

**INSPECTION REPORT**  
 PREVENTION DIVISION

An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act.

Occupational Health and Safety Regulations require 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	Number	Employee Number	Number of Orders	Employer	Location
1998-11-03	1998007430108		6	4000	004

Number of Workers	Shift	Project Type	Project Number	Closure Imposed	Closure Removed	Classification Unit Number	SIC
10	1					841102	8250

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection	Assisting Employees
N	N	N		

Head Office	Job Site
PROVINCIAL GOVERNMENT PUBLIC SERVICE EMPLOYEE REL COM 548 MICHIGAN ST VICTORIA BC V8V 1S3	Van Pre-trial Services Centre 275 CORDOVA STREET VANCOUVER, BC

Portion Inspected	Jobsite	Principal Contractor
	PARTIAL	

Type of Industry	CORRECTIONS
------------------	-------------

Observations REFER TO ORDERS ON FOLLOWING PAGE(S)

Employer Representative Name	Accompanied By Employer Representative
TIM STILES	JOHN MIKULEC
Employer Representative Position	Accompanied By Worker Representative
DISTRICT DIRECTOR	GEORGE TOPIC
Telephone Number	Organization
604 -	BCGEU
Signature	Officer of the Board / Signature
	BROSE, ALAN

**Administration Notes**

AT DELIVERY OF THIS INSPECTION REPORT, THE EMPLOYER IDENTIFIED SEVERAL POINTS OF CLARIFICATION :

- THE WEEKLY FRISKS MENTIONED IN THIS REPORT ARE ALREADY STANDARD PRACTICE AT THIS FACILITY. THE CHECKLIST IS BEING DONE IN ORDER TO STANDARDIZE THIS PRACTICE.
- URINE SAMPLING IS ALREADY A COMPONENT OF ATTAINING LEAVE AT THIS FACILITY. THE PRACTICE OF RANDOM SAMPLING IS A PRACTICE CURRENTLY BEING PURSUED BY THE BRANCH.
- THERE ALREADY IS A "DRUG DOG" WHICH PERIODICALLY ATTENDS AT VPSC. THE DOG SUGGESTED BY LINE STAFF AND REFERRED BY THE EMPLOYER IS A SECOND, OR MORE FREQUENT, DOG ATTENDANCE.
- IN THE LAST PARAGRAPH OF THE INSPECTION TEXT, THIS OFFICER REFERENCES A CONCERN FROM LINE STAFF ABOUT ISSUES NOT BEING ADDRESSED BY SENIOR

An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act, Occupational Health and Safety Regulations require 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. A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

MANAGEMENT OR THE PROVINCIAL OH&S COMMITTEE BECAUSE OF A LACK OF TIME. IT IS NOT CLEAR WHETHER THE LINE STAFF WERE REFERENCING 'SENIOR MANAGEMENT' AT THE FACILITY OR AT A HIGHER LEVEL. THE EMPLOYER IS NOT AWARE OF ANY HEALTH/SAFETY ISSUES WHICH HAVE NOT BEEN ADDRESSED BY SITE MANAGEMENT BECAUSE OF A LACK OF TIME.

- RE ORDER # 3 : THE EMPLOYER EXPRESSED CONCERN THAT THIS ORDER MAY IMPLY THAT A RISK ASSESSMENT FOR VIOLENCE AT THIS FACILITY HAS NOT BEEN DONE AT ALL. ACTUALLY, THE OFFICER IS IDENTIFYING THAT THE EMPLOYER NEEDS TO INCLUDE THE RISK FROM DRUG-RELATED VIOLENCE IN A RISK ASSESSMENT.

Inspection Text

RE ORDERS # 1 & 2 : AN ACCIDENT INVESTIGATION WAS REVIEWED OF AN INCIDENT WHICH OCCURRED IN SEPTEMBER 98 WHEREIN A CORRECTIONS OFFICER WAS IN AN ALTERCATION WITH AN INMATE.

ALTHOUGH THERE IS A POLICY ABOUT REFERRAL OF WORKERS TO MEDICAL ATTENTION AFTER AN INCIDENT OF VIOLENCE (P&PM B2-8), THE SUPERVISORY AND MANAGEMENT REPRESENTATIVES, AND THE NURSING STAFF AT VPSC ARE GENERALLY NOT VERY AWARE HOW THE REQUIREMENT APPLIES TO TRAUMATIC INCIDENT COUNSELLING. THERE WAS SOME DISCUSSION AROUND THIS AND THE EMPLOYER ACKNOWLEDGED THAT THIS SHOULD BE MADE CLEARER TO STAFF. ALTHOUGH A VIOLATION OF THE REGULATION WAS NOT SPECIFICALLY IDENTIFIED IN THIS REGARD BY THIS OFFICER, IT IS EXPECTED THAT THE EMPLOYER WILL PROACTIVELY ADDRESS THIS ISSUE WITH FUTURE COMMUNICATIONS TO STAFF.

CRITICAL INCIDENT/TRAUMA COUNSELLING IS DESIRABLE IN SOME CIRCUMSTANCES TO PREVENT WORKERS INVOLVED IN INCIDENTS OF VIOLENCE FROM SUFFERING ONGOING ADVERSE PSYCHOLOGICAL EFFECTS FOR WHICH DISABILITY COMPENSATION MIGHT HAVE TO BE PAID. COUNSELLING MAY BE OBTAINED THROUGH THE WORKER'S PHYSICIAN. ALTERNATIVELY, SOME EMPLOYERS MAY HAVE ONGOING PROGRAMS WHICH CAN PROVIDE APPROPRIATE COUNSELLING. THE EMPLOYER MUST ADVISE THE WORKER TO CONSULT WITH A PHYSICIAN WHERE THIS IS REQUIRED BY REGULATION 4.31(3) BUT SHOULD ALSO ADVISE THE WORKER OF THE AVAILABILITY OF OTHER PROGRAMS WHICH CAN ASSIST. THE EMPLOYER'S WORKPLACE VIOLENCE PREVENTION PROGRAM SHOULD CONTAIN POLICIES AND PROCEDURES ON WHEN ADVICE TO OBTAIN COUNSELLING SHOULD BE GIVEN AND WHERE APPROPRIATE COUNSELLING MAY BE OBTAINED E.G. THROUGH A FACILITY OF THE EMPLOYER OR ANOTHER LOCAL HEALTH FACILITY. THERE IS SOME CONCERN ABOUT THE EXTENT OF THE COUNSELLING TO WORKERS AFTER A TRAUMATIC INCIDENT; IT IS NOT APPROPRIATE OR ACCEPTABLE FOR COUNSELLING TO BE RESTRICTED TO ONLY CERTAIN AREAS OF DISCUSSION. AN EFFECTIVE COUNSELLING SESSION MUST BE OPEN TO A WORKER'S DISCUSSION OF THE EVENTS, INCLUDING THE OPERATIONAL CHARACTERISTICS OF THE EVENT.

Attended meeting with the following staff :

- Ardith Watson
- George Topic
- Rod Santos
- Malcolm Grace
- Garrick Marshall
- John Mikulec
- Kelly Keenan
- Peter Coulson
- Terri Havill
- Tim Stiles

Meeting was requested by union staff in order to discuss some issues of ongoing concern at VPSC, especially with respect to the use of drugs in

Employer Representative	Officer of the Board
	BROSE, ALAN



An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act,

Occupational Health and Safety Regulations require 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.

A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

the facility, and with respect to incidents of violence at the facility.

The union staff presented a number of recommendations/suggestions and issues of concern, most of which are summarized here :

- possible re-design of 'visits' tables (e.g. use of longtables)
- periodic use of sniffer dogs as a deterrent to bringing drugs into the facility
- periodic use of ion scanner (acknowledgement that this tool has some limitations)
- better training for staff on drug detection (e.g. use of a kit)
- Increased searches of visitors, including strip searches as necessary
- weekly frisks of inmates (checklist being developed?)
- incidents of violence in the attached jail facility, where a number of VPSC are currently assigned ( sometimes 3 - 4 incidents per night)
- need for a clearer "use of force" policy
- design issues for the new part of the facility
  - floor matting in some areas to prevent injury to Correction Officers and inmates
  - expansion of the isolation facility for difficult inmates
  - room with soft surfaces for self-destructive inmates
- purchase of Kevlar gloves to assist with frisking
- cleaning solution required for gloves
- nurses shouldn't be searching female inmates (employer agrees)
- concern about inmates "high" on drugs being transported to the Health Unit (general agreement that inmates under the influence of drugs shouldn't be transported around the facility)
- better policy and training around use of the re-restraint board (some staff are not aware of hoe to use this device even though there are policies concerning it's use)
- use of force with female inmates (male COs are sometimes uncomfortable with using any force or restraint with female inmates)
- a concern that during the investigation of an altercation-type incident, the employer seems to take on an adversarial role during an interview of the involved worker (the WCB officer suggested that the worker representative participating in the accident investigation be sensitive to this during the investigation process). A employer representative disagreed with this supposition.
- the concern that during critical incident response, the in-house trauma counsellor is unwilling to discuss operational aspects of the incident (the WCB officer suggested that the workers should consider alternative counselling availability if the needs of the workers are not being met. The Ministry has an EFAP program, and the worker's own family doctor can probably also supply a counselling resource option).

The employer spoke to a number of issues as well, both in response to a 1997 report on Drug Interdiction in the Branch, and also about procedures or policies already implemented at VPSC ;

- A Corrections Branch policy on drugs and violence is in place and has been distributed to all COs
- The various Branch drug policies still need to be consolidated and this is aimed at completion by February 1999
- the facility Director of Operations is assigned to be the coordinator of drug and violence interdiction (e.g. ROCOR link to data system)
- the call for training of staff with respect to drug identification
- the call for a random sampling policy - the Branch has no authority to require a sample. Maybe this can be tied to a condition of leave.
- a consistent search policy
- presence of a drug dog - the budget is not available at this time
- use of an ion scanner - to be evaluated by December 1998
- use of "longtables" - needs more study. There is some evidence to

Employer Representative	Officer of the Board
	BROSE, ALAN



An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act, Occupational Health and Safety Regulations require 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. A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

- indicate that there may be problems with the implementation of this control measure.
- refresher training for staff on existing policies, procedures and equipment
  - training of contractors on site security arrangements
  - criminal investigations to be more quickly turned over to, and conducted by, police
  - background checks on staff could be improved
  - alcohol and drug programs for staff need to continue
  - improved perimeter security to prevent drug transfers from the street
  - better security of laundry distribution (no longer involves inmates)
  - better use of a Security Advisory Committee
  - a weekly Q & A period with staff in order to provide another opportunity for line staff to directly ask management for details on specific issues or to discuss facility practices, policies or procedures
  - a daily 15 minute meeting with supervisory staff to discuss "breaking" issues.

The presentation of these issues generated much further discussion. For example, nursing staff were unaware of the requirement to refer workers involved in an incident of violence to medical attention from a physician of the worker's choice. There was general agreement from all present that there are some very real budget constraints. The line staff present at the meeting expressed the hope that the WCB regulatory requirements might be useful in "freeing up" some monies. The officer's response is that order #'s 3 and 4 require a determination of the control mechanisms necessary to meet the requirement of the regulation. Although a variety of control mechanisms may be applied to control any given hazard, and there is no regulatory requirement to select the most expensive, or any particular control mechanism, THE HAZARD MUST BE EFFECTIVELY CONTROLLED, EVEN IF THIS MEANS GOING OVER BUDGET.

Line staff were also concerned that many of the issues that the OH&S committee refers to senior management or to the Provincial OH&S committee do not get addressed because of a lack of time. The officer responded that Section 3.6(1) of the regulation requires the local OH&S committee to make recommendations as necessary, and section 3.20 requires the employer to take any necessary corrective action without delay. Although an employer's response to a report of an unsafe condition may not always be as quick as workers would like, there must be some acceptable reasonableness to the time it takes for a response, and this will guide this Officer's approach on any specific issues identified by the worker's as examples of delay.

Employer Representative	Officer of the Board
	BROSE, ALAN

An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act,  
 Occupational Health and Safety Regulations require that one copy of this report remain posted in a conspicuous place at or near the location inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.  
 A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

Order Number	Decision	WCB Reference	Action Due Date
1	F	OHS 3 11 (1)(f)	

THE EMPLOYER HAS FAILED TO ENSURE THAT AN ACCIDENT INVESTIGATION REPORT WAS PREPARED CONTAINING IDENTIFICATION OF ANY UNSAFE CONDITIONS, ACTS OR PROCEDURES WHICH CONTRIBUTED IN ANY MANNER TO THE ACCIDENT.

THIS IS IN CONTRAVENTION OF THE OCCUPATIONAL HEALTH AND SAFETY REGULATION SECTION 3.11(1)(f).

AN EMPLOYER MUST ENSURE THAT AN ACCIDENT INVESTIGATION REPORT IS PREPARED CONTAINING IDENTIFICATION OF ANY UNSAFE CONDITIONS, ACTS OR PROCEDURES WHICH CONTRIBUTED IN ANY MANNER TO THE ACCIDENT.

Order Number	Decision	WCB Reference	Action Due Date
2	F	OHS 3 11 (1)(g)	

THE EMPLOYER HAS FAILED TO ENSURE THAT AN ACCIDENT INVESTIGATION REPORT WAS PREPARED CONTAINING RECOMMENDED CORRECTIVE ACTIONS TO PREVENT SIMILAR ACCIDENTS.

THIS IS IN CONTRAVENTION OF THE OCCUPATIONAL HEALTH AND SAFETY REGULATION SECTION 3.11(1)(g).

AN EMPLOYER MUST ENSURE THAT AN ACCIDENT INVESTIGATION REPORT IS PREPARED CONTAINING RECOMMENDED CORRECTIVE ACTIONS TO PREVENT SIMILAR ACCIDENTS.

Order Number	Decision	WCB Reference	Action Due Date
3	F	OHS 4 28 (1)	

THE VIOLENCE RISK ASSESSMENT AT THIS FACILITY HAS NOT EFFECTIVELY INCLUDED CONSIDERATION OF THE POTENTIAL FOR VIOLENCE ASSOCIATED WITH ANY ILLEGAL USE OF DRUGS AT THIS FACILITY.

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 RISK ASSESSMENT MUST INCLUDE THE CONSIDERATION OF ANY PREVIOUS EXPERIENCE IN THE WORKPLACE, OCCUPATIONAL EXPERIENCE IN SIMILAR WORKPLACES, AND THE LOCATION & CIRCUMSTANCES IN WHICH WORK WILL TAKE PLACE.

NOTE : THE EMPLOYER PROVIDED A SECTION FROM THE SITE POLICY & PROCEDURES MANUAL WHICH DEALS WITH VIOLENCE IN THE WORKPLACE.

Employer Representative	Officer of the Board
	BROSE, ALAN

An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act, Occupational Health and Safety Regulations require that one copy of this report remain posted in a conspicuous place at or near operation inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

Order Number	Decision	WCB Reference	Action Due Date
4	F	OHS 6 34	

WORKER AT THIS WORKPLACE MAY HAVE OCCUPATIONAL EXPOSURES TO BLOODBORNE PATHOGENS, OR TO OTHER BIOHAZARDOUS MATERIAL AND AN EXPOSURE CONTROL PLAN MEETING THE REQUIREMENTS OF SECTION 5.54 OF THE OCCUPATIONAL HEALTH AND SAFETY REGULATION HAS NOT BEEN DEVELOPED AND/OR IMPLEMENTED.

THIS IS IN CONTRAVENTION OF THE OCCUPATIONAL HEALTH AND SAFETY REGULATION SECTION 6.34.

THE EMPLOYER MUST DEVELOP AND IMPLEMENT AN EXPOSURE CONTROL PLAN MEETING THE REQUIREMENTS OF SECTION 5.54, IF A WORKER HAS OR MAY HAVE OCCUPATIONAL EXPOSURE TO A BLOODBORNE PATHOGEN, OR TO OTHER BIOHAZARDOUS MATERIAL AS SPECIFIED BY THE BOARD.

NOTE : THE OFFICER HAS OFFERED TO ATTEND AT THIS WORKSITE WITH THE OH&S COMMITTEE, OR OTHER INTERESTED PARTIES, IN ORDER TO DISCUSS THE SPECIFIC APPLICATION OF THIS REQUIREMENT TO VPSC. ALSO, IT IS RECOGNIZED THAT THE EMPLOYER ALREADY HAS SIGNIFICANT CONTROL MECHANISMS IN PLACE FOR THE CONTROL OF OCCUPATIONAL EXPOSURE TO BIOHAZARDOUS MATERIALS. AN IDENTIFICATION AND ASSESMENT OF THE BIOHAZARDS AT THIS WORKSITE AND A REVIEW OF THE RELEVANT SECTIONS OF THE OH&S REGULATION WILL HELP LEAD TO THE IMPLEMENTATION OF ANY ADDITIONAL CONTROLS REQUIRED, AND TO THE REQUIRED DOCUMENTATION.

Order Number	Decision	WCB Reference	Action Due Date
5	N	WCA 71 02	

YOU ARE REQUIRED TO NOTIFY THE BOARD BY WAY OF A 'NOTICE OF COMPLIANCE' OF THE STEPS TO BE TAKEN TO CORRECT THE CONTRAVENTIONS CITED IN ORDERS NUMBERED 3 AND 4.

THE NOTICE OF COMPLIANCE SHALL BE DELIVERED TO THE BOARD (ATTENTION ALAN BROSE) BY 4 DECEMBER 1998.

THIS DIRECTIVE IS ISSUED PURSUANT TO SECTION 71. (2) OF THE WORKERS COMPENSATION ACT.

Employer's Compliance Action	Date	Decision	Initials
------------------------------	------	----------	----------

Employer Representative	Officer of the Board
	BROSE, ALAN

**INSPECTION REPORT**  
 PREVENTION DIVISION

An employer who fails to comply with Occupational Health and Safety Regulations or Board orders or directions is subject to sanctions as prescribed in the Workers Compensation Act,  
 Occupational Health and Safety Regulations require that one copy of this report remain posted in a conspicuous place at or near the location inspected for at least seven days, or until compliance has been achieved, whichever is the longer period.  
 A request for a review of the orders in this report may be submitted to the Prevention Division within 60 calendar days of the date of this report. The time cannot be extended.

Report Date	Number	Employee Number	Employer
1998-11-03	1998007430108		PROVINCIAL GOVERNMENT

Order Number	Decision	WCB Reference	Action Due Date
6	P	OHS 2 7 (1)	

THIS IS A PREVENTIVE ORDER  
 AN INSPECTION REPORT GIVEN OR SENT TO THE EMPLOYER MUST BE POSTED WITHOUT DELAY BY THE EMPLOYER IN A CONSPICUOUS PLACE AT THE WORKPLACE COVERED BY THE INSPECTION REPORT, AND MUST REMAIN POSTED FOR AT LEAST 7 DAYS, OR UNTIL COMPLIANCE HAS BEEN ACHIEVED, WHICHEVER IS THE LONGER PERIOD. A COPY OF THIS REPORT MUST ALSO BE PRODUCED FOR DISCUSSION AT THE NEXT OH&S COMMITTEE MEETING.

THIS IS AS PER OCCUPATIONAL HEALTH AND SAFETY REGULATION SECTION 2.7.

Employer Representative	Officer of the Board
	BROSE, ALAN