

SAFE WORK

S SPOT THE HAZARD
A ASSESS THE RISK
F FIND A SAFER WAY
E EVERYDAY

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What's Inside

Regulation
Highlights
2-5

New Building,
Renovating brochure
6

New Guide for
Small Businesses
6

Changes to
CIWA Regulations
8

Document available
in French/Cette
information existe
également en
français au:

www.gov.mb.ca/labour/safety/index.fr.html

For further information
please contact the
Workplace Safety
and Health Division

Manitoba's **New** Occupational Safety and Health Regulation - **Highlights**

- by Darlene Muise

A modernized workplace safety and health regulation, recently announced by the provincial government, will take effect on February 1, 2007.

The new regulations are the product of an extensive four-year consultation and review process with stakeholders (employer, employee, and technical representatives, industry-wide). Government is confident that the open dialogue maintained throughout the review and drafting stages has served to develop a comprehensive, balanced and effective regulation package.

"The purpose of safety and health legislation is to provide a reasonable, practical and effective framework for preventing work-related injury, illness and death," says Minister of Labour and Immigration, Nancy Allan. "By carefully considering the advice of Manitoba workers, employers and technical experts in updating the regulatory requirements, we are better equipped to meet the needs of today's workplaces."

This initiative completes the process to modernize Manitoba's legislative framework for occupational safety and health, which was initiated in 2002 with significant changes to *The Workplace Safety and Health Act*.



The new legislative package combines 12 existing regulations and adds specific areas to address emerging workplace safety and health issues as well as particularly hazardous work environments (i.e. asbestos, confined space, ergonomics, harassment, violence, etc.)

The majority of requirements under the new regulation modernize existing duties and clearly outline requirements previously enforced through the general duty clause of *The Workplace Safety and Health Act*. New requirements under the regulation follow the recommendations of the Review Committee on Workplace Safety and Health, accepted by government in 2002.

Which rules apply?

To provide sufficient lead time for employers to comply with the updated requirements, existing workplace safety and health regulations are to be followed until the new regulation takes effect.

Regulation Highlights

The following are highlights of the updated Workplace Safety and Health Regulation:

Musculoskeletal Injuries (MSI)

- New regulatory requirements spell out the employer's duty to conduct a risk assessment (similar to a job hazard analysis), in consultation with the safety and health committee or representative, where a risk of MSI:
 - is known to be present
 - is reasonably obvious
 - has been identified
- If the assessment identifies a risk to workers of MSI, control measures must be implemented. Control measures may include: Engineering controls (i.e. design, position of equipment), Administrative controls (i.e. safe work procedures developed and implemented), Appropriate work schedules (i.e. rest and recovery periods, job rotation), or Personal protective equipment.



NEW

Violence and Harassment in the Workplace

- The employer is required to identify and assess the risk of violence, and instruct workers about the risk.
- Both a violence prevention policy and harassment prevention policy must be developed (in consultation with the workplace safety and health committee or representative); implemented and posted in the workplace.
- The policies must state that:
 - No worker shall be subjected to violence or harassment
 - The employer will take corrective action
 - The policy is not intended to discourage/prevent complainant from exercising other legal rights, etc.
- The policy must provide information on specific procedures to be followed in the event of an incident of either violence or harassment.



NEW

Hearing Conservation and Noise Control

- A noise exposure assessment must be conducted by the employer where a worker is likely to be exposed to noise levels over 80 dBA.
- Hearing protectors must be provided to workers, upon request, at exposure levels of 80-85 dBA or greater (previously 85-90 dBA).
- Engineering controls, or the use of hearing protectors and warning signs are mandatory at exposure levels over 85 dBA (previously 90 dBA).
- The employer must provide annual audiometric testing to workers exposed to noise levels over 85 dBA (previously 80 dBA).

Asbestos - NEW

- An asbestos control plan must be developed and implemented.
- An inventory of all material containing asbestos in the workplace must be completed.
- All material containing asbestos in a workplace is to be identified by signs, labels or other effective means.
- Workers who may be exposed to material containing asbestos are to be informed, instructed and trained in:
 - The hazards of asbestos
 - Means of identifying the material containing asbestos at the workplace
 - The use of personal protective equipment



Radiation - NEW

- This section does not apply to radiation sources subject to the Nuclear Safety and Control Act, or to medical or dental uses of radiation in patient treatment.
- The employer is required to develop and implement safe work procedures, and train workers on these procedures.
- The employer must inform a worker who may be exposed to radiation in the workplace of the potential hazards of radiation exposure.



Confined Space - NEW

Due to the hazardous nature of work in confined space, requirements previously contained in a Guideline are now part of the Regulation.

- The employer must develop and implement safe work procedures and train workers on these procedures. The safe work procedures must provide specific details on:
 - safe entry to and exit from a confined space
 - personal protective equipment required (including respiratory protection)
 - designation of a standby worker
 - emergency response
 - entry permit
 - air quality testing



Fall Protection

- Required where there is a risk of a worker falling:
 - A distance of three metres (10 feet) or more (previously 2.5 metres/eight feet); or from lesser heights under special circumstances.
- An employer with a workplace subject to this Part must provide appropriate fall protection systems; develop and implement safe work procedures; and train workers on these procedures.
- General fall protection requirements will apply to new home residential construction and the erection of steel frame buildings.
- Specific provisions will apply to roof work on existing residential buildings.

Excavations

- The employer is required to develop and implement safe work procedures for the work to be done (including the installation, use and removal of shoring) and train workers on these procedures.
- The employer must notify the Workplace Safety and Health Division before making an excavation, including trench excavation, more than 1.5 metres deep (five feet); (previously 1.8 metres/six feet); grave digging is exempt.
- Shoring is required in an excavation exceeding 1.5 metres in depth (five feet) (previously 1.8 metres/six feet).

Machine, Equipment and Tool Safety

- Tag-out systems will no longer be allowed without the use of lock-out devices. (Where a tag-out system is in use at a workplace when this regulation comes into effect, the employer will be required, within a one-year period, to either supplement the tag-out system with a lock-out device or discontinue use of the tag-out system.)
- New requirements for welding.

Firefighters

- General standards for vehicles and equipment:
 - Any firefighting vehicle and equipment for use in an emergency operation must be designed, constructed, operated, maintained, inspected and repaired to ensure the safety and health of a firefighter.
- Written records of inspection must be signed by the inspector, kept, and readily available to firefighters.
- An employer will be required to provide a personal alert safety system for firefighters; firefighters must use/wear when entering a building to fight a fire.

Oil and Gas

- The employer is required to develop and implement safe work procedures regarding the drilling, operating or servicing of wells, and train workers on these procedures.

Diving Operations

- The employer is required to develop and implement safe work procedures that meet the Occupational Safety Code for Diving Operations (CSA Standard), and train workers on these procedures.



Standards (compliance)

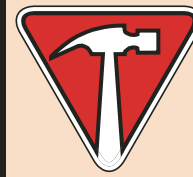
- The regulation will generally require that the most recent version of a named code or standard must be complied with. However, where this regulation requires that a tool, machine or piece of equipment meet a code or standard, the code or standard may be the edition published at the time the tool, machine or piece of equipment was manufactured.

WSH Division Publications

The Workplace Safety and Health Division is updating existing publications and developing new publications according to the new regulatory requirements. As they become available, all publications will be located on the main page of the Division's website (www.gov.mb.ca/labour/safety) under the "New regulatory requirements" link. Upon completion, these documents will also be available (in limited quantity) in hard copy and on CD-ROM by calling 945-3446.

Updated and new Division publications will include:

- Regulation Summary Sheets highlighting the requirements under each 'Part' of the new regulation
- Standards Information Sheets highlighting/summarizing all Standards (i.e. CSA, ANSI) requirements as referenced under the new regulation
- Codes of Practice:
 - Confined Space
 - Explosives
 - Powered Lift Trucks
 - Working Alone or in Isolation
- SAFE Work Guidelines:
 - Asbestos
 - Automotive Lifts
 - Chainsaws
 - Excavations
 - Extreme Temperatures
 - Fall protection (includes roof work and steel erection)
 - Forestry
 - Health hazards
 - Machine guarding
 - Musculoskeletal injuries
 - Scaffolding
 - Hearing Conservation and Noise Control
 - WHMIS
- SAFE Work Bulletins



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Are You Building or Renovating? SAFETY must be part of your plans

This brochure was created for workers, contractors, prime contractors and employers in Manitoba's construction industry.

- Safe work reminders to help your building or renovation project run smooth from start to finish,
- Legal responsibilities highlighted for all workplace parties,
- Information on recent incidents and WCB claims in this sector.

This guide has been developed in cooperation by the following partners: Manitoba Labour and Immigration, Workplace Safety and Health Division; Construction Safety Association of Manitoba; Workers Compensation Board.

For a FREE copy of this brochure, visit: the SAFE Manitoba website, at: www.safemanitoba.com or the Workplace Safety and Health Division's website, at: www.gov.mb.ca/labour/safety under 'What's New.'

NEW: Safety & Health Guide for Small Businesses

This guide has been created specifically for Manitoba employers in workplaces with less than twenty employees, as a tool to help you:

- Put a safety and health system in place in order to protect your employees and yourself from injuries and illnesses at work,
- Understand that safety and health is a vital part of the day to day operations of your business, and
- Learn your basic duties and responsibilities under Manitoba's Workplace Safety and Health Act and Regulation.

This guide has been developed in cooperation by the following partners: Manitoba Labour and Immigration, Workplace Safety and Health Division; Canadian Federation of Independent Business; Winnipeg Chamber of Commerce; MFL Occupational Health Centre; Workers Compensation Board of Manitoba.

For a FREE copy of this guide, visit: the SAFE Manitoba website, at: www.safemanitoba.com or the Workplace Safety and Health Division's website, at: www.gov.mb.ca/labour/safety under 'What's New'



Safety & Health Guide for Small Businesses



IMPORTANT

CHANGES TO THE CONSTRUCTION INDUSTRY WAGE ACT REGULATIONS AS OF JUNE 1, 2006

On February 17, 2006 the government announced changes to the Construction Industry Wages Act Regulations that included, among other things, wage increases for the industrial, commercial, and institutional and heavy construction sectors. These wage schedules have not been updated since 1991. The changes were the result of consensus recommendations of a joint industry-labour panel.

Some highlights of the changes are provided below. For more information on these and other changes please contact the Employment Standards Branch in Winnipeg at (204) 945-3352 or toll free at 1-800-821-4307. Web: <http://www.gov.mb.ca/labour/standards>

Integrated Wage Schedules and Classifications

A consistent set of twenty-seven classifications for the Industrial, Commercial, and Institutional (ICI) sector, commonly referred to as the building construction sector, have been adopted for the entire province. Wage rates for this sector are found in one of two schedules:

- "Winnipeg / Major Building," or
- "Rural"

The "Winnipeg / Major Building" rates apply to all projects in the City of Winnipeg or elsewhere in the province if those projects exceed 25,000 square feet. All other ICI projects fall under the "Rural" rates.

Ten classifications have been adopted for the heavy construction sector to reflect the changing nature of that sector.

Hours of Work and Overtime

The standard hours of work in the ICI sector will be 10 hours per day and 40 hours per week. The standard hours of work in the heavy construction sector will remain 50 hours per week (except for the months of November to March where the standard hours in Winnipeg will remain 48).

All hours worked in excess of these standards must be paid at not less than one and one-half times the regular rate of wages.

Trainee / Apprenticeship Rates

In order to facilitate the development of a skilled workforce all classifications in the ICI schedules provide either a trainee or apprenticeship rate.