

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*
2007-05-11	2007136970110	0	4000	002	841102	20.50	10.00

\* 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)
2-10		2007-05-11	N	N	N	

Head Office	Job Site
PROVINCIAL GOVERNMENT WORKERS' COMPENSATION PROGRAMS BC PUBLIC SERVICE AGENCY P O BOX 9404 STN PROV GOV'T VICTORIA BC V8W 9V1	Ministry of Attorney General 3793 Alfred Ave Smithers, BC

Portion Inspected	Work Refusal UNKNOWN
Violations	NO ORDERS WRITTEN

Employer Representative Name	Accompanied By Employer Representative
Ron Froese	Ron Froese
Employer Representative Position	Accompanied By Worker Representative
Inspector	Worker
Phone Number	Organization
250 847-7372	BCGEU
Signature	Officer of the Board / Signature
	DENSMORE, MEL

Regulation(s) Referenced in Inspection Text
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OHS 3.12.(5)

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Inspection Text

Issued on: 2007/05/11

Officer Inspection Text  
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This inspection report results from a work refusal under OH&S Regulation Section 3.12. A Deputy Sheriff refused to work alone at a circuit court location in Hazelton, May 1, 2007. A change in practice to utilize one Deputy Sheriff rather than two was implemented. The worker believed that it could be unsafe to perform aspects of the deputy sheriff job without a second worker.

The worker and the employer contacted WorksafeBC when they were unable to resolve the work refusal.

The worker refusing to work and the employer's representative were interviewed to gather information regarding the situation.

The officers determined:

=> The employer is conducting a risk assessment for the scheduled circuit court activity. Two Deputy Sheriffs are assigned to work when the risk is not low. The employer has not been documenting these risk assessments. Documentation must be completed and the assessment made available for the workers.

=> Deputy Sheriffs contact the RCMP prior to arriving at the circuit court destination to determine if there are unscheduled additions to the court list as part of their personal risk assessment.

=> There is a protocol for requesting assistance when a Deputy Sheriff believes it is needed.

It was discussed with the worker refusing to work and the employer's representative the results of the investigation and ensured both understood the procedure for resolving work refusals under section 3.12. The officers advised the parties of the requirement of section 3.13 of the OHS Regulation that "A worker must not be subject to discriminatory action as defined in section 150 of Part 3 of the Workers Compensation Act because the worker has acted in compliance with section 3.12 or an order made by an officer".

An investigation of this work refusal under section 3.12 has not identified an undue hazard.

Employer Representative	Officer of the Board
Ron Froese	DENSHORE, MEL

