

## Preparation Safety Orientation

### Young and New Workers

#### 3.22 Definitions

In sections 3.23 to 3.25:

"*new worker*" means any worker who is

- (a) new to the workplace,
- (b) returning to a workplace where the hazards in that workplace have changed during the worker's absence,
- (c) affected by a change in the hazards of a workplace, or
- (d) relocated to a new workplace if the hazards in that workplace are different from the hazards in the worker's previous workplace;

"*young worker*" means any worker who is under 25 years of age.

#### 3.23 Young or new worker orientation and training

- (1) An employer must ensure that before a young or new worker begins work in a workplace, the young or new worker is given health and safety orientation and training specific to that young or new worker's workplace.
- (2) The following topics must be included in the young or new worker's orientation and training:
  - (a) the name and contact information for the young or new worker's supervisor;
  - (b) the employer's and young or new worker's rights and responsibilities under the *Workers Compensation Act* and this Regulation including the reporting of unsafe conditions and the right to refuse to perform unsafe work;
  - (c) workplace health and safety rules;
  - (d) hazards to which the young or new worker may be exposed, including risks from robbery, assault or confrontation;
  - (e) working alone or in isolation;
  - (f) violence in the workplace;
  - (g) personal protective equipment;
  - (h) location of first aid facilities and means of summoning first aid and reporting illnesses and injuries;
  - (i) emergency procedures;
  - (j) instruction and demonstration of the young or new worker's work task or work process;
  - (k) the employer's health and safety program, if required under section 3.1 of this Regulation;
  - (l) WHMIS information requirements set out in Part 5, as applicable to the young or new worker's workplace;
  - (m) contact information for the occupational health and safety committee or the worker health and safety representative, as applicable to the workplace.

### 3.24 Additional orientation and training

An employer must provide a young or new worker with additional orientation and training if

- (a) workplace observation reveals that the young or new worker is not able to perform work tasks or work processes safely, or
- (b) requested by the young or new worker.

### 3.25 Documentation

An employer must keep records of all orientation and training provided under sections 3.23 and 3.24.

### 3.14 Definitions

In this section and in sections 3.15 to 3.21,

*"first aid"* means

- (a) in cases in which a person will need medical treatment, treatment for the purpose of preserving life and minimizing the consequences of injury until medical treatment is obtained, and
- (b) treatment of minor injuries that would otherwise receive no medical treatment or that do not need medical treatment;

*"first aid attendant"* means a person who holds a valid first aid certificate issued by the Board or by a person recognized by the Board and who is designated as a first aid attendant by the employer;

*"injured worker"* means a worker who suffers an injury during work;

*"injury"* includes an occupational disease or illness;

*"medical certificate"* means a report in a form acceptable to the Board from a physician registered under the *Medical Practitioners Act* as to a person's fitness to perform the functions of a first aid attendant.

### 3.16 Basic requirements

(1) The employer must provide for each workplace such equipment, supplies, facilities, first aid attendants and services as are adequate and appropriate for

- (a) promptly rendering first aid to workers if they suffer an injury at work, and
- (b) transporting injured workers to medical treatment.

(1.1) The type and quantity of equipment, supplies, facilities, first aid attendants and services referred to in subsection (1) must be no less than is required by Schedule 3-A.

(1.2) The quality, maintenance and use of equipment, facilities and methods of transportation referred to in this section must be acceptable to the Board.

(2) For the purpose of complying with subsection (1), the employer must conduct an assessment of the circumstances of the workplace, including

- (a) the number of workers who may require first aid at any time,
- (b) the nature and extent of the risks and hazards in the workplace, including whether or not the workplace as a whole creates a low, moderate or high risk of injury,
- (c) the types of injuries likely to occur,
- (d) any barriers to first aid being provided to an injured worker, and

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- (e) the time that may be required to obtain transportation and to transport an injured worker to medical treatment.
- (3) The employer must review the assessment under subsection (2)
  - (a) within 12 months after the previous assessment or review, and
  - (b) whenever a significant change affecting the assessment occurs in the employer's operations.
- (4) First aid equipment, supplies and facilities must be kept clean, dry and ready for use, and be readily accessible at any time a worker works in the workplace.

#### **3.19 First aid records**

- (1) The employer must maintain at the workplace, in a form acceptable to the Board, a record of all injuries and exposures to contaminants covered by this Regulation that are reported or treated.
- (2) First aid records must be kept for at least 3 years.
- (3) First aid records are to be kept confidential and may not be disclosed except as permitted by this Regulation or otherwise permitted by law.
- (4) First aid records must be available for inspection by an officer of the Board.
- (5) Workers may request or authorize access to their first aid records for any treatment or report about themselves.

### **Correction of Unsafe Conditions**

#### **3.9 Remedy without delay**

Unsafe or harmful conditions found in the course of an inspection must be remedied without delay.

#### **3.10 Reporting unsafe conditions**

Whenever a person observes what appears to be an unsafe or harmful condition or act the person must report it as soon as possible to a supervisor or to the employer, and the person receiving the report must investigate the reported unsafe condition or act and must ensure that any necessary corrective action is taken without delay.

#### **3.11 Emergency circumstances**

If emergency action is required to correct a condition which constitutes an immediate threat to workers only those qualified and properly instructed workers necessary to correct the unsafe condition may be exposed to the hazard, and every possible effort must be made to control the hazard while this is being done.

### **Refusal of Unsafe Work**

#### **3.12 Procedure for refusal**

- (1) A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause

to believe that to do so would create an undue hazard to the health and safety of any person.

(2) A worker who refuses to carry out a work process or operate a tool, appliance or equipment pursuant to subsection (1) must immediately report the circumstances of the unsafe condition to his or her supervisor or employer.

(3) A supervisor or employer receiving a report made under subsection (2) must immediately investigate the matter and

(a) ensure that any unsafe condition is remedied without delay, or

(b) if in his or her opinion the report is not valid, must so inform the person who made the report.

(4) If the procedure under subsection (3) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, the supervisor or employer must investigate the matter in the presence of the worker who made the report and in the presence of

(a) a worker member of the joint committee,

(b) a worker who is selected by a trade union representing the worker, or

(c) if there is no joint committee or the worker is not represented by a trade union, any other reasonably available worker selected by the worker.

(5) If the investigation under subsection (4) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, both the supervisor, or the employer, and the worker must immediately notify an officer, who must investigate the matter without undue delay and issue whatever orders are deemed necessary.

#### 3.13 No discriminatory action

(1) A worker must not be subject to discriminatory action as defined in section 150 of Part 3 of the *Workers Compensation Act* because the worker has acted in compliance with section 3.12 or with an order made by an officer.

(2) Temporary assignment to alternative work at no loss in pay to the worker until the matter in section 3.12 is resolved is deemed not to constitute discriminatory action.

#### 4.1 Safe workplace

A workplace must be planned, constructed, used and maintained to protect from danger any person working at the workplace.

#### 4.3 Safe machinery and equipment

(1) The employer must ensure that each tool, machine and piece of equipment in the workplace is

(a) capable of safely performing the functions for which it is used, and

(b) selected, used and operated in accordance with

(i) the manufacturer's instructions, if available,

(ii) safe work practices, and

(iii) the requirements of this Regulation.

(2) Unless otherwise specified by this Regulation, the installation, inspection, testing,

- repair and maintenance of a tool, machine or piece of equipment must be carried out
- (a) in accordance with the manufacturer's instructions and any standard the tool, machine or piece of equipment is required to meet, or
  - (b) as specified by a professional engineer.
- (3) A tool, machine or piece of equipment determined to be unsafe for use must be identified in a manner which will ensure it is not inadvertently returned to service until it is made safe for use.
- (4) Unless otherwise specified by this Regulation, any modification of a tool, machine or piece of equipment must be carried out in accordance with
- (a) the manufacturer's instructions, if available,
  - (b) safe work practices, and
  - (c) the requirements of this Regulation.

#### 4.4 Conformity to standards

- (1) If this Regulation requires that a tool, machine or piece of equipment manufactured before April 15, 1998 must meet a code or standard, the tool, machine or piece of equipment must conform to the edition of the code or standard referred to in this Regulation or the edition of the code or standard published at the time the tool, machine or piece of equipment was manufactured, subject only to the modification or upgrading specified to be necessary in this Regulation or in a directive issued by the Board.
- (2) When this Regulation requires a person to comply with
- (a) a publication, code or standard of the Board or another agency, the person may, as an alternative, comply with another publication, code or standard acceptable to the Board, or
  - (b) practices, procedures or rules of the Board or another agency, the person may, as an alternative, comply with another practice, procedure or rule acceptable to the Board.

#### 4.47 Risk identification

The employer must identify factors in the workplace that may expose workers to a risk of musculoskeletal injury (MSI). .....muscle or skeleton or both.

#### 4.48 Risk assessment

When factors that may expose workers to a risk of MSI have been identified, the employer must ensure that the risk to workers is assessed.

#### 4.49 Risk factors

The following factors must be considered, where applicable, in the identification and assessment of the risk of MSI:

- (a) the physical demands of work activities, including
  - (i) force required,
  - (ii) repetition,
  - (iii) duration,
  - (iv) work postures, and
  - (v) local contact stresses;
- (b) aspects of the layout and condition of the workplace or workstation, including
  - (i) working reaches,
  - (ii) working heights,
  - (iii) seating, and

- (iv) floor surfaces;
- (c) the characteristics of objects handled, including
  - (i) size and shape,
  - (ii) load condition and weight distribution, and
  - (iii) container, tool and equipment handles;
- (d) the environmental conditions, including cold temperature;
- (e) the following characteristics of the organization of work:
  - (i) work-recovery cycles;
  - (ii) task variability;
  - (iii) work rate.

#### **4.50 Risk control**

- (1) The employer must eliminate or, if that is not practicable, minimize the risk of MSI to workers.
- (2) Personal protective equipment may only be used as a substitute for engineering or administrative controls if it is used in circumstances in which those controls are not practicable.
- (3) The employer must, without delay, implement interim control measures when the introduction of permanent control measures will be delayed.

#### **4.51 Education and training**

- (1) The employer must ensure that a worker who may be exposed to a risk of MSI is educated in risk identification related to the work, including the recognition of early signs and symptoms of MSIs and their potential health effects.
- (2) The employer must ensure that a worker to be assigned to work which requires specific measures to control the risk of MSI is trained in the use of those measures, including, where applicable, work procedures, mechanical aids and personal protective equipment.

#### **5.6 Worker education**

- (1) An employer must ensure that general WHMIS education, as it pertains to the workplace, is provided to workers on the
  - (a) elements of the WHMIS program,
  - (b) major hazards of the controlled products in use in the workplace,
  - (c) rights and responsibilities of employers and workers, and
  - (d) content required on labels and MSDSs, and the significance of this information.
- (2) The employer must ensure that a worker who works with or in proximity to a controlled product received from a supplier has access to all hazard information received from the supplier concerning that controlled product as well as any further hazard information of which the employer is aware or ought to be aware concerning the use, storage and handling of that product.
- (3) If a controlled product is produced in a workplace, the employer must ensure that a worker who works with or in proximity to that controlled product has access to all hazard information of which the employer is aware or ought to be aware concerning that product and its use, storage and handling.

#### 5.7 Worker training

- (1) An employer must ensure that a worker who works with or in proximity to a controlled product is instructed in
- (a) procedures for the safe use, storage, handling and disposal of the controlled product,
  - (b) the safe use, storage, handling and disposal of a controlled product contained or transferred in
    - (i) a pipe or a piping system including valves,
    - (ii) a process or reaction vessel, or
    - (iii) a tank car, tank truck, ore car, conveyor belt or similar conveyance,
  - (c) procedures to be followed if the controlled product escapes from equipment, or from another product, and
  - (d) procedures to be followed in case of an emergency involving a controlled product.

(2) Instruction required by subsection (1) must be specific to the workplace and cover the safe work procedures and emergency response procedures to be used in the workplace.

**Note:** Two checklists to assist with the implementation of sections 5.5 to 5.7 have been issued by the national WHMIS Current Issues Committee. They are provided in the WorkSafeBC publication *WHMIS at Work*. [[PDF 2 M](#)]

- ← The **Implementation Plan Checklist** addresses items under topics of: responsibilities, inventory, labelling/MSDSs, hazard evaluation, workplace controls, emergency procedures, education/training and program evaluation.
- ← The **Education and Training Checklist** addresses program development, instruction and follow-up.