

6951 Westminster Highway, Richmond, BC  
 Mailing Address: PO Box 5350 Stn Terminal, Vancouver BC, V6B 5L5  
 Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

The *Workers Compensation Act* requires that the employer must post a copy of this report in a conspicuous place at or near the workplace inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A copy of this report must also be given to the joint committee or worker health and safety representative, as applicable.

A revised version of the *Workers Compensation Act* took effect on April 6, 2020. The B.C. government's revisions aim to make the Act easier to read and understand, and to reorganize the numbering to make laws easier to find. The revisions make no changes to B.C.'s laws concerning workers' compensation, occupational health and safety, and employers' assessment premiums. Please be aware there may be a transitional period where correspondence from WorkSafeBC may include references to either the previous Act or the revised Act. For more information, visit [www.worksafebc.com/WCA2019](http://www.worksafebc.com/WCA2019) or call the Prevention Information Line at 604.276.3100, or toll free within BC at 1.888.621.7233 (SAFE).

### Inspection Report #202016973171A

Employer Name	Jobsite Inspected	Scope of Inspection
THE UNIVERSITY OF BRITISH COLUMBIA	2337 Lower Mall Bioenergy Research Demonstration Facility Greater Vancouver A BC V6T 1Z4	incident notification - right to refuse

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Sep 25, 2020	Sep 25, 2020	Sep 30, 2020	Email

**THERE ARE ZERO (0) ORDERS OR OTHER ITEMS OUTSTANDING**

**ACTION MAY STILL BE NECESSARY TO ENSURE COMPLIANCE  
PLEASE READ FULL REPORT**

## **INSPECTION NOTES**

On September 25, 2020, Prevention Officer L. Gibbins was notified of an incident (date: September 18, 2020) at this workplace. The Officer spoke by phone, to an employer representative (the employer) regarding matters of compliance with the Workers Compensation Act (Act) and the Occupational Health and Safety Regulation (Regulation).

The purpose of the phone meeting was to review the incident where a worker exercised their right to refuse unsafe work.

The following information was discussed (but not limited to):

### **I. INCIDENT - Right to Refuse Unsafe Work**

An incident occurred where a worker exercised their right to refuse unsafe work related to a confined space event. Information was obtained during the phone meeting with the employer, that the process found in Section 3.12 of the Regulation was not followed by the worker and employer.

It was determined that the incident falls within the scope of an incident found in Section 69(1)(c) of the Act. The employer reported that they would complete a full incident investigation report (EIIR) in accordance to Section 72 of the Act. The employer stated that they have implemented interim controls while they complete the EIIR.

### **II. PLAN**

The employer will submit the EIIR to this Officer by October 18, 2020. A secured site is found in the attached email where the employer can submit the EIIR into.

Additional information may be found on the WorkSafeBC website:  
<http://www.worksafebc.com>

Please contact this Officer if you have any questions.

Laura Gibbins, CRSP, BScN  
Occupational Safety Officer  
WorkSafeBC - Prevention Field Services  
Phone: 604-244-6479  
Fax: 604-231-8662  
E-mail: [laura.gibbins@worksafebc.com](mailto:laura.gibbins@worksafebc.com)

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## REFERENCES

In addition to any orders, or other items, and the information provided in the Inspection Notes section in this Inspection Report, the officer may discuss other health and safety issues with the employer arising out of the inspection. The information below sets out the health and safety requirements discussed with the employer, and unless otherwise noted, violations of these requirements were not observed.

Reference	Details Discussed
<b>WCA69(1)(c)</b>  An employer must conduct a preliminary investigation under section 71 and a full investigation under section 72 respecting 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.	A worker was not injured; however, due to the nature of the event, there was a potential for causing serious injury to a worker.

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Employer #	Mailing Address	Classification Unit #	Operating Location
11284	C/O WCB CLAIMS ADMINISTRATOR HUMAN RESOURCES 6TH FLOOR 6190 AGRONOMY RD VANCOUVER BC V6T 1Z3	765010	002

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N			

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Tariq Din	Tariq Din	Not Available	CUPE local 116

WorkSafeBC Officer Conducting Inspection
Laura Gibbins

*Inspection Time	*Travel Time
2.75 hrs	0.00 hrs

\*The time recorded above reflects the inspection time and travel time associated with this inspection report and includes time spent on pre and post-inspection activities. Additional time may be added for subsequent activity.

### Request a Review

**Any employer, worker, owner, supplier, union, or a member of a deceased worker's family directly affected may, within 45 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers Office at 1-800-925-2233.**

**To submit a request online, visit <https://www.worksafebc.com/en/review-appeal/submit-request>**

WorkSafeBC values your feedback. To obtain that feedback, an external market research provider may be contacting you to complete a survey.