



WORKERS' COMPENSATION BOARD

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OF BRITISH COLUMBIA

INSPECTION REPORT

PRESENTATION CLASS

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 in or near the operation inspected for at least 14 days, or until compliance has been achieved, whichever is the longer period.

Report Date	Number	Employer Name	Name of Officer	Employer	Location
2000/11/30	200011700000				

Inspection Text (Continued)

MARCINOWSKY (SHOP STEWARD AT 222 HAIN STREET OFFICE), STEPHEN LISIK (LOCAL UNION EXECUTIVE), MIKE CLARKE (VICE PRESIDENT, BCOSU), JOHN WHITE (SHOP STEWARD U.B.S. COMMITTEE MEMBER), GARY KOLP (DEPUTY SHERIFF), AND KARYN COPELAND (DEPUTY SHERIFF).

A DEPUTY SHERIFF IDENTIFIED BY THE INVESTIGATING WCB OFFICERS REPORTED THAT HE REFUSED TO PARTICIPATE IN TRANSPORTING A PRISONER FROM VANCOUVER PRE-TRIAL TO THE LAW COURTS BUILDING. THIS WORKER STATED THAT HE HAD REASON TO BELIEVE THAT HE WOULD BE AT RISK TO TRANSPORT THIS PRISONER WITHOUT POLICE ESCORT.

THE MEETING PROCEEDED WITH A REVIEW OF THE DETAILS OF A PREVIOUS WORK REFUSAL OF OCTOBER 27, 2000, (REFERENCE INSPECTION REPORT 2000007430149).

THE MAIN FOCUS OF THE OCTOBER 27, 2000 MEETING INVOLVED ISSUES WITH RESPECT TO HIGH SECURITY PRISONER ESCORTS WHICH HAVE BEEN CONDUCTED WITH 4 DEPUTY SHERIFFS IN TWO VEHICLES. THE VEHICLES WERE EQUIPPED WITH LIGHTS AND SIRENS FOR USE IN CASE OF NEED FOR EMERGENCY VEHICLE OPERATION, AND IT WAS DETERMINED THROUGH LEGAL OPINION THAT IT WAS IN VIOLATION OF THE MOTOR VEHICLE ACT FOR SHERIFFS IN NON-EMERGENCY VEHICLES TO USE LIGHTS AND SIRENS. IS CONTRAVENING SECTIONS OF THE MOTOR VEHICLE ACT IN EMERGENCY SITUATIONS. FOR THE ABOVE REASONS, LIGHTS AND SIRENS WERE REMOVED FROM COURT SERVICES VEHICLES. HOWEVER, THEY ARE PLANNING TO FOLLOW UP ON CHANGES IN THE LEGISLATION TO ALLOW FOR LIGHTS AND SIRENS.

FURTHER TO THE MEETING DATED OCTOBER 27, 2000, IT WAS NOTED AT THE MEETING THAT HIGH SECURITY ESCORTS WOULD BE PERFORMED USING 3 VEHICLES AND THE SAME TEAMS WOULD BE USED TO QUICKLY DEVELOP AND MAINTAIN A SAFE INTEGRATED APPROACH TO THESE ESCORTS. ALSO, SHERIFF ERICKSON WAS TO PERSUE THE USE OF VANCOUVER POLICE IN HIGH SECURITY ESCORTS. IT WAS ALSO AGREED THAT THE LONG TERM SOLUTIONS FOR HIGH SECURITY ESCORTS WOULD BE ADDRESSED BY REGIONAL DIRECTOR RICHARD RONDEAU AND HE WOULD MEET WITH A SUITABLE DELEGATION OF DEPUTY SHERIFFS WITH THE INTENTION OF DEVELOPING A LONG TERM PLAN. IT WAS NOTED THAT THE USE OF LIGHTS AND SIRENS AS AN ADDED PROTECTIVE MEASURE WAS NOT PART OF THE SOLUTION UNLESS LEGISLATION IS CHANGED. CAROL GRAHAM, MANAGER OF THE LAW COURTS, CONCURRED WITH THE MEETING POINTS AND COMMITTED TO THE PLAN. IT WAS NOTED THAT THE EMPLOYER WAS TO KEEP IN MIND THE TRAINING NECESSARY TO IMPLEMENT THE DEVELOPED SOLUTIONS. WORKER'S RIGHTS TO REFUSE UNSAFE WORK WERE DISCUSSED FURTHER IN THE REPORT AND SUPERVISORS TO BE MADE AWARE OF THESE REGULATORY RIGHTS.

AT THIS MEETING OF NOVEMBER 30, 2000, THE FIRM PRODUCED RECENT AMENDMENTS CONCERNING THE SHERIFF'S OPERATING MANUAL - AMENDMENT # 3. THIS AMENDMENT DESCRIBED THE VARIOUS RISK LEVELS FOR CATEGORIZING PRISONERS. WHEN A PRISONER WAS ASSIGNED A RISK LEVEL, IT DESCRIBED THE LEVEL OF RISK AND THE RESPONSE THAT WAS THEN REQUIRED TO SAFELY MOVE THAT PARTICULAR PRISONER. AS WELL, A MEMO DATED NOVEMBER 30, 2000 ON VEHICLE MOVEMENTS INVOLVING MORE THAN ONE ESCORT VEHICLE WAS PRESENTED. THIS MEMO ADDRESSED PROCEDURES TO BE USED WHEN MORE THAN ONE VEHICLE WOULD BE USED.

THE MEETING CONTINUED WITH MORE DISCUSSION SURROUNDING THE ISSUES REGARDING POLICIES AND PROCEDURES FOR RISK ASSESSMENT. IT WAS NOT ASCERTAINED AT THE MEETING WHETHER OR NOT THESE POLICIES AND PROCEDURES HAVE BEEN COMMUNICATED TO ALL STAFF.



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OF BRITISH
COLUMBIA

INSPECTION REPORT

TRANSPORTATION 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.

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.

Report Date	Accession Number	Employee Name	Number of Copies	Inspector	Location
2000/11/30	2000117000487		6		

Inspection Text (Continued)

IT IS UNDERSTOOD THAT DEVELOPMENT OF THE SYSTEM TO ESCORT PRISONERS IS IN PROGRESS UP TO THE MINISTERIAL LEVEL, INCLUDING THE OCCUPATIONAL HEALTH AND SAFETY PROGRAM ADVISER. IT WAS REPORTED BY SHERIFF ERICKSON ON DECEMBER 4, 2000 THAT HE CONTACTED THE ASSISTANT DEPUTY MINISTER AND WAS ADVISED THAT A NEW DRAFT PROCEDURE HAS BEEN DEVELOPED. THIS PROCEDURE WILL BE DISCUSSED WITH ALL CONCERNED PARTIES FOR ANY NECESSARY REVISIONS. THIS IS A PROVINCE WIDE ISSUE.

* THESE PROCEDURAL DEVELOPMENTS MUST ADDRESS COMMUNICATION OF ANY NEW CHANGES AND THE TRAINING OF THE STAFF. TRAINING AND COMMUNICATION WAS A COMMON CONCERN IN ALL ASPECTS OF THE PROCEDURES FOR ASSESSING THE RISKS AND TRANSPORTATION OF PRISONERS.

RISK LEVELS ASSIGNED FOR TRANSPORTATION AND HANDLING OF PRISONERS SHOULD BE COMMUNICATED TO ALL CONCERNED PARTIES, INCLUDING ALL NEW DIRECTIVES AND CHANGES TO THE CURRENT SHERIFF'S OPERATING MANUAL. THIS IS ALSO A PROVINCE WIDE ISSUE.

* EVEN THOUGH IT IS RECOGNIZED THAT CHANGES TO PROCEDURES ARE FORTHCOMING, "AN INVESTIGATION BY W.C.B. BOARD OFFICERS OF THIS WORK REFUSAL UNDER REGULATION 3.12 HAS NOT IDENTIFIED AN UNDUE HAZARD."

WE WERE ASSURED BY SHERIFF ERICKSON THAT THIS PRISONER WILL BE TRANSPORTED UNDER LEVEL 1 CRITERIA-HIGH. THIS WILL REQUIRE 2 VEHICLES WITH 4 ARMED SHERIFFS.