

## FARSHA can help

The Farm and Ranch Safety and Health Association (FARSHA) works to raise awareness of farm safety and health issues.

We provide literature, videos, presentations, training, and other guidance. Many of our services are also available in Punjabi or Spanish.

FARSHA has other information on health and safety in agriculture, including:

- Brochures for new worker orientations, with training checklists for any commodity
- *FARSHA Explains BC's Workers' Compensation System and BC's Health and Safety Laws* (in English)
- *Farm Labour Contractors – What You Must Do* (information especially for farm labour contractors, in Punjabi or English)

FARSHA can also help you find other important information, such as:

- *Farm Vehicles on the Move* (a publication of ICBC)
- *Seat Belts* (a guideline from WorkSafeBC)

When WorkSafeBC makes changes to the requirements, FARSHA can provide you with accurate, plain-language explanations. We can help you adjust your health and safety efforts to remain in compliance.

For more information, or to receive a FARSHA Resource Material Catalogue in DVD form, please contact us:

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Your local FARSHA consultant is:



**This brochure explains the requirements in British Columbia for transportation of workers.**

**This brochure is for all farm labour contractors.**

**This brochure is also for all other agricultural employers who transport workers (berry farm, greenhouse, nursery, or any other).**

**This brochure covers workers who are employed directly by a farm, or by a farm labour contractor, or through the Seasonal Agricultural Worker Program (SAWP). This brochure covers transportation of workers to and from the workplace, or from one part of an agricultural workplace to another.**



**Farm and Ranch Safety and Health Association**

## Why is this important?

Did you know? In a recent five-year period, some 135 BC farm workers have been injured or even killed while being transported to and from their work!

A collision with another vehicle or a single-vehicle crash can affect a number of people in a matter of seconds. **Twelve** multiple-victim crashes accounted for 83 of these injury or death claims.

Workers standing near a vehicle (during loading or unloading) have also been struck or run over; and workers have even been injured because the vehicle was moved suddenly before everyone had time to be seated or to fasten their seatbelts. These tragedies are **preventable** – with greater attention to appropriate vehicle choice, competency of drivers, vehicle maintenance, seat belt use, and other factors that are **within your control**.

These injuries – and a number of deaths – have caused grief and hardship to many families. They have also increased the costs to all employers registered with WorkSafeBC.

As you can see from the numbers, this is an unacceptable situation. Workers face very high risks, just being transported to and from their work. You are expected to meet many legal obligations and requirements – and the penalties can be very serious for anyone who has not met their obligations. Do you know if **you** have met all the requirements?

**Do you wonder if you should be doing more?**

## What is FARSHA? How can we help?

The Farm and Ranch Safety and Health Association (FARSHA) can help you set up an occupational health and safety program that's appropriate to your workplace and that meets the requirements of WorkSafeBC. We can suggest practical ways of reducing the hazards faced by your workers in all areas of agriculture.

And, even though the commercial vehicle requirements are not our area of specialty, we can help with some general guidance. And we will provide you with the resource information you'll need to meet these requirements, too.

## What are the requirements?

All employers must meet the requirements of the *Workers Compensation Act* and the *Occupational Health and Safety Regulation (OHSR)*. An entire section of the *OHSR* (Part 17) is devoted to transportation of workers. These requirements are administered and enforced by WorkSafeBC.

All drivers and vehicle owners in BC must meet the requirements of the *Motor Vehicle Act* and *Motor Vehicle Act Regulations*.

Depending on the circumstances, you may **also** be considered to be a commercial carrier. This will mean that your drivers are commercial drivers, and your vehicles must be certified, inspected, and insured as commercial vehicles. These requirements are enforced by the Commercial Vehicle Safety Enforcement Branch of the provincial Ministry of Transportation.

# How to transport workers – safely, efficiently, and in compliance with the laws

## Choose the right vehicle for the job

We expect a lot from worker transportation vehicles! They have to be capable of driving on both freeways and rough field roads (manageable, highly visible, sturdy, and reliable), capable of carrying people safely (one seat and one seatbelt per person, emergency exits, etc.), easy to maintain, and cost-efficient.

The 15-passenger van has commonly been used for worker transportation in BC – but there have been problems. These vehicles are extremely unstable, even when loaded at less than capacity. (They are deadly when **overloaded**.) In addition, they crush easily in a collision. For these reasons, FARSHA strongly encourages you not to use 15-passenger vans for worker transportation. They are not suitable for this purpose without major limitations (slow speeds only, half-capacity loads, or the addition of dual rear axles for better stability).

Choose the right vehicle for transporting workers. Do not try to “make do” with something that puts workers’ lives at risk or your business on the line.

FARSHA’s consultants can provide you with more information on the vehicle requirements.

## Equip and maintain the vehicle appropriately

Having chosen the right vehicle for the job, be sure that it’s equipped as required, including:

- An A-B-C fire extinguisher (of at least 5-pound capacity), positioned to be easy to reach in an emergency, but secured so it cannot come loose or be activated unintentionally
- In almost all circumstances, a Level One first aid kit (and a Level One first aid attendant)
- A seat and working seatbelt for each person.

Do not make unauthorized or unsafe modifications to any worker transportation vehicle.

Establish a realistic schedule for regular preventive maintenance of all vehicles to avoid costly interruptions of service.

## Understand your legal duties and responsibilities, as an employer

For your workplace health and safety efforts to be considered “duly diligent,” they must be what a reasonable person would consider appropriate in the situation – **and** you must be able to **demonstrate** that they have been done.

FARSHA strongly recommends you keep written records of all your health and safety efforts – especially those related to transportation of workers.

It’s important to be familiar with the laws that apply – and FARSHA can help you with this. We can work with you, and your managers or supervisors, to ensure everyone understands their legal duties and responsibilities.

FARSHA’s health and safety program will guide you through key management activities – everything from worker supervision and training, to establishing schedules for regular workplace hazard inspections.

## Adopt policies and procedures – and stick by them

Policies and procedures can be useful tools for you, as you **choose** the way you want work to be done in your operation. Policies and procedures guide supervisors and workers, clearly state your expectations, and can be used when training new workers.

Adopt a policy on safe transportation of workers – lay out maximum hours of work for drivers; maintenance schedules for all vehicles; seat belt use; and so on. Develop procedures and checklists for pre-trip inspection of vehicles; loading and driving practices; prompt correction of hazards; and more. Establish realistic transportation schedules, and encourage drivers to use good judgment and drive safely. Do not allow anyone to cut corners, for any reason.

Ensure that everyone sticks by the policies and procedures that you’ve set.

## Choose the right driver for the job

When you assign a worker or supervisor to transport other workers for you, this is a big responsibility.

**Any vehicle you use in the course of business that can carry 11 or more people (including the driver) must be licensed as a commercial vehicle, and the driver must carry a commercial driver’s license.**

Choose someone with a good driving record (request and keep on file the driver’s abstract).

Choose someone who has been trained in all the requirements for a commercial driver’s license.

Choose someone who demonstrates their ongoing competency in all demands of the job, including driving skills, good judgment, and safe conduct on the road.

Choose someone who is both able and willing to do a thorough vehicle inspection before every trip, keep the necessary records, follow the requirements for hours of work, and follow all the other laws that apply when transporting workers.

In short – choose the right driver for the job.

## Carry correct insurance and certifications

As an employer and business owner, you carry insurance in case of loss: workers’ compensation insurance, vehicle insurance, and so on.

Be sure that your vehicle insurance is appropriate to the way you use your vehicles – and be sure to use your vehicles only for the purpose they are insured for!

Vehicles used for commercial purposes must carry an up-to-date inspection sticker, and you as the vehicle owner must have a commercial carrier’s certificate.

If any part of these requirements is not clear, FARSHA can direct you to the right people to answer your questions.

## Educate and supervise all drivers to ensure they follow procedures

The person who drives a worker transportation vehicle takes on a very big responsibility – the willingness to get familiar with and follow a wide range of requirements and safe work practices. These include:

- **Pre-trip inspections.** The tires must show the correct pressure and good condition, all lights must be functional and clean, wiper blades must be in excellent condition, fuel and other liquid levels must be good, the brakes must be good, and so on. The driver must record all pre-trip inspections, note any problems, and be willing to take a hazardous vehicle out of service rather than drive it, if necessary.
- **Loading procedures.** The weight must be evenly distributed on both sides of the vehicle, and concentrated towards the front. If any gear or equipment is carried, it must be secured. No hazardous materials can be carried with passengers in a worker transportation vehicle.
- **Procedures for picking up or dropping off, or when driving near people standing or working.** Every person must be clear of the vehicle, and visible to the driver before the vehicle can be moved.
- **Hours of work.** All commercial drivers must follow the hours of work requirements, and not drive after 14 hours (of **any** work or on-duty activity). Commercial drivers (and employers) must record hours.
- **Seating of passengers.** The driver is responsible for ensuring that every person in the vehicle is seated and wearing a seatbelt – before the vehicle can move.
- **Driving skill.** The driver must have the level of skill required for a commercial driver’s license.
- **Driving judgment.** Good driving depends on good judgment. Everything – from the moment of the pre-trip inspection to all the decisions about speed, changing lanes, wearing sunglasses, or switching on the windshield wipers – everything comes down the driver’s good judgment.

**FARSHA consultants can provide more information on all of these points and more. Contact us!**