

Industry Challenges – 2023 Year in Review



FEDERAL

LAWS & ANNOUNCEMENTS

Jul 10: Violations of federal marine safety regulations may now result in administrative monetary penalties of up to \$5,000 on individuals and up to \$25,000 for a corporation or ship. The new AMPs are in addition to the usual penalties that can be imposed for such offences.

Action Point: Look up the [Administrative Monetary Penalty rules](#) across Canada.

ALBERTA

LAWS & ANNOUNCEMENTS

Dec 9: The OHS division announced that [changes](#) to oil and gas wells requirements under Part 37 of the OHS Code will take effect on March 31. The changes affect worksite organization, firefighting equipment, purging lines, derricks and masts, inspections, emergency exits and ground anchors, among other things.

Feb 15: Reminder: [Changes](#) to oil and gas wells requirements under Part 37 of the OHS Code that will take effect on March 31. The changes affect worksite organization, firefighting equipment, purging lines, derricks and masts, inspections,

emergency exits and ground anchors, among other things.

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NEW BRUNSWICK

LAWS & ANNOUNCEMENTS

Feb 22: WorkSafeNB issued a [revised guide](#) to help employers comply with safety requirements for logging and silviculture operations contained Section 21 of the *OHS General Regulation*, including the regulatory changes that took effect in April 2022.

Nov 10: The jury at a coroner's inquest issued 2 recommendations to improve the safety of bridge construction and maintenance workers: i. Establish an accountability system to ensure all workers involved in the work receive proper training; and ii. Complete daily monitoring inspections of work site hazards.

ONTARIO

LAWS & ANNOUNCEMENTS

Jul 1: Newly effective [OHS mining regulations](#) strengthen the safety requirements governing the use of independently powered conveyances for transporting workers and ladderways at underground mines and mining plants.

CASES

Industry Challenges: Constructor, Employer Fined \$300,000 for Roof Collapse Death

A food producer hired contractors to carry out a massive roof

replacement operation at its plant. During the work, a concrete roof deck panel collapsed resulting in a worker's fatal fall. The roofing contractor was fined \$175,000 as an employer and the producer \$125,000 as the constructor of the project for OHS offences in connection with the incident [*Provincial Industrial Roofing, and Upfield Canada Inc.*, [MOL Release](#), December 16, 2022].

Industry Challenges: Mining Company Fined \$175,000 for Rock Burst Fatality

Rock burst from a pillar behind rock face being screened and struck 2 workers, one of whom suffered fatal injuries. While concluding that the mining company's engineers couldn't have been expected to detect the ultimate cause of the rock burst, the MOL also found that more rock was removed than called for in the work plans and that the changes weren't communicated to the crews. So, it charged the company with failure to develop a written program to ensure for timely communication between workers and communications. The company pled guilty and was fined \$175,000 [*Vale Canada Limited*, [MOL Press Release](#), March 28, 2023].

QUÉBEC

LAWS & ANNOUNCEMENTS

Feb 1: CNESST issued [proposed revisions](#) to the Regulation respecting occupational health and safety in mines, including updated standards for fall protection PPE and a new requirement for development of a ground control program. The draft also modifies requirements for safe access to a vehicle and use of remote-controlled drilling equipment for cleaning floors.

May 24: Highlights of CNESST's [proposed changes](#) to OHS arboriculture regulations:

- New requirement that arboriculture work must be done by

- a pruner with EmploiQuébec competency card.
- Mandatory development of rescue procedures
- New list of minimum PPE
- New fall protection and harness requirements
- New minimum content training requirements for arboriculture training.

SASKATCHEWAN

LAWS & ANNOUNCEMENTS

Sep 26: Saskatchewan Agriculture reminded producers to be on the lookout for anthrax in their animals in the wake of confirmed reports that a lab found the bacteria in the carcass of a dead cow located in RM of Cote #271. Two other cows in the same herd are also suspected to have died of anthrax.

CASES

Industry Challenges: OHS Training Violation Costs Drilling Company \$150,000

An oilfield worker suffered serious injuries while trying to diagnose a hydraulic line leaking hydraulic oil. The drilling company pled guilty to failing to ensure the worker received information, instruction, training and supervision necessary to perform the job safely, and was fined \$150,000 [*Horizontal Drilling*, [Govt. Press Release](#), June 23, 2023].