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COCA Update on WorkSafeBC Activities #562 August 19, 2013

Construction Industry Input Requested

WorkSafeBC has released proposed amendments to five Occupational Health & Safety Regulations.

It would be very helpful to have input from the Construction Industry to determine the practicality of the proposed changes.

COCA will be preparing Draft responses to the WSBC proposals but your input in advance of that would help to frame the response.

The changes can be briefly summarized as follows:

1. **TITLE: Repealed Acts**

Part 5, Chemical Agents and Biological Agents Section 5.3, Application Section 5.27,
Ignition sources

These are administrative changes – with no significance -- to change the names of two related Acts that have been appealed.

2. **TITLE: SILICA**

OVERVIEW

Part 6, Substance Specific Requirements New sections

This proposal is substantial and COCA has concerns about the impact of the proposed Risk Assessment; measurement and laboratory analysis. The current Occupational Health & Safety Regulation does not contain specific provisions for safe work procedures for silica.

The WorkSafeBC Draft Regulation overview explains that:

“Silica dust is absorbed through the lungs and can cause thickening and scarring of the lung tissue, restricting a person’s ability to breathe. Occupational exposure usually occurs via inhalation of dust containing respirable crystalline silica that is generated when grinding stone or concrete, cutting bricks or tiles, hauling gravel, and sweeping up the remains.”

The Draft Regulation contains provisions for Silica that are similar for asbestos in the Occupational Health & Safety Regulation.

The proposed new sections include:

- definitions,
- assessment of risk to health created by work involving exposure to dust
- containing respirable crystalline silica,
- prevention or control of exposure,
- use of control measures,
- maintenance, examination and testing of control measures,
- monitoring exposure at the workplace,
- instruction and training for persons who may be exposed, and
- emergency procedures.

3. TITLE: Movable Work Platforms

OVERVIEW

Part 13, Ladders, Scaffolds and Temporary Work Platforms Section 13.32, Work in high risk situations

The Draft Regulation proposal explains that:

Currently, section 13.32 of the Occupational Health and Safety Regulation (“OHSR”) requires that, before a swing stage, boatswain’s (or bosun’s) chair or portable powered platform is used in any of the situations listed in section 13.32, an engineer must certify that the design, installation and proposed use of the equipment meets the requirements of *CSA Standard Z271-98 (R2003) Safety Code for Suspended Elevating Platforms*.

A new edition of this standard (i.e., *CSA Standard Z271-10*) is now available. WorkSafeBC has received requests from professional engineers to certify to this new edition, as it provides greater clarity on a number of issues.

The WSBC proposal does not specify what changes are contained within the new CSA Standard. Grant has requested the specifics of the changes.

4. TITLE: Gang Form Inspection

OVERVIEW

Part 20, Construction, Excavation and Demolition Section 20.26, Inspections

The Draft Regulation proposal explains that:

Gang forms may be reused on a jobsite with or without changes to how the gang

form is supported, depending on the application. Employers are interpreting that changes to the supporting elements are simply a change in the method of erection, not gang form design, and therefore do not require a new inspection by a professional engineer. This presupposes that changes to the method of erection are not a gang form modification, and, that the supporting elements are not part of the gang form design.

However, a deviation from the intended method of erection may result in the forms being unstable when concrete is poured. To ensure the safe use of gang forms, an engineer should certify a modification to the gang form design or the method of erection.

5. TITLE: Rope Access

OVERVIEW

(New) Part 34 Rope Access (with consequential amendments to Part 11 Fall Protection)

The Draft Regulation proposal explains that:

Occupational rope access is a specialized technique for work positioning and rescue where a worker is intentionally and directly suspended on ropes at height, often as a versatile, economically efficient alternative to scaffolding or swing stages.

Fall protection in Part 11 addresses falls but not while using rope access systems. Therefore, variances from Part 11 must be obtained by rope access firms in order to operate legally. Between November 2009 and February 2012, twenty-seven variances were applied for. A new Part is required to lay out the specialized standards and requirements needed for rope access training, safe work practices, and equipment.

Rope access equipment tends to be of the rescue, recreational or mountaineering type, designed and manufactured to European (EN) and National Fire Protection (NFPA) standards. It is sometimes excluded from the scope of the CSA and ANSI standards referenced in section 11.5 (c). It is also apparent that there is a range in calibre of training provided before rope access workers are put on the job, and therefore a range in calibre of protection afforded to them.

This regulatory gap could be addressed by adding a new Part 34 Rope Access to the OHSR; in 2009, Alberta added Part 41 Work Requiring Rope Access to its OHS Code.

The changes would ensure that there are regulatory requirements covering all rope-borne, work-at-height systems. Stakeholders would not need to contact WorkSafeBC for variances.

The complete proposed amendments can be viewed online at:

http://www.worksafebc.com/regulation_and_policy/public_hearings/2014ProposedAmendments/default.asp