



BC Forest Safety

Safety is good business

2021 OMBUDSPERSON ANNUAL REPORT

**EVERY FORESTRY WORKER
GOES HOME SAFE - EVERY DAY**



2021 BC Forest Safety Ombudsperson Annual Report



The New Normal

At the time of this report, many, if not all pandemic restrictions have been lifted. This global event that so heavily impacted our daily actions and activities over the last two years, will now return us to more normalcy. But COVID-19 has been a double-edged sword. The learnings we take away from it have impacted the way we interact with one another for future generations. While COVID-19 imposed significant hardships for many individuals, for the workplace, it required a more disciplined approach in developing operational and communications procedures, and heightened risk assessments that achieved a positive result in identifying infectious risks. We now have worksites where more intensive management protocols are in place for daily planning, communications and scheduling around physical spacing of equipment and people.

So, as we look to the future, the “new normal” will look significantly different than how our industry has conducted business in the past. If there was a single issue that was a barrier to improving safety outcomes, it was a lack of effective communication. COVID-19 has changed all that and maybe its legacy may not be in individual statistics but rather in the institutional changes that are improving workplace safety for forestry workers, their families and communities for decades to come – this is our “new normal.”

Year in Review

In 2021, there were three key areas identified for requested assistance from the BC Forest Safety (BCFS) Ombudsperson’s office:

- Enquiries from individuals on specific issues.
- Enquiries from BCFSC Technical Committee to review specific issues.
- Requests to support BCFSC Technical Committee activities.

Specific Issues Enquiries: The same areas of individual concerns/enquiries to the Ombudsperson office in 2020 continued to comprise the majority of enquiries in 2021. These concerns included resource roads, WorkSafeBC, HEMS and Faller Supervisor training. An emerging issue for 2021 was enquiries around danger tree assessment, jurisdiction, as well as the use of labour brokers in supplying fallers, which will be further addressed in this report.

The ongoing concerns of these issues is less a reflection of an increase in challenges around these areas, but more a reflection that the issues themselves continue to be relevant and respective organizations and groups will need to continue to focus on these areas as there is more work to be done to find solutions. This is especially true for enquires around resource roads and HEMS, where much of the responsibility lies with the provincial government. There have been some achievements and there continues to be incremental gains, but I expect these enquiries will continue into 2022.

Each year we receive WorkSafeBC enquires related predominately to claims adjudication. These may have a safety connection, but generally are claims-related and in those cases, are not something our office pursues. This past year, our office was engaged, interviewed and supported the BC Ombudsperson on a WorkSafeBC claims appeal. The role the BCFS Ombudsperson may have played in the case, but this is the exception and not the norm.

Qualified Faller Trainer (QFT) training was also an issue in 2021. QFT training had been on hold pending a request for a variance from WorkSafeBC to allow for more than two workers at the base of the tree in specific situations. Once the issue was resolved by BCFSC and WorkSafeBC, we did not receive any further enquiries on the topic.

BCFSC Enquires: At the request of the Falling Technical Advisory Committee (FTAC), our office undertook a review of waste wood assessment. There was a concern by fallers and forestry companies that the method employed by the BC Ministry of Forests in undertaking waste assessment was not taking into consideration the conditions on the ground prior to falling commencing when looking at high stumps or short logs (non-salvageable log ends) cut to make escape trails. The review determined there was both an appeal process in place to challenge a waste assessment where these situations occur, and that BC Ministry of Forests staff and contractors were being brief in putting a safety lens on waste assessments.

A second request was to review Faller recruitment as it pertained to the BC Fire Service and the use of labour brokers in the recruitment process. A secondary issue



arising from this was a request to look at the jurisdictional issues around danger tree assessment - specifically questioning where authority resides when both the supervisor and faller are qualified danger tree assessors, and they disagree. Neither of these issues were fully resolved in a way that did not raise a range of other questions, these are still outstanding. For labour brokers, the legal liabilities associated with who is the employer and who owns the responsibility for training, discipline and orientation, were not clear or transparent. While our office has not pursued these questions further at this time, we consider this an open file and will continue to monitor the practice.

BCFSC Technical Committee Support. Our office was engaged to assist in facilitating FTAC in both amendments to FTAC Terms of Reference as well as assist in the appointment of a Chair and Co-chair for the Committee. facilitating FTAC in both amendments to FTAC Terms of Reference as well as assist in the appointment of a Chair and Co-chair for the Committee.

Outreach

Due to COVID-19, our office limited its participation in events in 2021. Our office continues to participate on FTAC and submitted articles for distribution in BCFSC member newsletters such as the Forest Safety News. We did participate in some virtual events sponsored by BCFSC Board Associations and, like everyone else, we are looking forward to participating in-person in BCFSC member events in 2022.

Preview of 2021

2022 will be the year of the “New Normal.” Some things will return to normal like in-person events (TLA, COFI, WFCA, VISC) and our office has planned to participate in these events. We will continue to participate and advocate for improved HEMS across BC as well as assist where we can in improving resource road safety. We will continue to monitor the issues around the use of labour brokers not just as it relates to the BC Fire Service but other areas of the forestry sector as well. COVID-19 has changed the way people interact. Much of what our future looks like is unpredictable as we shift into normalcy again. A decade ago, the lack of willingness for people to speak up and raise issues was the single biggest barrier to improving safety outcomes for the BC forestry sector. While my belief is that COVID-19 has created a better environment for communication, everyone needs to be mindful to ensure it doesn't have the opposite effect. We have gained too much over the last decade to lose our momentum.

About the BC Forest Safety Council

The BC Forest Safety Council (BCFSC) is the health and safety association for forest harvesting, sawmills, and pellet manufacturing in BC. The BCFSC works with forest sector employers, workers, unions, contractors and provincial agencies to support implementing changes necessary to eliminate fatalities and serious injuries in the forest sector.

Telephone (toll free): 1-877-741-1060

Website: www.bcforestsafesafe.org Email: info@bcforestsafesafe.org



Roger Harris

About the BC Forest Safety Ombudsperson

The BC Forest Safety Ombudsperson is part of the BC Forest Safety Council and is mandated to investigate safety concerns and provide recommendations for improvement.

The Office of the Forest Safety Ombudsperson provides a safe, confidential environment for the discussion of issues and facilitates an impartial and timely resolution of concerns.

Contact

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[www.bcforestsafesafe.org/
Ombudsperson.html](http://www.bcforestsafesafe.org/Ombudsperson.html)

The Forest Safety Ombudsperson's Office will endeavour to return all contacts within five (5) working days.



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