



## Working Alone Policy

Department of Sociology

The purpose of this policy is to ensure the safety of the worker, and is required for compliance with WorkSafeBC Regulations on Working Alone (4.2).

Workers are required to work only within their regular working hours as established by the worker's supervisor. These hours are expected to be established according to times when other employees are working alongside or in the vicinity of the worker.

If there is a need for the worker to work alone, procedures must be followed, for compliance with WorkSafe BC regulations. Prior to initiating working alone or in isolation, the supervisor must perform a detailed risk assessment in consultation with the worker(s) and submit a safe work alone plan to the local safety committee for review and approval.

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*The following is an excerpt from WorkSafeBC. (There is also a handbook online via worksafebc.com titled "Working Alone: A Handbook for Small Business" which you may want to refer to.)*

### WorkSafeBC - Guidelines Part 4 - Working alone or in isolation

G4.20.1 Definition of working alone or in isolation

Issued February 1, 2008; Editorial Revision November 20, 2008

#### Regulatory excerpt

Section 4.20.1 of the *OHS Regulation* ("Regulation") states:

In sections 4.20.2 to 4.23, "to work alone or in isolation" means to work in circumstances where assistance would not be readily available to the worker

- (a) in case of an emergency, or
- (b) in case the worker is injured or in ill health.

#### Purpose of guideline

The purpose of this guideline is to provide information on when a worker is considered to be working alone or in isolation. This includes criteria for determining if a worker has assistance that is readily available.

#### Application

The requirements of sections [4.20.2 to 4.23](#) are intended to safeguard workers, as defined in the *Workers Compensation Act* ("Act"), who are assigned to work alone or in isolation. If an individual who is assigned to work alone or in isolation does not fall under the definition of a "worker" then the requirements do not apply. In addition, the requirements only apply when assistance is not readily available to the worker in the event of an emergency, injury, or illness.



### **Assistance that is readily available**

A worker is considered to be working alone or in isolation when he or she does not have assistance that is readily available in case of emergency, injury, or ill health. In order to determine whether or not assistance is readily available, the following conditions should be considered:

- Presence of others: Are other people in the vicinity?
- Awareness: Will other persons capable of providing assistance be aware of the worker's need?
- Willingness: Is it reasonable to expect those other persons will provide assistance?
- Timeliness: Will assistance be provided within a reasonable period of time?

### **Relying on customers for assistance**

Different circumstances may prevail that will require employers to make a reasonable assessment to determine assistance is readily available. In a retail premises, such as a convenience store, customers are not generally considered to meet the definition of assistance that is readily available. However, if the worker is in an area where there is a high volume of customers, such as a shopping mall or sports stadium, there may be security staff or workers of other employers available to provide assistance.

### **Agreements with other employers**

If two or more workers of different employers are working together or in the same vicinity and each worker is capable of and willing to provide assistance in a timely manner, this can qualify as assistance that is readily available. An example of this would be where a coffee or donut retailer is situated within premises shared with a retail gas vendor. Another example would be where a second worker is on the premises for a short period of time, such as to make deliveries or pickups. In this case, the worker only has assistance that is readily available for the period in which the additional worker is on the premises, and is considered to be assigned to work alone once the additional worker leaves the premises. Employers would need to ensure that the workers of both employers are capable of, and willing to, provide assistance and that the workers are aware of the arrangement, and should put the arrangement in writing.

### **Communication systems**

Providing workers with electronic means of communication, such as a phone, radio, or personal alarm, does not guarantee that the condition of "assistance that is readily available" has been met. A "person check" system alone is also unlikely to meet the "readily available" test.

If a worker cannot be seen or heard by persons capable of providing assistance in a timely manner, then he or she should be regarded as working alone or in isolation.

G4.20.2 Hazard identification, elimination, and control

Issued February 1, 2008; Revised November 20, 2008

### **Regulatory excerpt**

Section 4.20.2 of the *OHS Regulation* ("*Regulation*") states:

- (1) Before a worker is assigned to work alone or in isolation, the employer must identify any hazards to that worker.
- (2) Before a worker starts a work assignment with a hazard identified under subsection (1), the employer must take measures
  - (a) to eliminate the hazard, and

(b) if it is not practicable to eliminate the hazard, to minimize the risk from the hazard.

(3) For purposes of subsection (2) (b), the employer must minimize the risk from the hazard to the lowest level practicable using engineering controls, administrative controls or a combination of engineering and administrative controls.

### **Purpose of guideline**

The purpose of this guideline is to define the phrase "assigned to work alone or in isolation," outline ways to conduct a risk assessment to identify hazards to workers assigned to work alone or in isolation, and describe some steps an employer may take to eliminate or minimize identified hazards.

### **Assigned to work alone or in isolation**

The requirements of sections [4.20.2](#) apply when a worker is *assigned to work alone or in isolation*. Being assigned to work alone or in isolation means that the worker

- Is directed or expected to work during a scheduled or predetermined period of time, such as a specified work shift or a specified portion of a work shift
- During that time it is anticipated or expected that the worker will be working alone or in isolation

Workers who work alone or in isolation for short or intermittent periods of time without being directed to do so are not considered to have been "assigned" to work alone. For example, a worker in most office and similar work settings, where other workers are normally present during their work hours, is not considered to be assigned to work alone or in isolation if, for example, the worker decides to come in early, work late, or come in on a day off. While a worker in such a setting may choose to work alone and this is permitted by the employer, the worker is not considered to have been assigned to work alone. Accordingly, the provisions of sections [4.20.2 to 4.23](#) would not apply.

Importantly, employers still have obligations to ensure the health and safety of these workers even though the provisions of sections [4.20.2 to 4.23](#) may not apply. These obligations include the following.

First, the general duties of employers to workers under section [115](#) of the *Workers Compensation Act* ("Act") apply, including the duty to ensure the health and safety of all workers working for that employer. Where workers are permitted to work alone outside of their regular assigned working hours, the employer must perform a risk assessment relating to the hazards the worker may be exposed to while working alone, and take the necessary measures to ensure the worker's safety. These measures may include implementing a person check system but may consist of other procedures that will meet this goal. The content of this guideline dealing with hazard assessments and person check systems can be of assistance to employers in meeting their obligations under the *Act*.

Second, employers are required under section 4.28 of the *Regulation* to conduct a risk assessment in any workplace where there is a risk of injury to workers from violence arising out of their employment. This risk assessment should include considerations of the risks of violence associated with working alone or in isolation, where workers are permitted to work alone or in isolation. This risk assessment is required regardless of whether or not workers have been assigned to work alone.

Finally, under the first aid provisions of the *Regulation*, employers are required to keep up-to-date written procedures for providing first aid at the worksite. Under section 3.18 of the *Regulation*, employers must provide an effective means for communication between the first aid attendant and the workers served. This includes providing effective communication for workers who are working alone, including those who have not been assigned.



## Identification, elimination and control

Common situations and occupations where a worker may be assigned to work alone or in isolation and exposed to hazards include

- A worker who handles cash such as a convenience store clerk, retail outlet employee, parking attendant, and taxi driver
- A worker who meets clients out of the office such as a home care worker, or a social service worker
- A worker who does hazardous work with no regular interaction with other people such as a forestry worker, boom boat operator, a worker in the freezer area of a cold storage facility, or a night cleaner in a plant
- A worker who is performing work activities alone that may lead to slips or falls, including the use of ladders, or stocking high shelves
- A worker who is at risk of violent attack who is isolated from other workers or public view such as a security guard, custodian, and a night shift employee in a community care or outpatient department

The employer is expected to assess the likelihood of hazards to workers assigned to work alone or in isolation. The assessment of the hazards should be based on what reasonably could be anticipated for that workplace or work activity.

There are a number of ways to perform the assessment.

Depending upon the number of workers and the complexity of the potential hazards, the assessment process may be as simple as a short discussion held with workers who are given an opportunity for input or as complex as using an assessment team for the workplace or for each department. Assessment teams should include those workers and employer representatives with the knowledge and experience to provide the best input into the process. Another option is for an employer to hire a consultant to work with workers and employer representatives in conducting the assessment.

Where available, members of the joint health and safety committee or the worker health and safety representative should be invited to participate. They can serve as members of the team or act in a consultative role.

Employers should review the method of assessment and redo the assessment if there is a significant change in the nature of the business or the location of the workplace or in the event of a serious incident. Again, where available, the joint committee or the worker health and safety representative should be invited to participate in any review.

## Risk assessment process

The assessment is a step-by-step process that first identifies the nature and type of hazard that could reasonably be anticipated in the workplace, followed by an assessment of the likelihood of such hazards occurring. This assessment should help the employer set priorities and identify tasks that require further analysis to ensure that effective controls can be implemented.

While the size and type of workplace and the nature of the work will dictate the complexity of the assessment, it should generally follow the process outlined below:

- Gather information on previous incidents where workers were exposed to hazards while working alone or in isolation in the workplace, generally over a period of at least a year, preferably 3 years.
- Gather information on experience in similar workplaces, including severity and frequency of any hazards that workers working alone or in isolation have been exposed to. Sources of information may include the Internet, NIOSH, industry associations, or the police.
- Determine the hazard control measures, if any, already in place at the workplace.
- Obtain staff and Joint Health and Safety Committee (JHSC) input (using questionnaires, surveys, formal and informal discussions, and interviews, as appropriate to the size of the workplace).

- Inspect the workplace for hazards.
- Analyze the information.

To determine specific situations that may expose workers to hazards, consider factors such as

- Occupations and locations that may be at higher risk. Some assistance in making this determination is available by consulting the [Assigned Hazard Rating List](#) under Part 3 of the OHS Guidelines which provides a hazard rating for various occupations and industries.
- Types of tasks that may place workers at higher risk. Higher risk tasks may include working with machinery, working from heights, using explosives, or other activities where serious accidents or injuries have occurred in the past.
- Types of foreseeable interactions that may place workers at higher risk. Higher risk interactions may include repossessing furniture, issuing fines or other monetary penalties directly to individuals, working with aggressive or unpredictable patients in a healthcare facility, or other interactions that may involve aggravated individuals.

In addition, consider other factors such as

- The specific workplace layout, including furniture design and placement, and the location of entrances and exits
- The location of the workplace, and the emergency response time necessary to get there in the event of an emergency
- Whether or not the worker may be attacked by an animal or encounter a poisonous material
- The climate of the work environment, including whether or not the worker may be exposed to extreme weather conditions or temperatures
- Whether or not the work is physically demanding so that the worker may be fatigued
- Age, experience, and training of the workers who may be at risk
- Type of equipment, tools, and supplies available for use, including emergency communication equipment and emergency supplies such as food and drinking water and appropriate first aid equipment
- Whether or not the worker will need to carry some or all of the emergency supplies and first aid equipment with them during work activities
- Work activities which take a worker out of a safe environment, such as cleaning the area around the gas pumps at 2 a.m.
- Staff deployment and scheduling, including the extent to which persons work at night, the system for checking up on workers who work alone (see *Regulation* sections [4.21 to 4.23](#) and associated guidelines on person check systems and working alone in late night retail)

### **Eliminating hazards**

If employers identify a hazard under section [4.20.2\(1\)](#) of the *Regulation*, the hazard should be eliminated where practicable. The following are examples of how hazards could be eliminated:

- Use video surveillance to remotely monitor an area instead of using an on-site security guard
- Install an automated payment system for services, such as parking, instead of using a cashier/attendant
- Use vending machines to dispense food or other convenience items rather than using a checkout cashier

### **Minimizing the risk of a hazard**

If hazards cannot be eliminated, or it is not practicable to do so, employers should try to minimize the risk from the hazard occurring. The options available to achieve this result are administrative controls and engineering controls.

Part 1 of the *Regulation* has the following definitions:

"Administrative controls" means the provision, use and scheduling of work activities and resources in the workplace, including planning, organizing, staffing and coordinating, for the purpose of controlling risk;

"Engineering controls" means the physical arrangement, design or alteration of workstations, equipment, materials, production facilities or other aspects of the physical work environment, for the purpose of controlling risk;

In selecting measures to reduce risk, preference should be given to implementing available and practicable engineering controls. These controls generally provide "passive protection" which is not dependent on a person taking a specific action. This can be particularly important in an emergency or crisis situation. However, where engineering controls are not practicable or do not reduce the risk to a level that is as low as practicable, administrative controls will need to be developed and implemented.

Some examples of engineering controls include physical arrangements in the workplace to separate the worker from the customers and public by locked doors, pay windows, barriers that are substantial enough to prevent access to the worker, or use of another type of secure enclosure.

Examples of administrative controls include the use of some or all of the following:

- Rearrange the work schedule so that more than one person is always present in the workplace
- Rearrange work schedules so that the hazardous work, such as that which presents a falling hazard, is done while more than one worker is working
- Require that the worker contact the person/company responsible for checking the well-being of the worker to ensure that a person check is done before and after the expected completion time of a possibly hazardous activity
- Require mandatory on-site supervision of young workers by an adult
- Use cash handling procedures that require the use of a locked drop safe, keeping only small amounts of cash accessible on the site, installing surveillance cameras, and posting signs indicating that the amount of cash on site is limited
- Use uniformed security guards
- Prohibit high-risk work activities during times when a worker is working alone
- Use a personal emergency call device that a worker may wear on a lanyard around his/her neck and use to call for help in the event of a personal security or emergency issue

### Complying with other sections

Before allowing work to commence, an employer must ensure that doing so would not violate other sections of the *Regulation*. For example, section [3.17.1](#) prohibits commencing work in a workplace that is only accessible by air service if air service is unavailable. In such a workplace, workers would be considered to be working alone or in isolation because assistance is not readily available. In this example, conducting a hazard assessment and taking steps to eliminate or minimize hazards under [4.20.2](#) does not mean work can commence. Work may only commence once the conditions of [3.17.1](#) have been satisfied.

G4.21 Procedures for checking the well-being of workers

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### Regulatory excerpt

Section 4.21 of the *OHS Regulation* ("*Regulation*") states:

- (1) The employer must develop and implement a written procedure for checking the well-being of a worker assigned to work alone or in isolation.
- (2) The procedure for checking a worker's well-being must include the time interval between checks and the procedure to follow in case the worker cannot be contacted, including provisions for emergency rescue.

- (3) A person must be designated to establish contact with the worker at predetermined intervals and the results must be recorded by the person.
- (4) In addition to checks at regular intervals, a check at the end of the work shift must be done.
- (5) The procedure for checking a worker's well-being, including time intervals between the checks, must be developed in consultation with the joint committee or the worker health and safety representative, as applicable.
- (6) Time intervals for checking a worker's well-being must be developed in consultation with the worker assigned to work alone or in isolation.

### **Purpose of the guideline**

The purpose of this guideline is to

- Provide information on the application of the requirements for checking the well-being of workers assigned to work alone or in isolation
- Elaborate on time intervals to use when checking the well-being of workers
- Provide information on acceptable methods for checking, including
  - technologies with particular application in populated areas,
  - means of checking that may be of particular use in remote locations, and
  - use of non-workers, such as family members, in certain limited circumstances

### **Application**

As of February 1, 2008, the requirement to develop and implement a written procedure for checking the well-being of workers under [4.21](#) *applies to all workplaces where workers are assigned to work alone or in isolation.*

Previously, section [4.21](#) applied to *workers who were working alone under conditions which present the risk of disabling injury if the worker might not be able to secure assistance in the event of injury or other misfortune.* As of February 1, 2008, the requirement to be working under certain conditions has been removed, and section [4.21](#) now applies to all workplaces where workers are assigned to work alone or in isolation.

Section [4.21](#) only applies to workers who are assigned to work alone or in isolation. An employer may still have general duty obligations to check on the well-being of a worker who is working alone or in isolation without being assigned to do so. For further discussion of what it means to be *assigned to work alone or in isolation*, as well as the general duty obligations of an employer, see [G4.20.2 Hazard identification, elimination, and control](#).

### **Time intervals**

Time intervals should be developed after considering the risks to which the worker is exposed. They must be developed in consultation with the worker assigned to work alone or in isolation, and with the joint committee or worker health and safety representative as applicable. This may be done as part of the hazard identification process required under section [4.20.2](#) of the *Regulation*. High-risk activities require shorter time intervals between checks.

### **Methods for checking well-being**

In selecting procedures to check a worker's well-being, employers should give preference to procedures which allow for the visual confirmation of the worker's well-being. An alternative is two-way voice contact between workers at the site. Where this is not practicable, employers may use other approaches. For example, an employer could require workers to make phone calls at regularly scheduled intervals to workers at another location.

Employers may also decide to use one of a number of available technologies to check the well-being of workers. An acceptable system is one that allows the worker to send an OK signal at predetermined intervals and which

activates procedures to contact the worker or initiate emergency response if the worker does not send a signal at a predetermined interval or if a signal for assistance is received. If such a technology is used the employer is still required to develop written procedures and ensure there is the appropriate documentation of check-ins.

Information is provided below on technologies and systems that may have particular application in populated areas. In addition, there is discussion of various types of check systems that may be particularly applicable to work in remote locations.

### **Use of worker check technologies - in populated areas**

Technologies that may be of assistance, particularly in populated areas include, but are not limited to

- **Call-in systems:** These systems are available from security service providers and only require access to a phone. Workers call into the system at scheduled intervals during their shift and enter a code to confirm their safety. In the event that a worker fails to phone in by his or her scheduled interval, the service provider follows a predetermined protocol to make contact with the worker. If the worker cannot be contacted, emergency assistance will be sent.
- **Externally monitored panic alarm devices:** A number of security service providers offer panic alarm devices for use in their service area, which workers can carry with them, eliminating the need for access to a phone. As is the case with call-in systems, panic alarm devices can be programmed to require a worker to confirm his or her safety at scheduled intervals. Some devices also offer a "person down" feature, which will notify the service provider when a worker does not move for a given period of time, as well as a panic button, which will automatically alarm the service provider of an emergency. In the event that the person down or panic alarm feature is activated, or a worker fails to confirm his or her safety at a scheduled interval, the service provider will attempt to contact the worker before emergency assistance is sent. These devices are designed to be carried on the worker at all times, and can be worn around the worker's neck or on his or her belt. It is the employer's responsibility to ensure that workers consistently wear the device when assigned to work alone or in isolation.
- **Internally monitored panic alarm devices:** Panic alarm devices can also be purchased with a monitoring station that is operated by the employer, rather than a security service provider, for use in their workplace. The employer's monitoring station can be linked to a number of different panic alarm devices, and will emit an audible signal in the event that a worker fails to confirm his or her safety or the person down or panic button features are activated. In such cases, the employer is expected to follow their written procedures to ensure the worker is contacted or assistance is provided.

As with the other systems, the procedures for an internally monitored device must include the intervals at which a worker is expected to confirm his or her well-being. At a minimum, the monitoring station must be checked at these intervals by the worker assigned to check the well-being of the workers who are assigned to work alone or in isolation, and the results of the checks recorded. To ensure that assistance is provided quickly in the event that a panic alarm or person down feature is activated by a worker, the station should be monitored more regularly. This can be accomplished by having the worker(s) responsible for checking the station remain within the vicinity of the station, as is practicable, so that they can be alerted in the event that an audible signal is emitted.

### **Checking worker well-being in remote locations**

Examples of work activities in remote areas include range riding, timber cruising, surveying, fire watch, beetle probes, mineral exploration, seismic blasting, and guide work. Working alone in such areas can present particular

risks given that the work is typically done outdoors, and often in difficult terrain or otherwise relatively inaccessible areas.

Such areas also present particular challenges to providing a means of checking worker well-being. Land-based telephone lines and security services are typically unavailable, and cell phone coverage may be limited or non-existent.

However, there are a number of types of systems that may be of use in such locations. Examples include

- **Wireless satellite hand-held alerting and tracking devices:** These are proving to be a promising type of system at a relatively modest cost. Several systems are available, and provide capabilities such as alerts, simple messaging, and very importantly GPS coordinates of the worker. Systems are available that can provide coverage in most outdoor situations. Such systems should be tested for reliability in the areas they are intended to be used.
  
- **Satellite phones:** These can also be effective in remote areas, and offer the advantage of permitting extended two-way voice communication. They should be evaluated for reliability in the areas they are intended to be used.
  
- **Radio transmitters:** In some circumstances, for example where there is a relatively permanent base site with power generation capability, it may be feasible to use a radio transmitter that provides surface-to-surface radio contact. In some areas there are repeater systems that can be accessed for a wider area of communication.
  
- **Crew contact:** Where a crew is working in a remote location but the work involves working alone, it may be possible to arrange work so that the crew will meet periodically during the work day, or have another means of alerting one another. If a worker doesn't arrive on time at the pre-determined point, or otherwise signal his or her well-being then a search procedure can be initiated by the other worker(s). The successful use of this approach involves the following five elements:
  - A pre-determined meeting place or other means of contact
  - A pre-determined time for contact
  - Information provided by the workers beforehand on their expected routes and areas of activity
  - A procedure for the crew to follow in the event a worker does not make contact
  - A plan in place to find a missing worker

In addition, depending on any limits to the kind of assistance that the co-workers on the crew can provide, it may be necessary to have an effective means of communication between the crew and the home base for the operation. While section [4.21](#) of the *Regulation* only applies to workers who are alone, the general duties of employers to workers under section [115](#) of the *Act* still apply. This includes the duty to ensure the health and safety of all workers working for that employer. Where crews are working in remote locations, the employer must perform a risk assessment relating to the hazards the workers may be exposed to, and take the necessary measures to ensure the workers' safety. This may include implementing a system to check on the well-being of the crew.

### Use of non-workers

There are circumstances where an employer may choose to use a non-worker as the person designated to contact the worker. This practice should be limited in application as having non-workers, such as family members, perform person checks raises issues given that these individuals are not accountable to WorkSafeBC or the employer.



The use of non-workers as the established contact person is acceptable only in situations where it is a reasonable means to perform effective person checks. That would typically be in low and negligible-risk scenarios. Further, the employer must take steps to ensure that the non-worker has received training, as required by section [4.22](#), and that the person is following the employer's written procedures.

G4.22.1-1 Late night retail – Definitions and money handling procedures

Issued February 1, 2008; Editorial Revision February 21, 2008; Formerly Issued in G4.22.1 - Reissued as G4.22.1-1 September 9, 2008; Revised November 20, 2008; Editorial Revision June 30, 2009; Editorial Revision to include February 1, 2011 Regulatory Amendment; Editorial Revision consequential to April 15, 2012 Regulatory Amendment

**Regulatory excerpt**

Section 4.22.1 of the *OHS Regulation* ("*Regulation*") states:

(1) In this section:

"late night hours" means any time between 11:00 p.m. and 6:00 a.m.;

"late night retail premises" means

(a) a gas station or other retail fueling outlet, or

(b) a convenience store or any other retail store where goods are sold directly to consumers

that is open to the public for late night hours;

"violence prevention program" means

a program implemented under subsection (2)(b)(iii).

(2) If a worker is assigned to work alone or in isolation in late night retail premises and there is any risk of harm from a violent act to the worker, then, in addition to any other obligations the employer has under sections [4.20.2 to 4.23](#) and [4.28 to 4.30](#),

(a) the employer must develop and implement a written procedure to ensure the worker's safety in handling money, and

(b) when that worker is assigned to work late night hours, the employer must also do one or more of the following:

(i) ensure that the worker is physically separated from the public by a locked door or barrier that prevents physical contact with or access to the worker;

(ii) assign one or more workers to work with the worker during that worker's assignment;

(iii) implement a violence prevention program in accordance with subsections (2.1) to (2.3).

(2.1) A violence prevention program must include procedures, policies and work environment arrangements necessary to ensure that all of the following requirements are met:



- (a) there is a time lock safe on the premises that cannot be opened during late night hours;
  - (b) cash and lottery tickets that are not reasonably required in order to operate during late night hours are stored in the time lock safe referred to in paragraph (a);
  - (c) there is good visibility both into and out of the premises;
  - (d) there is limited access to the inside of the premises;
  - (e) the premises is monitored by video surveillance;
  - (f) there are signs on the premises, visible to the public, indicating that
    - (i) the safe on the premises is a time lock safe that cannot be opened during late night hours,
    - (ii) there is a limited amount of accessible cash and lottery tickets on the premises, and
    - (iii) the premises is monitored by video surveillance;
  - (g) a worker described in subsection (2)
    - (i) is at least 19 years of age, and
    - (ii) is provided with a personal emergency transmitter that is monitored by
      - (A) the employer, or
      - (B) security company or other person designated by the employer.
- (2.2) By the end of the first year of the implementation of a violence prevention program and by the end of every second year after that first year, the employer must receive a security audit report, in writing, from an independent qualified person confirming that the program meets all of the requirements under subsection (2.1).
- (2.3) The written security audit report referred to in subsection (2.2) must be
- (a) retained by the employer, and
  - (b) posted by the employer in the workplace
- for a period beginning on or immediately after the date the report is received and ending no earlier than the date on which the next report is posted.

**Purpose of guideline**

The purpose of this guideline is to provide information about how to determine whether a workplace is considered to be a late night retail premises. The guideline also provides information on money handling procedures. The Violence Prevention Program option is covered in G4.22.1-3.

**Application**

The requirements of 4.22.1 only apply if all of the following conditions are satisfied:



- (1) The worker is working alone or in isolation (see [G4.20.1](#))
- (2) The worker is working in a late night retail premises
- (3) It is between the hours of 11:00 p.m. and 6:00 a.m.

### **Retail premises**

A late night retail premises is defined as a gas station or other fueling outlet, a convenience store, or any other retail store where goods are sold directly to consumers, and is open any time between 11:00 p.m. and 6:00 a.m. "Other retail stores" are shops or other premises where the primary business conducted is the sale of products directly to consumers. These businesses generally have products for sale on display or available to the consumers to be taken away from the premises. Some examples of other retail stores include

- Coffee shops
- Money marts
- Liquor off-sales
- Take-out food restaurants

Examples of workplaces which do **not** meet the definition of other retail stores because goods are not sold directly to customers, or are not sold from a retail store include

- Full service restaurants
- Pubs or bars
- Taxicabs and limousine services
- Toll booths
- Hotel check-in desks
- Food and other merchandise sold from street carts

While these workplaces are not generally considered to be late night retail premises, employers must still comply with the other working alone or in isolation requirements. This includes requirements under section [4.20.2](#) of the *Regulation* to identify and control hazards presented to any workers assigned to work alone or in isolation, and under section [4.21](#) of the *Regulation* to develop and implement a procedure for checking the well-being of the worker.

### **Written procedures for handling money**

Section [4.22.1\(2\)\(a\)](#) requires that employers develop and implement a written procedure to ensure a worker's safety in handling money. A procedure should include some or all of the following:

- Ensure cash handling areas are located away from entrances and exits
- Ensure sales counters are located so they are clearly visible from inside and outside the store
- Keep as little cash in the cash register as possible
- Place large bills in a drop box or strong room that is out of sight
- Fit counter safes with time delay locks
- Use only one cash register and leave the cash tray of the unused register open and visible

A procedure for handling money should also include the following guidelines for making bank deposits:

- Avoid making bank deposits at night
- Vary the time and route for making deposits
- Don't carry money in bags marked with the company logo or that make it obvious that cash is being transported

- Make deposits with a co-worker, where practicable. The co-worker should face away from the depository to keep an eye on other people in the area

#### G4.22.1-2 Late night retail – Second worker or barrier

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### Regulatory excerpt

Section 4.22.1(2)(b) of the *OHS Regulation* ("*Regulation*") states:

(2) If a worker is assigned to work alone or in isolation in late night retail premises and there is any risk of harm from a violent act to the worker, then, in addition to any other obligations the employer has under sections 4.20.2 to 4.23 and 4.28 to 4.30,

(b) when that worker is assigned to work late night hours, the employer must also do one or more of the following:

(i) ensure that the worker is physically separated from the public by a locked door or barrier that prevents physical contact with or access to the worker;

(ii) assign one or more workers to work with the worker during that worker's assignment;

(iii) implement a violence prevention program in accordance with subsections (2.1) to (2.3).

### Purpose of guideline

The purpose of this guideline is to provide information about the implementation of the late night retail requirements related to having a second worker or a physical barrier or locked door any time between 11:00 p.m. and 6:00 a.m. (late night hours).

Employers must be in compliance with *Regulation* section [4.22.1\(2\)\(a\) - money handling procedures](#); section [4.21 - procedures for checking on well-being of worker](#); and all the other [Working Alone or In Isolation](#) requirements as well as the Violence in the Workplace requirements. Prevention Officers will ensure compliance with these requirements as part of regular inspection practices.

The remainder of this guideline explains the performance requirements for the barriers and should be used for general information.

### Appropriate use of barriers

The requirement under section [4.22.1\(2\)\(b\)\(i\)](#) of the *Regulation* is a performance based requirement. Performance based requirements set expectations for outcomes that must be achieved rather than specific methods of compliance. If an employer chooses to use a barrier or locked door under this section instead of having more than one worker on site, the required outcome is that it must **prevent physical contact with or access to the worker**.

To access the worker means to enter into the worker's workspace. A raised counter that can be climbed over or other controls that merely slow access do not meet the required outcome of preventing access.

Physical contact with the worker means person- to- person contact. Any barrier or locked door must prevent this outcome.

Barriers may be constructed from various materials, including Plexi- glass or Lexan, and be strong enough to withstand reasonable force applied to them. They need not be made of a bullet-resistant material, nor do they need to extend from floor to ceiling, provided that they cannot be climbed over or under. Retractable barriers are acceptable, but the barrier must be in-place during late-night retail hours.

Barriers also must be compliant with applicable building codes, fire codes, and other laws.

A barrier that permits merchandise to be passed through it, such as a transaction window, is acceptable if appropriate engineering controls are in place to prevent a customer from reaching at arm's length into the window to contact a worker reaching at arm's length towards the customer. Some engineering controls to be considered in the design of a barrier include

- A sufficiently narrow width at the opening of the barrier, together with an adequate distance at the opening between the typical location of the worker and that of the customer. Counters and shelving may be installed to increase this distance between the worker and the customer. Where an opening is large enough for a customer's arm to fit through, the distance between the customer and the worker should be two arms' lengths.
- Where the barrier allows for an opening beyond an appropriate width, a means of preventing the opening from widening beyond this width, such as a lock or security bar. The means of release for a lock or security bar needs to be beyond the reach of customers standing outside of the barrier.

### **Working outside of a barrier during late night hours**

The use of a barrier is not intended to prevent workers from performing their regular tasks and duties, such as cleaning up, making coffee, and stocking shelves. The doors to the premises could be locked between the hours of 11:00 p.m. and 6:00 a.m. The worker could perform needed tasks, and with a buzzer system, could be alerted to customers at the door. Once the worker moves behind the barrier, the customers could then safely be buzzed in.

There may be some circumstances which require the worker to move from behind the barrier or locked door to go outside of the building for a short duration. These circumstances should be extremely infrequent and exceptional during a shift. Some examples of these exceptional circumstances include where: the worker's access to the washroom is only from the outside; supplies are required that are located in an adjacent building or storage unit; the worker needs to perform snow removal or another task to ensure the safety of customers.

In these cases, the employer will need to have adequate written procedures for ensuring the safety of the worker while they are outside the building. These procedures should be developed as part of the hazard identification, elimination, and control process, as required by section [4.20.2](#) of the *Regulation*. Acceptable procedures could include having the worker carry a personal alarm or a phone with an emergency contact button, or requiring the worker to call into a designated person advising when he/she is leaving the building, his/her expected return time, and when he/she has safely returned behind the barrier.

### **Late night deliveries**

The requirement to use a barrier or locked door only applies to workers who are assigned to work alone or in isolation at late night retail premises. Some premises may receive deliveries during late night hours which require the worker to go outside of the locked door or barrier. In these cases, if the delivery person is willing and able to provide the late night retail premises worker with assistance in case of an emergency, injury, or illness, the worker is not considered to be working alone or in isolation. This is only the case for the period of time in which the delivery person is on the premises. During this period of time, the worker is not required to be behind the barrier or locked door.

Employers at late night retail premises wishing to enter into such an arrangement with employers of delivery workers should ensure that the workers of both employers are capable of, and willing to, provide assistance and that the workers are aware of the arrangement. The arrangement should be a written agreement.



G4.22.1-3 Late night retail – Violence Prevention Program

Issued April 15, 2012; Revised July 6, 2012

**Regulatory excerpt**

Section 4.22.1 of the *OHS Regulation* ("*Regulation*") states:

(1) In this section:

"late night hours" means any time between 11:00 p.m. and 6:00 a.m.;

"late night retail premises" means

(a) a gas station or other retail fueling outlet, or

(b) a convenience store or any other retail store where goods are sold directly to consumers

that is open to the public for late night hours.

"violence prevention program" means

a program implemented under subsection (2)(b)(iii).

(2) If a worker is assigned to work alone or in isolation in late night retail premises and there is any risk of harm from a violent act to the worker, then, in addition to any other obligations the employer has under sections [4.20.2 to 4.23](#) and [4.28 to 4.30](#),

(a) the employer must develop and implement a written procedure to ensure the worker's safety in handling money, and

(b) when that worker is assigned to work late night hours, the employer must also do one or more of the following:

(i) ensure that the worker is physically separated from the public by a locked door or barrier that prevents physical contact with or access to the worker;

(ii) assign one or more workers to work with the worker during that worker's assignment;

(iii) implement a violence prevention program in accordance with subsections (2.1) to (2.3).

(2.1) A violence prevention program must include procedures, policies and work environment arrangements necessary to ensure that all of the following requirements are met:

(a) there is a time lock safe on the premises that cannot be opened during late night hours;

(b) cash and lottery tickets that are not reasonably required in order to operate during late night hours are stored in the time lock safe referred to in paragraph (a);

(c) there is good visibility both into and out of the premises;

(d) there is limited access to the inside of the premises;



- (e) the premises is monitored by video surveillance;
- (f) there are signs on the premises, visible to the public, indicating that
- (i) the safe on the premises is a time lock safe that cannot be opened during late night hours,
- (ii) there is a limited amount of accessible cash and lottery tickets on the premises, and
- (iii) the premises is monitored by video surveillance;
- (g) a worker described in subsection (2)
  - (i) is at least 19 years of age, and
  - (ii) is provided with a personal emergency transmitter that is monitored by
    - (A) the employer, or
    - (B) security company or other person designated by the employer.

(2.2) By the end of the first year of the implementation of a violence prevention program and by the end of every second year after that first year, the employer must receive a security audit report, in writing, from an independent qualified person confirming that the program meets all of the requirements under subsection (2.1).

(2.3) The written security audit report referred to in subsection (2.2) must be

- (a) retained by the employer, and
- (b) posted by the employer in the workplace

for a period beginning on or immediately after the date the report is received and ending no earlier than the date on which the next report is posted.

(3) The employer must train a worker described in subsection (2) in

- (a) the written procedure referred to in subsection (2)(a), and
- (b) if the employer implements a violence prevention program, the procedures, policies and work environment arrangements referred to in subsection (2.1).

(4) A worker described in subsection (2) must

- (a) follow the written procedure referred to in subsection (2)(a), and
- (b) if the employer implements a violence prevention program,
  - (i) follow the procedures, policies and work environment arrangements referred to in subsection (2.1), and
  - (ii) wear, during late night hours, the personal emergency transmitter referred to in subsection (2.1)(g)(ii).



Section 4.23 of the *Regulation* states:

The procedures referred to in sections [4.21](#) and [4.22.1\(2\)\(a\)](#) and, if a violence prevention program is implemented, the procedures, policies and work environment arrangements referred to in section [4.22.1\(2.1\)](#), must be reviewed at least annually, or more frequently if there is

(a) a change in work environment arrangements that could adversely affect

(i) the effectiveness of the violence prevention program, or

(ii) a worker's well-being or safety, or

(b) a report that the procedures, policies or work environment arrangements, as applicable, are not working effectively.

### **Purpose of guideline**

The purpose of this guideline is to provide information about the "third option" available to employers to protect their workers during late night retail operations - the Violence Prevention Program. It includes information about the requirements associated with the program including guidance about the elements of the program, who may be assigned to work late night, the security audit reports required to be performed, and who is qualified to perform the audits.

The [Implementation Strategy](#) that WorkSafeBC will be applying to ensure compliance with all the late night retail provisions of the *Regulation* is also attached to this guideline.

### **Background**

A third option is available for employers who wish to employ workers in late night retail stores. As an alternative to (or in addition to) having two workers on shift or having a barrier between a single worker and customers, employers may choose to institute a prescribed Violence Prevention Program which must be audited initially within a year of implementation, and then every two years thereafter.

The requirements under this option, and the other options available to employers who operate late night retail stores, are in addition to the other working alone and violence prevention requirements (sections [4.20.1 to 4.23](#) and sections [4.28 to 4.31](#)) under the *Regulation* with which employers must comply. These include hazard identification, elimination and control, procedures for checking on workers, and training and instruction of workers on working alone, and violence prevention procedures and policies. The employer is also required to develop and implement a written procedure for a worker's safe handling of money when working late night retail hours (section [4.22.1\(2\)](#)).

### **Violence Prevention Program - section 4.22.1(2.1)**

A Violence Prevention Program that is implemented as a third option must include the prescribed elements noted in this section. The following provides further information regarding these elements.

#### **Time lock safe - (2.1)(a)**

There must be at least one time lock safe on the premises that cannot be opened during late night hours. The purpose of the time lock safe(s) is to hold items such as cash, lottery tickets, and tobacco products that are not required during late night hours (see below).

The time lock safe may be a "drop safe" or a "time delay" safe that cannot be opened by the lone worker during late night retail hours. The time lock safe however may not be a change safe, which a worker would be able to open during late night hours.

A time delay safe, of which there are various designs commonly found in the retail industry, will be acceptable as a time lock safe, providing certain conditions are met.

The time delay safe will be acceptable if

- Time delay is set such that it will not open during late night retail hours, or
- Worker who is working alone during the late night hours is not able to open the time delay safe, and
- Written safe work procedures are developed and implemented

A time delay safe that dispenses limited amounts of cash without the safe opening will also be accepted if,

- Total amount of cash that is dispensed during late night hours, and the time delay setting to dispense the cash, are strictly limited to meet operational needs during those hours, and
- These operational needs have been determined by the employer based on a reasonable assessment of the cash required during late night hours, and
- Written safe work procedures are developed and implemented

Workers are required to be trained on and understand the restrictions and the written safe work procedures under which the time delay safe operate, during the late night hours.

#### **Cash and lottery tickets not reasonably required - (2.1)(b)**

The Violence Prevention Program must include procedures to ensure that only cash and lottery tickets reasonably required during late night hours are accessible outside of the time lock safe. The employer should base this determination on an assessment of the customer and sales volumes predicted during the late night hours. For example, the average number of ticket sales between 11 p.m. to 6 a.m., over a two week period could be considered.

Other requirements pertaining to the retailing of tobacco products are covered under the *Tobacco Control Act* and the Tobacco Control Regulation (B.C. Reg. 232/2007).

#### **Good visibility both into and out of the premises - (2.1)(c)**

This requirement applies to the visibility through existing doors and windows. A worker's sight line to the exterior of the premises should not be obstructed by materials posted on the windows or doors of the store, or by shelving or other facilities within or outside of the store. Similarly, visibility from the exterior into the store should not be obstructed as outlined above or limited by opaque or shaded applications to windows and doors.

Where door and window size, types, and locations appear inadequate, an assessment as part of the environment arrangements to eliminate or minimize the risk to workers may be required under section [4.29](#) of the *Regulation*.

#### **Limited access to inside of premises - (2.1)(d)**

Limited access to the inside of the premises generally means restricting access to the store through one entrance only. Other entrances from outside the premises such as loading bays and emergency doors should be secured. Additional access limitations as applicable to the store's layout should also be considered. For example, where a retail premise is connected with a restaurant, access to the restaurant should be closed if it is not operated during some or all of the late night hours.

**Video surveillance monitoring - (2.1)(e)**

The premises must be monitored by video surveillance. The configuration of the surveillance set up should include what is necessary to address worker safety in the store. The format of the surveillance system should be such that any incidents of concern are recorded and can be reviewed by the employer and other persons, such as law enforcement officials, as needed.

**Signs on premises - (2.1)(f)**

There must be signs visible to the public that indicate the following on the premises:

- A time lock safe that cannot be opened during late night hours
- A limited amount of accessible cash and lottery tickets
- Video surveillance monitoring

Signs with similar wording which convey the same message are also acceptable.

**Monitored personal emergency transmitter - (2.1)(g)**

Several elements of the Violence Prevention Program relate specifically to the worker who is assigned to work alone during late night hours. The worker must be at least 19 years old. In the event that more than one worker is assigned to work late night hours, at least one of these workers must be 19 years of age.

The worker must be provided a personal emergency transmitter that is monitored by the employer, a security company, or other person designated by the employer. This device is in addition to the worker check-in procedures that the employer must have in place for workers working alone (section [4.21](#)).

To meet the requirements for having a monitored personal emergency device, the device must be continuously monitored so that assistance can be dispatched in the case of an emergency. The device must have a panic button or other means by which the service provider or employer is immediately alerted to an emergency. Some devices also offer a "person down" feature which will notify when a worker does not move for a given period of time.

The worker must wear the device on their person and the employer must ensure that workers wear the devices as required.

**Security audit report - section 4.22.1(2.2)**

An employer who chooses to implement a Violence Prevention Program must receive a security audit report by the end of the first year after implementation of the program, and every two years after that. The security audit is a documented inspection to confirm that all program elements under section [4.22.1\(2.1\)](#) are met. Where employers have more than one operating location, an audit must be conducted at each workplace location. There can be different considerations at individual locations depending on the work environment arrangements and sales volumes that may impact the specific procedures, policies, and work arrangements needed to meet the requirements of the Violence Prevention Program.

The security audit report must be prepared by an independent qualified person. "Qualified" is defined in the *Regulation* (section 1.1) as "being knowledgeable of the work, the hazards involved and the means to control the hazards, by reason of education, training, experience or a combination thereof." The qualified person performing the security audit needs to have knowledge and experience with violence prevention procedures, workplace designs, and security and surveillance functions.

An independent person is a person who is not affiliated, related, or closely associated with the employer or the larger controlling unit (e.g., a franchisor). The independent qualified person cannot be employed by the employer or



by any provider who developed the Violence Prevention Program or aspects of it for the employer. Employers are expected to exercise due diligence in the selection of the qualified person.

**Retention and posting - section 4.22.1(2.3)**

The security audit report must be retained by the employer and posted at the workplace for a period starting from when the report is received until when the next report is issued and posted. The report should be posted in an area that is accessible by workers, and may be in an electronic format if all workers have ready access to it.

**Training of workers - section 4.22.1(3)**

The employer must train a worker who is assigned to work alone in late night retail on the written procedures for handling money safely developed by the employer under section [4.22.1\(2\)](#), and on all the procedures, policies, and work environment arrangements of the Violence Prevention Program.

**Specified worker obligations - section 4.22.1(4)**

The requirements under this section place specific obligations on late night retail workers to follow the procedures, policies, and work area arrangements developed by the employer under the Violence Prevention Program and the required written cash handling procedures developed by the employer as required under section 4.22.1(2). There is also a specific obligation imposed on the worker to wear on their person the assigned personal emergency transmitter.

Refer to: [G-D3-116 Orders to workers](#).

**Review of procedures - section 4.23**

An annual review of the procedures, policies, and work arrangement developed under the Violence Prevention Program (as well as the procedures for checking on workers working alone, and for the safe handling of money) is required. However, a review must also be conducted when it is determined that the procedures in place are not working effectively or where work environment changes are made that may affect the effectiveness of the Violence Prevention Program, or a worker's well-being or safety.

Some examples of changes in work environment arrangements that could prompt a review include construction, renovations, or other changes in a store's design or layout that restrict visibility into and out of the premises, affect video camera sight lines, or otherwise affect the ability of the worker to safely respond to a potentially violent situation. Relevant changes could also include the addition of services or product lines that affect customer and sales volumes, such as the addition of a coffee/food station or cash machine.

G4.22.2-1 Mandatory prepayment for fuel

Issued February 1, 2008; Revised March 27, 2008; Revised August 18, 2008; Formerly Issued in G4.22.2 - Reissued as G4.22.2-1 September 22, 2008

**Regulatory excerpt**

Section 4.22.2 of the *OHS Regulation* ("*Regulation*") states:

An employer must require that customers prepay for fuel sold in gas stations and other retail fueling outlets.

**Purpose of guideline**

The purpose of this guideline is to clarify who is covered by this section and set out some alternatives for providing prepayment for customers.

**Application**

The prepayment requirement applies 24 hours a day, seven days a week. The requirement applies to both full



service and self service stations. The requirement applies regardless of the number of workers assigned and working at any given time at the worksite.

The prepayment requirement only applies to vehicle fuel. Fuel is considered to be products such as gasoline, propane, and diesel. The prepayment requirement does not apply to fuel being pumped into containers. For example, customers do not need to prepay for propane being pumped into a cylinder (e.g., for barbeques), or for pre-filled propane cylinders.

"Other retail fueling outlets" include convenience stores that dispense fuel. However, the requirements of section [4.22.2](#) are not intended to apply to marine fueling stations that use boat access to the fueling location. The risk of injury to a worker in a marine "gas and dash" situation is not as significant.

### **Methods of Prepayment**

#### *Pay at the pump*

Where available, customers can prepay for fuel by swiping their credit or debit cards before fueling to preauthorize their purchase at the pump. As practices may differ regarding how preauthorization occurs on such transactions at the pump, customers are encouraged to discuss any concerns about retail fuel prepayment transactions directly with their financial institution and credit card companies.

#### *At gas kiosk/in store*

Customers may prepay by cash, credit card, or debit card with an attendant at a payment kiosk or with the clerk in the store. The payment transaction is completed before fueling commences. The customer will determine the amount of fuel to be purchased, then immediately pay the cash, or complete the credit card or debit card transaction. Optimally, the gas pumps can then be set to authorize fueling to the prepaid amount only.

This option will be preferred by customers who wish to keep their credit and debit cards within their sight and control.

#### *Providing credit and debit cards*

Customers may also prepay by leaving a credit card or debit card with the gas attendant or with the clerk in the store before fueling. After fueling, the payment transaction is completed. The attendant or clerk will put through the amount fueled on the credit card and the customer will sign the receipt. Where a debit card is used, the customer will complete the transaction by authorizing the withdrawal through the usual PIN (personal identification number) and account selection process.

This option will not suit customers with concerns about relinquishing control of their cards.

#### *Cardlock systems*

Finally, a customer may make a payment using a cardlock system, typically used by the commercial trucking industry.

### **Upgrading equipment**

Employers should consult with their equipment distributor/service provider to ensure their point of sales software, valves, nozzles, and other equipment is capable of safely operating in a prepay mode.

G4.22.2-2 Alternative methods for fuel prepayment outside of urban centres

Issued February 1, 2008; Revised March 27, 2008; Revised August 18, 2008; Formerly Issued in G4.22.2 - Reissued as G4.22.2-2 September 22, 2008

**Regulatory excerpt**

Section 4.22.2 of the *OHS Regulation* ("Regulation") states:

An employer must require that customers prepay for fuel sold in gas stations and other retail fueling outlets.

**Purpose of guideline**

The purpose of this guideline is to clarify WorkSafeBC's expectations for fuel payment in small, rural or remote locations outside of urban centres, where implementing one or more of the above methods of fuel prepayment poses particular difficulties to an employer, and where payment for fuel can be secured by an alternative method. Where alternative methods prove to be appropriate, the employer, not the customer, has the discretion to determine if these methods will be used at their workplace.

**Determining when alternatives may be used**

A number of factors should be considered in determining if an alternative secured payment method is appropriate for a particular gas station. First, alternative payment methods should be considered only for stations in small, rural or remote locations, outside of urban centres, particularly outside the lower mainland. Next, the employer will have considered implementing one of the methods of prepayment noted in G4.22.2-1, but found challenges in doing so. Usually these challenges will relate to some special circumstances associated with the station being located in the small, rural or remote area. Finally, the number of customers that are known to the employer and their workers will generally be relevant in determining if, and what type of, alternative secured payment method should be used. As these considerations will vary considerably from station to station, a prevention officer can assist an employer with the determination.

**Alternative methods**

The following are acceptable alternative methods of securing payment for fuel in appropriate locations.

*Standing accounts*

Where the gas station employer and their workers are familiar with many of their customers who do not pose "gas and dash hazards," the retailer and customer may make alternative arrangements for paying for fuel. For example, they may have a standing account where future payment is arranged by agreement, or they may establish a "known customer" list for customers who may pay the attendant on each transaction after fuel has been pumped.

*Leaving a means of securing payment: car keys or driver's licence*

Gas station attendants may request that customers provide their car keys or a driver's licence to secure payment for the fuel that will be pumped. The attendant should verify that the driver's licence or keys are that of the customer.