

Gouvernement du Québec

O.C. 755-2017, 4 July 2017

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

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

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7, 9 and 19 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations on the matters set forth 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 or construction sites to which they apply;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 28 September 2016 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 in mines without amendment at its sitting of 15 December 2016;

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 responsible for Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, 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 in mines

An Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 7, 9 and 19,
and 2nd par.)

1. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 2 by inserting “11.1, 11.2,” after “7”;

2. The following is inserted after section 11.1:

“**11.2.** As of 1 January 2018, every person underground must wear Class 3 apparel that meets CSA Standard Z96-09, High-Visibility Safety Apparel, or apparel whose juxtaposed fluorescent and retroreflective stripes or bands having a total width of not less than 100 mm are compliant with the stripes and bands provided for in that standard for Class 3 apparel.

As of 1 January 2018, every person on the surface of an underground mine must wear Class 2 or 3 apparel meeting CSA Standard Z96-09, High-Visibility Safety Apparel, or apparel whose juxtaposed fluorescent and retroreflective stripes or bands having a total width of not less than 100 mm are compliant with the stripes and bands provided for in that standard for Class 2 or 3 apparel.

The wearing of high-visibility safety apparel is not required in a lunchroom, a cab, an office or a refuge station, or to move at the surface of a mine in a lane reserved for pedestrians for access or regress from the work site at the beginning or the end of a work shift.”

3. The following is inserted after section 27.3:

“**27.4.** To become a hoistman, a person must

(1) complete at least 160 hours of practical training with a hoistman;

(2) undergo training in occupational health and safety in accordance with modules 11 and 12 of the modular course for miners published by the Commission scolaire de l'Or-et-des-Bois; and

(3) hold an attestation to that effect issued by the Commission scolaire de l'Or-et-des-Bois.

The conditions prescribed by subparagraphs 2 and 3 of the first paragraph must have been met within 6 months of the beginning of the practical training.

Within 12 months after 3 August 2017, a hoistman must have met the conditions prescribed by subparagraphs 2 and 3 of the first paragraph.

A hoistman must receive, every 5 years, refresher training in module 12 offered by the Commission scolaire de l'Or-et-des-Bois.”.

4. Section 85 is replaced by the following:

“**85.** Before resuming work in an underground mine that has been abandoned or part of an underground mine located outside a ventilation circuit, rescuers must monitor the air quality to determine if it meets the standards provided for in sections 40 and 41 of the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) and its Schedule I.

Rescuers carrying out the monitoring must

(1) have received the training provided for in section 19 and work in teams of not fewer than 3 rescuers;

(2) wear a self-contained breathing apparatus having an autonomy of not less than 4 hours; and

(3) have measurement instruments for detecting the concentration of oxygen and any contaminant likely to be found in the mine or part of the mine.”.

5. Section 108.2 is amended

(1) by adding “in compliance with the manufacturer’s recommendations” after “developed” in the first paragraph;

(2) by replacing “tests” in the second paragraph by “inspections”.

6. Section 343 is revoked.

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

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Gouvernement du Québec

O.C. 757-2017, 4 July 2017

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

**Administrative Labour Tribunal
— Remuneration and other conditions
of employment of the members
— Amendment**

Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal

WHEREAS, under section 61 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1), the Government makes regulations determining, in particular, the mode of remuneration of the members of the Administrative Labour Tribunal and the applicable standards and scales as well as other conditions of employment applicable to those members;

WHEREAS, under section 62 of the Act, the Government determines the members’ remuneration, employee benefits and other conditions of employment in accordance with the regulation;

WHEREAS the Government made the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2);

WHEREAS it is expedient to amend the Regulation to revoke the provisions concerning the lump sum provided for in the third paragraph of section 9 of the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Labour:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif