

National Joint Council

Occupational Health and Safety Directive

This directive is hosted by the National Joint Council, where it was co-developed by participating bargaining agents and public service employers.

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Part I - General

Preamble

This preamble is for information purposes and does not form part of the formal directive.

The National Joint Council (NJC) has completed the amalgamation of all occupational health and safety (OHS) directives. Therefore, the Pesticides Directive (currently Part X) and the Motor Vehicles Directive (currently Part XVI) are now amalgamated.

The NJC Occupational Health and Safety Directive ("the OHS Directive") contains enhancements to the *Canada Labour Code* Part II ("the Code") [<http://laws-lois.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>]. For a full understanding of overall responsibilities, the Directive should be read together with the appropriate sections of the Code and its applicable regulations.

References to the *Canada Occupational Health and Safety Regulations* (COHSR) [<http://laws.justice.gc.ca/eng/SOR-86-304/index.html>] are included for convenience.

In addition, the parties should note that the *Safety and Health Committees and Representatives Regulations* [<http://laws.justice.gc.ca/en/showtdm/cr/SOR-86-305>], the

Marine Occupational Safety and Health Regulations [<http://laws.justice.gc.ca/en/L-2/SOR-87-183>], the *Aviation Occupational Safety and Health Regulations* [<http://laws.justice.gc.ca/en/ShowTdm/cr/SOR-87-182>], the *On Board Trains Occupational Safety and Health Regulations*, [<http://laws.justice.gc.ca/en/L-2/SOR-87-184>], the *Oil and Gas Occupational Safety and Health Regulations*, [<http://laws.justice.gc.ca/en/L-2/SOR-87-612>], and the *Non-smokers' Health Regulations* [<http://laws.justice.gc.ca/en/showtdm/cs/N-23.6>] may also apply.

Links to websites that provide additional technical information have been included. However, that linked information does not form part of this Directive.

Finally, this Directive also aims to complement the OHS programs in force in the federal public service. Like the legislation, it should be considered a minimum standard that a given employer's OHS program may exceed.

General

Collective Agreement

This Directive is deemed part of collective agreements between the parties to the NJC. Employees shall be afforded, by their employer, ready access to this Directive, the Code, and its applicable regulations.

Grievance Procedure

In case of an alleged misinterpretation or misapplication arising from this Directive, the grievance procedure, for all represented employees within the meaning of the *Public Service Labour Relations Act*, shall be in accordance with section 15 (Resolution of Grievances) of the *National Joint Council By-Laws* [<http://www.njc-cnm.gc.ca/doc.php?sid=28&lang=en>]. For unrepresented employees, the relevant departmental grievance procedure applies.

Jurisdiction

The NJC grievance procedure can be used to file a grievance for any language in the Directive that provides protection additional to the Code. It shall not be used if any alternative administrative redress procedure is available under the Code.

Effective Date

This Directive is effective January 1, 2011, unless otherwise specified.

Application

This Directive applies to

(a) all departments and other portions of the public service of Canada listed in Schedules I and IV to the *Financial Administration Act*; and

(b) any employer listed in Schedule V to the *Financial Administration Act* that is a member of the NJC and that has opted to follow this directive.

The employer recognizes that the Code and its applicable regulations are the minimum standard with which they will comply.

The Code and its applicable regulations (the versions in force on April 1, 2008) are incorporated in this Directive.

Definitions

"ampacity" (*intensité de courant*) means current-carrying capacity expressed in amperes.

"appropriate regulatory authority" (*autorité administrative compétente*) means a regulatory agency, authority, body or regulator including a federal, provincial, territorial, or municipal agency or any other agency that is responsible for exercising autonomous authority in a regulatory capacity over some area of activity.

"appropriate standard" (*norme appropriée*) means a standard or standards, as amended from time to time, to the extent that the most recent standard provides the highest level of safety. If more than one standard meets this criterion, the standard or standards shall be selected using the following order of precedence:

1. a standard prescribed by the Code and its applicable regulations;
2. a standard prescribed by provincial and territorial occupational health and safety acts and regulations;
3. any standard that has been accepted, developed, approved, prepared, published and/or maintained by an accredited organization that assumes that responsibility, e.g. the Standards Council of Canada (SCC) (and the standards development

organization for the Canadian Standards Association (CSA) of the SCC) and the International Organization for Standardization (ISO);

4. a standard developed by a government organization about a subject area within its jurisdiction (e.g., Health Canada, Transport Canada and Environment Canada);
5. a standard developed by an association recognized by a majority of qualified practitioners in the field to which the standard is addressed (e.g., American Society of Heating, Refrigerating and Air-Conditioning Engineers [ASHRAE]); and
6. a standard universally accepted by a majority of qualified practitioners.

"authorized inspection agency" (*organisme d'inspection autorisé*) means the provincial or territorial or other inspection agency that:

(a) employs qualified inspectors;

(b) meets the provincial or territorial requirements of:

(1) an authorized elevating device inspection agency, or

(2) an "Authorized Inspection Agency" as defined in section 3.2 of the American Society of Mechanical Engineers (ASME) *Boilers and Pressure Vessels Code* [<http://www.asme.org>]; and

(c) does not contract with any department or agency of the public service for the operation, repair or maintaining:

(1) elevating devices, or

(2) boilers, pressure vessels or piping systems.

"certified applicator" (*opérateur antiparasitaire certifié*) means an individual who has obtained a certificate for using pesticides, that is recognized by the appropriate regulatory authority.

"confined space" (*espace clos*) except as otherwise determined by the definition in the COSHR, means, but is not limited to, a tank, silo, storage bin, process vessel or other enclosure for which special precautions are necessary when an employee must enter to protect the employee from a dangerous atmosphere, to prevent the employee from becoming entrapped in stored material or to otherwise ensure the employee's safety.

"confined space ship repair" (*espace clos dans un navire en réparation*), except as otherwise determined by the definition in the MOSHR, when the confined space is in a ship or vessel being repaired, maintained, or refitted, confined space means but is not limited to, a storage tank, ballast tank, pump room, coffer dam or other enclosure, other than a hold, not designed or intended for human occupancy, except for the purpose of performing work, that

- (a) has poor ventilation,
- (b) may contain an oxygen-deficient atmosphere; or
- (c) may contain an airborne dangerous substance.

"custodian department" (*ministère gardien*) means the department or agency that has charge or custody of a government-owned building occupied by federal employees.

"design" (*plan*) means the plans, patterns, drawings and specifications of an elevating device.

"designated inspection agency" (*organisme d'inspection désigné*) means the provincial, territorial or other inspection agency engaged by the operating authority to inspect boilers, pressure vessels or piping systems for specified geographic areas.

"elevating device" (*appareil de levage*) means a fixed mechanical device for moving passengers or freight, and includes an elevator, dumbwaiter, manlift, escalator, inclined lift, moving sidewalk or other similar device.

"employer" (*employeur*) means a department, agency or separate employer that is a member of the NJC and that has opted to follow this directive.

"field party" (*équipe de travail sur le terrain*) means a field survey or field operations party, or a party operating in an area that is generally more than two hours' travel time, by the usually available transportation, from the nearest medical facility. However, in any unusual circumstances, an employer may apply this term to parties operating at locations less than two hours' travel time from such a facility.

"food preparation area" (*aire de préparation des repas*) means any area that is used for storing, handling, preparing or serving food.

"lunchroom" (*salle à manger*) means a room equipped with tables and chairs in which employees may eat food brought onto the premises.

"machine guard" (*dispositif de protection*) means a device installed on a machine to prevent a person, or any part of the body or clothing, from becoming caught in any part of a machine or of the material being processed or handled that can cause injury. It also means a device that makes the machine inoperative if a person or any part of the person's clothing is in or near a part of the machine that can cause injury.

"maximum carrying capacity" (*capacité maximale de transport*) means, with respect to an elevating device, the load that the elevating device is designed and installed to lift safely.

"mobile elevated work structure" (*charpente surélevée mobile*) means a vehicle-mounted aerial device, elevating rolling work platform, boom-type elevating work platform or self-propelled elevating work platform.

"motor vehicle" (*véhicule automobile*) - means a truck, tractor, trailer, semi-trailer, automobile, bus, motorcycle, all-terrain vehicle, snowmobile or other similar self-propelled vehicle used primarily for transporting personnel and/or material.

"motor vehicle accident" (*accident de véhicule automobile*) - means an event involving the operation of a motor vehicle that results in injury to persons and/or damage to equipment or property.

"motor vehicle operator" (*conducteur de véhicule automobile*) - means any employee required to operate a motor vehicle in the performance of his or her duties.

"operating authority" (*autorité exploitante*) means the custodian department or agency responsible for installing, operating and/or maintaining

(a) an elevating device; or

(b) a boiler, pressure vessel or piping system.

"person in charge" (*personne responsable*) means a qualified person appointed by management to ensure the safe and proper conduct of an operation or of the work of employees.

"pest" (*parasite*) means an animal, a plant or other organism that is injurious, noxious or troublesome, whether directly or indirectly, and an injurious, noxious or troublesome condition or organic function of an animal, a plant or other organism.

"pest control product" (*produit antiparasitaire*) means a product registered and regulated under the Pest Control Products Act (PCPA) and its regulations that is

(a) a product, an organism or a substance, including a product, an organism or a substance derived through biotechnology, that consists of its active ingredient, formulants and contaminants and that is manufactured, represented, distributed or used as a means for directly or indirectly controlling, destroying, attracting or repelling a pest or for mitigating or preventing its injurious, noxious or troublesome effects;

(b) an active ingredient that is used to manufacture anything described in paragraph (a); or

(c) any other thing that is prescribed as a pest control product.

"provincial or territorial inspection agency" (*organisme d'inspection provincial ou territorial*) means the agency responsible for inspecting, certifying and registering boilers, pressure vessels and piping systems under provincial or territorial jurisdiction in the geographical area in which a boiler, pressure vessel or piping system operated by the public service is located.

"qualified inspector" (*inspecteur qualifié*) means a person recognized under the laws of the province or territory in which a boiler, pressure vessel or piping system is located as qualified to inspect boilers, pressure vessels and piping systems.

"qualified person" (*personne qualifiée*) means, with respect to a specified duty, a person who, because of his or her knowledge, training and experience, is licensed or otherwise qualified to perform that duty safely and properly.

"record of inspection" (*dossier d'inspection*) means a record prepared by a safety inspector.

"safety device" (*dispositif de sécurité*) means any device intended to aid in preventing the unsafe operation or use of an elevating device or manlift.

"safety ground or safety grounding" (*prise de terre de sécurité ou mise à la terre de sécurité*) means a system of conductors, electrodes and clamps, connections or devices that electrically connect an isolated electrical facility to ground for the purpose of protecting employees working on the facility from dangerous electrical shock.

"safety inspector" (*inspecteur de sécurité*) means a person recognized under the laws of the province or territory in which the elevating device is located as qualified to inspect an elevating devices.

"sanitary facility" (*installation sanitaire*) means a toilet or personal cleansing facility and may include a toilet, urinal, wash basin and shower bath.

"seal" (*étanchéiser*) means that a qualified person takes any measures necessary to prevent the unauthorized operation or use of an elevating device.

"ventilation equipment" (*équipement d'aération*), when a confined space is in a ship or vessels being repaired, maintained or refitted, means a fan, blower, induced draft or other ventilation device used to force a supply of fresh, breathable, atmospheric air into an enclosed space or to remove ambient air from that space.

"workplace" (*lieu de travail*) means any place in which an employee is engaged in work for his or her employer.

Resolving "Qualified Person" Disputes

In case of disputes about the term "qualified person," the following procedure shall be implemented:

- (a) The employee shall raise the matter directly with the person in charge.
- (b) The person in charge shall review the employee's qualifications and decide the employee's status as a qualified person.
- (c) If the employee is dissatisfied with the decision, the matter shall be referred to the workplace committee.
- (d) The workplace committee shall review the matter and make recommendations to the person in charge no later than 30 calendar days from the date on which the committee received and considered the matter.

(e) If the workplace committee does not consider itself competent to deal with the case, it shall recommend an acceptable third party to the person in charge no later than 30 calendar days from the date on which the committee received and considered the matter.

(f) The person in charge shall, pursuant to paragraphs (d) or (e), take the recommendations into consideration; render, in writing a final management decision, including the rationale for his or her decision; and take the appropriate action no later than 30 calendar days from the date on which a decision was rendered by the workplace committee or by the acceptable third party.

If an employee does not agree with the final decision rendered, a grievance may be filed pursuant to the NJC redress procedure (section 15 of the *National Joint Council By-Laws* [http://www.njc-cnm.gc.ca/doc.php?sid=28&lang=en#tc-tm_16]).

Part II - Permanent Structures and Safe Occupancy of the Workplace (Use and Occupancy of Buildings)

Scope

This part of the Directive enhances and supplements Part II of the Code [<http://laws-lois.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] and Part II (Permanent Structures) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-4.html#h-8>] and Part XVII (Safe Occupancy of the Workplace) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-95.html#h-260>] of the COHSR and should be read in that context.

2.1 Workplace Occupancy

2.1.1 The requirements specified in the most current version of the *National Fire Code of Canada* [http://www.nationalcodes.ca/eng/national_codes_home.shtml] shall be applied at every workplace occupied by employees.

2.1.2 The employer, in consultation with the appropriate occupational health and safety committee, will ensure that workplaces, workstations and work processes meet the appropriate ergonomics standard. An ergonomic assessment shall be performed by a qualified person. Any recommendations from that assessment, approved by the employer, shall be implemented in a timely manner.

However, if either the employer or the employee disagrees with any recommendation made by the qualified person, they shall submit the rationale for their disagreement to the other party, in writing, within 30 calendar days of receiving the recommendation.

2.1.3 For office accommodation issues, particularly when new or renovated office occupancy is planned, management and employees or employee representatives shall consult throughout the implementation planning process. Employees or employee representatives shall have access, for consultation, to a copy of the planned and retained floor plan.

2.2 Environmental Conditions

2.2.1 To the extent practicable, the environmental conditions to be maintained in office buildings shall conform to the requirements specified in the appropriate standard.

2.2.2 In office accommodations, air (dry bulb) temperatures during working hours should be maintained within the ideal temperature range of 20°C to 26°C range. Temperatures between 17°C and 20°C and above 26°C can be uncomfortable, and occupancy in each of those extremes should not exceed 3 hours daily or 60 hours annually. Temperatures above 26°C are deemed uncomfortable when the humidex reading (Appendix A) at a given temperature equals 40 °C or less, with a reading of more than 40 °C considered dangerous.

Temperatures shall be measured at the desktop level in those spaces within workstations that employees occupy while carrying out the majority of their normal duties.

(a) With respect to the uncomfortable range of temperatures described earlier, the employer is responsible for taking appropriate action to ensure that environmental conditions do not subject employees to undue stress or discomfort. Any corrective measures shall be shared with the health and safety committee. If the employer has not resolved a problem adequately, an emergency meeting of the workplace committee shall be convened following a request by either party of the committee. Corrective measures to be considered include, among others, increasing the frequency of rest periods and temporarily relocating employees to workstations outside the affected area.

(b) An unsatisfactory condition is deemed to exist when the humidex reading exceeds 40 °C (Appendix A) or when the air temperature (dry bulb) falls below 17°C. In those cases, operations shall be stopped, and employees shall be released from the workplace if relocation is not practicable. If instrumentation capable of accurately measuring the humidex is not practically available within 1 hour of a complaint, a temperature of 29°C or above shall be considered unsatisfactory.

2.2.3 For the purposes of section 2.2.2, it shall not be intentionally permitted for conditions to enter the marginal zones of 17°C to 20°C and 26°C to 29°C. Such conditions should result only from occurrences over which employers have no direct control, such as weather extremes or equipment failures.

2.3 Hot Surfaces

2.3.1 Steam and hot water pipes, heaters, and any other hot surfaces with surface temperatures that could injure a person through bodily contact shall be guarded or covered in such a manner as to prevent such direct contact. When asbestos lagging is used for insulation purposes, the requirements contained in the appropriate standard shall be followed and affected employees must be informed.

2.4 Open-top Bins, Hoppers, Vats and Pits

2.4.1 When, due to the temporary removal of any cover, an opening is created into which persons may fall, barriers shall be securely placed around the opening to protect and warn persons of the hazard.

2.5 Ladders, Stairways and Ramps

2.5.1 Every ramp, walkway, platform or safety landing shall be fitted with railings and guards as recommended in the appropriate standard.

2.5.2 A fixed ladder that is more than 6 m in length shall be fixed with a cage, starting at 2 m above the base level of the ladder, such that it will catch an employee who loses his or her grip and falls backwards or sideways off the ladder.

2.5.3 A fixed ladder that is more than 9 m in length shall have, at intervals of not more than 6 m, a landing or platform that

(a) is at least 0.36 m². in area; and

(b) is fitted with a guardrail at its outer edges.

2.5.4 A fixed ladder shall be

(a) vertical;

(b) securely held in place at the top and bottom and at intermediate points not more than 3 m apart; and

(c) fitted with

(i) rungs that are at least 15 cm from the wall and spaced at intervals not exceeding 30 cm, and

(ii) side rails that extend not less than 90 cm above the landing or platform.

2.5.5 Every ramp shall have the minimum slope reasonable for the purpose for which it is used. In no case shall the gradient exceed

(a) the safe gradient recommended by the manufacturer of mobile equipment used on the ramp; or

(b) a lesser gradient that is safe, considering the mechanical condition of mobile equipment used on the ramp, the weight of the loads transported and the condition of the ramp surface.

2.6 Housekeeping and Maintenance

2.6.1 Nothing shall be left or stored in any passageway or travelled area in a manner that may endanger the health and safety of persons or the safe operation of vehicles moving through that passageway or area.

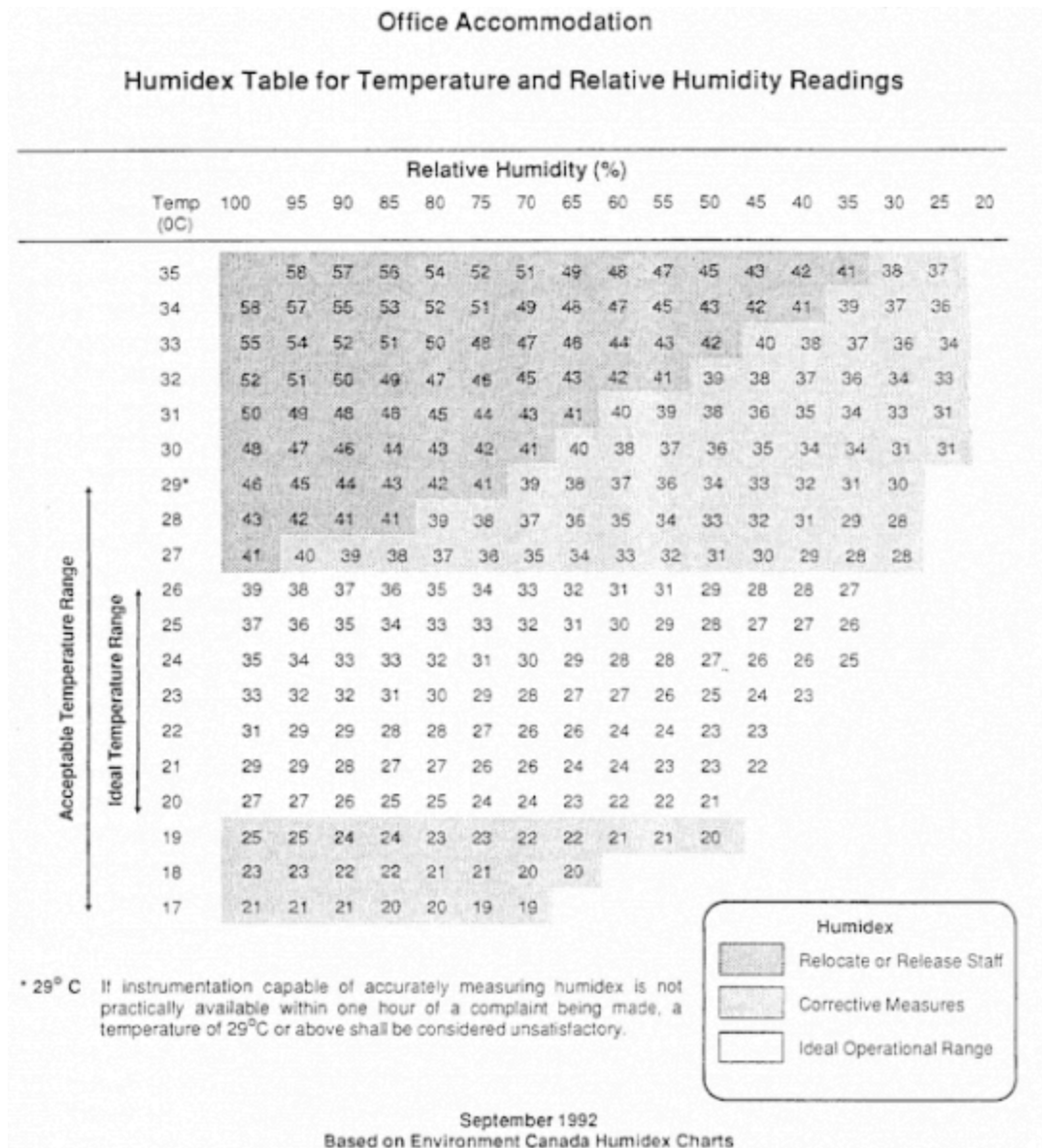
2.6.2 When necessary, protection shall be provided from dangerous accumulations of ice that may fall from overhead structures.

2.6.3 Electrical power vaults, switch and generator rooms or enclosures, and other similarly dangerous areas shall be properly identified and kept locked or otherwise made inaccessible except to authorized persons who are qualified to safely enter or perform work in those areas.

2.6.4 Every building shall be kept in a state of repair and maintenance that does not endanger the health and safety of any employee.

2.6.5 The employer shall notify all employees in advance of any planned interruption of the heating, ventilation and air conditioning system (HVAC) in the workplace.

Appendix A



Part III - Elevated Work Structures

Scope

This part of the Directive enhances and supplements Part III (Temporary Structures and Excavations) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-11.html#h-29>] of the COHSR and should be read in that context.

3.1 Inspections

3.1.1 A qualified person shall visually inspect each temporary structure before each work shift to ensure, as much as possible by the inspection that each structure is safe to use and shall ensure that the person who carries out each inspection completes a records of it.

3.2 Mobile Elevated Work Structures

3.2.1 Departments shall ensure that the design, construction, maintenance and use of every mobile elevated work structure shall comply with the appropriate standard.

3.2.2 To the extent practicable, when it is necessary to use or move a mobile elevated work structure with an employee on the device, the person in charge shall ensure that the device is observed until it is no longer in motion.

3.3 Scaffolds

3.3.1 To the extent practicable, the design, construction and use of scaffolds shall meet the requirements of the appropriate standard.

3.4 Excavation

3.4.1 Excavations in which employees work shall be safe for use and shall be used in a safe and proper manner, and

(a) before a work shift, a qualified person shall perform a safety inspection of each excavation to be used during that shift;

(b) a record of each inspection shall be completed by the person who carried out the inspection;

(c) every record referred to in paragraph (b):

(i) shall be signed by the person who carried out the inspection, and

(ii) shall include:

(A) date of the inspection;

(B) identification and location of excavation;

(C) any observation that the person considers relevant to the safety of employees, and

(D) a declaration that in the opinion of the person carrying out the inspection, the excavation is safe for its intended use.

Part IV - Elevating Devices

This part of the Directive enhances and or supplements Part IV (Elevating Devices) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-13.html#h-40>] of the COHSR and should be read in that context.

It includes a process under which the employer (the Treasury Board) has delegated to the deputy heads of custodian departments and agencies the responsibility for establishing contracts with provincial and territorial elevating device inspection authorities to ensure that inspections required by the Code are carried out at facilities under their custody or charge.

Scope

Notwithstanding the scope of other federal government codes or standards on elevating devices, this Directive is primarily concerned with occupational safety. This Directive shall apply in all government-owned buildings occupied by employees. For those employees occupying buildings not owned by the federal government, it shall be applied to the maximum extent that is reasonably practical. Privately owned facilities occupied by the public service are expected to comply with the applicable provincial or territorial requirements.

4.1 Installation and Alteration

4.1.1 The safety inspector shall advise the operating authority when his or her inspection of an installation or alteration is complete.

4.2 Inspection and Testing

4.2.1 All elevating devices require a safe operating certificate for each elevator. The operation certificate shall be issued by the authorized inspection agency and shall be made available to the appropriate health and safety committee.

4.2.2 The authorized inspection agency shall inspect all elevating devices.

4.2.3 The operating authority is responsible for ensuring that safety inspections are performed by authorized inspection agencies in accordance with the requirements set out in the Code and this Directive.

4.2.4 The operating authority shall provide safety inspectors with accreditation identifying them as persons qualified and authorized to perform safety inspections of elevating devices in accordance with this Directive.

4.2.5 Operating authorities shall establish and maintain a list of all elevating devices for which they are responsible that are subject to the requirements of this directive.

4.2.6 The operating authority shall provide a safety inspector conducting an inspection or test pursuant to this Directive, on request, an assistant capable of taking all necessary precautions to ensure that inspector's safety during the inspection or test and to assist in the safe conduct of the inspection or test.

4.2.7 When a safety inspector finds on inspection that an elevating device is not safe to operate, the inspector shall

(a) immediately seal the elevating device and inform the operating authority that using the elevating device is prohibited; and

(b) take possession of or cancel the certificate of inspection, if any.

4.2.8 On discovering any defect or condition in the elevating device that may render it unsafe to operate, the operating authority shall immediately take the device out of service until repairs have been completed and inspected and a new record of inspection issued.

4.2.9 The operating authority shall ensure that the maintenance and repair of elevating devices, or safety devices attached to it, is performed by a qualified person in accordance with standards that comply with good industrial safety practice.

Part V - Boilers and Pressure Vessels

This part of the Directive includes a process under which the employer ([Treasury Board](#)) has delegated to the primary custodian of government property ([Public Works and Government Services Canada](#)) the responsibility for establishing contracts, on behalf of all custodian departments, with provincial or territorial boiler inspection

authorities to ensure that inspections required by the Code, Part II [<http://laws-lois.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] are carried out.

Scope

This part of the Directive enhances and supplements Part V (Boilers and Pressure Vessels) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-14.html#h-46>] of the COHSR and should be read in that context.

5.1 Inspection and Certification of New Installations and Major Repairs

5.1.1 The operating authority shall ensure that the provincial or territorial inspection agency has access to all plans and specifications relating to a new installation or major repair of a boiler, pressure vessel or piping system.

5.1.2 Subject to this section, no boiler, pressure vessel or piping system shall be operated or used following its installation or a major repair until the boiler, pressure vessel or piping system has been inspected and certified by the provincial or territorial inspection agency (section 5.10 of the COHSR [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-16.html#h-51>]).

5.1.3 If the provincial or territorial inspection agency is not prepared to provide the inspection and certification services referred to in this section, the operating authority shall ensure that the new installation or major repair is inspected by an authorized inspection agency and that documentation acceptable to Human Resources and Skills Development Canada's (HRSDC's) Labour Program is obtained certifying that the newly installed or repaired boiler, pressure vessel or piping system complies with the requirements of this Directive and with the Code to the extent essential for the health and safety of employees.

5.2 Operation

5.2.1 No person shall operate or use, or permit the operation or use of a boiler, pressure vessel or piping system

(a) unless it has been inspected by a qualified inspector in accordance with the requirements set out in section 5.4 and a valid record of inspection has been issued for that boiler, pressure vessel or piping system;

- (b) unless every operator of it is qualified in accordance with this section; and
- (c) at a pressure higher than its maximum allowable pressure.

5.2.2 The operating authority shall ensure

- (a) that, if two or more boilers or pressure vessels are connected to each other in a plant for use at a common operating pressure, they are each fitted with one or more safety valves or other approved equivalent fittings to relieve pressure at or below the maximum allowable pressure of the weakest boiler or pressure vessel in the plant as shown on the certificate of inspection for that boiler or pressure vessel; and
- (b) that no person alters, interferes with or renders inoperative any fitting attached to a boiler, pressure vessel or plant, except for adjusting or testing the fitting and on instructions from the inspection agency (section 5.5 of the COHSR [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-15.html#h-50>]).

5.2.3 The standards for controlling and supervising the operation of boilers, pressure vessels and piping systems located in a province or territory are those standards established under the applicable provincial or territorial statute or ordinance.

5.2.4 Subject to the provisions of this section, the qualifications and requirements of an operator of a boiler, pressure vessel or piping system are those qualifications and requirements established under the applicable provincial or territorial statute or ordinance.

5.2.5 Any person employed as an operator and holding a valid certificate of qualification issued by any province or territory or an authorized federal agency is considered qualified to operate a boiler, pressure vessel or piping system in any other province or territory for which an equivalent certificate is required.

5.3 Inspections – General

5.3.1 All boilers and pressure vessels shall be inspected by an authorized inspection agency.

5.3.2 The operating authority shall designate a provincial, territorial or other authorized inspection agency to carry out safety inspections of boilers, pressure vessels and piping systems for specified geographical areas.

5.3.3 The designated inspection agency shall assign qualified inspectors to perform safety inspections of boilers, pressure vessels and piping systems in its geographical area.

5.3.4 The operating authority shall furnish the qualified inspectors employed by the designated inspection agency with accreditation identifying them as safety inspectors authorized to carry out the inspections. On producing their credentials, they shall, at any reasonable time, be permitted access to public service facilities in order to inspect any boiler, pressure vessel or piping system.

5.3.5 Operating authorities shall establish and maintain a list of all boilers, pressure vessels and piping systems for which they are responsible that are subject to the requirements of this Directive.

5.3.6 The operating authority shall ensure that, during any inspection of a boiler, pressure vessel or piping system, a person attends who is capable of taking all the necessary precautions to ensure the safety of the person making the inspection.

5.3.7 The safety factor for a high-pressure lap-seam riveted boiler shall be increased by at least 0.1 kPa each year after 20 years of use and, if the boiler is relocated at any time, it shall not be operated at a pressure greater than 102 kPa.

5.4 Halon Systems

The employer is committed to reducing and preventing the release of halocarbons from air-conditioning, fire-extinguishing, refrigeration, and solvent systems and associated equipment in the workplace, in accordance with the *Federal Halocarbon Regulations, 2003* [<http://laws.justice.gc.ca/eng/SOR-2003-289/index.html>] and will strive to eliminate the reliance on halon in the workplace.

(For additional information, visit Environment Canada's Stratospheric Ozone website: [<http://www.ec.gc.ca/ozone/default.asp?lang=En&n=9090CC46-1>])

5.5 Records

5.5.1 The operating authority shall keep every record referred to in this section for a period of at least 10 years after inspections are made at the workplace in which the boiler pressure vessel or piping system is located.

5.5.2 The inspector shall also direct that the boiler, pressure vessel or piping system be sealed in the manner prescribed, cancel the existing record of inspection and advise the regional director.

5.5.3 When the use of a boiler, pressure vessel or piping system has been prohibited, and the inspection agency is of the opinion that it cannot be repaired or the operating authority does not wish to have it repaired, the operating authority shall specify a method of disposal that will effectively prevent its further use in the public service.

5.5.4 The operating authority shall immediately notify the authorized inspection agency when any condition in a boiler, pressure vessel or piping system is discovered that may make its operation unsafe.

Part VI - Lighting

No NJC occupational health and safety directive or standards correspond with Part VI (Lighting) of the COSHR.

Part VII - Noise Control (Levels of Sound)

Scope

This part of the Directive enhances and supplements Part VII (Levels of Sound) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/FullText.html#h-70>] of the COHSR and should be read in that context.

7.1 A copy of the signed report of any noise exposure investigation shall be given to the appropriate health and safety committee.

7.2 Departments shall ensure that employees exposed to a noise exposure level (L_{ex}) equal to or greater than 84 dBA have their hearing tested, including the required audiograms, in accordance with the requirements outlined in the TB Occupational Health Evaluation Standard: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12561>.

7.3 Audiogram test results shall be permanently retained in employees' medical files.

Appendix A

Maximum permitted duration of exposure to A-weighted sound pressure level at the workplace	
Level dBA	Maximum duration of exposure in hours per employee per 24 hours
83	20
84	16
85	13
86	10
87	8.0
88	6.4
89	5.0
90	4.0
91	3.2
92	2.5
93	2.0
94	1.6
95	1.3
96	1.0
97	0.80
98	0.64
99	0.50
100	0.40
101	0.32
More than 102	0.00

Part VIII - Electrical Safety

This part of the Directive includes information on the effect of electrical current on the human body.

Scope

This part of the Directive enhances and supplements Part VIII (Electrical Safety) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-28.html#h-81>] of the COHSR and should be read in that context.

8.1 Design, Construction, Installation, Operation, Use, Repair, Maintenance and Alteration

8.1.1 When practicable, plans and specifications for new electrical facilities and/or major alterations to existing facilities, including plans for the installation or relocation of equipment and the location and seating of work areas, shall

(a) be submitted to the appropriate regulatory authority for review and comment before the work begins; and

(b) provide for sufficient electrical supply outlets for all devices that will be routinely used.

8.1.2 Extension cords shall not be used as permanent wiring.

8.2 General Precautions

8.2.1 When employees work on or near electrical equipment that is live or that is capable of becoming live, the person in charge shall ensure that the electrical equipment is guarded and that warning signs are attached.

8.3 Consent to Work on High-voltage Electrical Equipment

8.3.1 Except if the operation of the equipment is necessary to prevent a loss of life, serious injury or extensive damage to property or equipment, no employee shall be permitted to work on any high-voltage electrical equipment without the written consent of the person in charge.

8.3.2 Unless authorized by the person in charge, no employee, other than a qualified person, shall enter alone or be permitted to enter any part of an electrical vault or station in which live high-voltage electrical equipment is installed.

8.4 Protective Clothing and Equipment

8.4.1 No employee shall work on or near live high-voltage electrical equipment unless the employee is wearing outer clothing with full-length sleeves fastened at the wrists and fabricated from non-flammable material.

8.5 Safety Watcher

8.5.1 A safety watcher must be a qualified person.

8.6 Poles and Elevated Structures

8.6.1 No employee shall climb or work from a pole or structure that is located near another structure or object or has affixed to it any object that is not part of the electrical equipment and that interferes with safe climbing or work.

8.7 Capacitors

8.7.1 When a capacitor that has an ampacity and voltage that is dangerous to employees is disconnected from its source of electrical energy, no person shall short-circuit or apply a safety ground to the capacitor within five minutes of when it was disconnected unless the capacitor is already equipped with an adequate short-circuiting and grounding device.

8.7.2 Measures shall be taken to ensure that no person contacts the terminals of a capacitor referred to in section 8.7.1 unless the terminals are short circuited and safety grounded and a safety watcher is present.

8.7.3 The short circuit and safety ground on the capacitor referred to in section 8.7.2 shall remain in place until any work on the capacitor that involves contact by an employee is completed and all persons are clear of the work area.

8.8 Battery Rooms

8.8.1 Every room or area in which storage batteries that discharge flammable gases are electrically charged shall be adequately ventilated to prevent the accumulation of flammable gases, shall be as free as possible from all sources or causes of ignition, and shall be operated and maintained in accordance with good industrial safety practice.

8.8.2 Each battery charging room or area shall be marked at the entrance with a sign containing the words "Danger – No Smoking or Open Flames" and "Défense de fumer

et d'utiliser une flamme nue" or other similar words in letters not less than 50 mm in height on a contrasting background. An approved warning symbol conveying the same meaning as the words specified for the sign may be used instead.

8.9 Switches and Control Devices

8.9.1 High-voltage electrical switches or other control devices shall be installed, operated or used only for the purpose for which that equipment was specifically designed and approved.

8.10 Conductive Equipment

8.10.1 Electrically conductive equipment (such as metal rulers, measuring tapes, metallic fish wire, wire-reinforced fabric tape, wire-bound hydraulic hoses, and portable metal or metal-reinforced ladders) shall not be used so near live electrical equipment that such conductive equipment may become live.

8.11 Lightning Protection

8.11.1 Lightning protection devices shall comply with the appropriate standard.

8.12 Guarantees of Isolation for Electrical Equipment

8.12.1 When employees working on isolated electrical equipment are divided into two or more crews, each supervised by a person in charge of work on the facility, each person in charge shall obtain a guarantee of isolation before the crews are permitted to begin work.

8.12.2 When other departments or employers control electrical energy supplied to electrical equipment from more than one source, they may agree that a guarantee of isolation for that electrical equipment for each energy source, be given in writing by all parties or by one party on behalf of the others.

8.12.3 The party designated pursuant to section 8.12.2 as responsible for giving the guarantee of isolation may designate in writing one or more of its employees to act as guarantor.

8.12.4 Every agreement referred to in section 8.12.2 shall state

(a) the identity of the equipment to which the agreement applies;

- (b) the period during which the agreement will remain in effect;
- (c) the date of the agreement;
- (d) the name of the guarantor or guarantors, as the case may be, and shall be signed by the parties; and
- (e) shall be signed by the parties.

8.13 Live Test

8.13.1 When a guarantee of isolation for the performance of a live test of isolated electrical equipment is given to a person in charge of the test, that person shall, while the test is performed, be deemed the person in charge of the tests and of any other work performed on the equipment while the guarantee is in effect.

8.14 Termination of Guarantee of Isolation

8.14.1 Each record of termination of guarantee of isolation shall show:

- (a) the day and hour, using a 24-hour clock, when the guarantee of isolation terminated;
- (b) the name of the guarantor or any person who has assumed the guarantor's responsibilities;
- (c) the person to whom the guarantee of isolation was given; and
- (d) the date and hour using a 24-hour clock, when the guarantor was notified that the guarantee was no longer required.

Part IX - Sanitation

This part of the Directive enhances and supplements Part IX (Sanitation) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-36.html#h-96>] of the COHSR and should be read in that context.

Scope

This part applies in all government-owned buildings. However, for employees occupying buildings not owned by the federal government, this part shall apply to the maximum extent that is reasonably practicable.

9.1 General Responsibilities

9.1.1 Each personal service room and food preparation area used by employees shall be maintained in a clean and sanitary condition in accordance with the appropriate standard.

9.1.2 When an employer provides a cafeteria:

(a) it shall be inspected by the appropriate regulatory authority;

(b) the employer shall, in consultation with the work place committee, arrange for the inspection by the appropriate regulatory authority, the frequency of which is determined by the authority; and

(c) the employer shall provide a copy of the appropriate regulatory authority's inspection report and any recommendations for corrections to the workplace committee.

9.2 Care of Premises

9.2.1 To the extent possible, the employer will use cleaning products that are environmentally friendly.

9.2.2 All cleaning, sweeping and other activities shall be carried out in a manner that will minimize contamination by dust or other injurious substances, and in a manner that will not cause slippery or hazardous conditions.

9.2.3 With the advice of a qualified person and in consultation with the appropriate health and safety committee, departments shall establish contingency procedures for cases in which there is a temporary interruption in the supply of drinking water or to the water used to remove water-borne waste.

9.3 Toilet Facilities

9.3.1 In workplaces other than offices with more than 100 employees of each sex, there shall be 6 toilets for each sex. One additional toilet shall be supplied for each group of 30 employees or fewer.

9.3.2 Urinals may be provided for up to half the number of toilets required for male employees.

9.4 Water Quality

9.4.1 The employer will adhere, as a minimum, to the *Guidelines for Canadian Drinking Water Quality*, or to any other federally, provincially or territorially appropriate standards and any existing guidelines that provide the higher level of protection to workers.

9.4.2 Any storage container for drinking water shall be disinfected in a manner approved by a qualified person at least once a week while in use, and before the container is used following storage.

9.4.3 A fountain supplying drinking water shall not be installed in a personal service room containing a toilet.

9.5 Clothing Storage

9.5.1 To ensure every employee's privacy, all change rooms will have a ceiling fixed to the adjoining walls of the change room.

9.6 Lunchrooms

9.6.1 In a lunchroom provided for employees, dishes or other food utensils shall not be washed in lavatory or sanitary facility wash basins.

9.7 Field Accommodation

9.7.1 A qualified person may direct that other measures be taken to maintain sanitary and healthy conditions in a field accommodation.

9.8 Food Preparation and Storage and Serving of Food

9.8.1 When, in the opinion of a qualified person, a standard, code, procedure or condition referred to in this standard or utilized by a department or agency does not provide a sufficient degree of health protection, or may otherwise be inappropriate, he or she may issue directions in writing to the department or agency concerning the appropriate standard, code of practice or procedure to be applied.

9.8.2 Information or advice about applicable standards, codes, procedures and good industrial sanitation and health practices for a specific situation may be obtained from the qualified person.

Appendix A

Federal/Provincial/Territorial/Municipal Authority to Inspect Food Premises – Contact List

Restaurant and food service inspection across Canada is carried out by provincial governments, municipalities or regional health authorities.

Alberta – Public Health Act Food Regulation	Alberta – In Alberta, food service and restaurant inspection is carried out by Alberta Health Services .
British Columbia – Food Premises Regulation	<p>British Columbia – In British Columbia, food service and restaurant inspection is carried out by the province's Regional Health Authorities.</p> <p>In the Lower Mainland, food service and restaurant inspection is carried out by the Vancouver Coastal Health Authority and the Fraser Health Authority.</p> <p>In Victoria, food service and restaurant inspection is carried out by the Vancouver Island Health Authority.</p>
Manitoba – Food and Food Handling Establishments Regulations	<p>Manitoba – In most regions of Manitoba, food service and restaurant inspection is carried out by Manitoba Health.</p> <p>In Winnipeg, food service and restaurant inspection is carried out by the City of Winnipeg Community Services Department – Environmental Health Services.</p>
Newfoundland and Labrador – Food Premises Regulation	Newfoundland and Labrador – In Newfoundland and Labrador, food service and restaurant inspection is

	carried out by the Department of Government Services and Lands .
New Brunswick – Food Premise Regulation	<p>New Brunswick – In New Brunswick, food service and restaurant inspection is carried out by the province's Department of Health, Office of the Chief Medical Officer of Health.</p> <p>In Fredericton, food service and restaurant inspection is carried out by Central Region of the Health Protection Branch.</p> <p>In Moncton, food service and restaurant inspection is carried out by the East Region, Health Protection Branch.</p>
Northwest Territories – Food Establishment Safety Regulations	Northwest Territories – In the Northwest Territories, food service and restaurant inspection is carried out by the Department of Health and Social Services – Environmental Health Division .
Nova Scotia – Food Retail and Food Services Code	Nova Scotia – In Nova Scotia, food service and restaurant inspection is carried out by the Department of Agriculture – Food Protection and Enforcement Section .
Nunavut – Eating or Drinking Places Regulations	Nunavut – In Nunavut, food service and restaurant inspection is carried out by the Department of Health and Social Services .
Ontario – Health Protection and Promotion Act	Ontario – In Ontario, food service and restaurant inspection is carried out by municipal Public Health Units .

	<p>In Ottawa, food service and restaurant inspection is carried out by Ottawa Public Health – Restaurant and Cafeteria Inspections .</p> <p>In Toronto, food service and restaurant inspection is carried out by Toronto Public Health.</p>
Prince Edward Island – Eating Establishment and Licensed Premises Regulations	<p>Prince Edward Island – In Prince Edward Island, food service and restaurant inspection is carried out by the Department of Health and Social Services – Environmental Health Program.</p>
Quebec – Food Service and Restaurant Inspection	<p>Quebec – In most regions of Quebec, food service and restaurant inspection is carried out by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation – Direction de l'appui à l'inspection des aliments.</p> <p>In Montreal, food service and restaurant inspection is carried out by the City of Montreal Food Inspection Division.</p>
Saskatchewan – Health Public Eating Establishment Standards	<p>Saskatchewan – In Saskatchewan, food service and restaurant inspection is carried out by the province's Regional Health Authorities.</p> <p>In Regina, food service and restaurant inspection is carried out by the Regina Qu'Appelle Health District.</p> <p>In Saskatoon, food service and restaurant inspection is carried out by Saskatoon Health Region.</p>

Yukon – Regulations Governing the Sanitation of Eating or Drinking Places

Yukon – In the Yukon, food service and restaurant inspection is carried out by the [Department of Health and Social Services – Environmental Health Program](#).

Appendix B

Guideline – Cafeteria Inspection

The guideline supports the National Joint Council (NJC) Directive, Part IX - Sanitation. Although the guideline elaborates on the Directive, it does not present new mandatory requirements but rather reflects an existing obligation under an act, regulation, policy, directive, standard or other authority.

The following is just a checklist of representative hazards or hazardous conditions that may be found in cafeteria inspections and is intended as a non-mandatory tool to assist health and safety committees to perform their duties and should not be considered as an exhaustive list.

Food Premises (Cafeteria) Inspection Checklist

Date: _____

Location: _____

The following checklist covers areas of Food Service – cafeteria – kitchen – store room & outside.

This is a guide – list additional areas which may offer hazardous conditions.

Indicate in the Yes or No column whether the condition is Satisfactory or Unsatisfactory, list recommendations,

Send a copy to management and to the health and safety committee responsible for correction, comments and input, or follow-up to ensure unsatisfactory conditions have been corrected.

Check for Unsafe Conditions and Unsafe Practices.

I. Cafeteria	Yes	No	Comments	Corrective Action
Code of Practice				
The employer has adopted and implemented, as a minimum, section G of the <i>Sanitation Code for Canada's Foodservice Industry</i> (1984)				
The employer has adopted and implemented, as a best practice, the <i>Canadian Food Safety Code of Practice</i> (2007)				
The facility has a proper operating permit from the appropriate authorities				
Food Handlers				
Instructed and trained in preparing, handling, storing and serving food and food waste				
Not suffering from a communicable disease, showing signs of illness and have no open sores				
Wash hands with soap and water: (1) before starting work; (2) immediately after using the washroom; and				

(3) as necessary to prevent food contamination (e.g. after handling waste)				
Wear clean outer garments and with hair properly confined				
Floors				
Clean, dry, and no holes or cracks				
Cords out of work and walking area				
Equipment properly arranged				
Wet floor signs arranged and provided				
Floors properly drained				
Fire Protection & Prevention				
Flammable & hazardous materials removed				
Fixed-pipe-automatic-extinguishing				
System over cooking area that is maintained				
Fire extinguishers maintained & inspected				
Fire extinguishers unblocked & hung				

Housekeeping done well - no clutter				
Trash containers arranged properly				
Flammable & hazardous materials removed				
Electrical				
Outlets covered with ground pins				
Cords have no frayed wires				
Electrical panels labeled, covered, and unblocked				
Junction boxes covered				
Lighting				
Lighting adequate & working				
Roof & Ceiling Tile				
In good condition and repair				
No leaks				
Equipment & Utensils				
All equipment CSA (or equivalent) approved				
Proper guarding				
No frayed or damaged wiring				
Properly secured				
Properly grounded				

Safety signs posted on equipment				
Hoods cleaned and filters maintained				
Deep fat fryers have no grease accumulations and have high limit control				
Designed for easy cleaning				
Smooth and free from cracks, crevices, pitting or unnecessary indentations				
Cleaned to maintain sanitary surfaces				
Knives sharp with no broken handles and properly stored and arranged				
Box cutters in good condition and provided with safety guard				
Utensils and tableware cleaned and maintained in a sanitary condition				
Water & Sewage				
Sinks are fully operational with hot and cold running water				
Sinks drain properly				
Floor drains and sinks are in good working order and are cleaned routinely				

Plumbing is in good repair				
Refrigerator, Freezer & Cooler				
No ice or water on floor				
No food in aisles & 6" off the floor				
Emergency release latch operational				
Food properly arranged & placed				
Heavier objects at middle range				
Proper lighting				
Ramp in good condition & secure				
Refrigerated foods maintained at 4° C or lower				
Frozen foods maintained at -11° C or lower				
Eating Areas & Seating				
Properly maintained				
Properly arranged and not interfering with egress routes				
Food is not eaten, prepared or stored in a personal service room that contains a toilet, urinal or shower				

Food is not eaten, prepared or stored in any other place where it is likely to be contaminated				
Means of Egress				
Proper number, unblocked & unlocked				
Exit signs provided and lit				
Emergency lighting provided & operational				
Emergency Evacuation				
Evacuation plan posted				
Emergency procedures posted				
Storeroom & Pantry				
Storage shelves organized & secure				
Safety step stool or safety ladder provided with stair rails				
No food in aisles				
Food stored at least 6" off the floor				
Heavier material stored at middle range				
Lightweight material stored on top shelves				
Employees trained to lift properly				
Proper lighting				

Materials stored properly and secured				
Food Waste & Garbage				
Food waste or garbage is not stored in a food preparation area				
Wet food waste and garbage is disposed of : (1) by mechanical grinders or choppers connected to sewage disposal lines; or (2) held in leak-proof, non-absorptive and easily-cleaned containers with tight-fitting covers in a separate enclosed area or container until removed for disposal				
Dry food waste and garbage is removed or incinerated				
Food waste and garbage containers are kept covered and removed and emptied as frequently as possible to prevent unsanitary conditions				
Food waste and garbage containers are cleaned and disinfected in an area				

separate from the food preparation area each time they are emptied				
Served or unpackaged food returned from the dining area is discarded				
Clothes Washer & Dryer				
Washer secured & arranged				
Dryer vented to outside with metal duct				
Lint filter is cleaned before each use				
Loading Dock & Exterior				
Adequate lighting				
Dock surface has no tripping hazards				
No holes in drive area				
Stairs provided with stair rails & non-slip treads				
Mechanical Room – Boilers – Trash Area				
No combustible materials located in boiler & mechanical rooms				
Boilers & hot water heaters maintained				
Trash containers emptied				
Acceptable housekeeping				
Hazardous Materials				

Food is not eaten, prepared or stored in a place where a hazardous substance may contaminate food, dishes or utensils				
Hazard communication program exists in writing				
Material safety data sheets available and provided for all hazardous materials				
Properly labeled with name & hazard warning				
List of materials				
Employees trained in hazards & personal protection				
Materials properly stored and arranged				
Personal Protective Equipment				
Gloves – Chemical – Hot mitts				
Safety goggles or face shield				
Pest & Vermin Control				
Facility is free from insect and rodent infestation				
Live animals, birds or fowl are not allowed in the facility				

Outside doors and screen doors are self closing and closing devices are in good working order				
Windows are properly screened to prevent flies and insects from entering				
Exterior doors are vermin proof				

Inspection By:

Reviewed By:

Corrective Measures Taken ____ Yes Date _____ By: _____

Part X - Pesticides

10.1 Integrated Pest Management (IPM)

10.1.1 Departments shall develop pest management programs that incorporate Integrated Pest Management (IPM) principles and practices.

10.1.2 When a decision is made to use a pest control product within the context of an IPM program, the department must ensure that employees follow the label instructions so that the product is used safely.

10.1.3 The IPM is a long-standing and science-based decision-making process that identifies and reduces risks from pests and pest-management-related strategies. It coordinates the use of pest biology, environmental information and available technology to prevent unacceptable levels of pest damage by the most economical means, while posing the least possible risk to people, property, resources and the environment

10.1.4 The elements of IPM are

(a) preventing organisms from becoming pest problems by planning and managing ecosystems;

- (b) identifying pest and beneficial species;
- (c) monitoring pest and beneficial species populations, pest damage and environmental conditions;
- (d) using injury and action thresholds to determine when to treat pests;
- (e) using treatments that usually include a combination of methods, such as cultural, biological, physical, mechanical, behavioural, or chemical methods, to achieve acceptable control with minimal impact to the environment; and
- (f) evaluating the effects and efficacy of pest management strategies.

10.1.5 IPM programs also involve communicating with employees, customers, agencies and the public to inform them of the goals, methods, results and benefits of using IPM.

10.1.6 IPM requires knowing and using available methods in a stepwise approach. Once monitoring, identification and action thresholds indicate that pest control is required and preventive methods are no longer effective or available, IPM programs then evaluate the proper control method for both effectiveness and risk. Effective, reduced-risk pest controls are chosen first, including highly targeted chemicals such as pheromones to disrupt pest mating, or mechanical control, such as trapping or weeding. If further monitoring, identification and action thresholds indicate that the controls are not working then additional pest control methods are employed, such as the targeted spraying of pesticides. Broadcast spraying of non-specific pesticides is a last resort.

Examples of available methods include:

- (a) maximizing a plant's health and minimizing its susceptibility to pest infestations by:
 - (i) crop rotation,
 - (ii) moisture control,
 - (iii) planting techniques, and
 - (iv) sanitation;

- (b) genetic selection, i.e., using resistant species and varieties of plants;
- (c) mechanical controls, e.g., trapping or cultivating or using physical barriers;
- (d) approved biological controls, including
 - (i) parasitic and predatory insects, and
 - (ii) host-specific pathogens; and
- (e) using conventional pesticides in a prescribed manner.

10.2 Work Procedures

10.2.1 Each department in which pesticides are used, handled, stored or disposed of shall ensure that the pesticide label directions and any relevant legislation on pesticide use (federal, provincial or municipal) are followed. For overlapping legislation, the most restrictive is to be adhered to. Supplemental information may also be found on the manufacturer's instructions as detailed on the pesticide label or on a material safety data sheet (MSDS) and/or other manufacturer literature and should be readily available in the workplace and followed.

10.2.2 When, for research purposes or otherwise, deviations from the manufacturer's instructions are required, the use of a pest control product for research purposes must be carried out in accordance with the Pest Control Products (PCP) regulations and may require a ministerial authorization for which an application must be made.

10.2.3 Detailed written procedures about the safe use, handling, storage, transportation and disposal of pesticides, including circumstances in which the employee may be required to work alone shall be developed in consultation with the appropriate health and safety committee, prominently displayed in the workplace, and explained to all employees concerned.

10.2.4 Pesticides shall be used, handled, mixed and disposed of by certified applicators.

10.2.5 When pest control is contracted, contractors shall be certified or licensed in accordance with the applicable provincial requirements; the provisions of the IPM program shall apply.

10.2.6 A spill contingency plan appropriate to the scale of operations shall be in place before any pesticides are applied.

10.3 Isolation

10.3.1 To the extent possible, potentially hazardous pesticide operations should be isolated from the worker or the worker isolated from the operations. Isolation techniques that should be considered include but are not limited to the following:

- (a) using positive-pressure tractor cabs with appropriate filtered air supplies;
- (b) conducting pesticide operations when the least number of employees are in the area;
- (c) using isolation chambers for the research application of high concentrations of toxic pesticides; and
- (d) enclosing pesticide transfer points in handling facilities and applying pesticides in an automated manner.

10.4 Protective Equipment and Clothing.

10.4.1 Approved respiratory protective devices, eye protection, and personal protective clothing and equipment appropriate to the potential hazard as identified on the pesticide label and the MSDS, if applicable, shall be provided and worn whenever pesticides are handled or used. Personal protective equipment (including first-aid supplies and portable eyewash stations) shall not be kept in the same storage room as pesticides to avoid contamination. In addition, departments shall provide personal protective equipment and clothing in accordance with the manufacturers' recommendations and Part XIII - Personal and Protective Equipment and Clothing.

10.5 Storage

10.5.1 To the extent possible, quantities of pesticides purchased and stored shall not exceed the needs of one season in accordance with a pest management program. Pesticides shall be kept in their original, undamaged containers with labels intact and shall be separately stored in locked cabinets. Storage cabinets and rooms shall be vented to the outside with controlled access to avoid unauthorized use. Shelving shall

be secure and impervious; and no higher than 150 cm unless specifically designed for safe access above eye level. Appropriate warning signs shall be prominently displayed to identify the locations. Spill control material appropriate to the pesticides in storage shall be maintained at the storage site.

10.6 Disposal

10.6.1 The directions on pesticide labels and provincial requirements for disposing of the product container after use and for disposing of unused or unwanted product shall be followed. Empty pesticide containers shall not be reused for any purpose. During disposal procedures, all possible precautions shall be taken to ensure that persons are not exposed and that pesticides are not released into the environment. Additional disposal procedures may be found in the MSDS.

10.7 Mixing and Loading and Application Equipment

10.7.1 Before mixing and using pesticides, the work procedures developed under section 10.2 shall be read for special instructions for personal protection and special procedures.

10.7.2 Measuring, mixing and loading pesticides is the most hazardous stage of pesticide use because of the possibility of contact with the concentrated product.

10.7.3 In addition to appropriate protective clothing and safety equipment identified on the label and the MSDS, a liquid-proof apron, to cover the body from chest to knees, should be worn.

10.7.4 Scales, measuring cups, mixing pails and other equipment used in these operations shall be used only for pesticides. Equipment shall be cleaned and returned to locked storage when not in use.

10.7.5 Application equipment shall be selected, calibrated, operated and maintained to ensure employee safety and the uniform application of the pesticide only to the desired target area at the correct rate and to prevent contaminating non-target areas.

10.8 Pesticide Application

10.8.1 Departments shall ensure that decisions about pesticide application programs and subsequent re-entry shall be developed in consultation with the appropriate health and safety committee and in accordance with any directions on the pesticide label. Additional restrictions on pesticide use put in place by provincial, territorial or local jurisdictions shall also be respected. To the extent possible, all pesticide applications shall be carried out when employees are not present.

10.9 Indoors

10.9.1 Five days before the application, employees shall be informed of the intended pesticide application by signs and by a notice. Both shall include the

- (a) name of the product to be used;
- (b) PCP registration number;
- (c) reason for the application;
- (d) date of application;
- (e) telephone number to contact for information; and
- (f) safe re-entry time into the treated area.

10.9.2 Signs shall remain posted for 48 hours after application unless a longer safe re-entry time is specified. Following that period, the signs shall be removed.

10.9.3 The time for safe re-entry into the treated area shall be determined by referring to the product label. Supplementary information can be found in the MSDS or by referring to Health Canada's Pest Management Regulatory Agency (PMRA).

10.10 Outdoors

10.10.1 Warning signs shall be posted 24 hours before application. However, it is recognized that under certain unforeseen weather conditions, spraying operations may have to be initiated on short notice. Under those circumstances, the 24-hour pre-application posting requirement may not be possible, but signs must nonetheless be posted before the pesticide application.

10.10.2 Signs shall remain posted for 48 hours after application unless a longer safe re-entry time is specified. Following that period, the signs shall be removed.

10.10.3 Signs must be made of weather resistant material. They should be approximately 50 cm high by 40 cm wide.

10.10.4 The sign shall contain the following wording:

**WARNING - PESTICIDES USED/
ATTENTION - PESTICIDES UTILISÉS**

10.10.5 The sign shall also contain a warning pictogram that alerts the public not to touch or walk on treated plants or areas.

10.10.6 The sign shall include the

- (a) date of the application;
- (b) name of the pesticide used;
- (c) PCP registration number;
- (d) reason for the application;
- (e) telephone number to contact for information; and
- (f) safe re-entry time into the treated area.

10.11 Greenhouses, Barns, etc

10.11.1 Application requirements are the same as for outdoors except that signs shall be posted 24 hours before application.

10.12 Personal Hygiene

10.12.1 After handling pesticides and before attending to personal needs, employees should wash thoroughly, with special attention to the face, hands and hair and under the fingernails.

10.12.2 Departments shall ensure that protective clothing and equipment are cleaned after every use in accordance with Part XIII - Personal and Protective Equipment and Clothing.

10.13 Pesticide Emergencies

10.13.1 If a spill or leak of pesticides occurs, the spill contingency plan prepared in accordance with section 10.16.1 shall be implemented.

10.14 Transportation

10.14.1 Procedures developed for transporting pesticides, as outlined in section 10.2, shall meet the requirements of the Transportation of Dangerous Goods Act (*TDGA*) for preparing and packaging pesticides for transportation and for transporting pesticides. It includes documentation and placarding and labelling requirements for pesticides being transported as well as training requirements and the responsibilities of employees involved in the operations.

10.14.2 Certain small quantities of pesticides may be exempted from the requirements of the *TDGA*, which can be determined by referring to the appropriate sections of the Transportation of Dangerous Goods Regulations.

10.14.3 Pesticides shall be transported in a separate compartment from the driver and passengers and shall not be transported in a compartment containing animals, food, animal feed, clothing, household furnishings or other personal items.

10.14.4 All transported pesticides shall be inspected to ensure the integrity of the containers and shall be placed in the vehicle in a safe manner to avoid tipping, spilling or leaking.

10.14.5 All pesticide containers shall have the original label intact. The driver shall keep a list of the pesticides being transported, with a copy of the labels.

10.14.6 Spill clean-up equipment appropriate to the quantities of pesticides being transported shall accompany the shipment.

10.14.7 Vehicles used for transporting pesticides shall be posted with a warning sign as follows:

WARNING - PESTICIDES - ATTENTION

10.14.8 Vehicles used for transporting pesticides shall also be

- (a) decontaminated before being used for any other purpose;
- (b) equipped with safety locks;

(c) locked when unattended.

10.14.9 Vehicles occasionally used to transport pesticides shall meet the above requirements to the extent practicable.

10.15 Decontamination

10.15.1 Decontaminating a spill site shall be performed in accordance with a predetermined spill contingency plan and shall be carried out with the latest techniques advocated by the appropriate regulatory authority and emergency organizations.

10.15.2 Decontaminating pesticide spills shall be carried out by a person trained in decontaminating pesticide spills and supervised by a qualified person.

10.15.4 Application equipment shall be decontaminated in accordance with the *Code of Good Practice for Handling, Storage, Use and Disposal of Pesticides at Federal Facilities*.

10.16 Inventories

10.16.1 An up-to-date inventory of all pesticides in storage shall be maintained. Containers must be dated when received and to the extent possible the shelf life of the pesticide identified. The inventory list is to be kept in a separate location and is to be made available to the appropriate health and safety committee.

10.16.2 Information on site layout and the storage of pesticides shall be kept readily visible by the employer to ensure that emergency responders can access it easily and quickly.

10.17 Labelling

10.17.1 As required under the *Pest Control Products Act (PCPA)*, all pesticides shall be kept in original containers with the original labels intact. Contact the manufacturer or appropriate regulatory authority if the label is not intact.

10.18 Monitoring

10.18.1 Procedures involving the use of pesticides, either in a laboratory or in general field applications, shall be monitored at regular intervals by the responsible authority within the department to ensure that prescribed safety procedures are being

followed. If an independent survey or health investigation is considered advisable at any time, contact the appropriate regulatory authority.

10.18.2 The appropriate health and safety committee shall be advised of health and safety investigations before they are conducted. All monitoring reports and data should be made available to the appropriate health and safety committee.

10.19 Housekeeping

10.19.1 Appropriate good housekeeping shall be followed in all areas where pesticides are mixed, stored or handled. This includes maintaining the absolute cleanliness of the workplace and using approved waste disposal facilities and techniques including adherence to the requirements of Part IX - Sanitation.

10.20 Education and Training

10.20.1 Departments shall ensure that only certified applicators use, handle, mix and dispose of pesticides.

10.20.2 In addition, departments shall, in consultation with the appropriate health and safety committee, develop and implement a workplace education program for certified applicators. The program shall include the concepts and principles of the departmental IPM program and instruction related to specific pesticides used in the workplace, their hazards as outlined on labels, the MSDS and manufacturer's literature, the protection required for certified applicators to perform their duties, and the first aid and emergency procedures relevant to pesticide use.

10.20.3 The workplace education program referred to earlier shall be reviewed, in consultation with the appropriate health and safety committee, at least once per year, whenever new pesticides are about to be introduced in the workplace and when new hazard information about a pesticide becomes available.

10.21 First Aid

10.21.1 First-aid instructions and emergency procedures as detailed on the product label, the MSDS, and in the manufacturer's literature shall be followed for suspected pesticide poisonings. Procedures shall be displayed prominently in all areas where pesticides are stored, handled, used and disposed of and where decontamination is carried out.

10.21.2 Emergency telephone numbers for first-aid attendants and for the local poison control centre shall be prominently displayed.

10.22 Personnel Monitoring

10.22.1 All personnel regularly engaged in work involving handling pesticides shall be examined in accordance with the provisions of the TB Occupational Health Evaluation Standard.

10.22.2 Physical examination standards are established in consultation with the designated occupational health service provider and appropriate specialists by the employing department (with input from its occupational health and safety policy committee) and the TBS.

10.23 Medical Records

10.23.1 The employer shall maintain all medical records obtained during the examination of an employee under the requirements of the TB Occupational Health Evaluation Standard, including a detailed history of the employee's exposure. Records shall be made available to an employee's physician on request.

10.24 Pesticide Application Records

10.24.1 Departments shall maintain records on the application of pesticides for a period of 30 years after the application date. The records shall contain the following information as a minimum:

- (a) the pesticide applied (active ingredient);
- (b) the PCP registration number;
- (c) the application rate;
- (d) the application site;
- (e) the method of application;
- (f) the names of the persons who applied the pesticide;
- (g) the reason for the application;

- (h) any unusual circumstances that occurred during the application; and
- (i) the reports from any health or safety investigations conducted, including all sampling data and other relevant information.

10.24.2 Copies of those records shall be placed in the personnel files of employees applying or handling pesticides and shall be referenced in the personnel files of other employees who request it.

10.25 Environmental Monitoring Records

10.25.1 Departments shall maintain records of all environmental sampling data and reports for a period of 30 years from the date of reporting.

10.26 Organizations

10.26.1 Information about registered pesticides and their uses may be obtained from the PMRA, the organization responsible for regulating those products. Departments and employees can obtain information as follows:

Pest Management Information Service
Pest Management Regulatory Agency
Health Canada
2720 Riverside Drive
Ottawa, Ontario
Address Locator: 6606D2
K1A 0K9

E-mail: pmra.infoserv@hc-sc.gc.ca

Telephone: 613-736-3799

Toll-free: 1-800-267-6315

Facsimile: 613-736-3798

Teletypewriter: 1-800-267-1245 (Health Canada)

10.26.2 Health Canada will provide information about the effects of pesticide exposure and advice about appropriate training, including emergency first aid.

10.26.3 The Canadian Centre for Occupational Health and Safety (CCOHS) maintains databases on the MSDS, Pest Management Research Information Systems and regulatory information on pesticide products.

CCOHS

250 Main Street East

Hamilton, On. L8N 1H6

Tel: 416-572-4400

1-800-263-8466

Fax: 416-572-4500

10.27 Materials

10.27.1 The following publications are available at the address indicated.

The Pest Control Products Act and Regulations

Canadian Government Publications

45 Sacré-Coeur blvd

Hull, Qc K1A 0S9

Tel: 819-956-4800

Fax: 819-994-1498

The Standard for Pesticide Education, Training and Certification in Canada (National Standard).

Educating individuals who apply pesticides (applicators) is a key element in promoting the responsible use of pesticides to protect human health and the environment. The provinces and territories are responsible for training and certifying pesticide vendors and applicators. Pesticide training and certification programs across Canada are based on the National Standard which may be accessed at the following address:

www.hc-sc.gc.ca/cps-spc/pest/part/fpt/educ-cert-eng.php.

Part XI - Hazardous Substances

This Directive includes specific provisions for dealing with asbestos and materials containing asbestos.

Scope

This part of the Directive enhances and supplements Part X (Hazardous Substances) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-44.html#h-110>] of the COHSR and should be read in that context.

11.1 Records of Hazardous Substances

11.1.1 If the department does not control the workplace, the records shall be kept and maintained to the extent possible.

11.2 Hazard Investigation

11.2.1 No employee shall be required to conduct searches for potential chemical, biological, radiological, nuclear, explosive (CBRNE) or other threats in the workplace unless it is a part of the employee's normal duties and the employee has been instructed and trained in safe methods and procedures.

11.2.2 The employer shall establish written methods and procedures for employees to follow and meet who may be required to conduct such searches as part of their normal duties.

11.2.3 The employer shall keep a record of all instruction and training provided for a period of 30 years after the date on which it was given

11.3 Medical Examinations

11.3.1 Medical examinations for employees exposed to hazardous substances shall be administered as required in accordance with the Occupational Health Evaluation Standard [http://www.tbs-sct.gc.ca/Pubs_pol/hrpubs/TBM_119/CHAP2_13_e.asp] issued by the Treasury Board Secretariat.

11.4 Ventilation

11.4.1 The employer shall ensure that any ventilation system used in the workplace complies with the appropriate standard.

11.5 Hazard Control

11.5.1 A record of each air sample test required to determine the concentration of an airborne chemical agent shall be retained for at least five years.

11.6 Asbestos Management

11.6.1 The employer shall comply with applicable federal, provincial, territorial and municipal regulations, statutes and requirements with respect to asbestos containing

materials (ACM) in any government-owned, managed or leased facilities.

11.6.2 An asbestos management program and code of practice meeting the intent of the appropriate standard shall be followed if material containing asbestos may exist in any building or facility.

11.6.3 As a minimum requirement, departments and agencies will comply with Public Works and Government Services Canada Policy DP 057 and attached code of practice on asbestos management: http://www.njc-cnm.gc.ca/aux_bin.php?auxid=575

11.7 Ionizing and Non-ionizing Radiation

11.7.1 The use of devices capable of producing and emitting energy in the form of ionizing or non-ionizing radiation shall comply with the appropriate standard.

Part XII - Confined Spaces

Scope

This part of the Directive enhances and supplements Part XI (Confined Spaces) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-59.html#h-147>] of the COHSR and should be read in that context.

12.1 Hazard Assessment

12.1.1 The employer shall ensure that an employee required to enter a confined space has received information about the assessment of the confined space by a qualified person that includes

(a) copies of the report and the record of the findings of the assessment carried out by the qualified person;

(b) verification that the health and safety committee and/or health and safety representative has received copies of the qualified persons report and the record of the findings;

(c) a copy of any review by the qualified person to ensure that the assessment report with which it is concerned is still accurate after three years;

(d) information and education about the specifications set out and used by a qualified person to verify hazards that may exist due to the design, construction, or location or

the atmosphere and the materials or substances it contains or any other conditions related to the confined space; and

(e) the hazards that may develop while work is performed inside the confined space.

12.2 Confined-space Entry Procedures

12.2.1 For the purposes of this section, any procedures developed by a department shall include an entry permit system that shall include a checklist of entry requirements to be given to and signed by the employee(s).

12.2.2 No employee shall enter a confined space unless the appropriate entry permit has been issued and signed by a qualified person and explained to, understood by and signed by the employee before entry.

12.2.3 Procedures developed in consultation with the appropriate health and safety committee shall include those to be followed by the qualified persons responsible for inspecting, maintaining and testing all monitoring equipment, personal protective equipment, ventilating equipment and safety harnesses and any other entry, protective and rescue equipment used in conjunction with entry into a confined space.

12.2.4 If a person is about to enter a confined space under an entry permit system, the employer shall appoint a qualified person (who could be the same person) to verify tests that a percentage of oxygen between 19.5 and 23 % by volume, at normal atmospheric pressure, is achievable while the person is in the confined space.

12.3 Ship and Vessel Repair

12.3.1 For confined spaces in ships or vessels in repair, maintenance or refit, the employer may use forced ventilation from the lowest point in the confined space to meet the requirements related to exposure to a concentration of chemical agents.

12.3.2 When conditions in the confined space can be maintained in that state, an entry permit system may be established in accordance with section 12.2, which shall be valid for multiple entries into the confined space during a specified period.

12.3.3 The permit shall be valid for a maximum of one shift for uncoated fuel tanks and for a maximum of 24 hours in all other situations.

Part XIII - Personal and Protective Equipment and Clothing

Scope

This part of the Directive enhances and supplements Part XII –Safety Materials, Equipment, Devices and Clothing [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-63.html#h-160>] of the COHSR and should be read in that context.

The scope of this part includes all systems, procedures, clothing and safety material designed to ensure the health and safety of all employees.

13.1 General Responsibilities of Departments

13.1.1 Personal protective equipment shall not add to the total heat burden to the extent practicable. If personal protective equipment adds to the total heat burden, rest periods shall be routinely provided and the employer shall ensure that employees take them.

13.1.2 A qualified person shall be appointed to ensure that personal protective equipment is safely, properly and reasonably comfortably fitted.

13.1.3 Departments shall appoint a qualified person to instruct and train employees required

(a) to use or wear personal protective equipment properly and safely and to use and care for the personal protective equipment; and

(b) to effectively deal with emergency situations arising from its use.

13.1.4 All personal protective equipment shall be

(a) stored, maintained, inspected and tested by a qualified person to ensure that it is in a safe and fully effective condition at all times;

(b) marked or tagged as unsafe and removed from service when defective equipment is unsafe for use; and

(c) repaired by a qualified person to a safe and fully effective condition or permanently removed from service.

13.1.5 Protective clothing, equipment, devices and tools used by employees working on electrical equipment shall be inspected by the user before its use to ensure that it is safe for its intended use.

13.1.6 Tests of rubber insulating gloves and mitts shall follow a procedure that complies with the appropriate standard.

13.2 Protective Clothing

13.2.1 Special considerations include:

- (a) protecting the employee from the risk of disease;
- (b) preventing the spread of contamination or diseases; and
- (c) preventing significant or permanent damage to the employee's skin, hair or personal clothing.

13.2.2 Outdoor protective clothing shall be designed to provide UV protection and to reflect sunlight. Employees wearing contact lenses shall use the same approved eye protection equipment as that required of other employees performing the same tasks.

13.2.3 Protective clothing shall be:

- (a) provided free of charge to employees;
- (b) replaced free of charge when no longer serviceable;
- (c) normally worn over the employee's personal clothing; and
- (d) suitable for the gender of the user.

13.3 Insulated Clothing

13.3.1 Insulated clothing shall be provided for work in hazardous weather conditions

- (a) when the type of personal outer clothing normally worn while working outdoors is inadequate to protect the employee from physical harm and from harm to his or her health in the specific working environment; or

(b) when there is risk of damaging or soiling the employee's personal insulated clothing.

13.3.2 Insulated clothing designed to prevent hypothermia shall be provided to employees when their duties involve significant risks of immersion in cold water.

13.4 Quantities

13.4.1 The quantity of each item to be provided initially to each employee shall be based on the expected frequency of change, conditions of wear and tear and the expected wear life.

13.5 Pool Clothing

13.5.1 Pool clothing may be provided as protective clothing under all of the following conditions:

- (a) when the frequency of use by the employee does not justify individual provision;
- (b) when the clothing is worn over the employee's personal clothing; and
- (c) when the clothing will not be worn next to the employee's skin.

13.5.2 Quantities of pool clothing shall be adequate to provide a range of sizes and to permit rotational cleaning.

13.5.3 Cleaning and upkeep shall be regularly scheduled.

13.6 Head Protection

13.6.1 If required, departments shall provide protective headwear that meets the requirements of the appropriate standard.

13.6.2 If an employee is required to wear a form of head protection other than protective headwear, that headwear shall adequately protect the employee from the potential hazard.

13.7 Eye and Face Protection

13.7.1 If eye or face protection is required, prescription safety lenses that meet the requirements of the appropriate standard shall be provided in situations in which

(a) the nature of the work is such that the protective prescription lenses are installed in specialized protective frames such as goggles or other eye protection that is not normally worn off the job; or

(b) it is impractical to wear protection over glasses because of distortion.

13.7.2 Employees wearing contact lenses shall use the same approved eye protection equipment as required of other employees performing the same tasks.

13.7.3 Employees shall not wear contact lenses when they are routinely exposed to irritating fumes, intense heat, liquid splashes, molten metals or other similar environments and when the work requires regularly wearing a respirator.

13.7.4 If eye protection against ultraviolet radiation (UVR) associated with sunlight is required, sunglasses shall be provided that meet the appropriate standard, and if required the standard shall address traffic light recognition.

13.8 Foot and Leg Protection

13.8.1 Required protective or purpose-designed footwear shall meet the requirements of the appropriate standard.

13.9 Protective Footwear

13.9.1 Protective footwear shall be provided free of charge.

13.10 Purchasing Protective Footwear

13.10.1 Should the department decide not to issue protective footwear directly, it may provide protective footwear that meets the appropriate standard by having employees purchase the protective footwear and receive reimbursement for the full cost of the purchase, on the presentation of a proof of purchase.

13.10.2 If the department wishes to have employees purchase protective footwear and to reimburse them, the department shall establish, in consultation with the appropriate health and safety committee, a price range appropriate to the type of protective footwear required.

13.11 Purpose-designed Footwear

13.11.1 Purpose-designed footwear shall be provided that

- (a) is designed and constructed to meet the unique requirements of an activity or a work environment; or
- (b) possesses specialized protective features.

13.11.2 Workplace and environmental factors that would be expected to call for purpose-designed footwear, and the design features one would expect to find in that footwear, are the following:

- (a) dangerous liquids: footwear either constructed of impermeable materials or specially treated to protect the wearer's feet from contact with dangerous or corrosive liquids or other dangerous substances or in cases when feet may be immersed in any such liquid;
- (b) explosive electrical hazards: footwear made with non-sparking and/or non-conducting materials (except metal box toe) for use by workers subject to explosions or electrical hazards;
- (c) physical hazards: footwear designed to protect against a harmful degree of physical stress resulting from requirements of an unusual nature as may be encountered in such activities as mountain climbing, logging, skiing, pole climbing, riding horses, operating chainsaws, etc.; and
- (d) temperature extremes: thermo-insulated footwear for extreme cold.

13.11.3 Leg protection or foot protection, other than protective or purpose-designed footwear, shall comply with the appropriate standard.

13.12 Replacement

13.12.1 The frequency of replacement shall be governed by the nature of the work. Replacements may occur more often than once per year. The department shall pay for cost-effective repairs to safety footwear.

13.13 Skin Protection

13.13.1 If personal protective equipment and/or a protective product is required for skin protection,

(a) the personal protective equipment and/or protective product (e.g., sunscreen or insect repellent) shall be adequate to protect the skin of the employee while the skin is exposed to any hazard; and

(b) if the personal protective equipment is not disposable, it shall be maintained in a clean and sanitary condition.

13.13.2 With respect to the hazards of UV radiation associated with sunlight,

(a) exposure to UV radiation must be reduced as much as possible, and if that exposure cannot be avoided, employees' skin must be protected;

(b) in consultation with workplace committees, departments shall carefully review the difference situations in which employees are required to work outdoors and shall take all reasonable and practicable measures to reduce exposure to the harmful effects of the sun; and

(c) if such potential health risks are identified, an appropriate broad-spectrum hypoallergenic type of sunscreen with a minimum SPF (sun protection factor) of 15 to provide protection from UVA and UVB radiation shall be provided.

13.14 Respiratory Protection

13.14.1 When respiratory equipment is required, the appropriate standard shall be used.

13.15 Drowning Hazards

13.15.1 Any flotation device used in the workplace shall meet the requirements of the appropriate standard.

13.15.2 Appropriate emergency equipment that meets the requirements of the appropriate standard, including an inherently buoyant powered boat, shall be provided.

13.15.3 Suitable insulated protective clothing shall be provided to employees who are at risk of hypothermia should they fall into icy water.

Appendix A - Employment Hazards

The following is a representative list of occupational health and safety hazards for which an employee may require the protection provided by personal protective equipment. It should not be considered an exhaustive list.

Safety Hazard Sources

- animals, birds, reptiles
- heavy boxes, crates, packages
- tanks, bins, excavations
- confined spaces
- buildings and structures
- dangerous substances
- mechanical transmission equipment
- electrical apparatus
- fire
- glass
- hand and power tools
- high-pressure cleaning
- hoisting apparatus
- machines
- metal processing
- minerals and mineral processing
- paper and pulp processing
- plants, trees, vegetation
- plastics processing
- scrap, debris, waste materials
- steam
- textile processing
- wood processing

Health Hazard Sources

Chemical:

- **acids**
- caustics
- liquids
- gases

- dusts
- fumes
- mists
- vapours

Physical:

- ionizing and non-ionizing radiation
- noise
- vibration
- sanitation
- ventilation
- natural and industrial extremes of temperatures and pressure

Biological:

- insects
- mites
- moulds
- yeasts
- fungi
- viruses
- bacteria

Part XIV - Tools and Machinery

Scope

This part of the Directive enhances and supplements Part XIII (Tools and Machinery) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-67.html#h-174>] of the COHSR and should be read in that context.

14.1 Design and Construction

14.1.1 Employees shall ensure that the tool end of any flexible-shaft portable power tool is secured in a manner that will prevent the flexible shaft from whipping when the motor is started.

14.1.2 All tools and machinery used by employees shall meet the appropriate ergonomic standard. In the absence of any "appropriate standard" the

manufacturer's recommendations shall be used when developing preventive measures to address risk and when assessing ergonomic-related hazards.

14.2 Operation and Use

14.2.1 An employee using a pneumatic portable power tool shall shut off the air supply to that tool and bleed the air line before disconnecting it from the tool, unless the air line is equipped with a quick-disconnect coupling that makes such precautions unnecessary.

14.2.2 A pneumatic portable power tool or air hose shall not be used such that an air stream might be directed forcibly against the body of any person.

14.2.3 To the extent practicable, exposure to continuous vibration from tools and machinery shall be minimized.

14.3 Inspection and Maintenance

14.3.1 Each hand tool and portable power tool shall be inspected at regular intervals and shall be maintained in a safe working condition.

14.3.2 In consultation with the appropriate health and safety committee, an inspection and maintenance plan for tools and machinery shall be created and a record shall be kept of all inspections and maintenance work performed under the plan.

14.3.3 Employees shall check each tool and machine before use to ensure that there are no visible defects.

14.3.4 All hand tools and portable power tools shall be transported and stored in a safe manner.

14.4 Robotic Systems

14.4.1 To the extent practicable, the machine guard of a robotic machine or a robotic machine system shall conform to the appropriate standard.

Part XV - Materials Handling

Scope

This part of the Directive enhances and supplements Part XIV (Materials Handling) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-70.html#h-185>] of the COHSR and should be read in that context.

15.1 General Responsibilities of Employees

15.1.1 Materials-handling equipment from which a safety device has been removed or rendered ineffective shall not be used or operated.

15.1.2 Except with the express approval of the person in charge, employees shall not remove or render ineffective a safety device with which any materials-handling equipment is fitted.

15.1.3 Employees shall not start the power unit of any materials-handling equipment until all drive clutches have been disengaged, all brakes set and the operator is assured that starting the power unit will not endanger any person.

15.2 General Design and Construction

15.2.1 To the extent reasonably practicable, seats provided for the operator and any passenger for which the motorized materials-handling equipment was designed shall be comfortable, well designed and constructed, equipped with adequate lateral restraints, safely located, and securely mounted.

15.3 Slow-moving Vehicles

15.3.1 Mobile equipment operated at a rate of speed of more than 30 km/h below the posted speed for a road or area shall be equipped with a slow-moving-vehicle warning device as prescribed by the laws of the province or territory in which the equipment is operated.

15.3.2 If the laws of the province or territory in which the mobile equipment is operated do not prescribe a slow-moving-vehicle warning device, the mobile equipment shall be equipped with a warning device in accordance with the requirements of the laws of an adjacent province or territory.

15.4 Control Systems

15.4.1 When practicable, any materials-handling equipment that has a moving part with a limit as to safe operating speed or safe travelling distance shall be equipped

with an automatic control to prevent its speed or distance of travel from exceeding that limit.

15.4.2 All motorized materials-handling equipment powered by an internal combustion engine shall be fitted with a power-operated starting device.

15.5 Inspections, Testing and Maintenance

15.5.1 After each scheduled maintenance or repair, and before motorized or manual materials-handling equipment is used for the first time in a workplace, the employer shall set out instructions in writing for inspecting and testing that materials-handling equipment to ensure that it is safe for use before it is put into service.

15.6 Radio Transmitting Equipment

15.6.1 Radio transmitting equipment shall not be used as part of operating the materials-handling equipment before the person in charge ensures that other transmitting devices will not interfere with the reliable transmission of signals.

15.7 Parking

15.7.1 When reasonably practicable, all motorized material-handling equipment operated by any employee shall be shut down during any period in which it is unattended.

15.7.2 Cranes, hoists or similar materials-handling equipment shall not be left unattended, other than in a condition of maximum stability, unless safe measures approved by the person in charge are taken to prevent the equipment from tilting or accidentally moving.

15.8 Manual Handling

15.8.1 All weight limits and workplace designs need to be reassessed based on the current knowledge of ergonomics using the appropriate standard.

15.8.2 Employees with primary tasks that do not include manual lifting or carrying shall not be required to manually lift or carry materials, goods or objects weighing in excess of 20 kg.

15.8.3 When an employee working in a health care environment is required to lift or carry persons, the employee shall be instructed and trained

(a) in a safe method of lifting and carrying the persons that will minimize the stress on the body;

(b) in a work procedure appropriate to the employee's physical condition and the working conditions; and

(c) in the use of alternative means or methods of lifting and carrying persons.

15.9 Materials Storage

15.9.1 No materials, goods or objects shall be stored or placed in a manner that may conceal any warning signs or symbols.

15.10 Instruction and Training

15.10.1 The operator of any materials-handling equipment shall have ready access to the operating manuals and departmental safety standards that may be necessary for the safe and proper operation and maintenance of the materials-handling equipment.

15.10.2 The single code of signals shall be filed, made readily available and provided to each signaller, operator and other persons required to understand the signals and those employees shall be instructed, trained and tested in the use of the code.

Part XVI - Motor Vehicle Operations

Scope

This part of the Directive outlines the requirements for the safe operation of motor vehicles owned or leased by the employer to ensure the safety and health of employees and the public and to avoid property or equipment damage.

16.1 General Responsibility of Departments

16.1.1 Departments are responsible for

(a) developing, in consultation with the appropriate health and safety committee, rules and procedures for the safe operation of motor vehicles, in accordance with the

general principles set out in this part of the Directive;

(b) identifying circumstances in which an air-conditioned vehicle is required to enhance the efficiency or protect the safety and health of the employee using the vehicle;

(c) ensuring that employees are fully informed of the correct procedures to be followed in the event of an accident;

(d) analyzing and evaluating motor vehicle accident reports and statistics, determining the causes of accidents and using that information to prevent future accidents from similar causes;

(e) ensuring that every departmentally owned or leased motor vehicle is maintained in a safe operating condition;

(f) informing employees of their rights and obligations and the department's responsibilities under the *NJC Travel Directive* when any authorized government travel involves the use of a private motor vehicle;

(g) ensuring that motor vehicle operators are qualified in all respects to operate the vehicles to which they are assigned;

(h) enforcing safe driving rules and traffic regulations on premises and in operations under their control;

(i) cooperating with civil and police authorities in enforcing traffic laws and observing safe practices; and

(j) developing, in consultation with the appropriate health and safety committee, procedures to be followed when motor vehicles are used to transport persons under restraint.

16.2 Safe Operation of Motor Vehicles

16.2.1 The operation of an unsafe motor vehicle is prohibited. A motor vehicle is unsafe when any defect exists that, in the judgment of the responsible supervisor in consultation with a qualified licensed motor vehicle mechanic, could contribute to an accident. A motor vehicle operator shall not be required to operate a mechanically unsafe vehicle or a vehicle loaded in a hazardous manner.

16.2.2 If the appropriate health and safety committee recommends that an employer purchase winter tires for departmental vehicles, the employer will evaluate the feasibility of the recommendation unless winter tires are required by federal, provincial or territorial legislation. Any report or study will then be shared with the health and safety committee.

16.2.3 When departments require employees to operate government-owned snowmobiles, motorcycles or all-terrain vehicles, departments shall provide operators with

- (a) personal protective equipment, a fire extinguisher and supplies for emergencies, in consultation with the appropriate health and safety committee; and
- (b) instructions for operating and maintaining the vehicle.

16.3 Hazardous Movement

16.3.1 Before moving oversized or overweight motor vehicles or those carrying dangerous articles or equipment over public highways, notification of the route and the use of public bridges, tunnels and/or highways shall be provided to appropriate civil officials. The movement of dangerous substances by motor vehicle shall be subject to the requirements specified in the *Transportation of Dangerous Goods Act*.

16.3.2 Motor vehicles that are regularly operated in remote or isolated areas shall be equipped with appropriate communication devices for emergency purposes.

16.4 Medical Examinations

16.4.1 Employees required to operate buses, ambulances, emergency vehicles, and heavy mechanical or mobile equipment, shall undergo health evaluations pursuant to the TB Occupational Health Evaluation Standard.

16.4.2 Associated costs shall be covered in accordance with section 11 of the TB Occupational Health Evaluation Standard.

16.5 Qualification of Motor Vehicle Operators

16.5.1 Every motor vehicle operator shall possess a valid licence to operate the motor vehicle to which the operator is assigned in accordance with the appropriate

provincial or territorial law or as may otherwise be required by regulations or statutes applicable to the public service.

16.5.2 In addition, motor vehicle operators may be required to demonstrate their competence to operate assigned motor vehicles and, for that purpose, appropriate records shall be maintained.

16.6 Training

16.6.1 Departments shall institute or participate in motor vehicle operator training programs designed to provide

(a) refresher training to acquaint personnel with changes in equipment or operating conditions; and

(b) remedial training to offset specific weaknesses indicated by accident records, traffic rule violations or other instances of inadequate operating performance.

16.6.2 The employer shall provide training to employees who operate commercial vehicles on the daily commercial vehicle inspection requirements of the appropriate provincial or territorial motor vehicle or highway traffic act so they can identify both minor and major defects, record them on their inspection report and reports them to the employer.

16.6.3 The employer shall ensure that identified defects are repaired and that vehicles are adequately maintained to meet the required provincial or territorial vehicle safety standards and legal requirements.

16.6.4 Departments shall ensure that written records of the training required by section 16.6 are maintained for as long as the employee remains in the department's employment.

16.7 Accident Investigation

16.7.1 Every motor vehicle accident is to be investigated, the cause or causes determined and appropriate corrective action applied. Additionally, a Hazardous Occurrence Accident Report shall be completed in compliance with section 15.8 of the COHSR.

16.7.2 Departments shall maintain a written record of vehicle repairs or replacements resulting from accidents for a period of 10 years.

16.8 Servicing, Inspection and Repair

16.8.1 Departments shall ensure that the servicing, inspection and repair of its motor vehicles

(a) meet normal preventive maintenance and safety requirements based on the use of motor vehicles;

(b) are performed by a qualified person; and

(c) as a minimum meet the requirements in the appropriate manufacturer's user manual.

16.8.2 Departments shall maintain records of the servicing, inspection and repair of each vehicle for as long as the vehicle is in operation.

16.9 Safe Transportation of Persons

16.9.1 With the exception of section 16.9.2, this section does not apply to the use and operation of emergency vehicles.

16.9.2 At the start of each shift, each operator shall be responsible for carrying out a safety inspection of the assigned motor vehicle. Unsafe conditions and defects shall be reported promptly to the responsible supervisor.

16.9.3 To the extent possible, persons shall be transported in passenger-type motor vehicles or buses. The following safety rules shall apply:

(a) only authorized persons shall be permitted to ride in motor vehicles;

(b) the number of persons permitted to ride in a passenger motor vehicle must not exceed the seating capacity of that motor vehicle except for short distances on buses provided with handholds;

(c) persons shall not be permitted to ride with any part of their person extended outside the motor vehicle, or on a running board, fender, cab, side or tailgate of a motor vehicle;

- (d) persons shall not enter or exit a motor vehicle while it is in motion;
- (e) tools, tool boxes, equipment and cargo shall be safely and securely stowed and secured to prevent shifting while in transit; and
- (f) if it is likely that materials, goods or objects will shift and endanger employees in any motor vehicle acquired after April 1, 1995 and having an empty vehicle weight of less than 4500 kg, departments shall ensure that a bulkhead or other effective means to protect the employees are installed.

16.9.4 When it is not possible or practicable to use passenger motor vehicles to transport persons, truck-type motor vehicles may be used. In those cases, the safety measures outlined in section 16.9.3 shall apply, and the following additional safety measures shall also apply:

- (a) fixed seating shall be provided and sideboards or stakes and tailgates fitted;
- (b) the number of persons transported may not exceed that for which fixed seating is provided;
- (c) a suitable cover shall be provided for protection from the elements; and
- (d) a motor vehicle operator shall operate the motor vehicle, taking the appropriate precautionary measures to protect passengers transported in the exceptional circumstances.

16.9.5 Under exceptional conditions, trucks without fixed seating may be used for transporting small groups of people (less than 10) for short distances on departmental property. Passengers shall be in a secure position within the body of the truck, and the vehicle shall be driven with extreme caution at a speed of not more than 10 km/h.

16.10 Fire Prevention

16.10.1 No motor vehicle shall be operated unless it is entirely free of fuel leaks.

16.10.2 Buses and motor vehicles used for transporting flammable substances shall be equipped with a dry chemical fire extinguisher.

16.10.3 The fire extinguisher referred to in section 16.10.2 shall

- (a) have not less than a 5BC rating as defined in the *National Fire Code of Canada*;
- (b) meet the standards set out in section 6.2 of the *National Fire Code of Canada*; and
- (c) be located such that it is readily accessible by the operator.

16.11 Motor Vehicle Fuelling and Operations

16.11.1 Departments shall develop, in consultation with the appropriate health and safety committee, written procedures for fuelling motor vehicles.

16.11.2 Tank trucks shall be loaded and unloaded in authorized areas by qualified personnel and under controlled procedures, in accordance with the *National Fire Code of Canada*.

16.12 Propane and Natural-gas-fuelled Vehicles

16.12.1 The installation, operation and maintenance of propane-fuelled motor vehicles and motorized materials-handling equipment shall be performed in accordance with the appropriate standard.

16.12.2 The conversion of vehicles to propane and natural-gas fuel systems after manufacture shall comply with the Canadian Motor Vehicle Safety Standards and/or provincial and territorial requirements.

16.12.3 Departments shall ensure that vehicles converted to propane and natural gas fuel systems meet the appropriate Canadian Motor Vehicle Safety Standards.

16.12.4 Each employee required to fuel a propane vehicle shall be tested and licensed by those provinces in which that licensing is required under provincial or territorial statute.

16.12.5 In provinces or territories where licenses are not required, departments shall certify employees for propane fuelling through internal departmental training and licensing. The training and licensing shall be equal to or better than the training provided in a province or territory that requires licensing.

16.12.6 Each employee certified under section 16.12.5 shall

- (a) be familiar with the specific safety precautions and operating procedures applicable to vehicle fuelling;

- (b) be able to identify and understand the functions and components of vehicle fuel supply systems;
- (c) be able to identify all components of a fuel dispenser and demonstrate capability in safely fuelling a vehicle; and
- (d) pass a written examination on the fuelling procedures applicable to the fuel to be handled.

16.13 Safety Measures Against Asphyxiation

16.13.1 The concentration of toxic exhaust fumes to which the operator and other persons are exposed when working on or near motor vehicles shall meet the requirements and not exceed the levels prescribed in Part XI - Hazardous Substances.

16.14 Motor Vehicle Safety Belts

16.14.1 Operators and passengers of motor vehicles that are required to be equipped with safety belts shall be required to fasten the safety belts at all times when the vehicle is in motion.

16.15 Highway Warning Devices

16.15.1 Motor vehicles operated at a rate of speed of more than 30 km/h below the posted speed for a road or area shall be equipped with a slow-moving-vehicle warning device as prescribed by the laws of the province or territory in which the equipment is operated.

16.15.2 When the laws of the province or territory in which the motor vehicle is operated do not prescribe a slow-moving-vehicle warning device, the mobile equipment shall be equipped with a warning device in accordance with the requirements of the laws of an adjacent province or territory.

16.15.3 In the event that a motor vehicle breaks down on or adjacent to a highway, advance warning devices such as flares or reflectors shall be placed in accordance with the statutes of the province or territory in which the vehicle breaks down.

16.16 First-aid Kits

16.16.1 The employer's motor vehicles shall be equipped with Type "A" first-aid kits.

16.16.2 At the request of an employee, when any authorized government business travel involves the use of a private motor vehicle the department shall, at a minimum, provide a Type "D" first-aid kit, and the employee shall return the kit when authorized travel is completed.

16.16.3 In addition to first-aid kits in motor vehicles, the employer shall provide motor vehicle emergency kits for field operations.

16.16.4 The appropriate health and safety committee shall participate in the determination of the contents of the motor vehicle emergency kits for field operations.

Part XVII - Hazardous Occurrence Investigation, Recording and Reporting (HOIRR)

Scope

This part of the Directive enhances and supplements Part II of the Code [<http://laws-lois.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] and Part XV (Hazardous Occurrence Investigation, Recording and Reporting [HOIRR]) [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-304/page-82.html#h-231>] of the COHSR and should be read in that context.

17.1 Employer Responsibilities

17.1.1 The employer shall develop, in consultation with the appropriate health and safety committee, hazardous occurrence investigation procedures and methodologies that include the process for selecting and appointing qualified persons to conduct investigations.

17.1.2 Health and safety committee members must be informed within 24 hours of any hazardous occurrence.

17.2 Objectives

17.2.1 Develop and implement appropriate investigative and analytical techniques and methodologies to identify the direct causes of hazardous occurrences.

17.2.2 Make recommendations for preventative and corrective measures to eliminate, reduce or protect against the risk of accidents and incidents.

17.2.3 For the purpose of this provision, "hazardous occurrence" means, but is not limited to, a workplace incident that results in

- (a) a disabling injury or illness;
- (b) a fire, explosion, loss of consciousness or other incident for which there is a potential for injury or illness; or
- (c) a minor injury.

17.3 Timely and Effective Hazardous Occurrence Investigations

17.3.1 A qualified person shall begin an investigation of a hazardous occurrence as soon as possible after the occurrence is reported.

17.3.2 The health and safety committee shall be informed of any hazardous occurrence and the name of the qualified person appointed to investigate no more than 24 hours after the occurrence is reported.

17.3.3 The procedure for conducting an investigation shall include the selection of an appropriate methodology and, as a minimum, shall include the following steps:

- (a) planning and preparation;
- (b) identifying and gathering facts (use of a methodology);
- (c) analyzing and assessing facts;
- (d) determining direct causes - unsafe conditions or acts;
- (e) recommending appropriate preventative and corrective measures to eliminate, reduce or protect against risks;
- (f) verifying in consultation with the health and safety committee or its representative the recommended corrective measures and their effectiveness and an acceptable period for implementation; and
- (g) writing a report setting out the qualified person's observations and recommendations.

Part XVIII - First Aid

Scope

This part of the Directive enhances and supplements Part II of the Code [<http://laws.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] and Part XVI (First Aid) [<http://laws.justice.gc.ca/eng/regulations/SOR-86-304/page-86.html#h-244>] of the COHSR and should be read in that context.

18.1 Employer Responsibilities

18.1.1 The employer is responsible for providing first-aid services to employees in accordance with the requirements of this Directive.

18.1.2 If an employee's normal workplace is located outside of the employer's premises, the employer shall establish, in consultation with the workplace committee, procedures for the availability of first-aid services.

18.2 First-aid Treatment and Reporting

18.2.1 When it appears that a physician's attention may be required, the affected employee shall be promptly referred to a medical treatment facility, and the employer shall ensure that suitable transportation and escort, if required, is arranged. Any ambulance or other transportation costs shall be borne by the employer.

18.2.2 Notwithstanding Part XV (Hazardous Occurrence Investigation, Recording and Reporting) [<http://laws.justice.gc.ca/eng/regulations/SOR-86-304/page-82.html#h-231>] of the COHSR, a written record of every injury or illness that required first-aid treatment shall be maintained at each place of employment for 10 years following treatment.

18.2.3 Each record of entry shall be signed by the first-aid attendant or person rendering first aid and shall be maintained in a first-aid attendant's treatment record book. Records of treatment shall be inspected by a responsible departmental official and the workplace committee at three-month intervals to verify their proper maintenance.

18.2.4 On notification, the employer shall ensure that first-aid kits are replenished as required.

18.2.5 First-aid attendants are entitled to take the time required to render first aid to injured employees in the workplace.

18.3 First-aid Attendants

18.3.1 First-aid attendants voluntarily provide first-aid services in conjunction with their regular duties.

18.3.2 An adequate number of qualified first-aid attendants shall be available to render first aid to employees during working hours as follows:

- (a) if there are 2 or more employees, at least 1 attendant per 50 employees shall be available at all times during each shift or working period at a given location;
- (b) for field parties, at least 2 first-aid attendants shall be included in each main party, and at least 1 attendant shall be among the members of each branch party;
- (c) the selection, location and training of first-aid attendants shall be determined in consultation with the workplace committee; and
- (d) if an employee is directed by the employer to attend first-aid training, the training time shall be considered time worked.

18.3.3 Employers shall ensure that first-aid attendants' certification are current. A list shall be maintained of the names, certification levels and statuses, and the locations of first-aid attendants..

18.3.4 All first-aid attendants shall be made aware of the "*Policy on Legal Assistance and Indemnification*."

[<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?evttoo=X&id=13937>]

18.4 Specialized First-aid Training

18.4.1 When unusual and variable occupational hazards may exist, such as in laboratories or during field operations in isolated areas, a qualified person shall be consulted about specialized first-aid training and/or equipment that may be required.

18.4.2 When a recommendation is made by a health and safety committee to an employer to purchase an automated external defibrillators (AED), the employer will evaluate its feasibility.

18.4.3 Any report or study will then be shared with the health and safety committee.

18.4.4 Any cardiopulmonary resuscitation program, including the provision of the AEDs when required, will be subject to the participation of the appropriate health and safety committee.

18.4.5 When an employer provides the AEDs, it will ensure appropriate training for a sufficient number of employees. Any AED program should be part of an existing chain of survival.

18.5 First-aid Supplies and Equipment

18.5.1 One type "A" first-aid kit shall be provided for workplaces of one to five employees.

18.5.2 When necessary, the kits shall include supplies for protection against infectious disease.

18.5.3 The design and installation of emergency eyewash and shower facilities shall comply with the appropriate standard.

18.6 First-aid Rooms

18.6.1 A first-aid room is an enclosed area provided by the employer to be used exclusively for administering first aid.

18.6.2 A first-aid room may be provided to serve fewer employees than required by the COHSR when it is justified by the types of activities and earlier risks of injury at the location.

18.6.3 In an emergency situation, when an employer provides a first-aid room, first-aid attendants may have access to the first-aid room in the absence of a health professional. Entry access must be controlled by a responsible officer who shall prevent access to material and equipment that must be exclusively used by a health professional and to medical files and other protected documents related to health.

18.6.4 If, at a given location, the total number of employees of more than one employer justifies the need for a first-aid room, a common first-aid room may be established under coordinated control as agreed to locally by the employers in

question. Should a common first-aid room prove impracticable, a first-aid room shall be established by each individual employer.

18.6.5 A first-aid room shall have a minimum floor area of 15 m² and shall be provided with a cabinet or cupboard space that has a lock and that is suitable for storing first-aid supplies.

18.7 Emergency Communications

18.7.1 All appropriate names, work locations (addresses) and telephone numbers that may be required for any emergency shall be conspicuously posted at each first-aid station and first-aid room, and the numbers shall, as a minimum, include numbers for the following:

- (a) a medical treatment facility;
- (b) a fire department;
- (c) a police department; and
- (d) a poison control centre.

18.7.2 Communication shall be established between field parties and facilities that can provide emergency medical advice, assistance or rescue services. Whenever possible, communications shall also be maintained between main camps and parties working out of those camps.

18.8 Identifying First-aid Facilities

18.8.1 The directions to and the location of each first-aid room shall be indicated by symbols in accordance with the requirements specified in the *Federal Identity Program Manual* [<http://www.tbs-sct.gc.ca/hgw-cgf/oversight-surveillance/communications/fip-pcim/man/mantb-eng.asp>].

18.9 Field Operations

18.9.1 Before proceeding on field operations, the person in charge of a field party shall

- (a) ensure that the required number of first-aid attendants are available;

(b) obtain the required first-aid kits and other first-aid supplies; and

(c) contact the medical treatment facility nearest the intended work area to arrange for emergency services.

18.9.2 When parties will be operating under conditions that may require special supplies beyond those considered as normal first-aid requirements, employers shall obtain those supplies as required in consultation with the person in charge.

18.9.3 Whenever a camp is to be established as a base for field operations, the person in charge of the party shall ensure that arrangements have been made for the emergency evacuation of casualties and for the communications procedures required to obtain medical advice and/or assistance and that all members of the party have been advised of the arrangements.

18.10 Other First-aid Matters

18.10.1 When necessary, an authority with the appropriate expertise shall be consulted about

(a) first-aid matters not specifically covered by this part; and

(b) the provision of specific first-aid supplies and equipment not detailed in this part.

Part XIX - Refusal to Work

This part of the Directive enhances and supplements Part II of the Code [<http://laws.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] and should be read in that context.

19.1 Any employee may exercise his or her right of refusal to work. The proper redress mechanism established in accordance with subsection 128(7) of the Code shall be followed. The selection of the redress mechanism is revocable if the employer and employee agree and the parties agree that, if no solution is found under the Directive, either party can use the legislated process provided under the Code and its pursuant applicable regulations and request the intervention of a labour health and safety officer of HRSDC.

19.2 No employer shall assign any other employee to use or operate the machine or object, to work in that place or to perform the activity until a labour health and safety

officer from HRSDC has been notified of a continued refusal.

Part XX - Occupational Health and Safety Committees and Representatives

Scope

This part of the Directive enhances and supplements Part II of the Code [<http://laws.justice.gc.ca/eng/acts/L-2/page-53.html#h-46>] and the Safety and Health Committees and Representatives Regulations [<http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-305/>] and should be read in that context.

20.1 National Health and Safety Policy Committees

20.1.1 National health and safety policy committees ("policy committees") are established in accordance with the provisions for occupational health and safety committees under the Code and its applicable regulations.

20.1.2 The policy committee shall participate and be consulted in developing, implementing and monitoring the employer's health and safety program in accordance with the Directive and shall consider health and safety when formulating policies, practices and procedures.

20.1.3 The policy committee is a forum in which management and employee representatives can meet to exchange information, discuss policies, programs and conditions and in which employee representatives can inform the employer of their views about health and safety matters. The members should strive to reach consensus on all issues.

20.2 Committee Size

20.2.1 In determining the size of the policy committee, the following factors shall be considered:

- (a) the number and distribution of employees in each workplace;
- (b) the level of risk in the entire work environment;
- (c) the variety of functions performed;
- (d) the need to represent different shifts;

(e) the frequency of incidents and injuries in the workplace; and

(f) the number of unions involved.

20.2.2 The employer should select management representatives who will have the necessary authority to act on, discuss and approve any items raised at the meeting of the policy committee.

20.2.3 When employees at a workplace are represented by a trade union, the trade union shall select the employees to be appointed by the employer to the available seat(s) on the policy committee.

20.3 Office Vacancy

20.3.1 When a member of a policy committee resigns or ceases to be a member for any other reason, the vacancy shall be filled within 60 calendar days.

20.4 Quorum

20.4.1 The quorum of a policy committee shall consist of a majority of the members of the committee of which at least half are representatives of the employees and at least one is a representative of the employer.

20.4.2 Should a meeting require rescheduling due to a lack of quorum, a justification explaining the reasons that led to the rescheduling shall be included in the next policy committee minutes.

20.5 Alternates

20.5.1 It is important that policy committee meetings not be delayed or postponed due to an inability to achieve quorum. It is usually desirable to name alternates to replace regular members at committee meetings. The committee should decide, through its rules and procedures, whether it will allow alternates to attend meetings in place of regular members. The alternates must be fully informed and given the rights and powers of the members they replace. The use of alternates should be kept to a minimum to maintain continuity. The alternates should be selected in the same way as regular members and their names should be posted alongside those of regular committee members.

20.6 Committee Powers

20.6.1 Either party of a policy committee may request from an employer any information that the committee considers necessary for identifying existing or potential hazards with respect to materials, processes, equipment or activities.

20.6.2 Either party of a policy committee shall have full access to all government and employer reports, studies and tests about the health and safety of employees or to the parts of those reports, studies and tests that relate to the health and safety of employees but shall not have access to the medical records of any person, except with that person's written consent.

20.7 Rules of Procedure

20.7.1 Each policy committee shall establish its own rules of procedure that will address, but not be limited to, the following:

- (a) the terms of office;
- (b) the time, place and frequency of regular meetings;
- (c) the process by which the minutes shall be approved by both chairpersons;
- (d) a process by which the position expressed by a member on any health and safety matter brought before the committee at its meeting is accurately recorded in the minutes and that includes a method for reviewing and making amendments to the minutes before they are formally approved;
- (e) the recording of the minutes;
- (f) the process by which agenda items are submitted and the agenda is adopted;
- (g) the procedures for obtaining any necessary approvals from the chairpersons for carrying out powers and duties as committee members; and
- (h) any procedures for its operations that it considers advisable.

20.8 Meetings

20.8.1 Members of a policy committee are entitled to the necessary time away from their regular work to attend meetings or to carry out any other functions as members of the committee including reasonable meeting preparation time, and any time spent by the member while carrying out any of his or her functions as a member of the

committee shall, for the purposes of calculating wages owing to him or her, be deemed spent at work.

20.8.2 Employees who are part of the policy committee may not have the required resources to fully participate. Assistance or other support may be provided to facilitate their participation, which may include travel costs to attend meetings. If authorized by the employer, all travel costs must conform to the applicable provisions of the *NJC Travel Directive*.

20.9 Minutes

20.9.1 The minutes of each policy committee meeting shall be approved by both chairpersons.

20.9.2 The chairperson selected by the representatives of the employer shall provide, as soon as possible after each policy committee meeting, a copy of the minutes in either electronic or printed form to the employer and to each committee member.

20.9.3 The employer shall make available to the workplace committee members a copy of the policy committee minutes, in either electronic or printed form.

20.9.4 A copy of the policy committee minutes shall be kept by the employer for a period of two years from the date on which the policy meeting was held. The minutes shall be made readily available for examination.

20.9.5 The employer shall post a copy of the policy committee minutes as soon as they are available and shall keep them posted for three months.

20.9.6 A policy committee shall keep accurate records of all matters brought before it.

20.10 Regional Policy Health and Safety Committees

20.10.1 Regional policy health and safety committees ("regional committees"), if established, shall operate in accordance with the provisions applicable to the policy committee under the Code and its pursuant applicable regulations, which include all the powers, duties and privileges afforded to its members.

20.10.2 The terms of reference of all regional committees shall be approved by the policy committee.

20.10.3 Regional committees shall also keep the policy committees informed of regional health and safety issues.

20.10.4 Members of a regional committee are entitled to the necessary time away from their regular work to attend meetings or to carry out any other functions as members of the committee, including reasonable meeting preparation time and any time spent by the member while carrying out any of his or her functions as a committee member. For the purposes of calculating wages owing to the employee, that person shall be deemed to have been at his or her regular work.

20.11 Workplace Health and Safety Committees

20.11.1 A workplace health and safety committee ("workplace committee") shall be established at each workplace in which 20 or more employees are normally employed.

20.11.2 The workplace health and safety committee shall participate and be consulted in developing, implementing and monitoring the employer's health and safety program in accordance with the Directive and to take health and safety into consideration when formulating policies, practices, and procedures.

20.12 Committee Size

20.12.1 In determining the size of the workplace committee, the following factors shall be considered:

- (a) the number and distribution of employees in each workplace;
- (b) the level of risk in the entire work environment;
- (c) the variety of functions performed;
- (d) the need to represent different shifts;
- (e) the frequency of incidents and injuries at the workplace; and
- (f) the number of unions involved.

20.12.2 The employer should select management members who will have the necessary authority to act on, discuss and approve any items raised at the meeting of the workplace committee.

20.13 Committee Powers

20.13.1 Either party of a workplace committee may request from an employer any information that the committee considers necessary for identifying existing or potential hazards with respect to materials, processes, equipment or activities.

20.13.2 Either party of a workplace committee shall have full access to all government and employer reports, studies and tests relating to the health and safety of employees or to the parts of those reports, studies and tests that relate to the health and safety of employees but shall not have access to the medical records of any person, except with that person's written consent.

20.14 Rules of Procedure

20.14.1 Each workplace committee shall establish its own rules of procedure that will address, but will not be limited to, the following:

- (a) the terms of office;
- (b) the time, place and frequency of regular meetings;
- (c) the process by which the minutes shall be approved by both chairpersons;
- (d) a process by which the respective position expressed by a member on any health and safety matter brought before the committee at its meeting is accurately recorded in the minutes and that includes a method for reviewing and making amendments to the minutes before they are formally approved;
- (e) the recording of the minutes;
- (f) the process by which agenda items are submitted and the agenda is adopted;
- (g) the procedures for obtaining any necessary approvals by the chairpersons for carrying out powers and duties as committee members; and
- (h) any procedures for its operations that it considers advisable.

20.15 Meetings

20.15.1 Members of a workplace committee are entitled to the necessary time from their regular work to attend meetings or to carry out any other functions as members

of the committee, including reasonable meeting preparation time. Any time spent by the member while carrying out any of his or her functions as a member of the committee shall, for the purposes of calculating wages owing to him or her, be deemed spent at work.

20.16 Minutes

20.16.1 The minutes of each workplace committee meeting shall be approved by both chairpersons.

20.16.2 The employer shall post a copy of the workplace committee minutes as soon as they are available and will keep them posted for three months.

20.16.3 A workplace committee shall keep accurate records of all matters brought before it.

20.17 Representatives

20.17.1 If no workplace committee is required, all duties and powers are extended to the health and safety representative.

20.18 Training

20.18.1 The employer shall, in consultation with the appropriate committee, develop a training program for committee members that shall ensure that committee members are trained in the performance of their responsibilities in relation to the activities of the employer and that includes but is not limited to:

- (a) their powers and duties under the Code and its applicable regulations;
- (b) requirements found in the Directive;
- (c) rules and procedures of the committees; and
- (d) principles of consensus building and resolving health and safety issues.

20.18.2 The employer shall develop, in consultation with the appropriate health and safety committee, an awareness program for all employees that covers, but is not limited to, the requirements found in the Code and its applicable regulations and the Directive.

20.18.3 If an employee is directed by the employer to attend health and safety training as a consequence of being a member of a health and safety committee, the training time shall be considered time worked. It is understood that the employer will choose the health and safety training to be taken after consulting with the health and safety committee in question.

20.19 Information

20.19.1 The employer shall communicate the purpose of the health and safety committee and its current membership (names, phone numbers and work locations) to all employees at least once per year either electronically or via hard copy.