WorkSafeBC Regulatory Summary

The **Workers Compensation Act (WCA)** and **Occupational Health and Safety Regulation (OHSR)** apply to nearly all BC employers. Exceptions include federal jurisdiction workplaces regulated under the Canada Labour Code, and mines.

### Workers Compensation Act

- provides the legal authority for WorkSafeBC to:
  - set and enforce occupational health and safety standards
  - establish policies about compensation, assessment and rehabilitation
- defines occupational health and safety rights and responsibilities
- is enforceable and takes precedence over the OHSR

**Key sections** –
Part 3, Division 3 - Sections 115 through 119

### Occupational Health and Safety Regulation

- created under the WCA
- purpose is to promote OHS and to protect workers and others from work-related risks to their health, safety and well-being
- sets out legal requirements that all workplaces under WorkSafeBC jurisdiction must meet.

**Key sections for road safety**

- **Part 3** – health and safety programs, workplace inspections, correcting unsafe conditions, refusing unsafe work, first aid and new and young workers.
- **Part 4** – start-up procedures, authorizing operators, physical and mental impairment, working alone, violence prevention and ergonomics (MSI).
- **Part 16** – pre-use inspections, maintenance records, operator competency, supervisor responsibilities, and reporting / conducting necessary repairs.
- **Part 17** – transportation of workers, describes owner and operator responsibilities, general operating requirements, seat belts and passenger compartments.

### Prevention Policies

- provide binding direction to WorkSafeBC decision-makers, including prevention officers, on how to apply sections of the WCA and OHSR
- clarify employer, worker and supervisor obligations under specific sections of the Act and Regulation

**WCA Policies relevant to road safety** –
**employer duties towards other workers** and **general duties of supervisors**.

**OHSR Policies relevant to road safety** include those under **Part 2**, **Part 4** and **Part 17**.

### Guidelines

- provide guidance to help employers interpret, apply and comply with WCA and OHSR requirements
- are not enforceable

Guidelines relevant to road safety include **reporting serious injuries**, **resource roads**, **lift truck operator training**, **inspections of vehicles used to transport workers**.