

(c) the surnames, given names and places of business of all the owners of the merchandise from whom the employer accepts work to be performed at home;

(d) a written document from each owner of merchandise attesting that he entrusts the employer with work to be performed at home;

(5) where work is entrusted to a home worker, his employer shall file with the Commission a sample of each garment design and shall complete a working form stating the garment design, quantity and price paid for each clothing garment design to be prepared; furthermore, each piece of clothing shall identify the owner of the merchandise;

(6) an employer that has work performed by a contractor shall enter in his register the following information: the garment design, the description, quantity and price paid to the contractor for each garment design, as well as any trade mark used;

(7) the contracting employer shall enter, not later than the 10th of the month following that in which he receives the work, the following information for each employer providing him with work: the garment design, description and price paid to him for each garment design, as well as any trade mark used.

Division III

Information required from an employer who, had it not expired, would be covered by the Decree respecting the men's clothing industry (R.R.Q., c. 1981, c. D-2, r. 27)

For each employee and each pay period:

(1) his surname, given name, address, the nature of his work, his qualification and the first date of service with that employer;

(2) the number of working hours per day and, for each day, the exact time at which work was begun, interrupted, resumed and finished;

(3) the total number of hours worked per week;

(4) the overtime;

(5) the number of work days per week;

(6) the wage rate;

(7) the nature and amount of the premiums, severance pay and other, allowances or commissions paid;

(8) the gross wage;

(9) the nature and amount of the deductions made;

(10) the net wage;

(11) the working period corresponding to the payment;

(12) the date of payment;

(13) the reference year;

(14) the duration of the vacation;

(15) the date on which he goes on his annual paid vacation;

(16) the date on which the employee took a paid statutory general holiday or another holiday, including compensatory holidays related to paid statutory general holidays.

3536

Draft Regulation

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

Safety Code

— Construction industry

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the Regulation to amend the Safety Code for the construction industry, the text of which appears below, may be adopted by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to ensure the health and safety of workers on construction sites by prescribing standards more appropriate to that industry.

To that end, the draft Regulation specifies the safety rules that apply when mobile scaffolding is used near live power lines. It also provides the addition of a new division concerning fall protection, as well as new requirements concerning scaffolding platforms. Finally, it recommends the installation of overload and two-blocking situation protection devices on mobile cranes,

as well as the harmonization of standards relating to protective walls surrounding construction sites with those provided for in the National Building Code.

To date, study of the matter has shown little impact on small and medium-sized businesses because the standards provided therein correspond in large part to the practice already established in the construction industry while they ensure workers with better safety.

Further information may be obtained by contacting Mr. Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 350, Québec (Québec) G1K 7E2, by telephone at (418) 646-0600 or by fax at (418) 528-2376.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to Alain Albert, Vice-Chairman, Programmation et expertise-conseil, Commission de la santé et de la sécurité du travail, 1199, rue de Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

TREFFLÉ LACOMBE,
*Chairman of the board of directors
and Chief Executive Officer of the
Commission de la santé et de la sécurité du travail*

Regulation to amend the Safety Code for the construction industry*

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 7, 9, 19, 42, 2nd and 3rd pars.)

1. The Safety Code for the construction industry is amended in section 1.1

(1) by substituting the word “rope grab” for the words “fall arresting device or a personnel lowering device” in paragraph 7.1;

(2) by substituting the following for paragraph 24.1:

“24.1. “lanyard”: independent length of rope or strap fastened at one end to the safety harness and at the other end to a point of anchorage, a rope grab or a horizontal life line;”;

(3) by substituting the words “a partition” for the words “an unbroken partition” in paragraph 25.1.

2. Section 2.7.1 is amended

(1) by substituting the following for the part preceding paragraph *a*:

“2.7.1. Protective measure: A construction site shall be separated from any place to which the public has access by”;

(2) by substituting the figure “2” for the figure “2,1” in paragraph *a*;

(3) by substituting the figure “2” for the figure “2,1” in paragraph *b*.

3. Section 2.7.2 is amended by substituting the number “1 070” for the number “1 100” in paragraph *f*.

4. Section 2.7.3 is revoked.

5. The following is added after section 2.8.1:

“2.9. Fall protection

2.9.1. Safety measures: A worker shall be protected against falls in the following cases:

(1) if he is at risk of falling more than 3 metres from the place he is working;

(2) if he is at risk of falling:

(a) into a dangerous liquid or substance;

(b) on a moving component;

(c) on equipment or material that constitute a danger;

(d) from a height of 1.2 metres or more where he uses a wheelbarrow or a vehicle.

In such cases and subject to section 2.9.2, one or several of the following measures shall be taken by the employer to ensure the safety of workers:

(1) change the work position of workers so that they can work on the ground or on another surface from which they are not at risk of falling;

(2) install guard-rails or a system which, by limiting the movements of workers, prevent them from being at risk of falling;

* The Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r. 6) was last amended by the Regulation approved by Order in Council 459-99 dated 21 April 1999 (1999, G.O. 2, 1115). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

(3) use common protective devices and equipment, such as safety nets;

(4) ensure that workers wear safety harnesses complying with section 2.10.12 when they are working;

(5) use another means that ensures equivalent safety for workers.

2.9.2. Installation of guard-rails: Guard-rails must be placed on open sides of a floor, roof, platform, ramp, or scaffoldings or stairs around an excavation or any area from which a worker may fall:

(1) into water;

(2) a vertical distance of 1.2 metres or more where he uses a wheelbarrow or another vehicle;

(3) a height greater than 5 metres from the periphery of roofs and 3 metres in other cases.

Notwithstanding the foregoing, such a guard-rail may be removed during works if it is a nuisance. In such a case, a worker must wear a safety harness complying with section 2.10.12 and the work area must be delimited in particular by means of a continuous barricade or trestle of a minimum height of 0.7 metre, so as to prevent access thereto by persons not working therein.

2.9.3. Safety net: Where a safety net is installed, it must

(1) be installed so as to allow a free fall of no more than six metres;

(2) have a sufficiently large area to intercept a person who has fallen;

(3) be capable of supporting a mass of 115 kilograms falling from a maximum height of 6 metres and with a safety factor of 3;

(4) be sufficiently flexible to form a pocket and retain any person who has fallen;

(5) be weather resistant;

(6) be free of all foreign matter;

(7) have openings of about 150 millimetres x 150 millimetres;

(8) be installed in such a way that, when used, the person who falls therein will not hit an obstacle under or above the net or be hit by an object.”.

6. Section 2.10.12 is amended

(1) by substituting “Safety harness” for its heading;

(2) by substituting the following for paragraphs 1 and 2:

“(1) A safety harness must comply with CAN/CSA Standard Z259.10-M90 “Full Body Harnesses” and be used with one of the following systems:

(a) an energy absorber to which a lanyard not allowing a free fall of more than 1.2 metres is fastened;

(b) a self retracting lanyard that includes an energy absorber or that is fastened thereto.

Energy absorbers must comply with CAN/CSA Standard Z259.11-M92 “Shock Absorbers for Personal Fall Arrest Systems”.

Lanyards must comply with CAN/CSA Standard Z259.1-95 “Safety Belts and Lanyards”.

Self retracting lanyards must comply with CSA Standard Z259.2-M1979 “Fall-Arresting Devices, Personnel Lowering Devices, and Life Lines”.

(2) The fastening point of a self retracting lanyard must be anchored to an element having a breaking strength of at least 18 kilonewtons.”;

(3) by substituting the following for subparagraph *b* of paragraph 3:

“(b) attached to a rope grab in compliance with CSA Standard Z259.2-M1979 “Fall-Arresting Devices, Personnel Lowering Devices, and Life Lines”, fastened to a vertical life line or anchored to an element having a breaking strength of at least 18 kilonewtons; or”;

(4) by substituting the following for paragraph 6:

“(6) A worker assigned to the erection or checking of power line towers must wear a safety harness complying with CAN/CSA Standard Z259.10-M90 “Full Body Harnesses” and used with one of the following systems:

(a) an energy absorber to which are fastened two lanyards including one that must be attached at all times;

(b) an energy absorber to which is fastened one lanyard attached by a rope grab to a vertical life line;

(c) a self retracting lanyard equipped with an energy absorber or fastened thereto.

Energy absorbers, lanyards and self retracting lanyards must comply with the standard provided for in paragraph 1 that applies thereto.

Where he moves a life line or the sling of a self retracting lanyard by means of a pole anchor hook, a worker shall be attached to the tower only by means of his work positioning strap that he shall fasten to a structural member above him.”.

7. The following is substituted for section 2.10.14:

“**2.10.14.** Where a worker is provided with a safety belt, it can be used only to limit the movements of a worker or to keep him in his work position.

Such a belt must comply with CAN/CSA Standard Z259.1-95 “Safety Belts and Lanyards”.

A safety belt shall not be used as individual protective equipment to stop the fall of a worker.”.

8. Section 2.15.6 is amended by deleting paragraph 5.

9. Section 2.15.7.2 is amended by adding “, with the exception of section 4.3.2.5.” at the end of the first paragraph.

10. The following is substituted for section 2.15.7.2.1:

“**2.15.7.2.1.** Two-blocking situation protection device:

(1) Any mobile crane with a telescopic boom shall be equipped with a device designed to warn the operator that a two-blocking situation is about to occur, by means of warning lights and buzzer or an apparatus that stops the equipment. The protection device must be of the fail-safe design.

(2) A cable mobile crane must be equipped with a protective device complying with the device described in paragraph 1. Depending on the date on which the crane was manufactured, the device must be installed no later than:

Date on which the crane was manufactured	Final date on which the protection device must be installed
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As of 1 January 2000	at the time it was manufactured
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From 1 January 1995 to 31 December 1999	31 December 2000
From 1 January 1990 to 31 December 1994	31 December 2001
From 1 January 1985 to 31 December 1989	31 December 2002
From 1 January 1980 to 31 December 1984	31 December 2003
From 1 January 1975 to 31 December 1979	31 December 2004
From 1 January 1970 to 31 December 1974	31 December 2005
Before 1 January 1970	31 December 2006

(3) This section does not apply to a cable mobile crane equipped with a shovel, a dragging bucket, a clamshell bucket or a pile hammer and that is used for purposes other than the hoisting of loads and to a cable mobile crane that is used to carry out the following foundation work, including all handling work required to that end: pile driving, installation of drilled or excavated caissons, installation of sheet-piling, setting up of shoring devices, below-grade work, drilling of tie rods or anchors and ground improvement techniques such as dynamic compacting and vibroflotation.

2.15.7.3.2. Overload protection device:

(1) Any mobile crane used for hoisting loads must be equipped with one of the following overload protection devices: a rated capacity limiter, a load moment system or a load indicating device. Depending on the date on which the crane was manufactured, the load indicating device must be installed no later than:

Date on which the crane was manufactured	Final date on which the load indicating device must be installed
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From 1 January 1980 to 31 December 2004	31 December 2005
From 1 January 1975 to 31 December 1979	31 December 2010.

(2) As of 1 January 2005, any mobile crane must be equipped with a load indicating device or a load moment system. The devices must be of the fail-safe design.

(3) Load indicating devices and load moment systems may be equipped with a function allowing them to be bypassed.

(4) Load indicating devices must comply with Standard SAEJ376 APR85 “Load Indicating Devices on Lifting Crane Service”.

(5) Rated capacity limiters and load moment systems must comply with Standard SAEJ159 APR94 “Load Moment System”.

(6) This section does not apply to a cable mobile crane equipped with a shovel, a dragging bucket, a clamshell bucket or a pile hammer and that is used for purposes other than the hoisting of loads and to a cable mobile crane that is used to carry out the following foundation work, including all handling work required to that end: pile driving, installation of drilled or excavated caissons, installation of sheet-piling, setting up of earth retention systems, below-grade work, drilling of tie rods or anchors and ground improvement techniques such as dynamic compacting and vibroflotation.

(7) In this section,

“load moment system” means a device that gathers information relating to the load hoisted by the crane and that transmits signals warning the operator that the crane is nearing its limiting conditions;

“load indicating device” means a device that measures and displays to the crane operator’s sight the weight of the load hoisted by the crane;

“rated capacity limiter” means a system that prevents a crane from hoisting and moving a load higher than its limiting conditions and that consists of a load moment system and a device acting on the movements of the crane so that they do not exceed the load rating chart of the crane.”.

11. Section 3.2.4 is amended by deleting paragraph *h*.

12. Section 3.7.1 is amended by adding the following after paragraph *h*:

“(i) have guard-rails complying with Subdivision 3.8.”.

13. Section 3.8.1 is revoked.

14. Section 3.9.4 is amended

(1) by striking out the words “persons or” in paragraph 3;

(2) by substituting the following for paragraph 5:

“(5) In order to protect workers against falls when they erect or dismantle scaffolding, one or several measures provided for in subparagraphs 1 to 4 of the second paragraph of section 2.9.1 shall be taken.”.

15. The following is substituted for section 3.9.8:

“**3.9.8.** Platforms: The components of the platforms shall be laid in such a way as to prevent any toppling or sliding. In addition, scaffolding platforms shall:

(1) have a uniform surface between two fulcrum points;

(2) have a minimum free width of 470 millimetres;

(3) if made of lumber, be constructed of planking:

(a) stamped by a body certified by the Canadian Lumber Standards Association as being of quality equivalent to No. 1 spruce;

(b) measuring at least 38 millimetres by 235 millimetres;

(c) long enough to extend at least 150 millimetres but no more than 300 millimetres beyond the end supports; if they are fixed end to end, their extremities shall rest on individual fulcrum points;

(d) laid in such a way as the span between two fulcrum points does not exceed:

i. 3.0 metres if they are tested and stamped in accordance with Division 11 of the CAN/CSA Standard S269.2-M87 “Access Scaffolding for Construction Purposes”;

ii. 2.1 metres in any other case;

(e) whose deflection in the middle of the span does not exceed $L/80$ where L is the distance between two fulcrum points;

(4) if made of manufactured products, it shall be:

(a) built in accordance with the CAN/CSA Standard S269.2-M87 “Access Scaffolding for Construction Purposes”;

(b) be worked so as to avoid slipping;

(c) be maintained to avoid corrosion and deterioration;

(5) before each use, be visually inspected in order to detect any alteration that may affect its solidity.”.

16. Section 3.9.17 is amended

(1) by striking out clause iii in subparagraph *e* of the paragraph 1;

(2) by adding the following at the end:

“(4) A worker in a boatswain’s chair must wear a safety harness complying with section 2.10.12.”.

17. Section 3.10.4 is amended by adding the words “and no worker shall stand under a load or under a part of a hoisting apparatus that could fall on him” at the end of paragraph 4.

18. Section 3.10.7 is amended by substituting the word “harness” for the word “belt” in subparagraph *c* of paragraph 2.

19. Section 3.10.8 is amended by substituting the following for paragraph 3:

“(3) A worker in an aerial device must wear a safety harness complying with CAN/CSA Standard Z259.10-M90 “Full Body Harnesses” and equipped with a lanyard attached to a point of anchorage independent of the aerial device.”.

20. Section 3.10.9 is amended by substituting the following for paragraph 3:

“(3) In order to protect workers from falling when they work to pull loads onto a floor at platform level, one or several measures provided for in subparagraphs 1 to 4 of the second paragraph of section 2.9.1 must be taken.”.

21. Section 3.15.7 is amended by striking out subparagraph *c* of paragraph 1.

22. Section 5.2.1 is amended by inserting the word “, scaffolding” after the word “load” .

23. Section 5.2.2 is amended by inserting the word “, scaffolding” after the word “load” in the part preceding subparagraph *a* of the first paragraph.

24. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, with the exception of section 15 which comes into force on 1 January 2002.

3544

Draft Regulation

Financial Administration Act
(R.S.Q., c. A-6)

An Act respecting the Service des achats du gouvernement
(R.S.Q., c. S-4; 1999, c. 40; 1999, c. 59)

Supply contracts, construction contracts and services contracts of government departments and public bodies

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting supply contracts, construction contracts and services contracts of government departments and public bodies, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation combines in a single regulation the current regulations on supply contracts, construction contracts and services contracts, that is the Government Services Contracts Regulation, made by Order in Council 1500-88 dated 4 October 1988 and its amendments, the General Regulation respecting the conditions of contracts of government departments and public bodies, made by Order in Council 1166-93 dated 18 August 1993 and its amendments, the Regulation respecting supply contracts of government departments and public bodies, made by Order in Council 1167-93 dated 18 August 1993 and its amendments, the Regulation respecting construction contracts of government departments and public bodies, made by Order in Council 1168-93 dated 18 August 1993 and its amendments, the Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993 and its amendments and the Regulation respecting snow removal services contracts of government departments and public bodies, made by Order in Council 1170-93 dated 18 August 1993 and its amendments.

The main purpose of the draft Regulation is to streamline and simplify government contract rules. It contains only the rules that are essential for all departments and bodies to ensure that suppliers are treated openly and equally. It will also increase the responsibility and accountability of government departments and public bodies and maximize the use of new technologies for greater efficiency of the purchasing procedure.