

**8.** The following is inserted after section 3.23.15:

“**3.23.15.1.** On a construction site where moderate-risk work is being carried out, workers must, before removing their protective clothing and other individual protective equipment, decontaminate them using a wet cloth or a vacuum cleaner equipped with a high-efficiency filter.”

**9.** Section 3.23.16 is amended by inserting “, 4.1” after “2” in the first paragraph.

**10.** Section 3.23.16.1 is amended

(1) by replacing “4 and 6 to 12” in the first paragraph by “4, 6 to 9 and 10 to 12”;

(2) by replacing “a ventilation system equipped with a high-efficiency filter;” in paragraph 2 by “an exhaust ventilation system equipped with a high-efficiency filter providing at least 4 changes of air per hour;”

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

105022

## Draft Regulation

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

**Safety Code for the construction industry**  
— Amendment

**Occupational health and safety**  
— Amendment

**Occupational health and safety in mines**  
— 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 Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines, 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 amends the Safety Code for the construction industry (chapter S-2.1, r. 4) and is intended to consolidate the general requirements for personnel hoisting

apparatus and material hoisting apparatus and to clarify and update the general rules for the use of personnel hoisting apparatus. Lastly, specific rules for the use of personnel hoisting apparatus are added as well as mandatory training for operators of mobile personnel platform lifts. In concordance with certain amendments entailing the renumbering of sections of the Safety Code for the construction industry, the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) and the Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) are amended.

Study of the matter has shown, for enterprises, an impact on the order of \$10.68 million for implementing the regulatory measures and recurring costs of \$7.12 million for subsequent years.

Further information may be obtained by contacting Josée Ouellet, expert engineer in prevention-inspection, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue de Bleury, 3<sup>e</sup> étage, Montréal (Québec) H3B 3J1; telephone: 514 906-3010, ext. 2065, josee.ouellet@cnesst.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luc Castonguay, Vice Chair for Prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, bureau 220, Québec (Québec) G1K 7E2.

MANUELLE OUDARD

*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 Safety Code for the construction industry, the Regulation respecting occupational health and safety and the Regulation respecting occupational health and safety in mines

Act respecting occupational health and safety  
(chapter S-2.1, s. 223, 1st par., subpars. 7, 9, 19, 35 and 42, and 3rd par.)

**1.** The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1

(1) by replacing paragraph 2 by the following:

“(2) “material hoisting apparatus” means an apparatus designed to hoist materials, such as a crane, overhead travelling crane, platform lift truck or fork lift truck;”;

(2) by inserting the following definitions in numerical order:

“(2.1) “personnel hoisting apparatus” means an apparatus designed to hoist personnel, such as a vehicle-mounted aerial device, an articulated or telescopic self-propelled platform lift, or a scissor-type self-propelled platform lift;

(29.01) “mobile elevating work platform” means an apparatus intended to move persons, tools and materials to a work position and including, at a minimum, an extensible structure, a chassis and a platform equipped with controls;

(36.1) “self-propelled vehicle” means any motor vehicle on wheels, caterpillars or rails used to transport persons, objects or materials, or to pull or push trailers or materials, except for an all-terrain vehicle or a hoisting apparatus;”.

**2.** Section 2.4.1 is amended by replacing subsection 3 by the following:

“(3) Before installing or putting up a tower crane, material hoist, job-site elevator or mast-climbing transport platform, the employer shall send to the Commission the installation plans signed and sealed by an engineer. These plans shall also include the disassembling procedure.”.

**3.** The following is inserted at the beginning of subdivision 2.15. of Division II:

**“2.15.0.1. Definitions:**

In this subdivision,

“experienced person” means a person who has acquired knowledge of things through practice and experience;

“qualified person” means a person who has acquired knowledge of things through recognized instruction that has been attested by a diploma;

“competent person” means a qualified and experienced person who has the required skills to properly judge a thing or perform a duty.”.

**4.** Section 2.15.1 is replaced by the following:

**“2.15.1. General conditions:**

(1) A hoisting apparatus and its accessories shall:

(a) be of safe construction and offer the required strength;

(b) be maintained in good working order so that using them does not endanger the safety of workers;

(c) be inspected, repaired and adjusted by a competent person before their first use after being purchased, leased or rented, or loaned;

(d) be inspected periodically according to the manufacturer’s instructions;

(e) be subjected by the user, each day they are used, to a visual inspection and an operational test according to the manufacturer’s instructions;

(f) be easily and safely accessible, particularly by means of a ladder or steps with handrails;

(g) be equipped with a warning device that is activated whenever the apparatus is engaged in motorized movement on the ground;

(h) be equipped with hoisting brakes or restraining devices so designed and installed as to stop a load at least 1.5 times the rated load, unless the hoisting apparatus is specifically covered by a standard referenced in this Regulation, in which case that standard applies;

(i) provide the same degree of safety following any repair or changing of parts as it did when they were new;

(j) be used according to the manufacturer’s instructions to the extent that they do not contradict this Regulation.

(2) It is prohibited to use a hoisting apparatus and its accessories:

(a) if atmospheric conditions such as a storm could make it dangerous to use them;

(b) while they are undergoing repairs or maintenance;

(c) as an anchor point to protect a person situated outside of the equipment from falling from a height, subject to subsection 10 of section 2.15.12 for a personnel platform lift;

(d) where the wind speed exceeds the limit specified by the manufacturer.

Despite the wind speed specified by the manufacturer, the operator of the hoisting apparatus shall, while using it, take into account factors that could affect the stability of the equipment such as environmental conditions and wind surface area of the items being handled.

An anemometer shall be used to measure wind speed on the construction site at the height of the hoisting apparatus's working level.

(3) It is prohibited to:

(a) use a material hoisting apparatus to hoist persons, unless such use is provided for by the equipment's manufacturer or complies with section 3.10.7;

(b) modify a hoisting apparatus unless it is confirmed by an attestation signed and sealed by an engineer that the apparatus provides the same degree of safety after the modification as it did when it was new;

(c) refuel a hoisting apparatus while any of its engines is running.”

**5.** Section 2.15.7.1 is revoked.

**6.** Section 2.15.7.7 is revoked.

**7.** The following is inserted after section 2.15.10:

**“2.15.11 Material hoist:**

(1) A material hoist manufactured before 1987 shall comply with CSA Standard Z256-74 Safety Code for Material Hoists, as published in April 1972.

(2) A material hoist manufactured in or after 1987 shall comply with CAN/CSA Standard Z256 Safety Code for Material Hoists, as published in its English version in January 1987.

**2.15.12. Personnel hoisting apparatus:**

(1) A personnel hoisting apparatus shall be equipped with “deadman” type control levers, an emergency stop button within reach of the workers being transported and a device that prevents the cabin from falling in case of a defect in the electric or hydraulic supply.

(2) A personnel hoisting apparatus shall be driven and operated according to the manufacturer's instructions.

(3) A personnel hoisting apparatus shall be used solely to move persons, tools and all materials necessary to carry out their work, without exceeding the rated load and in accordance with the manufacturer's specifications.

(4) The work platform of the personnel hoisting apparatus shall be enclosed by a guardrail.

(5) It is prohibited for any worker situated on the work platform of a personnel hoisting apparatus to use a guardrail, planking, ladder or any other object on or inside the platform to extend his reach or the height to which he is able to reach.

(6) A worker at a work location that can be moved beyond the centre of gravity of the base of a personnel hoisting apparatus shall wear a safety harness secured by means of a fall arrest connecting device to an anchorage system provided for by the hoisting apparatus's manufacturer or, failing that, to an anchor complying with section 2.10.15.

(7) The operator of a personnel hoisting apparatus that is moving on the ground shall:

(a) limit his travelling speed based on conditions such as type of ground, visibility, grade of the terrain, presence of people and any other factor that could result in collision or injury;

(b) remain at a safe distance from obstacles, downhill grades, boggy ground, ramps or any other danger;

(c) make sure that he has a good view of the ground and the path to be travelled;

(d) make sure, when the personnel hoisting apparatus is in movement, that any person in the work area is so informed and there is no one in its path.

(8) A register of inspections and repairs shall be kept by the owner of the personnel hoisting apparatus.

(9) The manufacturer's operating manual for the personnel hoisting apparatus shall be stored in the apparatus in a weather-proof compartment.

(10) It is prohibited to use a personnel hoisting apparatus, other than a job-site elevator or mast-climbing work platform, to transfer persons from one level to another in order to access a work site situated outside of that work site, except in one of the following situations:

i. where the apparatus is part of a rescue plan;

ii. where, further to a risk analysis, it is determined that access to the work site is impossible by means of a ladder, stairway, scaffolding, elevator or mast-climbing work platform and the employer considers the personnel hoisting apparatus to be the safest and most effective means of access; in such a case, the analysis shall be made by a competent person and a procedure specific to the work site, signed by an engineer, shall be prepared.

(11) In the absence of any manufacturer's specifications, a personnel hoisting apparatus shall not be used where wind speed exceeds 45 km/h.

**2.15.13. Vehicle-mounted aerial device:**

(1) A vehicle-mounted aerial device shall meet one of the following requirements:

(a) it shall be designed and manufactured in accordance with CSA Standard C225 Vehicle-Mounted Aerial Devices, in force at the time it was manufactured;

(b) it shall be designed and manufactured in accordance with ANSI/SIA Standard A92.2 Vehicle-Mounted Elevating and Rotating Aerial Devices, in force at the time it was manufactured.

(2) It is prohibited to use a vehicle-mounted aerial device for purposes other than those for which it was specifically designed.

**2.15.14. Job-site elevator:** Every job-site elevator shall be designed and manufactured in accordance with CAN/CSA Standard Z185 Safety Code for Personnel Hoists, including its Annex A.

**2.15.15. Digger derrick:**

(1) A digger derrick manufactured after 1 January 1987 shall be designed and manufactured in accordance with ANSI/ASSAP Standard A10.31 Safety Requirements, Definitions and Specifications for Digger Derricks, in force at the time it was manufactured.

A "digger derrick" means an apparatus equipped with a hydraulic boom, mounted on a carrier vehicle and designed specifically to drill holes and install posts in the ground and, by means of an aerial device, install the material to be supported by the posts.

(2) It is prohibited to use a digger derrick to hoist loads other than those for which it was specifically designed.

**2.15.16. Mobile elevating work platform:**

(1) A mobile elevating work platform shall be manufactured in accordance with CAN/CSA Standard B354.6 Mobile Elevating Work Platforms - Design, Calculations, Safety Requirements, and Test Methods.

(2) A mobile elevating work platform shall be subjected to a structural inspection in accordance with CAN/CSA Standard B354.7 Mobile Elevating Work Platforms - Safety Principles, Inspection, Maintenance

and Operation to ensure that the integrity of its critical components and its stability remain as they were when it was new:

(a) 10 years after the date of manufacture and every 5 years thereafter;

(b) after any suspected, potential or real damage sustained in an incident and liable to affect its structural integrity and its stability;

(c) after a change of owner.

**2.15.17. Mobile elevating work platform operator training:** A mobile personnel platform lift may be used only by an operator who is adequately trained and familiarized with the type of equipment used at the construction site. A platform lift operator is adequately trained if:

(1) he has received an initial training, for each type of equipment, whose content is equivalent to CAN/CSA Standard B354.8 Mobile Elevating Work Platforms - Operator (Driver) Training. In addition:

(a) the training shall comprise a theoretical part, a practical part and an evaluation;

(b) the practical part shall include, at a minimum, one hour at the controls of the equipment for each worker;

(c) the evaluation shall comprise a theoretical part and a practical part which shall show that the worker has acquired the necessary skills to safely operate the equipment;

(d) the training shall be provided by an accredited instructor in accordance with the Regulation respecting the accreditation and ethics of training bodies, training instructors and training services (chapter D-8.3, r. 0.1);

(e) an attestation of training indicating the type of equipment covered by the training shall be issued to the worker by the training body or the instructor that provided the training;

(2) he receives, every five years following the initial training, an updating of that training including, at a minimum, a practical examination;

(3) he is familiarized, at the construction site by a qualified or experienced person, with the following elements:

(a) the location of the manufacturer's operating manuals;

(b) the manufacturer's specific warnings and instructions;

(c) the functions of specific controls;

(d) the function of each specific safety device;

(e) the specific operating features.

**2.15.18. Mast-climbing work platform:** A mast-climbing transport platform shall be designed and manufactured in accordance with CAN/CSA Standard B354.12 Design, Calculations, Safety Requirements, and Test Methods for Mast Climbing Transport Platforms (MCTPs). In addition:

(1) the mast-climbing work platform shall:

(a) be covered with a roof in accordance with section 4.4.3.2 of that standard;

(b) be enclosed by a fixed guardrail at least 1.06 m high consisting of a grille extending for its full height and capable of retaining a ball 25 mm in diameter;

(2) the hoistway doors shall be:

(a) at least 2 m high;

(b) equipped with a side protector at least 0.6 m wide on either side of the door;

(c) equipped with a mechanical interlock system that prevents the platform from moving when the hoistway door is open;

(3) where the floor of the loading dock is less than 2 m from the ground, the hoistway door providing access to the platform at that level may be:

(a) at least 1.06 m high consisting of a grille extending for its full height and capable of retaining a ball 25 mm in diameter;

(b) equipped with a side protector at least 0.6 m wide on either side of the door consisting of a grille and capable of retaining a ball 25 mm in diameter;

(c) kept closed by means of a latch;

(4) The loading dock shall be enclosed by a guardrail that complies with section 3.8.3 of this Code;

(5) A mast-climbing work platform may not be used at a height of more than 55 m measured from its base;

(6) A fence at least 1.8 m high shall enclose the work area around the mast-climbing work platform installations.

**2.15.19** A mast-climbing transport platform shall be used and maintained in accordance with CAN/CSA Standard B354.13 Safe Use and Best Practices for Mast Climbing Transport Platforms (MCTPs).

**2.15.20.** A mast-climbing transport platform may be used only by an operator trained and familiarized with the type of equipment used on the construction site, in accordance with CAN/CSA Standard B354.14 Training for Mast Climbing Transport Platforms (MCTPs)."

**8.** Section 3.2.5 is amended by replacing paragraph *b* by the following:

"(b) at any place where a material hoisting apparatus, a personnel hoisting apparatus with an extensible mast or a concrete pump is used."

**9.** Section 3.10.1 is amended

(1) by replacing "vehicle, crane, or apparatus" in the portion before paragraph *a* by "self-propelled vehicle or equipment";

(2) by replacing "a competent" in paragraph *b* by "an experienced";

(3) by replacing "maintenance or when refuelling" in paragraph *e* by "maintenance".

**10.** Section 3.10.2 is amended

(1) by replacing ", to skidders or to all-terrain vehicles" in paragraph *b* of subsection 1 by "or to skidders";

(2) by striking out the final sentence of subsection 2.

**11.** Section 3.10.4 is amended

(1) by replacing subsection 1 by the following:

"(1) Any construction equipment shall be used by an experienced person or under his supervision.";

(2) by replacing paragraphs *a* and *b* of subsection 3 by the following:

"(a) in training; and

(b) accompanied by a person who meets the conditions provided for in subsection 2."

**12.** Section 3.10.5 is amended in the French text by replacing “engin” in subsection 2 by “équipement”.

**13.** Section 3.10.7 is amended by striking out subsection 1.

**14.** Section 3.10.8 is revoked.

**15.** Section 3.10.9 is amended by replacing subsection 1 by the following:

“(1) Any material hoisting apparatus used at a construction site shall have an outrigger beam capable of supporting 4 times the apparatus’ rated load. The beam shall comply with section 3.9.15.”

**16.** Section 3.10.9.1 is revoked.

**17.** Section 3.10.10 is amended by replacing “motorized equipment” in subsection 1 by “a self-propelled vehicle”.

**18.** The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 312.40 by replacing “3.10.7” in subparagraph 2 of the first paragraph by “2.15.12”.

**19.** The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 401 by replacing paragraph 4 by the following:

“(4) an aerial device that complies with section 2.15.13 of the Safety Code for the construction industry (chapter S-2.1, r. 4). A worker in an aerial device shall wear a safety harness secured by a fall arrest connecting device as specified by subparagraph 6 of section 2.15.12 of that Code;”

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

105020

## Draft Regulation

Act respecting reserved designations and added-value claims  
(chapter A-20.03)

### Added-value claims

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting added value claims, appearing

below, may be made by the Minister of Agriculture, Fisheries and Food on the expiry of 45 days following this publication.

The draft Regulation identifies the added-value claim “farmstead cheese” and defines the standards with which products must comply in order to qualify for that added-value claim.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Mikaël Leduc, Ministère de l’Agriculture, des Pêcheries et de l’Alimentation, 200, chemin Sainte-Foy, 9<sup>e</sup> étage, Québec (Québec) G1R 4X6; fax: 418 380-2164; email: mikaël.leduc@mapaq.gouv.qc.ca.

ANDRÉ LAMONTAGNE

*Minister of Agriculture, Fisheries and Food*

## Regulation respecting added-value claims

Act respecting reserved designations and added-value claims  
(chapter A-20.03, s. 59)

**1.** The purpose of this Regulation is to qualify for an added-value claim products, or their class, whose special characteristics, generally a method of production or preparation, that is sought by the consumer, were identified, and define the standards with which such products or products of such a class must comply in order to qualify for that claim.

### DIVISION I FARMSTEAD CHEESE

**2.** The products that are certified as compliant with the “Norme pour le terme valorisant fromage fermier” standard, established by the Association des fromagers artisans du Québec and published by the Conseil des appellations réservées et des termes valorisants, including all subsequent amendments, if applicable, qualify for the “farmstead cheese” added-value claim.

Despite the foregoing, amendments published after (*insert the date of coming into force of this Regulation*) only apply to the products as of the last day of the sixth month following the publication of such amendments.

**3.** 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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