the appropriate communication method (written, oral, visual, demonstration) for their workplace to address their chosen situation. Participants should consider the pros and cons of their selected method(s) of communication.

5. Debrief as a group.

Individual work

6. Participants reflect on the types and methods of communication they use and where they might need to develop their skills.

Module 7: Workplace inspections

Approximate time: 30 min.

Resources needed

- Participant resource: Inspections checklist and report

Activity procedure

Guided discussion

1. Review the regulatory requirements for inspections and the participation of joint committees. (Regulatory excerpts are included for reference in the Appendix to this guide.)

Group work

Instructional objective: This purpose of this activity is to reinforce the regulatory obligations for inspection, and to reinforce the components of effective workplace inspections (work methods, processes, and equipment).

2. Working in groups of 3-4, participants:

- Review the sample inspection checklist
- Identify sections that are applicable to their workplace (debrief)
- Identify area that should be expanded to reflect the hazards present in their work location

Guided discussion

3. Debrief as a large group, ensuring participants have considered factors such as:

- The results of the workplace risk assessments
- Multiple shifts or work locations

4. Let participants know that a Word version of this inspection checklist is available on worksafebc.com (*Templates and Resources for Joint Health and Safety Committees*). They can modify this template to create a checklist appropriate for their own workplaces.

Module 8. Committee recommendations

Approximate time: 50 min.

Resources needed

- Participant resource: Criteria for recommendations
- Facilitator resource: Recommendations to employer — Scenarios
- Facilitator resource: Sample recommendation
- Sample recommendations (provided by participants)

Activity procedure

Instructional objective: This purpose of this activity is:

- To reinforce the committee's role as far as making recommendations versus making decisions on behalf of the employer
- For participants to practise drafting a recommendation

Guided discussion

1. Remind participants that one of their responsibilities as joint committee members is to make recommendations to the employer about workplace health and safety issues.
2. Recommendations might be informal or formal. Informal recommendations are usually ones that can be implemented by a committee member without further consultation. More formal recommendations usually require a written submission to the employer or senior management.
3. Discuss how health and safety issues might come to the committee's attention. Examples could include:
 - Analysis of first aid statistics
 - Items submitted by workers (formally and informally)
 - Issues identified during workplace inspections

Guided discussion

4. Remind participants of the “hierarchy of controls” introduced in the e-learning. Use the following example to illustrate the concept of the hierarchy of controls:

A joint committee has analyzed first aid records and determined that there is a pattern of increasing first aid incidents related to inhalation of paint vapours in the paint booth. The existing paint booth is 20 years old and no longer functioning adequately.

5. Ask participants to suggest possible recommendations for this hazard that would fit into each level of the hierarchy of controls. For example:
 - Elimination or substitution: Stop painting, or contract out the painting process to another firm.
 - Engineering controls: Improve booth ventilation.
 - Administrative controls: Ensure workers spend no more than five minutes per day in the paint booth.
 - PPE: Have all workers use respirators when in the paint booth.
6. Refer to “Criteria for recommendations” (in the *Participant Workbook*) for more information. Discuss the pros and cons of each option. For example:
 - Eliminating the task probably is not practical — even if a suitable contracting firm is available, the costs would likely be prohibitive.
 - Engineering controls — repair or replacement is likely the best option.
 - Administrative controls — probably not practical.
 - PPE — not the best long-term solution but could be used as a short-term measure until better controls are in place.

Case study

7. Divide participants into groups of 3-4 and distribute one sample scenario to each. Have them devise a recommendation for their assigned scenario. They can use the headings and outline provided in the “Committee

recommendations template" (found in their workbooks) to organize their response.

8. After about 20 minutes, bring the groups back together to share and debrief their recommendations.

Recommendations to employer — Scenario 1

Over a period of a year, three workers reported straining their backs and/or shoulders while carrying heavy boxes of mechanical parts from the warehouse to the shop. There was also an incident where a worker fell during this activity, scraping a knee.

The joint committee recommended that an MSI risk assessment be completed for this task, which the employer agreed to. The risk assessment revealed that once a week mechanics restock the shop with parts from the warehouse. The parts are stored in boxes of about 50 pounds and are carried a distance of about 300 ft. across the yard by hand. As the yard is primarily gravel/dirt, a cart cannot be used to transport the parts.

Prepare a written recommendation from the joint committee to the employer to address this problem.

Recommendations to employer — Scenario 2

During a site inspection, a member of the joint committee notices a maintenance worker climbing a three-metre ladder with some tools in one hand, preparing to fix a leak in the ceiling. The committee member is aware of the safe work practices involving ladders and knows that tools should not be carried up a ladder if three-point contact can't be maintained. The committee member raises the issue with the maintenance supervisor, who speaks to the maintenance worker about not carrying tools up the ladder.

The committee member reports the incident to the committee, and the committee recommends that the employer should purchase a baker scaffold or bucket lift so the maintenance department will not have to work off ladders. The employer rejects the committee's recommendation on the grounds of cost, noting that maintenance workers don't have to work from heights "that often."

The committee performs a comprehensive assessment of tasks that require workers to use ladders. By speaking to maintenance and operations department workers, the committee identifies that workers are performing work while on ladders at heights 10 feet or higher approximately six times per month. The committee further identifies that some of the jobs being done on the ladders take longer than 15 minutes to complete and are difficult to perform while maintaining three-point contact. When asked, maintenance workers also identified a couple of previously unreported near miss events where they had come close to falling or tools were dropped from the ladder.

Prepare a written recommendation from the joint committee to the employer to address this problem.

Scenario 1 debrief

Groups' responses will vary, but suggested solutions could include:

- Install a paved sidewalk between the warehouse and the shop, reducing the slipping hazard associated with the uneven ground and allowing workers to use one of the carts already available to transport the heavy boxes of parts
- Purchase a small ATV that can be used to drive parts from one area to the other
- Divide parts into smaller, lighter boxes
- Change the ordering schedule so that restocking happens two or three times per week instead of weekly, and materials arrive in smaller, lighter boxes
- Store parts in a building closer to the shop
- Train workers in proper lifting techniques

Scenario 2 debrief

Participants' formal recommendations for this scenario should include:

- Regulatory references regarding working at height and appropriate ladder use
- The importance of addressing near-misses before they become incidents resulting in worker injury

Module 9: Incident investigations

Approximate time: 60 min.

Resources needed

- Internet access or mobile app
- Participant resource: Incident investigations — Questions
- Facilitator resource: Corrective action reports — Scenarios

Activity procedure

Group work

Instructional objective: The purpose of this activity is to reinforce participants' understanding of the legislative requirements for conducting an incident investigation, allowing them to engage with the information in a variety of ways (e.g., oral, verbal, written).

1. Divide participants into three groups, and assign one question (from the participant resource) to each group. They should use the information from sections 172 to 177 of the *Workers Compensation Act*, as well as section 3.28 of the Regulation, to answer the questions. (If internet access and/or the mobile app is not available, the relevant excerpts are included in the Appendix to this guide.)
2. Bring the groups back together and have each group teach back what it has found.

Group work

Instructional objective: This purpose of this activity is to reinforce the committee's role in making recommendations, and the importance of committees reviewing the employer's corrective action report.

3. Have participants work in groups to examine the sample incidents. Ask them to discuss:
 - The committee's role in incident investigations
 - The worker representative (as per section 3.28 of the Regulation)
4. Working in their groups, have participants review corrective action recommendations and discuss how the committee will respond to the recommendations.

Corrective action reports — Scenarios

Scenario 1

Incident

A rancher and a farmhand were transferring a cow out of a pen into another, reuniting it with its calf. The cow charged the rancher, who then struck the cow on the nose with a stick. The cow stopped but then turned on the farmhand. The farmhand also struck the cow's nose with a stick, and the cow stopped. After the farmhand hit the cow's nose a second time, the cow head-butted him, inflicting serious internal injuries.

Employer's Corrective Action Report

Based on the incident investigation, the employer has identified the following corrective actions:

- Ensure that workers have a safe means of escape from any enclosure occupied by animals that are potentially dangerous to workers.
- Set up animal enclosures with a means of escape — such as “slips” (narrow openings big enough for escape), jumping panels, and blinds.
- Ensure that workers who handle animals are effectively instructed and trained, and are competent enough to perform the assigned work.
- Include such topics as the following in worker training:
 - The behavioural traits of cattle, including when cattle are likely to get agitated (e.g., during calving or weaning)
 - When and how to use paddles, prods, and other tools for control, and how cattle may react to their use

How can the committee support the implementation of these corrective actions?

Scenario 2

Incident

A worker was removing an inflated tire from a log stacker. The tire was mounted on a multi-piece rim. The inner and outer rims were held together by 16 smaller bolts and the entire rim was attached to the hub with 48 larger bolts. When the worker had removed most of the larger bolts, the smaller bolts could not withstand the internal air pressure. The outer rim and tire were blown off the hub and struck the worker.

The investigation found that the smaller rim-to-rim bolts had been weakened by improper torquing and/or unequal loading.

Employer's Corrective Action Report

Based on the incident investigation, the employer has identified the following corrective actions:

- Tires must be deflated on the tire before loosening any nuts or bolts on a wheel.
- The wheel fasteners must be inspected as part of preventive maintenance inspections.
- Manufacturer's instructions for heavy equipment should be supplied to all workers using the equipment.

How can the committee support the implementation of these corrective actions?

Module 10: Committee effectiveness

Approximate time: 60 min.

Resources needed

- Video: [Committee effectiveness](#)
- Facilitator resource: Evaluation tool
- Facilitator resource: Committee evaluations — Scenarios

Activity procedure

Instructional objective: This purpose of this activity is to introduce the participants to the concept of evaluating the committee, and to ways the evaluation can be used to help a committee work strategically to plan for increased effectiveness.

Video

1. View the video, "Committee effectiveness."

Group work

2. Working in small groups or together, participants brainstorm and list the traits of an effective committee.

Case study

3. Given sample completed sections of the evaluation tool, discuss how effective the committee in question is, and how the committee should prioritize their next steps
4. Bring groups back together to share and discuss their responses.

Evaluation tool

See the end of this evaluation tool for information about how to complete it and the related regulatory sections. A fillable Word version of the tool is available [online](#).

Employer name:

Joint committee name and location:

(Name and location of the workplace or part of the workplace represented by the committee)

Date evaluation complete:

(If the evaluation was completed over several days, include the date it was finalized.)

Committee evaluators:

(The evaluators may be the committee co-chairs or designate(s), the employer, or a person retained by the employer. The evaluators should be knowledgeable about the duties, functions, and effective administration of a committee.)

| Name | Job title | Committee position |
|------|-----------|--------------------|
| | | |
| | | |
| | | |

Part 1: Assessment of legal obligations

1.1 Committee selection, membership, and participation

(Refer to sections 127, 128, 129, and 131 of the *Workers Compensation Act*.)

| | Yes | No |
|--|-----|----|
| Does the committee have at least four members? | | |
| Does the committee have worker representatives and employer representatives as required by section 127 of the Act? | | |
| Does the committee have worker representatives as at least half the membership, as required by section 127 of the Act? | | |

| | Yes | No |
|--|-----|----|
| Does the committee have two co-chairs, one selected by worker representatives and one selected by employer representatives, as required by section 127 of the Act? | | |
| Does the committee have worker representatives selected according to the procedures specified in section 128 of the Act? | | |
| Does the committee have employer representatives selected as required by the section 129 of the Act? | | |
| Does the committee meet at least once a month (unless otherwise permitted)? | | |
| Does the committee prepare a report of the meeting (meeting minutes) and provide a copy to the employer? | | |
| Does the committee have rules of procedure (terms of reference)? | | |

If you answered "No" or were not sure of the answer to any of the questions above, provide further information on committee selection, membership, and procedures.

1.2 Support for the committee

(Refer to sections [134](#), [136](#), [138](#), and [154](#) of the Act.)

| | Yes | No |
|--|-----|----|
| Did committee members attend meetings during paid working hours? | | |
| Did members receive paid time off work that is reasonably necessary to prepare for meetings and fulfill other duties and functions? | | |
| Did the employer provide equipment, premises, and clerical personnel necessary for the carrying out of the committee's duties and functions? | | |
| Did the employer provide information requested by the committee, including information on health and safety hazards? | | |
| Has the employer posted and kept posted: <ul style="list-style-type: none"> The names and work locations of committee members The reports (minutes) of at least the three most recent committee meetings | | |

If you answered "No" or were not sure of the answer to any of the questions above, provide further information on the support provided for the committee.

Training and education of committee members

(Refer to sections [134](#) and [135](#) of the Act and the requirements of [section 3.27](#) of the Regulation.)

| | Yes | No |
|--|-----|----|
| Did new members as of April 3, 2017 receive the minimum of eight hours of instruction and training that is required within six months of becoming a committee member? | | |
| Did all committee members receive the annual educational leave totalling eight hours to which they are entitled, in order to attend occupational health and safety training courses? | | |
| Did committee members receive educational leave without loss of pay or other benefits? | | |

| | Yes | No |
|---|-----|----|
| Did the employer pay for, or reimburse committee members for, the costs of the training course and the reasonable costs of attending? | | |
| Did a committee member designate another member as being entitled to take all or part of the member's educational leave? | | |

If you answered "No" or were not sure of the answer to any of the questions above, provide further information about committee member training and education.

1.3 Committee recommendations

(Refer to sections 130 and 133 of the Act.)

The committee has a duty to make recommendations to the employer about the improvement of workplace health and safety, as well as recommendations on educational programs promoting the health and safety of workers and compliance with the Act and the Regulation. These recommendations may take a variety of forms, including formal and informal, oral, or written.

Do the committee's rules of procedure (terms of reference) include provisions for how to make recommendations to the employer?

Yes No

Within the past 12 months, has the committee sent written recommendations to the employer with a request for a response from the employer?

Yes No

| | Yes | No | n/a |
|---|-----|----|-----|
| Were the committee's recommendations described clearly? | | | |
| Were recommendations directly related to workplace health and safety? | | | |
| Were recommendations made in accordance with the committee's rules of procedure? | | | |
| Did the employer respond in writing within 21 days? If the employer did not respond within that timeframe, did they explain the delay and indicate when a response would be provided? | | | |
| If the employer did not respond within 21 days, did they explain the delay? | | | |
| Where the employer did not accept the committee's recommendations, did the employer provide written reasons for not accepting the recommendations? | | | |
| Where the employer did not accept the recommendations, did the employer provide alternatives? | | | |
| If the employer did not accept the committee's recommendations, did the committee ask WorkSafeBC to investigate and attempt to resolve the matter? | | | |

If you answered "No" or were not sure of the answer to any of the questions above, provide further information about committee recommendations to the employer.

1.4 Duties and functions of the committee

(Refer to [section 130](#) of the Act and the requirements of [section 3.12](#) of the Regulation.)

The following questions are intended to assess whether or not the committee has fulfilled each of its duties and functions. It may be helpful to refer to relevant records and documents when determining whether or not the committee fulfilled each of its duties and functions. Copies of these documents may be included with this evaluation for reference purposes.

| Over the past 12 months, the committee has: | Yes | No |
|--|-----|----|
| Identified situations that may be unhealthy or unsafe for workers — this may include reviewing incident and near miss reports to look for accident trends, or reviewing the effectiveness of a risk assessment | | |
| Advised on effective systems for responding to situations that may be unhealthy or unsafe | | |
| Considered and expeditiously dealt with complaints related to the health and safety of workers | | |
| Consulted with workers and the employer on issues related to workplace health and safety and the work environment | | |
| Made recommendations to the employer and workers about the improvement of the workplace health and safety and work environment | | |
| Made recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Act and the Regulation, and monitored their effectiveness | | |
| Advised the employer on programs and policies required under the Regulation and monitored their effectiveness | | |
| Advised the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers | | |
| Ensured that accident investigations are carried out as required by the Act and the Regulation | | |
| Ensured that regular inspections are carried out as required by the Act and the Regulation | | |
| Participated in inspections, investigations, risk assessments, and inquiries as provided in the Act and the Regulation | | |
| Participated in the procedure for resolving refusals of unsafe work | | |

If you answered "No" or were not sure of the answer to any of the questions above, provide further information on how the committee fulfilled each of its duties and functions under section 130 of the Act.

Part 2: Evaluation of effectiveness

The following questions are intended to measure the effectiveness of committee procedures, participation, and record-keeping.

Consider the characteristics of an effective committee, as well as the legal requirements.

Check all of the characteristics that describe your committee, then rate the overall effectiveness of your committee.

2.1 Rules of procedure (Terms of reference)

The following are characteristics of an effective committee's rules of procedure:

- Committee members know the role of the committee and the extent of its authority.
- Committee members actively contribute to a set of regularly reviewed objectives.
- Rules of procedure meet the minimum legal requirements of [section 131](#) of the Act.
- Rules of procedure include provision for:
 - Committee composition and selection of members
 - Duties and functions
 - Recordkeeping
 - Roles of guests
 - Decision-making procedures
 - Informal and formal committee recommendations
 - Resolution of action items
 - Education and training for committee members
 - Committee evaluation
 - Defining quorum
 - Conflict resolution
 - Other relevant matters
- Rules are developed collaboratively, with the participation of committee members.
- Rules are reviewed periodically and reflect the committee's current process and mandate.

With these criteria in mind, how effective is your committee in relation to rules of procedure?

| | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very ineffective | Somewhat ineffective | Moderately effective | Somewhat effective | Very effective |

Comment further on how you rated your committee. Include suggestions on how your committee's rules of procedure might be improved.

2.2 Meeting attendance and participation

The following are characteristics of an effective committee's meeting attendance and participation:

- Agenda is distributed prior to meetings.
- Agenda is used at meetings to guide discussion and keep the meeting on time.
- Relevant documents (reports, etc.) are distributed and reviewed prior to meetings.
- Committee members are given time that is reasonably necessary to prepare for committee meetings (as per [section 134](#) of the Act).

- Committee members regularly attend meetings.
- Alternates are selected in case of member absence.
- Employer and worker co-chairs take turns running the meeting.
- Committee members are engaged and participate in discussions.
- Employer and worker representatives participate equally, with no one group dominating discussions.
- Regular attendance is supported by the employer. This includes removing barriers such as scheduling, and back up coverage.

With these criteria in mind, how effective is your committee in relation to meeting attendance and participation?

| | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very ineffective | Somewhat ineffective | Moderately effective | Somewhat effective | Very effective |

Comment further on how you rated your committee. Include suggestions on how your committee's attendance and participation might be improved.

2.3 Report of the meeting (Meeting minutes)

The following are characteristics of an effective committee's meeting minutes:

- Meeting minutes provide a full and accurate record of the meeting, and include:
 - Who attended the meeting
 - The issues that were discussed
 - Reports, statistics, and other documents reviewed
 - Any action required, the name of the person assigned to complete the action, its priority, and the expected completion date
- Outstanding action items are tracked and monitored to completion
- Minutes are circulated to members promptly
- Minutes are adopted at the next meeting

With these criteria in mind, how effective is your committee in relation to meeting reports?

| | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Very ineffective | Somewhat ineffective | Moderately effective | Somewhat effective | Very effective |

Comment further on how you rated your committee. Include suggestions on how your committee's meeting reports might be improved.

2.4 Committee response to refusals of unsafe work

(Refer to [section 3.12\(4\)](#) of the Regulation.)

Has the committee been aware of any refusals of unsafe work at your workplace in the past 12 months?

- Yes No

Is the committee informed of work refusals even when the matter is resolved by the worker and the supervisor?

- Yes No

Has there been a refusal of unsafe work at your workplace that could not be resolved between the worker and employer or supervisor?

- Yes No

Are committee members trained in their role in the procedure for refusal of unsafe work?

- Yes No

If there has not been a refusal of unsafe work, consider the nature of your industry and the hazards inherent in the work you do. Are there any:

- Barriers that may be making workers reluctant to exercise their right to refuse unsafe work?
- Hazards that are being overlooked or trivialized because they are seen as “part of the job”?
- Other reasons workers might not feel they are able to refuse unsafe work:

How effectively is the committee participating in the procedure for responding to refusals of unsafe work?

| | | | | |
|--|--|--|--|--|
| <input type="checkbox"/> Very ineffective | <input type="checkbox"/> Somewhat ineffective | <input type="checkbox"/> Moderately effective | <input type="checkbox"/> Somewhat effective | <input type="checkbox"/> Very effective |
|--|--|--|--|--|

Comment further on how effectively your committee is participating in refusals of unsafe work and any recommendations the committee might make to the employer on this issue.

2.5 Overall effectiveness

Considering your responses to all of the previous questions in Part 1 and Part 2, how effective is the committee overall?

| | | | | |
|--|--|--|--|--|
| <input type="checkbox"/> Very ineffective | <input type="checkbox"/> Somewhat ineffective | <input type="checkbox"/> Moderately effective | <input type="checkbox"/> Somewhat effective | <input type="checkbox"/> Very effective |
|--|--|--|--|--|

Comment further on how you rated your committee. Include suggestions on how your committee might improve its overall effectiveness. Consider compliance with legal obligations as well as how effectively the committee is performing its duties and functions. You may wish to consider the focus areas included in this evaluation tool to help identify opportunities for committee member growth and development, and ideas for building committee effectiveness.

Part 3: Focus areas — Encouraging committee growth and development

An effective committee provides a way for workers and the employer to work together to identify and find solutions for health and safety problems in the workplace. Generally, your first objective will be to ensure your committee complies with the minimum legal requirements. Once you are satisfied that your committee is compliant, committee members should develop a plan for continual improvement.

Your committee may wish to choose one of the following areas to focus on improving each year:

- Focus area A — Communication
- Focus area B — Workplace inspections, hazard identification, risk assessment and control
- Focus area C — Incident investigation

Although examination of these focus areas is not mandated under OHS Regulation, section 3.26, the questions here are intended to help your committee identify strengths and areas of improvement. For each item, consider the characteristics of an effective committee, as well as the legal requirements. Then, use the rating scale to assess how effectively your committee performs.

Finally, consider what positive steps you can take to improve your committee's effectiveness in this focus area. Steps for improvement will vary for every workplace, and may include [training for committee members](#), discussions at safety meetings, or changes in policies or procedures.

Focus area A — Communication

Effective communication ensures that everyone at the workplace is aware of the work of the committee in promoting workplace health and safety, and encourages people to contribute ideas and be more involved.

A.1 Committee meetings and communication

| | Never | Sometimes | Usually | Always |
|--|-----------------------|-----------------------|-----------------------|-----------------------|
| Does the committee seek out and explore different opinions to ensure issues and concerns are fully considered? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Where there are differences of opinion within the committee, can the committee generally resolve the matter? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Is the committee regularly divided on occupational health and safety issues, often along management and labour lines? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Is the committee generally able to reach agreement on matters relating to health and safety relating to workers? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Do the co-chairs demonstrate effective communication, conflict resolution, and facilitation skills? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee regularly follow up on the implementation of decisions and recommendations? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee composition reflect the composition of the workplace? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee proactively identify possible barriers to the implementation of health and safety decisions and recommendations, and propose solutions? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

General comments on committee meetings and communication, and suggestions for improvement:

A.2 Communication with workers

| | Never | Sometimes | Usually | Always |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Do workers regularly approach committee members to make suggestions or to discuss health and safety matters? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Is there effective communication between the committee and workers? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee regularly interact with a cross-section of workers (including part-time, dispatched, and shift workers, as well as workers at other job sites) about relevant health and safety matters? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

General comments on communication with workers, and suggestions for improvement:

A.3 Communication with the employer

| | Never | Sometimes | Usually | Always |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Is the employer representative on the committee someone with decision-making authority? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the employer regularly seek out the opinions of the committee on existing and potential workplace health and safety issues, including proposed changes to the workplace? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the employer share health and safety information with the committee? (This may include industrial hygiene testing results, WorkSafeBC reports or statistics, other occupational and safety health reports, etc.) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Were all matters resolved at the committee level, or did the committee feel reluctant to make recommendations? Include any suggestions around how the committee recommendations could be made more effective.

General comments on communication with the employer, and suggestions for improvement:

Focus area B – Workplace inspections, hazard identification, risk assessment and control

Regular workplace inspections can help to improve communication around workplace health and safety, identify unsafe conditions and procedures, and better understand the work and the work environment. (Refer to [section 3.5](#) of the Regulation.)

| | Never | Sometimes | Usually | Always |
|--|-------|-----------|---------|--------|
| Does the committee confirm that workers who conduct workplace inspections are trained to do so? | | | | |
| Do committee members interact with a representative sample of workers when conducting workplace inspections? | | | | |
| Does the committee ensure a cross-section of equipment, work methods, and work practices are inspected when conducting workplace inspections? | | | | |
| Do inspections consider hazards of the occupational environment? (This may include risk assessments related to specific tasks or work procedures.) | | | | |
| Are inspections tailored to workplace-specific hazards? | | | | |
| Are workplace inspections done at various times and without advance notice? | | | | |
| When hazards are identified and corrected, are they reviewed at the next meeting? | | | | |
| Is information from workplace inspection reports reviewed by committee members to identify any trends that may be developing? | | | | |

Comment further on how effectively your committee is participating in workplace inspections. Include suggestions on how your committee might improve the effectiveness of workplace inspections and identify unhealthy and unsafe situations in the workplace.

What are the most significant risks to worker health and safety in your workplace? Who might be harmed, and how?

Have controls been put in place, and are they effective at reducing the risks?

Focus area C — Incident investigation

Employers must conduct investigations of any workplace incidents resulting in an injury to a worker or near misses with the potential for worker injury, as well as major structural failures, release of hazardous substances, and other circumstances. Refer to [Part 3 Division 10](#) of the Act and [section 3.28](#) of the Regulation.

| | | | Yes | No |
|--|-----------------------|-----------------------|-----------------------|-----------------------|
| Have worker and employer representatives received appropriate training on incident investigation methodology? | | | <input type="radio"/> | <input type="radio"/> |
| Do committee members understand the purpose of preliminary and full investigation reports, including the statement of sequence of events? | | | <input type="radio"/> | <input type="radio"/> |
| | Never | Sometimes | Usually | Always |
| Does the committee ensure that incidents are investigated in accordance with sections 173 to 177 of the Act? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Do committee members explain the purpose of preliminary and full investigation reports, including the statement of sequence of events? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Are incident investigations focused on improving workplace health and safety? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Do worker representatives actively participate in incident investigations, and is that participation reflected in the investigation reports? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee receive reports of preliminary investigations in a timely manner? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee receive reports of preliminary corrective actions taken? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee receive reports of full investigations in a timely manner? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Does the committee receive reports of corrective actions taken as a result of full investigations? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Is information from incident investigation reports reviewed by committee members to identify any trends that may be developing? | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Comment further on how effectively your committee is participating in incident investigations. Include suggestions on how your committee might better participate in incident investigations.

Part 4: Committee response to the evaluation

(Refer to [section 3.26](#) (4),(5), and (6) of the Regulation.)

If the evaluation is not performed by the committee co-chairs, the person who conducts the evaluation must obtain and consider the input of the co-chairs, or designates. Describe how the evaluators consulted the co-chairs (or designates) in the evaluation.

Co-chair signatures:

Employer's signature:

| After the completion of the report, did the committee: | Yes | No |
|--|-----------------------|-----------------------|
| • Ensure the employer received and signed a copy of the evaluation? | <input type="radio"/> | <input type="radio"/> |
| • Discuss the evaluation at its next meeting? | <input type="radio"/> | <input type="radio"/> |
| • Ensure the evaluation and a summary of the discussion were included in the report of that meeting (meeting minutes)? | <input type="radio"/> | <input type="radio"/> |

Include any general comments from the committee in response to the evaluation. This may include areas where the worker and employer representatives may have disagreed on the evaluation results.

About the evaluation

An effective joint committee provides a way for workers and the employer to work together to identify and find solutions for health and safety problems in the workplace. Generally, the first objective is to ensure the committee meets the minimum legal requirements. This tool sets out the legal requirements for committees. Meeting these minimum requirements is necessary, but is not a guarantee of an effective committee. This tool also provides guidance on how an effective committee will meet the legal requirements, as well as suggestions for continued improvement.

Every year, an employer must conduct a written evaluation of each committee. This evaluation tool was developed by WorkSafeBC, and may be used to evaluate the effectiveness of the committee(s) in your workplace. This document reflects the law and policy in place at the time it was written. It covers many of the duties of committees, but is not intended to identify all legislative and regulatory requirements that apply to your workplace. Always confirm your actual requirements. You may access a full copy of the [Workers Compensation Act](#) (the Act), the [Occupational Health and Safety Regulation](#) (Regulation), as well as occupational health and safety Policies and Guidelines — available at worksafebc.com under [Law & Policy](#).

This evaluation tool includes questions to address all of the information required by section 3.26 of the Regulation. Completing Parts 1, 2, and 4 of this evaluation tool will result in an evaluation of the committee that meets the regulatory requirements. Employers are not required to use this template. You may develop your own committee evaluation template, but you must ensure that the evaluation includes all of the information required by section 3.26 of the Regulation.

Organization of the evaluation tool

Legislative excerpts and applicable references for each part of the evaluation tool are included here for convenience:

Part 1: Assessment of legal requirements

- 1.1 Committee selection, membership, and procedures
- Sections [127](#), [128](#), [129](#), [130](#), and [131](#) of the Act

A worker representative on a committee must be selected from workers at the workplace who do not exercise managerial functions (section 128).

Managerial functions generally relate to the overall direction at the workplace and may include disciplining workers and representing management in labour relations matters.

- 1.2 Support for the committee
- Sections [134](#), [135](#), [136](#), [138](#), and [154](#) of the Act and the requirements of [section 3.27](#) of the Regulation

Committee information, and any other information that is required to be posted by the Act or Regulation, must be posted at or near the workplace in one or more conspicuous places where it is most likely to come to the attention of the workers (section 154).

Electronic records may be acceptable in some workplaces, provided that the information required to be posted is brought to the notice of workers and made available to all workers. Electronic records will not be acceptable where all workers do not have access to a computer at the workplace.

- 1.3 Committee recommendations
- Section [130](#) and [133](#) of the Act

- 1.5 Duties and functions of the committee
- Section 130 of the Act and the requirements of section 3.12 of the Regulation

Part 2: Evaluation of effectiveness

- 2.1 Rules of procedure (terms of reference)
- 2.2 Meeting attendance and participation
- 2.3 Reports of the meeting (meeting minutes)
- 2.4 Committee response to refusals of unsafe work
- Refusal of unsafe work: section 3.12(4) of the Regulation

Part 3: Focus areas

Focus area A – Communication

Focus area B – Workplace inspections, hazard identification, risk assessment and control

- Workplace inspections: section 3.5 of the Regulation

Focus area C – Incident investigations

- Incident investigations: Part 3 Division 10 of the Act
- Risk assessments specified in the Regulation and associated policies include, but are not limited to:
- Section 4.1.1 Avalanche risk assessment and safety plan
 - Section 4.13 Emergency preparedness — rescue and evacuation
 - Section 4.28 and Policy item R4.28-1 Violence in the workplace
 - Section 4.48 Ergonomics and musculoskeletal injury
 - Section 5.88 Emergency washing facilities — chemical and biological substances
 - Section 5.99 Risk posed by hazardous substances from accidental release, fire or other such emergency
 - Section 6.6 Assessment and classification of asbestos-containing material section
 - Section 6.118 Toxic process gases
 - Section 9.9 Confined space hazard assessment
 - Section 12.98 Abrasive blasting and high pressure washing
 - Section 26.11 Dangerous trees
 - Section 28.41 Agricultural tractor rollover
 - Policy item D3-115-3 Wood dust hazards

Part 4: Committee response to the evaluation

Section 3.26 (4), (5), and (6) of the Regulation

Preparing for the evaluation

The following are examples of the types of information to gather and review as part of the evaluation:

- Committee rules of procedure (terms of reference)
- Reports of the meeting (meeting minutes)
- Training records for committee members
- Written recommendations made by the committee to the employer, and employer responses
- Workplace inspection reports

- Reports of incident investigations, corrective actions, and near misses
- Notes from discussions with committee members and workers
- Any previous evaluations of the committee

Committee evaluations — Scenarios

Scenario 1

Given the following sample section of a completed evaluation tool, discuss how effective the committee in question is, and where they should focus their efforts on improvement.

| Over the past 12 months, the committee has: | Yes | No |
|--|-----|----|
| Identified situations that may be unhealthy or unsafe for workers — this may include reviewing incident and near miss reports to look for accident trends, or reviewing the effectiveness of a risk assessment | | x |
| Advised on effective systems for responding to situations that may be unhealthy or unsafe | | x |
| Considered and expeditiously dealt with complaints related to the health and safety of workers | x | |
| Consulted with workers and the employer on issues related to workplace health and safety and the work environment | x | |
| Made recommendations to the employer and workers about the improvement of the workplace health and safety and work environment | | x |
| Made recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Act and the Regulation, and monitored their effectiveness | | x |
| Advised the employer on programs and policies required under the Regulation and monitored their effectiveness | | x |
| Advised the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers | | x |
| Ensured that accident investigations are carried out as required by the Act and the Regulation | x | |
| Ensured that regular inspections are carried out as required by the Act and the Regulation | x | |
| Participated in inspections, investigations, risk assessments, and inquiries as provided in the Act and the Regulation | | x |
| Participated in the procedure for resolving refusals of unsafe work | x | |

Scenario 2

Given the following sample section of a completed evaluation tool, discuss how effective the committee in question is, and where they should focus their efforts on improvement.

| | Yes | No |
|--|----------|----------------------|
| Did members receive paid time off work to attend joint committee meetings? | x | |
| Did members receive paid time off work that is reasonably necessary to prepare for meetings and fulfill other duties and functions? | | x |
| Did the employer provide equipment, premises, and clerical personnel necessary for the carrying out of the committee's duties and functions? | x | |
| Did the employer provide information requested by the committee, including information on health and safety hazards? | x | |
| Has the employer posted and kept posted: <ul style="list-style-type: none"> • The names and work locations of committee members • The reports (minutes) of at least the three most recent committee meetings | | x x |
| | Yes | No |
| Did new members as of April 3, 2017, receive the minimum of eight hours of instruction and training that is required within six months of becoming a committee member? | x | |
| Did all committee members receive the annual educational leave totalling eight hours to which they are entitled, in order to attend occupational health and safety training courses? | | x |
| Did committee members receive educational leave without loss of pay or other benefits? | | x |
| Did the employer pay for, or reimburse committee members for, the costs of the training course and the reasonable costs of attending? | | x |
| Did a committee member designate another member as being entitled to take all or part of the member's educational leave? | | x |

Scenario 3

Given the following sample section of a completed committee evaluation tool, discuss how effective the committee in question is, and where it should focus its efforts on improvement.

A.1 Committee meetings and communication

| | Never | Sometimes | Usually | Always |
|--|----------|-----------|----------|--------|
| Does the committee seek out and explore different opinions to ensure issues and concerns are fully considered? | | x | | |
| Where there are differences of opinion within the committee, can the committee generally resolve the matter? | | | x | |
| Is the committee regularly divided on occupational health and safety issues, often along management and labour lines? | | | x | |
| Is the committee generally able to reach agreement on matters relating to health and safety relating to workers? | | | x | |
| Do the co-chairs demonstrate effective communication, conflict resolution, and facilitation skills? | | x | | |
| Does the committee regularly follow up on the implementation of decisions and recommendations? | | x | | |
| Does the committee composition reflect the composition of the workplace? | | | x | |
| Does the committee proactively identify possible barriers to the implementation of health and safety decisions and recommendations, and propose solutions? | x | | | |

Module 11: Strategic planning

Approximate time: 45 min.

Resources needed

- Participant resource: Committee planning tool

Activity procedure

Group work

Instructional objective: This purpose of this activity is to reinforce the concept that committees should work strategically and proactively to fulfil their legislated duties and functions.

1. Group participants by industry or sector if possible. In their groups, participants should use the planning tool template (in their workbooks) to devise a one-year plan for a joint committee's health and safety work, including consideration of:
 - Review of workplace overall health and safety program
 - Seasonal activities
 - New worker intake periods
 - Regular re-certification requirements
 - Special events (e.g., NAOSH week, industry conferences)
 - Committee members' training needs and goals
 - Any areas of improvement identified by the annual evaluation

Module 12: Next steps

Approximate time: 40 min.

Resources needed

- Website: OHStrainingbc.com
- Evaluation tool
- Participant resource: Pre-learning self-assessment
- Participant resource: Post-training self-assessment

Activity procedure

Instructional objective: This purpose of this activity is help participants identify where and how they can access additional training to develop their committee skills.

Guided discussion

1. Remind participants of the provisions of section 135 of the *Workers Compensation Act*, which entitles them to annual educational leave. Refer to OHStrainingbc.com, and discuss the types of training options available.

Individual work

2. Have participants refer to their “Pre-learning self-assessment” prior to the training. Participants can use the “Post-training self-assessment” to make note of what they have already learned in the course, and what they still want to learn.

Guided discussion

3. Refer to the evaluation tool and ask participants to consider the following: if you used the evaluation tool now for your committee, what areas would be identified as priorities for further development?

Module 13: Summing up

Approximate time: 20 min.

Resources needed

- Participant resource: Resources and support

Guided discussion

1. Summarize learning from the training session, and use any remaining time to answer questions.
2. Refer to the participant resource for sources of additional information.

Appendix: Regulatory excerpts

The following excerpts from the *Workers Compensation Act* and OHS Regulation and Policy relate to the various topics covered by this course. The excerpts are provided here for ease of reference, and are current as of April, 2017. Full, up-to-date versions of all OHS regulatory materials are available on worksafebc.com.

Joint health and safety committees

The following sections of the OHS Regulation relate to joint health and safety committees, and are in effect as of April 3, 2017.

3.26 Evaluation of joint committees

- (1) In this section, a reference to a joint committee does not include a joint committee established and maintained under section 126 of the *Workers Compensation Act*, if
 - (a) an order under section 126 (1) of the *Workers Compensation Act* respecting the joint committee provides for a variation as set out in subsection (2) (b) of that section of the *Act*, and
 - (b) the variation is in regards to evaluating the joint committee.
- (2) An employer must ensure that, with respect to each of the employer's joint committees, a written evaluation is conducted annually by
 - (a) the co-chairs of the joint committee or, with respect to each co-chair, the member or members of the joint committee designated by the co-chair, or
 - (b) the employer or a person retained by the employer.
- (3) The evaluation must contain, but is not limited to, the following information:
 - (a) whether or not, throughout the period of time that is the subject of the evaluation,
 - (i) the joint committee met the membership requirements under section 127 (a) to (d) of the *Workers Compensation Act*,
 - (ii) worker representatives on the joint committee were selected in accordance with section 128 of the *Workers Compensation Act*,
 - (iii) employer representatives on the joint committee were selected in accordance with section 129 of the *Workers Compensation Act*,
 - (iv) the joint committee fulfilled each of its duties and functions under section 130 of the *Workers Compensation Act*,
 - (v) the joint committee met regularly as required under section 131 (2) of the *Workers Compensation Act*,
 - (vi) the employer met the requirements under section 133 of the *Workers Compensation Act* in respect of the written recommendations sent to the employer by the joint committee with a written request for a response from the employer, if any,
 - (vii) each member of the joint committee received the time off from work the member was entitled to receive under section 134 of the *Workers Compensation Act*,
 - (viii) each member of the joint committee attended the occupational health and safety training courses the member was entitled to attend under section 135 of the *Workers Compensation Act*,
 - (ix) the employer provided to the joint committee the equipment, premises, clerical personnel and information the employer was required to provide under section 136 of the *Workers Compensation Act*,

- (x) the joint committee prepared reports of its meetings and provided copies to the employer as required under section 137 (1) of the *Workers Compensation Act*,
 - (xi) the employer met the requirements of posting and keeping posted committee information as set out in section 138 of the *Workers Compensation Act*, and
 - (xii) each member of the joint committee received the instruction and training the employer was required to ensure was provided to the member under section 3.27 of this regulation;
- (b) an assessment of the effectiveness of the joint committee's rules of procedures as established under section 131 (1) of the *Workers Compensation Act*;
 - (c) an assessment of the overall effectiveness of the joint committee.
- (4) If the employer, or a person retained by the employer, conducts the evaluation, the employer or the person retained by the employer, as the case may be, must, as part of the evaluation, obtain and consider the input of the co-chairs of the joint committee or, with respect to each co-chair, the member or members of the joint committee designated by the co-chair, on the matters listed in subsection (3).
 - (5) The employer and the joint committee must each provide to the other a copy of the evaluation if the other does not have a copy.
 - (6) The joint committee must
 - (a) discuss the evaluation at the joint committee meeting immediately following
 - (i) receipt of the evaluation, if the employer or a person retained by the employer conducts the evaluation, or
 - (ii) the completion of the evaluation, if members of the joint committee conduct the evaluation, and
 - (b) ensure that the evaluation and a summary of the discussion referred to in paragraph (a) are included in the report of that meeting.

3.27 Minimum training requirements for new joint committee members or worker health and safety representatives

- (1) In this section, a reference to a joint committee does not include a joint committee established and maintained under section 126 of the *Workers Compensation Act*, if
 - (a) an order under section 126 (1) of the *Workers Compensation Act* respecting the joint committee provides for a variation as set out in subsection (2) (b) of that section of the *Act*, and
 - (b) the variation is in regards to providing instruction and training to the members of the joint committee.
- (2) The employer must ensure that each member of the employer's joint committees who was selected on or after April 3, 2017 to be a member receives, as soon as practicable but no more than 6 months after becoming a member, a total of at least 8 hours of instruction and training, as set out in subsection (4).
- (3) The employer must ensure that the worker health and safety representative at each of the employer's workplaces who was selected on or after April 3, 2017 to be a representative receives, as soon as practicable but no more than 6 months after becoming a representative, a total of at least 4 hours of instruction and training, as set out in subsection (5).
- (4) The instruction and training referred to in subsection (2) must include the following topics:
 - (a) the duties and functions of a joint committee under section 130 of the *Workers Compensation Act*;
 - (b) the rules of procedure of the joint committee as established under or set out in section 131 of the *Workers Compensation Act*;
 - (c) the requirements respecting investigations under sections 173 to 176 of the *Workers Compensation Act*;
 - (d) the requirements respecting inspections under sections 3.5, 3.7 and 3.8 of this regulation and how to make regular inspections under section 3.5 of regulation;
 - (e) the requirements respecting refusal of unsafe work under section 3.12 of this regulation;
 - (f) the requirements respecting the evaluation of joint committees under section 3.26 of this regulation.

- (5) The instruction and training referred to in subsection (3) must include the topics described in subsection (4)(a), (c), (d) and (e).
- (6) Subsection (2) does not apply in respect of a person who is a member of a joint committee if
 - (a) 2 years or less before becoming a member of the joint committee, the person was a member of that joint committee or a different joint committee, and
 - (b) the person, as a member of the joint committee or a different joint committee as set out in paragraph (a), received at least 8 hours of instruction and training on the topics described in subsection (4).
- (7) Subsection (3) does not apply in respect of a person who is a worker health and safety representative at a workplace if
 - (a) 2 years or less before becoming a worker health and safety representative at a workplace, the person was
 - (i) a member of a joint committee, or
 - (ii) a worker health and safety representative at that workplace or a different workplace, and
 - (b) the person, as a member of a joint committee, or as a worker health and safety representative at the workplace or a different workplace, as set out in paragraph (a), has received at least 4 hours of instruction and training on the topics described in subsection (5).
- (8) The employer must ensure that a person who receives instruction and training as set out in subsection (2) or (3) receives a copy of the person's training record as soon as practicable after the training is completed.
- (9) The employer must, with respect to each person who receives instruction and training as set out in subsection (2) or (3), keep the person's training record until 2 years from the date the person ceases to be a member of the employer's joint committee or a worker health and safety representative, as applicable.
- (10) For greater certainty, the instruction and training required under subsection (2) or (3) of this regulation is not educational leave as set out in section 135 of the *Workers Compensation Act*.

3.28 Participation by employer or representative of employer and worker representative

For the purposes of section 174 (1.1) (c) of the *Workers Compensation Act*, the following activities are prescribed:

- (a) assisting the persons carrying out the investigation with gathering information relating to the investigation;
- (b) assisting the persons carrying out the investigation with analyzing the information gathered during the investigation;
- (c) assisting the persons carrying out the investigation with identifying any corrective actions necessary to prevent recurrence of similar incidents.

Inspections

The following sections of the Occupational Health and Safety Regulation relate to workplace inspections.

3.5 General requirement

Every employer must ensure that regular inspections are made of all workplaces, including buildings, structures, grounds, excavations, tools, equipment, machinery and work methods and practices, at intervals that will prevent the development of unsafe working conditions.

3.7 Special inspections

A special inspection must be made when required by malfunction or accident.

3.8 Participation of the committee or representative

An inspection required by section 3.5 and a major inspection required by section 3.7 must, where feasible, include the participation of members of the joint committee or the worker health and safety representative, as applicable, but

- (a) if there is no committee or worker health and safety representative the employer must designate an employer representative and the union must designate a worker representative, or
- (b) if there is no union the employer must invite the workers to designate one of their number.

Incident Investigations

The following sections of the *Workers Compensation Act*, the Occupational Health and Safety Guidelines, and OHS Policies relate to incident investigations.

Workers Compensation Act

Part 3 Division 10 — Accident Reporting and Investigation

172 Immediate notice of certain accidents

- (1) An employer must immediately notify the Board of the occurrence of any accident that
 - (a) resulted in serious injury to or the death of a worker,
 - (b) involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,
 - (c) involved the major release of a hazardous substance,
 - (c.1) involved a fire or explosion that had a potential for causing serious injury to a worker, or
 - (d) was an incident required by regulation to be reported.

173 Incidents that must be investigated

- (1) An employer must conduct a preliminary investigation under section 175 and a full investigation under section 176 respecting any accident or other incident that
 - (a) is required to be reported by section 172,
 - (b) resulted in injury to a worker requiring medical treatment,
 - (c) did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had a potential for causing serious injury to a worker, or
 - (d) was an incident required by regulation to be investigated.
- (2) Subsection (1) does not apply in the case of a vehicle accident occurring on a public street or highway.

174 Investigation process

(1) An investigation required under this Division must be carried out by persons knowledgeable about the type of work involved and, if they are reasonably available, with the participation of the employer or a representative of the employer and a worker representative.

(1.1) For the purposes of subsection (1), the participation of the employer or a representative of the employer and a worker representative includes, but is not limited to, the following activities:

- (a) viewing the scene of the incident with the persons carrying out the investigation;
- (b) providing advice to the persons carrying out the investigation respecting the methods used to carry out the investigation, the scope of the investigation, or any other aspect of the investigation;
- (c) other activities, as prescribed by the Board.

(2) Repealed.

(3) The employer must make every reasonable effort to have available for interview by a person conducting the investigation, or by an officer, all witnesses to the incident and any other persons whose presence might be necessary for a proper investigation of the incident.

(4) The employer must record the names, addresses and telephone numbers of persons referred to in subsection (3).

175 Preliminary investigation, report and follow-up action

(1) An employer must, immediately after the occurrence of an incident described in section 173, undertake a preliminary investigation to, as far as possible,

- (a) identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
- (b) if unsafe conditions, acts or procedures are identified under paragraph (a) of this subsection, determine the corrective action necessary to prevent, during a full investigation under section 176, the recurrence of similar incidents.

(2) The employer must ensure that a report of the preliminary investigation is

- (a) prepared in accordance with the policies of the board of directors,
- (b) completed within 48 hours of the occurrence of the incident,
- (c) provided to the Board on request of the Board, and
- (d) as soon as practicable after the report is completed, either
 - (i) provided to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, posted at the workplace.

(3) Following the preliminary investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1) (b).

(4) If the employer takes corrective action under subsection (3), the employer, as soon as practicable, must

- (a) prepare a report of the action taken, and
- (b) either
 - (i) provide the report to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, post the report at the workplace.

176 Full investigation, report and follow-up action

(1) An employer must, immediately after completing a preliminary investigation under section 175, undertake a full investigation to, as far as possible,

- (a) determine the cause or causes of the incident investigated under section 175,

- (b) identify any unsafe conditions, acts or procedures that significantly contributed to the incident, and
- (c) if unsafe conditions, acts or procedures are identified under paragraph (b) of this subsection, determine the corrective action necessary to prevent the recurrence of similar incidents.

(2) The employer must ensure that a report of the full investigation is

- (a) prepared in accordance with the policies of the board of directors,
- (b) submitted to the Board within 30 days of the occurrence of the incident, and
- (c) within 30 days of the occurrence of the incident, either,
 - (i) provided to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, posted at the workplace.

(3) The Board may extend the time period, as the Board considers appropriate, for submitting a report under subsection (2)(b) or (c).

(4) Following the full investigation, the employer must, without undue delay, undertake any corrective action determined to be necessary under subsection (1)(c).

(5) If the employer takes corrective action under subsection (4), the employer, as soon as practicable, must

- (a) prepare a report of the action taken, and
- (b) either
 - (i) provide the report to the joint committee or worker health and safety representative, as applicable, or
 - (ii) if there is no joint committee or worker health and safety representative, post the report at the workplace.

OHS Policy

Policy Item D10-172-1

RE: Major Release of Hazardous Substance

BACKGROUND

1. Explanatory Notes

Section 172(1) sets out the situations where the employer must immediately notify the Board of the occurrence of any accident.

2. The Act

Section 172(1)

POLICY

Section 172(1)(c) requires the employer to notify the Board of any accident that involved the major release of a hazardous substance.

A major release does not only mean a considerable quantity, or the peculiar nature of the release, such as a gas or volatile liquid, but, more importantly, the seriousness of the risk to the health of workers. Factors that determine the seriousness of the risk include the degree of preparedness of the employer to respond to the release, the necessity of working in close proximity to the release, the atmospheric conditions at the time of the release and the nature of the substance.

As a general guideline, a report would be expected when:

- The incident resulted in an injury that required immediate medical attention beyond the level of service provided by a first aid attendant, or injuries to several workers that require first aid.

- The incident resulted in a situation of continuing danger to workers, such as when the release of a chemical cannot be readily or quickly cleaned up.

Policy Item: D10-175-1

RE: Preliminary Incident Investigation, Report and Follow-Up Action

BACKGROUND

1. Explanatory Notes

Section 175 of the *Act* sets out the requirements for an employer to conduct a preliminary investigation of a section 173 incident within 48 hours of the incident. Depending on the complexity of the investigation, it may be possible for an employer to complete its section 176 full investigation obligations within 48 hours of the incident. Direction on these situations is set out in Policy D10-176-1 (Full Incident Investigation, Report and Follow-Up Action).

Section 174 of the *Act* sets out how worker and employer representatives may participate in investigations.

Note: In some cases, the Regulation provides specific and exclusive direction to investigate and report accidents or incidents in accordance with Part 3 of the Regulation.

2. Legal Authority

Sections 127, 130, and 172-175 of the *Workers Compensation Act*

POLICY

1. Investigation Participants

Section 174 requires a preliminary investigation to be carried out by persons knowledgeable about the type of work involved. It also requires the participation of the employer or employer representative, and a worker representative, if they are reasonably available.

2. Incidents Requiring a Preliminary Investigation

Unless the accident or incident is a vehicle accident occurring on a public street or highway, section 175(1) requires an employer to undertake a preliminary investigation immediately after the occurrence of any of the following:

- an accident that resulted in serious injury to or the death of a worker;
- an accident that involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation;
- an accident that involved the major release of a hazardous substance;
- an accident that involved a fire or explosion that had a potential for causing serious injury to a worker;
- a blasting accident that causes personal injury;
- a dangerous incident involving explosives other than a blasting accident, regardless of whether it caused personal injury;
- a diving incident, as defined in the Regulation;
- any accident or other incident that resulted in injury to a worker requiring medical treatment; and
- any accident or other incident that did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had a potential for causing serious injury to a worker.

3. Identifying Unsafe Conditions, Acts or Procedures

The *Act* requires employers to immediately undertake a preliminary investigation to identify any unsafe conditions, acts or procedures as far as possible, in order to ensure that work can be continued or resumed safely during the interim period between the incident and the conclusion of the full investigation.

What constitutes "as far as possible" during the preliminary investigation may be limited due to circumstances of the accident or incident that are outside of the employer's control.

It is not possible to list all the limitations on what may inhibit an employer's ability to identify unsafe conditions, acts or procedures. However, if an employer is

- only able to identify some, or

- only able to identify in broader or more general terms,

The unsafe conditions, acts or procedures that significantly contributed to the section 173 incident, the employer should include these limitations in its preliminary investigation report.

The following are some of the circumstances in which WorkSafeBC may consider that it is not possible for an employer to identify all the unsafe conditions, acts or procedures that significantly contributed to the section 173 incident. This is not an exhaustive list:

- the persons injured in the incident are not available (e.g. unconscious in hospital);
- there were no witnesses to the incident;
- the employer is prohibited from entering the workplace or part of the workplace, because WorkSafeBC, the police, or other agencies are attending at the scene of the incident and conducting their own investigations;
- WorkSafeBC has issued an order to stop use under section 190 or stop work under section 191, and the exceptions for permitting a worker to enter the workplace or part of the workplace that is the subject of the order cannot be met; or
- WorkSafeBC has taken documents, equipment, or other items, which the employer also needs to investigate.

4. Determining Interim Corrective Action

As part of the preliminary investigation, the *Act* requires the employer to determine the corrective action necessary to prevent a recurrence of the section 173 incident during the period of the full investigation. This means the employer must identify interim corrective actions that can be undertaken between the time of the section 173 incident, and the deadline plus any extensions, for submitting the full investigation report under section 176 (see Policy D10-176-1).

Employers must take all actions reasonably necessary to prevent a recurrence during the interim period. If an employer is only able to identify some, or only able to identify in broader or more general terms, the unsafe conditions, acts or procedures that significantly contributed to the section 173 incident, the interim corrective action may include a full or partial shutdown of a worksite, removing equipment, or reassigning workers.

5. Elements of Preliminary Investigation Reports

An employer's preliminary investigation report of the section 173 incident must contain the following elements, as far as possible:

- (a) the place, date and time of the incident;
- (b) the names and job titles of persons injured or killed in the incident;
- (c) the names and job titles of witnesses;
- (d) the names and job titles of any other persons whose presence might be necessary for a proper investigation of the incident;
- (e) a statement of the sequence of events that preceded the incident;
- (f) identification of any unsafe conditions, acts or procedures that significantly contributed to the incident;
- (g) employer identification and contact information;
- (h) a brief description of the incident;
- (i) the names and job titles of all persons set out in section 174(1) of the *Act*, who carried out or participated in the preliminary investigation of the incident;
- (j) interim corrective actions the employer has determined to prevent the recurrence of similar incidents, for the interim period between the occurrence of the incident and the submission of the full investigation report;
- (k) information about what interim corrective action has been taken and when any corrective actions not yet implemented will be taken; and
- (l) the circumstances of the accident or incident that preclude the employer from addressing a particular element of the above-listed elements during the preliminary investigation period.

Blasting and diving have industry-specific reporting requirements under the Regulation, in addition to those under sections 175 and 176 of the *Act*. An employer may combine one or more reports as long as all the applicable requirements, including those regarding timing, are met.

Section 174(3) of the *Act* requires the employer to record the addresses and telephone numbers of witnesses and any other persons whose presence might be necessary for a proper investigation of the incident. This does not form part of the preliminary investigation report.

6. Producing the Preliminary Investigation Report

The *Act* requires an employer to provide its preliminary investigation report to WorkSafeBC upon request.

The *Act* also requires an employer to provide a copy of the incident investigation report to the joint committee or worker health and safety representative, as applicable, and if there is no joint committee or worker health and safety representative, to post the report at the workplace. The *Act* requires this be done as soon as practicable after the report is completed.

7. Implementing Corrective Action

While an employer is undertaking the full investigation report due under section 176 (see Policy D10-176-1), the employer must also, without undue delay, take the corrective action it had determined was necessary to prevent a recurrence of similar section 173 incidents during the full investigation period. This interim corrective action must remain in place until the employer has:

- (a) undertaken any further corrective action identified in the full investigation as necessary to prevent the recurrence of similar incidents following the full investigation; or
- (b) determined that the interim corrective action is sufficient to prevent the recurrence of similar incidents following the full investigation.

The employer may modify the interim corrective action during the full investigation period, if it determines that the modified interim corrective action is more effective or as effective as the interim corrective action originally undertaken.

8. Interim Corrective Action Reporting

WorkSafeBC may request a copy of the interim corrective action report that the employer prepares following the preliminary investigation.

In the interim corrective action report, the employer must include:

- (a) the unsafe conditions, acts or procedures that made the interim corrective action necessary;
- (b) the interim corrective action taken to prevent the recurrence of similar incidents during the full investigation period;
- (c) employer identification information;
- (d) the names and job titles of the persons responsible for implementing the interim corrective action; and
- (e) the date the interim corrective action was taken.

Where the employer completes the full investigation within 48 hours of the section 173 incident and determines the corrective action necessary to prevent the recurrence of similar incidents, the employer may prepare a single corrective action report to provide to the joint committee or worker health and safety representative, as applicable, or if there is no joint committee or worker health and safety representative, to post at the workplace. This would meet its corrective action reporting requirements for both sections 175 and 176 of the *Act*.

Policy Item D10-176-1

RE: Full Incident Investigation, Report and Follow-Up Action

BACKGROUND

1. Explanatory Notes

Section 176 of the *Act* sets out the requirements for an employer to conduct a full investigation immediately after completing a section 175 preliminary investigation of a section 173 incident. Depending on the complexity of the investigation, it may be possible for an employer to complete its section 176 full investigation obligations within 48 hours of the incident.

Section 174 of the *Act* sets out how worker and employer representatives may participate in investigations.

Note: In some cases, the Regulation provides specific and exclusive direction to investigate and report accidents or incidents in accordance with Part 3 of the Regulation.

2. Legal Authority

Sections 127, 130, and 172-176 of the *Workers Compensation Act*:

POLICY

1. Determining the Cause or Causes of the Incident

Employers must determine the cause or causes of the section 173 incident. "Determining the cause or causes" means analyzing the facts and circumstances of the incident to identify the underlying factors that led to the incident. This includes identifying the underlying factors that made the unsafe conditions, acts or procedures possible, and identifying health and safety deficiencies.

2. Elements of Full Investigation Reports

An employer's full investigation report of the section 173 incident must contain the following elements, as far as possible:

- (a) Elements (a) through (f) of Item D10-175-1, *Preliminary Incident Investigation, Report and Follow-Up Action*, including any updates available following the preliminary investigation period;
- (b) the employer's legal name, name it is doing business under, address, contact number, email address, and WorkSafeBC account number;
- (c) the identification and contact information of other relevant workplace parties such as an owner, prime contractor, other persons actively involved in the accident or incident, or persons implementing the corrective action following the full investigation;
- (d) determination of the cause or causes of the incident;
- (e) a full description of the incident;
- (f) the names and job titles of all persons set out in section 174(1) of the *Act*, who carried out or participated in the preliminary and full investigation of the incident;
- (g) all corrective actions the employer has determined are necessary to prevent the recurrence of similar incidents; and
- (h) information about what corrective action has been taken and when any corrective actions not yet implemented will be taken.

Depending on the complexity of the accident or incident investigation, an employer may complete its full investigation report within 48 hours. This would meet its requirements for section 175(1) of the *Act*. The full investigation report must then be submitted to the joint committee or worker health and safety representative, or if there is no joint committee or worker health and safety representative, posted at the workplace, as soon as practicable, to meet its requirements for section 175(2); and to WorkSafeBC within 30 days of the incident, to meet the full investigation reporting requirements of section 176. The corrective action reporting requirements are addressed in section 5 of this policy.

Blasting and diving have industry-specific reporting requirements under the Regulation, in addition to those under sections 175 and 176 of the *Act*. An employer may combine one or more reports as long as all the applicable requirements, including those regarding timing, are met.

Section 174(3) of the *Act* requires the employer to record the addresses and telephone numbers of witnesses and any other persons whose presence might be necessary for a proper investigation of the incident. This does not form part of the full investigation report.

3. Producing the Full Investigation Report

The *Act* requires an employer to submit its full investigation report to WorkSafeBC and to the joint committee or worker health and safety representative, as applicable or if there is no joint committee or worker health and safety representative, to post the report at the workplace.

4. Extensions for Submitting the Full Investigation Report

The *Act* requires employers to submit their full investigation reports within 30 days of the incident. Where an employer makes a request, WorkSafeBC may grant one or more extensions for submitting the full investigation report, if the employer identifies delays in its ability to complete its full investigation due to factors outside its control. Where WorkSafeBC grants an extension, employers should notify their joint committee or worker representative of the details of the extension.

It is not possible to list all of the situations where WorkSafeBC may consider it appropriate to grant extensions, but the following are some examples:

- where the remoteness of the location of the accident or incident requiring investigation creates delays in an employer's investigation;
- where the technical aspects of the investigation cannot be evaluated within 30 days of the accident or incident;
- where third party reports related to the full investigation are pending;
- if an investigation by WorkSafeBC, the police, or another agency restricts the employer's ability to investigate the cause or causes of the accident or incident;
- where an employer does not know about an accident or incident that resulted in injury to a worker, because there is a delay in the worker seeking the related medical treatment; and
- any other circumstances where WorkSafeBC considers it reasonable.

5. Corrective Action Reporting Following the Full Investigation

WorkSafeBC may request a copy of the corrective action report that the employer prepares following the full investigation.

In the corrective action report prepared following the full investigation, the employer must include:

- (a) the unsafe conditions, acts or procedures that made the corrective action necessary;
- (b) the corrective action taken to prevent the recurrence of similar incidents following the full investigation;
- (c) employer identification information;
- (d) the names and job titles of the persons responsible for implementing the corrective action following the full investigation; and
- (e) the date the corrective action was taken.

Where the employer completes the full investigation within 48 hours of the section 173 incident and determines the corrective action necessary to prevent the recurrence of similar incidents, the employer may prepare a single corrective action report to provide to the joint committee or worker health and safety representative, as applicable, or if there is no joint committee or worker health and safety representative, to post at the workplace. This would meet its corrective action reporting requirements for both sections 175 and 176 of the *Act*.

OHS Guidelines

G-D10-172-1 WorkSafeBC notification of serious injuries

Purpose of guideline

The purpose of this guideline is to set out what WorkSafeBC considers to be a "serious injury," which an employer would be required to report to WorkSafeBC.

What employers must report

Section 172 provides that employers must immediately report

- Any incident that kills or seriously injures a worker
- A major leak or release of a dangerous substance
- A major structural failure or collapse of a structure, equipment, construction support system, or excavation
- A fire or explosion that had a potential for causing serious injury to a worker
- Any blasting accident that results in injury, or unusual event involving explosives (required by regulation)
- A diving incident that causes death, injury, or decompression sickness requiring treatment (required by regulation)

Such incidents must also be investigated by the employer under section 173.

"Serious Injury"

Section 172 provides that employers must notify WorkSafeBC of an accident that resulted in the "serious injury" or death of a worker. The term "serious injury" is not defined in the *Act*.

A serious injury is any injury that can reasonably be expected at the time of the incident to endanger life or cause permanent injury. Serious injuries include both traumatic injuries that are life threatening or that result in a loss of consciousness, and incidents such as chemical exposures, heat stress, and cold stress which are likely to result in a life threatening condition or cause permanent injury or significant physical impairment.

Traumatic injuries that should be considered "serious injuries" include

- Major fractures or crush injuries, such as
 - A fracture of the skull, spine, or pelvis
 - Multiple, open or compound fractures, or fractures to major bones such as the humerus, fibula or tibia, or radius or ulna
 - Crushing injuries to the trunk, head or neck, or multiple crush injuries
- An amputation, at the time of the accident, of an arm or leg or amputation of a major part of a hand or foot
- Penetrating injuries to eye, head, neck, chest, abdomen, or groin
- An accident that caused significant respiratory compromise, or punctured lung
- Circulatory shock (i.e., internal hemorrhage) or injury to any internal organ
- Lacerations that cause severe hemorrhages
- All burns that meet the rapid transport criteria of the Occupational First Aid Training Manual, including
 - Third degree burns to more than 2% of the body surface
 - Third degree burns to the face, head, or neck
 - Burns of any degree with complications
- An asphyxiation or poisoning resulting in a partial or total loss of physical control (i.e., loss of consciousness of a worker in a confined space) or a respiratory rate of fewer than 10 breaths per minute or severe dyspnea (difficult or laboured breathing)
- Decompression illness, or lung over-pressurization during or after a dive or any incident of near drowning
- Traumatic injury which is likely to result in a loss of
 - Sight
 - Hearing
 - Touch

Injuries that require a critical intervention such as CPR, artificial ventilation or control of hemorrhaging or treatment beyond First Aid, such as the intervention of Emergency Health Services personnel (e.g. transportation to further medical attention), a physician and subsequent surgery, or admittance to an intensive care unit should also be considered "serious injuries."

"Major Release of a Hazardous Substance"

Section 172 provides that employers must notify WorkSafeBC of any accident that involved the major release of a hazardous substance. The term "major release of a hazardous substance" is explained in Policy Item D10-172-1.

A major release does not only mean a considerable quantity, or the peculiar nature of the release, such as a gas or volatile liquid, but, more importantly, the seriousness of the risk to the health of workers. Factors that determine the seriousness of the risk include the degree of preparedness of the employer to respond to the release, the necessity of working in close proximity to the release, the atmospheric conditions at the time of the release and the nature of the substance.

"Immediately"

Employers are required to report serious injuries and fatalities to WorkSafeBC immediately. This reporting should occur as part of the employers' response at the time of the incident. In responding to the incident, employers should ensure any workplace conditions that present an immediate hazard to other workers are addressed, ensure first aid and medical treatment for the worker, and then notify WorkSafeBC of the incident.

The purpose of the reporting requirement in section 172 is to ensure that a WorkSafeBC prevention officer and/or an investigations officer is able to respond to the incident, as soon as possible, in order to:

- Attend at the scene to conduct an investigation of the incident and ensure the integrity of the scene
- Offer availability of counseling services, as appropriate
- Undertake an inspection of the workplace to help ensure that workers are protected before work is resumed
- Help ensure that any post-incident response or cleanup is performed in a safe manner
- Provide a referral to compensation services

The requirement to immediately report a serious injury or fatality is separate from the requirement to report injuries for claims purposes. **Filing a Form 7 will not satisfy the obligation to immediately report a serious injury or fatality.**

Failure to immediately notify WorkSafeBC of a serious injury or fatality will be considered a breach of section 172 of the *Act*, and may result in an administrative penalty.

To report a serious incident or fatality, phone 1 888 621-SAFE (7233) (during business hours) or toll-free 1 866 WCB-HELP (922-4357) (after hours).

G-D10-174-1 Participation by worker representatives in incident investigations

Purpose of guideline

The purpose of this guideline is to clarify the role of worker representatives in employer incident investigations, and to explain how to determine whether a worker representative is "reasonably available" to participate.

Worker representative participation

Section 173 of the *Act* specifies which incidents must be investigated by an employer, and requires that both a preliminary investigation (section 175) and a full investigation (section 176) be conducted. Section 174 of the *Act* specifies that these investigations must be carried out by persons knowledgeable about the type of work involved. It also requires the participation of the employer or employer representative, and a worker representative, if they are reasonably available.

Pursuant to section 174(1.1) of the *Act* and section 3.28 of the *Regulation*, the participation of a worker representative includes, but is not limited to, the following:

- Viewing the scene of the incident with the persons carrying out the investigation
- Providing advice respecting the methods used to carry out the investigation, the scope of the investigation, or any other aspect of the investigation
- Assisting the persons carrying out the investigation with:
 - Gathering information relating to the investigation
 - Analyzing the information gathered during the investigation
 - Identifying any corrective actions necessary to prevent recurrence of similar incidents

Incident investigations involve managers and workers working together as both bring different experience, understanding, and perspective to the process. The participation of worker representatives in incident investigations plays an important part in maintaining healthy and safe workplaces. Employers must ensure that if worker representatives are reasonably available they participate in the incident investigation. This may include the following:

- Delaying the investigation until a worker representative is available, provided the delay will not compromise the quality of the investigation, and the timelines prescribed by sections 175 and 176 of the *Act* can be met
- Facilitating the participation of a worker representative by telephone, video conferencing, or other means

“Reasonably available”

Whether a worker representative is reasonably available to participate in an employer incident investigation is a question that needs to be determined on a case-by-case basis after taking into account all relevant factors. Some of these considerations include the following:

- The distance to be travelled by the worker representatives from their current location to the scene of the incident: For example, the incident may have occurred at a remote location or at a site with limited access, or the worker representative may be conducting work at a distant location.
- Workplace practices around after-hours work: Calling a worker representative in to participate in an incident investigation after hours may be easily accommodated in some workplaces. However, this may not be the case in workplaces with strict shift schedules.
- The type of investigation to be conducted (preliminary or full): Given the timelines prescribed by sections 175 and 176 of the *Act* (48 hours and 30 days, respectively), incident investigations cannot be held up unreasonably. If no worker representative is available until after the expiry of the 48-hour deadline, then the preliminary investigation should proceed without participation from a worker representative. However, if a worker representative is not available at the start of the full investigation, the person conducting it should do what is necessary immediately and then facilitate participation when the worker representative becomes available.
- The shift schedule of worker representatives: As outlined above, a preliminary investigation must be completed within 48 hours of the occurrence of an incident. If a worker representative will be on shift within a timeframe that allows for both participation and the timely completion of that preliminary investigation, then the employer will facilitate participation when the worker returns to work. On the other hand, if no worker representative will be on shift within that timeframe, the employer is expected to attempt to contact all worker representatives to ascertain if they are available.

In workplaces where there is a joint health and safety committee, the committee should consider establishing rules of procedure around contacting worker representatives to participate in incident investigations. In cases where the employer routinely finds it difficult to obtain worker representatives that are reasonably available, the employer should select and train other workers to act as alternates. The employer should also establish a means of identifying and contacting these alternate members when required. This can increase the likelihood of a worker representative being reasonably available to participate fully in incident investigations.

Concerns about participation

There may be situations where a worker representative is not reasonably available to participate in an employer incident investigation. However, these situations will be the exception rather than the rule. If there are concerns that worker representatives are not adequately participating in incident investigations or the investigation report appears incomplete and no corrective action has been taken, these issues should be raised at a joint health and safety committee meeting. Should the issues remain unresolved, a WorkSafeBC prevention officer can be requested to investigate and determine the employer’s compliance with this obligation.

In workplaces where there is no joint health and safety committee, concerns about worker participation, incomplete incident investigation reports, or insufficient corrective action can be raised with a prevention officer.

G-D10-175-1 Preliminary incident investigation and interim corrective actions

Purpose of guideline

The purpose of this guideline is to provide guidance to employers around preliminary incident investigations, interim corrective actions and associated reports.

Purpose of the preliminary incident investigation

The purpose of the preliminary incident investigation is to

1. Identify any unsafe conditions, acts, or procedures that significantly contributed to the incident; and
2. Determine corrective action to be implemented to prevent similar incidents from occurring during the course of the full incident investigation.

When is a preliminary incident investigation required?

Section 173 of the *Act* specifies which incidents must be investigated by an employer. These include any incident that involves the following:

- Serious injury to or death to a worker
- Major structural failure or collapse
- Major release of hazardous substances
- Fire or explosion that had a potential for causing serious injury to a worker
- Blasting accident causing personal injury
- Dangerous incident involving explosives, whether or not there is personal injury
- Diving incident, as defined by regulation
- Injury requiring medical treatment
- Minor injury or no injury but had potential for causing serious injury

A serious injury is any injury that can reasonably be expected at the time of the incident to endanger life or cause permanent injury. Serious injuries include both traumatic injuries that are life threatening or that result in a loss of consciousness, and incidents such as chemical exposures, heat stress, and cold stress which are likely to result in a life-threatening condition, cause permanent injury, or significant physical impairment. Guideline *G-D10-172-1 WorkSafeBC notification of serious injuries* provides further guidance around the types of injuries that WorkSafeBC consider to be serious.

A major release of a hazardous substance means not only a considerable quantity, or the peculiar nature of the release, such as a gas or volatile liquid, but, more importantly, the seriousness of the risk to the health of workers. Factors which determine the seriousness of the risk include the degree of preparedness of the employer to respond to the release, the necessity of working in close proximity to the release, the atmospheric conditions at the time of the release, and the nature of the substance. Prevention Policy Item D10-172-1 provides additional guidance around what constitutes a major release of a hazardous substance.

The term medical treatment is not defined in the *Act* or *OHS Regulation* ("*Regulation*"). For the purpose of this guideline, medical treatment means services rendered by a medical practitioner. Medical treatment usually involves treatment above and beyond that provided at the workplace by a first aid attendant.

An injury requiring medical treatment includes any injury for which:

- A worker has sought or received medical treatment
- Medical treatment is obviously required
- A worker states an intention to seek medical treatment
- A first aid attendant has referred a worker for medical treatment, even if the worker does not subsequently attend for medical treatment

Incidents that resulted in minor or no injury, but had the potential for causing serious injury, are sometimes called "close calls" or "near misses." These incidents must be investigated, as they are evidence of conditions or practices that, if allowed to continue, may result in serious injury to or the death of a worker.

The following incidents are required by *Regulation* to be investigated, and require a preliminary incident investigation:

- Section 21.3 blasting accident causing personal injury or any other dangerous incident involving explosives, whether or not there is personal injury
- Section 24.34 diving incidents, including:
 - Injury or death
 - Convulsions or serious impairment of consciousness during or after a dive
 - decompression illness
 - Lung overpressurization
 - Any serious mishap or a series of events which render equipment or procedures suspect, before, during, or after the diving operation.

Investigation participants

The preliminary incident investigation must be carried out by people who are knowledgeable about the work being performed in the area where the incident occurred. The employer, or a representative of the employer, and a worker representative must participate in the investigation if they are reasonably available. Participating in the investigation includes:

- Viewing the scene of the incident with the person who is conducting the preliminary incident investigation, and providing advice on the investigation.
- Providing advice on the investigation scope and methods.
- Assisting the persons carrying out the investigation with: gathering information relating to the investigation, analyzing the information gathered during the investigation, and identifying any corrective actions necessary to prevent recurrence of similar incidents.

Elements of the preliminary investigation report

The preliminary investigation report must include the full name and job title of all individuals involved in, or having knowledge specific to the incident. This includes any workers injured or killed in the incident, witnesses to the incident, the people who carried out the investigation, and any other people whose presence might be necessary for a proper investigation of the incident.

Section 174 of the *Act* requires that an employer record the names, addresses, and telephone numbers of witnesses and others involved in the investigation. An employer may wish to record this information at the same time as it is conducting an investigation; however, the employer should only record personal information relevant to the investigation on the incident investigation report form.

All investigation reports and corrective action reports must be provided to the joint committee or worker health and safety representative, as applicable. If there is no joint committee or worker health and safety representative, the reports must be posted at the workplace. In preparing the incident investigation report and corrective action report, an employer should be mindful of the personal privacy of individuals involved in the incident.

Reasonable efforts should be made to safeguard personal information that is collected in the course of an investigation, while also ensuring the reports contain all the required information. Examples of personal information may include an individual's home phone number, home address, or details of an individual's pre-existing medical condition.

The preliminary investigation report must include a statement of the sequence of events that preceded the incident. The sequence of events is a list of actions, events, or decisions that happened before and after the incident. The sequence of events is listed in order from earliest to latest, and can help to understand what happened and in what order. The sequence of events should then be analyzed to identify unsafe conditions, acts, or procedures that significantly contributed to the incident.

A preliminary incident investigation report must be completed within 48 hours of the occurrence of the incident, regardless of how far along the employer is in the incident investigation process. An employer should make every effort to identify unsafe conditions, acts, or procedures, recognizing that the circumstances surrounding the incident may limit the employer's ability to immediately access the workplace or speak with the people involved. The employer should be mindful of the goal of preventing similar incidents from occurring during the course of the full incident investigation, and should implement interim corrective actions accordingly.

The preliminary investigation report must include information about corrective actions that have been identified and taken. This includes information about corrective actions identified as required to prevent a

recurrence of similar incidents during the course of the full investigation, interim action taken and corrective action that has been identified but not yet taken.

The written report of a dangerous incident involving explosives must contain information specified in section 21.3(2) of the *Regulation*, including information about the blasters involved and the types of explosives used. These reporting requirements are in addition to the elements of the preliminary incident investigation report. Consult the *Regulation* and Guideline *G21.3 Dangerous incident reports* for more information about dangerous blasting incident reports. Reports may be combined as long as all of the requirements have been met and the reports are completed within the required time.

WorkSafeBC incident response and investigations

A WorkSafeBC officer may attend the scene of an incident, make inquiries, or conduct an investigation. WorkSafeBC's decision to conduct an incident investigation does not relieve an employer from the obligation to conduct its own investigation into the cause(s) of the incident.

Reporting incidents for OHS and compensation purposes

Employers are required to report section 172 incidents to WorkSafeBC Prevention Services immediately by phoning 1 888 621-SAFE (7233) (during regular business hours) or toll-free 1 866 WCB-HELP (922-4357) (outside of regular business hours).

The requirement to immediately report section 172 incidents is separate from the requirement to report injuries to WorkSafeBC for the purpose of initiating a claim for compensation. An employer must complete *Employer's Report of Injury or Occupational Disease (form 7)* to report an injury to WorkSafeBC Compensation Services (the claims department). Submitting a Form 7 will not satisfy the obligation to immediately report a section 172 incident, nor does it take the place of a preliminary incident investigation report.

Forms and additional resources

WorkSafeBC has developed a variety of incident investigation and corrective action reporting forms. These forms are available as Microsoft Word documents and as dynamic PDF forms, and can be found online at WorkSafeBC.com, under Forms & Resources. Additional employer resources for conducting an incident investigation are available on WorkSafeBC.com, under Health & Safety > Create & manage a healthy & safe workplace > Incident investigations.

G-D10-176-1 Full incident investigation, report, and follow-up actions

Purpose of guideline

The purpose of this guideline is to provide guidance to employers around full incident investigations, corrective action following the full investigation, and associated reports.

Purpose of a full incident investigation

The purpose of a full incident investigation is to

1. Determine the cause or causes of the incident.
2. Identify any unsafe conditions, acts, or procedures that significantly contributed to the incident.
3. Determine corrective action to be implemented to prevent similar incidents from occurring in the future.

When is a full incident investigation required?

A full investigation is required for any incident requiring a preliminary investigation, and must be undertaken immediately following the preliminary investigation. Within 30 days of the occurrence of the incident, a full investigation report must

- Be submitted to WorkSafeBC
- Be provided to the joint committee or worker health and safety representative, as applicable, or if there is no joint committee or worker health and safety representative, posted at the workplace

WorkSafeBC may extend the period for submitting the full investigation report.

Elements of the full investigation report

The full investigation report must include the employer's full legal name, as well as any trade name or operating name under which the firm is doing business. Full contact information for the firm must also be provided, including the firm's address, phone number, and WorkSafeBC account number.

The full name and job title of all individuals involved in, or having knowledge specific to the incident or accident, must be provided in the full investigation report. This includes the name and job title of any workers injured or killed in the incident, witnesses to the incident, the people who carried out the investigation, and any other people whose presence might be necessary for a proper investigation of the incident.

Depending on the nature of the workplace, there may be other people, such as a prime contractor or property owner, who have duties or responsibilities for workplace safety. The full investigation report must identify these people as well as any other relevant workplace parties who were actively involved in the incident or who are implementing the corrective action following the full investigation.

The full investigation report must include a description of the incident and statement of the sequence of events that preceded the incident, and must identify any unsafe conditions, acts, or procedures that significantly contributed to the incident. These may build on the information provided in the preliminary investigation report, but must include any additional information identified in the course of the full investigation.

The full investigation report must include a determination of the cause(s) of the incident. To establish the cause, analyze the facts and circumstances of the incident to identify the underlying factors that led to the incident. Consider the underlying factors that made the unsafe conditions, acts, or procedures possible.

The full investigation report must include information about corrective actions that have been identified and taken. This includes information about corrective actions identified as required to prevent a recurrence of similar incidents, corrective action that has been taken and corrective action that has been identified but not yet taken.

Corrective action

During the course of the full investigation the employer may identify additional unsafe conditions, acts, or procedures that significantly contributed to the incident. The employer may also decide that different or additional corrective action will be more effective than the interim corrective action originally undertaken.

The full incident investigation report must include the corrective action the employer has identified to prevent the recurrence of similar incidents. This includes corrective actions that have been taken as well as corrective actions that will be taken in the future.

The corrective action report following the full investigation must set out the action taken to prevent the recurrence of similar incidents. If corrective action is expected to take more than 30 days to implement, the interim corrective action report may be updated and revised until such time as all corrective action has been implemented. Examples of corrective action that may take more than 30 days include shipment of new equipment, completion of training course, or construction of updated facilities.

The corrective action report, and all updated reports must, as soon as reasonably possible, be provided to the joint committee or worker health and safety representative, as applicable. If there is no joint committee or worker health and safety representative, the reports must be posted at the workplace.

Combining reports

Depending on the complexity of the incident investigation it may be possible to complete the full investigation report and resulting corrective action within 48 hours. Occasionally, it may be possible to determine the cause or causes of an incident immediately, or shortly after the incident. In these limited cases, where an employer has fulfilled the objectives of a full incident investigation within 48 hours of the incident, the employer may complete and submit a full investigation report within 48 hours. A report of any corrective action taken must also be prepared and distributed as soon as reasonably possible after completing the full investigation report. Details on what to do when the incident investigation and resulting corrective action are completed within 48 hours are set out in Prevention Policy D10-176-1.

Extensions for submitting the full investigation report

The full investigation report must be submitted to WorkSafeBC within 30 days of the incident. The full investigation report must also, within 30 days, be provided to the joint committee or worker health and safety representative, or if there is no joint committee or worker health and safety representative, be posted in the workplace. This time may be extended when WorkSafeBC considers it appropriate to do so.

Where an employer is unable to complete the full investigation for reasons outside of its control, the employer may make a request to WorkSafeBC for an extension. The request for an extension should be made as soon as possible, but no later than 30 days after the incident.

Policy D10-176-1.4 provides examples of situations where WorkSafeBC may consider it appropriate to grant an extension. These include situations where

- Remoteness of the location of the incident creates delays in an employer's investigation
- Technical aspects of the investigation cannot be evaluated within 30 days of the accident or incident
- Third party reports related to the full investigation are pending
- An investigation by WorkSafeBC, the police, or another agency restricts the employer's ability to investigate the cause(s) of the incident
- An employer does not know about an accident or incident that resulted in injury to a worker, because there is a delay in the worker seeking the related medical treatment.

WorkSafeBC does not consider it appropriate to extend the time period for submitting an employer's full investigation report on the sole basis that WorkSafeBC's own investigation report has not yet been disclosed.

Forms and additional resources

WorkSafeBC has developed a variety of incident investigation and corrective action reporting forms. These forms are available as Microsoft Word documents and as dynamic PDF forms, and can be found online at WorkSafeBC.com, under Forms & Resources.

Additional employer resources for conducting an incident investigation are available on WorkSafeBC.com, under Health & Safety > Create & manage a healthy & safe workplace > Incident investigations.