



## FORESTRY OPERATIONS: WHO DOES WHAT?

Forestry operations are complex workplaces. It's not uncommon for forestry operations to have multiple employers, which can be problematic where safety is concerned. If the employers' work is not coordinated or is poorly communicated across the site, workers can be exposed to an increased risk of serious injury or death.

For example, without proper planning and scheduling, work areas can become overcrowded, resulting in "phase congestion," which can impact productivity and worker safety. By employing effective "phase integration"—bringing together various phases of a forestry operation, such as hand falling, road building, log processing and loading—multi-employer worksites can be safer and more efficient.

Health and safety is the shared responsibility of all workplace parties that have an influence on how work is conducted. So, what are the roles and responsibilities for owners and employers when worksites have two or more employers?

### Owners

The *Workers Compensation Act* defines "owner" broadly. In forestry operations, the owner is often a licensee, so that is how it will be referred to here.

The licensee must ensure that all activities of the operation are planned and conducted in a manner consistent with the Act, Occupational Health and Safety Regulation and any applicable orders. This includes providing and maintaining the licensed land and premises in a manner that ensures the health and safe-

ty of people at or near the workplace, and providing the employers with proper information to identify safety hazards and then eliminate or minimize them.

The licensee must ensure that the work being conducted is done without undue risk to workers. This would include when the work cannot be done in a conventional manner because the risk is too great. For example, when the work is along a steep cliff where a fall would result in injury or death; or when licensees deactivate work-site roads, impeding future access for silviculture workers and potentially making it harder to evacuate an injured worker.

The licensee can designate a prime contractor in a written agreement. The prime contractor should be clearly designated, qualified, and have the authority to fulfill the role's responsibilities,

# 75%\* of log truck drivers wear seatbelts.

*What do your fellow drivers know that you don't?*

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(\*self-reported in recent surveys of log truck drivers by the BCFSC.)



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including having authority over any employer, worker or other person who may be carrying out the licensee's work at the workplace. In the absence of a written agreement, the licensee is responsible for these tasks.

The licensee is responsible for ensuring that the prime contractor system is working, and if unsafe conditions or actions are seen on-site, the licensee must address them with the prime contractor.

### Employers

Employers are responsible for ensuring healthy and safe workplaces for their own workers and any other workers at a site where that employer's work is being carried out. Employers need to know how the work activities are being coordinated, and cooperate with the coordination of worksite activities, as well as provide the prime contractor with the name of the person designated to supervise that employer's workers.

Employers are required to make their workers aware of all safety hazards they're likely to be exposed to, regularly inspect the worksite, and fix any site conditions

that are hazardous to their workers. Employers must ensure that the worksite has appropriate first aid equipment, supplies and trained attendants.

Employers must establish valid occupational health and safety policies and programs, train workers to do their work safely and provide proper supervision, including training and support for supervisors to carry out their duties.

### Overlapping obligations

Parties at a workplace may have obligations that relate to more than one role (e.g. licensees and prime contractors are also employers and they must fulfill the obligations that come with both roles) and multiple parties may share the same obligations. Statutory responsibilities must be fulfilled. If they are not, an order may be issued by WorkSafeBC, even if another person has fulfilled the other party's responsibilities. One party may be relieved of its responsibilities under the Act or regulations only if all three of the following requirements are met:

- Another party who is subject to the same obligations complies with them;

- Simultaneous compliance by more than one party would result in unnecessary duplication of effort and expense;
- The health and safety of persons at the workplace would not be put at risk by the compliance of only one party. If the performance of the occupational health and safety duty by one party leaves health and safety risks that would be eliminated by others performing their duty, this requirement will not be met.

While parties who have the same responsibility under the Act or regulations may agree amongst themselves on who should perform it, these agreements are not binding on WorkSafeBC, nor is any party's compliance with the terms of such agreements.▲

*Budd Phillips is Manager, Prevention Field Services, at WorkSafeBC in Fort St. John*



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