

# BC Forest Safety Ombudsman

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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 |
|-------|-----------|
|-------|-----------|

|             |   |
|-------------|---|
| WorkSafeBC: | 2 |
|-------------|---|

|               |   |
|---------------|---|
| SAFE Company: | 5 |
|---------------|---|

|                |   |
|----------------|---|
| Faller Issues: | 4 |
|----------------|---|

|                   |   |
|-------------------|---|
| Public Enquiries: | 4 |
|-------------------|---|

|                             |   |
|-----------------------------|---|
| Ministry of Forest & Range: | 1 |
|-----------------------------|---|

|           |   |
|-----------|---|
| Trucking: | 3 |
|-----------|---|

|               |   |
|---------------|---|
| Silviculture: | 1 |
|---------------|---|

# 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

[www.bcforestsafe.org](http://www.bcforestsafe.org)

BC FOREST SAFETY OMBUDSMAN

Toll Free: 1-877-577-7766

Email: [harris@bcforestsafe.org](mailto:harris@bcforestsafe.org)

Suite 400 - 1488 4th Avenue  
Prince George, BC V2L 4Y2

### 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.