

Gouvernement du Québec

**O.C. 1236-98, 23 September 1998**

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

**Occupational health and safety in mines  
— Amendments**

Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions

WHEREAS under paragraph 9 of section 51 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) and subparagraphs 1, 7 to 10, 41 and 42 of the first paragraph of section 223 of the Act, the Commission de la santé et de la sécurité du travail may make regulations on the matter mentioned therein;

WHEREAS under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments of construction sites to which they apply and the regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS in accordance with section 224 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 4 February 1998, with a notice that it could be made by the Commission, with or without amendment, upon the expiry of 60 days following the publication of that notice and submitted to the Government for approval;

WHEREAS at its meeting of 21 May 1998, the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions, with amendments;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions<sup>(1)</sup>**

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 51, par. 9, s. 223, 1st par., subpars. 1, 7 to 10, 19, 41, 42, and 2nd par.)

**1.** The title of the Regulation respecting occupational health and safety in mines and amending various regulatory provisions is replaced by:

“Regulation respecting occupational health and safety in mines”.

**2.** Section 17 is amended by substituting the following for paragraph 1:

“(1) 6 units of self-contained breathing apparatus with full face pieces, a minimum utilization time of 90 minutes and a respiratory capacity of 30 litres per minute (1.06 cubic feet per minute);”

**3.** Section 27 is amended by striking out “142.1.”.

**4.** The following is substituted for section 27.1:

“**27.1** A person working underground shall, within six months of the date of coming into force of this Regulation, or, for a person hired after that period, within four months of the date of hiring,

(1) receive training in occupational health and safety in accordance with Modules I, II, and III of the modular course for miners published by the Commission scolaire de Val-d’Or; and

(2) hold an attestation to that effect issued by the Commission scolaire de Val-d’Or.

A person who is subject to the first paragraph on the date of coming into force of this Regulation, shall be accompanied by a person who has received training in accordance with Module I of the prescribed course until he meets the conditions prescribed in the first paragraph.

<sup>1</sup> The Regulation respecting occupational health and safety in mines and amending various regulatory provisions, made by Order in Council 213-93 dated 17 February 1993 (1993, G.O. 2, 1757) was last amended by the Regulation made by Order in Council 782-97 dated 11 June 1997 (1997, G.O. 2, 2744). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

A person who is hired after the expiry of the six-month period provided for in the first paragraph shall, until the conditions prescribed in that paragraph are met, be accompanied by a person referred to therein.”

A person who occasionally works underground is exempted from the conditions prescribed in the first paragraph; however, that person shall be accompanied by a person referred to therein.

**5.** The Regulation is amended by inserting the following after section 28.01:

“**28.01.1** In addition to the standards provided for in section 28.01, excavation in a mine located in a permafrost zone may not be undertaken unless an analysis giving the anticipated effects of the excavation on the stability of the geological materials has been carried out.”

**6.** Section 28 is amended by inserting the following after the first paragraph:

“Except in mines containing soluble minerals, the roofs, walls and working faces of mines shall be washed before sounding and scaling to eliminate any dust created following blasting.”

**7.** Section 36 of the English text is amended by substituting

(1) the word “sounding” for the word “drilling” in the first paragraph;

(2) the word “sounded” for the word “drilled” in the first paragraph; and

(3) the word “sounding” for the word “drilling” throughout the second paragraph.

**8.** Section 57 is amended by substituting “40 millimetres (1.6 in.) for “30 millimetres (1.2 in.)” in the second paragraph.

**9.** Section 60 of the English text is amended by substituting “(10.8 sq. ft.) or less” for “(10.8 sq. ft.) or more”.

**10.** Section 100.1 is amended by inserting “or Standard CAN/CSA-M424.1-88 Flameproof Non-Rail-Bound Diesel-Powered Machines for Use in Gassy Underground Mines, if applicable,” after the word “Mines,”.

**11.** The Regulation is amended by inserting the following after section 103.1:

“**103.2** Any underground equipment powered by a diesel engine shall be stopped if the following occurs:

(1) the concentration of carbon monoxide in the undiluted exhaust gases of the engine exceeds 750 ppm for haulage or clearing equipment or 1000 ppm for service equipment; or

(2) its use becomes dangerous due to a defect in the engine.

**103.3** The concentration of carbon monoxide in the undiluted exhaust gases of underground diesel engines shall be measured when the engines are first put into operation and thereafter at least every 300 hours of operation or at least every six months, whichever event occurs first.

The results of these measurements shall be entered in the register provided for in section 103.”.

**12.** Section 129 is amended by substituting “450 litres (99 gallons)” for “25 litres (5.5 gallons)” in the first paragraph.

**13.** The following is inserted after section 193:

“**193.1** While a truck is being loaded at a stockpile or working face, the driver shall remain inside the cab of the truck or outside the loading zone.”.

**14.** Section 263 is amended by substituting the following for subparagraph 3 of the second paragraph:

“(3) a signal device linked to the system provided for in the first paragraph is available to workers in the shaft.”.

**15.** Section 273 is amended:

(1) by adding the following at the end: “He shall then remain at the hoist control.”; and

(2) by adding the following paragraph at the end:

“However, in the event of shaft maintenance work and in other circumstances requiring a lengthy stop, the hoistman may leave the hoist control after having received a three-bell signal under the following conditions:

(1) if the hoist power supply is turned off; and

(2) the hoistman remains inside the room housing the hoist control.”.

**16.** The following is substituted for section 288:

“**288.** When new, a hoisting rope installed on a drum hoist shall have a safety factor that meets the following minimum requirements:

(1) subject to paragraph 2, at least 8.5 at the end of the rope attached to the counterweight or conveyance and having a service load consisting of the mass of the conveyance added to the maximum mass that can be transported in it;

(2) at least 7.5 at the end of the rope attached to the counterweight or to the skip and having a service load consisting of the mass of the skip added to the maximum mass that can be weighed;

(3) at least 5.0 at the headsheave when the conveyance or counterweight is at the lower limit of travel in the shaft, the service load then consisting of the mass of the counterweight or conveyance added to the maximum mass that can be transported in it and the mass of the part of the rope located between the headsheave and the conveyance.”

**17.** Section 361 is amended by inserting “on the mine site” after the word “available”.

**18.** Section 374 is amended:

(1) by inserting, at the end of item *a* of subparagraph 4 of the first paragraph, “and also for a distance of 15 metres (49.2 ft.) on each side of the drive pulley, if the drive pulley is not located at one end of the conveyor;”; and

(2) by substituting the following for the second paragraph:

“The conveyors used in mines containing soluble minerals may be equipped with a firefighting sprinkler system as prescribed in subparagraphs 3 and 4 of the first paragraph or with a foam or powder extinguishing system.”

**19.** Section 387 is amended by substituting “40 millimetres (1.6 in.)” for “30 millimetres (1.2 in.)” in subparagraph 1 of the second paragraph.

**20.** Section 393 is amended by striking out the word “pas” in the French text.

**21.** Section 402 is amended by inserting “, with the exception of section 418” after the word “Division”.

**22.** The following is inserted at the end of section 408:

“**408.1** Except for the loading of mine holes, detonators and micro-connectors may not be placed near other types of explosives nor in the same container.”

**23.** Section 417 is amended by substituting the following for the part that precedes paragraph 1:

“**417.** Notwithstanding section 415, a box may be used to store explosives on the surface on the following conditions:”

**24.** Section 418 is amended:

(1) by substituting the following for the part that precedes subparagraph 1 of the second paragraph:

“However, explosives used underground may be stored in a recess:”

(2) by substituting the following for subparagraph 5 of the second paragraph:

“(5) located in accordance with section 424, with the exception of subparagraph *c* of paragraph 1; in which case, the distance between the recess and a working face shall be:

(a) at least 60 metres (196.8 ft.) measured in a straight line from the recess to the working face; or

(b) at least 60 metres (196.8 ft.) according to the opening the distance between the recess and the working face of which is the shortest, on condition that the thickness of the rock between those two points is at least 15 metres (49.2 ft.); and

(3) by inserting the following paragraph at the end:

“For the purposes of this section, “working face” means the wall of an underground excavation site where blasting is being carried out.”

**25.** Section 439 is amended:

(1) by inserting “fond de” after the word “tel” in paragraph 1 of the French text;

(2) by substituting the word “material” for the word “mineral” in paragraph 3;

(3) by substituting the following for paragraph 4:

“(4) 5 metres (16.4 ft.) from any loaded hole or any place where explosives are loaded; however, if the drill-

ing and the loading are carried out alternately, the drilling of a drill hole may be carried out at a distance of less than 5 metres (16.4 ft.) if the specific conditions of an open-pit mine require it and the following conditions are met:";

(4) by substituting the following for subparagraph *b* of paragraph 4:

"(b) drill holes may be drilled only in parallel and their alignment shall be checked so that the margin of error does not exceed 3 degrees;"

(5) by inserting " , or more than 15 metres (49.2 ft.) for holes with a diameter of 102 millimetres (4 in.) or more, except where an engineer certifies, before drilling begins, that deeper holes may be drilled without any danger; the engineer's certification shall be sent to the Commission de la santé et de la sécurité du travail" at the end of subparagraph *c* of paragraph 4; and

(6) by inserting the following after subparagraph *c* of paragraph 4:

"(c.1) if the holes have a depth of 6 metres (19.7 ft.) or more, the first drilling rod shall be replaced by a guide tube;"

**26.** The Regulation is amended by inserting the following after section 449:

"**449.1** Except where the conditions prescribed in paragraphs 1 and 2 of section 449 are complied with, when an electrical apparatus, such as a shovel or drill, is used near a loaded hole, the distance between the trailing cable and the hole loaded with explosives shall not be less than 3 metres (9.8 ft.)."

**27.** The following is substituted for section 485:

"**485.** All transformers shall be kept inside a room with a door that is to be kept locked, unless they are inside a locked box that prevents any contact with a live component.

A transformer room installed after 1 April 1993 in which there are exposed live components shall be separated from the control panel section by a non-combustible partition."

**28.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## M.O., 1998

Education Act  
(R.S.Q., c. I-13.3; 1997, c. 96)

### Order of the Minister of Education respecting the conditions of employment of management staff of school boards dated of 23 september 1998

THE MINISTER OF EDUCATION,

WHEREAS in accordance with section 451 of the Education Act (R.S.Q., c. I-13.3; 1997, c. 96, s. 130), the Minister may, by regulation, establish for all or certain school boards a classification of positions, the maximum number of positions in each job category, working conditions, remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-2 7);

IT IS ORDERED:

THAT the Regulation respecting the conditions of employment of management staff of school boards, attached to this ministerial order, be made.

Québec, 23 September 1998

PAULINE MAROIS

### Regulation respecting the conditions of employment of management staff of school boards

Education Act  
(R.S.Q., c. I-13.3, s. 451; 1997, c. 96, s. 130)

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