

# **The Precautionary Principle and How It Applies To COVID-19**

## **Part III - Summary Sheet**

March 2021

### **1. What is the Precautionary Principle and Why is it Important:**

- **It is a legal requirement under the OHS Regulations** and the interpretive OHS Guidelines in BC.
- **The highest level of safety (hazard and risk) controls should be used** until there is definitive evidence that such controls are not required.
- **Precautionary measures should be taken even if cause-and-effect relationships are not fully established scientifically.**
- **Adopt and implement provisional (interim) precautions covering all routes of transmission, based on a higher level of protection** despite the identity, causation or routes of transmission of the biological agent have not been established.

### **2. The *Workers Compensation Act*, OHS Regulations, Policy and Guidelines (non-exhaustive list):**

#### **2.A. Sections of the *Workers Compensation Act*:**

- 14 Purposes of the OHS provisions
- 21 General duties of Employers
- 22 General duties of Workers
- 23 General duties of Supervisors
- 36 Duties and functions of joint committee
- 37 Joint committee procedure (Terms of Reference / Rules of Procedure)
- 48 Worker protection from prohibited action

## **2.B. Sections of the OHS Regulations (also see the related Guidelines):**

- 3.5 General requirement
- 3.8 Participation of the Committee or Representative
- 3.9 Remedy without delay
- 3.10 Reporting unsafe conditions
- 3.12 Procedure for refusal
- 3.13 No discriminatory action
- 3.22 Definitions
- 3.23 Young or new worker orientation and training
- 3.24 Additional orientation and training
- 3.25 Documentation
- 3.28 Participation by employer or representative of employer and worker representative
- 5.82 to 5.84 Employer, worker and supervisor responsibilities
- 5.60 to 5.70 Chemical Agents and Biological Agents – Ventilation
- 6.33 Precautionary principle
- 6.34 Exposure control plan

## **3. How Does the Precautionary Principle Apply to COVID-19 Safety Plans (WorkSafeBC, Health Authority, Ministry, Employer, etc.):**

- **“WorkSafeBC requires employers to continually assess the risk of COVID-19 transmission at their workplaces and to apply controls to control that risk.** The process for assessing risk in the workplace and selecting appropriate controls is outlined in the COVID-19 Safety Plan. **Employers need to stay vigilant** and ensure their COVID-19 Safety Plans are understood and being followed through **effective training and supervision.**”
- **Three key requirements** arising from the bullet above are:
  - **Assessment of hazards and risks is ongoing and not a one-time event or process.**
  - **Controls of the hazards and risks must be continuously applied.**
  - **Employers must stay vigilant.**