



LEGISLATIVE BRIEFING

- A Labour Relations Services Publication -

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WORKERS COMPENSATION AMENDMENT ACT, 2015 (BILL 9)

This update is further to the Legislative Briefings published [February 16](#) and [May 29](#) related to Bill 9. The final sections of the Workers Compensation Amendment Act will come into force on July 31, 2015 and September 15, 2015.

HOW DOES THIS IMPACT ME?

Effective July 31, 2015, Sections 5, 6, 13 and 15 of the *Workers Compensation Amendment Act, 2015*, S.B.C. 2015, c.22 (Bill 9) came into force.

Please note that sections 1, 3, 4, 7, 8, 9, 11, 12 and 14 came into force on Royal Assent May 14, 2015.

Sections 2 and 10 of Bill 9 are in force effective September 15, 2015 (B.C. Reg. 164.2015).

As of September 15, 2015 Bill 9 will be completely in force.

AMENDMENT SUMMARY

The amendments to the *Act* that came into force effective July 31, 2015 are:

1. Implementation of an Administrative Penalty by Regulation (Lower Threshold)

Section 13 permits the Board to impose by regulation on an employer an administrative penalty for a lower maximum amount, not to exceed \$1,000.

2. Implementation of Administrative Penalties by Regulation (Escalating Penalties)

Section 15 permits the Board to impose administrative penalties by regulation, including varying the amounts of the penalties and applying for escalating penalties.

3. Consequential Amendments

Section 5 and 6 are consequential amendments (amended a definition by substituting “hazardous substance” in place of “controlled product” and amended a provision by deleting “material”).

The amendments to the *Act* that will come into force effective September 15, 2015 are:

1. Amendments related to the Board Directors

Section 2 increases the number of directors of the Board from 7 to 9, sets out required director qualifications and adds a definition of “law enforcements”.

2. Creation of Compliance Agreements

Section 10 adds a new provision regarding compliance agreements that the Board may enter into with employers.

Finally, effective September 15, 2015, under the *Workers Compensation Act*, the Time Period for Review Regulation is created. This Regulation prescribes 45 days as the time to request a review of:

- ❖ Levy from an employer to cover amount of compensation; or
- ❖ Orders regarding occupational health or safety.

EMPLOYER RESOURCES

An unofficial copy of the bill is available at: http://leg.bc.ca/40th4th/3rd_read/qov09-3.htm.

For detailed information on the changes and resources available to employers, please visit the [WorkSafeBC website](#) where you will find information on:

- Changes to the *Act*
- High level summaries on the changes
- Updates to the Prevention Manual
- Updates to the Occupational Health and Safety Regulation
- An overview and flowchart for the new requirements for employer incident and investigations
- Q&A document on the changes to the *Act*

QUESTIONS?

If you have any comments or questions about this update please contact Karen Jewell, Division Manager Base Services & Compensation at 604-432-6228 or by email at Karen.jewell@metrovancover.org.

SOURCES

Labour Relations Services Publication – Legislative Briefing: Workers Compensation Amendment Act (Bill 9, 2015) – February 15, 2015. http://www.metrovancover.org/services/labour-relations/LabourRelationsPublications/V01-Legislative_Briefing-2015-02-16.pdf

Labour Relations Services Publication – Legislative Briefing: Workers Compensation Amendment Act (Bill 9, 2015) – May 29, 2015. http://www.metrovancover.org/services/labour-relations/LabourRelationsPublications/V02-Legislative_Briefing%20-2015-05-29.pdf

Workers Compensation Amendment Act, 2015 (Bill 9). https://www.leg.bc.ca/40th4th/3rd_read/gov09-3.htm

Workers Compensation Act, RSBC 1996 (Chapter 492).
http://www.bclaws.ca/civix/document/id/complete/statreg/96492_00