



WORKING TO MAKE A DIFFERENCE

BOARD OF DIRECTORS  
Douglas J. Enns, Chair

David Anderson  
Stephen Hunt  
Peter Morse

Terry Brown  
Roslyn Kunin  
Arlene Ward

2006/07/25-01

THE WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

RESOLUTION OF THE BOARD OF DIRECTORS

RE: Amendments to requirements of the *Occupational Health and Safety Regulation* (B.C. Reg. 296/97, as amended), pertaining to safety-engineered needles

DEPOSITED  
AUG 29 2006  
B.C. REG. 241/2006

WHEREAS:

Pursuant to section 225(1) of the *Workers Compensation Act*, R.S.B.C. 1996, c. 492 and amendments thereto ("*Act*"), the Workers' Compensation Board ("WCB") may make regulations it considers necessary or advisable in relation to occupational health and safety and occupational environment;

AND WHEREAS:

Sections 6.33 and 6.36 of Part 6 of the *Occupational Health and Safety Regulation* ("*OHSR*") contain substance specific requirements for biohazardous materials;

AND WHEREAS:

A review of the regulatory requirements within Part 6 was conducted in response to a request from health care sector unions to amend the *OHSR* to add a new requirement for the use of safety-engineered needles in all workplaces.

AND WHEREAS:

The WCB, pursuant to its mandate under the *Act*, has proposed amendments to sections 6.33 and 6.36 of Part 6 of the *OHSR*, and has given notice of the proposed amendments and held public hearings on the proposed amendments in accordance with section 226(1) of the *Act*;

AND WHEREAS:

The Board of Directors, after due consideration of all presentations to the WCB, considers it necessary and advisable in accordance with the WCB's

Mailing Address  
PO Box 5350 Stn Terminal  
Vancouver BC V6B 5L5

Location  
6951 Westminster Highway  
Richmond BC V7C 1C6

Telephone 604 279-7594  
Fax 604 279-7492  
worksafebc.com

mandate under the *Act* in relation to occupational health and safety and occupational environment, to amend sections 6.33 and 6.36 of Part 6 of the *OHSR*;

**AND WHEREAS:**

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

**THE BOARD OF DIRECTORS RESOLVES THAT:**

1. The regulatory amendments to the *OHSR*, as set out in Appendix A, are approved.
2. The Regulatory Criteria Checklist in Appendix B is approved.
3. The above regulatory amendments will be deposited with the Registrar of Regulations in such form as may be required by the Registrar.
4. The above regulatory and policy amendments come into force January 1, 2007.

DATED at Richmond, British Columbia, July 25, 2006.

**By the Workers' Compensation Board**



---

**DOUGLAS J. ENNS, CHAIR  
BOARD OF DIRECTORS**


**THE BOARD OF DIRECTORS RESOLVES THAT:**

- 1 *Section 6.33 of the Occupational Health and Safety Regulation, B.C. Reg. 296/97, is amended*
  - (a) *in the definition of “occupational exposure” by striking out “duties.” and substituting “duties;”, and*
  - (b) *by adding the following definition:*

“safety-engineered needle” includes a self-sheathing needle device and a retractable needle system.
  
- 2 *Section 6.36 is amended*
  - (a) *in the marginal note by striking out “Control procedures” and substituting “Controls”, and*
  - (b) *by repealing subsection (1) and substituting the following:*
    - (1) Engineering controls and work practice controls must be established to eliminate or minimize the potential for occupational exposure to a bloodborne pathogen or other biohazardous material.
    - (1.1) On and after January 1, 2008, when a hollow-bore needle is used in a workplace to access a vein or artery for the purpose of collecting blood or caring for or treating a person, the employer must ensure that
      - (a) if it is clinically appropriate, a safety-engineered needle that provides the highest level of protection from a needlestick injury is used, or a needleless device is used in place of a hollow-bore needle, and
      - (b) safe work procedures and practices relating to the use of those safety-engineered needles or needleless devices are implemented.
  
- 3 *The above amendments come into force on January 1, 2007.*

***Dated at Richmond, British Columbia, July 25, 2006.***

***By the Workers' Compensation Board***

  
\_\_\_\_\_  
**DOUGLAS J. ENNS, CHAIR  
BOARD OF DIRECTORS**