

2021/11/24-01

**WORKERS' COMPENSATION BOARD  
("WorkSafeBC")**

**RESOLUTION OF THE BOARD OF DIRECTORS**

**RE: Changes to Policy Consequential to Amendments to the *Occupational Health and Safety Regulation***

**WHEREAS:**

Pursuant to section 110(1) of the *Workers Compensation Act*, R.S.B.C. 2019, c.1 (*Act*), WorkSafeBC may make regulations it considers necessary or advisable in relation to occupational health and safety and occupational environment;

**AND WHEREAS:**

Pursuant to section 319 of the *Act*, the Board of Directors of WorkSafeBC must set and revise as necessary the policies of the Board of Directors, including policies respecting occupational health and safety, compensation, rehabilitation and assessment;

**AND WHEREAS:**

Part 16 of the *Occupational Health and Safety Regulation (OHSR)* establishes occupational health and safety regulatory requirements for mobile equipment, and Part 26 of the *OHSR* establishes occupational health and safety regulatory requirements for forestry operations and similar activities;

**AND WHEREAS:**

Pursuant to Resolution 2021/04/27-01, the Board of Directors approved amendments to Parts 16 and 26 of the *OHSR*;

**AND WHEREAS:**

To reflect the amendments to Parts 16 and 26 of the *OHSR*, the Policy, Regulation and Research Division (PRRD) made housekeeping changes to remove policy statements from the four Items of the *Prevention Manual* which provide guidance on the application of Parts 16 and 26 of the *OHSR*, effective September 1, 2021;

**AND WHEREAS:**

The four Items in the *Prevention Manual* which provide guidance on Parts 16 and 26 of the *OHSR* are now duplicative to the amended provisions of the *OHSR* and should therefore be deleted;

**AND WHEREAS:**

The PRRD presented this issue to the Policy and Practice Consultative Committee at its September 2021 meeting for consultation and feedback;

**THE BOARD OF DIRECTORS RESOLVES THAT:**

1. The following Items of the *Prevention Manual* are deleted in their entirety, as set out in Appendix 1:
  - R16.25-1, *General Requirements – Operation and Maintenance (Fuel Tank Filler and Vent Outlet Locations)*
  - R16.33-1, *Guards – Protective Structures (Hydraulic Excavators)*
  - R16.34-1, *Guards – Rollover Protective Structures (Pipe Layers)*
  - R16.36-1, *Guards – ROPS Certification (Sweep Arms)*
2. This resolution is effective February 1, 2022.
3. This resolution constitutes a policy decision of the Board of Directors.

I, Jeff Parr, hereby certify for and on behalf of the Board of Directors of WorkSafeBC that the above resolutions were duly passed at a meeting of the Board of Directors hosted in British Columbia on November 24, 2021.

*Original signed by Jeff Parr*

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JEFF PARR

Chair, Board of Directors

Workers' Compensation Board

## APPENDIX 1

**WORK SAFE BC**

## PREVENTION MANUAL

<b>RE:</b> <del>Mobile Equipment –</del> <del>General Requirements – Operation and Maintenance</del> <del>(Fuel Tank Filler and Vent Outlet Locations)</del>	<b>ITEM:</b> <del>R16.25-1</del>
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### **BACKGROUND**

#### **1. ~~Explanatory Notes~~**

~~Section 16.25 sets out restrictions for a fuel tank fill point or vent opening within an enclosed cab of mobile equipment.~~

#### **2. ~~The OHSR~~**

~~Section 16.25:~~

~~A fuel tank fill point or vent opening is not permitted within an enclosed cab of mobile equipment.~~

### **POLICY**

~~See section 16.25 of the OHSR.~~

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**EFFECTIVE DATE:** ~~September 1, 2021~~

**AUTHORITY:** ~~Section 16.25 of the OHSR.~~

**CROSS REFERENCES:**

**HISTORY:** ~~September 1, 2021 – Housekeeping changes to reflect changes to the OHSR.~~

~~April 6, 2020 – Housekeeping changes.~~

~~September 15, 2010 – Housekeeping changes to update OHSR provisions due to repeal of Section 16.3(4), delete practice reference and make formatting changes.~~

~~Replaces Policy No. 26.02-3 of the Prevention Division *Policy and Procedure Manual*.~~

**APPLICATION:** ~~This Item results from the 2000/2001 “editorial” consolidation of all prevention policies into the *Prevention Manual*. The POLICY in this Item merely continues the substantive requirements of Policy No. 26.02-3, as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 26.02-3 was issued.~~

<b>RE: <del>Mobile Equipment –</del></b> <b><del>Guards – Protective Structures</del></b> <b><del>(Hydraulic Excavators)</del></b>	<b>ITEM: <del>R16.33-1</del></b>
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## **BACKGROUND**

### **1. ~~Explanatory Notes~~**

~~Section 16.33 sets out requirements for protection of operators of mobile equipment from various hazards.~~

### **2. ~~The OHSR~~**

~~Section 16.33(2):~~

~~Operators of mobile equipment, and any other riders of mobile equipment authorized by section 16.8, must be protected against any reasonably foreseeable hazards from falling, flying or intruding objects or materials, or tipovers, by means of cabs, windows, screens, grills, shields, deflectors, guards or structures on the mobile equipment that~~

~~(a) are designed and installed to provide an adequate view for the operator to safely use the mobile equipment, and~~

~~(b) meet the requirements of~~

~~(i) at least one of the following standards, if the mobile equipment is in the scope of the standard:~~

~~(A) CSA Standard B352.0-16, Rollover protective structures (ROPS), falling object protective structures (FOPS), operator protective structures (OPS), and tip-over protective structures (TOPS) for mobile machinery—General Canadian requirements;~~

~~(B) Society of Automotive Engineers (SAE) Recommended Practice J1356 MAR2013, Performance Criteria for Falling Object Guards for Excavators;~~

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~~(C) SAE J2267 APR2007 Minimum Performance Criteria for Operator Front Protective Structures (OFPS) for Certain Equipment;~~

~~(D) ANSI/UL 752, Standard for Bullet-Resisting Equipment, 11th edition (with revisions up to and including December 11, 2015);~~

~~(E) WorkSafeBC G601 Standard — Heavy Duty Backstops for Logs and Rocks, set out in Schedule 16-A of this Part;~~

~~(F) WorkSafeBC G603 Standard — Heavy Duty Guards for Windows, set out in Schedule 16-B of this Part;~~

~~(G) WorkSafeBC G604 Standard — Light Duty Guards for Windows, set out in Schedule 16-C of this Part, or~~

~~(ii) an earlier version of at least one of the standards set out in subparagraph (i) (A) to (D), if the earlier version applied to the cabs, windows, screens, grills, shields, deflectors, guards or structures on the mobile equipment on the date of manufacture of the mobile equipment.~~

## POLICY

See section 16.33 of the *OHSR*.

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**EFFECTIVE DATE:** \_\_\_\_\_ September 1, 2021  
**AUTHORITY:** \_\_\_\_\_ Section 16.33 of the *OHSR*.  
**CROSS REFERENCES:** \_\_\_\_\_  
**HISTORY:** \_\_\_\_\_ September 1, 2021 — Housekeeping changes to reflect changes to the *OHSR*.  
April 6, 2020 — Housekeeping changes.  
September 15, 2010 — Housekeeping changes to delete practice reference and make formatting changes.  
March 1, 2005 — Housekeeping changes to reflect the October 29, 2003 changes to the *OHSR*. This Item originally replaced Policy No. 26.16(1) of the former Prevention Division *Policy and Procedure Manual*.  
October 29, 2003 — The reproduction of section 16.21(2) of the *OHSR* in this Item was revised to reflect its amendment.

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~~This Item results from the 2000/2001 “editorial” consolidation of all Prevention policies into the *Prevention Manual*. The POLICY in this Item merely continues the substantive requirements of Policy No. 26.16(1), as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 26.16(1) was issued.~~

**APPLICATION:** ~~This policy applies to protective structures for hydraulic excavators on and after April 1, 2001.~~

<b>RE: <del>Mobile Equipment –</del></b> <b><del>Guards – Rollover Protective Structures</del></b> <b><del>(Pipe Layers)</del></b>	<b>ITEM: R16.34-1</b>
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## **BACKGROUND**

### **1. Explanatory Notes**

~~Section 16.34 requires mobile equipment to be used with a rollover protection structure unless it is a snowmobile, ATV or other mobile equipment designed for a standing operator or with a straddle seat, a golf cart, or a risk assessment respecting the mobile equipment determines there is no, or only a minimal, risk of rollover. Included in the list of equipment requiring a written risk assessment are pipe layers.~~

### **2. The OHSR**

~~Section 16.34(2):~~

~~Mobile equipment must be used with a ROPS unless~~

~~(a) the mobile equipment is~~

~~(i) a snowmobile, ATV or any other mobile equipment designed for a standing operator or with a straddle seat, or~~

~~(ii) a golf cart, or~~

~~(b) a qualified person has completed a rollover risk assessment respecting the mobile equipment and determined there is no, or only a minimal, risk of rollover.~~

~~Section 16.34(3), in part:~~

~~A rollover risk assessment and determination referred to in subsection (2)(b) must be in writing if the assessment and determination pertains to one of the following types of mobile equipment:~~

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- (a) ~~tractors, dozers, loaders, skidders, trenchers, graders, scrapers, roller compactors, pipe layers and rough terrain lift trucks;~~

### **POLICY**

See section 16.34 of the *OHSR*.

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<b>EFFECTIVE DATE:</b>	<del>September 1, 2021</del>
<b>AUTHORITY:</b>	<del>Section 16.34 of the <i>OHSR</i>.</del>
<b>CROSS REFERENCES:</b>	
<b>HISTORY:</b>	<del>September 1, 2021 – Housekeeping changes to reflect changes to the <i>OHSR</i>.</del> <del>April 6, 2020 – Housekeeping changes.</del> <del>September 15, 2010 – Housekeeping changes to delete practice reference and make formatting changes.</del> <del>Replaces Policy No. 26.16(3)(b) of the Prevention Division <i>Policy and Procedure Manual</i>.</del>
<b>APPLICATION:</b>	<del>This Item results from the 2000/2001 “editorial” consolidation of all Prevention policies into the <i>Prevention Manual</i>. The POLICY in this Item merely continues the substantive requirements of Policy No. 26.16(3)(b), as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 26.16(3)(b) was issued.</del>



<b>RE: <del>Mobile Equipment –</del></b> <b><del>Guards – ROPS Certification</del></b> <b><del>(Sweep Arms)</del></b>	<b>ITEM: <del>R16.36-1</del></b>
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## **BACKGROUND**

### **1. ~~Explanatory Notes~~**

~~Section 26.54.1 sets out the requirements for replacement or recertification of ROPS when there may be structural damage to the sweep arm attached to a ROPS on a skidder.~~

### **2. ~~The OHSR~~**

~~Section 26.54.1:~~

~~If a sweep arm attached to a ROPS on a skidder is bent or deformed, prior to the use of the skidder~~

~~(a) a qualified person must determine whether the ROPS may be structurally damaged as a consequence of the damage to the sweep arm, and~~

~~(b) if the ROPS may be structurally damaged, the ROPS must either be~~

~~(i) recertified by the manufacturer or a professional engineer as meeting the requirements of section 16.36, or~~

~~(ii) replaced.~~

## **POLICY**

~~See section 26.54.1 of the OHSR.~~

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**EFFECTIVE DATE:** September 1, 2021  
**AUTHORITY:** Section 26.54.1 of the *OHSR*.  
**CROSS REFERENCES:** Section 16.36 of the *OHSR*.  
**HISTORY:** September 1, 2021 – Housekeeping changes to reflect changes to the *OHSR*.  
April 6, 2020 – Housekeeping changes.  
September 15, 2010 – Housekeeping changes to delete practice reference and make formatting changes.  
Replaces Policy No. 26.16(2)-2 of the Prevention Division *Policy and Procedure Manual*.  
**APPLICATION:** This Item results from the 2000/2001 “editorial” consolidation of all prevention policies into the *Prevention Manual*. The POLICY in this Item merely continues the substantive requirements of Policy No. 26.16(2)-2, as they existed prior to the Effective Date, with any wording changes necessary to reflect legislative and regulatory changes since Policy No. 26.16(2)-2 was issued. The references to specific brand names in Policy No. 26.16(2)-2 have been deleted as not being appropriate for inclusion in policy.