

Submission to WORKSAFEBC on the proposed amendments to Part 18 of the *Occupational Health and Safety Regulation* ("OHSR")

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Proposed changes to Part 18 of the *Occupational Health and Safety Regulation* provide expanded descriptions of requirements regarding occupational health and safety and traffic control in the province. It's the position of the BCCSA that further expansion of subsection 18.6.2, Traffic Control Person Training, is essential to maintain the confidence of employer members that all Traffic Control Person's Program (TCPP) training providers will meet the rigorous standards outlined in a quality assurance program and that all such training will be delivered to the same level of service currently offered.

For almost 20 years, BCCSA and its predecessor organizations have developed course content and managed training delivery for British Columbia's TCPP, the single certification required for all construction workers involved in high-risk traffic control. The current quality assurance standards applied by BCCSA to TCPP trainers have evolved over the more than 20 years since the provincial government identified the need for a unified TCPP curriculum and administration of the training program. The resulting program delivered by BCCSA includes several elements based on an unwritten understanding between government, industry stakeholders and the Alliance.

The proposed revisions to the regulations provide an opportunity to make those implicit understandings explicit in three specific areas. BCCSA proposes:

- 1. That a detailed and rigorous quality assurance program for trainers must be part of the delivery of any TCPP training program and explicitly referenced in regulations.**

BCCSA continues to maintain a network of arms-length TCPP trainers who must meet the quality assurance standards established by convention in the province as reflected in the current guideline that states: "WorkSafeBC considers only the B.C. Construction Safety Alliance training to be training in a manner acceptable to WorkSafeBC."

Subsection 18.6.2 seeks to make that implicit quality assurance program explicit through the following addition to the regulations:

18.6.2

(2) The training program referred to in subsection (1) must include theory and practical competency assessments developed based on

- (a) analysis of the knowledge, skills, abilities and other characteristic required to perform the job, and
- (b) criteria for training and certification contained in any of the following:
 - (i) ISO/IEC 17024: 2012; Conformity Assessment – General Requirements for Bodies Operating Certification of Persons;
 - (ii) ANSI/ICE 1100: 2019(E), Standard for Assessment-Based Certificate Programs;
 - (iii) ASTM International ASTM E2659 - 18, Standard Practice for Certificate Programs;
 - (iv) CAN/CSA Z1001-18, Occupational health and safety training;
 - (v) another standard acceptable to the Board.

BCCSA supports the inclusion of the appropriate ISO/IEC, ANSI/ICE, ASTM and CAN/CSA standards in the regulations. However, we believe that the wording of this subsection doesn't go far enough, requiring only that training providers adopt TCPP quality assurance requirements *contained in* those standards. Using this wording, TCP training providers might be encouraged to self-assess their own quality assurance standards for TCP trainers.

Instead, we propose that new language be adopted **that explicitly requires all TCPP training providers to achieve and demonstrate third-party certification under those standards, and to maintain that certification as required.**

2. That all TCPP training must be provided universally, anywhere in the province, wherever it is requested and that this requirement must be explicitly referenced in regulations.

Also implicit in the delivery of the TCPP program by BCCSA is the requirement that training must be made available anywhere in the province, not only in select market areas.

If regulations regarding the provision of TCPP training are made more explicit, **it is our position that the requirement for province-wide training also be made explicit in the regulations.**

3. That any funding for TCPP training providers derived from employer premiums must be provided only to training organizations independent of the industry they serve.

The evolution of BCCSA's TCPP was achieved through the investment of more than \$7 million in employer premiums and thousands of hours of stakeholder involvement. That understanding is implicit among the Alliance's employer members who count on the training currently delivered by BCCSA under contract to WorkSafeBC.

The proposed changes to the regulation do not explicitly state that employer premiums *will not* be used to support additional TCPP training by training organizations who are also members of the target training client group.

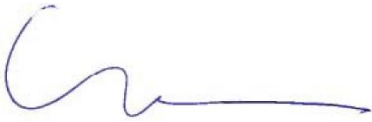
Should employer contributions be diverted to training providers with a direct interest in the sector for which they intend to provide training, employers face a scenario under which they may unwillingly fund the training efforts of their direct competitors in the industry.



It is our position that any revised regulations should include language that **explicitly guarantees that employer premiums will not be used to fund the TCPP training activities developed or delivered by their competitors.**

BCCSA supports efforts to expand and codify the regulations governing the content and delivery of TCPP training in the province. These revisions will be much more effective if they also define the requirements for third-party trainer certification, and the provision of universal training — as well as guaranteeing that employer contributions will not be used against the self-interest of the employers who provide them.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mike McKenna', with a long horizontal stroke extending to the right.

Mike McKenna
Executive Director
BCCSA



