



Health and Safety of Responders...are we?

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How we got here?

-Rapid Damage Assessment operations development

- Should we be sending these folks out into disaster/emergency zones?

-Are we missing any regulatory requirements?

-We really looked at ourselves...the leaders/supervisors

Simulation 1





Simulation 1





Simulation Group Tasks

- What is the impact of losing this building?
- Send a team to confirm the status of this infrastructure
- What considerations and/or references do you have for keeping you staff safe?



Simulation Review

Each group, offer ONE action/task you would undertake to protect the HEALTH AND SAFETY OF RESPONDERS

Do not repeated another group

Awareness



During a disaster or emergency do health and safety regulations stop or change?



Awareness

In British Columbia

According to the Occupational Health and Safety Regulation, a *supervisor* is “a person who instructs, directs, and controls workers in the performance of their duties.”

You may be considered a supervisor even if you don’t have that job title. Some people are obviously supervisors, such as managers, superintendents, or

foremen. But front-line supervisors may also include

charge hands, lead hands, department heads, charge

nurses, and trainers. Owners or employers can also be

considered supervisors. If you are uncertain about your [health-safety/create-manage/supervising-health-safety](https://www.worksafebc.com/en/health-safety/create-manage/supervising-health-safety) role, ask your employer about it.

<https://www.worksafebc.com/en/health-safety/create-manage/supervising-health-safety>

Westray's Law



Bill C-45 was federal legislation that amended the Canadian *Criminal Code* and became law on March 31, 2004. The Bill (introduced in 2003 in the [37th parliament, second session](#)) established new legal duties for workplace health and safety and imposed serious penalties for violations that result in injuries or death. The Bill provided new rules for attributing criminal liability to organizations, including corporations, their representatives and those who direct the work of others.

NOTE: The Canadian federal government reuses bill numbers.

Sections of the *Criminal Code*

The amendment added Section 217.1 to the *Criminal Code*, which reads:

217.1 Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task."

The amendment also redefined the term organization to include a broader definition of those potentially liable and added Sections 22.1 and 22.2 to the *Criminal Code* imposing criminal liability on organizations and their representatives for negligence (22.1) and other offences (22.2).

Westray's Law – in practice



September 20, 2021. 8x counts of criminal negligence. Quebec

June 24, 2021. Criminal charges were withdrawn in 2024 but charges under the Ontario *Occupational Health and Safety Act* remain. Ontario

August 2018. Supervisor and Company both charged with criminal negligence causing death. Supervisor found guilty, appealing. New Brunswick

February 15, 2017. Company and owner were charged with criminal negligence, causing death.
June 3, 2015. Company Charged, 3x Supervisors Charged. Ontario

September 20, 2013. owner and supervisor, faced 12 charges under the Nova Scotia *Occupational Health and Safety Act* and was charged under the *Criminal Code* with criminal negligence causing death. Nova Scotia

October 2012. Supervisor Charged. British Columbia

More found at link below

<https://www.ccohs.ca/oshanswers/legisl/billc45.html#section-10-hdr>



Firm: Provincial Government

Work site: Salmo

Current amount: \$783,068.26

Date imposed: January 21, 2025

A traffic control firm had traffic control persons (TCPs) directing traffic for a music festival. Workers from this employer (Ministry) arrived at the site, observed traffic stopped on the highway, and took over traffic control duties. WorkSafeBC determined the Ministry workers were not trained TCPs and had been directing traffic from an unsafe position on the highway. In addition, the employer had not provided specific direction to its workers on how, and under what circumstances, they should perform traffic control. The employer failed to ensure that workers did not direct traffic contrary to a control device or from a position open to traffic flow. The employer also failed to provide its workers with the information, instruction, training, and supervision necessary to ensure their health and safety. These were both high-risk violations.

Sector: Deposit Sector 11 (formerly Class 13)

Classification unit: Government of British Columbia

Updated to: January 21, 2025



Firm: Provincial Government

Work site: Squilax

Current amount: \$759,368.84

Date imposed: September 25, 2025

WorkSafeBC investigated two incidents involving this employer's wildfire fighting work. In the first incident, two workers, one of whom was a supervisor, were in a utility terrain vehicle (UTV) when it went over a steep embankment. Both were injured, one of them fatally. WorkSafeBC determined that neither worker was wearing a helmet, the passenger had not been using a seatbelt, and the passenger-side retention netting had been damaged. In addition, inadequate supervision, a lack of safe work procedures and training for operating the UTV, and a lack of a pre-use inspection of the UTV all contributed to the incident. In the second incident, a crew of five workers became entrapped during a planned ignition operation. Other crews involved in the operation were forced to navigate off-road when their escape route was compromised. WorkSafeBC determined that a lack of planning, training, and communication were all contributing factors, and elements of the employer's safety program and operations manual had not been followed. The employer failed to provide its workers with the information, instruction, training, and supervision necessary to ensure their health and safety, a repeated and high-risk violation.

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Classification unit: Government of British Columbia

Updated to: September 25, 2025



Calls to Action

- 1) We offer as EPCs, EMs and ANY person responding to, part of, supervisor for, you must understand the regulations around worker safety**
- 2) Understanding that just because a disaster or emergency happens, the regulations still apply**
- 3) We offer the terms “known, or ought to have known”**
- 4) We have seen that “ignorance is not a defence”**



Some resources we have found...

- 1) Worksafe BC <https://www.worksafebc.com/>
- 2) OHS Regulations Part 3: Roles and Responsibilities <https://www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-03-rights-and-responsibilities>
- 3) First Aid and Rescue updates <https://www.worksafebc.com/en/resources/law-policy/act-amendments/regulatory-changes-backgrounder-occupational-first-aid?lang=en>
- 4) First Aid Requirements <https://www.worksafebc.com/en/health-safety/create-manage/first-aid-requirements>



Hot Wash

1. Write down two things you are going to take action on going home
2. Write down two questions you have

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