

Draft Regulations

Draft Regulation

An Act respecting occupational health and safety (chapter S-2.1)

Occupational health and safety — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting occupational health and safety, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1) on the expiry of 45 days following this publication.

The draft Regulation amends sections 146 and 147 of the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) in order to harmonize them with the requirements provided for in the Environment Quality Act (chapter Q-2) and the Regulation respecting the quality of drinking water (chapter Q-2, r. 40). The draft Regulation also replaces Schedule VIII by more flexible provisions regarding the quantities of drinking water and the quality of the water used for flushing systems while ensuring that the health of workers is protected.

The draft Regulation may affect all establishments in Québec. It will have a positive impact on some of those establishments, without disadvantaging or advantaging other establishments. In the case of the establishments that are mainly affected, the replacement of an administrative procedure (sending of analyses results) by a simpler procedure (posting of analyses results) would generate annual savings of \$0.66M. For those businesses that are responsible for a water distribution system for a camp, the use of non-potable water in toilet flushing systems would generate annual savings of \$0.14M from savings in drinkable water consumption. The draft Regulation is not expected to have a direct positive or negative impact on employment.

Further information may be obtained by contacting François R. Granger, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3010, extension 2019; fax: 514 906-3011.

Any person wishing to comment on the draft Regulation may submit written comments within the 45-day period to Luc Castonguay, vice-president, prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1M 1A1.

MANUELLE OUDAR,
*Chair of the board of directors and Chief Executive
Officer of the Commission des normes,
de l'équité, de la santé et de la sécurité du travail*

Regulation to amend the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

1. The Regulation respecting occupational health and safety (chapter S- 2.1, r. 13) is amended in section 2 by striking out “146.”

2. Section 145 is amended by replacing the second paragraph by the following:

“The quantity of drinking water provided to the workers must be sufficient to meet their daily physiological and personal hygiene needs while taking into account, in particular, the work situation and the environmental and climatic conditions.

Without limiting the scope of the second paragraph, the quantity must at least enable each worker to drink 1 litre of drinking water, wash their hands 4 times over a period of 8 hours and take a shower once a day, when this Regulation requires that it be put at the disposal of the workers. The quantity must also ensure the proper functioning of emergency showers, if applicable.”

3. Section 146 is revoked.

4. Section 147 is replaced by the following:

“**147. Control:** In any establishment supplied with drinking water by a distribution system exempted from the application of Division I of Chapter III, “Quality control of drinking water”, of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40), the employer

must have a sample of that water analyzed for the control of total coliform bacteria and *Escherichia coli* bacteria before the water is put at the disposal of the workers for the first time and, subsequently, once at month.

The first and second paragraphs of section 30 of the Regulation respecting the quality of drinking water apply to that sample.

Upon receiving the analyses results, the employer must keep them posted in a visible location that is easily accessible to workers until the following results are received. In default of such a location, the employer must communicate each of the results to the workers by any appropriate means.”

5. The following is added after section 165:

“165.1 Toilet and urinal flushing systems: The toilet and urinal flushing systems of any establishment must be fed by drinking water or non-potable water from a natural source of groundwater or surface water.

When non-potable water is used, it must be of sufficient quality so as not to adversely affect the proper functioning of those installations or impair the health and safety of the workers, in particular, by a reaction with the cleaning products used.

Without limiting the scope of the second paragraph, the non-potable water is presumed to be of sufficient quality when its turbidity is lower than 50 NTU.”

6. Schedule VIII is revoked.

7. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

An Act respecting occupational health and safety (chapter S-2.1)

Safety Code for the construction industry — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Safety Code for the construction industry, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de

la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation updates certain provisions respecting portable tools, electrical installations, motorized mast climbing platforms, ladder jack scaffoldings and signal persons as a replacement for a range limiting device.

The impact of the amendments to the Safety Code for the construction industry (chapter S-2.1, r. 4) is minimal. It does not require the adoption of new administrative formalities for enterprises and there is no anticipated impact on employment. It will contribute to the improvement of the safety of workers on construction sites. The new regulatory requirements will not be prejudicial to the competitiveness of the construction industry in Québec since they are consistent with the requirements of regulatory powers and good practices in North America. The analysis of the regulatory impact shows that the making of the draft Regulation represents recurring costs of 7.24 million dollars per year for enterprises.

Further information may be obtained by contacting Pierre Bouchard, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 250, Québec (Québec) G1K 7E2; telephone: 418-266-4699, extension 2014; fax: 418-266-4664.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luc Castonguay, Vice-President for Prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

MANUELLE OUDAR,
*Chair of the board of directors and Chief Executive
Director of the Commission des normes,
de l'équité, de la santé et de la sécurité du travail*

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 9, 11, 19, 21 and 42, and 3rd par.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1 by inserting the following definitions in numerical order: