

Verdict at Coroner's Inquest

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST

INTO THE DEATH OF
GRAMLICH, Theodore Joseph

Pursuant to Section 3(2)(d) of the Coroners Act, we the jury submit the following recommendation(s) to the Chief Coroner for the Province of British Columbia for distribution to the appropriate person.

Recommendations

To Tanner Elton, CEO/Executive Director

1. We recommend the BC Forest Safety Council fast track the "Safe Certified Company" Program.
2. We recommend a "Supervisor Certification" Program be designed and implemented.
3. We recommend Safety Program Standards and Prime Contractor hiring Standards be established for hand falling sites.
4. We recommend that site specific program standards for hand falling logging sites include but not be limited to:
 - a) That when an evacuation plan requires a helicopter, a formal arrangement be required with a helicopter company including the requirement to verify that helicopters are available and able to fly at the start of each work day and notification if that availability changes.
 - b) A faller's partner and the designated first aid attendant be familiar with the access route to every faller's block.
 - c) A safety meeting be held to review the safety program whenever a new worker arrives on site and/or whenever newly designated areas are worked.
 - d) That hand falling should not commence until all required personal protection equipment identified in the safety plan has been transported to a faller's work site.
 - e) Two items of communication equipment which have the capability of speaking directly to the helicopter pilot providing evacuation to injured workers be on site, with one bring in possession of the designated first aider.
 - f) A reminder that Worker's Compensation board can be contacted as an educational resource.
5. We recommend that all BC Forest Safety Council Training Standards be exposed to the public as soon as possible after design and acceptance by the Council.

6. We recommend that a protocol be devised to ensure awareness between licensee/landowner and all other phases of activity by other companies within a 5 mile radius.
7. We recommend that supervision standards for hand falling logging sites include but not be limited to:
 - a) Daily supervision of workers to be performed.
 - b) Minimum intervals for inspections of inexperienced and experienced fallers.
 - c) Shorter intervals when unsafe work practices have been noted.
 - d) Progressive discipline and actions if performance does not improve.
 - e) Clearly designated alternate supervisors in the absence of the prime contractor, with all workers at the worksite made aware.
 - f) That every prime contractor receiving a report of perceived substandard falling practices, act immediately to correct the worker's practice.
 - g) That where substandard practice is identified and not addressed in an owner/operator limited company, the supervisor shall suspend the owner/operator company and notify the Worker's Compensation Board.
8. We recommend that Prime Contractor Hiring Standards for hand falling logging sites include but not be limited to:
 - a) Landowners and licensees investigate proposed prime contractors for safety background, capability, and previous experience as a prime contractor.
 - b) Upon implementation of the "Safe Certified Company" program, all Prime Contractors must be certified as such.

To Paul J. McElligott, President and CEO
TimberWest Forest Corp.

9. That all current Quality Control inspectors receive basic training on the recognition of acceptable falling practices and be required to report any perceived substandard falling practices in writing to the prime contractor and their contract manager.
10. That consideration be given to developing Safety inspectors.
11. That the bid process include a budget that differentiates the amount set aside for safety.
12. That contract managers make frequent and scheduled visits to check on compliance with safety standards.

13. That the contract manager or designate shall perform a site inspection of new prime contractors within one week of commencement of operations. This inspection shall adjudicate best practices related to health and safety.

To Honourable Olga Ilich

Minister of Labour and Citizen's Services

14. That the language and definitions of the Worker's Compensation Act as it relates to owners and timber tenure licensees, supervisors and prime contractors be clarified to address the specified issues of the forest industry.
15. That the regulations under the Worker's Compensation act be reviewed with respect to the issues of the health and safety of workers as it relates to single employee companies.

To Honourable Olga Ilich

Minister of Labour and Citizen's Services

And

To Douglas Enns, Chair

Worker's Compensation Board

16. That minimum first aid services and equipment be withdrawn from guidelines and be once again governed by regulation.
17. That funding be supplied to the BC Forest Safety Council in a sufficient amount to fast track the "Safe Certified Company" program.
18. We recommend that the following site specific safety program components become regulations:
 - a) That when an evacuation plan requires a helicopter, a formal arrangement be required with a helicopter company including the requirement to verify that helicopters are available and able to fly at the start of each work day and notification if that availability changes.
 - b) A faller's partner and the designated first aid attendant be familiar with the access route to every faller's block.
 - c) A safety meeting be held to review the safety program whenever a new worker arrives on site and/or whenever newly designated area are worked
 - d) That hand falling should not commence until all requires personal protection equipment identified in the safety plan has been transported to a faller's work site.

- e) Two items of communication equipment which have the capability of speaking directly to the helicopter pilot providing evacuation to injured workers be on site, with one bring in possession of the designated first aider.
- 19. That the Worker's Compensation Board increase inspection, enforcement and education in high risk industries like forestry to the volume established during the compliance enforcement campaign of 2006.
- 20. That the Worker's Compensation Board enforce compliance with the regulations ensuing the prime contractors deliver the notice of project to the WCB and post the notice of project on site with a copy of said notice delivered to licensee/landowner prior to work commencing.
- 21. That the Worker's Compensation Board publish trends found in comparisons of death investigations.
- 22. With evidence illustrating a down loading trend related to safety and health, we recommend a publicity campaign to educate the workforce on the responsibilities of licensees/landowners, prime contractors, contractors, and subcontractors. We also call upon the WCB to enforce compliance of these licensee/landowner, prime contractor, contractor and subcontractor responsibilities.

To Chief Coroner Terry Smith

- 23. That an autopsy shall be performed on all workplace fatalities to determine a definitive medical cause of death.