

Updated WSH Regulation

Updates to the workplace safety and health regulation, recently announced by the Provincial Government, will take effect on **February 1, 2011**.

Why the changes?

A number of changes to the regulation result from recommendations made by the Advisory Council on Workplace Safety and Health during a recent review of *The Workplace Safety and Health Act*.

One of the changes addresses a specific recommendation made in the report that followed the inquest into the death of a Manitoba worker (Hudson Bay Mining and Smelting Co. furnace explosion).

Other changes reflect technical amendments identified through consultation with stakeholders to provide clearer direction to employers and workers in several areas.

Summary of changes

Updates to the Regulation will:

- Require employers to deal with issues of psychological harassment in their workplaces.
- Clarify the approach employers must follow in controlling workplace hazards; and
- Implement a variety of technical changes to clarify and update a number of definitions and requirements

Which rules apply?

In order to provide enough lead time for employers and workers to become familiar with and meet the terms of the updated requirements, the existing workplace safety and health regulations are to be followed until the new regulation takes effect on **February 1, 2011**.

Regulation Highlights

The following are highlights of the updated Workplace Safety and Health Regulation:

Harassment

- The updated Regulation will include psychological harassment as a form of harassment that must be addressed. This includes:
 - any objectionable conduct that creates a risk to the health of a worker if it is based on race, religion, gender, age, etc., or
 - severe conduct that negatively affects a worker's psychological or physical well-being if it could reasonably cause a worker to be humiliated or intimidated, etc.
- The objectionable or severe conduct referred to in the above definition of harassment, includes a written or verbal comment, a physical act, gesture or display, or any combination of these.
- *Reasonable conduct of an employer or supervisor in managing and providing direction of workers or the workplace is **not** considered to be harassment.*

Systematic approach to hazard control

- There is a stronger emphasis on the requirement for employers to follow a systematic approach to eliminate or control workplace hazards. In order of preference, workplace hazards should be addressed through the following methods:
 - eliminating the hazard through redesign of the workplace or work process, or through use of engineering controls
 - controlling the hazard through redesign of the workplace or work process, or through use of engineering controls
 - putting safe work procedures into action
 - ensuring workers wear/use personal protective equipment

Technical changes

- Technical and administrative changes clarify a number of requirements and ensure consistency with current standards. Some examples include:
 - all workers on construction sites are required to wear hard hats
 - crane lifts involving more than one crane must be planned according to the CSA standard for multiple crane lifts

- a fall protection system is required for existing residential roof work if the roof pitch is 4:12 or greater.
- rigging mechanisms must meet the specifications of a variety of technical standards
- workplace safety and health committees are required to conduct an inspection of the workplace before each regularly scheduled committee meeting
- support structure requirements for excavations and trenches are clarified to ensure employers are aware of their responsibilities

WSH Division Publications

The WSH Division is updating existing publications affected by the updated regulatory requirements and developing new resources. As they become available, all publications will be posted on the SAFE Manitoba website: www.safemanitoba.com, and be available (*in limited quantity*) in hard copy, by calling the Division.

Updated WSH publications will include: SAFE Work Guidelines and Bulletins.

Contact Information

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Changes to Manitoba's Workplace Safety and Health Regulation

Highlights
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