

Effectiveness Measures - Q2/2020 Reports

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Page	TOPIC	DESCRIPTION	EFFECTIVE DATE	x of Year
Regulation Changes				
1	Part 20: Demolition and Asbestos Abatement Activities	The purpose of the amendments to 20.112 is to ensure that the wording clearly reflects the sequence of work activities that occur in demolition and asbestos abatement activities. In doing so, clear obligations will be placed on asbestos abatement contractors, general contractors and owners for safe containment and removal of hazardous materials prior to the tear down of building structures.	February 1, 2015	6 of 6
2	OHS - Wood Dust Policies	At its July 2014 meeting, WorkSafeBC's Board of Directors approved three new Occupational Health and Safety policies: D3-115-3, Employer Duties — Wood Dust Mitigation and Control D3-116-2, Worker Duties — Wood Dust Mitigation and Control D3-117-3, Supervisor Duties — Wood Dust Mitigation and Control The new policies have been developed to identify what WorkSafeBC considers reasonable steps for employers, workers, and supervisors to take in relation to the hazards of combustible wood dust. The employer policy applies to specific classification units for sawmills and wood products manufacturing listed in that policy.	September 1, 2014	6 of 7
3	Lower Maximum Administrative Penalties Regulation and OHS Citations Policy	The policy sets out that WorkSafeBC may impose an OHS citation on an employer for failure to comply with an order or failure to comply with requirements for compliance reports. Further details are also provided such as when an OHS citation may be imposed, the amount of an OHS citation and circumstances under which a repeat OHS citation can be issued.	February 1, 2016	5 of 5
Prevention Changes				
4	OHS Compliance Agreements	Instead of issuing an order, WorkSafeBC may, in certain circumstances, enter into a compliance agreement in which an employer voluntarily agrees to correct OHS violations and report back to WorkSafeBC by a certain date. Compliance agreements are offered at WorkSafeBC's discretion, within the limits of the Act and policy. WorkSafeBC will only enter into a compliance agreement if WorkSafeBC believes that the employer will likely fulfill its obligations under the agreement. The finalized OHS Compliance Agreements policy provides additional guidance regarding the compliance agreement provisions in the Workers Compensation Act.	January 1, 2016	5 of 7
5	Storage racks	On March 30, 2017, the Board of Directors approved amendments to the OHS regulations. The OHSR would have specific requirements for steel storage racks to ensure existing and new storage racks are designed, installed, used, inspected, and maintained to safely support items on the racks.	August 1, 2017	3 of 5
Compensation Changes				
6	Measurement of Earnings Loss	The proposed policy would address concerns raised by stakeholders and the WCAT about the factor used to adjust earnings for inflation in calculating a loss of earnings award. Policy would also provide greater clarity regarding whether historical earnings or earnings at another point in time are used in conducting this calculation.	April 1, 2018	3 of 3
7	Permanent Disability Evaluation Schedule ("PDES") - 2016 review	On March 30, 2017, the Board of Directors approved changes to the PDES schedule - Partial Loss of Range of Motion This project is an annual review of the PDES to clarify guidance to decision makers.	May 1, 2017	3 of 3
8	Mental Disorder Presumption	On July 12, 2018, the Board of Directors approved amendments to Chapter 3 in the Rehabilitation Services & Claims Manual, Volume II to: • add Item C3-13.10, Section 5.1(1.1) - Mental Disorder Presumption, to reflect the legislative changes introduced by Bill 9; and • revise Item C3-13.00, Section 5.1 - Mental Disorders, by changing how policy defines a traumatic event and clarifying how WorkSafeBC assesses evidence of a traumatic event or significant stressor.	July 23, 2018	3 of 6
Assessment Changes				
9	Removing Capitalized Values of Permanent Disability Awards from the Experience Rating Calculation	WorkSafeBC is now capitalizing permanent disability awards faster than when the ER plan was designed, causing some firms to pay much higher premiums than intended when the ER plan was introduced. Updated to no longer include the capitalized values of permanent disability awards in ER determinations.	November 22, 2017	3 of 3

Demolition and Asbestos Abatement Activities

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The purpose of the amendments to 20.112 is to ensure that the wording clearly reflects the sequence of work activities that occur in demolition and asbestos abatement activities. In doing so, clear obligations will be placed on asbestos abatement contractors, general contractors and owners for safe containment and removal of hazardous materials prior to the tear down of building structures.	February 1, 2015	The amendments will provide clarity to enforcement officers who are issuing orders under this section. Section 20.112 will be less vulnerable to legal challenges when abatement contractors and other parties are issued orders under section 20.112.

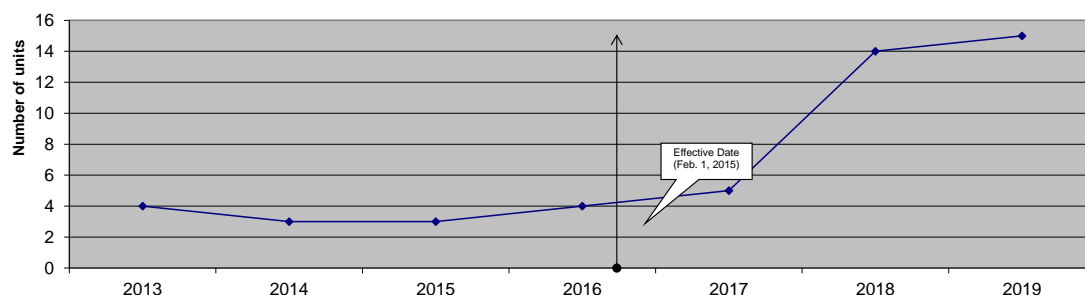
Reporting:

☐ One Time Report☒ Multiple Reporting Years:

6 of 6 yrs (2015-2020)

Sec 20.112 Review and Appeals

Data Source: Review

**2015 Discussion:**

This change further details the sequence of work within the regulation, providing consistency and clarity for both the employers and owners as well as WorkSafeBC officers. Additionally, this amendment also included best practices provided through our guidelines to allow our officers to work with appropriate, enforceable regulations.

In doing so, we will enhance worker safety and reduce potential challenges to the regulation.

2016 Discussion:

The number of legal challenges or reviews for orders under section 20.112 remained consistent with the prior year.

2017 Discussion:

The number of orders in 2016 are constant compared to prior years.

2018 Discussion:

The number of orders in 2017 are constant compared to prior years.

2019 Discussion:

In 2018, as part of the 2018-2020 Asbestos Initiative: Residential Enforcement. WorkSafeBC conducted an enforcement initiative aimed at reducing occupational disease and death caused by exposure to asbestos in residential demolition and renovation worksites. Prevention inspection activity on Asbestos increased leading to a 16% increase in orders issued in 2018 compared to 2017. There was also an increase in the number of Asbestos reviews which is largely attributed to increased enforcement.

2020 Discussion:

In 2019, Prevention Services continued its 2018-2020 Asbestos Initiative: Residential Enforcement with a focus on ensuring demolition contractors have adequate plans and are overseeing work to meet OHS obligations. The number of reviews for orders under section 20.112 remained consistent with the prior year.

2015 Conclusion:

Next reporting Q4-2016.

2016 Conclusion:

Next reporting Q4-2017.

2017 Conclusion:

Next reporting Q2-2018.

2018 Conclusion:

Next reporting Q2-2019.

2019 Conclusion:

Next reporting Q2-2020.

2020 Conclusion:

End of Reporting.

OHS - Wood Dust Policies

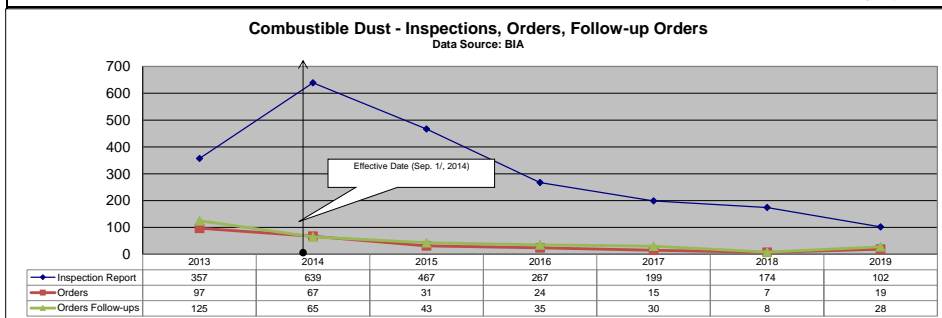
Topic	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>At its July 2014 meeting, WorkSafeBC's Board of Directors approved three new Occupational Health and Safety policies:</p> <p>D3-115-3, Employer Duties — Wood Dust Mitigation and Control</p> <p>D3-116-2, Worker Duties — Wood Dust Mitigation and Control</p> <p>D3-117-3, Supervisor Duties — Wood Dust Mitigation and Control</p> <p>The new policies have been developed to identify what WorkSafeBC considers reasonable steps for employers, workers, and supervisors to take in relation to the hazards of combustible wood dust.</p> <p>The employer policy applies to specific classification units for sawmills and wood products manufacturing listed in that policy.</p>	September 1, 2014	WorkSafeBC has developed policies to provide a consistent legal framework to identify what WorkSafeBC considers reasonable steps for employers, workers, and supervisors to meet their duties with respect to combustible wood dust hazards.

Reporting:

☐ One Time Report

☒ Multiple Reporting Years:

6 of 7 yrs (2015-2021)



Note: This data set is based on the employers that are part of the combustible dust inspection initiative.

Note (2016): Previously, data was only shown as per section 5.18. An adjustment was made to include section 115(1)(a) reflecting current and prior years above.

2015 Discussion:

It is relatively early to establish effectiveness. Next reporting will encompass an additional year (2015) of data and will help us understand further the effectiveness of the change.

2016 Discussion:

As per the Prevention department, there has been a significant improvement in compliance relating to combustible wood dust hazards, thereby resulting in a decreased amount of orders being given out over the past 2 years. The focus has been on ensuring employers meet their obligation to control combustible dust hazards through compliant and sustainable combustible dust management programs.

2017 Discussion:

In 2016, WorkSafeBC continued its focus on combustible dust and undertook formal inspection initiatives to verify compliance with combustible dust requirements and to ensure the presence of effective combustible dust management programs in all BC sawmills. Prevention Officers continued with unannounced inspections in order to verify the presence of effective and sustainable combustible dust programs in all operating sawmills. In support of this focus, Officers also engaged in education, consultation and enforcement activities. Significant progress and tangible improvements have been made through our work and the work of employers, workers, unions and other stakeholders to ensure the hazard of combustible dust is being managed.

2018 Discussion:

In 2017, WorkSafeBC continued its Manufacturing High Risk Strategy & Sawmill Inspection Initiative – Designated officers conducting combustible dust specific inspections at all operating sawmills. Prevention Officers continued with unannounced inspections in order to verify the presence of effective and sustainable combustible dust management programs and in support of this focus continued to engage in education, consultation and enforcement activities.

2019 Discussion:

In 2018, WorkSafeBC continued its Manufacturing High Risk Strategy & Sawmill Inspection Initiative. Prevention Officers continued with unannounced inspections in order to verify the presence of effective and sustainable combustible dust management programs and in support of this focus continued to engage in education, consultation and enforcement activities.

2020 Discussion:

In 2019, as part of the Manufacturing High Risk Strategy & Sawmill Inspection Initiative, a group of selected sawmills received at least one inspection by the combustible dust team officers. The focus has been on ensuring employers meet their obligation to control combustible dust hazards through compliant and sustainable combustible dust management programs. The number of orders given out has remained low.

2015 Conclusion:

Next reporting Q2-2016.

2016 Conclusion:

Next reporting Q2-2017.

2017 Conclusion:

Next reporting Q2-2018.

2018 Conclusion:

Next reporting Q2-2019.

2019 Conclusion:

Next reporting Q2-2020.

2020 Conclusion:

Next reporting Q2-2021.

OHS Compliance Agreements

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>Instead of issuing an order, WorkSafeBC may, in certain circumstances, enter into an OHS Compliance Agreement ("CA") in which an employer voluntarily agrees to correct OHS violations and report back to WorkSafeBC by a certain date. If employers do not fulfil their obligations under the CA, then the CA is cancelled and, unless there are exceptional circumstances, an order is written. CAs are offered at WorkSafeBC's discretion, within the limits of the Act and policy. WorkSafeBC will only enter into a CA if WorkSafeBC believes that the employer will likely fulfill its obligations under the agreement.</p> <p>The finalized OHS Compliance Agreements policy provides additional guidance regarding the CA provisions in the Workers Compensation Act.</p>	January 1, 2016	<p>The OHS Compliance Agreement policy will be effective if it provides WorkSafeBC staff and stakeholders with clear guidance regarding how CAs are implemented and helps officers promote compliance with OHS obligations.</p> <p>One measurement of effectiveness for this policy is anecdotal feedback about the policy from WorkSafeBC staff and stakeholders. Effectiveness may also be measured by tracking what percentage of OHS Compliance Agreements result in an outcome of employer compliance.</p>
Reporting:		
<input type="checkbox"/> One Time Report <input checked="" type="checkbox"/> Multiple Reporting Years: 5 of 7 yrs (2016-2022)		
<u>2016 Discussion:</u>		
It is too early to establish the effectiveness of this change.		
<u>2017 Discussion:</u>		
As of March 31, 2017, WorkSafeBC had entered into 47 OHS Compliance Agreements. Anecdotal feedback suggests that OHS Compliance Agreements can be an effective tool; use of OHS Compliance Agreements is increasing as WorkSafeBC Prevention Officers become more accustomed to it. It is anticipated that systems improvements making OHS Compliance Agreements easier to use will assist in further use of the tool.		
<u>2018 Discussion:</u>		
In 2017, 37 CAs were issued. 21 of these CAs have been complied with, and one was cancelled. 15 are outstanding (in other words, have not yet been completed by the employer but not yet cancelled).		
<u>2019 Discussion:</u>		
In 2018, 41 CAs were issued. 31 of these CAs have been complied with. 10 are outstanding (in other words, have not yet been completed by the employer but not yet cancelled). System improvements have enabled Prevention Officers to select CAs as an appropriate tool to promote compliance.		
<u>2020 Discussion</u>		
In 2019, 25 CAs were issued. 16 of these CAs have been complied with. 9 are outstanding. Of the 41 CAs issued in 2018, all have been complied with by the employer. Officer practice directives have also been updated to provide clear guidance on the use of CAs.		
<u>2016 Conclusion:</u>		
Next reporting Q2-2017.		
<u>2017 Conclusion:</u>		
Next reporting Q2-2018.		
<u>2018 Conclusion:</u>		
Next reporting Q2-2019.		
<u>2019 Conclusion:</u>		
Next reporting Q2-2020.		
<u>2020 Conclusion:</u>		
Next reporting Q2-2021.		

Lower Maximum Administrative Penalties Regulations and OHS Citations Policy

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>The policy sets out that WorkSafeBC may impose an OHS citation on an employer for failure to comply with an order or failure to comply with requirements for compliance reports.</p> <p>Further details are also provided such as when an OHS citation may be imposed, the amount of an OHS citation and circumstances under which a repeat OHS citation can be issued.</p>	February 1, 2016	<p>The overall goal of OHS Citations is to increase compliance with non-high risk orders. Counting the overall number of findings of continued non-compliance over time will provide some indication of whether the overall level of compliance with orders is improving.</p> <p>However, the count will include all orders, not limited to those for which OHS citations can be given, and the overall count of non-compliance may initially increase due to increased enforcement focus.</p> <p>Counting citations and warnings over time will give an idea of how much the tool is being used and how effective the warnings are. Ideally citation warnings should result in compliance and make the citations themselves unnecessary.</p>
Reporting:		
<input type="checkbox"/> One Time Report <input checked="" type="checkbox"/> Multiple Reporting Years: 5 of 5 yrs (2016-2020)		
<u>2016 Discussion:</u>		
It is too early to establish the effectiveness of this regulation change.		
<u>2017 Discussion:</u>		
In 2016 there were 5 OHS Citations issued for the maximum amount and 83 for half of the maximum amount. There were also 1,031 OHS Citation Warnings issued. This means that about one OHS Citation was issued for every 12 warnings.		
<u>2018 Discussion:</u>		
In 2017, 20 OHS Citation orders were issued for the maximum amount and 71 issued for half of the maximum. There were 891 written warnings for OHS Citations where the underlying orders were either in noncompliance or the employer failed to prepare or submit a compliance report. This means that about one OHS Citation was issued for every ten warnings.		
<u>2019 Discussion:</u>		
In 2018 (as in 2017), 20 OHS Citation orders were issued for the maximum amount and 71 issued for half of the maximum. There were 1,031 written warnings for OHS Citations where the underlying orders were either in noncompliance or the employer failed to prepare or submit a compliance report. This means that about one OHS Citation was issued for every twelve warnings which is an improvement from the previous year.		
<u>2020 Discussion:</u>		
In 2019, 14 OHS Citation orders were issued for the maximum amount and 60 issued for half of the maximum. There were 790 written warnings for OHS Citations where the underlying orders were either in noncompliance or the employer failed to prepare or submit a compliance report. This means that about one OHS Citation was issued for every ten warnings which is an improvement from the previous year. Prevention Services will continue to monitor the issuance of OHS Citations along with OHS Compliance Agreements.		
<u>2016 Conclusion:</u> Next reporting Q2-2017.		
<u>2017 Conclusion:</u> Next reporting Q2-2018.		
<u>2018 Conclusion:</u> Next reporting Q2-2019.		
<u>2019 Conclusion:</u> Next reporting Q2-2020.		
<u>2020 Conclusion:</u> Final reporting year.		

Storage Racks

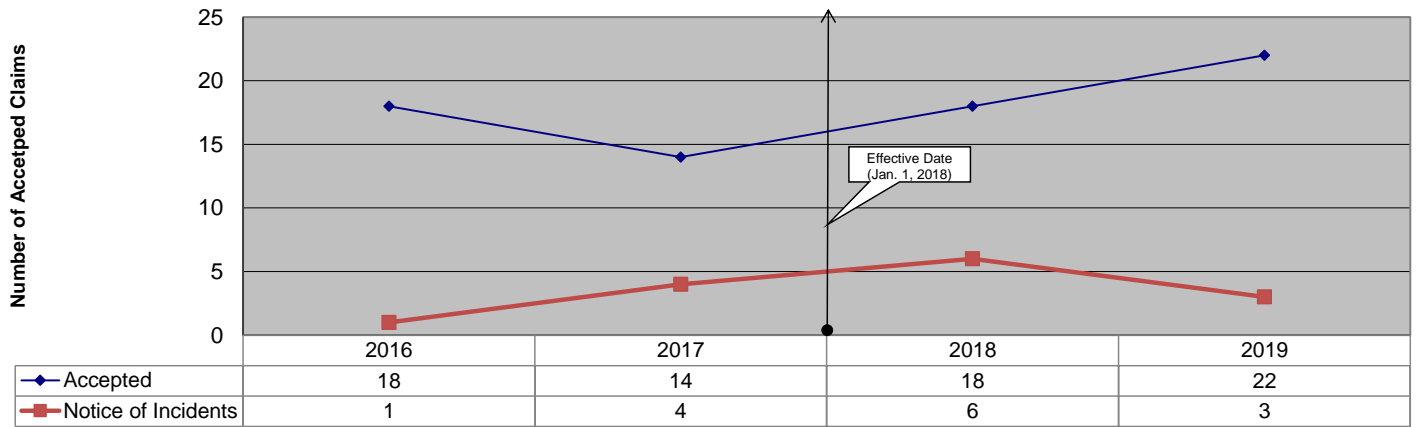
TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
On March 30, 2017, the Board of Directors approved amendments to the OHS regulations. The OHSR would have specific requirements for steel storage racks to ensure existing and new storage racks are designed, installed, used, inspected, and maintained to safely support items on the racks.	January 1, 2018	The effectiveness measure will review claim statistics and notice of incident reports arising from this section.

Reporting:

☐ One Time Report☒ Multiple Reporting Years:

3 of 5 yrs (2018 - 2022)

Claim Statistics - Storage Racks

**2018 Discussion:**

It is too early to establish the effectiveness of this change. It is anticipated that the number of claims and notice of incident reports arising from this section will decrease over time as employers comply with the amended requirements for steel storage racks.

2019 Discussion:

In 2018 there was a small uptake in accepted claims related to storage racks, this measurement will continue to be monitored to ensure the amendments to the regulations are effective

2020 Discussion:

In 2019 there was a small uptake in accepted claims related to storage racks. Only 4 of the 22 claims accepted were related to injuries that may have been prevented by the updated guidelines around the design, installation, use, inspection, and maintenance of storage racks.

2018 Conclusion:

Next reporting Q2-2019.

2019 Conclusion:

Next reporting Q2-2020.

2020 Conclusion:

Next reporting Q2-2021.

Measurement of Earnings Loss

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The proposed policy would address concerns raised by stakeholders and the WCAT about the factor used to adjust earnings for inflation in calculating a loss of earnings award. Policy would also provide greater clarity regarding whether historical earnings or earnings at another point in time are used in conducting this calculation.	April 1, 2018	The effectiveness of these changes would be measured through improved appellate assessment of loss of earnings decisions and through anecdotal evidence from decision-makers
Reporting:		
<input type="checkbox"/> One Time Report <input checked="" type="checkbox"/> Multiple Reporting Years: 3 of 3 yrs (2018-2020)		
<u>2018 Discussion:</u>		
It is too early to establish the effectiveness of this change.		
<u>2019 Discussion:</u>		
The policy change introduced a more fair method of converting point in time earnings, stakeholders view this policy as an example of finding opportunities to further improve workers compensation benefits to more accurately compensate worker's who suffer a loss of earnings resulting from permanent disability. Disability Awards has received no complaints in 2018 regarding the methods used in determining earnings for the calculation of earnings loss.		
<u>2020 Discussion:</u>		
Disability Awards has received no further complaints in 2019 regarding the methods used in determining earnings for the calculation of earnings loss.		
<u>2018 Conclusion:</u>		
Next reporting Q2-2019.		
<u>2019 Conclusion:</u>		
Next reporting Q2-2020.		
<u>2020 Conclusion:</u>		
End of Reporting.		

Mental Disorders Presumption

TOPIC/PART	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>On July 12, 2018, the Board of Directors approved amendments to Chapter 3 in the Rehabilitation Services & Claims Manual, Volume II to:</p> <ul style="list-style-type: none"> • add Item C3-13.10, Section 5.1(1.1) - Mental Disorder Presumption, to reflect the legislative changes introduced by Bill 9; and • revise Item C3-13.00, Section 5.1 - Mental Disorders, by changing how policy defines a traumatic event and clarifying how WorkSafeBC assesses evidence of a traumatic event or significant stressor. 	July 23, 2018	We will know we have been effective if the total volume of allowed mental disorder claims increases. Approximately 70% of first responder groups are currently accepted (compared to 20% for all workers).

Reporting:

☐ One Time Report☒ Multiple Reporting Years:

3 of 6 yrs (2018 - 2023)

2018 Discussion:

On mental disorder claims adjudicated under the mental disorder presumption provided in subsection 5.1(1.1) of the Act, where an allow/disallow decision was made, around 90% were allowed. (BIA advises that the sample numbers used for this estimate are relatively small, and that this 90% rate will fluctuate over time as eligibility decisions continue to be updated.)

2019 Discussion:

Mental disorder claims reported by the five eligible occupations (correctional officers, emergency medical assistants (e.g. paramedics), firefighters (assigned primarily to fire suppression duties), police officers and sheriffs) increased by 38% in 2018, compared with 2017. In 2018, 95% of claims were allowed on mental disorder claims adjudicated under the presumptive clause in section 5.1 (1.1) of the Act, where an allow/disallow decision was made.

2020 Discussion:

Mental Disorder claims reported to WorkSafeBC increased by 24% in 2019. In 2019, on mental disorder claims adjudicated under the presumption, where an allow/disallow decision was made, 94% of claims were allowed. This compares to 63% claims allowed, on all mental disorder claims where an allow/disallow decision was made.

5,440 new mental disorder claims were reported to WorkSafeBC. 3,646 claims proceeded to an allow or disallow decision – of these 2,310 were allowed and 1,346 were disallowed.

Of the claims that proceeded to an allow or disallow decision, 539 were adjudicated under the presumption - 506 were allowed and 33 were disallowed. This is an increase from 2018, when 182 claims were adjudicated under the presumption - 173 were allowed and 9 were disallowed.

2018 Conclusion:

Next reporting Q2-2019.

2019 Conclusion:

Next reporting Q2-2020.

2020 Conclusion:

Next reporting Q2-2021

PDES Schedule - Partial Loss of Range of Motion

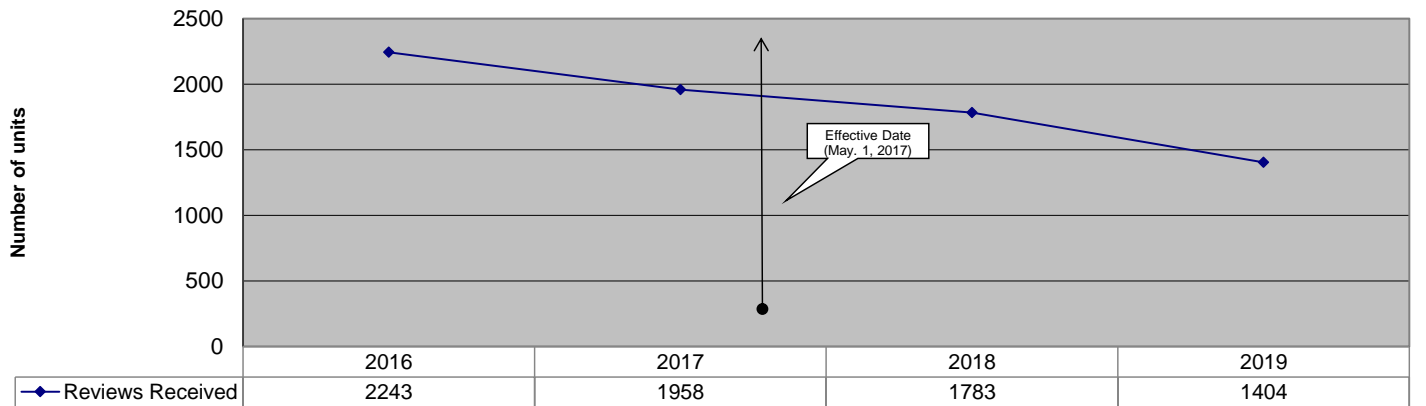
TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
On March 30, 2017, the Board of Directors approved changes to the PDES schedule - Partial Loss of Range of Motion This project is an annual review of the PDES to clarify guidance to decision makers.	May 1, 2017	A reduction on the number of claims in review and appeal on issues pertaining to permanent disability awards is anticipated.

Reporting:

☐ One Time Report☒ Multiple Reporting Years:

3 of 3 yrs (2018-2020)

PDES Review and Appeals
Data Source: Review

**2018 Discussion:**

It is too early to establish the effectiveness of this change.

2019 Discussion:

The number of review requests for 2018 decreased.

2020 Discussion:

The number of review requests continue to decrease in 2019. Providing clarity on the guidance on PDES schedule has resulted in more consistent adjudication and fewer appeals.

2018 Conclusion:

Next reporting Q2-2019.

2019 Conclusion:

Next reporting Q2-2020.

2020 Conclusion

Final reporting year.

Removing Capitalized Values of Permanent Disability Awards from the Experience Rating Calculation

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>WorkSafeBC was capitalizing permanent disability awards faster than when the ER plan was designed, causing some firms to pay much higher premiums than intended when the ER plan was introduced.</p> <p>Updated to no longer include the capitalized values of permanent disability awards in ER determinations.</p>	<p>November 22, 2017</p>	<p>The change would be effective if employers no longer have dramatic swings in the premiums they pay because of one permanent disability award.</p> <p>One measurement of effectiveness for this policy is anecdotal feedback about the policy from Assessments.</p>
Reporting:		
<div> <input type="checkbox"/> One Time Report <input checked="" type="checkbox"/> Multiple Reporting Years: 3 of 3 yrs (2018-2020) </div>		
<u>2018 Discussion:</u> For this period, the Assessment Department advises there were no firms that required intervention to reduce the swings in their premiums due to the impact of permanent disability awards on their experience rating.		
<u>2019 Discussion:</u> The exposure to undesirable rate swings arising from the use of capitalized claim costs has been mitigated. Subsequent to the change being implemented, the Assessment Department has received no complaints from firms relating to this issue.		
<u>2020 Discussion:</u> No complaints from firms were received by the Assessment Department relating to this issue.		
<u>2018 Conclusion:</u> Next reporting Q2-2019.		
<u>2019 Conclusion:</u> Next reporting Q2-2020.		
<u>2020 Conclusion:</u> Final reporting year.		