

# OHS Laws Aren't Too Complex to Expect Compliance with Them



WorkSafeBC penalized an asbestos abatement company, its owner and his son for various OHS violations. The defendants failed to comply with an order barring them from violating the OHS laws as to the asbestos requirements. WorkSafeBC asked the court to hold them in contempt, but it refused, ruling that it was 'a practical impossibility' for the defendants 'to know with any clarity what it is they are to refrain from doing.' The Court of Appeal disagreed. Although the OHS laws 'may have some complexity, the persons to whom they apply voluntarily engage in a business for profit in a highly regulated area, and do so on the understanding that they must comply' with such laws. Requiring familiarity and understanding of legal requirements for workplace safety from voluntary industry participants isn't an impermissibly onerous requirement. Moreover, the defendants aren't expected or required to be aware of every section of the OHS laws'they're expected and required to be aware of only those provisions that apply to the industry in which they voluntarily participate [*Workers' Compensation Board of BC v. Seattle Environmental Consulting Ltd.*, [2017] BCCA 19 (CanLII), Jan. 13, 2017].