



Falling

Employers can ask certified fallers to hold valid dangerous tree assessor certificates to work on their job sites

After Forest Safety News received information from a faller about concerns around some employers requiring certified fallers to hold valid dangerous tree assessor certificates; and another faller being written up by WorkSafeBC for leaving a tree, we asked the subject matter experts to clarify the situation.

Dean McGeough, coordinator of the Wildlife Tree Committee (WTC), explained that “the challenge is keeping to the regulations for context and application.” Key too is the fact that the Wildlife Dangerous Tree Assessor’s (WDTA) Course is the standard of care in BC for assessing possible dangerous trees.

He said that assessments are required in BC when, as per OHS Regulation 26.11(1b), a dangerous tree is encountered in a workplace and a faller chooses not to fall the tree. A faller is required to manage their quarter, and they do so as per their experience (qualified to determine their order of business), but they cannot bi-pass a dangerous tree while working (OHS Reg 26.26(1a)).

“For example, there is a tree with a widowmaker above a tree they just felled. They must remove the tree’s widowmaker (they will typically fall the tree) before bucking the felled tree. If it is unsafe to fall the tree with the widowmaker, then as per OHS regulation 26.26 (3) they can have the Dangerous Tree (DT) removed by other means (blasting, machine assist, second faller’s assistance, install a No Work Zone (NWZ), etc).

“Now, when the falling phase (hand or mechanical) is complete and the next phase is moving in (in an ideal world) and there are suspect trees within or along the boundary (trees with noticeable hazards) then a DT Assessment must be made to determine whether the suspect tree(s) is safe or dangerous for the workers,” said Dean.

“For example, a bear den tree is planned for retention. The experienced and qualified faller was sure it was safe to fall within

reach of this tree, but now that falling is complete someone must ensure it is safe for the yarding crew to work near this tree. The regulations require that a certified WDT Assessor makes this assessment (following all the steps, including communication and documentation) and sets out the safety plan for keeping this tree (OHS Reg 26.11(1b) and 26.11(2)) OR the tree must be felled (OHS Reg 26.11(1a)),” he added.

Dazy Weymer, seasoned certified faller and trainer agreed it is all about regulation and definition of dangerous tree. “As I see it there are two separate types of dangerous tree. Or at least, the use of the term ‘dangerous tree’. In the one case it describes a tree that will pose a risk to people that will be near it (along roads, in or around logging sites, etc.)”

“To make the determination that such a tree is safe or not, the assessor needs to be a certified Wildlife Dangerous Tree Assessor so that his decision can be legally defended,” said Dazy.

“The second use of the term, ‘dangerous tree’, would be a tree that may or may not be a hazard if left alone but would be dangerous to fall. Any faller can decide that a tree is too dangerous to fall, and then you can move onto getting a second opinion from qualified assistance, blasting, machine assist, etc., or ribbon the tree out of the area,” he said. “In many cases a tree will meet both these definitions.”

WorkSafeBC’s Terry Anonson also said an accurate shared understanding of dangerous tree is important and said everyone should stop calling dangerous trees “snags” as it isn’t helpful.

“Regulation 26.11 stands by itself and is not in the hand falling regulation. 26.26 is the hand falling regulation and covers all dangerous trees,” said Terry. Both sets of regulations apply at all times.

“If a faller is working an active quarter, he is not there to leave a tree. 26.11 only applies to trees that are being left that pose a foreseeable risk to the faller or others.

So if a faller is going to leave a tree that has dangerous tree indicators and poses a risk to him, a co-worker or anyone else’s safety, the faller needs to escalate that situation to his supervisor to have the tree properly assessed by a certified Wildlife Dangerous Tree Assessor,” said Terry.

“Keeping a faller safe is paramount,” he said.

So what is the bottomline?

If a faller does not have the training and certification to assess a questionable tree to leave it to the standard of care required in BC – the WDTA certificate – then he cannot leave the tree at his discretion, whether planned retention or unplanned retention. The tree must either be fallen, or reported to supervision and properly assessed by a qualified WDT assessor.

Similarly, a faller should never fall a tree that he feels is unsafe to fall and no officer or supervisor has the authority to make a faller fall a tree that he feels is unsafe, no matter what. Rather, Qualified Assistance is required.

If you have an issue you’d like to discuss confidentially, please call any of our falling safety advisors at toll-free **1-877-741-1060**; or if you would like Forest Safety News to report on any issue, please email editor@bcforestsafesafe.org.

Links to Dangerous Tree OHSR

26.1 Definition of dangerous tree: <https://www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-26-forestry-operations#SectionNumber:26.1>

26.11: General requirements, dangerous trees: <https://www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-26-forestry-operations#SectionNumber:26.11>

26.26: Falling dangerous trees: <https://www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-26-forestry-operations#SectionNumber:26.26>



Falling

Q1-Q3 2018 manual falling inspectional focus by WorkSafeBC

At a recent BC Forest Safety Council (BCFSC) train the trainer session in October, WorkSafeBC provided an update on officer inspections of falling operations, specific to the forestry high risk strategy.

Forestry High Risk Strategy (HRS) manual falling inspection focus:

- Falling cuts
- Dangerous tree windfall assessment and plans
- Unnecessary brushing practices
- New faller training programs, new faller safety, and adherence to training requirements
- Roadside debris endangering workers
- Phase congestion.

The top five sections of the OHSR cited in orders in Q1-Q3 2018 in manual falling and bucking were:

- OHSR 7.8(1)(b) – Hearing tests
- OHSR 26.2(2) – Planning and conducting a forestry operation
- OHSR 26.24(5)(b) – Responsibility for falling and bucking (undercut)
- OHSR 26.24(5)(c) – Responsibility for falling and bucking (sufficient holding wood)
- OHSR 26.22.1(2) – Falling supervisors for forestry operations.

The new (in 2018) WorkSafeBC hand falling team in the same period – Q1-Q3 2018, initiated 123 inspections, which included six new faller training sites.

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- OHSR 7.8(1)(b) – Hearing tests
- OHSR 26.2(2) – Planning and conducting a forestry operation
- OHSR 26.24(5)(b) – Responsibility for falling and bucking (undercut)
- OHSR 26.22.1(2) – Falling supervisors for forestry operations
- OHSR 26.26(1)(a) – Falling dangerous trees.

Claims Summaries

(CU703013 Manual Tree Falling and Bucking)

Injury Prevention	2013	2014	2015	2016	2017	2018 YTD
# Time-loss Claims	131	141	134	127	107	67
# Person Years	500	488	454	465	471	0
Injury Rate	26.2	28.9	29.5	27.3	22.7	
Claim Summary						
# Serious Injury Claims	41	46	28	52	31	18
Serious Injury Rate	8.2	9.4	6.2	11.2	6.6	

Claims Summaries

(CU703013 Manual Tree Falling and Bucking)

Year Range: 2013 - 2017

Accident Type	Count	%	Source of Injury	Count	%
Struck By	230	33.4	Trees, Plants	224	32.6
Fall from Elevation	110	16.0	Working Surfaces	119	17.3
Fall on Same Level	97	14.1	Power Tools	109	15.8
Overexertion	69	10.0	Bodily Motion	84	12.2
Involuntary Motion	36	5.2	Miscellaneous	32	4.7
Exposure to Noise	32	4.7	Noise	32	4.7
Other Bodily Motion	26	3.8	Logs, Tree Products	24	3.5
Struck Against	25	3.6	Mineral Items	15	2.2
Repetitive Motion	22	3.2	Vehicles	13	1.9
Caught In	10	1.5	Hand Tools	12	1.7
Others	31	4.5	Others	24	3.5
Total	688	100.0	Total	688	100.0

Claims Summaries

(CU703013 Manual Tree Falling and Bucking)

Year Range: 2013 - 2017

Nature of Injury	Count	%	Body Part	Count	%
Other Strains	218	31.7	Knee	115	16.7
Fractures	124	18.0	Wrist, Fingers & Hand	81	11.8
Laceration	102	14.8	Back	73	10.6
Contusion	59	8.6	Shoulders	57	8.3
Back Strain	57	8.3	Other Lower Extremity	57	8.3
Hearing Loss	32	4.7	Ankle, Toe & Feet	52	7.6
Concussion	15	2.2	Face & Ears	48	7.0
Abrasion	12	1.7	Other	40	5.8
Tendinitis, Tenosynovitis	12	1.7	Chest	38	5.5
Dislocation	8	1.2	Other Upper Extremity	32	4.7
Others	49	7.1	Others	95	13.8
Total	688	100.0	Total	688	100.0

(Please note: for more information on other CUs within the forestry high risk strategy, please see the training and transportation sections.) 🚫

WorkSafeBC issues 2018 bulletin for fallers on summoning qualified assistance

The 3-page bulletin covers the potential hazards hand fallers might face, the qualified assistance that must be available and the means to summon such assistance, in all work situations. The bulletin summarizes the information and then provides links to all the underlying regulations as well as links to additional information resources. Please see: <https://www.worksafefbc.com/en/resources/health-safety/hazard-alerts/safety-information-fallers-summering-qualified-assistance-ws-2018-13?lang=en>. For additional qualified assistance information, please see: <http://bcforestsafef.org/QA> 🚫



New Faller Training Pilot course completed in Holberg



Four trainees have successfully completed the second New Faller Training Pilot course in Holberg, which ran from September 5 to October 7, 2018. The trainees are (back row, from left) Jeremy Stoward, Morgan Soderquist, Shawn Wheatley and Pat Brobeck. Front row are the trainers (from left) Wayne Miller, Pierre Gagnon, Trevor Herron and John Jacobsen. 🍄

Falling Supervisor Course at Weyerhaeuser Princeton

Trainer John Jacobsen and BC Forest Safety Council falling safety advisor, David Adshead, recently did a two-day specialized Falling Supervisor course for Weyerhaeuser Princeton, in late October 2018.



Topics covered included general guidance for both licensee and contractors around hand falling supervision; responsibilities with regards to planning for hand falling and equipment in the same block; providing adequate qualified assistance; and ensuring all appropriate required documentation is completed. 🍄

The application of qualified assistance can lead to misinterpretation

Recent reports from the field suggested that it might be acceptable for fallers to work alone in separate cutblocks while being designated qualified assistance (QA) for each other (within 10 mins flying time by helicopter). While the theory might meet regulatory intent in a perfect world, reality is not perfect. The likelihood of having a helicopter fail mechanically, be grounded by bad weather, or each faller be at the furthest opposite points of each of their cutblocks outside of the 10 minute window would not meet the regulatory intent of QA. There has to be certainty with QA being reliably available for all fallers. QA within 10 minutes is the regulatory requirement. Best practice is faster, and closer.

Ask questions and plan ahead

What could go wrong? If there is bad weather, a sudden change in winds, a mechanical issue, a broken radio ... What is Plan B and has it been tested? Stay safe! 🍄

What to do if WorkSafeBC orders are written up against you as a faller?

First, consider the order(s) carefully when you have cooled off. Step back and look at the situation objectively. Ask a trusted fellow faller and/or supervisor to discuss them with you, or discuss confidentially with a BC Forest Safety Council falling safety advisor.

Ask yourself if another faller got the same orders what would you want to know about the situation to understand whether or not the orders were/are appropriate? Write a list – why and why not. Wait 24 hours. If you still feel that they are totally unjustified, wrongly applied/interpreted and you've talked them through with someone else you trust, then don't hesitate to follow the WorkSafeBC provisions for asking for those orders to be reviewed.

On the bottom of any orders written by WorkSafeBC, is the following direction:

Right to a Review of Orders

Any employer, worker, owner, supplier, union or a member of a deceased worker's family directly affected may, within 90 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, in this report by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers at 1-800-925-2233.

Reviews can take a few days up to several weeks depending on factors such as the nature of the orders, the circumstances, availability of people to interview to determine if there was human or procedural error or a greater potential for different interpretations of the application of the regulation in the individual circumstance.

WorkSafeBC has this challenge process in place to ensure that the system works as intended, is reliable, trusted and accountable. Remember, officers are humans too and we all make mistakes. The Employers' Advisers office comes highly recommended for the assistance they are able to provide in helping employers successfully challenge WorkSafeBC orders. They have a good success rate for the orders they recognize/agree should be challenged. 🍄