

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.

Inspection Report #202418824117A		
Employer Name	Jobsite Inspected	Scope of Inspection
ALLAIRE CONSTRUCTION INC	600 Rochester Avenue Coquitlam BC V3K 2V5	Multi-family Residential Construction

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 13, 2024	Aug 13, 2024	Aug 15, 2024	Email

THERE ARE TEN (10) ORDERS OR OTHER ITEMS OUTSTANDING

ACTION REQUIRED

Summary of Orders or other Items		
See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited		
Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.55(a)
Order/Item No.2 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.62(1)(a)
Order/Item No.3 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.32
Order/Item No.4 <input type="checkbox"/>	Status: Outstanding	Cited: OHS5.38(2)
Order/Item No.5 <input type="checkbox"/>	Status: Outstanding	Cited: OHS12.15(c)
Order/Item No.6 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.5
Order/Item No.7 <input type="checkbox"/>	Status: Outstanding	Cited: OHS20.25(1)
Order/Item No.8 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.6
Notice of Compliance Report Required.		
Order/Item No.9 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.4(2)
Notice of Compliance Report Required.		
Order/Item No.10 <input type="checkbox"/>	Status: Outstanding	Cited: WCA24(1)
Notice of Compliance Report Required.		

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ORDER STATUS LEGEND	
Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

Based upon the violation(s) cited in this inspection report (and any previous relevant violations) WorkSafeBC has determined that there are grounds for imposing an administrative penalty and/or OHS Citation. If WorkSafeBC decides to take further enforcement, additional information will be provided.

On Tuesday, August 13, 2024, occupational safety officer Angela Lee and I inspected a work site located at 600 Rochester Avenue, Coquitlam. The work site consisted of new construction of seven low-rise, wood frame, multi-family residential buildings with a shared two-level concrete underground parkade at various stages of construction. Multiple sub-contractors (framing, mechanical, sprinkler, civil, roofing, etc.) were present on site and various work activities were ongoing at the site at the time of this inspection.

Allaire Construction Inc. (the employer) was the prime contractor for the project. The employer's site superintendent was present during the inspection. The following summarizes our observations and discussions with the site superintendent.

Note: Inspection report (IR) 202419815158A was also issued to Neil Smith Construction Ltd. (civil contractor) as a result of this inspection.

Observations and Discussions

- The inspection was mostly conducted from the sidewalks adjacent to the work site (i.e. perimeter inspection) where the site superintendent joined us.
- I observed multiple balcony decks (main, second, and third floors) without guardrails, with doors to the balconies open in many cases. I observed workers access one of these balcony decks.
- Glass windows and patio doors, stored on their edges on the balcony decks (leaning against exterior walls) on different levels, were not restrained or secured. The site superintendent reported that he employer had staged the windows and doors for the installers.
- Outside stairway access to multiple units have open sides without handrails. In some instances, access to the units were provided via short, job-built wooden ladders and/or ramps.
- A worker was controlling traffic on Clayton Street adjacent to the west side of the work site. The site superintendent reported that this worker was a temporary employee (from a labour supply company) retained by the employer. The worker is a trained traffic control person (TCP).
- A traffic control plan was available on site. While traffic control signs were set up on Rochester Avenue (adjacent to the north side of the work site), I did not observe any traffic control signs or devices set up on Clayton Street where the temporary worker was controlling traffic. We had extensive discussions about the requirements for traffic control and the need for coordination with sub-contractors.
- I observed an unsecured gas cylinder within the work site outside the buildings.

WorkSafeBC's Inspectional Initiative - Struck By

The goal of this initiative is to reduce injuries and death resulting from struck by incidents by raising awareness of work activities that may lead to struck by incidents on construction sites, such as traffic control, leading edge work and falling objects, etc.

Employers have a duty to ensure the health and safety of all workers, by establishing policies and programs that will ensure compliance with the regulations at the workplace. This includes verifying that supervisors and workers onsite are provided with the necessary training, tools and equipment, and supervision appropriate to mitigate struck by incidents.

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Prime Contractor Responsibilities

Prime contractors have a duty under section 24 of the *Workers Compensation Act* (the Act) to coordinate the activities of employers, workers, and other persons at the workplace relating to occupational health and safety, and to do everything that is reasonably practicable to establish and maintain an effective system or process that will ensure compliance with Part 2 of the Act and the Occupational Health and Safety (OHS) Regulation in respect of the workplace. The prime contractor has the overall responsibility to ensure the health and safety of all persons at a multiple-employer workplace and to ensure that sub-contractors comply with the Act and the OHS Regulation. The prime contractor's responsibility in coordinating health and safety at the workplace includes site safety orientations, toolbox safety meetings, regular inspections, first aid, hazard communication, etc.

Due Diligence Request

Please note that the Board is considering further enforcement actions, up to and including an administrative penalty, against the employer for the violations observed during this inspection. The employer is hereby invited to provide a due diligence submission to the officer named below.

Upon delivery of this inspection report, I provided the employer with the following WorkSafeBC resources:

- Safe work practices in residential construction
- Prime contractor responsibilities
- Prime contractors: How do you measure up?
- Reducing the risk of workers being struck by vehicles or mobile equipment (fillable template)
- Reducing the risk of workers being struck by vehicles or mobile equipment (guide to using the fillable template)
- Reducing the risk of workers being struck by vehicles or mobile equipment
- Hazard Alert: Working in traffic control zones - be prepared for high risk!

Please see References section for information on other safety items discussed.

If you have any questions or concerns regarding this report, please feel free to contact me:

Adewale Eniade, PhD, CIH
Occupational Hygiene Officer, Prevention Field Services
Office: 604. 247. 5628 Email: adewale.eniade@worksafebc.com

Please note that the WorkSafeBC prevention information line (604. 276. 3100 or 1. 888. 621. 7233 (SAFE)) is also available to answer questions about workplace health and safety, employer and worker responsibilities or to report a workplace incident.



ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.55(a)
<p>Guardrails had not been installed on multiple balcony decks on various levels that were accessible to workers and more than 4 feet above grade or an adjacent floor.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 4.55(a).</p> <p>An area accessible to workers must have guards or guardrails installed if a raised floor, open-sided floor, mezzanine, gallery, balcony, work platform, ramp, walkway, or runway is 122 cm (4 ft) or more above the adjacent floor or grade level.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must install guardrails on balcony decks, open sided floors, and other areas where required.</p> <p>Note: The guardrails must comply with the requirements of section 4.58(5) of the OHS Regulation.</p>		
Order/Item No.2 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.62(1)(a)
<p>Handrails had not been installed on multiple access stairways (with more than 4 risers) to various units.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 4.62(1)(a).</p> <p>Stairs with more than 4 risers must have continuous handrails on any open side of the stairway.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must install handrails on the open sides of all stairways with more than 4 risers at the work site.</p> <p>The employer must also install handrails on any enclosed stairway as per the requirements of sections 4.62(1)(b) and 4.62(1)(c) of the OHS Regulation.</p> <p>Note: The handrails must comply with the requirements of OHS Regulation sections 4.62(2) - 4.62(4).</p>		

Orders/Items - Full Details

Order/Item No.3 <input type="checkbox"/>	Status: Outstanding	Cited: OHS4.32
<p>I observed two units where safe access had not been provided.</p> <p>In one case, access was provided to a unit via a short, steep, and unsecured job-built wooden ladder and a short ramp (with no handrails) across a pit, and I observed a worker use this access.</p> <p>In another case, access was provided to a unit via a short, steep, and unsecured job-built wooden ladder that did not even extend the doorway opening.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 4.32.</p> <p>There must be a safe way of entering and leaving each place where work is performed and a worker must not use another way, if the other way is hazardous.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must provide safe access to all units and other work areas at the site.</p>		
Order/Item No.4 <input type="checkbox"/>	Status: Outstanding	Cited: OHS5.38(2)
<p>I observed an unsecured, free-standing compressed gas cylinder on sloped ground outside the buildings at the work site. The cylinder was not upright as a result of the sloped ground.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 5.38(2).</p> <p>A compressed gas cylinder must be secured to prevent falling or rolling during storage, transportation and use, and where practicable, must be kept in the upright position.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must secure all compressed gas cylinders at the work site to prevent them from falling or rolling.</p>		
Order/Item No.5 <input type="checkbox"/>	Status: Outstanding	Cited: OHS12.15(c)
<p>Multiple glass windows and patio doors were leaned vertically against exterior walls of unguarded balcony decks without any means of restraint to secure them from falling onto or off the balcony decks.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 12.15(c).</p> <p>Effective means of restraint must be used to secure an object from falling and endangering a worker.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must effectively restrain the glass windows and patio doors to secure them from falling.</p>		

Orders/Items - Full Details		
Order/Item No.6 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.5
<p>A temporary worker, retained and supervised by the employer, was controlling traffic on Clayton Street on the west side of the work site without any traffic control signs or devices set up on Clayton Street.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 18.5.</p> <p>An employer must ensure that</p> <ul style="list-style-type: none"> (a) temporary traffic control devices are positioned and used as specified in the traffic control plan, (b) temporary traffic control devices are positioned to allow traffic to move by or through the work zone in a safe manner, (c) temporary traffic control devices are in place before the start of the work and are removed or covered immediately when they are no longer required, (d) temporary traffic control devices are installed and removed in a sequence that best protects workers during each phase of a traffic control operation, and (e) the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres, unless this is not practicable. <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must demonstrate the set up and use of appropriate traffic control signs and devices as per their written traffic control plan.</p>		
Order/Item No.7 <input type="checkbox"/>	Status: Outstanding	Cited: OHS20.25(1)
<p>An unguarded rebar was sticking out from the ground adjacent to the open side of an access stairway with no handrails.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 20.25(1).</p> <p>The employer must ensure that protruding objects that create a risk of injury are removed or effectively guarded.</p> <p><u>Measures to Ensure Compliance:</u> Without undue delay, the employer must ensure that all protruding rebars and other protruding objects that create a risk of injury to workers are removed or effectively guarded.</p>		
Order/Item No.8 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.6
<p>I observed a temporary worker, retained and supervised by the employer, controlling traffic on Clayton Street on the west side of the work site while positioned in the middle of the road.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 18.6.</p> <p>An employer must ensure that</p> <ul style="list-style-type: none"> (a) traffic control persons are not used to control traffic when speed limits in effect are greater than 70 km/h, (b) traffic control persons do not direct traffic contrary to any sign, signal or traffic control device, and (c) traffic control persons are not positioned in an intersection open to traffic flow or the travelled portion of a roadway. <p><u>Measures to Ensure Compliance:</u> The employer must ensure that traffic control persons are not positioned in intersections or on roadways.</p> <p>Pursuant to section 88 (1) of the <i>Workers Compensation Act</i>, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than Friday, August 23, 2024.</p>		

Orders/Items - Full DetailsOrder/Item No.9 Status: **Outstanding**Cited: **OHS18.4(2)**

The employer's designated [REDACTED] did not ensure that

- traffic arrangements or layouts and procedures were implemented in accordance with the traffic control plan; and
- the required temporary traffic control devices are in place before the start of work.

Evidence for this violation are as follows:

- I observed a traffic control person in the middle of the roadway.
- No traffic control signs were set up on Clayton Street during traffic control operations.
- The designated [REDACTED] was present on site and permitted traffic control operations to proceed without correcting these unsafe conditions.

This is in contravention of the Occupational Health and Safety Regulation Section 18.4(2).

The employer must ensure that [REDACTED] designated under subsection (1) ensures that the following requirements are met:
(a) traffic arrangements or layouts and procedures are implemented in accordance with the traffic control plan set out in section 18.3.2;

- (b) the required temporary traffic control devices are in place before the start of work and are removed or covered immediately when they are no longer required;
- (c) the work zone is inspected at intervals appropriate to the risks;
- (d) it has been verified that any person assigned to direct traffic can provide evidence of having completed the traffic control training program in accordance with section 18.6.2;
- (e) if traffic control persons are assigned, the traffic control persons are, before their first shift, provided orientation and training at the work zone that are
 - (i) documented or otherwise recorded, and
 - (ii) consistent with the risks identified in the risk assessment;
- (f) if 2 or more traffic control persons are expected to work as a team, responsibility is assigned to one traffic control person to coordinate any changes in traffic flow.

Measures to Ensure Compliance:

The employer must ensure that a designated supervisor ensures that the requirements of section 18.4(2) are met.

Pursuant to section 88 (1) of the *Workers Compensation Act*, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **Friday, August 23, 2024**.

Orders/Items - Full DetailsOrder/Item No.10 Status: **Outstanding**Cited: **WCA24(1)**

The employer, as prime contractor at the work site, had not effectively coordinated health and safety nor implemented an effective system to ensure compliance with the OHS provisions and regulations. Evidence for this violation are as follows:

- multiple balcony decks (various levels) accessible to workers of multiple sub-contractors were not protected with guardrails or guards (see order # 1);
- open sides of stairways to multiple units were not protected with handrails (see order # 2);
- safe access were not provided to mutiple units (see order # 3);
- a compressed gas cylinder was not secured to prevent from falling or rolling (see order # 4);
- several glass windows and patio doors were not restrained to prevent them from falling while stored on edge (by the employer) on balcony decks (see order # 5);
- a rebar protruding from the ground adjacent to the open side of an access stairway without handrails was not guarded (see order # 6);
- traffic control signs were not set up during traffic control operations by a temporary worker retained and supervised by the employer (see order # 7);
- the employer did not ensure that a temporary traffic control person, retained and supervised by the employer, was positioned in a safe location during traffic control operations (see order # 8);
- the employer did not ensure that the designated traffic control supervisor fulfill their obligations under section 18.4(2) (see order # 9);
- a sub-contractor's worker was operating a wheeled dumper with a damaged seat / lap belt (see IR 202419815158A);
- two workers of a sub-contractor were conducting traffic control operations while one was without the appropriate personal protective equipment and both were positioned on the roadway. The employer had not coordinated the traffic control operations with this sub-contractor (see IR 202419815158A).

This is in contravention of the Workers Compensation Act Section 24 (1).

The prime contractor of a multiple-employer workplace must:

- (a) ensure that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated, and
- (b) do everything that is reasonably practicable to establish and maintain a system or process that will ensure compliance with the OHS provisions and the regulations in respect of the workplace.

Measures to Ensure Compliance:

The employer must outline plans to effectively coordinate health and safety and to implement an effective system or process to ensure compliance with the OHS provisions and the regulations.

Pursuant to section 88 (1) of the *Workers Compensation Act*, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **Friday, August 23, 2024**.

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>OHS4.58(5)(a)</p> <p>Unless designed by a professional engineer, temporary wooden guardrails on floors and platforms must have posts that are spaced no more than 2.4 m (8 ft) apart, except a scaffold which may have posts spaced not more than 3 m (10 ft) apart.</p>	<p>For the employer's reference regarding requirements for guardrails (Order # 1).</p> <ul style="list-style-type: none"> - Posts for temporary wooden guardrails must be less than 8 feet apart - Top rails must be made of 2 x 4 lumber (for a span of up to 8 feet) or 2 x 6 lumber for a span of 8 - 10 feet. - Mid rails must be made of 2 x 4 or 1 x 6 lumber - Horizontal rails must be secured to the top or inner side of the posts - Posts must be installed with the narrow dimension facing the open edge
<p>OHS4.62(2)</p> <p>The top of a handrail must be 76 cm to 92 cm (30 in to 36 in) above the stair tread, measured vertically from the nose of the tread, and the height must not vary on any flight or succession of flights of stairs.</p>	<p>For the employer's reference regarding requirements for handrails (Order # 2).</p> <p>The top of a handrail must be 30 inches to 36 inches above the tread of the stair.</p>
<p>OHS4.62(3)</p> <p>A handrail on an open side of a stairway must have a midrail located approximately midway between the top of the handrail and the nose of the stair tread.</p>	<p>For the employer's reference regarding requirements for handrails (Order # 2).</p> <p>A handrail on the open side of a stairway must include a midrail which is located half way between the top of the handrail and the tread of the stair.</p>
<p>OHS4.62(4)</p> <p>A handrail must be able to withstand a load of 1.3 kN (300 lbs) applied vertically or horizontally at any point along the handrail.</p>	<p>For the employer's reference regarding requirements for handrails (Order # 2).</p>
<p>OHS4.39(1)</p> <p>Floors, platforms, ramps, stairs and walkways available for use by workers must be maintained in a state of good repair and kept free of slipping and tripping hazards.</p>	<p>For the employer's reference regarding order # 3.</p>
<p>OHS18.8(1)</p> <p>Subject to section 18.6 and subsection (3) of this section, an employer must ensure that a traffic control person is in a position that has been identified in the risk assessment as a safe location.</p>	<p>For the employer's reference regarding the location of traffic control person (order # 7).</p>

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Reference	Details Discussed
<p>OHS18.8(2)</p> <p>A safe location referred to in subsection (1) is one that</p> <p>(a) is</p> <p>(i) on the shoulder or curb adjacent to the traffic being controlled, or</p> <p>(ii) in a lane that has been closed by means of barriers or other temporary traffic control devices,</p> <p>(b) provides the traffic control person with an unobstructed route to escape errant vehicles or traffic,</p> <p>(c) is 25 metres or more from the work zone, unless circumstances or space requirements, such as working at or near an intersection open to traffic flow or in an urban setting, make this distance not practicable, and</p> <p>(d) makes the traffic control person stand out against the background or appear as conspicuous as possible to approaching traffic.</p>	<p>For the employer's reference regarding the location of traffic control person (order # 7).</p>
<p>OHS18.2</p> <p>The employer must ensure that effective traffic control is provided and implemented whenever traffic could be hazardous to a worker.</p>	<p>For the employer's reference regarding requirements for effective traffic control.</p>
<p>OHS18.3(2)</p> <p>An employer must ensure that traffic control equipment, arrangements or layouts and procedures, to the extent practicable, meet the requirements of the Traffic Management Manual unless otherwise specified in this Regulation or in the Act.</p>	<p>For the employer's reference regarding traffic control Standard.</p>
<p>OHS18.3.1(1)</p> <p>An employer must not permit workers to engage in a work activity that may expose workers to traffic unless a risk assessment has first been completed by a qualified person and the risk assessment</p> <p>(a) meets the requirements of subsections (2) or (3), as applicable, and</p> <p>(b) takes into account the risks to worker health and safety whenever traffic control is required for</p> <p>(i) emergent work,</p> <p>(ii) brief duration work,</p> <p>(iii) short duration work, or</p> <p>(iv) long duration work.</p>	<p>Requirement for traffic control risk assessment.</p>
<p>OHS18.3.2(1)</p> <p>An employer responsible for short duration work or long duration work must ensure that a written traffic control plan is developed based on the risk assessment.</p>	<p>A traffic control plan must be based on a risk assessment completed by a qualified person.</p>

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Reference	Details Discussed
<p>OHS18.9</p> <p>Each traffic control person must be provided and must use, when directing traffic, the following:</p> <ul style="list-style-type: none"> (a) a traffic control paddle meeting the requirements set out in the Traffic Management Manual and, if determined by a risk assessment as required to control fatigue, an extension pole for the paddle; (b) a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic; (c) high visibility apparel meeting the requirements for the Class 3 garment criteria of CSA Standard Z96-15, High-Visibility Safety Apparel and that <ul style="list-style-type: none"> (i) is in fluorescent yellow-green or fluorescent orange-red background colour, (ii) covers fully, at a minimum, the upper torso, (iii) has, in a contrasting colour, combination retroreflective-fluorescent stripes/bands that are at least 100 millimetres wide, made up of an at least 50 millimeter-wide retroreflective band with 2 at least 25 millimetre-wide fluorescent stripes in a contrasting colour to the background colour, in fluorescent yellow-green or fluorescent orange-red, on each side of the retroreflective band, (iv) is worn as a torso vest, jacket or coveralls, with the combination retroreflective-fluorescent stripes/bands described in subparagraph (iii) laid out in the following pattern: <ul style="list-style-type: none"> (A) a symmetric X, on the back of the garment, from shoulders to waist; (B) 2 vertical stripes/bands on the front and extending over the shoulders to the waist; (C) waist-level, horizontal stripes/bands extending entirely around the circumference of the torso, from the back to the bottom of the vertical stripes/bands on the front where they end at the front garment-fastening mechanism; (D) with no gaps, in the retroreflective-fluorescent material, that exceed 50 millimetres, and (v) has horizontal combination retroreflective-fluorescent stripes/bands encircling both arms and legs, that are of the measurements set out in subparagraph (iii) and that are placed below the elbows and below the knees, respectively; (d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side; (e) any other equipment required by the risk assessment. 	<p>For the employer's reference regarding equipment for traffic control persons.</p>

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Reference	Details Discussed
<p>OHS3.20</p> <p>If workers of 2 or more employers are working at a workplace at the same time, the prime contractor must</p> <p>(a) conduct an assessment of the circumstances of the workplace under section 3.16 (2) in relation to all the workers in the workplace, and</p> <p>(b) do everything that is reasonably practicable to establish and maintain the first aid equipment, supplies, facilities, first aid attendants and services required under section 3.16.</p>	<p>Prime contractors are responsible to assess the work sites and establish and maintain adequate first aid supplies, equipment, facilities and first aid attendant when workers of two or more employers are working at a workplace at the same time (multiple-employer workplace).</p>
<p>OHS20.3(2)(a)(i)</p> <p>If a work location has overlapping or adjoining work activities of 2 or more employers that create a hazard to workers, and the combined workforce at the workplace is more than 5, the owner, or if the owner engages another person to be the prime contractor, then that person, must appoint a qualified coordinator for the purpose of ensuring the coordination of health and safety activities for the location.</p>	<p>Prime contractors are required to appoint a qualified health and safety coordinator for a multiple-employer workplace when the activities of two or more employers within the same work area create a hazard to workers and there are more than five workers in total.</p>
<p>OHS20.3(3)(a)</p> <p>The duties of the qualified coordinator appointed under Subsection 20.3(2)(a)(i) include informing employers and workers of the hazards created.</p>	<p>Refer also to Section 20.3(3)(b).</p> <p>Responsibilities of the qualified health and safety coordinator include ensuring that employers and workers are informed of hazards created and that hazards are promptly addressed.</p>
<p>WCA21(1)</p> <p>Every employer must ensure the health and safety of:</p> <p>(i) all workers working for that employer, and</p> <p>(ii) any other workers present at a workplace at which that employer's work is being carried out, and</p> <p>(b) comply with the OHS provisions, the regulations and any applicable orders.</p>	<p>For the employer's reference regarding their obligations and responsibilities as prime contractor.</p>
<p>WCA21(2)(e)</p> <p>An employer must provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace.</p>	<p>For the employer's reference.</p>
<p>WCA88(1)</p> <p>This Inspection Report contains one or more orders requiring you to submit a Notice of Compliance report. This report must be prepared in accordance with section 88(2) of the Workers Compensation Act.</p>	<p>Requirement to submit Notice of Compliance Report set out in applicable order.</p>

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Reference	Details Discussed
<p>WCA88(2)</p> <p>The employer or other person directed by an order under subsection (1) must prepare a compliance report that specifies:</p> <ul style="list-style-type: none">(a) what has been done to comply with the order, and(b) if compliance has not been achieved at the time of the report, a plan of what will be done to comply and when compliance will be achieved.	<p>Requirement to submit Notice of Compliance Report set out in applicable order.</p>

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Employer #	Mailing Address	Classification Unit #	Operating Location
796113	UNIT 304 9600 CAMERON ST BURNABY BC V3J 7N3	721027	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		90	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Marc Allaire			

WorkSafeBC Officer Conducting Inspection	Contact Details	
Adewale Eniade	Phone: (604) 247-5628	Email: Adewale.Eniade@worksafebc.com

Inspection Time*	Travel Time*
8 hrs	0.5 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.

ALLAIRE CONSTRUCTION INC
UNIT 304 9600 CAMERON ST
BURNABY BC V3J 7N3

6951 Westminster Highway, Richmond, BC
 Mailing Address: PO Box 5350 Str 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.

Inspection Report #202418824117B		
Employer Name	Jobsite Inspected	Scope of Inspection
ALLAIRE CONSTRUCTION INC	600 Rochester Avenue Coquitlam BC V3K 2V5	Multi-family Residential Construction - Follow-up

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 13, 2024	Aug 29, 2024	Aug 30, 2024	Email

THERE ARE ZERO (0) ORDERS OR OTHER ITEMS OUTSTANDING

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

Summary of Orders or other Items		
See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited		
Order/Item No.1 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.55(a)
Order/Item No.2 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.62(1)(a)
Order/Item No.3 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.32
Order/Item No.4 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS5.38(2)
Order/Item No.5 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS12.15(c)
Order/Item No.6 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
Order/Item No.7 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS20.25(1)
Order/Item No.8 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.6
Order/Item No.9 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.4(2)
Order/Item No.10 <input checked="" type="checkbox"/>	Status: Complied	Cited: WCA24(1)

ORDER STATUS LEGEND	
Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required



FOLLOW UP INSPECTION REPORT #1
Worker and Employer Services Division
202418824117B

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INSPECTION NOTES

Based upon the violation(s) cited in this inspection report (and any previous relevant violations) WorkSafeBC has determined that there are grounds for imposing an administrative penalty and/or OHS Citation. If WorkSafeBC decides to take further enforcement, additional information will be provided.

This was a follow-up inspection to authenticate appropriate compliance with the order(s) noted in inspection report 202418824117A.

On Thursday, August 29, 2024, occupational safety officer Ahmed Hassan and I attended this work site to follow up on the orders issued to the employer in inspection report (IR) 202418824117A. The site superintendent and the health and safety coordinator were present for the follow-up inspection.

We conducted a walk-through inspection of the work site and noted steps the employer had taken to correct the deficiencies identified in the initiating IR.

All orders in this IR have now been complied.

Please see "Progress Towards Compliance" section of the "Orders/Items" section below for more information.

If you have any questions or concerns regarding this report, please feel free to contact me:

Adewale Eniade, PhD, CIH
Occupational Hygiene Officer, Prevention Field Services
Office: 604. 247. 5628 Email: adewale.eniade@worksafebc.com

Please note that the WorkSafeBC prevention information line (604. 276. 3100 or 1. 888. 621. 7233 (SAFE)) is also available to answer questions about workplace health and safety, employer and worker responsibilities or to report a workplace incident.



ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.55(a)
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Progress towards compliance:

Aug 29, 2024 - The employer has now installed guardrails across door openings to balcony decks, landings, open sided floors, etc. and posted signs that personal fall protection systems are required in work areas beyond the guardrails.

Initiating order:

Aug 13, 2024 - Guardrails had not been installed on multiple balcony decks on various levels that were accessible to workers and more than 4 feet above grade or an adjacent floor.

This is in contravention of the Occupational Health and Safety Regulation Section 4.55(a).

An area accessible to workers must have guards or guardrails installed if a raised floor, open-sided floor, mezzanine, gallery, balcony, work platform, ramp, walkway, or runway is 122 cm (4 ft) or more above the adjacent floor or grade level.

Measures to Ensure Compliance:

Without undue delay, the employer must install guardrails on balcony decks, open sided floors, and other areas where required.

Note: The guardrails must comply with the requirements of section 4.58(5) of the OHS Regulation.

Order/Item No.2 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.62(1)(a)
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Progress towards compliance:

Aug 29, 2024 - The employer has now installed handrails on open sides of stairways as well as on one side of enclosed stairways.

Initiating order:

Aug 13, 2024 - Handrails had not been installed on multiple access stairways (with more than 4 risers) to various units.

This is in contravention of the Occupational Health and Safety Regulation Section 4.62(1)(a).

Stairs with more than 4 risers must have continuous handrails on any open side of the stairway.

Measures to Ensure Compliance:

Without undue delay, the employer must install handrails on the open sides of all stairways with more than 4 risers at the work site.

The employer must also install handrails on any enclosed stairway as per the requirements of sections 4.62(1)(b) and 4.62(1)(c) of the OHS Regulation.

Note: The handrails must comply with the requirements of OHS Regulation sections 4.62(2) - 4.62(4).

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Orders/Items - Full Details		
Order/Item No.3 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS4.32
<p>Progress towards compliance: <u>Aug 29, 2024</u> - The employer has removed the short job-built ladders used for access into units. The employer has installed mostly stairs or ramps for access to the units.</p>		
<p>Initiating order: <u>Aug 13, 2024</u> - I observed two units where safe access had not been provided.</p> <p>In one case, access was provided to a unit via a short, steep, and unsecured job-built wooden ladder and a short ramp (with no handrails) across a pit, and I observed a worker use this access.</p> <p>In another case, access was provided to a unit via a short, steep, and unsecured job-built wooden ladder that did not even extend the doorway opening.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 4.32.</p> <p>There must be a safe way of entering and leaving each place where work is performed and a worker must not use another way, if the other way is hazardous.</p> <p>Measures to Ensure Compliance: Without undue delay, the employer must provide safe access to all units and other work areas at the site.</p>		
Order/Item No.4 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS5.38(2)
<p>Progress towards compliance: <u>Aug 29, 2024</u> - Gas cylinders in a designatd storage area were all secured. I did not observe any free-standing gas cylinder in the work areas inspected.</p>		
<p>Initiating order: <u>Aug 13, 2024</u> - I observed an unsecured, free-standing compressed gas cylinder on sloped ground outside the buildings at the work site. The cylinder was not upright as a result of the sloped ground.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 5.38(2).</p> <p>A compressed gas cylinder must be secured to prevent falling or rolling during storage, transportation and use, and where practicable, must be kept in the upright position.</p> <p>Measures to Ensure Compliance: Without undue delay, the employer must secure all compressed gas cylinders at the work site to prevent them from falling or rolling.</p>		
Order/Item No.5 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS12.15(c)
<p>Progress towards compliance: <u>Aug 29, 2024</u> - Many of the glass window and door panels had been installed. Those that remain staged at the work site were all secured with ropes.</p>		

Orders/Items - Full Details

Initiating order:

Aug 13, 2024 - Multiple glass windows and patio doors were leaned vertically against exterior walls of unguarded balcony decks without any means of restraint to secure them from falling onto or off the balcony decks.

This is in contravention of the Occupational Health and Safety Regulation Section 12.15(c).

Effective means of restraint must be used to secure an object from falling and endangering a worker.

Measures to Ensure Compliance:

Without undue delay, the employer must effectively restrain the glass windows and patio doors to secure them from falling.

Order/Item No.6 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
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Progress towards compliance:

Aug 29, 2024 - The site superintendent reported that delivery trucks will no longer park on Clayton Street, but drive into the work site. As such, the employer no longer requires traffic control arrangements or traffic control persons on Clayton Street. I observed an access to the work site had been cleared to allow for delivery trucks to drive into the work site.

A civil sub-contractor working adjacent to Rochester Avenue had retained a traffic control company for traffic control on Rochester Avenue. I observed appropriate traffic control signs and appropriately positioned traffic control persons on Rochester Avenue.

Initiating order:

Aug 13, 2024 - A temporary worker, retained and supervised by the employer, was controlling traffic on Clayton Street on the west side of the work site without any traffic control signs or devices set up on Clayton Street.

This is in contravention of the Occupational Health and Safety Regulation Section 18.5.

An employer must ensure that

- (a) temporary traffic control devices are positioned and used as specified in the traffic control plan,
- (b) temporary traffic control devices are positioned to allow traffic to move by or through the work zone in a safe manner,
- (c) temporary traffic control devices are in place before the start of the work and are removed or covered immediately when they are no longer required,
- (d) temporary traffic control devices are installed and removed in a sequence that best protects workers during each phase of a traffic control operation, and
- (e) the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres, unless this is not practicable.

Measures to Ensure Compliance:

Without undue delay, the employer must demonstrate the set up and use of appropriate traffic control signs and devices as per their written traffic control plan.

Order/Item No.7 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS20.25(1)
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Progress towards compliance:

Aug 29, 2024 - The rebar has been removed.

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Orders/Items - Full Details

Initiating order:

Aug 13, 2024 - An unguarded rebar was sticking out from the ground adjacent to the open side of an access stairway with no handrails.

This is in contravention of the Occupational Health and Safety Regulation Section 20.25(1).

The employer must ensure that protruding objects that create a risk of injury are removed or effectively guarded.

Measures to Ensure Compliance:

Without undue delay, the employer must ensure that all protruding rebars and other protruding objects that create a risk of injury to workers are removed or effectively guarded.

Order/Item No.8 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.6
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Progress towards compliance:

Aug 29, 2024 - Traffic control no longer required for deliveries (see order # 6).

However, the employer submitted a NOC detailing steps such as toolbox talk, frequent inspections, etc. that will be taken on an ongoing basis to ensure traffic control persons (TCP) are positioned in safe locations when present.

Initiating order:

Aug 13, 2024 - I observed a temporary worker, retained and supervised by the employer, controlling traffic on Clayton Street on the west side of the work site while positioned in the middle of the road.

This is in contravention of the Occupational Health and Safety Regulation Section 18.6.

An employer must ensure that

- (a) traffic control persons are not used to control traffic when speed limits in effect are greater than 70 km/h,
- (b) traffic control persons do not direct traffic contrary to any sign, signal or traffic control device, and
- (c) traffic control persons are not positioned in an intersection open to traffic flow or the travelled portion of a roadway.

Measures to Ensure Compliance:

The employer must ensure that traffic control persons are not positioned in intersections or on roadways.

Pursuant to section 88 (1) of the *Workers Compensation Act*, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **Friday, August 23, 2024**.

Order/Item No.9 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.4(2)
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Progress towards compliance:

Aug 29, 2024 - Traffic control no longer required for deliveries (see order # 6).

However, the employer submitted a NOC detailing steps such as toolbox talk, frequent inspections, field level hazard assessment, credential verification, etc. that would be required of a designated supervisor whenever traffic control may be required.

The employer provided a field level hazard assessment from a traffic control company performing traffic control, on behalf of a civil contractor, on Rochester Avenue at the time of this follow-up inspection.

Orders/Items - Full Details**Initiating order:**

Aug 13, 2024 - The employer's designated [REDACTED] did not ensure that

- traffic arrangements or layouts and procedures were implemented in accordance with the traffic control plan; and
- the required temporary traffic control devices are in place before the start of work.

Evidence for this violation are as follows:

- I observed a traffic control person in the middle of the roadway.
- No traffic control signs were set up on Clayton Street during traffic control operations.
- The designated [REDACTED] was present on site and permitted traffic control operations to proceed without correcting these unsafe conditions.

This is in contravention of the Occupational Health and Safety Regulation Section 18.4(2).

The employer must ensure that [REDACTED] designated under subsection (1) ensures that the following requirements are met:
(a) traffic arrangements or layouts and procedures are implemented in accordance with the traffic control plan set out in section 18.3.2;

(b) the required temporary traffic control devices are in place before the start of work and are removed or covered immediately when they are no longer required;

(c) the work zone is inspected at intervals appropriate to the risks;

(d) it has been verified that any person assigned to direct traffic can provide evidence of having completed the traffic control training program in accordance with section 18.6.2;

(e) if traffic control persons are assigned, the traffic control persons are, before their first shift, provided orientation and training at the work zone that are

(i) documented or otherwise recorded, and

(ii) consistent with the risks identified in the risk assessment;

(f) if 2 or more traffic control persons are expected to work as a team, responsibility is assigned to one traffic control person to coordinate any changes in traffic flow.

Measures to Ensure Compliance:

The employer must ensure that a designated supervisor ensures that the requirements of section 18.4(2) are met.

Pursuant to section 88 (1) of the *Workers Compensation Act*, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **Friday, August 23, 2024**.

Order/Item No.10 Status: **Complied**Cited: **WCA24(1)****Progress towards compliance:**

Aug 29, 2024 - The employer provided a NOC detailing steps such as regular inspections, safety meetings, toolbox talks, daily field level hazard assessments from sub-contractors, etc. that they will take on an ongoing basis to coordinate health and safety and ensure compliance with the Regulation and the *Workers Compensation Act*.

I also recommended regular corporate management site safety audits to the employer.

I also noted that the employer had assigned an additional/new health and safety coordinator (CSO) to this work site.

Orders/Items - Full Details**Initiating order:**

Aug 13, 2024 - The employer, as prime contractor at the work site, had not effectively coordinated health and safety nor implemented an effective system to ensure compliance with the OHS provisions and regulations. Evidence for this violation are as follows:

- multiple balcony decks (various levels) accessible to workers of multiple sub-contractors were not protected with guardrails or guards (see order # 1);
- open sides of stairways to multiple units were not protected with handrails (see order # 2);
- safe access were not provided to multiple units (see order # 3);
- a compressed gas cylinder was not secured to prevent from falling or rolling (see order # 4);
- several glass windows and patio doors were not restrained to prevent them from falling while stored on edge (by the employer) on balcony decks (see order # 5);
- a rebar protruding from the ground adjacent to the open side of an access stairway without handrails was not guarded (see order # 6);
- traffic control signs were not set up during traffic control operations by a temporary worker retained and supervised by the employer (see order # 7);
- the employer did not ensure that a temporary traffic control person, retained and supervised by the employer, was positioned in a safe location during traffic control operations (see order # 8);
- the employer did not ensure that the designated traffic control supervisor fulfill their obligations under section 18.4(2) (see order # 9);
- a sub-contractor's worker was operating a wheeled dumper with a damaged seat / lap belt (see IR 202419815158A);
- two workers of a sub-contractor were conducting traffic control operations while one was without the appropriate personal protective equipment and both were positioned on the roadway. The employer had not coordinated the traffic control operations with this sub-contractor (see IR 202419815158A).

This is in contravention of the Workers Compensation Act Section 24 (1).

The prime contractor of a multiple-employer workplace must:

- (a) ensure that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated, and
- (b) do everything that is reasonably practicable to establish and maintain a system or process that will ensure compliance with the OHS provisions and the regulations in respect of the workplace.

Measures to Ensure Compliance:

The employer must outline plans to effectively coordinate health and safety and to implement an effective system or process to ensure compliance with the OHS provisions and the regulations.

Pursuant to section 88 (1) of the *Workers Compensation Act*, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. Please submit the report no later than **Friday, August 23, 2024**.

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Employer #	Mailing Address	Classification Unit #	Operating Location
796113	UNIT 304 9600 CAMERON ST BURNABY BC V3J 7N3	721027	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		90	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Marc Allaire			

WorkSafeBC Officer Conducting Inspection	Contact Details	
Adewale Eniade	Phone: (604) 247-5628	Email: Adewale.Eniade@worksafebc.com

Inspection Time*	Travel Time*
7 hrs	2.25 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.

ALLAIRE CONSTRUCTION INC
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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.

Inspection Report #202419815158A		
Employer Name	Jobsite Inspected	Scope of Inspection
NEIL SMITH CONSTRUCTION LTD.	600 Rochester Avenue (includes) 572 Rochester Avenue Coquitlam BC V3K 2V5	Traffic Control and mobile equipment

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 13, 2024	Aug 13, 2024	Aug 20, 2024	Email

THERE ARE FOUR (4) ORDERS OR OTHER ITEMS OUTSTANDING

ACTION REQUIRED

Summary of Orders or other Items		
See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited		
Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.9
Order/Item No.2 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.3.1(1)
Order/Item No.3 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.4(1)
Notice of Compliance Report Required.		
Order/Item No.4 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
Order/Item No.5 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS16.5(1)
Order/Item No.6 <input type="checkbox"/>	Status: Outstanding	Cited: OHS16.3(1)

ORDER STATUS LEGEND	
Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

Any further enforcement action identified and/or considered is set out in the order(s).

If this report has been issued following an incident that is under investigation by WorkSafeBC, further enforcement action may be taken as a result of the findings of the investigation and any orders in this report.

On Tuesday, August 13, 2024, occupational safety officer Adewale Eniade and I inspected a work site located at 600 Rochester Avenue, Coquitlam. The work site consisted of new construction of seven low-rise, wood frame, multi-family residential buildings with a shared two-level concrete underground parkade at various stages of construction. Multiple sub-contractors (framing, mechanical, sprinkler, civil, roofing, etc.) were present on site and various work activities were ongoing at the time of this inspection.

Neil Smith Construction Ltd. (the employer) is the civil contractor and Allaire Construction Inc. is the Prime Contractor of this workplace. The employer representative and the superintendent of the prime contractor were present and accompanied me on this inspection.

Observations and discussions

- Two traffic control persons (TCP's) were conducting traffic control work from the travelled portion of the roadway on Rochester Avenue. One TCP did not have safe escape route.
- Traffic control signs were setup along Rochester Avenue and were confirmed to be have been setup by the prime contractor.
- A TCP was observed to walk alongside mobile equipment along Clayton Street and stop traffic while standing in the travelled portion of the roadway, there were no traffic control signs setup along Clayton Street.
- A TCP was observed conducting traffic control work while wearing a yellow high visibility long sleeve shirt, a yellow high visibility hard hat (with no reflector tape) and a Stop/Slow Paddle.
- An excavator and a bucket truck were in use for trenching work inside the property line.

Traffic Control

Temporary traffic control devices, traffic control arrangements, and traffic control persons help protect workers and move road users safely through work zones. These arrangements, procedures, and equipment must meet the requirements of Part 18 of the Regulation and the Traffic Management Manual. The employer is reminded to ensure that effective traffic control is provided and used whenever traffic could be hazardous to a worker.

Mobile Equipment

Discussed that riders of mobile equipment operators must use seat belts whenever the mobile equipment if the mobile equipment has seat belts installed by the manufacturer of the mobile equipment and that mobile equipment must be in use.

Resources

- Traffic control - What employers need to know to keep roadside workers safe
- WorkSafeBC - Toolbox meeting guide - Working safely with mobile equipment

Please refer to the References section for more information on items discussed.

If you have any questions or concerns related to this inspection please feel free to contact me by the information below:

Angela Lee
Occupational Safety Officer - Prevention Field Services - Construction Team
Office: 604.214.4843 Fax: 604.214.4840 Email: angela.lee2@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

The employer is also advised of the WorkSafeBC prevention information line at 604.276.3100 or toll-free at 1.888.621.SAFE (7233) that is available to answer questions about workplace health and safety, worker and employer responsibilities, or if you are calling to report a workplace accident or incident.

ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.9
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A traffic control person was conducting traffic and was not provided with:

- a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic
- horizontal combination retroreflective-fluorescent stripes/bands encircling both legs
- safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side

This is in contravention of the Occupational Health and Safety Regulation Section 18.9.

Each traffic control person must be provided and must use, when directing traffic, the following:

- (a) a traffic control paddle meeting the requirements set out in the Traffic Management Manual and, if determined by a risk assessment as required to control fatigue, an extension pole for the paddle;
- (b) a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic;
- (c) high visibility apparel meeting the requirements for the Class 3 garment criteria of CSA Standard Z96-15, High-Visibility Safety Apparel and that
 - (i) is in fluorescent yellow-green or fluorescent orange-red background colour,
 - (ii) covers fully, at a minimum, the upper torso,
 - (iii) has, in a contrasting colour, combination retroreflective-fluorescent stripes/bands that are at least 100 millimetres wide, made up of an at least 50 millimeter-wide retroreflective band with 2 at least 25 millimetre-wide fluorescent stripes in a contrasting colour to the background colour, in fluorescent yellow-green or fluorescent orange-red, on each side of the retroreflective band,
 - (iv) is worn as a torso vest, jacket or coveralls, with the combination retroreflective-fluorescent stripes/bands described in subparagraph (iii) laid out in the following pattern:
 - (A) a symmetric X, on the back of the garment, from shoulders to waist;
 - (B) 2 vertical stripes/bands on the front and extending over the shoulders to the waist;
 - (C) waist-level, horizontal stripes/bands extending entirely around the circumference of the torso, from the back to the bottom of the vertical stripes/bands on the front where they end at the front garment-fastening mechanism;
 - (D) with no gaps, in the retroreflective-fluorescent material, that exceed 50 millimetres, and
 - (v) has horizontal combination retroreflective-fluorescent stripes/bands encircling both arms and legs, that are of the measurements set out in subparagraph (iii) and that are placed below the elbows and below the knees, respectively;
- (d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side;
- (e) any other equipment required by the risk assessment.

Measures to Ensure Compliance:

The employer must provide to all traffic control persons all equipment required under section 18.9 of the Regulation.

A follow up inspection will be conducted to ensure compliance no later than August 22, 2024.

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Orders/Items - Full Details

Order/Item No.2 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.3.1(1)
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An employer permitted workers to engage in a work activity that may expose workers to traffic and a risk assessment has not first been completed by a qualified person.

This is in contravention of the Occupational Health and Safety Regulation Section 18.3.1(1).

An employer must not permit workers to engage in a work activity that may expose workers to traffic unless a risk assessment has first been completed by a qualified person and the risk assessment

- (a) meets the requirements of subsections (2) or (3), as applicable, and
- (b) takes into account the risks to worker health and safety whenever traffic control is required for
 - (i) emergent work,
 - (ii) brief duration work,
 - (iii) short duration work, or
 - (iv) long duration work.

Measures to Ensure Compliance:

Prior to leaving the workplace, the employer confirmed all work activity would be performed inside the property and no workers would conduct traffic control on the roadway prior to a risk assessment being completed.

A qualified person must complete a risk assessment prior to any workers engaging in any work activity that may expose a worker to traffic.

The employer must provide the risk assessment/s to this officer by email **no later than August 23, 2024.**

Order/Item No.3 <input type="checkbox"/>	Status: Outstanding	Cited: OHS18.4(1)
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An employer did not ensure that a qualified supervisor is designated whenever traffic control is required. This is evidenced as the [REDACTED] was not aware of the requirement to setup traffic control signs in accordance with the traffic control plan, which traffic control plan was to be used and was not aware of the the equipment for traffic control persons under section 18.9 of the Regulation or the safe location of traffic control persons.

This is in contravention of the Occupational Health and Safety Regulation Section 18.4(1).

An employer must ensure that a qualified supervisor is designated whenever traffic control is required.

Measures to Ensure Compliance:

The employer must provide to this officer a written plan of how they will ensure that a qualified supervisor is designated when traffic control is required.

Pursuant to section 88 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. **Please submit the report to this officer by email no later than August 23, 2024.**

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Orders/Items - Full Details

Order/Item No.4 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
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The employer did not ensure that temporary traffic control devices were positioned and used as specified in the traffic control plan and the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres. This is evidenced by:

- The traffic control persons were not positioned as specified in the traffic control plans provided by the employer representative.
- A traffic control person was standing and directing traffic while immediately adjacent to a traffic control ahead sign on

This is in contravention of the Occupational Health and Safety Regulation Section 18.5.

An employer must ensure that

- (a) temporary traffic control devices are positioned and used as specified in the traffic control plan,
- (b) temporary traffic control devices are positioned to allow traffic to move by or through the work zone in a safe manner,
- (c) temporary traffic control devices are in place before the start of the work and are removed or covered immediately when they are no longer required,
- (d) temporary traffic control devices are installed and removed in a sequence that best protects workers during each phase of a traffic control operation, and
- (e) the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres, unless this is not practicable.

Measures to Ensure Compliance:

Prior to this inspection, the employer ceased all traffic control activities and confirmed mobile equipment would operate inside the property.

Order/Item No.5 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS16.5(1)
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A worker of this employer was observed to operate a Wacker Neuson DW90 compact dumper and did not use the seat belt installed by the manufacturer.

This is in contravention of the Occupational Health and Safety Regulation Section 16.5(1).

Riders of mobile equipment who are authorized under section 16.8 must use seat belts whenever the mobile equipment is in motion or engaged in an operation that could cause the mobile equipment to become unstable, if the mobile equipment has seat belts

- (a) required under this Regulation, another law of British Columbia or a law of Canada, or
- (b) installed by the manufacturer of the mobile equipment.

Measures to Ensure Compliance:

The mobile equipment was removed from service prior to the end of this inspection.

Orders/Items - Full Details

Order/Item No.6 <input type="checkbox"/>	Status: Outstanding	Cited: OHS16.3(1)
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Before a Wacker Neuson compact dumper (serial # WNCD1802CPAL00671) was first operated on a shift, [REDACTED] did not inspect the mobile equipment and report unsafe defects to the supervisor. This is evidenced by:

- There was no written records of inspections available.
- [REDACTED] was operating the unit without the use of the seatbelt installed by the manufacturer and confirmed the seatbelt was broken.
- [REDACTED] that the seatbelt was not working and climbed into the equipment to confirm that it was not working at the time of the inspection.

This is in contravention of the Occupational Health and Safety Regulation Section 16.3(1).

Before mobile equipment is first operated on a shift, the operator must inspect the mobile equipment and report any unsafe, or potentially unsafe, defects to the supervisor or employer.

Measures to Ensure Compliance:

The employer must provide to this officer:

1. A written daily inspection record (signed by each operator) for each piece of equipment used at this workplace. The written records must be sent to this officer by email as follows:

- Daily inspection records for August 19, 2024 up to and including August 25, 2024 **by email no later than August 26, 2024.**
- Daily inspection records for August 26, 2024 up to and including September 1, 2024 **by email no later than September 3, 2024.**

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>WCA90(1)</p> <p>If subsection 90(2) or 90(3) applies, the Board may order that</p> <ul style="list-style-type: none"> (a) work at a workplace or any part of a workplace stop until the order to stop work is cancelled by the Board, and (b) if the Board considers this is necessary, the workplace or any part of the workplace be cleared of persons and isolated by barricades, fencing or any other means suitable to prevent access to the area until the danger is removed. 	<p>The work activities were temporarily stopped during the inspection.</p>
<p>OHS16.6(1)</p> <p>Designated walkways or safe work areas must be used to separate pedestrians from areas of operation of mobile equipment, if practical.</p>	<p>Discussed and provided as a reference.</p>
<p>OHS16.6(2)</p> <p>If it is impractical to provide designated walkways or safe work areas, at least one of the following means must be used to protect pedestrians:</p> <ul style="list-style-type: none"> (a) posted speed limits for mobile equipment; (b) the pedestrian and the mobile equipment operator must acknowledge each other's presence before the pedestrian proceeds through the hazardous area; (c) another effective means. 	<p>Discussed and provided as a reference.</p>
<p>OHS16.6(3)</p> <p>Subject to subsection 16.6(4), if an operator of mobile equipment cannot see the immediate work area where the mobile equipment will be moved, the operator must not move the mobile equipment unless one of the following precautions is taken to protect the operator and any other person from injury:</p> <ul style="list-style-type: none"> (a) immediately before the movement, inspection by the operator on foot of the immediate work area for hazards, including overhead hazards; (b) direction by a signaller who is stationed in a safe position in continuous view of the operator and who has an unobstructed view of the immediate work area; (c) another effective precaution. 	<p>Discussed and provided as a reference.</p>

Reference	Details Discussed
<p>OHS16.6(4)</p> <p>If an operator of mobile equipment cannot see the immediate work area directly behind the mobile equipment where the mobile equipment will be backing up, the operator must not back up the mobile equipment unless</p> <p>(a) one of the precautions referred to in subsection 16.6(3) is taken,</p> <p>(b) the mobile equipment has an audio warning device that</p> <p>(i) provides a signal to persons in the vicinity that, if practical, is audible above the ambient noise level, and</p> <p>(ii) is activated automatically when the mobile equipment controls are positioned to back the mobile equipment up, and</p> <p>(c) an additional means of protecting pedestrians is used if hazards or conditions would prevent pedestrians hearing the audio warning device referred to in paragraph (b).</p>	<p>Provided as a reference.</p>
<p>OHS16.10(1)</p> <p>If a hazard is created by the swinging movement of the load, cab, counterweight or any other part of mobile equipment, a person must not be within range of the swinging load or part and the operator must not move the part when any person is so exposed.</p>	<p>Discussed with the employer representative, workers and equipment operators and provided as a reference.</p>
<p>OHS16.10(2)</p> <p>Mobile equipment must be positioned so that no swinging part can come within 60 cm (2 ft) of any obstruction in any area accessible to persons or, if it is not practical to position the mobile equipment in that manner, entry to such areas must be prevented by barriers or other effective means.</p>	<p>Provided as a reference.</p>
<p>OHS4.9(1)</p> <p>If the Occupational Health and Safety Regulation requires a machine or piece of equipment to have an inspection and maintenance record, then an effective written or other permanent recording system or log must be immediately available to the equipment operator and to any other person involved with inspection and maintenance of the equipment.</p>	<p>Discussed and provided as reference.</p>

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Reference	Details Discussed
<p>OHS18.4(2)</p> <p>The employer must ensure that the supervisor designated under subsection (1) ensures that the following requirements are met:</p> <ul style="list-style-type: none"> (a) traffic arrangements or layouts and procedures are implemented in accordance with the traffic control plan set out in section 18.3.2; (b) the required temporary traffic control devices are in place before the start of work and are removed or covered immediately when they are no longer required; (c) the work zone is inspected at intervals appropriate to the risks; (d) it has been verified that any person assigned to direct traffic can provide evidence of having completed the traffic control training program in accordance with section 18.6.2; (e) if traffic control persons are assigned, the traffic control persons are, before their first shift, provided orientation and training at the work zone that are <ul style="list-style-type: none"> (i) documented or otherwise recorded, and (ii) consistent with the risks identified in the risk assessment; (f) if 2 or more traffic control persons are expected to work as a team, responsibility is assigned to one traffic control person to coordinate any changes in traffic flow. 	<p>Discussed and provided as a reference for Order no. 5</p>
<p>WCA88(1)</p> <p>This Inspection Report contains one or more orders requiring you to submit a Notice of Compliance report. This report must be prepared in accordance with section 88(2) of the Workers Compensation Act.</p>	<p>Requirement to submit Notice of Compliance Report set out in applicable order.</p>
<p>WCA88(2)</p> <p>The employer or other person directed by an order under subsection (1) must prepare a compliance report that specifies:</p> <ul style="list-style-type: none"> (a) what has been done to comply with the order, and (b) if compliance has not been achieved at the time of the report, a plan of what will be done to comply and when compliance will be achieved. 	<p>Requirement to submit Notice of Compliance Report set out in applicable order.</p>
<p>WCA21(2)(e)</p> <p>An employer must provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace.</p>	<p>Discussed and provided as a reference.</p>

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Employer #	Mailing Address	Classification Unit #	Operating Location
80708	DELTA BC	721031	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		6	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Navid Ghasemi	Navid Ghasemi		

WorkSafeBC Officer Conducting Inspection	Contact Details	
Angela Lee	Phone: (604) 214-4843	Email: Angela.Lee2@worksafebc.com

Inspection Time*	Travel Time*
9.75 hrs	0.75 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.

NEIL SMITH CONSTRUCTION LTD.



DELTA BC 

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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.

Inspection Report #202419815158B

Employer Name	Jobsite Inspected	Scope of Inspection
NEIL SMITH CONSTRUCTION LTD.	600 Rochester Avenue (includes) 572 Rochester Avenue Coquitlam BC V3K 2V5	Follow up

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Aug 13, 2024	Sep 10, 2024	Sep 10, 2024	Email

THERE ARE ZERO (0) ORDERS OR OTHER ITEMS OUTSTANDING

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

Summary of Orders or other Items

See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited

Order/Item No.1 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.9
Order/Item No.2 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.3.1(1)
Order/Item No.3 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.4(1)
Order/Item No.4 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
Order/Item No.5 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS16.5(1)
Order/Item No.6 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS16.3(1)

ORDER STATUS LEGEND

Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

Any further enforcement action identified and/or considered is set out in the order(s).

If this report has been issued following an incident that is under investigation by WorkSafeBC, further enforcement action may be taken as a result of the findings of the investigation and any orders in this report.

This was a follow-up inspection to authenticate appropriate compliance with the order(s) noted.

On August 30, 2024, I received an email from the employer providing documentation as required to achieve compliance with the outstanding orders.

There are no outstanding orders. Please refer to order text for more information.

If you have any questions or concerns related to this inspection please feel free to contact me by the information below:

Angela Lee
Occupational Safety Officer - Prevention Field Services - Construction Team
Office: 604.214.4843 Fax: 604.214.4840 Email: angela.lee2@worksafebc.com

The employer is also advised of the WorkSafeBC prevention information line at 604.276.3100 or toll-free at 1.888.621.SAFE (7233) that is available to answer questions about workplace health and safety, worker and employer responsibilities, or if you are calling to report a workplace accident or incident

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ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.9
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Progress towards compliance:

Sep 10, 2024 - On August 30, 2024, the employer confirmed the traffic control persons observed during the initiating inspection report are no longer employed by this employer. The employer also confirmed traffic control work is now being out sourced.

During a follow up inspection I observed traffic control persons from a sub-contractor to have the required equipment.

Orders/Items - Full Details**Initiating order:**

Aug 13, 2024 - A traffic control person was conducting traffic and was not provided with:

- a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic
- horizontal combination retroreflective-fluorescent stripes/bands encircling both legs
- safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side

This is in contravention of the Occupational Health and Safety Regulation Section 18.9.

Each traffic control person must be provided and must use, when directing traffic, the following:

- (a) a traffic control paddle meeting the requirements set out in the Traffic Management Manual and, if determined by a risk assessment as required to control fatigue, an extension pole for the paddle;
- (b) a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic;
- (c) high visibility apparel meeting the requirements for the Class 3 garment criteria of CSA Standard Z96-15, High-Visibility Safety Apparel and that
 - (i) is in fluorescent yellow-green or fluorescent orange-red background colour,
 - (ii) covers fully, at a minimum, the upper torso,
 - (iii) has, in a contrasting colour, combination retroreflective-fluorescent stripes/bands that are at least 100 millimetres wide, made up of an at least 50 millimeter-wide retroreflective band with 2 at least 25 millimetre-wide fluorescent stripes in a contrasting colour to the background colour, in fluorescent yellow-green or fluorescent orange-red, on each side of the retroreflective band,
 - (iv) is worn as a torso vest, jacket or coveralls, with the combination retroreflective-fluorescent stripes/bands described in subparagraph (iii) laid out in the following pattern:
 - (A) a symmetric X, on the back of the garment, from shoulders to waist;
 - (B) 2 vertical stripes/bands on the front and extending over the shoulders to the waist;
 - (C) waist-level, horizontal stripes/bands extending entirely around the circumference of the torso, from the back to the bottom of the vertical stripes/bands on the front where they end at the front garment-fastening mechanism;
 - (D) with no gaps, in the retroreflective-fluorescent material, that exceed 50 millimetres, and
 - (v) has horizontal combination retroreflective-fluorescent stripes/bands encircling both arms and legs, that are of the measurements set out in subparagraph (iii) and that are placed below the elbows and below the knees, respectively;
- (d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side;
- (e) any other equipment required by the risk assessment.

Measures to Ensure Compliance:

The employer must provide to all traffic control persons all equipment required under section 18.9 of the Regulation.

A follow up inspection will be conducted to ensure compliance no later than August 22, 2024.

Order/Item No.2 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS18.3.1(1)
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Progress towards compliance:

Sep 10, 2024 - A risk assessment has been completed and is accepted.

Orders/Items - Full Details**Initiating order:**

Aug 13, 2024 - An employer permitted workers to engage in a work activity that may expose workers to traffic and a risk assessment has not first been completed by a qualified person.

This is in contravention of the Occupational Health and Safety Regulation Section 18.3.1(1).

An employer must not permit workers to engage in a work activity that may expose workers to traffic unless a risk assessment has first been completed by a qualified person and the risk assessment

- (a) meets the requirements of subsections (2) or (3), as applicable, and
 (b) takes into account the risks to worker health and safety whenever traffic control is required for
 (i) emergent work,
 (ii) brief duration work,
 (iii) short duration work, or
 (iv) long duration work.

Measures to Ensure Compliance:

Prior to leaving the workplace, the employer confirmed all work activity would be performed inside the property and no workers would conduct traffic control on the roadway prior to a risk assessment being completed.

A qualified person must complete a risk assessment prior to any workers engaging in any work activity that may expose a worker to traffic.

The employer must provide the risk assessment/s to this officer by email **no later than August 23, 2024.**

Order/Item No.3 Status: **Complied**Cited: **OHS18.4(1)****Progress towards compliance:**

Sep 10, 2024 - A Notice of Compliance has been submitted and is accepted.

Initiating order:

Aug 13, 2024 - An employer did not ensure that a qualified supervisor is designated whenever traffic control is required. This is evidenced as the [REDACTED] was not aware of the requirement to setup traffic control signs in accordance with the traffic control plan, which traffic control plan was to be used and was not aware of the the equipment for traffic control persons under section 18.9 of the Regulation or the safe location of traffic control persons.

This is in contravention of the Occupational Health and Safety Regulation Section 18.4(1).

An employer must ensure that a qualified supervisor is designated whenever traffic control is required.

Measures to Ensure Compliance:

The employer must provide to this officer a written plan of how they will ensure that a qualified supervisor is designated when traffic control is required.

Pursuant to section 88 (1) of the Workers Compensation Act, the employer must prepare a Notice of Compliance report. In accordance with section 88 (2), this report must detail what has been done to comply with the order, and where compliance has not been achieved by the time the report has been submitted, include a plan of what will be done to comply and when compliance will be achieved. **Please submit the report to this officer by email no later than August 23, 2024.**

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Orders/Items - Full Details

Order/Item No.4 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS18.5
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The employer did not ensure that temporary traffic control devices were positioned and used as specified in the traffic control plan and the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres. This is evidenced by:

- The traffic control persons were not positioned as specified in the traffic control plans provided by the employer representative.
- A traffic control person was standing and directing traffic while immediately adjacent to a traffic control ahead sign on

This is in contravention of the Occupational Health and Safety Regulation Section 18.5.

An employer must ensure that

- (a) temporary traffic control devices are positioned and used as specified in the traffic control plan,
- (b) temporary traffic control devices are positioned to allow traffic to move by or through the work zone in a safe manner,
- (c) temporary traffic control devices are in place before the start of the work and are removed or covered immediately when they are no longer required,
- (d) temporary traffic control devices are installed and removed in a sequence that best protects workers during each phase of a traffic control operation, and
- (e) the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres, unless this is not practicable.

Measures to Ensure Compliance:

Prior to this inspection, the employer ceased all traffic control activities and confirmed mobile equipment would operate inside the property.

Order/Item No.5 <input checked="" type="checkbox"/>	Status: Closed	Cited: OHS16.5(1)
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A worker of this employer was observed to operate a Wacker Neuson DW90 compact dumper and did not use the seat belt installed by the manufacturer.

This is in contravention of the Occupational Health and Safety Regulation Section 16.5(1).

Riders of mobile equipment who are authorized under section 16.8 must use seat belts whenever the mobile equipment is in motion or engaged in an operation that could cause the mobile equipment to become unstable, if the mobile equipment has seat belts

- (a) required under this Regulation, another law of British Columbia or a law of Canada, or
- (b) installed by the manufacturer of the mobile equipment.

Measures to Ensure Compliance:

The mobile equipment was removed from service prior to the end of this inspection.

Order/Item No.6 <input checked="" type="checkbox"/>	Status: Complied	Cited: OHS16.3(1)
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Progress towards compliance:

Sep 10, 2024 - Written records of inspections were reviewed on site.

Orders/Items - Full Details**Initiating order:**

Aug 13, 2024 - Before a Wacker Neuson compact dumper (serial # WNCD1802CPAL00671) was first operated on a shift, [REDACTED] did not inspect the mobile equipment and report unsafe defects to the supervisor. This is evidenced by:

- There was no written records of inspections available.
- [REDACTED] was operating the unit without the use of the seatbelt installed by the manufacturer and confirmed the seatbelt was broken.
- [REDACTED] that the seatbelt was not working and climbed into the equipment to confirm that it was not working at the time of the inspection.

This is in contravention of the Occupational Health and Safety Regulation Section 16.3(1).

Before mobile equipment is first operated on a shift, the operator must inspect the mobile equipment and report any unsafe, or potentially unsafe, defects to the supervisor or employer.

Measures to Ensure Compliance:

The employer must provide to this officer:

1. A written daily inspection record (signed by each operator) for each piece of equipment used at this workplace. The written records must be sent to this officer by email as follows:

- Daily inspection records for August 19, 2024 up to and including August 25, 2024 **by email no later than August 26, 2024.**
- Daily inspection records for August 26, 2024 up to and including September 1, 2024 **by email no later than September 3, 2024.**

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

Employer #	Mailing Address	Classification Unit #	Operating Location
80708	DELTA BC	721031	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		6	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Navid Ghasemi		Not Applicable	

WorkSafeBC Officer Conducting Inspection	Contact Details	
Angela Lee	Phone: (604) 214-4843	Email: Angela.Lee2@worksafebc.com

Inspection Time*	Travel Time*
1 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.

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DELTA BC