

FireWise Consulting Ltd.

PO Box 253

Shawnigan Lake BC V0R 2W0

250-812-9636 or 250-812-9830

email: bob@firewiseconsulting.com



Helping the Fire Community Succeed

Volunteer Fire Service Inspection and Audit August 2011



MAYNE ISLAND FIRE RESCUE



Prepared by: Glen Sanders
FireWise Consulting Ltd.

Table of Contents

Introduction.....	3
Background.....	4
Executive Summary.....	4
Summary of General Recommendations.....	5
Recommendations.....	7
Part “A” - Fire Department Organization, Administration and Staffing.....	7
Governance and Authority.....	7
Administration.....	8
Staffing.....	9
Scope of Operations.....	12
Training and Competency.....	18
Part “B” - Occupational Health and Safety.....	18
Part “C” – Training Records.....	22
General Recommendations.....	22
Summary.....	25
Photograph Log.....	28

Appendices

“A” Fire Volunteer Fire Service Audit Form Part “A”.....	35
“B” Fire Volunteer Fire Service Audit Form Part “B”.....	53
“C” Fire Volunteer Fire Service Audit Form Part “C”.....	66
“D” Office of the Fire Commissioner Bulletin.....	69
“E” WorkSafeBC “Duties of Employer, Worker and Supervisor.....	83
“F” WorkSafeBC - “Informal Safety Program for Small Business”.....	85
“G” Summary of Bill C45.....	91

INTRODUCTION

FireWise Consulting Ltd. (FWC) offers an inspection and audit service to fire departments and the Authority Having Jurisdiction (AHJ) for local fire service on the training standards, equipment and operational preparedness of a fire department. The inspections and audits are based on a checklist developed by the Office of the Fire Commissioner (OFC) as directed by the Chief Coroner in response to the tragic line of duty death of a volunteer firefighter, see Appendix "A". The inspections and audits are not a mandatory requirement but are encouraged in the interest of risk management.

With permission from the OFC, FWC modified the original document into three parts which are attached as Appendix "A", "B", and "C".

The Mayne Island Improvement District (MIID) may complete the checklists with the fire chief to establish a benchmark for the fire department with regard to its compliance with accepted standards. The fire department and the MIID may choose to engage a neutral third party agency to conduct the inspection and audit as they have done in this case.

The fire department and the MIID engaged the services of FWC to do an inspection and audit of the Mayne Island Fire Rescue (MIFR). With the cooperation of Fire Chief Jeff Francis and Deputy Chief Stephen DeRousie, the inspection and audit checklists were completed and a site visit was conducted on July 22, 2011.

BACKGROUND

The MIID service Bylaw number 46, giving authority to MIFR was the starting point for this process. The Operating Guidelines (OG), training records, and equipment maintenance records were submitted for evaluation and during the site visit the equipment and records were randomly checked.

Considerable time was spent with Chief Francis and Deputy Chief DeRousie in person, by email, and by telephone, ascertaining how the MIFR is organized and how they typically train and respond to emergency calls.

It must be noted that an assessment of the Command and Control abilities of the fire department staff was not performed. Fire fighting is a dangerous occupation and the ability of the Incident Commander to organize and control firefighters at an incident is fundamental to ensuring their personal safety.

EXECUTIVE SUMMARY

The MIID through the ***Local Government Act*** derives authority to deliver specified services as determined by the elected Board members within the MIID. The MIID Board has chosen to exercise their discretionary power to establish and maintain a fire service in the Mayne Island specified area. Since the MIFR has been established by the MIID enacting a Bylaw, the MIID and MIFR are now obliged to meet a duty of care and corresponding standard of care. In the realm of fire services, the fire department owes a duty of care to those within its geographical jurisdiction. In simple terms this means that the District must take reasonable steps to equip and train its fire department and that the firefighters must take reasonable steps when implementing their fire fighting duties.

The standard of care is measured against what is reasonable in the circumstances based upon standards of training and available resources. With respect to the provision of fire services, this may allow for greater risks to be taken but it will also require heightened vigilance.

The fire service is evolving and is challenged by the high expectations of the public versus the need for fiscal restraint by local government. Other forces are at play that are often beyond the control of local governments who have decided to offer fire protection to their communities. Everything from climate change to government downloading is impacting the fire service.

In most communities the role of a fire department has gone beyond just putting out fires. The expectation of the residents of any community is that their fire department will offer a large degree of personal and public safety if they have a fire, are involved in a motor vehicle accident, are in need of an ambulance, or if the community is threatened by a forest fire or other disaster. Residents often take this service for granted and have little understanding of the personal commitment firefighters make to keep their neighbors safe. Volunteer firefighters are subjected to the same regulations as career firefighters and the administration of a fire department is a large task in itself because of the organization, training, maintenance and documentation required for all aspects of the operation. The MIID has a large investment in the buildings, equipment and training associated with their fire department.

The elected officials of the MIID have the power from enabling legislation to give the fire department the legal authority to operate but they also have the obligated responsibility to give clear “pure policy” statements on the services provided, or to restrict the services that their fire department is not equipped or trained to handle. These two obligations must occur to minimize liability.

Many citizens living in a community like Mayne Island, hold the view that the fire department is the most important service the local government provides to their community. Proper oversight and administration is required for the fire department just

as it is required for the other services provided by the MIID. This oversight and administration is necessary because of the large investment the MIID has made in the fire department and because of the dangerous nature of the work. The delivery of fire rescue services to the customer is a team effort even though it is a monopoly. There is no second choice for the customer to call for help. When they call for fire and rescue service the MIFR will be answering the call. The MIFR is the delivery component of the team and they are very good at delivering the service.

Compared to most British Columbia communities with a fire department, Mayne Island presents some of unique challenges for the MIFR. It has a large interface risk and due to the fact it is an island, outside aid of any type will take some time to arrive. MIFR has done an excellent job of equipping and training themselves to come to the aid of the island residents and property owners. MIFR provides fire and rescue services along with first medical response. Water sources for firefighting purposes are not in abundance. Some Mayne Island residents and MIFR have worked on the firefighting water supply issues with good success. The fire department has several above ground water tanks and there are two dry hydrant locations drawing water out of nearby ponds. There are other ponds that residents have built so the fire department can draft water from them if needed.

Over the last 5 years MIFR responded to an average of 170 calls per year. During 2010 35 (18%) of the emergency calls were for first medical response, 26 (13%) fire, 98 (50%) public safety, 4 (2%) search and rescue, 27 (14%) fire prevention and public education, 4 (2%) hazardous materials, for a total of 194 calls for service. The MIFR does more than just fight fires. They offer a valuable service to the community

The fire hall needs to be replaced and this has proven to be a controversial issue with much debate taking place in the community. It would appear that there is no argument about the need for a new fire hall. The argument seems to be around the type of fire hall and how to fund it.

This report provides a status report on the operational readiness of the MIFR. It is a well organized and well run fire department as this report will show.

The following recommendations are based on observations during the site visit and rely on the accuracy of information provided by the client. FireWise Consulting Ltd. FWC is not liable for anything that results from, or in relation to, incorrect or misleading information in the possession of, or provided by the MIID or MIFR.

SUMMARY OF GENERAL RECOMMENDATIONS

1. The MIID Board should review Bylaw 46 and amendment 112 to ensure the services authorized for the MIFR to deliver are clearly stated and in agreement with what services the Board wishes the MIFR to provide or not to provide.

2. A policy decision should be made by the MIID Board in consultation with the fire chief to adopt an exterior fire attack strategy only for the MIFR.
3. An OG on auto extrication is required.
4. An OG for the use of social media must be developed.
5. An OG on exhaust extraction should be created and carbon monoxide (CO) monitors should be installed in the apparatus bays and throughout the fire hall to monitor CO levels.
6. A community fuel reduction strategy and public education using the FireSmart curriculum would be beneficial.
7. A succession plan should be implemented for the fire officers.
8. A WHMIS program should be implemented and continuously updated to be compliant with WorkSafeBC Regulation.
9. Training for fire department officers should be provided in areas of human resources and leadership skills.
10. The MIFR should maintain the authority in an authorizing bylaw crafted by MIID to develop pre-plans that can also serve as “informal” inspections that would be beneficial to the fire department.
11. The Fire Chief and his delegates should be authorized to be involved in fire investigation through the establishing bylaw.
12. A long term master plan should be developed for the MIFR to keep pace as development occurs or existing occupancies are re-developed

RECOMMENDATIONS

PART “A” - FIRE DEPARTMENT ORGANIZATION, ADMINISTRATION AND STAFFING

Governance and Authority

Question A 1

Although a formal risk assessment was not conducted by FWC it would appear from our tour of the district that the MIFR is adequately equipped for structural fire suppression, auto extrication, first medical response and limited interface suppression. However, MIFR would be challenged if a large interface fire were to occur.

Question A 2

The MIID service Bylaw number 46 giving authority to the MIFR to “establish and operate a fire department” was the starting point for this review. It is our opinion that Bylaw 2084 should be reviewed by the MIID Board to ensure this is in agreement with the Board’s wishes for the MIFR to deliver the authorized services on Mayne Island as determined by corporate policy. The services authorized in the Bylaw should be defined with respect to the level of operational response. For example, what would be a public service? Public service and “community service” should be listed in Section 7 (d) so it is clear. Assisting the public during severe weather events would be a public service. Fireworks displays hosted by the MIFR or community events like Canada Day Celebrations would be a community service. Another example of community service would be filling a swimming pool with water which could attract liability and the MIID direction on this type of fire department action needs to be defined or stated.

Sections 14, 15, and 16 of Bylaw 46 authorizes the MIFR the “Right of Entry” to enter any premise at any reasonable time for the purpose of fire fighting or fire prevention matters. Reference to Sections 21 and 22 of the **Fire Services Act** should be included in this section since the Fire Chief is an appointed Local Assistant Fire Commissioner (LAFC) and these powers are conferred to the LAFC.

Question A 3

The MIID Board has the obligation to determine the functions and services to be delivered by the MIFR. These functions and services should be defined in a revised Bylaw and policy statements should be created on the level of services and training acceptable to the MIID Board.

Question A 7

Chief Francis has indicated there is no formal policy statement for the MIID determining the level of fire department training for the services offered. It would appear in reality there is an “expectation” rather than a written policy for the MIID that the MIFR would train to an appropriate level or standard for the service being provided. The level of training for all services should be reflected in a policy statement from the MIID as good risk management. This can also be done in the policy statements typically found in OG’s.

Alternative fire fighting methods should also be sought. For example, some fire departments have adopted a defensive (external) attack policy and have employed the use of new innovations such as the Fire Interruption Technologies (FIT) that reduces the need for an interior fire attack in many incidents. More information on this technology can be found at <http://www.arasafety.com/>.

Question A 16

Mutual aid agreements should include definitions on chain of command, common terminology and inter-agency communications. Joint mutual aid practices should also occur yearly to identify interoperability issues. As good risk management practices, mutual aid agreements should be reviewed by the MIID to ensure that all liability issues including Joint and Several Liability concerns are at an acceptable level to the MIID Board.

Administration

Question A 21

Annual drivers’ abstracts should be obtained by the MIID to ensure that drivers have the appropriate license for driving fire apparatus. Regular updated driver’s abstracts will ensure that drivers of MIFR vehicles are properly licensed and their driving record is acceptable to the MIID. This is the MIFR current practice and is a common risk management practice among fire departments.

Question A 24

Trip logs for each vehicle should be routinely filled out. This is the current practice and the standard B.C. Trucking Association Driver’s Vehicle Inspection Report is the form along with other internal forms that are currently being used.

Question A 30

An inventory of fire hose has been developed and hose testing is being done in house. WorkSafeBC regulations state that hose must be tested annually however, as the frequency of use of hose varies for each fire department, an argument can be made that due to low frequency of use it is not practical to test all hose annually. This could be a policy decision made by the MIID which would reduce the frequency with which this expensive and labour intensive task must be completed.

Ladders and all components must be inspected regularly. Ladder testing of the MIFR ladders was done by a commercial service in 2009. WorkSafeBC requires that ground ladders are to be tested annually. Since the number of occasions in a year that the MIFR ladders are used in practice or at incidents is low, an argument could be made that annual ladder testing in this circumstance may be excessive. Perhaps the MIID would consider a policy that ladder use be documented so a less frequent testing schedule could be adopted. Frequent inspections of ground ladders should be in policy and in an OG and the inspections should be documented.

Question A 31

Work performance evaluations are a good practice and should be conducted annually. A comprehensive in-house form has been developed for performance evaluations. The training records for the firefighters are kept up to date using a computerized fire department records management system.

Staffing

There is a roster of 26 firefighters as of July 22, 2011. The membership roster is adequate for a community this size. The chief and his deputy have their work schedules organized so that there is always one of them on duty during the week. They are both on call by pager the balance of their off duty time.

According to incident reports that were examined firefighter turn out to fire and other emergency calls appears to be sufficient.

New and innovative strategies to recruit and retain members should be sought and implemented by the MIID and MIFR. MIFR has implemented some innovative programs to recruit and retain members on its own and these programs seem to be working as there many members with more than 5 years of service to the community.

The current roster shows 5 fire officer and 2 chief officer positions.

Question A 33

Standards and qualifications for officers are often established by the AHJ but in most small communities fire officers in a volunteer fire department are developed through

training programs. Any standards and qualifications should be defined as “desired” or “required”. Strong leadership skills, a good attitude and strong work ethic are required. The other job specific skills or qualifications that are desired can be learned through training programs. Officer development should occur for all firefighters so the department leaders can be identified and encouraged to take on a leadership role. This strategy can also become part of a succession plan.

Question A 36

All personnel should be familiar with the organizational structure of the fire department and their relationship with and accountability to their employer, the MIID. An organizational chart should be posted in the fire hall indicating the relationship between the MIFR and the MIID and the reporting structure.

Question A 38

There are written job descriptions for the various job positions. Job descriptions in a volunteer fire department can be too restrictive unless they are carefully crafted. A job profile gives a guideline of minimum job expectations but can empower the officer to take charge beyond what a job description may authorize the officer to do. This is especially true during an emergency incident when decisions need to be made to mitigate the problem.

Question A 39

Posted rules and regulations are an accepted best practice. When rules and regulations or standing orders are posted and accessible to all, inappropriate conduct, and misuse of equipment and facilities are minimized. The department does have some Internal Guidelines that could be considered to be rules and regulations or standing orders. These Internal Guidelines should be expanded to include more comprehensive “rules and regulations” and MIID policies.

Question A 40

A clear and concise policy should be written regarding the distinction between operational and social activities.

Question A 41

A clear and precise policy from the MIID should be developed regarding the use of alcohol in the district facilities, social events and other special occasions. OG 5.01.01 should be amended to define when and where alcohol may be consumed in the fire hall, or other community events OR special occasions, that may be organized or sponsored by the MIID/MIFR.

Question A 42

Special occasion liquor licenses may be required for certain fire department functions. A clear and concise policy from the MIID is required on the use of alcohol at all fire

department events. OG 5.01.01 states that the “Mayne Island Fire Fighters Association (MIVFA) shall ensure that all necessary licenses and permits are obtained for recreation areas and functions”. It is assumed therefore that the MIVFA exclusively organizes social events on behalf of the MIID and MIFR. The OG should be reviewed to see if what it states is reality.

Question A 43

A written policy from the MIID regarding the use of designated duty crews during social events is required. OG 5.01.01 does refer to the use of duty crews. It is our understanding that a new OG on the use of duty crews is under development. The new OG should include a policy statement from MIID on the use of duty crews for all social functions.

Question A 44

Post-incident critiques and near miss investigations should be conducted and the results communicated to all members. An OG on post-incident critiques and investigation of near miss of injury accidents should be developed. Post incident critiques and near miss accident reports are good learning tools for personnel as part of the training and worker safety program.

Question A 46

Written hiring practices for new recruits should be developed so the expectations of the MIFR are explained to the new recruit and conditions of employment are met.

Question A 47

Background checks on all personnel should be kept on file. New recruits or firefighters off for medical reasons upon returning to duty should have at a minimum a note from their doctor stating they are physically fit for fire rescue activities.

A policy from MIID requiring a physical or medical assessment should be developed to ensure that new recruits are physically fit for the job. An accepted best practice in this regard is a letter or note from the recruit’s family doctor stating they are fit for the job of a volunteer firefighter.

Question A 48

A “new recruit manual” is a best practice that is beneficial for new recruits to understand what is expected of them during their probationary period and what they will be required to learn.

Question A 50

Work experience students who have completed a pre-employment course from the Justice Institute may work around the fire department on weekends to gain experience and to receive a letter of recommendation from the fire department. This program adds value to the MIFR, although this is not a junior firefighter program. An OG should be developed to explain what these students may or may not do. For example are they allowed to drive the trucks or operate any of the equipment? Is any type of personal liability waiver form signed or are they considered to be MIFR members?

Scope of Operations

Questions A 51 to A 90 require written OG"s. OG"s are not only used for operational procedures but also to limit or restrict members so that clear direction is stated to limit the actions of firefighters to their level of training and equipment. In plain language, responding firefighters must understand the "rules of engagement" before starting to mitigate a situation that they are not trained or equipped to deal with. It is apparent that the MIFR has sound operating practices and there are a substantial number of written OG"s that can be referred to for policy, training and procedures.

The following questions from the checklist warrant special mention and all operations that the MIFR perform will require OG"s in compliance with WorkSafeBC regulations and as a generally accepted best practice.

Question A 52

The MIID OG #1.06.03 gives good direction on Vehicle Response Safety. It makes reference to "Secure Positions". Consideration should be given to the use of specific plain language and should make reference to being seated and using a seatbelt to help prevent interpretation of what is a "secure position".

The MIID and the MIFR should develop an OG on vehicle operation that would include firefighters responding to the fire hall or emergencies in their own vehicles. This OG must include a reference to the **Motor Vehicle Act** and more specifically the use of seat belts. (*The line of duty deaths of two BC volunteer firefighters, one in 2005 and one in November 2010 reinforces the need for this OG.*)

OG 1.06.03 does make reference to the use of personal vehicles as does OG 2.03.01. There are several liability concerns that the MIID and the members need to be aware of when using their personal vehicle to respond to an emergency incident. They should consult with their insurance provider to see if their coverage would permit this use and if their coverage limits are adequate. The MIID should also ensure that they are comfortable with any exposure to liability this practice may attract.

Question A 54

An OG on the chain of command should be developed that explains the command structure of the MIFR and how it works for incident operations, training operations and administrative or other functions.

Question A 56

There is an informal family agency plan that incorporates the old school house or the Fire Men's Association Hall as it is referred to by the MIFR. The MIID and MIFR may wish to turn this informal plan into a formal "Family Agency Plan" so that in the event of a major emergency the MIFR firefighters can deal with the greater emergency knowing their families are being looked after. *(In a small rural island community with volunteer firefighters it is a proven best practice to have a Family Agency Plan ready to be implemented so the firefighters are assured the welfare of their families will be taken care of during a major community emergency or disaster that will allow them to do fire/rescue activities.)*

Question A 57

An OG and dispatch protocol should be developed in compliance with NFPA 1500 8.1.12 that requires an incident timer alert from the fire dispatch centre to check on the safety of the firefighters at the scene of an incident. We are informed that the Langford Fire Dispatch centre does not have the technical capability to provide this service for major events such as a structure fire. A formal OG should be created to ensure that the requirement for an incident timer is being met by either Langford Fire Dispatch or internally by MIFR personnel. OG 2.03.01 does not specifically address an Incident Timer Alert protocol.

Question A 64

OG 3.01.01 states that "the Fire Rescue Services **will** train all firefighters on a regular basis to Provincial Standards". In the Procedure Section Part 4 of this OG the standards are indentified. In reality, the firefighting training standard is to the Basic Level. NFPA 1001 covers training that may not apply to the MIFR response area and this may be an impossible standard to achieve for a small rural fire department. This OG should be reviewed to ensure the standards actually apply to the risks in the community and if those training standards can be met in an affordable and reasonable time frame.

Question A 65

Ladder testing is required by WorkSafeBC to be done on an annual basis. As the frequency of use of ladders varies for each fire department, an argument can also be made that annual testing is excessive and actual ladder use should be documented to

support less frequent ladder testing. This should be made clear through a policy decision from the MIID.

Question A 66

A specific OG on hazardous material response should be developed. Generally most fire departments have an awareness level of response where the fire department will identify the hazardous situation, protect the public and mitigate the hazard to the extent of their training and available equipment. For example, a propane leak or diesel fuel spill would involve hazardous material but the training and equipment available to the MIFR would allow them to take action to mitigate these types of incidents.

A clandestine drug lab is essentially a hazardous materials scene. In today's reality, fire departments can expect to be called to a drug lab hence they must be trained to recognize what it is, to back out, maintain site safety, and call for trained experts to mitigate the hazard.

Question A 67

An OG on hazardous materials decontamination should be developed so firefighters can do basic field decontamination to avoid cross contaminating their apparatus and other personnel. The MIFR would already have most of the required equipment to affect field decontamination. In addition to biological contamination, antifreeze and battery acid are other examples of products that can contaminate personal protective gear and cause harm to firefighters should they come in contact with them.

Question A 68

On checking the hose load on the fire engine it does appear to have the required hose to meet the Can-ULC S515. There is also a quantity of replacement hose on the racks inside the fire hall.

Question A 69

OG 1.07.02 should be reviewed with regard to the use of fire hydrants. The policy talks about the ability to deliver adequate water to control major fires. Do all the fire hydrants in the district have the capacity to deliver the required flow to meet Fire Underwriters Survey (FUS) standards? If not then a policy statement in the OG should be made that a fire hydrant may be used to supplement the fire department water supply but not used as a single source. It would appear that the fire department is very good at moving water with its three water tenders and is prepared to bring water to the scene of a fire.

The water system operators should also be encouraged to colour code their hydrants with regard to the flow and pressure as recommended in NFPA 291 Chapter 3.

Question A 73

An OG on monitoring during salvage and overhaul should be developed. A few things that should be considered when developing this OG are air quality, physical condition of firefighters, and site or structural stability. A policy statement in this OG should state that SCBA's must be worn with all personal protective equipment (PPE) during salvage and overhaul operations.

The use of gasoline powered positive pressure fans can also elevate CO levels in a structure due to the exhaust from the engine being entrained in the ventilation air stream and pushed into a structure. A gas monitor, even if a relatively inexpensive single gas monitor, can be used to monitor CO levels during salvage and overhaul.

Question A 79

This section requires OG's that will clearly define what the fire department would respond to and to what extent they should try to mitigate the situation. The operational level must never exceed the level of training or equipment that the fire department has in its inventory. OG 2.05.03 addresses specialized responses in a general way. OG's on specific responses could pre-determine the MIFR response and could prevent firefighters from self assigning.

Many fire departments do not recognize what is a confined space. The Sullivan Mine death of 2 workers and 2 rescuers in Kimberley in 2006, and a similar event in the US that killed two firefighters in 2010, are examples of how an innocent looking situation can be deadly. An OG on confined space should be developed that identifies commonly found confined spaces such as manhole chambers, culverts, root cellars, septic tanks, etc. so that firefighters recognize the hazard and do not exceed their level of training.

An OG with a policy statement on water rescue should be created so all firefighters understand their role in water rescue as firefighters with limited equipment and training.

Question A 81

An OG is required for fighting fires underground which includes basement fires or any sub terrain fire.

Question A 82

An OG is required for fighting fires over water. This may include bridges, wharfs and docks. This OG may be a simple directive that states that firefighters do not leave the shore to fight a fire over water.

Question A 83

Formal policy statements from the MIID should be put in place stating the District's policy on the limitations of traffic control at incidents.

An OG on traffic control at incidents for worker safety is required that is in agreement with the department traffic control training and the **B.C. Motor Vehicle Act**. The fire department has a responsibility to direct traffic at incidents for the safety of its workers. It does not have a responsibility to direct traffic for the safety of the public. A policy statement from the MIID is required to clearly define when fire department personnel and equipment will be utilized for traffic control. The level of training acceptable to the MIID Board should also be stated to ensure fire department members are properly trained for this high risk operation.

A policy from the MIID elected officials on when the MIFR can close a road for the protection of workers should be created.

Question A 85

An OG on voice communication with firefighters inside buildings is required. The use of tactical channels should be included in this OG so the main working channel is not overwhelmed by excessive radio traffic especially during a offensive interior fire attack.

Question A 86

An OG is required on water supply monitoring and Incident Commander (I/C) awareness protocol.

Question A 87

OG 1.01.10 on investigating all accidents should be amended to include "near miss" of injury accidents. These investigations can be beneficial in training to avoid future accidents when they are properly investigated and the findings communicated to all members.

Question A 89

An OG on work site safety should be developed and personal safety at all times should be part of the firefighter's work ethic. Firefighters should always consider their personal safety and the safety of others. This must be part of the department culture where personal safety and the safety of others is a priority. This OG should include a statement that firefighters never exceed their level of equipment, training or experience.

Question A 90

Specific OG's should be developed covering multi-story buildings, vehicle fires, and boat fires.

An OG on offensive fires and defensive fire strategies should be developed to define the strategy and to give direction on the procedures that should take place when the strategy is changed.

Question A 92

An OG on auto extrication and rescue should be developed that gives detail on the level of training, the use of specific equipment in the MIFR inventory, implementation of policies and protocols for auto extrication, personal safety equipment and conduct. It should also address the need for members to get Critical Incident Stress Debriefing (CISD) from a professional service provider immediately after a traumatic event. The MIID is obligated to provide this service as part of their Occupational Health and Safety (OH&S) Program and members must know how to avail themselves of this type of counseling.

In the reality of today, the use of cell phone cameras and social media needs to be addressed in OG's and MIID policy. They are commonly carried by fire personnel and have become an issue at MVI's and other incidents.

OG's to define and restrict operations at high angle, steep slope, and confined spaces need to be developed to prevent firefighters from exceeding their level of equipment, training and experience.

Question A 94

Alternate water sources should be identified and mapped so they can be utilized. An OG should be developed on the use of alternate water sources.

Question A 96

Pre-fire plans are effective training tools and should be developed on all major properties or developments. Pre-fire plans for key risks in the community can be done as a scheduled training evolution so that access issues, water supplies, exposures and other problems are identified.

Question A 102

A written recruit training program would aid new recruits in understanding what they will be required to learn and the time frame they in which they would expect to receive the basic training.

Training and Competency

Fire department OG's typically include a policy statement stating what the training standard will be for specific operations. For example, most fire departments state that the training standard for firefighting will be to NFPA 1001 Standard. In reality most training is to the British Columbia Basic Firefighter Standard and this should be clearly reflected in policy from the MIID stating what level of training is acceptable to them.

The use of computers in training would allow the fire department to utilize internet based or in-house computerized training programs. A record of a member's training would be kept as part of the fire fighting training program. Two examples of this type of training can be viewed at <http://www.targetssafety.com/newsite/who/fire-department-training.htm> or <http://www.action-training.com/> .

Alternative fire fighting methods should also be sought. For example some fire departments have adopted a defensive (external) attack policy and have employed the use of new innovations such as the Fire Interruption Technologies (FIT) that reduces the need for an interior fire attack in many incidents. More information on this technology can be found at <http://www.arasafety.com/> .

Officer development courses should also be encouraged and an officer succession plan be developed to ensure continuity.

PART "B" - OCCUPATIONAL HEALTH AND SAFETY

The MIID as the employer must establish in policy and practice an OH&S Program to become compliant with the WorkSafeBC regulation requirement. The MIID should provide increased training and guidance in the establishment and operation of the OH&S Program.

Question B 2

An OG should be developed in conjunction with British Columbia Ambulance Service (BCAS) to address the WorkSafeBC OH&S Regulation Section 3 requirement for the transportation of an injured worker to a hospital emergency room.

Question B 3

Monthly fire hall safety inspections should be continued and the inspection reports forwarded to the MIID.

Question B 5

As part of the OH&S Program, monthly health and safety committee meetings must be held and the minutes given to the MIID administration.

Question B 6

Regular monthly safety inspections should be conducted and a record of the inspections kept.

Question B9

A formal process should be developed whereby a worker can report unsafe acts or conditions to the employer. As part of the OH&S Program all accidents and near miss of injury incidents should be investigated, documented and the findings reported to the firefighters as part of the overall safety program.

Question B 10

WorkSafeBC requires a hazard analysis be performed on each job function within the department. Staff training may be required to complete this task.

In researching this issue, FWC was unable to identify any BC fire department that has performed job function hazard analysis. The training firefighters receive should instil a consciousness of safety to instantly assess and modify a strategy or tactic for personal safety at any given time.

Question B 17

A process for investigating and documenting all “near miss” accidents should be developed so these near misses can be used in accident prevention. *(See also recommendation Question A 87.)*

Question B 21

Accident investigations and reports are an effective tactic in improving safety programs and accident prevention. All accident investigations should be communicated to all firefighters as part of an accident prevention and safety program.

Question B 25

When written OG’s have been developed, lesson plans should incorporate or at least paraphrase OG’s to ensure that the OG’s are incorporated into training sessions.

Question B 26

The rights and responsibilities as outlined in the WorkSafeBC regulation are found in Section 115 of the **Workers Compensation Act** Division 3, General Duties of Employers, Workers and Others (Appendix “F”). In simple terms they are:

The right to work;
The right to a safe workplace;
The right to refuse unsafe work; and
The right to training.

Question B 28c

A WHMIS program should be implemented and training provided to all personnel. The MIFR should create a Material Safety Data Sheet binder that is accessible by all workers.

Question B 28e

Task hazard analysis training should be provided to all workers and all workers should be aware of the hazards associated with any task they undertake. They must be taught to always be aware of their personal safety and never exceed their level of training. The department culture should be one of personal safety.

Question B 28f

An OG on the operations of fire department vehicles in emergency and non-emergency travel should be reviewed. (*See also recommendation from Question A 52.*)

Question B 28g

A policy from the MIID and an OG on the operation of personal vehicles to and from work (*the fire hall or incident*) must be developed. (*The death of a Sahtlam firefighter in 2005 and the death of a Lone Butte firefighter in 2010 underscore the need for this policy and OG.*)

Question B 28

All supervisors should have or receive training so they understand their responsibilities as outlined by WorkSafeBC. An excerpt from the **Workers Compensation Act** - Excerpts and Summaries entitled "Duties of Employer, Worker and Supervisor" is attached as Appendix "F".

Question B 29

The MIID should be made aware of OG 1.01.01 to have an Occupational Health & Safety Program. This OG should be reviewed to see if it complies with the policy of the MIID elected officials. The minutes of the OH&S monthly meeting should be received and filed by the MIID as required by the WorkSafeBC regulation.

Question B 30

The Fire Chief sees his role in the health and safety of workers as one delegated by and responsible to the MIID. A clearer understanding of rights and responsibilities under WorkSafeBC legislation is needed by all members to support the overall objective of the OH&S Program.

Question B 34

The existing OG 1.04.02, Rehabilitation of Firefighters should be reviewed. The recommended time for strenuous work is 30 minutes or the 2 SCBA bottle rule. OG 1.04.02 does indicate a time of 60 minutes of strenuous work. OG 1.04.03, Incident Rehabilitation Sector refers to the two air cylinders as the trigger for firefighters to go to the rehab sector. The OG"s should also include that the assessment of blood pressure also be part of the rehab protocol in addition to heart rate and temperature after 10 minutes of rest before returning to work.

Question B 35

WorkSafeBC Regulations require the employer to ensure that a fall protection system is used when a fall of 3 m or more may occur. Some fire departments issue firefighters a safety belt with lanyard to tie off to a ladder, including a roof ladder.

Question B 36

The last three OH&S meeting minutes should be posted in the fire hall and available for all workers to read.

Question B 37

OH&S meeting minutes should be sent to the MIID.

Question B 49

The current OG 1.03.03 should be amended to indicate how often these alarms are to be tested. The recommended frequency is weekly and before each use.

Question B 53

OG"s 1.04.06 and 1.04.07 could be amended to reflect the change in fire attack strategy from offensive to defensive if a Rapid Intervention Team (RIT) is not assembled on the fire ground within 10 minutes and that all personnel must evacuate the building.

Question B 54

The MIFR has a vehicle exhaust extraction system installed and is in use. An OG on the use and maintenance of this system should be developed. There is also a gas detector permanently mounted in the fire hall. The OG should include maintenance of the gas detector in accordance with the manufacturer's recommendations and evacuation procedures of the building should a high level of gas be detected.

PART "C" - TRAINING RECORDS

The MIFR does have complete training records and utilizes a computerized fire department record management system for the record keeping.

The training level established by the fire department is to a high level. For firefighting and first medical response, the fire department has been receiving accredited training from the Justice Institute Fire & Safety Division and the Paramedic Academy. According to information supplied to FireWise Consulting, 95% of the firefighters on the roster have received orientation training with the exception of WHMIS.

38% of the firefighters have attained the Basic Firefighter Certificate, 10% have attained Firefighter Level I training and 12% of the firefighters have attained Firefighter Level II training. Additional training has been provided for auto extrication and emergency vehicle operation. Live fire training has been taken at the Pender Island Fire Department training facility.

Except for what is contained in the OG's there is no written policy from the MIID establishing the level of training for any of the services provided by the MIFR. There is however an expectation by the MIID that the level of training will be appropriate for the service delivered. Most fire departments use NFPA 1001 as their standard for firefighting but in reality it is difficult for many volunteer fire departments to attain this level of training and so they train to the Basic Firefighter Standard. As well, some jurisdictions have also adopted an "exterior attack" only policy.

The MIID should establish, through a policy statement, the level of training that is acceptable to the board for all the services authorized in the establishing Bylaw for delivery by MIFR.

GENERAL RECOMMENDATIONS

1. The MIID Board should review Bylaw 46 and amendment 112 to ensure the services authorized for the MIFR to deliver are clearly stated and in agreement with what services the MIID wishes the MIFR to provide or not to provide.

2. A policy decision should be made by the MIID Board in consultation with Chief Francis, whether they should adopt an exterior fire attack strategy only. By adopting this policy it would eliminate the need for RIT. Given the limited daytime response of trained members, and given the logistics, distance and time for mutual aid departments to arrive to augment the MIFR personnel, consideration to adopt the exterior attack only policy should be given.

The RIT should have an independent water source from the main fire attack line source. Since the MIFR only has only one fire engine capable of supplying a sustained fire flow of 300 gallons per minute, the full intent of assigning RIT cannot be met.

3. The department does have OG"s for most of their critical functions but is still lacking OG"s for some operations. OG"s on auto extrication are not in place but this is an important function they are equipped and called to perform occasionally. The MIID, in conjunction with the MIFR fire officers, should create OG"s on this topic that states the level of training acceptable to the MIID as policy. The OG should offer a guide on how to approach the scene, and how to park apparatus to protect the workers, the victims and the scene. How to document the actions taken and other important functions that must take place enroute, during and after the incident should also be included in the OG.



4. Another modern day reality that requires a clear policy and an OG is for the use of social media. With the proliferation of cell phones, smart phones and other devices that can record images which can be posted on social media sites, specific policies and rules need to be adopted to ensure the privacy of all concerned is respected.

Other specific OG"s that are required are addressed in the preceding report recommendations.

5. An OG on truck exhaust extractions should be developed and followed to protect air quality throughout the MIFR/MIID building.
6. It is apparent driving through the community that the interface fire risk is very significant. A community fuel reduction strategy and public education using the

FireSmart curriculum would be beneficial. More information on this program can be found at <http://www.partnersinprotection.ab.ca/> . The MIFR enjoys a good working relationship with the Ministry of Forests. Every opportunity to have mutual aid training events with the Ministry of Forests and other mutual aid partners should be taken advantage of to identify interoperability issues.

7. A succession plan for fire officers should be developed for continuity.
8. A WHMIS Program should be implemented and continuously updated to be compliant with WorkSafeBC Regulation. During the site visit it was determined that there is no WHMIS program in place
9. Training for fire department officers should be provided in areas of human resources and leadership skills that are required to manage a highly motivated group of people such as typical firefighters. Such training would be very beneficial to the fire department and the community.
10. Fire safety inspections are an important tool in fire prevention and when done regularly ensure that a reasonable level of fire prevention is maintained. The MIID does not have this mandated responsibility. The MIFR should maintain the authority in an authorizing Bylaw to develop pre-plans that can also serve as “informal” inspections that would be beneficial to the fire department when developing pre-fire plans.
11. There is no mention of fire investigation responsibilities in Bylaw 46 but Chief Francis is an appointed LAFC. As a LAFC he is obligated *“ To ascertain whether a fire was due to accident, negligence or design, a local assistant must, within 3 days after the fire, excluding holidays, investigate or have investigated in a general way the cause, origin and circumstances of each fire”*. A policy from the MIID should be created with regard to fire investigation based on how important this function is to the MIID. The Fire Chief and his delegates should be authorized to be involved in fire investigation if only in a limited capacity. When a serious fire occurs, the fire department will be involved in the follow up investigation especially if a fatality, serious injury, large dollar loss or criminal act has taken place.

All firefighters should receive basic fire investigation training and fire scene evidence preservation to aid in fire investigations. This training will also be of assistance when the fire department is called to explain or justify its actions in court.
12. A long term master plan should be developed by the MIFR to keep pace as development occurs or existing occupancies are re-developed. The master plan should also have an equipment replacement plan to address the ongoing need to update equipment in compliance with Underwriters Laboratory Canada (ULC), FUS and WorkSafeBC requirements.

Chief Francis and the MIFR firefighters provide a valuable service to the community. They are to be congratulated for their commitment, dedication and community service activities. It is very apparent that the MIFR deserves the respect and support it receives from the community it serves.

SUMMARY

The MIFR has outgrown the existing fire hall. Two trucks and other support equipment are now being kept outside the fire hall and due to this during the colder months two tenders have to be drained of water. Without water, their response time to a fire is significantly reduced while they are being filled with water prior to responding to a working fire. They also have to be left unlocked and unsecured. Other equipment is housed in unsecured steel shipping containers.

A proposed fire hall replacement plan was rejected by the voters and the MIID trustees are looking at alternatives. The overall project cost seems to be the reason why the voters rejected the proposal. The need for a new fire hall does not seem to be in dispute. The issue seems to be around the cost and funding formula. Time is of the essence in getting a replacement fire hall.



The demographics of the community make it a challenge to recruit new members. There is little employment opportunities within the community but the department has done well to maintain an available roster of personnel.

The annual call statistics reveal that public safety calls make up 50.5% of the responses for service from MIFR. 35 (18%) of calls were for first medical response, 26 (13.4%) were for some type of fire suppression, 4 (2%) of the calls were for some type of rescue and 4 (2%) of the calls were to deal with some type of hazardous material. Another 27 (14%) of requests were for fire prevention or fire education.

Structure fires are a rare occurrence. Because they are rare, on the job training does not occur. Training by simulation and live exercises are crucial for members to develop cognitive skills so they can make good decisions in potentiality life threatening situations especially in a live fire interior attack. Mayne Island is heavily forested and the risk of a

forest fire is great during the warm summer months. Public education programs such as FireSmart would help educate people on how to reduce the risk of fire by creating a defensible space around their home.



The threat of fire is always present and the MIFR must continually train for this eventuality as it is part of the core service offered by MIFR. The safety of firefighters must always be the top priority and through strong leadership and good example, new firefighters will learn the personal discipline required to operate in an environment of personal safety while performing dangerous tasks. It would appear that Chief Francis and the firefighters recognize their limitations and their restrictions on deployment. The leadership of the department appears to be able to maintain discipline in the ranks. The firefighters themselves also need to understand their role in the community as first responders to all kinds of emergency incidents which raises their collective profile. In a small community like Mayne Island, the firefighters are known and constantly being observed. The public has set high standards for their emergency service providers and volunteer or paid on call firefighters are expected to meet these high standards. When a firefighter is accepted as a member of the fire department they must understand they are on call 24/7 and there tremendous personal discipline and responsibility that comes with membership. It is a very exclusive group that is not suitable to everyone. Being respectful, courteous, and helpful at all times to the public should be part of the training.

The fire service is a monopoly. Firefighters owe it to the public to be the best they can because they operate in a monopoly. Strong leadership, personal discipline, and commitment on the part of every firefighter is required to earn the respect and trust of the public they serve.

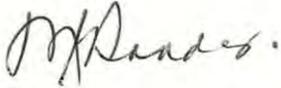


The MIFR equipment is well maintained and inventoried regularly. The housekeeping is and the fire hall and equipment is kept clean. The department having evolved over the years, has been innovative in the solutions it has created for water supply, storage, training and communicating to the public.

It was obvious through our discussions that Fire Chief

Francis is well aware of the operational challenges facing the department and is striving to bring the department into compliance with the accepted standards and regulations. Chief Francis and his firefighters are to be commended for a well managed department and for their commitment to the community. They face unique challenges in a community without a large tax base and with a small population.

It was our privilege to observe the operation of the MIFR and to work with Chief Francis, Deputy Chief Steve DeRousie, and the MIID trustees, and to report our findings.

A handwritten signature in black ink, appearing to read "M. G. Sanders". The signature is written in a cursive style with a period at the end.

M. G. (Glen) Sanders
President

PHOTOGRAPH LOG

Photo 1 shows MIFR Engine 1



Photo 2 shows MIFR Tender 1



Photo 3 & 4 show Tender 2



Photo 5, 6 & 7 show MIFR tender 3



Photos 8 & 9 show MIFR Rapid Attack



Photo 10 shows MIFR Command unit



Photos 11 shows the Southern Gulf Islands Emergency Program trailer and MIFR Command unit



Photos 12 & 13 show the SCBA compressor, cascade system, and fill station



Photo 14 shows a storage area inside the fire hall



Photo 14 shows an area inside the fire hall



Photo 15 shows fire fighter gear and “ready room” inside the fire hall



FireWise Consulting Ltd.

PO Box 253

Shawnigan Lake BC V0R 2W0

250-812-9636 or 250-812-9830

email: bob@firewiseconsulting.com



Helping the Fire Community Succeed

Appendix "A"

FIRE SERVICE AUDIT FORM

PART "A" - FIRE DEPARTMENT ORGANIZATION, ADMINISTRATION AND STAFFING

To be completed by Fire Chief or Senior Officer

Name of Organization:

Mayne Island Fire Rescue

Governing Body (AHJ):

Mayne Island Improvement District

AHJ Representative:

Bob McKinnon

Phone:

Fire Department Representative:

Fire Chief Jeff Francis

Phone:

250-539-5156

Person Completing Form:

Jeff Francis

Phone:

Rank:

Fire Chief

Date Completed:

July 19, 2011

Rating Scale:

1 = No

2 = 25% Compliant

3 = 50% Compliant

4 = 75% Compliant

5 = 100% Compliant

Definitions and abbreviations:

AHJ	Authority Having Jurisdiction
BCAS	BC Ambulance Service
BCEHS	BC Emergency Health Services
Chief Officers :	Officers above the rank of Captain
DFC	Deputy Fire Chief
DL	BC Drivers Licence
Department Officers :	Lieutenants, Captains
EVD	Emergency Vehicle Driver
EVO	Emergency Vehicle Operator
FC	Fire Chief
FDB	Fire Department Bylaw
FD	Fire Department
FF	Fire Fighter
FDM	Fire Department Management Computer System
FUS	Fire Underwriters Survey
JIBC	Justice Institute of BC
MIA	Municipal Insurance Association
N/A	Not Applicable
OG	Operational Guideline
PFD	Personal floatation device
RMS	Computerizes Records Management System
QNA	Questions Not Answered
ULC	Underwriters Laboratories of Canada

Mayne Island Fire Rescue response

FireWise Consulting Ltd. response



Part A – FIRE DEPARTMENT ORGANIZATION

GOVERNANCE AND AUTHORITY

1) Has a "Risk Assessment" been done on the community to determine the equipment and training required for fire protection?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2) Is there a Fire Department Bylaw?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	BYLAW #46
3) Are all functions authorized by the bylaw performed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4) Is the Fire Chief formally appointed by the governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5) Are the Chief Officers formally appointed by the governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6) If not, are the Chief Officers formally appointed by the Fire Chief?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7) Is there a policy statement from Local Government determining level of fire department training?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Policy statements from the AHJ are recommended
8) Are the fire district boundaries clearly defined?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
9) Are the different service boundaries defined?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
10) Is there a contract fire protection area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
• Are the documents current?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	N/A

<ul style="list-style-type: none"> Are they specific to the service provided? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
<ul style="list-style-type: none"> Do you have contract area maps? 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	N/A
11) Is there a written agreement(s) with Emergency Health Services regarding First Response	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
12) Has it been duly authorized by your governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
13) Other agreement(s). List:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MOU- RCMP- re: Traffic Control, MOU- Southern Gulf Islands Emergency Services, MOU- Parks Canada,
14) Have they been duly authorized by your governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
15) Are there written mutual aid agreements in place?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
16) If yes, is the following covered:		
<ul style="list-style-type: none"> chain of command 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> common terminology 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
<ul style="list-style-type: none"> inter-agency training 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
<ul style="list-style-type: none"> interdepartmental communications 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	

• maps	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Are they current?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Are they outlined in your operational guidelines?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
• If yes, provide OG#:		
• Have they been duly authorized by your governing body?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The AHJ should ensure the OG's comply with their Policy statements.

Administration

Are the following types of records available for inspection?

17) Apparatus maintenance, including inspection and repair	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
18) Complete list of apparatus	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
19) Annual pump test records	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
20) Driver Training Records	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
21) Drivers Abstract and License	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input type="checkbox"/>	
22) Vehicle pre trip inspection	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
23) Vehicle post trip inspection	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	

24) Trip Log	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
25) Weekly Air Brake checks	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
26) Vehicle weights	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
27) Overweight Permits (if required)	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
28) Incident Report	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
29) Small equipment / hand tools maintenance records e.g. axe handles, pike poles, ear protection		
30) Hose inventory list	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
• Hose testing records	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Ladder testing	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
31) Personnel records including:		
• Work performance	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Discipline	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• WCB (work related incidents)	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Practice attendance	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
• Complete training records	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	

STAFFING

32) Current list of active department members	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
33) Are standards and qualifications established for officers?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	This is one of our weaknesses. I am currently establishing standards as per NFPA but nothing has been brought forward to the AHJ
34) Are department officers formally appointed by the Fire Chief?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
35) Is there a published and posted organization chart?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
36) Does this chart also illustrate the relationship with governing and advisory bodies?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The Org chart should show the reporting lines to the AHJ
37) Does this chart show the Chain of Command?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
38) Are there written job descriptions for all positions?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	Yes there are written job descriptions
39) Are there posted rules and regulations?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No
40) Is there a clear, documented distinction between operational and social activities?	Y <input checked="" type="checkbox"/> <input type="checkbox"/>	
41) Is alcohol permitted in the firehall?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

42) Are special occasion liquor licences obtained for social events?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
43) Is there a written policy regarding a designated duty crew during social events (re: alcohol consumption)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is no policy at this time however when the new OG's come out there will be a policy. We do have a designated duty crew now when social events take place
44) Does a senior officer conduct a formal post-incident critique (i.e. as lessons learned) for major incidents and all calls that resulted in injury or had a „near miss“ of injury?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
<ul style="list-style-type: none"> Is this covered by an OG? 	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	Post incident critiques are an important learning tool. An OG should be developed
45) Are the findings documented and effectively communicated?	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
46) Are there written hiring practices for new recruits?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	We have a very limited number of possible recruits on island and only until recently have we been able to even think about background checks Policy/OG
47) Do they include the following:		
<ul style="list-style-type: none"> background checks (including criminal) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	They are asked on the membership application if they have a criminal record

		and if so please explain.
<ul style="list-style-type: none"> drivers abstracts 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Once through the probationary period then we ask for a driver's abstract. We have started doing a yearly drivers abstract for ALL members
<ul style="list-style-type: none"> physical/medical assessment 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Policy required
<ul style="list-style-type: none"> probation period with performance assessment 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	All new recruits are on probation for 3 months and are limited on what tasks they are allowed to perform
48) Are the tasks permitted of probationary members clearly defined and explained to probationary members and firefighters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
49) Do you have a junior fire fighting program?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
50) Have written policies been developed providing restrictions of duties for junior fire fighters?	Yes <input type="checkbox"/> OG# _____ No <input type="checkbox"/>	N/A

SCOPE OF OPERATIONS

Are the following areas covered by an operational guideline?

51) Apparatus specific e.g. fire boat	Yes <input type="checkbox"/> OG#_ _ No <input type="checkbox"/>	N/A
52) Operating vehicles in emergencies, including mandatory use of seat belts	Yes <input checked="" type="checkbox"/> OG#_ 1.06.01 _ No <input type="checkbox"/>	

53) Operating vehicles in non-emergencies, including mandatory use of seat belts	Yes <input checked="" type="checkbox"/> OG# 1.06.02 No <input type="checkbox"/>	
54) Chain of command	Yes <input checked="" type="checkbox"/> OG# 2.01 No <input type="checkbox"/>	
55) Emergency evacuation of fire suppression personnel	Yes <input checked="" type="checkbox"/> OG# 1.04.07 No <input type="checkbox"/>	
56) Disaster planning and response (Refers to fire department internal plan including family plan during major event)	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	We have a unwritten policy but nothing in writing. Mayne Island's Emergency Program is run through the CRD
57) Dispatch procedures & Incident Timer alert? (NFPA 1500 8.1.12)	Yes <input checked="" type="checkbox"/> OG# 2.03.01 No <input type="checkbox"/>	
58) Electrical emergencies	Yes <input checked="" type="checkbox"/> OG# 1.04.05 No <input type="checkbox"/>	
59) Emergency planning (community)	Yes <input checked="" type="checkbox"/> OG# _____ No <input type="checkbox"/>	CRD Responsibility. Fire Chief is on Emergency Planning Commission
60) Personnel response to fire hall or incident	Yes <input checked="" type="checkbox"/> # 1.06.03 No <input type="checkbox"/>	
61) Entry into buildings (including rescue)	Yes <input checked="" type="checkbox"/> OG# 1.04.01 No <input type="checkbox"/>	YES
62) Managing and tracking firefighters at an emergency incident (Accountability)	Yes <input checked="" type="checkbox"/> OG# 1.04.01 No <input type="checkbox"/>	
63) Exposure to blood borne pathogens and reporting system	Yes <input checked="" type="checkbox"/> OG# 1.01.14 No <input type="checkbox"/>	

64) Fire fighter training standard	Yes <input checked="" type="checkbox"/> OG# 1.01.03 No <input type="checkbox"/>	
65) Ground ladders	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
66) Hazardous materials response procedures	Yes <input checked="" type="checkbox"/> OG# 2.29.01 No <input type="checkbox"/>	
67) Hazardous materials decon process	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG Required
68) Hose loads to meet CAN-ULC S515 standard	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	On checking at the site visit the hose loads appear compliant
69) Hydrants (care, use and maintenance)	Yes <input checked="" type="checkbox"/> OG# 1.07.02 No <input type="checkbox"/>	
70) Incident Command System	Yes <input checked="" type="checkbox"/> OG# 2.02 No <input type="checkbox"/>	
71) Incident Safety Officer	Yes <input checked="" type="checkbox"/> OG# 04.02 No <input type="checkbox"/>	
72) Medical examinations and health monitoring	Yes <input checked="" type="checkbox"/> OG# 1.01.08 No <input type="checkbox"/>	
73) Monitoring during salvage and overhaul of:	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• air quality	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	An OG should be created to ensure SCBA's are worn during salvage and overhaul ops
• physical condition of fire fighters	Yes <input checked="" type="checkbox"/> OG# 1.04.03 No <input type="checkbox"/>	

<ul style="list-style-type: none"> site structure stability 	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	An OG should be created to monitor site stability
74) Managing stress arising from an incident that is likely to cause adverse health effects to firefighters	Yes <input checked="" type="checkbox"/> OG# 1.01.15 No <input type="checkbox"/>	
75) Personal protective clothing	Yes <input checked="" type="checkbox"/> OG.03.011.03.02 No <input type="checkbox"/>	1.03.01,1.03.02
76) Personal alert safety devices	Yes <input checked="" type="checkbox"/> OG# 1.03.03 No <input type="checkbox"/>	
77) Respiratory protection program	Yes <input checked="" type="checkbox"/> OG# 1.02 No <input type="checkbox"/>	
78) Self-contained breathing apparatus	Yes <input checked="" type="checkbox"/> OG# 2.07.01 No <input type="checkbox"/>	
79) Special operations such as:		
<ul style="list-style-type: none"> confined space 	Yes <input type="checkbox"/> OG# _____ No <input type="checkbox"/>	N/A A policy statement and OG should be created that restricts FS personnel from entering confined spaces.
<ul style="list-style-type: none"> first responder 	Yes <input checked="" type="checkbox"/> OG# 2.05.06 No <input type="checkbox"/>	
<ul style="list-style-type: none"> auto extrication 	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
<ul style="list-style-type: none"> high angle 	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
<ul style="list-style-type: none"> trench or excavation 	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required

• swift water	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• flat water	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
• ice rescue	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• building collapse	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• other	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
80) Buildings seven stories or higher	Yes <input type="checkbox"/> OG# _____ No <input type="checkbox"/>	N/A
81) Fire fighting underground	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
82) Fire fighting over water (e.g. wharf firefighting)	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
• Describe _____		
83) Traffic control at Incidents for worker safety	Yes <input checked="" type="checkbox"/> OG# <u>1.04.10</u> No <input type="checkbox"/>	
84) Rescue team of two fire fighters on the scene within 10 minutes of initial attack?	Yes <input checked="" type="checkbox"/> OG# <u>1.04.06</u> No <input type="checkbox"/>	
85) Voice communication with fire fighters inside buildings?	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required

86) Water supply monitored and IC awareness protocol (when to conserve water)	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
87) Investigation of accidents	Yes <input checked="" type="checkbox"/> OG# <u>1.01.10</u> No <input type="checkbox"/>	
88) Supervision of workers	Yes <input checked="" type="checkbox"/> OG# <u>1.01.04</u> No <input type="checkbox"/>	
89) Work site safety	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required

Are there operational guidelines specific to your regulatory bylaw that define the extent of involvement of fire fighters in the following types of incidents?

90) FIRE		
• Wildland	Yes <input checked="" type="checkbox"/> OG# <u>4.06.02</u> No <input type="checkbox"/>	
• Structure	Yes <input type="checkbox"/> OG OG# _____ No <input checked="" type="checkbox"/>	
• Multi-story	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• Vehicle	Yes <input checked="" type="checkbox"/> OG# <u>2.17.01</u> No <input type="checkbox"/>	
• Involving hazardous materials	Yes <input checked="" type="checkbox"/> OG# <u>2.29.01</u> No <input type="checkbox"/>	
• Offensive or defensive firefighting	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG required
• Response out of district	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Yes <input type="checkbox"/> OG# 2.05.01 _____ No <input checked="" type="checkbox"/>	
• Mutual aid	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
91) MEDICAL	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• First responder level	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	Policy Statement from AHJ
92) RESCUE	Yes <input type="checkbox"/> OG# _____ No <input type="checkbox"/>	
• Auto	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• Water	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• High angle	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• Confined space	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
• Hazardous materials	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	
93) Map indicating water supplies	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	Water supply locations should be indicated on maps
94) Are alternate water sources formally identified on a map?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

95) Are user agreements in place?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
96) Are pre-fire plans developed?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	JUST STARTED PRE-FIRE PLANNING IN 2011
97) Are they used in training?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	

TRAINING AND COMPETENCY

98) Are there written policy statements on requirements and standards for fire fighting training and certification? Note: Fire fighters' training will dictate what they can and cannot do at the fire scene!	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	Policy statement required
99) Is there a training officer in place?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Steve DeRousie is the Training Officer
If yes, incumbent's name _____		
100) Are there standards and qualifications established for the training officer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Policy Statement required
101) Is a training schedule posted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
102) Is there a written recruit training program in effect?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	A written training program will show new firefighters what they will be required to learn
103) Is inter-agency training conducted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<ul style="list-style-type: none"> • With mutual aid departments 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input type="checkbox"/>	
<ul style="list-style-type: none"> • With Ministry of Forests & Range 	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	

Is there a health and safety program for the fire department addressing the following items?

103) A statement of the employer's aims and the responsibilities of the employer, supervisors and workers,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Policy Statement required
104) Provision for the regular inspection of premises, equipment, work methods and work practices, at appropriate intervals, to ensure that prompt action is undertaken to correct any hazardous conditions found,	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
105) Appropriate written instructions, available for reference by all workers, to supplement this Occupational Health and Safety Regulation,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
106) Provision for holding periodic management meetings for the purpose of reviewing health and safety activities and incident trends, and for the determination of necessary courses of action,	<input type="checkbox"/> Yes <input type="checkbox"/> No	YES Should be part of a written OH&S program
107) Provision for the prompt investigation of incidents to determine the action necessary to prevent their recurrence,	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<p>108) The maintenance of records and statistics, including reports of inspections and incident investigations, with provision for making this information available to the joint committee or worker health and safety representative, as applicable and, upon request, to an officer, the union representing the workers at the workplace or, if there is no union, the workers at the workplace, and</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>109) Provision by the employer for the instruction and supervision of workers in the safe performance of their work.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

CONFIDENTIAL - DO NOT COPY

FireWise Consulting Ltd.

PO Box 253

Shawnigan Lake BC V0R 2W0

250-812-9636 or 250-812-9830

email: bob@firewiseconsulting.com



Helping the Fire Community Succeed

Appendix "B"

VOLUNTEER FIRE SERVICE AUDIT FORM

PART "B" - OCCUPATIONAL HEALTH AND SAFETY

To be completed by OH&S Committee Chair, Fire Chief or Senior Officer

Name of Organization:

Governing Body (AHJ):

AHJ Representative: Phone:

Fire Department Representative: Phone:

Person Completing Form: Phone:

Rank:

Date Completed:

Rating Scale: 1= No 2 = 25% Compliant 3 = 50% Compliant 4 = 75% Compliant 5 = 100% Compliant

Definitions and abbreviations:

AHJ	Authority Having Jurisdiction
BCAS	BC Ambulance Service
BCEHS	BC Emergency Health Services
Chief Officers :	Officers above the rank of Captain
DFC	Deputy Fire Chief
DL	BC Drivers Licence
Department Officers :	Lieutenants, Captains
EVD	Emergency Vehicle Driver
EVO	Emergency Vehicle Operator
FC	Fire Chief
FDB	Fire Department Bylaw
FD	Fire Department
FF	Fire Fighter
FDM	Fire Department Management Computer System
FUS	Fire Underwriters Survey
JIBC	Justice Institute of BC
MIA	Municipal Insurance Association
N/A	Not Applicable
OG	Operational Guideline
PFD	Personal floatation device
RMS	Computerizes Records Management System
QNA	Questions Not Answered
ULC	Underwriters Laboratories of Canada

Mayne Island Fire Rescue response

FireWise Consulting Ltd. response



<p>1) Do you participate in inspections of the fire hall and all equipment?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Unique challenge here with regard to WorkSafeBC Regs</p>
<p>2) Is there a hospital emergency room less than 20 minutes away that is always open?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>3) Are inspections documented?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Sometimes they are A record should be kept of all fire hall inspections should be kept and given to the AHJ</p>
<p>4) How often is a workplace safety inspection conducted?</p>	<p>Weekly _____ Monthly _____ Bi-weekly _____ Other <input checked="" type="checkbox"/></p>	<p>Workplace safety inspections are monitored on a weekly basis during regular practice and during callouts</p>
<p>5) Is there a monthly health and safety committee meeting?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>6) Are regular safety inspections of the fire hall performed?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Regular monthly safety inspections should be performed and records kept of the inspections</p>
<p>7) Are first aid records kept and available to you?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

8) Are there informal workplace safety inspections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> How often? 	Weekly informal inspections are done during regular practice and callouts	
9) Is there a formal process for reports or observations of unsafe acts or conditions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Any unsafe or near miss are to be reported to a senior officer as soon as possible. I
10) Is there a hazard analysis performed on the various jobs function within your department?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
11) During a major incident are incident command system procedures established?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
12) Does the Incident Commander assign a Safety Officer?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If there are enough personnel. A culture of personal safety should be adopted by all firefighters
13) Are Officers trained in the following incident command principles:		
<ul style="list-style-type: none"> Establishing and transferring of command 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

• Single or unified command structure	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Management by objectives	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Consolidated incident action plans	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Comprehensive resource management	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• • Unity and chain of command	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Modular organization	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Manageable span of control	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Personnel accountability	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14) Do the Officers' meetings contain a component where occupational health and safety issues are discussed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

15) Have you participated at an Officers' meeting where health and safety issues are discussed:		Our Officers meeting is also our Joint Health and Safety Committee. One Trustee from MIID attends the officers meeting on a monthly basis.
• injuries	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• prevention strategies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• If no to either of above, why not?		
16) Are you aware of what accidents to report to WorksafeBC?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
17) Is there an accident investigation for each incident that resulted in injury, involved equipment failure or was a „near miss“?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
18) Do you receive copies of Accident Reports?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
19) Are accident investigation reports reviewed by Officers and the Joint Health and Safety Committee?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
20) Are copies of Accident Reports forwarded to your governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21) Are the recommended corrective actions communicated to fire fighters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

22) Do you ensure that corrective action has been taken?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
23) Is this corrective action reported to governing body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
24) Do you think you have adequate authority to develop, instruct and enforce:		
<ul style="list-style-type: none"> • Safe work rules and procedures? 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • Employee work practices? 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If no to either of above, why not? 		
25) Are the written work procedures (operational guidelines) referred to when conducting training sessions?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
26) Are you aware of your rights and responsibilities as outlined in WorkSafeBC regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
27) What do you use as a reference to ensure you meet your health and safety responsibilities?		

28) Does your department provide training in the following:		
• workplace inspections	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• investigation of accidents	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• presentation of safety fire crew talks	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
• follow-up on worker training	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
• rules, procedures and work practices for controlling emergency incident hazards	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
• your legal requirements, such as compliance with:		
a. Occupational Health & Safety Regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. First Aid	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c. WHMIS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A WHMIS program should be implemented
d. How to conduct task hazard analysis to check and revise work procedures?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Task hazard analysis training should be sought
e. Traffic control at incident	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
f. Operation of fire fighting vehicles in emergency and non-emergency travel as per Motor Vehicle Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

g. Operation of personal vehicle to and from work	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
29) How are you held accountable for meeting your health and safety responsibilities? The AHJ should have a OH&S policy statement and the Chief should give OH&S meeting minutes to the AHJ monthly		
30) Have you received safety and health training since becoming a supervisor?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OH&S training should be sought for the Chief and Deputy
31) Describe your role in ensuring that your employees understand and follow the safety and health rules. I have tried various ways to help employees understand and follow the health and safety rules. So far the best way I have found is to lead by example and make sure that I am following the rules and when I see an unsafe incident stop and correct the employees action. It does seem to be working as in the 7 years I have been Chief we have only had one incident where a firefighter was hurt and it was a minor injury. The problem was corrected and ALL firefighters were told of the incident how it can be avoided.		
32) Do you provide PFD or lifejackets in compliance with WCB reg.8.27 (a-d)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
33) Are there operational guidelines for fire fighter rescue and rehabilitation?	Yes <input checked="" type="checkbox"/> OG#1.04.03, 04.04_ No <input type="checkbox"/>	
34) Does it include the following:		
<ul style="list-style-type: none"> Hydration after one tank or approximately 30 minutes of strenuous work 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<ul style="list-style-type: none"> Sit out after two tanks or approx.30 minutes of strenuous work 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> Assessment of blood pressure, heart rate and temperature after 10 minutes rest with criteria for returning to work/training 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
35) Do you provide fall protection training for fire fighters?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fall protection training for firefighters should be provided
36) Are the last three months of Occupational Health and Safety meeting minutes posted at the hall?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OH&S meeting minutes should be posted in the fire hall
37) Are the minutes regularly sent to your governing body?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OH&S minutes should be sent to the AHJ
38) Is there a written personnel accountability system?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
39) Is there a critical incident stress debriefing program?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
40) Is there a written respiratory protection program?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
41) Does it include the following:		
<ul style="list-style-type: none"> Maintenance program 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> Air quality testing ANNUALLY 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

• Records keeping	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Fit testing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Scheduled training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Appropriate operational guidelines <input type="checkbox"/>	Yes OG# 1.01, 1.02, 1.03.01_1.03.03, 1.07.01, 2.07 <input type="checkbox"/> No	
42) Are SCBA and regulators serviced and repaired by qualified persons? Service provider <u>Guillevin International- Dan Van Haga</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
43) Are air cylinders hydro tested every three (steel) or five years? Service provider <u>Sidney Fire Extinguisher</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
44) Are records kept and available for SCBA and air cylinders?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
45) Are four SCBA units and four full spare cylinders available on each engine?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
46) Is there a personal alert safety system (PASS) for each SCBA?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
47) Does the PASS device meet the requirements of NFPA 1982, 1993 edition.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
48) Is there an OG related to PASS devices?	Yes <input checked="" type="checkbox"/> OG# <u>1.03.03</u> No <input type="checkbox"/>	

49) Is the PASS system tested: weekly and before each use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
50) Are full body harnesses available to ensure that all FF located on aerial platforms are wearing fall protection meeting CSA-Z259.10--M905	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
51) Are safety belts and lanyards provided to ensure firefighters working on aerial ladder platforms are using fall restraint meeting CSA Z259.1-95	<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A
52) Do rescue ropes, safety belts, harness, hooks and rope grabs meet – NFPA1983, 1990 edition?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
53) Is there an OG instructing structural fire fighters to leave a building if rescue team is not in place in 10 minutes?	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	OG Required, RIT or Exterior attack policy from AHJ
54) Are there operational guidelines for the control of vehicle exhaust emissions in the fire hall?	Yes <input type="checkbox"/> OG# _____ No <input checked="" type="checkbox"/>	System in place and in practice but no OG
55) Is vehicle exhaust mechanically removed from the hall?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	System in place and CO monitor in fire hall apparatus bays
56) Is there a flashlight available for each fire fighter per shift?	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input checked="" type="checkbox"/>	
57) Meet CSA C22.1-94 Class 1 Div 2 Group A,B,C	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
58) Are there four hand lanterns on each firefighting vehicle?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	We have 4 hand lanterns that meet CSA standards but not 4 on each apparatus

59) Do they meet CSA C22.1-94 Class 1 Div 2 Group A,B,C	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
60) Are plaster hooks and pike poles fitted with non-conductive shafts?	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	
61) Personal Protective Clothing:		
• Helmets for Structural Fire Fighting meet the requirements of NFPA 1972	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Hard hats (safety headgear) only for fire prevention, investigation, brush fires	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Bunker gear coats, pants, flash hood, meet the requirements of NFPA 1971	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Gloves meet the requirements of NFPA 1973	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
• Station Wear at least 35% COTTON	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>	YES

CONFIDENTIAL - NOT COPY

FireWise Consulting Ltd.

PO Box 253

Shawnigan Lake BC V0R 2W0

250-812-9636 or 250-812-9830

email: bob@firewiseconsulting.com



Helping the Fire Community Succeed

APPENDIX "C"

FIRE SERVICE AUDIT FORM

PART "C" - TRAINING RECORDS

To be completed by Training Officer, Fire Chief or Senior Officer

Name of Organization:

Governing Body (AHJ):

Person Completing Form: Phone:

Rank:

Date Completed:

Is there a policy statement from Local Government determining level of fire department training?

Yes No

TRAINING RECORDS

Please check the boxes for each of the training components your department offers to firefighters through an accredited or other agency.

Initial Orientation

- | | |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Firehouse health and safety rules | <input checked="" type="checkbox"/> Emergency procedures |
| <input checked="" type="checkbox"/> Working alone or in isolation | <input type="checkbox"/> Rights and responsibilities |
| <input checked="" type="checkbox"/> Violence in the workplace, appropriate behaviour, impairment | <input checked="" type="checkbox"/> Fire Department's H&S Program and core OGS |
| <input checked="" type="checkbox"/> Personal protective equipment | <input type="checkbox"/> WHMIS |
| <input type="checkbox"/> Location of first aid, reporting of injuries | <input checked="" type="checkbox"/> Contact information for H&S Committee, chain of command |

% of firefighters with initial orientation records 95%

Basic Fire Fighting Certificate

- | | |
|--------------------------------------------------------------------|-----------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Safety | <input type="checkbox"/> Fire Behaviour |
| <input checked="" type="checkbox"/> Personal Protective Equipment | <input checked="" type="checkbox"/> Fire Service Orientation & Safety |
| <input checked="" type="checkbox"/> Ropes | <input checked="" type="checkbox"/> Ladders |
| <input checked="" type="checkbox"/> Rescue | <input checked="" type="checkbox"/> Ventilation |
| <input checked="" type="checkbox"/> Fire Hose, Appliance & Streams | <input checked="" type="checkbox"/> Water Supplies |

% of firefighters with Basic Fire Fighting Certificate 38%

Fire Fighter Level I

- | | |
|------------------------------------------------------------------|----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fire Department Organization | <input checked="" type="checkbox"/> Fire Alarm & Communication |
| <input checked="" type="checkbox"/> Portable Extinguishers | <input checked="" type="checkbox"/> Forcible Entry |
| <input checked="" type="checkbox"/> Building Construction | <input checked="" type="checkbox"/> Foam Fire Streams |
| <input checked="" type="checkbox"/> Salvage | <input checked="" type="checkbox"/> Overhaul |
| <input checked="" type="checkbox"/> Fire Cause Determination | <input checked="" type="checkbox"/> Sprinklers |
| <input checked="" type="checkbox"/> Fire Prevention | <input checked="" type="checkbox"/> Public Fire Education |
| <input checked="" type="checkbox"/> Fire Control | <input checked="" type="checkbox"/> HazMat Awareness |
| <input checked="" type="checkbox"/> Emergency Medical Care | |

% of firefighters with Level 1 Firefighter Certificate 10%

Fire Fighter Level II

- | | |
|------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fire Department Organizational Structure | <input checked="" type="checkbox"/> Safety |
| <input checked="" type="checkbox"/> Fire Alarm & Communications | <input checked="" type="checkbox"/> Fire Behaviour |
| <input checked="" type="checkbox"/> Portable Fire Extinguishers | <input checked="" type="checkbox"/> Personal Protective Equipment |
| <input checked="" type="checkbox"/> Fixed Fire Extinguishing Systems | <input checked="" type="checkbox"/> Ropes |
| <input checked="" type="checkbox"/> Ladders | <input checked="" type="checkbox"/> Rescue |

- | | |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Forcible Entry | <input checked="" type="checkbox"/> Ventilation |
| <input checked="" type="checkbox"/> Building Construction | <input checked="" type="checkbox"/> Fire Hose, Appliances & Streams |
| <input checked="" type="checkbox"/> Foam Fire Streams | <input checked="" type="checkbox"/> Water Supplies |
| <input checked="" type="checkbox"/> Salvage | <input checked="" type="checkbox"/> Overhaul |
| <input checked="" type="checkbox"/> Fire Cause Determination | <input checked="" type="checkbox"/> Sprinklers |
| <input checked="" type="checkbox"/> Fire Prevention | <input checked="" type="checkbox"/> Public Fire Education |
| <input checked="" type="checkbox"/> Internal Standpipe & Hose Systems | <input checked="" type="checkbox"/> Fire Control |
| <input checked="" type="checkbox"/> Response to Hazardous Materials Incidents (Hazmat Awareness) | <input checked="" type="checkbox"/> Response to Hazardous Materials Incidents (Hazmat Operations) |
| <input checked="" type="checkbox"/> Emergency Medical Care (First Responder III) | <input checked="" type="checkbox"/> |

% of firefighters with Level 2 Firefighters Certificate 12%

Additional Training

- | | |
|------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> WHIMS | <input checked="" type="checkbox"/> Auto Extrication |
| <input type="checkbox"/> Swift Water Rescue | <input type="checkbox"/> High Angle Rescue |
| <input type="checkbox"/> Confined Space Rescue | <input checked="" type="checkbox"/> Emergency Vehicle Operator |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other |



Bulletin from the Office of the Fire Commissioner

The Office of the Fire Commissioner's response to the
Coroner's Judgement of Inquiry recommendations regarding
the death of Fire Fighter Chad Schapansky

May 2008



Bulletin from the Office of the Fire Commissioner

Table of Contents

1. Purpose	2
2. Background	2
3. Actions Taken By Fire Commissioner.....	5
4. Leadership Group Discussion.....	6
A. Training Working Group.....	6
B. Audit Working Group.....	8
5. Decisions of Fire Commissioner	11
6. Conclusion Summary	12

Appendices:

- A. Copy of Judgement of Inquiry
- B. Leadership Group members
- C. Leadership Group Terms of Reference
- D. Basic Fire Fighter Training Options
- E. Inspection and Audit Checklist
- F. Implementation Support Contacts

1. **Purpose**

On April 18, 2006, the Chief Coroner for the Province of British Columbia sent the Fire Commissioner for the Province of British Columbia a request to consider three recommendations which resulted from a Coroner's Judgement of Inquiry into the Line of Duty Death of Chad Schapansky, a volunteer fire fighter with Clearwater Fire Department.

This report documents the proposals created by the Office of the Fire Commissioner in response to the Coroner's request. The proposals are designed to enhance volunteer fire fighter safety by addressing issues that were considered directly causal to the death of the above named volunteer fire fighter.

2. **Background**

The recommendations included in the Judgement of Inquiry were:

Recommendation One

"The Office of the Fire Commissioner in conjunction with the Justice Institute of British Columbia develop and establish clear minimum training standards for volunteer fire fighters in British Columbia"

Recommendation Two

"The Office of the Fire Commissioner together with the employer of volunteer fire departments in British Columbia (Districts, Municipalities and Regional Districts, etc) initiate and maintain a regular inspection and audit process to ensure volunteer fire departments and fire fighters meet provincially recognized standards for equipment, training and operational policy"

Recommendation Three

"The Office of the Fire Commissioner provide a copy of this *Judgement of Inquiry* to all volunteer fire departments in British Columbia"

2. Background (cont.)

With respect to Recommendation 1, referring to training standards, the role of the Fire Commissioner is outlined in the *Fire Services Act*.

Excerpts from the *Fire Services Act*

Part 1 – Investigation, Prevention and Suppression of Fires

Section 1 – Definitions

“advisory board” means the Fire Services Advisory Board continued under section 4; (see below)

“fire services personnel” means persons regularly employed by a municipal fire department, appointed as auxiliary members of a fire department, or acting voluntarily as fire fighters;

Section 3 – Duties of Fire Commissioner

- (3) The fire commissioner must, for fire suppression, do the following:
 - (b) establish in consultation with the advisory board and subject to the minister’s approval, minimum standards for selection and training of fire services personnel;

Section 4 – Fire Services Advisory Board

- (1) The Fire Services Advisory Board is continued consisting of the fire commissioner as chair and other members appointed by the Lieutenant Governor in Council.
- (2) The members of the advisory board hold office for the term determined by the Lieutenant Governor in Council.

The last time the Fire Commissioner changed the “minimum standards for selection and training of fire services personnel” was effective January 1, 2003. The change was implemented by way of a Minister’s Order No. 368 dated December 2002. The Order read as follows:

“Further to the authority granted by Section 3(3)(b) of the *Fire Services Act*, the training standards for fire service personnel in British Columbia are those published by the National Fire Protection Association (NFPA), effective January 1, 2003. Previous editions of the British Columbia fire service training standards are hereby rescinded.”

2. **Background (cont.)**

Also, with reference to Recommendation 1, the identification of the Justice Institute of British Columbia was a result of Order in Council No. 1023, dated April, 1978.

Excerpt from the Order in Council (No. 1023 dated April 1978)

“Pursuant to the Colleges and Provincial Institutions Act and upon the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Justice Institute of British Columbia is designated as a Provincial Institute.”

The Justice Institute of British Columbia, being a Provincial Institute, shall perform the following functions(s):

- (b) identify the educational and specific training needs for all components of the British Columbia Justice System, including fire services;
- (c) develop a co-operative system of co-ordination between its own programmes and those other institutes, colleges, universities, public schools and community-based organizations;

The training standards for fire service personnel published by the National Fire Protection Association are defined in NFPA 1001 – *Standard for Fire Fighter Professional Qualifications*.

NFPA 1001 identifies the minimum job performance requirements for career and volunteer fire fighters whose duties are primarily structural in nature.

Recommendation 2 (Inspection and Audit requirements) has no similar legislation or documentation to reference that provides a comprehensive guide for conducting regular inspections and audits for volunteer fire departments in British Columbia. A number of independent agencies, such as WorkSafeBC, Commercial Vehicle Safety and Enforcement, and others have their own inspection and audit requirements.

Recommendation 3 was addressed on May 30, 2006 when copies of the Judgement of Inquiry were distributed to all volunteer fire departments in British Columbia by mail, to the addresses known to the Office of the Fire Commissioner on that date.

3. Actions taken by Fire Commissioner

Upon receipt of the letter from the Chief Coroner, the initial action taken by the Fire Commissioner was to ensure that a complete review of the current provincial legislation and legislative implications was undertaken.

The information outlined in Section 2 – Background, of this Bulletin, identifies the findings of this review.

The next action taken by the Fire Commissioner was to ensure the response to the Chief Coroner's request served the best interests of the province as a whole. A Leadership Group was invited to assist in the process. This Group was created by contacting individuals representing the key interests and stakeholders impacted by the Inquiry and inviting them to review the recommendations. The Group included representatives of the following fire services partners:

- Fire Chiefs' Association of British Columbia
- Volunteer Fire Fighter's Association of British Columbia
- British Columbia Fire Training Officer's Association
- WorkSafeBC
- Justice Institute of British Columbia, Fire & Safety Division
- Union of British Columbia Municipalities
- Office of the Fire Commissioner

The initial meetings of the Leadership Group determined the following:

1. Terms of Reference be created for the Leadership Group (Attached as Appendix C).
2. That the Leadership Group be divided into two Working Groups, each tasked with the responsibility of reviewing one of the two outstanding recommendations and developing strategies for the Office of the Fire Commissioner to take forward.

The Training Working Group and the Audit Working Group were the result of this decision.

4. Leadership Group Discussion

A. The Training Working Group

The Training Working Group (hereafter referred to as the "Group") made a number of assumptions during their deliberations including the following:

- a. The Justice Institute of British Columbia *Fire and Safety Division* would not be the only source of volunteer fire fighter training considered by the Group.
- b. The Training Standard determined by the Fire Commissioner and effective January 1, 2003 was the only training standard for the province and was therefore the basis for any discussion by the Group.
- c. All strategies determined by the Group would apply to all volunteer fire fighters whether they were classified as auxiliary, paid-on-call, volunteer or members of a volunteer fire brigade.
- d. All training recognized as meeting the minimum training standards should be recognized by other training providers as pre-qualifications for the next level or more specialized advanced training.
- e. The Province of British Columbia has no mechanism with which to fund the training of fire fighters.

The Group also agreed on a number of key guiding principles:

- a. The curriculum of any training must meet the minimum standards needed to meet the authority having jurisdiction's pre-determined level of service.
- b. The Fire Commissioner's proposal(s) must address the needs of departments where the accessibility and affordability of training are primary issues.
- c. Any strategy must address the issue of "live fire training" and how all volunteer fire departments can have access to this training.
- d. While the training of volunteer fire fighters involves a number of levels of qualification, a variety of specialized training and operational and administration duties, the focus of the Group would be the basic fire fighter training requirements.

A. The Training Working Group (cont.)

The Group agreed that the following strategies be implemented:

- i. That the Fire Services Advisory Board, or a similar body, be created by the Fire Commissioner to coordinate and resolve issues relating to fire fighter training in the Province of British Columbia.
- ii. That all authorities having jurisdiction, which have determined by bylaw or resolution to establish and operate a fire department, (a department that includes volunteer fire fighters), be advised of the minimum training standards for fire fighters in British Columbia providing the services outlined in the bylaw or resolution of the fire department's governing body.
- iii. That these same authorities having jurisdiction ensure their fire fighters train to the provincial training standards and that they are provided with a clear interpretation of what the minimum training standards are.
- iv. That a Guide be created for the authorities having jurisdiction that explains:
 - a. the minimum training standards
 - b. the obligations implied by these standards for authorities having jurisdiction with volunteer fire fighters
 - c. definitions of terminology such as standards, curriculum, competency, certification, etc
 - d. how recognized training including "live fire training" can be accessed
 - e. how a volunteer fire fighter training program can be sustained.
- v. That the following volunteer fire fighter training providers be positioned as meeting the needs of most volunteer fire departments with respect to basic fire fighter training:
 - The Justice Institute of British Columbia
 - Selkirk College
 - The College of the Rockies
 - The Vancouver Island Emergency Response Academy
 - Volunteer Fire Fighter's Association of BC

B. Audit Working Group

a. WorkSafeBC role

The inclusion of a representative from WorkSafeBC in the Audit Working Group was considered critical for a number of reasons:

- i. The Workers' Compensation Board of British Columbia (WorkSafeBC) Investigations Division completed an accident investigation report on the Clearwater incident. The Leadership Group agreed that any recommendations from the Fire Commissioner must include proposed solutions to the findings in this report as well as addressing the issues outlined in the Judgement of Inquiry.
- ii. The Leadership Group agreed that any recommendations that were made by the Fire Commissioner must include a strong link to OHS Regulation Part 31 – Fire fighting.
- iii. The ongoing safety of fire fighters can only be achieved if all decision makers both within the fire service and the authority having jurisdiction know what their responsibilities are with respect to this issue. The Leadership Group felt that their efforts would be enhanced by having the primary agency responsible for worker safety in the Province of British Columbia sitting at the table assisting in developing meaningful and appropriate actions for volunteer fire departments to take in order to be compliant with provincially recognized standards for fire fighter safety.

b. Research & Considerations

The Audit Working Group (hereafter referred to as the AW Group) assessed the recommendation of the Judgement of Inquiry from a number of different aspects:

- i. The AW Group felt that any recommendations made by the Fire Commissioner must be presented to the “employers of the volunteer fire departments” in a format that will ensure their understanding of their responsibilities with respect to the operation of their volunteer fire department.
- ii. It was felt that the reference to meeting provincially recognized standards for training would be adequately covered by the Training Working Group.

b. Research & Considerations (cont.)

- iii. Research was done across Canada and the United States to determine if there was an existing format that could be adopted in whole, or in part to meet the objective of the AW Group. The document which was deemed to best serve this purpose was a Strategic Planning Audit document created and used by the Cowichan Valley Regional District (“CVRD”).

Note: The CVRD provided a copy for the AW Group to review and the CVRD also provided approval for the use of the content in whole or in part.

- iv. Discussion took place regarding who would carry out the regular inspection and audit. It was evident to the AW Group that the resources of both the Office of the Fire Commissioner and WorkSafeBC would not allow either of these organizations to commit to such an undertaking.
- v. Discussion took place with respect to what “provincially recognized standards for equipment” were. It was agreed that NFPA, the Canadian Standards Association (CSA) and the Underwriters’ Laboratories of Canada (ULC) provided guidance in this regard.
- vi. It was agreed that the results of the AW Group’s discussions should not have such an impact that they would cause the demise of volunteer fire departments in rural British Columbia. The objective was to assist all volunteer fire chiefs with their risk-related decisions and to ensure that the “employers of the volunteer fire department members” are aware of their risk management responsibilities.

c. Audit Content

It was agreed by the AW Group that any audit document must be designed to be completed by the employer of the volunteer fire department **and** the fire chief.

It was determined that the audit document should include references to equipment that required regular inspection.

The AW Group decided to break the audit into two distinct sections. One section would focus on the governance and administration of the volunteer fire department, the other would deal with health and safety issues.

d. Proposals/Decisions

The AW Group provided a number of consensus-based decisions and suggestions. These are itemized as follows but are not listed in order of priority or importance:

- i. It was agreed that the term “volunteer fire department” means any fire department where there are volunteer, paid-on-call or auxiliary fire fighters.
- ii. It was agreed that the reference to “the employer of volunteer fire departments” meant any authority having jurisdiction as referenced throughout this document. It was understood that this included local government in any form (e.g. City, Town, Village, Regional District, Municipality, Resorts, Improvement District etc.) and registered societies created for the purpose of providing structural fire fighting services to a designated area herein described as a “fire protection area”.
- iii. It was agreed that the audit document be subject to regular review ensuring its content is current and that it continues to reflect provincially recognized standards. It was proposed that responsibility to coordinate this task lie with the Office of the Fire Commissioner.
- iv. It was agreed that the proposed audit document be completed on an annual basis and that responsibility for completion belonged to any authority having jurisdiction for a volunteer fire department.
- v. In order to ensure consistency in completion of the audit document, consideration was given to the establishment of an advisory board which would be available to counsel and guide authorities having jurisdiction with respect to the interpretation, or reference, of the content of the audit document. It was also discussed that this support resource could assist in recommendations on how identified deficiencies might be corrected.
- vi. It was proposed that the audit document be tested by a minimum of ten, and a maximum of twenty employers of volunteer fire departments, before final circulation to the broader group of employers of volunteer fire departments be undertaken. The distribution would be designed to include all types of volunteer fire departments. (i.e. volunteer, composite, large, small, geographic diversity, etc.) The purpose would be to seek input for further suggested amendments to the audit document before completing the wider initial distribution to all employers

5. Decisions of Fire Commissioner

1. The deliberations that have taken place during the numerous in-person meetings and conference calls have confirmed that the proposed outcomes are the responsibility of the Fire Commissioner to manage.
2. The input received during the deliberations referred to above, reflects the best interests of the Volunteer Fire Service in British Columbia as a whole. This was achieved through the dedication and commitment of participants in the Working Groups, and is truly valued and appreciated by the Fire Commissioner.
3. It is the opinion of the Fire Commissioner that the actions outlined below must be achievable and meaningful for every employer of a volunteer fire department, and must be supported fully to ensure that the tragic events of March 29, 2004 in Clearwater, B.C. have influenced the manner in which volunteer fire fighters are trained and deployed in the future.
4. The Fire Commissioner will take the following action:
 - The Fire Commissioner will distribute the finalized Bulletin outlining the Fire Commissioner's response to the recommendations contained in the Judgement of Inquiry into the death of Chad Schapansky, including the audit document, no later than May 23, 2008.

The Bulletin will provide:

- (a) all volunteer fire departments with details as to where they can obtain basic fire fighter training that meets the Provincial Training Standard in an accessible and affordable manner.
- (b) all employers of volunteer fire departments with a basic checklist of key organizational and health and safety requirements they must have in place.

This is to ensure that the activities of their volunteer fire departments meet provincial standards and address key risk management issues effectively.

The Bulletin will be distributed to all employers of volunteer fire departments in British Columbia and to the fire chiefs of all volunteer fire fighters in the province.

The Bulletin will also be distributed to all career fire departments and their employers on an "information only" basis.

5. Decisions of Fire Commissioner (cont.)

Note: The concept of distributing the audit document to a select number of employers for completion on a test basis, to ensure the integrity and completeness of the content, was abandoned due to delays in finalizing the document and the need to share this important information with all employers as soon as possible. In place of this action, a random sampling of employers will be requested to provide feedback on the 2008 audit document to ensure that it meets the primary objective of Recommendation 2.

6. Conclusion Summary

1. Communications Plan

The Office of the Fire Commissioner will communicate details of the actions being taken to all organizations and associations representing the key stakeholder groups impacted by the decisions outlined in this Bulletin.

The contact list will include, but may not be limited to, the following:

- a. Union of British Columbia Municipalities
- b. Fire Services Liaison Group
- c. Volunteer Fire Fighters Association of British Columbia
- d. Fire Chiefs Association of British Columbia
- e. British Columbia Fire Training Officers Association
- f. The Justice Institute of British Columbia Fire & Safety Division
- g. WorkSafeBC

2. Implementation Support Plan

The Office of the Fire Commissioner will assume responsibility, initially, for the provision of support services to the employers and to the volunteer fire departments through their Fire Service Advisors representing the five core regions of British Columbia.

The names and contact information for these key contacts is outlined in Appendix F.

6. Conclusion Summary (cont.)

3. Sustainability & Long Term Objectives

The Office of the Fire Commissioner, in consultation with the Fire Services Liaison Group will ensure that the details provided as outcomes of this project are sustained and maintained in a manner consistent with the British Columbia Fire Service Model Development Project.

The key objectives of the Fire Commissioner are:

- a. Eliminate all fire fighter deaths related to avoidable accidents and circumstances.
- b. Provide all fire fighters access to affordable basic fire fighter training.
- c. Provide awareness information to all elected officials of authorities having jurisdiction for fire departments with respect to support and resources that are required to uphold the commitments made to their respective fire protection district taxpayers, and their fire department personnel outlined in their *"Bylaw for Establishing and Operation of a Fire Department"*.

Note: No time lines can be determined for these actions as they would be subject to the concurrent activities of the Fire Services Liaison Group.

Appendix “E”

Workers Compensation Act - Excerpts and Summaries

Part 3 Division 3 - General **Duties** of Employers, Workers and Others

- [Policies](#)
- [Guidelines](#)
- [Search](#)
- [Top](#)

General **duties** of employers

115

(1) Every employer must

(a) ensure the health and safety of

(i) all workers working for that employer, and

(ii) any other workers present at a workplace at which that employer's work is being carried out, and

(b) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), an employer must

(a) remedy any workplace conditions that are hazardous to the health or safety of the employer's workers,

(b) ensure that the employer's workers

(i) are made aware of all known or reasonably foreseeable health or safety hazards to which they are likely to be exposed by their work,

(ii) comply with this Part, the regulations and any applicable orders, and

(iii) are made aware of their rights and **duties** under this Part and the regulations,

(c) establish occupational health and safety policies and programs in accordance with the regulations,

(d) provide and maintain in good condition protective equipment, devices and clothing as required by regulation and ensure that these are used by the employer's workers,

(e) provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace,

(f) make a copy of this Act and the regulations readily available for review by the employer's workers and, at each workplace where workers of the employer are regularly employed, post and keep posted a notice advising where the copy is available for review,

(g) consult and cooperate with the joint committees and worker health and safety representatives for workplaces of the employer, and

(h) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General **duties** of workers

116

(1) Every worker must

(a) take reasonable care to protect the worker's health and safety and the health and safety of other persons who may be affected by the worker's acts or omissions at work, and

(b) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), a worker must

(a) carry out his or her work in accordance with established safe work procedures as required by this Part and the regulations,

- (b) use or wear protective equipment, devices and clothing as required by the regulations,
- (c) not engage in horseplay or similar conduct that may endanger the worker or any other person,
- (d) ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,
- (e) report to the supervisor or employer
 - (i) any contravention of this Part, the regulations or an applicable order of which the worker is aware, and
 - (ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,
- (f) cooperate with the joint committee or worker health and safety representative for the workplace, and
- (g) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General duties of supervisors

117

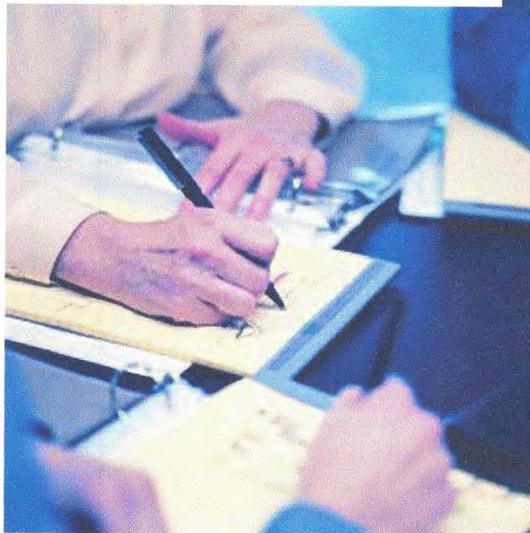
(1) Every supervisor must

- (a) ensure the health and safety of all workers under the direct supervision of the supervisor,
- (b) be knowledgeable about this Part and those regulations applicable to the work being supervised, and
- (c) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), a supervisor must

- (a) ensure that the workers under his or her direct supervision
 - (i) are made aware of all known or reasonably foreseeable health or safety hazards in the area where they work, and
 - (ii) comply with this Part, the regulations and any applicable orders,
- (b) consult and cooperate with the joint committee or worker health and safety representative for the workplace, and
- (c) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

INFORMAL SAFETY PROGRAM FOR SMALL BUSINESS



**Provided by:
Industry Services
Small Business**



PREFACE

“Due diligence” means to take all reasonable care in all circumstances of the workplace to protect the health and safety of all workers. This is the standard of care required to comply with the Occupational Health and Safety Regulation and orders made under the BC Workers Compensation Act and enforced by the WCB.

This program is designed to help you eliminate accidents and control potential hazards in your workplace. It will provide you with the tools to make accident prevention part of your standard operating procedures and to control the costs and suffering associated with workplace incidents. All or part of the provided material may have to be expanded and/or customized to meet the needs of your site.

*Note: The information in this document is applicable to most, but not all, small businesses. **It is not a substitute for the WCB Occupational Health and Safety Regulation.** You will need to refer to the Regulation for additional requirements that apply to your particular business.*

SAFETY PROGRAM

Policy Statement

The management of _____ will provide a safe and healthy workplace for all employees and others that may visit or enter our facilities. Our firm will establish a Health and Safety Program designed to prevent injuries and disease and hold it equal to other business values. We are responsible for providing the necessary instruction in health and safety and for addressing unsafe situations in a timely manner. All workers and service contractors are required to work safely and to know and follow our company rules for safe work

SIGNATURE OF MANAGEMENT

DATE

RULES AND PROCEDURES

General Site Rules, Safe Work Procedures and Job Rules will be written and posted in appropriate areas of the Site.

INSTRUCTION AND SUPERVISION

Employer/Supervisors will:

a) Orientation

Give general orientation to new workers and contractors prior to entering the workplace.

b) Instruction

Instruct workers in General Site Rules, Safe Work Procedures and Job Rules (e.g. safety headgear and safety footwear, guardrails/fall protection, WHMIS, etc.)

c) Training

Provide training in jobs requiring extra skill or knowledge as well as those with demonstrated higher risk of injury (e.g. manual handling). Equipment & machinery operators must demonstrate that they can do the job safely before being allowed to operate without direct supervision.

d) Supervision

Observe workers, work practices, and equipment operation and initiate corrective action when necessary.

e) Documentation

Keep a written record of instruction, training and corrective measures taken on the forms provided.

f) Safety Training

Ensure members of the joint committee or worker Health & Safety representative receive the required 8 hours of WCB approved training per year.

WORKSITE INSPECTIONS AND FOLLOW-UP

Ensure that Safety inspections of the work site are done on a regular basis by a supervisor or a worker representative knowledgeable with the work process. Identify all unsafe practices and conditions that could cause injury and take corrective measures to remedy all serious hazards or unsafe work practices immediately. All work site inspections should be recorded and copies of previous inspection reports are reviewed prior to each worksite inspection to ensure follow-up is done.

ACCIDENT/INCIDENT INVESTIGATIONS

All incidents that result in injury requiring medical treatment, any incidents of violence or incidents that could cause serious injury or death shall be investigated. A person knowledgeable with the work process shall carry out investigations with if reasonably available participation from the employer, supervisor or worker representative. Information shall be recorded on the form provided and supervisors or worker representative shall review the reports with all workers. The Prevention Division of WCB shall be notified immediately of any accident resulting in life threatening injury, death or any accident resulting from a major structural failure.

SAFETY MEETINGS/SAFETY COMMITTEE

Conduct regular monthly safety meetings with workers to review accident investigation reports and inspection reports. Review and discuss unsafe work practices, conditions and safety concerns by management and workers. Management will take action on all items discussed. A record will be kept of the meeting and action taken. A copy of the safety meeting minutes shall be posted for reference by workers.

WORKPLACE HAZARDOUS MATERIAL INFORMATION SYSTEM

Management will ensure that:

- a) All controlled products on site are identified with supplier or workplace labels.
- b) Material Safety Data Sheets (MSDS) for the products are up to date and made available to workers and the First Aid Attendant.
- c) All workers receive education and training to safely store, handle, use, or dispose of these products.

FIRST-AID

Management shall ensure that first-aid services, supplies and equipment as required by the Occupational Health and Safety Regulation, are available to workers on all shifts. Workers shall be instructed in the procedure for summoning first-aid. Workers shall promptly report all injuries to the first-aid attendant. A treatment record book shall be maintained.

HEARING CONSERVATION PROGRAM

Noises above 85 decibels, combined with long exposure can permanently damage hearing. The management shall ensure that:

- a) Noise is reduced or controlled at the source, where practical.
- b) Workers are informed about the noise hazard and the risk of hearing loss.
- c) Noise hazard signs are posted in areas, which require hearing protection.
- d) Hearing protective devices are provided to and used by all workers exposed to excess noise levels.
- e) Annual hearing tests are conducted for all workers exposed to excess noise levels.

RECORDS AND STATISTICS

The following records and statistics shall be maintained:

First-aid records, WCB inspection reports, accident/incident investigation reports, material safety data sheets, worksite inspection reports, safety meeting minutes, hearing test records, safety and health talk records, employee orientation forms, equipment log book and training records.

MANAGEMENT ACTIVITIES

Management shall:

- a) Lead by setting a good example.
- b) Participate in safety meetings and the safety committee (when applicable).
- c) Hold supervisors and workers accountable to maintain the Occupation Safety & Health Program.
- d) Set reasonable health and safety goals and objectives.

RESOURCES

For further useful information including example checklists and forms that can be used for managing health and safety in your business.

Visit the Small Business Health and Safety Center at
<http://smallbusiness.healthandsafetycentre.org/s/Home.asp>

Summary of Bill C-45

An Act to Amend the Criminal Code (Criminal Liability of Corporations)

Legislative History

Bill C-45 was passed by the House of Commons and Senate on October 30, 2003 and given Royal Assent on November 7, 2003. The amendments became law on March 31, 2004.

The Bill was referred to the Standing Committee on Justice and Human Rights after Third Reading for Committee review as is the customary practice. CCA had requested an opportunity to make submissions to the Committee as part of that review prior to Third Reading. The Committee, however, decided not to hold public hearings and immediately sent the Bill back to the House for swift passage.

Background: Rationale for the Proposed Amendments

The *Criminal Code* amendments outlined in Bill C-45 are in part a response to the findings of the Westray mining disaster public inquiry. On May 9, 1992, 26 miners died after an explosion at the Westray coal mine in Plymouth, Nova Scotia. A subsequent inquiry laid blame on Westray management and two provincial government departments.

The Westray experience brought attention to the current difficulty in finding criminal liability on the part of *corporations*, (see explanation below). It also contributed to a perceived need for a clear statement in the *Criminal Code* that wanton or reckless disregard for the safety of workers and the public at large in a workplace setting is a criminal offence.

Bill C-45 introduces amendments to the Criminal Code that amend the definition of "everyone" and "person" to include "an organization". It also establishes rules for attributing criminal liability to organizations, including corporations, for the acts of their representatives and also creates a legal duty for all persons directing work to take "reasonable steps" to ensure the safety of workers and the public.

Criminal Liability of Corporations

A corporation can only be convicted of a crime by attributing culpability to the corporation for the misconduct of individuals. The basic question becomes how high up, at what level of the corporate ladder, must individuals be before their actions or omissions and intentions can be said to be those of the corporation. Currently Canadian Courts employ an "identification" theory as the basis for determining the existence of corporate liability. This theory assigns criminal liability to a company when certain senior employees, namely the "directing minds" of the corporation, commit a crime. Case law has held that the only persons who can become a directing mind of the corporation are those individuals who exercise decision-making authority in matters of corporate policy.

The two necessary elements for a crime are the criminal act (*actus reus*) and the necessary mental intent (*mens rea*). Both must be present. However, rarely in modern corporations, especially large ones, do high-level corporate officials personally engage in the specific conduct or make the specific decisions that result in criminal acts such as criminal negligence (i.e. wanton or reckless disregard for the safety of others that results in bodily injury or death). As a result the two necessary elements rarely exist in the same "directing mind". They may,

however, create or contribute to a corporate environment where subordinate managers, supervisors and employees feel encouraged or even compelled to cut corners on health and safety, even in the face of legal prohibitions or official corporate policy.

The amendments seek, where the crime is one of criminal negligence, to base corporate criminal liability on the actions and the moral fault of the corporation as a whole. This would include the failure of managerial officers who reasonably ought to have known what was happening or who were not reasonably diligent in establishing or monitoring mechanisms for compliance with corporate policies.

The amendments also are intended to expand the class of persons capable of engaging the liability of the corporation to include individuals who exercise delegated, operational authority.

In summary, the Bill C-45 amendments respecting organizational criminal culpability have the following intent:

- To ensure that the attribution of criminal liability to corporations and other organizations is no longer dependent upon a senior member of the organization with policy-making authority (i.e. a “directing mind” of the organization), having committed the offence.
- In order to attribute the physical and mental elements of criminal offences to corporations and other organizations, **it will no longer be necessary to demonstrate both elements in the same individual.**
- The class of personnel whose acts or omissions can supply the physical element of a crime (i.e. *actus reus*) attributable to a corporation or other organization is expanded to include all employees, agents and contractors.
- For negligence-based crimes, the mental element of the offence (i.e. *mens rea*) will be attributable to corporations and other organizations through the aggregate fault of the organization’s “senior officers” (which include those members of management with operational, as well as policy-making authority).
- For crimes of intent or recklessness, criminal intent will be attributable to a corporation or other organization where a senior officer is a party to the offence, or where a senior officer has knowledge of the commission of the offence by other members of the organization and fails to take all reasonable steps to prevent or stop the commission of the offence. Where a subjective intent is required, the amendments make it a requirement that in order to prove that a “directing mind” or a person exercising operational authority formed the requisite intent for the commission of the crime and had the intention, at least in part, of benefiting the corporation.

Workplace Safety and the Criminal Code

With the Federal Government’s 11th hour passage in November of Bill C-45, some in the construction industry began predicting doom and gloom for construction company executives and managers. Their dire warnings remain that the effect of these amendments is to create a new criminal liability for workplace safety that could inflict severe criminal penalties on construction corporate executives and managers for workplace safety breaches.

The fact is that there is only one new provision dealing with workplace safety. It arguably does not introduce a new criminal offence related to workplace safety but simply clarifies that there is a legal duty on the part of those who direct the work of another to do so in a manner that is not criminally negligent.

The *Criminal Code* currently has the following provisions:

Criminal negligence	219. (1) Every one is criminally negligent who (a) in doing anything, or (b) in omitting to do anything that is his duty to do, shows wanton or reckless disregard for the lives or safety of other persons.
Definition of "duty"	(2) For the purposes of this section, "duty" means a duty imposed by law.
Duty of persons	217. Every one who undertakes to do an act is under a legal duty to do it if an undertaking acts omission to do the act is or may be dangerous to life.

Bill C-45 introduces new Section 217.1 as follows:

Duty of persons	2.17.1 Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task.
-----------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Section 217.1 creates an express legal duty for those who direct others in their work to take reasonable steps to prevent bodily harm to that person or any other person, arising from that work.

There is some confusion as to whether or not this provision clarifies an existing legal duty or in fact has the effect of introducing a new legal duty. In addition, there is some question as to whether or not it introduces a standard of expected care that is more akin to civil negligence, (i.e. "**reasonable steps**"), than criminal negligence, (i.e. **wanton or reckless disregard**).

The Federal Government in its November 2002 response to the report of the Standing Committee clearly states that it is not the intent to codify a new offence that is subject to a civil rather than criminal standard:

"The Government does not intend to use the federal criminal law power to supplant or interfere with the provincial regulatory role in workplace health and safety. At the same time, the Government believes that the criminal law can provide an important additional level of deterrence if effectively targeted at – and enforced against – companies and individuals that show a reckless disregard for the safety of workers and the public."

(Government Response to the Fifteenth Report of the Standing Committee on Justice and Human Rights, November 2002)

Furthermore, Mr. Macklin, the Parliamentary Secretary to the Minister of Justice, said this about the new Section 217.1:

"The importance of having such a duty in the Criminal Code is that if there is a breach of that duty, wanton and reckless disregard for the life or safety of people, and injury or death results from that breach, a person can be convicted of criminal negligence causing death which is

punishable by up to life imprisonment, or criminal negligence causing bodily harm, which is punishable by up to 10 years imprisonment." (underlining added)

In short, the legislative intent would appear to be to make it clear that the criminal negligence provisions in the *Criminal Code* do in fact apply to a workplace setting. In addition, the intent would appear to be to hold this new/clarified legal duty to the same criminal negligence standard, i.e. wanton or reckless disregard, and not simply some provincial due diligence standard.

Penalties

Organizations cannot be imprisoned and so the *Criminal Code* provides for fines. The proposed legislation increases the maximum fine on an organization for a summary conviction from \$25,000 to \$100,000. There are no maximum fines established for indictable offences. The Bill proposes no change.

CCA's Response

Due to concerns expressed by some that the amendments created a *new* criminal liability which simply duplicated provincial workplace safety legislation, CCA wrote to the Minister of Justice seeking assurances as to the intent and effect of these amendments. In short, CCA wanted to make sure that failure to achieve provincial due diligence standards with respect to provincial workplace safety legislation would not become a criminal act under the new amendments.

A response was received from the Minister of Justice in a letter dated April 8, 2004. It clearly states that the amendments are not intended to create new offences or to make breaches of provincial workplace safety laws a criminal offence. A crime results only where the person responsible is criminally negligent, i.e. has demonstrated a wanton and reckless disregard for the lives and safety of others.

This was the response CCA had anticipated based upon its initial review of the amendments.