Month In Review – British Columbia



LAWS & ANNOUNCEMENTS

Workplace Harassment

Sep 15: Due to the upcoming provincial elections, WorkSafeBC temporarily suspended public consultations on new Occupational Health and Safety psychological safety rules until further notice. The proposed Regulations require employers to implement workplace harassment and violence programs that include written policies and procedures for dealing with harassment and violence, training workers on the risks, recording incidents, and implementing or modifying control measures to eliminate or minimize risk of recurrence.

Action Point: Find out how to implement an effective Workplace Violence & Harassment Compliance Game Plan at your site.

PPE

Sep 15: WorkSafeBC paused consultations on proposed personal protective equipment (PPE) OHS amendments due to the provincial elections. The rules require employers to ensure that PPE properly fits and is as comfortable as practicable based on the worker's characteristics and workplace conditions. In selecting required PPE, employers must consult

with the joint health and safety committee or safety representative, as well as a "representative sample of the workers" required to use the PPE.

Action Point: Find out why standard PPE leaves women workers exposed to injury risk and how to implement a strategy for ensuring that the PPE you select is suitable to workers of all sexes and body types, which will be crucial under the new OHS requirements.

Airborne Contaminants

Sep 3: WorkSafeBC published its biannual list of new or revised Exposure Limits based on recent changes to American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values (TLVs), which affect seven substances: 1,4-Dichloro-2-butene; Diethyltoluamide (DEET), Inhalable Fraction & Vapour; Dimethyl carbamoyl chloride; Ethyl butyl ketone; Nitric acid; Nitric acid, Inhalable Fraction & Vapour; and o-Toluidine.

Action Point: Find out how to implement a legally sound Airborne Contaminant Exposure Control Plan at your workplace.

Respiratory Protection

Nov 6: That's the date that revised OHS requirements for use of tight-fitting respirators are scheduled to take effect. The new rules eliminate the term "clean shaven" and replace it with new language requiring employers to ensure that nothing is allowed to intrude between the skin of a worker's face or neck and the respirator seal, or otherwise interfere with the proper functioning of the respirator.

Action Point: Requiring workers who use tight-fitting respirators to be clean shaven can expose you to discrimination liability risks when shaving would violate a worker's religion. Find out more about workers' rights to

safety policy exemptions and other reasonable accommodations and how far you must bend PPE rules to accommodate workers' religion.

Fire Safety

Oct 1: The British Columbia FireSmart Community Funding and Supports (FCFS) program opened its intake for 2027 offering local governments and First Nations across the province $15 million to support community wildfire preparation, response, and resilience projects. Deadline to apply: December 31.

Emergency Response

Sep 11: British Columbia is providing up to $5 million in Next Generation 911 (NG911) funding to help municipalities in the province transition from local 10-digit emergency numbers to standard three-digit 911 calling. Funding will cover one-time technical, contractual and co-ordination work needed to enable the transition.

Transportation Safety

Oct 19: BC drivers with Class 7 novice or Class 7, 8 novice licences and clean driving records no longer have to take second road tests to get Class 5 licences with restrictions. Instead, they'll undergo a Driving Record Assessment demonstrating safe driving and eligibility to upgrade from novice status. Unsafe behaviours like convictions for speeding and electronic device use, will result in re-starting the "novice" period. Drivers who pass the assessment will be eligible to move to a Class 5 licence after a 12-month restricted period.

Transportation Safety

Sep 10: Insurance Corporation of British Columbia (ICBC) is replacing 140 aging safety cameras at high-risk intersections

across the province. RoadSafetyBC reports that driver red-light infractions have decreased 13% at intersections where the cameras are in use during the past five years. Serious crashes, including side-impact, head-on and pedestrian crashes have also declined during that period.

Action Point: Find out how to create a Safety Policy for Business Travel to Dangerous Locations.

Industry Challenges

Sep 22: British Columbia reports that its new mineral exploration permits system is working. Since the fixed permitting timelines framework took effect in April 2026, every permitting target timeline has been met, with the first permits issued ahead of schedule. Since the Mineral Claims Consultation Framework (MCCF) was introduced in March 2025, approximately 80% of all applications received have been processed, while median approval time has decreased by approximately 8%.

New Laws

Sep 18: British Columbia announced new measures to support businesses impacted by the Trump tariffs: i. Addition of $30 million to the BC Manufacturing Jobs Fund to help businesses invest in new equipment, technology, and infrastructure; ii. Addition of $30 million to the Integrated Marketplace initiative to technology companies commercialize and bring new technologies to market; and iii $15 million to expand the BuyBC program beyond agriculture.

Action Point: Take 7 steps to ensure U.S. tariffs don't compromise your OHS program.

New Laws

Sep 8: British Columbia businesses facing tariff-induced

liquidity problems can now apply to Pacific Economic Development Canada (PacifiCan) for non-repayable Regional Tariff Response Initiative (RTRI) support of up to $3 million, including up to $2 million for liquidity support and up to $1 million for pivot projects. Repayable support over $1 million is also available for businesses undertaking larger transformation projects.

New Laws

Oct 1: With the U.S. trade war heating up, British Columbia paused its planned expansion of the Provincial Sales Tax (PST) to professional services. The measure will save affected businesses, local governments, and residents in the province an expected $260 million in 2026-27.

New Laws

Oct 15: October 15th is the deadline for northern British Columbia businesses to apply to the new Business Diversification and Sustainability (BDS) program for grants of up to $200,000, covering as much as 75% of project costs to purchase equipment, adopt new technology, expand markets, introduce new products or services, or increase productivity.

New Laws

Oct 19: October 19th is the last day for organizations to apply for 2026-27 Inclusive Communities Grants Program grants of up to $5,000 per project. Grants are available to non-profits based in British Columbia for projects designed to foster inclusion, reduce racism, and strengthen multicultural understanding.

Privacy

Aug 31: The BC Office of Information and Privacy Commissioner

(OIPC) published new guidance to help public bodies, organizations, and individuals identify and guard against identity theft and manage risk of liability under applicable privacy laws.

Action Point: Find out more about how privacy laws affect workplace safety.

New Laws

Sep 4: PacifiCan announced an investment of over $11 million for 10 businesses and organizations across Northern B.C. in key industries affected by global trade disruptions, including advanced manufacturing and forestry. The money will help communities in the region navigate current trade challenges, build skills, and achieve long-term growth.

New Laws

Aug 6: Newly effective *Employment Standards Act* (ESA) regulations amendments allow employees to take up to 24 months of combined reservist leave in a 60-month period for military skills training, deployment for Canadian Armed Forces operations, and pre- or post-deployment activities. Under previous rules, reservist leave for training was limited to 20 days per year.

Workplace Violence

Sep 18: Exactly a year ago, British Columbia received an independent report (the Stanton Report) listing 21 recommendations for improving the province's legal system to better support victims of intimate partner and sexual violence. The Attorney General now reports that progress has been made in implementing 19 of those recommendations. The government plans to introduce new legislation to establish a mechanism to co-ordinate justice system reforms and improve safety for victims and survivors.

Action Point: Domestic and intimate partner violence becomes an OHS compliance issue when it happens at the victim's workplace. Find out how to implement an effective Workplace Domestic Violence Prevention Plan to protect your own workers.

Environmental

Sep 21: BC is investing nearly $27 million in 17 industrial decarbonization projects. The Clean Industry Fund money will help industrial operators reduce emissions, improve efficiency and strengthen competitiveness. The projects are located throughout the province, including Vancouver Island, the Lower Mainland, the Interior, the Kootenays, and northeastern BC.

CASES

Workplace Violence: BC Sues OpenAI for Failing to Prevent Tumbler Ridge Massacre

The Government of British Columbia filed a lawsuit against OpenAI for its alleged role in failing to prevent last February's Tumbler Ridge mass shooting tragedy. The lawsuit claims that OpenAI's internal safety team flagged the shooter's violent ChatGPT chats in June 2025 and suggested calling the police but that company leaders rejected the idea choosing only to deactivate the shooter's account. Although OpenAI's CEO later issued an open letter of apology promising safety changes, the province claims that the company hasn't followed through. In addition to money damages to support the victims and build a new school, BC is seeking court orders that would force OpenAI to change the way it handles violent threats on ChatGPT [*British Columbia v OpenAI*, Govt. Press Release, September 21, 2026].

Action Point: The takeaway from the *OpenAI* case is that companies may have a legal duty to protect third parties that

they know face an imminent risk of violence. That includes not only AI providers and social media platforms but also employers. Find out how to perform a Workplace Violence Compliance Audit to uncover potential blind spots in your prevention program.

Workplace Harassment: Employer Can't Prove that Fired Nurse Committed Harassment

After suspending her twice, a long-term care facility terminated a nurse for allegedly harassing colleagues, creating a stressful work environment, and similar conduct-related offences. But the British Columbia arbitrator said there wasn't enough evidence to support the charges. The evidence suggested that the nurse did her job well and was "very nice to the residents." There were no written harassment complaints against her—while some coworkers found her difficult to work with, they stopped short of accusing her of harassment or abuse. Not having a written harassment policy did little to help the employer's case. As for remedy, since the nurse didn't want to be reinstated, the arbitrator ordered a hearing to determine how much money the facility would have to pay her in damages [*Select Senior Services Ltd. (Lakeshore Care Centre) v Hospital Employees' Union*, 2026 CanLII 92311 (BC LA), August 28, 2026].

Action Point: *Select Senior Services* is an important reminder of the importance of implementing a Workplace Violence and Harassment Compliance Game Plan at your workplace that provides for investigating complaints and objectively and reasonably assessing the findings in deciding on discipline.

Material Handling: Prime Contractor Fined

$30,000 for Compressed Gas Cylinder, Other Violations

This firm was the prime contractor for the construction of an apartment building. WorkSafeBC slapped a prime contractor with $29,809 in administrative monetary penalties after observing multiple OHS violations at an apartment building construction site. Cited violations included failure to ensure elevated work areas had guards or guardrails on, stairs had handrails, compressed gas cylinders were secured and kept upright, and entry points to confined spaces were secured [*Amacon Construction Ltd*.].

Action Point: Implement an effective Compressed Gases Safety & Compliance Game Plan at your workplace so this doesn't happen to your company.

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2025

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