



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.

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Date of Issue	Number	Number of Orders	Employer	Location	Classification Unit Number	Activity Time Recorded*	Travel Time Recorded*
2011/04/05	2011158910065	1	4000	305	841102	1	0.25

\*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)
51 - 100		2011/04/05	N	N	N	

Head Office	Job Site
<b>PROVINCIAL GOVERNMENT</b> <b>WORKERS' COMPENSATION PROGRAMS BC PUBLIC SERVICE A</b> <b>PO BOX 9404 STN PROV GOVT</b> <b>VICTORIA</b> <b>BC V8W9V1</b>	<b>North Fraser Pretrial Centre</b> <b>1451 Kingsway Avenue</b>  <b>Port Coquitlam</b> <b>BC</b>

Portion Inspected	<b>Jobsite</b>
Violations	<b>REFER TO ORDERS ON FOLLOWING PAGE(S)</b>

Employer Representative Name	Accompanied by Employer Representative
<b>Ardith Watson</b>	<b>Ardith Watson</b>
Employer Representative Position	Accompanied by Worker Representative
<b>Deputy Warden</b>	<b>Matt Stewart - CO/OSH Rep</b>
Phone Number	Organization
<b>(604) 468-3546</b>	<b>BCGEU Local 104</b>
Signature	Officer of the Board / Signature <b>Goodman, Allan</b>

**For Internal Use Only**

**Delivery Method: In Person**

This inspection report was re-issued to reflect the correct name of the worker representative who attended this meeting.

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Table with 8 columns: Date of Issue, Number, Number of Orders, Employer, Location, Classification Unit Number, Activity Time Recorded\*, Travel Time Recorded\*. Row 1: 2011/04/05, 2011158910065, 1, 4000, 305, 841102, 1, 0.25

Inspection Text

This Inspection report is created as follow up to Inspection report #2011158910041 in which I requested this employer provide me copies of the following documentation specific to the North Fraser Pretrial Centre:

- \* All incident investigations since January 1, 2009 where a worker has reported an incident meeting the definition of violence as stated in OH&S 4.27.
\* Standard Operating Procedure for accident/incident investigations used at this workplace.

This information was requested to assist WorkSafeBC in investigating concerns expressed by the B.C. Government and Service Employees' Union in February, 2011 regarding the "...increase in violent incidences against Correctional Officers..." at this workplace and other Provincial jails.

The requested incident investigations have now been received and reviewed.

APPLICABLE DEFINITION AND REGULATIONS

- With respect to Violence in the Workplace OH&S 4.27 states the following:
"violence" means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.

- As per WCA 173(1)(b) an employer must immediately undertake an investigation into the cause of any accident or other incident that resulted in injury to a worker requiring medical treatment,

- As per WCA 173(1)(c)) an employer must immediately undertake an investigation into the cause of any accident or other incident that 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

SUMMARY OF INCIDENT INVESTIGATIONS

The documentation supplied to me was reviewed and those incidents that met the definition of violence as per OH&S 4.27 were categorized to

Table with 2 columns: Employer Representative, Officer of the Board. Row 1: Ardith Watson, Goodman, Allan



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reflect where an investigation had been conducted, and where an investigation should have been, but was not, conducted.

\* The data for 2011 included January and February only.

Table with 4 columns: Description, 2009, 2010, 2011. Rows: Incidents meeting the definition of OH&S 4.27 and requiring investigation: 20, 29, 4; Incident investigation was conducted: 13, 26, 4; Incident investigation was not conducted: 7, 3

VIOLENCE IN THE WORKPLACE RISK ASSESSMENT

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- A risk assessment for violence was conducted for this workplace. As a result of this risk assessment a report titled "North Fraser Pretrial Centre, Violence in the Workplace Report, August 2006" was developed. I have received and reviewed this report.

REQUEST FOR ADDITIONAL INFORMATION

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- Discussed with the employer and worker representatives that as a result of my review of the violence in the workplace risk assessment report the following additional information and/or documentation is required:

- 1) Who conducted the Violence in the Workplace Risk Assessment that concluded with the report dated August 2006?
2) Were worker representatives from the Joint Health and Safety Committee at this workplace involved in evaluating the results of the risk assessment and in developing the recommendations documented on pages 59-63 of this report?
3) How was this risk assessment report made available to all staff at this workplace?
4) There were several safety issues raised and recommendations put forth by staff as a result of answering questions 11 and 12 on the Questionnaire provided for staff as part of the risk assessment process. However, many of these proposals appear not to have made it to the "Recommendations" section of this report even though they were mentioned several times. How did the employer determine if a proposal was not realistic or was not

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attainable, and, upon doing so, why was the rationale for eliminating the proposal from the "Recommendations" section not included in this report?

5) A status for each of the recommendations included on pages 59-63 of the risk assessment report, by number, indicating the following:

- a) Has the recommendation been implemented as documented?
- b) If the recommendation has not been implemented yet, but the employer intends to implement it in the future what controls have been put in place in the interim to ensure staff safety with respect to the specific item/concern, and a date for intended implementation.
- c) If the employer is not intending to implement a specific recommendation then the reasons provided for this decision.

I requested the employer representative to provide me with this documentation and information by April 22, 2011.

Order					
Order No.	1	Decision	A	WCB Reference	WCA173.(1)

Review of several incidents that occurred at this workplace since 2009 has determined the employer did not immediately undertake an investigation into the cause of all incidents that either resulted in injury to a worker requiring medical treatment, or did not involve injury to a worker requiring medical treatment but had a potential for causing serious injury to a worker.

Specifically, in 2009 there were 20 incidents that occurred at this workplace that meet the definition of violence as specified in OH&S 4.27 and requiring investigation. Of these 20 incidents, the documentation I was provided indicate only 13 were investigated. In addition, in 2010 there were 29 incidents at this workplace meeting the definition of violence as specified in OH&S 4.27 and requiring investigation. Of these 29 incidents, the documentation I was provided indicate only 26 were investigated.

This is in contravention of the Workers Compensation Act Section 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,

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Ardith Watson	Goodman, Allan



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- (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.

In addition, the employer must conduct an incident investigation into the 3 incidents that occurred in 2010 that met the definition of violence as specified in OH&S 4.27, and that had not been investigated, and provide a copy of the completed investigation reports to me for review. The Master Incident Numbers for these incidents are: INC-0026702-01, INC-0027736-01, and INC-0033953-01.

Employer Representative	Officer of the Board
Ardith Watson	Goodman, Allan