Technical Circular T-04/21
November 24, 2021

To: All HQ Directors: Operations, Planning and Major Projects
All Executive Regional Directors
All Engineering Directors
All Ministry Traffic and District Engineers
All District Managers Transportation
All Project Managers
All Area Managers
Manager Provincial Sign Program
All MoTI Maintenance Contractors
BC Road Builders and Heavy Construction Association
WorkSafeBC
BC Construction Safety Alliance
BC Municipal Safety Association
UBCM
Utility Groups – Telus, BC Hydro & Fortis BC
ACEC – BC
Pacific Northern Gas Limited
Vancouver/UBC Skytrain expansion project

Subject:

Notification of WorkSafeBC's amendments to Occupational Health and Safety Regulation (OHSR) Part 18 Traffic Control - Effective date - December 1st, 2021.

Purpose:

To notify users of the Ministry's *Traffic Management Manual for Work on Roadways* (TMM) who carry out traffic control on provincial highways owned or controlled by the BC Ministry of Transportation and Infrastructure (BC MoTI) that WorkSafeBC has amended their Part 18 – Traffic Control section found in their Occupational Health and Safety Regulations (OHSR).

Those who carry out work on BC MoTI owned or controlled highways will need to become familiar with both WorkSafeBC's regulations and the BC MoTI TMM as work on roadways will utilize both documents to accomplish all traffic control activities carried out within work zones.

Background:

The WorkSafeBC Board of Directors met in July 2021 and approved several amendments to their OHSR which did include Part 18 Traffic Control and will become effective on December 1, 2021. As Part 18 Traffic Control are regulations controlled by WorkSafeBC whose function is to

control worker safety in the province, Part 18 Traffic Control is a mandatory requirement for adoption and implementation.

Implementation:

BC MoTI Traffic Control Manual For Work On Roadways (TMM) and its use

The content within BC MoTI TMM has not changed. WorkSafeBC's OHSR and the BC MoTI TMM will continue to be applied for the work carried out on BC MoTI owned or controlled highways. All road works will continue to use and be required to meet the most current TMM requirements. The TMM remains a manual developed from engineering principles and North American best practices obtained from such manuals as the Manual on Uniform Traffic Control Devices (MUTCD) as well as the Ministry's own history of operating highways and carrying out road works/goods movement. The TMM functions to establish minimum standards and requirements while providing fundamental principles and guidelines for adaptability to work requirements, non-standard work applications, and changing variables and conditions. The goal in all circumstances is for protection of workers and the continued mobility of road users in a safe and efficient manner within work zones.

WorkSafeBC OHSR Part 18 Traffic Control

WorkSafeBC's Part 18 Traffic Control is a section that is part of their larger OHSR and contains legal requirements that must be met by all workplaces under the inspectional jurisdiction of WorkSafeBC. The purpose of the regulation(s) is to promote occupational health and safety and to protect workers and other persons present at workplaces from work-related risks to their health, safety, and well-being. Once the OHSR amendments come into effect on Dec 1, 2021, all those engaged in work on BC MoTI owned or controlled highways are required not only to use the BC MoTI's TMM, but to carry out their preparation and work activities according to the revised WorkSafeBC's OHSR. The application of the individual parts of Part 18 Traffic Control is directly related to the specific activities required to accomplish work, and those activities for work zones are defined in the TMM (TMM Section 1.1 Traffic Management Manual For Work On Roadways). Work on BC MoTI owned or controlled highways is accomplished either 1) In-House, and/or 2) by written contract, or subcontract represented/carried out by: a) engineering consultant services, b) consultant services, c) construction and maintenance services, d) traffic control services, e) "other" as written and specified through contract.

Key aspects of WorkSafeBC OHSR amendments to Part 18 Traffic Control

The changes to WorkSafeBC's OHSR Part 18 Traffic Control are comprehensive and will require detailed study from all those involved in works on BC MoTI owned or controlled highways. There are, however, certain aspects of the amendments WorkSafeBC have enacted that will impact daily processes, especially if the work activities require traffic control involving the use of TCP's/Flaggers.

Key aspects are:

- Explanatory notes as provided by WorkSafeBC regarding their amendments to Part 18 Traffic Control regulation and are included here in the attachments.
- The WorkSafeBC amendments establish a similar, but separate mechanism for evaluating work zone risk and developing traffic control plans than outlined in the TMM. See OHSR Part 18 – Section 18.3.1.
- The WorkSafeBC amendments establish the need for a Board-approved traffic control training program. See OHSR Part 18 – Section 18.6.2
- The WorkSafeBC amendments are prescriptive, where alternatives may be allowed with accompanying risk documentation outlining the need for alternative strategies, options, procedures, and deployments.
- The amendments seek to minimize the use of traffic control people (TCPs) in favour of viable alternatives.
- The amendments empower WorkSafeBC with the ability to enforce all facets of traffic control.
- The proposed amendments prescribe a specific TCP position. Modification to the position stated in OHSR Part 18 Traffic Control must be documented. See OHSR Part 18 – Section 18.8, and Section 18.3.1.

The strikethrough version of the amendments to Part 18 – Traffic Control, with explanatory notes can be accessed using the following link Part 18 Traffic Control, or is also located here in the attachments. Deletions in the regulatory amendments are identified with a strikethrough and additions are in bold text and highlighted in yellow.

Questions arising from WorkSafeBC Part 18 OHSR and where to seek response

Any questions relating to Part 18 of the WorkSafeBC OHSR should go directly to WorkSafeBC. WorkSafeBC has a contact location for questions through their Prevention Information Line which is available 24 hours, 7 days a week. The following is the contact information for this service which is found on worksafebc.com. Other links to WorkSafeBC, in terms of asking questions regarding the implementation of OHSR Part 18 – Traffic Control can be sought using the following information.

WorkSafeBC Prevention Information Line

Contact us 24 hours, 7 days a week to:

- Report a fatality, serious incident or major chemical release
- Report unsafe work conditions (see also Refusing unsafe work)
- Report any other urgent health and safety concern

For all other health and safety inquiries (e.g., requesting a worksite consultation, or obtaining information about workplace health and safety or the Occupational Health and Safety Regulation), please call us Monday to Friday between 8:05 a.m. to 4:30 p.m.

Phone: 604.276.3100 (Lower Mainland)

Toll-free: 1.888.621.7233 (1.888.621.SAFE) (Canada)

BC MoTI contact for questions regarding the TMM's written content

Jerry Froese, P.Eng., M. Eng., PTOE
Manager, Traffic & Electrical Eng. Policy & Standards, Rail and Navigation, Roundabout Standards.
Engineering Services
Jerry.Froese@gov.bc.ca
Phone: 778-974-5272



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Mike Pearson, P. Eng.
A/Chief Engineer
Attachments

ATTACHMENTS

1) Workers' Compensation Board – Resolution of the Board of Directors - OHSR

2) Part 18 – Traffic Control – Strikethrough with Explanatory Notes

WORK SAFE BC

BOARD OF DIRECTORS
Jeff Parr, Chair

Anne Naser
Baltej Dhillon
Michelle Laurie

Lee Loftus
Rebecca Packer
Brooks Patterson

Lorna Pawluk
Donald Smith
Kay Teschke

2021/07/14-03

WORKERS' COMPENSATION BOARD
(WorkSafeBC)

RESOLUTION OF THE BOARD OF DIRECTORS

RE: 2020 and 2021 Amendments to the *Occupational Health and Safety Regulation*

WHEREAS:

Pursuant to section 110(1) of the *Workers Compensation Act*, R.S.B.C. 2019, c. 1 (*Act*), WorkSafeBC may make regulations it considers necessary or advisable in relation to occupational health and safety and occupational environment;

AND WHEREAS:

WorkSafeBC, pursuant to its mandate under the *Act*, has proposed amendments to the following Parts of the *Occupational Health and Safety Regulation*, B.C. Reg. 296/97 (*OHSR*), and has given notice of the proposed amendments, conducted consultations and held public hearings on the following proposed amendments in accordance with section 113(1) of the *Act*:

- Parts 1, 5, 22 and 23, Combustible and flammable liquid,
- Part 7, Ionizing radiation – dose limits for the lens of the eye,
- Parts 14, 24, and 25, Housekeeping amendments,
- Part 18, Traffic control,
- Part 20, Certification of concrete pump operators, and
- Part 26, Logging truck load securement;

AND WHEREAS:

Pursuant to section 115 of the *Act*, a review of the above Parts was undertaken by WorkSafeBC as part of the process of ongoing review of and consultation on its regulations to ensure they are consistent with current workplace practices, technological advances and other changes affecting occupational health and safety and occupational environment;

AND WHEREAS:

Pursuant to section 117 of the *Act*, regulations may be made applicable to certain persons, may be different for different categories, may delegate a matter to, or confer a discretion on, the Board, an officer of the Board or another person, and may adopt a standard, code or rule, in whole, in part or with any changes considered appropriate;

AND WHEREAS:

WorkSafeBC, after due consideration of all presentations, considers it necessary and advisable in relation to occupational health and safety and occupational environment to amend Parts 1, 5, 7, 14, 18, 20, 22, 23, 24, 25, and 26 of the *OHSR*;

AND WHEREAS:

Pursuant to section 114 of the *Act*, WorkSafeBC must specify the date on which its regulations come into force, which date must be at least 90 days after their deposit under the *Regulations Act*;

AND WHEREAS:

Pursuant to the Provincial Government's *Regulatory Reform Policy,* WorkSafeBC has evaluated the proposed regulatory amendments according to the established regulatory criteria;

THE BOARD OF DIRECTORS RESOLVES THAT:

Effective December 1, 2021, the *OHSR* is amended as set out in Appendices A to F attached to this resolution.

I, Jeff Parr, hereby certify for and on behalf of the Board of Directors of WorkSafeBC that the above resolutions were duly passed at a meeting of the Board of Directors hosted in British Columbia on July 14, 2021.

Original signed by Jeff Parr

JEFF PARR
Chair, Board of Directors
Workers' Compensation Board

PROPOSED AMENDMENTS TO PART 18: TRAFFIC CONTROL IN THE OCCUPATIONAL HEALTH AND SAFETY REGULATION

PART 18: TRAFFIC CONTROL

GENERAL REQUIREMENTS

Definitions	18.1	In this Part:
"barrier"		means a solid or continuous installation designed to prevent errant vehicles from entering a closed or hazardous work zone;
"brief duration work"		means planned work in a work zone that requires 15 minutes or less to complete;
"emergency"		means an incident that requires immediate action to protect lives or prevent serious injury;
"emergent work"		means quick response work necessitated by an unanticipated occurrence, other than an emergency, if the total time required for workers to complete the quick response work is less than 5 minutes;
"long duration work"		means planned work in a work zone that requires (a) more than one daylight period to complete, (b) night work, or (c) mobile work;
"mobile work"		means continuously slow-moving work or intermittently moving work with stops of 30 minutes or less;
"risk assessment"		means a risk assessment in accordance with section 18.3.1;
"short duration work"		means planned work in a work zone that requires more than 15 minutes during a single daylight period to complete;
"temporary traffic control device"		means a sign, signal, marking or other device used to regulate, warn or guide traffic through or around a work zone for a limited period of time;
"traffic assistant"		means a person who (a) has completed the training described in section 18.6.3, and (b) assists or directs motorists within parking or holding areas in a specified workplace, such as a parking lot or roadway terminus used for vehicle holding prior to boarding a vessel;
"traffic control"		~~means the use of signs, flashing arrow boards, sign boards, buffer or shadow vehicles, barricades, cones, barriers, detours, traffic lights, traffic control persons (TCPs) or other techniques and devices to control the flow of traffic;~~ means the use of temporary traffic control devices, traffic arrangements or layouts and procedures to protect workers and move traffic safely through a work zone;

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~~*"traffic control person" or "TCP"*~~		~~means any person designated or assigned by the employer to direct traffic.~~ [Enacted by B.C. Reg. 242/2006.]
"traffic control person"		means a person who (a) has completed the training described in section 18.6.2, and (b) is designated or assigned by the employer to direct traffic;
"traffic control plan"		means a workplace-specific plan that documents how traffic control is to be achieved, including (a) a combination of text, layouts and, if required, drawings that describe specifically the traffic control measures and devices that will be provided to mitigate the risks from hazards identified in the risk assessment, (b) how the traffic control measures are to be implemented, and (c) on what schedule the traffic control measures are to be implemented;
"Traffic Management Manual"		means the latest edition of the *Traffic Management Manual for Work on Roadways* issued by the Ministry of Transportation and Infrastructure;
"work zone"		means an area where a worker is or may be exposed to a moving vehicle, with the exception of (a) a parking lot, and (b) a roadway terminus used for vehicle holding prior to boarding a vessel.
Responsibility	18.2	The employer must ensure that effective traffic control is provided and ~~used~~ implemented whenever traffic could be hazardous to a worker. [Enacted by B.C. Reg. 242/2006.]
Standards for traffic control	18.3	~~(1) Traffic control equipment, arrangements and procedures must meet the requirements of the latest edition of the *Traffic Control Manual for Work on Roadways* (the "*Traffic Control Manual*") issued by the Ministry of Transportation, unless otherwise specified by this Regulation.~~ [Enacted by B.C. Reg. 242/2006.] (1) The Traffic Management Manual applies to all work zones. (2) An employer must ensure that traffic control equipment, arrangements or layouts and procedures, to the extent practicable, meet the requirements of the Traffic Management Manual unless otherwise specified in this Regulation or in the Act.
Risk assessment	18.3.1	(1) An employer must not permit workers to engage in a work activity that may expose workers to traffic unless a risk assessment has first been completed by a qualified person and the risk assessment (a) meets the requirements of subsections (2) or (3), as applicable, and

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(b) takes into account the risks to worker health and safety whenever traffic control is required for

(i) emergent work,

(ii) brief duration work,

(iii) short duration work, or

(iv) long duration work.

(2) An employer responsible for emergent work or brief duration work must

(a) determine that the emergent work or brief duration work can be performed safely in less than 5 minutes or 15 minutes or less, respectively,

(b) develop written work procedures applicable to the emergent work or brief duration work, including specifying

(i) the temporary traffic control devices and layouts required, if applicable, and

(ii) instructions and procedures to follow when a worker encounters an unanticipated occurrence that prevents the work from being completed in the time allocated, and

(c) require workers to follow the written work procedures described in paragraph (b).

(3) An employer responsible for short duration work or long duration work must ensure that the risk assessment is in writing and includes consideration of at least the following:

(a) work duration and time of day the work activity is scheduled to occur;

(b) whether the nature of the work activity is expected to create a hazard;

(c) whether any of the following is expected to create a risk of worker injury:

(i) traffic volume;

(ii) lines of sight;

(iii) vehicles travelling at the posted speed limits;

(iv) configuration of the work zone, including the number of lanes and lane widths;

(v) equipment movement and storage;

(d) (d) environmental conditions or hazards that could present a risk to workers during the installation or removal of temporary traffic control devices, including

(i) avalanche or rock fall areas,

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(ii) overhead structures, and

(iii) roadway surface conditions;

(e) coordination of overlapping work activities;

(f) any other reasonably foreseeable hazard;

(g) whether traffic control persons are required, and, if so,

(i) the availability of escape routes for those traffic control persons,

(ii) environmental conditions or hazards,

(iii) the locations at which traffic control persons can be positioned to direct traffic and avoid the risk of being struck by traffic,

(iv) requirements for breaks by those traffic control persons, including hygiene breaks,

(v) shift duration and the number of traffic control persons required for the work, and

(vi) what site-specific orientation and training are required for traffic control persons at the work zone;

(h) the level of supervision required.

(4) An employer referred to in subsections (2) or (3), as applicable, must ensure that the risk assessment is reviewed and updated by a qualified person if

(a) there is reason to believe the risk assessment is no longer valid, or

(b) there has been a significant change in the scope or nature of the work to which the risk assessment relates.

Traffic control plan	18.3.2	(1) An employer responsible for short duration work or long duration work must ensure that a written traffic control plan is developed based on the risk assessment.

(2) The traffic control plan required under subsection (1) must specify

(a) traffic control measures to mitigate the hazards identified in the risk assessment,

(b) instructions for implementation of the traffic control measures,

(c) clear statements of roles and responsibilities for implementing the traffic control plan, and

(d) a schedule, for the traffic control plan, for

(i) implementation, and

(ii) regular review and updating.

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		(3) If the risk assessment is updated under section 18.3.1 (4), the employer must ensure that (a) the traffic control plan is amended to address the changes to the risk assessment, and (b) the amendments to the traffic control plan are implemented.
		(4) The employer must ensure that the traffic control plan is accessible at all times to workers at the work zone.
Order of control measures	18.3.3	(1) An owner and an employer each must, to the extent practicable, eliminate the risk of worker exposure to traffic in a work zone by isolating the work zone using constructed detours, alternative routes, barriers, or other effective measures. (2) If it is not practicable to eliminate worker exposure to traffic in a work zone by using the measures described in subsection (1), worker exposure to traffic must be minimized by applying control measures that (a) are appropriate to the work activity, (b) are consistent with the risk assessment, and (c) include, in order of priority, (i) the use of temporary traffic control devices and traffic arrangements or layouts and procedures to effectively protect workers from traffic travelling by or through a work zone without the use of traffic control persons, (ii) administrative controls that reduce the number of workers exposed to traffic, such as scheduling work during off-peak hours, and (iii) the use of traffic control persons only after the control measures set out in subparagraphs (i) and (ii), either alone or in combination, have been considered and determined to be insufficient to manage traffic in the circumstances.
~~Supervision~~	~~18.4~~	~~(1) The employer must ensure that whenever traffic control is required, all of the following requirements are implemented:~~ ~~(a) the traffic control arrangements and procedures for the work are made known to all the people involved in the work;~~ ~~(b) the required traffic control devices and procedures are in place before the start of work and are removed when they are no longer required;~~ ~~(c) any person assigned to be a traffic control person is adequately trained in a manner acceptable to the Board and effectively performs their role in the traffic control arrangements and procedures for the work;~~ ~~(d) a traffic control person is positioned in a safe location clear of potential environmental hazards such as a slide or avalanche;~~ ~~(e) if 2 or more traffic control persons are required to work as a team at the worksite, responsibility for coordination of changes in traffic flow is assigned.~~

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~~(2) The employer must ensure that during traffic control operations a supervisor is designated to ensure the requirements of subsection (1) (b) to (e) are met.~~

Supervision **18.4**

(1) An employer must ensure that a qualified supervisor is designated whenever traffic control is required.

(2) The employer must ensure that the supervisor designated under subsection (1) ensures that the following requirements are met:

(a) traffic arrangements or layouts and procedures are implemented in accordance with the traffic control plan set out in section 18.3.2;

(b) the required temporary traffic control devices are in place before the start of work and are removed or covered immediately when they are no longer required;

(c) the work zone is inspected at intervals appropriate to the risks;

(d) it has been verified that any person assigned to direct traffic can provide evidence of having completed the traffic control training program in accordance with section 18.6.2;

(e) if traffic control persons are assigned, the traffic control persons are, before their first shift, provided orientation and training at the work zone that are

(i) documented or otherwise recorded, and

(ii) consistent with the risks identified in the risk assessment;

(f) if 2 or more traffic control persons are expected to work as a team, responsibility is assigned to one traffic control person to coordinate any changes in traffic flow.

~~**Placement of traffic control signs and devices**~~ ~~18.5~~

~~(1) Traffic control signs and devices must be positioned and used as specified in the *Traffic Control Manual* and signs and devices must be located so as to allow traffic to move by or through the work area in a controlled manner and, if necessary, to come to a controlled stop with due regard for the prevailing weather and road conditions.~~

~~(2) Unless otherwise specified, all traffic control signs and devices must be installed and removed in a sequence which best protects workers during this phase of a traffic control operation.~~

~~(3) A sign advising of a traffic control person ahead must be placed in advance of each traffic control person's station, and this sign must be removed promptly when a traffic control person is no longer on duty at that station.~~

~~(4) Subsection (3) does not apply during emergency or brief duration work when it is not practicable to place such a sign, provided that sight lines and traffic speed allow oncoming traffic adequate warning of the work activity taking place.~~

~~[Enacted by B.C. Reg. 242/2006.]~~

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Placement of temporary traffic control devices **18.5** An employer must ensure that

(a) temporary traffic control devices are positioned and used as specified in the traffic control plan,

(b) temporary traffic control devices are positioned to allow traffic to move by or through the work zone in a safe manner,

(c) temporary traffic control devices are in place before the start of the work and are removed or covered immediately when they are no longer required,

(d) temporary traffic control devices are installed and removed in a sequence that best protects workers during each phase of a traffic control operation, and

(e) the distance between the Traffic Control Person Ahead C-001-1 sign and the first traffic control person does not exceed 150 metres, unless this is not practicable.

Traffic Control Persons

Prohibitions **18.6** An employer must ensure that

(a) traffic control persons are not used to control traffic when speed limits in effect are greater than 70 km/h,

(b) traffic control persons do not direct traffic contrary to any sign, signal or traffic control device, and

(c) traffic control persons are not positioned in an intersection open to traffic flow or the travelled portion of a roadway.

~~**TRAFFIC CONTROL PERSONS (TCPs)**~~

~~**Use of a traffic control person** **18.6** (1) A traffic control person may be used only~~

~~(a) if the use of signs and other traffic control devices and procedures alone cannot provide effective traffic control, or~~

~~(b) during emergency or brief duration work if it is not practicable to control traffic with signs and other devices and procedures.~~

~~(2) Without limiting the generality of subsection (1), one or more traffic control persons must be used if~~

~~(a) it is necessary to institute a one-way traffic system by or through a work zone and the circumstances do not allow self-regulating single lane traffic controlled by signs and other devices as specified in the *Traffic Control Manual*, and a traffic signal system is not used,~~

~~(b) work-related traffic cannot safely self-regulate to move in or out of the work area or safely coordinate with other traffic,~~

~~(c) an existing traffic control system, or an existing traffic signal light system, is not adequate to regulate traffic,~~

~~(d) the work encroaches into an intersection so as to interfere with regular traffic movement,~~

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~~(e) traffic speed or volume is a hazard to workers while setting up or removing other traffic control devices, or~~

~~(f) other traffic control devices are not available in an emergency situation.~~

[Enacted by B.C. Reg. 242/2006.]

Emergency management	18.6.1	(1) In this section, "emergency responder" includes, when present at an emergency scene in a work zone, a firefighter, paramedic, highway rescue worker, search and rescue worker, tow truck worker, utility owner's worker, road authority worker and road maintenance worker. (2) Subject to subsections (3) and (4), emergency responders may be assigned to direct traffic during an emergency. (3) An emergency responder, other than a peace officer, may not direct traffic under subsection (2) unless the emergency responder has completed training that includes (a) basic traffic control principles, (b) instructions on the use, set-up and take down of temporary traffic control devices, (c) traffic management principles described in the Traffic Management Manual, (d) use of a buffer vehicle to protect the work zone during an emergency, (e) safe work procedures, and (f) appropriate selection, use and maintenance of personal protective clothing and safety equipment. (4) An emergency responder, other than a peace officer, may not direct traffic under subsection (2) for more than 2 hours after the start of the emergency unless the emergency responder has completed the training described in section 18.6.2.
Traffic control person training	18.6.2	(1) An employer must ensure that a traffic control person has completed a Board-approved traffic control training program. (2) On and after December 1, 2023, the traffic control training program must be based on (a) analysis of the knowledge, skills, abilities and other requirements to perform the job, and (b) training and competency assessment criteria contained in any one of the following: (i) *ISO/IEC 17024:2012, Conformity Assessment – General Requirements for Bodies Operating Certification of Persons;* (ii) *ANSI/ICE 1100: 2019(E), Standard for Assessment-Based Certificate Programs;*

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(iii) *ASTM International ASTM E2659-18, Standard Practice for Certificate Programs;*

(iv) *CAN/CSA Z1001-18, Occupational health and safety training;*

(v) another standard acceptable to the Board.

(3) Successful completion of the traffic control training program must include an assessment of the trainee's

(a) knowledge of the subject matter, and

(b) practical competency.

Traffic assistant training	18.6.3	(1) An employer must ensure that a traffic assistant receives workplace training that addresses the hazards specific to the workplace and that includes coursework and a practical component. (2) The coursework for a traffic assistant referred to in subsection (1) must include (a) basic traffic control principles, (b) instructions on the use, set-up and take down of temporary traffic control devices, (c) safe work procedures that include identifying an escape route, and (d) appropriate selection, use and maintenance of personal protective clothing and safety equipment.
Traffic control person to remain on duty	18.7	The employer must ensure that a traffic control person is on duty at the assigned station whenever a traffic control person is required as part of the traffic control plan for the work. [Enacted by B.C. Reg. 242/2006.]
Location of traffic control persons	~~18.8~~	~~A traffic control person must~~ ~~(a) stand in a safe position, preferably on the driver's side of the lane under the TCP's control, be clearly visible, and have an unobstructed view of approaching traffic, and~~ ~~(b) be positioned at least 25 m (80 ft) away from the work area unless circumstances or space requirements, such as working at or near an intersection, dictate otherwise.~~ ~~[Enacted by B.C. Reg. 242/2006.]~~
	18.8	(1) Subject to section 18.6 and subsection (3) of this section, an employer must ensure that a traffic control person is in a position that has been identified in the risk assessment as a safe location. (2) A safe location referred to in subsection (1) is one that (a) is (i) on the shoulder or curb adjacent to the traffic being controlled, or

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(ii) in a lane that has been closed by means of barriers or other temporary traffic control devices,

(b) provides the traffic control person with an unobstructed route to escape errant vehicles or traffic,

(c) is 25 metres or more from the work zone, unless circumstances or space requirements, such as working at or near an intersection open to traffic flow or in an urban setting, make this distance not practicable, and

(d) makes the traffic control person stand out against the background or appear as conspicuous as possible to approaching traffic.

(3) If a risk assessment identifies that it is not practicable to position the traffic control person in a location as described in subsection (2), the employer must ensure that the positioning of the traffic control person is based on a written risk assessment of site-specific conditions completed to determine an alternative position to provide safety for the traffic control person.

EQUIPMENT FOR TRAFFIC CONTROL PERSONS

~~**Operations during daytime**~~ ~~18.9~~ ~~Each traffic control person must be provided with, and must use, all of the following:~~

~~(a) a traffic control paddle meeting the requirements for a C-27H Traffic Control Paddle as specified in the *Traffic Control Manual* and, if necessary to control fatigue, a non-conductive support staff for the paddle;~~

~~(b) high visibility apparel meeting~~
~~(i) the Type 1 or Type 2 criteria of *WCB Standard Personal Protective Equipment Standard 2-1997, High Visibility Garment*, or~~
~~(ii) the Class 2 or 3 garment criteria of *CSA Standard Z96-02, High Visibility Safety Apparel*, with a fluorescent background colour;~~

~~(c) wrist and lower leg bands fitted with a minimum 5 cm (2 in) wide fluorescent retroreflective strip about their entire circumference, except that wrist and lower leg bands are not required for a traffic control person performing this function on an emergency or a temporary basis and not as part of their normal duties;~~

~~(d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and on the sides;~~

~~(e) an effective means of communication when traffic control persons are not visible to each other, which under no circumstances means a system of passing batons or similar items to indicate the last vehicle travelling through the zone under control.~~

Operations during daytime 18.9 Each traffic control person must be provided and must use, when directing traffic, the following:

(a) a traffic control paddle meeting the requirements set out in the Traffic Management Manual and, if determined by a risk assessment as required to control fatigue, an extension pole for the paddle;

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(b) a Traffic Control Person Ahead C-001-1 sign, which must be immediately removed or covered when traffic control persons are not actively controlling traffic;

(c) high visibility apparel meeting the requirements for the Class 3 garment criteria of *CSA Standard Z96-15, High-Visibility Safety Apparel* and that

(i) is in fluorescent yellow-green or fluorescent orange-red background colour,

(ii) covers fully, at a minimum, the upper torso,

(iii) has, in a contrasting colour, combination retroreflective-fluorescent stripes/bands that are at least 100 millimetres wide, made up of an at least 50 millimeter-wide retroreflective band with 2 at least 25 millimetre-wide fluorescent stripes in a contrasting colour to the background colour, in fluorescent yellow-green or fluorescent orange-red, on each side of the retroreflective band,

(iv) is worn as a torso vest, jacket or coveralls, with the combination retroreflective-fluorescent stripes/bands described in subparagraph (iii) laid out in the following pattern:

(A) a symmetric X, on the back of the garment, from shoulders to waist;

(B) 2 vertical stripes/bands on the front and extending over the shoulders to the waist;

(C) waist-level, horizontal stripes/bands extending entirely around the circumference of the torso, from the back to the bottom of the vertical stripes/bands on the front where they end at the front garment-fastening mechanism;

(D) with no gaps, in the retroreflective-fluorescent material, that exceed 50 millimetres, and

(v) has horizontal combination retroreflective-fluorescent stripes/bands encircling both arms and legs, that are of the measurements set out in subparagraph (iii) and that are placed below the elbows and below the knees, respectively;

(d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side;

(e) any other equipment required by the risk assessment.

Operations during ~~night time~~ darkness or poor visibility	18.10	(0.1) In this section, "darkness" means the period from a half hour after sunset to a half hour before sunrise.
		(1) During the hours of darkness, or in other conditions of poor visibility, each traffic control person must be provided with and must use, in addition to the equipment required by section 18.9, a flashlight fitted with a red signaling wand,

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(2) For the purpose of subsection (1), the traffic control person must have immediate access to spare batteries for the flashlight.

[Enacted by B.C. Reg. 242/2006.]

(3) During the hours of darkness, or in other conditions of poor visibility, a location from which a traffic control person directs traffic must be illuminated by

(a) overhead street lighting, or

(b) if overhead street lighting is not available, temporary lighting that does not subject approaching road users to excessive glare.

Equipment maintenance 18.11 All temporary traffic control equipment and devices, including signs, traffic control paddles and personal protective equipment, must be kept clean and in good working condition.

[Enacted by B.C. Reg. 242/2006.]

DIRECTIONS AND SIGNALS BY TRAFFIC CONTROL PERSONS

Precise motions 18.12 A traffic control person must make all traffic control directions and signals precisely and deliberately so that the meaning can be clearly understood.

[Enacted by B.C. Reg. 242/2006.]

~~**Standard signals between traffic control persons**~~ ~~18.13~~ ~~If manual signals are used between traffic control persons to initiate changes in the direction of traffic flow, the signals shown in Figure 18-1 must be used.~~

[Enacted by B.C. Reg. 242/2006.]

Communication between traffic control persons 18.13 If more than one traffic control person is controlling traffic at the same work zone, the employer must ensure that an effective means of communication is provided to and used by those persons for communication between them.

~~**Standard signals for traffic**~~ ~~18.14~~ ~~(1) All traffic control directions and signals made by a traffic control person for the purpose of controlling traffic must conform to the requirements of this Regulation and the *Traffic Control Manual*.~~

~~(2) A traffic control person must use the normal signals shown in Figure 18-2 when stationed on the driver's (left) side of the traffic lane under the TCP's control.~~

~~(3) The alternative signals shown in Figure 18-2 must be used only when the traffic control person is stationed on the passenger's (right) side of the traffic lane under the TCP's control.~~

~~(4) A traffic control person must not use their traffic control paddle to wave traffic on and must never display the paddle to traffic in other than a static manner.~~

[Enacted by B.C. Reg. 242/2006.]

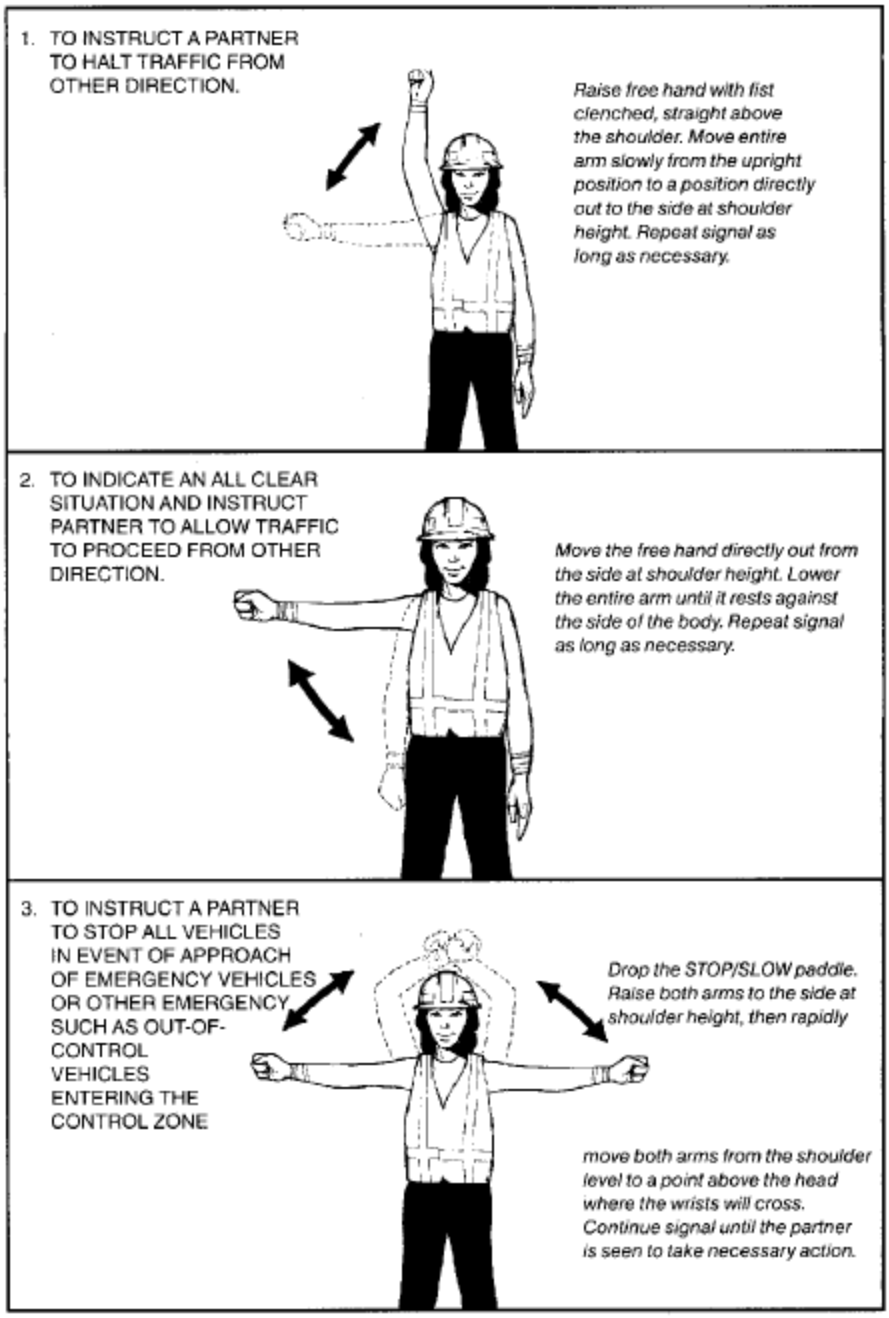
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OTHER REQUIREMENTS

Dust control	18.15	If traffic causes airborne dust to the extent visibility is reduced and interferes with effective traffic control or creates a hazard to workers, the employer must control the dust by the periodic application of water or other acceptable material to the grade surface to suppress dust. [Enacted by B.C. Reg. 242/2006.]
~~**Long periods of delay**~~	~~18.16~~	~~If traffic control operations will result in long periods of traffic delay, appropriate signs or other effective means must be used to inform the traffic of the situation.~~ [Enacted by B.C. Reg. 242/2006.]
~~**Towing and recovery operations**~~	~~18.17~~	~~If the recovery of a disabled or damaged vehicle prevents the safe passage of other vehicles or if a passing vehicle is a danger to the workers engaged in the recovery operation, the person in charge must~~ ~~(a) warn traffic of the recovery operation by displaying appropriate signs and a 360° flashing light,~~ ~~(b) ensure that workers wear appropriate personal protective equipment, and~~ ~~(c) ensure that any other procedures required by the Traffic Control Manual are followed if the activity exceeds the limits for emergency or brief duration work.~~ [Enacted by B.C. Reg. 242/2006.]

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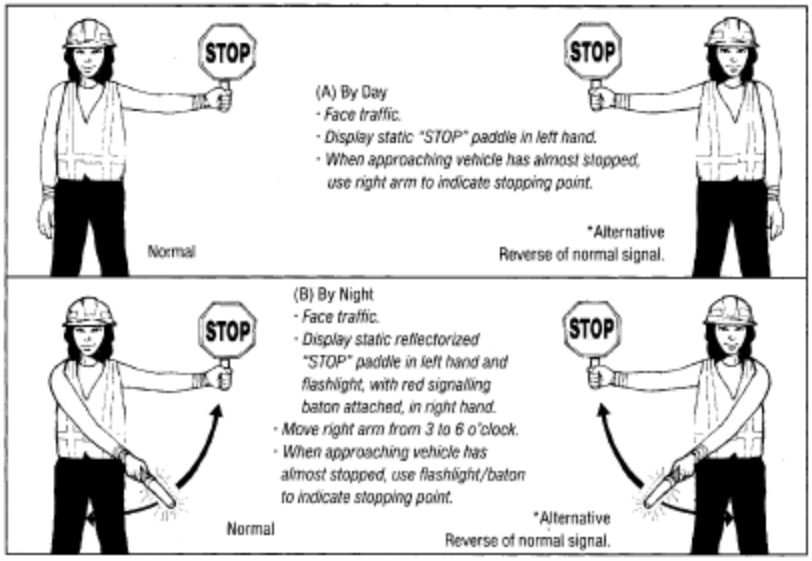
~~**Figure 18-1: Arm signals between traffic control persons**~~ **DELETE**



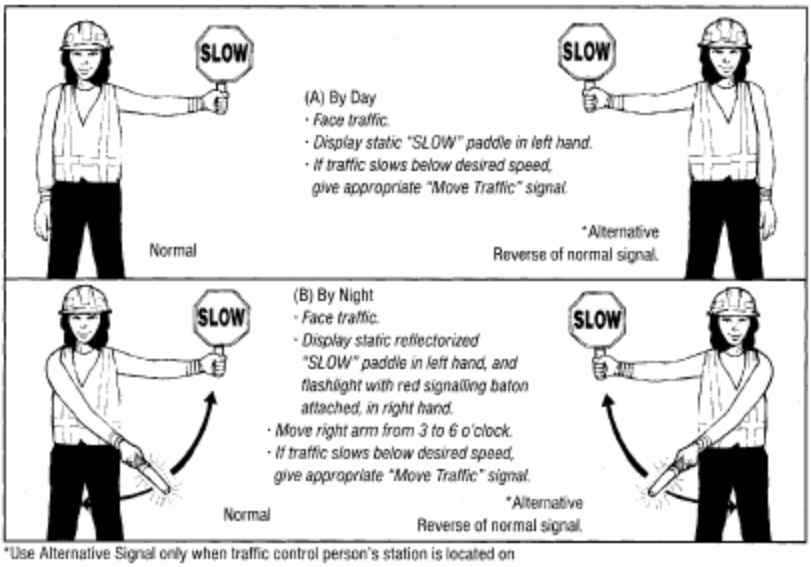
PROPOSED AMENDMENTS TO PART 18: TRAFFIC CONTROL IN THE OCCUPATIONAL HEALTH AND SAFETY REGULATION

~~**Figure 18-2: Arm signals for traffic control**~~ **DELETE**

1. TO STOP TRAFFIC



2. TO SLOW TRAFFIC

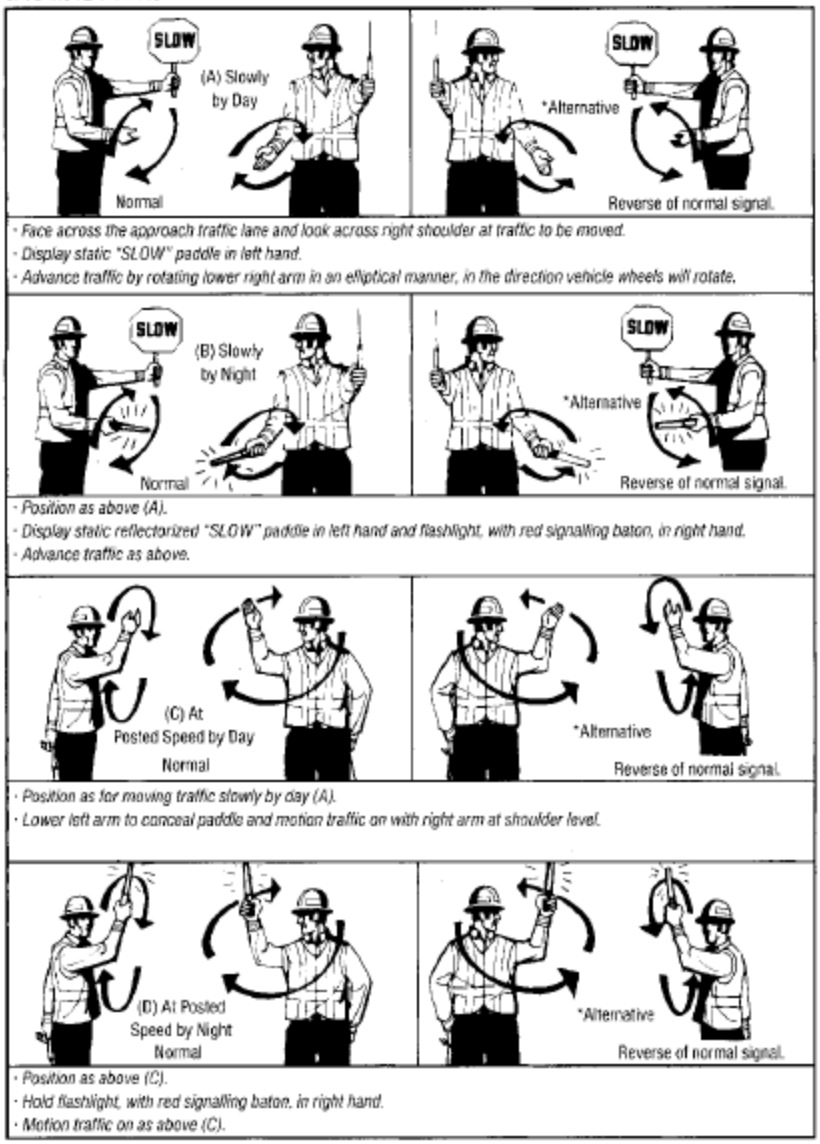


*Use Alternative Signal only when traffic control person's station is located on the right side of traffic under his or her control.

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~~Figure 18.2: Arm signals for traffic control (Continued)~~ **DELETE**

3. TO MOVE TRAFFIC



*Use Alternative Signal only when traffic control person's station is located on the right side of traffic under his or her control.

PROPOSED AMENDMENTS TO PART 18: TRAFFIC CONTROL IN THE OCCUPATIONAL HEALTH AND SAFETY REGULATION

EXPLANATORY NOTES:

The purpose of the proposed amendments is to update and harmonize or align the provisions on worker health and safety in Part 18 of the *Occupational Health and Safety Regulations* (*OHSR*) with the latest edition of the *Traffic Management Manual for Work on Roadways* (the Traffic Management Manual) issued by the Ministry of Transportation and Infrastructure (the Ministry).

The current provisions in Part 18 were drafted in 1998 to eliminate conflict between the *OHSR* and the Ministry's *Traffic Control Manual* (the *Traffic Control Manual*), which was released in 1999. At the time it was acknowledged that adopting the *Traffic Control Manual* as the foundation of traffic control would save employers and workers, including WorkSafeBC officers, having to know and follow different traffic control requirements for various work locations. This would also ensure consistent traffic control systems throughout the province for the motoring public.

Section 18.3 of the *OHSR* requires employers to comply with the *Traffic Control Manual* issued in 1999. In 2016, the Ministry released the Traffic Management Manual with the intent to phase it in over a three year period.

Since 2016, the Ministry has required some employers working on provincial roadways to use the Traffic Management Manual instead of the *Traffic Control Manual*. Other employers have been required to explicitly elect to comply with either the *Traffic Control Manual* or the Traffic Management Manual, but not both.

WorkSafeBC Prevention Officers required employers to identify and declare which manual they were following, and inspected accordingly. Pursuant to section 4.4 of the OHSR, WorkSafeBC accepted the Traffic Management Manual as compliant with section 18.3 during the interim period.

The 2020 edition of Traffic Management Manual came into effect in January 2020. The Ministry now requires this version for all work on provincial roadways unless otherwise stated.

Proposed section 18.1 Definitions
The following new terms are proposed additions to this section:

- "barrier" means a solid or continuous installation designed to prevent errant vehicles from entering a closed or hazardous work zone;
- "brief duration work" means planned work in a work zone that requires 15 minutes or less to complete;
- "emergency" means an incident that requires immediate action to protect lives or prevent serious injury;
- "emergent work" means quick response work necessitated by an unanticipated occurrence, other than an emergency, where the total time to complete the work is less than 5 minutes;
- "long duration work" means planned work in a work zone requiring more than one daylight period to complete. Night work and mobile work are classified under long duration work;
- "mobile work" means continuously slow-moving work or intermittently moving work with stops of thirty minutes or less;
- "risk assessment" means a risk assessment specified in section 18.3.1;
- "short duration work" means planned work in a work zone requiring more than 15 minutes during a single daylight period to complete;
- "temporary traffic control device" means a sign, signal, marking or other device used to regulate, warn or guide traffic through or around a work zone for a limited period of time;

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- "traffic assistant" means a person who has completed the training described in section 18.6.3, and assists or directs motorists within parking or holding areas in specified workplaces such as a parking lot or roadway terminus used for vehicle holding prior to boarding a vessel;
- "traffic control plan" means a work site-specific plan that documents how traffic control is to be achieved, including
  - (a) a combination of text, layouts or, if required, drawings that describe specifically the traffic control measures and devices that will be provided to mitigate the risks from hazards identified in the risk assessment,
  - (b) how the traffic control measures are to be implemented, and
  - (c) on what schedule the traffic control measures are to be implemented;
- "Traffic Management Manual" means the latest edition of the *Traffic Management Manual for Work on Roadways* issued by the Ministry of Transportation and Infrastructure; and
- "work zone" means an area where a worker is or may be exposed to a moving vehicle, with the exception of a parking lot, and a roadway terminus used for vehicle holding prior to boarding a vessel.

The definitions of 'traffic control' and 'traffic control persons' have also been updated as follows:

- "traffic control" means the use of temporary traffic control devices, traffic arrangements or layouts and procedures to protect workers and move traffic safely through a work zone; and
- "traffic control persons" or TCP means a person who
  - (a) has completed the training described in section 18.6.2, and
  - (b) is designed or assigned by the employer to direct traffic.

It should be noted that "qualified" is defined in Part 1 of the *OHSR*, and these definitions apply to all sections of the *OHSR*. Qualified "means being knowledgeable of the work, the hazards involved and the means to control the hazards, by means of education, training, experience or a combination thereof".

Section 18.2 Employer Responsibility
This is an existing section that has been retained. The word "used" is replaced with "implemented". The title to this section is amended to include the word "employer".

Proposed section 18.3 Standards for traffic control
According to subsection (1), the latest edition of the Traffic Management Manual is the standard that applies to all work zones.

Subsection (2) requires employers to ensure traffic control equipment, arrangements or layouts and procedures, to the extent practicable, meet the requirements of the Traffic Management Manual unless otherwise specified in this Regulation or in the Act.

The addition of "to the extent practicable" in subsection (2) recognizes that the Traffic Management Manual may not cover every situation likely to be encountered in practice. This is also expressed in section 1.1.3 of Traffic Management Manual.[1]

Proposed section 18.3.1 Risk assessment
In a risk assessment, an employer assesses which hazards present a risk and might cause harm to workers, and determines whether existing and planned controls are adequate to prevent that harm.

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[1] https://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/traffic-engineering-and-safety/traffic-engineering/traffic-management-and-traffic-control/tcm-work-on-roadways/tcm_consolidated.pdf

PROPOSED AMENDMENTS TO PART 18: TRAFFIC CONTROL IN THE OCCUPATIONAL HEALTH AND SAFETY REGULATION

Subsection (1) requires employers to ensure a qualified person performs a risk assessment before work commences and demonstrates an understanding of the risk to worker health and safety whenever traffic control is required for the following:

(a) emergent work,

(b) brief duration work,

(c) short duration work, or

(d) long duration work.

A written risk assessment is not required for emergent or brief duration work. The work activities for emergent work and brief duration work are usually known and regularly performed. However, it is the timing of these types of work which may be unpredictable, and the hazards may vary depending on when, and where they occur. The intent of this provision is to ensure employers plan ahead and provide workers with clear instructions through written procedures and practices. Workers must know what is required to complete such work, and what they must do if they arrive at a site and encounter an unanticipated situation preventing the work being completed in the time allocated. Subsection (2) requires an employer responsible for emergent or brief duration work to

(a) ensure the work designated as emergent or brief duration can be performed safely in less than 5 minutes or less than 15 minutes respectively, and

(b) develop written procedures and practices as applicable to the emergent or brief duration work, including specifying

(i) the temporary traffic control devices and layouts required, if applicable, and
(ii) instructions and procedures to follow when a worker encounters an unanticipated situations preventing the work being completed in the time allocated; and

(c) require workers to follow the instructions in (b).

For short duration work or long duration work, subsection (3) requires an employer responsible the work to ensure the risk assessment is in writing and includes consideration of the health and safety risks of at least the factors in (a) through (h). Subsection (g)(vi) includes on-the-job, "site-specific" orientation and training. This requirement for on-the-job training is different from the classroom training required in proposed section 18.6.2, which qualifies a person to work as a traffic control person. Both are required.

Subsection (4) requires an employer to ensure a qualified person reviews and updates the risk assessment if

(a) there is reason to believe the risk assessment is no longer valid, or

(b) there has been a significant change in the scope or nature of the work to which the risk assessment relates.

Proposed section 18.3.2 Traffic control plan
The traffic control plan is equivalent to an exposure control plan.

Proposed section 18.3.2(1) requires employers to develop a written traffic control plan based on the risk assessment completed under section 18.3.3(3) for work of short duration and for work of long duration.

Subsection (2) requires the traffic control plan to specify:

(a) traffic control measures to address or mitigate the hazards identified in the risk assessment,

(b) instructions for implementation of the traffic control strategies specified,

(c) clear statements roles and responsibilities for implementing the traffic control plan, and

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(d) a schedule, for the traffic control plan, for

(i) implementation, and
(ii) regular review and updating.

Subsection (3) requires an employer to amend the traffic control plan to reflect changes or updates made to the risk assessment under section 18.3.1(4). These amendments to the traffic control plan must be implemented.

Subsection (4) requires the employer to make the traffic control plan accessible at all times to workers at the work zone.

Proposed section 18.3.3 Order of control measures
An owner[2] and an employer are responsible for workplace health and safety. Work on roadways creating traffic disruption requiring traffic control tends to be contracted out to third parties or private companies. However, it is also possible the relevant road authority employs its own workers to do things such as road paving, road construction, and utility work. According to the Traffic Management Manual the relevant road authority, or the owner of the applicable roadway, approves the traffic control plan/traffic management plan and also funds the work, either through a contract, or as an employer employing its own workers (see Traffic Management Manual sections 1.2.2, 1.2.3, 1.2.4, 1.2.5, 2.5, 2.5.1 and 4.5.11).[3]

Section 18.3.3 sets out the hierarchy of controls. Subsection (1) requires an owner and an employer, to the extent practicable, to eliminate the risk of worker exposure to traffic in a work zone by isolating the work zone using constructed detours, alternate routes, barriers or other effective measures.
If it is not practicable to eliminate worker exposure to traffic in a work zone by using measures in subsection (1), worker exposure to traffic must be minimized or prevented by applying control measures that:

(a) are appropriate to the work activity,

(b) are consistent with the risk assessment, and

(c) include, in order of priority,

(i) the use of temporary traffic control devices and traffic arrangements or layouts and procedures to effectively protect workers from traffic travelling by or through the work zone without the use of traffic control persons,
(ii) administrative controls that reduce the number of workers exposed to traffic, such as scheduling work during off-peak hours, and
(iii) using traffic control persons only after the traffic control measures set out in subparagraphs (i) and (ii) have, either alone or in combination, been considered and determined to be insufficient to manage traffic in the circumstances.

Proposed section 18.4 Supervision
It is an employer's responsibility to complete a risk assessment to determine the level of direct supervision required. The level of supervision required may vary depending on the hazards and the complexity of the work, among other factors. Section 18.4(1) requires employers to ensure a qualified supervisor is designated whenever traffic control is required.

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[2] "Owner" in the Workers' Compensation Act includes "(a) a trustee, receiver, mortgagee in possession, tenant, lessee, licensee or occupier of any lands or premises used or to be used as a workplace, and (b) a person who acts for or on behalf of an owner or an agent or delegate."

[3] https://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/traffic-engineering-and-safety/traffic-engineering/traffic-management-and-traffic-control/2020-traffic-control-manual/2020-traffic-management-manual-for-work-on-roadways.pdf

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Subsection (2) requires employers to ensure the designated supervisor ensures the requirements set out from (a) through (f) are met.

Proposed section 18.5 Placement of temporary traffic control devices
This proposed section sets out the requirements for the placement of temporary traffic control devices.

Proposed section 18.6 Prohibitions
Employers are required to ensure:

(a) traffic control persons are not used to control traffic when speed limits in effect are greater than 70 km/hr,

(b) traffic control persons do not direct traffic contrary to any sign, signal, or traffic control device, and

(c) traffic control persons are not positioned in an intersection open to traffic flow or the travelled portion of a roadway.

Proposed section 18.6.1 Emergency scene management
A definition of "emergency responder" is included in subsection (1).

Subsections (2) and (3) address the training that must be completed before an emergency responder may be assigned to direct traffic during an emergency.

Subsection (4) establishes that an emergency responder, other than a peace officer, may not direct traffic for more than two hours after the start of an emergency unless the emergency responder has completed the training described in section 18.6.2.

Proposed section 18.6.2 Traffic control person training
Subsection (1) requires an employer to ensure a traffic control person has completed a Board-approved traffic control training program.[4]

The intent of subsection (2) is to provide time for the traffic control training program described in (1) to meet the requirements set out in (a) and (b). On and after December 1, 2023, the traffic control training program must be based on:

(a) analysis of the knowledge, skills, abilities and other requirements to perform the job, and

(b) training and competency assessment criteria contained in any one of the standards listed in a (i) to (v).

Training organizations must base the training program or curricula on one selected standard. The intent of subsection (2) is that on and after December 1, 2023 the quality of all traffic control person training should be of the same level wherever it is delivered.

Nothing precludes a training provider from complying earlier than 1 December, 2023.

Subsection (3) establishes that successful completion of the traffic control training program must include an assessment of the trainee's:

(a) knowledge of the subject matter, and

(b) practical competency.

[4] Subsections (1) and (3) refer to traffic control person training that already exists.

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Proposed section 18.6.3 Traffic assistant training
This provision addresses the training requirements of traffic assistants. A traffic assistant is a worker who assists or directs motorists to or from parking spaces or parking areas in specified workplaces such as parking lots or ferry terminals.

Employers of this category of workers have applied for variance to exempt these workers from the training requirements of traffic control persons under the current regulations. The rationale for the variance is the risks to traffic assistants are not as high as those for traffic control persons. Traffic is usually moving at much slower speeds when traffic assistants are directing motorists to and from parking spots or onto and off ferries.

Subsection (1) requires employers to ensure traffic assistants receive workplace training that addresses the hazards specific to the workplace and that includes coursework and a practical component.

Subsection (2) requires the coursework for a traffic assistant to include (a) - (d).

Section 18.7 traffic control persons to remain on duty
The existing provision is retained with no changes.

Proposed section 18.8 Location of traffic control person
Subject to 18.6 and subsection (3) of this section, an employer must ensure a traffic control persons is positioned in a safe location identified in the risk assessment.

Subsection (2) (a) - (d) describes a safe location for positioning a traffic control person.

If a risk assessment identifies that it is not practicable to position a traffic control person in a location as described in subsection (2), then subsection (3) requires an employer to ensure the positioning of the traffic control person is based on a written risk assessment of site-specific conditions completed to determine an alternative position to provide safety for the traffic control person.

Proposed section 18.9 Operations during day time
This provision requires employers to ensure traffic control persons are provided with and use the following equipment when work is occurring during day light hours:

(a) a traffic control paddle,

(b) a Traffic Control Person Ahead sign,

(c) high visibility apparel meeting the requirements of the class 3 garment criteria of *CSA Z96-15 High-Visibility Safety Apparel*. The requirements for the high visibility apparel for traffic control persons are aligned with the Traffic Management Manual. As required in the Traffic Management Manual, the background colours are limited to fluorescent yellow-green and fluorescent orange-red. Similarly, the configuration of retroreflective-fluorescent stripes/bands described align with the measurement and layout requirements in the Traffic Management Manual. While CSA Z96-15 allows for more background colours and additional options in which stripes/bands can be configured, aligning with the Traffic Management Manual will provide uniformity across the Province and facilitate road users' recognition of traffic control persons.

(d) safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side, and

(e) any other equipment required by the risk assessment.

Section 18.10 Operation during night time or poor visibility
A definition of "darkness" has been added, and refers to the period from a half hour after sunset to half hour before sunrise.

The existing subsections (1) and (2) are retained with no changes.

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Proposed subsections (3) addresses the requirements for lighting at a location from which a traffic control person directs traffic during the hours of darkness, or in other conditions of poor visibility.

Section 18.11 Equipment maintenance
This section is amended by adding "temporary" between "all" and "traffic control equipment" and by adding "good" between "in" and "working condition".

Section 18.12 Precise motion
This section is retained with no changes.

Section 18.13 and associated Figure 18-1
Repealed.

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Section 18.14 and associated Figure 18-2
Repealed.

Proposed section 18.13 Communication between traffic control persons
If more than one traffic control person is controlling traffic at the same work zone, the employer must ensure that an effective means of communication is provided to and used by those persons for communication between them.

Section 18.15 Dust control
This section is retained with no changes.

Section 18.16 Long periods of delay
Repealed.

Section 18.17 Towing and recovery operations
Repealed.