

New Workplace Safety and Health Regulation

Manitoba's new workplace safety and health regulation will take effect February 1, 2007.

The new legislation 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*.

Which rules apply?

To provide enough 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.

General requirement

- The new regulation will emphasize the importance of developing safe work procedures; training workers on these procedures; and ensuring workers comply with these procedures.

Musculoskeletal Injuries (MSI)

- Employer is required to conduct a risk assessment (similar to a job hazard analysis) where a risk of MSI:
 - is known to be present
 - is reasonably obvious
 - has been identified
- If the assessment identifies a MSI risk, control measures must be implemented.

Asbestos

- Employer must develop and implement an asbestos control plan.
- Create an inventory of material containing asbestos in the workplace.
- Develop, implement and train workers on safe work procedures for abatement and renovation.

Confined Space

- Employer must provide specific training to workers on:
 - safe entry and exit
 - personal protective equipment
 - designation of a stand-by worker
 - emergency response
 - entry permit, and testing

Excavations

- Employer must notify the Workplace Safety and Health Division before making an excavation, including trench excavation, more than 1.5 metres (five feet) deep (previously 1.8 metres/six feet). Grave digging is exempt.
- Shoring is required in an excavation exceeding 1.5 metres (five feet) in depth (was 1.8 metres/six feet).
- A support structure more than three metres (10 feet) deep must be certified by a professional engineer.

Fall Protection

- Fall protection is 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 conditions.
- Employer must provide appropriate fall protection systems.
- 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.

Harassment and Violence

- Employer must identify and assess the risk of violence and instruct workers about the risk.
- Both a violence prevention policy and a harassment prevention policy must be developed, implemented and posted in the workplace.
- Policies must provide information on specific procedures to be followed if violence or harassment occurs.

Hearing Conservation & Noise Control

- Employer must conduct a noise exposure assessment 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 (previously 85 - 90 dBA).
- Engineering controls, or use of hearing protectors and warning signs are mandatory at exposure levels over 85 dBA (previously 90 dBA).
- Employer must provide annual audiometric testing to workers exposed to noise levels over 85 dBA (previously 80 dBA).

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

Standards

- The workplace safety and health regulation will generally require that the most recent version of a named code or standard must be complied with. However, older equipment will be required to meet a code or

standard published at the time the equipment was manufactured.

WSH Division Publications

The Workplace Safety and Health Division (of Manitoba Labour and Immigration) 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.

Updated/New Publications:

- **Regulation Summary Sheets** - highlight the requirements under each 'Part' of the new regulation.
- **Standards Information Sheets** – summarize all Standards (i.e. CSA, ANSI) referenced in the new regulation.
- **Codes of Practice**
- **SAFE Work Guidelines**
- **SAFE Work Bulletins**

Contact Information

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www.gov.mb.ca/labour/safety



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Highlights

