GENERAL REQUIREMENTS

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G29.0 Aircraft Operations – Jurisdiction

Issued August 1999; Editorial Revision April 6, 2020; Editorial Revision September 30, 2021

Regulatory excerpt

Section 2 of the *Workers Compensation Act* ("*Act*") states, in part:

> Subject to section 3, the OHS provisions apply to
>
> (a) every employer and worker whose occupational health and safety are ordinarily within the jurisdiction of the government of British Columbia,
>
> (b) the government of British Columbia and every agency of that government, …

Purpose of guideline
The purpose of this guideline is to provide general guidance on the limits to WorkSafeBC's prevention jurisdiction over aircraft operations, resulting from the constitutional division of powers between the federal and provincial governments.

Federal government jurisdiction
Workers who are employed by federally-regulated employers, or performing work that has a high degree of functional integration with a federally-regulated aeronautics operation, will normally fall under federal jurisdiction.

The federal government generally has jurisdiction over the operation of aircraft, the aircraft's equipment, navigation, and crewing, including workers on the ground solely engaged in attaching or detaching loads from the aircraft.

WorkSafeBC's jurisdiction
WorkSafeBC's jurisdiction covers the safety of other workers on the ground where an aircraft is used in a provincially regulated business.

Some of the matters dealt with by Part 29 of the *OHS Regulation* ("*Regulation*") will be to a large extent under the control of the owner or pilot of the aircraft who is outside WorkSafeBC's jurisdiction. For example, the flying of loads over workers as prohibited by section 29.9 of the Regulation and the load that an aircraft can safely lift under section 29.15 of the Regulation fall in this category. In such situations, the employer who hires the aircraft company, or the owner or prime contractor where there is more than one employer at the workplace, should coordinate the work to ensure that these provisions are complied with. Refer to section 24 of the *Act* and section 26.2 of the *Regulation* for further information.

G29.3 Pre-job planning and training

Issued August 1999

Regulatory excerpt
Section 29(3) of the *OHS Regulation* ("Regulation") states:

> (3) The employer must
>
> (a) provide written safe work procedures for workers who are exposed to hazards from aircraft operations,
>
> (b) ensure that workers are provided with adequate pre-job instruction and that the instruction is documented, and
>
> (c) ensure that workers can demonstrate the ability to safely perform their tasks as required.

Purpose of guideline
The purpose of this guideline is to explain the requirement that pre-job instruction be documented.

Instruction
Adequate pre-job instruction, as required by section 29(3) of the *Regulation*, should include orientation of the worker to the written safe work procedures; followed by instruction and initial supervision on the job.

The type and length of the training provided will depend on the job to be done and the workerâ€™s previous experience.

Documentation
All parts of the training process must be documented. The documentation may consist of signed acknowledgments by workers, notes kept by supervisors, or other training records.

An employer at a remote worksite may not have all the documentation at that site. WorkSafeBC prevention officers may consider whatever documentation the employer has but, if insufficient, may ask the employer to produce the documentation at another time and place.

G29.5 Communications

Issued August 1999

Regulatory excerpt
Section 29.5(1) of the *OHS Regulation* ("*Regulation*") states:

> (1) The employer must ensure that effective communication between air and ground crews has been established before initiating airlift operations.

Purpose of guideline
The purpose of this guideline is to describe good practices for ensuring effective communication as required in section 29.5(1) of the *Regulation*.

Safeguards for effective communication
The following safeguards should be in place to ensure effective communication:

- If an operation uses several radio channels or frequencies, they should be coordinated or adjusted to ensure continued uninterrupted communication
- Management should ensure ground workers identify aircraft when giving airlift direction to aircrews.
- Pilots should acknowledge ground crew directions before airlifts are initiated

G29.12 Unstable materials

Issued August 1999; Retired May 31, 2021