

Testing – Know The Laws of Your Province



Workplace testing regulations are essential for maintaining health and safety across various industries. These regulations require **employers** to conduct regular inspections, assessments, and testing of workplace environments, equipment, and protective systems to identify and mitigate hazards. Testing requirements include air quality monitoring, noise exposure assessments, machinery safety inspections, electrical system evaluations, and confined space atmospheric testing. **Employers must** ensure that tests are performed by qualified personnel, using properly calibrated equipment, and that results are documented and made available for review. While general testing principles are consistent across Canada, specific regulations vary by province and territory to address unique workplace risks and environmental conditions. Compliance with these regulations helps prevent workplace accidents, protect worker health, and create a safer work environment.

FEDERAL

In Canada, **employers** are **required** to address workplace safety through testing and inspections under the [Canada Labour Code](#) (Sections 125(1)(a)(l)(q)(t)(w), 127.1(1), 128(2)) and [Canada Occupational Health and Safety Regulations](#) (Sections 4.5, 4.6, 8.4(1), 8.10, 10.18, 12.21, 14.20, and 14.21). **Employers must** ensure that all equipment, structures, and protective systems meet prescribed safety standards through regular inspections

and testing performed by qualified personnel. They are responsible for maintaining records of these tests, training employees on proper safety procedures, and addressing potential hazards to prevent workplace accidents.

Part II – Occupational Health and Safety

Duties of Employers

(1) Without restricting the generality of section 124, every **employer shall**, in respect of every workplace controlled by the **employer** and, in respect of every work activity carried out by an employee in a workplace that is not controlled by the **employer**, to the extent that the **employer** controls the activity:

(a) ensure that all permanent and temporary buildings and structures meet the prescribed standards;

(l) provide every person granted access to the workplace by the **employer** with prescribed safety materials, equipment, devices and clothing;

(q) provide, in the prescribed manner, each employee with the information, instruction, training and supervision necessary to ensure their health and safety at work;

(t) ensure that the machinery, equipment and tools used by the employees in the course of their employment meet prescribed health, safety and ergonomic standards and are safe under all conditions of their intended use;

(w) ensure that every person granted access to the work place by the **employer** is familiar with and uses in the prescribed circumstances and manner all prescribed safety materials, equipment, devices and clothing. **Section 125.**

Internal Complaint Resolution Process

Complaint to supervisor

(1) An employee who believes on reasonable grounds that there has been a contravention of this Part or that there is likely

to be an accident, injury or illness arising out of, linked with or occurring in the course of employment **shall**, before exercising any other recourse available under this Part, except the rights conferred by subsection (8.1) and sections 128, 129 and 132, make a complaint to the employee's supervisor. **Section 127.1(1).**

Refusal to Work if Danger

No Refusal Permitted in Certain Dangerous Circumstances

(2) An employee may not, under this section, refuse to use or operate a machine or thing, to work in a place or to perform an activity if:

- (a) the refusal puts the life, health or safety of another person directly in danger; or
- (b) the danger referred to in subsection (1) is a normal condition of employment. **Section 128(2).**

Part III – Temporary Structures and Excavations

Inspection and Testing

Every elevating device and every safety device attached thereto **shall** be inspected and tested by a qualified person to determine that the prescribed standards are met:

- (a) before the elevating device and the safety device attached to it are operated;
- (b) after an alteration to the elevating device or a safety device attached thereto; and
- (c) once every 12 months. **Section 4.5(a)(b)(c).**

Previous Version

(1) A record of each inspection and test made in accordance with section 4.5 **shall**:

- (a) be signed by the person who made the inspection and

test;

(b) include the date of the inspection and test and the identification and location of the elevating device and safety device that were inspected and tested; and

(c) set out the observations of the person inspecting and testing the elevating device and safety device on the safety of the devices

(2) Every record referred to in subsection (1) **shall** be made by the **employer** and kept by him in the work place in which the elevating device is located for a period of two years after the date on which it is signed in accordance with paragraph (1)(a). **Section 4.6(1)(2).**

Part VIII – Electrical Safety

Safety Procedures

(1) All testing or work performed on electrical equipment **shall** be performed by a qualified person or an employee under the direct supervision of a qualified person. **Section 8.4(1).**

Poles and Elevated Structures

1. Before an employee climbs a pole or elevated structure that is used to support electrical equipment, the **employer shall** give instructions and training to the employee respecting inspections and tests of the pole or structure to be carried out before the pole or structure is climbed.
2. Where, as a result of an inspection or test of a pole or elevated structure referred to in subsection (1), it appears to an employee that the pole or structure will be safe for climbing only when temporary supports have been installed, pike-poles alone **shall** not be used for such supports.
3. No employee **shall** work on any pole or elevated structure referred to in subsection (1) unless they have been instructed and trained in the rescue of employees who

may be injured in the course of the work. **Section 8.10(1)(2)(3).**

For more information:

- Part X – Hazardous Substances. **Sections 10.18.**
- Part XII – Protection Equipment and Other Preventive Measures. **Section 12.21.**
- Part XIV – Materials Handling. **Section 14.20.**

Further details on the Canada Labour Code and Canada Occupational Health and Safety Regulations can be found at justice.gc.ca and justice.gc.ca.

ALBERTA

In Alberta, **employers** are **required** to address workplace testing under the [Occupational Health and Safety Act](#) (Sections 3(1)(a) and 3(2)) and [Occupational Health and Safety Code](#) (Sections 42, 43, 45, 52, 53(1), 221(i), 223, 224, 228(1)(d), and 799). **Employers must** ensure air monitoring, medical testing for lead exposure, confined space atmospheric testing, noise exposure assessments, audiometric testing, and the proper use of personal protective equipment. They are responsible for conducting hazard assessments, providing testing at their expense, maintaining records, and ensuring compliance with safety standards. Testing is critical to identifying and mitigating risks, ensuring worker safety, and preventing occupational illnesses.

Obligations of Employers

(1) Every employer shall ensure, as far as it is reasonably practicable for the **employer** to do so,

(a) the health, safety and welfare of

(i) workers engaged in the work of that **employer**,

(ii) those workers not engaged in the work of that

employer but present at the work site at which that work is being carried out, and
(iii) other persons at or in the vicinity of the work site whose health and safety may be materially affected by identifiable and controllable hazards originating from the work site

(2) Every **employer shall** ensure that workers engaged in the work of that **employer** are adequately trained in all matters necessary to perform their work in a healthy and safe manner. **Section 3(1)(2).**

Part 4 – Chemical Hazards, Biological Hazards, and Harmful Substances

Lead – Air Monitoring

If a worker may be exposed to lead in harmful amounts at a work site, an **employer must** ensure that air monitoring and surface testing for lead is regularly conducted to confirm that the controls in place are effective. **Section 42.**

Medical Monitoring for Lead

(1) An **employer must** ensure blood lead level testing is available to a worker if the worker at a work site could reasonably be expected to have an elevated body burden of lead.

(2) An **employer must** ensure that a worker exposed to lead is informed of the availability of the blood lead test.

(3) The **employer must** pay the cost of a blood level test.

(4) An exposed worker may refuse to undergo a blood level test by giving the **employer** a written statement refusing it.

(5) An **employer must** not coerce, threaten or force a worker into refusing part or all of the test.

(6) Where the worker has a blood level that indicates lead poisoning, an occupational health and safety officer, under the direction of a Director of Medical Services, may require the **employer** to remove the worker from further lead exposure.

Section 43 (1) to (6).

Part 5 – Confined Spaces

Hazard Assessment

If a worker will enter a confined space or a restricted space to work, an **employer must** appoint a competent person to:

- (a) identify and assess the hazards the worker is likely to be exposed to while in the confined space or restricted space,
- (b) specify the type and frequency of inspections and tests necessary to determine the likelihood of worker exposure to any of the identified hazards,
- (c) perform the inspections and tests specified,
- (d) specify the safety and personal protective equipment **required** to perform the work, and
- (e) identify the personal protective equipment and emergency equipment to be used by a worker who undertakes rescue operations in the event of an accident or other emergency. **Section 45.**

Testing the Atmosphere

(1) Before a worker enters a confined space, an **employer must** ensure that the atmosphere in the confined space is tested by a competent worker to:

- (a) verify that the oxygen content is between 19.5 percent and 23.0 percent by volume, and
- (b) identify the amount of toxic, flammable or explosive substance that may be present.

(2) The **employer must** ensure that the testing **required** by subsection (1) is performed using calibrated test instruments appropriate for the atmosphere being tested and the instruments are used in accordance with the manufacturer's specifications.

(3) The **employer must** ensure that as often as necessary after the first time a worker enters the confined space, a competent worker:

- (a) performs the tests specified in subsection (1), and
- (b) identifies and records any additional hazards.

(3.1) The **employer must** ensure that if there is a potential for the atmosphere to change unpredictably after a worker enters the confined space, the atmosphere is continuously monitored in accordance with subsection (2).

(4) If tests identify additional hazards, the **employer must** deal with the identified hazards in accordance with this Code.

(5) The **employer must** ensure that the procedures and practices put in place under subsection (4) are included in the code of practice.

(6) The **employer must** ensure that the results of tests **required** by this section are recorded. **Section 52 (1) to (6).**

Ventilation and Purging

(1) If the atmospheric testing under section 52 identifies that a hazardous atmosphere exists or is likely to exist in a confined space, an **employer must** ensure that the confined space is ventilated, purged or both before a worker enters the confined space. **Section 53.**

For more information:

- Part 16 – Noise management program. **Section 221.**
- Audiometric testing. **Section 223 (1) to (7).**
- Part 18 – Personal Protective Equipment. **Section 228.**
- Part 40 – Utility Workers – Electrical. **Section 799 (1) to (3).**

Further details on the Occupational Health and Safety Act and Occupational Health and Safety Code can be found at alberta.ca

and alberta.ca/legislation.

BRITISH COLUMBIA

In British Columbia, **employers** are **required** to address workplace testing under the [Workers Compensation Act](#) (Sections 21(1) and (2)(d), 36(i)) and [Occupational Health and Safety Regulation](#), specifically (Sections 3.5, 3.7, 3.8, 5.5, 5.36, 5.37, 5.93, 6.19, 6.123, 6.128, 7.5, 7.8, 7.9, 8.3, 9.24, 9.25, 9.26, and 19.8). **Employers must** conduct regular workplace inspections, implement hazardous substance testing, ensure hearing conservation programs, verify confined space safety, and provide proper maintenance of personal protective equipment and electrical testing tools. They are responsible for maintaining records, ensuring compliance with safety standards, and training workers on proper procedures to prevent workplace hazards.

Part 2 – Occupational Health and Safety

General Duties of Employers

(1) Every **employer must**:

(a) ensure the health and safety of:

- (i) all workers working for that **employer**, and
- (ii) any other workers present at a workplace at which that **employer's** work is being carried out, and

(b) comply with the OHS provisions, the regulations and any applicable orders.

(2) Without limiting subsection (1), an **employer must**:

(d) provide and maintain in good condition protective equipment, devices and clothing as **required** by regulation and ensure that these are used by the **employer's** workers.
Section 21(1)(2).

Duties and Functions of Joint Committee

A joint committee has the following duties and functions in relation to its workplace:

- (i) to participate in inspections, investigations and inquiries as provided in the OHS provisions and the regulations. **Section 36.**

Part 3: Rights and Responsibilities

Workplace Inspections

General Requirement

Every **employer must** ensure that regular inspections are made of all workplaces, including buildings, structures, grounds, excavations, tools, equipment, machinery and work methods and practices, at intervals that will prevent the development of unsafe working conditions. **Section 3.5.**

Special Inspections

A special inspection **must** be made when **required** by malfunction or accident. **Section 3.7.**

Participation of the Committee or Representative

An inspection **required** by section 3.5 and a major inspection **required** by section 3.7 **must**, where feasible, include the participation of members of the joint committee or the worker health and safety representative, as applicable, but:

- (a) if there is no committee or worker health and safety representative the **employer must** designate an **employer** representative and the union **must** designate a worker representative, or
- (b) if there is no union the **employer must** invite the workers to designate one of their number. **Section 3.8.**

Part 5: Chemical Agents and Biological Agents

WHMIS program

If hazardous products are used in the workplace the **employer**, in consultation with the joint committee or health and safety representative, as applicable, **must** establish and maintain an effective WHMIS program, as part of the overall workplace health and safety program, which:

- (a) addresses applicable WHMIS Requirements including education and training,
- (b) is reviewed at least annually, or more frequently if **required** by a change in work conditions or available hazard information, and
- (c) provides for the periodic evaluation of the knowledge of workers using suitable means such as written tests and practical demonstrations. **Section 5.5.**

Substances Under Pressure

Containers

(1) A tank, cylinder, bottle or other vessel containing a substance under pressure, together with any associated pressure or flow regulator and piping or conveyance system, **must** be:

- (a) protected from sparks, flames, excessive heat, physical damage, electrical contact or corrosion, and
- (b) equipped with suitable pressure relief mechanisms installed so that no worker will be endangered in the event of discharge.
- (c) Repealed. [B.C. Reg. 312/2003, effective October 29, 2003.]

(2) Hand-held aerosol spray cans are exempt from the requirements of subsection (1)(b). **Section 5.36(1)(2).**

Pressure Testing

A compressed gas container which requires pressure testing

must bear a valid and current indication that it has been pressure tested. **Section 5.37.**

Emergency Washing Facilities

Testing

(2) The **employer must** ensure that a plumbed emergency eyewash or shower facility is full flow tested at least once per month, for a sufficient length of time to completely flush the branch of the water line supplying the eyewash. **Section 5.93(2).**

For more information:

- Part 6: Substance Specific Requirements. **Sections 6.19, 6.23, 6.28.**
- Part 7: Noise, Vibration, Radiation and Temperature. **Sections 7.5, 7.8, 7.9.**
- Part 8: Personal Protective Clothing and Equipment. **Section 8.3.**
- Part 9: Confined Spaces. **Sections 9.24, 9.25, 9.26.**
- Part 19: Electrical Safety. **Section 19.8.**

Further details on the Workers Compensation Act and Occupational Health and Safety Regulation can be found at worksafebc.com and worksafebc.com.

MANITOBA

In Manitoba, **employers are required** to address workplace testing under the [Workplace Safety and Health Act](#) (Sections 4(1), 4(2)(a)) and [Workplace Safety and Health Regulation](#) (Sections 2.1.1, 2.4, 6.4, 6.15, 12.4, 12.5, 12.6, 14.7, 14.23, 15.3, 16.4, 16.14, 17.7, 21.2, 23.25, 23.30, 26.8, 41.19, and 42.6). **Employers must** ensure regular workplace inspections, test and maintain personal protective equipment, conduct audiometric and noise exposure assessments, and verify confined space and hazardous atmosphere safety. They **must** also

ensure the proper testing of fall protection systems, cranes, hoists, emergency washing facilities, and oil and gas monitoring devices.

Duties Of Employers

General Duties of Employers

(1) Every employer shall in accordance with the objects and purposes of this Act:

- (a) ensure, so far as is reasonably practicable, the safety, health and welfare at work of all his workers; and
- (b) comply with this Act and regulations.

Further Duties of Employer

(2) Without limiting the generality of an **employer's** duty under subsection (1), every **employer shall**:

- (a) provide and maintain a workplace, necessary equipment, systems and tools that are safe and without risks to health, so far as is reasonably practicable. **Section 4(1)(2).**

Part 2 – General Duties

Safe Work Procedures

An **employer** who is **required** to implement safe work procedures **must**:

- (a) develop the safe work procedures for the work that is done at the workplace;
- (b) train workers in the safe work procedures in a manner that ensures that workers are able to apply the training provided to protect the safety and health of themselves and others; and
- (c) ensure that workers comply with those safe work procedures. **Section 2.1.1.**

Inspections of Workplace

(1) An employer must:

- (a) ensure that regular inspections of the workplace and of work processes and procedures at the workplace are conducted to identify any risk to the safety or health of any person at the workplace; and
- (b) if a risk is identified, correct any unsafe condition as soon as is reasonably practicable and, in the interim, take immediate steps to protect the safety and health of any person who may be at risk. **Section 2.4(1).**

Part 6 – Personal Protective Equipment

Employer Obligations re: Equipment Provided

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. **Section 6.4 (a)(b)(c).**

Respiratory Protective Equipment

(1) An employer must ensure that respiratory protective equipment provided to a worker is selected, used and maintained in accordance with CAN/CSA-Z94.4-11, *Selection, Use, and Care of Respirators*.

(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.
- Section 6.15(1)(2).**

For more information:

- Part 12 – Hearing Conservation and Noise Control. **Sections 12.4(2) to 12.6(3).**
- Part 14 – Fall Protection. **Sections 14.7(1)(2), 14.23(1)(2).**
- Part 15 – Confined Spaces. **Section 15.3(1).**
- Part 16 – Machines, Tools and Robots. **Sections 16.4(2), 16.14(1) to (4).**
- Part 17 – Welding And Allied Processes. **Section 17.7.**
- Part 21 – Emergency Washing Facilities. **Section 21.2(4).**
- Part 23 – Cranes And Hoists. **Section 23.25.**
- Part 26 – Excavations And Tunnels. **Section 26.8.**
- Part 41 – Oil And Gas. **Section 41.19.**
- Part 42 – Firefighters. **Section 42.6(3).**

Further details on the Workplace Safety and Health Act and Workplace Safety and Health Regulation can be found at gov.mb.ca and canlii.org.

NEW BRUNSWICK

In New Brunswick, **employers are required** to address workplace testing under the **Occupational Health and Safety Act** (Sections 9(1)(a), 9(2)(a)(a.1)(d), 9(3)) and **General Regulation – Occupational Health and Safety Act** (Sections 24(4), 27(2), 29.1(3)(f), 29.2 and 29.3, 38(2)(b), 49.8(2), 51(6), 163, 164,

184(2), 262.06, 262.07, 262.071, 278(2)(f) to (i), 287.4(1)(2), 342.3). **Employers must** conduct regular workplace inspections, test air contaminants, ventilation, emergency lighting, confined space atmospheres, noise levels, protective equipment, and welding environments.

Duties of Employer

(1) Every employer shall:

(a) take every reasonable precaution to ensure the health and safety of his employees;

(2) Without limiting the generality of the duties under subsection (1), every employer shall:

(a) ensure that the necessary systems of work, tools, equipment, machines, devices and materials are maintained in good condition and are of minimum risk to health and safety when used as directed by the supplier or in accordance with the directions supplied by the supplier;

(a.1) ensure that the place of employment is inspected at least once a month to identify any risks to the health and safety of his employees;

(d) provide and maintain in good condition such protective equipment as is **required** by regulation and ensure that such equipment is used by an employee in the course of work;

(3) An employer shall develop a program for the inspection referred to in paragraph (2)(a.1) with the joint health and safety committee, if any, or the health and safety representative, if any, and **shall** share the results of each inspection with the committee or the health and safety representative. **Section 9(1)(2)(3).**

Air Contaminants and Industrial Ventilation

(4) Where an employer or an employee has reason to believe

that the level of concentration of an air contaminant may be approaching 50% of the occupational exposure limit, the **employer shall** ensure that the air is tested to determine the level of concentration of the air contaminant. **Section 24(4).**

Illumination

(2) An **employer shall** ensure that the emergency lighting referred to in subsection (1) is tested every month or at a frequency specified by the manufacturer to ensure that it will function in an emergency. **Section 27(2).**

Noise And Vibration

(3) The code of practice **shall** contain information concerning the following:

(f) the posting of signs in the work area identifying the noise hazard and the precautions **required**; and

(g) the requirements for hearing tests. **Section 29.1(3).**

Hearing Tests

(1) An **employer shall** provide a hearing test to employees who are exposed to noise that exceeds the noise exposure limits set out in **section 30**:

(a) as soon as the circumstances permit after employment starts, but not later than six months after the start of employment, and

(b) at least once every 24 months after the initial test.

Section 29.2(2). Hearing tests **shall** be administered by:

(a) an audiologist who is registered with the New Brunswick Association of Speech-Language Pathologists and Audiologists (NBASLPA), or

(b) a person who successfully completed a training course referred to in clause 6 of CSA standard Z-107.6:16 (R2020), Audiometric testing for use in hearing loss prevention programs or a standard offering

equivalent or better protection. **Section 29.2(1)(2).**

Records re: Hearing Tests

An **employer shall** keep records of:

(a) the hearing test results for each employee, and the results **shall**:

(i) be kept as long as the employee is employed by the **employer**,

(ii) be made available to an officer on request, and

(iii) be kept confidential and not released to anyone other than an officer without the written permission of the employee, or as otherwise **required** by law,

(b) the instruction and training provided by the **employer** to employees concerning the hazards of excessive exposure to noise and the correct use of control measures and hearing protective equipment, and

(c) the noise level measurements taken in accordance with section 29. **Section 29.3.**

For more information:

- Protective Equipment. **Sections 38(2), 49.8(2), 51(6).**
- **Sections 16.3, 16.4.**
- Excavations And Trenches. **Section 184(2).**
- Confined Space. **Sections 262.06, 262.07.**
- Welding, Cutting, Burning And Soldering. **Section 278(2).**
- Electrical Safety. **Section 287.4 (1)(2).**
- Laboratory Safety. **Section 242.3(1)(2).**

Further details on the Occupational Health and Safety Act and General Regulation – Occupational Health and Safety Act can be found at laws.gnb.ca and laws.gnb.ca.

NEWFOUNDLAND & LABRADOR

In Newfoundland and Labrador, **employers must** conduct workplace testing under the [Occupational Health and Safety Act](#) (Sections 5(a)(b)(e)) and [Occupational Health and Safety Regulations](#), specifically (Sections 14, 27, 46(14)(c), 49(2)(f) and (4), 68(3)(b)(c), 71, 88(1) to (2), 106(1), 206, 252, 310, 327, 341, 342, 386, 413 (1)(b) and (3), 415 (3) and (4)(b)(c)(d), 444(1), 453(1) to (2), 482, 496, 512(1)(c)(e) and (11) to (17), 523(2), 524(1)(m), 525(a), 527(2) and (5), 533(2) (5)(a) (9) to (10)(a) and (12), 542, 592(1) (4)(a)(c)(d)(f) and (5), 612, 625, 626, 628(1)(a) and 651). This includes testing for air quality, noise, protective equipment, machinery, confined spaces, mining, and fire hazards. **Employers must** maintain records, conduct inspections, and implement corrective actions.

Specific Duties of Employers

Without limiting the generality of section 4, an **employer**:

- (a) **shall**, where it is reasonably practicable, provide and maintain a workplace and the necessary equipment, systems and tools that are safe and without risk to the health of the **employer's** workers;
- (b) **shall**, where it is reasonably practicable, provide the information, instruction, training and supervision and facilities that are necessary to ensure the health, safety and welfare of the **employer's** workers;
- (e) **shall** ensure that the **employer's** workers are given operating instruction in the use of devices and equipment provided for their protection. **Section 5.**

Part III – General Duties

General Duties of Employers

- (1) An **employer shall** ensure, so far as is reasonably practicable, that all buildings, structures, whether permanent

or temporary, excavation, machinery, workstations, places of employment and equipment are capable of withstanding the stresses likely to be imposed upon them and of safely performing the functions for which they are used or intended.

(2) An **employer shall** ensure that necessary protective clothing and devices are used for the health and safety of the **employer's** workers.

(3) The **employer shall** ensure that safe work procedures are followed at all workplaces.

(4) An **employer shall** ensure, so far as is reasonably practicable, that work procedures promote the safe interaction of workers and their work environment to minimize the potential for injury. **Section 14. (1) to (4).**

Part V – General Health and Safety Requirements

Travel Over and Work on Ice

(1) Where a worker is to travel over or work on ice and the water beneath the ice is more than one metre deep at any point, the **employer** of the worker **shall** ensure the ice supports the load to be placed on it.

(2) The **employer shall** test the ice for the purpose of subsection (1):

(a) before work begins; and

(b) as often during the work as necessary to ensure the safety of the workers. **Section 27(1)(2).**

Part VI – Occupational Health Requirements

Silica Regulation

(14) An **employer shall** ensure that every blasting enclosure which is liable to contain silica dust is:

(a) constructed, operated, and maintained to prevent the escape of dust;

(b) provided with an efficient dust extraction system,

which is kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is actually taking place, and a blasting chamber is in operation when a worker is inside the chamber;

(c) specially inspected by a competent person once in every week in which it is used for blasting, and the enclosure, the apparatus connected with it and the ventilating plant associated with it is thoroughly examined and tested by a competent person once every month, and all results of **required** inspection, examinations and tests are recorded and all defects remedied without avoidable delay. **Section 46(14).**

Lead Exposure Control Plan

(2) The exposure control plan **shall** include:

(f) processes of health monitoring, including biological testing;

(4) Where there is potential for a worker to be exposed to lead in harmful amounts at a work site, an **employer shall** ensure that air monitoring and surface testing for lead is regularly conducted to confirm that the controls in place are effective. **Section (2)(4).**

Noise Hazards

(3) A hearing conservation program established under subsection (2) **shall** comply with the following minimum requirements:

(b) hearing tests for every worker exposed to noise levels in excess of permissible levels to be conducted on an annual basis or where recommended by an audiologist or occupational physician;

(c) a hearing test, within 3 months of commencement of employment, for each new worker who is exposed to noise in excess of the permissible levels; and **Section 68(3).**

For more information:

- Part VII – Personal Protective Equipment. **Section 71.**
- Part VIII – Machinery And Equipment. **Section 88, 106.**
- Part XI – Scaffolds, Stages And Work Platforms. **Section 206.**
- Part XII – Powered Mobile Equipment. **Section 252.**
- Part XIV – Cranes, Hoists And Other Lifting Equipment. **Sections 310, 329, 341, 342.**
- Part XVII – Construction, Excavation And Demolition. **Section 386.**
- Part XVIII – Excavation, Underground Work And Rock Crushing. **Section 413, 415.**
- Part XX – Fire Prevention And Control. **Section 444.**
- Part XXI – Welding, Burning And Cutting Operations. **Section 453.**
- Part XXVI – Electrical Operations. **Sections 482, 496.**
- Part XXVII – Confined Space Entry. **Section 512.**
- Part XXVIII – General Mining Requirements. **Sections 523, 524, 527, 533.**
- Part XXIX – Underground Operations. **Sections 542, 592.**
- Part XXX Shafts, Hoists And Conveyances. **Sections 612, 625, 626.**
- Part XXXI – Explosives In Mines. **Section 651.**

Further details on the Occupational Health and Safety Act and Occupational Health and Safety Regulations can be found at assembly.nl.ca and assembly.nl.ca.

NOVA SCOTIA

In Nova Scotia, **employers must** conduct workplace testing under the [Occupational Health and Safety Act](#) (Section 13 (1)(a) to (e)) and [Occupational Safety General Regulations](#) (Sections 9(3), 51(2), 55, 72(1), 73(6), 84(1), 104, 110, 116(1)(2), 120, 130(8)(a) to (d) and (10), 131, 132, 133, 136(d), 169(2)(a)). This includes testing for protective equipment,

machinery, confined spaces, electrical safety, hoists, welding, and hazardous atmospheres. **Employers must** ensure compliance through inspections, testing, and certification by competent personnel.

DUTIES AND PRECAUTIONS

Employers' Precautions and Duties

(1) Every **employer shall** take every precaution that is reasonable in the circumstances to:

- (a) ensure the health and safety of persons at or near the workplace;
- (b) provide and maintain equipment, machines, materials or things that are properly equipped with safety devices;
- (c) provide such information, instruction, training, supervision and facilities as are necessary to the health or safety of the employees;
- (d) ensure that the employees, and particularly the supervisors and foremen, are made familiar with any health or safety hazards that may be met by them at the workplace;
- (e) ensure that the employees are made familiar with the proper use of all devices, equipment and clothing **required** for their protection; **Section 13.**

Part 3 – Personal Protective Equipment

Use of Personal Protective Equipment

(3) An **employer shall** ensure that all personal protective equipment or devices **required** under the Act or these regulations are:

- (a) maintained by a competent person; and
- (b) tested or visually inspected before each use, in accordance with the manufacturer's specifications. **Section 9.**

Part 6 – Lock-out

Interpretation, Application, Control, and Energizing

(2) This Part applies to a machine, equipment, tool or electrical installation that is erected, installed, assembled, started, operated, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired, or dismantled. **Section 51(2).**

Part 8 – Mechanical Safety

General Provisions

(1) An **employer shall** ensure that a machine that may be a hazard to the health or safety of a person at the workplace is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, maintained, repaired and dismantled in accordance with the manufacturer's specifications, or, where there are no manufacturer's specifications, the specifications certified by an engineer. **Section 84(1).**

Part 9 – Tools

General Provisions

An **employer shall** ensure that a tool, its accessories and supplies are:

- (a) made of good quality material adequate for the work for which they are intended to be used;
- (b) inspected before being used, and, if not in an adequate condition, repaired or replaced before use;
- (c) used only for their intended purpose;
- (d) equipped with a device to ensure a secure hand grip where necessary; and
- (e) installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, carried, maintained, repaired, and dismantled in accordance with the manufacturer's specifications, or,

where there are no manufacturer's specifications, in accordance with adequate work procedures established by a competent person. **Section 104.**

Part 10 – Welding, Cutting, Burning, and Soldering

General Provisions

(1) An **employer shall** ensure that welding or allied process equipment is erected, installed, assembled, started, operated, used, handled, stored, stopped, inspected, serviced, tested, cleaned, adjusted, carried, maintained, repaired, and dismantled in accordance with the manufacturer's specifications.

(2) An **employer shall** ensure that a welding or allied process is performed by a competent person. **Section 110(1)(2).**

Gas Welding and Allied Process

(1) An **employer shall** ensure that a person performing a gas welding or allied process tests a regulator and its flexible connecting hose immediately after it is connected to a gas cylinder, to ensure that there is no leak of the gas supply.

(2) No person **shall** perform a test **required** in subsection (1) with a substance that is oil, fat, or grease based. **Section 116(1)(2).**

Part 11 – Electrical Safety

General Provisions

(1) An **employer shall** ensure that an electrical installation is designed, installed, assembled, operated, inspected, serviced, tested, maintained, repaired and dismantled in accordance with the latest version of CSA standard CSA C22.1, "Canadian Electrical Code Part 1", Safety Standard for Electrical Installations".

(2) An **employer** operating a surface mine **shall** ensure that an electrical installation at the surface mine is designed,

installed, assembled, operated, inspected, serviced, tested, maintained, repaired and dismantled in accordance with the latest version of CSA standard M421, "Use of Electricity in Mines". **Section 120(1)(2).**

For more information:

- Part 7 – Hoists and Mobile Equipment. **Sections 55, 72(1), 73(6).**
- Part 12 – Confined Space Entry. **Sections 130, 131(1) to (4), 132, 133, 136.**
- Part 14 – Excavations and Trenches. **Sections 169.**

Further details on the Occupational Health and Safety Act and Occupational Safety General Regulations can be found at nslegislature.ca and novascotia.ca.

NORTHWEST TERRITORIES

In the Northwest Territories, **employers must** conduct workplace testing under the [Safety Act](#) (**Sections 4(1)(a)(b))** and [Occupational Health and Safety Regulations](#) (**Sections 90(1)(g), 116(3)(c)(4)(5), 141, 147,(1)(2)(8), 166, 173(2), 208, 222(3) to (5), 223(3), 277(1)(a)(b) and (2), 279(2)(a), 280(2), 299, 388(3)(4), 395(1), 404(1)(2), 409, 413, 447, 463€ and 487(2))**). Testing is **required** for personal protective equipment, noise exposure, machinery, mobile equipment, hoists, confined spaces, electrical systems, fire hazards, and explosives. **Employers must** ensure inspections, certification, and compliance by competent personnel.

Duty of Employer

(1) Every **employer shall:**

- (a) maintain his or her establishment in such a manner that the health and safety of persons in the establishment are not likely to be endangered;
- (b) take all reasonable precautions and adopt and carry out

all reasonable techniques and procedures to ensure the health and safety of every person in his or her establishment; **Section 4.**

PART 7 – PERSONAL PROTECTIVE EQUIPMENT

General Responsibilities

(1) An **employer** who is **required** by these regulations to provide personal protective equipment to a worker **shall**:

(g) ensure that personal protective equipment provided to the worker is

(i) suitable and adequate and a proper fit for the worker,

(ii) maintained and kept in a sanitary condition, and

(iii) removed from use or service when damaged. **Section 90.**

PART 8 – NOISE CONTROL AND HEARING CONSERVATION

Daily Exposure Exceeding 85 dBA Lex

(3) If it is not reasonably possible to reduce a worker's occupational noise exposure below 85 dBA Lex or the noise level below 90 dBA in any area where a worker could be **required** or permitted to work, an **employer shall**:

(c) arrange for the worker to have, not less than once every 24 months during the worker's normal working hours, an audiometric test and appropriate counselling based on the test results under the direction of a medical professional or qualified audiologist.

(4) If a worker cannot attend an audiometric test referred to in paragraph (3)(c) during the worker's normal working hours, an **employer shall** credit the worker's attendance at the test as time at work and ensure that the worker does not lose any pay or benefits.

(5) If a worker cannot recover their costs of an audiometric test referred to in paragraph (3)(c), an **employer shall** reimburse the worker for the costs of the test that, in the opinion of the Chief Safety Officer, are reasonable. **Section 116(1) to (5).**

PART 10 – MACHINE SAFETY

Manufacturer's Specifications

An **employer** or supplier **shall** ensure that machines or other equipment under this Part are constructed, repaired, inspected, tested, maintained and operated in accordance with the manufacturer's specifications or an approved standard. **Section 141.**

Locking Out

(1) Subject to section 148, an **employer shall**, before a worker undertakes the maintenance, testing, repair or adjustment of a machine other than a power tool, ensure that the machine is locked out and remains locked out during that activity unless doing so puts a worker at risk.

(2) An **employer shall**, before a worker undertakes the maintenance, testing, repair or adjustment of a power tool, ensure that the energy source has been isolated from the power tool, any residual energy in the power tool has been dissipated and the energy source remains isolated during that activity.

(8) If a central automated system controls more than one machine, an **employer shall** ensure that the machine to be maintained, tested, repaired or adjusted is isolated from the central system before the lockout process **required** by subsection (3) is implemented. **Section 147(1)(2)(8).**

PART 11 – POWERED MOBILE EQUIPMENT

Maintenance of Powered Mobile Equipment

An **employer** or supplier **shall** ensure that each unit of powered mobile equipment is constructed, repaired, inspected, tested, maintained and operated in accordance with the manufacturer's specifications or an approved standard. **Section 166.**

Dangerous Movements

(2) If a worker could be **required** or permitted to perform maintenance, testing, repairs, adjustments or other work on or under an elevated part of a unit of powered mobile equipment, an **employer shall** ensure that the elevated part is securely blocked to prevent accidental movement. **Section 173(2).**

For more information:

- Part 18 – Confined Space Entry. **Sections 277(1)(2).**
- Part 20 – Diving Operations. **Section 299.**
- Part 25 – Silica And Abrasive Blasting. **Section 388.**
- Part 26 – Fire And Explosion Hazards. **Sections 395, 404, 409.**
- Part 27 – Explosives. **Section 413.**
- Part 30 – Additional Protection For Electrical Workers. **Section 447.**
- Part 31 – Additional Protection For Health Care Workers. **Section**
- Part 32 – Additional Protection For Firefighters. **Section 487.**

Further details on the Safety Act and Occupational Health and Safety Regulations can be found at canlii.org and canlii.org.

NUNAVUT

In Nunavut, **employers must** conduct workplace testing under the **[Safety Act](#)** (Sections 4(1)(a)(b)) and **[Occupational Health and Safety Regulations](#)** (Sections 90(1)(g), 116(3)(c)(4)(5), 141, 147,(1)(2)(8), 166, 173(2), 208, 222(3) to (5), 223(3), 277(1)(a)(b) and (2), 279(2)(a), 280(2), 299, 388(3)(4),

395(1), 404(1)(2), 409, 413, 447, 463€ and 487(2)). Testing is **required** for personal protective equipment, noise exposure, machinery, mobile equipment, hoists, confined spaces, electrical systems, fire hazards, and explosives. **Employers must** ensure inspections, certification, and compliance by competent personnel.

Duty of Employer

(1) Every **employer shall:**

(a) maintain his or her establishment in such a manner that the health and safety of persons in the establishment are not likely to be endangered;

(b) take all reasonable precautions and adopt and carry out all reasonable techniques and procedures to ensure the health and safety of every person in his or her establishment; **Section 4.**

PART 7 – PERSONAL PROTECTIVE EQUIPMENT

General Responsibilities

(1) An **employer** who is **required** by these regulations to provide personal protective equipment to a worker **shall:**

(g) ensure that personal protective equipment provided to the worker is

(i) suitable and adequate and a proper fit for the worker,

(ii) maintained and kept in a sanitary condition, and

(iii) removed from use or service when damaged. **Section 90.**

PART 8 – NOISE CONTROL AND HEARING CONSERVATION

Daily Exposure Exceeding 85 dBA Lex

(3) If it is not reasonably possible to reduce a worker's occupational noise exposure below 85 dBA Lex or the noise level below 90 dBA in any area where a worker could be

required or permitted to work, an **employer shall**:

(c) arrange for the worker to have, not less than once every 24 months during the worker's normal working hours, an audiometric test and appropriate counselling based on the test results under the direction of a medical professional or qualified audiologist.

(4) If a worker cannot attend an audiometric test referred to in paragraph (3)(c) during the worker's normal working hours, an **employer shall** credit the worker's attendance at the test as time at work and ensure that the worker does not lose any pay or benefits.

(5) If a worker cannot recover their costs of an audiometric test referred to in paragraph (3)(c), an **employer shall** reimburse the worker for the costs of the test that, in the opinion of the Chief Safety Officer, are reasonable. **Section 116(1) to (5).**

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ensure that the energy source has been isolated from the power tool, any residual energy in the power tool has been dissipated and the energy source remains isolated during that activity.

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(2) If a worker could be **required** or permitted to perform maintenance, testing, repairs, adjustments, or other work on or under an elevated part of a unit of powered mobile equipment, an **employer shall** ensure that the elevated part is securely blocked to prevent accidental movement. **Section 173(2).**

For more information:

- Part 18 – Confined Space Entry. **Sections 277(1)(2).**
- Part 20 – Diving Operations. **Section 299.**
- Part 25 – Silica And Abrasive Blasting. **Section 388.**
- Part 26 – Fire And Explosion Hazards. **Sections 395, 404, 409.**
- Part 27 – Explosives. **Section 413.**
- Part 30 – Additional Protection For Electrical Workers. **Section 447.**
- Part 31 – Additional Protection For Health Care Workers.

Section

- Part 32 – Additional Protection For Firefighters.
Section 487.

Further details on the Safety Act and Occupational Health and Safety Regulations can be found at canlii.org and canlii.org.

ONTARIO

In Ontario, **employers must** ensure workplace safety under the [Occupational Health and Safety Act](#) (Sections 25(1)(b) and (2)(h), 8(11), 9(18)(e)(f), 11(1) to (3), 54(1)(e) to (l), 56(1.2)(d), 70(17)), [Reg. 851: Industrial Establishments](#) (Section 7(5)) and [0. Reg. 213/91: Construction Projects](#) (Sections 14(5), 21(3), 26.8, 47(3)(4), 80(1), 126(2), 127, 139, 140(b), 144(3)(a), 152(1), 161, 290, 330, 343, 352(5) to (9) and (12)). **Employers** are responsible for ensuring that equipment, protective devices, and safety measures meet **required** standards through regular inspections and testing. This includes industrial hygiene testing, pre-start health and safety reviews, confined space assessments, ventilation checks, and structural integrity tests for cranes, hoists, scaffolds, and work platforms. Testing **must** be conducted by competent personnel, and results **must** be documented.

Duties of Employers

(1) An **employer shall** ensure that:

(b) the equipment, materials and protective devices provided by the **employer** are maintained in good condition;

(2) Without limiting the strict duty imposed by subsection (1), an **employer shall**,

(h) take every precaution reasonable in the circumstances for the protection of a worker; **Section 25 (1) (2).**

Part II – General Construction

Protective Clothing, Equipment, and Devices

(3) A worker **required** to wear protective clothing or use personal protective equipment or devices **shall** be adequately instructed and trained in the care and use of the clothing, equipment, or device before wearing or using it. **Section 21 (3).**

(1) A safety net **shall** be designed, tested and installed in accordance with ANSI/ASSE Standard A10.11-2010, Safety Requirements for Personnel and Debris Nets.

(2) The safety net **shall** be installed by a competent worker.

(3) An engineer or a competent person under the engineer's supervision **shall** inspect and test the installation of the safety net before it is put in service.

(4) The engineer **shall** document the inspection and testing of the safety net.

(5) A copy of the document **shall** be kept at the project while the safety net is in service. **Section 26.8 (1) to (5).**

(3) An excavation or a building or other enclosed structure in which an internal combustion engine is being operated **shall** be tested for airborne concentrations of carbon monoxide to ensure that the concentrations do not exceed the applicable limits as determined in accordance with section 4 of Regulation 833 of the Revised Regulations of Ontario, 1990 (Control of Exposure to Biological or Chemical Agents), made under the Act. O. Reg. 345/15, s. 9.

(4) The testing under subsection (3) **shall** be carried out by a competent worker in accordance with a written testing strategy, which **shall** be developed by the **employer** in consultation with the joint health and safety committee or a health and safety representative, if any. **Section 47 (3) (4).**

(1) A portable ladder at a project **shall** be manufactured and **shall** meet the design, performance, test and marking requirements of a Grade 1, Grade 1A or Grade 1AA ladder in the CSA Standard Z11-12, Portable Ladders. **Section 80 (1).**

Scaffolds and Work Platforms

(2) Despite clause (1) (a), a scaffold with structural components whose capacity can only be determined by testing **shall** be designed and constructed to support or resist three times the maximum load or force to which it is likely to be subjected without causing the failure of any component. **Section 126 (2).**

(1) The failure load of a scaffold which consists of structural components whose capacity cannot be determined by testing **shall** be established by testing the components in a manner that simulates the actual loading conditions for which each of the components is fabricated. **Section 127 (1).**

General Requirements: Testing

(1) An **employer shall** ensure that, prior to the first use of a suspended work platform system at a project, the entire system, including its suspension lines, has been inspected, tested and maintained in accordance with this Regulation, the manufacturer's instructions, and clause 11 (Inspection and Testing) and Clause 12 (Maintenance) of CSA Standard Z271-10.

(2) The **employer shall** ensure that the inspection, testing and maintenance referred to in subsection (1) is completed by,

(a) a competent worker; or

(b) if the CSA Standard Z271-10 requires the inspection or test be performed by a person with specific qualifications, such person. **Section 139 (1) (2).**

General Requirements: Equipment

(1) An **employer** who uses a suspended work platform system **shall** ensure that there are permanent equipment logs respecting components of the suspended work platform system and that the logs,

(b) include a record of the inspections, tests, repairs, modifications and maintenance performed on the components. **Section 140 (1).**

(3) An elevating work platform,

(a) **shall** be tested in accordance with the National Standards of Canada standard set out in the Table to subsection (6). **Section 144 (3).**

For more information:

- Powers of representative. **Section 8 (11).**
- Powers of committee. **Sections 9 (18), 11 (1) to (3).**
- Warrants – investigative techniques. **Section 56.**
- Pre-Start Health and Safety Reviews. **Section 7 (1).**
- General Requirements. **Section 14 (5).**
- Cranes, Hoisting and Rigging. **Sections 152, 161, 161.1.**
- Part IV – Tunnels, Shafts, Caissons and Cofferdams. **Section 290 (1) to 352.**
- Part V – Work in Compressed Air. **Sections 343, 352.**

Further details on the Occupational Health and Safety Act, Reg. 851: INDUSTRIAL ESTABLISHMENTS and O. Reg. 213/91: CONSTRUCTION PROJECTS can be found at Ontario.Ca, Ontario.Ca and Ontario.Ca.

PRINCE EDWARD ISLAND

In Prince Edward Island, **employers** are **required** to conduct workplace testing under the [Occupational Health and Safety Act](#) (Sections 7(1)(a)(e)(f)(g), 12(1)(a)to(c), 27(4) to (6)) and [Occupational Health and Safety Act General Regulations](#) (Sections 2.9(e), 6.3(d), 8.8(f), 8.9, 8.10, 13.2(d), 26. 48, 30.3(1), 30.11(7), 34.5, 36.5(4), 36.33, 37.10, 37.14, 40.2, 45.2 to 45.4, 49.8(3) 49.14(2)). **Employers must** ensure that equipment, machinery, and protective devices are tested and maintained according to safety standards, including emergency eyewash stations, noise exposure, confined spaces, explosives, electrical safety, hoisting apparatus, welding operations, asbestos air testing, and respirator use. Regular testing, inspections, and documentation **must** be conducted by competent

personnel, with results made available to workers and safety committees.

Powers of Officer

(1) Subject to subsection (3), an officer may investigate and determine compliance by any person with this Act and the regulations and an order made thereunder and an officer may:

- (a) at any reasonable time enter and inspect a workplace, conduct tests and make such examinations as the officer considers necessary or advisable;
- (e) inspect, take samples and conduct tests of samples, including tests in which a sample is destroyed, of any item, device, material, equipment or machinery being produced, used or found at the workplace;
- (f) in an inspection, examination, inquiry or a test, be accompanied and assisted by a person having special expertise or professional knowledge of any matter;
- (g) make any examination, investigation or inquiry as the officer considers necessary; **Section 7.**

Duties Of Employers, Workers, and Other Persons

Duties of Employers

(1) An **employer shall** ensure:

- (a) that every reasonable precaution is taken to protect the occupational health and safety of persons at or near the workplace;
- (b) that any item, device, material, equipment or machinery provided for the use of workers at a workplace is properly maintained, and is properly equipped with the safety features or devices, as recommended by the manufacturer or **required** by the regulations;
- (c) that such information, instruction, training, supervision and facilities are provided as are necessary to ensure the occupational health and safety of the workers;

Section 12.

Information Responsibilities

Employer's Response

Report to Committee

(4) An **employer shall** notify the committee or representative of the existence of reports of occupational health and safety inspections, monitoring or tests undertaken at the workplace by, or at the request of, an officer or the **employer** and the **employer shall** make the reports available on request to the committee or the representative.

Report to Worker

(5) An **employer shall**, on the request of a worker at the workplace, make available to the worker reports of occupational health or safety inspections, monitoring or tests undertaken at the workplace by, or at the request of, an officer or the **employer**.

Inspection Reports, etc.

(6) An officer **shall** provide the **employer** at a workplace with reports of inspections, monitoring and tests undertaken at the workplace by, or at the request of, an officer. **Section 27 (4) (5) (6).**

Part 2 – Toilet and Washing Facilities

Emergency Eyewash and Shower Equipment

An **employer shall** ensure that:

(e) where the assessment of risks referred to in clause (d) determines that an emergency shower or eyewash fountain is **required**, the shower or fountain, as the case may be, is installed, tested, and maintained in accordance with the ANSI Standard Z358.1-14, American National Standard for Emergency

Eyewash and Shower Equipment. **Section 2.9 (e).**

Part 6 – Illumination

Emergency Lighting

The **employer shall** ensure that in an area of a building where a failure of the regular lighting system would create conditions which might endanger the safety of any person in the building, emergency lighting is provided which:

(d) is tested at least once every three months to ensure the system will function in an emergency, but not less frequently than recommended by the manufacturer. **Section 6.3 (d).**

For more information:

- Part 8 – Noise. **Sections 8, 8.9, 8.10.**
- Part 13 – Confined Space. **Section 13.2.**
- Part 26 – Explosives. **Section 26.48.**
- Part 30 – Mechanical Safety. **Sections 30.3, 30.11.**
- Part 34 – Hoisting Apparatus. **Section 34.5.**
- Part 36 – Electricity. **Section 5.**
- Part 37 – Welding. **Sections 37.10, 37.14.**
- Part 40 – Tanks And Vessels. **Section 40.2.**
- Part 45 – Personal Protective Equipment. **Sections 45.2, 45.3, 45.4.**
- Part 49 – Asbestos. **Sections 49.8, 49.14.**

Further details on the Occupational Health and Safety Act and Occupational Health and Safety Act General Regulations can be found at Canlii.Org and Princeedwardisland.Ca.

QUÉBEC

In Québec, **employers are required** to conduct workplace testing under the [Act Respecting Occupational Health and Safety](#) (Sections 51(3)(7)to(9), 180) and the [Regulation Respecting Occupational Health and Safety](#) (Sections 141, 309, 312.98,

312.106, 312.109, 312.114, and 312.118). Employers must ensure that work procedures, safety equipment, and hazardous substances do not endanger workers and that safety devices are maintained in good condition. Testing obligations cover noise exposure, confined spaces, water rescue, arboriculture work, and equipment safety, requiring compliance with CSA, ISO, and ASTM standards. Inspectors have the authority to conduct tests, take samples, and install measuring devices to ensure compliance.

General Obligations

Every **employer must** take the necessary measures to protect the health and ensure the safety and physical and mental well-being of his worker. He **must**, in particular,

(3) ensure that the organization of the work and the working procedures and techniques do not adversely affect the safety or health of the worker;

(7) supply safety equipment and see that it is kept in good condition;

(8) see that no contaminant emitted or dangerous substance used adversely affects the health or safety of any person at a workplace;

(9) give the worker adequate information as to the risks connected with his work and provide him with the appropriate training, assistance or supervision to ensure that he possesses the skill and knowledge **required** to safely perform the work assigned to him; **Section (3) (7) (8) (9).**

The inspector may, in addition to his general powers,

(1) investigate any matter within his competence;

(2) require the **employer** or principal contractor, whichever is the case, to produce the plan of the installations and of the layout of the equipment;

(3) take, free of charge, samples of any kind, particularly of objects used by the workers, for analysis; he **must** then inform

the **employer** and, if possible, return the samples to him after analysis;

(4) conduct tests and make photographs or recordings at a workplace;

(5) in order to ensure that a building, a structure or civil engineering works are stable, require the **employer**, principal contractor or owner to produce an attestation of solidity signed by an engineer or architect, or an attestation contemplated in section 54;

(6) in such cases as he may determine, install a measuring device at a workplace, or cause it to be worn by a worker with the worker's written consent, or order the **employer** to install it or cause it to be worn at the time and place the inspector indicates, and require the **employer** to transmit the data on the terms and conditions the inspector determines;

(7) be accompanied by one or more persons of his choice while performing his duties. **Section 180 (1) to (7).**

For more information:

Regulation Respecting Occupational Health and Safety

- Division XV – Noise. **Section 141.**
- Division XXVI – Working in An Enclosed Area. **Section 309.**
- Division XXVI.II – Work Which Involves A Risk Of Drowning In Water. **Section 98.**
- Division XXVI.III – Arboriculture Work. **Sections 109, 312.114, 312.118.**

Further details on the Act respecting Labour Standards can be found at Canlii.org.

SASKATCHEWAN

In Saskatchewan, **employers** are **required** to conduct workplace testing under the [Saskatchewan Employment Act](#) (Section 3-8(a)) and the [Occupational Health and Safety Regulations](#),

specifically **Sections 8-5(3)(4)(5), 10-4(4), 10-6(1), 11-6, 13-4, 13-18(3)(4)(5), 18-5, 18-7(2)(a), 20-10, 23-10, 25-3(1), 26-4, 29-3, 29-30, 29-40, and 30-3**. Employers must ensure worker safety through proper testing of noise exposure, machine safeguards, mobile equipment, cranes, confined spaces, diving equipment, asbestos control, fire protection, explosives, oil and gas operations, and electrical systems. Testing includes audiometric exams, atmospheric monitoring in confined spaces, non-destructive crane inspections, asbestos ventilation certification, well testing procedures, and equipment compliance with CSA, ASTM, and manufacturer standards.

General Duties of Employer – Division 3 – Duties

Every employer shall:

(a) ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers;
Section 3-8.

Part 8 – Noise Control and Hearing Conservation

Daily Exposure Greater than 85 dBA Lex

(3) If it is not reasonably practicable to reduce a worker's occupational noise exposure below 85 dBA Lex or the noise level below 90 dBA in any area where a worker may be **required** or permitted to work, an **employer** or contractor **shall**:

- (a) provide a hearing protector to the worker that meets the requirements of section 7-14;
- (b) train the worker in the selection, use and maintenance of the hearing protector; and
- (c) arrange for the worker to have, at least once every 24 months during the worker's normal working hours, an audiometric test and appropriate counselling based on the test results under the direction of a physician, an audiologist or a registered nurse who has a certificate in

audiometric testing.

(4) If a worker cannot attend an audiometric test mentioned in clause (3)(c) during the worker's normal working hours, an **employer** or contractor **shall** credit the worker's attendance at the test as time at work and ensure that the worker does not lose any pay or other benefits.

(5) If a worker cannot recover the costs of a audiometric test mentioned in clause (3)(c), an **employer** or contractor **shall** reimburse the worker for the costs of the test that, in the opinion of the director, are reasonable. **Section 8-5 (1) to (5).**

Part 10 – Machine Safety

Safeguards

(4) An **employer** or contractor **shall** ensure that a safeguard that is removed from a machine or made ineffective to permit maintenance, testing, repair or adjustment of a machine is replaced or made effective before a worker is **required** or permitted to use the machine. **Section 10-4 (4).**

Locking Out

(1) Subject to section 10-7, before a worker undertakes the maintenance, repair, test or adjustment of a machine other than a power tool, an **employer** or contractor **shall** ensure that the machine is locked out and remains locked out during that activity if not doing so would put the worker at risk. **Section 10-6 (1).**

Part 11 – Powered Mobile Equipment

Construction, Repair, etc., of Powered Mobile Equipment

An **employer**, contractor, owner or supplier **shall** ensure that each unit of powered mobile equipment is constructed, structurally repaired, inspected, tested, maintained and operated in accordance with the manufacturer's specifications

or an approved standard. **Section 11-6.**

Part 13 – Hoists, Cranes, and Lifting Devices

Adoption of Standards

(1) An **employer** or contractor **shall** ensure that all hoists, cranes and lifting devices manufactured on and after December 4, 1996 are constructed, inspected, tested, maintained and operated in accordance with an approved standard.

(2) A supplier **shall** ensure that all hoists, cranes and lifting devices manufactured on and after December 4, 1996 are constructed, inspected, tested and maintained in accordance with an approved standard. **Section 13-4 (1) (2).**

Inspections

(3) An **employer**, contractor or supplier **shall** ensure that a mobile crane is subjected to a thorough inspection, including non-destructive testing, under the supervision of a professional engineer every 2 years or 1,800 hours of operation, whichever comes first.

(4) An **employer**, contractor or supplier **shall** ensure that a tower crane is subjected to a thorough inspection, including non-destructive testing, under the supervision of a professional engineer:

- (a) before erection at each site; and
- (b) at subsequent intervals of 2,000 operating hours or 1 year, whichever occurs first.

(5) No worker **shall** operate a crane or cause a crane to be operated unless a copy of the results of the testing or inspection **required** by subsection (3) or (4) is readily available or is on site. **Section 13-18 (3) to (5).**

For more information:

- Part 18 – Confined Space Entry. **Section 18-5(1), 18-7.**
- Part 20 – Diving Operations. **Section 20-10.**

- Part 23 – Asbestos. **Section 23-10.**
- Part 25 – Fire And Explosion Hazards. **Section 25-3.**
- Part 26 – Explosives. **Section 26-4.**
- Part 29 – Oil And Gas. **Section 29-3, 29-30, 29-40.**
- Part 30 – Additional Protection for Electrical Workers. **Section 30-3.**

Further details on the Saskatchewan Employment Act and Occupational Health and Safety Regulations can be found at Saskatchewan.ca and Saskatchewan.ca.

YUKON

In Yukon, **employers** are **required** to conduct workplace testing under the [Workers' Safety and Compensation Act](#) (Section 27(1)(a)) and [Occupational Health and Safety Regulations](#) specifically **Sections 1.22, 1.30, 2.04, 2.06, 2.09(2), 2.18 to 2.21, 4.02(1), 5.27, 5.49, 5.50, 5.69(2), 5.70, 5.79, 9.05, 9.06, 9.17, 9.25(3), 10.76(4), 13.10, 15.14, 15.28(3), 15.61(4).** Employers must ensure the health and safety of workers through mandatory testing of confined space atmospheres, respiratory air quality, cranes and lifting devices, electrical safety, underground fire protection, diesel exhaust in mines, and hot-work procedures.

Division 2 – Duties of Employers, Workers, and Others

Duties of Employers

- (1) Every **employer must**, as far as is reasonably practicable,
 - (a) ensure that the workplace, equipment, work techniques, procedures and systems under the **employer's** control ensure the health and safety of its workers; **Section 27.**

Protective Equipment and Clothing – Eye and Face – Part 1 – General

Provision and Requirements for Use

A worker **shall** be **required** to wear properly fitting safety eyewear, goggles, face shields, side shields, glasses, or other such protective items provided by the **employer** and appropriate to the workplace conditions where the worker:

- (a) handles, uses, or is exposed to materials or substances that may injure the eyes,
- (b) is engaged in or is around work or processes where objects or particles may fly, be thrown about or otherwise cause danger of impact with the eyes,
- (c) is exposed to excessive light, heat rays, electric arcs or similar hazards,
- (d) has 20/200 or less vision in either eye or is blind in either eye,
- (e) is working on or testing energized electrical equipment, or
- (f) is working with laser beams. **Section 1.22.**

Protective Equipment and Clothing – Respiratory – Part 1 – General

Annual Testing of Air Quality

The compressed air supplied to respirators, such as SCBA or “supplied air respirators”, **shall** be tested at least annually to check the quality of the air and compliance with the requirements of CSA Standard Z180.1-00, Compressed Breathing Air and Systems, or other similar standard acceptable to the board. **Section 1.30.**

Part 2 – Confined Spaces

Confined Space Entry Program

Before a worker is **required** or permitted to enter a confined space a confined space entry program **shall** be written and implemented and include:

- (a) assignment of responsibilities,

(b) a list of confined spaces, and a hazard assessment of each confined space, and
(c) safe work procedures for entry into and work in the confined space, that address, where applicable,

1. Identification and entry permits,
2. lockout and isolation,

iii. verification and testing,

1. cleaning, purging, venting, or inerting,
2. ventilation,
3. standby persons,

vii. lifelines, harnesses, and lifting equipment,

viii. personal protective equipment and other precautions,

1. coordination of work activities, and
2. rescue plans. **Section 2.04.**

Responsibilities

Supervision

A supervisor, with training and experience in confined space entry, **shall** ensure that:

- (a) pre-entry testing and inspection are conducted based on the written, safe work procedures,
- (b) precautions identified in the written safe work procedures **required** by this Part or that are necessary for the health and safety of workers are followed, and
- (c) only authorized workers enter a confined space. **Section 2.06.**

Identification And Entry Permits

Info Update

(2) The entry permit **shall** be updated and altered only by the responsible supervisor, by the standby worker with the latest information available as regards to the number of workers, and by the tester with the latest atmospheric condition. **Section 2.09.**

Verification And Testing

Verifying Precaution

(1) Before a worker enters a confined space, pre-entry testing and inspection **shall** be conducted to verify that the **required** precautions have been effective at controlling identified hazards and that it is safe for a worker to enter.

(2) Testing **shall** be:

- (a) conducted in a safe manner as specified in written work procedures,
- (b) completed less than 20 minutes before a worker enters a confined space,
- (c) repeated when all workers have vacated the confined space for more than 20 minutes,
- (d) carried out by a qualified person, using equipment that is maintained in accordance with the manufacturer's instructions, and
- (e) recorded and the records **shall** show the date and time of each test, the initials of the tester and the levels or conditions found.

(3) Test results, other than continuous monitoring results, **shall** be posted without delay at all points of entry to the confined space. **Section 2.18.**

Pre-Entry Testing

Pre-entry testing in a confined space with a low hazard **shall** be conducted where:

- (a) a more hazardous atmosphere could develop,

- (b) the effectiveness of isolation and pre-entry control is **required**, and
- (c) representative sampling has demonstrated that the confined space does not meet the low hazard atmosphere definition. **Section 2.19.**

Moderate or High Hazard

- (1) While a worker is inside a confined space with a moderate or high hazard hazard atmosphere, additional testing **shall** be conducted as necessary to ensure the worker's continuing safety.
- (2) Whenever practicable, the atmosphere in the confined space **shall** be continuously monitored.
- (3) Where a worker enters a confined space with a moderate or high hazard atmosphere, the atmosphere **shall** be continuously monitored where a flammable or explosive atmosphere in excess of 20% of the lower explosive limit could develop. **Section 2.20.**

For more information:

- Cleaning, Purging, Venting, Inerting. **Section 221.**
- Equipment Operation. **Section 5.27.**
- Below-The-Hook Lifting Devices. **Section 5.49.**
- Bridge, Gantry and Overhead Traveling Cranes. **Section 5.50.**
- Tower Cranes. **Section 5.69 to 5.79.**
- Lines And Equipment. **Section Part 9 – 9.05.**
- Working On De-Energized High-Voltage Power Systems. **Section 9.17.**
- Control Systems. **Section 9.25.**
- Work Areas Over Water. **Section 10.76.**
- Welding, Cutting and Allied Processes. **Section 13.10.**
- Fire Protection. **Section 15.14.**

Further details on the Workers' Safety and Compensation Act and Occupational Health and Safety Regulations can be found at

[Yukon.Ca](#) and [Wcb.Yk.Ca](#).