



When would a WCB officer visit your site

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There are several reasons why a WCB officer might arrive at your site. We prefer to visit construction sites when the principal contractor has filed a Notice of Project with the board. Our officers try to get on site as early as possible in the project to give you a brief outline of what is expected so there are no surprises in future visits.

Often, though, officers will wind up at your worksite because they were driving by and noticed the site. They will then drop in to ensure a safe, healthy workplace, and that you are complying with the Occupational Health and Safety Regulation and the Workers Compensation Act.

Sometimes our officers come to a site as the result of a complaint. The WCB receives phone tips reporting problems or issues, and officers will follow these up with site visits. Where an officer comes on site in response to a call, the officer is looking for something specific, although the employer may not be told that.

If officers plan a visit, they try not to turn up during complicated times at site, for example, during a concrete pour. Our intention is not to hinder your work. However, unless invited for a specific time by the employer, officers will usually turn up unannounced.

Most WCB officers treat worksite inspections as a friendly communication between themselves and the builders or the people on site. In the larger centres, officers will get to most sites on a routine basis, but in some far corners of the province, they may only get out there as a result of a complaint.

If you disagree with orders written or penalties assessed

If you disagree with an order written up after an officer's visit, your first option is to call the Prevention Manager for your area and speak directly to that person. You can provide information to the officer or regional manager to reconsider the decision, and the officer can reopen the issue at any time.

The first formal avenue of appeal option is to apply to WCB's Review and Penalty section to have the order cancelled. You have 60 days to apply for a decision review. Your application must be in writing, must identify specifically what you want reviewed and must state the basis of your appeal. Review and Penalty may ask the inspecting officer for further comments, and you will be given a chance to comment on the officer's additional submissions as well. Finally, you will receive a written decision stating whether the orders were confirmed, varied or cancelled. Where no penalty was recommended, this decision is final.

Workers can appeal a 'clean sheet' report, which states that no infractions were found. They would follow the same avenues of appeal, including asking for a review from the Review and Penalty section.

Penalties are occasionally recommended. They are recommended for a variety of reasons, including whether an incident was high risk or of a repeat nature. You will be sent a letter advising you of the recommendation and explaining the reasons for it. If you disagree, you have 30 days to notify the Review and Penalty Section of your intention to make representations. You can either make written submissions or attend a hearing with the Review and Penalty Section. The submissions would be examined, followed by a letter being sent to you with the decision of the Reviewing Officer. If you disagree with that decision, you can appeal further to the Appeal Division. They would review your case, look at any new information and would issue a decision, which is final.

For more information on preventing injuries in construction, visit our Construction Health and Safety Centre at <http://construction.healthandsafetycentre.org>.

SEND US YOUR IDEAS AND QUESTIONS

I would like to include your ideas and questions in future columns. Send your ideas for future columns to me at dnelson@wcb.bc.ca or call me at (604) 231-8631 or toll free in B.C. at 1 888 621-7233.