



WORKING TO MAKE A DIFFERENCE

WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA
 6951 Westminster Highway, Richmond, BC
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INSPECTION REPORT

WORKER AND EMPLOYER
 SERVICES DIVISION

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2013/11/28	2013120030209	3	4000	029	841102	3.00	0.50

*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		2013/11/28	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	Vancouver Is Correctional Ctr 4216 Wilkinson Road Victoria BC

Portion Inspected	Correctional Centre Initiative
Violations	REFER TO ORDERS ON FOLLOWING PAGE(S)

Employer Representative Name	Accompanied by Employer Representative
Shauna Morgan	Shauna Morgan
Employer Representative Position	Accompanied by Worker Representative
Warden	Spoke to workers
Phone Number	Organization
(250) 589-3277	BCGEU
Signature	Officer of the Board / Signature
	Stultz, Gary

For Internal Use Only

Delivery Method: Email
Shauna.Morgan@gov.bc.ca
Patrick.Doherty@gov.bc.ca

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Inspection Text

As part of the Provincial Correctional Centre Initiative, WorkSafeBC Prevention Officers Gary Stultz, Ron Schouten, Jeanette Campbell, and Allan Goodman conducted an inspection of Vancouver Island Regional Correctional Centre (VIRCC) on November 26-28, 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 VIRCC. 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. Both an employer representative and a worker representative from the local joint occupational health and safety committee accompanied the officers on the inspection.

Staff interviewed included employer representatives and correctional officers/supervisors from living units, central control, shops, gangs, intake/records, health care, programs and segregation.

Representatives from several key contractors (Sentry Correctional Health Services, Compass/Eurest Services, WSI and School District #61) were also interviewed. On November 27 and 28 a site inspection was conducted of central control, Lima, Golf, Hotel, Alpha, and November living units, Segregation, Records, Visits, Programs, Health Care and Kitchen.

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

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Shauna Morgan	Stultz, Gary

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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 collected 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 employer head office address indicated on this inspection report. The completed notice of compliance must be submitted to this officer on or before January 15, 2014. Pursuant to WCA 194.(4).(b), the employer must also provide a copy of the completed notice of compliance report to the joint committee.

GENERAL DISCUSSION

The following additional items were discussed with the employer and worker representatives:

A) Medical Confidentiality

FIPPA and other privacy legislation does not limit the sharing of an inmate's medical information when it is necessary to protect the health and safety of workers. Questions to consider when evaluating the need to share medical information are whether (1) disclosing this information is necessary to protect the worker's safety and (2) disclosing this information will lead to changes in work practices to reduce the risk of injury.

Specific examples discussed were inmates who may become violent due to a psychiatric condition and those inmates known to have diseases that may be spread through the airborne route.

B) The employers policy requiring contractors and their workers to use Pagers(Personal Alarm Transmitters)when working in secure areas.

C) Document daily musters and include who attended/reviewed muster topics and include related code yellows.

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D) Ensure the JOSH Committee meets every month.

E) In addition to their accident investigation tracking sheet consider a coding mechanism to reflect the type of injury (i.e. assault, slip, trip, etc.)

F) Tool control - there is a system to ensure the logging in and out of hand tools brought into the centre. However, there is a potential for contractors to bring in work vehicles that may contain additional tools that may be used in the course of their work which may pose a challenge for the tool control system.

G) OC spray - need to ensure since OC is passed off from officer to officer there is a method to ensure the OC canister is inspected to ensure it is effective (i.e. weighing, and that the holsters are secure/cannot easily come off the officer's belt.

H) Criteria for determining who should be issued radios and batons.

I) Availability of hand sanitizer to workers at all work stations.

J) Cleanliness of the first aid room.

K) Living unit air vents.

L) Maintenance of dryer air vents.

M) Ensure there is a process to fit test those officers who are required to wear respirators and who cannot detect Bitrex.

N) Appropriate documentation for fit testing record keeping.

O) Razor collection, control and tracking.

P) Sharps containers for syringes.

Q) Staff, including backfilling, who work with IMI (inmates with mental disorders) are given a 2 day IMI training course. Discussed the frequency of refresher training.

Future follow up meetings

It was further discussed with the employer it would be beneficial for this officer to meet with their Occupational Joint Health and Safety committee

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and persons responsible for respirator fit testing.

The purpose of meeting with the committee would be to review the committees duties and functions and the process/documentation of performing an incident investigation.

The purpose of meeting with persons responsible for performing respirator fit testing would be to provide feedback during the testing process and to review and discuss fit testing documentation.

Documentation Provided by WorkSafeBC

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

1) Policy D10-172-1 "Accident Reporting and Investigation - Immediate Notice of Certain Accidents (Major Release of Hazardous Substance)" (WorkSafeBC)

2) Incident Investigation form (52E40) and Incident Investigation Reference Guide (WorkSafeBC)

3) Communicate Patient Information: Prevent violence - related injuries to health care and social services workers (WorkSafeBC)

4) Policy 4.28-1 Violence in the workplace risk assessment (WorkSafeBC)

5) Publication, PPE 09-002, Personal Protective Equipment, facial hair and respirators.(WorkSafeBC)

6) Publication, PPE 09-010, Personal Protective Equipment, using a disposable respirator (WorkSafeBC)

7) Publication, Illustrations of acceptable and unacceptable facial hair for tight fitting respirators.
(Canadian Standards Association, Annex M informative) August 2011.

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 this officer:

Attention:

Gary Stultz

4514 Chatterton Way

Victoria BC

V8X 5H2

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fax number 250 881 3482

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e-mail gary.stultz@worksafebc.com

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.

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.

Additional items raised during staff interviews that are within the mandate of WorkSafeBC, but were not within the scope of this corrections initiative will be followed up at a later date by the local officer.

Orders

Order No.	1	Decision	DL	WCB Reference	OHS6.34.(1)
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By the nature of their work correction officers/supervisors may have an occupational exposure to a biological agent via blood and body fluids and other potentially infectious material (OPIM).

The employer has implemented some but not all elements of an exposure control plan. Examples of this are, in part, the following:

1) Risk assessment - the ECP does not consider some tasks/activities unique to this facility. For example:

- Clean-up of BBF conducted by Gangs and other staff,
- Performing checks of blood glucose levels of inmates.

2) Spill Clean-up procedures - the ECP does not provide adequate information. For example it does not identify:

- The job functions responsible for BBF cleanup
- The types / size of spills that will be cleaned up by the in-house team
- When the specialized contractor is to be retained for cleanup of BBF and the method of contacting them,

- Include written procedures for the clean-up of different types of BBF spills (small spills, smearing incidents, when the Compass II is used).

3) Instruction and Training:

Although more than 85% of the corrections staff had received instruction in the ECP, correction staff interviewed (other than gangs) were not clear about who was responsible for cleaning spills of blood/body fluids and the procedures for conducting these clean-ups.

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This is in contravention of the Occupational Health and Safety Regulation Section 6.34(1).

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:

- (a) a risk assessment conducted by a qualified person to determine if there is a potential for occupational exposure by any route of transmission;
- (b) a list of all work activities for which there is a potential for occupational exposure;
- (c) engineering controls and administrative controls to eliminate or minimize the potential for occupational exposure;
- (d) standard or routine infection control precautions and transmission-based precautions for all work activities that have been identified as having a potential for occupational exposure, including
 - (i) housekeeping practices designed to keep the workplace clean and free from spills, splashes or other accidental contamination,
 - (ii) work procedures to ensure that contaminated laundry is isolated, bagged and handled as little as possible, and
 - (iii) work procedures to ensure that laboratory or other samples containing a biological agent designated as a hazardous substance in section 5.1.1 are handled in accordance with the Laboratory Biosafety Manual issued by the World Health Organization, as amended from time to time, and the Laboratory Biosafety Guidelines issued by Health Canada, as amended from time to time;
- (e) a description of personal protective equipment designed to eliminate or minimize occupational exposure;
- (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;
- (g) a record of all training and education provided to workers in the program described in paragraph (f);
- (h) a record of all workers who have been exposed, while performing work activities, to a biological agent designated as a hazardous substance in section 5.1.1.

The employer must revise the Exposure Control Plan to address the above deficiencies. The employer must provide a plan for how additional information will be communicated to the staff who may be required to

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conduct blood and body fluid clean-ups. The employer must provide a written plan with time lines for completing the training.

Order No.	2	Decision	DL	WCB Reference	OHS4.28.(1)	
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A violence in the workplace risk assessment was conducted in 2004. However, in discussion with both workers and management it was determined that there has been a change in the nature of the business at this workplace since this previous risk assessment. For example, living units Golf and Hotel have been converted from general population to OMD (IMI). In addition, the changes to the layout of the gym(s) has now placed the officer at a risk of injury from inmate violence. This is evidence that there has been a significant change in the nature of the business and the configuration/layout.

This is in contravention of the Occupational Health and Safety Regulation Section 4.28(1).

A risk assessment must be performed in any workplace in which a risk of injury to workers from violence arising out of their employment may be present.

The employer must conduct a risk assessment to address the items documented in this order.

This risk assessment must include consideration of the layout and condition of the place of work including:

- The current configuration of the stainless steel work stations does not prevent/mitigate the possibility of an unexpected act of inmate violence against the worker who may be working at the desk on the computer (open at the side, desk too low, poor sight lines, etc.)
- The employer must include this consideration for all living units with similar desks/configurations.
- With respect to the gym the risk assessment must include the consideration that this officer is now placed in the midst of the inmates without a safe refuge/egress of any type.

The employer is referred to WorkSafeBC Policy Item R4.28-1 to assist them in compliance considerations for this order.

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Order No.	3	Decision	DL	WCB Reference	WCA174.(2)
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The employer is conducting incident/accident investigations, however, in several cases the investigations did not identify all unsafe conditions, acts or procedures that contributed in any manner to the incident, and/or if unsafe conditions, acts or procedures were identified, did not recommend corrective action to prevent similar incidents.

For example:

- Oct 3/2013 the Accident Investigation (AI) description stated an inmate stood up and kicked an officer in the left thigh. The corrective action was to put the inmate on security protocol. No indication on the AI as to what led up to the incident.
- Of the 13 incident investigation reports provided to us, 5 had no corrective actions identified.

This is in contravention of the Workers Compensation Act Section 174 (2).

As far as possible, the investigation must:

- determine the cause or causes of the incident,
- identify any unsafe conditions, acts or procedures that contributed in any manner to the incident, and
- if unsafe conditions, acts or procedures are identified, recommend corrective action to prevent similar incidents.

The employer is directed to provide a copy of their completed Incident Investigations from December 15, 2013 to March 15, 2014 to this officer for review.

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