# **British Columbia**

#### **LAWS & ANNOUNCEMENTS**

#### **Ergonomics**

Apr 25: WorkSafeBC's Board of Directors approved <u>changes</u> to agency policy governing whether activity-related soft tissue disorders (ASTDs) of the limbs are considered work-related for purposes of workers' comp coverage. The new ASTDs rules will apply to claims and appeals made on or after July 14, 2025.

**Action Point:** Find out how to implement an <u>Ergonomics Safety and Compliance</u> <u>Game Plan</u> to protect your workers against ASTDs and other musculoskeletal injuries.

## **Injury Reporting**

May 26: WorkSafeBC launched an improved version of the online Form 6 that workers are required to use to report a physical injury. The revised Form 6 includes a mobile-friendly design, user-friendly navigation and visuals, easy-to-understand questions, and the capacity to save responses automatically.

**Action Point:** Use the <u>OHS Insider policy template</u> to create a legally sound incident investigation and reporting policy for your workplace.

# **Fire Safety**

Jun 9: With summer approaching, WorkSafeBC called on employers to ensure that they're prepared to protect both outdoor and indoor workers against wildfire smoke and extreme heat hazards.

**Action Point:** Find out how to implement a <u>Wildfire Smoke Protection Game Plan</u> to guard your workers against smoke exposure, both indoors and outdoors.

## **Industry Challenges**

Jun 5: WorkSafeBC proposed new <u>Guidelines</u> on how to seek approval under Part 26 of the OHS Regulations for forestry activities in areas with more than 500 suspect dangerous trees per hectare. The Guidelines, which will become final in 60 days, clarify that a request for approval to work without felling or assessing all the dangerous trees must include a risk assessment conducted on a representative sample of trees by a qualified person who's taken an approved training program and is experienced with the timber type and terrain.

## **Young Workers**

May 30: WorkSafeBC reminded employers of their OHS duty to provide proper training, orientation and supervision to young and new workers. Roughly 800 young workers suffer job injuries in BC each year. Service-sector jobs account for most workers' comp claims in 2024, followed by construction and retail. There've been 34 young worker fatalities over the past 5 years.

**Action Point:** Planning to hire students this summer? Find out how to implement a legally sound and effective New and Young Workers Safety and Compliance Game Plan.

#### **Occupational Health**

May 29: <u>Bill 11</u> adding new language to the BC *Employment Standards Act* to ban employers from asking or requiring employees to provide a doctor's note or similar document for health-related short-term absences received Royal Assent but won't take effect until the government issues an implementing regulation. Under current rules, employers may request "reasonably sufficient proof" that an employee is sick.

#### **Emergency Response**

May 12: The BC Assembly tabled Private Member <u>Bill M 214</u> requiring the government to develop a plan to provide comprehensive health screening of firefighters and to review the plan every 5 years.

#### **New Laws**

Jun 2: From now through July 2, nonprofits can <u>apply</u> to United Way BC for Work Experience Opportunities Grants to create time-limited paid work opportunities for people on income and disability assistance and Indigenous people receiving equivalent federal assistance. The new joint BC-federal program will provide \$7.7 million in funding over 2 years.

#### **New Laws**

Jul 1: The ban on Canadian work experience requirements for regulatory jobs takes effect. Regulatory authorities in BC must replace Canadian work experience requirements with an alternative assessment framework or apply for an exemption. The province also says it's making progress in eliminating barriers for foreign trained qualified professionals in 29 fields to practice in BC in accordance with *The International Credentials Recognition Act* that took effect on July 1, 2024.

#### **New Laws**

Jun 2: BC launched an aggressive new campaign to recruit U.S. physicians, nurses and medical professionals in the states of Washington, Oregon and California. The College of Physicians and Surgeons is also working on bylaw changes to allow U.S. doctors to apply directly to become fully licensed in BC without the need for further licensing exams.

#### **New Laws**

May 29: Royal Assent for <u>Bill 7</u> authorizing BC to fight back against U.S. tariffs by: i. removing or revising barriers impeding interprovincial trade; ii. imposing tolls/fees on non-Canadian commercial vehicles using provincial public infrastructure such as highways; and iii. directing public-sector bodies to exclude U.S. suppliers when procuring goods and services.

## **Industry Challenges**

May 29: <u>Bill 15</u> establishing a new system to ensure faster, cheaper and easier construction permitting for schools, hospitals and other high-priority infrastructure improvement projects in BC received Royal Assent. The system will be run by a newly created Ministry of Infrastructure.

#### **New Laws**

Jun 5: What, if anything, should BC do to cut regulatory red tape and make it easier for provincial businesses to operate? Answering that question is the objective of a new online survey that will run from now through the early fall.

#### **Drugs & Alcohol**

Jun 5: BC introduced new minimum standards to improve the safety, quality, and consistency of overdose prevention services. There have been more than 5.6 million visits to overdose prevention services or supervised consumption sites in the province since 2017, resulting in the estimate prevention of over 12,400 overdose deaths.

#### **Drugs & Alcohol**

#### **Workers' Comp**

Jun 20: That's the deadline to <u>comment</u> on <u>proposed policy changes</u> affecting how WorkSafeBC determines whether a worker "would retire" for purposes of workers' comp laws providing that benefits be paid out periodically until either the worker's disability ends or earlier if WorkSafeBC believes that the worker "would retire."

#### **Environmental**

May 22: BC created a new Provincial Forest Advisory Council to make recommendations on how to balance environmental and economic policies in the crucial forestry sector. The Council is expected to submit its final report by the end of 2025.

#### **CASES**

#### Lockout Tagout: Wood Plant Fined Nearly \$130,000 for Conveyor Injury

WorkSafeBC cited a wood products manufacturer for 2 high-risk OHS violations after a worker suffered serious injury while clearing a jam of wooden blocks in the waste conveyor system of a trimmer machine: Failure to: i. provide workers required safety information, instruction, training, and supervision; and ii. ensure that energy sources were isolated and effectively controlled. The price tag: \$129,665 [Brink Forest Products Ltd.]

**Action Point:** You can prevent OHS fines like these by implementing a legally sound Lockout and Hazardous Energy Control Compliance Game Plan at your site.

Workplace Harassment: No Workers' Comp Benefits for Worker Who Instigates

#### **Stressful Confrontation**

A black truck driver diagnosed with Major Depressive Disorder with anxious distress (single episode, moderate) sought workers comp benefits claiming he developed the condition as a result of being bullied and harassed at work, including one specific incident of aggressive racial abuse and slurs in a public setting by his supervisor and then being suspended for the incident. The BC Workers' Comp Appeals Tribunal ruled that while no doubt highly stressful, neither the incident nor subsequent suspension would constitute what a reasonable person in the driver's position a "traumatic" event or "significant work-related stressor" justifying mental disorder benefits. The evidence showed that there was bad blood between the 2 before the incident and that the driver instigated the altercation during which he was "equally abusive" to the supervisor [A2400536 (Re), 2025 CanLII 44531 (BC WCAT), April 30, 2025].

**Action Point:** Find out about <u>workers' comp coverage</u> of gradual onset and traumatic mental stress.

PPE: OK to Fire Worker for Deliberately Falsifying Safety Boots Expense Report An energy infrastructure company fired a union worker for attaching a false receipt to an expense report for \$399 in reimbursement for safety boots and then lying about it during the investigation. While acknowledging that discipline was in order, the union claimed that termination was excessive, especially since the worker had no record of previous discipline. After hearing from 9 witnesses—but not the worker himself—the BC arbitrator tossed the grievance, finding that the worker deliberately and knowingly overstated how much he paid for the boots. His clean disciplinary record was less impressive given that the worker had only worked for the company for 6 months. And the company had terminated at least one other worker for theft [Tidewater Midstream and Infrastructure Ltd v Unifor Local 1997, 2025 CanLII 48100 (BC LA), May 16, 2025].

**Action Point:** Find out about the <u>rules governing whether employers must pay for</u> the PPE that OHS laws require workers to use.