



Roger Harris.

Changing Landscape

About the Ombudsman Office

The office of the Forest Safety Ombudsman enhances safety in the BC forest sector by being a safe, confidential and persuasive agent for the raising and review of safety concerns throughout the sector and facilitating impartial and timely resolution of safety issues.

The Forest Safety Ombudsman is part of the BC Forest Safety Council and has a clear mandate to investigate safety issues and recommend the best means to address them. The Ombudsman uses review, recommendation, mediation and conciliation where necessary and also relies on international experience and leading examples of success to inform the process.

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Introduction

This is the ninth annual report from the Forest Safety Ombudsman office. This past year has seen an overall increase in the number of enquiries our office has received. It's not the number of enquiries that is significant but rather the nature/source of the enquiries. The Ombudsman office was initially established as a way for individuals, companies and organizations that work within the sector to resolve their issues, but in 2015 our office received more calls from the public who come in contact with the industry in some way.

2015 saw both advances on many Safety Performance indicators while also experiencing an increase in fatalities over 2014. It is still an industry that has one of the highest fatality rates after truck driving and construction, along with steamfitters and pipefitters.

Across Canada approximately 150,000,000 cubic meters of wood is harvested annually, of which BC accounts for approximately half of that volume, but over half of the fatalities. While it may not be reasonable to draw any direct comparisons -- as the conditions that the industry operates varies significantly from one coast to the other -- it is a statistic that continues to support the reality that the forest sector in BC is still a very high risk work place.

Outstanding Issues

2015 still had our office looking for closure in a number of areas: cycle time, resources roads, abuse/intimidation and emergency response, specifically access to emergency transportation from remote areas of the Province.

The relationship between the BC Forest Safety Council (BCFSC), the certifying agency and WorkSafeBC (WSBC), the regulator, is still not well defined from the perspective of companies and individuals working in the sector. Companies going through the SAFE Certification process continue to perceive some conflict between BCFSC and WSBC in terms of the roles and mandates of both organizations. Whether real or not, this lack of clarity is a distraction from the smooth execution of the program.

2015-2016

The numbers of enquiries to the Ombudsman office in 2015 were up slightly from 2014. As referenced in the Introduction, the nature and source of enquires has changed over the years. In many cases our office has become a resource for individuals, organizations and companies to use as a directory to point them in the right direction. The BCFSC itself has become a solid resource for our office to utilize in resolving issues; and their timely and focused response to enquiries has been of significant benefit to our office in resolving issues quickly. Enquiries in 2015 were received on issues related to:

- Abuse/intimidation in the workplace
- Resource Roads
- Equipment certification
- Faller Certification
- Faller supervision
- Working alone
- Emergency response
- SAFE Companies

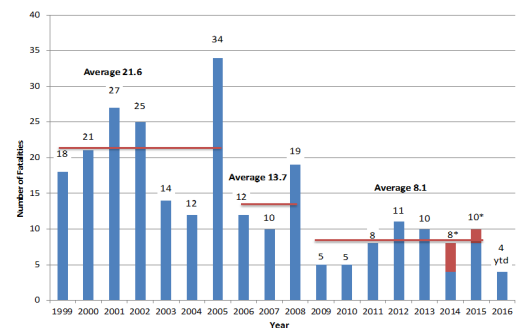
2015 tells two stories in harvesting. There is a good indication that we are seeing improvements in many of the traditional safety indicators (chart below). Our office attributes much of this success to the continued work by the BCFSC in:

- Improving the technical aspects of the standards by which firms in BC will operate
- Moving the cultural shift within the forest industry to one that is more professionally focused
- Expanding the participation of groups within the forest sector and government in BCFSC programs
- Continuing to raise awareness of safety within the industry and public.

	2011	2012	2013	2014	2015
#Serious Injury Claims	209	225	240	253	194
#Time Loss Claims	860	887	1,007	969	897
Total Work Days Lost	73.5K	69.8K	71.6K	75.6K	60.8K
Claims Costs Paid (millions)	\$50.1	\$57.5	\$52.3	\$60.1	\$48.0
Assessable Payroll (millions)	\$942	\$1,012	\$1,082	\$1,115	\$1,147
Harvest Volume – m ³ (millions)	73.3	72.4	75.3	70.8	70.9

The graph (right) reflects the fatality rates over the last 16 years, although the trends continue to come down the increase in 2015 is concerning. Already in 2016 there have been four fatalities which continues to reinforce the need to keep work on both long- and short-term strategies focused on not just reducing but eliminating fatal incidents in the forest sector.

WSBC Accepted Harvesting Fatality Claims



Outreach

The Ombudsman office continued in 2015 to participate in a number of forest industry conventions, including Truck Loggers Association, Council of Forest Industries, Western Silviculture Contractors’ Association, Council of Forest Industry Annual Convention and we have participated in the Falling Technical Advisory Committee meetings.

2016 – Primary Focus

The 2015 saw our office initiate a review of Emergency Response, specific to access to air transportation. This review will continue to be the prime focus of the office in 2016 while continuing to respond to enquiries.

We will again attend and where requested participate in a number of forest industry AGMs and Conferences as part of our ongoing outreach program. These events and reviews raise the awareness of the BCFSC and support the BCFSC’s efforts to raise safety awareness within the industry, public and government.

Plan for 2016

The BCFS Ombudsman Office will be completing its review of “Emergency Response” specific to access to air evacuation and be releasing a report later in the year.

R. Harris



BC Forest Safety

2014 BC Forest Safety Ombudsman Review

Safety is **good** business



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A time for reflection — a time to look forward

Introduction

This is the eighth annual report from the Forest Safety Ombudsman office. There have been a number of changes over the last eight years targeting improving safety outcomes for forest workers and their families. Last year's report considered the processes that the BC Forest Safety Council (BCFSC) and industry embarked upon to reverse a trend of increasing numbers of serious injuries and fatalities from the two previous years. This year's report will look at the changes in the forest sector that drove the decision to establish the Ombudsman Role with some observations for the office going forward.

Outstanding issues

There are some issues that have continued to remain a challenge. Cycle times is one of those. Our office has always taken the view that negotiating a truck rate is a business decision but the determination of a cycle time is a safety issue. Cycle time challenges are not unique to the forest industry, they are also an issue for the general trucking sector. Over the last year there has been progress made in improving processes and methodologies for the calculation of appropriate cycle times, which have been well received by all parties. Our office appreciates the work that has been done and looks forward to the finalization of those discussions with an outcome that will bring resolution to this issue.

The BC Government's reluctance to expand requirements for SAFE Certification of companies beyond BC Timber Sales, in our opinion, has been an obstacle to improving safety outcomes. In 2015 FLNRO has adopted a policy intended to have the agency certified and expand the application as an eligibility for contract work to forest sector contractors; our office views this as a positive measure and we look forward to seeing continued expansion across the Ministry's operations.

Our office has raised concerns over the relationship between the BCFSC, the certifying agency and WorkSafeBC (WSBC), the regulator. In our view, this has not worked as effectively as it should.

Companies going through the SAFE Certification process continue to perceive some conflict between BCFSC and WSBC in terms of "who" is in charge. Whether real or not, this lack of clarity is a distraction from the smooth execution of the program.

In our 2013 Annual Report we identified Intimidation/abuse in the workplace as a new issue where our office received enquiries. This continues to be a concern for our office. Abuse is a difficult issue to resolve as it is less obvious and in many ways leaves no visible scars; nonetheless, it is a serious work place issue that creates an unsafe environment not only for the individuals involved but also for other workers and the public. The cases our office has been contacted about involve employee to employee and employer to employee relationships, and have occurred in both union and non-union operations. While we do not believe this is a trend that is widespread there have been enough isolated cases, all of which are disturbing, to merit us continuing to raise this as an issue for the sector. Our office believes that every participant in the forest industry has a vested interest, role and responsibility in eliminating occurrences of abuse where they witness such events.

2014-2015

The numbers of enquiries to the Ombudsman office in 2014 were consistent with the enquiries we received in 2013. Both of these years have seen a reduction from the number of enquiries our office received per year, in the first six years of operation.

Cycle time, resources roads and WSBC enquiries continue to be of most concern. Two additional areas that have been brought to our attention have been in regard to abuse/intimidation and emergency response (specifically access to emergency transportation from remote areas of the Province).

I commented on abuse/intimidation earlier in this report, as it is an issue carried over from 2013 and one of the cases we have been involved in has been referred to the Human Rights Tribunal for decision.

Emergency response, specifically access to air evacuation, has been raised by a number of groups and sectors. In one situation where everything went “right”, the inability of a worker to access air evacuation resulted in the loss of a limb. This is an issue across the entire province and a number of groups have independently contacted our office to raise concerns. As a result, our office has decided to undertake a review of emergency response in BC, specifically focused on the ability to access air transportation from remote or isolated areas.

Outreach - The Ombudsman office continued in 2014 to participate in a number of forest industry conventions, including Truck Loggers Association, Council of Forest Industries and Western Silviculture Contractors’ Association. As well, our office made a number of community presentations through the Chambers of Commerce in Smithers, Vernon and the South Cariboo.

2015 – primary focus

The BC Forest Safety Ombudsman has now been in place for eight years. The rationale for establishing the office initially was, *“as a result of the Council’s review of current safety practices and concerns, it became clear that there was a need for industry to provide the means for safety issues to be raised and discussed in as free and open a manner as possible. It was also clear that at times this was not occurring due to concerns with possible adverse repercussions to those raising the issues. As well, the relative inequality of size and influence of parties within the sector made the raising and discussion of safety issues difficult.”*

From our prospective, the Forest Sector has made significant gains in the last eight years in terms of establishing and putting in place the necessary core elements that will shift this industry from one whose safety performance was grim at best, to an industry where all of the safety indicators are tracking in the right direction. We see the reduction in enquiries to our office over the last eight years as one of those indicators as barriers that contributed to the “code of silence” have started to come down.

With changes now occurring in the workplace it is an appropriate time to review the BC Forest Safety Ombudsman office to ensure that its role, as initially defined, is still relevant and that it continues to act as an agent for positive change in the forest sector.



Roger Harris.

Our office is of the view that there continues to be a need for some vehicle through which people can raise concerns with an assurance of confidentiality as well as some method by which independent reviews, similar to those conducted by this office in the past, can be commissioned. Whether the appropriate agency for this work is the current BCFSC Ombudsman role or some other entity is something the BCFSC should consider.

Plan for 2015

The BCFS Ombudsman Office will be conducting a review of “Emergency Response” specific to access to air evacuation.

BCFS Ombudsman would support and encourage a review of the Ombudsman office to:

- Review the original mandate of the office in terms of relevancy/priorities in 2015
- Review and/or establish new roles and objectives for the Ombudsman
- Determine the best operating model/position to meet the objectives of the office.

Roger Harris
BC Forest Safety Ombudsman
July 23, 2015

BC Forest Safety Ombudsman Report | 2013 – 2014

Message from Roger Harris

2013 BC Forest Safety Ombudsman Review

Introduction

This is the seventh annual report from the Forest Safety Ombudsman office. While our last two reports focused on accident statistics, this report considers the processes that the BCFS Council and industry have embarked on to reverse a trend that has seen an increase in the number of serious injuries and fatalities in the past two years.

Outstanding Issues

Over the last seven years, in our opinion, the forest sector has seen a cultural shift in how individual workers, sub-contractors, contractors, licensees and government view safety. No longer do programs or initiatives represent a “flavor of the month” approach to safety but rather, as an ingrained and integral component of everyday activities, on a par with other components of business. Today, industry talks about safe production. Safety and production are no longer considered in silos. This is a subtle but important shift in how we approach the everyday activities of people working in the industry.

With accident statistics remaining too high and moving in the wrong direction, we feel it is time to change our focus. Our review this year considers the placement of relevant processes and structures that will establish an environment where the likelihood of injury or death is reduced and a downward trend in accident statistics is sustainable.

Over the last number of years, the BCFS Council has introduced a number of initiatives targeted at improving safety outcomes for workers. Our office has commented on a number of these and whether or not they are achieving the goals they have set for themselves. Our report on Safe Companies in 2009, while endorsing the concept of safety initiatives, raised a number of concerns. BCFS Council has been embarking on reshaping the process with a ground up rather than a top down approach through the Safe Companies Certification process. Our office feels this will create greater support and buy-in from the stakeholders that, rather than being viewed as a bureaucratic process, is now seen as a relevant tool for assisting companies in improving safety outcomes.

The evolution and expansion of the Faller Certification program and Faller Supervision Program add greater depth to the certifications themselves and establish essential standards of professionalism. This is an important component of the effort to develop a sustainable process that moves safety from being a program to being an integrated part of each and every day.



BC Forest Safety Ombudsman Report | 2013 – 2014

Our office has raised concerns over the relationship between the BCFSC as the certifying agency and WSBC as the regulator. In our view, this has not worked as effectively as it should. The lack of clarity between the roles of these organizations, from the perspective of companies, contractors, sub-contractors and individual workers, has in the past created more confusion and frustration than benefit. For Contractors and people in the field there was not a clear understanding of the role of each which lead, in many cases, to a high degree of frustration and distraction for the industry. Our office has been encouraged to see both of these organizations working to improve their understanding of each other's roles and remove another area of frustration and distraction for each sector in the industry.

A large part of our office's function, aside from initiating reviews or facilitating solutions for specific disputes, is to direct enquiries to relevant agencies or the BCFS Council itself. The timeliness and response from the BCFSC today is a change from five years ago and has been extremely helpful in resolving many issues that may otherwise become more serious problems.

Our office has seen a fundamental shift in the forest sector from a safety perspective. The environment is shifting in a way that our office believes will have a more lasting effect on driving the accident statistics down. The culture of this sector is transitioning.

We cannot lose sight that the forest sector still experiences an accident rate that is significantly higher than the overall provincial average.

Cycle times, the negotiating of a truck rate as a business decision and the determination of a cycle time as a safety issue, continues to be an ongoing issue. Cycle time challenges are not unique to the forest sector, they are also an issue for the general trucking industry as a whole and possibly, the final solution for this may lie in a broader multi-industry approach to solving the problem.

The BC Government's reluctance to expand requirements for Safe Certification of companies beyond BC Timber Sales, in our opinion, is an obstacle to improving safety outcomes.

Our office, again this year, has received enquiries for assistance in the area dealing with "abuse in the workplace." Abuse is a difficult issue to resolve as it is less obvious and in many ways leaves no visible scars; nonetheless, it is a serious work place issue that creates an unsafe environment not only for the individuals involved but also for other workers and the public.

Our office began, in 2013, a review of previous reports and the recommendations that flowed from those and that work continues. We anticipate providing a summary report by September 2014 on the final outcome and recommendations.



BC Forest Safety Ombudsman Report | 2013 – 2014

Outreach

As part of the Ombudsman office outreach, we continue to participate in a number of the forest industry conventions, including Truck Loggers Association, Council of Forest Industries and Western Silvicultural Contractors' Association. We will continue to participate in industry events in the upcoming year.

The number of calls and requests to the Office stayed about the same in 2013 as in 2012. The range of topics included Safe Companies, Faller Certification Program, Faller Supervision Program, Abuse and Cycle Time. We were able to utilize the resources of the BCFS Council in resolving a number of the questions relevant to the Fallers programs and Safe Companies in a very timely manner.

2014 – Primary Focus

While this year's Annual Review has focused on the actions being taken by the industry to reverse the recent trends, and our office is encouraged by those activities, our role in continuing to monitor the activities of the forest sector is to assist them to achieve their goals and objectives. This will be our primary focus in 2014/2015. The goal of zero accidents is the only acceptable target and, like the rest of the industry, it will continue to be the object of our office's focus.



BC Forest Safety Ombudsman Report | 2013 – 2014

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ABOUT THE BC FOREST SAFETY COUNCIL

The BC Forest Safety Council works with forestry employers, workers, contractors and the government to make BC's forests safer. It is a not-for-profit society consisting of forestry organizations and supported by WorkSafeBC and the provincial government.



ABOUT THE OMBUDSMAN, ROGER HARRIS

BC's first Forest Safety Ombudsman is Roger Harris, who was appointed in 2006. Harris has been actively involved in the forest industry since he was 19 and has experience in many areas of the forest sector. He has worked as a dishwasher in a logging camp, been a board member for a Local of the IWA, has owned and operated his own phase logging contract business and was appointed Minister of State for Forestry Operations during his tenure as a MLA.

Harris knows firsthand the importance of safety and the impact that injuries and fatalities can have on workers and their families. In 1986 while working as a falling contractor, his right hand was nearly severed when his chainsaw kicked back. His brother-in-law was killed in a forestry accident at age 18.



BC Forest Safety Ombudsman

A N N U A L R E P O R T 2 0 1 1 - 1 2



BC **Forest Safety** Council

A sober reflection:

This is the fifth annual report of the BC Forest Safety (BCFSC) Ombudsman. This report will again highlight the activities of our office over 2011 as well as provide some comments to the public, forest industry and the BCFSC on issues that our office believes still requires attention or should become re-prioritized in 2012.

Our office has titled this report “A Sober Reflection.” In our previous reports, I have commented on the continued success the forest sector has achieved in improving safety outcomes for workers and the public, and every member of the BCFSC, as well as groups outside the industry who have participated in achieving these goals should be commended on those successes.

However, while overall safety statistics have improved, there has been an increase in fatalities in the industry from five deaths in 2009, to eight deaths in 2011. Any increase in the number of fatalities is unacceptable

and provides the constant reminder that as an industry, no company, association or individual can take a moment off in the effort to improve the safety culture and environment in the workplace. The increase in fatalities, while not the definitive measure of overall safety performance, is a trend that our office believes cannot be ignored.

The year 2011 was marked by this office undertaking a review of the “Khaira situation”, a situation where - despite all of the evidence that appears to have existed and been documented by the various regulatory bodies against Khaira leading up to the incident in Golden - we had a workplace contracted by the government deteriorate to the point where workers had to be rescued. This situation, which was so clearly intolerable on many levels, failed not only the Khaira workers, but also all British Columbians who rely on government to maintain a certain level of safety in the workplace.

The Khaira review “IF A TREE FALLS IN THE WOODS AND NO ONE IS AROUND TO HEAR IT...” is a reminder that in spite of all of the efforts, resources, and commitments of people working in and for the forest sector to improve the safety environment for everyone, things can still sometimes go very wrong in the workplace.

While the Khaira review received the greatest attention in 2011, our office has been engaged and responded to other enquiries in a number of specific industry initiatives and participated in a variety of public outreach events.

This report “Sober Reflection” is intended to highlight the importance

of ensuring that we do not become complacent in our efforts toward safety because – as the increase in workplace fatalities and the Khaira situation demonstrates – there are still improvements to make in order to ensure that the workplace is safe for everyone.



ROGER HARRIS
FOREST SAFETY OMBUDSMAN

Outstanding Issues

Each year our office has provided a list of the outstanding issues that have been raised either through a specific report or as a result of an enquiry to the Safety Ombudsman office. Many of these issues continue to surface year to year with some only realizing limited progress. Our Reviews: “Not Out of the Woods (2007), No Longer the Road Less Travelled (2008) and The Safe Companies Report (2009), all still have outstanding recommendations that our office believes can contribute to improving safety outcomes for workers and their families.

As part of the 2012 BC Forest Safety Ombudsman work plan, we will focus on reviewing previous recommendations to ensure they are still relevant today and will also provide a report to the industry and public on the progress that is being made.

OUTSTANDING ISSUES FROM LAST YEAR INCLUDE:

FALLER CERTIFICATION:

There has been some significant progress made in dealing with the Faller Certification, Training and Supervision through the work of the Faller Training Advisory Committee. There continues to be an outstanding issue with the Ministry of Forest Lands Natural Resource Operation, (MFLNRO), Fire Fighting Crew faller training and certification and how it fits into the existing certification system.

MINISTRY OF FOREST LANDS NATURAL RESOURCE OPERATIONS:

There are still individuals harvesting logs and undertaking other work for MFLNRO in the province of BC who are not required by the MFLNRO to be SAFE Certified Companies. Our office continues to be of the view that until all harvesting of logs, whether under government contracts or in the private

sector, are required to be undertaken by a SAFE Certified company, the credibility of the SAFE Companies Program is at risk.

CYCLE TIME:

The number of formal enquiries to our office concerning cycle times has declined over the last five years. Our office is of the view that much of this might be due to an improvement in the communication between the trucking sector and mill yard operators. There are still some informal enquiries that have been raised by industry associations regarding cycle times, and this along with the lack of a formal industry wide process for managing this issue, our office will prioritize to review the cycle times in 2012.

RESOURCE ROADS:

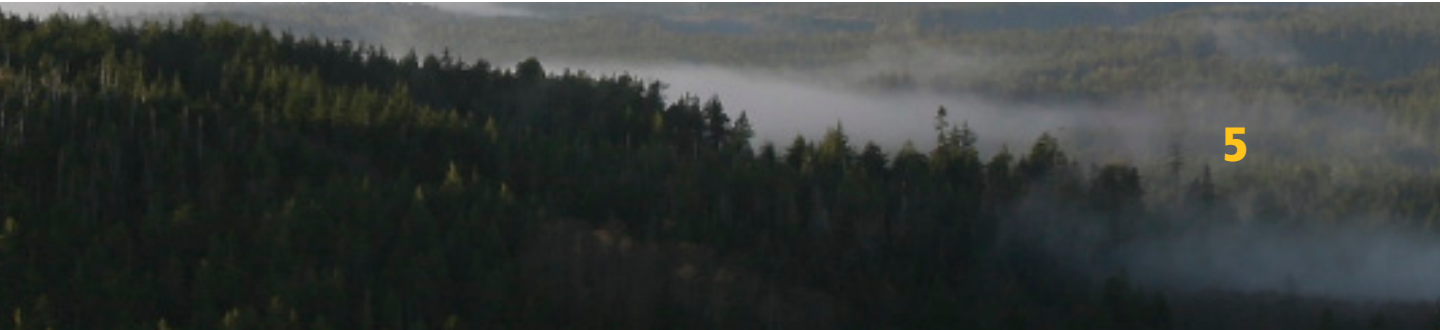
This is the area where the general public has been most engaged with the BC Forest Safety Ombudsman office. There has been progress made by the province in introducing a process to receive stakeholder input to assist in the development of a Resource Road Act. Our office commends and supports the efforts by government in engaging the public as they seek to find solutions for a very complex issue. Our office will continue to monitor these activities in 2012.

Enquiries

This annual review covers a shortened timeline, even though the overall trend of enquiries continues to decline. Our office believes the continued efforts of the BCFSC to engage stakeholder groups and the work of individual associations in promoting a more open dialogue on safety issues in the workplace are all contributing factors in the decline of enquiries.

The numbers below reflect the actual number of contacts to our office about the respective issues, in some cases a single contact may actual represent a larger group of individuals or an organization.

SUMMARY OF INQUIRIES	
TOPIC	INQUIRIES
Safe Companies	2
Fallers Issues	4
Resource Roads	2
Trucking	1
Worker Safety	1
Total:	10



Outreach

- > In 2011, our Office continued to promote the activities of the BC Forest Safety Ombudsman and the forest industry through participation in a number of forest stakeholder and public events, including:
 - o Truck Loggers Association Convention (AGM)
 - o Prince George Northern Resources Forum, Interior Loggers Association AGM
 - o Union of BC Municipalities AGM
 - o COFI Convention and
 - o Northern Local Government Association AGM

2012 will continue to see our office participate in a variety of Association AGMs, conventions, as well as a number of local government and industry trade association events. Raising public and industry awareness of forest safety issues will continue to be a priority for our office.

As well, our office participated in the Faller Technical Advisory Committee sessions with its work to develop standards for Faller Training and Supervision.

2012:

Over the last few years the forest industry has been experiencing significant change - economic, technological, social, environmental and cultural. As well, there are some indicators that much of the initial work of the BCFSC, which has borne significant positive results in improving safety for workers and the public, may be plateauing. Our 2010/2011 Annual Review raised a number questions and issues that our office felt were core to the forest sector continuing to move forward. How the industry and BCFSC ultimately responds to the challenges and issues will define both the relevance of the BCFSC going forward and its ability to continually improve the safety outcomes for the workers, families and the public that interact with the forest industry.

Changing times require that organizations are equally able to adjust and adapt. Our office is of the view it is time for the BCFSC to consider how it wants to proceed, so that it can help the industry adapt to the provincial, national and global changes.

For 2012, the BC Forest Safety Ombudsman office will continue to focus on supporting the efforts of all groups in promoting and achieving improvement in workplace safety. Our office will undertake a review of our reports on Resource Roads, Training/Certification, and Safe Companies to ensure that the recommendations contained in those reports are still relevant in a changing forest industry landscape, and we will follow up on our current list of “Outstanding Issues” to monitor the progress that is being made and provide feedback on efforts by various organizations, associations and government.

For 2012 our office will also be tracking the recommendations that flowed from the Khaira review, the degree by which the conditions that endured in these camps were allowed to exist shocked our office. We will engage those organizations that participated in the review and monitor the progress of all of the relevant groups involved.

We ended the 2010/2011 Annual Review with this observation: “In the past few years all facets of the industry have changed. Change and adaptation are essential for survival. For the industry and BCFSC the question is: will the need for change be seen as a threat or an opportunity? Their answer will determine the Path Forward”. Our office believes that the forest industry is ready to adapt and change to challenges, and now it is important to take stock of what has been accomplished and what still needs improvement. The focus of the BC Forest Safety Ombudsman Office in 2012 will therefore be to take a “Sober Reflection” of our successes as an industry in workplace safety.



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BC Forest Safety Ombudsman

A N N U A L R E P O R T 2 0 1 0 - 1 1



BC **Forest Safety** Council

A Year in Review

This is the fourth annual report of the BC Forest Safety Ombudsman.

The report highlights our activities over the past year and also provides some observations on the “Path Forward” for the BC Forest Safety Council (BCFSC).

As the forest industry continues to emerge from the economic downturn of 2008/2009, it has had to adapt to significant changes in its operating environment. Those changes include: an emerging and expanding wood bio-energy sector, new skills and training requirements, WorkSafeBC regulatory changes, impacts of international industry certification, market demands, new technologies, an aging workforce and health issues that affect older workers. All of these changes will shape how the forest sector will look over the next 10 years.

While the forest industry has come a long way in improving the safety outcomes for workers and their families; the industry still has some of the highest accidents rates of any industrial sector. In order to continue improving safety outcomes, the agencies charged with leadership, such as the BCFSC, need to adapt to changes in the industry operating landscape. The Council and industry leaders need to drive a cultural shift that ensures safety becomes part of the way companies and operators do business. It will be important to establish policies, regulations, and practices to improve the safety record of the industry.



ROGER HARRIS
FOREST SAFETY OMBUDSMAN

Outstanding Issues

There are five outstanding issues that have carried over from previous Annual Reports and/or Reviews that our office continues to monitor.

FALLER CERTIFICATION:

The range of enquiries focused on fallers includes: training, supervision, certification/re-certification, upgrading, WorkSafeBC (WSBC) regulation/definitions, predictable timber supply, Ministry of Forests and Range (MOFR) Fire Suppression Crew faller training, as well as the role of the BCFSC in responding to these issues.

As Ombudsman, I attended a number of sessions led by the BCFSC to work through a number of these topics. I spent a full day with instructors and students involved in the faller training program and observed both the quality and comprehensiveness of the training. I was impressed with the quality of instruction, dedication/commitment of the people involved, and the method and delivery of the training itself.

The BCFSC has also taken the lead in bringing together all of the stakeholders in a round table forum to deal with most of the other outstanding concerns.

While there are still a number of critical/complex outstanding issues to work through, our office is satisfied that all parties are currently engaged in finding workable resolutions to these issues and we will continue to monitor the outcomes of those discussions.

MINISTRY OF FOREST

AND RANGE: There are still individuals harvesting logs and undertaking other work for the MOFR in the province of BC who are not required by MOFR to be Safe Certified Companies.

As long as the compliance division of MOFR does not require bidders for work or salvage loggers to be Safe Certified Companies, the economic and safety playing field for contractors and individuals will continue to be uneven and MOFR should address this inequity.

CYCLE TIMES: Cycle times, as identified in the 2007/08 review “No Longer the Road Less Travelled,” continues to be an issue for the entire trucking industry, not just the forest sector. WSBC has initiated monitoring activities that have reduced the number of enquiries to our office and I appreciate their efforts. We continue to encourage all participants in the industry to make sure they have an open, transparent and posted methodology for determining cycle times, as well as a clearly understood and communicated appeal process.

RESOURCE ROADS: There are over 600,000 kilometers of resource roads in the province of BC where there is still uncertainty over ownership and responsibility for construction, maintenance, and operation.

There are a number of pilot projects and agencies/ministries that are currently working to bring clarity to this complex challenge.

As the public is one of the growing number of users of resource roads, our office will continue to encourage all of the parties involved to move quickly to bring clarity to these issues.

TRAINING & CERTIFICATION:

New training initiatives are underway with the Industry Training Authority (ITA) and the BCFSC that target non-certified trades within the forest sector; however there remains a lack of clarity on the role of government in the administration, resourcing and delivery of this training. The ability for individuals to access affordable, consistent training around the province is still a challenge, negatively impacting the forest sector’s ability to market, recruit and retain employees.

Enquiries

In 2010, the number of enquiries to our office was down from previous years. This decrease is likely due to a number of factors:

- > overall reduction in forest harvest activity across the province;
- > positive efforts of the BCFSC staff to engage and respond to enquiries;
- > efforts of the other forest sector stakeholders to promote safety within their organizations; and
- > a shift in the culture of the industry, where some of the fear of safety issues at the operational level appears to be disappearing.

Despite the decrease in enquiries from 2008/2009, there are still many areas where the public, individuals, groups, and organizations require a forum to raise their issues or concerns. The numbers above reflect the actual number of contacts to our office about the respective issues, but in some cases the single contact actual represented a larger group of individuals or an organization.

SUMMARY OF INQUIRIES

TOPIC	INQUIRIES
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WorkSafeBC:	2
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SAFE Company:	5
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Faller Issues:	4
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Public Enquiries:	4
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Ministry of Forest & Range:	1
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Trucking:	3
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Silviculture:	1
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Outreach

In 2010-2011 our Office continued to promote the activities of the BC Forest Safety Ombudsman and the forest industry through participation in a number of forest stakeholder and public events, including: Truck Loggers Association Annual General Meeting (AGM), Prince George Resources Exposition, Prince George Northern Resources Forum, Interior Loggers Association AGM, Union of BC Municipalities AGM, and Northern Local Government Association AGM.

Also in 2011, our office is planning on participating in events hosted by the Western Silvicultural Contractors Association, the Federation of BC Woodlot Association, and the BC Community Forest Association.

The forest industry should be proud of the successes it has achieved since 2005 when the Financial Post reported that 42 forest workers had died in BC's forest.

In every area of measuring safety performance – lost time injury, fatalities, serious injuries, average benefit cost rate – the forest sector has seen significant improvements.

While some of this may be attributed to a reduction in harvest activity, our office is of the view that we have witnessed a significant shift within the industry to maintain its focus on continuing safety improvement in spite of difficult economic times. The industry's actions to date have made a difference.

However, while the forest industry has come a long way in improving the safety outcomes for workers and their families, it still has higher rates in lost time and serious injuries than the provincial average. This simply is not acceptable.

Our office is of the view it is time for the BCFSC to consider how it wants to proceed over the next five years so that it can help the industry adapt to the provincial, national, and global changes of the last decade. It is our belief that not recognizing the changes facing the industry could result in a reversal of the safety success the industry has achieved to date.

Fundamental Challenges

Our office believes there are a number of significant challenges and issues that the industry and BCFSC should focus on over the next several years. How the industry and Council ultimately responds to the challenges and issues will define both the relevance of the BCFSC going forward and its ability to continually improve the safety outcomes for the workers, families and public that interact with the forest industry.

THE LACK OF UNIVERSAL SUPPORT for the SAFE Company initiative by forest licensees is a major stumbling block for the credibility of the SAFE Company Certification program. If the entire forest industry does not see the value in this program, it has the potential to erode confidence in other BCFSC initiatives and possibly the Council itself. For example, contractors who must be certified in order to work for other mills have higher operating costs than those who do not require certification. This creates an uneven economic and safety playing field in the competitive bidding process.

PROPRIETARY SAFETY PROGRAMS

Equally, there has been a resurgence of proprietary company safety programs layered on the BCFSC SAFE Companies Certification. Raising the bar on safety is important, but the effect and role of proprietary programs, in conjunction with the Safe Companies Certification, should be assessed to ensure they are complementary and value-added, not duplicative.

THE GROWTH OF *ISNetworld* in the oil patch and other sectors, along with the growing list of different industry/market certification requirements, will put a provincially based program like SAFE Companies at risk. As companies have options that address both regional and global market place demands, the role and place of SAFE Companies within this larger certification processes is unclear. This will be especially important to the growing list of forest licensees and contractors who work in multi-industry disciplines.

LACK OF CLARITY BETWEEN THE BCFSC AND WSBC

The relationship between the BCFSC as the certifying agency and WSBC as the enforcer of the rules is still unclear to most in the industry. The lack of a clear de-certification process for companies who fail to meet the requirements of the SAFE Company certification is also still unclear and threatens the reputation of the BCFSC and the program.

The overall relationship between WSBC and the BCFSC remains ambiguous. The partners continue to struggle with how to manage their interaction. At times, their respective reporting and accountability structures appear to conflict. Without a resolution the long-term future of the BCFSC is unclear.

IS THE BCFSC A TRAINING INSTITUTE? It is not clear whether the BCFSC is morphing into a “training institute,” and if it is, whether this is what it should be doing. The BCFSC might want to look at whether it makes sense to

turn training such as the Faller Training Program over to ITA so that these occupations become a certified “trade” in the provincial context. Similarly, it may want to consider whether training, such as Faller Supervisor, would be better handled by community colleges or other established training institutes.

Whoever eventually becomes the training organization will require a constant, predictable timber supply for the full range of chainsaw, faller, and faller supervisor training. It is essential that the province make adequate operating areas available for training purposes.

DOES IT MAKE SENSE FOR THE BCFSC TO TAKE ON MORE OF AN AUDITING AND ACCREDITING ROLE?

If BCFSC moves to a non-training delivery model, then it may want to consider building on the role of auditing and accrediting “SAFE” companies by developing other certification standards and training criteria.

Initiatives

CLARIFYING SCC COMPONENTS

The SAFE Certified Companies (SCC) initiative has some components that the BCFSC needs to clarify. The SCC was established and is still promoted as a voluntary program; however, the MOFR has made it mandatory for companies harvesting timber to be SAFE Certified. The two messages are contradictory.

Second, as a voluntary program the standards set by the Council for SAFE Certification in some cases exceed current regulatory requirements. Because regulators can enforce only to the level of the regulation, there again appears to be a discrepancy between the certifying and enforcing arms of the program. Nor are companies clear on who is the monitoring and enforcing body for the program.

Over the last couple of years the BCFSC has embarked on some very significant initiatives such as the SAFE Company Certification (SCC), the Faller Training and Certification, and the Faller Supervisor Training and Certification programs. All of these initiatives have introduced significant and dynamic changes to how companies and individuals do business in the forest sector in BC. However, while the BCFSC has focused on the larger policy pieces, success will now be achieved through changes at the operational level. Important details for future focus include:

- > Individual faller certification classifications should be reviewed to ensure they adequately reflect the competency level of the faller.
- > There needs to be consistency between how qualified supervisor trainers operate in the field and how they assess the workforce and workplace.
- > An industry monitoring system should be developed to track certification/re-certification of fallers and faller supervisors.

- > BCFSC continues to expand the monitoring and auditing of SAFE Companies to ensure they are operating within the terms of their certification.
- > Professional development/safety education and training should be considered for decision makers - this training should reflect global best practices.
- > A methodology for incorporating company faller audits/assessments into the BCFSC faller re-certification process should be developed.
- > BCFSC should work with WSBC to institute an evaluation process for faller certification, rather than simply requiring fallers to pay an annual renewal fee. The current situation appears to focus on fees rather than process. While no one disagrees with the faller certification process, the rationale for this fee structure and its relationship to improving safety needs to be more effectively communicated.

Future focus

It may be time for the government, industry, and safety associations to work with the BCFSC to undertake a “strategic renewal” process, whereby all parties sit down and examine their strengths, weaknesses, opportunities, threats to collectively figure out what type of “organization” they want the Council to be.

Questions the Council may want to consider during a review are:

- > What is the Council’s mission?
- > Should it change from what was established at the outset back in 2005, given the successes to date?
- > What are the strategic and operational objectives for the next five years in order to meet the changing needs of the forest industry?
- > What type of relationship does the Council, from an operational reality, want with WSBC?

The BCFSC has done what I believe the Task Force wanted it to achieve when it established the Council in 2004. The accident rates have improved significantly and there are far fewer tragic fatalities and serious injuries. These are all great successes.

But in the past few years all facets of the industry have changed. Change and adaptation are essential for survival. For the industry and BCFSC the question is: will the need for change be seen as a threat or an opportunity? Their answer will determine the Path Forward.



BC Forest Safety Council

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BC FOREST SAFETY OMBUDSMAN

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ABOUT THE OMBUDSMAN OFFICE

The Office of the Forest Safety Ombudsman enhances safety in the BC forest sector by becoming a safe, confidential and persuasive agent for the raising and review of safety concerns throughout the sector and facilitating impartial and timely resolution of safety issues.

The Forest Safety Ombudsman is part of the BC Forest Safety Council and has a clear mandate to investigate safety issues and recommend the best means to address them. The Ombudsman uses review, recommendation, mediation and conciliation where necessary and also relies on international experience and leading examples of success to inform the process.

ABOUT THE BC FOREST SAFETY COUNCIL

The BC Forest Safety Council works with forestry employers, workers, contractors and the government to make BC's forests safer. It is a not-for-profit society consisting of forestry organizations and supported by WorkSafeBC and the provincial government.



ABOUT THE OMBUDSMAN, ROGER HARRIS

BC's first Forest Safety Ombudsman is Roger Harris, who was appointed in 2006. Harris has been actively involved in the forest industry since he was 19 and has experience in many areas of the forest sector. He has worked as a dishwasher in a logging camp, been a board member for a Local of the IWA, has owned and operated his own phase logging contract business and was appointed Minister of State for Forestry Operations during his tenure as a MLA.

Harris knows firsthand the importance of safety and the impact that injuries and fatalities can have on workers and their families. In 1986 while working as a falling contractor, his right hand was nearly severed when his chainsaw kicked back. His brother-in-law was killed in a forestry accident at age 18.

Taking forest safety to the next level

PROGRESS REPORT 2008-09



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A Year in Review

This is the third annual report of the Office of the BC Forest Safety Ombudsman. Reflecting back on the last three years, it's impossible to ignore the sharp increase in awareness and concern about safety in the forest sector. In a year that has seen the number of forestry related fatalities rise from 13 in 2007 to 16 in 2008 (not including an additional 5 fatalities associated with the forest sector), we approached 2009 armed with a sobering reminder that we must be vigilant, determined and aggressive if we hope to achieve our goal of eliminating serious injuries and fatalities in the forest sector.

In our first two years we initiated two major reviews to address the most heavily reported safety issues in the forest sector. The first, "Not Out of the Woods", focused on training and certification while the second, "No Longer the Road Less Travelled", addressed issues related to resource roads. Each of these reports produced a number of recommendations to industry, government, WorkSafeBC (WSBC) and the BC Forest Safety Council (Council).

Surveying the landscape today, it is great to see that some of our recommendations have already resulted in real changes. The Council has implemented supervisor training programs, a review of the Faller Certification Program is underway and a Resource Road Safety Management Group pilot project has been initiated by WSBC and the Ministry of Forests and Range (MoFR).

philosophy of the office

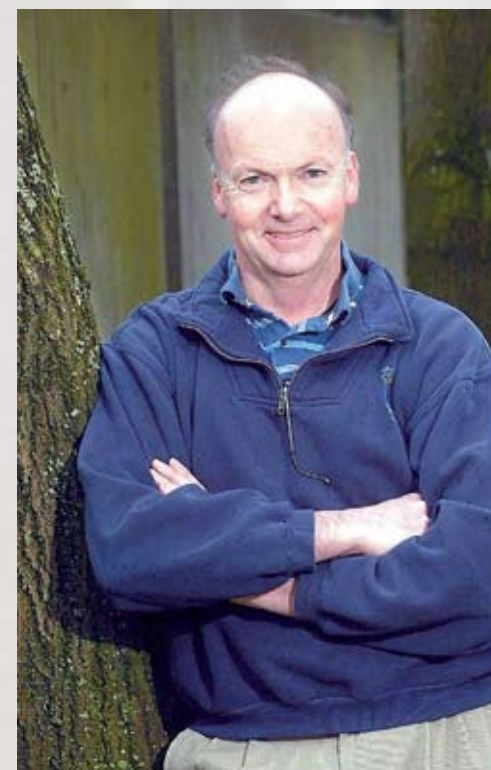
Although too early to tell whether the recommendations from this second report will result in concrete changes, the report itself has been well received and we are optimistic that at least some of its recommendations will be implemented in the weeks and months to come, making travel on these roads less dangerous.

Raising awareness, fostering communication

As important as the reports themselves is the process involved. There isn't a corner of this province I haven't visited. And in every city, town and village, I've been able to raise awareness of this office and get to know the people. I've come away from these visits all too aware of the fact that lives and careers are at stake, which makes what this office does all the more urgent.

Industry more aware of safety responsibility

Making the forest industry a safe industry—where injuries and deaths are the exception rather than the rule—is a long-term prospect requiring the collaboration and cooperation of stakeholders who haven't always trusted one another. That said, there's been some real progress made. The industry itself is more aware of its responsibility when it comes to safety and the subject is now on the public's radar.



Our job is to keep the industry pointed in the right direction by:

- > facilitating fair, timely solutions to disputes;
- > identifying major industry issues and addressing them through objective analyses; and,
- > providing support for systems change.

R.H.

ROGER HARRIS
OMBUDSMAN

Impartial.
Fair.
Confidential.

Roger Harris
BC Forest Safety Ombudsman

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Vancouver, BC V6E 2E9

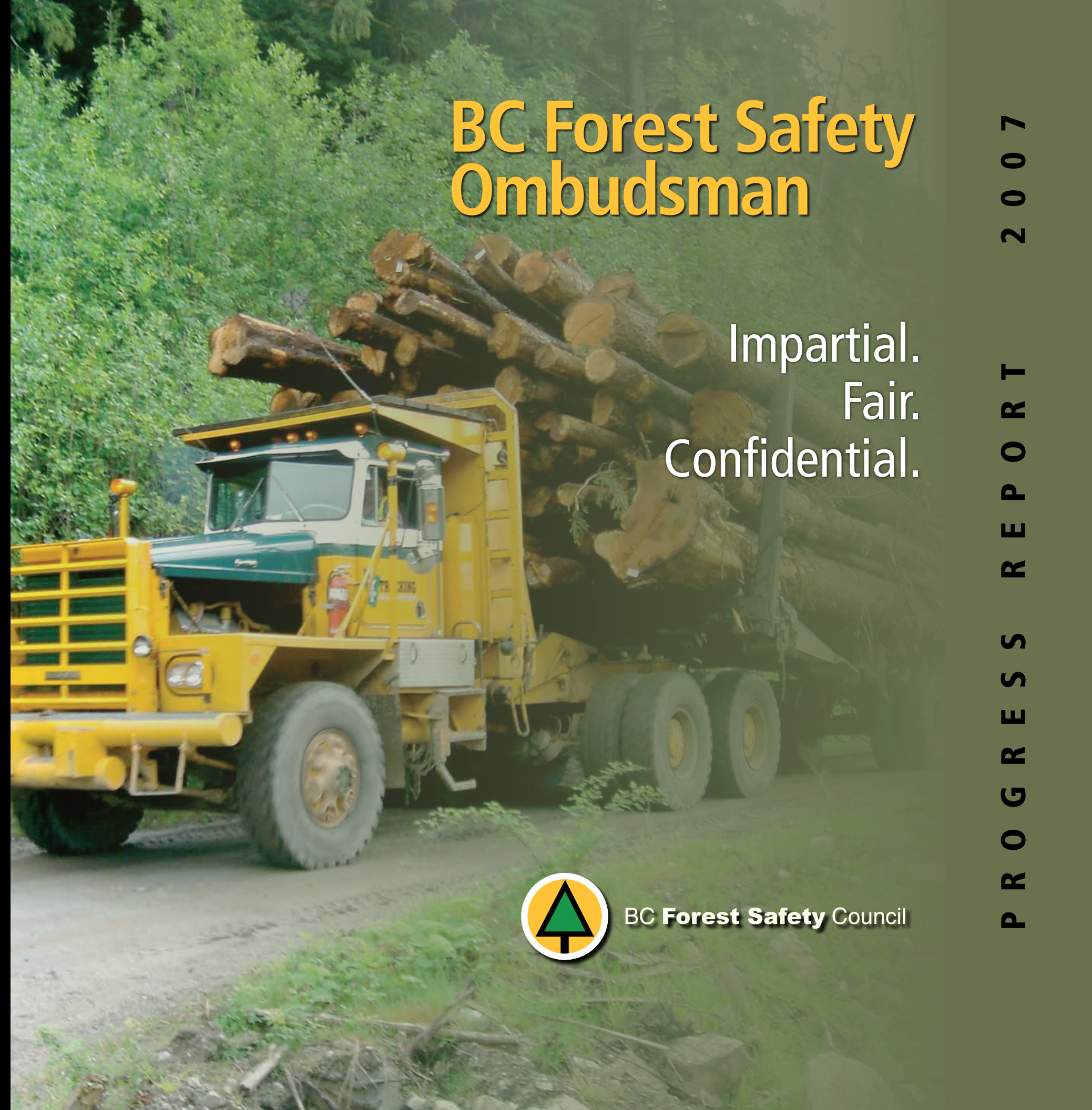
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PROGRESS REPORT 2007

Reflections on the role and

FROM THE OMBUDSMAN

When this office was created, our mandate was to mediate safety-related disputes between the various sectors of the forest industry, while protecting the individuals and organizations involved in those disputes. The idea was that, being an independent, impartial body, we could chip away at one of the tougher barriers to safety on the job: the culture of silence generated by an economic imbalance between partners.

Addressing the issues through objective analyses

While our mandate hasn't changed, our approach to fulfilling it has evolved. We've moved away from a strictly accounting method of inquiries to a process we believe has broader, deeper impact—objective analyses.

Early on, it became clear that behind the specific disputes were broader, more complex issues requiring an industry-wide response. When we conducted our first full-scale review on retention, training and certification, we found a crisis situation—a “train wreck waiting to happen,” one manager called it. Several of the recommendations made in the resulting document, called Not Out of the Woods, have now been implemented and these, as well as the recommendations from our second review on resource roads, are discussed in detail in the inside pages of this report.

The latter report, titled No Longer the Road Less Travelled, was completed in early 2008, in response to a significant number of inquiries voicing concerns about the design, construction, maintenance, cycle-time, management and regulation of these roads.

Guiding principles

1. Impartiality in all respects, both in practice and in perception of practice;
2. Fair and timely process;
3. Confidentiality for companies and workers in order to identify real safety problems and find workable solutions to these safety problems; and,
4. Coordination of action given the number of other organizations involved in safety in BC. In particular, the Ombudsman will work closely with WorkSafeBC, given its mandate to enhance safety in BC.

Year in review

OUR SECOND YEAR

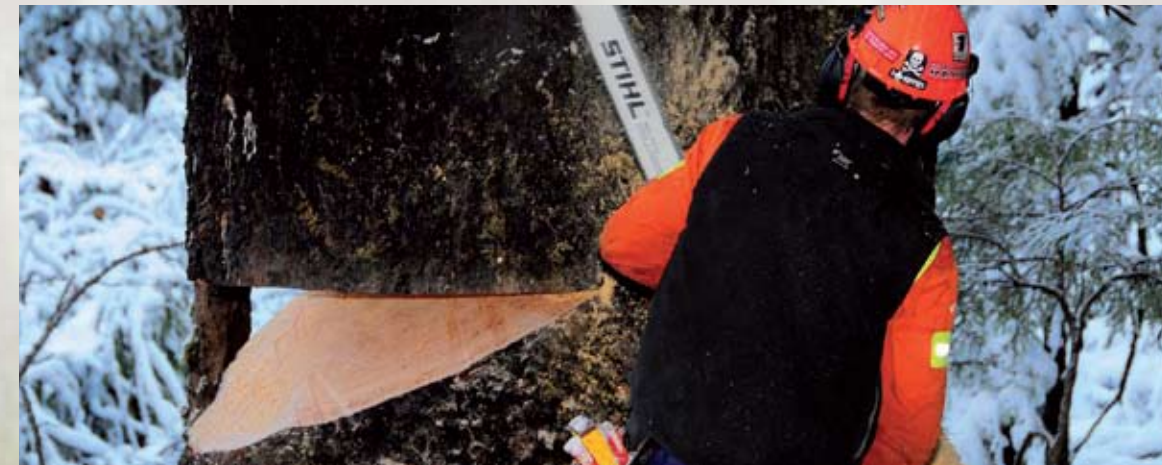
Our second year of operation was more gratifying than our first in that we saw concrete gains made as a result of the efforts of all stakeholders in the forest sector, including our office.

First report leads to concrete changes

In particular, the volume of calls we received on recruitment, training and certification, and on resource road safety led to two full-scale reviews of those issues. Some of the recommendations in our first report on training and certification have now been implemented. These are discussed in more detail later in this report, but I will say here that this is very good news, not only to this office, but also to the industry itself, which will be a little safer as a result.

Second full-scale report released

We released our second report on resource roads in late January of 2008 and we're pleased to see that the Ministry of Forests and Range will be including our recommendations in its Forest Safety Action Plans. We're confident our recommendations will help the



Ministry in its efforts to enhance worker safety in this province.

Raising awareness through targeted media campaigns

The media exposure received by the two reports far exceeded our expectations. Based on a detailed media analysis conducted by Peak Communicators, it appears the reports themselves along with our efforts to raise forest workplace safety resonated within the media and the public.

Getting to know our stakeholders

Over the last two years, I've visited every region of the province and spoken to countless forest workers, contractors, companies and organizations. This continued to be a priority last year, and will remain high on the priority list in the upcoming months. After all, we can't reasonably expect to be the voice for fair solutions without knowing for whom we speak.

We're making a difference...

...one report at a time

The first major issue we took on in a full-scale review was retention, training and certification. What we found was disturbing: a looming labour shortage, coupled with a significant drop in company-led training. We made 15 recommendations to industry, the BC Forest Safety Council, WorkSafeBC and various levels of government and we're pleased to report that some of these have already been implemented:

- > We recommended the Auditor General (AG), in his report on forest industry safety, look at WorkSafeBC's mandate around worker disability management. While the AG didn't directly address this issue, his report did recommend a more integrated and collaborative approach among agencies, regulators and industry.
- > Of the five recommendations aimed at Faller Certification, we've seen steady progress, with the introduction of a Faller Supervisor Training program, a certification renewal requirement and processes that ensure ongoing program review.
- > Progress has been made on the issue of resource road safety. The BC Trucking Association is working with ICBC and the Forest Safety Council to develop criteria for upgrading Class 1 Licenses, and Forestry TruckSafe is developing standard measures for off-highway truck driver certification.

- > The BC Forest Safety Council has taken a first step toward developing industry definitions, endorsement models and curriculum for delivering the industry's non-certified trades by starting to identify the job categories that require attention.

We still have some way to go of course. A stakeholder session on the subject of stress has yet to take place. And we're disappointed that the provincial government hasn't yet responded to our recommendation that it take a larger, more participatory role in new faller training programs.

In our second full-scale review, on resource road safety, we made 17 recommendations to government, the BC Forest Safety Council and WorkSafeBC. Among them, that:

- > The provincial government establish a new highway designation for resource roads serving as primary or secondary access for communities;
- > Commercial vehicles traveling on these roads be subject to the same compliance and enforcement as those traveling on BC's regular highways;
- > Road Safety Management Groups responsible for managing all activities on the resource roads be created;
- > The BC Forest Safety Council develop an Industrial Drivers Endorsement Program for operators of light-service industrial vehicles operating on resource roads; and,
- > WorkSafeBC incorporate individual cycle-time reporting as required documentation for log-haul truck drivers.

Although we can't predict whether the recommendations from this second report will result in concrete changes, the report itself has been well received. At the very least, the process of review has established a framework for real discussion on this critical subject.

...one inquiry at a time

The pie chart below shows the number of inquiries received by our office in 2007 and how they break down by issue.

This past year, BC Timber Sales was especially helpful in responding to inquiries on BC's road systems. As a result of such inquiries, they oversaw structural changes on three separate road systems in the Interior, as well as modification to a dry-land sort in the northwest.

We received a number of calls regarding WorkSafeBC's appeal process for claim adjudication. While we don't get directly involved with claims adjudication, we do refer inquiries through the proper appeal channels. We referred five inquiries to the WorkSafeBC Ombudsman and are now watching closely the outcome of those decisions.

We had one inquiry involving a bridge collapse, which is still being investigated, and two inquiries regarding contractor/sub-contractor relations that remain outstanding.

We've found that some of the issues raised through inquiries to our office don't lend themselves to the mediation process, and we're currently reviewing how we can more effectively manage these.

Our office is now receiving an increasing number of general calls from individuals, the public, municipal leaders and media outlets on a range of safety related issues. This is a positive sign. It means there's a growing awareness of our office within the public as an appropriate venue for raising forest safety concerns.

The table below gives some indication of the types of inquiries we had during 2007/08. Both of our reviews dealt with issues pertaining to resource roads, faller programs and training.

ISSUES RAISED	INQUIRIES	ACTIVE
Resource Roads	14	2
WorkSafeBC (WSBC)	7	9
Faller Program	3	0
Contractor Relationships	1	5
Training	4	0
General	15	2
TOTAL	44	18



What's next?

Ultimately, we'd like to see a situation where there's no need for this office, where there's a forum for open discussion and dialogue within the industry itself. But we recognize this is something that will have to evolve over time, because it requires a fundamental shift in the way people think and the way corporate relationships are structured.

Still, we're moving in the right direction. And now that we have the office in full operation and the internal processes and systems in place, we can turn our attention more fully outward.

We'll continue to refine the administration of the office and our caseload to ensure timely responses.

We'll continue to take calls from those who need an impartial third-party and be a voice for fair solutions on their behalf.

I will once again make it a priority to get out of this office, to travel to communities all across this province, to raise awareness of what we do and how we can work with our stakeholders to make the industry safer.

Lastly, we'll continue to analyze the critical issues and concerns that are voiced to this office, so as to keep forest safety top of mind within the industry and the public. We are planning at least one full-scale report in the coming year, much like the two we've already done on training and certification and BC's resource roads. We won't know what the focus is until we've fully analyzed our caseload and received full input from our stakeholders.

While we have a busy time ahead of us, we're confident we'll be able to build on the momentum of the last two years and continue to move forward.

BC Forest Safety Ombudsman

Impartial, confidential,
fair & timely

ANNUAL REPORT 2006-07



BC **Forest Safety** Council

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Introduction

I'm pleased to present my first Annual Report to the BC Forest Safety Council and its Board of Directors. In this report I will describe my work during this important first year, including a summary of the inquiries handled and a description of my first formal review process. I also want to provide some insight into my plans for year two and beyond as I work to establish the Ombudsman's office as a valuable part of building a safety culture in British Columbia's forest industry.

As an office of one, I rely on the assistance and cooperation of many people.

In my first year I received numerous calls from individuals, groups and organizations who felt they had something to offer towards improving safety in the forest sector. These offers came from training organizations, equipment manufacturers, worker support groups and the general public. I want to express my thanks to everyone who offered and provided me assistance and say that I look forward to continuing to work together.

I have also been assisted in my work by staff from government and WorkSafeBC, representatives of forest companies, employer and employee organizations and of course members of the BC Forest Safety Council itself. Again, I offer my thanks for this assistance.



Summary of inquiries

One of the primary reasons the Ombudsman's office was established was to provide workers and companies with an impartial place to bring forward issues and concerns about safety in the workplace.

In my first year as Ombudsman I received 41 separate requests for assistance (inquiries).

At times I met with larger groups of workers or contractors, who would raise more than one issue. For example, in one instance I met with a group of more than 20 fallers in Black Creek and we discussed a wide range of issues that fallers face in the woods today. In another instance, I met with two contractor groups from Vernon and Prince George who discussed a wide range of topics. When I take part in

meetings such as these I have decided to report them as a single inquiry, although more than one issue may have been raised. Over the course of my first year I participated in four such meetings.

Trying to organize the long list of issues and safety concerns raised through the office was not an easy task. From issues that involved cycle-times, resource roads and worker training to countless others I have attempted to organize the inquiries in a meaningful way into seven topic areas.

The table provided shows the breakdown of cases for each topic as well as the number of cases still active.

SUMMARY OF INQUIRIES HANDLED BY THE OFFICE

TOPIC	INQUIRIES	ACTIVE CASES
Resource Roads	11	8
WorkSafeBC (WCB)	11	9
Prime Contractor	3	0
Faller Program	7	2
Contractor Relationships	5	5
Stress	2	0
Training	3	0
TOTAL	42	24

SUMMARY OF INQUIRIES

I have included brief descriptions of the types of issues heard in each topic area. I have also provided some additional detail about select cases in a manner that protects the confidentiality of our clients.

RESOURCE ROADS: These 11 inquiries involved issues such as cycle-times, road maintenance, hours of work, road construction, funding, jurisdictional responsibility and financial responsibility. Issues related to resource roads were the most active topic in my first year. Of the eleven inquiries received, three cases were referred to the Director of Forestry TruckSafe, while the parties resolved one. The remaining eight active cases represent meetings where more than one issue was raised. In some cases our office has responded to some of the requests we received at those events, but there still remains some unresolved active files. These outstanding cases do not have simple solutions and require the involvement of more than one jurisdictional body. The issues raised concerning cycle-times, resource road jurisdiction, road maintenance and road construction have proved to be very complex. Our office is considering a formal review of resource roads to address these issues.

I addressed this issue in recommendation #2 of our report "Not Out of the Woods."

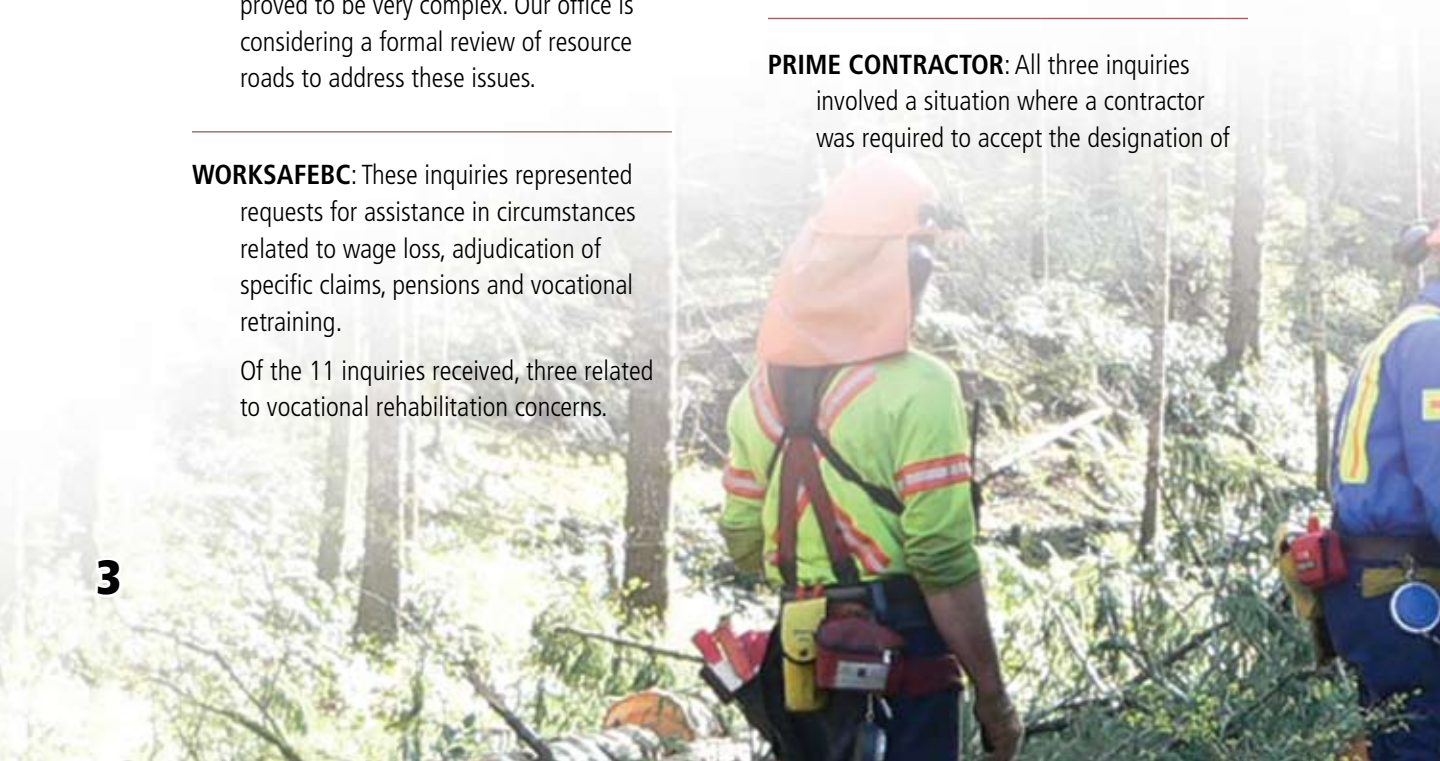
Many of the inquiries received were made by individuals still involved in the WorkSafeBC appeal process and therefore cannot be investigated by our office. Our policy prohibits us from getting directly involved in claims adjudications; our office is not intended to add another layer of appeal. However, for cases involving WorkSafeBC our office is interested in the policies, procedures, regulations and legislation for each case, to determine if the processes that drives the decisions of WorkSafeBC, are fair and are made in the interest of safety.

In circumstances where I feel WorkSafeBC's system is not achieving its objectives, I will be providing commentary on the issues and making recommendations to government or WorkSafeBC where appropriate.

WORKSAFEBC: These inquiries represented requests for assistance in circumstances related to wage loss, adjudication of specific claims, pensions and vocational retraining.

Of the 11 inquiries received, three related to vocational rehabilitation concerns.

PRIME CONTRACTOR: All three inquiries involved a situation where a contractor was required to accept the designation of



Prime Contractor as a necessary condition of employment.

Early in our first year there was concern that Prime Contractor status was being designated to companies that did not have the resources to fulfill their responsibilities as required by WorkSafeBC.

However, initiatives undertaken by WorkSafeBC in the summer and fall of 2006 have helped provide more clarity around the issue of Prime Contractor status.

FALLER PROGRAM: These seven inquiries related to Faller Certification, New Faller Training, Faller Supervision, first-aid coverage and mechanical harvesting.

The two issues that continue to be active include:

- The coordinating/integration of mechanical and hand-falling activities; and
- The regulations that determine the minimum levels of first-aid coverage.

Both of these issues were raised at a meeting in Black Creek and again at the Western Fallers Association AGM in January 2007 by fallers.

Enquires that involved the Faller Certification Program, Faller Supervision and New Faller Training were addressed in my review in recommendations #3 through #7.

CONTRACTOR RELATIONSHIPS: These five inquiries involved disputes between contractors and sub-contractors.

Currently our office is involved in five cases. At this point it is clear to me that safety in the workplace will be difficult to investigate isolated from issues of rates, operating conditions and contractual obligation. It is the policy of our office to not get involved in discussions that concern rates or rate negotiations. Parties to contracts have legal and legislative options they can pursue. My interest in these cases is limited to examining whether those existing regulations and processes provide fair, reasonable and affordable access to all parties.

STRESS: Our office received two inquiries related to issues concerning the management of stress in the workplace. However, over the course of the year, I attended several meetings where workplace stress was identified as a major safety concern. During the interview portion of my review "Not Out of the Woods," the issue of stress became a reoccurring theme in every discussion.

TRAINING: These three inquiries concerned funding, certification; Train the Trainer and availability of training.

Issues related to training were dealt with in my review. Recommendations #8 through #14 are specifically related to training issues.



Not Out of the Woods

FIRST REVIEW

From March through July 2006 a number of issues were presented to our office with a request for assistance. As the contributing factors became clearer, it was obvious that their complexity and similarity would not be best served by being examined on a case-by-case basis. To tackle these complex issues, I decided to conduct a full-scale review on training and certification to address many serious issues that I felt impacted the entire industry. My goal was to examine ongoing issues of recruitment, retention, training and certification in the BC forest sector.

The completed review, "Not Out of the Woods," went well beyond the scope of the inquiries our office formally received. The review was the largest and most time-consuming project of our first year. The decision to undertake a formal review was made in order to maximize the resources of the office while also protecting the confidentiality of our clients. My goal was also to raise awareness of issues that have been contributing to unsafe working conditions in the woods.

Using the review mechanism is an example of one of the techniques our office is using to respond to specific enquires that fall outside the traditional mediation/facilitation role. It is an effective way to utilize our resources to investigate and react to issues that involve multiple parties, jurisdictions and legislation.

For a full copy of the review, "Not Out of the Woods," please visit www.bcforestsafe.org. To view the 15 recommendations that came out of the review, please see Appendix I: Review Recommendations.

As we move into our second year, I anticipate the review mechanism will play a greater role towards highlighting safety issues in the forest sector. It is my hope that these large-scale reviews will serve to bring attention, focus and resolution to issues that affect worker safety.



A campaign of awareness

My first objective as Ombudsman was to engage in an awareness campaign that explained the role of the office as a resource where workers could have safety issues addressed in a confidential manner. It was my intention to visit every region of the province to raise the profile and demonstrate my accessibility to all the forest workers in BC.

To see a list of some of the events I attended throughout the province in my first year please see Appendix II at the end of this report.

In addition to the major events attended, I met with several ad hoc groups who wished to speak with me personally and informally on safety matters. Some of these meetings included:

- Loggers support organizations in the interior and on Vancouver Island; and
- Employees from both WorkSafeBC and BC Timber Sales.

Setting up the office

CONSULTATIONS

Before I set out my objectives for the year, I felt it was important to consult with established Ombudsmen who could provide insight into the pitfalls and key success factors when establishing a new Ombudsman function. In addition, I wanted to learn their jurisdictional boundaries to ensure my role would not interfere with processes already in place.

I consulted with the following organizations:

- WorkSafeBC executives as well as the Complaints Office (formerly the Office of the WCB Ombudsman);
- BC Ombudsman; and
- Ministry of Labour and Citizens' Services – Employment Standards Branch.

Meeting with these organizations proved to be extremely valuable towards helping me set up my office and create a strategic plan. In particular, the BC Ombudsman drove home the importance of ensuring that clients understood my role in the forest sector and the services I

would offer to workers and companies. As a result of these consultations, I made enhancing the profile of the office a key first-year objective.

GUIDING PRINCIPLES

I set out the following operating principles for the office of the Ombudsman:

- Impartiality in all respects, both in practice and in perception of practice;
- Fair and timely process;
- Confidentiality for companies and workers in order to identify real safety problems and find workable solutions to these safety problems; and
- Coordination of action given the number of other organizations involved in safety in BC. In particular the Ombudsman will work closely with WorkSafeBC given its mandate to enhance safety in BC.

BUILDING THE INFRASTRUCTURE TO SUPPORT THE OMBUDSMAN'S PRINCIPLES

My initial consultations helped set a clear direction for the Forest Safety Ombudsman, and I worked to establish the necessary infrastructure required to run a successful Ombudsman's office.

I put in place the following important frameworks:

- A detailed Issue Review Process;
- Comprehensive Policies and Procedures;
- Issue Intake Monitoring Protocols; and
- Terms of Reference.

I felt it was necessary to have built a solid foundation for the office to fall back on. Due to the nature of the position and our industry, this office's actions are scrutinized and examined by the public and media alike. My intention was to ensure there were solid procedures in place that ensured the Ombudsman would operate in a manner consistent with its four principles and as an agent of positive change for safety.

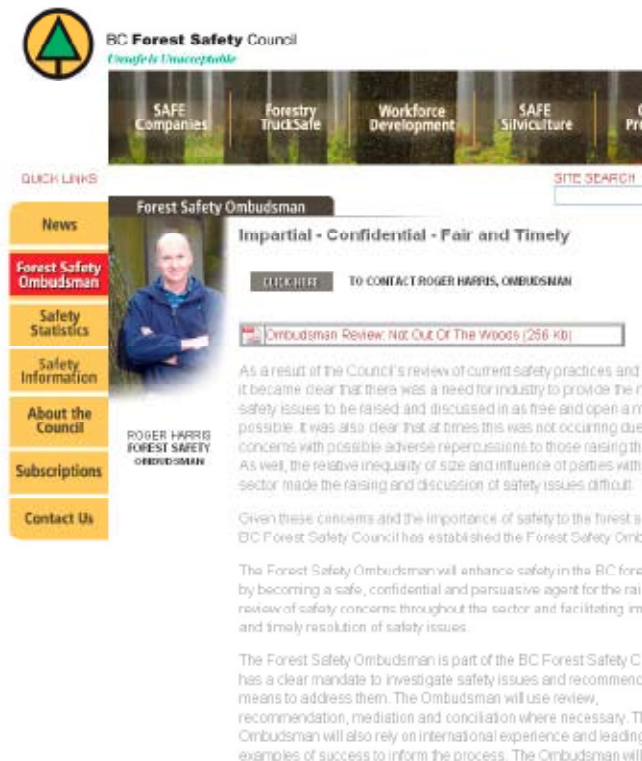
ENSURING ACCESSIBILITY

I believe the success of an Ombudsman's office is measured by its ability to help the people it pledges to serve. As such, I need to make certain everybody that wanted to contact me could do so in a confidential and timely manner. Individuals can use three methods to access services of the Ombudsman:

These are:

1. Through the Ombudsman's website by way of email (pictured right);
2. By calling a toll-free number – 1.877.577.7766; or,
3. Contacting me to arrange a face-to-face meeting.

My policy has been to meet with anyone who requires my services and requests a face-to-face meeting. I think that it is important for every inquiry to be responded to by me personally.



Looking ahead to year 2

As I reflect upon the year I realize how far the office has come in such a short time. Creating an Ombudsman's position within the forest sector has been a challenging and rewarding endeavor. Since the release of my review, the profile and subsequent number of calls, emails and requests for assistance have been steadily increasing. As we gear up for a second year, I look forward to new challenges and helping to improve safety in the woods.

In my second year I have set the following objectives for the Ombudsman's office:

- Attending all of the Associations AGMs, industry safety conferences, community events and trade shows;
- Develop a case-tracking tool to assist with managing the steadily increasing number of cases handled by the office;
- Establishing open channels of communication with legal and technical professionals whose expertise may be called upon in certain case investigations;
- Conducting one or two full-scale reviews. Currently, the number of cases and breadth of issues surrounding resource roads are increasing in complexity to the extent that a review would be the best mechanism to address them;
- Developing a more effective relationship between my office and WorkSafeBC will continue to be a goal in year two. Last year I was encouraged by the open channels of communication offered by

the WorkSafeBC staff I dealt with, but sometimes frustrated by the complexity of this large organization. My office has taken great care not to become an active participant in individual cases as they make their way through the adjudication and appeals process, beyond assisting workers to locate appropriate WorkSafeBC contacts. This office will not become another level of appeal for WorkSafeBC decisions. However, I can and will work to provide informed comments on the processes WorkSafeBC uses and whether those processes have an impact on worker health and safety; and,

- Evaluating the need for additional staff support to assist with the investigations and research required to ensure our service remains timely and effective.

As I conclude my first year it has become apparent that the Ombudsman's traditional role as a mediator/facilitator as envisioned by the BC Forest Safety Council will evolve beyond these functions. As issues continue to become more complex the use of formal reviews, commentaries/statements and sectoral reports will be utilized to make recommendations where appropriate.

The confidentiality of individuals, businesses and organizations is an important cornerstone of this office. By using a broader review format it will allow our office to deal with multi-jurisdiction issues in a way that protects privacy and maintains the integrity of the office.

The need for an ombudsman

As a result of the Council's review of current safety practices and concerns, it became clear that there was a need for industry to provide the means for safety issues to be raised and discussed in as free and open a manner as possible.

The Office of the Forest Safety Ombudsman was established to create a safe, confidential and persuasive agent for the raising and review

of safety concerns throughout the sector and facilitating impartial and timely resolution of safety issues.

The Forest Safety Ombudsman is part of the BC Forest Safety Council and has a mandate to investigate safety issues and recommend the best means to address them. The Ombudsman will use review, recommendation, mediation and conciliation where necessary.



ABOUT ROGER HARRIS

BC's first Forest Safety Ombudsman is Roger Harris. Roger Harris has experience in many areas of the forest sector. He has worked as a dishwasher in a logging camp, been a board member for a Local of the IWA and has owned and operated his own phase logging contract business.

Harris knows firsthand the importance of safety and the impact that injuries and fatalities can have on workers and their families. In 1986 while working as a falling contractor, his right hand was nearly severed when his chainsaw kicked back. His brother-in-law was killed in a forestry accident at age 18.

"I have a passion for the woods becoming a safe place because I've been there. I've lived the worst side of it, but I think it's still the greatest occupation in the world. I want the Ombudsman's office to be a vehicle that deals with issues before we have incidents."

— ROGER HARRIS

Appendix 1

RETRAINING

1. The Auditor General, as part of his review of safety in the forest sector, should consider the mandate of WorkSafeBC and the need to establish a new and more collaborative approach with other agencies for those workers who should not necessarily be encouraged to return to their original position.
2. The Auditor General should also review current WorkSafeBC requirements and procedures to consider, as part of worker rehabilitation, that the potential for retraining workers for positions within the forest sector meets the objectives of injured workers as well as industry.

FALLER TRAINING

3. The provincial government, through the Ministry of Advanced Education, should incorporate the New Faller Training Program into the advanced education system and financially support the program in the same manner other trades certification and pre-apprentice programs receive financial support.
4. The current falling and bucking curriculum should be reviewed by industry stakeholders to ensure that the course material being offered aligns with industry and faller-trainee objectives.
5. WorkSafeBC and the BC Forest Safety Council should develop a specific chainsaw training program for those industries that do not require full Faller Certification, but should require some form of chainsaw certification in order to fall and buck timber safely.
6. The BC Forest Safety Council should give consideration to Train the Trainer programs

so that industry sectors have the ability to train their own personnel. This is especially important for fire fighting crews where there is a need to provide in-house training that incorporates chainsaw certification with other aspects of fire fighting training.

7. The BC Forest Safety Council should move quickly to close the loop on the Supervisor Training curriculum by putting in place a formal evaluation program.

LOG TRUCK DRIVER TRAINING

8. The BC Forest Safety Council should develop a province-wide competency certification model for the drivers employed in the forest industry. The certification program could operate in the manner of a "passport," a series of endorsements qualifying drivers to operate in specific areas of the industry, over and above the basic Class 1 requirements for commercial drivers. Over time, the BC Drivers Abstract should be used to track individual driver endorsements.
9. Any changes that recognize a formal endorsement and competency rating should be included in the SAFE Companies Audit.
10. As the forest industry shares the highways with every other resource industry and the general public, the Council should engage the other major resource industry groups, ICBC and the BC Trucking Association, to develop a provincial approach to a truck driver competency/endorsement model.

NON-CERTIFIED TRADES TRAINING

11. The BC Forest Safety Council should take the lead, working with industry, to identify and develop industry definitions of the

- non-certified trade job classifications and functions within the forest harvest sector.
12. The BC Forest Safety Council should take the lead in developing a standard competency/endorsement model for each of the job classifications.
 13. The provincial government, through the Ministry of Advanced Education, should incorporate all of the non-certified training programs into advanced education curriculums and resource them in the same manner it supports other industry trades training.
 14. The BC Forest Safety Council, working with industry, should develop the front-end training curriculum that would be delivered through an accredited, post-secondary educational institution or private/industry training facility.
 15. The BC Forest Safety Council should take the lead, working with forest industry stakeholders, to hold a stakeholder meeting to deal specifically with stress in the workplace.

STRESS AND SAFETY

Appendix 2

MAJOR EVENTS ATTENDED AS PART OF THE AWARENESS CAMPAIGN

DATE	LOCATION	EVENT/CONFERENCE
April 2006	Kamloops	Interior Logging Association AGM
April 2006	Kelowna	Council of Forest Industries Annual Convention
April 2006	Victoria	Government and Opposition MLA's
May 2006	Rosland	BC Lumber Manufacturers Association board meeting
May 2006	Terrace	BC Timber Sales regional meeting
May 2006	Courtney	Truck Loggers Association AGM
May 2006	Parksville	Vancouver Island Safety Conference
May 2006	Houston	Lakes District Truckers Association
May 2006	Terrace	North West Loggers Association Summit
June 2006	Prince George	Central Interior Logging Association, Forest Expo
November 2006	Prince George	First Nations Trucking Event
November 2006	Comox	Steelworkers Local 1-2171
November 2006	Vernon	Interior Logging Association board meetings
January 2007	Prince George	Western Silvicultural Contractors' Association AGM
January 2007	Vancouver	Truck Loggers Association Convention
January 2007	Nanaimo	Western Fallers' Association
February 2007	Fort St. John	Meeting with Contractors and Licencees



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- > Provincial Outreach
- > Head Office

impartial, confidential, fair & timely