

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 or call the Prevention Information Line at 604.276.3100, or toll free within BC at 1.888.621.7233 (SAFE).

Inspection Report #202317748015A

Employer Name	Jobsite Inspected	Scope of Inspection
THE UNIVERSITY OF BRITISH COLUMBIA	#Room 160 - 3800 Wesbrook Mall UBC Geering Up Engineering Outreach Vancouver BC V6S 2L9	Reporting of Unsafe Acts and Conditions

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Feb 23, 2023	Feb 23, 2023	Feb 24, 2023	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 Thursday February 23, 2023, OHO Jonathan Truefitt (this officer) conducted an inspection of this workplace pertaining to matters of compliance with the Occupational Health and Safety Regulation (the Regulation) and the *Workers Compensation Act* (the Act). The scope of the inspection was limited to a discussion on the reporting of unsafe conditions relating to indoor air quality and potable water quality.

This workplace is a tenant space within a large building located on the UBC Vancouver campus. This employer is the tenant in the space while the building is owned and managed by another entity.

A) REPORTING OF UNSAFE CONDITIONS AND CORRECTIVE ACTIONS

A number of health and safety concerns have been raised by workers at this workplace that were discussed with employer and worker representatives during the inspection. The employer reported that they are currently in the process of addressing the concerns which include but are not limited to:

- Turbidity of the potable water supply to the workplace.
- Indoor air quality related to odors in some areas of the building including the cafeteria.
- Cleanliness of the washrooms that are used by the workers.
- Odors and dripping water within the washrooms that are used by the workers.

The employer is reminded of the following:

- Section 4.79(1)(a) of the Regulation which states that the employer must ensure that the indoor air quality is investigated when complaints are reported.
- Section 3.10 of the Regulation which states that whenever a person observes what appears to be an unsafe or harmful condition or act the person must report it as soon as possible to a supervisor or to the employer, and the person receiving the report must investigate the reported unsafe condition or act and must ensure that any necessary corrective action is taken without delay.

It was discussed that the owner of this building has responsibilities under Section 25(a) of the Act which states that an owner must provide and maintain the owner's land and premises that are being used as a workplace in a manner that ensures the health and safety of persons at or near the workplace.

As this employer (who is a tenant) has the responsibility to address the unsafe acts and conditions reported to them (which relate to the building), and the owner has the responsibility to maintain the building in a manner that ensures the health and safety of persons at or near the workplace, a shared responsibility exists between the two parties.

Section 30 of the Act discusses "Responsibility when obligations apply to more than one person" (see Regulations Referenced).

Therefore, a joint responsibility by both the tenant (this employer) and the owner in regards to ensuring that corrective actions are completed exists, meaning that both parties would be expected to collaborate together in partnership to address the concerns.

NEXT STEPS

As required by section 3.10 of the Regulation it is expected that the employer will ensure that any necessary corrective actions are taken without delay now that reports of unsafe conditions have been received from the workers.

It is understood that the employer may require the assistance of the building owner to address the concerns and implement corrective actions. Regular updates on the status of the correct actions are expected to be provided to workers in a timely manner.

There is a joint health and safety committee at this workplace that represents these workers. Information on the joint health and safety committee is available to workers from an online app. The employer may wish to provide a refresher to workers on where to access this app and the information on the joint health and safety committee.

B) CONTACT

If there are any questions regarding the items noted in this inspection report, please contact:

Jonathan Truefitt, B.Sc., CIH, ROH - Occupational Hygiene Officer - WorkSafeBC
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Phone: 604.244.6486 Fax: 604.232.1558

For more information on occupational health and safety, visit: www.worksafebc.com

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
<p>OHS3.10</p> <p>Whenever a person observes what appears to be an unsafe or harmful condition or act the person must report it as soon as possible to a supervisor or to the employer, and the person receiving the report must investigate the reported unsafe condition or act and must ensure that any necessary corrective action is taken without delay.</p>	<p>Referenced in regards to the reporting of unsafe acts and conditions at this workplace and the employer's responsibility to investigate and implement corrective actions as necessary.</p>
<p>OHS4.79(1)(a)</p> <p>The employer must ensure that the indoor air quality is investigated when complaints are reported.</p>	<p>Referenced in regards to investigating indoor air quality concerns.</p>
<p>OHS4.79(1)(b)</p> <p>The employer must ensure that the indoor air quality is investigated when occupancy in the space changes substantially.</p>	<p>Referenced in regards to investigating indoor air quality concerns.</p>
<p>OHS4.79(1)(c)</p> <p>The employer must ensure that the indoor air quality is investigated when renovations involving significant changes to the ventilation system occur.</p>	<p>Referenced in regards to investigating indoor air quality concerns.</p>
<p>OHS4.85(1)</p> <p>Except as provided by subsection (2), the employer must ensure that a sufficient number of plumbed washroom facilities are readily available for workers.</p>	<p>Referenced in regards to the provision of washroom facilities.</p>
<p>OHS4.85(3)(a)</p> <p>If washroom facilities are provided they must be maintained in proper working order.</p>	<p>Referenced in regards to the provision of washroom facilities.</p>
<p>OHS4.85(3)(b)</p> <p>If washroom facilities are provided they must be kept clean and sanitary.</p>	<p>Referenced in regards to the provision of washroom facilities.</p>

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Reference	Details Discussed
<p>OHS4.85(3)(c)</p> <p>If washroom facilities are provided they must be provided with the supplies necessary for their use.</p>	<p>Referenced in regards to the provision of washroom facilities.</p>
<p>WCA25(a)</p> <p>Every owner of a workplace must provide and maintain the owner's land and premises that are being used as a workplace in a manner that ensures the health and safety of persons at or near the workplace.</p>	<p>Referenced in regards to the duties of the owner of this workplace.</p>
<p>WCA25(b)</p> <p>Every owner of a workplace must give to the employer or prime contractor at the workplace the information known to the owner that is necessary to identify and eliminate or control hazards to the health or safety of persons at the workplace.</p>	<p>Referenced in regards to the duties of the owner of this workplace.</p>
<p>WCA25(c)</p> <p>Every owner of a workplace must comply with the OHS provisions, the regulations and any applicable orders.</p>	<p>Referenced in regards to the duties of the owner of this workplace.</p>
<p>WCA30</p> <p>(1) This section applies if one or more OHS provisions or provisions of the regulations impose the same obligation on more than one person.</p> <p>(2) If one of the persons subject to the obligation complies with the applicable provision, the other persons subject to the obligation are relieved of that obligation only during the time when</p> <p>(a) simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense, and</p> <p>(b) the health and safety of persons at the workplace is not put at risk by compliance by only one person.</p>	<p>Referenced in regards to this employer and the owner of the workplace working in collaboration to resolve the reports of unsafe acts and conditions raised by workers at this workplace.</p>

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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	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)
N	N	N	

Workers onsite during Inspection	Notice of Project Number
5	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organizations & Local
Andrew Jamison	Andrew Jamison	Sara Reimanis	AAPS CUPE Local 2950

WorkSafeBC Officer Conducting Inspection
Jonathan Truefitt

*Inspection Time	*Travel Time
3.50 hrs	1.00 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.

WorkSafeBC's online services provide employers with tools to view information and to complete a variety of transactions with us in an easy, fast, and secure way. Through an online services account, you can view and download your inspection reports and compliance agreements, submit Employer Incident Investigation Reports, view your Health & Safety Planning Tool Kit, and more. Visit [worksafebc.com](https://www.worksafebc.com) to log in or create an account.