

Stratas & WorkSafeBC

Stratas and condominium homeowners that hire employees or contractors need to know how workers' compensation applies to them.

What do you need to know about WorkSafeBC? More than you may think.



WorkSafeBC is the new name of the Workers' Compensation Board, or WCB. WorkSafeBC manages B.C.'s system of worker safety and compensation.

WorkSafeBC rules apply to every strata in B.C.

- They work with stratas to ensure a safe workplace for people the strata hires.
- They offer insurance coverage and protect the strata from being sued.
- They are required by law if the strata hires employees or contractors.

This brochure tells you what WorkSafeBC means to your strata.

Summary

- If your strata has paid employees or contractors, the strata must be registered with WorkSafeBC.
- If your strata is a registered employer, it must pay WorkSafeBC premiums quarterly or annually as required.
- When your strata hires a contractor, it should always obtain a clearance letter for that contractor.
- When your strata hires or pays a worker directly, it is responsible for the health and safety of that worker when they are performing work for your strata.
- Most construction projects require a Notice of Project sent to WorkSafeBC at least 24 hours before work starts.

For more information



Condominium Home Owners' Association

Web: www.choa.bc.ca

Suite 202 - 624 Columbia Street
New Westminster, BC V3M 1A5
Tel: 604 584-2462
Toll-free: 1 877 353-2462
Fax: 604 515-9643



WORKING TO MAKE A DIFFERENCE

WorkSafeBC

Web: www.WorkSafeBC.com

Phone: 1 888 922-2768 toll-free within B.C.
or 604 244-6181 in the Lower Mainland

For independent advice about WorkSafeBC, contact the Employers' Advisor in your region. (Look in your local phone book under WorkSafeBC – Employers' Advisor.)



WORKING TO MAKE A DIFFERENCE



Does a strata need to have a WorkSafeBC account?

» Yes, if your strata hires workers (employees or contractors) to carry out work for the strata, it assumes the role of an employer.

• Individual homeowners may also need to register if they hire individuals to carry out work in or around their private residence. For example, you may be considered a residential employer if you hire a nanny, caregiver, domestic cleaner or renovation contractor:

- For an average of eight or more working hours per week
- For a specific job that will take 24 or more working hours or
- To care for children for an average of 15 or more hours per week

• As an individual homeowner, you do not need to register if you hire someone:

- Through an agency registered with WorkSafeBC, where you pay the agency directly or
- Who is independently registered with WorkSafeBC

What's the benefit of WorkSafeBC coverage?

» WorkSafeBC coverage protects you and your strata.

- If anyone working for the strata suffers a work injury, WorkSafeBC provides health care and wage loss benefits.
- Injured workers cannot sue the strata.
- When you follow WorkSafeBC rules, your workers are safer and have fewer injuries.

How does a strata create a WorkSafeBC account?

You have two basic options:

1. Register online.

- Go to www.worksafebc.com and click "Register for coverage."
- Follow the questions on the screen. They will take about 20 minutes to complete.
- At the question that asks if you are a homeowner hiring a nanny, gardener, personal caregiver, or worker for home renovations, click "No" (unless you

are registering as an individual condominium owner).

- At the question that asks the type of business, select "Association" from the drop-down menu.

2. Register using paper forms.

- You can ask for paper forms by phone, fax or in person from your local WorkSafeBC office.
- You can also download them from the WorkSafeBC website. (Click "Forms," then "Employers Registration Application.")

For more information, call the WorkSafeBC Employer Service Centre at 604 244-6181, or toll-free at 1 888 922-2768.

What will WorkSafeBC coverage cost?

» The amount you pay depends on the type of work, the total amount of your payroll and your safety record (if applicable).

(See "Rates/Classifications" at www.worksafebc.com for details.)

» Once you have registered, WorkSafeBC will send you a form to report your payroll. You pay a premium once a year or every three months.

Examples (2008 rates):

- For a resident caretaker, the cost is \$0.82 per \$100 of payroll.
- For janitorial work, the cost is \$1.75 per \$100 of payroll.
- For basic wood-frame renovation work, the cost is \$4.06 per \$100 of payroll.

What happens if I don't register?

» If your strata is required by law to register for coverage and does not, your strata could put itself at considerable financial risk.

- If your strata is not registered and a worker is injured while working for it, your strata could be liable for all compensation costs associated with the claim, as well as for backdated premiums.

- All workers in B.C. are covered, even if their employers are not registered with WorkSafeBC.

Even if the contractor has WorkSafeBC coverage, it's best for the strata to have its own coverage.

What You Need To Register

Make sure you have the complete legal name, address and strata plan number. **You will also need:**

- An estimate of your payroll if you employ workers
- The start date of your first worker
- An e-mail address and contact details for your business



Do contractors carry their own WorkSafeBC coverage?

» Some do, but you need to check. If you hire a contractor with employees, the contractor probably has its own WorkSafeBC coverage.

- If the contractor does not, or if the contractor is behind on its payments to WorkSafeBC, the strata may be liable for coverage.
- To protect yourself, be sure the contractor has a valid account number. Get a clearance letter from WorkSafeBC before the contractor starts working and again before you make the final payment.
- If the strata is acting as a general contractor (e.g., for renovations or major repairs), the strata should contact WorkSafeBC to determine whether it should also have coverage.

» If you hire an individual as a contractor, the individual *may* have personal WorkSafeBC coverage.

» *Even if the contractor has WorkSafeBC coverage, it's best for the strata to have its own coverage.*

How can we determine if the contractor's account is current?

» Ask the contractor to provide a WorkSafeBC registration number (or legal business name).

» Get a clearance letter online or by telephone:

- Go to the WorkSafeBC website, and click "Get a Clearance Letter." Fill in the form online and print the letter that appears on your screen.
- Phone 604 244-6180 in the Lower Mainland or 1 888 922-2768 toll-free within B.C.

What happens if the contractor's account is not current?

» WorkSafeBC may consider the contractor's account as delinquent.

» When this happens, your strata may be liable for the premiums owing related to the work the contractor performs for you. Your strata could also be liable for the costs of claims in the event of a workplace injury.

What obligations does the strata have to provide a safe workplace for its employees?

» As an employer, stratas need to provide a safe and healthy workplace. This includes:

- Complying with the Occupational Health and Safety Regulation (available on the WorkSafeBC website)

- Developing a process for identifying, assessing and controlling hazards
- Training and supervising workers on safe work procedures and practices
- Keeping records of training, first aid, inspections and accident investigations
- Talking regularly to workers about safety and addressing any safety concerns
- Providing first aid services as required by Part 3 of the Occupational Health and Safety Regulation
- Reporting injuries to WorkSafeBC

» Most construction projects require that a Construction Notice of Project (NOP) be sent to WorkSafeBC at least 24 hours before work begins. (The strata may have a general contractor file the notice on the strata's behalf. For more information, call 604 276-3100 in the Lower Mainland or 1 800 621-7233 toll-free within B.C.)

If the strata's property manager has a WorkSafeBC account, does that provide coverage for the strata's employees and contractors?

» No, unless the property manager is acting as a contractor and subcontracting services to the strata. (Most do not do this.)

» The strata must legally have its own WorkSafeBC account if it hires workers directly.

Are volunteers covered under a strata's WorkSafeBC account?

» No, WorkSafeBC covers only paid employees in the course of their work.

» Stratas should consider getting insurance from a commercial company if they have volunteers working on their property.

Is the strata obliged to provide tools and supplies for its employees and contractors?

» The strata (or the general contractor if there is one) must provide:

- Personal protective equipment where required, and
- Other safety equipment and supplies that employees need to do their job safely.

» If the strata provides tools or equipment for its workers, they must be in good working order and properly maintained.