

**WORKERS' COMPENSATION BOARD** OF BRITISH COLUMBIA6951 Westminster Highway, Richmond, BC
Mailing Address: PO Box 5350, Vancouver BC, V6B 5L5
Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247**INSPECTION REPORT**WORKER AND EMPLOYER
SERVICES DIVISION

An employer who fails to comply with the Occupational Health & Safety Regulation or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act.

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2013/11/01	2013162930176	7	4000	034	841102	40.0	3.00

*The Time Recorded reflects only that time which has been charged to this inspection up until the document was printed for delivery. Subsequent time may be added for additional activity related to this inspection.

Number of Workers	Project Number	Site Visit Date	Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)
101 or more		2013/10/22	N	N	N	

Head Office	Job Site
PROVINCIAL GOVERNMENT WORKERS' COMPENSATION PROGRAMS BC PUBLIC SERVICE A PO BOX 9404 STN PROV GOVT VICTORIA BC V8W9V1	CORRECTIOIN BRITISH COLUMBIA HWY 16 EAST PRINCE GEORGE BC

Portion Inspected	INSPECTION
Violations	REFER TO ORDERS ON FOLLOWING PAGE(S)

Employer Representative Name	Accompanied by Employer Representative
JOANNE HAWKINS	MATT LAFERDY
Employer Representative Position	Accompanied by Worker Representative
WARDEN	KYLE BOULLION
Phone Number	Organization
(250) 960-3038	BCGEU LOC 112
Signature	Officer of the Board / Signature Thorp, Gordon

For Internal Use Only**Delivery Method: In Person**
-----**Regulation(s) Referenced in Inspection Text****WCA 173.(1)**



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Inspection Text

Comments issued on: November 1, 2013

A review of the order(s) cited in this inspection report has determined that further enforcement action is not necessary at this time. This decision relates only to this inspection date, location and order(s) noted on this inspection report. A follow-up inspection may occur and/or a Notice of Compliance document may be required to authenticate compliance with the order(s) noted.

Issued on: 2013/11/01

As part of the Provincial Correctional Centre Initiative, WorkSafeBC Prevention Officers Gordon Thorp, Allan Goodman, Ron Schouten, and Jeanette Campbell conducted an inspection of Prince George Regional Correctional Center (PGRCC) during the week of October 21, 2013.

The purpose of the Provincial Correctional Centre Initiative is to assist the Corrections Branch in achieving regulatory compliance with the Workers Compensation Act and the Occupational Health and Safety Regulation. The initiative focuses on the nine regional Correctional Centres in British Columbia.

A Baseline Compliance Assessment was completed at NFPC. A copy of the form used in the assessment is attached to this report in the employer's firm file. This assessment focused on 3 key areas:

- * Workplace Accountabilities and Responsibilities
- * Violence in the Workplace
- * Blood and Body Fluid Exposures.

During the completion of the assessment, the officers reviewed documentation, interviewed Corrections staff and conducted a site inspection. A worker representative from the local joint occupational health and safety committee accompanied the officers on the inspection.

Staff interviewed included various employer representatives in addition to correctional officers/supervisors from living units, central control, programs, segregation, and School District Representative. Representatives from several key contractors (Sentry Correctional Health Service and Compass/Eurest Services) were also interviewed.

On October 21- 25 a site inspection was conducted of Tactical room, Control room, Laundry, Admissions & Discharge, Female unit PLU-F, Health

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care, 4 West, 3 west tower unit , Segregation, PLU A,B&C, Kitchen, Classroom, Gymnasium, Carpentry shop, Dog program & PLU D.

The Baseline Compliance Assessment addressed the following elements:

- 1) Workplace Accountabilities and Responsibilities
 - a. Policy Statement
 - b. Inspection of Premises
 - c. Incident/Accident Investigations Required by WorkSafeBC
 - d. Supervision and Training of Workers
 - e. Joint Health and Safety Committee
 - f. Records and Statistics
 - g. Prime Contractor Responsibilities
- 2) Violence in the Workplace
 - a. Risk Assessment
 - b. Policies and Procedures
 - c. Training
- 3) Blood and Body Fluid Exposures
 - a. Exposure Control Plan
 - b. Training and Record Keeping
 - c. Waste Containers
 - d. Vaccinations
 - e. Exposure Incidents

Based on a review of the documentation submitted, information provided during worker and employer representative interviews, and observations made during the site inspection, Orders have been issued as documented on this Inspection Report.

Further to the orders issued, the employer is advised of the following:

NOTICE OF COMPLIANCE

It was discussed with the employer representatives that they are required to submit a written Notice of Compliance outlining the steps to be taken and time frame required to comply with the orders issued in this report.

A notice of compliance package will be mailed to the head office address indicated on this inspection report. Pursuant to WCA 194.(4).(b), the employer must provide a copy of the completed Notice of Compliance report to the joint committee.

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GENERAL DISCUSSION

A. JHSC Process: The JHSC Terms of Reference outlines, in part, the following:

- Appointed Union or Employer representatives in excess of an equal number shall be considered non-voting members at that meeting. The Co-Chairs will endeavor to keep equal numbers of union and Employer representatives at the meetings. It is understood that guests may attend the meeting to provide information on their area of expertise and/or responsibility; however, a committee meeting should only proceed with an equal number of voting Employer and Union representatives.

- The process outlined in the Terms of Reference "is meant to direct the Committee to cooperative resolutions to health and safety concerns, but does not preclude a Union or Co-Chair or Employer representative from contacting WorkSafeBC".

- Recommendations of the Committee shall be by the consensus of the majority of members on any issue. Majority shall mean a simple majority of voting members present.

- Recommendations shall be submitted to the Employer by use of the JHSC Recommendation Form, and signed by both Co-Chairs.

B. JHSC Dispute Resolution: The process outlined in the JHSC Terms of Reference is consistent with the WC Act which states, in part, the following:

* WCA 132 - Assistance in resolving disagreements within committee
If a joint committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to the Board, which may investigate the matter and attempt to resolve the matter.

* WCA 133 Employer must respond to committee recommendations
(1) This section applies if a joint committee sends a written recommendation to an employer with a written request for a response from the employer.

(2) Subject to subsections (4) and (5), the employer must respond in writing to the committee within 21 days of receiving the request, either

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- (a) indicating acceptance of the recommendation, or
(b) giving the employer's reasons for not accepting the recommendation.

(3) If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the Board, which may investigate and attempt to resolve the matter.

(4) If it is not reasonably possible to provide a response before the end of the 21 day period, the employer must provide within that time a written explanation for the delay, together with an indication of when the response will be provided.

(5) If the joint committee is not satisfied that the explanation provided under subsection (4) is reasonable in the circumstances, a co-chair of the committee may report this to the Board, which may investigate the matter and may, by order, establish a deadline by which the employer must respond.

Incidents that must be investigated

The JOHS committee was under the impression that an injury that occurred at the workplace as a result of a pre-existing condition, did not require an investigation. It was clarified during these discussions that all injuries resulting in medical treatment including those of pre-existing conditions, required an investigation to be completed. WCS 173 below is included below for reference.

(WCA 173.(1)) An employer must immediately undertake an investigation into the cause of any accident or other incident that:

- (a) is required to be reported by section 172,
(b) resulted in injury to a worker requiring medical treatment,
(c) did not involve injury to a worker, or involved only minor injury not requiring medical treatment, but had a potential for causing serious injury to a worker, or
(d) was an incident required by regulation to be investigated.

Documentation Provided by WorkSafeBC

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The following documents were provided to the employer representatives to assist them in complying with the orders issued.

- 1) Single -use respirators and fit test equivalency G8.40(2.1)(c)
- 2) Communicate patient information: Prevent violence-related injuries to health care and social services workers
- 3) Illustrations of acceptable and unacceptable facial hair for tight-fitting respirators - CSA Z94.4-11
- 4) Sample Respirator Program
- 5) G6.34-4 Program to inform workers of the exposure control plan
- 6) G-D10-172-1 WorkSafeBC notification of serious injuries
- 7) Policy item D10-172-1 Re: Accident Reporting and Investigation

The orders issued in this inspection report are based, in part, on the review of several documents that were requested from and provided by the employer. These documents were returned to the employer at the conclusion of this inspection. WorkSafeBC may request these documents at a later date should the need arise.

If there are any questions regarding the items noted in this Inspection Report, or to forward any documentation that may be requested in this Inspection report, please contact me by:

Faxing to: (250) 561-3710 marked Attention: Gordon Thorp or,
Emailing to: gordon.thorp@worksafebc.com or,
Mailing to: WorkSafeBC, Prince George Office,
1066 Vancouver Street,
Prince George, B.C., V2L 5M4
Attention: Gordon Thorp
Office Phone: (250) 561-3724

WorkSafeBC has a wide range of health and safety information. For assistance and information on workplace health and safety visit our website at www.worksafebc.com.

Orders

Order No.	1	Decision	AL	WCB Reference	WCA118.(2).(a)
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The employer (prime contractor) is not ensuring that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated in that:

- The employer has identified in SOP's, risk assessments and contractor

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orientation that the PAL is a control to minimize the risk of injury to workers at this site. However, we observed both major and minor contractors working in the secure area at this site who were not wearing a PAL.

- A review of the sign in sheet at reception indicates that the majority of contractors signing in for facility maintenance related work did not indicate a specific location where the work is being performed.

- The employer is not requiring identification of the contractors coming on site, contrary to the requirement of their SOP and the contractor orientation package.

- There is not an effective system to track the movement of these persons or locate them in the case of an emergency (i.e. evacuation, medical emergency).

- The employer has not ensured that the contractor conducting educational services at this facility (School District #57) has conducted a VITW risk assessment.

- It was reported that changes to inmate's medication has taken place which may result in the inmate becoming more aggressive/violent and this information was not effectively communicated to the corrections staff.

This is in contravention of the Workers Compensation Act Section 118 (2)(a).

The prime contractor of a multiple-employer workplace must ensure that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated.

The employer is ordered to develop and implement systems to identify the deficiencies identified in this order. Specifically, these systems must address:

- 1) WSI and their contractors mandatory use of PALs and their movements throughout the facility.
- 2) Ensuring contractors conducting work at this site have appropriate VITW risk assessments
- 3) The effective communication of critical information from health care to corrections staff regarding changes to inmate treatment that may result in the inmates exhibiting violent and/or aggressive behaviour towards

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correctional staff.

These systems must be documented in written procedures (SOPs) or by other similar means to ensure correctional staff are advised of these systems.

Order No.	2	Decision	AL	WCB Reference	OHS4.28.(2)(c)
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The employer has not ensured the risk assessment for the PLU-D unit, mental health liaison officer's office and the secure shop instructor work area is adequate for the location and circumstances where the work is being performed. For example:

a. The use of the washroom facility in the PLU-D unit as an interview room/office restricts the ability of this worker to be adequately monitored to ensure their safety. The size and physical layout of this office would limit safe egress in the event of aggressive behaviour by an inmate being interviewed.

b. The layout/configuration of the mental health liaison officer's office impedes the officer's ability to quickly exit the office should a violent confrontation occur in that the inmate would be positioned between the officer and the exit door. In addition, there is no window in the door to allow visual observation of this officer.

c. The officer reported that the nature of the work process in the secure shops location may require this worker to return to the shop office occasionally to conduct various duties. During these times inmates may be remaining in the yard area. However there is no ability from this office to view the in camera feed of the yard area, therefore this worker could be at risk of injury from inmate violence when exiting the building to return to the yard area. In addition, this worker is physically isolated from the main correctional centre during the course of her duties which would affect emergency response in the event of an emergency.

This is in contravention of the Occupational Health and Safety Regulation Section 4.28(2)(c).

The risk assessment must include the consideration of the location and circumstances in which work will take place.

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The employer is ordered to conduct a risk assessment in accordance with Policy Item R4.28-1 and ensure it addresses the items identified above.

The risk assessment must consider, in part, the following:

- Layout of the living unit/office/shop,
- Methods of safe access and egress that affect these areas
- Extent and nature of contact with inmates,
- Experience, skills and training of the officer(s) in each of these areas,
- Effective communication methods available to these officers.

The risk assessment must involve the JHSC and staff from these areas. Sources of information are first aid records, past injury reports, checklists and questionnaires completed by workers, reports of Board officers, expert advice or relevant publications. A visual inspection of the place of employment and the work being done must be carried out.

Order No.	3	Decision	AL	WCB Reference	OHS4.29.(b)
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The policies and procedures the employer has implemented to minimize the risk of violence may not be effective in that:

- a. The employer has identified the use of OC spray and radios as measures to minimize the risk of violence to staff on the living units. It was reported that at the end of their shifts some living unit officers are required to conduct escorts after they have transferred possession of their OC spray and radio to the relieving living unit officer. Therefore, those officers are not equipped with the appropriate and identified control devices to minimize the risk of injury from inmate violence.
- b. The employer has installed PAL locators to track the movement of staff in the facility. However, the location of the PAL locators in the corridor between 4W-Open and 4W could allow for a staff member to enter 4W-Open without their location being identified in that location. When the system was tested it identified the officer as being on the first floor when they were actually located on the fourth floor corridor at the entrance to 4W-Open. Therefore an officer operating the PAL to affect emergency assistance in 4W-Open could be incorrectly identified by control as being on the first floor, putting this officer at risk of injury from inmate violence.

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This is in contravention of the Occupational Health and Safety Regulation Section 4.29(b).

If a risk of injury to workers from violence is identified by an assessment performed under section 4.28 the employer must, if elimination of the risk to workers is not possible, establish procedures, policies and work environment arrangements to minimize the risk to workers.

The employer is ordered to:

- 1) Amend the SOPs specific to OC spray and radio use to address the deficiency noted above, and**
- 2) Conduct an assessment on the placement of the PAL locators on 4W and address the identified deficiency near 4W-Open**

Order No.	4	Decision	AL	WCB Reference	OHS4.30.(3)(b)
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The medical officer located in the health care facility has not been provided electronic access to information regarding inmates being escorted to health care. This information is available to living unit officers and is the means by which the employer informs workers of the risk of violence from inmates who have a history of violent behaviour.

This is in contravention of the Occupational Health and Safety Regulation Section 4.30(3)(b).

The employer must instruct workers who may be exposed to the risk of violence in the procedures, policies and work environment arrangements which have been developed to minimize or effectively control the risk to workers from violence.

The employer is ordered to ensure the medical officer is provided electronic access to inmate information in the health care unit. The access and type of information must to similar to that which is provided to living unit officers.

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Order No.	5	Decision	AL	WCB Reference	OHS6.34.(1)(f)
<p>The employer has developed an ECP for occupational exposure to blood and body fluids. However, the employer stated that less than 50% of staff have received training in the ECP. Furthermore, workers interviewed were not aware of their right to request a Hepatitis B vaccine (re: OHS 6.39(1)) nor were they aware of the availability of decontamination supplies as referenced in the employer's ECP.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 6.34(1)(f).</p> <p>If a worker has or may have occupational exposure, the employer must develop and implement an exposure control plan, based on the precautionary principle, that meets the requirements of section 5.54 and that includes the following:</p> <p>(f) a program to inform workers about the contents of the exposure control plan and to provide them with adequate education, training and supervision to work safely with, and in proximity to, a biological agent designated as a hazardous substance in section 5.1.1.</p> <p>The employer representative must provide all workers with training about the contents of the exposure control plan. This training must include the workers right to request Hep B vaccines as well as site specific components from the ECP such as the location of the decontamination supplies. The employer is referred to WorkSafeBC guideline "G6.34-4 Program to inform workers of the exposure control plan" for information about the topics to be covered.</p>					

Order No.	6	Decision	AL	WCB Reference	OHS8.5.(b)
<p>At least two types of respirators are in use in this facility: full-face respirators worn by ERT members and dust masks (N95 filtering face-piece respirators) used by staff when working in proximity with an inmate with known or suspected respiratory disease. The employer does not have written procedures for the selection, use, inspection, cleaning, maintenance and storage of respirators. A review of the employer's fit testing records indicated in some cases(at least 35 records), staff have been fit tested with facial hair which may interfere with the respirator seal, which is contrary to the requirements of CSA Z94.4 Section 7.1.5 (re: 8.40(2)). This is evidence that the employer has not implemented an effective</p>					

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respirator program.

This is in contravention of the Occupational Health and Safety Regulation Section 8.5(b).

If personal protective equipment is required to protect against a chemical exposure or an oxygen deficient atmosphere the employer must implement an effective protective equipment program at the workplace which includes written procedures for selection, use, inspection, cleaning, maintenance and storage of protective equipment, when required.

The employer must develop written procedures for the selection, use, inspection, cleaning, maintenance and storage of all respirators (including N95s) in use by corrections staff at this worksite. These procedures must include the requirement for workers to be clean-shaven where the respirator seals with the face during fit testing and respirator usage.

Order No.	7	Decision	AL	WCB Reference	OHS3.3.(c)
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Discussion with the employer and worker representatives indicate that black bears have been encountered on the property during perimeter prowl, garbage removal /disposal and gang work crews. However there are no written instructions/policies to ensure the safety of workers who may come into contact with bears or other wild animals such as moose, deer and cougars during their work activity. The employer must develop and maintain written instructions, and provide training to staff in these instructions, to ensure their safety.

This is in contravention of the Occupational Health and Safety Regulation Section 3.3(c).

The occupational health and safety program must be designed to prevent injuries and occupational diseases, and without limiting the generality of the foregoing, the program must include appropriate written instructions, available for reference by all workers, to supplement this Occupational Health and Safety Regulation.

The employer must develop and implement written procedures/policies (SOPs) to ensure the safety of workers who may come into contact with wild animals such as bears, moose, deer or cougars during their work activity.

Employer Representative	Officer of the Board
JOANNE HAWKINS	Thorp, Gordon



An employer who fails to comply with the Occupational Health & Safety Regulation or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act.

The Occupational Health & Safety Regulation requires that one copy of this report remain posted in a conspicuous place at or near the operation inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.

An affected employer, worker, owner, supplier, union or member of a deceased worker's family may, within 90 calendar days of this report, in writing, request the Review Division of the WCB to conduct a review of an order, or the non-issuance of an order, in this report by contacting the Review Division at the Board's Richmond Office. The time limit may be extended in certain circumstances. Employers requiring assistance can contact the Employers' Advisers at 1-800-925-2233--workers can contact the Workers' Advisers at 1-800-663-4261.

Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
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These procedures must be communicated to corrections staff and all affected contractors.

Employer Representative	Officer of the Board
JOANNE HAWKINS	Thorp, Gordon