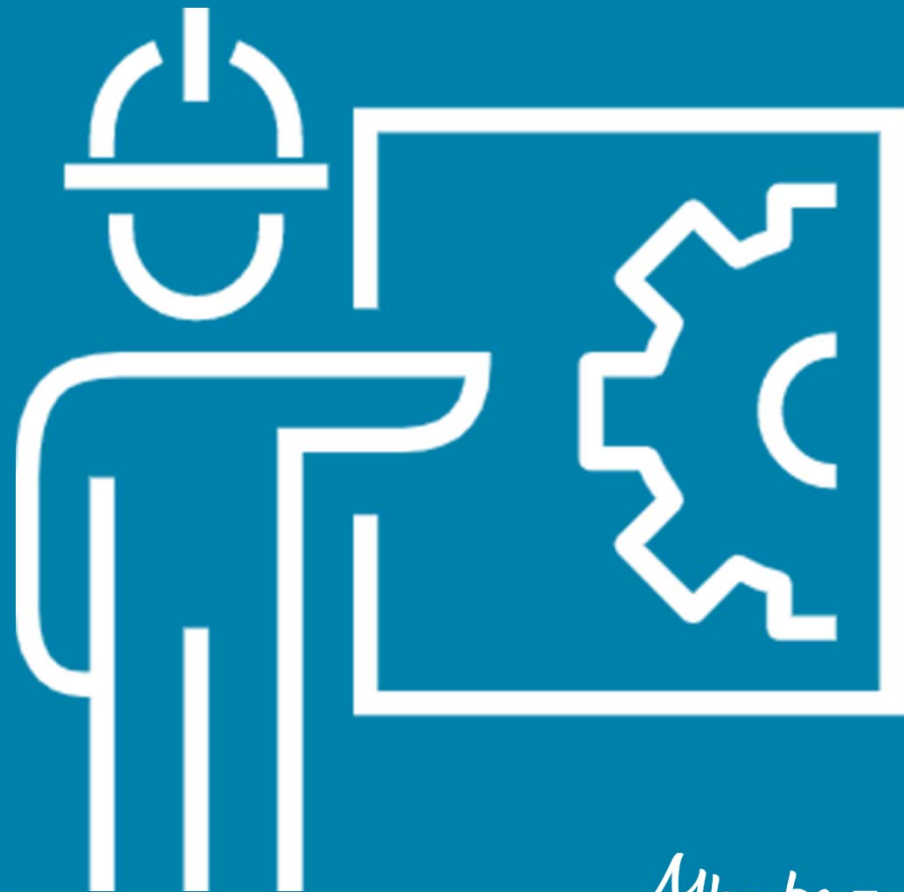

OHS code changes – In Force March 31, 2023

Modernizing OHS regulation

Jobs, Economy and Northern Development, Government of Alberta
January 2023



Alberta 

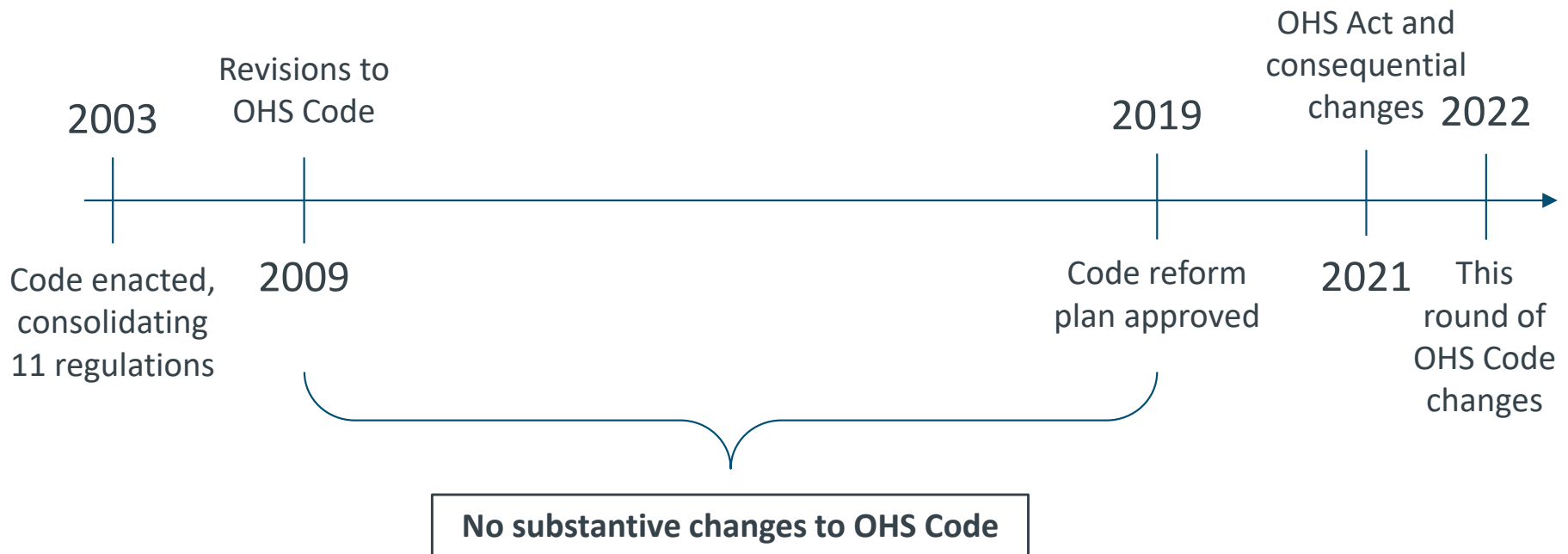
Land Acknowledgement



Agenda

- Background
- Types of changes
- Approved changes to the OHS Code
- Support materials
- Implementation
- Moving forward and next round of changes

Background



Types of Changes

Five categories of changes

Types of Changes

Administrative changes

- Remove duplication, clarify requirements, correct errors, and streamline provisions to focus on health and safety outcomes.

Update technical standards

- Update references to the latest editions, align with other Canadian jurisdictions (RCT), and replace prescriptive requirements with a standard reference.

Clarify work site party responsibilities

- Clarify work site party responsibilities to ensure the appropriate work site party is accountable for health and safety.

Acceptances

- Include requirements in the OHS Code for some work practices permitted with an acceptance.

Modernization

- New requirements to improve health and safety and keep pace with advances in technology and work practices.

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

This includes updating current standard references.

Replacing prescriptive requirements with a standard reference.

Harmonizing with other jurisdictions.

Clarify Work Site Party Responsibilities

Updates to work site party responsibilities with the goal of supporting a strong internal responsibility system.

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

Acceptances

Removed the need for acceptances, by incorporating the requirements into the OHS Code.

Significant effort on both the stakeholder and the department occurs to issue an acceptance, allowance or an approval.

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

Modernization

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

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

Approved 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
all industries

Applicable to
specific industries
and activities

- Part 33 – Explosives
- Part 36 – Mining
- Part 37 – Oil and Gas Wells

OHS Code Changes

- **Part 11 – First Aid**
- Part 15 – Managing Co
- Part 16 – Noise
- Part 17/40 – Overhead
- Electrical Utility Worker
- Miscellaneous changes

Applicable to
specific industries
and activities

First Aid Highlights

- Harmonized training standards and first aid kit requirements per the RCT agreement.
- Recognized the ability of regulated medical professionals to provide first aid to remove the need for an acceptance.
- Streamlined wording to improve clarity and remove duplication.

At work

OHS Code Changes

- Part 11 – First Aid
- Part 15 – Managing Control of Hazardous Energy

Applicable to all

Control of Hazardous Energy Highlights

- Clarified work site party responsibilities to align with the OHS Act
- Requirement for complex group control procedures to be certified by a Professional Engineer.
- Clarified worker placement when “pigging” is done.
- Streamlined wording to improve clarity and remove duplication.
- New definitions.

OHS Code Changes

- Part 11 – First Aid
- Part 15 – Managing Confined Spaces
- Part 16 – Noise
- Part 17/40 – Overhead Power Lines and Electrical Utility Work
- Miscellaneous changes

Applicable to
specific industries
and activities

Noise Highlights

- Updates to technical standards.
- Reduced action limit to 82 dBA for conducting noise exposure assessments.
- New requirement to fit test hearing protector devices.
- Clarification related to competency of person conducting noise assessment.
- Streamlined audiometric testing requirements.
- Streamlined wording to improve clarity.

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 – E
- Part 36 – M
- Part 37 – O

Electric Utility Highlights

- Update to referenced technical standard for electrical safety.
- Clarification of wording to improve clarity and remove duplication.
- Updates to Part 40 to align with Part 17.

OHS Code Changes

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

Changes include:
Parts 1, 3, 5, 6, 9, 23, 25, 32)

Miscellaneous Highlights

- Updates to technical standards for PPE per the RCT agreement.
- New option for remote confined space monitoring.
- Change of “daily” inspection to “reasonably practicable intervals” of roofer hoists and suspended scaffolds.
- Amend section 12 to include “explosives”.

OHS Code Changes

Explosives Highlights

- Consolidated requirements for blasters permits.
- Consolidation of mining requirements.
- Updates to reflect best practices.
- Updates to technical standards and improved wording.

Control of Hazardous

Power Lines/

Applicable to all industries

Part 33 – Explosives

- Part 36 – Mining
- Part 37 – Oil and Gas Wells

OHS Code Changes

Mining Highlights

- Updates to technical standards.
- Consolidation and clarification of requirements.
- Underground coal mines to apply to all mines.
- Flexibility for sand and gravel pits.
- Updated definitions.

Control of Hazardous

Power Lines/

Applicable to all industries

• Part 33 – Explosives

• **Part 36 – Mining**

• Part 37 – Oil and Gas Wells

Alberta

OHS Code Changes

Oil & gas Highlights

- Updates to reflect current technology and best practices.
- Consolidation of similar types of hazards.
- New requirements for work sites.
- Clarification of high hazard processes.
- New definitions.

• Part 31 – Control of Hazardous

• Part 32 – Power Lines/

• Part 33 – Explosives

• Part 36 – Mining

Part 37 – Oil and Gas Wells

Applicable to all industries

Notable New Definitions

Blast hole	Electrician	Shunt
Blasting circuit	Pig	Snubbing unit
Bore hole	Pig catcher	Specifications
Cathead	Pigging	Stemming
Container	Pit	Swabbing unit
Controlled blasting	Remote monitoring station	Tending worker
Conveyor	Rotary table	Well servicing
Day box	Secondary blasting	Well stimulation
Drill stem test	Seismic blasting	Well swabbing

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; no tickets have ever been issued for these provisions.

Resources Available

Publications, contacts, and websites

Resources

Change highlights: Overhead power lines and electrical utility workers – Parts 17 and 40 in the OHS Code OHS information for work site parties

This bulletin introduces changes in Part 17 and 40 of the Occupational Health and Safety (OHS) Code.

For clarity, Part 17 now omits the word “energized” when describing overhead power lines and related legislative requirements that apply to them. All overhead power lines must be assumed to be energized, in accordance with the industry standards.

Standard reference
Due to the Alberta (Electric and Communication) Act, the new reference to OHS-14, *Standard on Electric Utility Workplace Safety* for Generators, Transmitters, and is referred to align with the standard the utility industry already follows.

Approach distances exemption
In addition to the provisions of Section 225 in Part 17, a safe test of approach distances has been added to clarify that it applies to any utility worker who is performing work at a distance.

Change highlights: Oil and gas wells – Part 37 in the OHS Code OHS information for work site parties

This bulletin introduces changes in Oil and gas wells – Part 37 of the Occupational Health and Safety (OHS) Code.

IMPORTANT
This is an overview of updates effective March 31, 2023. Consult the law directly to make sure you comply with all applicable requirements.

New definitions
The following definitions have been added to improve clarity:

- “Cathode” means a cathodic applied connected to a downhole power system used to create tension on rods, cables and pipes.
- “Oil well” means a well that is drilled for the purpose of producing or recovering hydrocarbons from a reservoir.
- “Wellbore” means the part of a well that is drilled for the purpose of producing or recovering hydrocarbons from a reservoir.

Change highlights: Noise exposure – Part 16 in the OHS Code OHS information for work site parties and service providers

This bulletin introduces changes in Noise – Part 16 of the Occupational Health and Safety (OHS) Code.

IMPORTANT
This is an overview of updates effective March 31, 2023. Consult the law directly to make sure you comply with all applicable requirements.

KEY INFORMATION

- Part 16 covers requirements intended to protect workers from exposure to occupational noise hazards.
- Key changes include:
 - Revising wording to improve clarity.
 - Updates to technical standards and technology to reflect current technology.
 - A reduced action level for conducting a noise exposure assessment.
 - A new requirement for fit testing of hearing protection.
 - Clarification of the competency of persons conducting noise assessments.

Noise exposure assessment

The threshold for conducting a noise exposure assessment is reduced from 80 decibels (dBA) to 67 dBA to ensure noise is assessed before the occupational exposure limit is exceeded. The noise exposure assessment must be conducted in accordance with the updated CSA Standard Z107.55-18, *Measurement of noise exposure*.

The threshold level of a noise dosimeter used to conduct an assessment has been changed to align with the referenced CSA standard for noise assessments. The technical standards that define level meters, integrating sound level meters and dosimeters must meet have been updated to the most current versions.

Established competency requirements for the person conducting the noise exposure assessment are now specified. The person conducting the assessment must be:

- Trained in conducting noise exposure assessments.

- Trained in the calibration, operation, and maintenance of the equipment used in conducting noise exposure measurements.
- Able to demonstrate an understanding of the method used for measurement.

Results recorded

Revised wording clarifies that employers must ensure the noise exposure assessment includes a record of the tasks carried out by the worker whose noise exposure is being evaluated.

Employers must also retain records for at least three years from the date of the assessment. This new aligns with chemical exposure assessment record retention timelines. Previously, employers were required to keep these records for as long as they operated in Alberta.

Noise management program

The elements required in a noise management program have been streamlined and updated to remove duplication and improve clarity. The new wording more closely aligns with the elements in the CSA Standard Z1007-19, *Hearing Loss Prevention Program Management* as an industry best practice for setting up programs to prevent hearing loss.

The revised requirement clarifies that the entire noise management program must be reviewed annually, not just elements of it.

Fit testing of hearing protection

A new requirement has been added for employers to ensure workers are fit tested for the hearing protection devices they use and wear. Fit testing of the devices must meet the updated CSA Standard Z94.2-14 (2021)19, *Hearing Protection Devices – Performance, Selection, Care, and Use*.

This change is intended to prevent noise induced hearing loss. The effectiveness of hearing protection is greatly reduced if the equipment does not fit correctly or is not inserted or worn correctly.

Change highlights: Miscellaneous amendments in the OHS Code OHS information for work site parties

This bulletin introduces miscellaneous changes to various parts of the Occupational Health and Safety (OHS) Code.

Note that separate dedicated bulletins have been published for parts of the OHS Code that had more extensive changes (such as Part 11 – First aid, Part 16 – Noise exposure, etc.) To learn more, see the publications listed at the end of this bulletin.

IMPORTANT
This is an overview of updates effective March 31, 2023. Consult the law directly to make sure you comply with all applicable requirements.

KEY INFORMATION

- Key changes include:
 - Harmonizing standards for certain types of personal protective equipment in Canada.
 - Providing flexibility in implementing some requirements in the workplace.
 - Removal of duplication in requirements.
 - Aligning with the OHS Act.

Part 1 – Definitions and general application

Definitions in Section 1 have been amended, and a few definitions have been added to the OHS Code. The amended definitions align with changes in specific sections of the OHS Code to provide additional clarity or align with the OHS Act.

Part 3 – Specifications and certifications

Section 12 in Part 3 has been amended to include explosives. This change was made to align with changes to the OHS Act that came into effect on December 1, 2021.

Part 5 – Confined spaces

Section 52, which covers testing the atmosphere of a confined space before entry, has been amended to improve clarity, remove duplication, and ensure the responsible work site party is responsible for health and safety (in alignment with rules and requirements specified in the OHS Act). The revised wording states it is the employer's responsibility to ensure the atmosphere of a confined space is tested by a competent worker before a worker enters the space.

Section 53 has been amended to allow the option of using remote confined space entry monitoring systems. This change will reduce administrative burden for employers by removing the need to apply for acceptances to use this technology.

New definitions for “remote monitoring system” and “testing worker” have been updated in Part 1 for clarity.

Part 6 – Cranes, hoists, and lifting devices

Section 67 has been amended to require inspectors of a rigger's hoist at reasonably practicable intervals instead of daily. This will give employers flexibility in making sure equipment is inspected when required.

Part 9 – Fall protection; Part 18 – Personal protective equipment; Part 35 – Tree care operations; Part 41 – Work requiring rope access

Changes to these parts involve updating technical standards to reflect current practices and technology in health and safety. The changes support harmonization of personal protective equipment requirements across Canada.

In alignment with these technical standards, the applicable manufacturing date for the personal protective equipment referenced in these parts has been updated as well. Personal protective equipment that previously had to meet a technical standard if manufactured on or after July 1, 2020 now has to meet the updated standard if manufactured on or after March 31, 2023.

Note employers do not need to purchase new personal protective equipment if the already-owned equipment meets the standard that was in place at the time of its manufacture.

Change highlights: First aid – Part 11 in the OHS Code OHS information for work site parties and training providers

This bulletin introduces changes in First aid – Part 11 of the Occupational Health and Safety Code.

IMPORTANT
This is an overview of updates effective March 31, 2023. Consult the law directly to make sure you comply with all applicable requirements.

Employers must ensure the control of that assigned or designated worker's personal lock is transferred to a worker designated by the employer. Wording is added to make the employer responsible for locks cleared.

Individual workers using personal lockout devices have been added to the OHS Code. The employer must ensure a lockout energy-locking device with a personal of working clothes that is the responsibility of the worker before they secure their personal locks.

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More information

OHS Contact Center:

Phone: [780-415-8690](tel:780-415-8690) (Edmonton)

Toll free: [1-866-415-8690](tel:1-866-415-8690)

TTY: [780-427-9999](tel:780-427-9999) (Edmonton)

TTY: [1-800-232-7215](tel: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

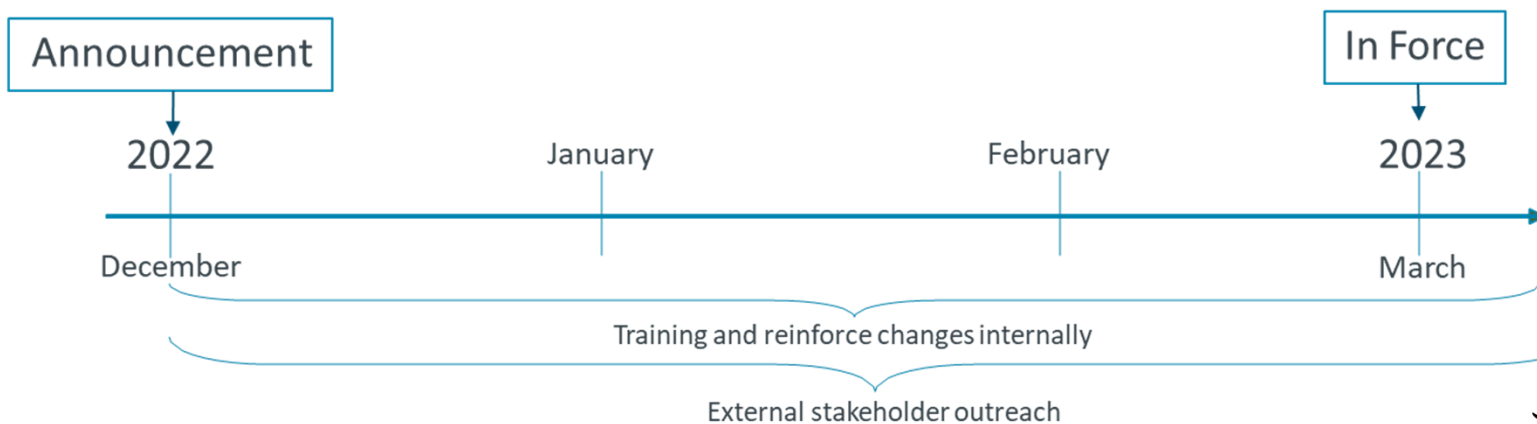
- Change highlight Bulletins for Part 33 – Explosives and Part 36 – Mining.
- Concordance document to clearly identify the section changes.
- Consolidated legislation electronic version of the OHS Code towards the end of January 2023.
- OHS handbooks can be pre-ordered from the King's Printer, but will not be available until March 2023.
- Provide more presentations.

Implementation

How will enforcement look?

Implementation

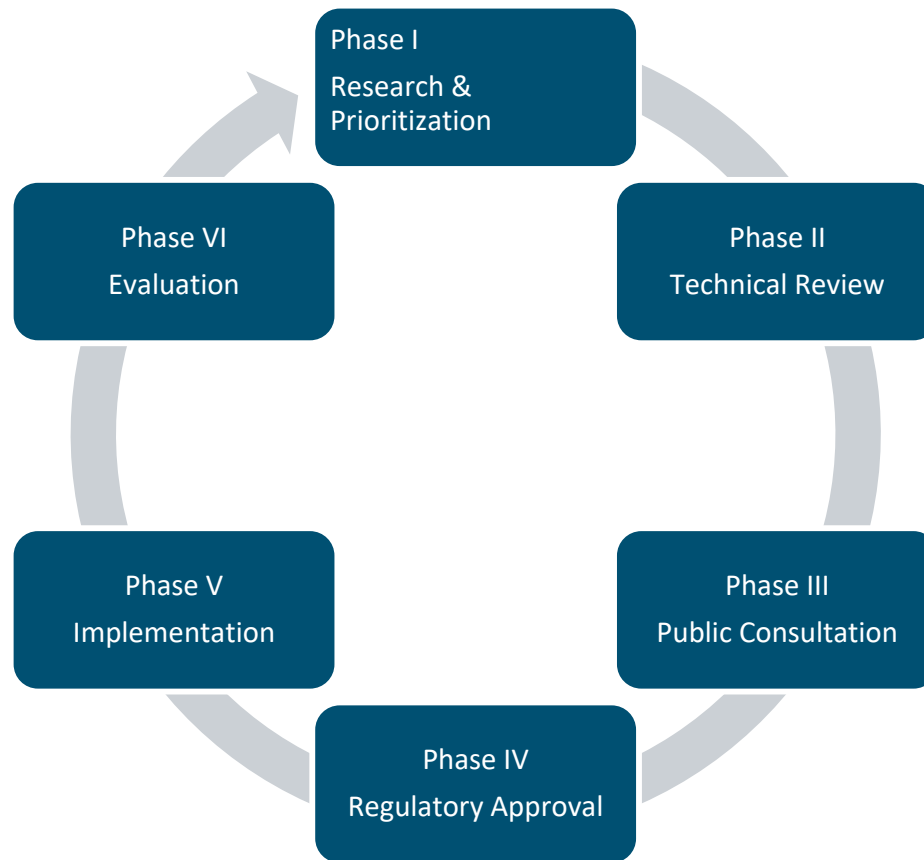
- No change in approach – education until March 31, 2023 when the new provisions will come into force.
- OHS Code changes are technical requirement changes so not the same as changes in 2018 or 2021.
- Additional resources will be built as need arises.



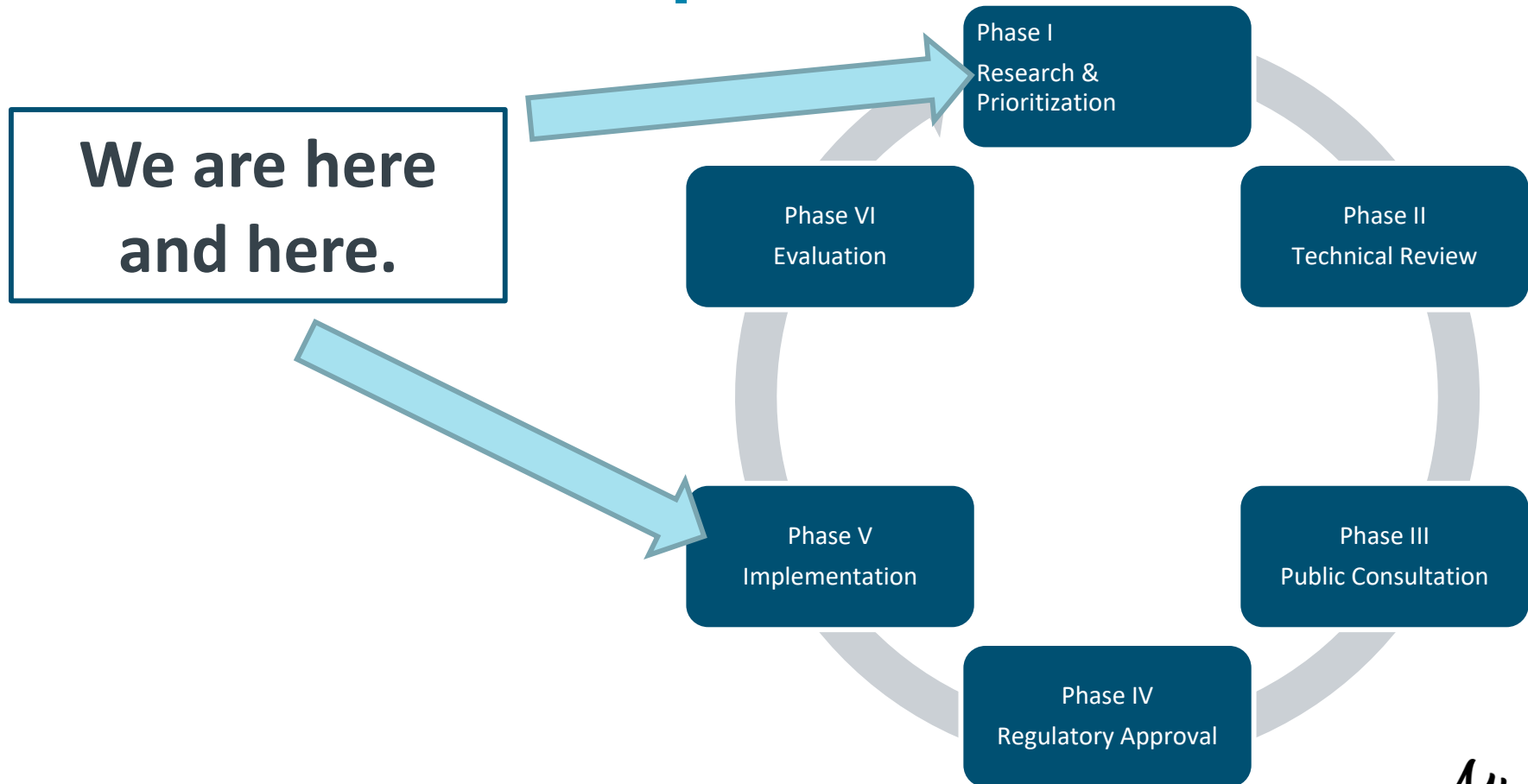
OHS Code Review Plan

The content and the process

OHS Code review process

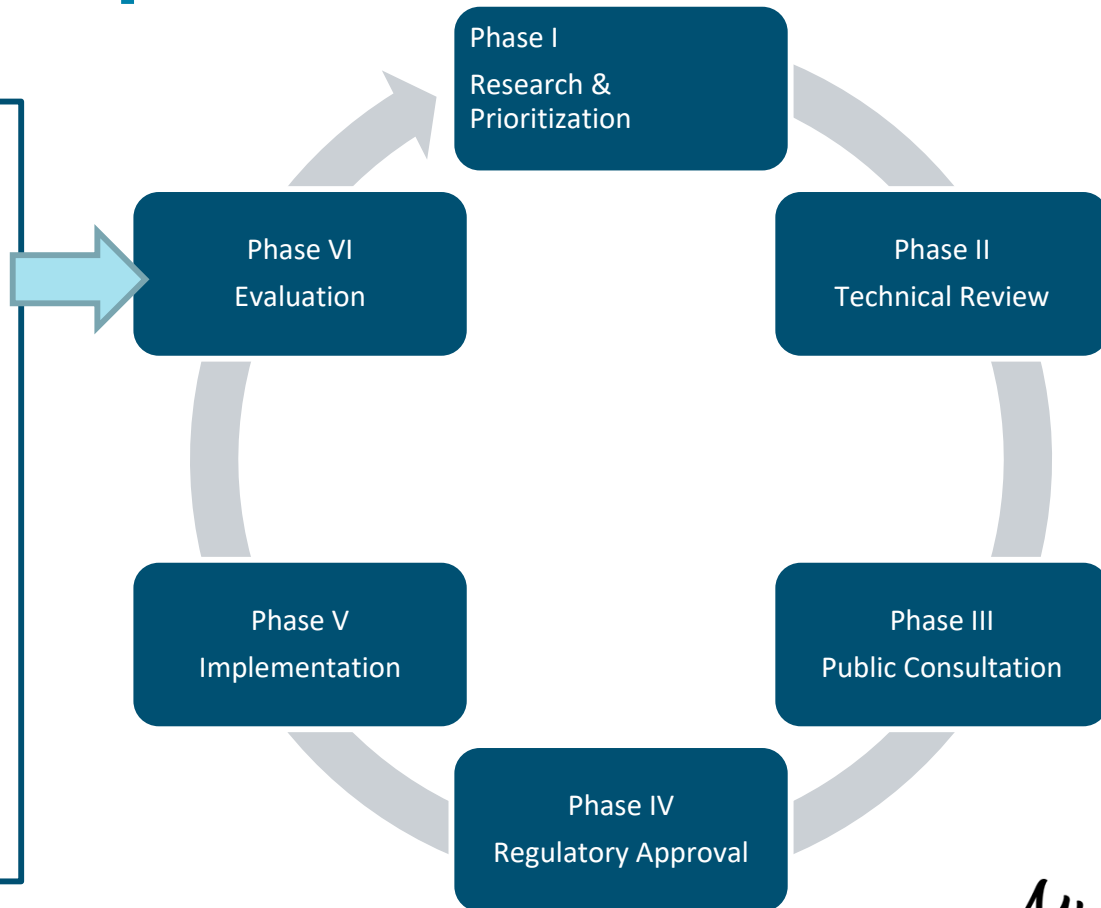


OHS Code review process



OHS Code review process

**Certifying Partners
can play a vital role
in this area by
gathering
information from
members about
the changes.**



Priority review

Issued OHS Allowances, Approvals, Acceptances and Recognitions

Accepted 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 changes

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

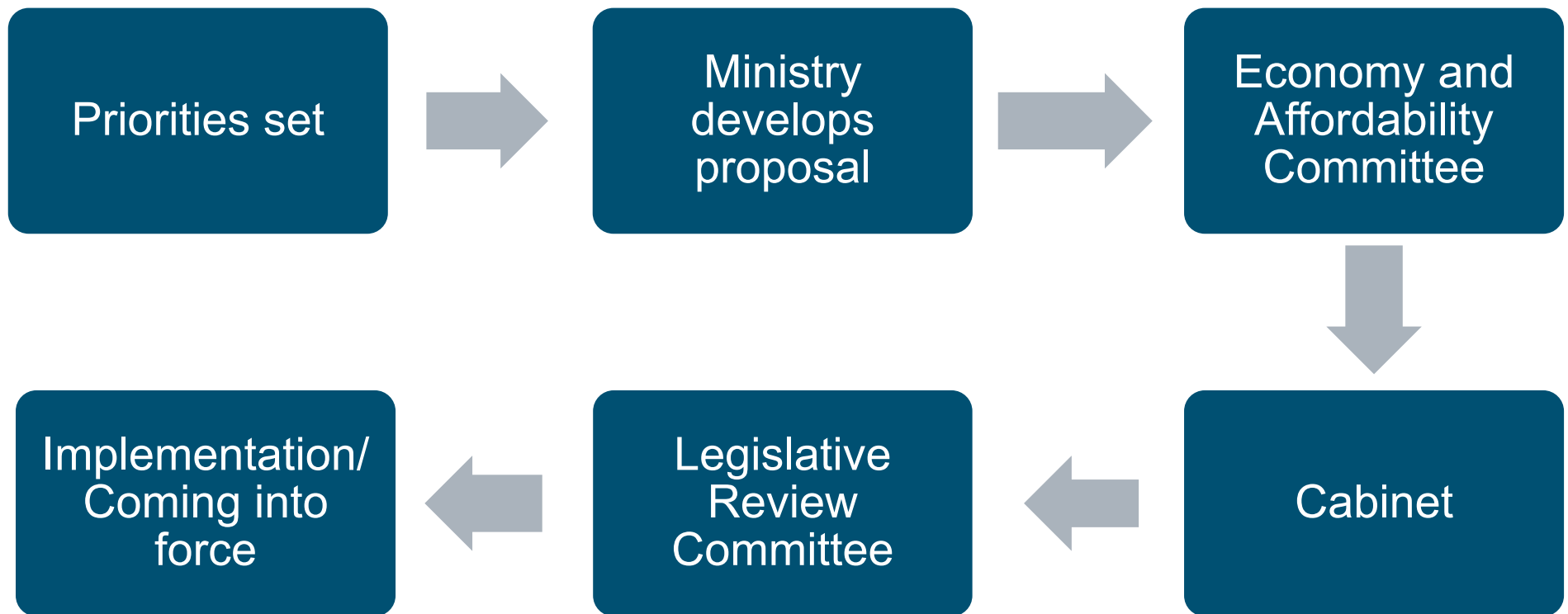
Part 30

Part 32

Part 34

Part 35

Approval process for OHS Code changes



Certifying Partner role

1

Share resources with members.

2

Update training as required.

3

Survey and compile feedback about legislation changes.

4

Participate on consultation for future phases of legislation changes.

Thank you!

We'd be happy to
take any questions.

