

SAFE WORK

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

SPRING 2005
Vol.1 No.5

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please contact the
Workplace Safety
and Health Division

New Safety & Health Regulations

Addressing Stakeholder Concerns

- by Darlene Muisse

Acting as the voice of Manitobans, the Review Committee on Workplace Safety and Health provided the government with a blueprint for building a culture of safety and health for workers across the province in early 2002.

Government acted on its acceptance of the Review Committee recommendations, and in the summer of 2002 introduced the most significant changes to the Workplace Safety and Health Act in 25 years.

Recognizing the need to complete the picture on occupational safety and health legislation, government launched a review of Manitoba's existing workplace safety and health regulations – requesting that management, labour and technical-professional representatives with varying expertise, initiate the review process.

Since that time, extensive consultations have been undertaken in order to develop modernized regulations that are reasonable, practicable, and offer clear direction.

Based on input received from the technical working groups, Minister's Advisory Council on Workplace Safety and Health, stakeholders, and the general public, proposed regulations are now being developed for final consideration by government.

- continued on page 2

NEW SAFETY & HEALTH REGULATIONS - Continued from page 1

With that in mind, the Workplace Safety and Health Division (WSH) has met with a number of stakeholder groups to discuss their concerns throughout the review process, and continues to meet with stakeholders to discuss the changes made to address those concerns.

To shed light on some of the issues regarding the proposed regulations, the following were a few of the most common concerns shared by the majority of stakeholders, along with suggestions by WSH to address them:

- A phase-in period for new regulatory requirements was requested.
 - *When the new/revised regulations are enacted, it would be unreasonable to expect that everyone be ready to comply overnight. It is in the best interest of all parties that sufficient time be allowed before the changes take effect. As an example, employers will need time to prepare for the new requirements in a variety of ways, including the fact that the changes must be communicated to all employees. Therefore, to ensure a level playing field, government is considering a time period of four months (120 days) from the date the changes to the regulations are enacted to the date they will be enforced.*
- Adding details that are now contained in guidelines and/or Codes of Practice to the regulations would make the regulations too prescriptive. Stakeholders recommended leaving the details that are in the guidelines/Codes where they are.
 - *To allow a better understanding of this stakeholder recommendation, the difference between regulations, Codes of Practice and guidelines are as follows:*

Regulations – like the Workplace Safety and Health Act (Act), workplace safety and health regulations are passed by government and enforceable by law. Regulations differ from the Act in that they generally provide more detail and specific requirements in order to comply with the Act.

Codes of Practice – Codes of Practice require approval from the Director of the Workplace Safety and Health Division before they are issued. Codes of Practice are intended to provide practical guidance with respect to the requirements of any provision of the regulations. Codes of Practice are admissible as evidence in a prosecution for failure to comply with a provision of the regulations to which the Codes would apply.

Guidelines – are issued for the purpose of providing practical guidance in order to comply with the regulations.

As per the above recommendation, the detailed changes that were incorporated into a number of areas of the proposed regulations will remain as Codes of Practice and/or guidelines. In some situations, however, where the risk of injury is great (i.e. confined space entry), the detailed provisions will be contained in the regulations to ensure clear direction is given to employers in order to protect worker safety.

- Implementing an ergonomics regulation raised some stakeholder concern, however, there was general support for ergonomic principles to be included in the regulations.
 - *The proposed regulation is based on concepts that have been included in the existing regulations for a number of years, whereby employers are required to assess risks to workers that exist at the workplace. The proposed regulation has been modified to clarify the requirement for employers that every aspect of work in a workplace would not need to be formally assessed, rather that an assessment would be required where a risk of musculoskeletal injury exists. Employers would then be required to put controls in place based on the risk assessment. More specific requirements will be contained in a guideline.*

Watch for the August, 2005 issue of SAFE Work for further details on addressing stakeholder concerns.



FALL Protection

- by Ian Brown

Falls account for approximately 15 percent of all lost time injuries and fatalities at workplaces across the province. In the last six months, four Manitoba workers suffered serious injuries as a result of falls. The first incident involved a 17 foot fall from a roof to a sidewalk while installing shingles; the second occurred when two workers fell approximately 33 feet from a steel structure to a concrete floor; and the most recent incident involved a 14 – 20 foot drop off of a ladder to the bottom of an excavation. All of these falls were preventable.

Falls can occur in all types of workplaces, and include the following categories:

- Fall to work surface (i.e. slips)
- Fall against an object
- Fall from moving vehicle/equipment
- Fall from stairs, ramps and ladders
- Fall from one work level to the other
- Fall from edge of work level
- Fall into/through an opening

Employers in Manitoba must ensure a worker is protected from falling a vertical distance of 2.5 metres (8 ft.) or more, as required by regulations under the Workplace Safety and Health Act.

Control Measures

Categories of Fall Protection Systems

- Surface protection (non-slip flooring)
- Fixed barriers (handrails, guardrails)
- Surface opening protection (removable covers, guardrails)
- Travel restraint systems (safety line and belt)
- Fall arrest systems (safety line and harness)
- Fall containment systems (safety nets)

The selection of the particular fall protection system to control the hazard to the worker is dependent upon the circumstances and the job task.

Ideally, the choice of a protection system will be one that removes the risk of falling entirely. For example, it is preferable to provide a fixed barrier to prevent a worker from falling, than a combination of support systems and personal protective equipment (safety harness and lifeline).

Fall Protection Examples

Guardrail - A guardrail is a permanent or portable structural system consisting of a top rail, mid-rail and toe board secured to vertical posts intended to stop a worker from inadvertently stepping off a working level and falling to a level below.

Guardrailing consists of a top rail at a height of between 900mm and 1060mm (36 to 42 inches) above the working surface with an intermediate rail midway between the top rail and bottom level.

FALL Protection, *continued*

Fall Arrest System - A fall arrest system reduces the chance of injury when a fall takes place. A complete fall arrest system consists of an anchorage point, lifeline, fall arrestor, lanyard, shock absorber, and full body safety harness.

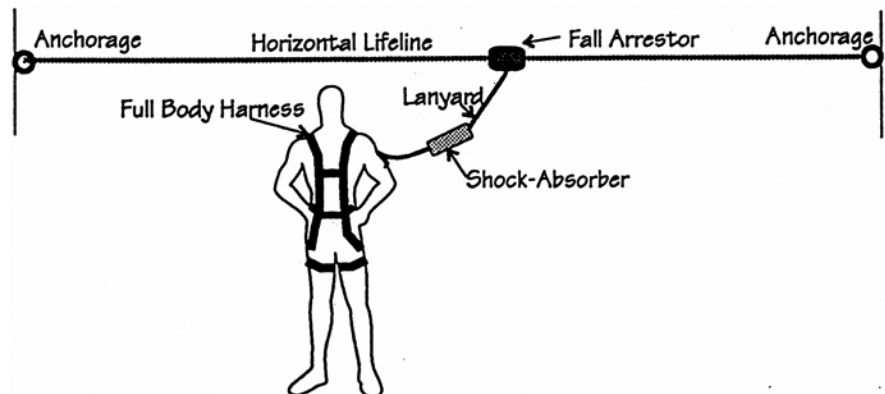
A 100 kg (220 lbs.) worker free falling 1.0 metres (3 ft.) generates an impact force of approximately 12kN (2700 lbs).

Specifications for a Fall Arrest System:

1. **Anchorage point** - The anchorage must be capable of supporting a static load of 17.8kN (4000 lbs) in any direction, with proper provision to accept a lifeline connection. If the anchor is exposed to the weather elements, it must be corrosion resistant. (The minimum thickness of an eyebolt type anchor is 19mm (3/4") with a 38mm (1 1/2") opening diameter.)
2. **Lifeline** - This is the part of the system that is attached to the anchor point and the user of the system. Lifelines must have a minimum strength equivalent to 60mm (5/8 inch") diameter polypropylene fibre rope. Lifelines must be properly secured to the anchorage point and be protected from abrasion or damage along their full length.

Lifelines may run vertically or horizontally (installed between two or more anchors), depending on the application. Temporary lifelines are made of wire or synthetic rope. Permanent systems may be made of rigid steel or aluminum rails, wire ropes, or similar materials.
3. **Fall arrestor (rope grab)** - This is a device that automatically locks onto the lifeline when a fall occurs. It is fitted between the lifeline and lanyard and normally slides freely on the lifeline until there is a sudden downward motion. When this sudden motion occurs, the fall arrestor "grabs" the lifeline and holds firmly. Fall arresting mechanisms are also built into retractable lifeline devices that plays out and retracts as necessary, but holds fast in the event of a fall (similar to a seat belt in an automobile).
4. **Lanyard** - A lanyard is an approved device located between the fall arrestor and the worker's safety harness. Lanyards should conform to CSA Z259.1 "Fall-Arresting Safety Belts and Lanyards for the Construction and Mining Industries".
5. **Shock absorber** - This is a device that limits the force applied to the user when a fall occurs. It is designed to absorb the kinetic energy of the fall as the worker is stopped. The shock absorber prevents both injury to the worker and the amount of force transferred to the lifeline and anchor. A shock absorber may be a separate device or built into the lanyard design. Lanyards should conform to CSA Z259.11 "Shock Absorbers for Personal Fall Arrest Systems".
6. **Full body safety harness** - This is a device designed to contain the torso and pelvic area of a worker and to support the worker during and after a fall. A Grade A full-body safety harness conforming to CSA-Z259.10 "Full Body Harnesses" is the type to be used for a fall arrest system.

A fall arrest system must be rigged to limit the fall of a worker to a maximum of 1.0 metres (3 ft).



Roof work protection

(From Manitoba Regulation 189/85)

Every employer shall cause a crawling board, toe-board, ladder or similar equipment used in roof work to be securely fastened in place in a manner to safely support a worker.

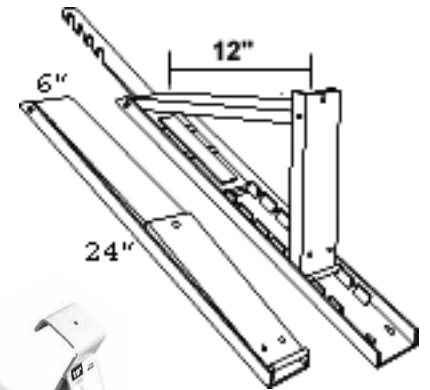
Every worker on a roof having a slope of greater than 35 degrees (9 vertical to 12 horizontal pitch) shall wear a safety harness attached to a secured lifeline, where a scaffold, guardrail or other suitable protective device has not been provided, or is not feasible to be installed.

Where a worker is on a roof which is in a condition which may cause the worker to slip or fall and other protective means have not been provided, the worker shall wear a safety harness attached to a secured lifeline.

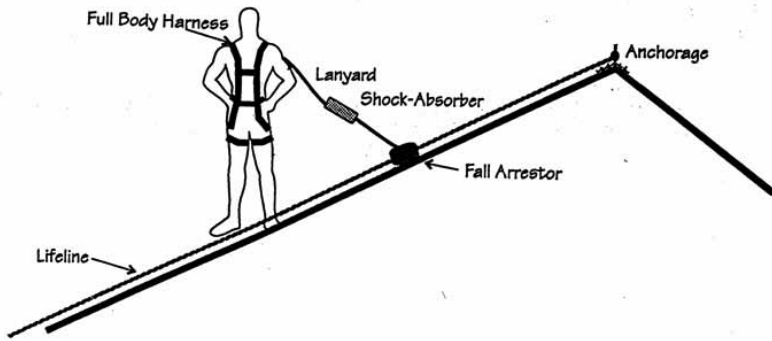
Note: 35 degrees is equivalent to 9 vertical to 12 horizontal pitch.



**Combination
Toe Board /
Guardrail system**



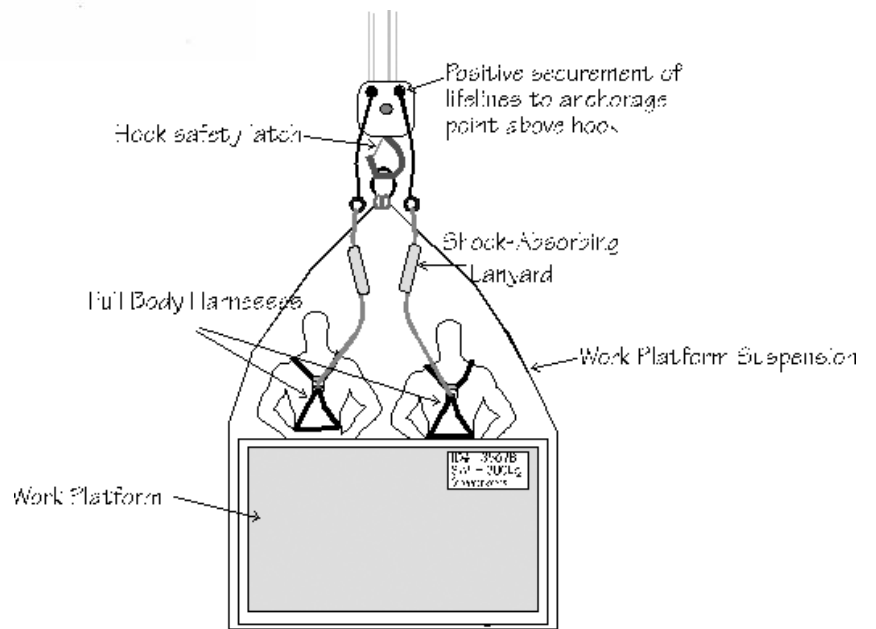
**Roof Brackets
for Work
Platforms and
Toe Boards**



Sloped-roof Fall Arrest System

Aerial Devices

Fall protection systems are required for all workers working at elevation from aerial devices. These devices include ladder trucks, aerial baskets or bucket trucks, crane suspended lift baskets, and other similar devices that carry a worker to an elevated work position. A proper fall arrest system must be incorporated into the work procedure, consisting of a full body harnesses, shock-absorbing lanyard and suitable anchorage.



Crane Suspended Work Platform

LEGALLY YOURS

In the pursuit of the objectives of *The Workplace Safety and Health Act* (Chapter W210), it is necessary to prosecute individuals or firms who are in contravention of the Act. Publication of this information is intended to inform and educate both employers and workers of the responsibilities that are **legally yours** in the hope that some may learn from the experiences of others. Any similarity between the names of persons charged and those not connected with the infraction or operation are coincidental.

COURT DATE	PERSON/CO. CHARGED	CONTRAVENTIONS	TOTAL PENALTIES
July 2/04	Penn-Co Construction Canada Ltd.	<p>Failure to ensure the safety, health and welfare of a worker at work in the operation of a extend a boom powered lift truck with a work platform mounted to it. W210 Sec. 4(1)(a)</p> <p>Contravened regulation by allowing a worker to operate a powered lift truck without having issued a certificate to the worker. M.R. 108/88R Sec. 14.1(2)</p> <p>Contravened regulation by moving equipment involved in an incident. M.R. 108/88R Sec. 8(b)</p>	\$25,000 + # 3,750 <i>(Victim's Surcharge)</i>
Oct 1 / 04	Tatra Ornamental Iron Works Ltd	<p>Failure to guard securely all dangerous parts of machinery at the workplace M. R. 108/88 R Sec. 15(a)</p>	\$15,000 + \$ 2,250 <i>(Victim's Surcharge)</i>
Oct 21/04	General Electric Canada Inc	<p>Failure to provide a system that included the provision of a safety procedure to ensure the use of a cut off wheel on a Leverance Lancer motor stripping machine with a maximum rated rotational speed that was compatible with the operational speed of the Leverance Lancer motor. W210 Sec. 4(2)(a)</p>	\$50,000 + \$ 7,500 <i>(Victim's Surcharge)</i>
Nov 1 / 04	Topsyn Flexible Packaging Ltd	<p>Failure to provide supervision in regards to requiring the injured worker to shut off a print press before attempting to clear any debris. W210 Sec. 4(2)(b)</p> <p>Failure to notify of an accident immediately after the accident occurred. M.R. 108 Sec. 8</p>	\$22,000 + \$ 3,300 <i>(Victim's Surcharge)</i>

COURT DATE	PERSON/CO. CHARGED	CONTRAVENTIONS	TOTAL PENALTIES
Nov 25 / 04	Gerrard Scrap Metal	Failure to provide a worker with such information, instruction, training, supervision and facilities respecting hoisting and safe rigging practices to ensure the safety and health and welfare at work of all his workers. W210 Sec. 4(2)(b) Moving equipment contrary to an order that was made by a Workplace Safety and Health Officer M.R. 108 Sec 8(c)	\$10,000 + \$ 1,500 <i>(Victim's Surcharge)</i>
Dec 9 / 04	Duha Color Services Limited	Failure to guard securely all dangerous parts of machinery, a Brausse Press M.R. 108 Sec 15(a) Failure to establish a written workplace safety and health program for its workplace where 20 or more of his workers are regularly employed W210 Sec 7.4(5)	\$35,000 + \$ 5,250 <i>(Victim's Surcharge)</i>

Preventing *Needle-sticks*

The Province of Manitoba recently announced that the use of safety needles will be mandatory for all medical workplaces.



workers through the development and implementation of appropriate safe work practices and procedures, and the use of personal protective equipment, where it exists.

An amendment to The Workplace Safety and Health Act will require employers to conduct a risk assessment where workers are at risk of contracting an infectious disease as a result of performing their job. The legislation will apply to such workplaces as hospitals, personal care homes, medical laboratories, medical clinics, doctor's offices, and will also cover home care workers and emergency services personnel.

It is estimated that up to 3,000 needle-stick injuries occur annually in Manitoba in spite of safe work practice policies and procedures that may exist in workplaces. Needle-stick injuries create a significant risk to workers from blood-borne pathogens including exposure to viruses which cause HIV, Hepatitis B, and Hepatitis C. The healthcare, workers compensation, and personal costs would likely continue to increase without the legislation.

Employers in these workplaces will be required to provide workers with safety engineered medical needles (needleless devices, shielded needle devices, and retractable needle systems) where these devices are reasonably practicable. Where it is not reasonably practicable to use engineered controls, the employer must protect

Safety engineered medical needles remove much of the risk of workers injuring themselves as these devices automatically sheath the needle after use.

The new legislation will make Manitoba among the first provinces in Canada to mandate the use of Safety Engineered Medical Needles.

What's New:

NEW

RRCC Health & Safety Course

Red River Community College is set to launch a new occupational health and safety program in the Fall of 2005. The program will be approximately eight month's full-time day delivery, however RRCC is also looking at part-time evening as well as distance delivery. Watch for more details in the August, 2005 SAFE Work issue.

Fair Practices Office

The Fair Practices Office provides you with an opportunity to obtain assistance when you feel that you have not been treated fairly or when the Workers Compensation Board is not timely in its resolution of your claim.

Contact with the Fair Practices Office is confidential. Your concerns are discussed with the Workers Compensation Board staff only if you request that this action be taken.

Contact Information:

Winnipeg: 954-4467
Outside Winnipeg: 1-800-362-3340
Email: fpo@wcb.mb.ca

Occupational Safety & Health Resources

Watch the SAFE Manitoba and Workplace Safety and Health Division websites for the addition of occupational safety and health resources covering a wide range of topics.

EVENTS

The Day of Mourning for Workers Killed and Injured on the Job

April 28th, 2005

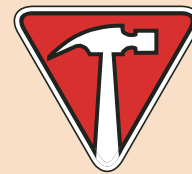
North American Occupational Safety and Health (NAOSH) Week

May 1st - 7th, 2005

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