

B.C. Ranchers

Frequently Asked Questions

What is WorkSafeBC?

WorkSafeBC is the Workers' Compensation Board of B.C. and is an independent provincial statutory agency governed by a Board of Directors. It's funded by the insurance premiums registered employers pay and by returns on investments. In administering the *Workers Compensation Act*, WorkSafeBC remains separate and distinct from government. However, it is accountable to the public, through government, in its role of protecting and maintaining the integrity of the workers' compensation system.

WorkSafeBC was born out of a compromise between B.C.'s workers and employers in 1917 where workers gave up the right to sue their employers or fellow workers for injuries on the job in return for a no-fault insurance program fully paid for by employers. WorkSafeBC is committed to a safe and healthy workplace, and to providing return-to-work, rehabilitation and legislated compensation benefits to workers injured as a result of their employment.



What is the *Workers Compensation Act*?

The *Workers Compensation Act* (the Act) is the legal document that defines WorkSafeBC's jurisdiction and its authority to make regulations, inspect workplaces, issue orders, and impose penalties. The Act also describes the rights and responsibilities of employers and workers regarding health and safety.

What is the *Occupational Health and Safety Regulation*?

The *Occupational Health and Safety Regulation* (the Regulation) describes the legal requirements that must be met by owners, prime contractors, employers, workers, supervisors, managers, and suppliers when it comes to health and safety in the workplace. The requirements for the Regulation are created under the authority of the Act.

What does a WorkSafeBC prevention officer do?

WorkSafeBC prevention officers conduct inspections at different worksites to ensure that these workplaces are complying with the Act, the Regulation, and other associated guidelines, policies, and standards. The main reasons prevention officers conduct workplace inspections are:

- Making sure the workplace is as safe as possible for you and your workers.
- Determining the cause and details of a work-related incident.
- Investigating complaints concerning health and safety issues at your workplace.

Prevention officers include occupational safety officers, occupational hygiene officers, ergonomists, and engineers.

What is considered a “worksite”?

Worksites include any location where you or your employees conduct work. This may include both interior and exterior areas of your ranch operations as well as any vehicles, vessels, or mobile equipment used for work purposes.

When may a prevention officer conduct an inspection?

Prevention officers can conduct inspections at a reasonable hour of the day or night. They may also conduct inspections at any other time if they have reasonable grounds for believing there is an immediate hazard to workers. Normal business practice is to not pre-announce an inspection.

Are prevention officers required to produce credentials?

Yes, prevention officers must produce their credentials upon request.

What can I expect as part of a typical health and safety inspection?

1. The prevention officer will introduce himself/herself to you and may request one of your workers join in on the inspection.
 - If the timing is bad, the officer may agree to an alternative date and time.
2. The officer will have a meeting with you, the supervisor, and a worker representative (if applicable) to discuss the purpose of the inspection and outline how it will proceed.
3. The officer will walk around the worksite with you and a worker representative, and assess the site for health and safety purposes, while discussing common safety hazards and risks for your particular industry.
4. The officer will provide you with a written inspection report either immediately following the inspection or within seven days of the inspection. This report will contain orders if there are health and safety issues that need to be fixed or addressed. (Note: you must post the inspection report at the worksite the officer inspected.)
5. The officer may leave you with information on how to improve your health and safety activities and how to comply if he or she issued an order.
6. If the officer issued an order, he or she will conduct a follow-up inspection to determine if the health and safety concerns were addressed.

What is an order?

A prevention officer issues an order if they notice that there are aspects of your workplace that aren't in compliance with the Act or the Regulation. The order will outline the health and safety concerns the officer observed as well as what you must do to achieve compliance. Orders are meant to clearly communicate health and safety issues so you can take steps to prevent any incidents or injuries from happening to your workers.

How long do I have to correct the violation an order was issued for?

Once an officer gives you direction to address a workplace hazard (this can be verbally, initially, and then in writing as part of an order), you must take immediate steps to address the issue and make sure your worksite is in compliance. These first steps may be temporary corrective measures until more permanent controls and changes are implemented.

What if I disagree with the order?

If you'd like more information or clarification about the order, you can contact the prevention officer who conducted the visit. If you still disagree with an order, you can ask the officer to reconsider it. You can also contact the prevention officer's regional manager to discuss the decision and ask for a reconsideration of the matter.

If you still disagree after discussing with the officer and regional manager, you can request a formal review by WorkSafeBC's Review Division. You must submit a Request for Review form to the Review Division within 90 days of the original decision being made. The Request for Review form (form 63M1) is available on worksafebc.com under "Forms" or at any WorkSafeBC office.

If you disagree with the decision of the Review Division, you can, in most cases, appeal to the Workers' Compensation Appeal Tribunal (WCAT). You must appeal within 30 days after the date the Review Division decision was made.

What is due diligence and what can I do to ensure it at my ranching operation?

Due diligence means taking all reasonable care to protect the well-being of employees (if you are an owner or employer) and co-workers (if you are a worker). To meet the standard of due diligence, you must take all reasonable precautions in the circumstances to carry out your work and your health and safety responsibilities.

One way that you can demonstrate due diligence as an employer is by implementing a health and safety program. Workers can demonstrate due diligence by following the requirements of that program – for example, using safety devices and safe work procedures, and wearing personal protective equipment. Demonstrating due diligence will help ensure your safety and the health and safety of those around you, and it can be used as a defence against penalties or prosecution when statutory requirements have allegedly been violated.

We're working with British Columbia's agriculture sector to ensure current and future workers stay safe. Find helpful industry resources at worksafebc.com/agriculture and at www.agsafebc.ca