

Draft Regulations

Draft Regulation

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

Health and safety in forest development work — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting health and safety in forest development work, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation sets rules and standards concerning in particular some first aid equipment, the minimum age to use a chain saw, and individual protective equipment. Therefore, it is intended to ensure the health, safety and physical integrity of workers while taking into account the new standards and the new protective equipment available on the market, as well the practices developed by enterprises in the forestry sector.

To date, study of the matter shows no significant impact on enterprises, in particular for enterprises in the forestry sector.

Further information may be obtained by contacting Christian Fortin, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 250, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2015; fax: 418 266-4698.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President for Partnership and Expert Counselling, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MANUELLE OUDAR,
*Chair of the board of directors and
Chief Executive Officer of the
Commission des normes, de l'équité,
de la santé et de la sécurité du travail*

Regulation to amend the Regulation respecting health and safety in forest development work

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7, 9, 11, 19 and 42, and 2nd and 3rd pars.)

An Act respecting industrial accidents and occupational diseases (chapter A-3.001, s. 454, 1st par., subpar. 4)

1. The Regulation respecting health and safety in the forest development work (chapter S-2.1, r. 12.1) is amended by inserting the following after section 7:

“**7.1.** A worker must be at least 16 years of age to use a chain saw.”

2. Section 8 is amended

(1) by inserting “a head immobilizer, ” in paragraph 2 after “straps,”;

(2) by inserting “, head immobilizers” in paragraph 3 after “backboards”;

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

Despite subparagraphs 1 and 2, the employer may provide equipment that combines the characteristics and functions of the stretcher and backboard on work sites at one or more places determined by the health and safety committee or, in the absence of such a committee, by the employer.”

3. Section 27 is amended

(1) by striking out “and passed” in paragraph 1;

(2) by striking out “and passed the required examination” at the end of paragraph 2.

4. The following is inserted at the beginning of Division VI:

“**43.1.** For the purposes of this Division, individual protective equipment meets the prescribed obligations if it:

(1) complies with the most recent version or the previous version of the indicated standard; and

(2) it has not reached the expiry date provided by the manufacturer, if any.”

5. Section 44 is amended

(1) in the first paragraph, by replacing “CAN/CSA Z94.1-05” by “CAN/CSA Z94.1” and by inserting “or BS EN standard 397+A1, Industrial Safety Helmets,” after “Use,” ;

(2) by striking out the second paragraph.

6. Section 45 is amended by replacing “CSA standard CAN/CSA Z94.3-07, Eye and Face Protectors,” in the first paragraph by “CSA standard Z94.3, American National Standard Occupational and Educational Personal Eye and Face Protection Devices ANSI/ISEA Z87.1 or BS EN standard 166 Personal Eye Protection — Specifications”.

7. Section 46 is amended

(1) by replacing “CSA standard CAN/CSA Z195-02, Protective Footwear,” in the first paragraph by “CAN/CSA standard Z195, Personal Protective Equipment – Protective Footwear ISO 20345 or BS EN ISO 17249, Safety Footwear with Resistance to Chain Saw Cutting,”;

(2) by adding “Despite the first paragraph,” at the beginning of the last paragraph.

8. Section 48 is amended by replacing “Class A standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users,” by “BS EN standard 381-5, Protective clothing for users of hand-held chain saws – Part 5: Requirements for leg protectors”.

TRANSITIONAL AND FINAL

9. Despite section 48, until (*insert the date occurring 2 years after the coming into force of this Regulation*), a worker may wear pants complying with Class A standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users, when using a chain saw.

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