

When Medical Monitoring Programs Are Required – Know the Laws of Your Province



KNOW THE LAWS: When Medical Monitoring Programs are Required

Here's what the OHS laws in each jurisdiction say about when medical monitoring programs are required:

FED	The OHS laws don't require medical monitoring programs.
AB	<i>OHS Act:</i> If a worker is employed in a hazardous occupation or at a hazardous work site, a Director of Medical Services may require medical monitoring of that worker [Sec. 24(1)]. <i>OHS Code 2009:</i> 1. Health assessments are required for workers exposed to asbestos, silica or coal dust [Sec. 40]. 2. A lead exposure control plan for workers exposed to lead must include health monitoring [Sec. 41].

BC	<p><i>Workers' Compensation Act:</i> If the Board considers this is advisable given the nature or conditions of a work activity, the Board may, by regulation, require employers of workers who carry out that activity or who are exposed to those conditions to establish a medical monitoring program in accordance with this section and the regulations [Sec. 161].</p> <p><i>OHS Regulation:</i></p> <ol style="list-style-type: none"> 1. Sec. 5.54 spells out the requirements for exposure control plans. 2. An exposure control plan for the following hazards must include health monitoring, when required: <ol style="list-style-type: none"> a. an air contaminant [Sec. 5.54]; b. asbestos [Sec. 6.3]; c. a biological agent that's designated a hazardous substance [Sec. 6.34]; d. a cytotoxic drug [Sec. 6.43]; e. lead [Sec. 6.60]; f. a toxic process gas [Sec. 6.119]; g. vibration in excess of vibration exposure limits [Sec. 7.13] h. radiation [Sec. 7.20]; i. heat stress [Sec. 7.29]; and j. cold stress [Sec. 7.34].
MB	<p>The OHS laws don't require medical monitoring programs.</p>
NB	<p><i>OHS Regulation:</i> An employer must ensure that there's appropriate medical surveillance of employees exposed to air contaminants for at least 12 months after the threshold limit values for the air contaminants have been adjusted according to the Brief and Scala method [Sec. 24.1(3)].</p>

NL	<p><i>OHS Regulations, 2012</i>:1. Based on the results of an assessment of the need for and extent of health surveillance of workers, an employer must establish and maintain a program for the surveillance of the health of workers in accordance with designated guidelines [Sec. 43(2)].2. The minister may designate a workplace or class of workplaces as requiring an occupational health surveillance program [Sec. 43(3)].</p> <p>3. An employer must establish and maintain a system for the surveillance of the health of employees arising from silica dust exposure in accordance with the silica health surveillance guidance document prescribed by the minister [Sec. 47(1)].</p> <p>4. Where a worker at a work site could reasonably be expected to have an elevated body burden of lead, an employer must establish a system for the surveillance of the health of employees arising from lead exposure in accordance with the lead health surveillance guidance document as prescribed by the minister [Sec. 49(5)].</p>
NT/NU	The OHS laws don't require medical monitoring programs.
NS	The OHS laws don't require medical monitoring programs.
ON	<p><i>Designated Substances Regulation</i>:1. Subject to Sec. 21, if an assessment discloses or would disclose, if carried out in accordance with Sec. 19, that a worker's likely to be exposed to a designated substance and that the health of a worker may be affected by that exposure, the employer must develop, establish, put into effect and maintain measures and procedures to control the worker's exposure to the designated substance and incorporate these measures and procedures into a control program that satisfies the requirements of this section [Sec. 20(1)].2. In the case of a control program respecting a designated substance other than arsenic or ethylene oxide, the above control program for the substance must provide for pre-employment, pre-placement and periodic medical examinations of workers [Sec. 20(4)].</p> <p><i>Construction Projects Regulation</i>: An employer who's constructing a tunnel or caisson in which a worker works or will work in compressed air must employ as project physician at least one legally qualified medical practitioner, who must conduct such medical examinations of workers as in his or her opinion are necessary and establish a medical treatment program for the workers [Sec. 351].</p>
PE	The OHS laws don't require medical monitoring programs.

QC	<i>Regulation respecting occupational health and safety:</i> Sec. 9 [312.56-312.65] spells out the medical monitoring requirements for divers.
SK	The OHS laws don't require medical monitoring programs.
YT	The OHS laws don't require medical monitoring programs.