OHS Code Changes – In Force March 31, 2023

Modernizing OHS Regulation

Jobs, Economy and Northern Development, Government of Alberta
March 2023
Land Acknowledgement
Agenda

- Background
- Types of changes
- Overview of changes
- Support materials
- Implementation
- Moving forward and next round of changes
Background

- **2003**: OHS Code enacted, consolidating 11 regulations
- **2009**: Revisions to OHS Code
- **2019**: OHS Code reform plan approved
- **2021**: OHS Act and consequential changes
- **2022**: This round of OHS Code changes

**No substantive changes to OHS Code**
Types of Changes

Five categories of changes
### Types of Changes

<table>
<thead>
<tr>
<th>Administrative changes</th>
<th>• Remove duplication, clarify requirements, correct errors, and streamline provisions to focus on health and safety outcomes.</th>
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<tbody>
<tr>
<td>Update technical standards</td>
<td>• Update references to the latest editions, align with other Canadian jurisdictions, and replace prescriptive requirements with a standard reference.</td>
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<tr>
<td>Clarify work site party responsibilities</td>
<td>• Clarify work site party responsibilities to ensure the appropriate work site party is accountable for health and safety.</td>
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<tr>
<td>Acceptances</td>
<td>• Include requirements in the OHS Code for some work practices permitted with an acceptance.</td>
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<tr>
<td>Modernization</td>
<td>• New requirements to improve health and safety and keep pace with advances in technology and work practices.</td>
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Administrative Changes

- Removing duplication within the OHS Code and consolidating similar requirements.
- Removing administrative requirements which do not add value.
- Correcting legal language.
- Focusing on outcomes, where it makes sense.
Updates to Technical Standards

- Updating current standard references.
- Replacing prescriptive requirements with a standard reference.
- Harmonizing with other jurisdictions.
Clarify Work Site Party Responsibilities

Updating work site party responsibilities to support a strong internal responsibility system.

These are not shifts but reflect roles and responsibilities in the OHS Act.
Acceptances

Removing the need for acceptances by incorporating the requirement into the OHS Code.

Significant effort on both the stakeholder and the department to issue an acceptance.

In some cases, acceptances have granted for almost a decade.
Modernization

OHS requirements need to keep pace with hazards and modern practices as work processes and equipment advance.

This category includes adopting new standards, new provisions or applying requirements to industries or segments of an industry that they did not previously apply to.
Highlight of Changes

Eight topics of changes
OHS Code Changes

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines/Electrical Utility Workers
- Miscellaneous changes

Applicable to specific industries and activities:
- Part 33 – Explosives
- Part 36 – Mining
- Part 37 – Oil and Gas Wells

Applicable to all industries
OHS Code Change Highlights

- Part 11 – First Aid

Harmonize training and first aid kit requirements.
- CSA Standard Z1210-17, *First aid training for the workplace – Curriculum and quality management for training agencies.*
- CSA Standard Z1220-17, *First aid kits for the workplace.*

Remove the need for medical professionals to take first aid training by recognizing the medical training they take exceeds first aid training requirements. This removes the need for acceptances.

Revise wording to improve clarity and remove duplication.
OHS Code Change Highlights

• Part 11 – First Aid

• Part 15 – Managing Control of Hazardous Energy

• Clarify work site party responsibilities to align with the OHS Act.
• Requirement for complex group control procedures to be certified by a Professional Engineer to remove the need for acceptances.
• Clarify worker placement when “pigging” is done.
• New definitions.
• Revise wording to improve clarity and remove duplication.
OHS Code Change Highlights

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines/Electrical Utility Workers
- Miscellaneous changes

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**Part 16 – Noise**

- Updates to technical standards.
- Reduction in the action limit to 82 dBA for conducting noise exposure assessments.
- New requirement to ensure hearing protective devices are properly fitted.
- Clarification on the competency for the person conducting a noise assessment.
- Streamlined audiometric testing requirements.
OHS Code Change Highlights

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines/Electrical Utility Workers
- Miscellaneous changes

**Part 17/40 – Overhead Power Lines/Electrical Utility Workers**

- Update to technical standard for electrical safety.
- Revise wording to improve clarity and remove duplication.
- Updates to Part 40 to align with changes to Part 17.
OHS Code Change Highlights

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines/Electrical Utility Workers
- Miscellaneous changes

Changes to: Parts 1, 3, 5, 6, 9, 18, 23, 25, 32, 39, 41

- New and amended definitions.
- New option for remote confined space monitoring.
- Change of “daily” inspection to “reasonably practicable intervals”.
- Updates to technical standards for personal protective equipment.
- Add “PPE” and “any other thing that may cause a hazard to workers.”
- Changes “open pit mine” to “pit mine”
OHS Code Change Highlights

- Revise wording to remove duplication and improve clarity.
- Updates to technical standards.
- Clarify work site party responsibilities to align with the OHS Act.
- Consolidated requirements for mining and non-mining blaster certificates.
- Consolidated mining requirements for explosives use.
- New requirements to reflect best practices.
- New definitions

Part 33 – Explosives

- Part 36 – Mining
- Part 37 – Oil and Gas Wells
OHS Code Change Highlights

• Updates to technical standards.
• Revise wording to improve clarity and remove duplication.
• Some provisions specific to underground coal mines to apply to all underground mines.
• Reduce administrative burden by removing the need for approvals and document submissions.
• New requirements to reflect best practices.
• Flexibility for sand and gravel pits.
• Updated and new definitions.

Part 36 – Mining

• Part 37 – Oil and Gas Wells
OHS Code Change Highlights

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines/
- Part 33 – Explosives
- Part 36 – Mining
- Part 37 – Oil and Gas Wells

- New requirements to reflect best practices.
- Updates to technical standards.
- Revise wording to improve clarity and remove duplication.
- New definitions.
A Note About Ticketable Provisions

• Ticketable provisions must be prescriptive and are limited to provisions where a work site party had to do something and did not do it.

• Six ticketable provisions have been changed into performance-based requirements and are no longer suitable for ticketing.
  – Of those six, five relate to ignition sources near explosives and one relates to record keeping.

**Note:** These changes do not affect the requirements.
Resources Available

Publications, contacts, and websites
Resources
More information

OHS Contact Center:
Phone: 780-415-8690 (Edmonton)
Toll free: 1-866-415-8690
TTY: 780-427-9999 (Edmonton)
TTY: 1-800-232-7215

OHS Publication store:
https://ohs-pubstore.labour.alberta.ca/

OHS Code Review:
https://www.alberta.ca/ohs-code-review.aspx

OHS Code Review:
LBR.OHSReview@gov.ab.ca
Upcoming Resources

- Change highlight Bulletin for Part 33 – Explosives
- Change highlight Bulletin for Part 36 – Mining.
- Consolidated legislation electronic version of the OHS Code late March 2023.
- OHS handbooks can be pre-ordered from the King’s Printer, but will not be available until March 2023.
- More presentations.
Implementation

How will enforcement look?
Implementation

• No change in overall enforcement approach – education until March 31, 2023 when new provisions come into force.
• OHS Code changes are technical requirement changes so not the same as changes in 2018 or 2021.
• Additional resources will be built as need arises.
OHS Code Review Plan

The content and the process
OHS Code Review Process

Phase I
Research and Prioritization

Phase II
Technical Review

Phase III
Public Consultation

Phase IV
Regulatory Approval

Phase V
Implementation

Phase VI
Evaluation
OHS Code Review Process

We are here and here.

Phase I
Research and Prioritization

Phase II
Technical Review

Phase III
Public Consultation

Phase IV
Regulatory Approval

Phase V
Implementation

Phase VI
Evaluation
OHS Code Review Process

Stakeholders can play a vital role in this area by gathering information about changes.
Priority review

- Issued allowances, approvals, acceptances and recognitions
- OHS recommendations from public fatality inquiries (if any)
- OHS items in current work plan under the CFTA
- Correction of errors and modernizing language
Next Phases of OHS Code Review

- **2023-24**
  - Part 27
  - Part 33
  - Part 36
  - OELs

- **2024-25**
  - Part 3
  - Part 4
  - Part 6
  - Part 10
  - Part 18
  - Part 26
  - Part 28
  - Part 34

- **2025-26**
  - Part 2
  - Part 3
  - Part 4
  - Part 7
  - Part 12
  - Part 14
  - Part 24
  - Part 26
  - Part 28
  - Part 30
  - Part 32
  - Part 34
  - Part 35
Approval Process for OHS Code Changes

1. Priorities set
2. Ministry develops proposal
3. Economy and Affordability Committee
4. Legislative Review Committee
5. Cabinet
6. Implementation/Coming into force
Certifying Partner role

1. Share resources with members.
2. Update training as required.
3. Survey and compile feedback about legislation changes.
4. Participate in engagement and consultation for future phases of legislation changes.
Thank you!

We’d be happy to take any questions.