

PART 6

PERSONAL PROTECTIVE EQUIPMENT

GENERAL

Personal protective equipment required

6.1 An employer must ensure that a worker wears and uses personal protective equipment at the following times:

- (a) when required to do so under subsection 2.1(3);
- (b) in any of the circumstances described in sections 6.7 to 6.18;
- (c) in the event of an emergency in the workplace, including a spill or discharge of a hazardous substance.

M.R. 147/2010

Safe work procedures

6.2(1) An employer must

- (a) develop and implement safe work procedures for the use of personal protective equipment in the workplace;
- (b) train workers in those safe work procedures; and
- (c) ensure that workers comply with those safe work procedures.

6.2(2) If the manufacturer of personal protective equipment has established safe work procedures for the equipment's use, an employer must ensure that the safe work procedures developed and implemented under clause (1)(a) are not inconsistent with those established by the manufacturer.

Employer obligations re protective equipment

6.3 If personal protective equipment is required to be worn or used in the workplace, an employer must

(a) provide a worker, at no cost, the equipment appropriate for the risks associated with the workplace and the work;

(b) ensure that the equipment is

(i) stored in a location that is clean, secure, and readily accessible by the worker,

(ii) immediately repaired or replaced if it is defective, and

(iii) immediately replaced with clean or decontaminated equipment if it is rendered ineffective because of contamination with a hazardous substance; and

(c) make, so far as is reasonably practicable, appropriate adjustments to the work procedures and rate of work to eliminate or reduce any risk to the safety or health of a worker that may arise from the worker's use of the equipment.

Employer obligations re equipment provided

6.4 An employer must ensure that

(a) before providing personal protective equipment to a worker, the equipment is fit for its purpose, as determined by the employer inspecting it and testing it or carrying out any pre-use procedure in accordance with the manufacturer's specifications;

(b) the equipment provided fits the worker correctly and can be used by the worker without an adverse effect to the worker's safety or health from the use of the equipment; and

(c) the worker is informed of and understands the safety or health risk for which the equipment is designed and the limitations, if any, in the protection it provides.

Worker obligations re equipment

6.5(1) A worker who is provided with personal protective equipment must

(a) wear or use it in accordance with the manufacturer's specifications; (b) take reasonable steps to prevent damage to it; and

(c) inform the employer if it becomes defective or fails to provide the protection that it was intended to provide.

6.5(2) Subsection (1), except clause (c), applies in respect of protective headwear and footwear that a worker is required to provide for himself or herself under subsections 6.11(1) and 6.12(2).

Obligations when worker provides personal protective equipment

6.6 When a worker is required to provide protective headwear or protective footwear for himself or herself,

(a) an employer has no obligations under clause 6.3(a), subclauses 6.3(b)(i) and (ii) and section 6.10 in respect of that equipment, but must ensure that the equipment provided by the worker meets, and is used in accordance with, the requirements of this Part; and

(b) the worker must ensure that he or she takes reasonable steps to prevent damage to the equipment and that it

(i) meets and is used in accordance with the manufacturer's specifications and the requirements of this Part,

(ii) is immediately repaired or replaced if it is defective, and

(iii) is immediately replaced with clean or decontaminated equipment, if it is rendered ineffective because of contamination by a hazardous substance.

SPECIFIC TYPES OF PERSONAL PROTECTIVE EQUIPMENT

High visibility safety apparel

6.7 An employer must provide high visibility safety apparel that meets the requirements of CAN/CSA-Z96-02, *High-Visibility Safety Apparel*, and that is appropriate for the risk, to a worker who is exposed to the risk of injury

(a) from a moving vehicle or powered mobile equipment; or

(b) due to the worker not being visible to other persons because of environmental or other conditions in the workplace or at the worksite.

Skin protection

6.8(1) If there is a risk of injury to a worker's skin from sparks, molten metal or ionizing or non-ionizing radiation, an employer must provide personal protective equipment that

(a) meets the requirements of CAN/CSA-W117.2-01 (R2006), *Safety in Welding, Cutting and Allied Processes*; and

(b) is appropriate for the risk; or a safeguard that provides equivalent protection.

6.8(2) An employer must provide personal protective equipment that is appropriate for the risk if there is a risk of injury to a worker's skin from radiant heat or a sharp or jagged object which may puncture or abrade the skin.

Protective clothing

6.9(1) If a work process may create a risk to the safety or health of a worker from contamination of the worker's skin or clothing by a hazardous substance, an employer must

(a) provide the worker with protective clothing appropriate for the risk; and

(b) launder or dispose of the protective clothing on a regular basis.

6.9(2) If an employer is required to provide protective clothing under subsection (1), the employer must provide a place to store the worker's street clothing that is separate from the place where the worker's personal protective clothing is stored.

Protective headwear – workplaces that are not construction project sites

6.10(1) At a workplace that is not a construction project site, an employer must provide a worker with protective headwear that is appropriate for the risk and meets the requirements of CSA Standard Z94.1-05, *Industrial Protective Headwear — Performance, Selection, Care and Use* or ANSI Z89.1-2003, *American National Standard for Industrial Head Protection*, if there a risk of injury

(a) to the worker's head, including a significant possibility of lateral impact to the worker's head; or

(b) to the worker from contact with an exposed energized electrical conductor.

M.R. 147/2010

6.10(2) An employer required to provide a worker with protective headwear must also provide a worker with

(a) a liner for that headwear, if it is necessary to protect the worker from cold conditions; and

(b) a retention system to secure the protective headwear firmly to the worker's head, if the worker is likely to work in conditions that may cause the headwear to dislodge.

6.10(3) Instead of complying with subsection (1), an employer may provide to the worker a bump hat or other protective headwear appropriate for the risk, if the risk of injury to a worker's head is limited to injury to the worker's scalp.

Protective headwear — construction project site

6.11(1) A worker at a construction project site must wear protective headwear that meets the requirements of CSA Standard Z94.1-05, *Industrial Protective Headwear — Performance, Selection, Care and Use* or ANSI Standard Z89.1-2003, *American National*

Standard for Industrial Head Protection.

M.R. 147/2010

6.11(2) A worker is responsible for providing the protective headwear he or she is required to wear under subsection (1) and, if necessary, is also responsible for providing

(a) a liner for the headwear to protect the worker from cold conditions; and

(b) a retention system to secure the headwear firmly to the worker's head, where the worker works in conditions that may cause the headwear to dislodge.

M.R. 147/2010

Footwear: responsibilities of employers and workers

6.12(1) An employer must provide a worker with

(a) outer foot guards that provide metatarsal protection, when there is substantial risk of a crushing injury to the worker's foot; and

(b) protective footwear, when the worker's feet may be endangered by a hot, corrosive or toxic substance.

6.12(2) Subject to subsection (1), a worker is responsible for providing for himself or herself protective footwear that

(a) is appropriate for the risk associated with the worker's workplace and work; and

(b) meets the requirements of

(i) CSA Standard-Z195.1-02, *Guideline on Selection, Care, and Use of Protective Footwear*, or

(ii) CAN/CSA Standard-Z195-02, *Protective Footwear*,

if the worker may be at risk of injury from a heavy or falling object or from treading on a sharp object.

6.12(3) Despite subsection (2), an employer may permit, with appropriate conditions and after consulting with the committee, the representative or, where there is no committee or representative, the workers, a worker to use soft-soled, slip resistant protective footwear without puncture-proof plates in the soles and toecaps provided by the worker, if the worker is

(a) a steel erector engaged in the connection of structural components of a skeletal structure; or

(b) engaged in the installation of roof finishing materials.

Eye and face protectors

6.13(1) An employer must provide a worker an eye or face protector that meets the requirements of CAN/CSA-Z94.3-02, *Eye and Face Protectors* and CSA Standard Z94.3.1-02, *Protective Eyewear: A User's Guide*, and that is appropriate for the risk, if there is a risk of irritation or injury to the worker's face or eyes from

(a) flying objects or particles;

(b) splashing liquids or molten metal;

(c) ultraviolet, visible or infrared radiation; or

(d) any other material, substance or matter.

6.13(2) For certainty, prescription lenses or prescription eyewear are not included as eye protectors under this section.

Hand, arm, leg and body protection

6.14(1) An employer must provide a worker with hand, arm, leg or body protective equipment that is appropriate for the risk and to the workplace if there is a risk of injury to the worker's hands, arms, legs or torso.

6.14(2) Without limiting subsection (1), an employer must provide a worker with appropriate gloves or mitts and sleeves if there is a risk of injury to the worker from contact with an exposed energized electrical conductor.

Respiratory protective equipment

6.15(1) An employer must ensure that respiratory protective equipment provided to a worker is

(a) appropriate for the risk to which the worker is or may be exposed, as determined by the employer;

(b) selected, used and maintained in accordance with CAN/CSA-Z94.4-02, *Selection, Use, and Care of Respirators*;

(c) of proper size, and that it makes an effective seal to the facial skin of the worker where a tight fit is essential to its proper functioning;

(d) kept in a convenient and sanitary location when not in use, and that it is not exposed to extremes of temperature or to any contaminant that may inactivate it; and

(e) not shared by workers, unless it is cleaned before different workers use it.

6.15(2) An employer must ensure that a worker using the respiratory protective equipment

(a) is adequately trained by a competent person in the proper fit, testing, maintenance, use and cleaning of the equipment and in its limitations;

(b) is able to test, maintain and clean the equipment;

(c) is able to use the equipment safely; and

(d) inspects and tests the equipment before each use.

Working in dangerous atmospheres

6.16(1) An employer must provide a worker who is required to enter an atmosphere that is immediately dangerous to his or her safety or health with one of the following atmosphere-supplying respirators:

(a) an open-circuit SCBA, which

(i) is sufficiently charged to enable the worker to perform the work safely,

(ii) operates in a pressure demand or positive pressure mode, and

(iii) has a minimum rated capacity of 30 minutes;

(b) an airline respirator equipped with a full face piece that

(i) operates in a pressure demand or positive pressure mode, and

(ii) has an auxiliary supply of air sufficient to allow the worker to escape in case of failure of the primary air supply equipment;

(c) a closed-circuit SCBA.

6.16(2) An employer must ensure that air in an atmosphere-supplying respirator provided under subsection (1) meets the purity requirements set out in Table 2 of CAN/CSA Standard-Z180.1-00, *Compressed Breathing Air and Systems*.

Protection from drowning

6.17(1) When a worker is required to work at a place, other than a boat, from which the worker could fall and drown, and he or she is not protected by a guardrail, an employer must

(a) provide the worker with a life jacket;

(b) ensure that the worker complies with Part 14 (Fall Protection);

(c) ensure that the following rescue equipment is readily available:

(i) an appropriately powered boat equipped with a boathook,

(ii) a buoyant apparatus attached to a nylon rope, where the rope is not less than 9 mm in diameter and not less than 15 m in length,

(iii) a notification or signalling device; and

(d) ensure that a sufficient number of properly equipped and trained rescue personnel are readily available to undertake a rescue in the event one is required.

6.17(2) An employer must ensure that each worker who is transported by or works on a boat is provided with his or her own life jacket or personal flotation device that is kept within the immediate reach of the worker at all times.

6.17(3) An employer must provide the following personal protective equipment to a worker if there is a risk to the safety or health of the worker from falling through ice:

(a) a full body suit that protects the worker from hypothermia and buoyancy equipment that meets the following standards and has the following minimum buoyancy:

(i) CGSB Standard CAN/CGSB 65.7-2007, *Lifejackets*, and with a minimum buoyancy of 150 N or 34 lbs,

(ii) repealed, M.R. 147/2010,

(iii) CGSB Standard CAN/CGSB 65-GP-14M, *Lifejackets, Inherently Buoyant, Standard Type*, and with a minimum buoyancy of 125 N or 28 lbs;

(b) a full body flotation suit that both meets the buoyancy requirements under clause (a) and protects the worker from hypothermia.

6.17(4) If a worker is required or permitted to work on ice,

(a) an employer must ensure that the worker is instructed that he or she must wear the personal protective equipment provided under subsection (3) at all times while on the ice; and

(b) the worker must wear the personal protective equipment at all times while on the ice.

6.17(5) If a worker works alone on a boat,

(a) an employer must ensure that the worker is

(i) provided with a life jacket or personal flotation device, and

(ii) instructed that he or she must wear the jacket or device at all times while working; and

(b) the worker must wear the jacket or device at all times while working.

Definition: "ice"

6.17(6) In subsections (3) and (4), "ice" means ice that is

(a) over water, where the water is more than one metre deep; or

(b) over any other material into which a worker could sink more than one metre.

All-terrain vehicles and snowmobiles

6.18(1) An employer must ensure that a worker who is required or permitted to travel in or on the following is provided with protective headwear, including, where required, a liner, cold weather face guard and an eye protector for working in cold conditions:

(a) an all-terrain vehicle or a snowmobile, as defined in *The Off-Road Vehicles Act*;

(b) a towed conveyance, being a sled, cutter, trailer, toboggan or carrier that may be towed by a snowmobile or an all-terrain vehicle.

6.18(2) Subsection (1) does not apply where the all-terrain vehicle is equipped with roll-over protective structures and enclosed by a cab that is an integral part of the vehicle.