

How to Comply with New Transportation of Dangerous Goods Regulations Training Rules



TDGR training must go beyond awareness and include job functions

The system you use to provide workers Transportation of Dangerous Goods Regulations (TDGR) training may become obsolete on February 9, 2022, when Transport Canada's new Competency-Based Training requirements take effect. Here's an overview of the new TDGR training requirements and how to comply with them.

Why TC Is Changing the TDGR Training Rules

Under current rules (Part 6 of the TDGR), any person who handles, offers for transport or transports dangerous goods must be 'adequately trained' in their dangerous goods tasks and receive a certificate of training. But according to the Transportation of Dangerous Goods monitoring program, 55 of the 409 dangerous goods incidents resulting in injury or death reported between 2014 and 2019 were the result of improper or insufficient training.

Part of the problem is confusion over what 'adequately trained' means. Current rules don't specify that training be geared to carrying out specific functions. By contrast, international transportation of dangerous goods training requirements rely on a concept known as Competency-Based Training (CBT), which focuses on ensuring that trainees develop particular skills necessary to carry out their job functions. There are 5 key changes:

1. From 'Adequately Trained' to Competency-Based Training

The proposed new TDGR removes the term 'adequately trained' and replaces it with the requirement that trainees be competent for TDG tasks. To accomplish this, they must receive both general awareness and function-specific training and assessment meeting the requirements of CAN/CGSB-192.3-2020, a CBT standard for transporting dangerous goods developed by a federal government organization called the Canadian General Standards Board (CGSB).

2. From 'Certificate of Training' to 'Certificate of Competence'

Instead of the 'certificate of training' required under current rules, trainees would receive a 'certificate of competence' documenting successful completion of required TDGR training. While it would include the same basic information as the certificate of training, the certificate of competency:

- Must state that the person has received general awareness and function-specific training and list codes identifying the particular functions for which competency was achieved;
- Doesn't have to be signed by the employee; and
- Can be electronically signed the employer, an employee acting on the employer's behalf or a self-employed person.

3. New Supplementary Training & Assessment Requirements

Certificates of competency will have the same shelf life as certificates of training—that is, 3 years for road, rail and marine, and 2 years for air. But once the certificate of competency expires, employers must make an assessment to determine whether retraining is necessary. They also must provide supplementary training in response to changes in TDGR requirements or employees' functions.

4. New Task Description & Performance Criteria Requirements

Under the new rules, you'd have to create and maintain task lists descriptions of each employee's TDGR function-specific tasks, as well as performance criteria for assessing different competencies. Task lists for road, rail and marine would typically include:

- Classifying dangerous goods;
- Determining shipping requirements;
- Preparing a dangerous goods consignment;
- Transporting dangerous goods; and
- Responding to an incident.

Lists for air would include all of the above tasks as well as:

- Processing and accepting dangerous goods; and
- Managing dangerous goods'load planning.

5. Revised Training Record Rules

While employees would still have to present their certificate of competency to inspectors upon request, employers would no longer have to keep copies of certificates in employees' training records. But they would need to retain records demonstrating that employees have been trained and assessed in accordance with the CGSB standard for 2 years after the expiration of the certificate of competency. Such records would have to include:

- Trainee's name;
- Their task descriptions and performance criteria;
- A description, copy or location of the material used for training;
- Assessment and training date(s);
- A description of, copy or reference to the assessment;
- Name of the person(s) or organization that provided training and

- assessment; and
- Outcome of the assessment.

You Have 12 Months to Comply

Transport Canada published the proposed new TDGR training regulations in the *Gazette* on December 11, 2021, for 60 days of public comment ending on February 9, 2022. But while the new rules officially take effect on that date, you have 12 months to comply. Meanwhile, all certificates of training meeting current rules, including those issued during the transition period, will remain valid through their expiry date.