

6951 Westminster Highway, Richmond, BC
Mailing Address: PO Box 5350 Str Terminal, Vancouver BC, V6B 5L5
Telephone 604 276-3100 Toll Free 1-888-621-7233 Fax 604 276-3247

The *Workers Compensation Act* requires that the employer must post a copy of this report in a conspicuous place at or near the workplace inspected for at least seven days, or until compliance has been achieved, whichever is the longer period. A copy of this report must also be given to the joint committee or worker health and safety representative, as applicable.

A revised version of the *Workers Compensation Act* took effect on April 6, 2020. The B.C. government's revisions aim to make the Act easier to read and understand, and to reorganize the numbering to make laws easier to find. The revisions make no changes to B.C.'s laws concerning workers' compensation, occupational health and safety, and employers' assessment premiums. Please be aware there may be a transitional period where correspondence from WorkSafeBC may include references to either the previous Act or the revised Act. For more information, visit www.worksafebc.com/WCA2019 or call the Prevention Information Line at 604.276.3100, or toll free within BC at 1.888.621.7233 (SAFE).

Inspection Report #202117300016A

Employer Name	Jobsite Inspected	Scope of Inspection
ELBA HOSPITALITY LTD (ST JAMES'S WELL)	248 Newport Drive Port Moody BC V3H 5B9	COVID-19

Date of Initiating Inspection	Date of This Inspection	Delivery Date of This Report	Delivery Method
Feb 04, 2021	Feb 04, 2021	Feb 04, 2021	Email

THERE IS ONE (1) ORDER OR OTHER ITEM OUTSTANDING**ACTION REQUIRED****Summary of Orders or other Items**

See "Orders/Items – Full Details" section of this Inspection Report for orders/items cited

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS5.2(c)
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ORDER STATUS LEGEND

Order Status	Description
Outstanding	Order Outstanding - Action Required to Achieve Compliance
Complied	Compliance Achieved - No Further Action Required
Closed	Order is Closed
Rescinded	Order has been cancelled – No Further Action Required

INSPECTION NOTES

Any further enforcement action identified and/or considered is set out in the order(s).

If this report has been issued following an incident that is under investigation by WorkSafeBC, further enforcement action may be taken as a result of the findings of the investigation and any orders in this report.

This report documents an inspection I conducted on February 4, 2021. The purpose of this inspection was to review this employer's response to the current COVID-19 pandemic in relation to worker health and safety at this workplace. There is one order contained in this report.

Background

The employer operates a restaurant and pub. I conducted an inspection with an employer representative s. 22 [REDACTED]. There were s. 22 [REDACTED] at the workplace at the time of the inspection, and a total of 28 are regularly employed.

I confirmed that the employer representative knew the Health Authority for their region and how to contact that Authority.

The inspection was focused on verifying:

- Controls designed to prevent COVID-19 transmission are in place and align with the employer's risk assessment.
- A COVID-19 Safety Plan has been documented and posted.
- The Safety Plan is sustained, monitored, and modified, as necessary, to ensure controls remain in place and are effective.

Controls designed to prevent COVID-19 transmission

There is evidence that the employer has implemented controls designed to prevent COVID-19 transmission. I observed the following:

- Mandatory mask policy is in place. Signs are posted to remind people of this policy.
- Physical distancing is being maintained between tables.
- Hand sanitizer is available.
- Plexiglass is installed between tables and at the bar.
- QR codes to access a menu to reduce amount of shared touched surfaces.
- Each table has a list of rules for the public to follow.
- Servers no longer have to enter into the kitchen to pick up the food. A "waitress area" has been set up to allow servers to pick up food/drop off dirty dishes.

The employer representative stated:

- Bathrooms are cleaned every 30 minutes. I discussed for the employer to assess if further control (e.g., setting occupancy limits for the washroom) are needed.
- Dedicated workers sanitize high touch surfaces such as debit machines and door handles.
- The restaurant is operating at 65% capacity. A worker is assigned to the front entrance to manage the number of customers coming in.
- Shared items such as salt and pepper shakers are no longer in use and have been replaced with disposable packages.
- Coasters are thrown out after use.
- A policy is in place for workers to not come into work when sick.
- In anticipation of increased demand on Sunday, tables are by reservation only. No walk ins are permitted.
- Lowered the volume of the music/tv to allow for people to communicate without having to raise their voices.
- Delivery food drivers are instructed to wait outside.
- Workers stagger their breaks and only one worker at a time is allowed to eat in a designated place in the kitchen (away from

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kitchen staff).

I discussed the employer must implement and add the following components to a COVID-19 Safety Plan in accordance with the applicable Public Health order:

- Workers' daily health check before entering the workplace. Health checks are mandatory self-assessments conducted by workers and includes confirming with their employer, in written, verbal, online, or other form of supervised daily health check process that they have reviewed the complete list of entry requirements. The employer representative stated this is not currently being completed.

- Policy requiring members of the public to wear masks at the workplace in any location where they are in a shared space with other workers or other members of the public. The employer representative stated there is a policy for customers to wear a mask if they are not seated at their table (e.g., when leaving the table to go to the washroom).

NOTE: The Provincial Health Officer strongly recommended that masks be worn in shared indoor workplace spaces, including elevators, kitchens, hallways, and break rooms. Workers are not required to wear masks if the employer has adequate controls in place for such "shared spaces".

Documented COVID-19 Safety Plan

The COVID-19 Safety Plan is not documented. See **Order #1**.

I discussed with the employer representative to ensure workers are included in developing their COVID-19 Safety Plan. The employer must also supervise and reassess controls to ensure the COVID-19 Safety Plan's effectiveness.

Resources provided

- COVID-19 Safety Plan template.
- COVID-19 occupancy limit poster.

If you would like to discuss this inspection report or other safety related concerns you may have, please do not hesitate to contact me.

Janet Lee
Occupational Hygiene Officer
Phone: 604.247.5660
Fax: 604.232.5950
Email: janet.lee@worksafebc.com

More information can be found under the Workers Compensation Act and the Occupational Health and Safety Regulation at www.worksafebc.com.

Resources I provided to the employer:

ORDERS/ITEMS

An employer who fails to comply with Occupational Health and Safety ("OHS") provisions of the *Workers Compensation Act*, the Occupational Health & Safety Regulation, or WorkSafeBC orders may be subject to monetary or other sanctions as prescribed by the *Workers Compensation Act*.

Orders/Items - Full Details

Order/Item No.1 <input type="checkbox"/>	Status: Outstanding	Cited: OHS5.2(c)
<p>Workers may be exposed to COVID-19. The employer does not have a written COVID-19 Safety Plan for this workplace.</p> <p>This is in contravention of the Occupational Health and Safety Regulation Section 5.2(c).</p> <p>If a worker is or may be exposed to a chemical agent, or biological agent designated as a hazardous substance in section 5.1.1, which could cause an adverse health effect, the employer must ensure that (c) written procedures are prepared and implemented to eliminate or minimize a risk of exposure to a chemical agent or biological agent by any route that could cause an adverse health effect, and to address emergency and cleanup procedures in the event of a spill or release of a chemical agent or biological agent.</p> <p><u>Measures to Ensure Compliance:</u> The employer will ensure they prepare and implement a COVID-19 Safety Plan for this workplace. See Inspection notes for more information. Evidence of compliance will be this employer's COVID-19 Safety Plan submitted to me.</p>		

Employer #	Mailing Address	Classification Unit #	Operating Location
901656	UNIT 1 5291 OAKMOUNT CRES BURNABY BC V5H 4S7	761034	001

Lab Samples Taken	Direct Readings	Results Presented	Sampling Inspection(s)	Workers onsite during Inspection	Notice of Project Number
N	N	N		1	

Inspection Report Delivered To	Employer Representative Present During Inspection	Worker Representative Present During Inspection	Labour Organization & Local
Caroline Roy	Caroline Roy	s. 22	

WorkSafeBC Officer Conducting Inspection	Contact Details	
Janet Lee	Phone: (604) 247-5660	Email: Janet.Lee@worksafebc.com

Inspection Time*	Travel Time*
0 hrs	0 hrs

*The time recorded above reflects the inspection time and travel time associated with this inspection report and includes time spent on pre and post-inspection activities. Additional time may be added for subsequent activity.

Request a Review

Any employer, worker, owner, supplier, union, or a member of a deceased worker's family directly affected may, within 45 calendar days of the delivery date of this report, in writing, request the Review Division of WorkSafeBC to conduct a review of an order, or the non-issuance of an order, by contacting the Review Division. Employers requiring assistance may contact the Employers' Advisers Office at 1-800-925-2233.

To submit a request online, visit <https://www.worksafebc.com/en/review-appeal/submit-request>

WorkSafeBC values your feedback. To obtain that feedback, an external market research provider may be contacting you to complete a survey.

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