

## Effectiveness Measures - Q2/2018 Reports

### Table of Contents

Page	TOPIC	DESCRIPTION	EFFECTIVE DATE	x of Year
<b>Regulation Changes</b>				
1	<b>Part 13: Ladder Positioning for Safe Use</b>	The purpose of the amendments to section 13.5 is to clarify the safe positioning and use of portable non-self-supporting ladders. The amendments will clarify the “quarter rule” for setting up these ladders, as well as enhance the requirement to securing the ladder to ensure stability during use.	February 1, 2015	4 of 4
2	<b>Part 20: Gang Form Inspection</b>	The amendment will require certification by a professional engineer if there is a modification to the gang form design or the method of erection. Many situations that are currently considered as “reuse without modification” will now be subject to engineering inspection and certification.	February 1, 2015	4 of 4
3	<b>Part 20: Demolition and Asbestos Abatement Activities</b>	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	4 of 5
4	<b>OHS - Wood Dust Policies</b>	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	4 of 5
5	<b>Lower Maximum Administrative Penalties Regulation and OHS Citations Policy</b>	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	3 of 4
<b>Prevention Changes</b>				
6	<b>OHS Compliance Agreements</b>	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	3 of 4
<b>Compensation Changes</b>				
7	<b>Plantar Fasciitis</b>	The BOD approved the addition of Plantar Fasciitis. The policy does not name any non-occupation risk factors or recognize plantar fasciitis as an occupational disease connected to any particular process or industry. Work causation will be assessed on a case-by-case basis, taking into consideration all relevant risk factors.	December 1, 2015	3 of 3
8	<b>Measurement of Earnings Loss</b>	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	1 of 3
<b>Assessment Changes</b>				
9	<b>Partners Program</b>	This policy sets out the framework for the Partners Program. The Partners Program is a voluntary employer incentive program intended to motivate employers to take a proactive role in complying with the occupational health and safety requirements found in Part 3 of the Act.  The new policies apply to all decisions, including appellate decisions, made on or after Feb 15, 2016 and remain effective until December 31, 2018.	November 22, 2017	1 of 3
10	<b>Removing Capitalized Values of Permanent Disability Awards from the Experience Rating Calculation</b>	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	1 of 3

Ladder Positioning for Safe Use

Part 13	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The purpose of the amendments to section 13.5 is to clarify the safe positioning and use of portable non-self-supporting ladders. The proposed amendments will clarify the “quarter rule” for setting up these ladders, as well as enhance the requirement to securing the ladder to ensure stability during use.	February 1, 2015	The amendments will reduce some of the risk factors that may cause workers to fall from portable ladders that were incorrectly positioned or not secured.  Safety of workers will be enhanced as a result of the proposed amendments.

Reporting:

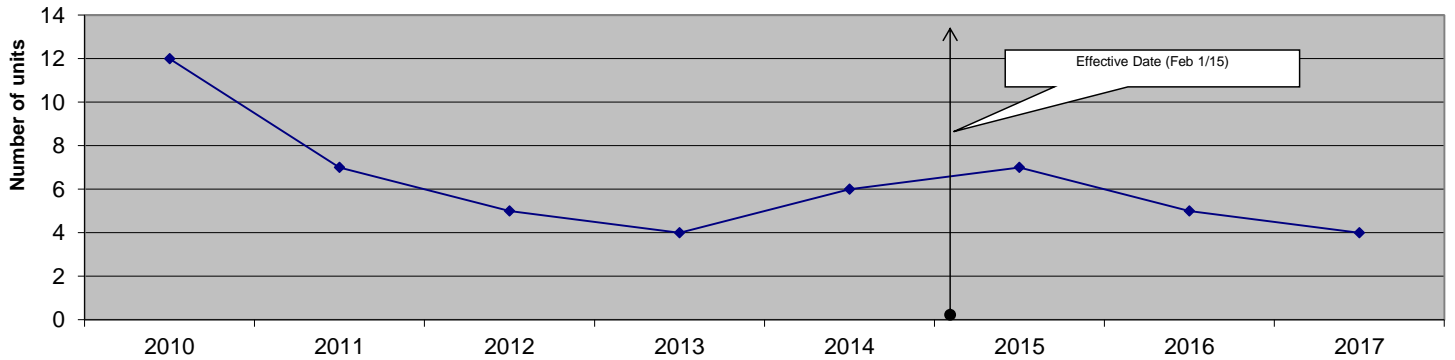
One Time Report

Multiple Reporting Years:

4 of 4 yrs (2015-2018)

Ladder Positioning - Serious Injuries

Data Source: BIA



**2015 Discussion:**

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

**2016 Discussion:**

This change provides more clarity and consistency to the policy. The number of injuries have remained fairly consistent from the prior year.

**2017 Discussion:**

The number of injuries have remained fairly consistent from the prior years.

**2018 Discussion:**

The number of injuries have remained fairly consistent from the prior years. Ladder safety continues to be a focus of WorkSafeBC's prevention efforts which includes inspection, consultation, and enforcement. WorkSafeBC has recently released six new ladder safety videos, and has ladder safety resources available on our website.

**2015 Conclusion:**

Next reporting Q2-2016.

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2 - 2018

**2018 Conclusion:**

Last reporting

**Regulation Change**  
**Gang Form Inspection**

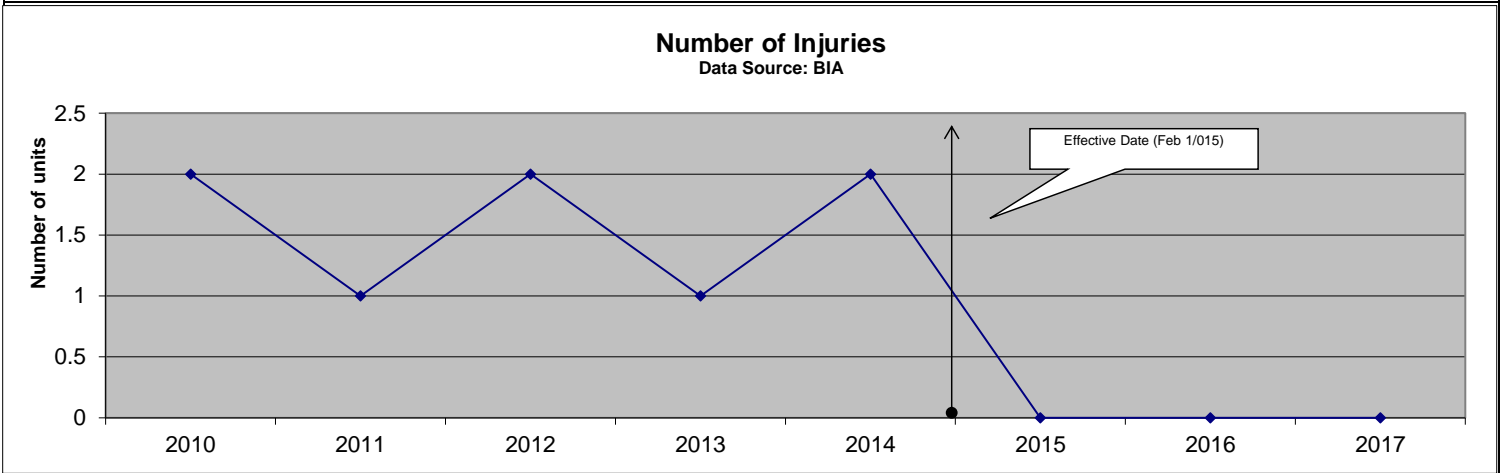
Part 20	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The amendment will require certification by a professional engineer if there is a modification to the gang form design or the method of erection. Many situations that are currently considered as "reuse without modification" will now be subject to engineering inspection and certification.	February 1, 2015	Concrete gang forms will be erected in a safe manner despite changes to the design or method of erection. There will be a reduction in injuries or fatalities related to modifications of gang forms during reuse at a jobsite.

**Reporting:**

One Time Report

Multiple Reporting Years:

4 of 4 yrs (2015-2018)



**2015 Discussion:**

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

**2016 Discussion:**

There were zero injuries in 2015, which was down compared to the last few years.

**2017 Discussion:**

There were zero injuries in 2016, which is consistent from prior year.

**2018 Discussion:**

There were zero injuries in 2017, which is consistent from prior year.

**2015 Conclusion:**

Next reporting Q2-2016.

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Last Reporting

Demolition and Asbestos Abatement Activities

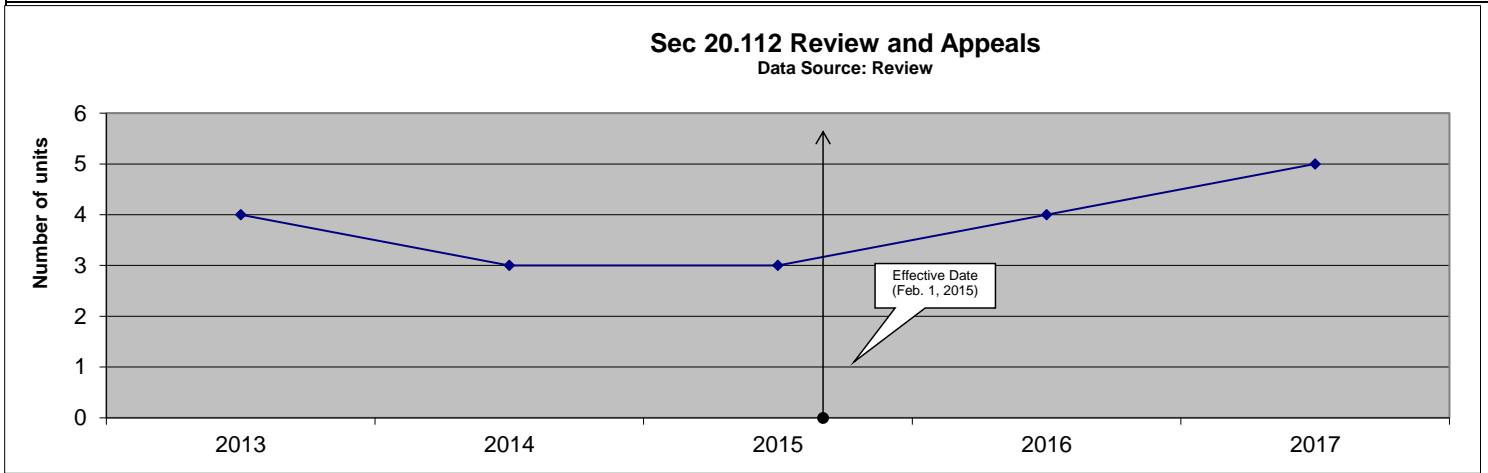
TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The purpose of the amendments to 20.112 is to ensure that the wording clearly reflects the sequence of work activities that occur in demolition and asbestos abatement activities. In doing so, clear obligations will be placed on asbestos abatement contractors, 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:

4 of 5 yrs (2015-2019)



**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 consistent compared to prior years.

**2018 Discussion:**

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

**2015 Conclusion:**

Next reporting Q4-2016.

**2016 Conclusion:**

Next reporting Q4-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Next reporting Q2-2019.

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                      D3-116-2, Worker Duties — Wood Dust Mitigation and Control                      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>	<p>September 1, 2014</p>	<p>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.</p>

Reporting:

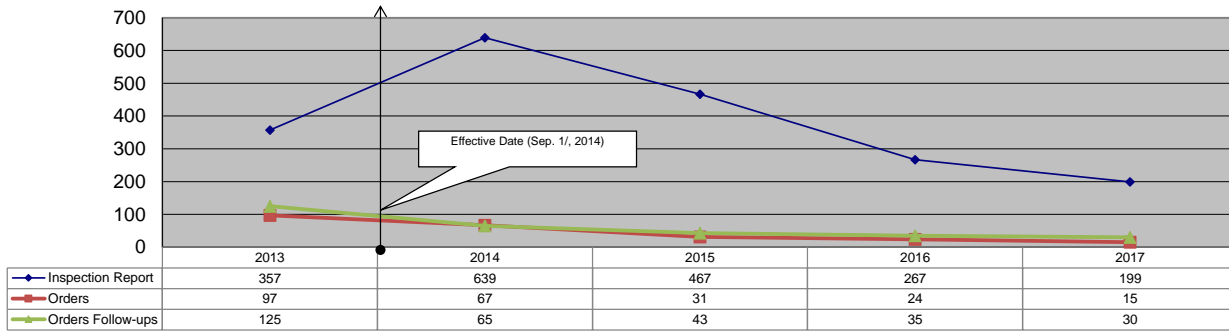
One Time Report

Multiple Reporting Years:

4 of 5 yrs (2015-2019)

Combustible Dust - Inspections, Orders, Follow-up Orders

Data Source: BIA



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.

**2015 Conclusion:**

Next reporting Q2-2016.

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Next reporting Q2-2019.

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>	<p>February 1, 2016</p>	<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:**

One Time Report

Multiple Reporting Years:

3 of 4 yrs (2016-2019)

**2016 Discussion:**

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

**2017 Discussion:**

From February 1, 2016 to March 31, 2017 there were 10 OHS Citations issued for the maximum amount and 115 for half of the maximum amount. There were also 1,232 OHS Citation Warnings issued. This means that about one OHS Citation was issued for every ten warnings.

**2018 Discussion:**

In 2017, 21 OHS Citation orders were issued for the maximum amount (with 3 later rescinded) and 77 issued for half of the maximum (with 7 later rescinded). There were 858 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 consistent with prior years.

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Next reporting Q2-2019.

**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>	<p>January 1, 2016</p>	<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:**

One Time Report

Multiple Reporting Years:

3 of 4 yrs (2016-2019)

**2016 Discussion:**

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

**2017 Discussion:**

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.

**2018 Discussion:**

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).

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Next reporting Q2-2019

Plantar Fasciitis

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
The BOD approved the addition of policy item #27.36 (Plantar Fasciitis) to the Rehabilitation Services and Claims Manual. The policy does not name any non-occupation risk factors or recognize plantar fasciitis as an occupational disease connected to any particular process or industry. Work causation will be assessed on a case-by-case basis, taking into consideration all relevant risk factors.	December 1, 2015	The addition of policy item #27.36 addresses concerns raised by the stakeholder community. This policy will be considered effective based on feedback from external stakeholders.

**Reporting:**

One Time Report

Multiple Reporting Years:

3 of 3 yrs (2016-2018)

**2016 Discussion:**

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

**2017 Discussion:**

The changes to the Policy has minimally affected the adjudication of Plantar fasciiti. The Case managers were evenly split between whether the liked or disliked the changes. In the end the adjudication is still taking place on a claim by claim basis, assessing the risk factors of each worker independently.

**2018 Discussion:**

The changes to policy has minimally affected the adjudication of plantar fasciitis. Policy directed the Board to assess work causation in the context of each individual case based on the individual's risk assessment. The ASTD Reference Guide which contained information on non-occupational risk factors for plantar fasciitis was retired in 2015.

**2016 Conclusion:**

Next reporting Q2-2017.

**2017 Conclusion:**

Next reporting Q2-2018.

**2018 Conclusion:**

Last Reporting



**Compensation Changes**  
**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:**

One Time Report

Multiple Reporting Years:

1 of 3 yrs (2018-2020)

**2018 Discussion:**

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

**2018 Conclusion:**

Next reporting Q2-2019.

**Partners Program**

TOPIC	EFFECTIVE DATE	MEASUREMENT OF EFFECTIVENESS
<p>This policy sets out the framework for the Partners Program. The Partners Program is a voluntary employer incentive program intended to motivate employers to take a proactive role in complying with the occupational health and safety requirements found in Part 3 of the Act.</p> <p>The new policies apply to all decisions, including appellate decisions, made on or after Feb 15, 2016 and remain effective until December 31, 2018.</p>	<p>November 22, 2017</p>	<p>The interim policies would provide clarity to decision-makers on the Partners Program's framework, and would result in fewer requests for review and appeal on the denial of financial incentives.</p>

**Reporting:**

One Time Report

Multiple Reporting Years:

1 of 3 yrs (2018-2020)

**2018 Discussion:**

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

**2018 Conclusion:**

Next reporting Q2-2019.

**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 had 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:**

One Time Report

Multiple Reporting Years:

1 of 3 yrs (2018-2020)

**2018 Discussion:**

For this period, the Assessment Department advises that 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.

**2018 Conclusion:**

Next reporting Q2-2019.