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Ms. Anne Burch
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WorkSafeBC
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November 3, 2005

COCA Comments Re: WCB Regulation Proposals of September, 2005

Dear Ms. Burch:

Thank you for the opportunity to comment upon the proposed changes to the Occupational Health & Safety Regulation. On behalf of COCA I offer these comments.

Overview

The proposed changes are reasonable and provide better clarity. The proposals also provide the necessary updates to the standards which are referenced in the Regulation.

Part 3 Occupational Health and Safety Programs

3.1

The change corrects an inadvertent deletion that was made during the March, 2004 change to the First Aid Regulation. The proposed wording is to make it clear that an employer with 50 or more workers in various locations must have an occupational health and safety program as outlined in Regulation 3.3.

Part 6 Substance Specific Requirements

6.1 The change allows other acceptable methods for testing for the presence of asbestos fibres. The change recognizes that the WCB no longer has a testing laboratory or WCB testing methods. Instead, the Regulation would reference the NIOSH methods.

6.44 and 6.48 The change is to minor wording concerning cytotoxic drugs which permits the priming of needles containing these drugs outside of a safety cabinet.

Part 8 Respirators

These proposed changes to respirator regulation were requested by the health employers, who wanted the referenced standard to be updated from 1993 to the 2002 standard.

The changes would update the CSA standard from 1993 to the 2002 version. This updates the technical requirements for respirators. References to respirators – the disposable paper type that is no longer made – are removed.

The reference to the CSA standard which applies to SCBA in Reg. 8.37 is updated from the 1985 edition to the 2000 standard. (CSA standards are reviewed and revised at various times for different items or issues.)

The new standard requires that if the air in a SCBA cylinder has not been used for a period in excess of one year, the cylinder must be slowly depressurized and refilled according to the standard. The SCBA must be serviced and maintained by qualified persons. Records must be kept of the servicing.

The reference to single use disposable respirators is removed – they are no longer commercially available.

These changes are reasonable.

We have one strong objection. The proposed regulation calls for fit testing to be done once per year. We believe that the testing interval must be evidence-based. We have not seen the evidence that supports annual fit testing.

There is also a requirement for the worker to conduct fit checks every time the respirator is to be worn. We believe that this is a better way to ensure that a worker is not exposed to harmful material. We suggest that the WCB enforce the requirement that workers do their own fit checks before entering a contaminated area.

Part 11 Fall Protection

11.6 This clarifies that each lifeline or lanyard must be connected to an independent point of anchorage – two workers cannot tie off to the same anchor point.

The change also clarifies that the requirements apply equally to fall restraint and fall arrest systems.

11.7 The change deletes the requirements for drawings from manufacturers for temporary horizontal lifelines – recognizing that these may not exist and in any case that they are an impractical requirement.

Part 12 Tools, Machinery and Equipment

12.80 This updates the ANSI standard to the current versions. The standard is developed by the manufacturers and by certain suppliers of automotive lifts in the US and Canada.

The change would require automatic or fixed stops to prevent vehicles from rolling off the lifts. The change would require retro-fitting at a cost of \$700 to \$1,400 per lift. (This proposal is in response to the unfortunate death of a student who was fatally injured when a vehicle rolled off a lift when the student was in an automotive class.)

The changes are reasonable.

Part 13 Ladders, Scaffolds and Temporary Work Platforms

13.29 This affects lower limit travel devices for cranes, in order to prevent them from going beyond safe limits. If they are not practicable, then written safe work procedures must be used.

13.33 The proposed change would permit boom-supported elevated work platforms to be secured to a “suitable and substantial anchorage point”. This wording would accommodate anchors on this type of equipment that have been historically adequate for this application – i.e. less than 5000 pound load capacity.

Part 14 Cranes & Hoists

This removes a duplication. Regulation 14.25 is a duplication of Regulation 13.98, which was repealed on January 1, 2005. Regulation 13.28 was enacted to address double blocking.

Regulation 13.28 reads as follows:

13.28 Two-blocking

- (1) A crane or hoist used to raise a work platform on a load line must be equipped with
 - (a) a device to prevent two-blocking at all points, or

(b) in the case of a lattice boom crane, a two-blocking warning device.

(2) Despite subsection (1), a work procedure acceptable to the Board may be followed to minimize the risk of two-blocking if it is not practicable to maintain a two-blocking prevention or warning device on a conventional lattice boom crane used for pile driving and similar applications.

[Enacted by B.C. Reg. 422/2004, effective January 1, 2005.]

Part 20 Construction, Excavation and Demolition

20.13 This concerns thrust out crane landing platforms and replaces the requirement that the WCB give prior approval to any potential over-load and requires control measures to ensure that platforms are not over-loaded. (Cranes are much bigger now as compared to when this regulation was first promulgated, so the load can easily be exceeded if control measures are not in place.). This is reasonable.

20.101 The change permits, within certain criteria, the use of a secondary hoisting line on a crane to suspend workers on a work platform if no other means of accomplishing the work can be found and if this can be done safely.

I look forward to your response.

Sincerely Yours

Grant McMillan

cc Roberta Ellis