

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 #202318130055A

Employer Name	Jobsite Inspected	Scope of Inspection
THE UNIVERSITY OF BRITISH COLUMBIA	2206 East Mall Vancouver BC V6T 1Z8	Request for data / information

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 10, 2023	Aug 10, 2023	Aug 10, 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

This is a follow up inspection report to **IR202318130052A** in which the inspecting officer made a request for specific data / information from sampling conducting in workplaces. The employer responded by email on August 9th, 2023 requesting an extension of one week until August 18th, 2023 to provide the information in order to review the officers request with UBC Legal counsel.

The inspecting officer with this document acknowledges the request of an additional time, and grants the extension to the period to provide the information requested until August 18th, 2023.

Regulatory Reference WCA75(3) and 79(2) - additional information has been provided to the employer with links to the applicable sections of *The Act* pertaining to an officers authority to conduct an inspection, and regulatory obligations pertaining to the requirement to assist the officer.

Original Text IR202318130052A

"...The Workers Compensation Act (WCA) section 75(3) provides the authority for prevention officers to do a number of things on an inspection, as as per WCA section 74, this authority also applies to investigations and inquiries.

Background:

The inspecting officer has been made aware that UBC has completed sampling within workplaces with workers related to the occupational exposure risk of illicit substances under a grant from the BCCDC.

Though the sampling was obtained as research within a methods development project, it appears that there was both ambient and occupational sampling conducted in a workplace with workers. This data / associated analysis vis a vis workplace exposure risk etc. is within the direct purview of WorkSafeBC.

UBC has already provided a copy of the Grant Letter from the BCCDC, and the participant consent form to the inspecting officer when it was requested.

The prevention officer wishes to highlight that in the Grant Letter Point 4, the BCCDC requires that the grant shall be governed by the laws of the Province of British Columbia and the federal laws of Canada applicable therein. The Workers Compensation Act as noted above in sections 75(3) and 74 grants WorkerSafeBC as the provincial regulator specific authority and powers.

*BCCDC Grant Letter Project Description (dated July 5th, 2023 BCCDC to UBC Grant-In-Aid-Support)
Review by officer for relevance to "Worker" and "Workplace Exposure Risks"*

"...Project Description:

- UBC SPPH OEH to develop and document a field sampling method and lab analysis method for the purposes of analyzing air quality inside and outside of safe consumption sites in BC.*
- UBC SPPH OEH to develop and improve protocols, tools and/or other resources for technical assistance for researchers analyzing air quality inside and outside safe consumption sites in BC.*
- UBC SPPH OEH to create a report on analysis of samples to be submitted in a format developed by both parties; regularity of submission will be agreed upon by both parties in writing and updated as required (bi-monthly or quarterly)..."*

Consent Form Content - Workplace and Worker References

"...If you consent to participate in this study, you will wear a small pump and a sampling device in order to capture some of the same air you are breathing. The pump weighs about 500 grams and will be worn on a belt around your waist. The sampling device

will be attached to your shirt collar, and will be connected to the pump with plastic tubing. We will ask you to wear the pump and sampler for one to three work shifts...."

"...The results of this research may also be used to inform provincial guidance from WorkSafeBC on best practices for setting up and operating a safe consumption site..."

"...The results from this study will help safe consumption sites operate as safely as possible. You will receive a report with information about air quality in your workplace. The results will also help to improve the design of future safe consumption sites...."

"...No personal identifying information will be collected as a part of the study...."

The inspecting officer has reviewed the documents provided to date by UBC (BCCDC Grant Letter and Participant Consent Form), and the inspecting officer has determined that the sampling is within the scope of worker/workplace exposure monitoring. As a result the prevention officer is requesting records that relate to all workplace exposure sampling for illicit substances that was conducted by UBC under the grant from the BCCDC.

Items Requested

- 1. All the air sampling data, associated field sampling notes, and any other information that covers the location and circumstances in which the samples were acquired;*
- 2. Any analysis conducted using this data related to workplace exposure risks;*
- 3. A copy of any presentation(s) for workers and employers that have been created with content specific to this workplace sampling, and its analysis vis a vis workplace exposure risks to illicit substances.*

**Note: if there are components of items in the list above that would delay the timely transmission of the entire list of items (ie: copies of the sampler's field notes), then the employer is requested not to delay the transmission of all available information. In the event of a partial transmission of information the employer is requested to provide a separate list of what other information is outstanding, and the date it will be transmitted (without undue delay).*

If any items listed cannot be provided, please provide a rationale in writing.

The inspecting officer (WorkSafeBC) does not require the names of any participants (workers or site clients / residents) that were included in the project when the information is transmitted. This information if present, should be struck prior to transmitting the documents. The participant consent form states that no personal information will be recorded, so this is not viewed as an impediment to transmission of the information. All other typical sampling information should be included (date, site, pump / flow rates etc., copies of lab results etc.).

The information is to be delivered to the issuing officer via the contact information provided below no later than August 11th, 2023.

A link for upload of the information is provided in the email that this document was attached to..."

CONTACT INFORMATION:

If you have any questions or require further information regarding this report, please contact me at:

*Keith Dodd MSc OHSE, CRSP, CMIOHSH
Occupational Hygiene Officer, Prevention Field Services / 250-881-3458*

WorkSafeBC

4514 Chatterton Way, Victoria B.C.
worksafebc.com



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

INSPECTION REPORT
Worker and Employer Services Division
202318130055A

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>WCA75(3)</p> <p>An officer may do one or more of the following for the purposes of an inspection under this Division:</p> <ul style="list-style-type: none"> (a) bring along any equipment or materials required for the inspection and be accompanied and assisted by a person who has special, expert or professional knowledge of a matter relevant to the inspection; (b) inspect works, materials, products, tools, equipment, machines, devices or other things at the place; (c) take samples and conduct tests of materials, products, tools, equipment, machines, devices or other things being produced, used or found at the place, including tests in which a sample is destroyed; (d) require that a workplace or part of a workplace not be disturbed for a reasonable period; (e) require that a tool, equipment, machine, device or other thing or process be operated or set in motion or that a system or procedure be carried out; (f) inspect records that may be relevant and, on giving a receipt for a record, temporarily remove the record to make copies or extracts; (g) require a person to produce within a reasonable time records in the person's possession or control that may be relevant; (h) question persons with respect to matters that may be relevant, require persons to attend to answer questions and require questions to be answered on oath or affirmation; (i) take photographs or recordings of the workplace and activities taking place in the workplace; (j) attend a relevant training program of an employer; (k) exercise other powers that may be necessary or incidental to the carrying out of the officer's duties and functions under the OHS provisions or the regulations. 	<p>See inspection text</p>

Reference	Details Discussed
WCA79(2) A person must not do any of the following: (a) hinder, obstruct, molest or interfere with, or attempt to hinder, obstruct, molest or interfere with, an officer in the exercise of a power or the performance of a duty or function under the OHS provisions or the regulations, (b) knowingly provide an officer with false information, or neglect or refuse to provide information required by an officer in the exercise of the officer's powers or performance of the officer's duties or functions under the OHS provisions or the regulations, or (c) interfere with any monitoring equipment or device in a workplace placed or ordered to be placed there by the Board.	Reference for the employer and workers with regards to obligations under the act to provide assistance to an officer of the board in the performance of their duties.

Employer #	Mailing Address	Classification Unit #	Operating Location
11284	C/O BRUCE ANDERSON DONALD RIX BUILDING 2389 HEALTH SCIENCES MALL ROOM 336 VANCOUVER BC V6T 1Z3	765010	080

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		1	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Hugh Davies	Hugh Davies	Not Applicable	

WorkSafeBC Officer Conducting Inspection	Contact Details	
Keith Dodd	Phone: (250) 881-3458	Email: Keith.Dodd@worksafebc.com

Inspection Time*	Travel Time*
1.5 hrs	0 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.

THE UNIVERSITY OF BRITISH COLUMBIA
C/O BRUCE ANDERSON
DONALD RIX BUILDING
2389 HEALTH SCIENCES MALL
ROOM 336
VANCOUVER BC V6T 1Z3