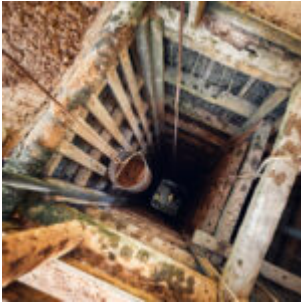


Confined Spaces – 2023 Year in Review



ALBERTA

LAWS & ANNOUNCEMENTS

Feb 1: Reminder: [New Alberta rules](#) (under Section 56 of the OHS Code) that allow for the use of remote confined space entry monitoring systems are taking effect on March 31, 2023.

Action Point: Use the [OHSI Confined Spaces Compliance Game Plan](#) to avoid confined space fatalities and violations.

Mar 31: [New Alberta rules](#) (under Section 56 of the OHS Code) that allow for use of remote confined space entry monitoring systems take effect.

Action Point: Use the [OHSI Confined Spaces Compliance Game Plan](#) to avoid confined space fatalities and violations.

QUÉBEC

LAWS & ANNOUNCEMENTS

Jan 25: CNESST published [draft changes to OHS regulations](#) to bolster the safety of those who work inside confined spaces. In addition to updating the definition of “confined space,” the regulations would impose new requirements for entry into confined spaces used to store free-flowing solids or liquids posing a risk of drowning.

Action Point: Use the [OHSI Confined Spaces Compliance Game Plan](#)

[Plan](#) to avoid confined space fatalities and violations.

CASES

Confined Spaces: Confined Spaces Dispute Is an OHS Case, Not a Labour Grievance

A union filed a labour grievance against a packaging company for allegedly failing to provide workers the safety precautions for confined space work required by OHS laws. This is an OHS issue, not a labour grievance, the company argued; it's a labour grievance because the OHS violations also violate the collective agreement, the union countered. The Québec arbitrator sided with the employer, finding that it had no jurisdiction to hear what was essentially a case about what the OHS confined space rules did and didn't require [[Union of Service Employees, Local 800 c Westrock Company of Canada Corp.](#), 2022 CanLII 118602 (QC SAT), December 14, 2022].

Action Point: Use the [OHSI Confined Spaces Compliance Game Plan](#) to avoid confined space fatalities and violations