

APPENDIX
Occupational Health and Safety Act
OCCUPATIONAL HEALTH AND SAFETY
AMENDMENT REGULATION

- 1** The *Occupational Health and Safety Regulation* (AR 62/2003) is amended by this Regulation.
- 2** Section 1(a), (g), (i), (k), (m) and (n) are repealed.
- 3** Sections 2 and 3 are repealed.
- 4** Section 4 is amended by striking out “section 1(m)” and substituting “section 1(t)”.
- 5** Section 5 is amended by striking out “section 1(n)” and substituting “section 1(u)”.
- 6** Section 6 is amended by striking out “section 22” and substituting “section 47”.
- 7** Sections 8 to 11.1 are repealed.
- 8** Section 12(2) is amended by adding “and supervisor” after “employer”.
- 9** Section 13(3.1) is repealed.
- 10** Section 14(2.1) is repealed.

11 Section 17(3) is amended by striking out “form approved” and substituting “manner authorized”.

12 Section 26(2) is amended by striking out “form approved” and substituting “manner authorized”.

13 Section 27(2) is amended by striking out “form approved” and substituting “manner authorized”.

14 Section 30(1) is amended by striking out “form approved” and substituting “manner authorized”.

15 Section 31(1) is amended by striking out “form approved” and substituting “manner authorized”.

16 Section 32(1) is amended by striking out “form approved” and substituting “manner authorized”.

17 The heading to Part 4 is repealed and the following is substituted:

Records and Fees

18 Section 40 is repealed and the following is substituted:

Part 5

Programs, Approvals and Designated Organizations

Research and education programs

41 The Minister may, by order, establish research and education programs for the purposes of preventing work site illnesses and injuries.

Surveillance programs

42 The Minister may, by order, establish occupational health and safety surveillance programs

- (a) for the purposes set out in section 49 of the Act, and
- (b) for the purposes of conducting research relating to the epidemiology of occupational injuries, diseases, exposures, incidents and fatalities.

Approvals

43(1) To be considered for an approval under section 16(4) or 17(1) of the Act, an employer must apply for an approval in accordance with section 56 of the Act.

(2) An employer must provide the following information for each work site affected in an application for an approval:

- (a) the name and contact information for any existing worker co-chair of a joint work site health and safety committee, any existing health and safety representative, and any unions representing workers at the work site;
- (b) the address of the work site;
- (c) the number of workers at the work site;
- (d) the type and nature of the work at the work site;
- (e) the number and nature of the injuries or incidents reported and investigated under section 40 of the Act during the previous year;
- (f) the proposed procedure for workers to communicate work site specific health and safety issues to the joint work site health and safety committee and any health and safety representative;
- (g) the proposed composition of the joint work site health and safety committee;
- (h) the proposed alternative to a health and safety representative;
- (i) the proposed schedule for work site inspections;
- (j) documentation showing support for the application by workers or worker representatives;
- (k) any other information requested by the Director.

(3) In considering whether to issue an approval under section 16(4) or 17(1) of the Act, the Director may consider

- (a) any of the information provided under subsection (2),
- (b) any effect an approval could have on the health or safety of a worker or other person,
- (c) the relevant history of compliance or non-compliance with the Act, regulations or the Occupational Health and Safety Code, and
- (d) any other criteria the Director considers appropriate.

(4) If an approval is issued under section 16(4) or 17(1) of the Act and there are any subsequent changes to any of the information provided to the Director under subsection (2), the employer must notify the Director in writing of the changes as soon as reasonably practicable.

Designated organizations

44 The Minister may establish criteria to designate organizations under section 83 of the Act.

Training

45(1) The Minister shall establish criteria that must be included in a curriculum for training co-chairs of a joint work site health and safety committee and to health and safety representatives under section 29(1) and (2) of the Act.

(2) The criteria to be included in the curriculum referred to under subsection (1) must include the following:

- (a) the roles and responsibilities of co-chairs on joint work site health and safety committees and health and safety representatives;
- (b) the obligations of work site parties;
- (c) the rights of workers;
- (d) the manner in which the organizations will address the responsibilities of both workers and employers in the delivery of the training;
- (e) any other criteria established by the Minister.

19 This Regulation comes into force on June 1, 2018.