

COCA WCB Update #394 April 7, 2008

**Council of Construction Associations**

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**WorkSafeBC Public Hearings Need Your Input!**

COCA participated in the consultation process on these proposed Regulations. As a result of COCA's input, with support from COCA's member associations, WorkSafeBC has changed the construction proposals that were in the Draft.

It is important now to go to the Public Hearings to support the changes that have been made. If WorkSafeBC only hears from those who oppose the COCA position, the positive changes that were made could be jeopardized.

These changes benefit construction industry while providing fair and balanced regulation.

The main changes that have resulted are:

4.81 Environmental Tobacco Smoke; these changes are made to bring the Regulation in to harmony with the recently passed amendments to the Tobacco Control Act. The changes place further limits on smoking, including the following: "It is proposed to delete section 4.82(1) as it provides requirements for designated smoking areas, which will no longer be permitted pursuant to the TCA and TCR. Section 4.82(1) is proposed to be replaced with new section 4.82(1) which lists the exceptions to the requirement in proposed new section 4.81(c)."

14.137.1 Cranes and Hoists; the proposal to broaden the definition of a "critical lift" has been withdrawn because it was judged to be not practical.

Instead, WorkSafeBC proposes to specify that a crane operator must be able to focus on his duties. This is instead of a recommendation from a Coroner's Jury that wanted the supervisor to play a role in this operation – which would have been confusing and less productive.

This seems reasonable.

Section 14.63.1 is withdrawn. This is an important change. This proposal by WorkSafeBC would have required two brake systems (including expensive retrofitting on existing cranes) on hoist drums operated with friction controls. WorkSafeBC agreed with the recommendation from COCA to withdraw this proposal because it was impractical and offered no greater degree of safety. The proposal, as noted, would have required the retrofitting of all crane hoist drums with a new second braking system, at a cost of at least \$8,000 per hoist drum.

The result of this deletion is a substantial saving to our industry.

## 17.1 Transportation of Workers

This regulation effects primarily contractors who transport workers in company vehicles, usually while in more areas remote from urban centres. (The regulation impacts all industry, but was written as a result of fatal accidents involving farm labourer transportation vehicles; 15 passenger vans which had no seat belts were the major problem. School buses, which have not normally been fitted with seat belts, are exempt from the proposed regulation.

## Part 20, Construction, Excavation and Demolition; and Part 22, Underground Workings

This set of proposed changes would require proper planning, construction, use and maintenance of fills and stockpiles of materials.

Part 22, Underground Workings, relating to the accommodation of tunnel boring and cut and cover excavation methods.

This set of proposed changes would provide greater flexibility to contractors engaged in tunnel boring and cut and cover operations. These operations are of lower hazard and the less stringent requirements for them are fair and reasonable. We support these changes.

## **Details of the May-June 2008 public hearing**

The public hearings will provide stakeholders with an opportunity to comment on the proposed regulatory amendments. WorkSafeBC welcomes your feedback on the amendments either through written submissions or participation at the oral public hearings. All feedback received will be presented to the Board of Directors of WorkSafeBC for their consideration.

Written submissions will be accepted until 4:30 pm on Friday, June 13, 2008.

The public hearings are scheduled, as follows:

City	Date	Location
Prince George	May 22, 2008	Coast Inn of the North 770 Brunswick Street Prince George, BC V2L 2C2
Richmond	May 26, 2008	Executive Airport Plaza Hotel & Conference Centre 7311 Westminster Hwy Richmond, BC V6X 1A3
Kelowna	June 3, 2008	Conference Centre at the Best Western Hotel 2400 Highway 97 North Kelowna, BC V1X 4J1
Victoria	June 5, 2008	Royal Scot Suite Hotel 425 Quebec Street Victoria, BC V8V 1W7
Fort St. John	June 10, 2008	Quality Inn Northern Grand 9830 - 100 Avenue Fort St. John, BC V1A 2Y6
Cranbrook	June 12, 2008	Best Western Cranbrook Hotel 1019 Cranbrook St. N.

Session times: 3:00 p.m. to 5:00 p.m.  
7:00 p.m. to 9:00 p.m.

## **To register to make an oral presentation at the public hearing**

Registration is required if you would like to participate in the public hearing. To register, please call 604-232-7744 or toll free in BC at 1-866-614-7744. One presentation from an organization or individual will be permitted.

The amount of time allotted per person or organization will be up to 10 minutes per regulatory amendment package, and up to 20 minutes for comments on multiple amendment packages.

When registering, please have the following information available:

Name of presenter

Whether you represent a worker or employer

Whether you are presenting on your own behalf or on behalf of an organization (please provide the name of the organization)

Public hearing location you wish to make your presentation

Preferred session time (afternoon or evening)

E-mail address

Contact telephone number

Confirmation of the hearing time will be sent to you after registration.

## **To make a written submission**

Please include the following information in your written submission:

Name of submitter(s)

Whether you are submitting on your own behalf or on behalf of an organization (please provide the name of the organization)

Whether you represent a worker or employer

Your comments that are specific to sections of the proposed regulatory amendments

Whether you generally agree, are generally neutral, or generally disagree with the proposed regulatory amendments and why

Submissions can be made via the online survey or by mail, e-mail, or fax as follows:

by online survey: feedback via online survey ([see proposed amendments](#))

by mail: WorkSafeBC  
Workers' Compensation Board of British Columbia  
Prevention Policy & Regulation Review Department  
Policy and Research Division  
P.O. Box 5350 Station Terminal  
Vancouver BC V6B 5L5

by e-mail: [Regquery@ worksafebc.com](mailto:Regquery@worksafebc.com)

by fax: 604-279-7599 or toll-free in BC 1-877-279-7599

Written submission can also be delivered to the public hearing locations during the public hearing sessions.

Written submissions and transcripts from the oral presentations will be posted on WorkSafeBC's website after the public hearing process is completed. Submissions are releasable under the *Freedom of Information and Protection of Privacy Act*.