



Region of Queens Municipality Safety Manual

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Volume 2 - Safe Work Practices and Job Procedures

Volume 3 - Occupational Health & Safety Act & Regulations

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REGION OF QUEENS MUNICIPALITY
JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE
OPERATIONAL TERMS OF REFERENCE

In addition to the responsibilities set forth under Section 30 of the Nova Scotia Occupational Health and Safety Act, the Committee will establish the following:

- 1) The minimum number of committee members will be seven (7).
- 2) A list of alternate members.

DUTIES OF THE CHAIRPERSON:

The Chairperson or his/her designate shall:

- 1) Preside at the monthly meeting or alternately as in the case of a co-chairperson conducting the same in an orderly democratic manner.
- 2) Arrange for a meeting place.
- 3) Notify members of the meeting.
- 4) Arrange for sufficient seating for the members.
- 5) Review minutes of last meeting and agenda items for current meeting.
- 6) Require the review and analysis of reported incidents, investigations, inspections and recommendations.
- 7) Assign special or on going projects to members of the Committee.
- 8) Ensure information concerning the activities of the Health and Safety program are communicated throughout the organization.
- 9) Present report of current meeting to Senior Management for their review and comment.
- 10) Review minutes prior to distribution and posting.

- 11) Distribute reports and minutes of the Joint Occupational Health and Safety Committee meeting to the following:
 - (a) Mayor and Councillors
 - (b) Chief Administrative Officer
 - (c) Department Heads
 - (d) Safety Committee Members and their Alternates
 - (e) Department of Labour Representative
 - (f) Bulletin Boards
- 12) Require that the Agenda be circulated in writing to members of the Committee prior to the meeting.
- 13) Determine service rotation of officers and members of the Committee.
- 14) Without limiting the generality of the foregoing, any other related duties required by the Joint Occupational Health and Safety Committee or Regulations.

DUTIES OF THE COMMITTEE SECRETARY:

The Secretary shall:

- 1) Record and prepare the minutes of the meeting.
- 2) Post and distribute minutes.
- 3) Report on the status of recommendations.
- 4) Distribute information concerning the activities of the Health and Safety program as directed by the Chairperson.
- 5) Review and report on literature provided by Federal and Provincial Occupational Health and Safety agencies.
- 6) Receive and/or prepare a report on the current position of injury claims files with Worker's Compensation Board and report to the committee.
- 7) Acquire a working knowledge of the Worker's Compensation Act, Occupational Health and Safety Act and related regulations and safety standards.
- 8) Without limiting the generality of the foregoing any other duties assigned by the Joint Occupational Health and Safety Committee or Regulations.

COMMITTEE MEMBERS AND ALTERNATES:

- 1) Attend all safety meetings.
- 2) Sets example to fellow workers by observing safe working practices and procedures.
- 3) Reports unsafe conditions by filling out the appropriate form and reporting to first line supervisor.
- 4) Reports all accidents and near miss incidents.
- 5) Promotes safety awareness and influences fellow workers to work safely.
- 6) Participates in inspections and accident investigations as directed by the Chairperson.
- 7) Contributes ideas and makes suggestions to improve health and safety matters.
- 8) Acquires education in health and safety matters.
- 9) A position of trust, management trusts the Joint Occupational Health and Safety Committee member to observe how the company's safety policy is being applied on the job and to report if the policy is being neglected.
- 10) Must have ability to listen to worker complaints and bring their concerns to the Committee as is necessary.
- 11) Tact, good humour, mature judgement must be exercised by the Committee member.
- 12) Accompanies official inspectors as required.
- 13) Reports to work wearing appropriate personal protective equipment required for the job.
- 14) Assists as required, the development of safe job procedures and safe work standards.
- 15) Regular members to give alternates a minimum of 24 hours notice prior to the scheduled meeting.
- 16) Regular members to brief alternates prior to the scheduled meeting.
- 17) Without limiting the generality of the foregoing, any other related duties required by the Joint Occupational Health and Safety Committee or Regulations.



REGION OF QUEENS MUNICIPALITY JOINT OCCUPATIONAL HEALTH AND SAFETY POLICY

It shall be the policy of the Region of Queens Municipality to conduct all operations safely, to do all that is reasonable to prevent injury to persons and damage to property and to protect the employees, the Region, and the public from the results of accidents and fire. All practical steps shall be taken to build and maintain a safe and healthful workplace. It is recognized that safe working practices are a joint responsibility of both the employer and all employees.

MISSION

We will not knowingly expose ourselves, contractors, or members of the general public to unacceptable safety or health risks in the execution of our public service activities.

STRATEGIC GOALS

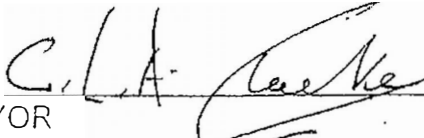
The Region of Queens Municipality believes that all injuries and occupational illnesses are preventable.

The Region of Queens Municipality will endeavour to meet or exceed available standards as defined by recognized safety, health, occupational hygiene and regulatory authorities through the application of engineering controls, administrative controls, personal protective equipment, promotion, training and education.

Health and safety shall always be the overriding factor in situations where production or public service may also be at stake.

All employees are held to be individually responsible for their own safety and health, that of co-workers and employees working under their direction.

THIS IS TO CERTIFY THAT the Joint Occupational Health and Safety Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.


MAYOR


REGIONAL CLERK



REGION OF QUEENS MUNICIPALITY
JOINT OCCUPATIONAL HEALTH AND SAFETY POLICY
RESPONSIBILITIES AND ACCOUNTABILITY POLICY

Council and Mayor

- 1) Has full responsibility to approve, amend and modify safety manual policies, (referred to as Volume I) pertaining to an Occupational Health and Safety Program.
- 2) Approves sufficient funds in yearly operating budgets to allow the implementation of policies, procedures and practices pertaining to an Occupational Health and Safety Program, including but not limited to training, safety equipment and work places.

Chief Administrative Officer

- 1) Has full responsibility for the Joint Occupational Health and Safety Program, and is accountable to the Region of Queens' Council.
- 2) Authorizes necessary expenditures for implementation of the various segments of the Joint Occupational Health and Safety Program, as approved by the Council.
- 3) Issues the necessary policy directives as formulated by the Joint Occupational Health and Safety Committee.
- 4) Ensures that management at all levels shall enforce safety.
- 5) Ensures Department Heads realize that no job is efficiently completed unless every safety precaution associated with the performance of the job is strictly complied with.
- 6) Makes safety a part of periodic discussions with the Department Heads and supervisors.
- 7) Kept informed of the accident experience of the Region and the predominating causes for accidents.
- 8) Passes on instructional information to Department Heads when reviewing the Minutes of a Safety Committee meeting.
- 9) Takes an active interest in handling cases requiring discipline.
- 10) Provides information, education, instructions and assistance to all Department Heads, staff and ensures Department Heads understand the Region's Safety Policy and the Occupational Health and Safety Act and Regulations of Nova Scotia.

Department Heads

- 1) Are accountable to the Chief Administrative Officer and responsible for ensuring that the Region's Health and Safety Policy, and Safe Working Practices are fully understood by staff assigned to them.
- 2) In consultation with the Joint Health and Safety Committee for the Region ensure that codes of practice, safe working practices are consistent of the Occupational Health and Safety Act and Regulations of N. S.
- 3) Stimulate the interest and ensure the participation of management and employees assigned to them in health, safety, and related safety matters.
- 4) Monitor the application of the Region's Health and Safety Policy to ensure the desired goals and objectives of the Health and Safety Policy are attained.
- 5) Responsible for preventing injury, sickness, disease, death to any management and employees within their respective departments.
- 6) Establishing the necessary preventive programs to prevent damage, destruction and loss of materials or equipment.
- 7) Establish objectives and standards consistent with applicable health and safety legislation.
- 8) Monitor all levels of responsibility and direct corrective action as required.
- 9) Provide information, education and assistance to all supervisory staff, and ensure supervisors understand the Region's Safety Policy.
- 10) Understand and enforce the Health and Safety Policy as well as the Occupational Health and Safety Act of N. S.
- 11) Assist supervisors in establishing codes of practice/safe job procedures.
- 12) Ensure that all staff have proper and well-maintained safety equipment as well as special personal protective devices when required.
- 13) Review and recommend approval of safe job procedures to Chief Administrative Officer.
- 14) Provide ongoing safety education programs and approved first aid training courses as required in consultation with the Joint Occupational Health and Safety Committee.
- 15) Review all accident investigation reports - approve or support remedial actions recommended, as necessary.
- 16) Conduct inspection of work areas and locations within their department.

Department Heads (cont.)

- 17) Serve on Joint Occupational Health and Safety Committee as required.
- 18) Provide information, education, instructions and assistance to management personnel, staff and ensures management personnel understands the Region's Safety Policy.
- 19) Ensure that a Workers' Compensation Board report be filed on all accidents.
- 20) Without limiting the generality of the foregoing any other related duties required by the Region or Regulations.

Management Personnel - (Supervisors, Division Heads)

- 1) Responsible for the Health and Safety Program in their respective areas of responsibility and are accountable to their respective Department Head for their accident prevention efforts.
- 2) Displays leadership, by setting an example in placing safety at the forefront of their operations and stimulating their subordinates' interest and supporting health and safety initiatives.
- 3) Implement and enforces Health and Safety Policy set forth by the Region and ensures subordinate staff understand same.
- 4) Determine a safe method of performing work with all job assignments including the usage, placing and storage of equipment and material.
- 5) Ensure that employees are briefed regarding potential hazards associated with work assignments, and to hold supervisory meetings to discuss safety topics of current importance.
- 6) Ensure that employees are aware of location of first aid kits and other emergency equipment and ensure required numbers of designated personnel are trained in first aid.
- 7) Consult with employees to establish safe job procedures.
- 8) Ensure that safe practices are current with developments in statutory requirements and sound industrial practice, consulting when necessary with the Department Head.
- 9) Ensure that the conduct of operations provide maximum protection of the public and minimum inconvenience to the public.
- 10) Ensure that all equipment is maintained in a safe operating condition, and that all materials are properly transported, handled and stored in a safe manner by properly trained personnel.

Management Personnel (cont.)

- 11) Ensure that no person is permitted to work without proper instructions and supervision appropriate to the circumstances.
- 12) Ensure that new employees receive orientation on safe work practices and the application of the Region's Safety Policy.
- 13) Ensure that all accidents or incidents are reported to their respective Department Head.
- 14) Conduct a review of accident reports to ensure they are complete and contain recommended remedial measures.
- 15) Recommends necessary corrective action to their respective Department Head.
- 16) Ensure that recommended corrective measures are implemented.
- 17) Conduct regular inspections to ensure required housekeeping standards are maintained, and that work equipment is maintained in a safe operating condition.
- 18) Monitor effectiveness of the Health and Safety Policy and report any deficiencies to their respective Department Head.
- 19) Ensure that medical attention is obtained for an injured employee.
- 20) Monitor status of injured employees and report status when necessary to Department Head.
- 21) Ensure that department safety concerns are placed before production.
- 22) Attend the Joint Occupational Health and Safety Committee meetings as required.
- 23) Provide information, education, instruction and assistance to employees and ensure that staff understands the Region's Safety Policy.
- 24) Without limiting the generality of the foregoing, any other related duties required by the Region or Regulations.

Employees

- 1) Responsible for understanding and complying with the Health and Safety Policy and working in accordance with safe working practices and are accountable to management personnel.
- 2) Take every precaution reasonable and practical to protect themselves, fellow-workers, and the public from health hazards and unsafe conditions.
- 3) Study and comply with the Region's Safety Policy, Rules and Procedures.

Employees (cont.)

- 4) Follow established safe job procedures.
- 5) Work in accordance with Management Personnel's instructions.
- 6) Take care of tools, property and equipment entrusted to him/her in the course of his/her work.
- 7) Arrange and maintain work areas so that they are safe at all times.
- 8) Understand instructions and provisions of the Occupational Health and Safety Act and the Region's Safety Policy.
- 9) Learn and avoid hazards inherent in the work.
- 10) Inform supervisor of his/her ideas and thoughts on how to improve the work methods and work conditions of the jobs.
- 11) Report all accidents, incidents and near misses or unsafe conditions to the supervisor.
- 12) Dress safely for the type of work required.
- 13) Always use the personal protective equipment provided for safety on jobs requiring the use of personal protective equipment.
- 14) Never take chances - no horseplay.
- 15) Not to operate equipment for which the employee has not been trained and authorized to operate.
- 16) Not to operate equipment without proper guards or safety devices.
- 17) Know the location of first aid and other emergency equipment and, if necessary, be trained to operate it.
- 18) Always put safety ahead of production.
- 19) Participate in the Joint Occupational Health and Safety Committee as required.

Joint Occupational Health and Safety Committee

- 1) To promote safety with the objective of maintaining and creating safety consciousness or attitudes on the part of all employees through recognized and newly developed methods.
- 2) To develop and recommend safety training activities in all areas of operation.

Joint Occupational Health and Safety Committee (cont.)

- 3) To prepare safety promotional material for the assistance of all departments in the safety educational program and serve as a clearing house for the exchange of ideas developed in the field.
- 4) To develop, coordinate, and direct accident prevention efforts.
- 5) To establish necessary training and instruction for the Region's employees.
- 6) To coordinate all efforts in the maintenance of safe working conditions and practices.
- 7) To evaluate problems and causes of accidents and recommend corrective measures.
- 8) To promote and implement a comprehensive safety program for all employees to the end that everyone is safety-conscious both on and off the job.
- 9) To eliminate, or to provide suitable protection against all recognizable occupational hazards.
- 10) To devise procedures and practices that minimize the risk of accident.
- 11) To recommend a program to rectify, insofar as possible, any condition that presents a hazard.
- 12) To promote continuous safety education being carried on to create and maintain the interest of personnel in the prevention of accidents.
- 13) To maintain the interest of both management and labour in Occupational Health and Safety matters.
- 14) To provide an opportunity for open discussion of problems that resulted or could result in injury or disease.
- 15) To assist management in the evaluation or recommendations for improvements of the work environment.
- 16) To improve the cooperative spirit between management and labour.

THIS IS TO CERTIFY THAT the Responsibilities and Accountability Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

C. L. A. Coakley
MAYOR

Chris Michail
REGIONAL CLERK



Region of Queens Municipality
Joint Occupational Health and Safety

PERSONAL PROTECTIVE EQUIPMENT (PPE) POLICY

The purpose of this policy is to minimize injury or illness to employees through the utilization of the appropriate personal protective equipment.

All personal protective equipment will be supplied by the employer and will meet or exceed regulatory or industry standards.

All employees, guests and visitors shall wear the personal protective equipment required for the workplace when present at that worksite.

All personal protective equipment must be inspected routinely, kept in good working condition, and maintained in accordance with the manufacturer's instructions. Any PPE equipment found to be of questionable reliability, damaged or in need of service will be removed from use, reported to the Department Head/Supervisor, and repaired by a qualified person, or replaced.

All personal protective equipment will be used as indicated by the manufacturer's instructions and specifications. No piece of PPE will be modified or changed contrary to these instructions, or the Nova Scotia Occupational Health and Safety Act.

Department Head/Supervisors shall be responsible for adhering to this policy, and for ensuring compliance with this policy.

Employees shall comply with this policy, and assist others by advising them when they are not in compliance with this policy.

THIS IS TO CERTIFY THAT the Personal Protective Equipment (PPE) Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

C. L. A. Coe
MAYOR

Chris McNeill
REGIONAL CLERK



Region of Queens Municipality
Joint Occupational Health and Safety

MAINTENANCE POLICY

It is the policy of the Region of Queens Municipality to maintain all tools and equipment in a condition of good repair, thus, minimizing the risk of injury or illness to employees, and damage to property.

Department Head/Supervisors shall ensure that all preventive maintenance and repair is carried out by qualified persons according to established schedules and procedures. A record of all repairs and maintenance is to be kept.

Employees shall check all tools and equipment before using to ensure they are in good repair. Any tool or equipment that poses a hazard due to the need for repair or service, shall be taken out of service and reported to the Department Head/Supervisor.

THIS IS TO CERTIFY THAT the Maintenance Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

MAYOR

C. L. A. Coaker

REGIONAL CLERK

Chris McNeill



Region of Queens Municipality
Joint Occupational Health and Safety

TRAINING POLICY

It is the policy of the Region of Queens Municipality that all employees have the necessary safety and related training to perform their duties in a safe, competent, and professionally skilled, manner. The employer shall provide all required safety training in all workplaces.

The purpose of this training is to help prevent personal injury, and damage to equipment and property.

We believe informed employees will work more safely, with confidence and to a higher level of performance.

Department Head/Supervisors shall ensure that training needs are identified, appropriate training is provided to all employees, and a record of all training is maintained.

Employees shall participate in all necessary training, and utilize this training to work safely, thus, lessening the risk of injury or illness to self and co-workers.

Training will be relevant to need, current in content, and ongoing in nature. Occupational Health and Safety Committees in the workplaces will play an integral role in the provision of training programs.

THIS IS TO CERTIFY THAT the Training Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

S. L. A. Carver
MAYOR

Chris McNeill
REGIONAL CLERK



Region of Queens Municipality
Joint Occupational Health and Safety

INSPECTION POLICY

It is the **policy** of the Region of Queens Municipality to maintain a comprehensive program of safety inspections at all facilities and work sites.

The **purpose** of this policy is to identify hazards and unsafe acts in order that they may be eliminated or controlled. Doing so, enables us to act to minimize the risk of injury and illness to employees, and damage to property and equipment.

Inspections may be either formal or informal in nature, and will be conducted at regular intervals or as required, depending on particular workplace conditions. Records of inspections shall be kept, and recommendations shall be acted upon in a timely manner.

Management is responsible for the overall operation of the inspection program.

Department Head/Supervisors are responsible for informal inspections of all active work areas, and for directing formal inspections of workplaces under their control. They are to ensure that workers are involved in such inspections.

Employees are responsible for participating in, and contributing to the inspection program.

Occupational Health and Safety Committees in the workplaces will play a vital role in the inspection program, as provided for under the Occupational Health and Safety Act and Regulations. They will conduct inspections, evaluate results, keep reports, make recommendations and track their progress, to ensure proper actions have been taken.

THIS IS TO CERTIFY THAT the Inspection Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

C. L. A. Coaker
MAYOR

Chris Bechzell
REGIONAL CLERK



Region of Queens Municipality
Joint Occupational Health and Safety

INVESTIGATION POLICY

It is the policy of the Region of Queens Municipality to thoroughly investigate all incidents that result in injury to people, or damage to property. We will also investigate incidents that could have resulted in such loss, and activities that have been identified as posing potential risk.

The purpose of this investigation will be to determine the causes of the incident so that appropriate action can be taken to prevent a recurrence. The outcome of investigations will be used to further educate employees on the potential of workplace hazards.

Management is responsible for determining and implementing appropriate measures to prevent recurrence of incidents.

Department Head/Supervisors are responsible for conducting investigations, determining cause, recommending corrective action, and submitting reports to the manager. This will be done in full cooperation with the workplace Occupational Health and Safety Committee.

Employees are responsible for reporting all incidents to their supervisor. They will cooperate fully with any investigation and provide all information relevant to the investigation.

Joint Occupational Health and Safety Committees in the workplaces will play an important role in the incident investigation process, as provided for under the Occupational Health and Safety Act and Regulations. They will review all incident reports to ensure completeness, and that corrective action is appropriate and done in a timely manner. Occupational Health and Safety Committees will investigate all incidents that result in loss time for workers, substantial damage to equipment and property, and where there was a high potential for the incident to have such a result.

THIS IS TO CERTIFY THAT the Investigation Policy, of which the foregoing is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

C. L. A. Coakley
MAYOR

Chris McNeill
REGIONAL CLERK



Region of Queens Municipality

OCCUPATIONAL HEALTH AND SAFETY CORRECTIVE ACTION OPERATIONS POLICY

It is the policy of the Region of Queens Municipality that all our business activities comply with the highest standards of Occupational Health and Safety.

Contraventions of Occupational Health and Safety standards by managers, supervisors and employees, will be regarded as very serious breaches of expected performance and may be cause for disciplinary action.

Disciplinary action resulting from a violation of Occupational Health and Safety requirements will be progressive and will be appropriate to the nature of the contravention, the seriousness of the offence, previous violations, and any extenuating circumstances:

The first occurrence of a 'less serious offence' will be dealt with in an informal manner. A less serious offence is one that poses minimal risk of injury to the employee, fellow employees or other people in or near the workplace, or where there is minimal risk of damage to property and equipment. The employee will be advised of the proper corrective action.

A second occurrence of the same or related offence, or the first occurrence of a more serious offence, will be dealt with in a formal manner by written warning. The supervisor responsible for the employee will arrange a counselling session with the employee to ensure the employee understands the nature of the contravention and the importance of compliance. If the employee is covered by a collective agreement, the union will be invited to participate in the counselling session. Where lack of training or supervision is identified as a contributing factor, arrangements will be made to fill this need.

A subsequent occurrence will result in the employee being suspended without pay for a period of one scheduled working day. The employee will be required to attend mandatory safety retraining before returning to his regular duties.

Repeated or flagrant violation of Occupational Health and Safety requirements will be regarded as cause for disciplinary action up to and including termination, depending on circumstances.

THIS IS TO CERTIFY THAT the Corrective Action Operations Policy of which is a true copy, was passed by the Council of the Region of Queens Municipality at a meeting duly held on the 19th day of October, 1998.

MAYOR

REGIONAL CLERK

REGION OF QUEENS MUNICIPALITY **GUIDELINES FOR CONDUCTING HAZARD ASSESSMENTS**

Identification and control of hazards is critical to the success and effectiveness of the Occupational Health and Safety Program. We must identify hazards in the workplace in order to be able to take action to eliminate or control them. Only with the control of hazards will the frequency and severity of incidents and injuries be reduced.

Identification and control of hazards is a management function in just the same way as managing work flow, productivity, timeliness, cost and employee quality. Hazard identification and control is a planning function. You cannot manage what you cannot measure, and the first step is to recognize the areas of risk. We must first determine what hazards are present, or might be present, in the workplace. The balance of the Occupational Health and Safety program will deal primarily with designing and implementing controls for those hazards.

Definitions:

Incident Any unplanned and unwanted event which results in damage or injury, or which could have resulted in damage or injury. This term includes property or equipment damage as well as personal injury. When thinking of injury, also include occupational illness.

Note: the term "incident" is used in preference to the term "accident". Accident has too much implication of being an "Act of God" and therefore uncontrollable. Modern occupational health and safety thinking recognizes that incidents, and the injuries they cause, are both PREDICTABLE AND PREVENTABLE.

Hazard Any circumstance or condition which poses the risk of an incident. Includes chemical, physical, biological, ergonomic, and psycho-social (stress) factors.

Hazard Assessment A thorough examination of a workplace (office, shop, yard, field, etc.) Or operation for the purpose of identifying what ACTUAL and POTENTIAL hazards exist. One must not just look at what is wrong at that time, but what COULD go wrong, given the work to be undertaken, equipment to be used, process involved and work environment where it will be happening.

All workplaces should have a hazard assessment annually, or more frequently if required. A hazard assessment should be undertaken when setting up a new workplace and whenever any significant change to the work is made, such as at change-over from summer to winter maintenance operations.

Guidelines for Conducting Hazard Assessments (cont.)

Each new project, including construction, maintenance, or other unusual activities should also have a hazard assessment at the planning stage for the project. In the case of a project, the hazard assessment will often have to be completed on paper or in a discussion session as the workplace will not be available for a site assessment.

In the Region of Queens Municipality, a hazard assessment shall be undertaken where there is an indication of a serious hazard to the employees and/or the public at the worksite.

Workplaces and operations to be included in the hazard assessment include all facilities.

In undertaking a hazard assessment, one must examine all aspects of the work activity. This is most effectively done by looking at the work from several perspectives:

- the PRODUCT or service produced, including the materials needed to produce the product, and any waste materials or emissions given off;
- the PROCESS or tasks undertaken to produce the product or service, including any equipment which is used;
- the PLACE or work environment, including the physical environment (building, vehicle, outdoors, etc.), ventilation, lighting, weather, etc. where the work is done; and
- the PEOPLE or employees who do the work, including their occupations and duties. Do not forget workers who may be present at other times, such as cleaning staff or others who may be there occasionally, including the workers of other employers. Finally, do not forget contracted workers. Look at the duties undertaken by each category of employee.

Remember, the hazard assessment does not deal only with things that are wrong at the time of the assessment, but also must identify things that COULD go wrong and create a hazard. Keep asking: "WHAT IF...."

Ranking Hazards by Risk

Once all the hazards have been identified or anticipated, they must be ranked to identify which are the most in need of effort at developing controls, safe work practices or formalized task procedures. Our priorities will be to work on the WORST FIRST.

Guidelines for Conducting Hazard Assessments (cont.)

Hazard ranking is done by the consequence of the incident which could arise from the hazard and the probability that an incident could occur, based on the degree of exposure to the hazard condition. In ranking the hazards, attention must be given to control methods which are already in place to eliminate or minimize the hazard.

Such control methods include:

- ADMINISTRATIVE controls, deal with directing the activities of people, such as existing policies, safe work practices, safe job procedures, training and supervision. Approaches such as scheduling work, job rotation, equipment and materials procurement, etc. should also be considered.
- ENGINEERING controls, such as ventilation systems, guards on equipment, roll-over protection on mobile vehicles, acoustic barriers, etc.
- PERSONAL PROTECTIVE EQUIPMENT is the final line of defence.

Hazard Consequence

In rating the consequence of the hazard, do not just look at incidents and injuries which have already occurred. Anticipate the worst possible outcome given the work being done and the presence of the hazard. Remember, every trivial incident or injury might have been much more serious!

The potential consequence of an incident injury resulting from the hazard may be rated as:

1. **Catastrophic** - may cause death or loss of facility;
2. **Critical** - may cause severe injury, severe occupational illness, or major property damage;
3. **Marginal** - may cause non-serious injury or minor occupational illness resulting in lost workday(s), or minor property damage; and
4. **Negligible** - probably would result in only a minor injury and would not effect employee health or cause property damage, but at the same time is in violation of a standard or criteria.

Guidelines for Conducting Hazard Assessments (cont.)

Hazard Probability

In rating the probability that the hazard will result in an incident or injury, one must look at the number of workers who are exposed to the hazard, the amount of time that they are exposed and the various control measures which are in place.

The potential consequence of an incident injury resulting from the hazard may be rated as:

- A. **Likely** to occur immediately or within a short period of time when an employee is exposed to the hazard;
- B. **Probably** will occur in time;
- C. **Possible** to occur in time; and
- D. **Unlikely** to occur.

By combining the Hazard Consequence with the Probability ratings, one can rank different hazards against each other. Clearly a hazard which is rated "1A" (catastrophic and likely) will be of more concern than one which is rated "1D" (catastrophic but unlikely) or one that is rated "3A" (marginal consequence although likely to occur). Once ranked, one can start working on the WORST FIRST, developing control strategies to reduce both the likelihood of an incident and the seriousness of the incident, should it occur. Hazard assessment will enable one to determine priorities for engineering controls, development of safe work practices or safe job procedures, worker training or competency testing, enhanced supervision, etc.

Region of Queens Municipality
Joint Occupational Health and Safety Policy

HAZARD ASSESSMENT INSPECTION SCHEDULE

All Workplaces will be inspected regularly on the following schedule:

Workplace Hazard Assessment

- All facilities
- **Annually** or more often if required

Worksite Hazard Assessment

- Undertaken where there is an indication of a serious hazard to the employees and/or the public.

Winter Operations Hazard Assessment

- To be completed prior to October 15, 1998
- Each month following the winter season

REGION OF QUEENS MUNICIPALITY

Job Site Hazard Assessment (Checklist)

Location: _____

Date: _____

INFORMATION

- ___ OH&S Act
- ___ Construction Safety and Industrial Regulations
- ___ First Aid and WHMIS
- ___ Emergency Phone Numbers
- ___ Permits or Licenses
- ___ _____
- ___ _____
- ___ _____
- ___ _____

HAZARDS

- ___ Traffic Patterns
- ___ Electrical
- ___ Height
- ___ Embankment/Slope
- ___ Drowning
- ___ Heat/Cold
- ___ Confined Spaces
- ___ Air Quality
- ___ Underground
- ___ Equipment
- ___ Overhead Obstructions
- ___ Darkness/Visibility
- ___ _____
- ___ _____
- ___ _____

KNOWLEDGE

- ___ Safe Work Practices and Job Procedures
- ___ Job Familiarity
- ___ Traffic Control
- ___ Temporary Workplace Signing
- ___ WHMIS
- ___ First Aid
- ___ Trained Personnel
- ___ _____
- ___ _____
- ___ _____
- ___ _____
- ___ _____

CONTROLS

- ___ Proper Protective Equipment
- ___ Traffic Control
- ___ Specialized Equipment
- ___ Utility Companies Advised
- ___ Proper Instruction to Employees

OTHER

- Priority List of Requirements
- | | | |
|--|----------|-----------|
| | 1. _____ | 2. _____ |
| | 3. _____ | 4. _____ |
| | 5. _____ | 6. _____ |
| | 7. _____ | 8. _____ |
| | 9. _____ | 10. _____ |

COMMENTS

Department Head/Supervisor _____

Date _____

On Site Employee(s) _____

REGION OF QUEENS MUNICIPALITY - WINTER OPERATIONS HAZARD ASSESSMENT

Winter operations present a series of hazards. Some of the common hazards might include:

- | | | |
|-----------------------------------|------------------|-------------------------|
| Mailboxes, both private and group | Curb | Traffic Signs |
| Fire hydrants valves | Tree limbs | Raised manhole covers, |
| Rocks | Guard rail | Power/telephone poles |
| Bridge rails, superstructure | Narrow bridges | Cross cuts in road |
| Overpass columns | Expansion joints | Driveways/intersections |

Keep a current copy of this assessment in the vehicle to refer to.

	Hazard	Location/Civic #	Road
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

Prepared by: _____

Date: _____

Supervisor: _____

Date: _____

Revised: _____

Date: _____

Date: _____

REGION OF QUEENS MUNICIPALITY

FACILITY HAZARD ASSESSMENT

Date: _____

Identification

Location of Assessment _____ Date of Assessment _____

Assessment Team - Names, Positions _____

SAFETY PROGRAM	YES	NO	PERSONAL PROTECTIVE EQUIPMENT	YES	NO
Company Safety Policy			Potential Hazards		
Current	_____	_____	Heat	_____	_____
Dated	_____	_____	Cold	_____	_____
Signed	_____	_____	Falling Objects	_____	_____
Posted	_____	_____	Radiation	_____	_____
			Toxic Gases, Vapours	_____	_____
Company Safety Manual			Working at Heights	_____	_____
Current	_____	_____	Confined Space Entry	_____	_____
Available	_____	_____	High Noise	_____	_____
Safe Work Practices			Policy/Rules in Place	_____	_____
In Place	_____	_____	Basic PPE In Use		
Available	_____	_____	Hard Hats	_____	_____
Workers Trained	_____	_____	Safety Glasses	_____	_____
Copies of OH&S Act and Regulations Available			Safety Boots	_____	_____
At Office	_____	_____	Hearing Protection	_____	_____
At Field Locations	_____	_____	Specialized PPE Available		
Inspections			Respirators	_____	_____
Policy in Place	_____	_____	Fall Arresting Equipment	_____	_____
Being Done Regularly	_____	_____	Welders Helmets/Goggles	_____	_____
Records Available	_____	_____	Other _____	_____	_____
Corrective Action Being Completed	_____	_____	YARDS/GROUNDS		
Investigation			Drainage	_____	_____
Policy in Place	_____	_____	Stacking of Materials		
Being Done Regularly	_____	_____	Blocking Driver Visibility	_____	_____
Recommendations Being Implemented	_____	_____	Near Overhead Power Lines	_____	_____
Emergency Service Availability			Too High-Danger of Toppling Over	_____	_____
Are Emergency Numbers Posted	_____	_____	Road Signs/Speed Limits	_____	_____
Does Every Employee Know How to Get Help	_____	_____	Lighting	_____	_____
FIRE PREVENTION			Visibility - Fog, Mist, Dust	_____	_____
Smoking/No Smoking Rules	_____	_____	Parking, Fencing	_____	_____
Scheduled Fire Inspections	_____	_____	BUILDINGS		
Fire Extinguishers			Lighting	_____	_____
On Vehicles	_____	_____	Emergency Lighting	_____	_____
In Buildings	_____	_____	Ventilation	_____	_____
All Personnel Trained In Their Use	_____	_____	Heating	_____	_____
Fire Alarm System			Access/Egress	_____	_____
Installed	_____	_____			
Inspected Regularly	_____	_____			
Fire Drills Held	_____	_____			
Fire Department Assistance					
Does Every Employee Know How To Get Help	_____	_____			

	YES	NO		YES	NO
Administration			Hand Tools		
Assignment of Responsibilities	_____	_____	Regular Inspection & Maintenance	_____	_____
Records Maintained	_____	_____	Right Tool for the Job Always Available	_____	_____
Statistics Maintained and Used	_____	_____			
Policy for Job Site Visitors	_____	_____	Scaffolds		
TRAINING			Erected by Qualified Personnel	_____	_____
			Inspected Before Use	_____	_____
			Meet Regulations	_____	_____
Worker Training			Ladders		
New-Hire Orientation	_____	_____	In Good Repair	_____	_____
Tool Box Meetings	_____	_____	Inspection Program in Place	_____	_____
Job-Specific Training	_____	_____	Tag "Out of Service" for Damaged	_____	_____
Proper Lifting Techniques	_____	_____	Workers Trained in Correct Use	_____	_____
Training Records	_____	_____			
Management Safety Training	_____	_____	ELECTRICITY		
Supervisory Safety Training	_____	_____	Overhead Lines		
			Marked	_____	_____
			Workers Trained in Clearances	_____	_____
FIRST AID			Underground Installations		
Facilities	_____	_____	Located and Marked	_____	_____
Supplies	_____	_____	Excavation Permit System Operating	_____	_____
Personnel	_____	_____	Transformers		
Records	_____	_____	Protected from Traffic	_____	_____
			Checked for PCB'S	_____	_____
EQUIPMENT			Explosion Proof Fixture		
Mobile Equipment			Are They Required	_____	_____
Maintenance Procedures	_____	_____	Are They Maintained	_____	_____
Maintenance Log Books	_____	_____	Do They Meet Code Requirements	_____	_____
Operator Training	_____	_____	Temporary Installations		
Choker and Sling Maintenance	_____	_____	Meet Codes	_____	_____
Roll-Over Protection	_____	_____	Properly Grounded	_____	_____
Vehicles			Extension Cords		
Proper Maintenance	_____	_____	Three Conductor	_____	_____
Drivers Qualified	_____	_____	Strung Out of the Way	_____	_____
Passengers Only in Passenger Vehicles	_____	_____			
Loads Secured	_____	_____	CHEMICALS		
Power Tools			WHMIS		
Double Insulated or Ground	_____	_____	SDS's	_____	_____
All Guards in Place	_____	_____	Supplier Labels	_____	_____
Maintenance Program	_____	_____	Workplace Labels	_____	_____
Qualified Repairman Available	_____	_____	Worker Training	_____	_____
"Out of Service" System in Place	_____	_____	Transportation of Dangerous Goods		
			Shipper Training	_____	_____
			Driver Training	_____	_____
			Emergency Response	_____	_____

Department Head/Supervisor's Signature _____

REGION OF QUEENS MUNICIPALITY CONFINED SPACE ENTRY PERMIT

Date _____

Pre-entry briefing conducted on (if different from above) Date _____

Location _____

Have all power tools and cords been visually inspected Y N NA

Is the work area protected with Signs Barricades Cones

	Y	N	NA
Are all energy sources locked/tagged out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are pumps turned off and locked out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Is ventilation set up and operational	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Has emergency communications been tested and operational Y N

Location of written emergency plan On-site

Is off-site rescue required Y N 911 Other _____

Atmospheric Testing

	%O ₂	LEL	H ₂ S	CO	Time	Signature
<u>Reading</u>	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

Supervisor/Pre-job planner _____

Entrants Immediately prior to entry _____

Written Emergency Plan

In the event of an emergency, the stand-by person shall evacuate the entrant from the space using the on-site evacuation equipment. If this cannot be completed, the off-site emergency number must be called to commence a rescue operation.

REGION OF QUEENS MUNICIPALITY CONFINED SPACE HAZARD ASSESSMENT

Location _____ Date _____

Confined space to be entered: Manhole Pump Station Other

Purpose of entry: Inspection Cleaning Grouting Other

Are there any sources for the hazards listed below

	Y	N		Y	N		Y	N
Accidental Ignition	<input type="radio"/>	<input type="radio"/>	Entrapment	<input type="radio"/>	<input type="radio"/>	Other	<input type="radio"/>	<input type="radio"/>
Drowning	<input type="radio"/>	<input type="radio"/>	Unconsciousness	<input type="radio"/>	<input type="radio"/>			
Falling	<input type="radio"/>	<input type="radio"/>	Electric Shock	<input type="radio"/>	<input type="radio"/>			

Communications with entrant	Communications emergency
Oral <input type="radio"/> Visual <input type="radio"/>	Radio <input type="radio"/> Pay Phone <input type="radio"/> Cell Phone <input type="radio"/>
Atmosphere continuous monitoring Y <input type="radio"/> N <input type="radio"/>	Continuous ventilation Y <input type="radio"/> N <input type="radio"/>
Respiratory equipment required None <input type="radio"/>	Half face respirator <input type="radio"/>

	Y	N	NA
Will the space be isolated from other systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will electrical sources be locked out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will pumps be turned off and locked out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will lines under pressure be bled or blanked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Will special PPE be required Y N _____

Will special tools be required Y N _____

Are personnel trained in confined space awareness/first aid/cpr Y N

Department Head/Supervisor _____

Entrants Immediately prior to entry _____

REGION OF QUEENS MUNICIPALITY FALL PROTECTION HAZARD ASSESSMENT

DATE: _____ COMPLETED BY: _____

DESCRIPTION OF THE WORK TO BE PERFORMED:
Location:
Supervisor:
Nature of Work:
Duration of Work:
Persons Performing Work:
Weather Conditions:
Distance to Nearest Surface:

HAZARDS PRESENT:	CONTROLS IN PLACE FOR:
Hot Weather:	Written Rescue Procedures:
Cold Weather:	Fall Arrest System Procedures:
Rain:	Assembly:
Snow:	Maintenance:
Body of Water:	Inspection:
Open Pit, Tank or Vat:	Correct Usage:
Hazardous Materials:	Disassembly:
Overhead Hazards:	Exposed Hazardous Materials:
Electrical Hazards:	Risk of Potential Swing:
Darkness or Visibility Problems:	Surfaces Causing Injury on Contact:
	Anchorage Points:
	Clearance Distance to Nearest Safe Surface:

RULES & LEGISLATION:	KNOWLEDGE & TRAINING:
Occupational Health & Safety Act:	Fall Protection Training:
Construction Safety & Industrial Regulations:	Safe Work Practices & Job Procedures:
Last Inspection Date:	First Aid Training:
Person Responsible for Inspection:	WHMIS Training:
	Emergency Phone Numbers:

FALL PROTECTION USED:	EQUIPMENT & TOOLS USED:
Guardrails:	Equipment: Man Lift:
Temporary Flooring:	Scissor Lift:
Personnel Safety Nets:	Scaffolds:
Travel Restraint System:	Other:
Full Body Harness:	Other:
Body Belt:	Tools: 1:
Energy Absorbers:	2:
Lanyards:	3:
Anchorage:	4:
Horizontal/Vertical Lifelines:	5:
Connecting Components:	6:

Region of Queens Municipality

SAFE WORK PRACTICES AND JOB PROCEDURES

Safe Work Practices

Safe Work Practices are ways of controlling hazards and doing jobs with a minimum of risk to people and property. Safe Work Practices are general in nature and can be applied to many different situations (i.e. the use of step ladders, the use of hand power tools, or traffic control). Each Safe Work Practice may be referenced in a number of Job Procedures for critical tasks, thus eliminating much repetitive detail in the Job Procedures. Safe Work Practices are designed to create a standard method of dealing with the specific situation when ever it comes up, facilitating training and supervision and ensuring employee protection from hazards.

Each Safe Work Practice must be developed to fit the particular workplace, equipment, and process. The Safe Work Practice should identify the major hazard or hazards associated with the situation and describe any applicable regulations, standards to be met, precautions to be observed, and procedures to be followed for that situation.

Safe Work Practices for Region of Queens Municipality operations have been developed for each part of the organization. The Safe Work Practices which apply to this part of the organization may be found in Volume 2 of this Occupational Health and Safety Program Manual.

Job Procedures for Critical Tasks

A **Job Procedure** is a written, step-by-step description of how to do a job task from start to finish. Job Procedures are sometimes referred to as “safe job procedures” or “critical task procedures”. They are used to train workers and as a reference by workers and supervisors for tasks that are hazardous or which are not done very often.

A **Critical Task** is one where there is a significant hazard or hazards to the employee, other people at the workplace, or to property. A Job Procedure should be developed for every critical task, on a WORST FIRST basis, starting with the task which poses the greatest hazard.

Each Job Procedure should identify the major hazard(s) associated with the task. It may make reference to one or more Safe Work Practices for instruction respecting the use of tools or equipment.

Job Procedures for Region of Queens Municipality operations have been developed for each part of the organization. The Job Procedures which apply to this part of the organization may be found in Volume 2 of this Occupational Health and Safety Program Manual.

Region of Queens Municipality

GENERAL SAFETY RULES

- Consumption of, possession of, or being under the influence of alcohol or illegal drugs or being otherwise visibly impaired while on Department premises, work places, or in Region vehicles is prohibited.
- Fighting, horseplay, practical jokes or otherwise interfering with another worker is prohibited.
- Theft, vandalism or any other abuse or misuse of Region's property is prohibited.
- All incidents that result in damage or injury are to be reported to your Supervisor immediately.
- First aid treatment is to be obtained promptly for any injury, and be properly recorded.
- All work shall be carried out in accordance with appropriate safe work practices and job procedures and your Supervisor's direction.
- All accidents, incidents, injuries and near misses, and any unsafe acts and conditions observed by an employee are to be reported promptly to your immediate supervisor, and not later than the end of the working day.
- Employees shall comply with the provisions of the Occupational Health and Safety Act and regulations.
- Employees must wear properly maintained Personal Protective Equipment (PPE) as prescribed by the PPE Policy (see Volume 1, Section 1 of the Region of Queens Safety Manual).
- Tools and equipment are to be used only for the purpose for which they were intended as per manufacturer's instructions and are to be properly maintained.
- All tools or equipment which have been damaged, become worn and have missing guards and safety devices cannot be used safely. They are to be promptly taken out of service for repair or replacement as prescribed by the Maintenance Policy (see Volume 1, Section 1 of the Region of Queens Safety Manual).
- Good housekeeping practices must be maintained daily in all work areas. This includes personal work areas/offices.
- Employees shall actively participate in the Region's safety program, including attendance at training sessions and tool box meetings.
- Where there is a danger of entanglement, employees may not wear rings, watches, or other jewellery or loose fitting clothing and shall confine long hair.

The above list is illustrative and not intended to be exhaustive. Individual workplaces or worksites may develop additional rules appropriate to their operations.

Region of Queens Municipality

SAFETY RULES FOR VISITORS

The Region of Queens Municipality is committed to conducting its business in a socially responsible manner by ensuring, as far as reasonably practicable, a healthy environment for all individuals, including visitors to our workplaces and/or worksites.

The purpose of these rules is to prevent or minimize personal injury or illness through adherence to the Region's Occupational Health and Safety Program and Safe Work Practices. Where necessary, the use of Personal Protective Equipment (PPE) will be required.

Adherence to the following general rules by all visitors, including business associates and guests, will help to ensure a safe work environment for yourself, other guests and our employees.

Admission to the Region's workplace and/or worksite is conditional upon each visitor agreeing to abide by the following:

- 1) Visitors shall wear required Personal Protective Equipment (PPE) at the Region's worksite and shall be as prescribed by the Region's Personal Protective Equipment Policy (see Volume 1, Section 1 of the Region of Queens Safety Manual). Worksites may require the wearing of protective headgear, footwear, eyewear and class 2, level 2, high visibility safety apparel. The Region may loan PPE to the visitor when available.
- 2) Visitors shall follow; specific Safe Work Practices related to the work being undertaken; where instructed to do so by a Region employee.
- 3) Visitors who are under the influence of alcohol, illegal drugs or otherwise visibly impaired are prohibited on the Region's workplace and/or worksite.
- 4) Visitors are prohibited from horseplay, fighting, harassment of any kind, and otherwise interfering with another person.

Region of Queens Municipality

PERSONAL PROTECTIVE EQUIPMENT (PPE)

Employees at the Region of Queens shall wear the appropriate Personal Protective Equipment as prescribed by the PPE policy. For information on this Policy, see Volume 1, Section 1 of the RQM Safety Program Manual.

PPE shall be inspected, maintained and kept clean by those using it to ensure and preserve its effectiveness to provide safety.

PPE users shall ensure proper fit to allow for the greatest amount of comfort possible without decreasing the amount of safety offered.

PPE that no longer provides protection is out of date or is damaged shall be taken out of service and shall be replaced.

PPE application information is found in the relevant Hazard Assessments, SDS sheets and Volume 2, Safe Work Practices and Job Procedures.

The Region of Queens shall use PPE that has been approved by the Canadian Standards Association where applicable and reasonable for the application. Selection shall be based on the performance characteristics of the PPE in relation to the task(s) to be performed.

PPE will be provided by the Region of Queens. The general category of PPE utilized is as follows:

1. Head Protection
2. Foot Protection
3. Respiratory Protection
4. Eye & Face Protection
5. Hearing Protection
6. Fall Arrest Systems
7. High Visibility Safety Apparel
8. Safety Gloves & Other Protective Clothing

HEAD PROTECTION

Protecting employees from potential head injuries is a basic mandate of personal health and safety. Head protection shall be worn at all sites when the risk of a head injury exists.

Head Protection within the Region of Queens shall be the form of a CSA Type 2, Class E hard hat as outlined under CSA Standard Z94.1-05. This hard hat offers protection from impact and penetration at the top and sides of the head and is provided with a 20,000 volt non conductivity rating.

Hard hats consist of a shell, foam insulating layer and suspension. All parts are equally important. Modifications to any of these three parts are prohibited. The suspension holds the shell away from the head, provides air flow and acts as a shock absorber. The shell is shaped to deflect falling objects.

Hard hats must fit properly to work. In order for hard hats to fit properly, the suspension shall be adjusted to the point where it stays on your head when bending over.

Ball caps shall not be permitted to be worn with a hard hat. Industry standard winter liners are acceptable for adverse weather conditions.

Damaged hard hats shall be disposed of and replaced immediately.

Ensure hard hats are kept in good working order, do not paint surface, do not drill holes or otherwise modify the shell foam insulating layer or suspension. Inspect the hard hat for UV degradation, cracks or chips in the shell, damage to foam layer and tears and rips in the suspension. Ensure the adjusting mechanism is properly functioning.

FOOT PROTECTION

Safety footwear is designed to protect feet against a wide range of injuries such as impact, compression, punctures and shock; these being the most common types of foot injuries.

The Region of Queens Municipality requires employees to wear footwear complying with CSA Standard Z195-09. Specifically footwear with green triangle, Grade 1 protective toe and sole puncture protection and white rectangle Greek letter omega electrical shock resistance, is required. Rubber boots meeting these standards are also permissible when working in wet conditions.

Staff working at Landfill, MRF, Capital Projects and Public Works is required to wear 8" boots. Queens Place Arena staff and Recreation Grounds crew are permitted to wear 6" boots. Water Utility workers and visitors are permitted to wear safety shoes. All the above mentioned footwear must meet the standard and specifications outlined in CSA Standard Z195-09.

Grade 1 safety footwear offer the greatest impact and sole puncture protection.

Always lace up footwear and tie laces securely. Avoid excessively long laces which present entanglement and tripping hazards. Replace defective or worn out safety footwear as necessary.

Safety footwear should fit properly to allow for comfort (to the greatest reasonable degree). Footwear is to be stored in a clean dry place when not in use.

RESPIRATORY PROTECTION

Employees who work where they will likely be exposed to hazards such as gases, dust, fumes, mists, vapors, chemicals or confined spaces shall wear the appropriate respiratory equipment in accordance with CSA Standard Z94.4-11.

The most common types in use at the Region of Queens are half face respirators, full face respirators and dust masks. Respirators must fit properly to provide effective protection.

Respiratory protection does not supply air but removes toxins by way of cartridges mounted on the respirator.

There are many different types of cartridges available for protection against specific hazards. A hazard assessment will determine what hazards are present. A supply of the applicable cartridges will be made available to protect against various hazards.

Inspect and maintain respirators for the following before each use:

- Cracks in the face piece
- Ensure metal nose clip forms easily over the bridge of the nose
- Ensure straps/harnesses have no frays or breaks
- Ensure valves & covers are clean and in good working order
- Ensure filters and cartridges are compatible with the mask you are using
- Make sure to replace out of date cartridges immediately
- Ensure there is no cross threading when installing new filters & cartridges

EYE AND FACE PROTECTION

Employees may be exposed to numerous hazards that pose potential danger to their eyes and face. Eye or face protection devices as specified in CSA Standard Z94.3.1-09 shall be employed to mitigate these hazards. Examples of hazards encountered include (but not limited to) flying particles, molten metal, liquid chemicals, acids, caustic liquids, chemical gases or vapors, potentially infectious material and harmful light radiation.

Eye protection must fit close to the face to provide the proper protection.

Store eye and face protection in a clean, dry place to prevent scratches and other damage.

The types of eye and face protection are as follows:

Safety glasses: Constructed of metal or plastic frames with impact resistant lenses or other hazard specific lenses, as applicable. Side shields are to be incorporated for additional hazard protection.

Safety goggles: Usually made of rubber, this tight fitting eye protection covers the eyes and the area immediately surrounding the eyes. Provides protection from impact, dust and splashes. These can be worn over prescription eyewear if fitted properly.

Welding shields: Made of vulcanized fibre or fiberglass and fitted with a filtered lens. This protects the eyes and face from burns caused by infrared or intense radiant light. Protection is provided from flying sparks, metal splatter and slag chips during welding, brazing, soldering and cutting operations.

Face shields: Transparent plastic lens to cover face from the eyebrows to below chin and across entire width of head. Face shields are designed to protect sprays of hazardous liquids. Should hazards dictate, safety glass or goggles can be worn under to protect from impacts.

Hearing Protection

Hearing loss can be a gradual process which may be accelerated from ongoing exposure to loud noise levels from both work and home activities. In Nova Scotia hearing protection is required when workers are exposed to noise levels exceeding 85 decibels. The Region shall supply hearing protection in accordance with CSA Standard Z94-02-14.

Hearing Protection Types:

Ear Plugs – inserted to block the ear canal. These are moldable or pre-formed and are either disposable or reusable. Can be used with ear muffs, semi-insert ear plug.

Ear Muffs – these consist of materials that fit around the ears that greatly reduce the amount of sound the ear would receive. Designed with a head band and ear cushions.

When fitting ear plugs, the ear should be pulled outward and upward with the opposite hand to enlarge and straighten the ear canal to ensure proper seal. Insert the plug with clean hands.

Fall Arrest Systems

Fall Arrest Systems are devised to prevent falls and to significantly lessen bodily injury should a fall occur.

Generally the devices are to be used whenever the working height exceeds 3 meters to a safe surface or where a fall from a lesser height may result in serious injury.

Fall Prevention or Fall Arrest?

Fall restraint systems prevent you from falling. Examples include:

- Work-positioning systems using full body harnesses that attach you to an anchor and leave both your hands free to work.
- Travel-restriction systems, guardrails or personal fall protection equipment used to prevent you from travelling to an edge from where you may fall.

Fall arrest systems protect you after you fall by stopping the fall before you hit the surface below such as:

- Full body harness connected by lanyard or lifeline secured to an anchor point

In choosing a fall protection system, you should first consider installing guardrails or barriers. They provide a high degree of protection once installed properly. However, installing guardrails or barriers at a work site is not always practical – that is when you may need personal fall protection equipment.

At all times, workers are to be trained and are to be familiar with the proper use and application of Fall Arrest systems. Safe work practices and applicable regulations are to be complied and adhered to at all times.

High Visibility Safety Apparel

Workers need to be seen when working around moving equipment or traffic; whether day or night, clear or inclement weather. Class 2 Level 2 High Visibility Safety Apparel is used throughout the Region of Queens Municipality. Examples include vests, safety vests, reflective vests, pants, jackets and cuffs. This special clothing is designed with retro-reflective and fluorescent materials to contrast with brightly colored backgrounds.

High Visibility Safety Apparel Types:

Depending on the workplace activity or condition; the following are the various types of high visibility safety apparel as need determines.

- Class 1:** A basic harness of stripes or bands over the shoulders encircling the waist.
- Class 2:** Full coverage of the upper torso - front, back sides and over the shoulders.
- Class 3:** Offers full coverage as Class 2 in addition to arm and leg bands.

High Visibility Safety Apparel Uses:

- Class 1:** Used when work backgrounds are not complex and when vehicles are moving slow. (less than 40km/hour) Examples include warehouse operations, right-of-way operations, sidewalk workers and shipping and receiving operations.
- Class 2:** Used when work backgrounds are complex and vehicles are moving between 40-80 km/hour. Also used during inclement weather, low light conditions, and when workers are performing tasks that divert attention from traffic. Examples include road construction, survey crews, road side vehicle maintenance and flagging operations.
- Class 3:** Used when work backgrounds are complex and vehicle speeds exceed 80 km per hour, high volume traffic, unmonitored equipment movement, storm conditions and task carried out in low light or night time. Examples include road construction, road closures, survey crews, flagging operations at night and high congestion areas.

Safety Gloves

Our hands enable us to work, touch and communicate. In today's workplace, the hand is often the first point of contact with physical or chemical hazards.

Glove Types

An examination of worker activities, workplace conditions, and materials to be handled should indicate the appropriate type of hand protection required.

Disposables – designed to protect both the wearer and product being handled. Ideal for one-time use situations where fingertip sensitivity is required. Can be manufactured from latex, nitrile, vinyl or polyethylene.

Chemical Resistant Gloves – protect against chemical penetration. Made from many different synthetic materials (or mixtures) such as latex, polyvinyl chloride (PVC), nitrile, butyl or neoprene. Look for specific chemical resistance, degradation resistance, tactility, and grip patterns. Some synthetic materials are dipped over a cloth fiber base, leaving certain areas of the glove uncovered for better dexterity.

Cut Resistant Gloves – manufactured from special materials to lessen the risk of being cut. Look for materials that provide the best level of protection for tasks ranging from handling sharp objects.

Voltage Resistant Gloves – made of natural rubber for protection in tasks involving electrical voltage. Look for special features such as cuff length, style and voltage classifications.

General Purpose Gloves – provide protection against abrasion punctures and cuts. Ideal for lifting, moving and handling. Manufactured from a variety of materials, which often are combined, such as cotton knit, leather or synthetics.

Temperature Resistant Gloves – designed for special purpose tasks involving temperature extremes, flame retardancy, or welding. Look for special materials and features such as thick leather, special synthetic coatings, insulation, glass cloth or aluminized backing.

Factors to Consider When Choosing Gloves

- **Physical Conditions**
Hazards to which the glove will be subjected such as chemical immersion, punctures, temperature extremes and abrasion.
- **Chemical Resistance**
Ability of the glove material to withstand chemical penetration.
- **Product Protection**

Need to protect products from outside contamination through contact with worker's hands.

- **Glove Design and Configuration**
Strength, sensitivity, dexterity, finish and color.

Region of Queens Municipality

MAINTENANCE PROGRAM

Most tools and equipment are provided with instruction or servicing manuals or manufacturer's specifications for maintenance. These documents should be referred to for guidance regarding routine preventive maintenance and repairs. Preventive maintenance should be undertaken according to the schedule recommended by the manufacturer.

Any modifications made to equipment that changes the intended use shall comply with the provisions of the Industrial Safety Regulations.

The following pages contain Maintenance Program Checklists which will provide a framework for ensuring that all tools and equipment are maintained in safe operating condition.

All Region of Queens Municipality vehicles and heavy equipment should be maintained according to the manufacturer's servicing standards. Preventive maintenance, pre-trip reports, and repair logs for all equipment and vehicles shall be kept in the Works Garage.

Please see the TAG OUT SYSTEM Safe Work Practice at your location for guidance respecting tools or equipment that should be repaired or serviced before further use.

Region of Queens Municipality

TRAINING AND SAFETY REQUIREMENTS

All employees will be trained to meet the requirements of applicable legislation and the additional needs of their jobs, so as to ensure that they have the knowledge to undertake their jobs in a manner that protects their own health and safety and that of other persons at their workplaces.

This training shall include a basic orientation which is specific to their job for each new employee and immediate training in the Workplace Hazardous Materials Information System for all employees. Employees required to enter confined spaces as defined by regulation shall have confined space entry training. Employees required to work from staging or ladders or may work in other areas where fall arrest equipment is warranted shall receive training in scaffolding and fall protection. Equipment operators shall receive adequate training for the equipment they are required to operate.

Sufficient employees shall be trained in Emergency or standard First Aid to exceed the training requirements of the First Aid Regulation. All employees who work alone will be trained at least to the Emergency First Aid level.

In addition, sufficient persons at every Region of Queens Municipality workplace will be given training in the fundamentals of occupational health and safety. The Nova Scotia Construction Safety Association (NSCSA) provides courses which may be used as the minimum standard to meet this need.

Supervisors/department heads are responsible to ensure that employees receive the training required to do their jobs. To complement the generic training, employees must receive specific on-the-job training.

Records of training shall be maintained in a central database. Retraining is an ongoing process, and the central database will be used to ensure that training remains current.

Region of Queens Municipality
Joint Occupational Health and Safety Program

SAFETY MEETINGS

The Following Guidelines Will Be Adhered To:

Joint Occupational Health and Safety Committee

- meets monthly or more often as required
- oversees the area safety concerns
- is comprised of representatives from different workplaces, both management and operations, as per terms of reference

Toolbox Meetings

- held a minimum of once per month
- is issue or topic driven
- all employees in a work crew attend

REGION OF QUEENS MUNICIPALITY

NEW EMPLOYEE ORIENTATION

Checklist

Employee: _____ Job Title: _____

Supervisor: _____ Department: _____

Date Hired: _____ Date of Orientation: _____

1. INTRODUCTION:

Region of Queens Organization _____

Occupational Health and Safety Act _____

Company Safety Policy _____

Union Contract (copy provided) _____

Tour Department _____

Introduce to Fellow Workers _____

2. DAILY ROUTINE:

Starting and Stopping Time: _____

Lunch Period and Breaks _____

Work Clothes _____

Location of Washrooms, etc. _____

Parking Facilities _____

First Aid Facilities _____

Where to Get Information and Help _____

3. PAY DATA:

Rate for Job _____

Pay Deductions _____

Pay Week _____

Pay Day and Period _____

Errors in Pay and what to do _____

Job Evaluation _____

Job Description _____

4. COMPANY REGULATIONS:

General _____

Rules _____

Importance of Punctuality _____

Absenteeism _____

Tardiness _____

Reporting Absence _____

Sickness _____

Care of Equipment _____

Leaving Job During Working Hours _____

Theft _____

Confidentiality _____

5. RESPONSIBILITY FOR SAFETY:

Legislation (Rights)

Employee

Supervisor

Management

6. WORK METHODS:

Safe Work Practices

Job Procedures

7. PERSONAL PROTECTIVE EQUIPMENT:

Safety Footwear

High Visibility Safety Apparel

Safety Gloves

Hard Hats

Safety Glasses

Fall Protection

Hearing Protection

8. EMERGENCY PREPAREDNESS:

Phone and 2-Way Radio

First Aid

Fire Precautions

Incident/Accident Reporting

Reporting on Safe Acts/Conditions

Emergency Number

9. SAFETY PARTICIPATION:

Joint Occupational Health & Safety Committee _____

Tool Box Meetings _____

Employee Field Guide _____

Safety Suggestion Box _____

W.H.M.I.S. _____

10. CONTACTS:

Department Head _____

Supervisor _____

Safety Committee Representative _____

Union Shop Steward _____

11. OTHER:

THE ABOVE ITEMS WERE COVERED DURING THIS ORIENTATION.

Employee Signature

Department Head

Supervisor

REGION OF QUEENS MUNICIPALITY

JOINT OCCUPATIONAL HEALTH AND SAFETY POLICY

Name: _____
Department: _____

This is to certify that I have received a copy of the Region of Queens Municipality Joint Occupational Health and Safety Policy.

Date

Signature

REGION OF QUEENS MUNICIPALITY

POLICY ON SEXUAL HARASSMENT

Name: _____
Department: _____

This is to certify that I have received a copy of the Region of Queens Municipality Policy on Sexual Harassment and was provided with clarification on any questions I had.

Date

Signature

REGION OF QUEENS MUNICIPALITY

FIRE SAFETY PLAN

Name: _____

Department: _____

This is to certify that I have received a copy of the Fire Safety Plan for Queens Place and was provided with clarification on any questions I had.

Date

Signature

REGION OF QUEENS MUNICIPALITY

VIOLENCE IN THE WORKPLACE POLICY

Name: _____
Department: _____

This is to certify that I have received a copy of the Region of Queens Municipality Violence in the Workplace Policy.

Date

Signature

Region of Queens Municipality

TOOL BOX MEETING

Location: _____ **Date:** _____

Attendees: _____

Safety Topic(s) discussed: _____

Worker's Concerns: _____

Corrective Actions (by whom): _____

Injuries/accidents reviewed: _____

Supervisor's Remarks: _____

Supervisor _____

Date: _____

Department Head _____

Date: _____

Region of Queens Municipality

INSPECTION

Inspections are observational tours of the workplace for the purpose of determining the level of compliance with established standards for hazard controls, safe work practices, job procedures and safety rules.

The purpose of inspections is to identify:

- potential problems
- equipment deficiencies or defects
- proper/improper employee action
- inadequacies in hazard controls or remedial actions; and
- the effects of change, including new hazards that were not previously identified

Although they may look for many of the same things, workplace inspections should not be confused with Hazards Assessments where the object is to recognize and anticipate hazards which may be associated with the work to be done so that proper controls can be instituted (see Section 2). With a workplace inspection one is looking for “WHAT IS”, whereas a hazard assessment looks at “WHAT IF...”

Inspections may be as informal as the supervisor/department head walking around the workplace at the start of a shift to see that all health and safety hazards are properly controlled before work begins. On the other extreme, inspections can be done in a very formal manner with representatives from the Joint Occupational Health and Safety Committee making the tour together and using a comprehensive inspection checklist which has been specifically designed for that particular workplace, work tasks, tools and equipment.

Formal inspections of all facilities such as mechanical shops, public works shops, yards, and offices shall be undertaken annually. Formal inspections shall be undertaken more frequently if the results of the inspection indicate significant deficiencies in hazard controls or use of proper procedures or if new hazards are observed.

Region of Queens Municipality
Joint Occupational Health and Safety Policy

INSPECTION SCHEDULE

All Workplaces will be inspected regularly on the following schedule:

Workplace Hazard Assessment

- All facilities
- **Annually** or more often if required

Workplace Inspection

- A. All facilities (Informal)
Monthly - or more often if required

- B. All facilities (Formal)
Annually - or more often if required



INSPECTION CHECKLIST - FACILITY

1. ENVIRONMENT			
Controls In Place For:	Y	N	N/A
A. Dust			
B. Gas			
C. Fumes			
D. Sprays			
E. Lighting			
F. U.V. Rays			
G. Noise			
H. Smoking			
I. Extreme Heat			
J. Extreme Cold			
K. Hygiene & Toilets			

3. ELECTRICAL			
Hazards Present:	Y	N	N/A
A. Switches			
B. Cords			
C. Outlets			
D. Bare Wires			
E. Fuses/Breakers			
G. Overhead Wires			

5. SAFETY INDICATORS			
Present and Operational:	Y	N	N/A
A. Illuminated Exit Signs			
B. Emergency Lights			
C. Caution Signs			
D. SDS/Labels			
E. Barricades/Fencing			

7. HOUSEKEEPING			
Equipment/Controls in Place For:	Y	N	N/A
A. Machinery & Equipment			
B. Tools & Implements			
C. Stocks & Material			
D. Waste Disposal			
E. Waste Separation			
F. Trip & Fall Hazards			

8. PRESENT OR AVAILABLE			
	Y	N	N/A
A. OH&S Act			
B. R.Q.M.'s Safety Policies			
Volumes 1 through 3			

2. FIRE PROTECTION			
Equipment On Site:	Y	N	N/A
A. Extinguishers			
B. Trained Personnel			
C. Evac. Proced. Posted			
D. 911 Service			
E. Communications			

4. FIRST AID			
Equipment on Site:	Y	N	N/A
A. Kits			
B. Trained Personnel			
C. Eye Wash			
D. Emergency Prep. Plan			
E. Stretchers/Blankets			
F. Remote Location			
G. 911 Service			
H. Communications			

6. JOB SPECIFIC HAZARDS			
Equip./Controls in Place For:	Y	N	N/A
A. Heavy Lifting			
B. Spills			
C. Falling Objects			
D. Heights			
E. Ventilation			

NOTE: These are just sample items to look for in conducting a Worksite Inspection and are not all inclusive. The purpose behind a Worksite Inspection is to identify areas where our hazard controls have lapsed or are not in place. Once identified, we should take the appropriate steps to either put the controls back in place or develop new controls. During the inspection, we may also identify new hazards that will need to be controlled.

NOTE: This form has been developed to ensure compliance with the OH & S Act and Regulations. All employees should be familiar with the OH & S Act and Regulations.



ACTION LIST

ACTION CODE	
Time Frame	T
Immediate	I
Number of Days	N
30 Days	M
A.S.A.P.	IV

LOCATION: _____

PG: _____

ITEM NO.	ITEM INSPECTED	OK X	REQUIRED ACTION	ACTION PRIORITY	ACTION CODE T	ACTION BY	DATE COMPLETED

INSPECTION TEAM: _____

DATE: _____

NO.	PLAN FOR ACTION / COMMENTS:	ACTION BY:	TIME FRAME

Supervisor's Signature: _____

Date: _____

Management Signature: _____
(if required)

Date: _____

Region of Queens Municipality -- Daily Trip Inspection

Equipment	Location
-----------	----------

Place a "CHECK" To indicate a Satisfactory condition. Place an "R" to indicate items that require attention. Place an "X" to indicate an out of service condition.

		Mechanical				Safety				Comments:		
		Fluids		Brakes		Glass		Back-up Alarm			Horn	
Sunday		Belts/Hoses		Exhaust		Mirrors		2-Way		Cabin		
		Drivetrain		Wipers		Lights		Fire Exting		MVI		
		Attachments		Body		Seat Belts		First Aid Kit				
		Date:	Inspected by:				Kms/Hrs					
Monday		Belts/Hoses		Exhaust		Mirrors		2-Way		Cabin		
		Drivetrain		Wipers		Lights		Fire Exting		MVI		
		Attachments		Body		Seat Belts		First Aid Kit				
		Date:	Inspected by:				Kms/Hrs					
Tuesday		Belts/Hoses		Exhaust		Mirrors		2-Way		Cabin		
		Drivetrain		Wipers		Lights		Fire Exting		MVI		
		Attachments		Body		Seat Belts		First Aid Kit				
		Date:	Inspected by:				Kms/Hrs					
Wednesday		Belts/Hoses		Exhaust		Mirrors		2-Way		Cabin		
		Drivetrain		Wipers		Lights		Fire Exting		MVI		
		Attachments		Body		Seat Belts		First Aid Kit				
		Date:	Inspected by:				Kms/Hrs					

Thursday	Mechanical				Safety				Comments:		
	Fluids		Brakes		Glass		Back-up Alarm			Horn	
	Belts/Hoses		Exhaust		Mirrors		2-Way			Cabin	
	Drivetrain		Wipers		Lights		Fire Exting			MVI	
	Attachments		Body		Seat Belts		First Aid Kit				
Date:		Inspected by:			Kms/Hrs						
Friday	Mechanical				Safety				Comments:		
	Fluids		Brakes		Glass		Back-up Alarm			Horn	
	Belts/Hoses		Exhaust		Mirrors		2-Way			Cabin	
	Drivetrain		Wipers		Lights		Fire Exting			MVI	
	Attachments		Body		Seat Belts		First Aid Kit				
Date:		Inspected by:			Kms/Hrs						
Saturday	Mechanical				Safety				Comments:		
	Fluids		Brakes		Glass		Back-up Alarm			Horn	
	Belts/Hoses		Exhaust		Mirrors		2-Way			Cabin	
	Drivetrain		Wipers		Lights		Fire Exting			MVI	
	Attachments		Body		Seat Belts		First Aid Kit				
Date:		Inspected by:			Kms/Hrs						

Employees are responsible to complete this form every day. Weekly forms to be removed and turned into immediate supervisor each Monday morning. It is the responsibility of employees to bring items which require immediate action to the attention of their immediate supervisor. Failure to do so will result in disciplinary action.

Region of Queens Municipality -- Forklift Daily Trip Inspection

Equipment:

Location:

Place a "CHECK" to indicate a satisfactory condition. Place a "R" to indicate items that require attention.
Place a "X" to indicate an out of service condition.

	Pre-start		After-starting		Date:
	SUNDAY	Decals, capacity plate, etc:		Engine (abnormal sounds)	
Forks/Pins/carriage/mast					Operator:
Wheels/tires/lug nuts			Instruments (normal readings)		Comments:
Engine (fluids/leaks)			Exhaust system		
Trasmission (fluids/leaks)			Lights		
Radiator (fluids/leaks)			Horn and Back-up alarm		
Hydraulic Tank (fluids/leaks)			Hydraulic Controls		
Fuel Tank (secure, level)			Transmission and clutch		
Overhead guard (no damage)			Brakes		
Seatbelt			Steering		
Engine belts					
Air cleaner					
MONDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)		Exhaust system		
	Trasmission (fluids/leaks)		Lights		
	Radiator (fluids/leaks)		Horn and Back-up alarm		
	Hydraulic Tank (fluids/leaks)		Hydraulic Controls		
	Fuel Tank (secure, level)		Transmission and clutch		
	Overhead guard (no damage)		Brakes		
	Seatbelt		Steering		
	Engine belts				
	Air cleaner				
TUESDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)		Exhaust system		
	Trasmission (fluids/leaks)		Lights		
	Radiator (fluids/leaks)		Horn and Back-up alarm		
	Hydraulic Tank (fluids/leaks)		Hydraulic Controls		
	Fuel Tank (secure, level)		Transmission and clutch		
	Overhead guard (no damage)		Brakes		
	Seatbelt		Steering		
	Engine belts				
	Air cleaner				

WEDNESDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)				
	Trasmission (fluids/leaks)		Exhaust system		
	Radiator (fluids/leaks)		Lights		
	Hydraulic Tank (fluids/leaks)		Horn and Back-up alarm		
	Fuel Tank (secure, level)		Hydraulic Controls		
	Overhead guard (no damage)		Transmission and clutch		
	Seatbelt		Brakes		
	Engine belts		Steering		
Air cleaner					
THURSDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)				
	Trasmission (fluids/leaks)		Exhaust system		
	Radiator (fluids/leaks)		Lights		
	Hydraulic Tank (fluids/leaks)		Horn and Back-up alarm		
	Fuel Tank (secure, level)		Hydraulic Controls		
	Overhead guard (no damage)		Transmission and clutch		
	Seatbelt		Brakes		
	Engine belts		Steering		
Air cleaner					
FRIDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)				
	Trasmission (fluids/leaks)		Exhaust system		
	Radiator (fluids/leaks)		Lights		
	Hydraulic Tank (fluids/leaks)		Horn and Back-up alarm		
	Fuel Tank (secure, level)		Hydraulic Controls		
	Overhead guard (no damage)		Transmission and clutch		
	Seatbelt		Brakes		
	Engine belts		Steering		
Air cleaner					
SATURDAY	Pre-start		After-starting		Date:
	Decals, capacity plate, etc:		Engine (abnormal sounds)		Hrs:
	Forks/Pins/carriage/mast				Operator:
	Wheels/tires/lug nuts		Instruments (normal readings)		Comments:
	Engine (fluids/leaks)				
	Trasmission (fluids/leaks)		Exhaust system		
	Radiator (fluids/leaks)		Lights		
	Hydraulic Tank (fluids/leaks)		Horn and Back-up alarm		
	Fuel Tank (secure, level)		Hydraulic Controls		
	Overhead guard (no damage)		Transmission and clutch		
	Seatbelt		Brakes		
	Engine belts		Steering		
Air cleaner					

Type 2: Basic First Aid Kit (Small)

Item #	Description of Item	Required	OK
1	Adhesive bandages, sterile, assorted sizes (standard strip, large fingertip, knuckle, large patch)	25	
2	Gauze pads, sterile, individually wrapped 7.6 x 7.6 (3 in x 3 in)	12	
3	Abdominal pad, sterile, individually wrapped, 12.7 cm x 22.9 cm (5 in x 9 in)	1	
4	Conforming stretch bandage, relaxed length, individually wrapped, 7.6 cm x 1.8 m (3 in x 2 yd)	1 Roll	
5	Conforming stretch bandage, relaxed length, individually wrapped, 5.1 cm x 1.8m (2 in x 2 yd)	1 Roll	
6	Compress pressure dressing with ties, sterile, 10 cm x 10 cm (4 in x 4 in)	2	
7	Triangular bandage, cotton, with 2 safety pins, 101.6 cm x 101.6 cm x 142.2 cm (40 in x 40 in x 56 in)	2	
8	Adhesive tape 2.5 cm (2 in)	2.3 m	
9	Antiseptic wound cleansing towelette, individually wrapped	25	
10	Antibiotic ointment, topical, single use	6	
11	Hand/skin cleansing towelette, individually wrapped (or equivalent)	6	
12	CPR resuscitation barrier device, with a one-way valve	1	
13	Examination gloves, disposable, medical grade, one size, non-latex, powder-free	4 Pairs	
14	Bio hazard waste bag single use	1	
15	Bandage scissors, stainless steel (with angled, blunt tip) minimum 14 cm (5.5 in)bandage-safety type, min 14 cm)	1	
16	Splinter forceps/tweezers, fine point stainless steel, minimum 11.4 cm (4.5 in)	1	
17	Emergency blanket, aluminized, non-stretch polyes-ter, minimum 132 cm x 132 cm (52 in x 84 in)	1	
18	Contents list	1	

REGION OF QUEENS MUNICIPALITY GUIDELINES

REPORTING AND FILING OF INCIDENT AND ACCIDENT INVESTIGATIONS

Objective

Identification, control and prevention of hazards. This is critical to the success and effectiveness of the Joint Occupational Health and Safety Program.

Preamble

Unfortunately, there are times when the control(s) instituted for a hazard are not completely effective and an incident or accident occurs. An accident may result in injury to a worker or may cause damage to property. When thinking of injury, occupational illness shall be included.

Note: The term “*incident*” is referred to as the near-accident or the near-miss. An incident is similar to an accident, but does not result in any lost time, or loss of property.

The term “*accident*” is an event that results in unintended harm, injury or damage resulting in lost time (any time taken away from the job) and/or a loss in property. When thinking of injury, occupational illness shall be included.

The Region of Queens Municipality recognizes that “incidents” and “accidents” are both **PREDICTABLE AND PREVENTABLE**.

Any time an incident or accident has occurred, it is important to conduct an investigation into the cause(s) so that hazard control measures can be modified and further incidents or accidents of the same kind can be prevented. It is also important to investigate “near- miss” incidents, which could have caused injury or property damage if the circumstances had been only slightly different.

Although incident or accident investigations may be undertaken for a number of reasons, including regulatory, insurance and liability requirements, the role of incident or accident investigations in a Joint Occupational Health and Safety Program is preventative. Without eliminating or reducing the opportunity for similar incidents or accidents, the Joint Occupational Health and Safety Program cannot be effective.

Incident and Accident Investigation Report books will be retained by all Departments within the Region of Queens for documenting the results of an investigation. Additional pages are to be used whenever more space is needed to include a thorough description.

Reporting & Filing of Accident Investigation Reports

- report the accident immediately to the Department Head/Supervisor, or his/her designate
- an Accident Investigation Report is to be completed and reported, in detail, within five (5) working days (or sooner), signed by the Department Head/Supervisor, or his/her designate, the employee and a Joint Occupational Health and Safety Committee member as per the Nova Scotia Occupational Health and Safety Act..
- completed white and pink copies are to be given to the Joint Occupational Health and Safety Committee Secretary; yellow copy is to be retained by the Department Head/Supervisor
- any time lost is to be recorded on employee's time sheet (hourly employee), or leave form (salaried employee), whichever is appropriate
- the Committee Secretary is to maintain monthly and annual summaries of all accidents and report these accidents to the Joint Occupational Health and Safety Committee at the regular monthly meetings
- Department Heads shall present all monthly and annual accident reports to their respective regular monthly committee meetings
- all accidents shall be presented and discussed at regular 'Tool Box' sessions by the Department Head/Supervisor, or his/her designate

Reporting & Filing of Incident Investigation Reports

- report the incident immediately to the Department Head/Supervisor, or his/her designate
- an Incident Investigation report is to be completed, in detail, within five (5) working days and signed by the Department Head/Supervisor, or his/her designate, and the employee
- Department Head/Supervisor, or his/her designate shall maintain incident investigation reports
- incidents shall be presented and discussed at regular 'Tool Box' sessions by the Department Head/Supervisor, or his/her designate

REGION OF QUEENS MUNICIPALITY

Supervisor's Accident Investigation Report

No 0777

Company or Branch		Department	
Exact Location		Date of Occurrence	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
PERSONAL INJURY		PROPERTY DAMAGE	
Injured's Name		Property Damaged	
Occupation	Injured Part of Body	Estimated Costs \$	Actual Costs
Nature of Injury		Nature of Damage	
Object/Equipment/Substance/Inflicting Injury		Object/Equipment/Substance/Inflicting Damage	
Person with most control of Object/Equipment/Substance		Person with most control of Object/Equipment/Substance	

D E S C R I P T I O N	Describe Clearly How The Accident Occurred: Attach Accident Diagram For All Motor Vehicle Accidents.

A N A L Y S I S	What Acts, Failures To Act and/or Conditions Contributed Most Directly To This Accident?
	What Are The Basic or Fundamental Reasons For The Existence Of These Acts and/or Conditions?

Loss Severity Potential <input type="checkbox"/> Major <input type="checkbox"/> Serious <input type="checkbox"/> Minor	Probable Recurrence Rate <input type="checkbox"/> Frequent <input type="checkbox"/> Occasional <input type="checkbox"/> Rare
---	---

P R E V E N T I O N	What Action Has or Will Be Taken To Prevent Recurrence? Place X By Items Completed.

Investigated By	Date	Reviewed By	Date
-----------------	------	-------------	------

Adequate time spent on proper investigation and effective remedial action is cost reduction effort on tomorrow's losses.

--	--	--	--	--	--	--	--	--	--

WCB INJURY REPORT

INJURY INFORMATION (Please TYPE required information.)

To be completed by both the employer and the worker. If more space is needed, please attach additional pages, or use the space provided on page 3.

1. Please check one. The injury or illness occurred:

From a specific incident.

DATE (dd/mm/yyyy) TIME AM PM

Please complete questions 2 - 7.

Over a period of time.

Date symptoms first noticed: DATE (dd/mm/yyyy)

Please complete questions 2-12

5. Did the worker lose time because of this injury or illness? YES NO

If yes, give the date and time when time-loss started:

DATE (dd/mm/yyyy) TIME AM PM

Did the worker lose earnings because of this injury/illness? YES NO

If yes, give the date and time when earnings-loss started:

DATE (dd/mm/yyyy) TIME AM PM

Please complete page 3 if you answered yes to either of these questions.

2. What body part was injured?

Left side Right side Upper body Lower body

3. How did the injury(ies)/illness(es) happen? List any and all weights, distances, movements and equipment involved and the conditions or activity occurring at the time of the incident. If relevant, list exposures to noise or chemical agents, and the duration of the exposure.

Where did the injury(ies) occur? CITY/TOWN

COUNTY PROVINCE

If a person/factor, other than the employer/coworkers contributed to the cause of injury/illness, please explain:

6. Indicate if the worker is:

proprietor partner active officer or director of the company

Indicate if the worker is a family member living in the household of any proprietor/partner/active officer or director of the company. YES NO

7. To whom at your place of employment was the injury or illness reported?

NAME

TITLE () PHONE

Date reported: DATE (dd/mm/yyyy)

Please explain any delay in reporting:

OVER A PERIOD OF TIME SECTION

8. What are the worker's main job tasks?

9. Is the worker left or right hand dominant? LEFT RIGHT

10. How long has the worker been employed in this specific job/position?

If less than 90 days, in what job/position were they previously employed?

4. If medical attention was sought, please provide the name of the doctor OR medical facility where the worker was first seen. Also provide the date, phone number and location of the doctor OR medical facility.

Was medical attention sought? YES NO

NAME OF DOCTOR OR MEDICAL FACILITY

LOCATION

() PHONE DATE (dd/mm/yyyy)

11. How much overtime did the worker perform in the 90-180 days before this injury or illness occurred?

12. Have there been any changes in the worker's responsibilities in the past 90-180 days? (e.g. changes in duties, changes in workload, a leave of absence.) Please explain.

SOCIAL INSURANCE NUMBER											
WCB Claim No.											

WCB INJURY REPORT

EARNINGS / EMPLOYMENT INFORMATION (Please TYPE required information.)

If you answered YES to either time loss or earnings loss in question 5, please complete this section.

The earnings information provided will normally be used to establish the benefit amount. We may request additional earnings information from both the employer and the worker to determine a more accurate benefit amount. Benefits provided by the Canada Pension Plan may affect the amount WCB pays.

13. Has the worker been employed with this company for the 12 months preceding the earnings loss? YES NO

14. Indicate the worker's employment type:

A. Permanent Casual/Temporary Seasonal/Irregular

B. Sub-contractor Vehicle Owner/Operator Courier Service

Logging/Chain Saw Operator Self-employed

Other: _____

Note: if you check any box in B above, the worker must submit a detailed income and expense statement. If this information is not readily available, the WCB will estimate the worker's employment expenses.

15. If the worker is part-time, seasonal, or casual, please indicate the date the **original** employment began:

DATE (dd/mm/yyyy)

16. A. Worker's normal gross earnings at the time of the injury: \$ _____

per hour per day per week bi-weekly

per month other (please specify): _____

Note: complete B only if you are unable to complete A, above. (Usually applies to seasonal, irregular or casual workers).

B. Gross earnings for the period of one year or less: \$ _____

From: (12 months or less prior)

To: (Date before injury)

DATE (dd/mm/yyyy)

17. Usual number of hours/days worked:

_____ Hours Days

Per Day Per Week

Other:

Show usual days of work:

S M T W Th F S

If shift or casual worker, please attach the first three weeks of schedule after the earnings loss began. If the worker works on a fixed rotation schedule, please attach a sample of the rotation schedule.

18. Indicate the worker's tax deduction (TD) code: _____

19. Number of hours **scheduled** on day time/earnings loss began: _____

Number of hours **worked** on day time/earnings loss began: _____

Number of hours **paid** on day time/earnings loss began: _____

20. Did the worker return to work after the injury or onset of symptoms?

YES NO

If yes, give the date and time:

: AM PM

DATE (dd/mm/yyyy) TIME

Did the worker return to **regular** duties? YES NO

If yes, give the date and time:

: AM PM

DATE (dd/mm/yyyy) TIME

21. Will you be making any payments to the worker while the worker is off work due to the injury or illness?

YES NO

If yes, type of benefit paid: _____

How long will payments continue? _____

Please provide any additional injury/illness information that you feel is relevant:



Region of Queens Municipality EMERGENCY CONTACT LIST

EMERGENCY RESPONSE	PHONE NUMBERS
ALL FIRE CALLS	9-1-1
AMBULANCE	9-1-1
POLICE Liverpool Detachment	9-1-1 902-354-5721
HOSPITALS Queens General Mental Health Services South Shore Regional IWK Health Centre Queens Elizabeth II Health Nova Scotia Health and Wellness	902-354-3436 1-888-429-8167 1-902-543-4603 1-888-470-5888 1-902-473-2700 1-800-387-6665 or 8-1-1
EMERGENCY MEASURES ORGANIZATION Provincial EMO (24 Hours)	1-866-424-5620
POISON CONTROL Poison Centre	1-800-565-8161
DEPARTMENT OF LABOUR (24 Hours)	1-800-952-2687
ENVIRONMENTAL EMERGENCIES Oil, Pesticide, and Chemical Spills (24 Hours)	1-800-565-1633
OTHER	
NOVA SCOTIA CONSTRUCTION SAFETY ASSOCIATION	1-800-971-3888
NOVA SCOTIA POWER INC. Power Interruption, Customer Service (24 Hours) Overhead Lines	1-877-428-6004 1-800-428-6230
Bell Aliant Buried Cable	1-888-214-7896
Eastlink Residential Services	1-888-345-1111
Transportation and Infrastructure Renewal Contact the Nearest Base Road Conditions	1-844-696-7737 5-1-1

Region of Queens Municipality

Management Contact Information

Name	Email	Phone
Mayor		
Scott Christian	schristian@regionofqueens.com	902-354-3453 office
Chief Administrative Officer		
Dan McDougall (Interim)	dmcdougall@regionofqueens.com	902-354-3453 office
Department of Community Development		
Steve Burns	sburns@regionofqueens.com	902-354-3453 office
Visitor Services Coordinator (seasonal)	visitorservices@regionofqueens.com	902-354-5421 office
Department of Finance		
Joanne Veinotte, Director	jveinotte@regionofqueens.com	902-354-3453
Heidi Mossman, Manager of Finance	hmossman@regionofqueens.com	902-354-5421 office
Department of Infrastructure		
Adam Grant, Director	agrant@regionofqueens.com	902-354-7170 office 902-350-2046 cell
Elise Johnston, Manager of Capital Projects	ejohnston@regionofqueens.com	902-354-7170 office
Capital Projects Supervisor	(Richard Wolfe, interim)	
Ron St. Croix, Manager of Environmental Services	rstcroix@regionofqueens.com	902-354-7170 office 902-350-1016 cell
Solid Waste Facility Supervisor	Vacant	
Utility Supervisor	Vacant	902-354-7170 office
Candice Weagle, Environmental Services Coord'r	cweagle@regionofqueens.com	902-354-7170 office
Garrett Chetwynd, Manager of Public Works	gchetwynd@regionofqueens.com	902-354-7170 office 902-350-2274 cell
Steve Parnell, Public Works Supervisor	sparnell@regionofqueens.com	902-354-7170 office 902-350-6680
Scott Orme, Facilities Supervisor	sorme@regionofqueens.com	902-354-8292 cell

Name	Email	Phone
Department of Land Use		
Mike MacLeod, Director	mmacleod@regionofqueens.com	902-354-3455
Graham Hopkins, Inspection Services Manager	graham.hopkins@modl.ca	902-530-3919
Department of Recreation		
Meaghan Roberts, Director	mroberts@regionofqueens.com	902-354-4422 office 902-350-3314 cell
David Kelley, Manager of QPEC Systems	dkelley@queensplace.ca	902-354-4422 office 902-350-3570 cell
Judith Mossman, QPEC Customer Service Supervisor	jmossman@queensplace.ca	902-354-4422
Hillview Acres		
Audrey Wamboldt, Hillview Administrator	awamboldt@regionofqueens.com	902-685-2966
Ashleigh Sherman, Hillview Recreation Coordinator	asheraman@regionofqueens.com	902-685-2966
Candice Weare, Director of Resident Care	cweare@regionofqueens.com	902-685-2966

REGION OF QUEENS MUNICIPALITY

MONTHLY INCIDENT REPORT

For the Month of: _____

Department/Division: _____

No.	Date/Time of Incident	Name of Injured	Supervisor	Lost Time/Days

Prepared By: _____

Date: _____

Dept/Div Head: _____

Date: _____

REGION OF QUEENS MUNICIPALITY
YEAR END INCIDENT REPORT

Fiscal Year: _____

Department/Division: _____

Month	No. of Incidents	No. of Incidents Causing Personal Injury	No. of Incidents Causing Lost Time	Time/Days Lost
April				
May				
June				
July				
August				
September				
October				
November				
December				
January				
February				
March				
TOTAL				

Department/Division Head: _____

Date: _____

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SWP-WAT-06	Lake Intake Screens
SWP-WAT-07	Use of Compressed Air

JOB PROCEDURES

BUILDING INSPECTIONS

PPE REQUIRED:

Hard hat, CSA approved safety boots, eye protection, Class 2, level 2 high visibility safety apparel.

PROCEDURE:

1. Park vehicle in a safe location on the site away from heavy equipment and machinery.
2. Upon entering the project, check in at the site office and ensure that all areas are safe and proper guarding is installed around all openings.
3. Do not use improvised ladders, ramps or scaffolding.
4. Fall protection devices and procedures shall be used where required in accordance with Nova Scotia Department of Labour Standards.
5. Observe safe trenching and excavations before entry.
6. Be aware of any other activity such as welding, lifting or equipment moving in area of the inspection. If activity cannot be interrupted during inspection, do not continue inspection, arrange for an inspection time.
7. Report to site office before leaving the site and report any unsafe conditions to the supervisor or the Nova Scotia Department of Labour as soon as possible.

JOB PROCEDURES

DOG CONTROL

PPE REQUIRED:

Protective gloves and Class 2, level 2 high visibility safety apparel.

EQUIPMENT REQUIRED:

Leash, collar, "ketch all" pole, safety gloves with forearm protection, metal cage, heavy plastic bags and catch-all net.

PROCEDURE:

1. To catch or remove a stray dog, dog running at large, a dog from a premises or vehicle, or injured dog, various procedures are employed and a specific procedure cannot be set down due to the fact that each and every incident has different and varying circumstances and locations.
2. General procedures can only be noted to follow.
3. Ensure that when placing a dog in a cage or rear of vehicle that the "ketch all" pole is used to protect the Bylaw Enforcement Officer from dog bites.
4. Ensure that when handling any dog, protective gloves are used.
5. Ensure that when handling deceased dogs, either by car accidents or disposal at our own hand, rubber gloves are worn and the dog is immediately placed in a suitable plastic bag and tightly secured.
6. When investigating motor vehicle accidents involving a dog, ensure your vehicle is parked properly on the highway with four-way flashers operating, emergency lights activated. Class 2, level 2 high visibility safety apparel must be worn. During dark times, flashlights must have the red wands affixed at all times.
7. Ensure when handling dogs that the "ketch all" pole and other safety equipment is used where it is felt that the dog's temperament warrants such procedure.

JOB PROCEDURES

ILLEGAL DUMPSITE INVESTIGATIONS

EQUIPMENT REQUIRED:

Cut resistant safety gloves, CSA approved safety boots, Safety glasses, Class 2, level 2 high visibility safety apparel, Shovel, Rake and Camera.

PROCEDURES:

1. Ensure that when searching a garbage dump location for evidence, cut resistant safety gloves are worn for general searches.
2. Ensure that when various items are taken apart manually that cut resistant safety gloves are worn to protect the investigator from contamination.
3. Extreme caution must be taken when examining domestic garbage with respect to medical needles, medical waste, or other serious contaminants.
4. Any evidence that is recovered must be sealed in suitable plastic bags and labeled for evidence should court presentation be required and also to secure any contamination.
5. When dealing with hazardous materials, please refer to Hazardous Material MRF – JP-LAN-06.

JOB PROCEDURES

FIRE INSPECTIONS

PPE REQUIRED:

The use of PPE shall be decided after consulting file and when arriving on the site. Given the fact that every fire inspection is in a different location, the inspector will be required to assess each inspection for its potential hazards.

PROCEDURE:

1. Assess each location for exterior and interior hazards. Consult previous inspection file for each inspection location.
2. The use of PPE shall be decided after consulting file and when arriving on the site.
3. The inspector shall not inspect any building, new or existing, if there are any hazards which pose a risk to the inspector or any member of the public.
4. Where practicable, the inspector should only inspect buildings in the presence of the building owner or his/her agent.
5. The inspector shall use the current editions of the Nova Scotia Fire Safety Act and Regulations, The National Fire Code of Canada and The National Building Code of Canada as a guide and authority to carry out fire inspections within his/her jurisdiction.

SAFE WORK PRACTICES

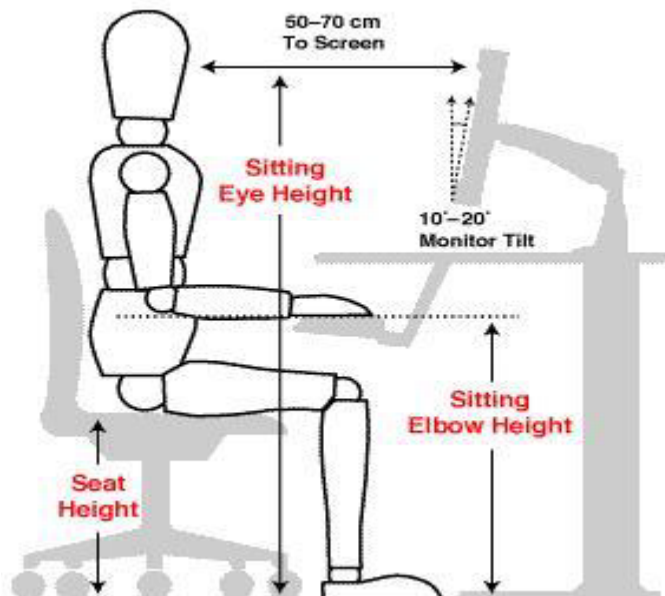
REPETITIVE STRAIN INJURY

GENERAL:

At the Region of Queens there are many job tasks that have potential to cause repetitive strain injury. Repetitious tasks such as shoveling snow or gravel, working with recyclables on the sorting line, bailing recyclable materials, raking, using a push mower, working at computers or chain and bush saw operation are just a few examples. Repetitive strain injury can be caused by rapid or forced movements or by remaining in a fixed position with little or no support for your limbs, head or neck. Effects can be either short or long term.

PRACTICE:

- During long uninterrupted periods of work associated with repetitive strain, proper stretching is important. Stretching can be beneficial every 20 minutes or when employees start to feel tension in muscles or joints. Some stretches include shoulder raises, wrist and head rotations and leg and back stretches.
- Employees who work with computers should have a proper work station set-up. See diagram below.



SAFE WORK PRACTICES

REPETITIVE STRAIN INJURY

- Certain job tasks necessitate unnatural positions. As a preventative measure, all tools and equipment shall be kept in good working order. Employees must be as reasonably as comfortable while performing these tasks.
- P.P.E. must fit properly. Inadequate P.P.E. will force our bodies to compensate and increase the risk of repetitive strain injury.
- Work areas must be free from obstructions. It is essential to have as clean a work area as possible to allow for free movement.
- While performing repetitive tasks, employees must make every effort to support limbs being used.
- Employees must take responsibility for stretching, in an effort to prevent repetitive strain injuries.

SAFE WORK PRACTICES

OFFICE SAFETY

GENERAL:

Employees shall report all injuries, regardless of severity, to the person in charge. Employees should walk cautiously up and down stairs; the handrail should be used whenever possible. Caution shall be exercised when walking around blind corners.

Lifting and Carrying:

- An employee shall obtain assistance in lifting heavy objects.
- Bulky objects shall not be carried in such a way as to obstruct the view ahead or interfere with free use of handrails of stairway.
- Large boxes or bundles of supplies shall be moved by a hand truck or unpacked and delivered in smaller parcels.

Doors:

- Doors shall be opened slowly to avoid striking anyone who may be on the other side of it.

Ladders:

- Employees shall use a set of steps or a ladder when required to place or obtain objects in elevated locations.
- Materials shall not be piled too high for stability or in a hazardous way.
- Ladders and platforms shall be examined before use; treads and feet of ladder shall be with non-slip material.
- Boxes, chairs, etc. shall not be used in place of ladders.
- The use of stepladders shall be in accordance with the manufacturer's instructions.

SAFE WORK PRACTICES

OFFICE SAFETY

Sharp Instruments:

- Knives, scissors, letter openers, pens and pencils, etc., should be kept in front of desk drawer where they can be seen when drawer is opened.
- Care should be exercised when using staples, punches, or paper cutters.
- Immediate first-aid treatment is essential for all cuts and puncture wounds.

Filing Cabinets:

- Drawers of desks and file cabinets shall be kept closed when not in use.
- Only one drawer of a file cabinet shall be pulled out at a time in order to avoid overbalancing, unless the cabinet is securely fastened to the wall or to other cabinets.

Fire Protection:

- No employee shall hinder access to fire extinguishers or exits.
- Each employee shall note the location of fire extinguishers, exits, and fire alarms, and shall be knowledgeable in the use of each.
- It is the responsibility of each supervisor to ensure that employees are knowledgeable in fire protection and evacuation procedures.
- Employees discovering fires shall sound the alarm and, provided that it is of a small nature, will attempt to extinguish it; however, if there is any danger from this procedure these employees shall evacuate the building immediately, and assemble at a pre-determined location.
- All employees shall exercise good housekeeping habits, not allowing waste paper, rags or other combustible material to accumulate.

SAFE WORK PRACTICES

OFFICE SAFETY

Office Equipment:

- Unsafe electrical cords, faulty electrical or other equipment, or any other hazardous conditions shall be reported to the supervisor, or tagged out.
- Employees shall not attempt to clean, oil or adjust any machine that is running. If the machine is not equipped with a starting switch that can be locked in the "off" position, it shall be disconnected from its power source and tagged out, (if activity cannot be completed immediately).
- P.P.E. and safety equipment shall be used as required and referenced on each individual SDS sheet for the product being handled. Refer to SDS sheets on proper handling of chemical(s) being used to ensure proper procedures are followed.
- Safety shall be considered in what you wear on the job. Loose fitting clothing, dangling bracelets, rings and ties may cause serious injury to employees operating or working around power driven machines (paper shredders, copiers, etc.), and shall not be worn.

Working in Outside Areas:

- Office workers called upon to work in the areas outside of the department shall observe the rules of the particular area, (ie. Eye protection, safety hats, safety footwear, and clothing regulations, etc.).

SAFE WORK PRACTICES

SHREDDING

EQUIPMENT REQUIRED: Shredder

PRACTICE:

- Turn on shredder and allow time to warm up.
- Remove paper clips and staples from material being shredded.
- When wearing loose clothing, ties, long necklaces or other items which could become caught in the shredder, caution shall be observed.
- Shred material.
- If shredder jams, turn off, clear the jam and then continue.
- When finished shredding, turn off shredder.

SAFE WORK PRACTICES

USE OF PORTABLE LADDERS

GENERAL:

Ladders can be used safely if they are given the respect they deserve. Before using any ladder, make sure that it is in good condition and is the right ladder for the job to be done.

PRACTICE:

- Ensure that only portable ladders that are commercially manufactured, in accordance with CSA Standard CAN3-211-M81, "Portable Ladders", are used.
- All portable ladders must be clean and free of grease, oil or other substances that may cause slipping.
- All ladders must be destroyed if broken, worn or if exposed to fire or chemical action.
- When setting up a ladder, ensure the base is secured against movement; before going up.
- When in position, the ladder should protrude one (1) metre or 3 rungs above the intended landing point.
- The minimum overlap on an extension ladder should be one (1) metre in absence of any manufacturer's specified overlap.
- Workers shall not work from the top three rungs of a portable ladder.
- Do not overreach while on a ladder. It is easier and safer to climb down and move the ladder over a few feet to a new position.
- Always face the ladder when using it. Grip it firmly and use three-point contact when moving up or down.
- Keep ladders, away from electrical sources.
- Another person should be on site to secure the ladder.

**SAFE WORK PRACTICES
USE OF PORTABLE LADDERS**

- When using step ladders; do not stand on the top, the top step or the material shelf
- Step ladders are only to be used in the fully opened position with the spreader bars locked.
- Tops of step ladders are not to be used as a support for scaffolds.

SAFE WORK PRACTICES

USE OF CLEANING SOLVENTS AND FLAMMABLES

PPE REQUIRED: Goggles, half face respirator with NIOSH 75SC cartridge, face shield, rubber gloves and coveralls.

GENERAL:

Cleaning solvents are used in the day-to-day cleaning of machines, floors and dishes. Special care must be taken to protect the worker from hazard which may be created from the use of these liquids. Wherever possible, solvents should be non-flammable and nontoxic.

The Supervisor must be aware of all solvents/flammables that are used on the job, and be sure that all workers who use these materials have been instructed in their proper use.

PRACTICE:

The following instructions or rules apply when solvents/flammables are used:

- Use non-flammable solvents for general cleaning.
- When flammable liquids are used, make sure that no hot work is permitted in the area.
- Store flammables and solvents in designated storage areas.
- Solvents are controlled products. Ensure that employees in the vicinity of the use or storage of solvents are trained and certified in the Workplace Hazardous Materials Information System. Ensure all WHMIS requirements are met.
- Provide adequate ventilation where solvents and flammables are being used.
- Use goggles or face shields to protect the face and eyes from splashes and when deemed necessary to mitigate a splash hazard and ensure workers clothes do not become contaminated.
- Use rubber gloves to protect the hands.

SAFE WORK PRACTICES

USE OF CLEANING SOLVENTS & FLAMMABLES

- Use half face respirator with NIOSH 75SC cartridge when a breathing hazard exists within poorly ventilated areas.
- Ensure that proper containers are used for transportation and storage of solvents/flammables. Refer to applicable SDS sheets.

SAFE WORK PRACTICES

ELECTRICAL TOOLS

GENERAL:

Electrical tools are very convenient and useful, but introduce the potential for electrical hazard to the workplace in addition to other hazards present.

PRACTICE:

- Keep work area clean, cluttered areas and benches invite accidents.
- Check damaged parts. Before further use of the tool, a guard or other part that is damaged should be carefully checked to determine that it will operate properly and perform its intended function. Check for alignment of moving parts, mounting and any other conditions that may affect its operation. A guard or other part that is damaged should be properly repaired or replaced.
 - Avoid dangerous environments. Don't use power tools in damp or wet locations. Keep work area well lit. Do not expose power tools to rain. Do not use electrical tools in the presence of flammable liquids or gases.
 - Keep other people away. Do not let others come in contact with tools or power cords. All visitors should be kept away from the work area.
- Store idle tools. When not in use, tools should be stored in a dry, high or locked up place to keep unauthorized personnel away.
- Don't force tools. It will do the job better and safer at the rate for which it was designed.
- Use the right tool. Don't force small tools or attachments to do the job of a heavy-duty tool. Don't use tools for the purpose not intended - for example: don't use a circular saw for cutting tree limbs or logs.
- Dress properly. Do not wear loose clothing or jewelry. They can be caught in moving parts. Wear protective hair covering to contain long hair.
- Use safety glasses. Also face or dust mask if cutting operation is dusty.

SAFE WORK PRACTICES

ELECTRICAL TOOLS

- Don't abuse cord. Never carry the tool by its cord or yank it to disconnect it from the receptacle. Keep the cord from heat, oil and shaper edges.
- Secure work, using clamps or fellow employee to hold the work.
- Notify the Superintendent/Mechanic if any tools are found to be damaged, defective or unserviceable. Use tag-out system for defective electrical tools as necessary.
- Don't overreach. Keep proper footing and balance at all times.
- Maintain tools with care. Keep tools sharp and clean for better and safer performance. Follow instructions for lubricating and changing accessories. Inspect tool cords periodically and if damaged, have repaired. Keep handles dry, clean and free from oil and grease.
- Disconnect tools, when not in use, before servicing, when changing blades, bits, cutters, etc.
- Remove adjusting keys and wrenches. Form a habit of checking to see that keys and adjusting wrenches are removed from the tool before turning it on.
- Avoid accidental starting. Don't carry plugged in tools with your finger on the switch. Be sure the switch is OFF when plugged in.
- Use only outdoor type extension cords with a ground prong receptacle that have a ground fault receptacle.
- Do not operate portable electrical tools in gaseous or explosive atmospheres.
- Do not alter or misuse the tool. These tools are precision built. Any alternation or modification not specified is misuse, and may result in a dangerous condition.
- Guard against electrical shock. Prevent body contact with grounded surfaces. For example: pipes, radiators, water, etc.

SAFE WORK PRACTICES

DEFECTIVE TOOLS

GENERAL:

Defective tools can cause serious and painful injuries. If a tool is defective in some way, ***don't use it.***

Be aware of problems such as:

- chisels and wedges with mushroomed heads
- split or cracked handles
- chipped or broken drill bits
- wrenches with worn out jaws
- tools which are not complete, such as files without handles

To ensure safe use of hand tools, remember:

- never use a defective tool
- double check all tools prior to use
- ensure defective tools are tagged out and subsequently repaired or taken out of service. Refer to SWP-COM-08.

Air, gasoline or electric powered tools require skill and complete attention on the part of the user, even when they are in good condition. Don't use power tools when they are defective in any way.

Watch for problems such as:

- broken or inoperative guards
- insufficient or improper grounding due to damage on double insulated tools
- no ground wire (on plug) or cords of standard tools
- the on/off switch not in good working order
- tool blade is cracked
- the wrong grinder wheel is being used
- the guard has been wedged back on a power saw

SAFE WORK PRACTICES

TAG-OUT SYSTEM

GENERAL:

Defective tools can cause injury. All employees must inspect equipment and tools they work with regularly to ensure it is in good condition.

PRACTICE:

- Equipment and tools in need of repair will be identified and removed from service.
- A tag with DO NOT OPERATE (or similar) will be attached. It will indicate the problem, who is tagging out, and the date.
- The supervisor will be told of the problem and may elect to place his/her tag on the equipment or tool and ask the employee to remove his/her tag.
- The tag will remain in place until repairs have been made.
- Only the person who has placed a tag on an item may remove that tag, or give authorization for its removal.
- Supervisors shall ensure non-repairable equipment and tools are to be removed, destroyed and disposed of from the workplace.

SAFE WORK PRACTICES

FIRE AND USE OF FIRE EXTINGUISHERS

GENERAL:

Good housekeeping is essential in the prevention of fires. Fires can start anywhere and at any time. Fire extinguishers are only to be used on small flare-ups if possible and to assist employees in exiting a building that is on fire. Never fight a free burning fire as most fire extinguishers last only a minute. Once you are safe call 911 if necessary.

PRACTICE: There are three types of fires and at the Region of Queens we have the "ABC" fire extinguisher which can be used on most fires. The three types of fires are listed below.

Class A: These fires consist of wood, paper, rags, rubbish and other combustible materials.

Class B: Flammable liquids, oil and grease.

Class C: Electrical equipment.

- Fire extinguishers are to be located in clearly marked locations.
- Fire extinguishers are to be certified yearly to ensure they can be operated effectively.
- Never place anything in front of fire extinguishers.
- Once a fire extinguisher has been discharged it needs to be recharged before it can be returned to service.
- The contents of a fire extinguisher displaces the oxygen that feeds a fire and is therefore toxic. Employees must leave the area once the contents of the fire extinguisher is discharged.

How to Use A Fire Extinguisher:

Pull the pin, aim at the base of the fire, squeeze the trigger and sweep the base of the fire using short bursts. Always use the entire contents; never stop at half.

SAFE WORK PRACTICES

USE OF PERSONAL PROTECTIVE EQUIPMENT

GENERAL:

Always use the correct personal protective equipment for the particular job to be done. Refer to the Job Procedure or Safe Work Practice for that job, or Manufacturer's instructions and the appropriate Legislation or Act, as applicable.

PRACTICE:

- Before using, inspect PPE item to ensure proper condition.
- Any defect found shall be reported to your supervisor immediately.
- Tag out any PPE found to be unsuitable.
- Dispose of any PPE items that cannot be repaired properly.
- Ensure that all personnel have the appropriate training to properly operate PPE.
- Ensure that all applicable PPE fits properly.
- Where persons not involved in the core function or activity of the workplace or job site is at the location for demonstrational or other purpose and is accompanied by a member of the Region of Queens JOHS committee, said member of the JOHS committee that is fully aware of the hazards of the site can reduce PPE requirements for those not engaged in the regular duties and functions of that place.

SAFE WORK PRACTICES

WORKING ALONE

GENERAL:

From time to time, employees will be required to work alone.

PRACTICE:

- Employees who work alone shall hold a valid emergency first aid certificate.
- Employees who work alone shall have, at a minimum, a Number 1 First Aid Kit and a 2 way radio and/or cell phone.
- Prior to working alone; employees shall communicate to the supervisor on duty the anticipated schedule of the work to be completed. When the task has been completed; communication shall be made to inform the supervisor on duty.

SAFE WORK PRACTICES

EXTREME COLD

GENERAL:

The human body senses and compensates for temperature changes. When the body reaches its compensation limit, other procedures must be instigated - such as, protective clothing, altered work procedures, etc. Hypothermia results when the body continues to lose heat. Involuntary shivers begin. This is the body's way of attempting to produce more heat and it is usually the first warning sign of hypothermia. Many cases of exposure have occurred in temperatures well above freezing. How cold the body gets depends on many factors, not just air temperature.

PRACTICE:

- Heat loss from convection is probably the greatest and most deceptive factor in loss of body heat. This occurs when the wind blows away the thin layer of air that acts as an insulator between the skin and the outside air temperature.
- The chart on the following page should be used to relate Wind Speed and Air Temperature to a scale for judging appropriate exposure times for working in cold environments. Find the wind speed of the work environment in the column on the far left, then find the air temperature on the top row. The point on the chart where the column and row intersect provides the wind chill temperature index and the colour of the cell relates to frostbite times for exposed facial skin.
- The dead air space between the warm body, clothing, and outside air is essential. Many layers of relatively light clothing with an outer shell of windproof material maintain body temperature much better than a heavy outer garment worn over ordinary indoor clothing. Make sure clothing allows some venting of perspiration. Wet skin will freeze more rapidly than dry skin.
- Metal will conduct heat away from the body quite rapidly, be very careful of skin contact with metal objects.
- When working alone ensure that your Supervisor is aware of your location and maintain communication.

Wind Chill Temperature Index. Frostbite Times are for Exposed Facial Skin

WIND CHILL TEMPERATURE INDEX												
Frostbite Times are for Exposed Facial Skin												
Air Temperature (°C)												
Wind Speed (km/h)	5	0	-5	-10	-15	-20	-25	-30	-35	-40	-45	-50
5	4	-2	-7	-13	-19	-24	-30	-36	-41	-47	-53	-58
10	3	-3	-9	-15	-21	-27	-33	-39	-45	-51	-57	-63
15	2	-4	-11	-17	-23	-29	-35	-41	-48	-54	-60	-66
20	1	-5	-12	-18	-24	-30	-37	-43	-49	-56	-62	-68
25	1	-6	-12	-19	-25	-32	-38	-44	-51	-57	-64	-70
30	0	-6	-13	-20	-26	-33	-39	-46	-52	-59	-65	-72
35	0	-7	-14	-20	-27	-33	-40	-47	-53	-60	-66	-73
40	-1	-7	-14	-21	-27	-34	-41	-48	-54	-61	-68	-74
45	-1	-8	-15	-21	-28	-35	-42	-48	-55	-62	-69	-75
50	-1	-8	-15	-22	-29	-35	-42	-49	-56	-63	-69	-76
55	-2	-8	-15	-22	-29	-36	-43	-50	-57	-63	-70	-77
60	-2	-9	-16	-23	-30	-36	-43	-50	-57	-64	-71	-78
65	-2	-9	-16	-23	-30	-37	-44	-51	-58	-65	-72	-79
70	-2	-9	-16	-23	-30	-37	-44	-51	-58	-65	-72	-80
75	-3	-10	-17	-24	-31	-38	-45	-52	-59	-66	-73	-80
80	-3	-10	-17	-24	-31	-38	-45	-52	-60	-67	-74	-81

FROSTBITE GUIDE

- Increasing risk of frostbite for most people in 10 to 30 minutes of exposure
- High risk for most people in 5 to 10 minutes of exposure
- High risk for most people in 2 to 5 minutes of exposure
- High risk for most people in 2 minutes of exposure or less

Sources: adapted from ACGIH TLVs and BEIs. Original source: National Weather Service: Wind Chill Temperature Index.

SAFE WORK PRACTICES

EXTREME HEAT

GENERAL:

Extreme heat has a significant impact on a worker's performance, particularly on the job site. Equipment operators, labourers, and others are involved in very physical activities in performing their duties. As a result, extreme heat can quickly cause dehydration, exhaustion, and heat stroke. Job site personnel must be constantly aware of the effect extreme heat has and take safety precautions to avoid injury.

PRACTICES:

The following safe work practices are methods that site supervisors and all personnel can utilize when working in these conditions:

- More frequent rest breaks.
- Increased amount of drinkable water, easily accessible.
- Use lotion or sun block to avoid sunburn.
- Take advantage of rest breaks, as needed. Lunch time in shady area, if possible.
- Proper clothing to prevent sun burns.

The chart at the end of this Safe Work Practice should be used to relate Temperature and Relative Humidity to a scale for judging appropriate measures for working in warm environments. Find the temperature of the work environment in the column on the far left, then find the relative humidity on the top row. The point on the chart where the column and row intersect provides an index number, reference that index number in either "Moderate Unacclimatized & Heavy Acclimatized" or "Moderate Unacclimatized & Light Unacclimatized" and follow the action as supplied.

Moderate Unacclimatized & Heavy Acclimatized should be used when General Controls are in place for unacclimatized workers and include providing annual heat stress training, encouraging adequate fluid replacement, permitting self-limitation of exposure, encouraging watching out for symptoms in co-workers, and adjusting expectations for workers coming back to work after an absence. Workers doing moderate work are considered acclimatized only if they regularly work around heat sources (e.g. in foundries, around ovens, etc.).

Moderate Unacclimatized & Light Unacclimatized is used when Job-specific controls include (in addition to general controls) engineering controls to reduce physical job demands, shielding of radiant heat, increased air movement, reduction of heat and moisture emissions at the source, adjusting exposure times to allow sufficient recovery, and personal protective equipment that provides for body cooling. It is important that the temperature and relative humidity used in the table are from the actual work environment and not from weather stations or media sources.

In addition, the following information is provided:

Heat cramps are painful muscle spasms of the legs and abdominal muscles that occur with vigorous exercise and prolonged sweating in hot environment.

Heat exhaustion occurs when excessive sweating causes a depletion of body fluids and when conditions prevent the evaporation of sweat to cool the body.

Heatstroke occurs when there is prolonged exposure to a very hot environment with poor ventilation or over exposure to the hot sun. Sweating ceases, temperature rises rapidly, and can be fatal unless the body temperature can be lowered to near normal. High body temperatures and hot, dry skin indicate heatstroke.

Temp (in °C)	Relative Humidity (in %)																								
	100%	95%	90%	85%	80%	75%	70%	65%	60%	55%	50%	45%	40%	35%	30%	25%	20%	15%	10%						
49																			50						
48	NEVER IGNORE ANYONE'S SYMPTOMS DESPITE YOUR MEASUREMENTS!!!																								
47	Moderate Unacclimatized & Heavy Acclimatized																	50	47						
46																		49	46						
45																		50	47	45					
44		Action																49	46	43					
43		45+	only medically supervised work															49	47	45	42				
42		42-44	work with 45 min/hr relief															50	48	46	43	41			
41		40-41	work with 30 min/hr relief															48	46	44	42	40			
40		38-39	work with 15 min/hr relief															49	47	45	43	41	39		
39		34-37	warn for symptoms & extra water															49	47	45	43	41	39	37	
38		30-33	alert for symptoms & extra water															49	47	45	43	42	40	38	36
37	25-29	water as needed															49	47	45	44	42	40	38	37	35
36											50	49	47	45	44	42	40	39	37	35	34				
35										50	48	47	45	43	42	40	39	37	36	34	33				
34									49	48	46	45	43	42	40	39	37	36	34	33	31				
33								50	48	47	46	44	43	41	40	39	37	36	34	33	32	30			
32			50	49	48	46	45	44	42	41	40	38	37	36	34	33	32	30	29						
31	50	49	48	47	45	44	43	42	40	39	38	37	35	34	33	32	30	29	28						
30	48	47	46	44	43	42	41	40	39	37	36	35	34	33	31	30	29	28	27						
29	46	45	43	42	41	40	39	38	37	36	35	33	32	31	30	29	28	27	26						
28	43	42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25						
27	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25								
26	39	38	37	36	35	34	33	33	32	31	30	29	28	27	26	25									
25	37	36	35	34	33	33	32	31	30	29	28	27	26	26	25										
24	35	34	33	33	32	31	30	29	28	28	27	26	25												
23	33	32	31	31	30	29	28	28	27	26	25														
22	31	30	30	29	28	27	27	26	25	25															
21	29	29	28	27	26	26	25																		
	100%	95%	90%	85%	80%	75%	70%	65%	60%	55%	50%	45%	40%	35%	30%	25%	20%	15%	10%						

SAFE WORK PRACTICES

EQUIPMENT ENTERING/EXITING BUILDINGS

GENERAL:

This practice is for entry or exit of equipment into maintenance sheds or other Region of Queens Municipality buildings, both summer and winter operations.

PRACTICE:

Entering or exiting in forward or reverse.

- Ensure door is lifted to maximum height. Do not proceed until door has come to a stop.
- Only enter the immediate area if it is clear and free of obstructions and employees.
- All attachments (e.g. plows, buckets, blades, etc.) must be in the lowest position possible to allow safe, clear and unrestricted access through doorway and interior space.
- If available, use an employee as a guide while entering or exiting. Otherwise, the operator shall exit the vehicle and undertake a walk around the space to be entered to ensure safe, clear and unrestricted access.
- Establish a stopping point prior to entering.
- Use mirrors when backing to ensure route is clear. Be aware of any blind spots. Ensure the area is clear within such blind spot.
- Ensure back up alarms on equipment are in good working order.
- Ensure radio is turned off in order to be aware of one's surroundings.

SAFE WORK PRACTICES

VEHICLE SAFETY

GENERAL: Applicable to vehicles which have vehicle permits for highway use.

PRACTICE:

- Operator shall be familiar with vehicle to be operated.
- Never use a vehicle for a task it was not intended to perform.
- Inspect vehicle before use and maintain a record of inspection.
- Follow the common sense rules of good driving:
 - Drive defensively
 - Do not tailgate
 - Observe posted speed limit as well as other posted regulations.
 - Stay Alert, expect the unexpected
 - Use Vehicle mirrors.
 - Adjust vehicle speed as conditions change.
- Ensure seat belts are in place and utilized.
- Ensure windows are clean and mirrors and seats are adjusted properly.
- After starting vehicle, observe all gauges, instruments and warning lights to ensure that they are functioning and that the readings are within an acceptable range.
- When operating a vehicle that is hauling a load, ensure load is secured and that the weight of the load is evenly distributed.
- When operating a vehicle that is towing equipment ensure the hitch and ball are properly connected, safety chains are properly secured and that all brake and running lights are working properly.
- When operating a vehicle that is towing equipment allow for safe stopping distance. A heavily loaded vehicle or a vehicle towing equipment will not stop quickly.
- All vehicles shall be equipped with a first aid kit and a dry chemical fire extinguisher.
- When using a vehicle for erecting/dismantling temporary traffic control signage, the vehicle is to be equipped with proper safety equipment, as well as the operating/dismantling of temporary traffic control signage is to be done in accordance with the Traffic Control Regulations.
- All Employees shall ride only in the passenger's compartment where proper seating and seat belts are provided.
- Vehicles shall be parked in designated parking areas only.

SAFE WORK PRACTICES

GENERAL HOUSEKEEPING

GENERAL:

At the various workplaces within the Region of Queens good housekeeping habits are essential. There are many benefits to keeping a clean workplace such as employee safety and better health due to good hygienic conditions. All employees are responsible for keeping their work environment tidy. Cleanups must be looked after immediately and not left until the end of the day.

PRACTICE:

- Work areas are not storage areas. All tools, hoses, cords or any other materials needed to do a job must be properly stored when not in use. Never put anything near exits, in walkways, on stairs or near fire extinguishers.
- Dispose of all waste in appropriate receptacles and empty as needed.
- Do not place unsecured objects overhead, as they could fall on somebody.
- All materials in storage and tool rooms must be organized and stacked neatly to prevent them from falling and make it easier to find them when needed.
- All tools must be kept clean to allow for safe use. As soon as you are finished with them, wipe them clean and return to designated location.
- Dangerous materials such as chemicals, fuels, solvents and tanks must be stored as recommended by the applicable SDS sheet. When improperly stored, a fire and explosion hazard exists.
- If lockers are present, they must be used to store gear such as rain suits, boots, gloves, safety vests and safety glasses. This will keep them clean and safe to use.

SAFE WORK PRACTICES

GENERAL HOUSEKEEPING

- Whether inside or outside, whenever cleaning or performing maintenance on equipment, clean up the area as soon as you are finished. It is equally important to keep the inside of equipment and vehicles clean to allow for safe operation.
- When sweeping floors, an open door or a ventilation fan can help to allow for dust particle dispersion. When mopping a floor, ensure that all excess water is removed. Warn others that the floor is wet.
- Keep floors clean and free of oil, grease, food, paper and liquids. Clean up spills immediately. If not attended to, a slipping hazard will exist. Use absorbent material to help clean a liquid spill.

SAFE WORK PRACTICES

SAFE FUELING OF VEHICLES AND EQUIPMENT

GENERAL: At the Region of Queens, one of the daily tasks is the fueling of vehicles and equipment. Gasoline is flammable and explosive. Care shall be taken when fueling.

PRACTICE:

- Park a safe distance to allow for nozzle to reach. Turn off engine.
- Never smoke or fuel near open flame.
- Choose proper grade and remove cap slowly to allow any vapours to escape.
- Use only the fueling latch on the nozzle. Never jam it with objects. Use only your hand.
- Never use electronic devices such as cell phones or open doors of the vehicle and enter the cab. These actions can produce static and act as an ignition source for gasoline vapours.
- Do not leave the nozzle unattended.
- Do not overfill tank. When the nozzle clicks off, remove immediately and replace on pump.
- If a spill occurs, it must be cleaned immediately before starting the engine.
- When fueling is completed, replace the cap. Shut off power to the pump.

SAFE WORK PRACTICES

PRESSURE WASHER

GENERAL:

Serious bodily injury, death and/or property damage may result with failure to follow instructions. The best insurance against an accident is precaution, and knowledge of the machine.

PRACTICE:

- Eye protection must be worn when using this equipment. Gloves and rain gear would also make the job more comfortable if desired.
- Before starting pressure washer, check high pressure hose and couplings for any visible damage. Grip cleaning wand securely before starting washer.
- High pressure developed by these units can cause injury or damage. Use caution when operating. Do not point the gun at anyone or at any part of the body.
- Protect discharge hose and high pressure hose from vehicle traffic and sharp objects.
- To protect yourself and other workers from electrical shock, the machine must be electrically grounded. Do not spray water near electrical components.
- Turn unit off before re-fueling. Fire and/or explosions may occur if this is not done. Refuel in a well ventilated area.
- After shutting machine off, squeeze the trigger on the wand to release built up pressure.
- For further information, see the Occupational Health and Safety Act, Regulations and Codes of Practice.

SAFE WORK PRACTICES

EQUIPMENT EXHAUST FUMES WITHIN BUILDINGS

GENERAL:

In the absence of a building ventilation system, exhaust fumes tend to linger and pose a silent risk. The risk increases with the amount of fumes and length of exposure.

PRACTICE:

When operating equipment in a building:

- In the shop the exhaust fans must be turned on.
- Ensure the building ventilation system is operating in the absence of a central ventilation system.
- The doors and windows can be opened to draw fresh air into the building.
- Ensure dual fuel equipment is under propane operation.

SAFE WORK PRACTICES

CLEAN, GERM-FREE WORKPLACE ENVIRONMENTS

GENERAL:

The various types of germs in existence and the products we use on our person can pose serious health risks to all employees at Region of Queens Municipality. Germs such as bacteria, viruses and fungi can affect our health causing diseases and illnesses like strep throat, tuberculosis, Covid-19, influenza, skin conditions, allergies and tapeworms. Germs can live up to three hours on your hands. Attention shall be given to the following:

PRACTICE:

- Germs can be transmitted to others if you don't clean your hands after using the washroom, smoking a cigarette, performing mechanical work, handling money, before and after handling food, sharing common objects, etc. Clean your hands as necessary with soap and water or hand sanitizer with at least 60% alcohol content.
- Hand washing protocol is as follows:
 1. Wet hands
 2. Add soap and water; scrub for 15-20 seconds
 3. Wash hands, thumbs, between fingers and under nails
 4. Rinse off soap
 5. Dry hands with a clean towel
 6. Turn off the tap with the towel and discard
- Common objects such as cellphones, keyboards and a computer mouse can have more germs than a toilet seat. Clean these items and other high touch surfaces as necessary using appropriate cleaners known to eliminate germ and virus risks. Use paper towels or rags when cleaning. If you use a rag, it should be for your use only and throw it away after you finish using it.
- Keep work areas, vehicles and equipment clean of debris and garbage. Materials that do not belong near your workplace can potentially spread germs.
- Always cover sneezes and coughs into your sleeve, elbow or a tissue.
- After handling chemicals in your workplace, always clean your hands to avoid contaminating yourself and others around you. Never touch your face when your hands are not clean.

SAFE WORK PRACTICES

CLEAN, GERM-FREE WORKPLACE ENVIRONMENTS

- Always wear clean clothing to work. Unclean work clothing is a possible source of transmitting germs to others.
- Ensure all wounds such as cuts, scrapes or burns are treated, kept clean and covered as necessary to promote healing and prevent the spread of germs to yourself and others.
- Although not required; physical distancing and 3-ply non-medical facemasks are still recommended by Nova Scotia Health and Wellness as a way to reduce the spread of viruses.
- Single use nitrile gloves and individual 3-ply non-medical facemasks shall be made available for employee use at the employee's request.
- Excessive use of heavily scented cosmetics and personal cleaning products can cause discomfort to those around you by triggering asthma attacks or allergic reactions.
- Perspiration is common to all who physically exert themselves while performing daily work tasks. Be considerate of others by bathing or showering as necessary to prevent bacteria build-up on your skin.
- If you become sick, consult medical attention. There are vaccines and medications that can help you get well. If you are not feeling well, stay home to prevent the spread of diseases and illnesses.

SAFE WORK PRACTICES

SAFE HANDLING OF BIOHAZARDOUS MEDICAL WASTE

GENERAL:

Sharps such as needles, lancets, auto injectors and medical waste such as soiled bandages, disposable gloves, non-medical facemasks and tubing pose a hazard to all Region of Queens employees in all workplaces. These items can be contaminated with blood, body fluids and potentially infectious materials. Diseases such as HIV, Hepatitis B, Hepatitis C and other blood borne illnesses can result due to the improper handling of these types of waste. Attention shall be given to the following:

PRACTICE:

- Always wear proper PPE such as safety gloves and safety glasses when performing work tasks that can pose a risk to employees being exposed to biohazardous medical waste.
- All employees must exercise caution when emptying waste receptacles, picking up litter, sorting blue bag recyclables, cleaning equipment, inspecting waste at curbside & landfill or investigating illegal dumpsites. Always look before you touch. Your eyes are your best defense.
- It is always important to wash your hands with soap and water or use hand sanitizer after performing these tasks.
- All employees are to use a "hands off" approach when they encounter biohazardous medical waste while performing job tasks in the workplace.
- The only instances where these materials need to be removed is when identifiers are found or if leaving the material poses a hazard to others.
- When biohazardous medical waste is found while carrying out job tasks, report it to your supervisor immediately.
- All incidents resulting in an injury must also be reported to your supervisor immediately, an accident investigation form filled out and medical attention must be obtained.

Emptying Waste Receptacles:

- When emptying public and workplace waste receptacles, never sort through the materials.
- If waste receptacles are overflowing, never use your hands to push the materials down to make more room. Replace the bag or push the materials down with a stick or similar device.
- When full, tie the bag securely, remove, safely transport and dispose of the bag in a dumpster.

SAFE WORK PRACTICES

SAFE HANDLING OF BIOHAZARDOUS MEDICAL WASTE

Litter Pick-Up:

- Region of Queens Employees undertake litter pick-up on a regular basis. Litter and other loose debris must always be cleaned up with litter pickers, rakes and shovels and placed into bags for proper disposal.
- Never use your hands to pick up litter, as biohazardous medical waste could be present.
- If any hazardous materials are found loose on the ground, pick up the materials with tongs or a litter picker. Never use your hands. Place the material in a plastic pail with a cover. See the procedure for '**Safe Removal of Biohazardous Medical Waste**' below.

Sorting Recyclable Materials at the MRF:

- At the MRF, recyclable materials are moved along on a conveyor line. These materials can be unevenly distributed and can hide these hazardous materials from plain site.
- Employees at the MRF must exercise caution while sorting the various recyclable materials into the appropriate sorting chutes.
- When these hazardous materials are observed, the line must be stopped immediately, your co-workers on the line must be notified and the line re-started only when it is safe to do so.
- While the line is stopped, look for identifiers. If some are found, see the procedure for '**Safe Removal of Biohazardous Medical Waste**' below.
- Restart the line when all is clear and the remaining hazardous material will move to the end of the conveyor line where it will fall into the dump cage to be disposed of safely.

Cleaning Equipment at the Solid Waste Management Facility:

- When cleaning landfill equipment that has been in contact with solid waste, all employees must exercise caution.
- Never use your hands to remove them. Only use a shovel to clean out tracks, wheels and the under carriage as sharps can become stuck to the equipment in these places.

Curbside/Landfill Inspections and Illegal Dumpsite Investigations:

- Employees must exercise caution while conducting curbside inspections and illegal dumpsite investigations. Open bags carefully and observe the contents before continuing.

SAFE WORK PRACTICES

SAFE HANDLING OF BIOHAZARDOUS MEDICAL WASTE

- If biohazardous medical waste is found while inspecting curbside materials, stop what you are doing and securely tie the bag up. Place a Rejection sticker on the bag to ensure it does not get collected and report this to your supervisor along with the civic address for investigation and education purposes.
- Ensure that the reason for rejecting the waste is noted on the sticker to inform the resident.
- If biohazardous medical waste is found at the Landfill during an inspection, inform the waste generator that it will not be accepted, as it needs to be disposed of properly according to the NS Safe Sharps Program.
- If biohazardous medical waste is found during an illegal dumpsite investigation; it is important to remove this hazard from the site either in the bag it is found or if loose; in a plastic pail with a cover. See the procedure for '**Safe Removal of Biohazardous Medical Waste**' below.

Safe Removal of Biohazardous Medical Waste:

- In workplaces where identification is found along with these hazardous materials or where they need to be removed because of the risk to others; use the following procedure:
 1. If the materials are loose and on the ground, pick up the materials with tongs or a litter picker. Never use your hands.
 2. Place items and if found; any identifiers in a plastic pail with a cover.
 3. Place a completed 'Biohazardous Medical Waste' label on the cover and secure the cover with tamper proof tape in two places; one on each side. Report to your supervisor immediately.
 4. If the materials are already in a bag, ensure it is tied with a completed 'Biohazardous Medical Waste' label attached. Place in a secure place thereby removing the risk of injury to others.
 5. The secured pails/bags shall be taken to the By-Law Officer and the Solid Waste Clerk/Safety Officer to conduct an investigation.
 6. If an injury occurs because of biohazardous medical waste; wash the affected area with soap and water, report to your supervisor and seek medical attention immediately.

SAFE WORK PRACTICES

CLEANING UP AFTER RODENTS

GENERAL:

Rodents are attracted to food and heat sources. It is important that employees minimize the potential for rodents by keeping a tidy workspace.

When rodents are present, people can become infected with Hantavirus. Hantavirus is spread when rodent droppings, urine, nesting materials, or dead rodents are disturbed and the virus becomes airborne, causing potential exposure to employees. Typical symptoms of hantavirus are tiredness, dizziness, fever and chills, muscle and headaches, nausea and vomiting, stomach pains and coughing. Always take precautions when cleaning to reduce your risk of getting sick.

PRACTICE:

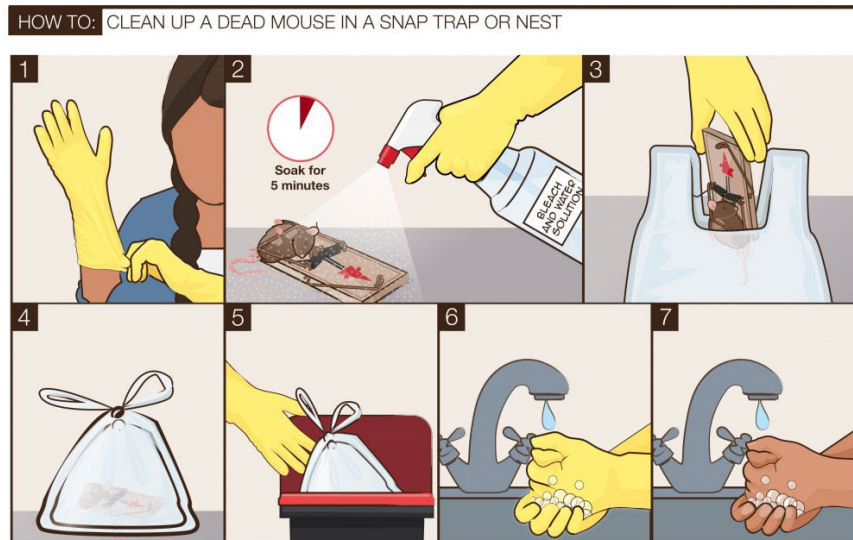
- Prepare to clean up after rodents. Before you begin cleaning, prepare by gathering the proper equipment.
 - Use a preferred disinfectant:
 - General-purpose disinfectant product or
 - Bleach solution made with 1.5 cups of household bleach in 1 gallon of water (or 1 part bleach to 9 parts water). Make bleach solution fresh before use.
 - Wear rubber or plastic gloves. Additional precautions should be used for cleaning homes or buildings with heavy rodent infestation.
 - Fleas are common on rodents. Consider using insect repellent (for example DEET) on clothing, shoes, and hands to reduce the risk of flea bites and minimize exposure to flea-borne disease while picking up dead rodents and cleaning up nesting materials.
- Do not vacuum or sweep rodent urine, droppings, or nesting materials. Rodent Diseases are mainly spread to people from rodents when they breathe in contaminated air. These actions can cause tiny droplets containing viruses to get into the air.
- Steps for cleaning up rodent droppings:
 - Put on rubber or plastic gloves.
 - Spray urine and droppings with bleach solution or disinfectant until very wet. Let it soak for 5 minutes or according to instructions on the disinfectant label.
 - Use paper towels to wipe up the urine or droppings and cleaning product.
 - Throw the paper towels in a covered garbage can that is regularly emptied.

- Mop or sponge the area with a disinfectant. Clean all hard surfaces including floors, countertops, cabinets, and drawers.
- Wash gloved hands with soap and water or a disinfectant before removing gloves.
- Wash hands with soap and warm water after removing gloves or use a waterless alcohol-based hand rub when soap is unavailable, and hands are not visibly soiled.



- Steps for cleaning up dead rodents and rodent nesting materials:
 - Wear rubber or plastic gloves.
 - Spray the dead rodent, nest, and surrounding area with a disinfectant. Let it soak for 5 minutes or according to instructions on the disinfectant label.
 - Place the dead rodent or nesting materials in a plastic bag along with any used traps, unless you plan to reuse the trap.
 - Tie the ends of the bag together in a knot to seal the bag. Place the full bag in a second plastic bag and seal that bag by tying the ends together in a knot.
 - Throw the bag into a covered garbage can that is regularly emptied or contact your state health department for information on other ways to throw away dead rodents.
 - Wash gloved hands with soap and water or a disinfectant before removing gloves.
 - Wash hands with soap and warm water after removing gloves or use a waterless alcohol-based hand rub when soap is not available, and hands are not visibly soiled.

- If you plan to reuse the trap
- Traditional snap traps can be reused. If you plan to reuse the trap, submerge the trap with the rodent in disinfectant (using a bucket) for 5 minutes while wearing rubber gloves. Remove the rodent from the trap by holding the trap over a plastic bag and lifting the metal bar. Let the rodent drop in the bag. Rinse the trap well with water to remove the scent of the disinfectant and let it dry completely. Follow steps 4-6 mentioned above by double bagging the rodent, disposing of the bag, and washing your gloves and hands.



JOB PROCEDURES

USING AND CLEANING KNIVES

EQUIPMENT REQUIRED:

Kitchen knives

PROCEDURE:

1. When cutting food ensure knives are sharp. Dull knives slip.
2. Cut downward and away from the hand. Do not hack.
3. Put knives back in the proper holder in the locked storage after their use. A knife laying around can cause unexpected injuries.
4. Do not attempt to catch a falling knife, sharp tools or glass. Step back and allow object to fall.
5. Never put sharp knives directly in the dishwasher or sink. They should be placed in the protected area of the sink near the drain.
6. To clean blades, wipe away from sharp edges. Take your time to avoid mishaps.
7. Inform individuals that knives have been placed near the drain cage.

JOB PROCEDURES

LIGHTING PROPANE STOVE

EQUIPMENT REQUIRED: Stove lighter or matches and stove.

PROCEDURE:

1. Ensure "all" dial(s) are in the off position (Physical Check).
2. Turn exhaust fan on.
3. Press "Master Propane Shut Off Valve" start button, located on the left hand side of wall beside the stove. Once Valve start button has been pressed, immediately begin to start lighting the pilot lights.
4. Begin lighting pilot lights by starting with the two grill pilot lights located under the grill top. Proceed to lighting the conventional oven's pilot light. The final six pilot lights can be re-lit for the six stove-top burners.
5. Conventional Oven: Open bottom plate on oven. There is a small hole under the oven door, where you will find a button. Press the button and hold that position for at least 30 seconds while you reach the stove lighter into the hole to light the pilot light. Release the button and make sure the pilot remains lit. If it goes out repeat above procedure. Return the oven plate to the initial location.
6. Re-check all pilot lights to make sure they are lit.

**JOB PROCEDURES
USING THE PROPANE STOVE**

PROCEDURE:

1. Make sure all sauce pans/frying pan handles are facing toward the back of the stove, not out over the edge.
2. Use pot holders or oven mitts in good repair. Never use tea towels to remove pots or pans from the stove.
3. Beware of steam and boiling water. Shield face and arms if lifting pot lids.
4. Always keep passage to stove and area around stove clear of clutter.
5. Ensure any other persons nearby in the kitchen are aware of any movements with pots or pans when moved from stove.
6. Turn off burners immediately after their use.
7. Clean grease from hood and range regularly.

JOB PROCEDURES

OPERATING A BLENDER OR FOOD PROCESSOR

PROCEDURE:

1. Always operate a blender or food processor on a clean, dry surface to prevent air from carrying foreign material or water into the motor.
2. Place food (ingredients) to be processed in the container. Put liquid portions into the container first unless specified differently in the recipe instructions.
3. Place cover firmly on the container and rest hand lightly on the container cover when starting motor. Ensure the cover is in place when stopping the blender or food processor.
4. Select proper speed for the job to be done, and push the button to start processing.
5. Allow to process until the desired consistency is obtained.
6. If the unit ceases to operate, remove cover and with the motor turned off push the ingredients from the sides of the container to the centre. Use rubber spatula if necessary.
7. Continue operation until consistency if desired.
8. Remove product from the container.
9. Clean equipment thoroughly as per manufacturer's directions.

JOB PROCEDURES

CLEANING PROPANE STOVE

EQUIPMENT REQUIRED:

Stiff brush or scraper, clean cloth, water and mild detergent.

PPE REQUIRED:

Rubber gloves and eye protection.

PROCEDURE:

1. Ensure unit is off and cool.
2. Scrape or wipe away excess residue giving special attention to door crevices.
3. Check for clogged burners and if clogs are present, remove and clean.
4. Baked on grease or carbonized food soil may have to be loosened with a stiff brush or scraper.
5. Wash surfaces and exterior area with warm water and detergent solution. Rinse and wipe dry with clean cloth.
6. Clean removable shelves following aforementioned process. Replace .
7. Rubber gloves and eye protection must be worn. Avoid inhaling fumes.
8. PPE shall be used when cleaning oven.

JOB PROCEDURES

OPERATING THE DISHWASHER

GENERAL:

The dishwasher is to be used according to procedure for safety and for the maintenance of the equipment.

PROCEDURE:

1. All dishes are to be properly rinsed of all debris and any dried-on food particles are to be removed by a cloth prior to placing in the dishwasher.
2. Do not stack dishes on top of each other. Water must have free access to all sides of utensils to properly clean. Place plates edgewise in a peg-type rack. Cups, glasses and bowls are to be placed face down in an open style rack. Silverware and other small items are to be placed standing upright in the silverware tray.
3. Check the dishwasher detergent and rinse solutions to the right of the dishwasher in five-gallon pails to ensure there is adequate solution remaining.
4. When the door of the dishwasher is closed, press the green arrow and it will begin the cycle.
5. When the cycle is complete, the display screen will read ready. If there is any malfunction in this process, it is to be reported immediately to maintenance personnel.
6. Use caution when opening the door to the dishwasher as there will be a lot of hot steam.
7. Remove the rack of clean dishes and place on the drying towels on the stainless-steel counter. Wait several minutes for the dishes to cool and air dry. Dishes are not to be dried using a towel for sanitary reasons.
8. Continue following the procedure until all dishes, cups, etc., have gone through the dishwasher.
9. Ensure there is enough dish detergent and rinse solution for the next use. If low; pour remaining liquid into a new pail and connect to the machine.

JOB PROCEDURES

OPERATING THE DISHWASHER

10. Ask for assistance from maintenance personnel to change pails.

JOB PROCEDURES

CLEANING THE DISHWASHER

GENERAL:

A regular cleaning schedule is implemented to ensure the cleanliness and maintenance of the dishwasher. This will also ensure the best results of cleaning the dishes.

PROCEDURE:

1. Machine must be cleaned after each meal.
2. Turn ON-OFF switch to the OFF position.
3. Open door; once the water has drained out; remove wash arms on top and bottom by squeezing the blue button on the right and left sides of the wash arm. Take out the catch tray on the left side of the dishwasher as well as the screen cylinder under the catch tray. Thoroughly wash items in the sink.
4. Inspect holes in each wash arm – unclog any debris from any holes.
5. Replace wash arms and tray. Ensure wash arm holes are facing upward. Secure retaining screw and spin freely.
6. Wipe down outside surfaces of the dishwasher.
7. Turn the ON-OFF switch to the ON position.

JOB PROCEDURES

SETTING, SERVING AND CLEANING UP DINNING ROOM

PROCEDURE:

1. To avoid congestion and falls due to walkers, canes and wheelchairs, sit residents who use walking aids first and place the walking aids where they do not block walkways.
2. Seat all other residents next.
3. Carefully serve meals and hot drinks, making sure hot coffee and tea pots are not over full and does not spill on yourself or residents.
4. If a spill occurs, clean up immediately with clean cloth and water with mild detergent or mop.
5. After meals make sure chairs are push in towards the table and clear the dirty dishes.
6. Do not overload hands with too many dirty dishes when cleaning table to prevent spills and falls.
7. Use the transportation carts to convey dirty dishes from table to kitchen.

JOB PROCEDURES

TRANSFERRING RESIDENT IN OR OUT OF WHIRLPOOL TUB

EQUIPMENT REQUIRED:

Lift Chair, Face Cloth and Towel

PROCEDURE:

1. Place facecloth on bottom of chair to prevent slipping.
2. Using the remote located on side of chair life, lower the chair until it is at a comfortable level for the resident to sit.
3. Ensure breaks are on before resident sits in chair.
4. Once resident is seated, lower the safety bar.
5. Using the remote, raise the chair two inches above the whirlpool tub.
6. Release the breaks and position the lift chair over the tub.
7. Lift lower extremities into the tub.
8. Lower the chair with the remote.
9. When the bath is completed, raise the chair so the resident's feet and legs can be lifted out.
10. Drain the tub.
11. Cover the floor with a towel to prevent slipping.
12. Remove lift chair from tub.
13. Lower chair using the remote.
14. Ensure breaks are on before resident stands.
15. Raise the safety bar.

**JOB PROCEDURES
USING PROPANE DRYER**

PROCEDURE:

1. Dryer must be on setting #3 during operation and must not be changed.
2. Place wet clothes in dryer.
3. Press "start" button.

DAILY MAINTENANCE:

1. Remove bottom panel of dryer, located under dryer drum.
2. Pull out lint screen and vacuum all visible lint from screen.
3. Top screen of dryer should also be cleaned daily, in the same manner as above.

JOB PROCEDURES

PROCEDURE FOR INSULIN PEN DELIVERY

PROCEDURE:

1. Always obtain blood glucose reading.
2. Determine insulin dose as per physician's orders.
3. Assemble insulin pen, pen needle and alcohol.
4. Check the insulin type/brand. This must match the physician's orders.
5. Check the level of insulin remaining in the insulin cartridge.
6. Attach new needle. Remove outer plastic cap and plastic needle cap on a flat surface with the open end facing up.
7. Dial in two units of insulin to perform an "Air Shot". Insulin should appear at the needle tip. If it does not, repeat procedure.
8. Give insulin pen to the resident.
9. The resident will dial in prescribed dose. Staff will check the dosage to ensure it is correct.
10. The resident will cleanse area to be injected with an alcohol swab and allow to dry.
11. Instruct the resident to pinch up the skin at selected area and dart the needle into the soft pocket at a 90 degree angle.
12. Instruct the resident to inject the insulin at a steady rate.
13. Instruct the resident to slowly count to three and then remove the needle.
14. The resident will hand you the insulin pen. Grasping the pen, place the needle into the Novo Nordisc and turn. The Nordisc will collect the needle.
15. Release the needle into the Sharps container by pressing the button on the end of the Nordisc.

JOB PROCEDURES

PROCEDURE FOR INSULIN PEN DELIVERY

16. Return equipment and insulin to the proper storage unit.
17. Document on the Mar Sheet.

JOB PROCEDURES

USING GRILL

EQUIPMENT REQUIRED:

Apron and grill/cooking utensil(s)

PROCEDURE:

1. Pour two cups of water into grease catch tray, located on the right side of the grill.
2. Turn exhaust fan on; fan switch is located on wall beside the grill.
3. Turn two knobs on front of grill to High position for approximately 10-15 minutes.
4. Turn back to Medium-Low for cooking.
5. Fry food and when finished, turn knobs to the 'off' position.
6. Scrape excess fat into grill catch tray, located on the right side of the grill.
7. Clean grill according to JP-HILL-13 – Cleaning Grill.

JOB PROCEDURES

CLEANING GRILL

EQUIPMENT REQUIRED:

Griddle and fryer cleaner, clean cold water, small bucket, rag, paper towel, possibly grill stone, and scraper.

PROCEDURE:

1. Mix grill cleaner with cold water (50/50).
2. Pour half of mixture on grill and use scraper to remove residue from grill.
3. Repeat. When clean, flush thoroughly with cold water until grill is cleaned of all leftover cleaner.
4. Wipe dry with paper towel.
5. Clean catch tray and dispose of water and cleaner found therein. Repeat steps 3 & 4, if needed.
6. For stubborn stains, put a small amount of oil and salt on grill and scrub with grill stone.
7. Check safety data sheet for first aid treatment if splashed on skin.

JOB PROCEDURES

OPERATION OF OXYGEN CONCENTRATE MACHINE AND C-PAC

EQUIPMENT REQUIRED:

Oxygen concentrate machine, C-PAC machine, oxygen tube, and mask.

Day Time Procedure:

1. Turn off Oxygen Concentrate machine **FIRST** and turn off C-PAC **SECOND**.
2. Unhook Oxygen Tube from C-PAC.
3. Hook Oxygen Tube to Daytime Nasal Tube.
4. Turn on Oxygen Concentrate machine.
5. Set Day Time Oxygen as required.

Night Time Procedure:

1. Turn off Oxygen Concentrate machine **FIRST** and turn off C-PAC **SECOND** (if presently on).
2. Turn on C-PAC.
3. Unhook Oxygen Tube from Daytime Nasal Tube.
4. Hook Oxygen Tube to C-PAC.
5. Turn on Oxygen Concentrate machine.
6. Set Night Time Oxygen as required.

JOB PROCEDURES

GLUCOMETER

EQUIPMENT REQUIRED: Alcohol swabs, fingerstix, glucometer, test strip, and 'stick' pen.

PROCEDURE:

1. Cleanse the end area of the finger to be tested with an alcohol swab.
2. Push the plastic end down on the stick pen and place fingerstix on it. Remove the protective end.
3. Insert the test strip into the glucometer.
4. Ensure finger is dry.
5. Hold pen tightly against side of finger and push trigger to release the needle.
6. Apply test strip to the blood sample. The glucometer will count back from 5 seconds. The blood sugar reading will appear on screen of glucometer.

JOB PROCEDURES

EMERGENCY REMOVAL OF RESIDENT FROM HYDRAULIC TUB

EQUIPMENT REQUIRED:

Tub, towels, additional staff, chair lift and stationary chair.

PROCEDURE:

IN THE EVENT THE HYDRAULIC TUB OR CHAIR LIFT DOES NOT DECLINE:

1. Re-assure the resident that they are alright.
2. Drain the water from the tub.
3. Cover the Resident for privacy and warmth.
4. Tell them you will get help to get them out and immediately radio for assistance.
5. Upon return with additional staff support (4 in total), situate two staff members on either side of the tub. Have two staff hold resident and two staff spot and support as needed. Reassure the resident as the two 'hands on' staff assist in standing the resident in the tub. Proceed to assist the resident in climbing out of the tub by using three staff members to assist and support the resident as they exit the tub. Provide a stationary chair for them to sit in, once out of the tub.
6. Contact 911 for further assistance.

SAFE JOB PROCEDURE

DISPOSING OF SHARP OBJECTS AND BROKEN GLASS

EQUIPMENT REQUIRED: Gloves, broom and dustpan, small disposable container (milk carton, small cardboard box), packing tape, marker

PROCEDURE:

1. When disposing of sharp edges, objects, or broken glass use gloves to prevent injury.
2. Secure sharp edges (i.e. can lids, by placing inside can and pinching can closed).
3. Sweep up any broken glass with broom and dustpan. Ensure all pieces are cleaned up. Dispose of broken glass in a milk carton or small box. Close box and tape securely with packing tape.
4. Label box with **BROKEN GLASS**.
5. Dispose sharp edges and broken glass in the appropriate receptacle.

SAFE WORK PRACTICES

KITCHEN

GENERAL:

There are many hazards present in a kitchen working environment. It is important for any kitchen worker to be aware of how to safely use and to properly store and maintain kitchen equipment to decrease their risk for personal injury.

PRACTICE:

- Never try to repair a piece of equipment. Tell your supervisor if you see something wrong.
- Electricity can give you a shock. Disconnect equipment by pulling on the plug, not the cord. Report torn cords to your supervisor. Hands and feet should be dry when working around electricity.
- Many machines with sharp blades or moving parts have guards to protect your fingers. Always use them and never put your hands into a mixer or slicer that is running. Always unplug equipment when finished using.
- Dispose of garbage and recycling safely and securely. Always look in receptacles before disposing garbage and recycling. Do not push garbage down into receptacles. Empty receptacles when $\frac{3}{4}$ full. Before disposing of materials with sharp edges, cover and secure sharp edges or enclose in a container and seal to prevent injury.
- Many pieces of equipment (kettles, stoves, dish machines, ovens, and steamers) give off heat and steam which could seriously burn you. Be careful when opening dishwashers or removing lids from hot pots. Always use heavy gloves. Do not use wet towels to remove food from an oven. Always lift pot lids away from your body.
- When using equipment, know how to use it before you turn it on.
- When performing spring cleaning or hanging decorations around the home always use a step ladder, not a chair, to reach the high areas. Follow the Safe Work Practice for the use of a step ladder.

SAFE WORK PRACTICES

TRANSFERRING RESIDENTS FROM SITTING POSITION IN BED, CHAIR OR WHEELCHAIR

GENERAL:

Assisting with individuals who have limited range of mobility can lead to both injury to oneself and the individual, if improper transfer techniques are used. Often transfers will require one or two staff to maneuver between the individual, a bed, a wheelchair, a vehicle, etc., and may require staff to lift the entire weight of the individual. It is important for the staff to use proper lifting positions and to be aware of the individual's ability to move before the transfer.

PRACTICE:

- Survey area, moving any objects that could be tripped over.
- Bend legs when helping resident. Do not lift with your back only
- Do not pull on residents arms as they are fragile. Hold on to their belt or clothing behind the back.
- When resident is heavy, always use a buddy.
- Never attempt to lift a resident who has fallen. You will only injure yourself and the resident. Acquire help.

SAFE WORK PRACTICES

USING AN INSULIN SYRINGE

GENERAL:

Residents who are diabetic may require daily medication from an insulin syringe. Workers are required to prepare and dispose of the syringes when the resident is finished taking their insulin medication. It is important for the worker to stay focused on the task of handling the syringe safely in order to prevent needle prick injuries and further exposing themselves to communicable diseases.

PRACTICE:

- Always handle needles with care.
- Bent, used, damaged or improperly recapped needles can result in needle breakage, damage to tissue or transmission of infectious disease.
- Do not recap.
- Dispose of this product in a sharps container.

SAFE WORK PRACTICES

OPERATING AN OXYGEN CONCENTRATE AND C-PAC MACHINE

GENERAL:

Being aware of oxygen use within the facility and particular areas is extremely important to the safety and well-being of residents, visitors, and staff alike. It is important to take the necessary precautions and procedures when working around and with oxygen. Oxygen gas supports combustion, therefore, any equipment that is used in conjunction with an oxygen concentrate machine must be turned on before the oxygen concentrate is started.

PRACTICE:

- Be sure that the oxygen concentrate machine is off before turning on or off the C-PAC machine.
- Always be sure that if the oxygen concentrate machine/C-PAC is in use, that it is not left unattended by the resident.
- Immediately turn off the oxygen concentrate machine, if you see it running while not being in use.
- Never smoke or keep an open flame near the area, while the oxygen concentrate machine is in use.

If you find any malfunctions with the C-PAC/oxygen concentrate machine, turn off the oxygen concentrate machine immediately and report to your supervisor.

SAFE WORK PRACTICES

MEDICATION AWARENESS

GENERAL:

Medication awareness plays a significant role in the regular dispersal of medication within the facility. It is important for all staff to be aware of the safe work practice associated with the medication used within the facility. This awareness will aid in preventing the chance of sickness, injury, or fatality of a resident.

PRACTICES:

- Know the types of medication used in the facility
- Be aware of agency policies/procedures regarding medication.
- Be aware of staff responsibility in your settings.
- Know how medication is stored.
- Be aware of the common side-effects and allergic reactions of medication in use.
- Be aware of the actions to take in the event of medication errors and recording systems.

JOB PROCEDURES

FREON REMOVAL

PPE REQUIRED:

Face shield, safety gloves and CSA approved safety boots.

EQUIPMENT REQUIRED:

Proper filters, refrigerant recovery system, recovery tank, screwdriver and bullet pierces.

PROCEDURE:

1. Ensure all PPE and refrigerant recovery system and equipment are in good working order. Tag-out system shall be used if any deficiencies are found in the recovery equipment.
2. Make sure all appliances are in an upright position. Check the type of refrigerant to be removed.
3. First determine if any freon is present. Make a small controlled hole in the line using a bullet pierce. Attach a short hose from the manifold's centre port to the suction port of the recovery equipment. Attach test hose to appliance via bullet pierce to gauge manifold.
4. Open manifold, tank and valves on recovery machine. Turn on recovery system. Ensure nipple ends are in proper outlets to engage valves.
5. Check gauge to see if any pressure is present from recovery unit's liquid high-pressure port to recovery tank. When pressure reads "0", purge recovery machine. Turn off the manifolds, the tank and then the recovery system.
6. Recover all hoses and manifold hoses. Cap all parts on recovery system.
7. Affix a sticker declaring the appliance freon free.
8. Store recovery tank in a cool place. Never overfill tank beyond 80% capacity.

JOB PROCEDURES

VERTICAL DOWNSTROKE BALER

PPE REQUIRED:

Hard Hat, Safety Glasses, CSA approved boots and Appropriate Work Gloves

PROCEDURE:

1. Before operating, complete a pre-use visual inspection. Look for worn cables, wires, or obstacles that may cause jamming or any protrusions that may hook on your skin or clothing during operation. Ensure all safety mechanisms are properly functioning. See SWP-LAN-11 Vertical Downstroke Baling for more information on inspections for balers.
2. Moving to the back of the unit, make sure the bale eject chain or bar, is in the rest position and NOT hooked to the ram.
3. With the loading door closed and the gate firmly in the down position, retract the ram so that it is completely up. This is achieved by use of the push button controls located on the side of the baler.
4. Open the gate and the loading door, and remove any debris that has collected in the wire channels and the underside of the ram. This will greatly assist you when tying off a completed bale.
5. Place a double layer of cardboard along the entire bottom of the bale chamber making sure that each piece overlaps the others. This will keep your bale intact when it's time to remove it from the baler.
6. Close the loading door. Make sure it is securely locked shut. You are now ready to start loading the baler.

LOADING THE BALER:

1. Loading is done by hand feeding loose material into the chamber. When loading, it is critical to make sure that the material is evenly spread across the entire chamber, and that the material overlaps. This will ensure bale integrity.
2. Continue to load the chamber until the material is level with the top of the door. At this point, you are ready to cycle the baler. Always stand to the side when compression of the materials is taking place.

JOB PROCEDURES

3. When enough material is in the chamber and maximum compression is reached at the top level of the securely locked door it is now time to tie off the bale.

TYING OFF A BALE:

1. Place the auto/manual control switch in the manual position. Push the down button and hold in until the ram will no longer extend. Shut the unit off, and press in the emergency stop button.
2. Stand off to the side of the baler and SLOWLY open the loading door. NEVER stand in front of the door. The sudden release of pressure may cause the door to un-expectedly open.
3. With the door completely open, you are now ready to tie the bale.
4. Standing at the front of the baler, feed the steel wire ties (non-looped end first) through the bottom channel until approximately 3 feet of wire is left exposed. Repeat this process until all 5 ties have been fed.
5. At the back of the baler, feed each wire tie through the top channel. NOTE: Make sure that personnel working around the baler are aware of the protruding wire ties since the exposed ends can cause severe damage to eyes and puncture wounds.
6. Return to the front of the baler and using leather gloves, thread each wire tie through the exposed loops. Firmly grasp the tie and pull each one tight. Thread the end again through the loop and wrap the exposed end around the wire for four-five turns in order to ensure its integrity. With all 5 ties complete, you are now ready to eject the bale.

EJECTING A BALE:

1. Move to the back of the baler and install the ejection bar or chains on the hooks attached to the ram plate.
2. At the front of the baler, make sure that all obstacles are clear so as not to cause an obstruction when the bale is removed.
3. Place the up/down selection button in the up position, and disengage the emergency stop button. With the forklift/pallet jack in place, you are now ready to remove the bale.

JOB PROCEDURES

4. Standing off to the side, engage the up bottom until the bale starts to fall out of the chamber. Carefully continue this operation until the bale falls out onto the forks. NOTE: You may have to push the bale out of the chamber. This takes very little effort.

5. With the bale removed, you are now ready to repeat the process. CAUTION: Make sure that the ejection bar/chain has been disconnected from the ram plate BEFORE cycling the unit. Severe damage or personal injury will result if this is not done.

JOB PROCEDURES

MONITORING WELL SAMPLING

PPE REQUIRED:

Class 2, level 2 high visibility safety apparel, latex or nitrile gloves, CSA approved safety boots, safety glasses, insulated rubber boots or hip waders as appropriate.

EQUIPMENT REQUIRED:

Methyl Hydrate, buffer solutions, distilled water, absorbent towels, sample bottles, dissolved oxygen probe, Ph probe, conductivity probe, ice packs, large plastic tubs, watterra tubing, foot valves, solinst water level indicator, nitric acid, two way radio, pumps, battery packs, generator, filters and an axe.

PROCEDURE:

1. Calibrate all equipment with appropriate fluids.
2. Decontaminate all equipment with distilled water and methyl hydrate.
3. Any time equipment becomes contaminated, it has to be cleaned with distilled water and methyl hydrate solution.
4. Always wear latex or nitrile gloves when handling tubing, equipment or during the sampling stage. Change gloves as needed.
5. At each location, remove lock and cap.
6. Record well depth and water depth.
7. Ensure all tubing and foot valves are in good working condition and replace as necessary.
8. The whole procedure should take approximately 1½ to 2 hours.
9. Attach pump to tubing and develop the well.
10. Depending on the depth, remove appropriate amounts of water until the well is developed enough to allow clear water to flow continuously. The water should be comparable to drinking water.
11. After every 20 liters of water, the temperature, Ph and conductivity should be measured and recorded. Times, dates and amounts purged should also be recorded. Weather and other conditions should also be recorded.

JOB PROCEDURES

12. When the well is properly developed, then sampling can take place.
13. Allow no head-space on certain bottles and observe fill lines on others. Filter 2 samples and apply 15 drops of nitric acid to a sample as well.
14. All samples must be refrigerated.
15. Clean all equipment, lock well, replace cap and proceed to the next location.
16. At the end of the sampling program, deliver all samples to the lab.
17. For every 10 monitoring wells tested, a duplicate must be performed where a second round of sampling has to occur on the same well.

**JOB PROCEDURES
SURFACE WATER SAMPLING**

PPE REQUIRED:

Latex or Nitrile gloves, CSA approved boots or insulated rubber boots or hip waders, safety glasses and class 2, level 2 high visibility safety apparel.

EQUIPMENT REQUIRED:

Methyl Hydrate, buffer solutions, distilled water, sample bottles, dissolved oxygen probe, Ph probe, conductivity probe, ice packs, large plastic tubs, two way radio and an axe.

PROCEDURE:

1. Calibrate all equipment with appropriate fluids.
2. Decontaminate all equipment with distilled water and methyl hydrate.
3. Any time equipment becomes contaminated, it has to be cleaned with distilled water and methyl hydrate solution.
4. Always wear latex or nitrile gloves when handling equipment or during the sampling stage. Change gloves as needed.
5. Before sampling from a water body, record dates, times, temperature, Ph, conductivity, dissolved oxygen and weather and other conditions.
6. Sampling can now occur. Rinse all plastic bottles and caps in the water and pour out. Repeat 2 more times and on the fourth attempt, fill sample bottles to appropriate fill lines. Allow no head-space on other bottles.
7. Record flow times.
8. Proceed to next location.
9. At two different locations, perform a field and trip blank.
10. A field blank sample is one in which the bottles are opened and closed after 10 seconds or so to allow the environment to mix with the already filled bottles of distilled water.

JOB PROCEDURES

11. A trip blank sample is one in which the bottles are not opened but are transported to a site location. These bottles also contain distilled water.
12. One large plastic bottle from each location should be froze. This sample has a 48-hour life, and it is for this reason that surface water sampling takes place at the end of the collection program. Delivery to the lab must take place as soon as surface water is collected.
13. After all samples have been collected, an equipment blank should be performed.
14. An equipment blank sample is one in which all equipment is thoroughly cleaned with methyl hydrate, and distilled water is run through this equipment and into sample bottles.
15. A chain of custody form is filled out listing all samples collected. Pack samples with ice and deliver to lab.

JOB PROCEDURES

HANDLING COMPOSTABLE ORGANICS

PPE REQUIRED:

CSA approved safety boots, Work gloves and Class 2, level 2 high visibility apparel.

PROCEDURE:

1. After load has been off-loaded, spread load out with loader bucket.
2. After doing this, park the loader safely and use a hack or shovel to remove non-organic materials. These items should be thrown to the sides.
3. Repeated spreading of waste with loader bucket and use of a shovel or hack should continue until the load is clean. This could normally be 3 or 4 times, depending on size of the load.
4. When the load is clean, push it all into the main pile until later loading and transport.
5. Items which were thrown to the side should be properly disposed of.
6. After the day's work comes to an end, the floor in the organics room should be washed to prevent slippery conditions.
7. Antibacterial hand soap should be used afterward.

JOB PROCEDURES

HAZARDOUS MATERIAL MRF

PPE REQUIRED:

Class 2, level 2 high visibility safety apparel, CSA approved safety boots, safety gloves and safety glasses.

GENERAL:

Hazardous material such as medical sharps (ex: needles) other medical wastes (ex: catheter tubing) and household hazardous waste (chemicals & solvents) may appear on the sort line from time to time. Caution shall be taken when dealing with such material.

PRACTICE:

1. Stop the conveyor line.
2. Step back from conveyor and notify co-workers.
3. Do not touch the material with bare hands.
4. If the material found is a medical sharp; remove with tongs (provided) and place in appropriate sharps container isolated from working area.
5. If the material found is other medical waste; remove only materials in close proximity only if safe to do so. When this is done allow the material to fall into garbage dump cage for disposal.
6. If the material is household hazardous waste; remove with gloved hand and notify a landfill employee immediately. All landfill staff are trained in the safe processing of household hazardous waste.
7. Check with co-workers that it is clear before restarting the conveyor line.
8. Record date, time, source and type of hazard and report to supervisor immediately.
9. If employee receives a puncture or other injury, seek first aid or medical attention immediately. Report to supervisor.

SAFE WORK PRACTICES

Compactor Operation

GENERAL:

The landfill receives large amounts of solid waste which needs to be compacted to achieve maximum air space. To achieve this, a specialized piece of equipment called a compactor is used. The following shall be adhered to when using the compactor at the landfill.

PRACTICE:

- Three point contact must be maintained when using the stairs and railings.
- Keep all windows and the windshield clean.
- Always wear the seatbelt while operating the compactor.
- Adjust mirrors, seats and controls to your comfort.
- Before starting or shutting off ensure the parking brake is engaged, all controls are in the neutral position, the blade is lowered to the ground, the pump is out of gear and the hydraulic lock is on.
- Ensure a minimum of 4 passes over solid waste to provide for a firm, even surface. This will allow for other equipment to enter the working face safely. (ie: dozers, loaders and trucks)
- Stay back at least 2 feet from the outer edge of any slopes.
- Maintain visibility when pushing waste. As a rule, push no more than half a blade at a time.
- When pushing waste from unloading trucks, ensure there is enough space between the packer and the truck which is unloading. Push waste away from the back of the truck as it accumulates.
- Use clearly understood signals with all other operators and truck drivers around you. Be aware of your surroundings.
- Do not allow trucks to unload until they are in a suitable position. Get out of the compactor and tell the other operators as they enter the cell what you need them to do to ensure safe operation of the compactor.
- Always wear proper PPE such as class 2, level 2 high visibility safety apparel, safety gloves, safety glasses and CSA approved safety boots.

SAFE WORK PRACTICES

Compactor Operation

- When cleaning the compactor always wear safety glasses. A shovel must also be used. Use caution as there could be sharp materials present. Remove any debris found in the wheels and guards. Clean the compactor as necessary.
- Observe all pinch points and keep other employees and equipment away from them while operating the compactor.
- Ensure the horn and back up alarm are in good working order.

SAFE WORK PRACTICES

USE OF COMPRESSED AIR

GENERAL:

Air powered tools in construction range from stapling guns to jack hammers. If not treated with respect, these tools can become a powerful enemy rather than a servant.

PPE REQUIRED:

CSA approved safety boots, eye protection, face shield and hearing protection as appropriate.

PRACTICE:

- Compressed air must not be used to blow debris or to clear dirt from any worker's clothes.
- Ensure all the air pressure has been turned off and the line pressure relieved before disconnecting the hose or changing tools.
- All hose connections must be of the quick disconnect pressure release type.
- Wear personal protective equipment such as eye protection and face shields and ensure other workers in the area are made aware of or have restricted access to any affected area.
- Hoses must be checked on a regular basis for cuts, bulges or other damage. Ensure that defective hoses are repaired or replaced.
- A proper regulator and relief device must be in the system to ensure that correct desired pressures are maintained.
- The correct air supply hoses must be used for the tool/equipment being used.
- Equipment shall be maintained to ensure continuing safe operation.

SAFE WORK PRACTICES

SCALES AT LANDFILL

General:

Good housekeeping around the scale house is important to provide a safe workplace. Attention must be paid to trucks entering and leaving the scale platform as well as other heavy construction equipment moving around the pit or quarry.

Practice:

- Entrance and exit ramps should be maintained smooth and level.
- The Rail restraint system must be in place.
- Never go under the scale platform when a vehicle is moving on the scale.
- Always have trucks drive onto the scale, never allow them to back onto the scale platform.

SAFE WORK PRACTICES

BUSHCUTTING

PPE REQUIRED:

Hard hat, hearing protection, face screen and/or safety eye wear, CSA approved safety boots and class 2, level 2 high visibility safety apparel.

GENERAL:

Bushsaw (motorized portable saw with a circular cutting blade attached to an extended shaft).

PRACTICE:

- Required personal protective equipment **must** be worn. (Hard hat, hearing protection, face screen and/or safety goggles or safety glasses, CSA approved safety boots and class 2, level 2 high visibility safety apparel).
- Proper container to be used for carrying and storing fuel. Fueling of saws is to be done in a well ventilated area.
- Shoulder harness is to be worn when using the saw.
- Blade guard is to be in place at all times.
- First aid kit is to be on site.
- Ensure the blade is sharp and not excessively worn.
- Always have a first aid kit, two-way radio and a partner when using bushcutter. Never operate bushcutter alone.
- Park vehicles off roadway in a safe location, if possible. Applicable traffic control devices shall be used, if required.
- The correct method of starting, holding, carrying and use of the saw, as directed by the manufacturer, must be used.
- Raker to follow the cutter at a safe distance.
- All employees are to be familiarized with the saw before using.

SAFE WORK PRACTICES

FREON REMOVAL

GENERAL:

The removal of Freon gas shall only be conducted by trained personnel wearing appropriate PPE equipment.

PRACTICE:

- Use face-mask with appropriate filters.
- Ensure the mask is properly adjusted, clean and free of any obstructions.
- Always ensure filters are within their expiration date.
- Only use approved filters.
- Only properly trained personnel are to operate equipment.

SAFE WORK PRACTICES

FORKLIFT OPERATION

PPE Required:

Class 2, level 2 high visibility safety apparel, CSA approved safety boots.

GENERAL:

Accident investigations show that inadequate safe work practices and traffic management contribute to forklift fatalities and critical injuries.

PRACTICE:

- Always do complete pre-trip inspections and record findings. Any defects or unsafe problems shall be reported to your supervisor immediately.
- Never operate with a hydraulic leak.
- Never operate the machine from outside the cab.
- Turn off engine, lower forks/bucket and set parking brake whenever you exit the machine.
- Always lower the lift arms when exiting the cab.
- Never pass forks or attachments over anyone's head (never allow anyone to stand or pass under elevated portion of forklift).
- Never exceed the maximum rated load for the machine.
- Be aware of surroundings when operating the Forklift.
- Always notify the previous operator when taking over from another operator.
- Use a signaler whenever an operator does not have a clear view of the path.
- Make sure load is centered on forks before raising or lowering.
- Always carry loads as low as possible and secure loads that may tip, fall or otherwise pose a hazard.

SAFE WORK PRACTICES

FORKLIFT OPERATION

- Do not use forklift to elevate a person.
- Seat belts are to be worn at all times.
- When stacking bales, the inner bales shall be up to 4 high and the outer bales no more than 3 high.
- Check overhead clearance.
- No passengers allowed.
- Stunt driving and horseplay is not permitted.
- Slow down on wet and slippery floors.
- Only designated operators are to operate the Forklift/Skid steer.

SAFE WORK PRACTICES

SORTING CONVEYOR

PPE Required:

Safety glasses, safety gloves, class 2, level 2 high visibility safety apparel and CSA approved safety boots.

GENERAL:

A moving conveyor belt can pose a hazard, and caution shall be taken during sorting activities in the MRF.

PRACTICE:

- Those working close to conveyor belts shall not wear loose clothing and long hair shall be tied back.
- Watches, rings and loose jewelry shall not be worn.
- Never leave the belt line running unattended.
- Report excessive belt play and belt cuts to your supervisor immediately.
- Be aware of the location of emergency stop devices on the conveyor and periodically check for proper operation.
- Do not ride on the conveyor line.
- Clean floor and conveyor system decking as necessary.
- Report hazardous material to your supervisor immediately. Make reference to Hazardous Material MRF – JP-LAN-06.
- Never reach inside recyclable containers to remove foreign materials.

SAFE WORK PRACTICES

LOADING BALED RECYCLABLES - MRF

GENERAL:

Moving the forklift in and out of trailers and carrying materials shall be done with extreme caution to ensure the safety of all employees.

PRACTICE:

- Ensure the trailer support legs are engaged and wheels are chocked to prevent the trailer from movement.
- Ensure both trailer doors are fully open and secured.
- There shall be no large gap between the trailer floor and the loading dock.
- Before loading, make sure the trailer floor is clean and there are no obstructions that prevent the safe operation of the forklift.
- The Forklift operator shall be aware of the location of all workers in the immediate area. Use clear and understood signals when loading baled recyclables around other employees.
- Use caution when entering or exiting the trailer or buildings to ensure there is enough clearance to prevent damage to the trailer and forklift.
- Only carry one bale at a time to maintain visibility at the front of the forklift.
- Some bales can break open when lifted. After loading is finished; wire straps and loose materials must be removed and disposed of in a safe manner.
- Ensure that back-up alarm on the forklift is in good working order.

SAFE WORK PRACTICES

HOUSEKEEPING - MRF

GENERAL:

Proper housekeeping in the Materials Recovery Facility is essential to overall safety. Care shall be taken to prevent accidents such as slips and falls.

PRACTICE:

- Floor-dry should be used around the baler areas when baling containers.
- High traffic areas shall be kept clean of debris such as broken glass, wet paper, baling wire, cans, etc., in order to prevent tripping hazards.
- Keep shovels, brooms, tools, etc., away from open garage doors.
- Keep areas around line and conveyors clean to ensure they continue to work.
- Ensure all fire extinguishers and exits are kept clear in case they are ever needed.
- Report malfunctioning equipment.
- Proper PPE shall be used such as safety glasses, work gloves, CSA approved boots and class 2, level 2 high visibility safety apparel.

SAFE WORK PRACTICES

TIPPING FLOOR - MRF

GENERAL:

Many accidents and injuries have potential to occur while trucks are unloading. The tipping area can be a dangerous place if caution is not exercised by those assisting in this area.

PRACTICE:

- Stand a safe distance away from any vehicle while it is unloading or pushing loads.
- Maintain visual contact with operators at all times.
- Use clear and understood signals when guiding loads into the building. Allow for enough clearance for vehicle and load.
- Clean any previous loads and debris away before any other loads are ejected.
- Report any unsafe conditions promptly.
- Wear proper PPE: class 2, level 2 high visibility safety apparel, safety glasses, CSA approved boots and gloves.

SAFE WORK PRACTICES

VERTICAL DOWNSTROKE BALING

GENERAL:

A baler can be a dangerous piece of equipment. Proper care and operation shall always be carried out.

PRACTICE:

- All balers shall work as per the manufacturer's instruction manual. A visual inspection shall include: properly functioning safety mechanisms such as the automatic stop switch, functioning automatic stop of compression cycle when the protective guard door is in an open position, properly functioning bale ejection chains, securely locked front door, housekeeping inside the baler and also around the immediate baler area and a valid inspection sticker.
- A more comprehensive baler inspection checklist shall be performed weekly. This form can be found in Volume 1 of the Region of Queens Safety Manual.
- Use proper PPE: CSA approved boots, safety glasses, appropriate work gloves and hard hat.
- Use caution when baling items which can send debris back at your face.
- Keep your hands clear of the protective guard door and ram when baler is compressing.
- Always stand to the side of the baler while compression of the material is taking place. This is where the controls are located, giving you more control over the operation of the baler.
- Nobody is to stand in front of the door while it is being opened.
- Nobody is to stand in front of the bale while it is being ejected.
- When tying, ensure caution is used around protruding wires (puncture potential).
- If any baler does not operate as per manufacturers instructions, it shall be locked and tagged out for repairs or replacement. Notify your supervisor immediately.

SAFE WORK PRACTICES

HANDLING COMPOSTABLE ORGANICS

PPE Required:

CSA approved safety boots, class 2, level 2 high visibility safety apparel, hard hat, safety glasses and safety gloves.

GENERAL:

When handling compostable organics, care shall be taken to prevent accidents to workers.

PRACTICE:

- Never handle material with bare hands.
- Use caution on slippery floors.
- Always use hacks and shovels.
- When using loaders inside building, observe safe operation of heavy equipment. Reference SWP-COM-14 – Equipment Entering/Exiting Buildings.
- Loader operators must be aware of surroundings and maintain eye contact with fellow workers.
- Use caution in cases of unknown materials which could be found in compost: glass, sharps, chemicals, etc.
- Make sure all equipment is in good working order.
- Anti-bacterial hand soap should be used afterwards.

SAFE WORK PRACTICES

LEACHATE HAULING

GENERAL:

This practice is for the transfer of leachate from the Landfill to the Sewer Treatment Facility in Liverpool.

PRACTICE:

- Do not overload tanker for transport to lagoon facility. Only load to designated level.
- Observe safe driving practices while in route.
- Use caution while weighing in and out to avoid excessive shifting weights.
- Use caution around pumping manhole. Ensure manhole guard is in place. Ensure hoses do not pose a trip or fall hazard.
- Use caution when backing the tanker up to the pump and the lagoon facility. Use mirrors and take your time.
- Ensure pump is in proper working condition.
- Ensure all the hose connections are secured.
- Make sure all equipment is in good working order.
- Check for leakage after loading.
- Inspect all valves and hoses on a daily basis.
- When servicing valves or loading or unloading leachate, designated PPE must be worn.
- When opening valve for servicing, secure a bucket on valve to catch any trapped leachate. Transfer trapped leachate via bucket to Leachate lagoon or pump station. Should traveling be required for such disposal, ensure lid on bucket is securely in place. Service valves only after tanker body is emptied of its contents.

SAFE WORK PRACTICES

LEACHATE HAULING

- Use mirrors frequently when transporting leachate to ensure there is no leachate leaking from valves. Ensure valves are securely closed before transporting.

SAFE WORK PRACTICES

MOVING LITTER FENCES

GENERAL:

Litter fences are 16 ft. tall and 24 ft. wide. Caution shall be taken when moving them to new locations.

PRACTICE:

- Prior to relocation, litter fences shall be visually inspected to ensure safe transport.
- When hooking on to a fence, make sure a good strong connection is made between the litter fence and equipment.
- When fence is stable, proceed slowly.
- Use extra care in high winds.
- A good level area is the safest place to set the litter fence on.
- Be aware of surroundings when moving fences around. Observe safe loader operation practices.

SAFE WORK PRACTICES

LITTER PICK-UP

GENERAL:

Litter pick up requires caution to prevent injury from unknown and/or unseen items.

PRACTICE:

- Use proper PPE: Class 2, level 2 high visibility safety apparel, safety gloves, safety glasses and CSA approved safety boots.
- Dress properly with concern to extreme weather conditions (hot or cold).
- Ensure all equipment is in good working order, ie., loaders, ATV's or half ton trucks.
- Ensure safe operation of above equipment and maintain eye contact and communication at all times.
- Use pickers when possible.
- Employee's should pace themselves, as repetitious movements can cause injuries after a time.
- Avoid touching litter with bare hands.

SAFE WORK PRACTICES

MONITORING WELL SAMPLING

GENERAL:

For those collecting monitoring well samples, certain precautions should be taken to ensure the safety of all concerned.

PRACTICE:

- Always wear proper footwear such as CSA approved boots, CSA approved insulated rubber boots or hip waders as conditions require.
- Extreme weather conditions can cause problems, so it is important to dress properly.
- A two-way radio shall always be taken. Quite often, many of the locations are in remote areas.
- Updated SDS sheets for all solutions and chemicals used, shall always be on hand.
- When opening caps on wells, care shall be taken in the event that trapped methane could be present.
- Be careful when walking through wooded areas as slips, trips and falls are always possible.
- Wildlife and insects can also play a part in some locations and caution shall be used.
- Use safety glasses when using buffer solutions or chemicals.
- Use pumps and other equipment in a safe manner.
- Ensure all equipment is functioning properly.
- Wear class 2, level 2 high visibility safety apparel to be visible.
- During hunting season, fluorescent coats, hats and vests shall be worn.
- Be aware of approaching darkness and allow time for it.

SAFE WORK PRACTICES

SURFACE WATER SAMPLING

GENERAL:

For those collecting surface water samples, certain precautions shall be taken to ensure the safety of all concerned.

PRACTICE:

- Wear proper footwear such as CSA approved safety boots, insulated CSA approved safety boots or hip waders as conditions require.
- Dress properly for extreme weather conditions.
- Many locations can be remote, so a properly maintained two-way radio shall be taken at all times.
- Updated SDS sheets for all solutions and chemicals shall always be on hand.
- Use caution when walking through wooded areas as slips, trips and falls are always possible.
- Wildlife and insects can also pose a hazard in some locations and care shall be taken.
- Use safety glasses when using buffer solutions or chemicals.
- Use caution around any bodies of water.
- Wear class 2, level 2 high visibility safety apparel to be visible.
- During hunting season, fluorescent coats, hats and vests shall be worn.
- Be aware of approaching darkness and allow time for it.

JOB PROCEDURES

DUMP TRUCK OPERATION

PPE REQUIRED:

Hard hat, CSA approved safety boots, class 2, level 2 high visibility safety apparel.

PROCEDURE:

1. Operator will position truck as required for loading.
2. When exiting vehicle, vest and hard hat are to be worn.
3. All surrounding work area shall be observed; use mirrors or guide when positioning truck.
4. Apply park brake while loading and put truck in neutral while loading.
5. Load will be checked for any loose material which may fall off during transportation. Loose material is to be cleaned off.
6. Observe potential hazards (ie: soft shoulders, unlevel ground, rocks/debris, overhead wires, other equipment which may cause an incident).
7. Any potential situation for an incident should be avoided and reported to the supervisor.
8. Before loading and unloading truck, ensure traffic control is in place when working in a street right-of-way.
9. Lower hoist and lock tailgate after unloading.

JOB PROCEDURES

CONFINED SPACE ENTRY

EQUIPMENT REQUIRED:

Gas monitor, ventilation blower with separate intake and exhaust hoses, communication devices, and rescue equipment.

PPE REQUIRED:

Hardhat, CSA approved safety boots, and other equipment identified on entry permit.

PROCEDURE:

1. Confined space entry personnel shall be trained in First Aid/CPR and confined space awareness (generic).
2. A hazard assessment and entry permit shall be completed by a competent person and all necessary controls shall be put in place before proceeding with entry. All documents shall be kept to maintain required record keeping.
3. Atmospheric monitoring shall be maintained to properly test air quality at all levels in the confined space. Effective ventilation shall be used to ensure the removal or dilution of all airborne hazardous substances from the confined space.
4. If a gas monitor alarm is activated or there is a significant, unexpected and potentially hazardous change in the atmospheric conditions in the space, an immediate evacuation of the space by all entrants shall occur.
5. All equipment such as tripod/winch and PPE shall be utilized to provide for on-site rescue.
6. The determination of whether more than one person is required to be present outside a confined space during an entry shall be completed by the competent person.
7. If communication between attendant and entrant fails as established under SWP-PW-11 - Confined Space Entry, then rescue procedure shall begin to remove entrant or, until communication is re-established.

JOB PROCEDURES

TRENCHING AND EXCAVATING

PPE REQUIRED:

Hard hat, safety gloves, CSA approved safety boots, safety glasses, and class 2, level 2 high visibility safety apparel.

PROCEDURE:

1. Perform work site hazard assessment prior to Capital project start up.
2. Maintain situational awareness of hazards prior to and during all of trenching and excavating.
3. A worker orientation should be conducted before work begins to give all workers an overview of the scope of work to be completed.
4. If required, set up signage as per the Temporary Workplace Traffic Control Manual.
5. Excavate to desired depth following safe work practices and principals of the Occupational Safety Regulation, Part 14, Excavation and Trenches, Government of Nova Scotia.
6. Once trench or excavation is complete, install shoring or shield if required.
7. Never work outside of shoring or shield, where shoring or shield is required.
8. When work is complete, remove shoring or shield.
9. Backfill and compact in layers.
10. Once the work is complete, remove all equipment and personnel from the site and remove signage in accordance with the Temporary Workplace Traffic Control Manual.

JOB PROCEDURES

TOW BEHIND COMPRESSOR

PPE REQUIRED:

CSA approved safety boots, class 2, level 2 high visibility safety apparel, hard hat and safety gloves.

PROCEDURE:

1. When towing ensure safety chains are crossed and secure.
2. Make sure lights, pintle hook and/or ball are in working order.
3. Pre-trip compressor prior to start-up.
4. Drain condensation as provided.
5. Do not operate the compressor on an unlevel surface. Chock wheels when parking.
6. Prior to operation, ensure employees are properly trained and wear required PPE.
7. Starting procedures – diesel or gasoline (as per manufacturer's instructions).
8. Stopping procedures – diesel or gasoline (as per manufacturer's instructions).
9. Check air hose and repair or replace if damaged.
10. Make sure hose locks are secure on both compressor and hammer.
11. Make sure all attachments – hammers, drills, chisels are in good repair and properly functioning.
12. Use oiler on compressor.
13. Max air pressure should never exceed 110 PSI.
14. Never use air hose to blow dirt off clothing or skin.
15. Make sure cabinet covers are secure prior to transport.
16. Secure compressor if left unattended.

JOB PROCEDURES

POWER SAW OPERATION

PPE REQUIRED:

Face Screen/and Safety Glasses, Hard Hat, Hearing Protection, Power Saw Pants or Chaps, CSA approved safety boots, Safety gloves, and Class 2, level 2 high visibility safety apparel.

EQUIPMENT REQUIRED:

Wrenches, Gas, Chain oil, File for sharpening saw, First aid kit and Pressure Bandages, and Two way radio.

PROCEDURE:

1. Before starting engine, ensure saw chain is not contacting anything.
2. Do not drop start the saw. Place saw on level ground with bar and chain in the clear. Keep on the left side of the saw. Never lean across the saw or straddle the guide bar. You can put the toe of your boot in the rear handle of the saw to assist in holding the saw. You can now start the saw.
3. Always hold the chain saw with both hands when the engine is running. Use a firm grip with thumbs and fingers encircling the chain saw handles. Keep your left arm rigidly straight with the elbow locked. This will make it difficult for a kick back force to bend your arm towards you.
4. Stand to one side so that no part of your body is behind the saw (out of the line with the kick back arc).
5. Guard against kick back. Do not over reach. Do not cut above your shoulder as you cannot maintain good control of the saw. Do not let the nose of the guide bar contact a log, branch, the ground or any other obstruction.
6. Cut at high speeds. Keep the chain sharp. Do not operate with a loose chain. Maintain correct tension of the chain as prescribed in the owner's manual.
7. Be sure chain stops moving when the throttle control is released.
8. Never start cutting until you have a clear work area, secure footing and a planned retreat path from a falling tree.

JOB PROCEDURES

POWER SAW OPERATION

9. Use extreme caution when cutting small size brush and saplings, as slender material may catch the saw chain and be whipped towards you or pull you off balance.
10. When cutting a limb that is under tension, be alert for spring back so that you will not be struck when the tension in the wood fibers is released.
11. During bucking operations always cut from uphill side so that the cut off section of the tree will not roll over you.
12. When felling large trees, wedges should be used to control the fall.
13. Do not leave saw unattended without break set.
14. Never operate a chain saw that is damaged, not properly adjusted, or is not completely or securely assembled.
15. Maintain a safe distance between cutters. A distance of twice the height of the tallest tree to be cut is considered safe.
16. When working with other workers, keep within calling distance in case help is required.
17. All service, other than items in the owner's manual maintenance instructions, should be performed by a competent service person.

JOB PROCEDURES

BATTERY BOOSTING FROM VEHICLE

EQUIPMENT REQUIRED:

Booster cables, safety glasses and safety gloves.

GENERAL:

Serious personal injury or property damage from such causes as battery explosion, battery acid, or electrical burns and/or damage to electrical components of either vehicle can occur if the procedure is not followed properly. The hydrogen gas can be ignited by a spark when the cables are attached or by static electricity. Never expose the battery to open flames, and no smoking.

PROCEDURE:

1. Set the parking brake and turn off lights and other electrical loads.
2. Make sure voltage and polarity of both machines are the same.
3. Make sure to attach the live lead of booster battery to live lead of dead battery. Do not allow vehicles to touch one another.
4. Attach one end of the ground cable to booster battery and the other end to a solid engine ground at least 18" from battery. **DO NOT** connect directly to the ground terminal of the dead battery. Flammable gases may ignite if lead is connected to battery terminal.
5. Start engine that is providing the boost, then start the engine with the dead battery.
6. Reverse the directions exactly when removing booster cables. The ground must be removed from the boosted vehicle first.
7. Under no circumstances, shall a Region Employee assist the general public in battery boosting private vehicles.

JOB PROCEDURES

CHANGING CUTTING EDGE

PPE REQUIRED:

CSA approved safety boots, safety glasses and safety gloves.

EQUIPMENT REQUIRED:

Oxygen acetylene cutting torch, air compressor and $\frac{3}{4}$ " impact wrench, line up bars and sockets, welding gloves & cutting shield or goggles.

PROCEDURE:

1. Ensure to tag out machine.
2. Secure the blade properly in the air with stands or hard wood blocking.
3. Use line up bars to support cutting edge while removing bolts.
4. Never stand directly in front of bolt head while tightening.

JOB PROCEDURES

CHANGING TIRES ON JOB SITE

EQUIPMENT REQUIRED:

PPE, jack, sockets, swing handle, large pry bar, hammer and blocking.

PROCEDURE:

1. Find a safe, solid, level parking location.
2. Set out flags, flares, traffic warnings, and use proper traffic control procedures if on road side.
3. Get jack, blocking, tools and spare.
4. Read jacking instructions and limitations if necessary.
5. Have vehicle park brakes applied and block a wheel that will still remain in contact with the ground after raising.
6. Jack up or raise with vehicle hydraulics.
7. Place blocking or jack stand under vehicle to prevent it from falling to the ground if hydraulics or jack fails.
8. If wheels are secured with lugs, loosen nuts one half way off with proper socket and swing handle.
9. Step to one side, tap lugs until all are loose.
10. Finish removing nuts.
11. Remove wheel from hub.
12. Install spare, check for true alignment, tighten nuts to proper torque.
13. Remove blocking or jack stand from under vehicle.
14. Lower vehicle and remove jack if used.
15. Remove blocking from wheels.

JOB PROCEDURES

CHANGING TIRES ON JOB SITE

16. Proceed with vehicle work, checking installation periodically.
17. Heavier tires may require more than one person to change.

JOB PROCEDURES

STARTING FLUIDS (SHOP & FIELD)

PPE REQUIRED:

Safety glasses

EQUIPMENT REQUIRED:

PPE, starting fluid

GENERAL:

The use of starting fluids shall be authorized by the mechanic.

PROCEDURE:

1. Make sure machine is parked safely.
2. Check position of engine throttle, set at 1/4 throttle.
3. Have the operator sit in the seat.
4. Lightly spray the starting fluid into the air intake cleaner. Too much starting fluid locks up the engine causing unnecessary costs (ie: bent rods, push rods, etc.)
5. Have the operator start the machine.
6. If the machine fails to start wait until the fluid evaporates and start again.
7. Spray only in the air intake with the filter in place.
8. Starting fluid is highly explosive. Keep away from all possible sources of ignition, ie: welding, battery surface, and open flame.
9. Discard cylinders in a proper container or return to shop for discarding. Do not puncture or bury cylinder. Do not use on gas engines.

**JOB PROCEDURES
ULTRAVOILET CLEANING**

EQUIPMENT:

Required tools, detergent, clean water, anti-fouling solution and cleaning rags.

PROCEDURE:

1. Disconnect power sources to the racks.
2. Remove the cover from the channel.
3. Disconnect the power cable from the control cabinet by uncoupling the quick disconnect coupling. Remove each rack by lifting it vertically until it clears the channel. Care should be exercised to avoid excessive force which might damage the lamps and quartz sleeves.
4. Clean off all scum and debris that might coat the sleeves. Clean with a mild detergent and water then rinse the quartz sleeves and dry them off.
5. Once the sleeves are dry, apply a coat of anti-fouling solution to help increase the time interval between cleaning.
6. The UV Intensity Monitor Probe, if used, should be cleaned at least as often as the lamps sleeves.
7. Replace the rack into the channel. Reconnect the power cables using the required couplings.
8. Replace the cover on the channel.
9. Turn on the power to the racks with the UV lamps ON/OFF switch on the door.
10. Check the intensity meter to ensure it is functioning satisfactorily and the UV lamp status display.
11. Record "CHECKING" and "CLEANING" events in the maintenance log book.

SAFE WORK PRACTICES

BRUSHCUTTER-CHIPPER

GENERAL:

The brushcutter-chipper is an implement mounted on an excavator and is used to chip vegetative material such as trees, brush, leaf and yard waste and construction and demolition material. The brushcutter uses several blades which spin at a very fast rate. Caution must be taken when operating this equipment.

PPE REQUIRED: Excavator window screen, CSA approved safety boots and hard hats.

PRACTICE:

- Prior to first time operation, operator must read brushcutter manufacturer's operating manual.
- When operation of brushcutter is carried out on a roadway accessible to vehicular or pedestrian traffic, warning signs and barricades shall be posed to create awareness of potential hazards in the area.
- Operator to be observant of maintaining a safe buffer distance from persons in the area.
- Rotor head shall be stopped prior to allowing persons to travel past carrier within the safe buffer distance.
- Operator shall remain aware during operation of brushcutter-chipper of potential hazards created from flying debris.
- Operation of brushcutter to be conducted in a manner so that chipped material is directed away from people and other equipment.
- When carrier is brought to rest at the end of chipping operation, the carrier shall be rotated in a counter-clockwise manner to avoid blind spots.
- Never perform inspection or repair on the brushcutter-chipper while the motor of the carrier is running and before the brushcutter rotor has stopped turning.

SAFE WORK PRACTICES

BRUSHCUTTER-CHIPPER

- During maintenance proper protective equipment (hard hats, class 2, level 2 high visibility safety apparel, CSA approved boots, safety glasses, gloves) shall be worn and excavator master switch disengaged, when maintaining cutter teeth.
- Brushcutter shall never be operated during weather conditions that limit the operator's visibility, such as dense fog or snow.
- Brushcutter shall not be operated in areas where the cutter head is not easily visible.
- Brushcutter shall be stopped prior to traveling carrier over large distances.

SAFE WORK PRACTICES

CONCRETE CHAINSAW

GENERAL:

The concrete chainsaw is designed to cut through concrete and rebar using a diamond chain turning at a high rate. Caution must be taken when operating this unit.

PRACTICE:

- Operators are to read sections of the manual pertaining to safe operation of the saw
- Do not operate saw without all guards in place
- Do not operate saw upside-down
- Do not use saw to cut any material other than concrete and encased rebar
- Do not perform maintenance while saw is running
- Never operate saw without minimum of 20 psi water pressure
- Always wear proper PPE including: hard hat, eye protection, hearing protection, anti-vibration gloves, CSA approved safety boots
- Do not operate saw while wearing loose fitting clothing
- Always operate saw with solid footing and both hands on saw
- Remove slurry to prevent slippery conditions from foot base
- Check prior to cutting for local hazards, i.e.: electrical conduit, hidden services, etc.
- Do not operate saw in an enclosed area, ensure proper ventilation

SAFE WORK PRACTICES

BUSHCUTTING

PPE REQUIRED:

Hard hat, hearing protection, face screen and/or safety eye wear, CSA approved safety boots and class 2, level 2 high visibility safety apparel.

GENERAL:

Bushsaw (motorized portable saw with a circular cutting blade attached to an extended shaft).

PRACTICE:

- Required personal protective equipment **must** be worn. (Hard hat, hearing protection, face screen and/or safety goggles or safety glasses, safety boots and class 2, level 2 high visibility safety apparel).
- Proper container to be used for carrying and storing fuel. Fueling of saws to be done in well ventilated area.
- Shoulder harness to be worn when using the saw.
- Blade guard to be in place at all times.
- First aid kit is to be on site.
- Ensure blade is sharp and not excessively worn.
- Always have a first aid kit, two-way radio and a partner when using bushcutter. Never operate bushcutter alone.
- Park vehicles off roadway in a safe location, if possible. Applicable traffic control devices shall be used, if required.
- The correct method of starting, holding, carrying and use of the saw, as directed by the manufacturer, must be used.
- The raker is to follow the cutter at a safe distance.
- All employees are to be familiarized with the saw before using.

SAFE WORK PRACTICES

GASOLINE POWERED CUT-OFF SAW (STEEL OR CONCRETE)

PPE REQUIRED: Safety glasses, Hard hat, Hearing protection, Power saw pants, CSA approved boots, face mask or respirator (applicable to the material being cut), Class 2, level 2 high visibility safety apparel.

GENERAL:

This provides safe work practices for a Gasoline Powered Cut-Off Saw. This does not replace the Operator's Manual, and Operators shall familiarize themselves with the Operator's Manual for the specific machine they will be operating.

PRACTICE:

Review Work Area

- Be certain of your responsibilities on the job site.
- Check for hazards such as slopes, holes, overhead obstacles, buried utilities and traffic.
- Do not allow bystanders in the work area.
- Check for anything that may be damaged by the hot, flying sparks and dust

Before Starting The Machine

- Become familiar with all the controls. Understand all the safety precautions and operating safety instructions.
- Be certain the cutting disc is not contacting anything.
- Be certain you have the correct type of disc for the material you will be cutting.

Starting The Machine

- Perform a visual inspection and check all the controls.
- Start the machine according to the procedure outlined in the Operator's Manual.

SAFE WORK PRACTICES

GASOLINE POWERED CUT-OFF SAW (STEEL OR CONCRETE)

Operating The Machine

- Ensure that you have secure footing.
- Always hold the unit firmly with both hands when the engine is running. Use a firm grip with the thumbs and fingers encircling the handles.
- Keep the handles free of oil or fuel.
- When cutting concrete, stone, etc., apply water to bind the dust.

Transporting The Machine

- Do not leave running saw unattended.
- Always carry the machine with the engine stopped and the muffler away from your body.

SAFE WORK PRACTICES

HEAVY EQUIPMENT - START UP

GENERAL:

This provides Safe Work Practices for heavy equipment. This does not replace the operator's manual, and operators shall familiarize themselves with the operator's manual before using the machine. Only properly trained and authorized persons may operate department equipment.

PRACTICE:

Before Starting The Machine:

- Walk around the machine checking that all safety equipment is in place and functioning.
- Any broken, worn, leaking, damaged or missing parts shall be repaired or replaced before using the machine.
- Check all fluid levels, top up if necessary.
- Make sure hand holds, steps, and windows are clean before getting on machine.
- Maintain three point contact when entering or exiting machine.

Starting The Machine:

- The machine should only be started by the operator.
- When starting, the operator shall be seated in the operator's seat.
- Before starting, ensure that the parking brake is engaged.
- Once the engine is running, observe all gauges, instruments and warning lights to ensure that they are functioning and readings are within acceptable range.
- Test all controls, including engine idle speed control, steering, brakes, hydraulics, etc.
- Notify mechanic or supervisor if problems or malfunctions exist.

SAFE WORK PRACTICES

HEAVY EQUIPMENT - OPERATION

GENERAL:

This provides Safe Work Practices for heavy equipment. This does not replace the operator's manual, and operators shall familiarize themselves with the operator's manual before using the machine. Only properly trained and authorized persons may operate department equipment.

PRACTICE:

- Equipment must be operated from the operator's seat.
- Never permit passengers to ride in the cab or on the outside of the machine unless so designed and installed by manufacturer.
- Always watch for people when moving the machine or attachment.
- Travelling should be done with attachments retracted or carried low for maximum stability and visibility.
- When working at the base of a bank or overhang, watch for dangers such as rock or earth slides, overhanging trees or cave-ins.
- Avoid steep slopes or unstable surfaces.
- Keep machine in gear when travelling down hills.
- If tools or other equipment are in cab, they must be stored not to interfere with safe operation of heavy equipment.

SAFE WORK PRACTICES

HEAVY EQUIPMENT - SHUT DOWN

GENERAL:

This provides Safe Work Practices for heavy equipment. This does not replace the operator's manual, and operators shall familiarize themselves with the operator's manual before using the machine. Only properly trained and authorized persons may operate department equipment.

PRACTICE:

Safe Shutdown:

- Stop the machine using foot brake.
- Lower attachments to ground.
- Shift controls to neutral/park.
- Engage parking brake.
- Idle engine for a short time to promote cool down.
- Cycle hydraulic controls to ensure attachments are in a stable neutral position.
- Remove ignition key, where applicable.
- Ensure above steps are taken prior to servicing as well as any safety equipment is in place.

SAFE WORK PRACTICES

HEAVY EQUIPMENT - SERVICING

GENERAL:

This provides Safe Work Practices for heavy equipment. This does not replace the operator's manual, and operators shall familiarize themselves with the operator's manual before using the machine. Only properly trained and authorized persons may operate department equipment.

PRACTICE:

Servicing:

- Secure unit - brakes/blocking (key removed from ignition or master switch disconnected, as applicable)
- Clean Unit
- Ensure grease applied to all fittings, as required.
- Keep work area clean
- Properly dispose of any grease rags
- Clean tools and properly store

Fueling:

- Position unit in proper area
- Apply parking brake
- Turn Engine Off
- Do not leave unattended when fuelling
- Disconnect pumping hose
- Secure fuel cap
- Check for any fuel leakage
- No smoking

Road Repairs:

- Move off roadway if possible
- Position flares or pylons and/or turn on any flashing lights, as applicable
- Advise mechanic/supervisor

SAFE WORK PRACTICES

UTILITY TRAILERS

GENERAL:

This safe work practice applies to all utility trailers which may be used to haul machinery and equipment but which generally are not hauled by tractors. These trailers haul construction, maintenance and special events equipment and supplies.

PRACTICE:

- Do a pre-trip inspection.
- Ensure truck has proper hitch design and weight rating to tow trailer load.
- Ensure total weight does not exceed the gross vehicle weight of the trailer.
- Ensure the load is positioned for appropriate tongue weight
- Ensure load/unload procedures are performed using a level surface within traffic controlled areas.
- Clean and remove excess debris from flatbed area. This may include loose gravel, asphalt or wood chips.
- Secure rings and fasteners must be available and used to tie down appropriate loads to ensure no movement is encountered while transporting.
- Do a circle check of the complete vehicle with special attention to the tires and hitch connection.
- Before departing, double check hitch connection, tie downs and load securement.
- Periodically check tie downs, as road and weather conditions dictate.
- Reduce speed while travelling.
- Keep safe distance between you and the vehicle that you are following.

SAFE WORK PRACTICES

VIBRATORY ROLLER

GENERAL:

This provides safe work practices for both “walk behind” and “ride-on” Vibratory Rollers. This does not replace the Operator’s Manual, and Operators shall familiarize themselves with the Operator’s Manual for the specific machine they will be operating.

PRACTICE:

Review Work Area

- Be certain of your responsibilities on the job site.
- Check for hazards such as slopes, holes, overhead obstacles, buried utilities and traffic.

Before Starting the Machine

- Perform a pre-trip inspection and check all the controls.
- Become familiar with all the controls. Understand all the safety precautions and operating safety instructions.
- Be certain that you have the correct Personal Protective Equipment for the job. A hard hat, class 2, level 2 high visibility safety apparel and safety boots are essential but you may also require hearing protection, eye protection, a respirator, etc.

Starting the Machine

- Start the machine according to the procedure outlined in the Operator’s Manual.

Operating the Machine (Walk Behind)

- Where possible, stand behind and to one side of the machine rather than directly behind it.
- Avoid rolling along side hills, unsure trenches, or too close to steep slopes or other hazards.

SAFE WORK PRACTICES

VIBRATORY ROLLER

- Use extreme caution to avoid having your feet or clothing pulled under the roller drums.
- Do not shift the transmission on steep grades.

Operating the Machine (Ride-On)

- Avoid rolling along sidehills, unsure trenches, or too close to steep slopes or other hazards.
- Never get on or off moving machine.
- Mount and dismount the machine while maintaining 3 point contact and use only where steps and/or handholds are provided.
- Work up and down slopes, rather than sideways, whenever possible.
- When Parking the Roller:
 - 1) choose a level surface; a grade will require blocking the machine
 - 2) move the direction lever to neutral and reduce throttel setting
 - 3) engage the parking brake
 - 4) stop the engine

Parking the Machine

- If the machine is to be left unattended, ensure parking brake is engaged.

Transporting the Machine

- When loading or unloading the machine, stand behind and off to one side rather than directly behind the machine.
- Use slip resistant ramps that are suitable for the weight of the machine.
- When possible always load and unload the machine on the down slope to lessen the approach incline.
- Once loaded, secure the machine to the trailer and chock in front of and behind the machine.

SAFE WORK PRACTICES

CONFINED SPACE ENTRY

GENERAL:

Hazards can be present while performing a Confined Space Entry. The following shall be adhered to when entering a confined space.

PRACTICE:

- Confined spaced entry personnel shall be trained in First Aid/CPR and confined space awareness generic.
- Ensure that all personnel are aware of entry procedures.
- Ensure that all PPE, communications equipment and rescue equipment are on-site and in proper working condition.
- Hazard assessment and entry permit shall be completed by a competent person.
- Entry permit is valid for one working day.
- All hazards identified during assessment shall be controlled or eliminated to minimize the potential for an incident.
- Emergency response plans shall be discussed and understood by the personnel on site.
- The atmosphere in the confined space shall be continuously monitored during the entry and shall be retested prior to any re-entries.
- Effective communication shall be maintained with all entrants at all times (visual or verbal, as the situation dictates).
- Traffic and pedestrian control measures shall be established and maintained during the entry.

SAFE WORK PRACTICES

TOW BEHIND COMPRESSOR

GENERAL: A Tow Behind Compressor is a versatile piece of equipment with many applications. Use PPE for attachment and operation.

REQUIRED PPE: CSA approved safety boots, class 2, level 2 high visibility safety apparel, hard hat and safety gloves.

PRACTICE:

- Before starting, open service valve to ensure pressure is relieved in system. Ensure tire is inflated and brake/turning signals are functioning properly.
- When towing, ensure safety chains are crossed and secure.
- Continually inspect hoses and connections for defects.
- Ensure that compressor wheels are blocked when disconnected from vehicle.
- Reduce speed to ensure no trailed sway.
- Make sure hose locks are secure on compressor and attachments. Use wire through holes on fittings to ensure they stay secure.
- Keep doors closed when unit is in operation to maximize cooling system and minimize noise.
- Prior to use, all attachments must be inspected for correct operation and defects.
- Never use compressed air to blow dirt off clothing or skin.
- Secure compressor if left unattended.

SAFE WORK PRACTICES

LITTER CLEAN-UP

PPE REQUIRED:

Hard hat, class 2, level 2 high visibility safety apparel, CSA approved safety boots and safety gloves.

GENERAL:

Litter clean up involves picking up refuse as well as emptying of garbage cans. The nature of materials that may be found can vary, so special care must be taken when handling these materials to avoid injury.

PRACTICE:

- Traffic must be observed at all times. Even though you may see them, they may not see you.
- Refuse may contain broken glass and other dangerous materials, therefore, gloves should be worn at all times and shovels should be used where possible.
- Broken glass and sharps should be cleaned with a broom and shovel and placed in a plastic bucket for safe disposal.
- Vehicles to be parked in designated parking spaces.

SAFE WORK PRACTICES

TRENCHING AND EXCAVATING

GENERAL: Operations within the Region of Queens that require trenching and excavating can be dangerous to staff and the public. Measures must be taken to mitigate potential cave-ins with the use of engineering controls and proper traffic control. The following Safe Work Practice shall be adhered to during trenching and excavating operations.

PRACTICE:

- Identify hazards at job site, some of which include overhead and buried utility lines, traffic considerations and weather conditions.
- Establish safe material lay down or set down areas; minimum of one metre from edge of trench or excavation.
- In trenches or excavations with a vertical wall height equal to or greater than 1.2 metres (4'), the worker must be protected by sloping the walls above 1.2 metres or by shoring or shielding the trench. Sometimes a combination of these two practices is used.
- When a back slope method is used, the walls of the trench or excavation must be sloped to within 1.2 metres of the bottom and be at a slope of not more than 45°.
- All excavations or trenches five feet or more in depth must have at least one ladder for every fifty feet or fraction thereof. It must extend from bottom of trench or excavation to a point at least three feet above ground level.
- Workers must remain within the walls of any protective device at all times to be adequately protected.
- Never stand or work under a suspended load. No workers should be allowed in a trench or excavation when a shoring device or shield is being lowered into or lifted out of the area.
- Heavy equipment such as backhoes or excavators and vehicles parked should always maintain a setback of at least the equivalent depth of the trench or excavation.
- Maintain awareness of impending danger due to situational changes.
- Daily trench cage inspections must be completed.

SAFE WORK PRACTICES

PROPER LIFTING PRACTICES - HOISTING

PPE REQUIRED:

CSA approved safety boots, Class 2, level 2 high visibility safety apparel; safety gloves, hard hat, safety glasses

GENERAL:

Estimate the weight of the object or load prior to a lift so that the lifting equipment can operate within its capabilities. Estimate the centre of gravity or point of balance. The lifting device should be positioned immediately above the estimated centre of gravity. Prepare a place to land the load, lower the load gently and make sure it is stable before slackening the sling or chain.

- NEVER exceed the sling's working load limits.
- Make sure the hoisting unit at the point of lift is directly over the load.
- Use slings of proper reach. Never shorten a line by twisting or knotting. With chain slings, never use bolts or nuts.
- Never permit anyone to ride the lifting hook or the load.
- Make sure all personnel stand clear from the load being lifted.
- Never work under a suspended load.
- Never leave a load suspended when hoist or crane is unattended.
- Inspect all slings thoroughly at specified intervals and maintain them in good condition.
- Inspect each chain or sling for cuts, nicks, bent links, bent hooks, etc., before each use. If in doubt, don't use it.
- Ensure that safety jacks on hooks are in good working condition.
- Ensure that the signaler properly identifies and understands the techniques of proper signaling.
- Make sure a tag line is used to control the load.

SAFE WORK PRACTICES

POWER SAW OPERATION

GENERAL:

Power Saw - motorized portable saw that has an elongated bar with a rotating chain.

PRACTICE:

- Required PPE must be worn. Hard hat, hearing protection, face screen (and safety glasses), power saw boots, power saw pants or chaps, power saw gloves and class 2, level 2 high visibility safety apparel.
- Proper container to be used for carrying and storing fuel. Fueling of saws to be done in a well ventilated area. Never fuel when the saw is hot.
- First aid kit to be on-site at all times.
- Radio to be on-site at all times.
- Ensure chain is sharp and that the chain and bar are not excessively worn.
- Never use power saw alone.
- The correct method of starting, holding, carrying and use of the saw, as instructed by the manufacturer, must be used.
- All employees to be familiar with saw before use.
- Park vehicles off roadway in a safe location.
- Never use a power saw when chain brake does not function properly.
- Do not wear loose or baggy clothing, scarves or jewelry. These items can become caught and drawn towards the saw.
- When transporting the chain saw, use the appropriate guide bar guard.

SAFE WORK PRACTICES

POWER SAW OPERATION

- Keep all body parts away from the saw chain when the engine is running.
- Never operate chain saw if you are fatigued.
- Keep handles dry, clean and free of oil or fuel mixture.
- Keep bystanders out of work area.
- Do not fell trees during periods of high wind.

SAFE WORK PRACTICES

POWER PRUNER OPERATION

GENERAL:

This provides a safe work practice for a gasoline power pruner. This does not replace the operator's manual and operators shall familiarize themselves with the operator's manual for the specific machine they will be operating.

PPE REQUIRED:

Hard hat, hearing protection, face screen and/or safety eye wear, CSA approved safety boots and class 2, level 2 high visibility safety apparel.

PRACTICE:

- Minimum clearances to power lines shall be maintained, as instructed by Nova Scotia Power.
- Never wear loose fitting clothing, jewellery or items which could be caught in the unit or brush.
- Survey work area to identify possible hazards and keep it free from obstructions.
- Do not operate pruner in an awkward position or while standing on any unstable surface. Use a firm two-handed grip and secure balanced footing.
- Do not operate the pruner from ladders or out of trees.
- Always have a first aid kit, two-way radio and a partner when using pruner. Never operate pruner alone.
- Keep handles and tool dry, clean and free of fuel mixture or chain oil.
- Never operate a pruner that is damaged, improperly adjusted or not completely and securely assembled.
- Adjust throttle so that chain stops when throttle trigger is released.
- Carry fuel in an approved container and store away from heat and sources of

SAFE WORK PRACTICES

POWER PRUNER OPERATION

ignition.

- Re-fuelling should take place in a well ventilated area using safety measures consistent with gasoline engines. Gasoline engines should be fuelled outside. Do not smoke around gasoline engines when re-fuelling.
- When pruning, plan a retreat path from the falling branch. Never stand directly under the branch that is getting pruned.
- When cutting a limb that is under tension, be alert for spring back.
- Avoid contact of the chain bar tip with any object while the chain is moving; thus reducing chances of kickback.
- Keep bystanders out of danger zone while cutting.
- Cut only wood. Avoid striking concrete, metal, wire, or other obstructions which may cause kickback or damage to the saw chain.
- Turn power pruner off when moving from tree to tree. Fully release throttle trigger at all times when not cutting.
- Carry the power pruner with the engine stopped and the hot muffler away from your body.

SAFE WORK PRACTICES

FIRE HYDRANT FLUSHING

PPE Required:

CSA approved safety boots, class 2, level 2 high visibility safety apparel, hard hat.

PRACTICE:

- Wear required P.P.E.
- Ensure proper traffic control is in place in accordance with the Temporary Workplace Traffic Control Manual.
- Mark any open manholes or catch basins with cones or barrels.
- When flushing hydrants, either use diffuser on the hydrant or put the diffuser on the hose and attach the hose to the hydrant.
- When flushing, open the hydrant gradually until desired flow is achieved. When done flushing hydrant, close hydrant slowly to avoid damage to waterlines.

SAFE WORK PRACTICES

HYDRAULIC PIPE CUTTERS

GENERAL:

Hydraulic pipe cutters are used to cut steel pipe when the diameter is too large for a regular cut off saw to complete the cut.

PPE Required:

Safety gloves, CSA approved safety boots, class 2, level 2 high visibility safety apparel, CSA approved hard hat, and safety glasses.

PRACTICE:

- Only trained and knowledgeable persons shall attempt to use this piece of equipment.
- Prior to use, the apparatus is to be thoroughly inspected to ensure it is in acceptable working condition.
- Follow trenching and excavating practice (SWP-PW-14). Shore up all unstable or potentially unstable excavation walls. Buried pipelines can store a tremendous amount of potential energy such that during the cut a sudden shift in the pipe and soil is common.
- Mount assembly on pipe in location to be cut and ensure the cutting chain is correctly positioned through the apparatus properly such that it will not jam or break during operation.
- Place hydraulic pump as far from the cutting equipment as possible and in a location that it can be operated safely should a shift of the pipe occur or a fragment of pipe is sent through the air.

SAFE WORK PRACTICES

LINE TAPPING PRESSURIZED WATER MAINS

PPE Required:

CSA approved safety boots, hard hat, class 2, level 2 high visibility safety apparel and safety glasses.

Practice:

- Do a hazard assessment before starting job.
- Ensure proper traffic control is in place in accordance with the Temporary Traffic Control Manual.
- Check for all buried utilities before starting any excavation.
- Use required P.P.E.
- Inspect tapping equipment for any defects before using.
- Only experienced personnel shall use tapping equipment.
- Never stand in back of tapping equipment when in use, in case of a malfunction of the brake.
- Ensure proper connections of corporation stop and tapping machine.
- Ensure all connections are tensioned properly.

SAFE WORK PRACTICES

CLEANING STORM DRAINS

PRACTICE:

- Be certain of your responsibilities at the work site.
- Check for hazards at the work site, such as slopes, holes, ice or uneven ground. Be aware of a powerful vacuum effect as debris is removed from the drain/grate.
- Use long handled shovels, rakes or spoons for removing debris from drains/ grates. Never use your hands or feet.
- Always stand to the side or above the drain or grate to be cleaned.
- Do not stand in water to clear debris from in front of the drain pipe/grate.
- Use the buddy system when clearing debris from large drains/grates. Do not work alone when clearing debris from large diameter drains or grates unless a restraint device is used.

SAFE WORK PRACTICES

MANHOLE MAINTENANCE

PRACTICE:

- Ensure proper PPE is utilized.
- Ensure proper traffic control is in place in accordance with the Temporary Workplace Traffic Control Manual.
- Stay inside traffic controlled areas.
- Use caution when working near outer limits of the work site and around open manholes.
- Testing for gasses shall be done before removal of any manhole covers. Document any abnormal readings.
- Ventilation may be required if the presence of certain gasses is detected before removal of manhole cover.
- Ensure manhole cover fits properly when replaced.

SAFE WORK PRACTICES

USE OF PNEUMATIC JACKHAMMER AND DRILL

GENERAL:

Improper use and incorrect PPE exposes workers to injury while operating pneumatic jackhammers and drills.

PPE REQUIRED:

Safety glasses, CSA approved safety boots, safety vest, hearing protection, safety gloves and hard hat.

PRACTICE:

- Ensure proper PPE is utilized.
- Inspect tools for any defects prior to use, such as loose bolts or worn retainers.
- Inspect air hose fittings for cracks, worn threads or loose couplings.
- Inspect bits and drills for dull edges, nicks and cracks.
- Inspect swedges for nicks and cracks.
- Ensure air hose is secured to tool and compressor with a safety wire or chain.
- Operate the tool from a position that permits proper footing and balance.
- Do not operate the jackhammer without a steel or tool securely installed in the retainer.
- Do not operate the jackhammer without the steel or tool against the work face,
- Inspect air hoses for cuts, abrasions or bulges prior to use.
- Never point a tool or air hose at a person or indulge in horseplay with air tools and hoses.
- Always keep both hands on the handles while operating tool.
- Never rest a tool on your foot.

SAFE WORK PRACTICES

PROPANE STEAM POT (Used for Thawing Water Lines and Fire Hydrants)

PPE Required:

Leather safety gloves, class 2, level 2 high visibility safety apparel, hard hat, safety glasses and CSA approved safety boots.

PRACTICE:

- Use Proper P.P.E.
- Fill the water tank three-quarters full, ensuring there is enough room for steam.
- Check propane hose for defects, i.e.: cracks, cuts, abrasions or bulges. When propane hose is connected, check for leaks with soapy water or a leak detector.
- Ensure burner valve is shut off before opening valve on propane tank.
- Open tank valve and then open valve on burner and light burner with propane torch.
- Check temperature gauge and pressure release valve to ensure they are working properly.
- When steam comes out of the water tank outlet, put the thawing hose on the outlet end. Check thawing hose for defects. Move thawing hose back and forth to get the steam flowing through the hose to the end.
- Insert thawing hose into water line or hydrant and begin thawing operation.
- When hydrant/water line has been thawed, turn off propane tank valve and then the valve on the burner.
- Open pressure relief valve on steam pot to release any residual pressure.
- Keep propane cylinder upright during use and during periods of storage. Ensure safety plug is in place when tank is not in use.

SAFE WORK PRACTICES

ARC WELDING

GENERAL:

Before using the arc welder you should know certain precautions and information about the welding machine.

PRACTICE:

- Only authorized experienced personnel are to use the welding machine.
- The machine must be properly grounded.
- Shut the machine off when it is not being used.
- Cables must be in good condition and of adequate size for the amperage they are to carry. They must not have insulation breaks and must be fastened securely to the welder, ground clamp and electrode holder.
- Keep cables out of the way, where they are not stepped on, tripped over, run over or exposed to grease and oil unnecessarily.
- Wear proper protective equipment. Use a number 10 or 11 filter glass to protect your eyes and wrap around heat shield to protect against welding splatter.
- Caution persons around you before striking an arc or use a welding screen.
- Use safety goggles if your heat shield does not have a flip-up filter glass when chipping.
- If a direct flash is encountered seek medical first aid.
- Wear adequate work clothing to protect the skin against heat, splatter and sunburn of the arc rays. Wear leather sleeves and spats when necessary for all position welding.
- Do not carry flammable materials such as matches or butane lighters in your pockets.

SAFE WORK PRACTICES

ARC WELDING

- Remove flammable materials from the work area before starting to weld. Make sure a fire extinguisher is accessible nearby.
- Zinc (galvanizing), tin, brass and lead fumes are especially toxic to breathe and must be vented away when welding. Other fumes must also be vented as they may become uncomfortable.
- Do not weld on empty containers unless you know they have been cleaned and tested.
- The floor or ground should be dry in the welding area. If it is not then stand on a platform or a rubber mat. Avoid welding with wet gloves.
- Treat cuts and burns promptly to avoid infection.

SAFE WORK PRACTICES

VEHICLE HOIST

GENERAL:

Vehicle Hoist if capable of raising equipment to a suitable working height.

PRACTICE:

- Before putting a vehicle on a lift, make sure its weight is within lift capacity.
- Make sure work around lift is clear. Free of obstruction, debris, grease and oil.
- Guide the vehicle onto the lift. Centre the vehicle so that the weight is distributed equally.
- Do not allow bystanders to operate lift area during its operation. Never raise with anyone inside it. Only properly trained personnel should be allowed to operate lift.
- When driving onto or off of the lift, use the accelerator and brakes in a smooth motion avoiding quick starts and stops.
- Operating valves, switches and locking devices are designed for maximum safety. Never attempt to block, open or override them.
- Hoist shall be inspected by qualified parties annually.

SAFE WORK PRACTICES

GAS WELDING AND CUTTING

PPE Required:

Long sleeved clothing where minimum skin is exposed; leather gloves; full face cutting shield designed for gas welding use.

GENERAL:

Efficiency and safety in the use of the oxygen-acetylene process for welding, cutting and heating go hand in hand with careful observance of suitable operating procedures, precautions and safe practices.

PRACTICE:

- Never allow oil or grease to come in contact with oxygen under pressure.
- Never use oxygen as a substitute for compressed air or as a source of pressure.
- Before starting to weld or cut, make certain there is no material nearby or openings leading to material that flame, sparks, hot slag, or hot metal might ignite. Wet the area down to prevent unnecessary fire if possible. Make sure that there is a fire extinguisher at hand.
- Do not perform welding in an environment that may be subject to an explosion.
- Always wear goggles when working with a cutting torch. Use a flint igniter.
- Always use the proper size tip and the proper gas pressure.
- Be sure to keep clear space between cylinders and the work.
- Do not relight flames on hot work in a pocket or small confined space.
- Never use acetylene at pressures above 15 lb. per square inch.
- Never connect an oxygen regulator to a cylinder containing combustibles.

SAFE WORK PRACTICES

GRINDERS (PEDESTAL/BENCH TYPE)

PRACTICE:

- Ensure all factory guards are intact and functional.
- Ensure operator is free from the risk of objects of entanglement such as loose clothing, jewellery and long hair.
- Ensure designated PPE is utilized while operating grinder.
- Stand to one side out of line of the wheel starting it up.
- Ensure wheel is dressed and maintained to even surface.
- Work should be fed slowly and gradually. Using too much pressure, or striking the wheel suddenly, may cause it to break.
- Make sure the tool rest does not exceed 1/8" from the face of the wheel. Too much clearance may cause the material to jam the wheel and break it.
- Use the face of the wheel to grind, not on the side of the wheel, as side pressure may break the wheel.
- Use the entire face of the grinding wheel to avoid grooves.
- Never use a grinding wheel that is loose on the shaft or its rated speed is not safe for the number of revolutions per minute or rated spindle speed.
- Stop the grinding wheel if it chatters or vibrates excessively. This may be a danger signal that the wheel is not properly balanced or secured to the spindle.
- All grinding wheels should be tested for soundness.
- Hold the work against the wheel firmly so that it will not slip and cause hands or fingers to come in contact with the wheel.
- Use a clamp or other holding device for grinding small work pieces.
- Always use eye protection when grinding.

SAFE WORK PRACTICES

PORT-A-POWER JACK USE

GENERAL:

Hydraulic Jacks are one of the most convenient methods of applying force to lift a load; and are commonly found in mechanical shops.

PRACTICE:

- Use hydraulic gauges to check proper operating pressures. Stay within the safe pressure rating of the equipment in use.
- Operate the pump away from the load, and always avoid the area beneath the load.
- Use shut-off and check valves only for temporary load holding. Use cribbing and blocking for sustained holding.
- Position lifting cylinders on firm foundation; use a solid base if used on the ground.
- Position the pump valve in neutral before pumping.
- Keep cylinder plunger in full contact with the load. Don't lift off-centre loads. Keep within cylinders stroke limit.
- Make sure pump-to-cylinder hoses are not kinked, sharply bent, or damaged.
- Carry equipment by the handles, not by the hoses or couplings.

SAFE WORK PRACTICES

MACHINE SHOP - GENERAL ACTIVITIES

PRACTICE:

There are some general procedures which exist with all the equipment in the machine shop.

- Where safety goggles at all times, even when using hand tools, in the machine shop.
- Do not wear loose clothing around the machines.
- All materials must be securely clamped before starting the machines. Do not attempt to hold materials in your hand. Rotating machines can pull items loose and send them flying around the room very easily.
- Keep all guards in their proper place when using the machines.
- Keep your fingers away from the rotating parts.
- Keep the steel supply rack neat and tidy. This will avoid the danger of materials falling while searching for a desired piece of steel.

DRILL PRESS:

- The drill press is the most dangerous piece of equipment in the machine shop. When using the drill press, always clamp the item being drilled securely.
- Check the drill bits before use for cracks and sharpness. Cracked drill bits should not be used. Dull drill bits should be sharpened to provide for a more efficient, safer drill.

METAL CHOPSAW:

- When lifting heavy pieces of steel into the chop saw, it is important to get help from other workers because of the positioning of the saw. Bend your knees to lower the material into the saw, and not just your back.
- Keep the guards in place and your fingers back from the blade.

SAFE WORK PRACTICES

MACHINE SHOP - GENERAL ACTIVITIES

- Clamp the material securely before turning the machine on.

POWER GRINDER:

- Check the guards on the grinder to be sure they are in place before turning the machine on.
- Check the grinding stones for excessive wear.

SAFETY IN THE MACHINE SHOP BEGINS WITH COMMON SENSE. DO NOT PUT YOURSELF AT RISK.

MECHANICAL SHOP GENERAL

PRACTICE:

General:

- Only authorized personnel may operate mechanical shop equipment.
- Shop ventilation equipment must be used when running equipment in the shop.
- Have fire protection equipment ready if needed.
- Use proper jacks and stands when blocking equipment.
- Do not go under truck boxes when they are lifted unless they are properly secured. Do not trust your life to hydraulics.
- Check electrical cords and extensions for damage.
- Check behind equipment when backing out of the shop. Get help to guide you out when you cannot see properly.
- Use the exhaust hoses to vent gases outside the shop when starting and testing equipment in the shop.
- Report any defective tools as soon as they re discovered.
- Follow safe lifting practices - lift with your leg muscles and not your back.

SAFE WORK PRACTICES

MACHINE SHOP - GENERAL ACTIVITIES

- Report any injury immediately and get first aid.
- Wear safety boots and eye protection.

Housekeeping:

- The work area must be kept neat and tidy.
- Keep floors free of oil, grease and any other liquid. Clean up spilled liquids immediately as they are a slipping hazard.
- Put tools away when not in use.
- Place all scrap in the scrap box.
- Store materials in such a way that they cannot become a tripping hazard.
- Do not lean any material or tools against doors, inside or outside.

Repairs:

Ensure you are working in a clean area before starting a job.

- Clean work area and machine
- Make sure you have all necessary tools to do your job
- Have the right parts on hand
- Read all instructions thoroughly. **Do not attempt shortcuts.**

Clothing:

Keep hands and clothing away from moving parts. Do not take chances by wearing loose sleeves, watches and rings. Keep your pockets free of objects which can fall out and into machinery.

SAFE WORK PRACTICES

CHAIN FALLS/COME-A-LONG

GENERAL:

Chain falls and Come-A-Longs, electric or manually operated, are used routinely around the shop and in the field to lift and move loads horizontally or vertically.

PRACTICE:

- Inspect equipment prior to use for wear and damage.
- Never use equipment for a load that is out of its working range.
- Stand in a safe position to operate to reduce the risk of being stuck should a cable or chain break.

SAFE WORK PRACTICES

ON-SITE REPAIRS

GENERAL:

Working outside of the mechanical shop atmosphere can have its added hazards. Different seasons and weather conditions can cause hazards. The public can also be a hazard, by not being familiar with on-site repairs and their hazards.

PRACTICES:

- If possible the machine needing repairs should be moved off the road away from traffic.
- In the case of having to work on a road, you must now decide on a proper way to warn the public there is an emergency repair under way before you start your work.
- If not an emergency repair, proper traffic control must be established.
- Containers to catch fluids must be used at all times. Larger spills on the ground will be reported to your supervisor right away.
- When using torches or welding be aware of the chance of grass or forest fires.
- Proper personal protective equipment must be worn (i.e. hard hat, CSA boots, class 2, level 2 high visibility safety apparel, eye protection).
- Please refer to SWP-PW-30 Machine Shop - General Activities, for more information.

SAFE WORK PRACTICES

TRANSMISSION JACK

GENERAL:

A transmission jack can be a very helpful tool, provided it is used within its weight limits.

PRACTICES:

- Prior to use, inspect jack for defects and ensure in proper working order.
- Have the floor area clean of any dirt which may cause problems for the jack's wheels to roll or turn.
- The floor should also be level to prevent jack runaway.
- Use braces available on jack deck to secure the load that is to be moved.
- Use chain provided on jack to also secure load from moving.
- After use, keep jack clean and in good working order.

SAFE WORK PRACTICES

USE OF COMPRESSED AIR

GENERAL:

Air powered tools in construction range from stapling guns to jack hammers. If not treated with respect, these tools can become a powerful enemy rather than a servant.

PPE REQUIRED:

CSA approved safety boots, eye protection, face shield and hearing protection as appropriate.

PRACTICE:

- Compressed air must not be used to blow debris or to clear dirt from any worker's clothes.
- Ensure all the air pressure has been turned off and the line pressure relieved before disconnecting the hose or changing tools.
- All hose connections must be of the quick disconnect pressure release type.
- Wear personal protective equipment such as eye protection and face shields and ensure other workers in the area are made aware of or have restricted access to any affected area.
- Hoses must be checked on a regular basis for cuts, bulges or other damage. Ensure that defective hoses are repaired or replaced.
- A proper regulator and relief device must be in the system to ensure that correct desired pressures are maintained.
- The correct air supply hoses must be used for the tool/equipment being used.
- Equipment shall be maintained to ensure continuing safe operation.

SAFE WORK PRACTICES

PUMPING STATION CHECKS

GENERAL:

Although stations are checked by a scada system it will be necessary to manually check operations and perform certain maintenance procedures. Electricity, hydraulics and mechanical devices are to be observed and at times cleaned or adjusted. The largest potential for danger would be the inspection of underground wells, entry into confined spaces training is the determining factor for these jobs.

PRACTICE:

- Only qualified/knowledgeable personnel shall attempt to repair any electrical problems.
- Familiarize yourself with the pump manual there are many different types of pumps.
- Vent off pressure before you take a pump apart, then drain the pump slowly.
- Do not use fingers to move plunger rods or to check spring tension while equipment is running, sudden release could cause serious injury.
- Automatic controllers can start without warning unless precautions are taken to de-energize electrical circuits. Some equipment contains more than one source of power, therefore, you must be sure to de-energize all sources.
- If maintenance is to be performed, the pump in question has to be shut down and locked out. The only person that can turn on a locked out pump is the one that shut it down.
- When tagging out a motor or pump the operators name and the time of shut down is important and should be supplied next to the main power source.

SAFE WORK PRACTICES

PUMPING STATION CHECKS

- The pump stations pump sewage, therefore, protective clothing is to be worn for protection against contaminated materials.
- Rubber gloves, boots, hard hats, and gas detecting devices are to be used properly. Also, wear face protection when adjusting spring tension or locking clips.
- Operators shall have confined spaces training and will practice all the proper regulations set by the Department of the Environment.
- Never operate pumps unless the proper guards are installed on all rotating parts as supplied with the equipment.
- Do not attempt to take apart any overheated pump unit. Vapor pressure within the pump casing can cause these parts to have great force when disengaged; allow the pump to cool.
- Use lifting and moving equipment in good repair with adequate capacity to prevent injuries to personnel or damage to equipment.
- Do not operate a pump against a closed discharge valve for a long period of time, this could cause the pump to overheat, build up pressure, and cause the pump to rupture or explode.
- Some types of pumps have to be hauled above ground level and repaired, it is still important to lock these out and tag them.

SAFE WORK PRACTICES

AIR BLOWERS

GENERAL:

Blowers are used as a way to supply air needed in potable and wastewater treatment. They come in many different sizes and types but are mostly based on the same principles and are electrically driven.

PPE:

CSA Approved footwear, dust mask, safety gloves, safety glasses

PRACTICE:

- Blowers shall be turned off, locked and tagged when work is to be done on them.
- Only authorized personnel shall install or attempt to repair blowers.
- Blowers run quite hot so be careful when doing work and allow the machine time to cool down.
- Make sure the valves are closed on the discharge side of the blower only when blower is off, this way air is not reversed from another blower to the one you are working on.
- Never close the valve on the discharge side of the blower for a long period of time, this only needs to be done when checking the pressure gauge and has to be done carefully and for short periods.
- Listen carefully when checking blowers, an unfamiliar noise may tip off a problem before you shut down once the blower is off, problems tend to disappear.
- Visually inspect blower. Carefully place your hand on the blower and attempt to pick up any vibration that does not belong. This is another way to trouble shoot safely.

SAFE WORK PRACTICES

AIR BLOWERS

- Wear safety glasses and gloves when possible, pieces of belts may break off as well as paint chips.
- Shake filters out in a well ventilated area, dust masks shall be used.
- When changing oil be careful, wear gloves and safety glasses because the old oil is a harsh chemical as well as very hot.
- The cabinet features on some blowers are quite heavy. Use proper lifting procedures while moving them.
- Keep track of tools, they can become dangerous flying objects if they get caught in pulleys and belts.
- Wear tight fitting clothing, loose clothes can catch in belts and shafts.

SAFE WORK PRACTICE

ULTRAVIOLET DISINFECTION MAINTENANCE

GENERAL:

Ultraviolet (UV) radiation is a proven disinfection method for the treatment of water and wastewater.

PRACTICE:

- Only qualified personnel shall attempt to install, repair, or clean UV equipment.
- Wear protective clothing and eye protection capable of filtering UV light when working around an operating UV disinfection system.
- Always disconnect power sources to the lamp racks prior to disconnecting rack cables and when performing any maintenance work on the racks and/or channel.
- Install cover on channel before turning on UV lamp racks.
- Turn off lamp rack breaker before replacing ballasts inside the control cabinet.
- Be aware that the ballasts operate at relatively high temperatures. Care should be exercised if a ballast must be removed for replacement.
- Be sure that the intake screens on the fan guards are not plugged and are free from dust. Plugging can cause excess heat build-up in the control cabinet.
- Obey and heed all warning signs in around and on the UV disinfection system equipment.

SAFE WORK PRACTICE

ULTRAVIOLET DISINFECTION MAINTENANCE

- Handle units with care to prevent breakage during UV lamp assembly cleaning or replacement. UV lamps contain small amounts of mercury. If a UV lamp should break, place in a bucket and cover with a lid for safe disposal.

SAFE WORK PRACTICES

AVOIDING ROADSIDE HAZARDS

GENERAL:

Roadside hazards may be located along the edges of the roadway where snow removal and ice control is to be carried out. They have to be identified and controlled in such a manner as to enable the normal operation to be performed properly.

PRACTICE:

- Operators must familiarize themselves with the plow route as well as review the hazard assessment.
- Slow down especially when snow is heavy and wet.
- Avoid oncoming traffic when winging by hazards that are a problem (i.e. low mail boxes, signs that are too close to the road, guard rails, curbs, sidewalks, etc.).
- Use caution when pushing back snow as the snow itself can do damage to property (i.e. you do not have to hit signs and mailboxes to damage them).
- Operators will bring to the attention of the Superintendent any such hazards along their route.
- Operators shall report all property damage to their superintendent as soon as possible, but not later than the end of their shift.

SAFE WORK PRACTICES

RODDING SEWER PIPES

PPE REQUIRED: Safety gloves, rain gear, CSA approved safety boots and safety glasses.

PRACTICE:

- Ensure supervisor is aware if large inflows are to be expected.
- Inspect sewer rod for signs of defects.
- Rodding sewer pipes is not a one man job. Ensure personnel is on hand to assist.
- Never wear loose fitting clothes as they can become tangled up with the sewer rod.
- When inserting a rod into a sewer pipe, count the lengths that are inserted.
- Observe that too much tension is not placed on the rod so as to prevent injury to yourself and co-workers.
- When the blockage is detected, work together to clear the obstruction. When satisfactory results are achieved, withdraw the sewer rod and clean with disinfectant.
- Ensure that manhole cover is replaced and all debris is removed. If necessary, flush area to remove contaminated materials.

SAFE WORK PRACTICES

POWER SNAKE

GENERAL:

The power snake is a piece of equipment that can be used to clean drains.

PPE REQUIRED:

CSA approved safety boots, safety glasses, hard hat and leather gloves.

PRACTICE:

- Always wear leather gloves; other materials may deteriorate more rapidly and snag in the cable.
- Never operate with missing guards.
- Do not over-stress cable.
- Never use machine if more than 2 feet (600mm) from opening, excess slack can whip and cause severe injury.
- Only the person handling the cable is permitted to operate the foot pedal.
- Do not operate in reverse.
- Keeps hands and body away from rotating drum.
- Do not operate while operator or machine is in water.
- Inspect cable prior to each application.

SAFE WORK PRACTICES

POWERED LIFT TRUCK (FORKLIFT)

GENERAL:

Forklifts are pieces of equipment used regularly for lifting, placing or transporting loads. They are specially designed with forks for lifting pallets or other objects with receivers for the forks to enter that secure the load.

PRACTICE:

- ALWAYS complete a pre-trip inspection of the forklift prior to use.
- Only certified operators are permitted to operate forklifts.
- Always wear a seatbelt while operating forklift.
- Ensure adjacent property and persons are outside of traveling lanes and loading and unloading areas. If this cannot be assumed use a spotter as necessary.
- Never handle loads that are unsecured.
- Always enter a load with the mast at a right angle, once in as far as possible, tilt mast back as far as possible. Never transport loads further above the ground than necessary.
- When operating on a ramp or slope, always keep forks carrying a load facing uphill; always keep forks that are empty facing downhill.
- ALWAYS check 360 degrees before backing up.
- Do not leave the forklift in gear before exiting, always secure with park break, rest forks on the ground; tilted such that the tips are on the ground.
- Turn off propane at end of every shift or use, if further use is not anticipated within the shift.
- The greatest danger with a forklift is tipping. Always be aware of the center of gravity of the machine. In a situation where the forklift begins to tip, hold on and do not try to exit.

SAFE WORK PRACTICES

TEMPORARY WORKPLACES TRAFFIC CONTROL

GENERAL:

Temporary workplace traffic control is comprised of the methods used to control traffic when work is taking place that will cause traffic to slow down, stop, change lanes, etc. including: signage, traffic control person, traffic cones, etc.

PRACTICE:

- In all instances of construction, maintenance or utility work conducted at a temporary highway or roadway workplace; the Region of Queens Municipality shall use the most current edition of the "Temporary Workplace Traffic Control Manual" as its' code of practice.

SAFE WORK PRACTICES

FALL PROTECTION PLAN & PROCEDURE

GENERAL:

Fall protection is required when a person is exposed to the hazard of falling from a work area that is 3 metres or more above the nearest surface or water. It is also required above a surface or object that could cause injury to the person on contact; including an open tank, pit or vat containing hazardous materials or when using mobile lift platforms.

PRACTICE:

- A “Fall Protection Hazard Assessment” shall be completed for all tasks where potential for injury could occur as outlined above in the “General” section.
- In all instances where Fall Protection is required; a properly configured and maintained fall arrest system shall be used as determined in the Hazard Assessment.
- The “Fall Protection Hazard Assessment” form shall be located in Volume 1 of the Region of Queens Municipality Safety Manual.

SAFE WORK PRACTICES

SAFE BOATING

GENERAL:

Occasionally a boat may be a necessary piece of equipment to complete a task. This may be in the form of inspecting watershed areas or wastewater treatment ponds or any other task as necessary. It is necessary that all those involved follow the necessary precautions as required by Transport Canada.

PRACTICE:

- Always wear a Personal Floatation Device (PFD) when in a boat.
- Ensure that the boat has the proper safety equipment including, but not limited to, a device for bailing water, a whistle, rope, anchor, and oars or paddles.
- Never travel alone in the boat and never overload the boat before venturing into the water. Alert your supervisor or designate of where you are going and when you will return. A form of contact (radio or cell phone) should be in your possession at all times when in the water.
- When using the boat to inspect wastewater ponds, a third person should be on shore with a life ring and a 2-way radio or cellular phone in case of emergency. This person must maintain eye contact at all times while the boat is in the water.
- If possible, avoid using a boat at times when there is a greater likelihood of capsizing.

JOB PROCEDURES

SUSPECTED AMMONIA LEAK – ALARM NOT ACTIVATED

PPE REQUIRED:

Safety gloves, Clear face shield, and CSA approved safety footwear.

EQUIPMENT REQUIRED:

Two-way radio, Litmus paper, Soapy water, and Wrenches.

If an ammonia leak is suspected, and the blue strobe light and alarm in the arena has not been activated, staff should adhere to the following:

PROCEDURE:

1. Only authorized operations staff are permitted to enter the refrigeration room.
2. Contact the Operations Manager and/or the General Manger to make them aware of the suspected leak.
3. Ensure that all on duty staff are aware of the suspected leak.
4. Remain in constant contact with an on duty staff member via two-way radio.
5. Ensure proper PPE is worn.
6. If exhaust ventilation does not automatically start, manually start exhaust fan by pushing the green button located on EF5 Start panel box in the vestibule area outside of the refrigeration room.
7. Slowly open the refrigeration room door. Conduct a visual inspection of the room. If there is a haze and/or a strong ammonia odor present in the room, immediately adhere to Step 1: Non-Repairable Leak Procedure. If haze is not present and the odor is not strong, adhere to Step 2: Repairable Leak Procedure.

Step 1: Non-Repairable Leak Procedure

If a haze and/or a strong ammonia odor are present in the refrigeration room, or if the leak is suspected to be coming from a cracked pipe, or from a compressor, staff should adhere to the following procedures:

1. Authorized operations staff must immediately shut the refrigeration room door.

JOB PROCEDURES

SUSPECTED AMMONIA LEAK – ALARM NOT ACTIVATED

2. Proceed to shut down all refrigeration equipment by turning the red button clockwise on the Refrigeration Emergency Stop panel box in the vestibule area.
3. Immediately contact the preferred Refrigeration Servicing Company. (CIMCO Refrigeration)

Step 2: Repairable Leak Procedure

If a haze is not present, and an the ammonia odor is not strong, and if the leak is suspected to be coming from a flange, packing nut or well hubs, authorized operations staff must adhere to the following procedures:

1. Ensure proper PPE is worn.
2. Remain in constant contact with another on duty staff member via two-way radio.
3. Wet the litmus paper to find the approximate location of ammonia leak. Do not moisten by licking with your mouth.
4. Once the approximate location is determined, wet another piece of litmus paper to find the exact location of leak.
5. Isolate the leak by closing necessary valves on refrigeration equipment.
6. Repair the leak by tightening flange, packing nut or well hubs with a wrench.
7. Once tightened, open valves and retest for leaks using wet piece of litmus paper. Spray soapy water on the leak to verify that the leak is fixed. If soap bubbles are visible, retighten and repeat this step.
8. If leak cannot be repaired, adhere to Step 1: Non-Repairable Leak Procedure

JOB PROCEDURES

AMMONIA OR CARBON MONOXIDE LEAK - ALARM ACTIVATED

PPE:

Not required

EQUIPMENT:

Not required

In the event of an ammonia or carbon monoxide alarm, the blue strobe light will flash and the alarm will sound in the Arena.

PROCEDURE:

1. Staff should immediately ensure all users are evacuated from the building as per the Queens Place Emera Centre - Fire Safety Plan.
2. Once evacuated, ensure users and staff gather at the designated muster station located on the front lawn adjacent to the fitness centre.
3. Only fire fighters should enter the area of the leak. At no time should staff members enter the area of the leak when the blue strobe alarm is activated.
4. Public are not permitted to re-enter the facility until clearance is given from the Fire Chief and on duty Chief Warden. Staff should only re-enter the facility if designated by fire fighters.

JOB PROCEDURES

ICE EDGER

PPE REQUIRED:

Safety gloves, safety glasses and CSA approved safety boots.

PROCEDURE:

1. Visually inspect equipment before every usage. Checking propane tank connection, cutters, oil level in engine.
2. Before starting equipment ensure cutter depth is not touching ice surface. This is to ensure the ice doesn't become gouged.
3. Ensure guard is tight and set in the proper position.
4. PPE is to be worn before starting equipment.
5. Open propane tank, observe for leaks.
6. Move Edger onto the ice surface.
7. Place throttle in the full open position.
8. Pull cord and start engine.
9. Let Edger warm up before using.
10. Set the desired cut by adjusting the hand wheel gradually until cutters touch the ice surface.
11. Move equipment in a slow steady motion around perimeter of ice boards.
12. If more ice is to be removed adjust hand wheel and perform a second pass.
13. When edging is complete, turn hand wheel so that cutters are not touching ice surface.
14. Turn equipment off.
15. Ensure propane tank is turned off after every usage.
16. Store equipment in a safe location away from Ice Resurfacers travel.

SAFE WORK PRACTICES

SKATE SHARPENING

GENERAL:

Only trained employees are permitted to use the skate sharpener. Only QPEC staff are permitted in the skate sharpening room. The following practice shall be adhered to when operating the skate sharpener machine.

PPE REQUIRED:

Safety Glasses, non-slip footwear and hair covering to protect long hair.

PRACTICE:

Please read all instructions before using the skate sharpener machine.

- Do not wear loose clothing, gloves, neckties, rings, or any jewelry that may get caught in the machine's moving parts. Long hair must be tied back.
- Ensure work area is clean and free from obstructions. Keep machine and tools clean for best and safest performance.
- Ensure safety guard is in place for operation.
- Make sure all switches are "off" before switching main power and exhaust fan to "on" Wait until optimal speed is reached.
- When skate sharpening is completed, make sure main power and exhaust fan switch are "off".
- Use caution when handling skate blades.
- Clean and remove any dust and debris remaining on machine, tools, floor and surrounding area.
- Inspect the machine to make sure all parts and tools are in good working order. If mechanical problems are observed please refer to the instruction manual. If a guard or other part is damaged it should be properly replaced or repaired before further use. Refer to SWP-QP-04 - Tag-Out System.

SAFE WORK PRACTICES

Ice Resurfacers – Changing Tanks

GENERAL:

The ice resurfacers at Queens Place Emera Centre use a propane based system as a motive fuel.

PRACTICE:

- Use proper PPE - safety gloves.
- Change cylinder outside if possible.
- Do not allow any bystanders to smoke while changing propane cylinders.
- Store propane cylinders outside in a locked cage.
- Check for leaks before starting the resurfacers.
- Start resurfacers on newly installed cylinder to ensure cylinder is not defective.
- Tag out defective cylinders and place in storage cage.

SAFE WORK PRACTICES

WORKING ALONE

GENERAL:

As Queens Place Emera Centre staff are called upon to routinely go on-ice and work evenings; potentially alone, the following safe work practice must be observed.

PRACTICE:

- Always wear non-slip footwear when working on the ice surface.
- Always have portable phone charged, turned on, and on your person when working.
- Queens Place Attendant is to call the Manager at the end of shift to report when they are leaving the facility.
- Queens Place patrons shall not be permitted to enter the ice surface until the staff person on duty has finished flooding/cleaning the ice surface.
- Need for the manager to report in at the end of his/her shift.

SAFE WORK PRACTICES

Lock and Tag Out System

General:

It is a Region of Queens requirement that any employee engaging in the maintenance, repair, cleaning, servicing, or adjusting of machinery or equipment at Queens Place Emera Centre follow the information outlined in this safe work practice. The primary purpose is to help ensure that staff is protected from injury or death resulting from the accidental or unexpected activation of equipment during maintenance, repairing, cleaning, servicing, or adjustments.

Practice:

- An employee must determine which equipment will need to be locked or tagged out.
- The initial lock-out/tag-out log entry must be made.
- Affected equipment must be shutdown. All hazardous energy sources will need to be controlled. Ensure the correct piece of equipment is shutdown. Potential energy must also be dissipated or minimized so that injury will not occur if released.
- After the equipment is verified to be shutdown and hazardous energy source(s) isolated, test the equipment to ensure that it will not run or start. Ensure that no one is exposed to the equipment when testing. After testing, return power switches to the OFF position.
- Locks and/or tags used to indicate that equipment is not to be operated must be put in place.

Returning equipment to service:

- Verify that all work is complete. Ensure that everyone working on the equipment is notified that work has been completed and that equipment is to be returned to service. The area should be checked to ensure that no one would be exposed to hazards when restarting equipment. Ensure all tools/materials have been removed from equipment and the area around equipment.
- After all staff has been notified of work completion, lock(s) or tag(s) can be removed.

SAFE WORK PRACTICES

Lock and Tag Out System

- Equipment may be restarted. Once again ensure that no one is near enough to the equipment to be exposed to any hazards.
- Clean area and pick up any remaining tools.
- Make final lock-out/tag-out log entry.

SAFE WORK PRACTICES

ICE RESURFACER OPERATION

General:

Only trained employees are permitted to operate the Ice Resurfacer. The following practice should be adhered to when operating the Ice Resurfacer.

PRACTICE:

Please read all instructions before operating the Ice Resurfacer. All operators must read and understand all safety precautions and equipment manuals.

PPE REQUIRED:

CSA approved footwear.

Mounting and Dismounting:

- Mount and dismount the Ice Resurfacer only where steps and/or handholds are provided.
- Use both hands and face the Ice Resurfacer machine when mounting and dismounting. Use the three (3) point contact method when mounting and dismounting. Use caution when wet or slippery conditions exist.
- Never get on or off a moving Ice Resurfacer machine. Never jump off the machine.
- Do not try to climb on or off the Ice Resurfacer when carrying tools or supplies.

Before Operating the Ice Resurfacer:

- Ensure a daily pre-trip is completed and reviewed by all incoming relieving staff.
- Operate the machine only from the operator's station.
- Adjust the seat so that full pedal travel can be obtained with the operator's back against the seat back.

SAFE WORK PRACTICES

ICE RESURFACER OPERATION

- The Ice Resurfacer machine is equipped with a lighting system; make sure all lights are working properly.
- Do not move the machine or move any of the controls if tagged out of service in accordance with tag-out procedure SWP-QP-04.
- Move the transmission control lever to NEUTRAL.
- Ensure users and obstructions are free from the path of the Ice Resurfacer.
- Appointed helpers relocating nets are permitted to remain on the ice surface.
- Make sure the horn and all other warning devices are working properly.
- Check for proper operation of all controls.

Operation:

- Always observe overhead clearances. Ensure overhead door(s) are in their fully open position.
- Start, turn and brake smoothly. Slow down for turns, slippery or uneven surfaces. Use extreme caution when turning or on inclines. Watch out for users and obstructions, check overhead clearances.
- Riders are not permitted at anytime unless modified and endorsed by the factory agent to safely accommodate a second person.

Parking:

- Park the Ice Resurfacer machine in authorized areas only.
- Move the hydrostatic transmission control lever to NEUTRAL.
- Turn the key switch OFF and remove the key.

SAFE WORK PRACTICES

ICE RESURFACER OPERATION

- If possible, park the machine on a flat and level surface. If the machine is parked on any kind of grade, the wheels must be blocked with wheel chocks to prevent the vehicle from rolling away after it has been parked.
- Store in well-ventilated area.
- Propane is turned off at the end of each day's operation.
- Ice conditioner to be lowered onto supporting blocks after each use.

Periodic and proper operation, lubrication and maintenance are important for the safety and reliability of the Ice Resurfacer machine. The Ice Resurfacer operation manual outlines recommended procedures, some of which require the use of special tools or work methods.

SAFE WORK PRACTICES

GRASS MOWERS

GENERAL:

This safe work practice includes use of any hand pushed, self propelled or ride-on type mowers. Most often these will be used to maintain Region of Queens grounds, facilities or offices. These machines are common everyday tools but special safety considerations apply when using them.

PRACTICE:

- Ensure all appropriate PPE is used - hard hats, class 2, level 2 high visibility safety apparel, ear protection, eye protection, ankle length pants, shirt and CSA approved safety boots.
- Familiarize yourself with any manufacturers operating manuals where available.
- Check for hazardous conditions such as manholes, electrical wires, rocks, glass bottles, debris, etc.
- Fueling should take place in a well ventilated area using safety measures consistent with gasoline engines. Gasoline engines should be fueled outside. Do not smoke around gasoline engines when fueling. Grass mowers shall be fueled outside with due caution to avoid spillage.
- Ride on mowers should avoid steep slopes. Hand push mowers should be used on slopes, as appropriate. Hand push mowers shall be run parallel to the slopes.
- Always ensure the mower is fully stopped and the engine ignition is in the off position before removing clumps of grass or obstructions. Both mowers are equipped with safety devices: on handle of push mower; when leaving seat of ride on mower it will automatically shut off. Ensure these automatic shut-off devices are working properly.
- Avoid mowing in excessively wet conditions.
- Never place arms or hands near mower blades while the engine is still running.

SAFE WORK PRACTICES

GRASS MOWERS

- Clean and store mowers as per suggestions from manufacturers or distributors.
- Know where you are at all times, especially when people are walking around mower.
- Mower should be turned so the grass is pushed out towards lawn, not against people or vehicles.
- All debris should be picked up before mowing for example bottles, glass, etc.
- Disconnect spark plug cap to prevent accidental starting when cleaning.
- Keep a firm grip on the handle, never run with mower, or ride faster than is safe for the terrain.
- Keep direction with handle, not by foot pressure.

SAFE WORK PRACTICES

BUSHCUTTING

PPE REQUIRED:

Hard hat, hearing protection, face screen and/or safety eye wear, CSA approved safety boots and class 2, level 2 high visibility safety apparel.

GENERAL:

Bushsaw (motorized portable saw with a circular cutting blade attached to an extended shaft).

PRACTICE:

- Required personal protective equipment **must** be worn. (Hard hat, hearing protection, face screen and/or safety goggles or safety glasses, safety boots and class 2, level 2 high visibility safety apparel).
- Proper container to be used for carrying and storing fuel. Fueling of saws to be done in a well ventilated area.
- Shoulder harness to be worn when using the saw.
- Blade guard to be in place at all times.
- First aid kit is to be on site.
- Ensure blade is sharp and not excessively worn.
- Always have a first aid kit, two-way radio and a partner when using bushcutter. Never operate bushcutter alone.
- Park vehicles off roadway in a safe location, if possible. Applicable traffic control devices shall be used, if required.
- The correct method of starting, holding, carrying and use of the saw, as directed by the manufacturer, must be used.
- Raker to follow the cutter at a safe distance.
- All employees to be familiarized with the saw before using.

SAFE WORK PRACTICES

LITTER CLEAN-UP

PPE REQUIRED:

Hard hat, class 2, level 2 high visibility safety apparel, CSA approved safety boots and safety gloves.

GENERAL:

Litter clean up involves picking up refuse as well as emptying of garbage cans. The nature of materials that may be found can vary, so special care must be taken when handling these materials to avoid injury.

PRACTICE:

- Traffic must be observed at all times. Even though you may see them, they may not see you.
- Refuse may contain broken glass and other dangerous materials, therefore, gloves should be worn at all times and shovels should be used where possible.
- Broken glass and sharps should be cleaned with a broom and shovel and placed in a plastic bucket for safe disposal.
- Vehicles to be parked in designated parking spaces.

SAFE WORK PRACTICES

POOL CHEMICALS

GENERAL:

The following shall be adhered to when staff of the North Queens Aquatic Centre and Milton Centennial Pool are handling and adding chemicals.

PPE REQUIRED:

Specific PPE to be used as recommended in each SDS sheet. Typical PPE includes, but is not limited to; safety glasses, gloves, half face respirator, proper clothing and footwear (no open shoes).

PRACTICE:

- Always read the WHMIS labels and SDS sheets for each product carefully before using.
 - a. Strictly follow the specified directions on SDS sheet in handling each chemical.
 - b. Ensure all practices are adhered to.
- Notify the Director of Recreation and Community Facilities (or designate) if any safety equipment or PPE is missing, damaged, or otherwise unsafe. Resume task when rectified.
- Do not mix chemicals together unless directions indicate to do so – explosion may occur. Wait the specified time before adding a second chemical to the pool (usually 6-24 hours).
- Handle all chemicals with care.
- Store all chemicals in a cool, dry, well ventilated place.
- DO NOT add water to chemicals, add chemicals to water.
 - a. Do not mix different chemicals together.
 - b. Do not add old chemicals to new chemicals, even if they are the same type.
- Chemical containers should always be kept closed when not in use.
- Use separate, clean metal or plastic measuring cups for each chemical to transfer or measure chemicals (scoops should not be made of wood).
 - a. Do not place a wet scoop back in the chemical container as it could cause a chemical reaction.
- Wash your hands thoroughly after handling any chemicals.

SAFE WORK PRACTICES

POOL CHEMICALS

- Store oxidizers and acids as far away from each other as space allows. Oxidizers will release chlorine gas if they come in contact with acids.
 - a. Oxidizers include: chlorinated isocyanurates, lithium hypochlorite, sodium bicarbonate, potassium monopersulfate, hydrogen peroxide, sodium hypochlorite, calcium hypochlorite, and certain ammonium, brominated, copper and silver compounds, and muriatic acid.
 - b. Acids include: calcium hypochlorite, sodium hypochlorite, and chlorinated isocyanurates.
- When reaching for chemicals stored above your head, always use a step stool or ladder and ensure the container lid is tightly closed.
- Do not reuse chemical containers. Wash out the container when empty and then dispose of it properly.
- Keep the door to the chemical room locked at all times and prohibit public access.
- In case of contact or if a chemical is swallowed, follow emergency advice on the product label or SDS sheet, call 9-1-1 or Poison Control Centre 1-902-470-8161 or 1-800-565-8161.

SAFE WORK PRACTICES

USE OF COMPRESSED AIR

GENERAL:

Air powered tools in construction range from stapling guns to jack hammers. If not treated with respect, these tools can become a powerful enemy rather than a servant.

PPE REQUIRED:

CSA approved safety boots, eye protection, face shield and hearing protection as appropriate.

PRACTICE:

- Compressed air must not be used to blow debris or to clear dirt from any worker's clothes.
- Ensure all the air pressure has been turned off and the line pressure relieved before disconnecting the hose or changing tools.
- All hose connections must be of the quick disconnect pressure release type.
- Wear personal protective equipment such as eye protection and face shields and ensure other workers in the area are made aware of or have restricted access to any affected area.
- Hoses must be checked on a regular basis for cuts, bulges or other damage. Ensure that defective hoses are repaired or replaced.
- A proper regulator and relief device must be in the system to ensure that correct desired pressures are maintained.
- The correct air supply hoses must be used for the tool/equipment being used.
- Equipment shall be maintained to ensure continuing safe operation.

JOB PROCEDURES

LAKE INTAKE SCREENS

PPE REQUIRED: Hard hats, CSA approved safety boots, and gloves.

PROCEDURE:

1. Use lifting equipment to raise one screen at a time from channel.
2. Unhook dirty screen and replace with clean screen
3. Repeat on other screen.
4. Take both dirty screens to Water Treatment Facility for cleaning.
5. Lay both screens against support barricades and hose off deposits. Scrub if required.
6. Store screens in doors to avoid tampering.

JOB PROCEDURES
CHANGING CHLORINE CYLINDERS

EQUIPMENT REQUIRED:

Valve nut wrench, cylinder shut off wrench, gaskets, bottle of ammonia and safety gloves.

PROCEDURE:

Removing Empties:

1. Close valves on empty cylinders.
2. Close valves on yokes.
3. Close valves on changeover switches.
4. Unlock yokes from cylinders.
5. Replace caps on cylinder valves.
6. Replace hood on cylinders.
7. Unchain tanks from chlorinator area. Move to empty cylinder storage area and secure with supplied chain.
8. Chain empties and mark. (M/T)

Hooking Up Full Tank:

1. Retrieve full cylinders from full cylinder storage area.
2. Place cylinders in chlorinator area and secure using supplied chain.
3. Remove hood from cylinders.
4. Make sure cylinder valve is closed.

JOB PROCEDURES

CHANGING CHLORINE CYLINDERS

5. Remove caps from cylinder valves.
6. Always use new washers to fasten yokes to tanks.
7. Open valves a 1/4 turn on tanks / check for leaks with ammonia.
8. Open valves on yokes / check for leaks.
9. Open valves on changeover switches / check for leaks.
10. Set scale reading to 150 lbs.

JOB PROCEDURES

CHLORINE STORAGE

GENERAL:

Chlorine gas is commonly used for disinfection in the water treatment process. It is supplied in 150lb cylinders and several dozen cylinders are handled annually.

PROCEDURE:

1. Chlorine gas is to only be stored in suitable areas which contain, but are not limited to, area with 60 second air change ventilation, 'A' kit, and sensors capable of detecting a release of chlorine gas and dispatching operators.
2. Emergency Response Plan for the release of chlorine gas should be on site and kept up-to-date. Operators should be familiar with this plan.
3. No materials other than what is necessary should be stored in the area, proper housekeeping practice is extremely important.
4. Proper signage must be used in this area.

JOB PROCEDURES

HOOKING-UP FULL CHLORINE TANKS

PPE REQUIRED:

Safety glasses, Safety gloves and CSA approved Safety boots.

EQUIPMENT REQUIRED:

Valve nut wrench, cylinder shut-off wrench, gaskets and bottle of ammonia.

PROCEDURE:

1. Retrieve full tanks from chained area.
2. Place tanks on scales carefully and chain.
3. Remove hood from tanks.
4. Remove caps from tank valves.
5. Always use new washers to fasten yokes to tanks.
6. Open valves $\frac{1}{4}$ turn on tanks and check for leaks with ammonia bottle.
7. Open valves on yokes and check for leaks.
8. Open valves on change-over switches and check for leaks.
9. Set scale reading.

JOB PROCEDURES

REMOVING EMPTY CHLORINE TANKS

PPE REQUIRED:

Safety glasses, Safety gloves and CSA approved Safety boots.

EQUIPMENT REQUIRED:

Valve nut wrench, cylinder shut-off wrench, gaskets and bottle of ammonia.

PROCEDURE:

1. Close valves on empty tanks.
2. Close valves on yokes.
3. Close valves on change-over switches.
4. Unlock yokes from tanks.
5. Replace caps on tank valves.
6. Replace hood on tanks.
7. Unchain tanks and remove to empty tank storage area.
8. Chain empties and identify with a mark **M/T**.

SAFE WORK PRACTICES

HANDLING CHEMICALS AT THE WATER TREATMENT PLANT

GENERAL:

Dry or liquid chemicals are needed in our treatment and testing processes. Without proper PPE, these chemicals can enter the body by inhaling, ingesting, skin or eye contact. Improper handling of these chemicals can cause fires, severe burns due to corrosiveness, respiratory failures, blindness, nausea, vomiting, dizziness, unconsciousness and even death. Some chemicals in heavy packages and as a result back injuries and muscle strains are possible. Use proper lifting mechanics.

PRACTICE:

- WHMIS Training and applicable SDS sheets shall be needed by personnel performing these tasks.
- PPE and safety equipment such as rubber gloves, rubber boots, chemical suits, goggles, face shield, dust masks and ventilation systems, shall be used as required and referenced on each individual SDS sheet for the product being handled. Refer to SDS sheets on proper handling of chemical(s) being used to ensure proper procedures are followed.
- Make sure all traffic areas are clean of debris and obstacles.
- Make sure you are skilled in proper lifting procedures and that the cargo to be transferred is within your lifting capability.
- Use proper carrying carts when supplied.
- Whenever reasonably possible, two-person teams shall be employed while handling chemicals. Should this not be possible, the employee handling the chemicals shall check in with their supervisor before and immediately after job completion.
- Employees shall be familiar with the Emergency Response Plan for the work area.

SAFE WORK PRACTICES

CHEMICAL TESTING

GENERAL:

There are many chemical tests to be performed in both the water and wastewater fields. The results are what we use to determine the amount of chemicals needed in order to produce both high quality potable water and good effluent. These tests sometimes call for the use of harmful chemicals so proper practices and procedures are necessary.

PRACTICE:

- Employees will ensure required Safety Data Sheets are available, read and understood on all supplied chemicals before using them.
- Employees shall have WHMIS training.
- Employees will wear all required PPE such as: goggles, aprons, dust masks, footwear, and clothing that properly covers the body - eg. no short pants or cut-off shirts that leave your skin unprotected), also proper gloves when dealing with certain chemicals, not all rubbers are for all chemicals.
- Be knowledgeable about the test you are doing, use the proper manuals supplied with the equipment, as well as the chemical directory.
- Know where the FIRST AID KIT and EYE WASH STATION is located and ensure that they are properly stocked and maintained.

SAFE WORK PRACTICES

HANDLING CHLORINE CYLINDERS

GENERAL:

Chlorine gas is a commonly used chemical in water & wastewater treatment, therefore, it is necessary to handle and change chlorine cylinders as safe as possible.

PRACTICE:

- At least one licensed personnel must be present when handling empty or full chlorine cylinders.
- Only authorized personnel shall enter an area where chlorine is in use or storage.
- All bills of lading must be signed by a licensed person, receiving or shipping.
- The buddy system must be used when entering a chlorine facility.
- Proper protective equipment must be worn when working on a chlorine system.
- Chlorine gas detecting equipment must be checked bi-monthly.
- Chlorine gas ventilation equipment must also be checked bi-monthly.
- Chlorine systems should be checked at regular periods to avoid visual fault detections.
- When shipping, make sure proper papers are filled out and that there are four CL2 plaque cards posted on the shipping vehicle.
- Knowledge of all safety equipment such as gas masks, A-Kits and gas ventilation systems should be made aware of to the employees.
- WHMIS training shall be required for operators.

SAFE WORK PRACTICES

CHLORINE STORAGE

GENERAL:

Chlorine gas is a commonly used chemical in water & wastewater treatment, therefore, it is necessary to store the required amounts of chlorine cylinders in the Water Treatment Plant.

PPE REQUIRED:

CSA approved safety boots, gloves and eye protection.

PRACTICE:

- Empty or full cylinders are to be chained at all times.
- Full cylinders ready for use are to be kept in a warm dry area.
- Empties are to be marked M/T.
- Storage areas should be kept clean and passable.
- Cylinders empty or full should not be stored near the direct operation of heavy equipment.
- They should be stored in an upright position.
- Cylinders should be rotated when new shipments arrive so certain tanks are not kept for too long.
- All applicable signage shall be posted within the restricted area.
- All safety equipment shall be clearly marked and ready.
- Knowledge of all safety equipment such as gas masks, A-Kits, and gas ventilation systems should be made aware to the employees.
- Proper lighting shall be installed to allow operators to carry out their duties.
- WHMIS and Transportation of Dangerous Goods training shall be part of the operators' requirements.
- Safety Data Sheets shall be posted where accessible.
- Exhaust fan is to be on at least 5 minutes prior to entering storage room and remain on while in storage room.

SAFE WORK PRACTICES

CHEMICAL SENSORS

GENERAL:

Chemical sensors are installed in the system and record chemical solutions that are within both the potable and wastewater systems. They can be attached to alarm systems to let us know when a problem requiring chemical adjustment is needed.

PRACTICE:

Only qualified personnel shall install or repair chemical sensors.

- Always use the safety equipment supplied when working with sensors, you will be well directed by using the supplied manuals.
- Rubber gloves are called for when working with sensors, not only for your safety but to keep the chemicals naturally found in your fingers from causing damage to the sensor itself.
- Be careful of the water pressure, it sometimes can reach as high as 80 lbs. psi.
- Make sure your tools fit the job, plastic fittings can sometimes break easily under the pressure of a much too large pipe wrench.
- WHMIS training is needed since chemical knowledge is required.
- Read the SDS sheets on the chemicals supplied for these procedures, so you will be familiar with the safety practices needed in case of an accident.
- If there is a control problem you will have to shut down the electricity but not if you are cleaning or repairing the sensors.

SAFE WORK PRACTICES

LAKE INTAKE SCREENS

GENERAL:

At the screen house there are two screens submerged which help to filter out coarse material suspended in the water. Screens are removed and replaced with cleaned screens and are then taken to be cleaned for later use.

PRACTICE:

- Use all necessary PPE.
- Always use a minimum of two persons to change screens.
- Use proper lifting techniques.
- Always inspect lifting equipment prior to use for defects.

SAFE WORK PRACTICES

USE OF COMPRESSED AIR

GENERAL:

Air powered tools in construction range from stapling guns to jack hammers. If not treated with respect, these tools can become a powerful enemy rather than a servant.

PPE REQUIRED:

CSA approved safety boots, eye protection, face shield and hearing protection as appropriate.

PRACTICE:

- Compressed air must not be used to blow debris or to clear dirt from any worker's clothes.
- Ensure all the air pressure has been turned off and the line pressure relieved before disconnecting the hose or changing tools.
- All hose connections must be of the quick disconnect pressure release type.
- Wear personal protective equipment such as eye protection and face shields and ensure other workers in the area are made aware of or have restricted access to any affected area.
- Hoses must be checked on a regular basis for cuts, bulges or other damage. Ensure that defective hoses are repaired or replaced as necessary.
- A proper regulator and relief device must be installed in the system to ensure that correct desired pressures are maintained.
- The correct air supply hoses must be used for the tool/equipment being used.
- Equipment shall be maintained to ensure continuing safe operation.

VOLUME 3 - TABLE OF CONTENTS – OCCUPATIONAL HEALTH & SAFETY ACT & REGULATIONS

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02 Workplace Health and Safety Regulations

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05 Smoke Free Places Regulations

06 Workplace Hazardous Materials Information System Regulations

07 Administrative Penalties Regulations

08 Appeal Panel Regulations

09 Disclosure of Information Regulations

Occupational Health and Safety Act

CHAPTER 7 OF THE ACTS OF 1996

as amended by

2000, c. 28, ss. 86, 87; 2004, c. 6, s. 24; 2007, c. 14, s. 7;
2009, c. 24; 2010, c. 37, ss. 117-126; 2010, c. 66; 2011, c. 24;
2013, c. 41; 2016, c. 14



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CHAPTER 7 OF THE ACTS OF 1996
amended 2000, c. 28, ss. 86, 87; 2004, c. 6, s. 24; 2007, c. 14, s. 7;
2009, c. 24; 2010, c. 37, ss. 117-126; 2010, c. 66; 2011, c. 24;
2013, c. 41; 2016, c. 14

An Act Respecting Occupational Health and Safety

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Short title

1 This Act may be cited as the *Occupational Health and Safety Act*.
1996, c. 7, s. 1.

Internal Responsibility System

2 The foundation of this Act is the Internal Responsibility System which

- (a) is based on the principle that
 - (i) employers, contractors, constructors, employees and self-employed persons at a workplace, and
 - (ii) the owner of a workplace, a supplier of goods or provider of an occupational health or safety service to a workplace or an

architect or professional engineer, all of whom can affect the health and safety of persons at the workplace,

share the responsibility for the health and safety of persons at the workplace;

(b) assumes that the primary responsibility for creating and maintaining a safe and healthy workplace should be that of each of these parties, to the extent of each party's authority and ability to do so;

(c) includes a framework for participation, transfer of information and refusal of unsafe work, all of which are necessary for the parties to carry out their responsibilities pursuant to this Act and the regulations; and

(d) is supplemented by the role of the Occupational Health and Safety Division of the Department of Labour and Advanced Education, which is not to assume responsibility for creating and maintaining safe and healthy workplaces, but to establish and clarify the responsibilities of the parties under the law, to support them in carrying out their responsibilities and to intervene appropriately when those responsibilities are not carried out. 1996, c. 7, s. 2; 2010, c. 66, s. 1; 2011, c. 24, s. 1.

Interpretation

3 In this Act,

(a) "aggrieved person" means an employer, constructor, contractor, employee, self-employed person, owner, supplier, provider of an occupational health or safety service, architect, engineer or union at a workplace who is directly affected by an order or decision;

(b) "analyst" means a person appointed as an analyst by the Minister pursuant to this Act;

(c) "Board" means the Labour Board established under the *Labour Board Act*;

(d) "committee" means a joint occupational health and safety committee established pursuant to this Act;

(e) "compliance notice" means a response, in writing, to an order of an officer, describing the extent to which the person against whom the order was made has complied with each item identified in the order;

(f) "constructor" means a person who contracts for work on a project or who undertakes work on a project himself or herself;

(g) "contractor" means a person who contracts for work to be performed at the premises of the person contracting to have the work performed, but does not include a dependent contractor or a constructor;

(h) "contracts for work" includes contracting to perform work and contracting to have work performed;

(i) "Council" means the Occupational Health and Safety Advisory Council established pursuant to this Act;

(j) “dependent contractor” means a person, whether or not employed under a contract of employment and whether or not furnishing the person’s own tools, vehicles, equipment, machinery, material or any other thing, who performs work or services for another on such terms and conditions that the person is

- (i) in a position of economic dependence upon the other,
- (ii) under an obligation to perform duties mainly for the other, and
- (iii) in a relationship with the other more closely resembling that of an employee than an independent contractor;

(k) “Deputy Minister of Labour and Advanced Education” includes a person designated by the Deputy Minister of Labour and Advanced Education to act in the stead of the Deputy Minister;

(l) “Director” means the Executive Director of Occupational Health and Safety or any person designated by the Executive Director pursuant to this Act to act on behalf of the Executive Director;

(m) “Director of Labour Standards” means the Director of Labour Standards under the *Labour Standards Code*;

(n) “Division” means the Occupational Health and Safety Division of the Department of Labour and Advanced Education

(o) “employee” means a person who is employed to do work and includes a dependent contractor;

(p) “employer” means a person who employs one or more employees or contracts for the services of one or more employees, and includes a constructor, contractor or subcontractor;

(q) “former Act” means Chapter 320 of the Revised Statutes, 1989, the *Occupational Health and Safety Act*;

(r) *repealed 2010, c. 37, s. 117.*

(s) “Minister” means the Minister of Labour and Advanced Education;

(t) “occupation” means any employment, business, calling or pursuit;

(u) “officer” means an occupational health and safety officer appointed pursuant to this Act and includes the Director;

(v) “owner” includes a trustee, receiver, mortgagee in possession, tenant, lessee or occupier of lands or premises used as a workplace and a person who acts for, or on behalf of, an owner as an agent or delegate;

(w) “police officer” means

- (i) a member of the Royal Canadian Mounted Police, or

- (ii) a member or chief officer of a police force appointed pursuant to the *Police Act*;
- (x) “policy” means an occupational health and safety policy made pursuant to this Act;
- (y) “practicable” means possible, given current knowledge, technology and invention;
- (z) “program” means an occupational health and safety program required pursuant to this Act, unless the context otherwise requires;
- (aa) “project” means a construction project, and includes
 - (i) the construction, erection, excavation, renovation, repair, alteration or demolition of any structure, building, tunnel or work and the preparatory work of land clearing or earth moving, and
 - (ii) work of any nature or kind designated by the Director as a project;
- (ab) “reasonably practicable” means practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money, of the measures to secure the duty;
- (ac) “regularly employed” includes seasonal employment with a predictably recurring period of employment that exceeds four weeks, unless otherwise established by regulation or ordered by an officer;
- (aca) “repeatedly” means occurring more than once within the preceding three year period;
- (ad) “representative” means a health and safety representative selected pursuant to this Act;
- (ae) “self-employed person” means a person who is engaged in an occupation on that person’s own behalf and includes a person or persons operating a sole proprietorship but does not include a dependent contractor;
- (aea) “serious injury” means an injury that endangers life or causes permanent injury;
- (af) “supplier” means a person who manufactures, supplies, sells, leases, distributes or installs any tool, equipment, machine or device or any biological, chemical or physical agent to be used at or near a workplace;
- (ag) “union” includes a trade union as defined in the *Trade Union Act* that has the status of bargaining agent under that Act in respect of any bargaining unit at a workplace, and includes an organization representing employees where the organization has exclusive bargaining rights under any other Act in respect of the employees;
- (ah) “workplace” means any place where an employee or a self-employed person is or is likely to be engaged in any occupation and includes any vehicle or mobile equipment used or likely to be used by an employee or

a self-employed person in an occupation. 1996, c. 7, s. 3; 2000, c. 28, s. 86; 2010, c. 37, s. 117; 2010, c. 66, s. 2; 2011, c. 24, s. 2; 2016, c. 14, s. 1.

APPLICATION AND ADMINISTRATION

Application of Act

- 4** (1) This Act binds Her Majesty in right of the Province.
- (2) This Act applies to
- (a) every agency of the Government of the Province; and
 - (b) all matters within the legislative jurisdiction of the Province.
- (3) To the extent that Her Majesty in right of Canada submits, this Act binds Her Majesty in right of Canada, every agency of the Government of Canada and every other person whose workplace health and safety standards are ordinarily within the legislative jurisdiction of the Parliament of Canada. 1996, c. 7, s. 4.

Conflict with other enactments

5 Notwithstanding any general or special Act, where there is a conflict between this Act and the regulations and any other enactment, this Act and the regulations prevail. 1996, c. 7, s. 5.

Supervision and management of Act

6 The Minister has the general supervision and management of this Act and the regulations. 1996, c. 7, s. 6.

Research, programs and activities

7 The Minister may undertake research, programs and activities to promote occupational health and safety and may undertake such programs in co-operation with the Government of Canada or of any other province of Canada or with any person or organization undertaking similar programs. 1996, c. 7, s. 7.

Continuation of Division

8 The Occupational Health and Safety Division of the Department of Labour and Advanced Education, established by the former Act, is hereby continued. 1996, c. 7, s. 8; 2010, c. 66, s. 3; 2011, c. 24, s. 3.

Functions of Division

- 9** The Division shall
- (a) be concerned with occupational health and safety and the maintenance of reasonable standards for the protection of the health and safety of employees and self-employed persons;

(b) either alone or in conjunction with the Workers' Compensation Board, the Department of Health or other departments and agencies, prepare and maintain statistics and information relating to employees and self-employed persons;

(c) provide assistance to persons concerned with occupational health and safety and provide services to assist joint occupational health and safety committees, health and safety representatives, employers, employees and self-employed persons in maintaining reasonable standards for the protection of the health and safety of employees and self-employed persons;

(d) promote or conduct studies and research projects in the field of occupational health and safety;

(e) encourage and conduct educational programs to promote occupational health and safety;

(f) annually, submit to the Advisory Council a report on a review of this Act; and

(g) perform such other functions as the Minister or the Governor in Council may direct. 1996, c. 7, s. 9.

Payment from Accident Fund

10 Part of the costs of the Division pursuant to this Act and the regulations and costs of education and research related to occupational health and safety shall be paid out of the Accident Fund by the Workers' Compensation Board as determined by the Governor in Council. 1996, c. 7, s. 10.

Director and other personnel

11 (1) There shall be appointed in accordance with the *Civil Service Act* ~~an~~ [a] Director of Occupational Health and Safety and such officers and employees as are necessary for the administration and enforcement of this Act and the regulations.

(2) Notwithstanding subsection (1), the Minister may appoint officers, to administer and enforce this Act and the regulations, who are employees of

(a) the Government of Canada or an agency thereof;

(b) the government of another province of Canada or an agency thereof;

(c) another department or an agency of the Government;

(d) a municipality within the meaning of the *Municipal Government Act* or an agency thereof; or

(e) an agency created by any combination of the governments of this Province, other provinces of Canada or the Government of Canada,

and who work in the field of occupational health and safety.

(3) The Director may, in writing, delegate to any person any of the Director's powers, duties or functions pursuant to this Act or the regulations and shall, when so delegating, specify the powers, duties or functions to be exercised by the person to whom the Director delegates.

(4) Notwithstanding anything contained in this Act, an officer appointed pursuant to subsection (2) shall not exercise the powers, duties and functions the officer has pursuant to this Act in relation to the agency, department or municipality, as the case may be, that employs the officer. 1996, c. 7, s. 11; 2000, c. 28, s. 87; 2010, c. 66, s. 4; 2013, c. 41, s. 1.

Designation of inspectors

12 The Minister may designate certain officers as inspectors or chief inspectors for the purpose of this Act or any other Act or part thereof that is administered by the Division. 1996, c. 7, s. 12.

DUTIES AND PRECAUTIONS

Employers' precautions and duties

13 (1) Every employer shall take every precaution that is reasonable in the circumstances to

(a) ensure the health and safety of persons at or near the workplace;

(b) provide and maintain equipment, machines, materials or things that are properly equipped with safety devices;

(c) provide such information, instruction, training, supervision and facilities as are necessary to the health or safety of the employees;

(d) ensure that the employees, and particularly the supervisors and foremen, are made familiar with any health or safety hazards that may be met by them at the workplace;

(e) ensure that the employees are made familiar with the proper use of all devices, equipment and clothing required for their protection; and

(f) conduct the employer's undertaking so that employees are not exposed to health or safety hazards as a result of the undertaking.

(2) Every employer shall

(a) consult and co-operate with the joint occupational health and safety committee, where such a committee has been established at the workplace, or the health and safety representative, where one has been selected at the workplace;

(b) co-operate with any person performing a duty imposed or exercising a power conferred by this Act or the regulations;

(c) provide such additional training of committee members or the representative as may be prescribed by the regulations;

(d) comply with this Act and the regulations and ensure that employees at the workplace comply with this Act and the regulations; and

(e) where an occupational health and safety policy or occupational health and safety program is required pursuant to this Act or the regulations, establish the policy or program.

(3) The employer at a subsea coal mine shall provide such additional resources or information for the committee as may be prescribed by the regulations. 1996, c. 7, s. 13; 2007, c. 14, s. 7; 2010, c. 66, s. 5.

Precautions to be taken by contractors

14 Every contractor shall take every precaution that is reasonable in the circumstances to ensure

(a) the health and safety of persons at or near a workplace;

(b) that the activities of the employers and self-employed persons at the workplace are co-ordinated;

(c) communication between the employers and self-employed persons at the workplace of information necessary to the health and safety of persons at the workplace;

(d) that the measures and procedures prescribed pursuant to this Act and the regulations are carried out at the workplace; and

(e) that every employee, self-employed person and employer performing work at the workplace complies with this Act and the regulations. 1996, c. 7, s. 14.

Precautions to be taken by constructors

15 Every constructor shall take every precaution that is reasonable in the circumstances to ensure

(a) the health and safety of persons at or near a project;

(b) that the activities of the employers and self-employed persons at the project are co-ordinated;

(c) communication between the employers and self-employed persons at the project of information necessary to the health and safety of persons at the project, and facilitate communication with any committee or representative required for the project pursuant to this Act or the regulations;

(d) that the measures and procedures prescribed under this Act and the regulations are carried out on the project; and

(e) that every employee, self-employed person and employer performing work in respect of the project complies with this Act and the regulations. 1996, c. 7, s. 15.

Precautions to be taken by suppliers

16 Every supplier shall take every precaution that is reasonable in the circumstances to

(a) ensure that any device, equipment, machine, material or thing supplied by the supplier is in safe condition, and in compliance with this Act and the regulations when it is supplied;

(b) where it is the supplier's responsibility under a leasing agreement to maintain it, maintain any device, equipment, machine, material or thing in safe condition and in compliance with this Act and the regulations; and

(c) ensure that any biological, chemical or physical agent supplied by the supplier is labelled in accordance with the applicable federal and Provincial regulations. 1996, c. 7, s. 16.

Employees' precautions and duties

17 (1) Every employee, while at work, shall

(a) take every reasonable precaution in the circumstances to protect the employee's own health and safety and that of other persons at or near the workplace;

(b) co-operate with the employer and with the employee's fellow employees to protect the employee's own health and safety and that of other persons at or near the workplace;

(c) take every reasonable precaution in the circumstances to ensure that protective devices, equipment or clothing required by the employer, this Act or the regulations are used or worn;

(d) consult and co-operate with the joint occupational health and safety committee, where such a committee has been established at the workplace, or the health and safety representative, where one has been selected at the workplace;

(e) co-operate with any person performing a duty or exercising a power conferred by this Act or the regulations; and

(f) comply with this Act and the regulations.

(2) Where an employee believes that any condition, device, equipment, machine, material or thing or any aspect of the workplace is or may be dangerous to the employee's health or safety or that of any other person at the workplace, the employee shall

(a) immediately report it to a supervisor;

(b) where the matter is not remedied to the employee's satisfaction, report it to the committee or the representative, if any; and

(c) where the matter is not remedied to the employee's satisfaction after the employee reports in accordance with clauses (a) and (b), report it to the Division. 1996, c. 7, s. 17.

Self-employed persons' precautions and duties

18 Every self-employed person shall

(a) take every reasonable precaution in the circumstances to protect the self-employed person's own health and safety and that of other persons who may be affected by the self-employed person's undertaking;

(b) co-operate with any employer, joint occupational health and safety committee or health and safety representative that may be found at a place at which the self-employed person conducts an undertaking, to protect the self-employed person's own health and safety and that of other persons who may be affected by the undertaking;

(c) co-operate with any person performing a duty or exercising a power conferred by this Act or the regulations; and

(d) comply with this Act and the regulations. 1996, c. 7, s. 18.

Owners' precautions and duties

19 Every owner shall

(a) take every precaution that is reasonable in the circumstances to provide and maintain the owner's land or premises being or to be used as a workplace

(i) in a manner that ensures the health and safety of persons at or near the workplace, and

(ii) in compliance with this Act and the regulations; and

(b) give to the employer at the workplace the information that is

(i) known to the owner or that the owner could reasonably be expected to know, and

(ii) necessary to identify and eliminate or control hazards to the health or safety of persons at the workplace. 1996, c. 7, s. 19.

Precautions to be taken by providers of service

20 Every person or body who, for gain, is a provider of an occupational health or safety service shall take every precaution that is reasonable in the circumstances to

(a) ensure that no person at a workplace is endangered as a result of the provider's activity; and

(b) ensure, where the service involves providing information, that the information provided, at the time that it is provided, is accurate and sufficiently complete to enable the recipient to make a competent judgement on the basis of the information. 1996, c. 7, s. 20.

Precautions to be taken by architects and engineers

21 (1) An architect, as defined in the *Architects Act*, who gives advice or affixes the architect's seal to documents or a professional engineer, as

defined in the *Engineering Profession Act*, who gives advice or stamps documents shall take every precaution that is reasonable in the circumstances to ensure that a person who is likely to rely on the advice, seal or stamp will not be in contravention of this Act or the regulations as a result of such reliance.

(2) Where

(a) an architect, as defined in the *Architects Act*, gives advice or affixes the architect's seal to documents; or

(b) a professional engineer, as defined in the *Engineering Profession Act*, gives advice or stamps documents,

negligently or incompetently and a person at a workplace is endangered thereby, the architect or professional engineer contravenes this Act. 1996, c. 7, s. 21.

Required instruction in principles

22 The curricula of

(a) an occupational-training program within the meaning of the *Private Career Colleges Regulation Act*;

(b) a program of study within the meaning of the *Community Colleges Act*; and

(c) any other educational institution or class of educational institution designated pursuant to the regulations,

shall include instruction in the principles of occupational health and safety contained in this Act. 1996, c. 7, s. 22; 2010, c. 66, s. 6.

Nature and extent of duties and requirements

23 (1) A specific duty or requirement imposed by this Act or the regulations does not limit the generality of any other duty or requirement imposed by this Act or the regulations.

(2) Where a provision of this Act or the regulations imposes a duty or requirement on more than one person, the duty or requirement is meant to be imposed primarily on the person with the greatest degree of control over the matters that are the subject of the duty or requirement.

(3) Notwithstanding subsection (2), but subject to subsection (5), where the person with the greatest degree of control fails to comply with a duty or requirement referred to in subsection (2), the other person or persons on whom the duty or requirement lies shall, where possible, comply with the provision.

(4) Where the person with the greatest degree of control complies with a provision described in subsection (2), the other persons are relieved of the obligation to comply with the provision only

(a) for the time during which the person with the greatest degree of control is in compliance with the provision;

(b) where simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense; and

(c) where the health and safety of persons at the workplace is not put at risk by compliance by only one person.

(5) Where the person with the greatest degree of control fails to comply with a provision described in subsection (2) but one of the other persons on whom the duty or requirement is imposed complies with the provision, the other persons, if any, to whom the provision applies are relieved of the obligation to comply with the provision in the circumstances set out in clauses 4(a) to (c) with the necessary modifications. 1996, c. 7, s. 23.

OCCUPATIONAL HEALTH AND SAFETY ADVISORY COUNCIL

Continuation of Council

24 (1) The Occupational Health and Safety Advisory Council, established by the former Act, is hereby continued.

(2) The Minister shall appoint to the Council persons who have a particular knowledge and experience relating to the protection and promotion of occupational health and safety generally. 1996, c. 7, s. 24.

Membership of Council and subcommittees

25 (1) The membership of the Council shall include equal representation from employers and employees.

(2) In addition, the Director and the Chair of the Workers' Compensation Board, or a person designated to represent the Chair, and a representative of any group or groups selected by the Minister are members of the Council.

(3) and (4) *repealed 2010, c. 66, s. 7.*

(5) A member of the Council holds office during the term prescribed in that person's appointment and may be re-appointed.

(5A) A member of the Council whose term of office expires may, with the approval of the Minister, remain on the Council until a successor is appointed.

(6) The Council may, with the approval of the Minister, appoint one or more subcommittees of the Council and a subcommittee shall perform any of the functions described in Section 26, as determined by the Council.

(7) For greater certainty, a person who is not a member of the Council may be a member of a subcommittee of the Council.

(8) The Minister may designate one employer representative and one employee representative as co-chairs of the Council.

(9) Persons appointed to the Council or a subcommittee of the Council shall be paid the reasonable expenses incurred by them in the course of carrying out their duties for the Council or subcommittee of the Council, plus such remuneration as is determined by the Minister. 1996, c. 7, s. 25; 2004, c. 6, s. 24; 2010, c. 66, s. 7.

Functions of Council

26 The Council may advise the Minister on

- (a) the administration of this Act and the regulations;
 - (b) occupational health and safety including, but not limited to, providing recommendations, giving advice and monitoring and reporting on occupational health and safety throughout the Province;
 - (c) the exclusion of any profession, employee, employer, workplace, project, owner, occupation, industry, self-employed person or dependent contractor from all or part of the application of this Act or the regulations;
 - (d) any other matter relating to occupational health and safety.
- 1996, c. 7, s. 26.

OCCUPATIONAL HEALTH AND SAFETY POLICY

Requirement for policy

27 (1) Where

- (a) five or more employees are regularly employed by an employer other than a constructor or contractor;
- (b) five or more employees are regularly employed directly by a constructor or contractor, not including employees for whose services the constructor or contractor has contracted;
- (c) the regulations require an occupational health and safety policy; or
- (d) an officer so orders,

the employer shall prepare and review, at least annually, a written occupational health and safety policy, in consultation with the committee or representative, if any.

(2) Where this Act or the regulations do not require there to be a committee at a workplace, consultation on the development of the policy shall be carried out by the employer and shall include discussion of the proposed policy at one or more workplace health and safety meetings involving the employees.

(3) The policy shall express the employer's commitment to occupational health and safety and shall include

- (a) the reasons for the employer's commitment to health and safety;
- (b) the commitment of the employer to co-operate with the employees in pursuing occupational health and safety; and
- (c) the responsibilities of the employer, supervisors and other employees in fulfilling the commitment required pursuant to clause (b). 1996, c. 7, s. 27.

OCCUPATIONAL HEALTH AND SAFETY PROGRAM

Requirement for program

28 (1) Where

- (a) twenty or more employees are regularly employed by an employer other than a constructor or contractor;
- (b) twenty or more employees are regularly employed directly by a constructor or contractor, not including employees for whose services the constructor or contractor has contracted; or
- (c) the regulations require an occupational health and safety program,

the employer shall establish and maintain a written occupational health and safety program, in consultation with the committee or representative, if any, that is adapted to the circumstances of the organization for the purpose of implementing the employer's policy, this Act and the regulations.

(2) The program shall include

- (a) provision for the training and supervision of employees in matters necessary to their health and safety and the health and safety of other persons at the workplace;
- (b) provision for the preparation of written work procedures required to implement safe and healthy work practices, including those required pursuant to this Act, the regulations or by order of an officer, and identification of the types of work for which the procedures are required at the employer's workplace;
- (c) provision for the establishment and continued operation of a committee required pursuant to this Act, including maintenance of records of membership, rules of procedure, access to a level of management with authority to resolve health and safety matters and any information required under this Act or the regulations to be maintained in relation to a committee;

(d) provision for the selection and functions of a representative where required pursuant to this Act, including provision for access by the representative to a level of management with authority to resolve health and safety matters;

(e) a hazard identification system that includes

(i) evaluation of the workplace to identify potential hazards,

(ii) procedures and schedules for regular inspections,

(iii) procedures for ensuring the reporting of hazards and the accountability of persons responsible for the correction of hazards, and

(iv) identification of the circumstances where hazards must be reported by the employer to the committee or representative, if any, and the procedures for doing so;

(f) a system for workplace occupational health and safety monitoring, prompt follow-up and control of identified hazards;

(g) a system for the prompt investigation of hazardous occurrences to determine their causes and the actions needed to prevent recurrences;

(h) maintenance of records and statistics, including reports of occupational health and safety inspections and occupational health and safety investigations, with provision for making them available to persons entitled to receive them pursuant to this Act; and

(i) provision for monitoring the implementation and effectiveness of the program.

(3) The employer shall make available a copy of the program

(a) to the committee or representative, if any; and

(b) on request, to an employee at the workplace. 1996, c. 7, s. 28.

JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEES

Requirement for committees

29 (1) At every workplace where twenty or more persons are regularly employed, the employer shall establish and maintain one joint occupational health and safety committee or, at the discretion of the employer, more than one such committee and, where twenty or more persons are regularly employed by one or more constructors at a project, a constructor shall establish and maintain a joint occupational health and safety committee for the project.

(2) At a workplace where fewer than twenty persons are regularly employed, the Director may

(a) consult with the employer and employees at the workplace regarding whether a committee should be formed at the workplace; and

(b) order that a committee be established.

(3) Where an order respecting establishment of a committee is given pursuant to subsection (2), the employer shall ensure that the committee is chosen and functioning in accordance with this Act within fifteen days of receipt of the order. 1996, c. 7, s. 29.

Committee where subsea coal mine

29A Notwithstanding Section 29, at a subsea coal mine where fewer than twenty persons are regularly employed, the employer shall establish and maintain a joint occupational health and safety committee where so prescribed by the regulations. 2007, c. 14, s. 7.

Composition and procedure of committee

30 (1) A committee shall consist of such number of persons as may be agreed to by the employer and the employees or their union or unions.

(2) At least half of the members of a committee shall be employees at the workplace who are not connected with the management of the workplace and the employer may choose up to one half of the members of the committee if the employer wishes to do so.

(3) The employees on the committee are to be determined by the employees they represent, or designated by the union that represents the employees.

(4) A committee shall meet at least once each month unless

(a) a different frequency is prescribed by the regulations;
or

(b) the committee alters the required frequency of meetings in its rules of procedure.

(5) Where a committee alters the required frequency of meetings by its rules of procedure and the Director is not satisfied that the frequency of meetings is sufficient to enable the committee to effectively perform its functions, the frequency of meetings shall be as determined by the Director.

(6) An employee who is a member of a committee is entitled to such time off from work as is necessary to attend meetings of the committee, to take any training prescribed by the regulations and to carry out the employee's functions as a member of the committee, and such time off is deemed to be work time for which the employee shall be paid by the employer at the applicable rate.

(7) A committee shall establish its own rules of procedure and shall adhere to the applicable regulations.

(8) Unless a committee determines another arrangement for chairing the committee in its rules of procedure, two of the members of the committee shall co-chair the committee, one of whom shall be selected by the members who represent employees and the other of whom shall be selected by the other members.

(9) The rules of procedure established pursuant to subsection (7) shall include an annual determination of the method of selecting the person or persons who shall

- (a) chair the committee; and
- (b) hold the position of chair for the coming year.

(10) Where agreement is not reached on

- (a) the size of the committee;
- (b) the designation of employees to be members; or
- (c) rules of procedure,

the Director shall determine the matter. 1996, c. 7, s. 30.

Functions of committees

31 It is the function of the committee to involve employers and employees together in occupational health and safety in the workplace and, without restricting the generality of the foregoing, includes

- (a) the co-operative identification of hazards to health and safety and effective systems to respond to the hazards;
- (b) the co-operative auditing of compliance with health and safety requirements in the workplace;
- (c) receipt, investigation and prompt disposition of matters and complaints with respect to workplace health and safety;
- (d) participation in inspections, inquiries and investigations concerning the occupational health and safety of the employees and, in particular, participation in an inspection referred to in Section 50;
- (e) advising on individual protective devices, equipment and clothing that, complying with this Act and the regulations, are best adapted to the needs of the employees;
- (f) advising the employer regarding a policy or program required pursuant to this Act or the regulations and making recommendations to the employer, the employees and any person for the improvement of the health and safety of persons at the workplace;

- (g) maintaining records and minutes of committee meetings in a form and manner approved by the Director and providing an officer with a copy of these records or minutes on request; and
- (h) performing any other duties assigned to it
 - (i) by the Director,
 - (ii) by agreement between the employer and the employees or the union, or
 - (iii) as are established by the regulations. 1996, c. 7, s. 31; 2010, c. 66, s. 8.

Deemed establishment of committee

32 Where a committee was established prior to January 1, 1986, and has been maintained, pursuant to a collective agreement or other arrangement in a workplace, and the Director is satisfied that such committee or arrangement provides benefits for the health and safety of employees equal to or greater than the benefits to be derived under a committee established pursuant to this Act, the committee or arrangement is deemed to have been established in compliance with this Act. 1996, c. 7, s. 32.

HEALTH AND SAFETY REPRESENTATIVES**Requirement for and functions of representatives**

33 (1) At a workplace where no committee is required pursuant to Section 29 and where the number of persons employed is five or more, the employer shall cause the employees to select at least one health and safety representative from among the employees at the workplace who are not connected with the management of the workplace.

(2) At a project where no committee is required pursuant to Section 29 and where the number of persons employed is five or more, a constructor shall cause the employees to select at least one health and safety representative for the purposes of the project from among the employees at the project who are not connected with the management at the project.

(3) At a workplace where fewer than five persons are employed, the Director may

(a) consult with the employer and employees at the workplace regarding whether a representative should be selected at the workplace; and

(b) order that a representative be selected by the employees from among the employees at the workplace who are not connected with the management of the workplace.

(4) Where an order respecting the selection of a representative is given pursuant to subsection (3), the employer shall ensure that the representative is

selected and functioning in accordance with this Act within fifteen days of receipt of the order.

(5) An employee who is a representative is entitled to such reasonable time off from work as is necessary to carry out the employee's functions as a representative, and such time off is deemed to be work time for which the employee shall be paid by the employer at the applicable rate.

(6) It is the function of the representative to be involved, on behalf of the employees together with the employer, in occupational health and safety in the workplace and, without restricting the generality of the foregoing, includes

(a) the co-operative identification of hazards to health and safety and effective systems to respond to the hazards;

(b) the co-operative auditing of compliance with health and safety requirements in the workplace;

(c) receipt of and co-operation with the employer in the investigation and prompt disposition of matters and complaints with respect to workplace health and safety;

(d) participation in inspections, inquiries and investigations concerning the occupational health and safety of the employees and, in particular, participation in an inspection referred to in Section 50;

(e) advising on individual protective devices, equipment and clothing which, complying with this Act and the regulations, are best adapted to the needs of the employees;

(f) advising the employer regarding a policy or program required by this Act or the regulations and making recommendations to the employer, the employees and any person for the improvement of the health and safety of persons at the workplace; and

(g) performing any other duties assigned to the representative

(i) by the Director,

(ii) by agreement between the employer and the employees or the union, or

(iii) as are established by the regulations. 1996, c. 7, s. 33.

COMMUNICATION OF INFORMATION

Response to written recommendations

34 (1) An employer who receives written recommendations from a committee or representative and a request in writing to respond to the recommenda-

tions, shall respond in writing to the committee or representative within twenty-one days, and the response shall

- (a) indicate acceptance of the recommendations; or
- (b) give reasons for the disagreement with any recommendations that the employer does not accept,

or, where it is not reasonably possible to provide a response before the expiry of the twenty-one day period, provide within that time a reasonable explanation for the delay, indicate to the committee or representative when the response will be forthcoming, and provide the response as soon as it is available.

(2) Where the committee or representative makes a request pursuant to subsection (1) and is not satisfied that the explanation provided for a delay in responding is reasonable in the circumstances, the chair or co-chairs of the committee, or representative, as the case may be, shall promptly report this fact to an officer. 1996, c. 7, s. 34.

Duty of employer to provide certain information

35 (1) An employer shall notify the committee or representative, if any, of the existence of reports of

- (a) workplace occupational health or safety inspections;
- and
- (b) workplace occupational health or safety monitoring or tests,

undertaken at the workplace by, or at the request of, an officer or the employer and, on request, the employer shall make the reports available to the committee or the representative.

(2) An employer shall make available to an employee at a workplace, on request, reports of

- (a) workplace occupational health or safety inspections;
- and
- (b) workplace occupational health or safety monitoring or tests,

undertaken at the workplace by, or at the request of, an officer or the employer.

(3) Within twenty-one days of receiving a request in writing from the committee, representative or, where there is no committee or representative, an employee at a workplace for any information of a health or safety nature other than that specified in subsection (1), the employer shall respond in writing and the response shall

- (a) provide the requested information; or

(b) give reasons for not providing the information, in whole or in part,

and where it is not reasonably possible to provide a response before the expiry of the twenty-one day period, provide within that time a reasonable explanation for the delay, indicate to the committee, representative or employee when the response will be forthcoming and provide the response as soon as it is available.

(4) Where the committee, representative or employee makes a request pursuant to subsection (3) and is not satisfied that the explanation provided for a delay in responding is reasonable in the circumstances, the chair or co-chairs of the committee, the representative or the employee, as the case may be, shall promptly report this fact to an officer. 1996, c. 7, s. 35.

Duty of officer to provide certain information

36 An officer shall provide to the employer at a workplace reports of

- (a) workplace occupational health or safety inspections; and
- (b) workplace occupational health or safety monitoring or tests,

undertaken at the workplace by, or at the request of, an officer, and the employer shall comply with subsections 35(1) and (2). 1996, c. 7, s. 36.

Duty of employer to post certain information

37 The employer shall

- (a) post and maintain the current names of the committee members or the representative, if any, and the means of contacting them; and
- (b) post promptly, where there is a committee, the minutes of the most recent committee meeting and ensure they remain posted until superseded by minutes of the next committee meeting. 1996, c. 7, s. 37.

Availability of information at workplace

38 (1) Every employer shall

- (a) make available for examination at the workplace
 - (i) a copy of the regulations that relate to the workplace, and
 - (ii) information and reports that an officer considers advisable to enable employees to become acquainted with their rights and responsibilities pursuant to this Act and the regulations;

and

- (b) post in a prominent place or places in the workplace capable of being easily accessed by the employees
 - (i) a current copy of this Act,

(ii) a code of practice required pursuant to this Act or the regulations,

(iii) a current telephone number for reporting occupational health or safety concerns to the Division, and

(iv) where the employer is required pursuant to this Act or the regulations to have an occupational health and safety policy, the policy,

and ensure they remain posted.

(2) Where anything other than the information listed in subsection (1) is required to be posted pursuant to this Act or the regulations, the person who has the duty to post shall

(a) post a legible copy of it in a prominent place or places in the workplace capable of being easily accessed by the employees; and

(b) ensure that it remains posted for at least seven days, or longer if additional time is necessary to enable employees at the workplace to inform themselves of the content, unless this Act or the regulations otherwise specify,

or in lieu of complying with clauses (a) and (b), shall provide the information to each employee, in writing. 1996, c. 7, s. 38.

Duty of employer to provide certain information

39 (1) Where

(a) an officer makes an order pursuant to this Act or the regulations against an employer;

(b) a compliance notice is required of an employer pursuant to subsection 56(1); or

(c) an appeal is initiated or disposed of pursuant to Section 69,

the employer shall, subject to subsections (2) and (3), immediately

(d) post the order, compliance notice, notice of appeal or decision; and

(e) deliver a copy of the order, compliance notice, notice of appeal or decision to the committee or representative, if any.

(2) An officer may authorize in writing an officer's order to be edited to protect a trade secret, secret manufacturing process or confidential personal information, the disclosure of which is limited pursuant to this Act.

(3) Where an order is edited pursuant to subsection (2), the authorization of the officer shall be affixed to the order and it shall be posted in

accordance with this Act in substitution for the unedited order. 1996, c. 7, s. 39; 2013, c. 41, s. 2.

Service of documents

40 (1) For the purpose of this Act and the regulations and any proceedings thereunder, an order, notice or other document sent by regular mail is deemed to have been received ten days after the day on which it was mailed, unless the person to whom it was sent establishes that, acting in good faith, the person did not receive the order, notice or other document until a later date, through absence, incident, illness or other cause beyond the person's control.

(2) For the purpose of this Act and the regulations and any proceedings thereunder, an order, notice or other document that is to be served on a person must be served by

- (a) personal service;
- (b) a form of delivery that provides proof of delivery, sent to the last known address of the person being served; or
- (c) electronic transmission, including facsimile or electronic mail.

(3) An order, notice or other document that is served on a person under clause (2)(b) is deemed to have been received five days after the date of the first attempted delivery, unless the person being served establishes that, acting in good faith, the person did not receive the order, notice or other document until a later date, through absence, incident, illness or other cause beyond the person's control.

(4) An order, notice or other document that is served on a person under clause (2)(c) is deemed to have been received the day after it was sent or, where that day is a Saturday or a holiday, on the next day that is not a Saturday or a holiday, unless the person being served establishes that, acting in good faith, the person did not receive the order, notice or other document until a later date, through absence, incident, illness or other cause beyond the person's control. 2013, c. 41, s. 3.

Right to annual summary of data

41 Where the *Workers' Compensation Act* applies to a workplace,

- (a) a committee;
- (b) a representative;
- (c) an employee; or
- (d) an employer,

at the workplace who so requests in writing shall receive an annual summary of data relating to the employer. 1996, c. 7, s. 41.

WORKPLACE MONITORING,
MEASUREMENTS AND TESTS**Right of employee to observe and be paid**

42 (1) Every employer shall permit an employee selected pursuant to subsection (2) to observe workplace occupational health or safety monitoring and the taking of samples, tests or measurements where a significant part of the rationale is based on either health or safety of employees at the workplace, unless the monitoring or taking of samples, tests or measurements takes place

(a) continuously or on a regular and frequent basis, except to observe the initial setup of the workplace occupational health or safety monitoring process and to be informed and observe the monitoring where there has been a malfunction of the monitor or alteration in the process;

(aa) in a situation that would violate an employee's personal privacy;

(b) in a location that is remote and is part of the regular task of a person employed at the location; or

(c) during an emergency situation,

and time spent by the employee in such activities is deemed to be work time for which the employee shall be paid by the employer at the applicable rate.

(2) Where there is

(a) a committee or representative at a workplace, the employee who observes workplace occupational health or safety monitoring and the taking of samples or measurements shall be selected by the committee or representative, as the case may be; or

(b) no committee or representative at a workplace, the employee who observes workplace occupational health or safety monitoring and the taking of samples or measurements shall be selected by the employees.

(3) Every employer shall provide

(a) reasonable notice to an observer of the commencement of the occupational health or safety monitoring and of the taking of samples or measurements undertaken pursuant to subsection (1); and

(b) access to a workplace for the purpose of the observation.

(4) Where an observer requests, the procedure for occupational health or safety monitoring and the taking of samples or measurements shall be identified and explained to the observer.

(5) Where an owner, constructor or contractor performs occupational health or safety monitoring or takes samples or measurements that relate to the health or safety of employees at the workplace,

(a) the owner, constructor or contractor shall provide reasonable notice to all employers at the workplace of the commencement of the occupational health or safety monitoring and of the taking of samples or measurements; and

(b) the requirements of subsections (1) to (4) apply.

(6) Where the monitoring, samples or measurements referred to in subsection (1) are conducted by, or at the request of, an officer, the officer may undertake the monitoring, samples or measurements whether or not notice has been given pursuant to subsection (3) or (5). 1996, c. 7, s. 42; 2010, c. 66, s. 10.

RIGHT TO REFUSE WORK

Right to refuse work and consequences of refusal

43 (1) Any employee may refuse to do any act at the employee's place of employment where the employee has reasonable grounds for believing that the act is likely to endanger the employee's health or safety or the health or safety of any other person until

(a) the employer has taken remedial action to the satisfaction of the employee;

(b) the committee, if any, has investigated the matter and unanimously advised the employee to return to work; or

(c) an officer has investigated the matter and has advised the employee to return to work.

(2) Where an employee exercises the employee's right to refuse to work pursuant to subsection (1), the employee shall

(a) immediately report it to a supervisor;

(b) where the matter is not remedied to the employee's satisfaction, report it to the committee or the representative, if any; and

(c) where the matter is not remedied to the employee's satisfaction after the employee has reported pursuant to clauses (a) and (b), report it to the Division.

(3) At the option of the employee, the employee who refuses to do any act pursuant to subsection (1) may accompany an officer or the committee or representative, if any, on a physical inspection of the workplace, or part thereof, being carried out for the purpose of ensuring others understand the reasons for the refusal.

(4) Notwithstanding subsection 50(8), an employee who accompanies an officer, the committee or a representative, as provided in subsection (3),

shall be compensated in accordance with subsection (7), but the compensation shall not exceed that which would otherwise have been payable for the employee's regular or scheduled working hours.

(5) Subject to any applicable collective agreement, and subsection (3), where an employee refuses to do work pursuant to subsection (1), the employer may reassign the employee to other work and the employee shall accept the reassignment until the employee is able to return to work pursuant to subsection (1).

(6) Where an employee is reassigned to other work pursuant to subsection (5), the employer shall pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued in the employee's normal work.

(7) Where an employee has refused to work pursuant to subsection (1) and has not been reassigned to other work pursuant to subsection (5), the employer shall, until clause (1)(a), (b) or (c) is met, pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued to work.

(8) A reassignment of work pursuant to subsection (5) is not discriminatory action pursuant to Section 45.

(9) An employee may not, pursuant to this Section, refuse to use or operate a machine or thing or to work in a place where

- (a) the refusal puts the life, health or safety of another person directly in danger; or
- (b) the danger referred to in subsection (1) is inherent in the work of the employee. 1996, c. 7, s. 43.

Restriction on assignment of work where refusal

44 Where an employee exercises the employee's right to refuse to work pursuant to subsection 43(1), no employee shall be assigned to do that work until the matter has been dealt with under that subsection, unless the employee to be so assigned has been advised of

- (a) the refusal by another employee;
- (b) the reason for the refusal; and
- (c) the employee's rights pursuant to Section 43. 1996, c. 7, s. 44.

DISCRIMINATORY ACTION

Prohibition of "discriminatory action"

45 (1) In this Section and in Section 46, "discriminatory action" means an action that adversely affects an employee with respect to terms or conditions of employment or any opportunity for employment or promotion and includes

dismissal, layoff, suspension, demotion, transfer of job or location, change in hours of work, coercion, intimidation, imposition of any discipline, reprimand or other penalty including reduction in wages, salary or other benefits, or the discontinuation or elimination of the job of the employee.

(2) No employer or union shall take, or threaten to take, discriminatory action against an employee because the employee has acted in compliance with this Act or the regulations or an order or direction made thereunder or has sought the enforcement of this Act or the regulations or, without limiting the generality of the foregoing, because

(a) of the participation of the employee in, or association with, a committee or the employee has sought the establishment of a committee or performed functions as a committee member;

(b) of the association of the employee with a representative or the employee has sought the selection of a representative or performed functions as a representative;

(c) the employee has refused to work pursuant to subsection 43(1);

(d) the employee has sought access to information to which the employee is entitled by this Act or the regulations, or has been assigned the role of observer pursuant to Section 42;

(e) the employee has testified or is about to testify in any proceeding or inquiry pursuant to this Act or the regulations; or

(f) the employee has given information to the committee, a representative, an officer or other person concerned with the administration of this Act or the regulations with respect to the health and safety of employees at the workplace,

unless the employer or union, as the case may be, establishes that such action is solely motivated by legitimate business reasons.

(3) On an inquiry into a complaint pursuant to Section 46 alleging that there has been a failure by an employer or a union to comply with subsection (2), the burden of proving that there has been no such failure is upon the employer or the union, as the case may be. 1996, c. 7, s. 45.

Right to make complaint or file grievance

46 (1) An employee who complains that

(a) an employer has failed to pay wages, salary, pay or a benefit entitlement required pursuant to

(i) subsection 30(6), 33(5), 42(1), 43(4), 43(6), 43(7) or 50(8), or

(ii) the regulations; or

(b) an employer or a union has taken, or threatened to take, discriminatory action contrary to subsection 45(2),

may

(c) where the employee is not subject to a collective agreement under which the employee is entitled to file a grievance, within thirty days, make a complaint in writing to an officer; or

(d) where the employee is subject to a collective agreement under which the employee is entitled to file a grievance,

(i) have the complaint dealt with by final and binding arbitration under the collective agreement, or

(ii) within thirty days, make a complaint in writing to an officer, if an arbitrator has not seized jurisdiction over the matter under the collective agreement, in which case the matter shall be dealt with by the arbitrator under the collective agreement.

(2) Where an officer receives a complaint pursuant to subsection (1), the officer shall investigate the complaint and

(a) issue an order specifying the provision of this Act or the regulations that has been contravened; or

(b) determine that there are no grounds upon which to issue an order, and so notify the complainant.

(3) Where the officer determines that an employer has failed to pay wages, salary, pay or a benefit entitlement required by a provision referred to in clause (1)(a), the officer's order issued pursuant to clause (2)(a) shall require, by a specified date,

(a) the employer to pay the wages, salary, pay or other benefits required by the provision referred to in clause (1)(a); or

(b) the employer or the union to do the things that, in the opinion of the officer, are necessary to secure compliance with this Act and the regulations.

(4) Where the officer determines that discriminatory action has been taken or threatened against an employee contrary to subsection 45(2), the officer's order issued pursuant to clause (2)(a) shall require, by a specified date,

(a) the employer to reinstate the employee pursuant to the same terms and conditions under which the employee was formerly employed;

(b) the employer to pay any wages, salary, pay or other benefits that the employee would have earned but for the discriminatory action;

(c) that any reprimand or other references to the matter in the employer's records on the employee be removed;

(d) the reinstatement of the employee to the union and the payment by the union to the employee of any wages, salary, pay or other benefits that the employee would have earned but for the discriminatory action; or

(e) the employer or the union to do the things that, in the opinion of the officer, are necessary to secure compliance with this Act and the regulations.

(5) Where an order or decision of an officer made pursuant to clause (2)(a) is not appealed, the decision of the officer is final and binding. 1996, c. 7, s. 46; 2009, c. 24, s. 1.

OFFICERS, INSPECTIONS AND ORDERS

Powers of officers

47 For the purpose of ensuring compliance with this Act and the regulations and any order made thereunder, an officer may

(a) at a reasonable hour of the day or night enter and inspect a workplace, conduct tests and make such examinations as the officer considers necessary or advisable;

(b) require the production of records, drawings, specifications, books, plans or other documents in the possession of the employer that relate to the workplace or the health and safety of employees or other persons at the workplace and remove them temporarily for the purpose of making copies;

(c) require the production of documents or records that may be relevant to the investigation of a complaint pursuant to subsection 46(1), and remove them temporarily for the purpose of making copies;

(d) take photographs or recordings of the workplace and any activity taking place in the workplace;

(e) make any examination, investigation or inquiry as the officer considers necessary to ascertain whether there is compliance with this Act and the regulations and any order made under them;

(f) inspect, take samples and conduct tests of samples, including tests in which a sample is destroyed, of any material, product, tool, equipment, machine or device being produced, used or found at the workplace for which the officer shall be responsible, except for a sample that has been destroyed, until the material, product, tool, equipment, machine or device is returned to the person being inspected;

(g) examine a person with respect to matters pursuant to this Act or the regulations;

(h) for the purposes of an investigation, inquiry or examination made by the officer pursuant to this Act or the regulations, summons to give evidence and administer an oath or affirmation to a person;

(i) in an inspection, examination, inquiry or test be accompanied and assisted by or take with the officer a person having special, expert or professional knowledge of any matter;

(j) exercise such other powers as may be necessary or incidental to the carrying out of the officer's functions pursuant to this Act or the regulations. 1996, c. 7, s. 47.

Powers of peace officer under Summary Proceedings Act

48 While acting under the authority of this Act, an officer has and may exercise, in any part of the Province, all the powers, authorities and immunities of a peace officer under the *Summary Proceedings Act*. 2010, c. 66, s. 11.

Powers of a peace officer under Criminal Code

49 While acting under the authority of this Act, an officer has and may exercise, in any part of the Province, all the powers, authorities and immunities of a peace officer under the *Criminal Code* (Canada). 1996, c. 7, s. 49.

Accompaniment during inspections

50 (1) For the purpose of this Section, "inspection" means a physical inspection of a workplace, or any part or parts of a workplace, pursuant to the powers conferred upon an officer pursuant to Section 47.

(2) Where an officer conducts an inspection,

(a) the employer shall give the representative or an employee member of the committee, if any; and

(b) a representative of the employer shall have,

the opportunity to accompany the officer during the officer's inspection.

(3) Where there is no committee member representing employees or representative available, the officer may select one or more employees who shall accompany the officer during the officer's inspection.

(4) Where a representative or employee member of the committee is unavailable to accompany the officer during the officer's inspection, the officer shall endeavour to consult with a reasonable number of employees during the inspection.

(5) For greater certainty, where

(a) a person referred to in clause (2)(a) or (b) is unavailable to accompany an officer during the officer's inspection; and

(b) in the officer's opinion it is necessary to proceed with the inspection without accompaniment,

the officer may conduct the inspection without accompaniment.

(6) Notwithstanding subsections (2) and (3) and subject to subsection (7), an officer may question any person who is or was in a workplace either separate and apart from another person or in the presence of any other person regarding anything that is or may be relevant to the officer's inspection, examination, investigation, inquiry or test.

(7) The individual who is questioned pursuant to subsection (6) may request to be accompanied and may be accompanied by another person during the questioning.

(8) Subject to subsection 43(4), time spent by a committee member, representative or employee in accompanying or consulting with an officer during an inspection is deemed to be work time for which the committee member, representative or employee shall be paid by the employer at the applicable rate. 1996, c. 7, s. 50.

Power to issue stop orders

51 Where an officer determines that any device, equipment, machine, material or thing to be used by an employee or self-employed person

(a) is unsafe; or

(b) does not comply with the standards prescribed by this Act or the regulations,

the officer may order the supplier or any other person to stop selling, renting, leasing or otherwise supplying the device, equipment, machine, material or thing to any employer, employee or self-employed person. 1996, c. 7, s. 51.

Power to require reports, assessments and tests

52 Where

(a) an officer determines that there may be a risk to health or safety; and

(b) an employer, owner, contractor or constructor fails to establish that it would not be reasonably practicable to carry out the order,

the officer may order, at the expense of the employer, owner, contractor or constructor that the employer, owner, contractor or constructor, as the case may be,

(c) obtain a report or assessment from a person who possesses such special expert or professional knowledge or qualifications as are specified by the officer for the purpose of determining whether any biological, chemical or physical agent, material, equipment, machine, device, article, thing or procedure, in or about a workplace, conforms with this Act or the regulations or good professional practice; and

(d) cause any tests necessary to the production of the report or assessment to be conducted or taken. 1996, c. 7, s. 52.

Power to require workplace details

52A (1) Notwithstanding any other provision of this Act, where

(a) a person has repeatedly contravened this Act or the regulations or failed to comply with an order made pursuant to this Act or the regulations;

(b) the contravention or failure posed a risk of serious injury or death to a person; and

(c) the Director has reasonable grounds for believing that the person may in the future further contravene the Act or the regulations or fail to comply with an order made pursuant to this Act or the regulations, in the same or in a similar manner, at the same or at another workplace,

the Director may make an order, in writing, directing the person to provide

(d) details regarding the nature of the work to be conducted or expected to be conducted by that person or an employee of that person; and

(e) the address or location of the workplace at which the work is to be conducted.

(2) An order made pursuant to subsection (1) expires three months from the date it is made unless, before its expiry, it is renewed for a further three-month period by the Director.

(3) There is no limit on the number of times an order made pursuant to subsection (1) may be renewed, provided it is renewed each time before its expiry.

(4) During the time an order issued pursuant to subsection (1) is in effect, the Director may request further updated information from the person against whom the order was made. 2016, c. 14, s. 2.

Prohibition against disclosure of certain information

53 Except in accordance with this Act and the regulations, a person who, at the request of an officer, makes an examination, inquiry or a test pursuant to clause 47(i) shall not publish, disclose or communicate to a person any information, material, statement, report or result of any examination, test or inquiry acquired, furnished, obtained, made or received under the powers conferred pursuant to this Act or the regulations, and, for greater certainty, subsection 61(3) applies. 1996, c. 7, s. 53.

Service of notice of decision and right to appeal**54** Where

(a) an officer conducts an investigation of a work refusal by an employee pursuant to subsection 43(1) and the employee or employer is not satisfied with the advice provided by the officer or the failure to provide advice; or

(b) a complaint of an alleged contravention of this Act or the regulations is investigated by an officer and the officer does not issue an order that, in the opinion of the complainant, is necessary for the health or safety of persons at the workplace,

and the employee, employer or complainant so requests, the officer shall serve the employee, employer or complainant, as the case may be, in writing, with notice of the officer's decision and, where the employee, employer or complainant is an aggrieved person, the employee, employer or complainant may appeal the decision pursuant to Section 69. 1996, c. 7, s. 54; 2013, c. 41, s. 4.

Orders and consequences of orders

55 (1) An officer may give an order orally or in writing to a person for the carrying out of any matter or thing regulated, controlled or required by this Act or the regulations, and may require that the order be carried out within such time as the officer specifies.

(2) Where an officer makes an oral order pursuant to this Section, the officer shall confirm the oral order in writing.

(3) For greater certainty, an oral order is effective pursuant to this Act before it is confirmed in writing.

(4) Where an officer makes an order pursuant to subsection (1) and finds that the matter or thing referred to therein is a source of danger or a hazard to the health or safety of a person at the workplace, the officer may order that

(a) any place, device, equipment, machine, material or thing not be used until the order is complied with;

(b) work at the workplace or any part of the workplace stop until the order to stop work is withdrawn or cancelled by an officer;

(c) the workplace or any part of the workplace be cleared of persons and isolated by barricades, fencing or any other means suitable to prevent access thereto until the danger or hazard is removed.

(4A) Subject to the approval of the Director, where an order is made against an employer pursuant to clause (4)(b) or (c), and where

(a) that employer has repeatedly contravened this Act or the regulations or failed to comply with an order made pursuant to this Act or the regulations; and

(b) the contravention or failure posed a risk of serious injury or death to a person,

an officer may, where the officer has reasonable grounds for believing that the same or similar source of danger or hazard to the health or safety of a person exists or will exist at another of the employer's workplaces or at any part of that workplace, make an order

(c) requiring that work at another of the employer's workplaces or at any part of that workplace stop until the order to stop work is withdrawn or cancelled by an officer;

(d) requiring that another of the employer's workplaces or any part of that workplace be cleared of persons and isolated by barricades, fencing or any other means suitable to prevent access thereto until the danger or hazard is removed; or

(e) prohibiting the employer from starting work at another workplace or any part of that workplace.

(4B) When making an order pursuant to subsection (4A), the officer is not required to specify the address of the workplace or any part of the workplace that is the subject of the order.

(5) Where an order is made pursuant to clause (4)(c) or (4A)(d), no employer or supervisor shall require or permit an employee to enter the workplace or part of the workplace that is the subject of the order except for the purpose of doing work that is necessary or required to remove the danger or the hazard and only where the employee is protected from the danger or the hazard.

(6) Where an officer issues an order pursuant to this Section, the officer may affix to the workplace or to any device, equipment, machine, material or thing a copy or notice of the order and no person except an officer shall remove the copy or notice unless authorized to do so by an officer. 1996, c. 7, s. 55; 2016, c. 14, s. 3.

Compliance notices and determination of compliance

56 (1) Where an officer makes an order pursuant to this Act or the regulations, unless the officer records in the order that compliance with the order was achieved before the officer left the workplace, the person against whom an order is made shall submit to the officer a compliance notice within the time specified in the order.

(2) Where a compliance notice is required pursuant to subsection (1), the officer shall specify in the order the time within which the person against whom the order is made shall submit the compliance notice to the officer.

(3) Notwithstanding the submission of a compliance notice, a person against whom an order is made achieves compliance with an order made pursuant to this Act or the regulations when an officer determines that compliance is achieved. 1996, c. 7, s. 56.

Prohibition against interference with officer

57 (1) No person shall hinder, obstruct, molest or interfere with an officer in the exercise of a power or the performance of a duty pursuant to this Act or the regulations.

(2) No person shall knowingly furnish an officer with false information or neglect or refuse to furnish information required by an officer in the exercise of the officer's powers or performance of the officer's duties pursuant to this Act or the regulations.

(3) A person who

(a) wilfully delays an officer in the exercise of the officer's powers or the performance of the officer's duties pursuant to this Act or the regulations; or

(b) fails to comply with a direction or summons of an officer given pursuant to this Act or the regulations or to produce any certificate or document that the person is required by this Act or the regulations to produce,

is guilty of obstructing the officer in the exercise of the officer's powers or the performance of the officer's duties pursuant to this Act.

(4) A person shall furnish all necessary means in that person's power to facilitate any entry, inspection, examination, testing or inquiry by an officer in the exercise of the officer's powers or performance of the officer's duties pursuant to this Act or the regulations. 1996, c. 7, s. 57.

CHEMICAL SAFETY**Restriction on use of chemicals**

58 Where a biological, chemical or physical agent or a combination of such agents is used or intended to be used in the workplace and its presence in the workplace or the manner of its use is, in the opinion of the Director, likely to endanger the health or safety of an employee, the Director may, by notice in writing to the employer, constructor, contractor or self-employed person, order that

(a) labelling be utilized to identify at least the presence and composition, including common or generic names, of the biological, chemical or physical agent, the risks associated with its use and the measures to be taken in case of emergency;

(b) the use, intended use, presence or manner of use be

(i) prohibited,

(ii) limited or restricted in such manner as the Director specifies,

(iii) subject to such conditions regarding administrative control, work practices, engineering control and time limits for compliance as the Director specifies; or

(c) labelling be in accordance with applicable federal and Provincial regulations. 1996, c. 7, s. 58.

Duty of employer to prepare list of chemicals

59 (1) Subject to Section 61, unless the employer has received from the Director specific written direction to the contrary and the direction has not been revoked by the Director, the employer shall prepare a list of all chemical substances regularly used, handled, produced or otherwise present at the workplace that may be a hazard to the health or safety of the employees or that are suspected by the employees of being such a hazard, and the list shall identify all chemical substances by their common or generic names where they are known to the employer.

(2) The list referred to in subsection (1) shall include the trade name and the address of the supplier and manufacturer of any chemical substance, the chemical composition or common or generic name of which is unknown to the employer.

(3) The employer shall advise the committee at the workplace or the representative, if any, of the list referred to in this Section and any amendments to the list and, where there is no committee or representative, the employer shall advise the employees, the union, if any, a self-employed person and an officer upon request by any of them. 1996, c. 7, s. 59.

Duties of suppliers and manufacturers

60 (1) A supplier or manufacturer of a chemical substance shall, at the request of the Director, provide the following information with respect to a chemical substance referred to in subsection 59(1):

- (a) the ingredients and their common or generic name or names;
- (b) the composition and properties;
- (c) the toxicological effect of the chemical substance;
- (d) the effect of exposure to the chemical substance, whether by contact, inhalation or ingestion;
- (e) the protective measures used or to be used regarding the chemical substance; and
- (f) the emergency measures used or to be used to deal with exposure to the chemical substance.

(2) Where a supplier or manufacturer fails to provide the information referred to in subsection (1) within such time as is specified by the Director, the chemical substance for which the information has been requested is deemed to be an unsafe material and an order may be made pursuant to Section 51. 1996, c. 7, s. 60.

TRADE SECRETS

Extent of right to withhold trade secrets

61 (1) Notwithstanding anything contained in this Act or the regulations, an employer, a supplier or a chemical manufacturer may withhold trade secrets or information that might disclose a trade secret and the identity of a specific chemical, including the chemical name and other specific identification of a hazardous chemical, provided that the specific chemical identity is made available to health professionals in accordance with the procedures established by regulations made pursuant to this Act.

- (2)** Where a treating physician or nurse determines that
- (a) a medical emergency exists; and
 - (b) the specific chemical identity of a hazardous chemical is necessary for emergency or first-aid treatment,

an employer, a supplier or a chemical manufacturer shall immediately disclose the specific chemical identity of a trade secret chemical to the treating physician or nurse regardless of the existence of a written statement of need or a confidentiality agreement, but the employer, supplier or chemical manufacturer may require a written statement of need and confidentiality agreement in accordance with regulations made pursuant to this Act as soon as circumstances permit.

(3) Notwithstanding Section 35, no person shall publish, disclose or communicate to a person a secret manufacturing process or trade secret acquired, furnished, obtained or received pursuant to this Act or the regulations. 1996, c. 7, s. 61.

MEDICAL INFORMATION

Disclosure of medical information

62 (1) Notwithstanding Section 35, no person shall disclose information obtained in a medical examination, test, X-ray or hospital record of an employee made, taken or provided pursuant to this Act except in a form calculated to prevent the information from being identified with a particular person or case or with the permission of the employee.

- (2)** No person to whom information is communicated in confidence pursuant to this Act or the regulations
- (a) shall divulge the information, except in accordance with this Act and the regulations;
 - (b) is competent or compellable to divulge the information before a court or other tribunal or in any other proceeding. 1996, c. 7, s. 62.

ACCIDENTS

Notice of accident at the workplace

63 (1) The employer shall notify the Director

(a) as soon as possible, but in no case later than twenty-four hours, after a fire, flood or accident at the workplace that causes

- (i) unconsciousness,
- (ii) a fracture of the skull, spine, pelvis, arm, leg, ankle, wrist or a major part of the hand or foot,
- (iii) loss or amputation of a leg, arm, hand, foot, finger or toe,
- (iv) a third degree burn to any part of the body,
- (v) loss of sight in one or both eyes,
- (vi) asphyxiation or poisoning,
- (vii) any injury that requires the admission to hospital, or
- (viii) any injury that endangers the life,

of an employee, unless the injury can be treated by immediate first aid or medical treatment and the person can return to work the following day;

(b) as soon as possible, but in no case later than twenty-four hours, after

- (i) an accidental explosion,
- (ii) a major structural failure or collapse of a building or other structure,
- (iii) a major release of a hazardous substance, or
- (iv) a fall from a work area in circumstances where fall protection is required by the regulations,

at the workplace, whether any person is injured or not; and

(c) immediately when a person is killed from any cause, or is injured from any cause in a manner likely to prove fatal, at the workplace.

(2) A true copy of the notice of accident required to be given by an employer to the Workers' Compensation Board, pursuant to the *Workers' Compensation Act*, may be delivered to the Director as sufficient notice pursuant to this Section if it is delivered within the time required in subsection (1).

(3) Where notice is required to be sent to the Director pursuant to this Section, the employer shall notify the committee or representative at the workplace, if any. 1996, c. 7, s. 63; 2010, c. 66, s. 12; 2016, c. 14, s. 4.

Disturbance of accident scene

64 Except as otherwise directed by an officer, no person shall disturb the scene of an accident to which subsection 63(1) applies except as is necessary to

- (a) attend to persons injured or killed;
- (b) prevent further injuries; or
- (c) protect property that is endangered as a result of the accident.

1996, c. 7, s. 64; 2016, c. 14, s. 5.

Duty to disclose accident information

65 Every person present at an accident when it occurred or who has any information relating to the accident shall, upon the request of an officer, provide to the officer such information respecting the accident as the officer requests. 1996, c. 7, s. 65.

CODE OF PRACTICE

Power to require code of practice

66 (1) The Director may, in writing, require an employer to establish a code of practice or adopt a code of practice specified by the Director.

(2) A code of practice established or adopted pursuant to subsection (1) may be revised or required to be revised from time to time by the Director. 1996, c. 7, s. 66.

APPEALS

Review of order or decision

67 (1) For the purpose of this Section and subsection 69(2), “alter” means vary, revoke or suspend the order or decision of an officer or make any order or decision that an officer may make under this Act or the regulations.

- (2)** Subject to the regulations, the Director may
 - (a) on the Director’s own motion, review an order or decision of an officer; and
 - (b) by order, alter an order or decision of an officer after first consulting with the officer.

(3) When reviewing an order or decision of an officer, the Director may consider new information that was not available to the officer when the officer made the order or decision.

(4) The Director is not disqualified from reviewing an order or decision by reason only that the Director, in the course of performing the Director’s powers, duties or functions pursuant to this Act, receives information regarding or communicates with a person concerning the matter to which the order or decision relates.

(5) An order of the Director made pursuant to clause (2)(b) that is not appealed pursuant to subsection 69(1) is final and binding.

(6) Subject to the regulations, where the Director alters an order or decision of an officer after reviewing it, the Director shall provide a copy of the Director's order to

- (a) the employer;
- (b) the person to whom the officer's order or decision was issued;
- (c) the Board, if the Director's order is issued after the filing of a notice of appeal under subsection 69(2); and
- (d) an aggrieved person, other than a person referred to in clauses (a) and (b), who has filed a notice of appeal, if the Director's order is issued after the filing of a notice of appeal under subsection 69(2),

and the employer shall communicate the order in accordance with subsection 39(1). 2013, c. 41, s. 5.

67A *repealed 2013, c. 41, s. 5.*

Labour Board

68 (1) The Board shall hear all appeals filed under this Act and the regulations.

(2) *repealed 2013, c. 41, s. 6.*

(3) Persons appointed to a panel of the Board constituted in accordance with subsection (1) must have knowledge and experience in matters of occupational health and safety.

(4) to (8) *repealed 2010, c. 37, s. 120.*

(9) The Director has standing as a party in any case that is appealed to the Board pursuant to this Act or the regulations.

(10) and (11) *repealed 2010, c. 37, s. 120.*

1996, c. 7, s. 68; 2009, c. 24, s. 4; 2010, c. 37, s. 120; 2010, c. 66, s. 14; 2013, c. 41, s. 6.

Right to appeal and consequences of appeal

69 (1) Subject to the regulations and subsection (2), an aggrieved person may appeal

- (a) an order made by an officer pursuant to this Act or the regulations;

- (b) the decision of an officer not to issue an order;
- (c) the decision of an officer to advise an employee to return to work or the decision to provide no advice, pursuant to clause 43(1)(c);
- (d) an order made by the Director pursuant to this Act or the regulations;
- (e) any decision for which a right of appeal is provided in the regulations.

(2) Where an order or decision of an officer is appealed to the Board and the Director subsequently alters the decision in accordance with subsection 67(2), the appeal of the order or decision of the officer is terminated.

(2A) Subject to the regulations, an appeal pursuant to subsection (1) is initiated by filing a notice of appeal with the Board within thirty days after the order or decision is served on the recipient.

(3) Subject to the regulations, a notice of appeal filed pursuant to subsection (2) shall

- (a) identify and state the order or decision appealed from;
- (b) set out the grounds of the appeal and the relief requested, including any request for the suspension of all or a portion of the order or decision appealed from; and
- (c) include any other information required pursuant to the regulations.

(4) Subject to the regulations, where the aggrieved person who appeals pursuant to subsection (1) has sufficient authority in the workplace to ensure that the notice of appeal is posted, the aggrieved person shall post a copy of the notice and, where the aggrieved person does not have such authority, the aggrieved person shall serve a copy of the notice on the employer and the employer shall communicate it in accordance with subsection 39(1).

- (5)** Subject to the regulations, on receipt of a notice of appeal,
- (a) the Board shall forthwith provide a copy of the notice of appeal to the Director; and
 - (b) the Board shall hold a hearing, either orally or by way of written submissions, that provides any aggrieved persons who have so requested the opportunity to present evidence and make representations, in accordance with the regulations.

(6) Subject to the regulations, the Board may, by order, confirm, vary, revoke or suspend the order or decision appealed from or make any order that an officer is empowered to make pursuant to this Act.

(7) Subject to subsection (8) and the regulations, an appeal of an order or decision pursuant to subsection (1) does not suspend the operation of the order or decision.

(8) Subsection (7) does not apply to an appeal of an order of an officer or the Director regarding a provision referred to in subsection 46(1).

(9) Notwithstanding subsection (7) but subject to the regulations, the Board may order the suspension of the operation of an order or decision until the appeal is disposed of.

(10) Subject to the regulations, the Board shall provide a copy of its decision to

- (a) the employer;
- (b) the aggrieved person who appealed;
- (c) any other aggrieved person who has made representations in relation to the matter appealed; and
- (d) the Director,

and the employer shall communicate the decision in accordance with subsection 39(1). 1996, c. 7, s. 69; 2007, c. 14, s. 7; 2009, c. 24, s. 5; 2010, c. 37, s. 121; 2010, c. 66, s. 15; 2011, c. 24, s. 5; 2013, c. 41, s. 7.

Appeals may be heard together

69A Subject to the regulations, where an aggrieved person has more than one appeal made pursuant to the Act or the regulations pending before the Board, the Board may hear the appeals together but shall render a separate decision for each appeal. 2013, c. 41, s. 8.

Jurisdiction of Board and court review

70 (1) Subject to subsection (2), the Board has exclusive jurisdiction to determine all questions of

- (a) law respecting this Act;
- (b) fact; and
- (c) mixed law and fact,

that arise in any matter before it, and a decision of the Board is final and binding and not open to review except for error of law or jurisdiction.

- (2) The review of a decision of the Board shall be conducted
 - (a) by the Nova Scotia Court of Appeal, and only with leave of that Court; and
 - (b) with recognition that a panel of the Board is constituted ~~is established~~, for the purpose of this Act, as an expert body.

(3) The Director has standing as a party in a review conducted pursuant to subsection (2). 1996, c. 7, s. 70; 2010, c. 37, s. 122.

ENFORCEMENT

Registration of decision or order with Supreme Court

71 (1) A final decision or order of an arbitrator, an officer, the Director or the Board regarding a claim arising from subsection 30(6), 33(5), 42(1), 43(4), 43(6), 43(7), 45(2) or 50(8) or subclause 46(1)(a)(ii) may, for the purpose of enforcement thereof, be registered with the Supreme Court of Nova Scotia and shall be enforced in the same manner as a judgment of that Court.

(2) To register a final decision or final order referred to in subsection (1) with the Supreme Court of Nova Scotia, the Director may make a certified copy of the decision or order, upon which shall be made the following endorsement, signed by the Director:

Register the within with the Supreme Court of Nova Scotia.

Dated this day of , 19.....

.....
Director

(3) The Director may forward the certified copy referred to in subsection (2), so endorsed, to a prothonotary of the Supreme Court of Nova Scotia who shall, on receipt of the certified copy, enter it as a record and it shall thereupon be registered with the Supreme Court and enforceable as a judgment of that Court.

(4) Where a decision or order referred to in subsection (1) is registered with the Supreme Court of Nova Scotia, a subsequent decision or order rescinding or varying the first-mentioned decision or order may, in the same manner, be registered with the Supreme Court and enforced in the same manner as a judgment of the Supreme Court. 1996, c. 7, s. 71; 2010, c. 37, s. 123.

Enforcement of final decision or order

72 (1) The Director may request the Director of Labour Standards to enforce a final decision or order of an officer, the Director or the Board regarding a complaint that an employer has failed to pay wages, salary, pay or a benefit entitlement required pursuant to subsection 30(6), 33(5), 42(1), 43(4), 43(6), 43(7), 45(2) or 50(8) or subclause 46(1)(a)(ii).

(2) A decision or order referred to in subsection (1) shall, for the purpose of enforcement pursuant to subsection (1), be made an order of the Board pursuant to the *Labour Standards Code* and may be enforced in the same manner as an order of the Labour Standards Tribunal may be enforced.

(3) To make a final decision or order an order of the Board pursuant to the *Labour Standards Code*, the Director shall make a certified copy of the

decision or order, upon which shall be made the following endorsement, signed by the Director:

Make the within an order of the Labour Board.

Dated this day of, 19.....

.....
Director

and the Director shall forward the certified copy, so endorsed, to the Director of Labour Standards and the Board.

(4) The Director of Labour Standards may enforce a final decision or order referred to in subsection (1) as if the decision or order were an order made by the Board under Section 26 of the *Labour Standards Code* and, for greater certainty, Sections 87, 88, 89A, 90 and 90A of the *Labour Standards Code* apply *mutatis mutandis*.

(5) Where the Director

(a) provides the Director of Labour Standards with a certified copy of an order of an officer, the Director or the Board regarding a complaint that an employer has failed to pay wages, salary, pay or a benefit entitlement required pursuant to subsection 30(6), 33(5), 42(1), 43(4), 43(6), 43(7), 45(2) or 50(8) or subclause 46(1)(a)(ii), whether the order is final or not; and

(b) requests the Director of Labour Standards to treat the order as a complaint pursuant to Section 81 of the *Labour Standards Code*,

the Director of Labour Standards may exercise the power set out in Section 85(1) of the *Labour Standards Code* and subsections 85(2), 85(3), 85(3A) and 85(4) of the *Labour Standards Code* apply.

(6) Any money received by the Board pursuant to the *Labour Standards Code* as a result of a request made by the Director pursuant to clause 5(b) shall be held in trust by the Board for the employer concerned.

(7) Where

(a) the appeal period has expired; or

(b) any appeal has been disposed of,

whichever is later, regarding an order or decision of an officer, the Director or the Board respecting payment, by the employer to the employee, of money held in trust pursuant to subsection (6), the Board shall pay the employee from the trust money up to the amount specified in the order and the surplus, if any, shall be paid to the employer.

(8) Where a decision is made an order of the Board pursuant to the *Labour Standards Code*, a decision or order rescinding or varying the first-

mentioned decision is deemed to rescind or vary the order of the Board and may be made an order of the Board in accordance with this Section. 1996, c. 7, s. 72; 2010, c. 37, s. 124.

Power to arrest

73 (1) A police officer who has reasonable and probable grounds to believe that a person is failing to comply with an order issued pursuant to subsection 55(4) may arrest the person without warrant and shall take the person before a justice as soon as practicable.

(2) A person taken before a justice pursuant to subsection (1) is entitled to an immediate hearing but, if a hearing cannot then be had, the person shall be released from custody on giving a personal undertaking to appear to answer to the charge at such time and place as shall then be fixed by the justice.

(3) A police officer who arrests a person pursuant to subsection (1) shall promptly inform the person of the reason for the arrest and of the right to retain and instruct counsel without delay. 1996, c. 7, s. 73.

Offences and penalties

- 74 (1)** A person who
- (a) contravenes this Act or the regulations; or
 - (b) fails to comply with
 - (i) an order or direction made pursuant to this Act or the regulations, or
 - (ii) a provision of a code of practice adopted pursuant to Section 66,

is guilty of an offence and liable on summary conviction to a fine as set out in subsections (1A) and (1B), or to a term of imprisonment not exceeding two years, or to both a fine and imprisonment.

(1A) A person is liable

- (a) to a fine of not more than two hundred and fifty thousand dollars; or
- (b) for a second or subsequent offence, within five years from the date of conviction for a previous offence, to a fine of not more than five hundred thousand dollars.

(1B) Notwithstanding subsection (1A), where the offence resulted in a fatality, the person is liable to a fine of not more than five hundred thousand dollars.

(2) In addition to a fine imposed pursuant to subsection (1A), (1B) or (3), the court may impose a fine not exceeding twenty-five thousand dollars for each additional day during which the offence continues.

(3) Where a person is convicted of an offence pursuant to this Act and the court is satisfied that, as a result of the commission of the offence, monetary benefits accrued to the offender, the court may order the offender to pay, in addition to a fine imposed pursuant to subsection (1A), (1B) or (2), a fine in an amount equal to the estimation by the court of the amount of the monetary benefits. 1996, c. 7, s. 74; 2011, c. 24, s. 6.

Powers of court on conviction

75 (1) Where a person is convicted of an offence pursuant to this Act[,] in addition to a fine imposed pursuant to Section 74 and; in addition to any other punishment that may be imposed pursuant to this Act, the court may, having regard to the nature of the offence and the circumstances surrounding its commission, make an order

(a) directing the offender to publish, in the manner prescribed, the facts relating to the offence;

(b) directing the offender to pay to the Minister an amount for the purpose of occupational health and safety initiatives including, but not limited to, public education;

(c) on application by the Director made within three years after the date of conviction, directing the offender to submit to the Director such information with respect to the activities of the offender as the court considers appropriate and just in the circumstances;

(d) directing the offender to perform community service, subject to such reasonable conditions as may be imposed in the order;

(e) directing the offender to provide such bond or pay such amount of money into court as will ensure compliance with an order made pursuant to this Section;

(f) requiring the offender to comply with such other reasonable conditions as the court considers appropriate and just in the circumstances for securing the offender's good conduct and for preventing the offender from repeating the same offence or committing other offences.

(1A) *repealed 2011, c. 24, s. 7.*

(2) Where an offender fails to comply with an order made under clause (1)(a) directing the publication of the facts relating to the offence, the Director may publish the facts in compliance with the order and recover the costs of publication from the offender.

(3) Where the court makes an order pursuant to clause(1)(b) directing the offender to pay an amount for the purpose of occupational health and safety initiatives or the Director incurs publication costs pursuant to subsection (2), the amount or costs constitutes a debt due to Her Majesty in right of the Province and may be recovered as such in a court of competent jurisdiction.

(4) An order made pursuant to subsection (1) comes into force on the day on which it is made or on such other day as the court may order and shall not continue in force for more than three years after that day. 1996, c. 7, s. 75; 2010, c. 66, s. 16; 2011, c. 24, s. 7.

Injunction

- 75A (1)** Where the Director has reasonable grounds for believing that
- (a) a person has repeatedly contravened this Act or the regulations or failed to comply with an order made pursuant to this Act or the regulations;
 - (b) the contravention or failure posed a risk of serious injury or death to a person; and
 - (c) the person is or is likely to contravene this Act or the regulations or fail to comply with an order made pursuant to this Act or the regulations,

the Director may apply to a judge of the Supreme Court of Nova Scotia for an injunction to do one or more of the following:

- (d) restrain the person from committing or continuing the contravention;
- (e) require the person to comply with the order;
- (f) restrain the person from carrying on an industry or an activity in an industry for a specific period or until such time as a specific event occurs,

and, where the judge considers it just, the judge may grant the injunction.

(2) The application referred to in subsection (1) must be made in accordance with the *Nova Scotia Civil Procedure Rules*.

(3) For the purpose of subsection (1), a person includes an officer, director, shareholder or another person who participates in the management and who influences the decisions of a corporation that is the subject of an application made pursuant to subsection (1), but does not include

- (a) a lawyer, an accountant or other professional whose primary participation in the management of the corporation is the provision of professional services to the corporation; or
- (b) a receiver or trustee appointed by a court to manage the corporation.

(4) A judge may, on motion, grant an interim injunction pending the hearing of an application for an injunction made pursuant to subsection (1).

(5) Where satisfied that it is fit and just to protect the health and safety of any person, a judge may grant an interim injunction pursuant to subsection (4) on an *ex parte* motion.

(6) An application may be made pursuant to subsection (1) notwithstanding any penalty that may be imposed pursuant to this Act. 2016, c. 14, s. 6.

Deemed act or omission of employer

76 (1) In a proceeding or prosecution against an employer pursuant to this Act or the regulations, the act or omission of a manager, a superintendent or another person who exercises management functions for the employer is deemed to be the act or omission of the employer.

(2) Notwithstanding subsection (1), the act or omission of a manager, a superintendent or another person who exercises management functions for the employer is not the act or omission of the employer where it is proven that the employer took every precaution reasonable in the circumstances to ensure that the act or omission would not occur and the employer

(a) did not have actual knowledge of, or could not reasonably have known of, the act or omission; and

(b) did not expressly or impliedly consent to the act or omission. 1996, c. 7, s. 76.

Participation in offence

77 An officer, director, manager or agent of a corporation who directs, authorizes, assents to, acquiesces or participates in the commission of an offence pursuant to this Act is guilty of that offence. 1996, c. 7, s. 77.

Immunity from civil action

78 No action lies or shall be instituted against an officer, a committee, a member of a committee, a representative, the Director, the Board, a member of the Board or the Director of Labour Standards where that person or body is acting pursuant to the authority of this Act or the regulations for any loss or damage suffered by a person because of an act or omission done in good faith by the person or body

(a) pursuant to, or in the exercise or supposed exercise of, a power conferred by this Act or the regulations; or

(b) in the carrying out, or supposed carrying out, of a function or duty imposed by this Act or the regulations. 1996, c. 7, s. 78; 2007, c. 14, s. 7; 2010, c. 37, s. 125.

Limitation period for prosecution

79 A prosecution for an offence pursuant to this Act shall not be commenced more than two years after the later of

(a) the date on which the offence was committed; or

(b) the date on which evidence of the offence first came to the attention of an officer. 1996, c. 7, s. 79.

Analysts

80 (1) The Minister may appoint as an analyst any person who, in the opinion of the Minister, has the qualifications and experience to be so appointed and an analyst shall perform such functions and carry out such duties as may be determined by regulation.

(2) No document of an analyst may be received in evidence unless the party intending to produce it has given to the party against whom it is intended to be produced reasonable notice of that intention together with a copy of the document.

(3) The party against whom a document of an analyst is produced may, with leave of the court, require the attendance of the analyst for the purpose of cross-examination. 1996, c. 7, s. 80.

Proof of orders and other documents

81 In any proceeding or prosecution pursuant to this Act or the regulations,

(a) a copy of an order, decision, notice, report or certificate purporting to have been made or issued pursuant to this Act or the regulations and purporting to have been signed by a person authorized to make or issue the order, decision, notice, report or certificate;

(b) a document purporting to be a copy of a notice, drawing, record or other document, or any extract therefrom, given or made pursuant to this Act or the regulations and purporting to be certified by an officer or an analyst;

(c) a document purporting to certify the result of a test or an analysis of a sample of air and setting forth the concentration or amount of a biological, chemical or physical agent in a workplace, or part of a workplace, and purporting to be certified by an officer or an analyst;

(d) a document purporting to certify the result of a test or an analysis of any equipment, machine, device, article, thing or substance and purporting to be certified by an officer or an analyst;

(e) a document purporting to be signed by the Director stating that a report, request, notice or order was or was not given or received;

(f) a document purporting to be signed by a person authorized pursuant to this Act or the regulations to issue a certificate of examination or authorize a deviation, stating that on a specified day or during a specified period a person named in the document was or was not the holder of a certificate of examination or authorized for a deviation of regulations pursuant to this Act;

(g) a document setting out with reasonable particularity the conviction and sentence of a person for an offence pursuant to this Act or the regulations purporting to be signed by

(i) the person who made the conviction, or

(ii) the prothonotary or clerk of the court in which the conviction was made,

shall be admitted in evidence as *prima facie* proof of the order, decision, notice, report, certificate or document and the contents of the order, decision, notice, report, certificate or document, without proof of the signature or official character of the person appearing to have signed the order, decision, notice, report, certificate or document, as the case may be. 1996, c. 7, s. 81; 2013, c. 41, s. 9.

REGULATIONS

Regulations

82 (1) The Governor in Council may make such regulations as the Governor in Council considers necessary or advisable for the purpose of this Act or to ensure the health or safety of all persons at a workplace and, without limiting the generality of the foregoing, the Governor in Council may make regulations

(a) requiring an employer or class of employers to prepare a written policy or a written program;

(b) setting out the health or safety standards to be established and complied with at workplaces or classes of workplaces;

(c) establishing conditions regarding the design, construction and use of plants or undertakings in order to protect the health and safety of employees;

(d) prescribing standards or codes for devices, equipment, machines, material and things or adopting by reference all or part of a standard or code, as the edition adopted is amended from time to time, or any change thereto, in whole or in part, with such modifications and additions as may be specified in the regulations, and providing for the prohibition of the use, sale, rental, lease or supply of any devices, equipment, machines, materials or things that do not comply with the prescribed or adopted standards or codes;

(e) prohibiting or controlling the manufacture, supply, storage, handling or use of any device, equipment, machine, chemical, biological or physical agent or material in order to protect the health or safety of employees;

(f) respecting the safe use of any device, equipment, machine, material or thing;

(g) imposing requirements regarding the testing, labelling or examination of any material that may affect the health and safety of employees;

(h) requiring the making of arrangements by employers for measuring and monitoring the atmospheric or other conditions of workplaces;

- (i) requiring the use of certain protective devices, equipment or clothing by persons at a workplace or class of workplaces;
- (j) requiring the making of arrangements by employers for the prevention of occupational disease and for securing the health of employees including, but not limited to, arrangements for medical examinations and health surveys;
- (k) requiring and governing medical facilities or first-aid facilities to be located at workplaces;
- (l) prescribing
 - (i) the making of reports by committees,
 - (ii) procedures for the operation of committees including, but not limited to, minimum requirements for the contents of, and a retention period for, minutes and records of committees,
 - (iii) the activities that may be carried on by committees or representatives within the functions described in subsection 31(1) or 33(6);
- (m) altering the frequency of committee meetings required pursuant to this Act;
- (n) prescribing additional requirements for the training of committee members or representatives including, but not limited to, requiring employers or classes of employers to provide for and pay for the training;
- (o) increasing or decreasing the period of employment to be considered in a determination of the number of persons regularly employed at a workplace;
- (p) excluding any profession, employee, employer, workplace, project, owner, occupation, industry, self-employed person or dependent contractor from all or part of the application of this Act or the regulations;
- (q) designating occupations as hazardous occupations;
- (r) determining the amount, manner and method of payments out of the Accident Fund;
- (s) defining education and research to be paid for out of the Accident Fund;
- (sa) determining the manner in which payment is to be made to the Minister pursuant to clause 75(1)(b);
- (t) prescribing educational institutions or classes of educational institutions for which the curricula must include instruction in the principles of occupational health and safety contained in this Act;

- (u) designating agencies, divisions or parts of other departments of the Government, or any other body constituted by an enactment, and their employees, to become part of the Division;
- (v) prescribing the type of information to be transferred, the form in which information shall be transferred and the frequency of transfer of the information to be exchanged between the Division and the Workers' Compensation Board;
- (w) prescribing records to be kept by employers and submitted to the Division;
- (x) requiring the making of reports by employers to the Division;
- (y) requiring the filing of drawings, layouts and specifications;
- (z) prescribing information required to be provided by owners and the manner and form of its communication;
- (aa) imposing requirements on health insurers and health-care agencies to provide to the Division statistical reports regarding occurrences of injury and disease arising from employment;
- (ab) prescribing procedures with respect to disclosure of information that is considered trade secrets;
- (ac) prescribing confidentiality protection for trade secrets;
- (ad) respecting the publication and distribution in the workplace of this Act and the regulations made pursuant to this Act;
- (ada) respecting the Director's ability to review and alter an order or decision of an officer under subsection 67(2);
- (ae) restricting the performance of certain tasks to persons having certain qualifications;
- (af) prescribing the duties and functions of analysts;
- (ag) establishing boards of examiners for the certification of occupational qualifications and providing processes for the issuance and revocation of certificates of examination;
- (ah) altering the standard or processes according to which an application for a deviation from regulations must be considered pursuant to this Act;
- (ai) prescribing regulations for which a deviation is not permitted pursuant to this Act;
- (aj) modifying the provisions of the *Labour Standards Code* for the purposes of enforcement pursuant to this Act;
- (ak) interpreting Sections 23 and 29 and subsections 33(1), (2) and (3) and 38(1) in the context of an industry, occupation, project or workplace;

(al) establishing a means of identifying the persons referred to in Section 23 and the manner of communicating the identity of the persons;

(am) enabling the adoption of a code of practice at a workplace containing one or more provisions from a regulation that would not otherwise apply to the workplace;

(an) respecting the establishment and administration of a system of administrative penalties, including, without limiting the generality of the foregoing, regulations

(i) prescribing who may impose administrative penalties,

(ii) prescribing time frames for imposing an administrative penalty,

(iii) respecting the payment of administrative penalties,

(iv) prescribing the content of a notice of administrative penalty,

(v) prescribing the dollar amount of administrative penalties,

(vi) prescribing how an administrative penalty may be revoked,

(vii) respecting the extension of the time frame for filing a notice of appeal of an order or decision made under this Act or the regulations in relation to a notice of administrative penalty,

(viii) respecting the remedies available on an appeal of an administrative penalty, and

(ix) respecting the use to be made of any funds collected through the imposition of administrative penalties, including where such funds are to be deposited or held;

(ao) respecting appeals pursuant to this Act and the regulations, including, without limiting the generality of the foregoing,

(i) who may be a party to an appeal,

(ii) limiting the amount of time available to parties to make representations at appeal hearings,

(iii) the contents of a notice of appeal,

(iv) the appeal of matters other than those permitted pursuant to this Act,

(v) the conduct and procedure of appeals generally,

(vi) respecting the effect of any defect in form or any technical irregularity in an appeal proceeding, and

(vii) the hearing of appeals together if an aggrieved person has more than one appeal made pursuant to the Act or the regulations pending before the Board;

(ap) prescribing forms for use pursuant to this Act;

(apa) respecting the effect of any defect in form or any technical irregularity that occurs in any order, decision, notice, report, certificate or other document issued pursuant to this Act and the regulations;

(aq) prescribing charges to recover the cost of services pursuant to this Act and fees in relation to appeals and deviations, certificates, licences, permits, review of documents and filing of documents;

(ar) defining words or expressions used but not defined in this Act.

(2) Without limiting the generality of this Section, the Governor in Council may, in respect of a subsea coal mine, make regulations that the Governor in Council considers necessary or advisable to ensure the health and safety of all persons at a subsea coal mine

(a) requiring the establishment of a committee;

(b) prescribing additional functions of a committee;

(c) prescribing additional requirements for the provision of resources or information to a committee;

(d) requiring the filing or approval of drawings, layouts, specifications, plans, procedures, methods, machinery and equipment; and

(e) *repealed 2013, c. 41, s. 10.*

(f) prescribing charges to recover the cost of services pursuant to this Act and fees in relation to matters referred to in clause (d).

(3) The exercise by the Governor in Council of the authority contained in subsections (1) and (2) is regulations within the meaning of the *Regulations Act*. 1996, c. 7, s. 82; 2007, c. 14, s. 7; 2010, c. 37, s. 126; 2010, c. 66, s. 17; 2013, c. 41, s. 10.

Authorized deviation from regulations

83 (1) Where an application is made in writing to the Director for authorization to deviate at a workplace or workplaces from a provision of the regulations, unless the standard to be used by the Director in considering an application is altered by regulation, the Director may authorize the deviation where the Director is satisfied that the deviation affords protection for the health and safety of employ-

ees equal to or greater than the protection prescribed by the regulations from which the deviation is requested.

(2) The Director may attach such terms and conditions to an authorization of a deviation pursuant to subsection (1) as the Director considers advisable.

(3) Subsections (4) to (13) apply to an application for a deviation made pursuant to subsection (1) unless

(a) the processes required pursuant to those subsections are altered by regulation; or

(b) a notice period is reduced or eliminated pursuant to subsection (15).

(4) Where the workplace location or locations exist for which a deviation pursuant to subsection (1) is requested, unless

(a) the committee or representative at a workplace, if any; or

(b) where there is no committee or representative, all the employees at the workplace,

agree otherwise, upon applying for a deviation, the applicant for the deviation shall post a copy of the application, ensure it remains posted for at least twenty-eight days and furnish a copy to the committee or representative, if any, at the workplace.

(5) Where the workplace location or locations for which a deviation pursuant to subsection (1) is requested are not yet in existence, the applicant shall, upon applying for a deviation, publish, at the applicant's cost, a notice of the application for a deviation

(a) that contains information regarding the deviation being requested; and

(b) where it would reasonably be expected to come to the attention of persons interested in health and safety who might be affected by the decision regarding the deviation.

(6) After receiving an application for a deviation pursuant to subsection (1), the Director may conduct such consultation or give such notice of the application as the Director considers advisable.

(7) The applicant for a deviation pursuant to subsection (1) shall submit with the application, at the applicant's cost,

(a) the technical information required to enable the Director to determine the application;

(b) information with respect to the benefits and drawbacks to health and safety that might reasonably be anticipated if the deviation is authorized; and

(c) any fee prescribed by the regulations.

(8) The applicant for a deviation pursuant to subsection (1) for an existing workplace location or locations shall ensure that the information required pursuant to clauses (7)(a) and (b) is made available for examination at the applicant's workplace by the committee or representative, if any, and by the employees.

(9) The Director may make available the information required pursuant to clauses (7)(a) and (b) to any person for examination on request.

(10) A decision by the Director pursuant to subsection (1) shall

(a) not be made less than twenty-eight days following the date of the application; and

(b) be accompanied by written reasons for the decision that shall include

(i) the information considered in arriving at the decision and the rationale for the decision,

(ii) the specifics of a deviation that is authorized, including the location of the workplace or workplaces where the deviation applies, and

(iii) the details of any terms or conditions attached to the authorization of a deviation.

(11) The applicant for a deviation pursuant to subsection (1) shall ensure that

(a) a copy of the Director's decision is

(i) posted for at least seven days, or longer if additional time is necessary to enable employees at the workplace to inform themselves of the content, and

(ii) furnished to the committee or representative, if any, at the workplace; and

(b) where a deviation is authorized, a copy of the Director's decision is posted and maintained throughout the time the deviation is in effect.

(12) The Director shall provide a copy of the decision referred to in subsection (10) to anyone from whom the Director has received a written response to the application for a deviation pursuant to subsection (1).

(13) In applying a regulation for which a deviation pursuant to subsection (1) is authorized, a deviation and any terms and conditions authorized pursuant to this Section shall, while the deviation is in effect, be substituted for the prescription or requirement in the regulations.

(14) The Director may, at the initiative of the Director or upon application, reconsider, confirm, vary, revoke or suspend the Director's decision regarding a deviation at any time when information is produced that, had it been known when the request for the deviation was determined previously, would reasonably be expected to have resulted in a different decision from the one made at that time, and subsections (1) to (13) apply with the necessary modifications.

(15) Notwithstanding the periods of notice required pursuant to this Section, where information that was not available at the time a decision was made by the Director regarding a deviation pursuant to this Section is produced that indicates that imminent danger might result as a result of the deviation, the Director may reduce or eliminate a period of notice required pursuant to this Section. 1996, c. 7, s. 83.

TRANSITIONAL PROVISIONS

84 *repealed 2010, c. 66, s. 18.*

Enforcement under Act and substituted references

85 (1) Any regulation, order or direction made under the *Metalliferous Mines and Quarries Regulation Act*, the *Coal Mines Regulation Act* or the former Act or under any Act relating to occupational health and safety may be enforced as if the regulation, order or direction were made pursuant to this Act.

(2) Any reference in any Act of the Legislature or in any rule, order, regulation, by-law, ordinance or in any document whatsoever to the Occupational Safety Division of the Department of Labour and Manpower, the Occupational Health Division of the Department of Health, the Mine Safety Division of the Department of Mines and Energy or the Accident Prevention Division of the Workers' Compensation Board, whether such reference is by official name or otherwise, shall, as regards any subsequent transaction, matter or thing relating to the affairs or matters or any of them assigned to those divisions, be held and construed to be a reference to the Division, as defined in this Act. 1996, c. 7, s. 85.

EFFECTIVE DATES

Coal Mines Regulation Act repealed

86 Chapter 73 of the Revised Statutes, 1989, the *Coal Mines Regulation Act*, is repealed. 1996, c. 7, s. 86.

Metalliferous Mines and Quarries Act repealed

87 Chapter 284 of the Revised Statutes, 1989, the *Metalliferous Mines and Quarries Regulation Act*, is repealed. 1996, c. 7, s. 87.

Former Act repealed

88 The former Act is repealed. 1996, c. 7, s. 88.

Effective dates

89 (1) Section 22 has effect on and after July 1, 1999, or such earlier day as the Governor in Council orders and declares by proclamation.

In force - July 1, 1999

(2) Section 27 has effect on and after July 1, 1997.

(3) Section 28 has effect on and after January 1, 1998.

(4) Sections 86 and 87 come into force on such day as the Governor in Council orders and declares by proclamation.

Proclaimed - August 11, 2003
In force - November 8, 2003

(5) This Act, except for Sections 22, 27, 28, 86 and 87, has effect on and after January 1, 1997. 1996, c. 7, s. 89.

This consolidation is unofficial and is for reference only. For the official version of the regulations, consult the original documents on file with the [Office of the Registrar of Regulations](#), or refer to the [Royal Gazette Part II](#).

Regulations are amended frequently. Please check the list of [Regulations by Act](#) to see if there are any recent amendments to these regulations filed with our office that are not yet included in this consolidation.

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Workplace Health and Safety Regulations
made under Section 82 of the
Occupational Health and Safety Act
S.N.S. 1996, c. 7
O.I.C. 2013-65 (effective June 12, 2013), N.S. Reg. 52/2013
amended to O.I.C. 2022-72 (effective June 13, 2022), N.S. Reg. 43/2022

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Part 1: Interpretation and Application

Citation

1.1 These regulations may be cited as the *Workplace Health and Safety Regulations*.

Definitions for these regulations

1.2 In these regulations,

“Act” means the *Occupational Health and Safety Act*;

“adequate” means sufficient to protect a person from injury or damage to health;

“ANSI” means the American National Standards Institute;

“anchorage” means a secure connecting point capable of safely withstanding the impact forces, as prescribed in these regulations or an applicable standard, applied by a fall-protection system;

“approved” means approved by the Department or by an agency or authority designated or selected by the Department to make approvals;

“competent person” means a person who is

- (i) qualified because of their knowledge, training and experience to do the assigned work in a manner that ensures the health and safety of every person in the workplace, and
- (ii) knowledgeable about the provisions of the Act and regulations that apply to the assigned work, and about potential or actual danger to health or safety associated with the assigned work,

“CSA” means the Canadian Standards Association;

“certified” means meeting the requirements of a standard as attested to by a certification organization accredited by the Standards Council of Canada or an engineer;

“Department” means the Department of Labour and Advanced Education;

“designated” means, in relation to an employer, appointed in writing by the employer;

“emergency services agency” means an agency operating within the Province for the purpose of responding to emergencies, including

- (i) a municipal police force required to be maintained under the *Police Act*, including the Royal Canadian Mounted Police,
- (ii) fire departments,
- (iii) ambulance services;

“engineer” means a person who is registered as a member or licensed to practise under the *Engineering Profession Act* and is competent to do the work being performed;

“latest version” means, in relation to a standard or other publication, the latest edition of the standard or publication as supplemented, amended, added to, replaced or superseded;

“manufacturer’s specifications” means

- (i) the written instructions of a manufacturer of a machine, material, tool or equipment that outline the manner in which the machine, material, tool or equipment is to be erected, installed, assembled, started, operated, used, handled, stored, stopped, adjusted, carried, maintained, repaired, inspected, serviced, tested, cleaned or dismantled, and
- (ii) a manufacturer’s instruction, operating or maintenance manual and drawings respecting a machine, tool or equipment;

“temporary highway workplace” means a temporary workplace on a highway, as defined in Part 24;

“work area” means a location at a workplace where an employee or self-employed person is working or may be required to work.

Application of these regulations

1.3 These regulations apply to all workplaces to which the *Occupational Health and Safety Act* applies, unless otherwise expressly provided in the Act or these regulations.

Duties of parties

1.4 (1) A duty imposed by these regulations on an employer is also imposed on any contractor, constructor, supplier, employee, owner or self-employed person, to the extent of the contractor’s, constructor’s, supplier’s, employee’s, owner’s or self-employed person’s authority and ability to discharge the duty in the circumstances.

- (2) For the purpose of applying Section 23 of the Act and determining the person with the greatest degree of control,
 - (a) the person with the greatest authority and ability to ensure that a duty is discharged or a requirement is met is presumed to be the person with the greatest degree of control over the matter that is the subject of the duty or the requirement; and
 - (b) a provision in a lease or other agreement relating to property rights that gives a specified owner authority to control an aspect of lands or premises that are used as a workplace is *prima facie* evidence that the specified owner has the greatest degree of control over that aspect of the land or premises.

Conflict with these regulations

- 1.5 (1) If there is any conflict between these regulations and a manufacturer's specifications or a standard incorporated by reference into these regulations, these regulations prevail.
- (2) Despite a requirement in these regulations to comply with a standard or other publication incorporated by reference into these regulations, an express requirement of these regulations that varies from the standard or publication prevails over the standard or publication.

Compliance with standards incorporated by reference

- 1.6 (1) Except as otherwise specified in these regulations, an object that is required by these regulations to comply with the latest version of a standard must conform to the physical specifications contained in the latest version of the standard unless there is no evidence raising a reasonable doubt as to whether the object is adequate and the object meets 1 of the following:
 - (a) the object conforms to the physical specifications contained in the latest version of the standard as of the object's date of manufacture;
 - (b) no version of the standard existed at the object's date of manufacture but the object conforms to generally accepted engineering principles prevailing at the object's date of manufacture.
- (2) Except as otherwise provided in these regulations, any activity in relation to an object, including inspection, maintenance and use, that is required by these regulations to comply with the latest version of a standard must comply with the latest version of the standard unless it is established that compliance with 1 of the following is more likely to ensure adequate performance of the object:
 - (a) an earlier version of the standard;

- (b) generally accepted engineering principles prevailing at the object's date of manufacture.
- (3) If these regulations require that an object or activity comply with the specifications of a standard, whether a specific edition or the latest version, then a person must comply with the standard and use that object or do that activity in accordance with the standard unless these regulations specifically provide otherwise.
- (4) An employer must ensure that a person using an object or performing an activity required to comply with the specifications of a standard, whether a specific edition or the latest version, is trained in accordance with the standard, and the person must undergo the training, unless these regulations specifically provide otherwise.
- (5) For the first 4 calendar months after a standard or publication is issued, including the month it is issued, a person is in compliance with these regulations if they comply with
 - (a) the version or edition of the standard or publication required by these regulations; or
 - (b) the version or edition of the standard or publication issued immediately before the version or edition required by these regulations.

Compliance with policies, procedures, plans and codes of practice

- 1.7 (1) An employer must ensure that any written policy, procedure, plan or code of practice is adequate and implemented.
- (2) Each person required to perform a function under a written policy, procedure, plan or code of practice must be trained generally in respect of the policy, procedure, plan or code of practice, and trained in particular in the requirements relating to their functions.
 - (3) A person must comply with all written policies, procedures, plans and codes of practice established for the purposes of the Act and these regulations, including undergoing any training required.

Communicating and updating policies, procedures, plans and codes of practice

- 1.8 (1) In addition to any specific requirements under the Act, an employer must ensure that all policies, procedures, plans and codes of practice are
- (a) made available at the applicable work area at all times;
 - (b) reviewed with any affected persons, including any person planning work, before work is undertaken;

- (c) updated whenever conditions affecting work change.
- (2) Before any work is undertaken, an employer must ensure that the necessary information, instruction, training, supervision, facilities and equipment are provided to implement any part of a policy, procedure, plan or code of practice applicable to a workplace.

Consulting with Committee on policies and procedures

1.9 An employer establishing or reviewing a written policy, procedure, plan or code of practice for the purpose of the Act or these regulations must do so in consultation with the committee or representative, if any.

Manufacturer's specifications and standards for equipment and components

1.10 (1) Except as otherwise provided in these regulations, an employer must

- (a) ensure that any equipment, components of equipment or components of a system are erected, installed, assembled, used, handled, stored, adjusted, maintained, repaired, inspected, serviced, tested, cleaned and dismantled in accordance with the manufacturer's specifications for the equipment, components or system; and
 - (b) comply with and ensure compliance with the applicable standards for the equipment, components or system as specified in these regulations.
- (2) Except as otherwise provided in these regulations, a person must use equipment, components of equipment or components of a system in accordance with
- (a) the manufacturer's specifications for the equipment, components or system; and
 - (b) any applicable standards for the equipment, components or system specified in these regulations.

Engineer's certification required for other use of equipment or components

1.11 (1) An employer must obtain a written certification from an engineer in accordance with subsection (2) that certifies that the employer's intended use of equipment, components of equipment or components of a system provides an adequate level of safety for all persons at or near the workplace in all of the following circumstances:

- (a) the employer intends to use the equipment, components of equipment or components of a system for a purpose or in a manner that is
 - (i) not specifically permitted by the manufacturer's specifications,
 - (ii) not specifically permitted by an applicable standard referred to in these regulations;

- (b) the employer intends to use equipment, components of equipment or components of a system for which no manufacturer's specifications exist or are provided.
- (2) An engineer must do all of the following before certifying equipment, components of equipment or components of a system under subsection (1):
 - (a) ensure that the use of the equipment, components of equipment or components of a system as intended by the employer is in accordance with generally accepted engineering practices;
 - (b) identify, as part of the written certification, any measures to be taken to provide an adequate level of safety.
- (3) An engineer must sign any written certification they prepare under this Section.

Inspection and re-certification of equipment

1.12 (1) An employer must ensure that any equipment used is inspected

- (a) by the user, before each use; and
 - (b) by a competent person, annually, or more frequently as specified in any applicable Part of these regulations.
- (2) An employer must ensure that any manufacturer's specifications that provide instructions on how to conduct an inspection under subsection (1) are followed.
- (3) An employer must ensure that used equipment is re-certified in accordance with 1 of the following:
- (a) the manufacturer's specifications;
 - (b) an engineer's certification, if an engineer's certification was obtained under Section 1.11.
- (4) A person must perform any inspections required by this Section and as specified in any applicable Part of these regulations.

Equipment protected from damage or exposure

1.13 An employer must ensure that equipment that may be exposed to heat, abrasion or corrosion is either

- (a) made of material that is able to withstand the exposure without being damaged;
or
- (b) protected from the exposure.

Taking equipment out of service

- 1.14 (1)** An employer must ensure that equipment is taken out of service if any of the following apply:
- (a) the equipment is defective;
 - (b) the equipment has come into contact with
 - (i) excessive heat, or
 - (ii) a chemical or other substance that may corrode or otherwise damage the equipment or a component of the equipment;
 - (c) for fall-protection and rope access equipment, the equipment has been used to stop a fall.
- (2)** A person must not use any equipment described in subsection (1).
- (3)** An employer must ensure that equipment that is taken out of service under subsection (1) is not returned to service until it is inspected, repaired as necessary and re-certified by
- (a) the manufacturer; or
 - (b) if certification by the manufacturer is not possible or reasonably practicable, an engineer.
- (4)** The following must be done for equipment that is taken out of service:
- (a) if the equipment is awaiting inspection, repair or re-certification, it must be
 - (i) immediately removed from the work area,
 - (ii) clearly identified as taken out of service, and
 - (iii) stored separately from equipment that has not been taken out of service;
 - (b) if the equipment is not awaiting inspection, repair or re-certification, it must be destroyed immediately.

Employer to keep records

- 1.15 (1)** Except as specified in subsection (2) or otherwise specified in these regulations, an employer must keep a record referred to in these regulations for at least 5 years after the date the record was made.

- (2) An employer must keep records set out in the following table for the periods of time specified:

Record	Minimum length of time kept
inspection reports or orders received from the Division	2 years after the date the report or order is received
written procedures, plans or codes of practice	2 years after the date the procedure, plan or code of practice is replaced or cancelled
records made by the employer of inspection, maintenance or repair work	2 years after the date the record is made

Emergency services agencies exemptions for fall protection and rope access work

1.16 An employer who is an emergency services agency is not required to establish a specific written fall-protection safe-work plan or rope access safe-work plan for a specific work area when responding to an emergency if they

- (a) have established the following applicable procedures for the work:
 - (i) a fall protection safe-work procedure under Section 21.3,
 - (ii) a code of practice for rope access work under Section 22.5; and
- (b) they train to and comply with the procedures in clause (a) and standard protocols for emergency services work applicable to a work area where a person is at a risk of falling.

Emergency services agencies exemptions for temporary highway workplaces

1.17 Emergency services agency personnel are exempt from complying with a safe-work procedure for a temporary highway workplace required by Section 24.2 and the requirements for employees on foot in Section 24.5 when it is not reasonably practicable for them to do so because of the nature of their particular duties at any given time.

Part 2: Occupational Health

Definitions for Part 2

2.1 In this Part,

“physical agent”, in relation to threshold limit values for occupational exposure, means an agent of acoustic, electromagnetic, ergonomic, mechanical or thermal nature;

“threshold limit values” means the threshold limit values established by the *TLVs and BEIs* that represent

- (i) for chemical substances, the airborne concentrations of chemical substances and conditions under which it is believed that nearly all healthy workers may be repeatedly exposed, day after day, over a working lifetime, without adverse health effects,
- (ii) for physical agents, the levels of exposure and conditions under which it is believed that nearly all healthy workers may be repeatedly exposed, day after day, without adverse health effects,

“*TLVs and BEIs*” means the latest version of the publication of the American Conference of Governmental Industrial Hygienists of threshold limit values and biological exposure indices.

Conflicts with Part 2

2.2 This Part prevails if there is any conflict between this Part and any of the following:

- (a) another provision of these regulations;
- (b) any other regulations made under the Act.

Threshold limit values

2.3 An employer must comply with, and ensure compliance with, the threshold limit values for exposure to all of the following, as listed in the *TLVs and BEIs*:

- (a) gases;
- (b) vapours;
- (c) mists;
- (d) fumes;
- (e) smoke;
- (f) dust;
- (g) chemical substances;
- (h) physical agents.

Part 3: Workplace Hazardous Materials Information Systems

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Workplace Hazardous Materials Information Systems Regulations* made under the Act.)

Part 4: First Aid

Definitions for Part 4

4.1 In this Part,

“advanced workplace first aid certificate” means a document issued by a training agency certifying that a person

- (i) has successfully completed an advanced level of workplace first aid training, and
- (ii) holds the applicable valid qualifications for an advanced workplace first aider as set out in the CSA first aid training standard;

“basic workplace first aid certificate” means a document issued by a training agency certifying that a person

- (i) has successfully completed a basic level of workplace first aid training, and
- (ii) holds the applicable valid qualifications for a basic workplace first aider as set out in the CSA first aid training standard;

“close workplace” means a workplace where the surface travel time is no more than 20 minutes;

“CSA first aid training standard” means the latest version of CSA standard CSA Z1210, “First aid training for the workplace –Curriculum and quality management for training agencies”;

“distant workplace” means a workplace where the surface travel time is more than 20 minutes but less than 40 minutes;

“emergency care facility” means a healthcare facility that meets all of the following criteria:

- (i) it is equipped to provide immediate treatment of injuries and illnesses,
- (ii) it has a medical practitioner, registered and licensed to ~~practice~~ [practise] medicine under the *Medical Act*, on call;

“emergency health services” means the co-ordinated delivery of services provided by registered pre-hospital first responders and by paramedics and other medical professionals under the *Emergency Health Services Act* to prevent and manage medical, trauma and health conditions;

“first aid kit” means a first aid kit that conforms to the latest version of CSA standard CSA Z1220, “First aid kits for the workplace”;

“first aid room” means a room at a workplace that is used exclusively for administering first aid;

“hospital” means a hospital, as defined in the *Hospitals Act*, that provides emergency services during all hours of operation;

“intermediate workplace first aid certificate” means a document issued by a training agency certifying that a person

- (i) has successfully completed an intermediate level of workplace first aid training, and
- (ii) holds the applicable valid qualifications for an intermediate workplace first aider as set out in the CSA first aid training standard;

“isolated workplace” means a workplace where the surface travel time is 40 minutes or more;

“long-term care facility” means any of the following, as defined in the *Homes for Special Care Act*:

- (i) nursing home,
- (ii) residential care facility;

“medical professional” means any of the following:

- (i) a medical practitioner who is registered and licensed to ~~practice~~ [practise] medicine under the *Medical Act*,
- (ii) a nurse practitioner who is registered and licensed to engage in the practice of a nurse practitioner under the *Nursing Act*,
- (iii) a registered nurse who is registered and licensed to engage in the practice of a registered nurse under the *Nursing Act*,

- (iv) a licensed practical nurse who is registered and licensed to engage in the practice of a licensed practical nurse under the *Nursing Act*,
- (v) a paramedic who is licensed to ~~practice~~ [practise] paramedicine under the *Paramedics Act*;

“office” means a workplace that meets all of the following criteria:

- (i) the only work carried out at the workplace is of an administrative, professional or clerical nature,
- (ii) the work carried out at the workplace does not require substantial physical exertion or exposure to processes, substances or other conditions that are potentially hazardous to the health and safety of persons at or near the workplace;

“surface travel time” means the time required, under normal travel conditions,

- (i) to transport an injured employee from the place where they are injured to a hospital or an emergency care facility, or
- (ii) for emergency health services to arrive at the place where an employee is injured and attend to the injured employee;

“training agency” means an agency, organization or person that is approved to provide first aid training under Section 4.5;

“workplace first aider” means a designated employee who holds a valid workplace first aid certificate;

“workplace first aid certificate” means any of the following:

- (i) basic workplace first aid certificate,
- (ii) intermediate workplace first aid certificate,
- (iii) advanced workplace first aid certificate.

Duty to report injuries

4.2 An employee at a workplace must report all injuries to the employer without undue delay.

Duty of workplace first aiders

4.3 A workplace first aider must provide first aid within the scope of their training to any injured employee without undue delay.

Providing first aid supplies, services and workplace first aiders at workplace

- 4.4 (1)** Except as provided in subsection (3), an employer must, at the employer's expense, provide and maintain the first aid supplies, services and workplace first aiders required by this Part at each of its workplaces.
- (2)** To enable a designated employee to act as a workplace first aider at its workplace, an employer must pay for all of the following:
- (a)** the cost of the employee's first aid course;
 - (b)** the employee's wages and benefits while taking the first aid course, at the same rates and amounts that they would receive in the ordinary course of their employment.
- (3)** Two or more employers may enter into a written agreement to collectively provide and maintain the first aid supplies, services and workplace first aiders required by this Part and must keep and make any agreement entered into available at each workplace covered by the agreement.

Training agencies

- 4.5** A training agency is approved to provide first aid training if the training agency complies with the minimum requirements for a workplace first aid program as established in the latest version of CSA first aid training standard.

Workplace first aid certificates

- 4.6 (1)** A copy of all valid workplace first aid certificates must be maintained by all of the following:
- (a)** the employer of the certificate holder;
 - (b)** the training agency that issued the certificate.
- (2)** Unless the training agency that issues a certificate establishes a shorter period, a workplace first aid certificate expires 3 years from the date it is issued.

Determining number of employees per shift

- 4.7** In consultation with the committee or representative, if any, an employer must include all persons employed on any 1 shift in determining the total number of employees employed on that shift, including full-time, part-time and casual employees.

Minimum number of workplace first aiders

- 4.8 (1)** Except as provided in Section 4.16, an employer must ensure that the minimum number of workplace first aiders are present in each of its workplaces during working hours, in accordance with this Section.

- (2) The following number of workplace first aiders, with the workplace first aid certificate indicated, are required for a close workplace:

Close Workplaces		
Number of Employees per Shift	Number of Workplace First Aiders and Certificate Required	
	Offices	Other Workplaces
1	-	-
2–25	1 basic	1 basic
26–50	1 basic	1 intermediate
51–99	1 basic	2 intermediate
100–199	2 basic	2 intermediate
200 or more	3 basic	3 intermediate

- (3) The following number of workplace first aiders, with the workplace first aid certificate indicated, are required for distant workplaces:

Distant Workplaces		
Number of Employees per Shift	Number of Workplace First Aiders and Certificate Required	
	Offices	Other Workplaces
1	-	1 basic
2–25	1 basic	1 intermediate
26–50	1 basic	1 intermediate
51–99	1 basic	2 intermediate
100–199	2 basic	1 intermediate 1 advanced
200 or more	3 basic	2 intermediate 1 advanced

- (4) The following number of workplace first aiders, with the workplace first aid certificate indicated, are required for isolated workplaces:

Isolated Workplaces	
Number of Employees per Shift	Number of Workplace First Aiders and Certificate Required

	Offices	Other Workplaces
1	1 basic	1 intermediate
2–25	1 basic	1 intermediate
26–50	1 basic	1 advanced
51–99	2 basic	2 advanced
100–199	2 basic	3 advanced
200 or more	3 basic	4 advanced

Type, size and number of first aid kits

4.9 (1) Except as provided in Section 4.16, an employer must provide and maintain first aid kits in the type, size and number according to the type of workplace and number of employees, as set out in the following table:

Minimum First Aid Kits Required		
Close and Distant Workplaces		
Number of Employees per Shift	Offices	Other Workplaces
1	1 Type 1	1 Type 1
2–25	1 Type 2 (small)	1 Type 2 (small)
26–50	2 Type 2 (small)	2 Type 2 (small)
51–99	3 Type 2 (small)	3 Type 2 (small)
100 or more	6 Type 2 (small)	6 Type 2 (small)
Isolated Workplaces		
Number of Employees per Shift	Offices	Other Workplaces
1	1 Type 1	1 Type 1
2–25	1 Type 2 (small)	1 Type 3 (small)
26–50	2 Type 2 (small)	1 Type 2 (small) 1 Type 3 (small)
51–99	3 Type 2 (small)	2 Type 2 (small) 1 Type 3 (small)
100 or more	6 Type 2 (small)	4 Type 2 (small) 2 Type 3 (small)

(2) The first aid kits required by subsection (1) may be substituted with kits of different sizes based on the following equivalencies:

Smaller first aid kits	Equivalent larger first aid kits
2 small first aid kits	1 medium first aid kit
4 small first aid kits or 2 medium first aid kits	1 large first aid kit

Location and accessibility of supplies and workplace first aider

- 4.10 (1)** An employer must ensure that first aid services and supplies are readily accessible during all working hours.
- (2) If more than 1 first aid kit is required at a workplace, the kits must be distributed in the workplace so that they can be quickly accessed in a medical emergency.
- (3) To the extent reasonably practicable, an employer must post all of the following information on signs throughout its workplace where they can easily be seen by all persons at the workplace:
- (a) the location of first aid supplies;
 - (b) the name and location or phone number of the workplace's workplace first aiders.

Condition of supplies

- 4.11** First aid supplies must be kept in a visible location and maintained in accordance with all of the following:
- (a) they meet the requirements of this Part;
 - (b) they are clean and dry;
 - (c) they are checked regularly for quantity and expiry.

When first aid room required at workplace

- 4.12** Except as provided in Section 4.16, an employer must provide at least 1 first aid room for each workplace that meets all of the following criteria:
- (a) it is not an office;
 - (b) there are 200 or more employees regularly employed on any 1 shift at the workplace.

First aid room requirements

- 4.13 (1)** A first aid room must meet all of the following requirements:

- (a) it must be easily accessible to employees during all working hours;
 - (b) it must be large enough to accommodate the supplies and services required by this Part;
 - (c) it must have an entrance that can easily accommodate a stretcher;
 - (d) it must be well-lighted, heated and ventilated;
 - (e) it must be equipped with an efficient means of communicating between the first aid room and all workplace areas served by the first aid room;
 - (f) it must have emergency telephone numbers prominently posted and accessible;
 - (g) it must be equipped with all of the equipment and furniture, material and supplies and dressings set out in subsection (3).
- (2) A first aid room must be kept clean and in a sanitary condition.
- (3) The minimum equipment and furniture, material and supplies and dressings (individually wrapped) required for a first aid room are as set out in the following table:

Equipment and supplies	Minimum required in room
Equipment and furniture	<ul style="list-style-type: none"> • 1 sink with running water • 1 refuse pail with a cover • 1 chair with arm rests that ensure that the chair is suitable to treat injured employees • 1 bed, covered with a plastic sheet • pillows and blankets • 1 cabinet suitable for storing dressings and instruments
Material and supplies	<ul style="list-style-type: none"> • 1 first aid guide • 12 assorted safety pins • 1 wash basin • 1 package of paper towels • hand soap • 1 package of disposable paper cups • 1 kidney basin

	<ul style="list-style-type: none"> • 1 set of assorted splints • 1 portable medium size Type 2 first aid kit • 1 flashlight for use outside the room at the scene of an accident • 20 pairs of disposable latex gloves or gloves made of material that provides an equivalent level of protection against the spread of infections or contagious conditions • instructions on how to record first aid treatments • 1 pencil • the material and supplies of a large size Type 2 first aid kit
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Creating and maintaining first aid records of injured persons

4.14 The employer of an injured person who is administered first aid at a workplace must create a written record of the injury, including all of the following information:

- (a) the name of the injured person;
- (b) the date and time of the injury;
- (c) the location and nature of the injuries on the person's body;
- (d) the time when first aid was administered;
- (e) the first aid treatment provided;
- (f) the name of the person who provided the first aid, and the workplace first aid certificate that they hold;
- (g) the name of the person to whom the injury was reported.

Transporting injured persons from workplace

4.15 (1) An employer is responsible for providing a safe and timely means of transporting an injured person from the workplace to a hospital or an emergency care facility.

- (2) If an injured person being transported to a hospital or an emergency care facility may require the assistance of another person, at least 1 person, in addition to the driver or operator of the vehicle, boat or aircraft must accompany the injured person.

Exceptions for hospitals, emergency care facilities or long-term care facilities

- 4.16 (1)** At any of the following workplaces, an employer may substitute a medical professional who maintains current training in cardio-pulmonary resuscitation for a workplace first aider required to be at the workplace under this Part:
- (a) a hospital;
 - (b) an emergency care facility;
 - (c) a long-term care facility.
- (2)** At any of the workplaces listed in subsection (1), an employer may substitute medical supplies maintained at the workplace for the first aid kits required by Section 4.9 if the supplies include at least all of the items required by that Section.
- (3)** At any of the workplaces listed in subsection (1), an employer is not required to strictly comply with the requirements for first aid rooms in Section 4.13 if first aid supplies and facilities equivalent to those set out in that Section are available to employees at the workplace.

First aid supplies for vehicles, boats and aircrafts

4.17 (1) In this Section,

“vehicle” includes any motor vehicle, boat or aircraft.

- (2)** Except as provided in subsection (3), an employer must ensure that a vehicle that is regularly used to transport employees is equipped with a size small Type 2 first aid kit.
- (3)** For a vehicle that is regularly used to transport only the driver of the vehicle, the driver’s employer must ensure that the vehicle has at least a Type 1 first aid kit.

Isolated workplace first aid plans

4.18 (1) Except as provided in Section 4.19, an employer must maintain a written isolated workplace first aid plan for each of its isolated workplace[s].

- (2)** A committee or representative, if 1 exists, must be consulted in the development of a workplace’s isolated workplace first aid plan.
- (3)** An employer’s isolated workplace first aid plan must set out a comprehensive plan for ensuring compliance with this Part at each isolated workplace, and must specify all of the following:
 - (a) the method for transporting injured employees from each isolated workplace;
 - (b) the means of communicating with and from each isolated workplace.

- (4) An isolated workplace first aid plan for an isolated workplace must reflect the nature of the work being performed at the isolated workplace.
- (5) All persons at an isolated workplace must comply with any isolated workplace plan for the workplace.

When no isolated workplace first aid plan required

4.19 An employer is not required to have an isolated workplace first aid plan if any of the following apply over a 4-week period:

- (a) no employee spends more than 10% of their time at the isolated workplace;
- (b) any of the employees spend more than 10% but less than 25% of their time at the isolated workplace, and the safety of the isolated workplace is adequately assured including meeting all of the following criteria:
 - (i) an injured person can be transported from the isolated workplace to the closest emergency care facility within a reasonable time,
 - (ii) there is a means of transport at the isolated workplace for an injured worker,
 - (iii) there is a means of summoning assistance available at the isolated workplace,
 - (iv) the workplace is an office.

Transition—first aid certificates and first aid kits under former regulations

4.20 (1) In this Section,

“former regulations” means the *Occupational Health and Safety First Aid Regulations*, N.S. Reg. 155/1996.

- (2) A first aid certificate obtained under the former regulations is deemed to be equivalent to a workplace first aid certificate, as set out in the following table, and is valid until the certificate expires.

First Aid Certificate Equivalencies	
Former Regulations	This Part
emergency first aid certificate	basic workplace first aid certificate
standard first aid certificate	intermediate workplace first aid certificate

advanced first aid certificate	advanced workplace first aid certificate
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- (3) An employer who meets the first aid kit requirements of the former regulations is deemed to be in compliance with the first aid kit requirements of this Part for a period of 12 months immediately after this Part comes into force.

Part 5: Sanitation and Accommodations

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 6: Personal Protective Equipment

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 7: Handling and Storage of Materials

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 8: Tools

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 9: Mechanical Safety and Robotics

(This heading is here as a placeholder only. There is no content for this Part yet.)

Part 10: Cranes, Hoists and Mobile Equipment

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 11: Lock-out

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 12: Premises and Building Safety

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 13: Construction and Demolition

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 14: Excavations and Trenches

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 15: Electrical Safety

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 16: Welding, Cutting, Burning and Soldering

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 17: Equipment for Firefighters

Definition for Part 17

17.1 In this Part,

“firefighter” means

- (i) an employee who provides fire suppression services to the public from a fire department within a municipality or local service district, or
- (ii) an industrial firefighter.

Conflicts with *Occupational Safety General Regulations*

17.2 If Part 16 - Equipment for Firefighters of the *Occupational Safety General Regulations* made under the Act requires the use of a body harness, elevating work-platform or other device for fire-fighting or equipment for a firefighter that complies with a different standard than a standard listed in these regulations, equipment that meets the requirements of these regulations or Part 16 of the *Occupational Safety General Regulations* may be used.

Part 18: Blasting Safety

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Blasting Safety Regulations* made under the Act.)

Part 19: Confined Spaces

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 20: Surface Mine Workings

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Safety General Regulations* made under the Act.)

Part 21: Fall Protection

Definitions for Part 21

21.1 In this Part,

“arborist” means a person trained and employed, in whole or in part, to climb trees for an economic or scientific purpose, including any of the following:

- (i) detecting and treating disease, infections or infestations,
- (ii) pruning, spraying or trimming,
- (iii) repairing damaged trees,
- (iv) assessing growth or harvesting potential;

“body belt” means a body support device that encircles the body at or about the waist;

“energy absorber” means a component of a fall-protection system consisting of a device that dissipates kinetic energy and does not return it to the fall-arrest system or into a person’s body;

“fall distance” means the vertical distance a person may fall, measured from the surface where the weight of a person is supported to the surface the person could fall onto;

“fall-arrest system” means a fall-protection system consisting of an assembly of components that arrests a person’s fall when properly assembled, used together and connected to a suitable anchorage;

“fall-protection system” means any secondary system that is intended to prevent a person from falling or arrests a fall that occurs, and includes guardrails, temporary flooring, travel-restraint systems, personnel safety nets and fall-arrest systems;

“full-body harness” means a body-holding device, similar to a parachute harness, that transfers suspension forces or impacts during a fall arrest to a person’s pelvis or skeleton;

“guardrail” means a fall-protection system consisting of vertical and horizontal members that

- (i) are capable of withstanding concentrated forces, as prescribed in these regulations or an applicable standard,
- (ii) warn of a fall hazard, and
- (iii) reduce the risk of a fall;

“horizontal lifeline” means a flexible line made from wire, fibre rope, wire rope, or rod, with end terminations at both ends, that extends horizontally from one end anchorage to another;

“lanyard” means a flexible line or strap used to secure a full-body harness to an energy absorber, fall-arrester, lifeline or anchorage;

“lifeline” means a component of a fall-protection system consisting of a vertical lifeline or a horizontal lifeline;

“personnel safety net” means a fall-protection system that uses at least 1 net to stop a person who is falling before the person makes contact with a lower level or obstruction;

“elevating work-platform” means a mobile horizontal working surface that provides access and support to a person at a workplace, and that is elevated and lowered by means of a mechanism that complies with Part 23: Scaffolds and Other Elevated Work-platforms;

“safe surface” means an area that meets all of the following criteria:

- (i) it is large enough and strong enough to adequately support a person who falls,
- (ii) it is level enough to prevent a further fall by a person who has fallen,

“self-retracting device” means a device that arrests a person’s fall by performing a tethering function while allowing vertical movement below the device to the maximum working length of the device;

“temporary flooring” means a fall-protection system consisting of a horizontal working surface that is designed, constructed and installed to provide access to areas that do not have permanent flooring by protecting a person from falling through an unprotected opening;

“travel restraint system” means a fall-protection system that will prevent a person from reaching an unprotected edge or opening;

“vertical lifeline” means a flexible lifeline with an end termination on the top end that is connected to an anchorage or anchorage connector and hangs vertically from where it is connected;

“work-platform” means a raised temporary horizontal working surface that provides access and support to a person at a workplace;

“work-positioning system” means an assembly of components that, when properly assembled and used together, supports a person in a position or location so that the person’s hands are free in the work position, but does not include a boatswain’s chair, ladder, rope access or scaffold.

When Fall Protection is Required

Fall protection required

- 21.2 (1)** Except as provided in subsections (3) to (5), fall protection is required if a person is at risk of falling from a work area where the fall distance is
- (a) 3 m or more above the nearest safe surface or water;
 - (b) less than 3 m and the work area is above 1 of the following:
 - (i) a surface or thing that could cause injury to the person on contact that is worse than an injury from landing on a solid, flat surface,
 - (ii) exposed hazardous material, such as in an open tank, pit or vat.
- (2)** If fall protection is required, an employer must ensure that at least 1 of the following means of fall protection is used, as appropriate in the circumstances:
- (a) a guardrail;
 - (b) temporary flooring;
 - (c) a personnel safety net;
 - (d) a travel restraint system;
 - (e) a fall-arrest system.
- (3)** Fall protection is not required for a person who is entering or exiting a work area by a safe means of access and egress.
- (4)** Fall protection is required only where reasonably practicable and to the extent reasonably practicable in any of the following circumstances:
- (a) if work must be performed on or from a vehicle, rail car or other mobile equipment;
 - (b) if it is not reasonably practicable to perform work other than from a ladder and it is not reasonably practicable for the person performing the work to maintain adequate contact with the ladder while performing the work;
 - (c) if the density of tree branches prevents an arborist from crotching.

- (5) If it is not reasonably practicable to use fall protection in the circumstances described in subsection (4), an employer must ensure that an alternate control measure is used to reduce, to the extent reasonably practicable, the risk of a fall.

Fall-Protection Plans and Procedures

Written fall-protection safe-work procedure

- 21.3 (1)** Except as provided in subsection (2), an employer must establish a written fall-protection safe-work procedure for the type of work to be performed in any work area where fall protection is required and the maximum fall distance is less than 7.5 m.
- (2) A written fall-protection safe-work procedure is not required under subsection (1) if any of the following conditions apply:
- (a) all persons performing the work are protected by a permanent guardrail;
 - (b) the work is performed from a work-platform described in Sections 23.12 to 23.15 of Part 23: Scaffolds and Other Elevated Work-platforms and all persons performing the work are using adequate fall protection.
- (3) A fall-protection safe-work procedure must be based on a hazard assessment of the work typically performed by the employer and must include all of the following information:
- (a) the nature of the work to be performed;
 - (b) the typical duration of the work;
 - (c) a description of the work;
 - (d) a list of the primary tools or equipment used in the work;
 - (e) reference to applicable health and safety legislation and regulations;
 - (f) a list of potential fall hazards of the work and their associated risks;
 - (g) the risk controls to be used to prevent injury to persons coming in contact with known hazards;
 - (h) the effect of weather conditions;
 - (i) the name of the person or position that has supervisory responsibility for the work, whether the person is present at the work area or not;

- (j) the training and qualifications required for persons who will perform the work, as determined by the employer;
- (k) a method for communicating the fall-protection safe-work procedure to any person who may be affected by the procedure.

Written fall-protection safe-work plan

21.4 (1) Except as provided in subsection (2), an employer must establish a specific written fall-protection safe-work plan for a specific work area where fall protection is required and the fall distance is 7.5 m or more.

(2) A specific written fall-protection safe-work plan is not required under subsection (1) if any of the following conditions apply:

- (a) all persons performing the work are protected by a permanent guardrail;
- (b) the work is performed from a work-platform described in Sections 23.12 to 23.15 of Part 23: Scaffolds and Other Elevated Work-platforms and all persons performing the work are using adequate fall protection;
- (c) the work is performed by an emergency services agency in accordance with Section 1.16.

(3) A fall-protection safe-work plan must be established based on a hazard assessment of the specific work to be performed in the work area and must include all of the following information:

- (a) the nature of the work to be performed;
- (b) the anticipated duration of the work;
- (c) a description of the work;
- (d) a list of the primary tools or equipment to be used in the work;
- (e) reference to applicable health and safety legislation and regulations;
- (f) a list of potential fall hazards of the work and their associated risks;
- (g) the fall-protection system or systems to be used at the work area;
- (h) any anchorages to be used during the work;
- (i) if a fall-arrest system is to be used, confirmation that the clearance distances below the work area are sufficient to prevent a person from striking

- (i) the nearest safe surface or water,
 - (ii) a surface or thing that could cause injury to the person on contact, or
 - (iii) exposed hazardous material, such as an open tank, pit or vat;
- (j) a procedure to address the risks associated with the potential for swing as a result of anchorage placement when a person is using a fall-arrest system;
- (k) the procedures to be used to assemble, maintain, inspect, use and disassemble a fall-protection system, as applicable;
- (l) schedules for inspecting any fall-protection systems and the names of any persons responsible for carrying out the inspections;
- (m) adequate written rescue procedures to be used if a person falls and requires rescue, including if a person is suspended by a fall-arrest system or personnel safety net;
- (n) the effect of weather conditions;
- (o) the name of a designated competent person to supervise the work area;
- (p) the training and qualifications required for persons who will perform the work, as determined by the employer;
- (q) a method for communicating the fall-protection safe-work plan to any person who may be affected by the plan.
- (4) If a workplace has more than 1 work area for which a fall-protection safe-work plan is required, an employer may create a separate plan for each specific work area or one overall plan for the workplace that includes all of the requirements necessary for each specific plan.

Fall-Protection Systems

Guardrails

- 21.5 (1)** An employer must ensure that a guardrail that is used as a means of fall protection is installed at all of the following places in a work area:
- (a) around any uncovered opening in any surface;
 - (b) at the perimeter or other open side of a work area.

- (2) A guardrail must be designed and installed in compliance with the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffolds”.
- (3) If there is a risk of falling at a doorway or the opening of a building floor, roof, walls or shaft, an employer must ensure that a guardrail is
 - (a) installed in accordance with this Section; and
 - (b) marked with a warning sign that indicates the presence of a doorway or other opening.

Temporary flooring

21.6 An employer must ensure that temporary flooring that is used as a means of fall protection is able to withstand 4 times the maximum load likely to be on it and is installed so that it meets all of the following:

- (a) it extends over the entire work area with the exception of any openings necessary for the carrying out of work;
- (b) it is securely fastened to prevent lateral and upward movement.

Personnel safety nets

21.7 (1) An employer must ensure that a personnel safety net used as a means of fall protection is designed, manufactured, installed, used, inspected, tested and made of materials in accordance with the latest version of ANSI standard A10.11, “American National Standard for Construction and Demolition Operations – Personnel and Debris Nets”.

- (2) Despite any requirements set out in the standard required by subsection (1), a personnel safety net must be erected and installed in accordance with all of the following:
 - (a) it must be erected and installed under the supervision of a competent person;
 - (b) it must be positioned as close as reasonably practicable, but no more than 9 m below the work area and extend at least 2.4 m on all sides beyond the work area;
 - (c) it must be positioned and maintained so that when arresting the fall of a person, the maximum deflection of the personnel safety net does not permit any portion of the person to contact another surface;
 - (d) it must be free of debris, obstructions or intervening objects that may be struck by a person who falls from a workplace into the net.

Travel restraint systems

21.8 An employer must ensure that a personal travel restraint system that is used as a means of fall protection to restrict movement meets the requirements of the latest version of CSA standard CSA Z259.16, “Design of active fall-protection systems”.

Fall-arrest systems

21.9 An employer must ensure that a fall-arrest system that is used as a means of fall-protection is erected, installed, assembled, used, handled, stored, adjusted, maintained, repaired, inspected, serviced, tested, cleaned and dismantled in accordance with the manufacturer’s specifications and designed in accordance with the requirements of the latest version of CSA standard CSA Z259.16, “Design of active fall-protection systems”.

Fall-arrest for arborists

21.10 (1) An arborist using a fall-arrest system as a means of fall protection must ensure that the fall-arrest system includes all of the following:

- (a) a work-positioning system and a travel restraint system, the design, markings and instructions of which comply with the latest version of CSA standard CSA Z259.1, “Body Belts and Saddles for Work Positioning and Travel Restraint”;
- (b) if reasonably practicable, a second climbing rope or safety strap that is manufactured for the purpose of tree climbing and that meets all of the following criteria:
 - (i) it provides additional stability,
 - (ii) it provides back-up fall protection,
 - (iii) it is capable of withstanding the greater of the following:
 - (A) 2 times the maximum load likely to be on it,
 - (B) a load of 22 kN.

(2) An arborist must do all of the following before climbing in a work area:

- (a) visually assess the structural stability of the tree;
- (b) select and assess the safest path of ascent;
- (c) select an appropriate crotch position as a work area.

(3) While working in a tree with a fall-arrest system, ~~and~~ [an] arborist must do all of the following:

- (a) wherever practicable, work from a crotch position with the fall-arrest system secured to an anchorage above the crotch position;
- (b) when changing crotch positions, remain secured by the fall-arrest system to the anchorage for the previous crotch position until secured by the fall-arrest system to the anchorage for the next crotch position;
- (c) not change crotch positions without selecting the next crotch position in advance;
- (d) not climb above an anchorage unless secured by another fall-arrest system secured at or above the level of the arborist;
- (e) ensure that slack only occurs in ropes or lines that are part of the fall-arrest system, if it is
 - (i) essential to the performance of the work, and
 - (ii) no greater than is consistent with the safe performance of the work;
- (f) when transferring from an elevating work-platform to a tree, remain attached to an anchorage on the work-platform by way of a fall-arrest system until secured to an anchorage on the tree by way of a fall-arrest system;
- (g) not work in crews of fewer than 2;
- (h) have at least 1 crew member remain on the ground at the work area.

Work-positioning systems

21.11 (1) Unless otherwise prescribed in these regulations, an employer must ensure a work-positioning system is used in combination with a fall-arrest system in all of the following circumstances:

- (a) the centre of gravity of the person using the work-positioning system extends beyond the edge from which a person could fall;
 - (b) the state or condition of the work surface creates a slipping or tripping hazard.
- (2)** A person must not use, and an employer must ensure a person does not use, a work-positioning system as a means of fall arrest.

Equipment

Full-body harnesses

21.12 An employer must ensure that a person who is using a personal fall-arrest system wears a full-body harness and that the full-body harness is used and certified in compliance with the latest version of CSA standard CSA Z259.10, “Full Body Harnesses”.

Body belts

21.13 (1) An employer must ensure that the design, markings and instructions of body belts used comply with the latest version of CSA standard CSA Z259.1, “Body Belts and Saddles for Work Positioning and Travel Restraint”.

(2) An employer must ensure that body belts are not used as a component of a fall-arrest system.

(3) A person must not use a body belt as a component of a fall-arrest system.

Energy absorbers and lanyards

21.14 (1) An employer must ensure that a lanyard or an energy absorber used in a fall-arrest system is used and certified in compliance with the latest version of CSA standard CSA Z259.11, “Energy Absorbers and Lanyards”.

(2) An employer must ensure that a lanyard used in a fall-arrest system is equipped with an energy absorber, unless all of the following conditions are met:

(a) the combined free-fall distance and the energy absorber deceleration distance exceed the distance between the work area and a safe surface or hazard;

(b) the fall-arrest system is designed by a competent person to limit the free fall to less than 1.22 m and 8 kN arresting force;

(c) the fall-arrest system does not permit the user to contact an unsafe surface.

Anchorage

21.15 An employer must ensure that all anchorages used as components of a fall-protection system are capable of withstanding the following forces in any direction in which the force may be applied:

(a) 22 kN, for non-engineered anchorage;

(b) 2 times the maximum arresting force anticipated, for an engineered anchorage.

Horizontal and vertical lifelines

21.16 (1) An employer must ensure that a horizontal lifeline used as a component of a fall-protection system meets all of the following:

(a) it is designed and installed in compliance with the latest version of CSA standard CSA Z259.16, “Design of Active Fall-Protection Systems;

- (b) it is used, certified and made of material in compliance with the latest version of CSA standard CSA Z259.13, “Flexible Horizontal Lifeline Systems”.
- (2) An employer must ensure that a vertical lifeline used as a component of a fall-protection system is used and certified in accordance with the latest version of CSA standard CSA Z259.2.1, “Fall Arresters, Vertical Lifelines and Rails”.

Self-retracting devices

- 21.17 (1)** An employer must ensure the design, markings and instructions for a self-retracting device used as a component of a personal fall-arrest system comply with the latest version of CSA standard CSA Z259.2.2, “Self-Retracting Devices for Personal Fall-Arrest Systems”.
- (2) An employer must ensure a self-retracting device used as a component of a fall-protection system is
- (a) anchored above the user’s head unless the manufacturer’s specifications allow using a different anchorage location; and
 - (b) used in a manner that
 - (i) minimizes the hazards of swinging, and
 - (ii) if the user falls, limits the distance they drop during the swing to 1.2 m.

Connecting components

- 21.18 (1)** An employer must ensure all connecting components for a fall-arrest system are used and certified in compliance with the latest version of CSA standard CSA Z259.12, “Connecting Components for Personal Fall-Arrest Systems (PFAS)”.
- (2) An employer must ensure any carabiners and snap hooks used as components of a fall-arrest system are
- (a) self-closing and self-locking; and
 - (b) only capable of being opened by a minimum of 2 consecutive and deliberate manual actions.
- (3) An employer must ensure that each component of a fall-protection system is compatible with all of the following, as indicated in the manufacturer’s specifications and instructions for use of their equipment:
- (a) each other component and that the safe function of any component does not interfere with the safe function of another component;

- (b) the work conditions and conditions of the physical environment under which the equipment is to be used.

Fall-Protection Training

Fall-protection training required

21.19 (1) An employer must ensure that a person takes and successfully completes training on fall protection at all of the following times:

- (a) before they do any of the following:
 - (i) use fall protection,
 - (ii) work in, supervise or plan the work for a work area where fall protection is required; and
 - (b) once at least every 3 years.
- (2)** A person must not use fall protection or work in, supervise or plan the work for a work area where fall protection is required before successfully completing training as required by this Section.
- (3)** In order to successfully complete training, a person must be deemed competent to inspect and use fall protection by 1 of the following persons who conducted the training:
- (a) their employer;
 - (b) a training organization.
- (4)** Training must be instructed by a competent person.
- (5)** The person conducting the training must identify a method of evaluating the person taking the training and determining whether a person successfully completes the training.

Fall-protection training topics

21.20 Training on fall protection must include all of the following, as applicable to the nature of the work:

- (a) a review of all applicable health and safety legislation, regulations and standards;
- (b) identification of fall hazards;

- (c) a review of the hierarchy of controls that may be used to eliminate or minimize risk of injury from a fall;
- (d) the different methods of fall protection and the most suitable application of the methods;
- (e) fall-protection and safe-work procedures;
- (f) instruction on assessing and selecting specific anchors that may be used for various applications;
- (g) instruction on selecting and correctly using fall-protection components, including connecting hardware;
- (h) information about the effect of a fall on the human body, including all of the following:
 - (i) free fall,
 - (ii) swing fall,
 - (iii) maximum arresting force, and
 - (iv) the purpose of energy absorbers,
- (i) pre-use inspections of equipment and systems;
- (j) emergency response procedures to be used if a fall occurs;
- (k) practice in all of the following:
 - (i) inspecting, fitting, adjusting and connecting fall-protection systems and components,
 - (ii) the emergency response procedures required by clause (j).

Record of fall-protection training

21.21 (1) A record of fall-protection training required under Section 21.19 for each participant who successfully completes the training must be maintained by all of the following:

- (a) the employer;
- (b) any training organization that conducts the training.

- (2) A record of training under this Section must include all the following information:
- (a) the name of the participant;
 - (b) the date or dates of training;
 - (c) the name of the instructor;
 - (d) the name of the employer;
 - (e) the name of the training organization, if training is not conducted by the employer;
 - (f) a description of the training;
 - (g) the expiry date before which training must be renewed.
- (3) Each person who takes fall-protection training required by Section 21.19 must be given a copy of their record maintained under this Section.

Fall-protection training certificate or card

- 21.22 (1)** A person who conducts training must give each person who successfully completes the fall-protection training required by Section 21.20 a training certificate or card, signed by the instructor, with all of the following clearly indicated on it:
- (a) the name of the participant;
 - (b) the date or dates of training;
 - (c) the name of the employer and the training organization, if training is not conducted by the employer;
 - (d) the type of training;
 - (e) the expiry date for the training certificate or card before which training must be renewed.
- (2) A person must have their fall-protection training certificate or card available at the workplace at all times.

Part 22: Work Requiring Rope Access

Definitions for Part 22

22.1 In this Part,

“CEN” means the European Committee for Standardization;

“dynamic rope” means rope specifically designed to absorb energy and minimize the impact force in a fall by extending in length;

“code of practice” means a code of practice for rope access adopted in accordance with subsection 22.5(1);

“*International Code of Practice*” means the latest version of the *International Code of Practice* published by the Industrial Rope Access Trade Association;

“kermantel rope” means textile rope consisting of a core enclosed by a sheath;

“low stretch rope” means textile rope with lower elongation and less energy absorbing characteristics than dynamic rope;

“rope access” means a method of using ropes, in combination with other devices, for 1 of the following while further protected by a safety line, in which both the working line and safety line are connected to the user’s harness and separately secured to a reliable anchorage in such a way that a fall is prevented or arrested:

- (i) descending or ascending a working line to get to or from the work area,
- (ii) work positioning;

“rope access system” means a system used to position a person to conduct rope access;

“rope access technician” means a person, including a supervisor, who is trained and competent to perform the specific rope access tasks that are being undertaken;

“safety line” means an anchor line provided as a safeguard to protect against falls if the primary support anchorage or positioning mechanism fails;

“working line” means an anchor line used primarily for access, egress, work positioning and work restraint, but does not include a lifeline as defined in Part 21: Fall Protection.

Application of Part 22

22.2 This Part applies to any workplace where rope access methods are used to perform work or to train for work.

Conflict with Part 22

22.3 This Part prevails if there is any conflict between this Part and any of the following:

- (a) another Part of these regulations except Part 2: Occupational Health;
- (b) a code of practice.

Manufacturer's specifications and standards for rope access and equipment

22.4 An equivalent CSA standard may be substituted for an ANSI or CEN standard required by this Part.

Code of practice must be adopted for rope access work

22.5 (1) An employer must ensure that work is not conducted using rope access unless the employer has adopted 1 of the following as a code of practice for the work:

- (a) the *International Code of Practice* as modified by this Part;
- (b) a written safe-work procedure under subsection (2) that is approved in writing by the Director and provides for an adequate level of safety.

(2) A written safe-work procedure adopted for the purposes of clause (1)(b) must be based on a hazard assessment of the work typically performed by the employer and must include all of the following:

- (a) the type and scope of hazard assessment that will be undertaken to identify potential hazards, including how it will be conducted;
- (b) appropriate methods that will be used for controlling and eliminating typical hazards;
- (c) the training a rope access technician will receive before beginning rope access work and how the training ensures the rope access technician is competent to conduct the work;
- (d) how the rope access system and other equipment, including personal protective equipment, will be selected to ensure it is appropriate for its intended application;
- (e) how selected equipment will be maintained and inspected;
- (f) the name of a competent person or persons who will supervise the work area and the qualifications that make them competent to supervise the work;
- (g) the process to be followed in establishing a rope access safe-work plan in accordance with Section 22.9, including any consultation to be undertaken in developing the plan;
- (h) the processes that will be put in place for

- (i) rescue operations and other emergencies, including the equipment and personnel that will be available, and
- (ii) protecting third parties.

Application of *International Code of Practice*

22.6 (1) In the *International Code of Practice*,

- (a) “should” must be read as expressing a mandatory requirement that must be satisfied in order to comply with the Code;
 - (b) “work site” has the same meaning as “work area” as defined in Part 1: Interpretation and Application.
- (2)** Subject to subsection (3), an employer who adopts the *International Code of Practice* as their code of practice must comply with the Code in accordance with subsection (1) unless a requirement in the Code is specifically imposed on another party, in which case that party must comply with the requirement.
- (3)** Unless otherwise specified in this Part, the following provisions of the *International Code of Practice* do not apply to an employer who adopts the Code as their code of practice:
- (a) Section 2.3: “Selection of Rope Access Technicians”;
 - (b) Section 2.7.1.3: “Standards”;
 - (c) Part 3: “Informative Annexes”;
 - (d) Part 4: “Legislation”;
 - (e) Part 5: “Bibliography, further reading and useful addresses”.

Work restricted to rope access technicians

22.7 An employer must ensure that only rope access technicians engage in rope access work at a workplace.

Rope access technician must be competent person

22.8 (1) An employer must ensure that a rope access technician engaged in rope access work is a competent person for the intended activity in accordance with the employer’s code of practice.

- (2) An employer must keep a record that documents how a rope access technician qualifies as a competent person under the regulations, and must ensure a copy of the record is available at the workplace at all times.

Rope access safe-work plan required in work areas with risk of fall

- 22.9 (1)** Except as provided in Section 1.16 for an emergency services agency, if a rope access technician is at risk of falling from any height in a specific work area, an employer must develop a specific written rope access safe-work plan for the work area.
- (2) A rope access safe-work plan must be based on a hazard assessment of the specific work area and must include all of the following information:
 - (a) a list of the potential hazards associated with the work to be performed and their associated risks;
 - (b) how the hazards will be eliminated or controlled;
 - (c) the rope access system to be used at the work area;
 - (d) the procedures to be used to assemble, maintain, inspect, use and disassemble the rope access system;
 - (e) a list of persons who will be working in the work area, including each person's name and their duties;
 - (f) the appropriate personal protective equipment to be used to perform the work;
 - (g) an emergency response plan, including rescue operations, to be followed at the work area;
 - (h) an access and rigging plan for how to rig the ropes and gain access to the work position.

Rope access technician must keep logbook

- 22.10 (1)** A rope access technician must keep a hard copy logbook that meets all of the following criteria:
- (a) it has the name of the rope access technician written on it;
 - (b) it is permanently bound;
 - (c) it has consecutively numbered pages.

- (2) A rope access technician must keep their logbook at a work area at all times when they are at the work area.
- (3) A rope access technician must make and sign an entry in their logbook as soon as reasonably practicable after doing rope access work and before leaving a work area.
- (4) Each entry in a rope access technician's logbook must include all of the following information:
 - (a) the date of the work;
 - (b) the geographic location of the work;
 - (c) the name of their employer;
 - (d) the name of the supervisor for the work;
 - (e) the type of rope access equipment used;
 - (f) the time the work began;
 - (g) the duration of the work;
 - (h) the type of work performed;
 - (i) any accident, near miss or unusual incident that occurred and has the potential to affect health or safety;
 - (j) any factors that they consider relevant to their health or safety.
- (5) A rope access technician must keep their logbook for at least 2 years after the date of the last entry in the logbook.
- (6) An employer must ensure a rope access technician keeps a logbook in accordance with this Section.

Equipment must comply with code of practice or standards

22.11 An employer must ensure that equipment used in rope access is designed, installed, maintained and used in accordance with standards referenced in their code of practice or in accordance with the following standards that apply to the equipment being used:

- (a) the latest version of CSA standard CSA Z259.1, "Body Belts and Saddles for Work Positioning and Travel Restraint";
- (b) the latest version of CSA standard CSA Z259.10, "Full Body Harnesses";

- (c) the latest version of CSA standard CSA Z259.11, “Energy Absorbers and Lanyards”;
- (d) the latest version of CSA standard CSA Z259.12, “Connecting Components for Personal Fall Arrest Systems (PFAS)”;
- (e) CEN standard EN 567: 1997, “Mountaineering Equipment – Rope clamps – Safety requirements and test methods”;
- (f) CEN standard EN 353-2:2002, “Personal protective equipment against falls from height – Part 2: Guided type fall arresters including a flexible anchor line”;
- (g) CEN standard EN 341: 1997, “Personal protective equipment against falls from height – Descender devices”.

Standards for ropes used in rope access system

- 22.12 (1)** An employer must ensure that low stretch or static rope used in a rope access system is a Type A rope classified and approved by CEN standard EN 1892: 1998, “Personal protective equipment for the prevention of falls from a height – low stretch Kernmantel ropes”.
- (2)** An employer must ensure that high stretch or dynamic rope used in a rope access system is approved to CEN Standard EN 892: 2004, Mountaineering equipment – Dynamic mountaineering ropes – Safety requirements and test methods”.

Compatible components of rope access system

22.13 An employer must ensure that each component of a rope access system is compatible with all of the following, as indicated in the manufacturer’s specifications and instructions for use of their equipment:

- (a) each other component, and that the safe function of any component does not interfere with the safe function of another component;
- (b) the work conditions and conditions of the physical environment under which the equipment is to be used.

Anchorage in rope access system

22.14 An employer must ensure that all anchorages used as a component of a rope access system are capable of withstanding the following forces in any direction in which the force may be applied:

- (a) 22 kN, for non-engineered anchorage;
- (b) 2 times the maximum arresting force anticipated, for an engineered anchorage.

Protective headwear

- 22.15 (1)** An employer must ensure that a rope access technician wears protective headwear whenever there is a foreseeable danger of injury to the rope access technician's head while performing rope access work.
- (2) Protective headwear required by subsection (1) must be appropriate to the hazards and must meet the requirements of at least 1 of the following:
- (a) the latest version of CSA standard CSA Z94.1, "Industrial Protective Headwear";
 - (b) the latest version of ANSI standard ANSI Z89.1, "American National Standard for Industrial Head Protection";
 - (c) CEN standard EN 12492, "Mountaineering equipment – Helmets for mountaineers – Safety requirements and test methods".
- (3) A rope access technician must wear protective headwear in accordance with this Section.

Working lines and safety lines

- 22.16 (1)** An employer must ensure that working lines and safety lines used in a rope access system meet all of the following conditions:
- (a) the working line and safety line of the system must be the same diameter;
 - (b) a safety, secondary, belay or backup line of the system must be used when the working line is the primary means of support;
 - (c) the working line and safety line of the system must each be provided with a separate anchorage connection and be separately fixed to the rope access technician's harness.
- (2) Clauses (1)(a) and (b) do not prohibit both the working line and safety line from being attached to a single harness attachment point.
- (3) A rope access technician may connect the safety line to the sternal or frontal attachment point of the rope access technician's full-body harness in accordance with the harness manufacturer's specifications.

Part 23: Scaffolds and Other Elevated Work-platforms

Definitions for Part 23

23.1 In this Part,

“boatswain’s chair” means a simple body support device used for work positioning that typically incorporates a rigid seat and a suspension bridle and is suspended from an anchorage;

“bracket scaffold” means a scaffold consisting of a work-platform that is supported by metal brackets and attached to a structural wall but does not include a side bracket or end bracket;

“crane-supported work-platform” means a work-platform suspended from the cable of a hoist or crane, or attached directly to the boom of a crane by mechanical fasteners;

“elevating work-platform” means a type of integral chassis aerial platform that has an adjustable position platform that is supported from ground level;

“ITSDF” means the Industrial Truck Standards Development Foundation;

“ladderjack scaffold” means a scaffold erected by means of attaching 1 or more brackets to 1 or more ladders to support a work-platform;

“lift truck” means a lift truck as defined in the latest version of ANSI standard ANSI/ITSDF B56.1, “Safety Standard for Low Lift and High Lift Trucks”;

“lift truck work-platform” means a work-platform designed to be mounted on a high lift truck, or other elevating device, to provide a safe-working area for a person elevated by and working from the platform’s surface;

“pumpjack scaffold” means a scaffold consisting of a work-platform supported by vertical poles and adjustable support brackets;

“rolling scaffold” means an assembled scaffold

(i) supported by wheels, and

(ii) moved manually,

“scaffold” means a temporary elevated or hanging platform and its structural members that are used to support persons and materials, or both;

“standard”, in relation to a component of access scaffolding equipment, means a vertical scaffold member that supports the weight of a scaffold;

“suspended platform” means an access system that meets all of the following criteria, and includes but is not limited to permanently installed suspended

equipment, temporary suspended equipment, a boatswain's chair, stages running on an incline and suspended work cages:

- (i) it is suspended from overhead and arranged for hoisting, and may traverse the exterior or interior side of a building or structure, and
- (ii) it consists of a platform and means of suspension, lateral restraint, hoisting and anchoring;

“transom”, in relation to a component of access scaffolding equipment, means a horizontal scaffold member capable of supporting a platform or a lifting beam;

“work-platform” means a temporary horizontal working surface that provides access and support for a person at the workplace.

Engineer's certification of scaffolding

23.2 In addition to any certification required under Section 1.11, an employer must ensure that the design and installation of a scaffold used in a workplace are certified by an engineer if

- (a) required by the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffold”; or
- (b) the scaffold is a wooden scaffold that is taller than 10 m high measured from the height of the highest work-platform.

Standards for scaffolds

23.3 (1) An employer must ensure that a scaffold that is required to safely perform work is erected, installed, assembled, used, handled, stored, adjusted, maintained, repaired, inspected or dismantled in accordance with the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffold”.

(2) An employer must ensure that a scaffold is

- (a) designed to support and capable of holding at least 4 times the load that is likely to be on it; and
- (b) not used for a load that is heavier than 25% of the load that it is designed for.

Scaffolding equipment prohibited

23.4 A person must not use, and an employer must ensure a person does not use, any of the following equipment at a workplace:

- (a) wooden pumpjack scaffold poles;
- (b) wooden carpenter's brackets;

- (c) ladderjack scaffolds.

Pumpjack scaffolds

23.5 (1) An employer must ensure that any pumpjack scaffold system used is metal.

- (2) A pumpjack scaffold must be installed and used so that all of the following conditions are met:
 - (a) the load on the pumpjack scaffold is less than 122 kg per square metre (25 lbs. per square foot) and no more than 2 persons are between supporting poles at a time;
 - (b) the height of the scaffold is no higher than 13.7 m;
 - (c) unless otherwise specified in the manufacturer's specifications, it has bracing every 4.6 m, starting at the base of the scaffold.
- (3) A person must use pumpjack scaffolds in accordance with this Section.

Bracket scaffolds

23.6 (1) An employer must ensure that a bracket scaffold meets all of the following conditions:

- (a) brackets on a bracket scaffold must be spaced no more than 3 m apart;
 - (b) a loaded bracket scaffold must be securely attached to a structural wall that is able to withstand the force applied in accordance with the manufacturer's specifications by
 - (i) bolting the bracket scaffold to the wall, or
 - (ii) welding the bracket scaffold to steel structures attached to the wall;
 - (c) a bracket scaffold must be capable of supporting at least 4 times the load that is likely to be on it.
- (2) A person must use bracket scaffolds in accordance with subsection (1).

Roofing brackets

23.7 (1) An employer must ensure roofing brackets meet all of the following conditions:

- (a) they must be securely fastened to the roof;
- (b) they must have a span of no greater than 3 m;

(c) they must be capable of supporting at least 4 times the load that is likely to be on them.

(2) A person must use roof brackets in accordance with subsection (1).

Safe-use practices for scaffolds

23.8 An employer must ensure compliance with the safe-use practices for scaffolds set out in the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffold”, including the falling object protection precautions if there is danger of objects falling from the scaffold and striking a person below.

Inspections of scaffolds

23.9 (1) An employer must ensure that a scaffold used at a workplace is inspected daily by a competent person or engineer.

(2) The results of any inspection of a scaffold must be communicated to the users by methods described in the latest version of the CSA standard CSA Z797, “Code of Practice for Access Scaffold”.

Materials to be used in scaffold work-platforms

23.10 (1) Except as otherwise provided in these regulations, an employer must ensure that materials to be used in a work-platform as part of a scaffold comply with the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffold”.

(2) If sawn lumber is used for scaffold planks, an employer must ensure that it meets 1 of the following specifications:

(a) the planks are No. 1 grade or Select Structural Spruce-Pine-Fir (S-P-F) grade and sized 51 mm thick and 254 mm wide;

(b) the planks are No. 2 grade or better and sized no smaller than 38 mm thick and 235 mm wide rough sawn lumber, and are doubled up and fastened one on top of the other.

(3) An employer must ensure that material used as scaffold planks, other than sawn lumber, complies with the latest version of CSA standard CSA Z797, “Code of Practice for Access Scaffold”.

Suspended work-platforms

23.11 (1) An employer must ensure that a suspended work-platform is

(a) inspected and operated in accordance with the latest version of CSA standard CSA Z91, “Health and Safety Code for Suspended Equipment Operations”; and

- (b) designed, constructed, installed, maintained, and inspected in accordance with the latest version of CSA standard CSA Z271, “Safety Code for Suspended Platforms”.
- (2) If there is danger of objects falling from the scaffold and striking a person below, an employer must ensure that falling object protection precautions are taken in accordance with the latest version of CSA standard CSA Z271, “Safety Code of Suspended Platforms”.
- (3) If a suspended work-platform is out of level by greater than 10%, an employer must ensure that
 - (a) no work is conducted on the platform; and
 - (b) the platform is moved only to adjust it to level.

Lift truck work-platform

- 23.12 (1)** An employer must ensure that a lift truck work-platform is designed, maintained, inspected and operated in accordance with the latest version of ANSI standard ANSI/ITSDF B56.1, “Safety Standard for Low Lift and High Lift Trucks”.
- (2) While a person is on a lift truck work-platform, the lift truck used to lift a person must be operated only under the following conditions:
 - (a) it must be operated by a competent person who must be continuously at the controls;
 - (b) it must not be moved laterally over large distances;
 - (c) it or the platform may be moved slowly to make minor adjustments only.

Elevating work-platforms

- 23.13 (1)** An employer must ensure that portable, self-propelled and self-propelled boom-supported elevating work-platforms are designed, constructed, erected, maintained, inspected, monitored and used in accordance with the latest version of the following applicable standards:
- (a) CSA standard CSA B354.1, “Portable Elevating Work Platforms”;
 - (b) CSA standard CSA B354.2, “Self-Propelled Elevating Work Platforms”;
 - (c) CSA standard CSA B354.4, “Self-Propelled, Boom-Supported Elevating Work Platforms”;
 - (d) CSA standard CSA C225, “Vehicle Mounted Aerial Devices”.

- (2) An employer must ensure that elevating work-platforms used for fire-fighting are designed, constructed, erected, maintained, inspected, monitored and used in accordance with the latest version of the following applicable standards:
 - (a) NFPA standard NFPA 1901, “Standard for Automotive Fire Apparatus”;
 - (b) NFPA standard NFPA 1911, “Standard for the Inspection, Maintenance, Testing and Retirement of In Service Automotive Fire Apparatus”.
- (3) An employer must ensure that a record of inspections, tests, repairs, modifications and maintenance activities required by the applicable standards in subsections (1) and (2) includes the name and signature of the person or persons who performed the required activities.
- (4) Whether or not guardrails are also installed, before operating the equipment in subsection (1) or (2), an employer must ensure, in accordance with Part 21: Fall Protection, that fall-arrest equipment is worn and anchored to a suitable anchorage.

Crane-supported work-platforms

- 23.14 (1)** An employer must ensure that a crane-supported work-platform is designed, maintained, inspected and used in accordance with the latest version of CSA standard CSA Z150, “Safety Code on Mobile Cranes”.
- (2) An operator of a crane or hoist used to suspend a work-platform must have an effective means of constant communication with a person on the platform.

Mast-climbing work-platforms

- 23.15** An employer must ensure that a mast-climbing work-platform is designed, constructed, erected, maintained, inspected and used in accordance with the latest version of CSA standard CSA B354.5, “Mast-climbing work platforms”.

Lifting persons in certain equipment prohibited

- 23.16** Except as expressly permitted in these regulations or in some other enactment, a person must not be lifted or held aloft in equipment that is not specifically designed for that purpose, including loader buckets or backhoes.

Part 24: Temporary Workplaces on Highways

Definitions for Part 24

- 24.1** In this Part,

“code of practice” means a code of written work procedures adopted in accordance with Section 24.3 for construction, maintenance or utility work conducted at a temporary highway workplace;

“high-visibility safety apparel” means brightly coloured and retroreflective apparel worn to enhance conspicuousness;

“highway” means

- (i) a public highway, street, lane, road or bridge, and
- (ii) private property that is designed to be and is accessible to the general public for the operation of a vehicle,

“safe-work procedure” means a written work procedure adopted in accordance with Section 24.4 for work conducted at a temporary highway workplace other than construction, maintenance or utility work;

“temporary highway workplace” means a workplace that is

- (i) of a temporary nature, and
- (ii) located on or near a highway, and situated and equipped so that
 - (A) it is a potential impediment to vehicle traffic on the highway, or
 - (B) an approaching driver has to reduce their speed or alter the path of travel of their vehicle;

“*Temporary Workplace Traffic Control Manual*” means the latest version of the *Temporary Workplace Traffic Control Manual* published by the Department of Transportation and Infrastructure Renewal;

“vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting a motorized wheelchair and devices moved by human power or used exclusively upon stationary rails or tracks.

Application of Part 24

24.2 This Part applies only to temporary highway workplaces.

Code of practice required for construction, maintenance or utility work

24.3 (1) An employer must ensure that construction, maintenance or utility work is not conducted at a temporary highway workplace until the employer adopts 1 of the following as a code of practice for the work:

- (a) the *Temporary Workplace Traffic Control Manual*;

(b) a written safe-work procedure, approved in writing by the Director, that provides for an adequate level of safety in relation to the general considerations for traffic control set out in the *Temporary Workplace Traffic Control Manual*, including all of the considerations set out in subsection (2).

(2) A written safe-work procedure adopted for the purposes of clause (1)(b) must clearly identify the measures to be taken to provide an adequate level of safety in relation to all of the following:

(a) the nature of the work to be performed at the temporary highway workplace;

(b) the physical area covered by the temporary highway workplace;

(c) the duration of the work;

Text lettered as (b) in original, but relettered as (c) for the purposes of this consolidation.

(d) how much the work area encroaches on the highway;

(e) the selection, use and placement of signs and devices to address

(i) how much traffic will be around the temporary highway workplace and how fast the traffic moves,

(ii) how much advance notice a vehicle driver requires when approaching a temporary highway workplace, and

(iii) how much distance a vehicle driver requires to adequately prepare for the temporary highway workplace;

(f) the number of temporary workplace personnel required and their responsibilities, positioning, training, clothing, equipment, communication and signalling;

(g) the effect that weather conditions could have on the temporary highway workplace;

(h) any reasonably foreseeable circumstances that could adversely affect the ability of approaching vehicle drivers to see a person at the temporary workplace.

(3) A code of practice approved under clause (1)(b) must include a completed workplace checklist that has enough detail to demonstrate that consideration has been given to the general principles of traffic control set out in the *Temporary Workplace Traffic Control Manual*.

Safe-work procedure required for other work

24.4 Except as provided in Section 1.17 for emergency services agencies, an employer must ensure that any work other than construction, maintenance or utility work is not conducted at a temporary highway workplace until the employer adopts a written safe-work procedure for the type of work to be conducted that identifies the measures to be taken to provide an adequate level of safety in relation to all of the factors set out in subsection 24.3(2).

Requirements for employees on foot

24.5 Except as provided in Section 1.17 for emergency services agencies, an employer who conducts work at a temporary highway workplace must ensure that all of the following requirements are met for an employee who is on foot at the temporary highway workplace:

- (a) the employee must wear high-visibility safety apparel that is in accordance with all of the following:
 - (i) for the selection, use and care of the apparel, the latest version of CSA standard CSA Z96.1, “Guideline on selection, use and care of high-visibility safety apparel”,
 - (ii) for the design and performance of the apparel, the latest version of CSA standard CSA Z96, “High-visibility safety apparel”;
- (b) when directing traffic at or near the temporary highway workplace, the employee must use a flashlight with a red cone or an equivalent light for use at all of the following times:
 - (i) from a half hour after sunset to a half hour before sunrise,
 - (ii) any time when visibility is so limited, by fog, rain, snow or other atmospheric conditions or by poor lighting, that a person is not clearly visible at a distance of 100 m;
- (c) if the employee has a vehicle equipped with flashing lights, the employee must have the flashing lights turned on while working at the temporary highway workplace.

Part 25: Occupational Diving

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Occupational Diving Regulations* made under the Act.)

Part 26: Violence in the Workplace

(This heading is here as a placeholder only. There is no content for this Part yet. For the current regulations on this subject matter, see the *Violence in the Workplace Regulations* made under the Act.)

Part 27: Not Allocated

(This heading is here as a placeholder only. There is no content for this Part yet.)

Part 28: Not Allocated

(This heading is here as a placeholder only. There is no content for this Part yet.)

Part 29: Not Allocated

(This heading is here as a placeholder only. There is no content for this Part yet.)

Part 30: Reviews and Appeals

Definition for Part 30

30.1 In this Part,

“appeal” means an appeal of an order or decision filed under Section 69 of the Act or an appeal of an administrative penalty filed under Part 31: Administrative Penalties.

Application of Part 30

30.2 This Part applies with respect to all of the following:

- (a) all orders and decisions referred to in Sections 67 and 69 of the Act;
- (b) all administrative penalties imposed under Part 31: Administrative Penalties.

Time period for Director to review officer’s order or decision

30.3 A review or alteration by the Director of an order or decision of an officer under Section 67 of the Act or of an administrative penalty under Section 31.8 may be carried out

- (a) for a matter that is not appealed, at any time within the 30 days after the date the order, decision or administrative penalty is served on the recipient;
- (b) for a matter that is appealed, no later than 10 days after the Director is notified by the Board under subsection 69(5) of the Act or subsection 31.13(2), as the case may be, that a notice of appeal of the order, decision or administrative penalty has been filed.

Information required for notice of appeal

30.4 In addition to the information required by subsection 69(3) of the Act, a notice of appeal must be in writing and must include all of the following information about the person appealing:

- (a) name;
- (b) address;

(c) telephone number.

Onus on appellant

30.5 In any appeal, the onus is on the appellant to establish, on a balance of probabilities, that the order, decision or administrative penalty should not be confirmed.

Technical irregularities and defects

30.6 (1) No proceedings before the Board are invalid by reason of any defect in form or any technical irregularity.

(2) The Board must not revoke an order, decision or administrative penalty because of a defect in form or a technical irregularity, including a defect in the information provided as required by Section 31.4 in a notice of administrative penalty, unless the person appealing the order, decision or administrative penalty establishes on a balance of probabilities that they were prejudiced by the defect or technical irregularity and the Board cannot cure the prejudice through an extension of time or any other procedural ruling that the Board could make.

Record of decision

30.7 (1) For each appeal hearing it conducts, the Board must maintain a record of its decision-making process to submit to the court in the event of an application for review of a decision of the Board under subsection 70(2) of the Act.

(2) A record of the Board's decision-making process must consist of all of the following:

(a) the Board's decision;

(b) all documents submitted to the Board with respect to the Board's decision; and

(c) all documents produced by the Board with respect to the Board's decision.

(3) For greater certainty, notes made personally by any member of the Board in a hearing or in related preparations or deliberations are not part of the record of the Board's decision-making process for the purposes of this Section.

Part 31: Administrative Penalties

Definitions for Part 31

31.1 In this Part,

“administrative penalty” means an administrative penalty imposed under Section 31.2;

“former regulations” means the *Occupational Health and Safety Administrative Penalties Regulations*, N.S. Reg. 291/2009;

“presented for service”, in relation to either of the following documents, means given to an agent in order for the agent, on behalf of an officer, to serve the document on a person by a form of delivery set out in clause 40(2)(a) or (b) of the Act:

- (i) a notice of administrative penalty being served in accordance with subsection 31.3(1),
- (ii) a notice of an extension of the time period for service of a notice of administrative penalty being served in accordance with subsection 31.3(3);

“workplace inspection report” means a written report of a workplace inspection conducted by an officer.

Officer may impose administrative penalty

- 31.2 (1)** An officer may impose an administrative penalty on a person who has contravened a provision of the Act or a regulation made under the Act and has been issued an order with respect to the contravention.
- (2)** An administrative penalty is imposed on a person by serving the person or having the person served with a notice of administrative penalty.

Time period for serving notice of administrative penalty

- 31.3 (1)** Except as permitted in subsection (2), a notice of administrative penalty must be personally served by an officer or presented for service no later than 14 days after the date the written order is issued respecting the contravention for which the administrative penalty is being imposed.
- (2)** If the Director considers it necessary to extend the time period for imposing an administrative penalty on a person, the Director must notify the person that an administrative penalty is being considered and may be imposed at a later date.
- (3)** A notice of an extension under subsection (2) must be personally served by an officer or presented for service no later than 14 days after the date the written order is issued respecting the contravention for which the administrative penalty is being considered.

Content of notice of administrative penalty

- 31.4 (1)** A notice of administrative penalty must be in writing and must contain all of the following information:
- (a) the name of the person on whom the administrative penalty is imposed;

- (b) the provision of the Act or the regulation made under the Act that was contravened;
 - (c) the substance of the contravention;
 - (d) the identifying number assigned to the order and workplace inspection report respecting the contravention;
 - (e) the amount of the administrative penalty;
 - (f) when and how the administrative penalty must be paid;
 - (g) the process for filing an appeal of the administrative penalty.
- (2) Further particulars that support the substance of a contravention as indicated in accordance with clause (1)(c) may be set out in either or both of
- (a) an order respecting the contravention; or
 - (b) a workplace inspection report respecting the contravention.

Amount of administrative penalty

31.5 (1) The amount of an administrative penalty is as set out in the following table:

Person On Whom Administrative Penalty Imposed	Administrative Penalty		
	1st	2nd	3rd or subsequent
employer, contractor, constructor, supplier, provider of occupational health or safety service, architect or professional engineer	\$500	\$1000	\$2000
employee who has supervision responsibilities, owner or self-employed person	\$250	\$500	\$1000
employee	\$100	\$200	\$500

- (2) Subject to subsection (3), in determining whether an administrative penalty for a contravention is a 2nd, 3rd or subsequent penalty for the purpose of subsection (1), only an administrative penalty that was imposed within the 3-year period immediately before the date of the contravention is counted as a previous administrative penalty.

- (3) The 3-year period referred to in subsection (2) must not include any period of time earlier than the date this Part comes into force.

Administrative penalty imposed for each day

31.6 An officer may impose an administrative penalty for each day a contravention continues.

Administrative penalty does not relieve person from duty to comply

31.7 The imposition of an administrative penalty does not relieve a person from their duty to comply with the order respecting the contravention for which the administrative penalty was imposed.

Director may review administrative penalty

31.8 (1) Subject to the time limit in Section 30.3, the Director may, on the Director's own motion, review an administrative penalty and do any of the following after consulting with the officer who imposed the administrative penalty:

- (a) amend the administrative penalty for any reason, including any of the following:
 - (i) to correct a defect in form or a technical irregularity,
 - (ii) to correct a reference to a provision of the Act or a regulation made under the Act;
 - (b) substitute an administrative penalty in a lesser amount as set out in the table in subsection 31.5(1), if the Director considers that an administrative penalty is warranted but disagrees as to whether the administrative penalty that was imposed is the 2nd, 3rd or subsequent penalty, as the case may be;
 - (c) revoke the administrative penalty.
- (2) On amending, substituting or revoking an administrative penalty, the Director must
- (a) serve notice of the amendment, substitution or revocation on the person ~~to~~ [on] whom the administrative penalty was imposed; and
 - (b) if the Director has been notified by the Board as referred to in clause 30.3(b) that a notice of appeal of the administrative penalty has been filed, provide the Board with a copy of the notice served on the person under clause (a).

Paying administrative penalty

31.9 (1) Except as provided in subsection (2), a person who is served a notice of administrative penalty must pay the administrative penalty no later than 30 days after the date the notice is served.

- (2) An administrative penalty that is appealed is not required to be paid unless the Board decides that an administrative penalty must be paid, and in that case it must be paid no later than 30 days after the date of the Board's decision.

Failure to pay administrative penalty

31.10 If an administrative penalty is not paid by the applicable deadline in Section 31.9, the amount of the administrative penalty is a debt due to the Crown in right of Nova Scotia.

Person required to pay administrative penalty not charged with offence

31.11 A person who is required to pay an administrative penalty for a contravention must not be charged with an offence for the same contravention.

Collected penalty funds used for safety initiatives

31.12 All funds from penalties collected under this Part must be deposited into the Occupational Health and Safety Public Education Trust Fund and used for the purpose of occupational health and safety initiatives, including public education.

Appealing administrative penalty

31.13 (1) A person on whom an administrative penalty is imposed may appeal the administrative penalty by filing a notice of appeal with the Board no later than 30 days after the date the person is served with the notice of administrative penalty.

- (2) The Board must notify the Director in writing that a notice of appeal has been filed within a reasonable time after receiving the notice and before beginning the appeal hearing.

Extension for filing appeal of order when administrative penalty imposed

31.14 (1) If a person is served with a notice of administrative penalty, the time period set out in subsection 69(2A) of the Act for filing a notice of appeal of the order respecting the contravention for which the administrative penalty is imposed is extended to no later than 30 days after the date the person is served with the notice of administrative penalty.

- (2) The extension under subsection (1) for filing a notice of appeal of an order also applies if the administrative penalty is imposed after a time extension by the Director under subsection 31.3(2), unless the order has already been appealed and a decision has been rendered by the Board.

Appealing administrative penalty after amendment or substitution by Director

31.15 (1) If an administrative penalty is appealed to the Board and the Director subsequently amends or substitutes an administrative penalty, the appeal will proceed as an appeal of the Director's decision.

- (2) The appellant in an appeal described in subsection (1) may amend their notice of appeal if permitted to do so by the Board, and any amended notice of appeal must be submitted in the form and manner required by the Board.
- (3) If an administrative penalty has not been appealed and the Director amends or substitutes an administrative penalty, the person on whom the amended or substituted penalty is imposed may appeal the administrative penalty as amended or substituted by the Director by filing a notice of appeal with the Board no later than 30 days after the date the person is served with notice of the amended or substituted administrative penalty.
- (4) Subsection 31.13(2) and Sections 31.16 to 31.21 apply with the necessary changes in detail to an appeal under subsection (3) of an administrative penalty that has been amended or substituted by the Director.

Notice of appeal of administrative penalty

31.16 A notice of appeal of an administrative penalty must be in writing and must include or be accompanied by all of the following:

- (a) the same information as required by Section 30.4 for a notice of appeal under Part 30;
- (b) a copy of the notice of administrative penalty that is being appealed;
- (c) the grounds of the appeal;
- (d) the relief requested.

Board must conduct hearing

31.17 (1) The Board must conduct a hearing of an appeal of an administrative penalty, either orally or through written submissions.

- (2) The Director is a party to any appeal heard under this Part.

Power of Board on appeal

31.18 The Board must do 1 of the following on an appeal of an administrative penalty:

- (a) confirm the administrative penalty;
- (b) revoke the administrative penalty;
- (c) substitute an administrative penalty in a lesser amount as set out in the table in subsection 31.5(1), if the Board considers that an administrative penalty is warranted but disagrees as to whether the administrative penalty that was imposed is the 2nd, 3rd or subsequent penalty, as the case may be.

Administrative penalty appeal must be heard with appeal of order

31.19 If a person appeals both an order and an administrative penalty respecting the contravention for which the order was issued, the Board must hear the appeals together, but must render separate decisions for the order and the administrative penalty.

Board must provide copy of decision

31.20 The Board must provide a copy of its decision in an appeal of an administrative penalty to the person who appealed the administrative penalty and to the Director.

Application of Part 30: Appeals to appeal of administrative penalty

31.21 Part 30: Appeals applies to an appeal of an administrative penalty under this Part.

Transition for administrative penalty appeals

31.22 An appeal of an administrative penalty must be heard and determined in accordance with the former regulations in either of the following circumstances:

- (a) the appeal was initiated under the former regulations before this Part came into force and the appeal was not completed before this Part came into force;
- (b) the appeal is initiated under the former regulations after the coming into force of this Part.

Legislative History Reference Tables

Workplace Health and Safety Regulations
Occupational Health and Safety Act

N.S. Reg. 52/2013

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Workplace Health and Safety Regulations* made under the *Occupational Health and Safety Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
52/2013	Jun 12, 2013	date specified	Mar 22, 2013

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
143/2014	Oct 1, 2014	date specified	Oct 3, 2014
43/2022	Jun 13, 2022	date specified	Mar 25, 2022

The following regulations are not yet in force and are not included in the current consolidation:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
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*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Amendments by Provision

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected	How affected
Part 4.....	ad. 43/2022
Parts 30-31.....	ad. 143/2014

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections:

Note	Effective date
1 Second clause 1.8(1)(b) redesignated as (c) for the purposes of the consolidation.	
2 Clauses 21.1(3)(d)-(f) rearranged in correct alphabetical order for the purposes of the consolidation.	

Note	Effective date
3 Clauses 22.9(2)(g) and (h) moved to correct alphabetical order for the purposes of the consolidation	
4 The reference to the Department of Transportation and Infrastructure Renewal in s. 24.1 should be read as a reference to the Department of Transportation and Active Transit in accordance with O.I.C. 2021-56 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Feb 23, 2021
5 The reference to the Department of Labour and Advanced Education in s. 1.2 should be read as a reference to the Department of Labour, Skills and Immigration in accordance with O.I.C. 2021-208 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Aug 31, 2021
6 The reference to the Department of Transportation and Infrastructure Renewal in s. 24.1 should be read as a reference to the Department of Public Works in accordance with O.I.C. 2021-209 under the <i>Public Service Act</i> , R.S.N.S. 1989, c. 376.	Aug 31, 2021

Repealed and Superseded:

N.S. Regulation	Title	In force date	Repealed date
112/1976	Occupational Health and Safety Regulations made under the <i>Health Protection Act</i>	Dec 21, 1976	Jun 12, 2013
172/1991	Temporary Workplace Traffic Control Regulations	Aug 1, 1991	Jun 12, 2013
2/1996	Fall Protection and Scaffolding Regulations	Jan 3, 1996	Jun 12, 2013

Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.

This consolidation is unofficial and is for reference only. For the official version of the regulations, consult the original documents on file with the [Registry of Regulations](#), or refer to the [Royal Gazette Part II](#).

Regulations are amended frequently. Please check the list of [Regulations by Act](#) to see if there are any recent amendments to these regulations filed with the Registry that are not yet included in this consolidation.

Although every effort has been made to ensure the accuracy of this electronic version, the Registry of Regulations assumes no responsibility for any discrepancies that may have resulted from reformatting.

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Occupational Safety General Regulations

made under Section 82 of the

Occupational Health and Safety Act

S.N.S. 1996, c. 7

O.I.C. 1999-195 (April 28, 1999, effective May 1, 2000*), N.S. Reg. 44/99

as amended up to O.I.C. 2013-65 (March 12, 2013, effective June 12, 2013), N.S. Reg. 53/2013

(*except as otherwise noted)

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Citation

- 1 These regulations may be cited as the *Occupational Safety General Regulations*.

Definitions

- 2 In these regulations,

(a) “Act” means the *Occupational Health and Safety Act*;

Clause 2(a) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(aa) “adequate” means sufficient to protect a person from injury or damage to health;

Clause 2(a) re-lettered as clause 2(aa): O.I.C. 2013-65, N.S. Reg. 53/2013.

(b) “ALP” means the Automotive Lift Institute;

Clause 2(b) added: O.I.C. 2000-130, N.S. Reg. 52/2000; amended O.I.C. 2013-65, N.S. Reg. 53/2013.

(ba) “angle of repose” means the angle with the horizontal at which material will no longer flow freely;

Clause 2(b) re-lettered as clause 2(ba): O.I.C. 2000-130, N.S. Reg. 52/2000.

(c) “ANSI” means the American National Standards Institute;

(ca) “approved” means approved by the Department or by an agency or authority designed or selected by the Department to make approvals;

Clause 2(ca) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(d) “ASME” means the American Society of Mechanical Engineers;

(e) “ASTM” means the American Society for Testing and Materials;

(ea) “CGA” means the Compressed Gas Association;

Clause 2(ea) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(f) “CGSB” means the Canadian General Standards Board;

(g) “competent person” means a person who is

(i) qualified because of their knowledge, training and experience to do the assigned work in a manner that ensures the health and safety of every person in the workplace, and

Subclause 2(g)(i) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(ii) knowledgeable about the provisions of the Act and regulations that apply to the assigned work, and about potential or actual danger to health or safety associated with the assigned work;

(ga) “compressed air” means air mechanically raised to a pressure higher than atmospheric pressure;

Clause 2(ga) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(h) “CSA” means the Canadian Standards Association;

(i) “demolition” means the destruction or removal of all, or part, of an existing building or structure;

(ia) “department” means the Department of Labour and Advanced Education.

Clause 2(ia) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(j) “designated” means, in relation to an employer, appointed in writing by the employer;

Clause 2(j) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

(k) “electrical installation” means the wires, machinery, apparatus, appliances, devices, material and equipment used or intended for use for the generation, transmission, distribution, supply and use of electrical power or energy, and includes a power line and power line equipment;

(l) “engineer” means a person who is registered as a member or licensed to practise under the *Engineering Profession Act* and is competent to do the work being performed;

(m) “firefighter” means

(i) an employee who provides fire suppression services to the public from a fire department within a municipality or local service district, or

(ii) an industrial firefighter;

- (n) “guardrail” means a fall protection system consisting of vertical and horizontal members that
 - (I) are capable of withstanding concentrated forces, as prescribed in these regulations or an applicable standard,
 - (ii) warn of a fall hazard, and
 - (iii) reduce the risk of a fall;

Clause 2(n) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (o) “hazardous substance” means chemical or biological material, dangerous goods within the meaning of the *Dangerous Goods Transportation Act* or a controlled product within the meaning of the *Hazardous Products Act* (Canada) that is likely to, because of its harmful nature, cause injury or damage to the health or safety of a person exposed to it;
- (p) “hoist” means a device or equipment and its structure used for lifting or lowering material, including cranes, an automotive lift, a winch, a chain fall or other similar device, but does not include a lift truck, a power operated elevating work platform, a device to which the *Elevators and Lifts Act* applies or a hoist that operates in a shaft in the underground at a mine;

Clause 2(p) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (pa) “ITSDF” means the Industrial Truck Standards Development Foundation;

Clause 2(pa) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (q) “industrial firefighter” means an employee who

(i) is designated to fight fires at the employee's place of employment,
and

(ii) is employed by an employer who does not, in the normal course of
its business, provide fire suppression services to the public;

(qa) "latest version" means, in relation to a standard or other publication, the
latest edition of the standard or publication as supplemented, amended,
added to, replaced or superseded;

Clause 2(qa) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(r) "lift truck" means a lift truck as defined in the latest version of ANSI
standard ANSI/ITSDF B56.1, "Safety Standard for Low Lift and High
Lift Trucks";

Clause 2(r) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

(s) "locked out" means to have

(i) isolated the energy source or sources from a machine, equipment,
tool or electrical installation,

(ii) dissipated any residual energy in a system, and

(iii) secured the isolation of the energy source or sources by an
inhibiting device that is operated by a key or other process,

and to have performed a "lock-out" has a similar meaning;

Clause 2(t) repealed: O.I.C. 2000-130, N.S. Reg. 52/2000.

(u) “manufacturer’s specifications” means

- (i) the written instructions of a manufacturer of a machine, material, tool or equipment that outline the manner in which the machine, material, tool or equipment is to be erected, installed, assembled, started, operated, used, handled, stored, stopped, adjusted, carried, maintained, repaired, inspected, serviced, tested, cleaned or dismantled, and

Subclause 2(u)(i) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (ii) a manufacturer’s instruction, operating or maintenance manual and drawings respecting a machine, tool or equipment;

Subclause 2(u)(ii) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(ua) “mobile crane” means a mobile crane to which the latest version of CSA standard CSA Z150, “Safety Code on Mobile Cranes” applies;

Clause 2(ua) added: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(v) “NFPA” means the National Fire Protection Association;

(va) “overhead crane” means any mechanical device or structure that is used to raise, lower and move material that travels overhead and that incorporates a

- (i) power driven drum, bridge and cable or rope,

(ii) single or multiple girder, and

(iii) moveable bridge carrying a moveable or fixed hoisting mechanism,

but does not include wall cranes, cantilever gantry cranes and semi-gantry cranes;

Clause 2(va) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

(vb) “personal flotation device” means personal protective equipment that is capable of supporting a person with their head above water without the direct effort of the person wearing the equipment;

Clause 2(vb) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(w) “power line” means the above-ground or underground wiring that is used to distribute electricity;

Clause 2(w) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(x) “power line equipment” means the components that are required to distribute electricity by means of a power line;

Clause 2(x) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(y) “power operated elevating work platform” means a mobile horizontal working surface that provides access and support to a person at a workplace, and that is elevated and lowered by means of a mechanism and [that complies with] Part 23: Scaffolds and Other Elevated Work Platforms, of the *Workplace Health and Safety Regulations* made under the Act;

Clause 2(y) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (z) “powered mobile equipment” means self-propelled equipment that is designed to operate on land in conditions other than a public highway, but does not include equipment primarily designed to transport persons, a lift truck or a power operated elevating work platform;

Clause 2(z) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (aa) “SAE” means the Society of Automotive Engineers;

- (ab) “structural fire-fighting” means the activities of rescue, fire suppression and conservation of property from fires involving buildings, structures, vehicles, vessels, aircraft or other large objects constructed by human effort;

- (ac) “surface mine” means a work or undertaking, other than a trench, for the purpose of opening up, proving, removing or extracting any metallic or non-metallic mineral or mineral bearing substance, rock, earth, clay, sand or gravel by means of an open excavation, and includes a pit or quarry;

- (ad) “tower crane” means any mechanical device or structure that

- (i) incorporates a power-driven drum and cable or rope and a vertical mast or tower and a jib,

- (ii) is of the traveling, fixed or climbing type, and

- (iii) is used exclusively for raising, lowering and moving material;

Clause 2(ad) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(ae) “trench” means an excavation in which the excavation depth exceeds the excavation width;

(af) “work area” means a location at the workplace at which an employee or self-employed person is or is likely to be working;

Clause 2(af) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(ag) “worked” means drilled, blasted, extracted, excavated, loaded or subjected to other similar work.

Clause 2(ag) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

Part 2 - General

Application

3 These regulations apply to all workplaces to which the *Occupational Health and Safety Act* applies, unless otherwise expressly provided in these regulations.

Section 3 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Duties of parties

4 (1) A duty imposed by these regulations on an employer, is also imposed on any contractor, constructor, supplier, employee, owner or self-employed person, to the extent of the contractor’s, constructor’s, supplier’s, employee’s, owner’s or self-employed person’s authority and ability to discharge the duty in the circumstances.

Subsection 4(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) For the purpose of applying Section 23 of the Act and determining the person with the greatest degree of control,

- (a) the person with the greatest authority and ability to ensure that a duty is discharged or a requirement is met is presumed to be the person with the greatest degree of control over the matter that is the subject of the duty or the requirement; and

- (b) a provision in a lease or other agreement relating to property rights that gives a specified owner authority to control an aspect of lands or premises that are used as a workplace, is *prima facie* evidence that the specified owner has the greatest degree of control over that aspect of the land or premises.

Subsection 4(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Conflict with these regulations

- 5 (1) If there is any conflict between these regulations and a manufacturer's specifications or a standard incorporated by reference into these regulations, these regulations prevail.

- (2) Despite a requirement in these regulations to comply with a standard or other publication incorporated by reference into these regulations, an express requirement of these regulations that varies from the standard or publication prevails over the standard or publication.

Section 5 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Compliance with standards incorporated by reference

- 6 (1) Except as otherwise specified in these regulations, an object that is required by these regulations to comply with the latest version of a standard must conform to the physical specifications contained in the latest version of the standard unless there is no evidence raising a reasonable doubt as to whether the object is adequate and the object meets of the following:

- (a) the object conforms to the physical specifications contained in the latest version of the standard as of the object's date of manufacture;
 - (b) no version of the standard existed at the object's date of manufacture but the object conforms to generally accepted engineering principles prevailing at the object's date of manufacture.
- (2) Except as otherwise provided in these regulations, any activity in relation to an object, including inspection, maintenance and use, that is required by these regulations to comply with the latest version of a standard must comply with the latest version of the standard unless it is established that compliance with 1 of the following is more likely to ensure adequate performance of the object:
- (a) an earlier version of the standard;
 - (b) generally accepted engineering principles prevailing at the object's date of manufacture.
- (3) If these regulations require that an object or activity comply with the specifications of a standard, whether a specific edition or the latest version, then a person must comply with the standard and use that object or do that activity in accordance with the standard unless these regulations specifically provide otherwise.
- (4) An employer must ensure that a person using an object or performing an activity required to comply with the specifications of a standard, whether a specific edition or the latest version, is trained in accordance with the standard, and the person must undergo the training, unless these regulations specifically provide otherwise.

- (5) For the first 3 calendar months after a standard or publication is issued, including the month it is issued, a person is in compliance with these regulations if they comply with
 - (a) the version or edition of the standard or publication required by these regulations; or
 - (b) the version or edition of the standard or publication issued immediately before the version or edition required by these regulations.

Section 6 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Compliance with policies, procedures, plans and codes of practice

- 7 (1) An employer must ensure that any written policy, procedure, plan or code of practice is adequate and implemented.
- (2) Each person required to perform a function under a written policy, procedure, plan or code of practice must be trained generally in respect of the policy, procedure, plan or code of practice, and trained in particular in the requirements relating to their functions.
- (3) A person must comply with all written policies, procedures, plans and codes of practice established for the purposes of the Act and these regulations, including undergoing any training required.

Section 7 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Communicating and updating policies, procedures, plans and codes of practice

- 7A (1) In addition to any specific requirements under the Act, an employer must ensure that all policies, procedures, plans and codes of practice are

- (a) made available at the applicable work area at all times;
 - (b) reviewed with any affected persons, including any person planning work, before work is undertaken;
 - (c) updated whenever conditions affecting work change.
- (2) Before any work is undertaken, an employer must ensure that the necessary information, instruction, training, supervision, facilities and equipment are provided to implement any part of a policy, procedure, plan or code of practice applicable to a workplace.

Section 7A added: O.I.C. 2013-65, N.S. Reg. 53/2013.

Consulting with Committee on policies and procedures

- 7B** An employer establishing or reviewing a written policy, procedure, plan or code of practice for the purpose of the Act or these regulations must do so in consultation with the committee or representative, if any.

Section 7B added: O.I.C. 2013-65, N.S. Reg. 53/2013.

Employer to keep records

- 8** (1) Except as specified in subsection (2) or otherwise specified in these regulations, an employer must keep a record referred to in these regulations for at least 5 years after the date the record was made.
- (2) An employer must keep records set out in the following table for the periods of time specified:

Record	Minimum length of time kept
--------	-----------------------------

inspection reports or orders received from the Division	2 years after the date the report or order is received
written procedures, plans or codes of practice	2 years after the date the procedure, plan or code of practice is replaced or cancelled
records made by the employer of inspection, maintenance or repair work	2 years after the date the record is made

Section 8 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Section 8A added: O.I.C. 2000-130, N.S. Reg. 52/2000; repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 3 - Personal Protective Equipment

Use of personal protective equipment

- 9 (1)** An employer shall ensure that adequate personal protective equipment or devices required for an assigned task are used, based on
- (a) the nature of the task;
 - (b) the location and conditions of the workplace; and
 - (c) any hazards that may affect the health and safety of persons in the workplace.

Clause 9(1)(c) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** Where personal protective equipment or devices are required under the Act or these regulations, an employer shall ensure that

- (a) an employee receives adequate training in the proper use and care of the personal protective equipment or devices; and
 - (b) an employee wears or uses the personal protective equipment or devices in accordance with the instruction and training provided.
- (3) An employer shall ensure that all personal protective equipment or devices required under the Act or these regulations are
- (a) maintained by a competent person; and
 - (b) tested or visually inspected before each use,
- in accordance with the manufacturer's specifications.
- (4) Where a person identifies any defect in personal protective equipment or devices that may impair the adequacy of the equipment or devices, the employer shall ensure that the personal protective equipment or devices are not used until they are repaired.

Section 9 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

9A An employee shall wear or use personal protective equipment or devices as required under clause 9(2)(b).

Section 9A added: O.I.C. 2000-130, N.S. Reg. 52/2000.

Hazard to eyes, face or neck

10 (1) Where a person is exposed to a hazard that may irritate or injure the eyes, face, or front of the neck, an employer shall ensure that protective equipment is

worn that is appropriate to the hazard and that complies with CSA standard CSA Z94.3, “Industrial Eye and Face Protectors”.

Subsection 10(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Subsection (1) does not apply if a person operating a chain saw is wearing adequate face protection as a substitute for the protective equipment referred to in subsection (1).

Hazard to head

- 11 Where a person is exposed to a hazard that may injure the person’s head, an employer must ensure that protective equipment is worn that is appropriate to the hazard and that complies with 1 of the following standards:

- (a) the latest version of CSA standard CSA Z94.1, “Industrial Protective Headwear”; or
- (b) the latest version of ANSI standard ANSI Z89.1, “Industrial Head Protection”.

Section 11 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Hazard to foot or skin

- 12 (1) Where a person is exposed to a hazard that may injure the person’s foot, an employer shall ensure that protective equipment is worn that is appropriate to the hazard and that complies with the latest version of CSA standard CSA Z195, “Protective Footwear”.

Subsection 12(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Where a person is exposed to a hazard that may injure the skin, an employer shall ensure that adequate protection is worn or used.

Respiratory hazard

- 13 (1)** Where a person is exposed to a respiratory hazard that may cause injury or disease, an employer shall provide and ensure the use of an adequate respirator that is appropriate to the hazard.

Subsection 13(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** An employer shall ensure that the compressed breathing air used in a respirator complies with or exceeds the latest version of CSA standard CAN3-Z180.1, "Compressed Breathing Air and Systems".

Subsection 13(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3)** An employer shall ensure compliance with the latest version of CSA standard CSA Z94.4, "Selection, Use, and Care of Respirators", in respect of

(a) the selection, use, maintenance and testing of a respirator; and

(b) the training of users of a respirator

Subsection 13(3) added: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Subsection 13(4) added: O.I.C. 2000-130, N.S. Reg. 52/2000; repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

Risk of drowning

- 14 (1)** Where a person is exposed to the risk of drowning at a workplace, an employer must do 1 of the following:

- (a) subject to subsection (2), select, provide and ensure the use of a life jacket or personal ~~floatation~~ [flotation] device for the person;
 - (b) provide an alternative means of protection that ensures an equivalent level of safety to prevent a person from drowning.
- (2) If a person working alone is exposed to the risk of drowning and is not visible to or within hearing distance of another person who is in a position to immediately come to their aid, an employer complying with clause (1)(a) must ensure the life jacket or personal flotation device selected, provided and used by the person is designed to provide buoyancy without any effort by the user and to rotate an unconscious person to an upward facing position in the water.
- (3) A life jacket or personal ~~floatation~~ [flotation] device selected in accordance with clause (1)(a) or required by subsection (2), must meet all of the following requirements:
 - (a) it is approved by Transport Canada, Canadian Coast Guard or US Coast Guard;
 - (b) it is appropriate for the weight of the person who will wear it;
 - (c) it has sufficient buoyancy to keep the person's head above water.
- (4) Where a person is exposed to the risk of drowning at a workplace, an employer must provide all of the following rescue equipment:
 - (a) a life buoy with 15 m of polypropylene rope that is at least 10 mm in diameter or that is made from material that provides an equivalent level of protection;

- (b) a boat hook;
 - (c) an audible alarm system to notify of an accident and to initiate the rescue procedure;
 - (d) an adequate motor boat to ensure a safe and timely rescue, if appropriate.
- (5) Where a person is exposed to the risk of drowning at a workplace, an employer must ensure that enough employees are
- (a) designated to perform specific rescue tasks;
 - (b) informed as to adequate rescue procedures; and
 - (c) trained in the rescue procedures and use of rescue equipment so that they can perform rescue operations safely.
- (6) Where work is being done above water that has a fast current, if reasonably practicable, a line that meets all of the following criteria must be placed across the water:
- (a) it is made of polypropylene rope that is 10 mm in diameter or material that provides an equivalent level of protection;
 - (b) it has buoys or some other flotation device attached to it.

- (7) A person that is exposed to the risk of drowning must wear a life jacket or personal flotation device as required by this Section.

Section 14 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 4 - Ventilation, Lighting, Sanitation and Accommodation

Ventilation

15 An employer shall

- (a) provide for a supply of fresh air into, and the removal of air from, a workplace or part thereof that is, so far as is reasonably practicable, sufficient to
 - (i) keep the air reasonably pure, and
 - (ii) render harmless all gases, vapours, dust or other impurities that are likely to endanger the health or safety of any person therein;
- (b) where a process is carried on that produces a gas, vapour, dust or other impurity that is likely to be inhaled to an injurious extent by a person in the workplace, provide and use such mechanical means as are capable of
 - (i) preventing such inhalation so far as is reasonably practicable,
 - (ii) effectively carrying off and disposing of the impurity, and

(iii) preventing the recirculation and re-entry into the workplace of air containing the impurity; and

(c) ensure that all ventilation systems used for controlling the dissemination of gases, vapours, dust or other impurities, including their collection systems and emptying processes, are designed, installed, operated, maintained and repaired in an adequate manner by a competent person.

Clause 15(c) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Lighting

16 (1) An employer shall ensure the provision of lighting that is sufficient for the type of work being done considering

(a) the quantity of illumination; and

(b) the quality of illumination, including reflectance, direct glare and reflected glare.

(2) Where it is reasonably practicable, an employer shall use the latest version of the applicable standard listed below to determine the lighting required by subsection (1):

(a) ANSI standard ANSI/IES-RP-7, “American National Standard Practice for Industrial Lighting”;

(b) ANSI standard ANSI/IESNA RP-1, “American National Standard Practice for Office Lighting”.

Clause 16(2)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Subsection 16(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 17 Where failure of the normal lighting system may constitute a danger to the health or safety of a person, the employer shall ensure that emergency lighting is available.

Drinking water

- 18 (1) An employer shall, where reasonably practicable, make accessible sufficient potable water for drinking and hand-cleaning that
- (a) is close enough to the work area that neither drinking nor washing is inhibited;
 - (b) is no further away than 200 m from the work place; and
 - (c) meets the standards set out in the latest version of the *Guidelines for Canadian Drinking Water Quality* published by the federal Department of Health.

Clause 18(1)(c) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Subsection 18(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Where drinking water is not taken directly from a water pipe, an employer shall ensure that it is kept in a container that is covered in an adequate manner and, if used by more than one person, that the container is equipped with a faucet.
- (3) An employer shall, where reasonably practicable, make accessible individual sanitary drinking vessels or cups to be used with drinking water, except where the drinking water is delivered in an upward jet from which a person may drink.

- (4) Where outlets exist for both drinking water and water not suitable for drinking, an employer shall appropriately and clearly label the outlets.

Toilets

- 19 (1) An employer shall make accessible a minimum number of toilets for each gender, determined according to the maximum number of persons of each gender who are normally employed at any one time at the same workplace, as follows:
 - (a) where the number of persons does not exceed 9, 1 toilet;
 - (b) where the number of persons exceeds 9 but does not exceed 24, 2 toilets;
 - (c) where the number of persons exceeds 24 but does not exceed 49, 3 toilets;
 - (d) where the number of persons exceeds 49 but does not exceed 74, 4 toilets;
 - (e) where the number of persons exceeds 74 but does not exceed 100, 5 toilets; and
 - (f) where the number of persons exceeds 100, 5 toilets and 1 toilet for every 30 such persons in excess of 100.

Subsection 19(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Despite subsection (1), where a workplace, such as a motor vehicle or an isolated small temporary workplace such as a logging operation or a survey site, does not have running water or sewage facilities, an employer shall ensure

that the toilets required in subsection (1) are accessible where it is reasonably practicable.

- (3) Despite subsection (1), where the total number of persons normally employed in the workplace at any one time does not exceed 9, an employer may provide 1 toilet for both male and female persons if the toilet is situated in a room with an entrance door that is fitted on the inside with a locking device.

Subsection 19(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Despite subsection (1), where more than 2 toilets are required for male employees, an employer may substitute urinals for up to $\frac{2}{3}$ of the required number of toilets.
- (5) An employer shall ensure that toilets are of the water flush, chemical, self-contained portable or other similar types of toilets.
- (6) An employer shall ensure that a toilet facility required by these regulations is
 - (a) within easy access of a person's workplace;
 - (b) enclosed so that a person is sheltered from view and protected from the natural elements;
 - (c) adequately ventilated and illuminated;
 - (d) heated, where reasonably practicable;

- (e) kept in a clean and sanitary condition;
 - (f) provided with a sufficient supply of toilet paper;
 - (g) provided with a waste receptacle;
 - (h) maintained in working condition; and
 - (i) in the case of a self-contained unit, emptied and serviced at intervals to ensure that the unit does not overflow.
- (7) An employer shall ensure that an employee has reasonable opportunities to use the toilet facilities.

Hand-cleaning facilities

- 20 (1)** Where the workplace has running water, an employer shall provide a wash basin or equivalent hand-cleaning facility in a room with 1 toilet and sufficient additional wash basins or equivalent hand-cleaning facilities in the room for additional toilets or urinals.
- (2)** Where the workplace does not have running water and toilet facilities are provided, an employer shall provide hand-cleaning facilities or supplies.

Subsection 20(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3)** An employer shall provide a hand-cleaning facility and supplies as close to any toilet as is reasonably practicable.

Subsection 20(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Where a person works in an area that is exposed to a hazardous substance that may contaminate food, an employer shall provide the person with the opportunity, facilities and supplies for hand cleaning.

- (5) Where a wash basin is provided, an employer shall provide
 - (a) hot and cold running water;

 - (b) soap or other appropriate cleansers; and

 - (c) sufficient sanitary hand-drying facilities.

Eating areas

- 21 (1) Where the possibility of contamination of food from a hazardous substance exists in a work area, an employer shall provide an enclosed eating area separate from the work area.

Subsection 21(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) The eating area referred to in subsection (1) shall be
 - (a) kept in a sanitary condition; and

 - (b) adequately provided with

- (i) light, heat and ventilation,
- (ii) tables and seating sufficient for the number of persons who use the eating area at any one time, and

Subclause 21(2)(b)(ii) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (iii) garbage receptacles.

Subsection 21(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (3) No person shall store food or drink in an area where the food or drink may be contaminated by a hazardous substance.

Work clothes and change rooms

- 22 (1) Where the nature of a person's work makes it necessary for the person to change out of street clothes and into work clothes to protect the person's health or safety, an employer shall provide a changing room and storage for the person's street clothes and work clothes that will prevent the clothes from becoming wet or dirty.
- (2) Where a person's work clothes are liable to be contaminated so that the health or safety of a person may be adversely affected by exposure to the clothes when contaminated, an employer shall provide
 - (a) work clothes for the person's use;
 - (b) storage for the person's street clothes and work clothes that will prevent the street clothes from becoming wet, dirty or contaminated;

- (c) a changing room; and
 - (d) for work clothes to be cleaned as necessary.
- (3) Where an employee's skin may be contaminated by a hazardous substance, an employer shall provide a shower facility if it is reasonably practicable.

Subsection 22(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (4) For the purposes of subsection (3), the employer shall provide a shower facility that includes
- (a) a number of showers for each gender determined according to the maximum number of persons of each gender who are normally employed at the same workplace and who are exposed as described in subsection (3) at any one time as follows:
 - (i) where the number of employees does not exceed 10, 1 shower, and
 - (ii) an additional shower for each unit of 10 additional employees of each gender;

Clause 22(4)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) a sufficient water supply that can be manually adjusted to come within a range of 35°C and 45°C; and
- (c) sufficient soap and towels.

Emergency showers and eyewashes

23 (1) Where a person's skin or eyes may be acutely affected by an exposure to a caustic, acidic or other hazardous substance, an employer shall provide 1 of the following in the work area where the exposure may occur:

(a) an emergency shower;

(b) an eye wash fountain;

(ba) enough flushing fluid to last at least 15 minutes;

Clause 23(1)(ba) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(c) other equipment sufficient for removal of the substance.

Subsection 23(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) An eye wash or shower equipment that is used must meet all of the following requirements:

(a) it must comply with the requirements of the latest version of ANSI standard ANSI/ISEA Z358.1, "American Standard for Emergency and Shower Equipment";

(b) it must be installed, operated, inspected and maintained in accordance with the manufacturer's instructions;

(c) it must be located so that there is an unobstructed path to the equipment and the user can access the equipment within 10 seconds of exposure;

- (d) it must provide sufficient flushing fluid at sufficient pressure for the greater of
 - (i) 15 minutes, and
 - (ii) the time indicated on the MSDS sheet;
- (e) it must have the instructions for use and an expiration date permanently affixed to the unit.

Subsection 23(2) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Waste material and debris

24 An employer must ensure that, on a regular basis, waste material and debris are

- (a) collected or positioned so as to prevent a hazard; and
- (b) removed from a workplace to a suitable disposal area.

Section 24 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Fire protection and escape

25 (1) An employer shall ensure that adequate fire protection is provided in the workplace.

- (2) An employer shall inspect, maintain and service the fire protection equipment required in subsection (1) in accordance with the manufacturer's specifications.

Subsection 25(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2A) In addition to any requirements that the specifications under subsection (2) may impose respecting fire extinguishers, an employer must ensure that all fire extinguishers are inspected annually.

Subsection 25(2A) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) In determining the type and quantity of fire protection required in subsection (1), an employer must consider all of the following:
 - (a) where the workplace is an occupied or enclosed structure, the requirements of the *National Fire Code*, as adopted and modified under the *Fire Safety Act* and the *Fire Safety Regulations* made under that Act;
 - (b) where the workplace is a project, the requirements of the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act.

Subsection 25(3) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Subject to any requirements in the legislation, regulations or codes referred to in subsection (3), unless each person present in the workplace has suitable keys to all doors that are required to be open to exit the premises, no person shall lock, bolt or bar a door while a person is present in the workplace, if doing so would prevent a person from exiting a work area.

Subsection 25(4) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (5) The requirements of subsection (4) do not apply to a room in which a legally restrained person is located and other means of protection from fire are provided.

Part 5 - Handling and Storage of Material

General handling of objects and material

- 26** Where the lifting or moving of a thing or person may be a hazard to the health or safety of a person at the workplace, an employer shall ensure that
- (a) adequate and appropriate equipment for the lifting and moving is provided; and
 - (b) training and instruction as to the appropriate method of performing the lifting and moving is provided in accordance with the equipment manufacturer's instructions, or, where there are no equipment manufacturer's instructions, in accordance with adequate work methods and lifting and moving techniques.

Clause 26(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Section 26 amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 27 (1)** An employer shall ensure that where rubbish or debris is moved, it is carried in suitable containers, or moved by means of chutes or other safe methods that provide an equivalent degree of protection.
- (2)** An employer shall ensure that a chute or other safe method that provides an equivalent degree of protection is used where rubbish or debris is lowered more than 6 m vertically.

Subsection 27(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(3) Subsections (1) and (2) do not apply during demolitions if

(a) a heavy weight suspended by a cable from a crane or other hoist; or

(b) a power shovel, bulldozer or other powered mobile equipment,

is used to conduct the demolition.

Subsection 27(3) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

28 An employer shall ensure that a chute

(a) is well constructed and rigidly fastened;

(b) if at more than 45° to the horizontal, is enclosed on all sides; and

(c) has an adequate gate on every loading entrance and at the bottom.

Clause 28(c) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

29 An employer shall ensure that the entrance to a chute

(a) has a 100 mm by 100 mm or larger curb or cleat, where the entrance is at or below the floor level;

(b) is not more than 1.2 m above the floor; and

- (c) is kept closed when not in use.

Bulk material in bins, hoppers and tanks

30 An employer shall ensure that a bin, hopper, tank or other similar structure used to store combustible bulk material

- (a) has a lid, an adequate ventilation system and is fire resistant; or
- (b) has alternative measures that provide an equivalent level of safety.

Section 30 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

31 Where a person is likely to be endangered by clogs in bulk material stored in a bin, hopper, tank or other similar structure, an employer shall establish a written work procedure for the safe breaking up of clogs and shall ensure that a copy of the work procedure is readily available near the bin, hopper, tank or structure.

Piled material

32 An employer shall ensure that piled material is

- (a) located so as not to interfere with
 - (i) illumination,
 - (ii) ventilation,

- (iii) means of access and exit,
 - (iv) passageways or traffic lanes,
 - (v) the operation of machines,
 - (vi) sprinklers and firefighting equipment, or
 - (vii) electrical panels or energized electrical power lines;
- (b) located on a firm foundation that is able to support the load;
 - (c) located so that the pile is not resting against a partition or wall of a building unless the partition or wall is designed to support the load;
 - (d) arranged in a manner that makes it stable;
 - (e) protected from conditions that may significantly damage the structural integrity of any container used to store the material; and
 - (f) regularly inspected for hazards.

33 Where pipes, bar stock or other material or objects may create a hazard by rolling, an employer shall ensure that the piled material is stacked in a manner to prevent rolling.

34 (1) Where unconsolidated bulk material is stockpiled, an employer must

(a) ensure that it is inspected by a competent person to determine if it is in a safe condition before a person is permitted to work close to or on the pile; and

(b) comply with the requirements of Sections 185 to 189 of these regulations.

Subsection 34(1) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) Where unconsolidated bulk material is stockpiled and removed by means of powered mobile equipment, an employer shall ensure that

(a) the working face of the unconsolidated bulk material is sloped at the angle of repose;

(b) the vertical height of the working face of the unconsolidated bulk material is not more than 1.5 m above the maximum reach of the equipment; or

(c) the work is performed in accordance with written specifications and a written safe work procedure certified by an engineer, following consultation with the committee or representative, if any.

Clause 34(2)(c) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) Where the face of unconsolidated bulk material is undermined or undercut by means of powered mobile equipment, an employer shall ensure that the undermining or undercutting is
- (a) restricted to the depth of the bucket of the powered mobile equipment;
 - (b) permitted only when the approach of the powered mobile equipment is at a 90° angle plus or minus 5° to the face of the material; and
 - (c) performed in accordance with written specifications and a written safe work procedure certified by an engineer, following consultation with the committee or representative, if any.

Clause 34(3)(c) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Where unconsolidated material is loaded or unloaded from a vehicle or equipment, an employer shall ensure that adequate precautions are taken to ensure that the vehicle or equipment does not overturn.

Section 35 repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

Hazardous substance storage

- 36 (1) An employer shall ensure that a container used for storing a hazardous substance is designed, constructed and maintained in an adequate manner.
- (2) In determining whether or not a container is adequate, an employer shall consider
- (a) the material safety data sheet for the substance, if one exists;

- (b) information provided by the supplier;
- (c) whether there is a means of ensuring that a leak can be readily detected;
- (d) the location where the container is stored, including
 - (i) the foundation on which the container is placed, and its ability to resist reaction with the hazardous substance, and
 - (ii) the need for overflow pipes, catch basins and other similar devices to ensure that the contents of the hazardous substance are contained in case of a leak; and
- (e) the need to ensure that the container does not significantly corrode from exposure to the hazardous substance in the container.

37 Where a container has been used to store a hazardous substance and the container will not be refilled with the same or a compatible substance, an employer shall ensure that the container is cleaned in an adequate manner without undue delay, unless the container is rendered unusable.

38 (1) In this Section “carboy” means a bottle or container for liquids of a 20 L capacity or greater, but less than 75 L, and made of glass, plastic or metal.

(2) An employer shall ensure that a carboy containing a liquid hazardous substance is

- (a) if the carboy is made of glass, individually encased in a basket or box or other suitable container cushioned with noncombustible packing during transportation;
- (b) stored with compatible material in a storage area or building with flooring that is resistant to the chemical being stored;
- (c) not piled on top of another carboy, unless piled in accordance with the manufacturer's specifications;
- (d) placed in a suitable storage rack or on strips laid on the floor; and
- (e) stored in accordance with the manufacturer's specifications.

Subsection 38(3) repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

39 Where a hazardous substance is likely to create a hazard if it reacts with another substance, an employer shall ensure that the substances are stored separately.

40 (1) An employer shall ensure that piping and associated equipment is

- (a) constituted of material that will not significantly deteriorate because of any hazardous substance contained within it; and
- (b) maintained in adequate operating condition.

- (2) For each pipe and associated equipment referred to in subsection (1), an employer shall establish an inspection schedule and conduct inspections according to that schedule.

Section 40 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 41 Where a hazardous substance is used in a workplace in such quantities that a spill could affect the health or safety of a person, an employer shall ensure that

- (a) it is kept only in working quantities in areas where a person is working;
- (b) a written emergency procedure that includes the use of emergency equipment, if necessary, is established for use in the event of escape of a hazardous substance; and

Clause 41(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (c) any spillage of a hazardous substance is immediately cleaned up in an adequate manner.

Rechargeable storage batteries

- 42 (1) An employer shall ensure that the electric charging of rechargeable storage batteries is performed in accordance with the battery manufacturer's specifications.
- (2) Where the electric charging of rechargeable storage batteries is routinely performed, and there are reasonable grounds to believe that contaminants are likely to be generated during the charging process, an employer shall obtain an assessment in writing from a competent person, who shall
 - (a) consult with the committee or representative, if any; and

- (b) determine whether the charging is likely to cause an explosive mixture of hydrogen or the release of another hazardous substance.
- (3) Where the assessment referred to in subsection (2) determines that the electric charging of rechargeable storage batteries is likely to cause an explosive mixture of hydrogen or the release of another hazardous substance, an employer shall ensure that
- (a) electric charging is performed in a designated area or room that
 - (i) is adequately ventilated to prevent the accumulation of flammable gases,
 - (ii) is marked at the entrance with a notice prohibiting smoking or open flames,
 - (iii) has a floor made of non-sparking material, and
 - (iv) where rechargeable storage batteries are mounted in trays or on racks, has level trays or racks constructed or covered with non-sparking material and of sufficient strength to carry the weight of the batteries; and
 - (b) a person who connects or disconnects rechargeable storage batteries for the purpose of electric charging uses non-sparking tools.

Subsection 42(3) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (4) An employer shall ensure that a competent person prepares a written review of the assessment required in subsection (2) on an annual basis or when there is a change in the process or volume of electric charging, whichever is the lesser period of time.
 - (5) Where electrolyte is spilled, an employer shall ensure that the spill is immediately cleaned up in an adequate manner to neutralize the electrolyte.
- 43**
- (1) An employer shall ensure that a competent person changes or charges a rechargeable storage battery.
 - (2) Where a rechargeable storage battery is charged, or filled with or drained of electrolyte, an employer shall
 - (a) provide an employee performing this work with
 - (i) goggles and a face shield,
 - (ii) acid resistant gloves, and
 - (iii) an acid resistant apron; and
 - (b) ensure that an employee uses this personal protective equipment while performing this work.

44 An employer shall ensure that a rechargeable storage battery

(a) is adequately secured when in use or during charging;

(b) has unobstructed ventilation openings; and

Clause 44(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(c) where it contains an electrolyte and is of no further use, is disposed of in a manner that prevents unintentional spillage of electrolyte.

Clause 44(c) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Compressed gas

45 (1) An employer shall ensure that compressed gas in a container is used, stored and handled in an adequate manner.

(2) For the purpose of subsection (1), the latest version of Compressed Gas Association standard CGA P-1, “Safe Handling of Compressed Gases in Containers” is presumed to indicate the required standard of reasonable care, unless an employer proves that this is not reasonably practicable in a particular circumstance.

Subsection 45(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

46 (1) An employer shall ensure that a regulator, automatic reducing valve, gauge, hose line or other equipment provided for use with a compressed gas cylinder and a particular gas or group of gases, is not used on a compressed gas cylinder containing a different gas unless this use is approved by the supplier of the regulator, automatic reducing valve, gauge, hose line or other equipment.

(2) An employer shall ensure that a compressed gas cylinder has

- (a) connections to piping, regulators and other components that are kept tight to prevent leakage; and
- (b) valves that are kept closed at all times, whether the cylinder is charged or empty, except where
 - (i) gas is flowing from the cylinder,
 - (ii) the gas in the cylinder is maintaining pressure in a supply line, or
 - (iii) the cylinder is on stand-by during and between operations using gas.
- (3) An employer shall ensure that hose lines for conveying flammable gas or oxygen from supply piping or compressed gas cylinders to torches have threads designed in compliance with the latest version of Compressed Gas Association standard ANSI/CGA V-1, “American National Standard/Compressed Gas Association Standard for Compressed Gas Cylinder Valve Outlet and Inlet Connections”.

Subsection 46(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Portable compressed gas cylinders

- 47 (1) In this Section and in Sections 48 and 49, “portable compressed gas cylinder” means a cylinder having a water capacity of 450 kg or less that contains or is intended to contain a compressed or liquefied gas.
- (2) Subject to the *Fire Safety Act*, an employer shall ensure that a portable compressed gas cylinder is stored

- (a) in a well-ventilated storage area where the temperature does not exceed 52°C;
- (b) with cylinders grouped by types of gas and the groups arranged to take into account the gases contained;
- (c) with full and empty cylinders separated;
- (d) at a safe distance from all operations that produce flames, sparks or molten metal or result in excessive heating of the cylinder;
- (e) securely; and
- (f) with protective devices in place.

Subsection 47(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) Subject to the *Fire Safety Act*, an employer shall ensure that a portable compressed gas cylinder is
 - (a) not exposed to corrosive materials or corrosion-aiding substances; and
 - (b) protected from falling and from having objects fall on it.

Subsection 47(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) An employer shall prominently post in a storage area for portable compressed gas cylinders the names of the gases stored and signs prohibiting smoking.

48 (1) No person shall

- (a) roll a portable compressed gas cylinder on its side;
 - (b) subject a portable compressed gas cylinder to rough handling; or
 - (c) move a portable compressed gas cylinder with a lifting magnet.
- (2)** Where appropriate lifting mechanisms have not been provided on a portable compressed gas cylinder, an employer shall ensure that suitable cradles or platforms for holding the cylinder are used for lifting it.

49 An employer shall ensure that a portable compressed gas cylinder is

- (a) securely fastened and in an upright position during transportation, unless designed for transport in another orientation;
- (b) has a protective cap attached or located on the cylinder or the cylinder is positioned in a manner that will provide an equivalent level of safety during transportation; and
- (c) is transported in a manner that will prevent damage to the cylinder and its components.

Refuelling

50 An employer shall establish an adequate refuelling procedure for equipment that has an internal combustion engine and an employee shall follow the procedure when refuelling equipment.

Section 50 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 6 - Lock-out

Interpretation, application, control and energizing

51 (1) In this Part,

- (a) “equipment” includes
 - (i) pipes for transporting a material, and
 - (ii) hydraulic or pneumatic lines;
- (b) “lock-out device” means the device that secures the isolation of the energy source of a locked out machine, equipment, tool or electrical installation;
- (c) “lock-out location” means the location of a lock-out device;
- (d) “lock-out tag” means a tag that
 - (i) is installed at a lock-out location,

- (ii) has words directing a person not to start or operate the machine, equipment, tool or electrical installation,
 - (iii) identifies the person who has performed a lock-out, and
 - (iv) does not readily conduct electricity; and
 - (e) “zero energy state” means a condition in which a machine, equipment, tool or electrical installation is rendered incapable of spontaneous or unexpected action or otherwise releasing kinetic or potential energy.
- (2) This Part applies to a machine, equipment, tool or electrical installation that is erected, installed, assembled, started, operated, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired or dismantled .
- (3) An employer shall ensure that, in addition to any normal start and stop control mechanism, a machine, equipment, tool or electrical installation has a means of isolating all sources of energy to the machine, equipment, tool or electrical installation that is
- (a) accessible when needed by an employee; and
 - (b) readily identifiable.
- (4) An employer shall ensure that where a person may be exposed to a hazard by the manual or automatic energizing of a machine, equipment, tool or electrical

installation, or any part of it, a de-energized machine, equipment, tool or electrical installation, or any part of it, is energized

- (a) only in accordance with an applicable written procedure established by the employer; and
- (b) only after all persons are clear of the hazardous area and have been instructed to remain clear.

Subsection 51(4) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

[Note: Section 51 effective November 1, 2000.]

Lock-out procedure

- 52 (1)** Where work is performed on a machine, equipment, tool or electrical installation, and the work is hazardous to a person in the workplace if the machine, equipment, tool or electrical installation is or becomes energized, an employer shall ensure that
- (a) the work is done in accordance with a written lock-out procedure established by the employer;
 - (b) no person works on the machine, equipment, tool or electrical installation until the machine, equipment, tool or electrical installation
 - (i) is put in and maintained at a zero energy state,

Subclause 52(1)(b)(i) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (ii) is locked out, and

(iii) has a lock-out tag at each lock-out location; and

- (c) a competent person verifies that the requirements of clauses (a) and (b) have been complied with and tests to determine that the machine, equipment, tool or electrical installation is in a zero energy state.

(1A) No employee shall perform work on a machine, equipment, tool or electrical installation in the circumstances described in subsection (1) unless the requirements of clause 52(1)(b) are met.

Subsection 52(1A) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

(2) The written lock-out procedure referred to in subsection (1) shall include

- (a) provision for complying with the requirements of subsection (1);
- (b) the method of notifying a person in the work area of safe conditions for work after a lock-out has been completed;
- (c) the method of determining that all persons near the locked out machine, equipment, tool or electrical installation are clear of the hazardous area and have been instructed to remain clear before the machine, equipment, tool or electrical installation, or any part of it, is energized; and
- (d) the method of energizing the machine, equipment, tool or electrical installation.

[Note: Section 52 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

- 53 (1)** No person other than the person who installed it shall remove a lock-out device or a lock-out tag on a machine, equipment, tool or electrical installation.
- (2)** Despite subsection (1), where reasonable attempts have been made to contact the person who locked out the machine, equipment, tool or electrical installation and that person is not available,
- (a) in a serious emergency, a person who has determined that it is safe to energize the equipment may remove a lock-out device or a lock-out tag;
or
 - (b) a competent person who
 - (i) is designated in the written lock-out procedure, and
 - (ii) has determined that it is safe to energize the equipment,may remove a lock-out device or a lock-out tag.

[Note: Section 53 effective November 1, 2000.]

- 54** Despite subsection 51(4) or Section 52, where work is performed on a machine, equipment, tool or electrical installation, and the work is hazardous to a person in the workplace if the machine, equipment, tool or electrical installation is or becomes energized, and the requirements of subsection 51(4) or Section 52 are
- (a) inappropriate for the work to be performed or inadequate for the protection of persons at the workplace; or

- (b) not reasonably practicable where the electrical installation is used for the generation or transmission of electricity,

an employer may substitute for the requirements of those provisions an alternative adequate written procedure that specifies personnel responsibilities, training and equipment requirements and the details for carrying out the work in a manner that will ensure the safety of all person who may be exposed to a hazard arising from the work.

[Note: Section 54 effective November 1, 2000.]

Part 7 - Hoists and Mobile Equipment

General provisions

- 55** An employer shall ensure that a hoist, lift truck or powered mobile equipment is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired, modified and dismantled in accordance with the manufacturer's specifications, or the specifications certified by an engineer.

Section 55 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- 56** An employer shall ensure that a hoist, lift truck or powered mobile equipment
 - (a) is operated by a competent person;
 - (b) has gears and moving parts securely guarded by adequate means where necessary to prevent a hazard to a person in the workplace; and
 - (c) has any load on it adequately secured where necessary to prevent a hazard to a person in the workplace; and

- (d) is provided with safe means of access and exit from the operator's position and any passenger's position.

Section 56 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Signaller

- 57 (1)** An employer shall designate one or more competent persons as a signaller to direct the safe movement of a load, hoist, lift truck or powered mobile equipment where the operator of that hoist, lift truck or powered mobile equipment
- (a) does not have an adequate view of the load;
 - (b) does not have a clear view of the route the load is to take;
 - (c) is not able to see clearly around the equipment when moving and has not taken measures sufficient to ensure that no person is exposed to a hazard as a result of the movement of equipment;
 - (d) is not able to see clearly where the hoist or its load may encroach the minimum distance specified in Section 126 or a hoist is positioned closer than the length of its boom to an overhead energized power line or power line equipment; or
 - (e) is causing the equipment to move under its own power from one location to another and the situation creates a hazard in the workplace.

Subsection 57(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** A signaller shall

- (a) be readily identifiable to the operator;
 - (b) direct the movement of a load or equipment by a well understood distinctive code of hand signals or another effective communication system;
 - (c) warn the operator each time
 - (i) any part of the hoist or its load may encroach on the minimum distance specified in Section 126, or
 - (ii) the hoist is positioned closer than the length of its boom
 - from an overhead energized power line or power line equipment; and
 - (d) obtain the assistance of another signaller if all or part of the view of the load or route is obstructed from both the signaller and the operator.
- (3) An operator of a hoist, lift truck or powered mobile equipment in a situation referred to in subsection (1) shall move a load only on a signal from a signaller.

Subsection 57(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Safety equipment and precautions

- 58** An employer shall ensure that a mobile crane, lift truck or powered mobile equipment is equipped with

- (a) an audible back-up alarm that
 - (i) operates automatically when the vehicle is in reverse gear, and
 - (ii) is clearly audible above the background noise at the workplace,or that another means of protection or warning that provides an equivalent level of safety is used;
- (b) a manually operated horn, unless such a horn was not installed at the time of manufacture;
- (c) adequate front and rear lights when the equipment is used after dark or in dimly lit areas;
- (d) an adequate braking system; and
- (e) a screen, shield, grill, deflector, guard or other adequate protection for the operator, where the operator may be exposed to the hazard of flying or intruding objects.

Subsection 58(1) renumbered Section 58 and amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

59 An employer shall ensure that a hoist or powered mobile equipment that is equipped with outriggers or stabilizers is operated with the outriggers or stabilizers engaged, unless the manufacturer's specifications permit otherwise.

Section 59 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 60** An employer shall ensure that a hoist, lift truck or powered mobile equipment is not altered in such a way as to render ineffective a safety device or control, except where the change has been certified in writing by the manufacturer or an engineer to afford protection equal to or greater than the protection afforded by the original safety device or control.

Section 60 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 61** An employer shall take adequate precautions to ensure that a hoist, lift truck or powered mobile equipment does not tip or roll over.

Section 61 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Overhead protection

- 62 (1)** Where an employee who is an operator of powered mobile equipment is exposed to a hazard from falling objects, an employer shall ensure that the powered mobile equipment is equipped with a protective structure adequate for the conditions in which the equipment is being used and that meets the requirements of the latest version of the applicable standard listed below or that is certified by an engineer or the manufacturer to provide equivalent or better protection:

- (a) SAE standard SAE J167, “Overhead Protection for Agricultural Tractors - Test Procedures and Performance Requirements”;
- (b) International Organization for Standardization (ISO) 3449, “Earth-moving machinery – Falling-object protective structures – Laboratory tests and performance requirements”;

Clause 62(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) SAE standard SAE J397, “Deflection Limiting Volume - Protective Structures Laboratory Evaluation”;

(d) SAE standard SAE J1042, “Operator Protection for General-Purpose Industrial Machines”; or

(e) SAE standard SAE J1084, “Operator Protective Structure Performance Criteria for Certain Forestry Equipment”.

Clause 62(1)(e) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Clause 62(1)(f) repealed: O.I.C. 2000-130, N.S. Reg. 52/2000.

Subsection 62(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) An employer shall ensure that modifications, alterations or repairs made to a falling objects protective structure that affect the structural integrity of the structure meet the requirements of this Section and that the designing agency, the installing agency or an engineer certifies that modifications, alterations or repairs meet the requirements of this Section.

(3) An employer shall ensure that welding on a falling objects protective structure that affects the structural integrity of the structure is performed by a competent person.

Subsection 62(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Rollover protection

63 (1) An employer shall ensure that, where reasonably practicable, powered mobile equipment and lift trucks manufactured on or after January 1, 1974, are equipped with rollover protective structures that meet the minimum safety requirements of the latest versions of the following standards:

(a) CSA standard B352.0, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial and Mining Machines - Part 1: General Requirements”, or is certified by an engineer or the manufacturer to provide equivalent or better protection;

- (b) where applicable, CSA standard B352.1, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines - Part 2: Testing Requirements for ROPS on Agricultural Tractors”, or is certified by an engineer or the manufacturer to provide equivalent or better protection; and

- (c) where applicable, CSA standard B352.2, “Rollover Protective Structures (ROPS) for Agricultural, Construction, Earthmoving, Forestry, Industrial, and Mining Machines - Part 3: Testing Requirements for ROPS on Construction, Earthmoving, Forestry, Industrial, and Mining Machines”, or is certified by an engineer or the manufacturer to provide equivalent or better protection.

Subsection 63(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Where reasonably practicable, an employer shall ensure that powered mobile equipment or lift trucks manufactured before January 1, 1974 are equipped with rollover protective structures that meet the requirements of subsection (1) or
 - (a) a rollover protective structure and supporting attachments are designed, fabricated and installed in such a manner to support not less than twice the weight of the equipment, based on the ultimate strength of the material and integrated loading of the supporting members with the resultant load applied at the point of impact;

 - (b) there is a vertical clearance of 1320 mm between the deck and the rollover protective structure at the access openings; and

 - (c) the rollover protective structure and supporting attachments referred to in clause (a) are certified as meeting the requirements of clause (a) by the manufacturer of the rollover protective structure, the installing agency or an engineer.

Subsection 63(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) An employer shall ensure that modifications, alterations or repairs made to a rollover protective structure that affect the structural integrity of the structure meet the requirements of this Section and that the designing agency, the installing agency or an engineer certifies that modifications, alterations or repairs meet the requirements of this Section.

[Note: Section 63 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

- 64 An employer shall ensure that welding on a rollover protective structure that affects the structural integrity of the structure is performed by a competent person.

[Note: Section 64 effective November 1, 2000.]

Section 64 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 65 (1) An employer shall ensure that powered mobile equipment and lift trucks that have been fitted with rollover protective structures have
 - (a) seat belts for the operator and passengers that comply with or exceed the latest version of the applicable SAE standard listed below:
 - (i) SAE J386, "Operator Restraint System for Off-Road Work Machines",

Subclause 65(1)(a)(i) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (ii) SAE J800, "Motor Vehicle Seat Belt Assembly Installation"; or

Clause 65(1)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) where the wearing of seat belts is not reasonably practicable, restraining devices such as shoulder belts, bars, gates, screens or other similar

devices designed to prevent the operator and passengers from being thrown outside the rollover protective structure.

Subsection 65(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An operator of and passengers on powered mobile equipment or a lift truck shall use the seat belts or restraining devices referred to in subsection (1) while the equipment is in motion.

Subsection 65(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

[Note: Section 65 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

Glass

- 66 An employer shall ensure that glazing or rigid plastic materials used as part of an enclosure for a cab, canopy or rollover protective structure on a hoist, lift truck or powered mobile equipment is adequate in the circumstances where it is used, and is immediately replaced if it presents a hazard, including permanent interference with visibility.

Section 66 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Precautionary arrangements

- 67 (1) Unless otherwise authorized by an enactment, no person shall operate a lift truck or powered mobile equipment with passengers on the truck or equipment, unless the manufacturer's specifications for the truck or equipment state that the truck or equipment is designed to accommodate them safely.

Subsection 67(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall ensure that powered mobile equipment and lift trucks that have an internal combustion engine are provided with fire protection equipment adequate for the hazards of the equipment or vehicles.

Subsection 67(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(3) An employer shall

- (a) ensure that mirrors or other devices are installed and maintained at blind intersections where there may be a danger of a collision between a lift truck or powered mobile equipment and another object or a person; or

Clause 67(3)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) establish a written procedure that provides an equivalent level of safety.

Clause 67(3)(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Visibility

- 68** Where work with a hoist, lift truck or powered mobile equipment is carried out in an area where dust may create a hazard to a person in the workplace because of poor visibility, an employer shall take steps to reduce the amount of dust in the air so as to protect a person from the risk of injury.

Section 68 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Operating precautions

- 69** An operator of a mobile crane, where applicable, a lift truck or powered mobile equipment shall
 - (a) not set equipment in motion until all air and hydraulic pressures are fully built up at specified operating pressures;
 - (b) when leaving the equipment unattended

- (i) park it on level ground, if reasonably practicable,
 - (ii) set the parking brake,
 - (iii) lower the blades, bucket or other attachment or safely block the attachment,
 - (iv) where applicable, disengage the master clutch, and
 - (v) shut off the engine or take other precautions to ensure the equipment is not inadvertently set in motion;
- (c) not carry containers of gasoline, diesel oil or other flammable substances, classified as Class B substances under the *Hazardous Products Act* (Canada), in the part of the equipment where a person rides; and
- (d) ensure that there are no loose articles that may present a hazard in the part of the equipment where a person rides.

Section 69 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

70 (1) An employer shall ensure that a hoist, lift truck or powered mobile equipment that has wire ropes, drums and sheaves is inspected

- (a) visually on a daily basis by the operator of the equipment; and
- (b) visually and manually by a competent person on a weekly basis.

Subsection 70(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall ensure that, where a person works under a hoist, lift truck, or powered mobile equipment that is raised from the ground, the equipment is provided with blocking or other adequate means of support in case the means of lifting the equipment fails.

Subsection 70(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 71 Where repair or maintenance work is carried out at the point of articulation on an articulated truck, front end loader or other articulated equipment, an employer shall ensure that lock bars or an equivalent measure is used to prevent movement of either end of the truck, loader or equipment.

Hoists

- 72 (1) Subject to subsection (2), an employer shall ensure that a hoist is designed, installed, erected, examined, inspected, tested, operated and maintained by a competent person, in accordance with the latest version of the applicable CSA or ANSI standard listed below:
 - (a) CSA standard B167, “Safety Standard for Maintenance and Inspection of Overhead Cranes, Gantry Cranes, Monorails, Hoists, and Trolleys”;
 - (b) CSA standard C22.2 No. 33, “Construction and Test of Electric Cranes and Hoists”;

Clause 72(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) CSA standard Z150, “Safety Code for Mobile Cranes”;
- (d) CSA Standard Z248, “Code for Tower Cranes”;

- (e) ANSI standard ANSI/ALI ALCTV, “Automotive Lifts - Safety Requirements for Construction, Testing and Validation”;

Clause 72(1)(e) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (f) ANSI standard ANSI/ALI ALOIM, “American National Standard for Automotive Lifts - Safety Requirements for Operation, Inspection and Maintenance”.

Section 72 renumbered subsection 72(1) and amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Despite subsection (1), a “crane inspector” described in the standard referred to in clause (1)(a) shall not require 10 000 hours of experience.

Subsection 72(2) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

[Note: Section 72 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

- 73 (1)** In this Section and Section 74, “rated load” means the maximum load that a hoist is designed to lift or the revised maximum load that a hoist can lift in accordance with subsection (9) or (10).

Subsection 73(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Subject to subsections (3), (9) and (10), an employer shall obtain a statement of the rated load of a hoist from the manufacturer of the hoist.

Subsection 73(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (3) Where the statement referred to in subsection (2) cannot be obtained, an employer shall obtain a statement of the rated load of the hoist from an engineer.

Subsection 73(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (4) In addition to any inspection under Section 72, an employer shall ensure that
- (a) a competent person inspects a hoist at least once a year;
 - (b) where the hoist is a mobile or overhead crane with a capacity of greater than 5 t, a certificate from an engineer is obtained on an annual basis with respect to the mobile or overhead crane; or
 - (c) where the hoist is a tower crane, a certificate from an engineer is obtained with respect to the tower crane
 - (i) prior to the tower crane being put into service and each time it is erected, and
 - (ii) once during each year of operation.
- (5) An inspection or a certification required under subsection (4) shall confirm that a hoist has a rated load identified and that no component will fail within its rated load.

Subsection 73(5) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (6) The competent person inspecting a hoist under clause (4)(a) and an engineer certifying a mobile or overhead crane under clause (4)(b) or a tower crane under clause (4)(c) shall perform the appropriate tests to ensure that the hoist is capable of lifting its rated load, including, where appropriate, a running test, load test, deflection test and brake test.

Subsection 73(6) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (7) An employer shall post a legible statement of the rated load referred to in subsection (2) or (3) on a hoist so that the operator of the hoist is able to see it when operating the hoist.

Subsection 73(7) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (8) The employer shall ensure that an operator of a hoist has sufficient information to determine the load that the hoist is capable of hoisting safely under any operating condition.
- (9) Where part of a hoist is modified, extended, altered or repaired so as to potentially affect the rated load of the hoist, an employer shall obtain a revised statement of the rated load of the hoist from the manufacturer, if the manufacturer performed the work, otherwise from an engineer, and post it on the hoist in the manner described in subsection (7).

Subsection 73(9) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (10) Where an employer believes that a reduction in the rated load is warranted or has been informed by the manufacturer of the hoist or an engineer that a reduction in the rated load is warranted, the employer shall
 - (a) obtain a revised statement of the rated load of the hoist from the manufacturer or an engineer;
 - (b) reduce the rated load of the hoist to a revised level certified as adequate by the manufacturer or an engineer; and
 - (c) remove the statement of rated load from the hoist and post the revised statement of rated load on the hoist in the manner described in subsection (7).

Subsection 73(10) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (11) Where the employer has obtained a revised statement of the rated load of a hoist pursuant to subsections (9) or (10), the employer shall provide sufficient information to the operator of the hoist to enable the operator to determine the load that the hoist is capable of hoisting safely under any operating condition.

Subsection 73(11) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

[Note: Section 73 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

- 74 (1) Subject to subsection (2), the operator of a hoist shall not subject the hoist to a load in excess of its rated load.

Subsection 74(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) At the time that tests are performed for purposes of an inspection or certification, the person inspecting the hoist may cause the hoist to be subject to a load in excess of its rated load, but not in excess of the safety factor identified by

- (a) the applicable standard in Section 72 or the manufacturer's specifications;
or
- (b) where there is no standard or manufacturer's specifications, the specifications certified by an engineer.

Subsection 74(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 75 (1) In addition to any inspections referred to in Sections 72 or 73, an employer shall ensure that a competent person visually inspects a hoist, including any safety devices, for defects that may affect the structural integrity of the hoist

- (a) before it is put into service initially or after 1 month or more of disuse;

- (b) once during every month of operation; and
 - (c) after any incident or repair, including contact with an energized utility line or equipment that may have damaged some part of the hoist or endangered any person.
- (2) Where an inspection identifies a defect in a hoist that affects the safe operation of the hoist, an employer shall remove the hoist from service and repair it before it is put back into service.
- (3) An employer shall maintain a record of
- (a) each inspection of a hoist required under Sections 72 and 73, and subsection (1); and

Clause 75(3)(a) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (b) each repair potentially affecting the structural integrity of a component of a hoist that supports a load,
- including the date, time, nature and results of the inspection or repair and the name of the person who performed the inspection or repair to a hoist.
- (4) Where limit switches and safety devices are installed on a hoist by the manufacturer, an employer shall ensure that these switches and devices are maintained in adequate condition.

[Note: Section 75 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

76 An operator of a hoist shall

- (a) visually inspect the hoist on a daily basis before use to verify that it is in adequate working order;
- (b) not carry a load over any person, except where
 - (i) it is not reasonably practicable to divert the traffic route of persons or use another lifting route, and
 - (ii) the employer has established a written work procedure to provide adequate warning or information about the hazard to persons at or near the work place;

Subclause 76(b)(ii) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (c) not leave a suspended load unattended; and
- (d) where an uncontrolled swing or uncontrolled rotation of a load may endanger the health or safety of a person, ensure that a guide rope or other adequate means is used to stabilize the load.

Mobile cranes

77 An employer shall ensure that a mobile crane has

- (a) installed and maintained in an adequate condition a device that warns the mobile crane operator when continued movement may cause the load attached to a mobile crane to strike the upper sheaves of the mobile crane; and

- (b) if equipped with a boom that is not articulating, a boom angle indicator.

Section 77 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 78** An employer shall ensure that barriers or equivalent means are used to prevent a person from entering within the swing radius of the body of the mobile crane where a mobile crane is being operated in an area where the clearance between any obstruction and the swing radius of the body of the mobile crane creates a hazard.

- 79** While a mobile crane is moving from one location to another under its own power, no operator shall permit the boom to swing in an uncontrolled manner.

Rigging hardware

- 80 (1)** In this Section, “rigging hardware” means a chain, cable, webbing, bucket, grapple, hook, ring, sling or other device used to attach a load to a hoist.

- (2)** Every inspection required to be performed under this Section shall be performed by a competent person.

- (3)** Subject to subsection (4), an employer shall ensure that rigging hardware is constructed, installed, operated, inspected and maintained in accordance with the latest version of the applicable ASME standard listed below:
 - (a) ASME B30.9, “Slings”;

 - (b) ASME B30.10, “Hooks”; or

 - (c) ASME B30.20, “Below-the-Hook Lifting Devices”.

Subsection 80(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Where none of the standards referred to in subsection (3) apply, an employer shall ensure that the rigging hardware complies with an adequate design certified by an engineer.
- (5) Where rigging hardware is commercially manufactured, in addition to the requirements of subsection (3) or (4), an employer shall ensure that rigging hardware is constructed, installed, operated, inspected and maintained in accordance with the manufacturer's specifications.
- (6) In addition to any inspection required under subsection (5), an employer shall ensure that a person inspects the rigging hardware before each use to ensure that no defect exists that may affect its structural integrity.
- (7) In addition to the requirements of subsections (5) and (6), an employer shall ensure that a person inspects the rigging hardware
 - (a) before it is put into initial service or after one month or more of disuse;
and
 - (b) once during every year that it is in operation.
- (8) Where the competent person conducting an inspection referred to in subsections (3), (5), (6) or (7) identifies a defect that may affect the structural integrity of the rigging hardware, an employer shall ensure that the rigging hardware is removed from service until such time as it is repaired.
- (9) An employer shall maintain a record of

(a) the inspections referred to in subsections (3), (5) and (7); and

Clause 80(9)(a) amended: O.I.C. 2004-14, N.S. Reg. 4/2004.

(b) any repairs to rigging hardware.

(10) The record referred to in subsection (9) shall include the date, time, nature and results of the inspection or repair and the name of the person who performed the inspection or repair.

(11) An employer shall identify the safe lifting capacity of rigging hardware on the device in a permanent and clearly legible manner.

(12) An employer shall ensure that a person using rigging hardware receives adequate training and other information sufficient to ensure that they are knowledgeable about the capacity of the rigging hardware.

(13) An employer shall designate a competent person to use rigging hardware.

(14) Before a load is raised by a hoist, an employer shall ensure that a competent person ensures that the load is secured to the hoist in an adequate manner by means of appropriate rigging hardware.

Section 80 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Lift trucks

81 (1) An employer must ensure that a lift truck is designed, constructed, maintained, inspected, and operated in accordance with the latest version of the applicable standard listed below:

- (a) CSA standard CSA B335, “Safety standards for lift trucks”;
 - (b) ANSI standard ANSI/ITSDF B56.1, “Safety Standard for Low Lift and High Lift Trucks”;
 - (c) ANSI standard ANSI/ITSDF B56.6, “Safety Standard for Rough Terrain Forklift Trucks”.
- (2) An employer must ensure that every supervisor and operator of a lift truck has been provided with the necessary information, instruction, training, supervision, facilities, and equipment required for the safe operation of the equipment in accordance with the standards in subsection (1), as applicable.

Section 81 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 82 (1)** An employer must ensure that a lift truck is operated in a manner that will not endanger a person.

Subsection 82(1) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (1A)** Where a lift truck is propelled by an internal combustion engine in a building or other enclosed structure, the employer must ensure adequate ventilation, monitoring and record keeping practices are carried out to ensure exposure from exhaust gases does not exceed the occupational exposure limit for the gas under Part 2: Occupational Health, of the *Workplace Health and Safety Regulations* made under the Act.

Subsection 82(1A) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall ensure that where a lift truck is operated
- (a) in a one-way aisle, the width of the aisle equals at least the width of the vehicle or load being carried, whichever is wider, plus 600 mm; and

- (b) in a two-way aisle, the width of the aisle equals at least twice the width of the vehicle or load being carried, whichever is wider, plus 900 mm.

Subsection 82(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) An employer must ensure that a lift truck that is propelled by propane has all engine and fuel components designed, assembled, examined, inspected, operated and maintained in accordance with the latest version of CSA standard CSA B149.2, "Propane Storage and Handling Code".

Subsection 82(3) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Section 83 repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 8 - Mechanical Safety

General provisions

- 84 (1) An employer shall ensure that a machine that may be a hazard to the health or safety of a person at the workplace is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired and dismantled in accordance with the manufacturer's specifications, or, where there are no manufacturer's specifications, the specifications certified by an engineer.

Subsection 84(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) An employer shall ensure that the maximum capacity, speed, load, depth of operation or working pressure or any other limitation set out in the manufacturer's specifications or in an engineer's specifications, for the operation of a machine, tool or equipment under the circumstances prevailing at the time of operation, shall not be exceeded.

- (3) Where a defect is identified with a machine or supplies that affects the safe operation of the machine, an employer shall ensure that
 - (a) the machine is not operated until repaired; and
 - (b) until repaired or replaced, the machine and supplies are clearly identified as defective.

- 85 (1) An employer shall ensure that an operator of a machine or tool is a competent person.

- (2) An employer shall ensure that a person responsible for maintaining a machine or tool is a competent person.

Contact with machines

- 86 (1) An employer shall ensure that adequate space is provided around a machine to ensure the safety of a person while the machine is being
 - (a) operated; or
 - (b) cleaned, adjusted, repaired or otherwise maintained.

- (2) No person shall be near a rotating shaft, spindle, gear, belt or other possible source of entanglement

- (a) while wearing any article of clothing or jewellery that in the circumstances presents a hazard to a person in the workplace; or
- (b) with hair that is not confined closely to the head by suitable headwear.

Safeguards

- 87 (1)** In this Section “safeguard” means a guard, shield, guardrail, fence, gate, barrier, safety net, wire mesh or other protective enclosure or device, but does not include personal protective equipment.

Subsection 87(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Where a person may come in contact with a moving part of a machine or tool that may present a hazard to a person, an employer shall ensure that an adequate safeguard has been installed on the machine or tool to prevent contact.
- (3) Despite subsection (2), an employer is not required to ensure that a safeguard is installed on a machine that is equipped with a device that stops the machine automatically before a person comes into contact with the moving parts.
- (4) Despite subsection (2), where it is not reasonably practicable to use a safeguard on a cutting or shaping machine and there is a possibility of injury to a person, an employer shall
 - (a) ensure that a push block, push stick or other adequate protective device is used; and
 - (b) establish a written procedure to ensure the safety of an operator of the machine.

Clause 87(4)(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (5) No person shall remove or render ineffective a safeguard on a machine, unless
 - (a) the removal or rendering is necessary to enable the cleaning, maintenance, adjustment, testing or repair of the machine;
 - (b) the machine is locked out; and
 - (c) the person replaces the safeguard and ensures the safeguard is functioning properly before leaving the machine.
- (6) An employer shall ensure that adequate safeguards are installed on a machine where a person may be injured by a flying object from a machine.
- (7) Where an object or material is to be applied to, fed into or supplied to a machine or tool and the object or material may shatter, splinter, vibrate, create a flying projectile or otherwise cause hazardous movement because it is not secure, an employer shall ensure that the object or material is held by a restraining device or other means of providing an equivalent level of safety.
- (8) Where opening an access door exposes the moving parts of a machine or tool, an employer shall ensure, where reasonably practicable, that the access door is fitted with interlocks that
 - (a) prevent the access door from opening while the moving parts are in motion; or
 - (b) disconnect the power from the driving mechanism, causing the moving parts to stop immediately if the door is opened.

Subsection 87(8) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (9) Where it is not reasonably practicable to fit an access door with interlocks in accordance with subsection (8), an employer shall, in consultation with the committee or representative, if any, establish an adequate written work procedure.

Subsection 87(9) added: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Starting and stopping machines

- 88 (1)** An employer shall ensure that the operational controls on a machine are
- (a) located and protected in such a manner as to prevent unintentional activation; and
 - (b) adequately identified so as to indicate the nature of each control mechanism.
- (2)** An employer shall ensure that a machine is designed with adequate means to prevent unintentional movements that may present a hazard to a person in the workplace.
- (3)** Where there is not a clear view of a machine or parts of it from the control panel or operator's station and the moving parts of the machine may endanger a person at the workplace when the machine is started,
- (a) an employer shall ensure that an alarm system is installed that shall give an effective warning, with an adequate time delay, before the start-up of the machine so that a person at the workplace is made aware of the imminent start-up; and

- (b) where reasonably practicable, the person that is to start the machine or parts of it shall ensure that a visual inspection is done of the complete exterior of the machine or parts of it to ensure no person is endangered by the start-up.
- (4) An employer shall ensure that an operator of a machine has unimpeded access in the operator's immediate work area to the means of stopping the machine.

89 Where a machine or tool that is not designed to operate unattended creates a hazard to a person in the workplace if it operates unattended, an employer shall ensure that the machine or tool is equipped with a "hold to operate" device that starts it when the device is held in a set position or stops it when the device is released.

Section 89 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Chain saws

90 An employer must ensure that a chain saw complies with the latest version of the following applicable CSA standards:

- (a) CSA Z62.1 "Chain Saws";
- (b) CSA Z62.3 "Chain Saw Kickback".

Section 90 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Automotive pits

91 An employer shall ensure that an automotive pit is designed, installed, operated, inspected and maintained in accordance with the latest version of National Fire Protection Association standard NFPA 1, "Fire Prevention Code", in the chapter entitled "Service Stations, Pits, Below-Grade and Sub-Floor Work Areas" and complies with sections the latest version of CSA standard C22.1 "Canadian Electrical Code Part 1, Safety Standard for Electrical Installations".

Section 91 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Tire repair and mounting

- 92 (1)** Where a split rim or retainer ring type tire is being mounted on a rim and is in the process of being inflated an employer shall provide and an employee shall use
- (a) a safety cage or restraining device;
 - (b) a clip-on chuck with an adequate length of hose; and
 - (c) an in-line hand-operated valve with a gauge.

Subsection 92(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2)** Where a split rim or retainer ring type tire is assembled, an employer shall ensure that the components are assembled in accordance with the manufacturer's specifications, including a multi-piece rim matching chart.

Conveyors

- 93 (1)** This Section and Sections 94, 95 and 96 do not apply to any device that is intended for the transport of persons and to which the *Elevators and Lifts Act* applies.

Subsection 93(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** An employer shall ensure that a conveyor is constructed or installed so that

- (a) there is adequate clearance between the material transported on the conveyor and a fixed or moving object;
- (b) pinch points that a person may come into contact with are adequately guarded; and

Clause 93(2)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) the conveyor cannot feed onto a stopped power-driven conveyor, or that written procedures are established that provide an equivalent level of safety.

Clause 93(2)(c) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) Where a person in the workplace has access to a power-driven conveyor, an employer shall ensure that emergency stop devices are installed at designated work stations and other appropriate locations along the run of the conveyor to ensure the safety of a person in the workplace.

94 (1) Where a person is required to cross over a conveyor, an employer shall

- (a) provide an adequate means of crossing the conveyor; and
- (b) identify the crossing point by adequate means.

(2) No person in a workplace shall

- (a) ride on a conveyor; or

(b) stand on the supporting frame of a conveyor.

(3) Despite clause (2)(b), a person may stand on the supporting frame of a conveyor if the conveyor has been locked out.

95 Where a conveyor is installed at a height that may result in falling objects causing injury to a person, an employer shall ensure that

(a) it is equipped with guards or other adequate protection to prevent the material from falling from the conveyor to the workplace below; or

Clause 95(a) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

(b) adequate barriers are installed that prevent a person from being under the conveyor while it is running.

Clause 95(b) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

Section 95 amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

96 Where the rollback of the load or belt creates a hazard to a person at the workplace, an employer shall ensure that an anti-rollback device is installed on a conveyor that carries a load up an incline to prevent the belt or the load from rolling back.

Abrasive wheels and grinders

97 (1) An employer shall legibly post on an abrasive wheel and a grinder the maximum number of revolutions per minute of the wheel and the grinder.

(2) No person shall operate a grinder with an abrasive wheel unless the grinder is rated to provide a number of revolutions per minute equal to or less than the rating of the abrasive wheel.

- (3) An employer shall ensure that, before the installation of an abrasive wheel, the abrasive wheel is inspected by a competent person for flaws, defects or cracks.

Subsection 97(3) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 98 (1) An employer shall ensure that a bench grinder is fitted with a protective hood and side shield of sufficient strength to contain fragments of a ruptured wheel.

- (2) Where a bench or pedestal grinder is used, an employer shall ensure that

- (a) a tool rest is mounted on the grinder not more than 3 mm from the abrasive wheel; and

- (b) the grinder is secured to prevent unintended movement.

- 99 Where a pneumatic grinder is used, an employer shall ensure that the governors are maintained by a competent person.

Section 99 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 100 Unless the manufacturer's specifications otherwise specify, an employer shall ensure that no person

- (a) grinds on the side of an abrasive wheel; or

- (b) adjusts a tool rest while the abrasive wheel is in motion.

Compressed air used for cleaning

- 101 (1)** In this Section, “compressed air” means air at an absolute pressure greater than 275 kPa.
- (2)** Where compressed air is used to clean a surface or person, an employer shall ensure that the device that is used to deliver the air is
- (a)** commercially manufactured and approved in the manufacturer’s specifications for the purpose of cleaning a surface or person with compressed air; or
 - (b)** certified by an engineer as adequate for the purpose of cleaning a surface or person with compressed air.

Space heating equipment

102 An employer shall locate, install, operate, inspect and maintain temporary space heating equipment so as to prevent the unintended ignition of any material.

103 Where space heating equipment is powered by a combustible fuel, the employer shall ensure that

- (a)** the equipment is located on the ground or above a non-combustible floor of sufficient thickness to prevent the transference of enough heat to cause a fire below;

Clause 103(a) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (b)** if located above a combustible floor, the equipment is separated from the combustible floor by 75 mm of non-combustible material covered by

sheet metal extending 600 mm beyond the heating equipment on all sides.

Part 9 - Tools

General provisions

104 An employer shall ensure that a tool, its accessories and supplies are

- (a) made of good quality material adequate for the work for which they are intended to be used;
- (b) inspected before being used, and, if not in an adequate condition, repaired or replaced before use;
- (c) used only for their intended purpose;
- (d) equipped with a device to ensure a secure hand grip where necessary; and
- (e) installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, carried, maintained, repaired and dismantled in accordance with the manufacturer's specifications, or, where there are no manufacturer's specifications, in accordance with adequate work procedures established by a competent person.

Clause 104(3)(e) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

105 (1) No person shall point a tool that ejects pins, nails or other projectiles at another person.

- (2) Where reasonably practicable, an employer shall ensure that where a person works with a device that is to be struck by a tool used by another person, the device to be struck is held by an adequate holding device.

Subsection 105(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Portable power-operated hand tools

106 An employer shall ensure that a portable power-operated hand tool

- (a) is repaired by a competent person;

Clause 106(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) where powered by electricity, is double insulated or grounded, except where battery operated;

- (c) where lines or hoses are connected to the tool, has a shut-off mechanism installed on the tool so as to be immediately accessible to the operator;
and

- (d) is an explosion-proof device where there is a risk of an explosive atmosphere.

- 107 (1)** Where reasonably practicable, an employer shall ensure that hydraulic, pneumatic, chemical and electrical lines and hoses do not run across aisles, travel ways or work areas.

Subsection 107(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) This Section does not apply where a firefighter is engaged in structural fire-fighting or rescue.

Powder-actuated tools

- 108 (1)** In this Section, “powder-actuated tool” means a tool that, by means of a powder-generated explosive force, propels or discharges a fastening device for the purpose of impinging it on, affixing it to or causing it to penetrate another object or material.
- (2) An employer shall ensure that a powder-actuated tool is operated by a competent person in accordance with the latest version of ANSI standard A10.3, “American National Standard for Construction and Demolition Operations - Powder-Actuated Fastening Systems - Safety Requirements”.

Subsection 108(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) An employer shall ensure that a powder-actuated tool, the fastener and the powder load complies with the requirements of the latest version of ANSI standard A10.3, “American National Standard for Construction and Demolition Operations - Powder-Actuated Fastening Systems - Safety Requirements”.

Subsection 108(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 10 - Welding, Cutting, Burning and Soldering

General provisions

- 109 (1)** In this Part, “welding or allied process” means any specific type of electric or oxy fuel gas welding or cutting process including those processes referred to in Appendix A of the latest version of CSA standard CSA W117.2, “Safety in Welding, Cutting, and Allied Processes”, and includes

- (a) arc welding, brazing, solid-state welding, soldering, resistance welding, and other welding; and
- (b) allied processes such as arc cutting, oxygen cutting, thermal spraying, thermal adhesive bonding and other cutting.

Subsection 109(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall, where reasonably practicable, comply with the requirements of the latest version of CSA standard CSA-W 117.2, "Safety in Welding, Cutting and Allied Processes".

Subsection 109(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- 110 (1)** An employer shall ensure that welding or allied process equipment is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, carried, maintained, repaired and dismantled in accordance with the manufacturer's specifications.

- (2) An employer shall ensure that a welding or allied process is performed by a competent person.

Subsection 110(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 111 (1)** An employer shall ensure that, before a welding or allied process is commenced, the person who is to operate the equipment has inspected the area surrounding the operation to ensure that adequate precautions have been taken

- (a) to remove from the area all hazardous material or processes that produce combustible, flammable or explosive material, dust, gas or vapour; and
- (b) to prevent fire or explosion.

- (2) Where a welding or allied process is performed above an area where a person may be present, an employer shall ensure that adequate means of protection are taken to protect a person below the operation from sparks, debris and other falling hazards.
- 112 (1) Except where an employer has demonstrated that a person at or near a welding or allied process is not excessively exposed to radiation or reflection, the employer shall provide adequate screens or prevent a person from entering the work area.
- (2) Where screening is used in accordance with subsection (1), the employer shall ensure that the screening is adequate to prevent radiation and reflection from affecting a person at or near the workplace.

Work on containers

- 113 (1) An employer shall ensure that no person performs a welding or allied process on a container, pipe, valve or fitting that
- (a) holds or may have held an explosive, flammable or otherwise hazardous substance; or
 - (b) may become pressurized to the point of being a hazard to a person at the workplace,

unless the welding or allied process is performed in accordance with a written work procedure established by the employer.

Subsection 113(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

(1A) Where a welding or allied process is performed on a natural gas pipeline or a liquids pipeline associated with a natural gas pipeline, an employer shall ensure that an engineer certifies that the written work procedure required under subsection (1) is in accordance with American Petroleum Institute standard API Recommended Practice 2201, "Procedures for Welding or Hot Tapping on Equipment in Service", Fourth Edition, September 1995.

Subsection 113(1A) added: O.I.C. 2004-14, N.S. Reg. 4/2004.

(2) Where a container, pipe, valve or fitting holds or may have held an explosive, flammable or other hazardous substance, and subsection (1A) does not apply, an employer shall include in the written work procedure required under subsection (1), provision

(a) for disconnecting and blanking off or moving out of alignment pipes or locking out valves in the closed position; and

(b) that after ventilation, a competent person shall

(i) where reasonably practicable, examine the area to be welded or processed to ensure that it is free from residue,

(ii) test air samples to ensure that explosive, flammable or hazardous amounts of gases or vapours have been reduced to less than 1% of the lower explosive limit in areas to be welded or processed, and

(iii) certify, in writing, that work involving the application of heat can be safely undertaken and that the conditions tested in the area to be heated are likely to be maintained within a predicted and recorded range for the entire time the certification is valid.

Clause 113(2)(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Subsection 113(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2004-14, N.S. Reg. 4/2004.

(3) The certificate referred to in subclause (2)(b)(iii) shall include

- (a) the signature of the competent person;
- (b) the date and time the tests were performed;
- (c) the type of work that
 - (i) can be performed in the area to be heated, and
 - (ii) is explicitly banned in the area to be heated;
- (d) the means by which the work is to be performed;
- (e) the expiry date and time of the certificate; and
- (f) a record of any tests performed and of any test results.

Subsection 113(3) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(4) No certification issued under subclause (2)(b)(iii) shall be valid for longer than 24 hours after the time of the examination and test required to be performed under subclauses (2)(b)(i) and (ii).

Subsection 113(4) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (5) An employer shall ensure that no person uses the exhaust of an internal combustion engine as a means of decreasing the concentration of flammable and explosive gases and vapours in the area to be welded or processed.

Subsection 113(5) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

114 An employer shall ensure that a compressed gas hose line or welding cable is adequately protected from damage.

115 (1) No operator of an electric welding machine shall leave the machine unattended without removing the electrode.

- (2) An employer shall ensure that appropriate welding and ground leads are used to fasten the electric supply cable securely so that the inner wires of an electric welding machine are not exposed to damage and the cable cannot be separated from the fittings.

Gas welding and allied process

116 (1) An employer shall ensure that a person performing a gas welding or allied process tests a regulator and its flexible connecting hose immediately after it is connected to a gas cylinder, to ensure that there is no leak of the gas supply.

Subsection 116(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) No person shall perform a test required in subsection (1) with a substance that is oil, fat or grease based.
- (3) Where a leak of the gas supply develops during the performance of a gas welding or allied process

- (a) the person performing the welding or allied process shall cut off the supply of gas; and
- (b) the employer shall ensure that work is not resumed until the leak is repaired.

117 Where a gas welding or allied process is carried on, the employer shall

- (a) provide a flashback arrestor between the torch and the fuel gas and oxygen supply that
 - (i) prevents the reverse flow of fuel, gas, oxygen or air from the torch to the supply lines, and
 - (ii) stops a flame from burning back from a torch into the supply lines;
- (b) ensure that hose lines or pipelines for conveying the gases to the burner and the couplings are legibly marked or identified to ensure the hoses are not interchanged; and
- (c) ensure that the torch is ignited by a lighting device that is designed for that purpose.

Acetylene

118 Where an employer manufactures acetylene in the workplace, the employer shall establish a written procedure to ensure the health and safety of a person in the workplace.

Section 119 repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

Part 11 - Electrical Safety

General provisions

- 120 (1)** An employer shall ensure that an electrical installation is designed, installed, assembled, operated, inspected, serviced, tested, maintained, repaired and dismantled in accordance with the latest version of CSA standard CSA C22.1, “Canadian Electrical Code Part 1”, Safety Standard for Electrical Installations”.

Subsection 120(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** An employer operating a surface mine shall ensure that an electrical installation at the surface mine is designed, installed, assembled, operated, inspected, serviced, tested, maintained, repaired and dismantled in accordance with the latest version of CSA standard M421, “Use of Electricity in Mines”.

Subsection 120(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- 121 (1)** Subject to subsection 120(2) and to the *Underground Mining Regulations* made under the Act, an employer shall ensure that a power line or power line equipment is designed or constructed to comply with the latest version of the applicable CSA standard listed below:

- (a) CSA C22.3 No.1, “Overhead Systems”;

Clause 121(1)(a) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (b) CSA C22.3 No. 7, “Underground Systems”.

Subsection 121(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Subject to subsection 120(2) and to the *Underground Mining Regulations* made under the Act, an employer shall ensure that the voltage and voltage variation of a power line or power line equipment is limited at the service entrance in accordance with the latest version of CSA standard CAN3-C235, “Preferred Voltage Levels for AC Systems, 0 to 50,000 V”.

Subsection 121(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2013-65, N.S. Reg. 53/2013.

- 122** An employer shall ensure that a person who works on an electrical installation is a competent person.

Personal protective equipment

- 123 (1)** Where a person is required to work on an energized electrical installation, an employer shall, as necessary in the circumstances, provide a person with all protective equipment and devices

(a) necessary to work safely on an energized electrical installation; and

(b) that comply with the latest version of the applicable standard listed below:

- (i) ASTM D120, “Standard Specification for Rubber Insulating Gloves”,
- (ii) ASTM D1051, “Standard Specification for Rubber Insulating Sleeves”,
- (iii) ASTM D1048, “Standard Specification for Rubber Insulating Blankets”,

- (iv) ASTM D1050, “Standard Specification for Rubber Insulating Line Hose”,
- (v) ASTM D1049, “Standard Specification for Rubber Insulating Covers”,
- (vi) ASTM D 178, “Standard Specification for Rubber Insulating Matting”,
- (vii) ASTM F696, “Standard Specification for Leather Protectors for Rubber Insulating Gloves and Mittens”, and
- (viii) ASTM F711, “Standard Specification for Fiberglass-Reinforced Plastic (FRP) Rod and Tube Used in Live Line Tools”.

Clause 123(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) A person who is required to work on an energized electrical installation shall

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- 124 (1) An employer shall ensure that a person who handles an energized power line or power line equipment rated at greater than 15 000 v to ground uses hot line tools to do so, in addition to other personal protective equipment required in the circumstances.

- (2) A person may use rubber gloves instead of hot line tools to handle energized power lines or power line equipment rated at greater than 750 v phase to phase, where a written work procedure has been adopted as a code of practice by order of the Director for use in such circumstances.

Subsection 124(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (3) An employer who has adopted a code of practice under subsection (2) shall
 - (a) provide a copy of the code of practice to each person in the workplace who is required to handle energized power lines or power line equipment rated at or below 15 000 v to ground;

- (b) provide training in the code of practice to each person in the workplace who is required to handle energized power lines or power line equipment or perform other activities in accordance with the code of practice; and
- (c) communicate the details of the code of practice and the reasons for its implementation to all persons at the location where the work is performed,

and, to the extent that it relates to their work, all persons shall adhere strictly to the terms of the code of practice.

- (4) Where an officer determines that a code of practice that is in effect pursuant to subsection (2) has not been strictly adhered to, the officer may make an order suspending the application and use of the code of practice, and the suspension shall remain in place until the Director notifies the employer that the suspension has been lifted.

Hazardous work

- 125 (1)** In this Section, “switching device” means a device designed for the sole purpose of opening, closing or opening and closing one or more electrical circuits, and includes
- (a) a circuit breaker capable of making, carrying and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal conditions, such as those of a short circuit;
 - (b) a cutout assembly of a fuse support with either a fuse holder, fuse carrier or disconnecting blade; and

- (c) a disconnecting or isolating device used for isolating a circuit or equipment from a source of power.

Subsection 125(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) An employer shall ensure that no work is performed on an energized electrical installation rated at greater than 750 v phase to phase unless the competent person performing the work is accompanied by another competent person.
- (3) Subsection (2) does not apply to switching work carried out using a switching device where an adequate written procedure has been established by the employer.

Subsection 125(3) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (4) Where compliance with the personal protective equipment requirements and normal work procedures in effect at the workplace is inadequate to control the risk of exposure to an electrical hazard during work on an energized electrical installation due to an unusual factor in the nature of the work, such as the location or condition of the workplace, a competent person not actively engaged in the work shall be designated as a safety watcher to observe a person who is working on or near an energized electrical installation.
- (5) A safety watcher required by subsection (4) shall
 - (a) warn all persons working on or near an energized electrical installation of any potential hazards;
 - (b) ensure that the requirements of this Part are complied with;
 - (c) be a competent person able to evaluate relevant hazards, and competent and equipped to initiate a rescue;

(d) be free of any other duties that might interfere with the duties outlined in this subsection;

(e) have the authority to stop work where the task or conditions in the workplace become hazardous; and

(f) remain in the immediate vicinity of the work.

126 (1) In this Section and in Section 128, “authority” means an electrical utility whose primary business is the generation or distribution of electricity.

(2) No person shall carry out work that may bring a person or object closer than 6.0 m to an overhead energized power line or power line equipment where the voltage of the overhead energized power line is not known to the person carrying out the work.

(3) Where work is performed in close proximity to an energized overhead power line or power line equipment rated at less than 750 v phase to phase, an employer shall ensure that the work is performed no closer than 1 m from the power line or power line equipment to ensure the safety of every person in the workplace from the electrical hazard.

Subsection 126(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(4) An employer shall ensure that no work is carried out, and no person shall carry out work that may bring a person or object closer than the distances set out in the following table to an overhead energized power line or power line equipment rated at greater than or equal to 750 v phase to phase:

Phase to Phase Voltage of Energized	Distance
--	-----------------

Electrical Power Line or Power Line Equipment	
750 volts and up to 69 000 volts	3.0 m
greater than 69 000 volts and up to 138 000 volts	5.0 m
greater than 138 000 volts	6.0 m

- (5) Despite subsections (3) and (4), where a person is about to commence work that may bring a person or object closer than a distance specified in subsection (3) or (4) to an overhead energized power line or power line equipment described in subsection (3) or (4), an employer shall not permit the person to commence work until the employer has contacted the authority owning or operating the energized power line or power line equipment and
- (a) ensured that the energized powerline or power line equipment is insulated or guarded in an adequate manner; or
 - (b) provided an alternative means of protection from the electrical hazard that provides an equivalent level of safety.
- (6) This Section does not apply to
- (a) work performed by a competent person employed, contracted or authorized by an authority;
 - (b) equipment owned by an authority or an employer contracted or authorized by the authority, that is used in the installation, operation, maintenance, repair, dismantling or other work performed on the power line or power line equipment; or

- (c) work performed on an energized power line or power line equipment where the employer has, in advance of the work,
 - (i) determined the degree of electrical insulation on the power line and power line equipment,
 - (ii) determined the level of electricity to which the power line or equipment will or may be energized,
 - (iii) obtained from an engineer, or the manufacturer of the power line and power line equipment, a written certification indicating that a person or object may be brought closer than the distances permitted by this Section, and
 - (iv) ensured that the work is performed by a competent person in an adequate manner consistent with the recommendations of the engineer or manufacturer providing the certification under subclause (iii).

Plan of electrical installation

- 127 (1)** The owner of a building or structure must ensure that a plan is created, maintained and updated by a competent person if there is an electrical installation utilized in the building or structure that meets any of the following criteria:
- (a) it is rated at greater than 250 v phase to phase;
 - (b) it is rated at greater than 250 amp;

- (c) it has multiple service entrances.
- (2) The plan in subsection (1) must include a line diagram that
- (a) describes the position and ratings of the components of the electrical installation; and
 - (b) reflects all repairs and alterations to the electrical installation.

Section 127 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Electrical rooms

- 128 (1) Where a workplace has an electrical room, an employer shall ensure that
- (a) the room is kept clean and orderly;
 - (b) the room is not used for storage of unrelated materials; and
 - (c) where the components are rated at more than 750 v phase to phase, a sign is posted on the outside of the room that legibly states “Danger - High Voltage”.
- (2) Despite clause (1)(c), where an electrical room is in a manhole controlled and maintained by an authority, no sign is required.

Part 12 - Confined Space Entry

Application and interpretation

129 (1) In this Part, “confined space” means an enclosed or partially enclosed space

(a) not designed or intended for regular human occupancy;

(b) with restricted access or exit; and

(c) that is or may become hazardous to a person entering it because of its design, construction, location, atmosphere or the materials or substances in it or other conditions.

(1A) When assessing whether a space is or may become hazardous to a person entering it because of its atmosphere under clause (1)(c), a person must not take into account the protection afforded to a person through the use of personal protective equipment or ventilation.

Subsection 129(1A) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) Sections 130 to 137 do not apply to

(a) a development heading in an underground mine; and

(b) a firefighter engaged in structural fire-fighting or rescue, if the firefighter has received adequate training for confined space entry and rescue.

Clause 129(2)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

[Note: Section 129 effective November 1, 2000.]

Assessment and written procedures

- 130 (1)** An employer shall ensure that no person enters a confined space until the employer has fulfilled the requirements of this Section and a competent person has provided a written certificate, in accordance with Section 131.
- (2)** Where a workplace includes a confined space, the employer shall ensure that a person who may be required to enter the confined space has the information necessary to identify it as such.
- (3)** Where at least one confined space has been identified, an employer shall establish a written confined space entry procedure that includes provision
- (a) that prior to the entry of a person into the confined space, an assessment of the confined space is
- (i) done in accordance with subsection (8), and
- (ii) recorded by the person conducting the assessment in accordance with Section 131;
- (b) for the training required by a person who may enter a confined space in the course of the person's work, and for the training required by a person who may undertake rescue operations with regard to a confined space, including training on
- (i) proper use of personal protective equipment,
- (ii) written rescue procedures,

- (iii) maintaining contact between a person in the confined space and an attendant required under clause 134(2)(a) and the means by which the written rescue procedure is initiated in the event of an emergency in the confined space,
 - (iv) the limitations on the type of work that can be performed in the confined space, and
 - (v) the means of identifying a hazard while in a confined space;
- (c) for the process for notifying a person entering a confined space of the specific type of work that may be performed in the confined space;
- (d) for the method to be followed by a person entering into, exiting from or occupying the confined space;
- (e) for the protective equipment that is to be used by every person entering the confined space;
- (f) for the written emergency procedures to be followed in the event of an accident or other emergency in or near the confined space, including
- (i) immediate evacuation of the confined space when an alarm is activated or there is any significant, unexpected and potentially hazardous change in the concentration, level or percentage referred to in subsection (8),

(ii) a determination of whether more than one person is required to be present outside a confined space during the occupancy of any person, and

(iii) a written rescue procedure;

Clause 130(3)(f) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(g) for the protective equipment and emergency equipment to be used by a person who undertakes rescue operations in the event of an accident or other emergency;

(h) for a written procedure for testing the confined space in an adequate manner, at regular intervals and on a continuous basis, if necessary, to ensure the concentration or level of a hazardous substance or physical agent complies with the limits in subsection (8); and

(i) for a means of ventilating the confined space to ensure the removal or dilution of all airborne hazardous substances from the confined space.

Subsection 130(3) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(4) An employer shall provide to each person entering the confined space and a person who may undertake rescue operations the protective equipment and emergency equipment referred to in this Section.

(5) An employer shall ensure that

(a) a person who enters a confined space is trained at least once every 2 years in accordance with the procedures set out in clause (3)(b); and

- (b) a person who undertakes rescue operations is trained at least once every year in accordance with the procedures set out in clause (3)(b).

Subsection 130(5) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (6) Every person who enters into, exits from or occupies the confined space shall follow the written procedures and use the protective equipment and emergency equipment as required.

- (7) An employer shall review the confined space entry procedure at least once a year and amend it, if necessary.

- (8) An employer shall designate a competent person who shall perform the assessment required in clause (3)(a), which shall include

- (a) where the level of a chemical substance or a mixture of chemical substances may constitute a hazard, tests to ensure that the concentration of a chemical substance or a mixture of chemical substances in the confined space does not exceed its occupational exposure limit under Part 2: Occupational Health, of the *Workplace Health and Safety Regulations* made under the Act or 50% of its lower explosive limit;

Clause 130(8)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) where the level of a physical agent may constitute a hazard, tests to ensure that the level of the physical agent in the confined space is not hazardous;

- (c) tests to ensure that the level of oxygen in the atmosphere in the confined space is not less than 19.5 % and not more than 22.5 %, unless the employer can demonstrate that an unsafe oxygen level is not a possibility in the circumstance;

- (d) a determination of whether the concentrations, levels or percentages referred to in clauses (a), (b) and (c) can be maintained during the period of proposed occupancy of the confined space;
- (e) a confirmation that any liquid in which the person may drown or any free flowing solid in which a person may become entrapped has been removed from the confined space or that work practices have been established that specifically address the presence of the liquid or solid;

Clause 130(8)(e) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (f) a confirmation that entry of any liquid, free flowing solid or hazardous substance into the confined space that could endanger the health or safety of a person has been prevented by a secure means of disconnection, the fitting of blank flanges or the implementation of a double block and bleed written procedure established by the employer or similar positive actions;
 - (g) confirmation that a machine, equipment, tool or electrical installation that presents a hazard to a person entering into, exiting from or occupying the confined space has been locked out; and
 - (h) confirmation that the opening for entry into and exit from the confined space is sufficient to allow safe passage of a person who is using personal protective equipment or emergency equipment.
- (9) Where there is no possibility that a hazard identified in clauses (8)(a), (b) and (c) may occur, the requirements of clause (3)(h) do not apply.
- (10) The competent person referred to in subsection (8) shall, when performing the tests required under clauses (8)(a), (b) and (c), use appropriate and properly calibrated instruments that have been functionally tested and maintain a written record of the functional and calibration tests.

(11) An employer shall keep the assessment and the confined space entry procedure required under subsection (3) at the place of business of the employer nearest to the workplace at which the confined space is located.

(12) An employer shall make available a copy of the confined space entry procedure to all persons involved in the entry of a confined space.

[Note: Section 130 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

Certification of confined space conditions

131 (1) Subsequent to performing the tests required in clauses 130(8)(a), (b) and (c), a competent person shall certify, in writing, that the conditions tested in the confined space are likely to be maintained within a predicted and recorded range for the entire time the certification is valid, and the certification shall include

- (a) the signature of the competent person;
- (b) the date and time of when the tests were performed;
- (c) the type of work that
 - (i) can be performed in the confined space, and
 - (ii) is explicitly banned in the confined space;
- (d) the means by which the work is to be performed;

(e) the expiry date and time of the certification; and

(f) a record of the tests performed and of the test results.

Subsection 131(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) No certification issued under subsection (1) shall be valid for longer than 24 hours after the time the tests required by clauses 130(8)(a), (b) and (c) were performed.

Subsection 131(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(3) An employer shall post a copy of the currently valid certification required in subsection (1) at the entrance to the confined space for the duration of the confined space occupancy.

(4) An employer shall maintain a copy of the certification required in subsection (1) for 12 months.

[Note: Section 131 effective November 1, 2000.]

Purging and further testing

132 Where the tests required in clauses 130(8) (a), (b) and (c) indicate that the concentration level or percentage referred to in those clauses cannot be complied with, an employer shall

(a) ensure that, where reasonably practicable, the confined space is purged until concentrations are below the hazards referred to in clauses 130(8)(a) to (d); and

Clause 132(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) after the purging, ensure that the tests required under subsection 130(8) are conducted again.

[Note: Section 132 effective November 1, 2000.]

Response to hazardous condition

- 133 (1)** An employer shall ensure that no person enters or remains in a confined space where the tests conducted under clause 130(8)(a) indicate that a concentration of a chemical substance or mixture of chemical substances in the confined space equals or exceeds 50% of the lower explosive limit of the chemical substance or mixture of chemical substances.
- (2)** Where the concentration of a chemical substance or mixture of chemical substances may cause a flammable or explosive hazard, and where the tests conducted under clause 130(8)(a) indicate that the concentration of the substance or substances in a confined space is between 10% and 50% of the lower explosive limit, an employer shall
- (a) provide explosion-proof lighting and ensure that it is used where necessary; and
 - (b) ensure that the only work performed in the confined space is cleaning or inspecting and is of such a nature that it does not create any source of ignition.
- (3)** Where the level of oxygen in a confined space is more than 22.5% and a person is to work in the confined space, an employer shall ensure that the confined space does not contain any substance which would be classified as flammable and combustible material or as dangerously reactive material under the *Controlled Products Regulations* made under the *Hazardous Products Act* (Canada).

(4) Despite subsection (1), where the tests conducted under clause 130(8)(a) indicate that the concentration of a chemical substance or mixture of chemical substances in the confined space exceeds, or is likely to exceed, 50% of the lower explosive limit, measured at atmospheric conditions containing 20.9% oxygen, of the chemical substance or mixture of chemical substances and cannot be lowered below that prescribed threshold level, a person may enter the confined space if the employer ensures that

(a) the atmosphere is confirmed inert by a competent person after the performance of appropriate tests; and

Clause 133(4)(a) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(b) the person is using appropriate protective equipment when working in the confined space.

Subsection 133(4) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

[Note: Section 133 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

Protective equipment and security measures

134 (1) An employer must ensure that all of the following is provided as close as reasonably practicable to the entrance to the confined space before a person enters the confined space:

(a) all protective equipment and emergency equipment identified under subsection 130(3); and

(b) adequate rescue equipment including a yoke and adequate means to lift an unconscious person.

Subsection 134(1) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

(2) Where a person enters a confined space, an employer shall ensure that a competent person

(a) is in attendance in the immediate vicinity of the confined space;

(b) has a means of adequate communication with a person inside the confined space;

Clause 134(2)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(c) is provided with a means of activating the rescue procedure in an emergency;

(d) is adequately trained in the emergency response procedure; and

Clause 134(2)(d) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

(e) maintains a record of who is in the confined space.

Clause 134(2)(e) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

Subsection 134(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(3) An employer shall

(a) where reasonably practicable, provide a person entering into and occupying a confined space with a full body harness;

(b) ensure that a full body harness provided under clause (a) is worn; and

- (c) where it does not present a hazard, ensure that an attached life line is
 - (i) securely fastened to an anchor point, and
 - (ii) controlled by the competent person referred to in subsection (2).

- (4) An employer shall ensure that the full body harness referred to in subsection (3) complies with the requirements for Group E harnesses in the latest version of CSA standard CSA 259.10, “Full Body Harnesses”.

Subsection 134(4) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

[Note: Section 134 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

Respiratory protective equipment

135 (1) An employer shall provide

- (a) appropriate respiratory protective equipment to a person who enters a confined space where the concentration of a chemical substance or a mixture of chemical substances in a confined space is hazardous to the health or safety of a person; and

Clause 135(1)(a) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (b) positive pressure respiratory protective equipment to a person who enters a confined space where the concentration of oxygen is less than 19.5 %.

Clause 135(1)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) An employer shall ensure that the respiratory protective equipment referred to in clause (1)(b)

- (a) has an air line and an independent 5-minute supply of air; or

- (b) is self-contained and equipped with an audible alarm that sounds when the air supply has diminished to
 - (i) 20% of the capacity of the unit, or

 - (ii) a 5-minute reserve.

Subsection 135(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

[Note: Section 135 and amendments to it made by O.I.C. 2000-130, N.S. Reg. 52/2000 effective November 1, 2000.]

Hazard of electrical shock

136 Where there is a hazard of electrical shock in a confined space, an employer shall ensure that electrical equipment taken into the confined space is

- (a) battery operated;

- (b) double insulated;

- (c) bonded to ground and not exceeding 30 v and 100 volt-amperes; or

- (d) equipped with a ground fault circuit interrupter of the Class A type that complies with the latest version of CSA standard CSA C22.1, "Canadian Electrical Code Part 1", Safety Standard for Electrical Installations" and that is tested before each use.

Clause 136(d) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

[Note: Section 136 effective November 1, 2000.]

- 137** An employer shall ensure that adequate warning signs and barricades are installed or erected to protect a person working as part of a confined space entry, if a hazard from any form of traffic exists.

[Note: Section 137 effective November 1, 2000.]

Part 13 - Premises and Building Safety, Construction and Demolition

Walking surfaces

- 138** In Sections 139 to 152, measurements of lumber are nominal for dressed dimensions.

- 139 (1)** An employer shall ensure that a floor, stairway, passageway or similar walking surface is designed, constructed and maintained so as not to create a hazard to a person in the workplace.

Subsection 139(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2)** Where a floor, stairway, passageway or similar walking surface is slippery for any reason except for weather or climatic conditions, an employer shall ensure that devices such as matting or grating are used, where necessary, to prevent slipping and, if such devices are inadequate to prevent slipping, that non-slip footwear is worn by employees.

Subsection 139(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (3)** Where a floor, stairway, passageway or similar walking surface at or near a workplace becomes slippery as a result of weather or climatic conditions, an employer shall ensure that the floor, stairway, passageway or similar walking surface is kept free from falling or slipping hazards by removing ice, snow or

water, to the extent reasonably practicable, and using materials such as ashes, sand, salt, or other measures where appropriate to prevent slipping or falling.

Access and exit

- 140** (1) An employer shall provide a safe means of access to and exit from all work areas.
- (2) An employer shall provide adequate information to ensure that every person in the workplace is able to exit the workplace in a safe manner in the event of an emergency.
- (3) An employer shall provide overhead protection at every means of access to and exit from a building, structure or project where there is a hazard of falling material that may injure a person at or near the workplace.
- (4) This Section does not apply where a firefighter is engaged in structural firefighting or rescue.

Subsection 140(4) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Stairways

- 141** (1) Subject to subsections (2) and (3), an employer shall ensure that a permanent stairway is designed, constructed and maintained in accordance with the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act.
- (2) Where the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act does not apply to a permanent stairway built after this Section comes into force, an employer shall ensure that the permanent stairway

- (a) meets or exceeds the requirements of Section 142; or
 - (b) is certified by an engineer as having been constructed in accordance with the certified design of an engineer.
- (3) Where
- (a) the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act does not apply to a permanent stairway built before this Section comes into force; and
 - (b) there is reasonable doubt as to whether the permanent stairway is adequate,

an employer shall ensure that an engineer provides a written assessment of the permanent stairway.

- (4) Where a written assessment required under subsection (3) identifies an inadequacy, an employer shall ensure that
- (a) the stairway is removed; or
 - (b) modifications are made and are certified by an engineer as having been made in accordance with the certified design of an engineer.

142 (1) An employer shall ensure that a temporary stairway

(a) is of sufficient strength to withstand 4 times the maximum load likely to be imposed;

(b) has treads that are a minimum of 900 mm in length;

Clause 142(1)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(c) is pitched not more than 60° from the horizontal;

(d) has risers constant in height that are not less than 125 mm and not more than 260 mm in height;

(e) has a maximum height of 4 m between landings;

(f) has landings, if any, with a minimum clearance of 900 mm measured in the direction of the run;

(g) has a vertical clearance of 2 m from the top of the tread at all points in the stairway; and

(h) has treads constant in width and not less than 230 mm in width.

Subsection 142(2) repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) An employer shall ensure that a temporary stairway having 4 or more risers
- (a) has a guardrail on any open side and a railing on any enclosed side, where the risers are 2.2 m or less in length and
 - (b) has a guardrail on any open side and in the centre and a railing on any enclosed side, where the risers are more than 2.2 m in length.

Subsection 142(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (4) An employer shall ensure that a guardrail referred to in subsection (3) is installed
- (a) with posts that
 - (i) are spaced at intervals of not more than 2.4 m, and
 - (ii) are secured against movement by the attachment of the posts to the stairway, or by another means that provides an equivalent level of safety;
 - (b) with a top railing that is between 0.90 and 1.06 m above the midpoint of the tread and securely fastened to posts secured in compliance with clause (a); and

Clause 142(4)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) with a second railing on the inner side of the posts midway between the top railing and the midpoint of the tread.

Clause 142(4)(c) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Subsection 142(4) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (5) An employer shall ensure that a wooden supporting structure or wooden railing of a temporary stairway, in addition to the requirements of subsection (4),
 - (a) is at least 50 mm thick and 100 mm wide; and
 - (b) is made of No. 1 or No. 2 spruce, pine, or fir as graded according to the latest version of CSA standard CSA 0141, "Softwood Lumber", or other lumber that provides an equivalent level of safety.

Clause 142(5)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (6) An employer shall ensure that a railing of a temporary stairway that is mounted directly on a wall or partition
 - (a) is fixed so as not to interfere with the smoothness of the top and side surfaces of the railing;
 - (b) is continuous throughout the flight of stairs and landings;
 - (c) is at least 40 mm in width; and
 - (d) where brackets are used, has brackets to which a railing is fixed spaced not more than 2.4 m apart and has a clearance of at least 40 mm between the railing and any wall or partition or any obstruction on the wall or partition to which the brackets are attached.

- (7) An employer shall ensure that a guardrail consisting of wire rope, in addition to the requirements of subsection (4)
- (a) has wire rope railings that are at least 8 mm thick;
 - (b) is identified with high visibility markings placed at least every 1.5 m on the top railing; and
 - (c) has railings with turnbuckles or other means that provide adequate tension to ensure an equivalent level of protection to that provided by a wooden guardrail.

Subsection 142(7) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (8) An employer may use a manufactured guardrail in place of a wooden or wire rope guardrail if it provides an equivalent level of protection to that provided by a wooden guardrail.

Subsection 142(8) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (9) An employer shall ensure that a detour guardrail is installed when a stairway ends in direct proximity to a hazard or potential hazard.

Subsection 142(9) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 143** (1) An employer shall ensure that stairs are installed in a building or structure between floors as the building or structure is constructed.
- (2) An employer shall ensure that a skeleton steel stairway with treads that are not completed has temporary treads securely set into the full length and width of the steps and landings.

Subsection 143(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Ramps

143A For purposes of Sections 144 and 145, “ramp” means a ramp designed primarily for pedestrian use.

Section 143A added: O.I.C. 2000-130, N.S. Reg. 52/2000.

144 (1) Subject to subsections (2) and (3), an employer shall ensure that a permanent ramp is designed, constructed and maintained in accordance with the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act.

(2) Where the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act does not apply to a permanent ramp built after this Section comes into force, an employer shall ensure that the permanent ramp

(a) meets or exceeds the requirements of Section 145; or

(b) is certified by an engineer as having been constructed in accordance with the certified design of an engineer.

(3) Where

(a) the *National Building Code of Canada*, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations* made under that Act does not apply to a permanent ramp built before this Section comes into force; and

(b) there is a reasonable doubt as to whether the permanent ramp is adequate,

an employer shall ensure that an engineer provides a written assessment of the permanent ramp.

(4) Where a written assessment required under subsection (3) identifies an inadequacy, an employer shall ensure that

(a) the ramp is removed; or

(b) modifications are made and are certified by an engineer as having been made in accordance with the certified design of an engineer.

Section 144 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

145 (1) An employer shall ensure that a temporary ramp

(a) has a maximum slope of 1/6;

(b) is equipped with a non-slip surface or cleats;

(c) where the ramp is greater than 1.8 m in rise, has a guardrail and supporting structure on any open side;

Clause 145(1)(c) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(d) where planks are used, has planks securely fastened together;

- (e) has a minimum width of 450 mm; and
 - (f) is able to withstand 4 times the maximum load likely to be imposed on the ramp.
- (2) An employer shall ensure that a guardrail referred to in clause (1)(c) is constructed in accordance with the requirements for a guardrail in subsection 142(4).

Subsection 145(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Subsection 145(3) repealed: O.I.C. 2000-130, N.S. Reg. 52/2000.

Catwalks

- 146 (1)** In this Section, “catwalk” means a walkway that is 1.8 m or more above the ground or floor level.
- (2) An employer shall ensure that a catwalk
- (a) meets or exceeds the requirements of subsection (4); or

Clause 146(2)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) is certified by an engineer as having been constructed in accordance with the certified design of an engineer.
- (3) Where there is a reasonable doubt as to whether a catwalk is adequate, an employer shall ensure that

- (a) an engineer provides a written assessment of the permanent catwalk; and
 - (b) where the assessment of the engineer required by clause (a) identifies an inadequacy,
 - (i) the catwalk is removed, or
 - (ii) modifications are made and are certified by an engineer as having been constructed in accordance with the certified design of an engineer.
- (4) An employer shall ensure that a temporary catwalk
- (a) has a minimum clear width of 450 mm;
 - (b) is equipped with a guardrail in accordance with the requirements for a guardrail in subsection 142(4); and

Clause 146(4)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) is able to withstand 4 times the maximum load likely to be imposed on it.

Subsection 146(5) repealed: O.I.C. 2000-130, N.S. Reg. 52/2000.

Ladders

147 An employer shall ensure that a fixed ladder is designed, constructed, installed and maintained in accordance with the latest version of ANSI standard ANSI A14.3 “American National Standard for Ladders - Fixed - Safety Requirements”.

Section 147 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

148 (1) An employer shall ensure that a portable ladder used at a workplace is

(a) able to withstand 4 times the maximum load likely to be imposed;

(b) clean and free of grease, oil or other substances that may cause slipping;

(c) maintained in a safe condition;

(d) inspected at all of the following times by a competent person to ensure all components are in an adequate condition and the ladder is safe to use

(i) before each use,

(ii) annually;

Clause 148(1)(d) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

(e) not used, where the inspection required in clause (d) identifies an inadequate condition with the ladder.

(2) An employer shall ensure that a person using a fixed or portable ladder shall

- (a) face the ladder when climbing or descending;
- (b) when more than 1 m above a safe surface, maintain adequate contact with the ladder, such as 3-point contact;

Clause 148(2)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) where the person is standing on a ladder, stand in the centre between the side rails;
- (d) where the ladder is a step ladder, not stand on the material shelf, the top or the top step of the ladder; and
- (e) where the ladder is not a step ladder, not work from the top three rungs of the ladder.

Subsection 148(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(3) Clauses (2)(b), (c), (d) and (e) do not apply to a firefighter engaged in structural firefighting or rescue.

(4) An employer shall remove a ladder from service when it has loose, broken or missing rungs, split side rails or other defects that may be hazardous to the safety of a person at the workplace.

149 (1) An employer shall ensure that a wooden portable ladder that is not commercially manufactured

- (a) is made of No. 1 or No. 2 spruce, pine, or fir as graded according to the latest version of CSA standard CSA 0141, “Softwood Lumber”, or other lumber that provides an equivalent level of safety;

Clause 149(1)(a) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

(b) is not painted other than by being preserved with a transparent protective coating;

(c) if a single ladder, does not exceed 9 m in length;

(d) has rungs that are

(i) free of knots,

(ii) designed to carry a load of 200 kg placed at the centre,

(iii) uniformly spaced with a maximum rise of 300 mm,

(iv) secured to each side of the side rail of the ladder by at least 3 screws or spiral nails of adequate length or by attachments giving equivalent or better strength, and

Subclause 149(1)(d)(iv) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(v) subject to subsection (3), cleated to the side rails; and

(e) has side rails that

(i) are dressed on all sides and without sharp edges,

- (ii) subject to subsection (3), have a uniform clear width between them of not less than 300 mm for ladders 3 m in length or less, and increasing 1 mm in width for each 100 mm in excess of 3 m,
 - (iii) where the ladder is less than 5.7 m in length, have dimensions of at least 50 mm thick by at least 100 mm wide, and
 - (iv) subject to subsection (3), where the ladder is 5.7 m or greater in length, have dimensions of at least 50 mm thick by at least 150 mm wide.
- (2) An employer shall ensure that a ladder does not sway or sag in an unsafe manner.
- (3) An employer shall ensure that a portable ladder that is designed specifically for the purpose of harvesting fruit from trees and is used only for that purpose, is erected, constructed, maintained and used so as to be adequate for that purpose.
- (4) Subclause (1)(d)(v) and subclauses (1)(e)(ii) and (iv) do not apply to a ladder that conforms to the requirements of subsection (3).

- 150 (1)** An employer shall ensure that a portable ladder that is commercially manufactured is designed, manufactured and maintained in accordance with the latest version of CSA standard Z11, "Portable Ladders".

Subsection 150(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Despite subsection (1), an employer shall ensure that Grade 3 portable ladders, as described in any edition of CSA standard CSA Z11, "Portable Ladders", are not used at a workplace.

Subsection 150(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3) An employer shall ensure that a commercially manufactured portable ladder
 - (a) where it is an extension ladder, maintains an adequate overlap between the sections of the ladder;
 - (b) has locks engaged before the extension ladder is climbed; and
 - (c) where there is a risk of contact with live electrical conductors, is non-conductive.

Clause 150(3)(c) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 151 (1) An employer shall ensure that when a portable ladder is used
 - (a) it is placed on a firm footing;
 - (b) it is secured in an adequate manner against movement as soon as reasonably practicable;

Clause 151(1)(b) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (c) as a means of access or exit, it

- (i) has side rails that extend at least 1 m above any platform or landing, and
 - (ii) has a clearance of at least 150 mm between it and the supporting structure, except in the area where the ladder is supported against the structure; and
 - (d) as a step ladder, it has legs securely held in position by means of metal braces or an equivalent rigid support.
- (2) An employer shall ensure that, when a portable ladder is used, it is not
- (a) spliced together with another ladder unless the spliced section is braced so that the spliced side rails are as strong as the original side rails;
 - (b) placed in front of or against a door that can be opened towards the ladder unless the door is blocked in the open position, locked or guarded;
 - (c) used as a scaffold, ramp, or as a support for such flooring;
 - (d) placed on a box, barrel, scaffold, or other unstable base;
 - (e) lashed to another ladder to increase its length; or
 - (f) located in an elevator shaft or hoistway when such space is being used for hoisting.

- 152** Where a portable ladder is used as a means of access or exit for a height greater than 6 m and for 7 or more persons, an employer shall provide 2 separate lines of ladders.

Underground utility lines

- 153 (1)** In this Section,

- (a) “utility line” means underground electrical, water, telephone, gas or other utility line or piping; and
 - (b) “physical limit” means the general location on the utility line where the utility’s responsibility for the utility line ends.
- (2)** Where the location of any utility line is likely to endanger a person at a workplace, an employer must ensure that before beginning an excavation or trench the utility that owns or operates the utility line is contacted in order to have the utility clearly locate and mark the utility line to the physical limit of the utility line.
- (3)** The physical limit of the utility line in subsection (2) may be established by the utility based on reasonable factors the utility can identify to an employer.
- (4)** The utility must inform the employer if the employer has requested the utility to locate and mark a utility line or a portion of a utility line that is beyond the physical limit.
- (5)** Where a utility stops locating and marking a utility line because it has reached the physical limit of the utility line but the utility line continues, the employer must ensure the remainder of the utility line is located and marked by a competent person.

- (6) Except as provided in subsection (7), an employer must ensure that no object or person comes in contact with a utility line located or marked in accordance with subsection (2) or (5).

- (7) An object or person may come into contact with a utility line, whether up to the physical limit of the utility line or beyond the physical limit of the utility line, only under the following conditions:
 - (a) after the utility line has been located and marked in accordance with subsection (2) and (5); and

 - (b) the work involving the contact is performed by or in accordance with the instructions of a competent person who is employed, contracted or authorized by the utility that owns or operates the utility line.

Section 153 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

Bracing and supports

- 154 (1)** An employer at a project shall ensure that
- (a) work is completed on any component designed to support or give added support to a part of the project before proceeding with any work that adds to the load on that part;

 - (b) a free standing wall of brick, concrete blocks or similar materials greater than 2 m in height is braced from both sides until the wall is attached to a rigid structure and the mortar has set adequately;

- (c) a free standing wall or structure designed to support roof components or any load is braced in an adequate manner to prevent collapse of the wall or structure; and
 - (d) a column is erected in an adequate manner to prevent collapse of the column and, where further support is required to ensure that the column does not collapse, braced in an adequate manner.
- (2) An employer at a project shall use bracing or shoring for support beneath floor levels where concrete is being poured.
- (3) An employer at a project shall
- (a) ensure that bracing or shoring is designed by an engineer and is erected, maintained and dismantled in accordance with the engineer's certified specifications; or
 - (b) retain the bracing or shoring at all floor levels beneath the floor where concrete is being poured until the removal of the bracing or shoring is authorized in writing by an engineer.
- (4) An employer shall ensure that any bracing or shoring referred to in this Section complies with the latest version of CSA standard CSA S.269.1, "Falsework for Construction Purposes."

Subsection 154(4) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (5) An employer shall ensure that footings for shoring and bracing are designed to support the maximum load likely to be imposed, without excessive settlement or deformation.

By-stander safety

- 155** Where a project may cause a hazard to a pedestrian or other person at or near the workplace, an employer shall take adequate precautions to ensure the safety of the pedestrian or other person at or near the workplace.

Construction work in compressed air

- 156** An employer shall ensure that construction work in compressed air is conducted in accordance with the latest version of CSA standard CSA-Z275.3, "Occupational Safety Code for Work in Compressed Air Environments".

Section 156 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Demolition

- 157 (1)** No employer shall commence or continue to demolish a project until
- (a) adequate steps have been taken to prevent injury to any person at or near the project or the adjoining property; and
 - (b) existing gas, water, electrical, steam and other services to the project have been disconnected or isolated.
- (2)** An employer shall ensure that
- (a) an assessment of a building or other structure to be demolished is conducted to identify hazardous substances; and
 - (b) so far as is reasonably practicable, hazardous substances are removed prior to the demolition.

- 158 (1)** Where a project, or any part thereof, being demolished is likely to endanger the safety of a person by its accidental collapse, an employer shall ensure that adequate measures are taken so that the project is adequately shored, braced or otherwise supported.

Subsection 158(1) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2)** Where a person may be endangered at or near a demolition project from falling or broken glass, an employer shall ensure that the glass is removed from windows and other locations in the project before demolition commences.

[Note: Section 158 effective April 28, 1999.]

- 159** Where a hoist or powered mobile equipment is used during demolition, an employer shall ensure adequate supports are provided to ensure the stability of the hoist or powered mobile equipment.

- 160** An employer shall ensure that scaffolds are erected independent of that portion of a project that is being demolished.

- 161 (1)** Except for demolition work performed in accordance with Section 165 or a demolition by explosives, an employer shall ensure that a demolition proceeds systematically from the highest to the lowest point of the project.

- (2)** Where a person may be endangered, an employer shall ensure that the work above each tier or floor is completed before the integrity of its supports is impaired by the demolition operations.

- 162** Following the completion of a demolition project, an employer shall ensure that

- (a) the demolition area is fenced or barricaded;
- (b) an excavation is backfilled to grade level; or
- (c) an excavation is sloped to its angle of repose.

Clause 162(c) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

163 Except for demolition work performed in accordance with Section 165, an employer at a demolition project shall ensure that

- (a) no person disconnects a truss, girder or other member until it has been relieved of all loads, except its own weight, and given temporary support or lashed ready for lowering; and
- (b) a hoist or other adequate equipment for the lowering of a truss, girder or beam is provided and used.

164 (1) Except for demolition work performed in accordance with Section 165, an employer at a demolition project shall ensure that masonry walls or any part of them are removed

- (a) in reasonably level courses in any one storey; and
- (b) so as not to endanger any person on the project.

- (2) An employer at a demolition project shall ensure that masonry is not loosened or permitted to fall in such masses as to endanger the structural stability of a floor or other support of the project.

165 (1) In this Section, “demolition zone” means

- (a) the area designated as such in writing by an engineer before the demolition begins; or
- (b) in the absence of a designation under clause (a), the area having its centre at the point of demolition and having a horizontal radius equal to 1 1/2 times the initial height of the project, or portion of the project being demolished.

(2) This Section applies to demolition by

- (a) a heavy weight suspended by cable from a crane or other hoist; or
- (b) a power shovel, bulldozer or other powered mobile equipment.

(3) An employer shall ensure that no person, other than persons directly engaged in the demolition, enters or remains within the demolition zone while the project is being demolished.

(4) Where a swinging weight is used for demolition, an employer shall ensure that the supporting cable is of such length or so restrained that the weight will not swing against any object other than the project being demolished.

- (5) Where it is required to prevent the uncontrolled collapse of a project that may endanger a person at or near the workplace, an employer shall ensure that structural components are identified in an adequate manner to ensure the components are not removed inadvertently.

- (6) Where an operator of equipment referred to in subsection (2) cannot see where the material from the demolition will fall, the employer shall ensure that a signaller guides the operator.

- (7) Where the demolition involves undercutting structural supports, an employer shall establish an adequate written procedure certified by an engineer for the demolition.

Subsection 165(7) added: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

[Note: Section 165 effective April 28, 1999.]

Part 14 - Excavations and Trenches

- 166 (1)** Where a person may enter an excavation or trench and a wall of an excavation or trench is greater than 1.2 m in height, an employer shall ensure that the wall is supported by adequate shoring or bracing, or that an adequate trench cage is used, except where the employer is able to establish that the excavation or trench
- (a) is cut in sound and stable rock;

 - (b) is sloped
 - (i) to within 1.2 m of the bottom of the excavation or trench, or

- (ii) where soil overburden is located above an excavation or trench excavated in sound and stable rock, for the entire overburden,

and the slope does not exceed 1 m of vertical rise to each 1 m of horizontal run; or

- (c) is one that a person does not enter within a horizontal distance from the walls of the excavation or trench that is equal to the height of the walls.

Subsection 166(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Where the walls or crests of an excavation or trench are cut in rock, an employer shall ensure that the walls and crests are adequately supported by rock bolts, wire mesh or other means of adequate protection, if necessary, to ensure safe working conditions.
- (3) Where powered mobile equipment is used near the edge of an excavation or trench, an employer shall ensure that any shoring, bracing or caging for the excavation or trench is adequate to support the increased load.
- (4) An employer shall ensure that the walls of an excavation or trench are stripped of loose rock or other material that could slide, roll or fall on a person in the excavation or trench and injure that person.
- (5) Despite clause (1)(b), an employer may slope the walls of an excavation or trench at an angle that exceeds a 1 m vertical rise to each 1 m horizontal run where an engineer has certified in writing that the steeper slope will be stable and is not a hazard to a person in the excavation or trench.
- (6) An employer shall ensure that a utility pole, building or other structure is provided adequate support or removed if the utility pole, building or other structure may become unstable because of excavation or trenching activity.

Subsection 166(6) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

167 No person shall enter an excavation or trench 1.2 m or more in depth unless an employer ensures that a ladder is installed that extends at least 1 m above the excavation or trench or some other adequate means of access and exit is provided

(a) that is no more than 15 m from where the person is working; or

(b) where a trench cage is used, within the trench cage.

168 An employer shall ensure that excavated material is

(a) kept at least 1 m away from the edge of an excavation or trench, unless an engineer certifies a shorter distance as adequate; and

(b) located a sufficient distance from the edge of the excavation or trench to ensure the excavated material does not re-enter the excavation or trench.

Clause 168(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

169 (1) An employer shall ensure that an excavation or trench in which a person works is kept reasonably free of water.

(2) Where a person may be exposed to a hazardous substance or to an oxygen rich atmosphere in an excavation or trench, an employer shall ensure that, before the person enters the excavation or trench,

(a) testing is performed to

- (i) determine the concentration of any hazardous gas, vapour or dust, flammables, the concentration of oxygen and oxygen deficiency in the atmosphere in the immediate area of the excavation or trench where the work is to be performed,
- (ii) ensure that the concentration of a chemical substance or a mixture of chemical substances in the excavation or trench does not exceed its occupational exposure limit under Part 2: Occupational Health of the *Workplace Health and Safety Regulations* made under the Act or 50% of its lower explosive limit, and
- (iii) ensure that the level of oxygen in the atmosphere in the excavation or trench is not less than 19.5 % and not more than 22.5 %, unless the employer can demonstrate that an unsafe oxygen level is not possible in the circumstances; and

Clause 169(2)(a) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) adequate precautions are taken to reduce the risk of injury to a person.

Subsection 169(2) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (3) No person shall store hazardous substances in an excavation or trench.
- (4) An employer shall provide, at or near the sides of all temporary excavations greater than 1.2 m in depth, fences, guards or barricades that prevent a person from falling into an excavation, and shall keep those fences, guards or barricades in place at all times, except where they interfere with the excavation or other work being done.

Subsection 169(4) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 170 (1)** Where a trench cage is used in an excavation or trench, an engineer shall certify the design of the cage.
- (2)** An engineer shall include in the certified design required in subsection (1) information on
- (a)** the depth at which the trench cage may be used; and
 - (b)** the manner in which the trench cage is to be installed, erected, used, maintained and dismantled.
- (3)** Where a trench cage is altered, repaired or otherwise modified in a manner that may affect the structural integrity of the cage, an employer shall ensure that it meets the requirements of these regulations and is certified by an engineer in accordance with subsections (1) and (2) prior to use after the alteration, repair or modification.
- (4)** Where the top of a trench cage is below ground level, an employer shall ensure that the soil above the cage is sloped in accordance with clause 166(1)(b).
- 171 (1)** An employer shall ensure that a nameplate is permanently attached to a trench cage, in a location visible for inspection when the cage is in use, identifying the engineer that certified the design of the trench cage and the depth at which the cage may be used.
- (2)** An employer shall designate a competent person to inspect a trench cage before each day it is used to ensure that it does not have any defects or damage that may affect the structural integrity of the cage.

- (3) Where an inspection required in subsection (2) identifies a defect or damage that affects the structural integrity of the trench cage, an employer shall remove the cage from service until it is repaired and re-certified in accordance with subsection 170(3).

172 An employer shall ensure that, where a trench cage is used, the cage

- (a) rests as close as possible to the bottom of the excavation or trench;
and
- (b) does not rest above the bottom of the excavation or trench more than the designed maximum height, or 900 mm, whichever is the lesser,

unless an engineer certifying the design of the cage also certifies its use in the specific circumstances.

173 (1) An employer shall ensure that shoring or bracing for an excavation or trench

- (a) complies with a design certified by an engineer; or
- (b) is commercially manufactured.

(2) An employer shall ensure that any shoring or bracing for an excavation or trench is installed, erected, maintained and dismantled in accordance with the manufacturer's specifications or an engineer's specifications.

Part 15 - Surface Mine Workings

Interpretation

174 In this Part, “working face” means an area in a surface mine where consolidated or unconsolidated material is worked.

Section 174 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Marking location and control of entry

175 An employer shall ensure that a surface mine is

- (a) marked and identified in an adequate manner; and
- (b) securely protected from inadvertent entry by a person where
 - (i) the surface mine constitutes a hazard by reason of its depth,
 - (ii) the approaches to or openings of the surface mine are not readily visible, or
 - (iii) the hazard caused by the surface mine is greater than the hazard caused by natural topographical features within 600 m of the working face.

Roadways and vehicles

176 An employer shall ensure that a roadway at a surface mine used for the purpose of moving material to, from, or within a surface mine is designed, constructed and maintained

- (a) to minimize hazards caused by slipping or skidding of vehicles;
- (b) to enable vehicles to pass each other safely where the vehicles are required to pass each other, and with sufficient width to accommodate the proposed traffic; and
- (c) so that grades do not exceed the design capacity of vehicles that are used on the roadway.

177 Where, at the edge of a regularly used roadway in a surface mine, a drop-off greater than 3 m creates a hazard, an employer shall ensure that an adequate shoulder barrier is designed, constructed and maintained to prevent vehicles from inadvertently going off the road.

Section 177 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

178 (1) An employer shall ensure that the grade on roadways in a surface mine does not exceed 12% on any 300 m portion of the roadway unless

- (a) a written procedure for handling vehicle runaways has been prepared;
- (b) where reasonably practicable, runaway lanes, retardation barriers or vehicle modifications are adequately in place; and

- (c) the employer ensures that the vehicle manufacturer's specifications are followed.

Subsection 178(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Where no manufacturer's specifications are available for a vehicle used on a roadway in a surface mine, an employer shall ensure that the grade on roadways in a surface mine does not exceed 12% on a roadway length that exceeds 300 m.

Subsection 178(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

179 An employer must ensure that every person who is a pedestrian at a surface mine in an area of operating mobile equipment wears high-visibility apparel that is in accordance with all of the following:

- (a) for the selection, use and care of the apparel, the latest version of CSA standard CSA Z96.1, "Guideline on selection, use and care of high-visibility safety apparel";
- (b) for the design and performance of the apparel, the latest version of CSA standard CSA Z96, "High-visibility safety apparel".

Section 179 replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

180 Where material excavated from a surface mine is dumped from a vehicle onto a stockpile, an employer shall ensure that adequate precautions are taken to ensure that the vehicle does not overturn.

Overburden

181 An employer shall ensure that unconsolidated overburden at a surface mine

- (a) is moved a sufficient distance away from the edge of the surface mine to prevent the overburden from falling into the surface mine;

- (b) if less than 7 m away from the edge of a surface mine that is greater than 1.2 m deep and in which a person is or may be present, is approved by an engineer to ensure that the distance is adequate to prevent the overburden from falling into the surface mine; and

- (c) is sloped to its angle of repose.

Section 181 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Notice of operation

182 When activities in a surface mine are initially started, or when activities are resumed after a cessation of operation of 4 months or more, an employer shall

- (a) notify the Director in writing of the intention to begin or resume operations in the surface mine at least 2 weeks before the operations are to begin or resume;

- (b) specify in the written notice to the Director the geographic location of the surface mine; and

- (c) state the estimated start-up date and period of operation.

Inspections

183 (1) No person shall begin work, other than at a stockpile, at or near a working face in a surface mine at the beginning of each operating shift

until a competent person inspects the working face to ensure that the working face is adequate.

Subsection 183(1) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) The competent person referred to in subsection (1) shall record the results of the inspection required by subsection (1) in a daily examination and record book and shall record all unusual occurrences or hazards.
- (3) The competent person referred to in subsection (1) shall read the record in the daily examination and record book made for the previous shift and sign it before work at the face begins on the next shift.
- (4) An employer shall make available the daily examination and record book referred to in subsections (2) and (3) on request to the committee or the representative, if any.

Wall or working face

- 184 (1)** Subject to subsection (3), where a wall or working face of a surface mine is greater than 20 m in height, an employer shall ensure that the surface mine is designed, constructed and maintained with the wall or working face benched and having a vertical rise not in excess of 20 m for every horizontal run not less than 8 m.

Subsection 184(1) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

- (2) Where a wall or working face of a surface mine is 20 m in height or less and the wall or working face cannot be excavated in a safe manner, an employer shall ensure that the wall or working face is adequately benched to ensure the work can be performed in a safe manner.

Subsection 184(2) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(3) Where a wall or working face of a surface mine is greater than 20 m in height and it is not benched in accordance with subsection (1), an employer shall ensure that

(a) an engineer has certified the wall or working face height as adequate;

(b) subject to subsection (4), material extracted is removed by means of equipment located at the top of the wall or working face; or

Clause 184(3)(b) amended: O.I.C. 2000-130, N.S. Reg. 52/2000;

(c) when work is required to be performed within a radius of 1.3 times the height of the wall or working face, a procedure is established to ensure the work is performed safely.

Clause 184(3)(c) replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Subsection 184(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

(4) An employer shall ensure that no material is removed in accordance with clause (3)(b) where a person is present in a surface mine in an area where they could be struck by an object dislodged by the equipment.

Subsection 184(4) added: O.I.C. 2000-130, N.S. Reg. 52/2000.

Work procedures

185 Where unconsolidated material is being worked or removed, an employer shall ensure that the vertical height of the unconsolidated material is not more than 1.5 m above the maximum reach of the equipment being used to work or remove the unconsolidated material, unless the work is done in accordance with written specifications and a written safe work procedure certified by an engineer, following consultation with the committee or representative, if any.

Section 185 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 186 (1)** Where material in a surface mine is being worked by means of powered mobile equipment, an employer shall ensure that the working face is sloped to a maximum grade of one unit of vertical rise for every equal unit of horizontal run during periods of inactivity that exceed a period of 4 months.
- (2)** Where material in a surface mine is being worked by means of powered mobile equipment, an employer shall ensure that
- (a)** the working face extends not more than 1.5 m above the maximum reach of the equipment in use; or
 - (b)** the work is performed in accordance with written specifications and a written safe work procedure certified by an engineer, following consultation with the committee or representative, if any.

Clause 186(2)(b) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Section 186 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

- 187** Where undercutting or undermining is performed at the working face of a surface mine by means of powered mobile equipment, an employer shall ensure that the undercutting or undermining is
- (a)** restricted to the depth of the bucket of the powered mobile equipment; and
 - (b)** permitted only when

- (i) the approach by the operator of the powered mobile equipment is at a 90° angle to the working face; and
- (ii) the work is performed in accordance with specifications and a written safe work procedure certified by a competent person in consultation with the committee, or representative, if any.

Subclause 187(b)(ii) amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Section 187 amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

188 Where unconsolidated material in a surface mine is being worked by means other than powered mobile equipment, an employer shall ensure that

- (a) the working face is sloped at its angle of repose;
- (b) the vertical portion of the working face does not exceed a maximum grade of one unit of vertical rise for every equal unit of horizontal run; or
- (c) the work is performed in accordance with written specifications and a written safe work procedure certified by an engineer, following consultation with the committee or representative, if any.

Clause 188(c) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Section 188 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

189 Where unconsolidated material is being worked at a working face, an employer shall ensure that no person comes closer to the working face than 1.3 times the height of the working face, unless

- (a) the working face is sloped at its angle of repose;

- (b) the working face is benched to limit the vertical height of the working face to not more than 1.2 m and the grade above the horizontal portion does not exceed one unit of vertical rise for every equal unit of horizontal run; or

- (c) the work is performed in accordance with written specifications and a written safe work procedure certified as adequate by an engineer, following consultation with the committee or representative, if any.

Clause 189(c) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Section 189 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Part 16 - Equipment for Firefighters

Application and interpretation

- 190 (1)** This Part does not apply to an underground mine.

- (2)** Where there is a conflict between this Part and another Section of these regulations, this Part prevails.

Subsection 190(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Protective headwear

- 191 (1)** When engaged in structural fire-fighting, a firefighter shall use protective headwear that complies with or exceeds the latest version of NFPA standard NFPA 1971, "Standard on Protective Ensemble for Fire Fighting".

Subsection 191(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall ensure that attachments to and on the protective headwear referred to in subsection (1) are made only in the manner specified by the manufacturers of the headwear.

Protective footwear

192 When engaged in structural fire-fighting, a firefighter shall use protective footwear that

- (a) complies with or exceeds the latest version of NFPA standard NFPA 1971, “Standard on Protective Ensemble for Fire Fighting”, or the standard for Grade 1 footwear, with sole puncture protection and electric shock resistant soles in the latest version of CSA standard CSA Z195, “Protective Footwear”;

Clause 192(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) is water-resistant for at least 12.7 cm above the bottom of the heel;
and

- (c) has a slip-resistant outer sole.

Section 192 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2004-14, N.S. Reg. 4/2004.

Protective handwear

193 When engaged in structural fire-fighting, a firefighter shall wear protective handwear that complies with or exceeds the latest version of NFPA standard NFPA 1971, “Standard on Protective Ensemble for Fire Fighting”.

Section 193 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Protective coat and trousers

194 When engaged in structural fire-fighting, a firefighter shall wear a protective coat and trousers that

- (a) comply with or exceed the latest version of NFPA standard NFPA 1971, “Standard on Protective Ensemble for Fire Fighting”, [or] CGSB standard CGSB 155.1, “Fire Fighter’s Protective Clothing for Protection Against Heat and Flame”; and

Clause 194(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) fit properly in sleeve length, coat length, chest girth, waist girth, trouser inseam length and crotch rise so as to prevent unsafe situations resulting from the interference of one piece of clothing or equipment with another.

Respiratory protective equipment

- 195 (1)** A firefighter who may be exposed to an oxygen deficient atmosphere or to harmful concentrations of air contaminants when engaged in structural fire-fighting shall wear positive-pressure self-contained respiratory protective equipment that complies with or exceeds the latest version of NFPA standard NFPA 1981, “Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service”, together with a protective hood that complies with or exceeds the requirements in the latest version of NFPA standard NFPA 1971, “Standard for Protective Ensemble for Fire Fighting”.

Subsection 195(1) amended: O.I.C. 2004-14, N.S. Reg. 4/2004; O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) An employer shall ensure that a firefighter who is wearing self-contained respiratory protective equipment when engaged in structural fire-fighting is accompanied by another firefighter similarly equipped and having the same air capacity.

Subsection 195(2) amended: O.I.C. 2004-14, N.S. Reg. 4/2004.

- (3) An employer shall ensure that self-contained respiratory protective equipment used by a firefighter when engaged in structural fire-fighting is equipped with a personal distress alarm device that complies with or exceeds the latest version of NFPA standard NFPA 1982, “Standard on Personal Alert Safety Systems (PASS)”.

Subsection 195(3) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; O.I.C. 2004-14, N.S. Reg. 4/2004; O.I.C. 2013-65, N.S. Reg. 53/2013.

- 196** An employer shall ensure that firefighters receive annual quantitative fit testing of their self-contained respiratory protective equipment.

Section 196 replaced: O.I.C. 2000-130, N.S. Reg. 52/2000.

Body harnesses and safety ropes

- 197 (1)** In this Section and Sections 198 and 199,

- (a) “body harness” means a harness consisting of leg and shoulder straps and an upper back suspension unit that will distribute and reduce the impact force of any fall; and

- (b) “confined space” means a confined space as defined in subsection 129(1).

- (2) A firefighter entering a confined space for the purposes of rescue shall wear a body harness that complies with or exceeds the latest version of NFPA standard NFPA 1983, “Standard on Fire Service Life Safety Rope and System Components”, and self-contained respiratory protective equipment that complies with or exceeds the latest version of NFPA standard NFPA 1981, “Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service”.

Subsection 197(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 198 (1)** An employer shall ensure that ropes and associated body harnesses and hardware used by a firefighter for structural fire-fighting or rescue purposes comply with or exceed the latest version of NFPA standard NFPA 1983, “Standard on Fire Service Life Safety Rope and System Components”.

Subsection 198(1) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2)** When working from an aerial device, as defined in subsection 201(1), a firefighter engaged in structural fire-fighting or rescue shall use a body harness that complies with or exceeds the latest version of NFPA standard NFPA 1983, “Standard on Fire Service Life Safety Rope and System Components”.

Subsection 198(2) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3)** Despite subsection (1) or (2), or any provision of Part 21: Fall Protection or Part 23: Scaffolds and Other Elevated Work-platforms, of the *Workplace Health and Safety Regulations* made under the Act, in a situation where those Parts require the use of a body harness or associated ropes and hardware that complies with a different standard than those listed in subsection (1) or (2), it is permissible to use equipment that meets the applicable requirements of subsection (1) or (2) or those Parts.

Subsection 198(3) replaced: O.I.C. 2013-65, N.S. Reg. 53/2013.

- 199** Where a body harness has been worn by a firefighter for structural firefighting or rescue, the employer shall ensure that the body harness is not worn again until it is inspected by a competent person to ensure all components are in an adequate condition.

Subsection 199 amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Portable ladders

- 200 (1)** Where a portable ground ladder is used for structural fire-fighting, an employer shall ensure that it complies with or exceeds the latest version of NFPA standard NFPA 1931, “Standard on Design of and Design

Verification Tests for Fire Department Ground Ladders”, and is used, maintained and tested in accordance with the latest version of NFPA standard NFPA 1932, “Standard on Use, Maintenance and Service Testing of Fire Department Ground Ladders”.

Section 200 amended: O.I.C. 2000-130, N.S. Reg. 52/2000; re-designated as subsection 200(1) and amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (2) Where a portable ground ladder is used in subsection (1), an employer is exempt from the requirement in subsection 150(1).

Subsection 200(2) added: O.I.C. 2013-65, N.S. Reg. 53/2013.

Aerial devices

- 201 (1)** In this Section, “aerial device” includes an aerial bucket, aerial ladder, elevating platform, aerial ladder platform or water tower that is designed to position personnel, handle materials, provide a means of exit or discharge water, as the case may be.

- (2) Where an aerial device is used for structural fire-fighting, an employer shall ensure that it

- (a) complies with or exceeds the latest version of NFPA standard NFPA 1914, “Standard for Testing Fire Department Aerial Devices”, or Underwriters’ Laboratories of Canada standard ULC S515, “Automobile Fire Fighting Apparatus”; or

Clause 201(2)(a) amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (b) is certified in writing by an engineer as being safe to elevate a firefighter to a work site above ground when used for structural fire-fighting purposes.

Battery powered lights

- 202** An employer shall ensure that each fire truck is equipped with 2 portable intrinsically safe hand lights, each of which is powered with at least a 6-volt battery.

Section 202 amended: O.I.C. 2000-130, N.S. Reg. 52/2000.

Industrial firefighters

- 203 (1)** Where an employer establishes an internal fire-fighting unit at its place of business, the employer shall ensure that industrial firefighters designated to take part in fire-fighting activity have received adequate training.

Subsection 203(2) repealed: O.I.C. 2013-65, N.S. Reg. 53/2013.

- (3)** An industrial firefighter shall not engage in structural fire-fighting beyond the incipient stages unless wearing and using the personal protective equipment required by Sections 191 to 199.
- (4)** An employer shall ensure that beyond the incipient stages of a fire, fire-fighting by industrial firefighters conforms to the latest version of NFPA standard NFPA 600, "Standard on Industrial Fire Brigades".

Subsection 203(4) amended: O.I.C. 2000-130, N.S. Reg. 52/2000; amended: O.I.C. 2013-65, N.S. Reg. 53/2013.

Last updated: 18-10-2013

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Violence in the Workplace Regulations

made under Section 82 of the

Occupational Health and Safety Act

S.N.S. 1996, c. 7

O.I.C. 2007-200 (April 4, 2007, effective April 1, 2008*), N.S. Reg. 209/2007

* Except Sections 1 to 6, which are effective October 1, 2007.

Citation

- 1 These regulations may be cited as the *Violence in the Workplace Regulations*.

Definitions

- 2 In these regulations,

(a) “Act” means the *Occupational Health and Safety Act*;

(b) “adequate” means sufficient to protect a person from injury or damage to health;

(c) “committee” means [a] committee as defined in the Act;

(d) “healthcare workplace” means any of the following:

- (i) a district health authority under the *Health Authorities Act*,
- (ii) a nursing home, a home for the aged, a residential care facility under the *Homes for Special Care Act* or any other long-term-care facility, and
- (iii) a place where emergency health services or home care services are provided;

(e) “representative” means [a] representative as defined in the Act;

(f) “violence” means any of the following:

- (i) threats, including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that the employee is at risk of physical injury,
- (ii) conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.

Violence as an occupational health and safety hazard

- 3 These regulations do not diminish the responsibility of all workplace parties to recognize violence as a occupational health and safety hazard in carrying out their precautions and duties under the Act.

Application of these regulations

- 4 These regulations apply at any workplace where the primary business is any of the following:
 - (a) health services, including services provided at a healthcare workplace;
 - (b) ambulance, emergency ambulance and emergency health services provided under the *Emergency Health Services Act*;
 - (c) medical services;
 - (d) dental services;
 - (e) veterinary services;
 - (f) blood collection services;
 - (g) testing and diagnostic services;
 - (h) pharmaceutical-dispensing services, including facilities operating under the *Pharmacy Act*;

(i) education services provided by institutions, including any of the following:

(i) the Nova Scotia Community College,

(ii) a degree granting institution designated under the *Degree Granting Act*,

(iii) a private career college registered under the *Private Career Colleges Act*,

(iv) a school governed by the *Education Act*;

(j) policing services, detective services and other law enforcement services, including services provided under the *Police Act*, the *Police Services Act* and the *Constables Act*;

[Note: the *Constables Act* is repealed by S.N.S. 2011, c. 54, effective December 15, 2011.]

(k) correctional services, including services provided at any of the following:

(i) a correctional facility as defined in the *Corrections Act*,

(ii) a facility under the *Correctional Services Act*,

(iii) a facility under the *Court Houses and Lockup Houses Act*,

- (iv) a place or facility designated as a youth custody facility under subsection 85(2) of the *Youth Criminal Justice Act* (Canada),
- (v) a place or facility designated as a place of temporary detention under subsection 30(1) of the *Youth Criminal Justice Act* (Canada);

- (l) probation services provided by a probation officer or assistant probation officer appointed under the *Correctional Services Act*;

- (m) security and related services, including licensees under the *Private Investigators and Private Guards Act*;

- (n) crisis counseling and intervention services, including any services provided by an agency as defined in the *Children and Family Services Act*;

- (o) retail sales;

- (p) delivery services, including parcel delivery services;

- (q) financial services, including services provided by any of the following:
 - (i) facilities operating under the *Trust and Loan Companies Act*,
 - (ii) facilities operating under the *Credit Union Act*,
 - (iii) [an] insurer licensed to carry on business under the *Insurance Act*,

- (iv) a money lender under the *Money-lenders Act*;
- (r) sales of liquor or providing premises for consuming liquor, including premises licensed under the *Liquor Control Act*;
- (s) taxi services;
- (t) passenger transit services;
- (u) gaming activities conducted and managed under the *Gaming Control Act*;
- (v) services provided by or on behalf of the departments, offices and special operating agencies established under the *Public Service Act* that involve regular interaction with the public;
- (w) homemakers' services as defined in the *Homemakers' Services Act*.

Violence risk assessment

- 5 (1) An employer must conduct a violence risk assessment for each of their workplaces in accordance with this Section to determine if there is a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment.
- (2) In conducting a violence risk assessment, an employer must take all of the following into consideration:

- (a) violence that has occurred in the workplace in the past;
 - (b) violence that is known to occur in similar workplaces;
 - (c) the circumstances in which work takes place;
 - (d) the interactions that occur in the course of performing work;
 - (e) the physical location and layout of the workplace.
- (3) An employer must consult with any committee established at the workplace when conducting a violence risk assessment and must provide the committee with a copy of the written report of the assessment.
- (4) An employer must consult with any representative selected at the workplace when conducting a violence risk assessment and must provide the representative with a copy of the written report of the assessment.

When new violence risk assessment required

- 6 (1) An employer must conduct a new violence risk assessment for a workplace in any of the following circumstances:
- (a) the employer becomes aware of a type of violence occurring in similar workplaces that was not taken into consideration when the previous violence risk assessment was conducted;

- (b) there is a significant change in any of the following:
 - (i) the circumstances in which work takes place,
 - (ii) the interactions that occur in the course of performing work,
 - (iii) the physical location or layout of the workplace;
 - (c) the employer plans to construct a new facility or renovate an existing facility;
 - (d) the employer is ordered to do so by an officer.
- (2) An employer must conduct a new violence risk assessment for each of their workplaces at least every 5 years.

Workplace violence prevention plan

- 7 (1) An employer must establish and implement a workplace violence prevention plan for each workplace for which a significant risk of violence is identified through a violence risk assessment or that an officer orders a plan for.
- (2) As part of a workplace violence prevention plan, an employer must do all of the following:
- (a) prepare a written workplace violence prevention statement;

- (b) either
 - (i) take and document reasonable measures to minimize and, to the extent possible, eliminate the risk of violence in the workplace, or
 - (ii) adopt a code of practice on violence in the workplace published by the Director governing the primary business conducted at the employer's workplace;
- (c) establish and document procedures for providing employees with the information and training required by Sections 10 and 11;
- (d) establish and document procedures for reporting, documenting and investigating incidents of violence as required by Sections 12 and 13.
- (3) An employer must consult with any committee established at the workplace when establishing, reviewing or revising a workplace violence prevention plan.
- (4) An employer must consult with any representative selected at the workplace when establishing, reviewing or revising a workplace violence prevention plan.
- (5) An employer must make a copy of the workplace violence prevention plan available for examination at the workplace by any employer, contractor, constructor, supplier, employee, owner or self-employed person in that workplace.

Review and revision of workplace violence prevention plan

- 8 (1) If a new violence risk assessment indicates a significant change to the extent and nature of the risk of violence, an employer who is required to establish and

implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.

- (2) At least every 5 years, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.

Workplace violence prevention statement

- 9 (1) An employer must prepare a workplace violence prevention statement that includes all of the following:
 - (a) a statement of the employer's recognition that violence is an occupational health and safety hazard at the workplace;
 - (b) a statement of the employer's recognition of the physical and emotional harm resulting from violence;
 - (c) a statement of the employer's recognition that any form of violence in the workplace is unacceptable;
 - (d) a statement of the employer's commitment to minimize and, to the extent possible, eliminate the risk of violence in the workplace.
- (2) An employer must post a copy of their workplace violence prevention statement in a prominent place or places in each of their workplaces so it can be easily accessed by employees, and must ensure that it remains posted.

Information that must be provided to employees

- 10 (1) An employer must provide an employee who is exposed to a significant risk of violence in a workplace with information on the nature and extent of the risk and on any factors that may increase or decrease the extent of the risk.
- (2) Except as prohibited by law, the duty to provide information to an employee under subsection (1) includes a duty to provide information related to a risk of violence from a person who has a history of violent behavior if that person is likely to be encountered by the employee.

Training and supervision for employees

- 11 (1) In accordance with the procedure in an employer's workplace violence prevention plan, an employer must provide adequate training on all of the following for any employee who is exposed to a significant risk of violence:
 - (a) the rights and responsibilities of employees under the Act;
 - (b) the workplace violence prevention statement;
 - (c) the measures taken by the employer to minimize or eliminate the risk of violence;
 - (d) how to recognize a situation in which there is a potential for violence and how to respond appropriately;
 - (e) how to respond to an incident of violence, including how to obtain assistance;
 - (f) how to report, document and investigate incidents of violence.

- (2) An employer must provide any employee who is required by the employer to perform a function under the workplace violence prevention plan with training on the plan generally and on the particular function to be performed by the employee.

Duty to report incidents of violence

- 12 An employer, contractor, constructor, supplier, employee, owner or self-employed person in the workplace has a duty to report all incidents of violence in a workplace to the employer.

Documentation, investigation and actions to prevent reoccurrence

- 13 (1) An employer must ensure that incidents of violence in a workplace are documented and promptly investigated to determine their causes and the actions needed to prevent reoccurrence in accordance with the procedures established under clause 7(2)(d).
- (2) An employer must ensure that notice of the actions taken to prevent reoccurrence of an incident of violence are given to all of the following:
 - (a) any employee affected by the incident of violence;
 - (b) any committee established at the workplace;
 - (c) any representative selected at the workplace.

Dealing with employees exposed to or affected by violence

- 14 An employer must provide an employee who has been exposed to or affected by violence at the workplace with an appropriate debriefing and must advise the employee to consult a health professional of the employee's choice for treatment or counseling.

Employers with multiple temporary workplaces

- 15 Despite anything in these regulations, an employer who has employees performing work at multiple temporary workplaces is not required to conduct a violence risk assessment or prepare a workplace violence prevention plan for each individual workplace if the employer conducts a violence risk assessment and prepares a workplace violence prevention plan that covers similar workplaces collectively and takes into account the circumstances and interactions that an employee is likely to encounter in the performance of their work.

Ability to meet duties collectively

- 16 (1) Despite anything in these regulations, 2 or more employers may enter into a written agreement to collectively provide and maintain the statements, plans and services required under these regulations.
 - (2) A copy of any agreement made under subsection (1) must be kept by each of the employers and must be provided to any of the following, engaged at the workplace of 1 of the employers, who request a copy:
 - (i) an employee;
 - (ii) a contractor;
 - (iii) a constructor;
 - (iv) a supplier;

(v) an owner or self-employed person;

(vi) an officer.

Last updated: 04-08-2016

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Smoke-free Places Regulations

made under Section 15 of the

Smoke-free Places Act

S.N.S. 2002, c. 12

O.I.C. 2002-536 (Nov. 28, 2002, effective Jan. 1, 2003), N.S. Reg. 144/2002

as amended by O.I.C. 2006-467 (Nov. 6, 2006, effective Dec. 1, 2006), N.S. Reg. 206/2006

Citation

- 1 These regulations may be cited as the *Smoke-free Places Regulations*.

Interpretation

- 2 (1) In these regulations,
 - (a) “Act” means the *Smoke-free Places Act*;
 - (b) “ASHRAE Standard 62-2001” means the document entitled “Ventilation for Acceptable Indoor Air Quality” published by the American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.;

- (ba) “ashtray” means any receptacle for tobacco ashes or cigar or cigarette butts, whether originally designed for that purpose or not;

Clause 2(1)(ba) added: O.I.C. 2003-510, N.S. Reg. 206/2003.

- (c) “casino complex” means a casino complex as defined in the operating contract between the Nova Scotia Gaming Corporation and the Metropolitan Entertainment Group, dated May 31, 1995, or any successor operating contract;

Clause 2(1)(c) amended: O.I.C. 2006-467, N.S. Reg. 206/2006.

- (d) “designated smoking room” means a structurally separate room in which smoking is permitted by subsection 6(1) of the Act and that is located and ventilated in accordance with these regulations;

Clause 2(1)(d) replaced: O.I.C. 2006-467, N.S. Reg. 206/2006.

- (e) “engineer” means an engineer who is registered pursuant to the *Engineering Professions Act* to practice engineering;
- (f) “make-up air” means air that originates from outside of an enclosed place, or outside of a designated smoking room;
- (g) “owner” means an owner of
 - (i) an enclosed place, or
 - (ii) a place of employment

that contains a designated smoking room;

- (h) “structurally separate”, in relation to a room, means having contiguous walls and an adjoining ceiling; and

 - (i) “ventilation system” means a system used in a designated smoking room to provide the separate exhaust ventilation required by subsections 6(1) and 8(5) of the Act.
- (2) For the purposes of the Act and these regulations,
- (a) “beverage room” means an establishment operating under a current beverage room licence issued in respect of it pursuant to the *Liquor Control Act*;

 - (b) “lounge” means an establishment operating under a current lounge licence issued in respect of it pursuant to the *Liquor Control Act* and includes an enclosed place at a community college or university where alcoholic beverages are served in accordance with a licence issued pursuant to the *Liquor Control Act*;

Clause 2(2)(b) replaced: O.I.C. 2003-510, N.S. Reg. 206/2003.

- (c) “restaurant” means an establishment that is
 - (i) operating under a current eating establishment licence issued in respect of it pursuant to the *Health [Protection] Act* and for which a current liquor licence has not been issued pursuant to the *Liquor Control Act*, or

(ii) operating under a current eating establishment liquor licence issued in respect of it pursuant to the *Liquor Control Act* and for which a current lounge licence has not been issued pursuant to that Act.

(3) For the purposes of the Act and these regulations, “enclosed place” is further defined as including a casino complex.

Subsection 2(3) replaced: O.I.C. 2006-467, N.S. Reg. 206/2006.

(4) For the purposes of subsection 11(8) of the Act, “ensuring compliance with any enactment” includes the evaluating by Health Canada of compliance with the enactment.

(5) For the purposes of clause 5(1)(nc) of the Act, “private club” means an enclosed place or that part of an enclosed place out of which a society incorporated under the *Societies Act* operates for a social purpose according to the society’s memorandum of association, if

(a) the society has a fixed membership list;

(b) each member of the society pays mandatory annual or periodic membership dues; and

(c) a non-member of the society cannot enter the enclosed place for the purpose of consuming food or beverages unless accompanied by a member.

Subsection 2(5) added: O.I.C. 2003-510, N.S. Reg. 206/2003; amended: O.I.C. 2006-467, N.S. Reg. 206/2006.

Subsection 2(6) repealed: O.I.C. 2006-467, N.S. Reg. 206/2006.

Location requirement for a designated smoking room

- 2A (1)** A designated smoking room must be located so that a person is not required to enter into it to access an area where smoking is prohibited by the Act.

Subsection 2A(2) repealed: O.I.C. 2006-467, N.S. Reg. 206/2006.

Ventilation requirements for a designated smoking room

- 3 (1)** A designated smoking room may have wall or ceiling openings as long as the minimum velocity required by subclause (2)(b)(ii) for make-up air flowing into the room is maintained.
- (2)** A ventilation system must
- (a)** be designed to have sufficient capacity for the occupancy level of the designated smoking room as determined by the owner, but not exceeding the maximum occupancy level permitted by law;
 - (b)** during all hours of operation of the enclosed place, maintain the flow of make-up air into the designated smoking room at
 - (i)** a minimum rate of 15 liters per second per occupant of the designated smoking room, based on the number of occupants averaged over any 15-minute period during the hours of operation; and
 - (ii)** a minimum velocity of 0.36 metres per second through each opening.

Ventilation system design, operation and maintenance documentation

- 4 (1) Prior to using a ventilation system for the first time, an owner shall ensure that an engineer
 - (a) prepares the physical and mechanical design specifications for the ventilation system;
 - (b) prepares an operation and maintenance plan for the ventilation system, which shall include written procedures for the operation, inspection, testing, cleaning, calibration, and maintenance of the ventilation system;
 - (c) conducts a functional performance test of the ventilation system and prepares a report of the test results; and
 - (d) prepares a certificate stating that the ventilation system
 - (i) has been designed and installed in conformance with ASHRAE Standard 62-2001,
 - (ii) at the time of the functional performance test conducted pursuant to clause (c), was operating in conformance with ASHRAE Standard 62-2001, and
 - (iii) is capable of operating at the occupancy level for which it was designed.
- (2) The written procedures required by clause (1)(b) must

- (a) be adequate to ensure that the ventilation system is monitored properly and maintained in conformance with its physical and mechanical design specifications;
 - (b) specify the manner of operation of the ventilation system, including the hours of operation;
 - (c) specify the nature and frequency of inspections, testing, cleaning, calibration, and maintenance of the ventilation system; and
 - (d) be reviewed by an engineer, and amended if necessary,
 - (i) if the ventilation system is modified so as to materially affect its ability to ventilate the designated smoking room in conformance with its mechanical and design specifications,
 - (ii) if an inspection of the ventilation system identifies non-conformance with its physical and mechanical design specifications so as to require changes to its operation and maintenance, or
 - (iii) at least every 5 years.
- (3)** An owner shall keep the documents referred to in subsection (1) available for inspection.
- (4)** If a document referred to in subsection (1) is amended in accordance with clause (2)(d), the owner is required to keep only the most current version of the document for the purposes of subsection (3).

Records

- 5 (1)** An owner must ensure that a record is made of each inspection, testing, cleaning, calibration, and maintenance activity respecting the ventilation system, as required by the written procedures established pursuant to clause 4(1)(b).
- (2)** A record required by subsection (1) must specify
- (a) the date and type of activity performed;
 - (b) the name of the person who performed the activity and their employer;
 - (c) the components of the ventilation system involved; and
 - (d) the test results, observed deficiencies, and any remedial action taken,
- and must be kept for at least 2 years.

Maximum size of a designated smoking room

- 6** The maximum size of a designated smoking room must be
- (a) 92.9 m² for a place with an area less than 929 m²; or
 - (b) 10% of the total area for a place with an area greater than 929 m².

Section 6 replaced: O.I.C. 2006-467, N.S. Reg. 206/2006.

Signage

- 7 (1) An owner must display a “Designated Smoking Room” sign in the form set forth in Schedule "A" measuring at least 21 cm in width and at least 30 cm in height.
- (2) A “Designated Smoking Room” sign must be
- (a) placed immediately above or in close proximity to each entrance of a designated smoking room; and
 - (b) unobstructed by other signs, advertisements or promotions.
- (3) An owner must assume any costs associated with the signage required by this Section.
- (4) An inspector may order the removal of a sign that the inspector finds to be in violation of these regulations.

Section 8 to 11 repealed: O.I.C. 2006-467, N.S. Reg. 206/2006.

Schedule A

(21 cm x 30 cm)

DESIGNATED SMOKING ROOM

ONLY RESIDENTS PERMITTED

NO PERSONS UNDER 19 PERMITTED

MAXIMUM OCCUPANCY = [figure determined by owner in
accordance with Provincial laws]

Last updated: 18-10-2013

This consolidation is for reference only. For the official version of the regulations, consult the original documents on file with the [Registry of Regulations](#), or refer to the [Royal Gazette Part II](#).

Regulations are amended frequently. Please check the list of [Regulations by Act](#) to see if there are any recent amendments to these regulations filed with the Registry that are not yet included in this consolidation.

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Workplace Hazardous Materials Information System (WHMIS) Regulations

**made pursuant to Section 82 of the
Occupational Health and Safety Act
S.N.S. 1996, c. 7**

**O.I.C. 88-987 (September 20, 1988, effective October 31, 1988), N.S. Reg. 196/88
as amended by O.I.C. 89-529 (May 9, 1989), N.S. Reg. 64/89**

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Short title

These regulations may be cited as the Workplace Hazardous Materials Information System (WHMIS) Regulations.

Interpretation

1 In these regulations

(a) "bulk shipment" means a shipment of a controlled product that is contained without intermediate packaging in

(i) a vessel with a water capacity of more than 454 litres,

(ii) a freight container, a road vehicle, a railway vehicle, a portable tank, a freight container carried on a road vehicle, a railway vehicle, ship or aircraft or a portable tank carried on a road vehicle, a railway vehicle, ship or aircraft,

(iii) the hold of a ship, or

(iv) a pipeline;

(b) "Commission" means the Hazardous Materials Information Review Commission established by subsection 28(1) of the Hazardous Materials Information Review Act;

(c) "container" includes a bag, barrel, bottle, box, can, cylinder, drum, storage tank or similar package or receptacle;

(d) "controlled product" means any product, material or substance specified by the regulations made pursuant to paragraph 15(1)(a) of the Hazardous Products Act to be included in any of the classes listed in Schedule II of that Act;

(e) "Controlled Products Regulations" means the Controlled Products Regulations made pursuant to the Hazardous Products Act;

(f) "Disclosure of Information Regulations" means the Disclosure of Information Regulations made pursuant to the Occupational Health and Safety Act;

(g) "fugitive emission" means a gas, liquid, solid, vapour, fume, mist, fog or dust that escapes from process equipment or from emission control equipment or from a product;

(h) "hazard information" means information on the proper and safe use, storage and handling of a controlled product and includes information relating to its toxicological properties;

(i) "Hazardous Materials Information Review Act" means the Hazardous Materials Information Review Act (Canada);

(j) "Hazardous Products Act" means the Hazardous Products Act (Canada);

(k) "hazardous waste" means a controlled product that is intended for disposal or is sold for recycling or recovery;

(l) "label" includes any mark, sign, device, stamp, seal, sticker, ticket, tag or wrapper;

(m) "laboratory sample" means, in respect of a controlled product, a sample of the controlled product that is intended solely to be tested in a laboratory but does not include a controlled product that is to be used

(i) by the laboratory for testing other products, materials or substances, or

(ii) for educational or demonstration purposes;

(n) "manufactured article" means any article that is formed to a specific shape or design during manufacture, the intended use of which, when in that form, is dependent in whole or in part on its shape or design, and that, under normal conditions of use, will not release or otherwise cause a person to be exposed to a controlled product;

(o) "material safety data sheet" means a document disclosing the information referred to in subparagraphs 13(a)(i) to (v) of the Hazardous Products Act and meeting the requirements of the Controlled Products Regulations, subject to Sections 15 and 16 of these regulations;

(p) "product identifier" means, in respect of a controlled product, the brand name, code name, code number, chemical name, common name, generic name or trade name;

(q) "risk phrase" means, in respect of a controlled product or a class, division or subdivision of controlled products, a statement identifying a hazard that may arise from the nature of the controlled product or the class, division or subdivision of controlled products;

(r) "supplier label" means a label provided by a supplier disclosing the information and displaying the hazard symbols referred to in paragraph 13(b) of the Hazardous Products Act and meeting the requirements of the Controlled Products Regulations;

(s) "supplier material safety data sheet" means a material safety data sheet provided by a supplier pursuant to paragraph 13(a) of the Hazardous Products Act;

(t) "workplace label" means a label which discloses

(i) a product identifier,

(ii) information for the safe handling of the controlled product, and

(iii) that a material safety data sheet, if supplied or produced, is available.

Application

2 (1) These regulations apply to employers and employees in respect of controlled products used, stored or handled at a workplace.

(2) Notwithstanding subsection (1), the provisions of these regulations, in respect of a supplier label and a material safety data sheet, do not apply where the controlled product is any

(a) explosive within the meaning of the Explosives Act (Canada);

(b) cosmetic, device, drug or food within the meaning of the Food and Drug Act (Canada);

(c) control product within the meaning of the Pest Control Products Act (Canada);

(d) prescribed substance within the meaning of the Atomic Energy Control Act (Canada); or

(e) product, material or substance packaged as a consumer product.

(3) Notwithstanding subsection (1), these regulations do not apply where the controlled product is

(a) wood or a product made of wood;

(b) tobacco or a product made of tobacco;

(c) a manufactured article; or

(d) being transported or handled pursuant to the requirements of the Transportation of Dangerous Goods Act (Canada) or the Dangerous Goods Transportation Act.

(4) Notwithstanding subsection (1), these regulations do not apply to hazardous wastes except that the employer shall take every precaution that is reasonable in the circumstances to ensure the safe storage and handling of hazardous waste through the combination of any mode of identification and employee education.

Prohibition

3 (1) An employer shall take every precaution that is reasonable in the circumstances to ensure that a controlled product is not used, stored or handled in a workplace unless all of the applicable requirements of these regulations in respect of labels, identifiers, material safety data sheets and employee education are complied with.

(2) Notwithstanding subsection (1), an employer may store a controlled product in a workplace while actively seeking, by means of a written request to a supplier or other reasonable efforts, information required by these regulations if the employer ensures that the controlled product or the container of the controlled product has applied to it

(a) a workplace label; or

(b) if the employer does not have the information required for a workplace label, a label disclosing that the product is

(i) hazardous, and

(ii) cannot be used or handled at the workplace until further information is obtained.

Employee education

4 The employer shall take every precaution that is reasonable in the circumstances to ensure that an employee who works with a controlled product or in proximity to a controlled product is instructed in

(a) the general content required on a supplier label and workplace label, and the purpose and significance of the information contained thereon;

(b) the general content required on a material safety data sheet and the purpose and significance of the information contained thereon;

(c) procedures for the safe use, storage, handling and disposal of controlled products;

(d) procedures for the safe use, storage, handling and disposal of controlled products contained or transferred in

(i) a pipe,

(ii) a piping system including valves,

(iii) a process vessel,

(iv) a reaction vessel, or

(v) a tank car, tank truck, ore car, conveyor belt or similar conveyance;

(e) procedures to be followed where fugitive emissions are present; and

(f) procedures to be followed in case of an emergency involving a controlled product.

5 (1) An employer shall ensure that the program of employee education required by Section 4 is developed and implemented

(a) for that employer's workplace;

(b) in relation to health or safety hazards that may be met by employees who work with or in proximity to controlled products; and

(c) in consultation with the joint health and safety committee, if any.

(2) An employer shall make reasonable enquiries to determine, so far as is reasonable practicable, that the program of employee instruction required by Section 4 results in the employee being able to apply the information as needed to protect the employee's health and safety and that of other persons at the workplace.

(3) The employer shall review at least annually, or more frequently if required by a change in work conditions or available hazard information, and in consultation with the joint health and safety committee, if any, the instruction and training provided to employees concerning controlled products.

Labels

Supplier label

6 (1) An employer who acquires a controlled product from a supplier for use, storage or handling at a workplace shall ensure that the controlled product or the container of the controlled product received at the workplace has affixed to it a supplier label.

(2) Subject to Sections 15 and 16, as long as any amount of a controlled product remains in a workplace in the container in which it was received from the supplier, an employer shall not remove, deface, modify or alter the supplier label.

(3) Where a label applied to a controlled product or a container of a controlled product becomes illegible or is accidentally removed from the controlled product or the container, the employer shall replace the label with either a supplier label or a workplace label.

(4) An employer who

(a) has received a controlled product in a multi-container shipment where the individual containers have not been labelled by the supplier; and

(b) has made a written undertaking pursuant to subparagraph 14(2)(a)(ii) of the Controlled Products Regulations,

shall affix to each container of the controlled product received at the workplace a label that meets the requirements of the Controlled Products Regulations.

(5) Where a controlled product or a container of a controlled product imported pursuant to Section 23 of the Controlled Products Regulations does not bear a supplier label, an employer who receives the controlled product or the container of the controlled product at a workplace shall affix to it a label that meets the requirements of the Controlled Products Regulations.

(6) An employer who has received a controlled product transported as a bulk shipment shall

(a) affix a supplier label to the container of the controlled product or to the controlled product in the workplace; or

(b) where, pursuant to Section 15 of the Controlled Products Regulations the supplier is not required to label a controlled product transported as a bulk shipment, an employer shall affix a workplace label to the container of a controlled product or to the controlled product in the workplace.

Workplace label for employer-produced products

7 (1) Subject to Sections 15 and 16, where an employer produces a controlled product in a workplace, the employer shall ensure that the controlled product or the container of the controlled product has applied to it a workplace label.

(2) Subsection (1) does not apply to the production of a fugitive emission.

(3) Subsection (1) does not apply when the controlled product is in a container that is intended to contain the controlled product for sale or disposition and the container is or is about to be appropriately labelled.

Workplace label for decanted products

8 (1) Where a controlled product in a workplace is in a container other than the container in which it was received from a supplier, the employer shall ensure that the container has applied to it a workplace label.

(2) Subsection (1) does not apply to a portable container that is filled directly from a container or source that complies with the labelling or placarding requirements of these regulations if

(a) all of the controlled product is required for immediate use; or

(b) the employee who fills the portable container

(i) retains exclusive use and control of the portable container,

(ii) uses the controlled product in the portable container during the shift in which it was filled, and

(iii) is instructed by the employer to ensure that the content of the portable container is clearly identified by some mode of identification clearly legible to employees.

Identification of a controlled product in piping systems and vessels

9 Where a controlled product in a workplace is contained or transferred in

- (a) a pipe;
- (b) a piping system including valves;
- (c) a process vessel;
- (d) a reaction vessel; or
- (e) a tank car, tank truck, ore car, conveyor belt or similar conveyance,

the employer shall take every precaution that is reasonable in the circumstances to ensure the safe use, storage and handling of the controlled product through employee education and the use of colour coding, labels, placards or any mode of identification clearly legible to employees.

Placard identifiers

10 (1) For the purposes of this Section, "posting a placard" means posting a placard that

- (a) discloses, subject to Sections 15 and 16, the information required on a workplace label;
- (b) is of such size and in such a location that the information thereon is conspicuous and clearly legible to employees; and
- (c) is in such a location as to be clearly referable to the controlled product to which it relates.

(2) Notwithstanding Sections 6, 7 and 8, an employer may fulfil the labelling requirements of Sections 6, 7 and 8 by posting a placard if the controlled product is

- (a) not in a container;
- (b) in a container intended for export; or
- (c) in a container intended for sale or disposition and is to be appropriately labelled in the employer's normal course of business and without undue delay;
- (d) in a container intended for use in the workplace and

(i) the container is consumed in a production process, and

(ii) subject to Sections 15 and 16, the container or the controlled product is identified through the use of colour coding, labels or any mode of identification clearly legible to employees.

(3) Notwithstanding Sections 7 and 8 and without limiting subsection (2), an employer may fulfil the labelling requirements of Sections 7 and 8 with respect to a container of a controlled product intended for use in a workplace by posting a placard if the employer ensures that

- (a) the controlled product is located in an area to which the general public and unauthorized employees are not permitted access;

(b) the container of the controlled product is identified through the use of colour coding, labels or any mode of identification clearly legible to employees;

(c) subject to subsection (4), except where the controlled product is required for immediate use or where it is under the exclusive control of a single employee and is handled in accordance with Section 8(2)(b)(i) to (iii), the controlled product is not removed from the placarded area unless it first has a workplace label applied to it.

(4) Where a controlled product is moved directly and expeditiously from a container or source that complies with the labelling or placarding requirements of these regulations to an area where a placard is posted, notwithstanding Sections 7 and 8 the employer may, during the time that the controlled product is being moved, identify the controlled product through a combination of employee education and the use of colour coding, labels, placards, or any mode of identification clearly legible to employees.

Laboratory labels

11 (1) Where a controlled product

- (a)** originates from a laboratory supply house;
- (b)** is intended by the employer solely for use in a laboratory; and
- (c)** is packaged in a container in a quantity of less than 10 kilograms,

a label provided by the supplier and affixed to the container of the controlled product received at a workplace complies with the requirements of Section 6 with respect to a supplier label if it discloses, subject to Sections 15 and 16, the following information:

(d) a product identifier;

(e) where a material safety data sheet is available, a statement indicating that fact; and

(f) the following information that is applicable to the product:

- (i)** risk phrases,
- (ii)** precautionary measures, and
- (iii)** first aid measures.

(2) Where a sample of a product that is a controlled product or that a supplier or an employer has reason to believe may be a controlled product

(a) is contained in a container that contains less than 10 kilograms of the product;

(b) is intended by the supplier or the employer solely for analysis, testing or evaluation in a laboratory; and

(c) is one in respect of which the supplier is exempted by Section 9 of the Controlled Products Regulations from the requirement to provide a material safety data sheet,

a label provided by the supplier and affixed to the container of the controlled product received at a workplace complies with the requirements of Section 6 with respect to a supplier label if it discloses, subject to Sections 15 and 16, the following information:

(d) a product identifier;

(e) the chemical identity or generic chemical identity of any ingredient of the controlled product referred to in any of subparagraphs 13(a)(i) to (v) of the Hazardous Products Act, if known to the supplier or the employer;

(f) the supplier identifier;

(g) the statement "Hazardous Laboratory Sample - For hazard information or in an emergency call number disclosed under clause (h)";

(h) an emergency telephone number of the supplier that will enable

(i) a user of the controlled product to obtain hazard information in respect of the controlled product, and

(ii) a physician or nurse to obtain any information in respect of the controlled product that is referred to in paragraph 13(a) of the Hazardous Products Act and is in the possession of the supplier for the purpose of making a medical diagnosis of, or rendering treatment to, a person in an emergency.

(3) Where a controlled product is in a container other than the container in which it was received from a supplier, or is produced in the workplace, the employer is exempt from the requirement of Section 8 if the controlled product

(a) (i) originates from a laboratory supply house, or (ii) is a laboratory sample;

(b) is intended by the employer solely for use, analysis, testing or evaluation in a laboratory; and

(c) subject to Sections 15 and 16, is clearly identified through a combination of

(i) any mode of identification visible to employees at the workplace, and

(ii) employee education required by these regulations,

but the employer shall ensure that the mode of identification and employee education used enables the employees, subject to Sections 15 and 16, to readily identify and obtain either the information required on a material safety data sheet or a label or document disclosing the

information referred to in subsection (2)(d) to (h), inclusive, with respect to the controlled product or the sample.

(4) Where a controlled product is produced in a laboratory, the employer is exempt from the requirement of Sections 7 and 8 if the controlled product

- (a)** is intended by the employer solely for evaluation, analysis or testing;
- (b)** is not removed from the laboratory; and
- (c)** subject to Sections 15 and 16, is clearly identified through a combination of

- (i)** any mode of identification visible to employees at the workplace, and
- (ii)** employee education required by these regulations,

but the employer shall ensure that the mode of identification and employee education used enables the employees, subject to Sections 15 and 16, to readily identify and obtain either the information required on a material safety data sheet, if one has been produced, or such other information as is necessary to ensure the safe use, storage and handling of the controlled product.

Material safety data sheets

Supplier material safety data sheets

12 (1) An employer who acquires a controlled product for use at a workplace shall obtain a supplier material safety data sheet in respect of that controlled product.

(2) Where a supplier material safety data sheet obtained pursuant to subsection (1) in respect of a controlled product is three years old, the employer shall, if possible, obtain from the supplier an up-to-date supplier material safety data sheet in respect of any of that controlled product in the workplace at that time.

(3) Where the employer is unable to obtain a material safety data sheet as required by subsection (2), the employer shall add any new hazard information that is known to the employer and applicable to that controlled product to the existing supplier material safety data sheet on the basis of the ingredients disclosed in that document.

(4) The employer may make available for viewing at a workplace a material safety data sheet in a format different from the format provided by the supplier or containing additional hazard information or product identifiers if, subject to Sections 15 and 16,

(a) the material safety data sheet made available by the employer contains no less content than the supplier material safety data sheet; and

(b) the supplier material safety data sheet is available for viewing at the workplace and the material safety data sheet made available by the employer indicates that fact.

(5) Where a supplier is exempted by the Controlled Products Regulations from the requirement to provide a material safety data sheet for a controlled product, the employer is exempt from the requirement to obtain, prepare or make available a material safety data sheet for that controlled product.

(6) Subject to Sections 15 and 16, where a controlled product is received at a laboratory and the supplier has provided a material safety data sheet, the employer shall ensure that a copy of the material safety data sheet is readily available for viewing by the employees who may be exposed to the controlled product and by the joint health and safety committee, if any.

(7) Subject to Sections 15 and 16, where a controlled product is received or produced at a laboratory and the employer has produced a material safety data sheet, the employer shall ensure that the material safety data sheet is readily available for viewing by the employees who may be exposed to the controlled product, and by the joint health and safety committee, if any.

Employer material safety data sheets

13 (1) Where the employer produces a controlled product in the workplace, the employer shall prepare a material safety data sheet in respect of that product which discloses, subject to subsections (2) and (3), and to Sections 15 and 16, the information required under the Controlled Product Regulations.

(2) Where the chemical composition for a group of controlled products is similar, the employer may use a generic material safety data sheet for that group of products.

(3) Where a generic material safety data sheet is used and the hazard information in respect of a controlled product in the group is different from the hazard information in respect of the other controlled products in the group, the hazard information for that controlled product shall be disclosed on the material safety data sheet.

(4) Subsection (1) does not apply to the production of a fugitive emission or intermediate products undergoing reaction within a reaction or process vessel.

(5) An employer shall update the material safety data sheet referred to in subsection (1)

(a) as soon as practical but not later than 90 days after new hazard information becomes available to the employer; and

(b) at least every three years.

Availability of material safety data sheets

14 (1) Subject to Sections 15 and 16, an employer shall ensure that a copy of a material safety data sheet required by Section 12 or 13 is made readily available for viewing at a workplace in a physical form that can be handled

(a) at all times during their working hours, by employees who may be exposed to the controlled product; and

(b) by the joint health and safety committee, if any.

(2) Notwithstanding subsection (1) and Sections 12(6) and (7), the employer complies with subsection (1) and Sections 12(6) and (7) if the employer

(a) ensures that a material safety data sheet is made readily available for viewing on a video display terminal or a computer terminal in the workplace;

(b) takes every precaution that is reasonable in the circumstances to ensure that the terminal is in active working order; and

Clause 14(2)(b) erratum: O.I.C. 89-529, N.S. Reg. 64/89.

(c) ensures that a material safety data sheet in a physical form that can be handled is made available for viewing without unnecessary delay and within twenty-four hours if requested by an employee or a member of the joint health and safety committee, if any.

Confidential business information

Deletions, alternatives and medical emergencies

15 (1) Where an employer or supplier claims an exemption from a requirement to disclose information pursuant to the Disclosure of Information Regulations and [sub]section 61(1) of the Occupational Health and Safety Act, the employer or supplier may delete from any label, any supplier material safety data sheet, any material safety data sheet prepared or made available by the employer, any placard or any other identifier, the information that is the subject of the claim but may not delete hazard information.

(2) An employer or supplier who has deleted information from a label, material safety data sheet, placard or other identifier pursuant to subsection (1) shall replace that information with

(a) the words "trade secret"; and

(b) an emergency telephone number of the employer or supplier that will enable a treating physician or nurse to obtain information that is in the possession of the employer or the supplier respecting the specific chemical identity of the controlled product for the purpose of rendering medical treatment to a person in an emergency, in accordance with Section 3 of the Disclosure of Information Regulations.

(3) Where an employer or supplier claims an exemption under subsection (1), it shall not be necessary to claim an exemption under Section 16.

(4) If there is any conflict between the provisions of these regulations and the Disclosure of Information Regulations, the provisions of the Disclosure of Information Regulations shall

prevail, but an employer may not delete hazard information from a label, placard, supplier material safety data sheet, a material safety data sheet prepared or made available by the employer.

16 (1) Where an employer or a supplier claims an exemption from a requirement to disclose information pursuant to this Section and to the Hazardous Materials Information Review Act, the employer or supplier may delete from any label, any supplier material safety data sheet, any material safety data sheet prepared or made available by the employer, any placard or any other identifier, the information that is the subject of the claim, but may not delete hazard information.

(2) An employer or supplier who is required, pursuant to these regulations, to disclose on any label, any supplier material safety data sheet, any material safety data sheet made available by the employer, any placard or any other identifier, an item of information referred to in paragraphs (a) to (d) of subsection (2) of Section 11 of the Hazardous Materials Information Review Act may, if the employer or supplier considers such information to be confidential business information, claim an exemption from the requirement to disclose that information; but if the employer or supplier has made a claim pursuant to Section 15, it shall not be necessary to claim an exemption under this Section.

(3) A claim under this Section shall be made to the Commission established under the Hazardous Materials Information Review Act and shall be filed in accordance with the procedure established under that Act and the regulations made thereunder and shall be finally determined by the Commission in accordance therewith, subject to the appeal procedures established under that Act.

(4) Pursuant to Section 32 of the Hazardous Materials Information Review Act, the Commission shall exercise the powers and perform the functions specified in that Act and the procedures prescribed by regulations under that Act in respect of a claim made under this Section.

(5) An employer or supplier who has deleted information from any label, material safety data sheet, placard or other identifier pursuant to subsection (1) of this Section shall replace the information with the date the claim for exemption was filed and the registry number assigned to the claim under the Hazardous Materials Information Review Act.

Confidentiality of information

Disclosure of information

17 (1) Where an official of the Occupational Health and Safety Division of the Department of Labour and Advanced Education obtains information pursuant to paragraph 46(2)(e) of the Hazardous Materials Information Review Act, the official to whom such information is communicated shall keep such information confidential and shall not disclose such information to any person except for the purposes of the administration or enforcement of the Occupational Health and Safety Act.

[Note: the Department name has been updated in accordance with Order in Council 2011-15 under the *Public Service Act*, R.S.N.S. 1989, c. 376, effective January 11, 2011.]

(2) Any person to whom information is disclosed, pursuant to subsection (1), shall keep the information confidential.

18 No person shall use, disclose or release information protected as trade secret or confidential business information under these regulations except as provided by Sections 15(2)(b) and 17 of these regulations or by Section 6 of the Disclosure of Information Regulations.

Disclosure of data source

19 (1) Subject to Sections 15 and 16, an employer who produces a controlled product at a workplace shall, at the request of an officer as defined in the Occupational Health and Safety Act, an employee who may be exposed to the controlled product or the joint health and safety committee, if any, disclose the source of any toxicological data used in preparing the material safety data sheet required pursuant to Section 13.

(2) Subject to Sections 15 and 16, the employer shall ensure that a product identifier on a label corresponds with at least one product identifier on a material safety data sheet.

Transition period

20 (1) These regulations shall come into force on October 31, 1988.

(2) A controlled product received at a workplace before October 31, 1988

(a) shall bear a workplace label; and

(b) is exempt for one year from October 31, 1988 from the provisions of these regulations respecting supplier labels.

(3) A controlled product received at a workplace before October 31, 1988 is exempt for a period of 90 days from October 31, 1988 from the provisions of these regulations respecting supplier material safety data sheets

(a) if the employer is actively seeking by means of a written request to a supplier or other reasonable efforts to acquire a supplier material safety data sheet for the controlled product; or

(b) if a supplier material safety data sheet is not available, the employer is developing a material safety data sheet containing no less information than that required for a supplier material safety data sheet.

(4) A controlled product received at a workplace is exempt for a period of 90 days from October 31, 1988 from the provisions of these regulations respecting employee education.

21 (1) Notwithstanding Section 2, 6 or 12, but subject to subsection (2), the provisions of these regulations in respect of a supplier label and a material safety data sheet do not apply to a controlled product received in the workplace before March 15, 1989 if

(a) the sale of the controlled product is exempted by Sections 8.1 and 15.1 of the Controlled Products Regulations from the requirement to provide a supplier material safety data sheet and supplier label for the controlled product;

(b) the controlled product or the container of the controlled product bears a workplace label consistent with the information known to the employer at the time the controlled product is received at the workplace; and

(c) the employer uses a combination of employee education and any visible mode of identification that communicates to the worker that the product is

(i) a controlled product that has been received in the workplace before March 15, 1989 and

(ii) temporarily exempt from the requirement of Section 13 of the Hazardous Products Act with respect to the provision of a supplier label and supplier material safety data sheet.

(2) Where the sale of a controlled product is exempted by Section 8.1 and 15.1 of the Controlled Products Regulations from the requirement to provide a supplier material safety data sheet and supplier label, and where the controlled product is received at the workplace before March 15, 1989,

(a) the controlled product is exempt until October 31, 1989 from the provisions of these regulations respecting supplier labels; and

(b) the controlled product is exempt until June 15, 1989, from provisions of these regulations respecting material safety data sheets if, after March 15, 1989,

(i) the employer is actively seeking by means of a written request to a supplier or other reasonable efforts to acquire a material safety data sheet for the controlled product, or

(ii) a supplier material safety data sheet is not available, and the employer is developing a material safety data sheet containing no less information than that required for a supplier material safety data sheet.



ADMINISTRATIVE PENALTIES REGULATIONS

Regulations made pursuant to the
Occupational Health and Safety Act

**Statutes Of
Nova Scotia**

1996, Chapter 7

Province of Nova Scotia
Halifax, Nova Scotia

NOTE

This edition is prepared for convenience only. Descriptive headings have been included to help the reader. For an accurate reference, please refer to the Royal Gazette.

Occupational Health and Safety Administrative Penalties Regulations
made under subsection 82(1) of the
Occupational Health and Safety Act
S.N.S. 1996, c. 7
O.I.C. 2009-406 (September 29, 2009, effective January 15, 2010), N.S. Reg.
291/2009

Citation

- 1 These regulations may be cited as the Occupational Health and Safety Administrative Penalties Regulations.

Definitions

- 2 In these regulations,

“Act” means the Occupational Health and Safety Act;

“administrative penalty” means an administrative penalty imposed by the Administrator under these regulations;

“Administrator” means the Administrator designated under Section 3;

“Department” means the Department of Labour and Workforce Development.

Administrator designated for regulations

- 3 The Minister may designate an employee of the Department as an Administrator to administer these regulations.

Notice of administrative penalty

- 4 (1) The Administrator may require a person who has contravened a provision of the Act or its regulations to pay an administrative penalty by serving a notice of administrative penalty on the person.
- (2) A notice of administrative penalty must be in writing and must contain all of the following information:
- (a) the name of the person required to pay the administrative penalty;
 - (b) the provision of the Act or regulations that was contravened;
 - (c) the particulars of the contravention;
 - (d) the amount of the administrative penalty;
 - (e) when and how the administrative penalty must be paid;
 - (f) the process for filing an appeal.

Amount of administrative penalty

5 Subject to any adjustments made under Sections 6 and 7, the amounts set for administrative penalties are as set out in the following table, in Column B for a contravention that resulted in injury or that the Administrator considers had the potential to result in immediate injury, and in Column A for any other contravention:

Class of Person	Administrative Penalty	
	Column A	Column B (for contravention with injury)
employer, contractor, constructor, supplier, provider of an occupational health or safety service, architect or professional engineer	\$500	\$1000
employee who has supervision responsibilities, owner or self-employed person	\$250	\$500
employee	\$100	\$200

Adjustment to administrative penalty by Administrator

- 6 (1) The Administrator may increase or decrease the administrative penalty in Section 5 based on the following factors:
- (a) the efforts to prevent the contravention from occurring;
 - (b) whether or not the person on whom the administrative penalty is imposed derives any economic benefit from the contravention;
 - (c) the harm the contravention causes to any person.
- (2) Unless an administrative penalty is doubled under Section 7, the maximum administrative penalty that may be imposed is as set out in the following table:

Class of Person	Maximum Administrative Penalty
employer, contractor, constructor, supplier, provider of occupational health or safety service, architect or professional engineer	\$2000
employee who has supervision responsibilities, owner or self-employed person	\$1000
employee	\$500

Administrative penalty doubled for previous contravention

7 The administrative penalty in Sections 5 and 6 is doubled for a contravention if either of the following has occurred during the 3 years immediately before the contravention:

- (a) the person on whom the administrative penalty is to be imposed has had an administrative penalty imposed on them for a previous contravention of the Act or regulations;
- (b) the person on whom the administrative penalty is to be imposed has been convicted of an offence under Section 74 of the Act.

Administrative penalty imposed for each day

8 An Administrator may impose an administrative penalty for each day a contravention continues.

Payment of penalty

- 9**
- (1) Except as provided in subsection (2), a person who is served a notice of administrative penalty must pay the administrative penalty no later than 30 days after the date the notice is served.
 - (2) An administrative penalty that is appealed under Section 11 is not required to be paid until an appeal panel decides the matter, but if the appeal panel decides that a penalty must be paid, it must be paid no later than 30 days after the appeal panel's decision.

Failure to pay administrative penalty

10 If an administrative penalty is not paid by the deadlines in Section 9, the amount of the administrative penalty is a debt due to the Crown in right of Nova Scotia.

Filing appeal

- 11** A person may appeal an administrative penalty by filing a notice of appeal with the Deputy Minister of the Department no later than 21 days after the person is served with a notice of administrative penalty.

Appeal panel

- 12** (1) The Minister must designate an appeal panel to hear an appeal.
- (2) An appeal panel designated under subsection (1) must be composed of 1 person from the list established by the Governor in Council under subsection 68(2) of the Act.

Conducting appeal

- 13** (1) An appeal panel may conduct an oral hearing or conduct a hearing through written submissions.
- (2) An appeal panel may revoke, decrease or confirm an administrative penalty.

Person who pays penalty not charged with offence

- 14** A person who pays an administrative penalty for a contravention cannot be charged with an offence for the same contravention.



APPEAL PANEL REGULATIONS

Regulations made pursuant to the
Occupational Health and Safety Act

**Statutes Of
Nova Scotia**

1996, Chapter 7

Province of Nova Scotia
Halifax, Nova Scotia

NOTE

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**REGULATIONS RESPECTING OCCUPATIONAL HEALTH AND
SAFETY APPEAL PANELS MADE UNDER CLAUSES 82 (1) (ao) AND
(ap) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT**

S.N.S. 1996, c. 7

O.I.C. 97-135 (February 25, 1997), N.S. Reg. 25/97

as amended by O.I.C. 2010-84 (February 23, 2010), N.S. Reg. 38/2010

Title

- 1 These regulations may be cited as the *Occupational Health and Safety Appeal Panel Regulations*.

Interpretation

- 2 In these regulations,
- (a) “administrative penalty appeal” means an appeal under Section 11 of the *Occupational Health and Safety Administrative Penalty Regulations* made under the Act; *Clause 2(a) added: O.I.C. 2010-84, N.S. Reg. 38/2010.*
 - (aa) “aggrieved person” means an employer, constructor, contractor, employee, self-employed person, owner, supplier, provider of an occupational health or safety service, architect, engineer or union at a workplace who is directly affected by an order or decision;

Clause 2(a) relettered (aa): O.I.C. 2010-84, N.S. Reg. 38/2010.

- (b) “appeal office” means the appeal panel office established for the purposes of the *Occupational Health and Safety Act* by the Minister of Labour and Workforce Development to provide administrative support necessary to establish a functional appeal panel;

Clause 2(b) amended: O.I.C. 2010-84, N.S. Reg. 38/2010.

- (c) “selected chair” or “selected member” means a person proposed by the appeal office for designation by the Minister to a panel to hear a particular appeal;
- (d) “Minister” includes, for greater certainty, the Deputy Minister or Acting Minister of Labour and Workforce Development;

Clause 2(b) amended: O.I.C. 2010-84, N.S. Reg. 38/2010.

- (e) “party” means,
 - (i) a person who is required to comply with the order or decision being appealed,
 - (ii) the Director,

- (iii) in the case of an appeal of an order made as a result of a complaint pursuant to clause 46 (1) (a) or (b) of the Act, the employee named in the order,
 - (iv) those aggrieved persons who, at least two days before the scheduled time of an appeal hearing, advise the appeal office and other parties in written form of their intent to present evidence or make representations at the appeal hearing, and
 - (v) those aggrieved persons who, having failed to advise the appeal office and other parties, in written form, at least two days before the scheduled time of an appeal hearing, of their intent to present evidence or make representations at the appeal hearing, at the commencement of the hearing satisfy the appeal panel that they did not have a reasonable opportunity to provide two days' notice, and that they have given as much notice to the other parties as was possible in the circumstances; and
- (f) "written form" includes an electronic transmission which is received by the recipient in a readable form.

Starting an appeal

- 3 A notice of appeal required to be filed with the Deputy Minister under subsection 67A(1) or 69(1) of the Act, or to initiate an administrative penalty appeal must be submitted to the appeal office. **Section 3 replaced: O.I.C. 2010-84, N.S. Reg. 38/2010.**

Information required for notice of appeal

- 3A (1) In addition to the information required by subsection 69(3) of the Act, a notice of appeal filed under subsection 67A(2) or 69(2) of the Act must be in written form and shall include all of the following information for the person appealing:
- (a) name;
 - (b) address;
 - (c) telephone number.
- (2) A notice of appeal for an administrative penalty appeal must be in written form and shall include all of the following information:
- (a) the following information for the person appealing:
 - (i) name,
 - (ii) address,
 - (iii) telephone number;

- (b) a copy of the notice of administrative penalty appealed from;
- (c) the grounds of the appeal;
- (d) the relief requested.

Section 3A added: O.I.C. 2010-84, N.S. Reg. 38/2010.

Request to suspend order pending an appeal

- 4 (1) An aggrieved person may initiate a request to suspend the operation of an order or decision in accordance with subsection 69(9) of the Act by specifying in a notice of appeal that this remedy is requested.

Subsection 4(1) amended: O.I.C. 2010-84, N.S. Reg. 38/2010.

- (2) Where a selected chair is satisfied that circumstances warrant, the selected chair may determine that, after an appeal panel is appointed, it will deal with a request for relief pursuant to subsection 69 (9) of the Act by
- (a) distribution of the request among the parties and solicitation of comment;
 - (b) teleconference;
 - (c) personal attendance of the parties with the appeal panel; or
 - (d) by some combination of these processes or by other fair and effective means.

Application of Sections 5 to 10

4B[A] Sections 5 to 10 do not apply to an administrative penalty appeal.

Section 4B[A] added: O.I.C. 2010-84, N.S. Reg. 38/2010.

Selection of appeal panel

- 5 (1) To establish the appeal panel for a specific matter, the appeal office, using the selection process set out in these regulations, shall identify to the Minister the selected chair and members for designation by the Minister as the appeal panel to hear that matter.
- (2) Where, in accordance with subsection 68(5) of the Act, the parties to the appeal agree that one person may hear the appeal, this agreement shall
- (a) be made in a written form;

- (b) indicate the name of that person, where the parties have agreed on the choice of the person from the list of persons appointed by the Governor in Council pursuant to subsection 68 (2) of the Act, and

the appeal office shall provide that information to the Minister to enable a designation of a single person as the appeal panel for that matter.

Scheduling of hearing

- 6 (1) The selected chair, with the assistance of the appeal office, shall schedule the hearing, attempting to minimize the impact on the parties of scheduling conflicts, but not so as to allow long delays due to the failure of all parties to endorse an immediate date as convenient.
- (2) The appeal office shall communicate the date and location of the hearing as instructed by the selected chair.

Selection of chair

- 7 The appeal office shall, taking into account
 - (a) rotation of caseload among the available chairpersons;
 - (b) earliest availability; and
 - (c) whether any chairperson resides closer to the region in which the hearing will be held,

identify a selected chair from the list of persons established pursuant to subsections 68(2) and (4) of the Act for the purpose of chairing an appeal panel.

Selection of additional members

- 8 After the date or dates for the hearing are established by the selected chair pursuant to section 6, the appeal office shall, taking into account
 - (a) rotation of caseload among the available members, while seeking, where possible, members who are familiar with the type of workplace to which the matter relates, insofar as the result will not create a perception of bias due to
 - (i) the member's employer or union being involved in the situation, or
 - (ii) the nature of any close personal or economic relationship between a member and another person in the situation;
 - (b) availability for the hearing scheduled; and

- (c) proximity to the region where the hearing will occur;

identify two selected members for an appeal panel, one representing employers and one representing employees, from the list of persons established pursuant to subsection 68(2) of the Act, for the purpose of clauses 68 (4) (a) and (b) of the Act.

Designation of the Appeal Panel

- 9 The appeal office will inform the Minister of the availability of the selected members, and prepare an appointment letter for consideration by the Minister, and the Minister shall designate an appeal panel to hear the matter.

Quorum

- 10 Except where the parties to an appeal agree, in accordance with subsection 68(5) of the Act, that one person may hear the appeal, three panel members of an appeal panel constitute a quorum and a decision of any two panel members is the decision of the appeal panel.

Pre-hearing preparation

- 11 (3) Each party who submits any exhibit or other document to an appeal panel shall ensure that a sufficient number of copies of the item are produced so that one is given to each member of the appeal panel, as well as to each party, and the chairperson shall be provided with an additional copy

Subsections 11(1) and (2) repealed: O.I.C. 2010-84, N.S. Reg. 38/2010.

Hearing procedure

- 12 (1) Except where the appeal panel instructs otherwise, the appellant shall be the first party to present a case in the hearing.
- (2) For greater certainty, an appeal panel may receive any evidence or information on oath, affidavit or otherwise as, in its discretion, it deems fit and proper, whether or not it is admissible as evidence in a court of law.
- (3) All hearings are open to the public except where intimate financial or personal matters, trade secrets or other matters may be disclosed and the appeal panel finds that the interests of any person affected, or the public interest, in avoiding disclosure outweighs the principle that hearings should be public.
- (4) Recording equipment or cameras are not permitted in the hearing room except with the express permission of the appeal panel.

Record of hearing

- 13 (1) The chair of an appeal panel shall assist the appeal office in maintaining a record of the decision-making process for possible future submission to the court in response to an application for judicial review, and the record shall consist of
- (a) the decision of the Panel;
 - (b) all documents submitted to the panel; and
 - (c) all documents produced by the panel or the appeal office.
- (2) For greater certainty, notes made personally by any member of an appeal panel in the hearing or in related preparation or deliberations are not part of the record of the matter for the purpose of subsection (1).
- (3) When they are no longer required to be retained for the purposes of a potential judicial review, property, including documents, filed as exhibits in a hearing may be returned by the appeal office to the source which provided the item to the panel.

Irregularity

- 14 No proceedings before an appeal panel are invalid by reason of any defect in form or any technical irregularity.

Form 1 repealed: O.I.C. 2010-84, N.S. Reg. 38/2010

This consolidation is unofficial and is for reference only. For the official version of the regulations, consult the original documents on file with the [Registry of Regulations](#), or refer to the [Royal Gazette Part II](#).

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Disclosure of Information Regulations

made under Section 82 of the *Occupational Health and Safety Act* S.N.S. 1996, c. 7

O.I.C. 86-973 (August 5, 1986), N.S. Reg. 220/86 as amended up to and including O.I.C. 89-530 (May 9, 1989), N.S. Reg. 65/89

1 In the Act and these regulations,

(a) "Court" means the Trial Division of the Supreme Court of Nova Scotia;

(b) "health professional" means a qualified physician, industrial hygienist, toxicologist, epidemiologist or nurse;

Clause 1(b) erratum: O.I.C. 89-530, N.S. Reg. 65/89.

(c) "nurse" means a registered nurse within the meaning of the Registered Nurses Association Act, R.S.N.S. 1989, c. 391; and

(d) "trade secret" means any secret, commercially valuable plan, appliance, formula, process, pattern, device or information which is generally recognized as confidential by an employer, supplier or manufacturer, as the case may be, including but not limited to the name and other identification of a chemical, substance or agent which is secret.

Section 1 replaced: O.I.C. 88-444, N.S. Reg. 96/88.

2 Except as provided in these regulations, an employer, supplier or manufacturer shall not be required to disclose a trade secret or any information which may disclose a trade secret to any person or in any manner, including but not limited to by way of label, a material safety data sheet or on a list of substances used or stored by an employer, supplier or manufacturer.

3 As required pursuant to subsection 2 of Section 61 of the Occupational Health and Safety Act, where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous chemical is necessary for emergency or first-aid treatment, an employer, supplier or manufacturer, upon request, shall immediately disclose the specific chemical identity of a trade secret chemical to the treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement, but the employer,

supplier or manufacturer may require a written statement of need and confidentiality agreement, in accordance with the provisions of Sections 4 and 5, as soon as circumstances permit.

4 Subject to Section 8, in non-emergency situations an employer, supplier or manufacturer shall, upon request by a health professional, disclose a specific chemical identity, otherwise permitted to be withheld under Section 2, to the health professional for the purpose of providing medical or other occupational health services to an exposed employee, if

(a) the request is in writing and specifically identifies on whose behalf the request is made;

(b) the request describes with reasonable detail one or more of the following occupational health needs for the information:

(i) to assess the hazards of the chemicals to which the employee will be exposed,

(ii) to assess sampling of the workplace atmosphere to determine exposure levels to which the employee is exposed,

(iii) to conduct pre-assignment or periodic medical surveillance of the exposed employee,

(iv) to provide medical treatment to the exposed employee,

(v) to assess appropriate personal protective equipment for the exposed employee,

(vi) to assess engineering controls or other protective measures for the exposed employee, and

(vii) to conduct studies to determine the health effects of exposure;

(c) the request explains in detail why the disclosure of the specific chemical identity is essential and why, in lieu thereof, the disclosure of the following information to the health professional would not satisfy the purposes described in ~~paragraph~~ [clause] (b) of this Section:

(i) the properties and effects of the chemical,

(ii) measures for controlling the employee's exposure to the chemical,

(iii) methods of monitoring and analyzing the employee's exposure to the chemical, and

(iv) methods of diagnosing and treating harmful exposures to the chemical;

(d) the request includes a description of the specific procedures to be used to maintain the confidentiality of the disclosed information; and

(e) the health professional and employee agree in a written confidentiality agreement in favour of the employer, supplier or manufacturer, as the case may be, that the health professional and employee will not use the trade secret information for any purpose other than the health need

asserted and agree not to release the information under any circumstances other than as provided in Section 6, except as authorized by the terms of the agreement or by the employer, supplier or manufacturer in whose favour the agreement is made.

5 The confidentiality agreements authorized by Sections 3 and 4

(a) may restrict the use of the information to the health purposes indicated in the written request; and

(b) may provide for appropriate legal remedies in the event of a breach of the agreement, including stipulation of a reasonable pre-estimate of likely damages,

but may not include requirements for the posting of a penalty bond, unless ordered by the Director, the Minister or the Court.

6 If the health professional receiving the information decides that there is a compelling need to disclose it to the Director, the health professional shall inform the employer, supplier or manufacturer who provided the information prior to, or at the same time as, such disclosure.

7 Where the health professional receiving the information discloses same to the Director pursuant to Section 6, the Director may make any examination, investigation or inquiry as he considers necessary to ascertain whether the provisions of the Act and the regulations are being complied with.

8 If the employer, supplier or manufacturer denies a written request for disclosure of a specific chemical identity, the denial must

(a) be provided to the health professional within thirty days of the request;

(b) be in writing;

(c) support the claim that the specific chemical identity is a trade secret;

(d) state the specific reasons why the request is being denied; and

(e) explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the specific chemical identity.

9 The health professional whose request for information under Section 4 is denied may refer the request and the written denial of the request to the Director for consideration.

10 Where the denial of a request has been referred to the Director, the Director shall forthwith inform the employer, supplier or manufacturer who denied the request of the referral of the denial to the Director and shall give the health professional and the employer, supplier or manufacturer who denied the request a reasonable opportunity to make representations.

11 The Director shall receive representations in such manner so as to ensure confidentiality as he considers appropriate, including submissions in private, ex parte and without revealing to each party representations submitted by the opposing party and may issue such protective orders as he considers appropriate, but the request for information, the denial of the request, the referral of the denial to the Director and any other information and representations submitted to the Director shall not be open to or made available to the public or any other person.

12 After reviewing the request by the health professional, the reply by the employer, supplier or manufacturer who denied the request and representations, if any, the Director may,

(a) if the Director determines

(i) that the specific chemical identity requested is not a bona fide trade secret, or

(ii) that it is a trade secret but the requesting health professional has a legitimate and compelling medical or occupational health need for the information which cannot be satisfied by alternative information, has executed an adequate written confidentiality agreement and has shown adequate means to protect the confidentiality of the information,

order the employer, supplier or manufacturer who denied the request to disclose the specific chemical identity requested to the health professional;

(b) order the employer, supplier or manufacturer who denied the request to disclose to the health professional alternative information referred to in the employer's, supplier's or manufacturer's denial which is known to the employer, supplier or manufacturer, or such part of the alternative information known to the employer, supplier or manufacturer as the Director considers necessary, without revealing the specific identity; or

(c) deny the request by the health professional.

13 Where the execution of a confidentiality agreement may not provide sufficient protection against the potential harm from the unauthorized disclosure of a trade secret, the Director may issue such order imposing such additional limitations or conditions upon the disclosure of the requested information, including the posting of a penalty bond and imposing such additional conditions on the procedures to be used to maintain the confidentiality of the information as he considers appropriate, before the employer, supplier or manufacturer is required to disclose information.

14 The employer, supplier or manufacturer who denied the request or the health professional who made the request may, within fifteen days after the Director's decision is served on him or it, file an appeal to the Minister.

15 The party appealing the Director's decision shall serve a copy of his appeal on the opposing party and the Director, and the provisions of Sections 10, 11, 12 and 13 shall apply mutatis mutandis to the appeal to the Minister.

16 (a) The employer, supplier, or manufacturer, as the case may be, or the health professional who wishes to dispute the direction of the Minister may apply within fifteen days after the decision of the Minister is served to the Court for determination of the issue. The Court shall receive representations in such manner so as to ensure confidentiality as the Court considers appropriate including submissions in private, ex parte and without revealing to each party representations submitted by the opposing party and may issue such protective orders as the Court may deem appropriate. The request for information, the denial of the request, the referral of the denial to the Director or Minister and any other information and representations previously submitted shall not be open to or made available to the public or any other person.

(b) The application, all material filed and the record of the proceedings and any written information in the possession of the Court shall be kept in a sealed packet and shall not be open to inspection except upon leave of the Court.

(c) Upon the expiry of the appeal period from the Director or Minister or Court or at such time as any appeal is concluded, a sealed packet containing all written documentation pursuant to the application or any appeal shall be returned to the employer, supplier or manufacturer.

(d) The Court, on hearing the request by the health professional and the reply by the employer, supplier or manufacturer who denied the request and the representations made to the Court may,

(i) if the Court determines

(A) that the specific chemical identity requested is not a bona fide trade secret; or

(B) that it is a trade secret but the requesting health professional has a legitimate and compelling medical or occupational health need for the information which cannot be satisfied by alternative information and the health professional has executed an adequate written confidentiality agreement and has shown adequate means to protect the confidentiality of the information,

order the employer, supplier or manufacturer who denied the request to disclose the specific chemical identity requested to the health professional, or

(ii) order the employer, supplier or manufacturer who denied the request to disclose to the health professional alternative information referred to in the employer's, supplier's or manufacturer's denial which is known to the employer, supplier or manufacturer or such part of the alternative information known to the employer, supplier or manufacturer as the Court considers necessary without revealing the specific identity, or

(iii) deny the request by the health professional.

(e) Where the execution of a confidentiality agreement may not provide sufficient protection against the potential harm from the unauthorized disclosure of a trade secret, the Court may issue such order imposing such additional limitations or conditions upon the disclosure of the requested information, including the posting of a penalty bond and imposing such additional conditions on the procedures to be used to maintain the confidentiality of the information as the

Court considers appropriate, before the employer, supplier or manufacturer is required to disclose information.

(f) The provisions as to confidentiality noted herein in these regulations shall apply to any subsequent appeals or procedures which may follow an order of the Court.

(g) The Director or Minister, notwithstanding any provision of this Act or any regulation of this or any other Act, shall not be compelled or required to give evidence before any Court, body or person having authority to receive evidence or to disclose information of any kind obtained for the purposes of this regulation or to submit any return relating to their duties under this regulation.

(h) The determination of the Court shall be de novo and not by way of appeal.

17 If an employer permits access to an employee medical record, employee exposure record or any other record, the employer may delete from the record any information which discloses a trade secret, including but not limited to the name and other identification of a chemical, substance or agent which is a trade secret, before permitting such access.

18 If an employer deletes information from an employee medical record or employee exposure record in accordance with Section 17,

(a) the employer shall notify the employee that information has been deleted;

(b) whenever deletion of the trade secret information substantially impairs evaluation of the place where or time when exposure to a toxic substance or harmful physical agent occurred, the employer shall provide alternative information which is sufficient to enable the employee to identify where and when exposure occurred; and

(c) if requested in writing by the employee, the employer shall present the employee with a written report containing

(i) a summary of known applicable exposure levels for the substance or agent which are prescribed under the Act or the regulations,

(ii) the exposure levels known to the employer for the individual employee, and

(iii) a summary of symptoms of occupational overexposure known to the employer.

19 Nothing in the Act or any regulation, including this regulation, shall be construed as requiring the disclosure to any person or in any manner under any circumstances of any process or percentage of mixture information which is a trade secret.

20 Where these regulations require service, such service shall be deemed to be made

(a) at the time the document is actually received; or

(b) where the document is mailed by certified mail, from the time of the first attempt by the Post Office to deliver the document to the addressee.

21 These regulations become effective on September 1, 1986.

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