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February 26, 2008

To: The Honourable Rich Coleman
Minister of Forests and Range and
Minister Responsible for Housing

**Re: Forest and Range Practices Advisory Council (PAC) Recommendation
regarding Forest Worker Safety**

In response to your directive, PAC has examined the relationship between safety and FRPA and FRPA related regulations, as well as taken into consideration recent safety reports, including:

1. Ministry of Forests and Range, Forest & Range Evaluation Program (FREP) Report: *Worker Safety Impacts Associated with Legislation, Policy, Planning and Implementation of Forest Harvesting Activities in BC*
2. Auditor General's Report: Preventing Fatalities and Serious Injuries in B.C. Forests: *Progress Needed* - Report 5 - January 2008
3. Roger Harris, Forest Safety Ombudsman Report: *No Longer the Road Less Travelled* and makes the following recommendation:

PAC recommends that the Minister commission a review of FRPA and FRPA related regulations specifically to identify and provide appropriate wording where forest worker safety is an integral part of a practice requirement and/or standard.



PAC feels that the following parameters, amongst others, should shape this review:

1. The review should look for every opportunity to further the diligence and achievement of the Occupational Health & Safety regulations as related to FRPA. This is with the understanding that government's legislative process is designed to avoid duplication and determine the best way to address changes between related legislations.
2. The review should look for every opportunity to subject operational plans/practices to safety considerations in their preparation and approval. One possibility may be a requirement to identify, map and address potentially unsafe/risky/hazardous situations and/or practices in operational plans. Some PAC members express cautions that: (a) this process should not compromise the results-based FRPA regime by incorporating prescriptive elements; and (b) prescriptive elements more appropriately belong in the Occupational Health & Safety legislation.
3. The review should assess the potential for MFR staff, particularly Compliance & Enforcement's, ability to play an expanded role in the inspection and enforcement of forest worker safety.

4. The review should clearly specify how safety is included under the purview of licensees, decision makers and professional reliance.
5. Any amendments arising from the review should clearly establish who is responsible, establish minimum standards of compliance and identify non-compliance penalties.
6. The review must involve WorkSafe BC and implementation of any proposed amendments must be coordinated with WorkSafe BC to ensure effective implementation.

PAC feels this recommendation is very timely given the recent release of safety reports and the Premier's recently announced regulatory review. Ideally, the results of PAC's recommended FRPA legislative review will feed into the larger regulatory review to ensure coordination, timely action and positive outcomes. Specifically, the recommended FRPA legislative review will address some of the Auditor General's recommendations (particularly 8 & 9) and feed directly into the Ministry of Forests and Range's Strategic Safety & Action Plan.



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Co-Chair
Forest and Range Practices Advisory Council