WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of Romania, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of Romania

An Act respecting occupational health and safety
(chapter S-2.1, s. 170 and s. 223, 1st par., subpar. 39)

1. Benefits under the Act respecting industrial accidents and occupational diseases (chapter A-3.001) and the regulations thereunder are extended to all persons referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of Romania, signed at Québec on 19 November 2013 and appearing as Schedule 1 to the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of Romania, made by Order in Council 1164-2015 dated 16 December 2015.

2. The Act and those regulations apply in the manner prescribed by the agreement, by the administrative arrangement for the implementation of the agreement appearing in Schedule 2 and by the protocol to the administrative arrangement appearing in Schedule 3, signed at Québec on 19 November 2013.

3. This Regulation comes into force on 1 March 2016.

102455

Gouvernement du Québec

O.C. 1186-2015, 16 December 2015

An Act respecting occupational health and safety
(chapter S-2.1)

Safety Code for the construction industry — Amendment

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 7 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Safety Code for the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 4 March 2015 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made, with amendments, the Regulation to amend the Safety Code for the construction industry at its sitting of 17 September 2015;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended by inserting the following subdivision after section 2.19.3:

*"**§2.20.** Lockout and other energy control methods*

2.20.1. In this subdivision,

"**danger zone**" means any zone situated inside or around a machine and which poses a risk for the health, safety or physical well-being of workers;

"**energy control method**" means a method designed to maintain a machine out of working order in such a way that the working order cannot be altered without the voluntary action of every person having access to the danger zone;

"**individually keyed**" means a special layout of the components of a lock making it possible to open it with a single key;

"**lockout**" means an energy control method designed to install an individually keyed lock on an energy isolating device or on any other device allowing for the control of energy such as a lockout box.

2.20.2. Before undertaking any work in the danger zone of a machine, such as erecting, installing, adjusting, inspecting, unjamming, setting up, decommissioning, maintaining, dismantling, cleaning, servicing, refurbishing, repairing, altering or unlocking, lockout, or, failing that, any other method that ensures equivalent safety must be applied in accordance with this subdivision.

This subdivision does not apply

(1) where work is carried out in the danger zone of a machine that has a specific control mode as defined in section 2.20.13;

(2) where a machine is unplugged within the reach and under the exclusive control of the person who uses it, where the machine has a single energy source and where there remains no residual energy after the machine is unplugged.

2.20.3. Lockout must be carried out by every person having access to the danger zone of a machine.

2.20.4. Where the principal contractor intends to apply an energy control method other than lockout, the principal contractor must first ensure the equivalent safety of that method by analyzing the following:

(1) the machine features;

(2) identification of the health and safety risks when using the machine;

(3) the estimate of the frequency and seriousness of the potential employment injuries for each risk identified;

(4) the description of prevention measures that apply for each risk identified, the estimate of the level of risk reduction thus obtained and the assessment of residual risks.

The results of the analysis must be recorded in a written document.

The method referred to in the first paragraph must be developed from the elements mentioned in subparagraphs 1 to 4 of the first paragraph.

2.20.5. The principal contractor must, for every machine situated on the construction site, ensure that one or more procedures describing the energy control method are developed and applied.

The procedures must be easily accessible on the sites where work is carried out in written form intelligible to every person having access to the danger zone of a machine.

Where the duration of a construction site lasts more than 1 year, the procedures must be reviewed periodically so as to ensure that the energy control method remains efficient and safe.

2.20.6. A procedure describing the energy control method must include the following:

(1) identification of the machine;

(2) identification of the person responsible for the energy control method;

(3) identification and location of every control device and of every energy source of the machine;

(4) identification and location of every cutoff point of every energy source of the machine;

(5) the type and quantity of material required for applying the method;

(6) the steps required to control the energy;

(7) where applicable, the measures designed to ensure the continuity of application of the energy control method during a staff rotation, in particular the transfer of required material;

(8) where applicable, the applicable characteristics, such as the release of residual or stored energy, the required personal protective equipment or any other complementary protection measure.

2.20.7. Where lockout is the method applied, the steps required to control energy for the purposes of paragraph 6 of section 2.20.6 must include:

(1) deactivation and complete shutdown of the machine;

(2) elimination or, if that is impossible, control of any residual or stored energy source;

(3) lockout of the machine's energy source cutoff points;

(4) verification of lockout by using one or more techniques making it possible to reach the highest level of efficiency;

(5) safely unlocking and re-operating the machine.

2.20.8. Before applying an energy control method, the principal contractor must ensure that the persons having access to the danger zone of the machine are trained and informed on the health and safety risks related to work carried out on the machine and on the prevention measures specific to the energy control method applied.

2.20.9. An employer or a self-employed worker must obtain written authorization from the principal contractor before undertaking work in the danger zone of a machine. The principal contractor must make sure that the employer or self-employed worker will apply an energy control method that complies with this subdivision.

2.20.10. Where one or more employers or self-employed workers carry out work in the danger zone of a machine, it is the principal contractor's responsibility to coordinate the measures to be taken to ensure the application of the energy control method, in particular by determining their respective roles and their means of communication.

2.20.11. The principal contractor must provide lockout material including individually keyed locks, except if an employer or self-employed worker is responsible therefor pursuant to section 2.20.10.

The name of the person who installs an individually keyed lock must be clearly indicated on the individually keyed lock. Despite the foregoing, the principal contractor may provide persons having access to the danger zone of a machine with individually keyed locks with no name indication, if the principal contractor keeps a record thereof.

The record contains at least the following information:

(1) identification of each individually keyed lock;

(2) the name and telephone number of each person to whom a lock is given;

(3) where applicable, the name and telephone number of the employer of each worker to whom a lock is given;

(4) the date and time at which the lock is given;

(5) the date and time at which the lock is returned.

2.20.12. Where a lock is forgotten or a key is lost, the principal contractor may, with the agreement of the person who carried out lockout, authorize the lock to be cut after ensuring that it does not involve any danger for the health, safety and physical well-being of that person.

Where the agreement of the person who carried out lockout is not obtained, the principal contractor must, before authorizing the lock to be cut, inspect the danger zone of the machine accompanied by a representative of the certified association of which the person is a member, if he or she is available on the work site or, failing that, by a worker present on the work site designated by the principal contractor.

Every instance of a lock being cut must be entered in a written document kept by the principal contractor for at least one year following the day on which the applicable energy control method is altered.

2.20.13. Where a person does setup work, apprenticeship work, a search for defects or cleaning work requiring that a protector be moved or removed or that a protection device be neutralized in the danger zone of a machine that must remain, in whole or in part, in operation, the machine must be equipped with a specific control mode whose engagement must cause all other controls of the machine to become inoperative and allow:

(1) the dangerous parts of the machine to be operated only by using a control device requiring continuous action or a two-hand control device, or by continuous action of a validation device;

(2) the machine to be operated only in conditions where the moving parts do not involve any danger for the health, safety and physical well-being of persons having access to the danger zone, for instance, at reduced speed, under reduced tension, step-by-step or by means of a separate step control device.

2.20.14. This subdivision applies, with the necessary modifications, to any work on an electrical installation.".

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

102453

Gouvernement du Québec

O.C. 1187-2015, 16 December 2015

An Act respecting occupational health and safety (chapter S-2.1)

Occupational health and safety — Amendment

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 7 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting occupational health and safety was published in Part 2 of the *Gazette officielle du Québec* of 29 April 2015 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation to amend the Regulation respecting occupational health and safety with amendments at its sitting of 17 September 2015;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the regulation respecting occupational health and safety

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

1. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended by replacing "186" in section 184 by "189.1".

2. Sections 185 and 186 are revoked.

3. The following subdivision is inserted after section 188:

"§1.1. *Lockout and other energy control methods*

188.1. In this subdivision,

"**energy control method**" means a method designed to maintain a machine out of working order, such as its re-operation, the closing of an electrical circuit, the opening of a valve, the release of stored energy or the movement of a part by gravity, in such a way that the working order cannot be altered without the voluntary action of every person having access to the danger zone;

"**individually keyed**" means a special layout of the components of a lock making it possible to open it with a single key;

"**lockout**" means an energy control method designed to install an individually keyed lock on an energy isolating device or on any other device allowing for the control of energy such as a lockout box.

188.2. Before undertaking any work in the danger zone of a machine, such as erecting, installing, adjusting, inspecting, unjamming, setting up, decommissioning, maintaining, dismantling, cleaning, servicing, refurbishing, repairing, altering or unlocking, lockout, or, failing that, any other method that ensures equivalent safety must be applied in accordance with this subdivision.

This subdivision does not apply