

6951 Westminster Highway, Richmond, BC  
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Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

The *Workers Compensation Act* requires that the employer must post a copy of this report in a conspicuous place at or near the workplace inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A copy of this report must also be given to the joint committee or worker health and safety representative, as applicable.

**Inspection Report #201615891063B**

Employer Name	Jobsite Inspected	Scope of Inspection
PROVINCIAL GOVERNMENT (WORKERS'COMP CO-ORDINATOR)	1451 KINGSWAY AVE Port Coquitlam BC	North Fraser Pre-Trial Centre

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Oct 18, 2016	Dec 15, 2016	Dec 15, 2016	Email

THERE ARE ZERO (0) ORDERS OR OTHER ITEMS OUTSTANDING

**ACTION MAY STILL BE NECESSARY TO ENSURE COMPLIANCE  
PLEASE READ FULL REPORT**

**Summary of Orders or other Items**

See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited

Order/Item No.1 <input checked="" type="checkbox"/>	Status: <b>Complied</b>	Cited: <b>WCA176(1)(c)</b>
Order/Item No.2 <input checked="" type="checkbox"/>	Status: <b>Complied</b>	Cited: <b>OHS4.29(b)</b>

**ORDER STATUS LEGEND**

Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

## INSPECTION NOTES

This was a follow-up inspection to authenticate appropriate compliance with the orders noted on Inspection report #201615891063A.

The orders documented on the above noted Inspection report have now met compliance. See the order details for the steps the employer has taken, and the measures they have implemented to ensure compliance.

### Officer Contact Information:

Allan Goodman  
Occupational Safety Officer, Prevention Field Services  
WorkSafeBC  
#104 - 3020 Lincoln Avenue,  
Coquitlam, B.C. V3B 6B4

Phone: (604) 232-1936  
Fax : (604) 232-1946  
Email : allan.goodman@worksafebc.com

For assistance and information on workplace health and safety visit our website at [www.worksafebc.com](http://www.worksafebc.com). To report a serious accident/incident or major chemical release call 604.276.3100 in the Lower Mainland, or 1.888.621.7233 toll-free within B.C. To report after hours safety and health emergencies call 1.866.922.4357

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**ORDERS/ITEMS**

**An employer who fails to comply with Part 3 of the *Workers Compensation Act*, the *Occupational Health & Safety Regulation*, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.**

**Orders/Items - Full Details**Order/Item No.1 Status: **Complied**Cited: **WCA176(1)(c)****Progress towards compliance:**

Dec 15, 2016 - The employer has finalized their microwave risk assessment and provided a copy of assessment results to me for review. Review of the results indicates the risk assessment:

- 1) Included the participation of a worker and employer representative from the joint health and safety committee
- 2) Included a summary of the incidents of staff assaults from microwaved material(s) between April 1, 2013 to November 29, 2016 at this centre and the other 8 adult correctional centres in the province.
- 3) Identified the existing measures in place to minimize the risk of injury to staff from microwaved materials
- 4) Identified additional administrative and engineering controls to minimize the risk to staff such as:
  - on-off switch installed in pod control (completed),
  - microwave plugs modified for use in specific outlets only (completed),
  - additional staffing resources to assist living unit officers,
  - consultation with staff on appropriate times for microwave availability,
  - communication with staff and inmates on reduced availability of microwaves,
  - review of the centre's canteen list with the goal of eliminating or minimizing the availability of products requiring microwave heating,
  - review of frozen meal availability and the potential for alternate meal items
- 5) Identified an amended microwave availability schedule, limiting microwave availability to 2.75 hours per day (weekdays) and 2.92 hours per day (weekends), which should significantly reduce the available time for microwaves, while still addressing operational needs.

The anticipated date of full implementation of the above control measures is February, 2017. These measures appear adequate at this time to, as far as possible, prevent the recurrence of similar incidents.

**Orders/Items - Full Details****Initiating order:**

Oct 18, 2016 - A staff assault at this centre, that occurred in August, 2015, involved an inmate throwing microwave heated food at a living unit officer. This resulted in first and second degree burns to the officer's arm and face. The employer's EIR contained several recommendations, however the corrective actions that the employer implemented, which consists of a modified microwave availability schedule, does not adequately address the requirements of this regulation. Specifically, the implemented corrective actions do not prevent the recurrence of similar incidents.

This is in contravention of the Workers Compensation Act Section 176(1)(c).

An employer must, immediately after completing a preliminary investigation under section 175, undertake a full investigation to, as far as possible, if unsafe conditions, acts or procedures are identified under paragraph (b) of this subsection, determine the corrective action necessary to prevent the recurrence of similar incidents.

**Measures to Ensure Compliance:**

The employer must ensure, through their microwave risk assessment process that is currently being conducted, they identify effective measures to, as far as possible, prevent the recurrence of a similar incident.

Pursuant to section 194 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 194 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than November 30, 2016.

Order/Item No.2 Status: **Complied**Cited: **OHS4.29(b)****Progress towards compliance:**

Dec 15, 2016 - The employer has finalized their risk assessment with respect to the use of a local taxi service as an escort vehicle for inmates with special medical needs, and provided a copy of assessment results to me for review. Review of the results indicates the risk assessment:

- 1) Included the participation of a worker and employer representative from the joint health and safety committee
- 2) Identified the use of a taxi service for escorting inmates is relatively new to this centre and there is limited statistical data available,
- 3) Identified there has not been any reported incidents of violence, at this time, to staff at this centre, with respect to the use of a taxi as an escort vehicle for inmates with special medical needs
- 4) Identified measures to be taken to minimize the risk to workers including:
  - Need to ensure taxi drivers have valid chauffeur permits
  - Need to ensure taxi drivers have valid criminal record checks in place
  - Confirmed with the local taxi service that they are vehicle equipped to provide effective transportation for inmates with special medical needs
  - Confirmed with RCMP that prior to taxi drivers receiving a chauffeur's permit in Coquitlam they must be CPIC cleared
  - Confirmed that all of the drivers working for the employer's chosen taxi cab company possess valid chauffeur permits, therefore are CPIC cleared. In addition the drivers complete yearly criminal record checks
  - Confirmed that the centre will conduct a frisk search of the taxi prior to and following each escort
  - Included the requirement for the centre's applicable Standard Operating Procedure (SOP) to be updated to include the use of a public taxi when other reasonable forms of transportation have been exhausted
  - Included the provision to ensure all staff will be informed of the amended SOP(s) and to provide escort staff training in the new procedures

The employer has provided a copy of the amended SOP to me for review.

**Orders/Items - Full Details****Initiating order:**

Oct 18, 2016 - With respect to the use of a taxi service as an escort vehicle to transport inmates to a public health facility (during single staffed escort) the employer has failed to ensure the risk to the escort officer riding in the taxi has been minimized. Specifically, the employer cannot ensure the security of the vehicle as it is not a Corrections Branch vehicle, nor is the operator a Corrections Branch employee. This exposes the worker to a risk of injury from violence from sources such as unknown weapons, sharps, blood and body fluid exposure, unknown driver history/motives, etc.

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.

**Measures to Ensure Compliance:**

The employer must assess the use of a taxi service as an escort transport vehicle to ensure the risk of injury to the escort officer from violence is minimized. This assessment must include the consideration of either elimination of this mode of transport or implementing effective procedures, policies and work environment arrangements to minimize the risk to the escort officer.

See Inspection Notes for additional information.

Pursuant to section 194 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 194 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than November 30, 2016.

Employer #	Mailing Address	Classification Unit #	Operating Location
4000	WORKERS' COMPENSATION PROGRAMS BC PUBLIC SERVICE AGENCY PO BOX 9404 STN PROV GOVT VICTORIA BC V8W 9V1	841102	305

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N			

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Harbippan Cheema	Harbippan Cheema	Not Applicable	BCGEU

WorkSafeBC Officer Conducting Inspection
Allan Goodman

*Inspection Time	*Travel Time
1.75 hrs	0.00 hrs

\*The time recorded above reflects the inspection time and travel time associated with this inspection report and includes time spent on pre and post-inspection activities. Additional time may be added for subsequent activity.

### Right to Review

**Any employer, worker, owner, supplier, union, or a member of a deceased worker's family directly affected may, within 45 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers at 1-800-925-2233.**

WorkSafeBC values your feedback. To obtain that feedback, an external market research provider may be contacting you to complete a survey.