

Quebec – Elevated Work Platform

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An Act respecting occupational health and safety

Updated to 1 March 2015

CHAPTER III RIGHTS AND OBLIGATIONS

DIVISION I THE WORKER

§ 1. — *General rights*

9. Every worker has a right to working conditions that have proper regard for his health, safety and physical well-being. 1979, c. 63, s. 9.

10. In accordance with this Act and the regulations, the worker is entitled, in particular,

(1) to training, information and counselling services in matters of occupational health and safety, especially in relation to his work and his work environment, and to receive appropriate instruction, training and supervision;

(2) to receive the preventive and curative health services relating to the risks to which he may be exposed, and his wages for the time spent in undergoing a medical examination during employment prescribed for the application of this Act and the regulations. 1979, c. 63, s. 10.

11. Every person contemplated in paragraphs 1 and 2 of the definition of the word “worker”, in section 1, has the rights granted to workers under sections 9, 10, and 32 to 48. 1979, c. 63, s. 11.

§ 2. — *Right of refusal*

12. A worker has a right to refuse to perform particular work if he has reasonable grounds to believe that the performance of that work would expose him to danger to his health, safety or physical well-being, or would expose another person to a similar danger. 1979, c. 63, s. 12.

13. No worker may, however, exercise his right under section 12 if his refusal to perform the work puts the life, health, safety or physical well-being of another person in

immediate danger or if the conditions under which the work is to be performed are ordinary conditions in his kind of work. 1979, c. 63, s. 13.

§ 5. — *Obligations*

49. A worker must

- (1) become familiar with the prevention program applicable to him;
- (2) take the necessary measures to ensure his health, safety or physical well-being;
- (3) see that he does not endanger the health, safety or physical well-being of other persons at or near his workplace;
- (4) undergo the medical examinations required by this Act and the regulations.
- (5) participate in the identification and elimination of risks of work accidents or occupational diseases at his workplace;
- (6) cooperate with the health and safety committee and, where such is the case, with the job-site committee and with any person responsible for the application of this Act and the regulations. 1979, c. 63, s. 49.

DIVISION II THE EMPLOYER

§ 1. — *General rights*

50. Every employer is entitled, in particular, in accordance with this Act and the regulations, to training, information and counselling services in matters of occupational health and safety. 1979, c. 63, s. 50.

§ 2. — *General obligations*

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

- (1) see that the establishments under his authority are so equipped and laid out as to ensure the protection of the worker;
- (2) designate members of his personnel to be responsible for health and safety matters and post their names in a conspicuous place easily accessible to the worker;
- (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;
- (4) supervise the maintenance of the workplace, provide sanitary installations, drinking water, adequate lighting, ventilation and heating and see that meals are eaten in sanitary quarters at the workplace;

(5) use methods and techniques intended for the identification, control and elimination of risks to the safety or health of the worker;

(6) take the fire prevention measures prescribed by regulation;

(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;

(10) post up in a conspicuous place easily accessible to the worker all information transmitted by the Commission, the agency and the physician in charge, and put that information at the disposal of the workers, the health and safety committee and of the certified association;

(11) provide the worker, free of charge, with all the individual protective health and safety devices or equipment selected by the health and safety committee in accordance with paragraph 4 of section 78 or, as the case may be, the individual or common protective devices or equipment determined by regulation, and require that the worker use these devices and equipment in the course of work;

(12) allow workers to undergo the medical examinations during employment required under this Act and the regulations;

(13) give, to the workers, the health and safety committee, the certified association, the public health director and the Commission, the list of the dangerous substances used in the establishment and of the contaminants that may be emitted;

(14) cooperate with the health and safety committee, or as the case may be, the job-site committee and with any person responsible for the application of this Act and the regulations and provide them with all necessary information;

(15) put at the disposal of the health and safety committee the equipment, premises and clerical personnel necessary for the carrying out of its functions. 1979, c. 63, s. 51; 1992, c. 21, s. 303; 2005, c. 32, s. 308.

Regulation respecting occupational health and safety

An Act respecting occupational health and safety

DIVISION XXIII

262. Aerial basket lifting device: Every aerial basket lifting device must be designed, manufactured and installed on a carrier vehicle in compliance with CSA Standard C225 or ANSI Standard A92.2 applicable at the time of its manufacture.

263. Aerial basket lifting device - design and manufacture: Every aerial basket lifting device designed and manufactured before November 1976 must

- (1) be equipped with an emergency stop button located within reach of the worker occupying the basket; and
- (2) be installed on a carrier that must provide a stable and structurally sound support when the basket is used.

263.1. Aerial basket lifting device - training: Every worker operating an aerial basket lifting device must undergo training in compliance with articles 10.11 to 10.11.3 of CSA Standard C225-00 Vehicle-Mounted Aerial Devices and more specifically on the operating methods related to the operation in motion of the carrier vehicle of the aerial basket lifting device.

264. Protection against falls: The wearing of a safety harness is compulsory for any worker occupying the aerial basket of a lifting device, except if the worker is protected by some other device that provides him with equivalent safety.

A safety harness shall be equipped with an energy absorber and a lifeline attached to an anchorage point specified by the manufacturer or any other anchorage point independent of the basket and offering a resistance to breakage of at least 18 kilonewtons per worker who is anchored thereto.

348. Anchorage point: The anchorage point for a safety harness lifeline shall be attached in one of the following ways:

- (1) be anchored to some point with a tensile strength at break of at least 18 kN;
- (2) be attached to a sliding sleeve in compliance with the CAN/CSA Z259.2-M1979 standard Fall-arresting Devices, Personal Lowering Devices and Life Lines;
- (3) be attached to a horizontal lifeline and anchorage point system, designed by an engineer, as demonstrated by a plan or certification available on the premises where such work is performed.

DIVISION I INTERPRETATION AND SCOPE

1. Definitions: In this regulation, the following words and expressions mean: “aerial basket lifting device”: any elevator equipped with an extendable/retractable or jointed arm designed to be fitted with a carrier and used to lift workers or supplies by means of a basket on work sites; “self-propelled vehicle”: a motor vehicle mounted on wheels, on tracks or on rails, used for the transportation of objects or materials, or for towing or pushing railers or materials, with the exception of an all-terrain vehicle or an elevating or lifting device ;

DIVISION XXIII
HANDLING AND TRANSPORTING MATERIAL

§2. Hoisting devices

245. Operating conditions: Every hoisting device shall be used, maintained and repaired in such a manner that its use does not compromise the health, safety or physical well being of workers. Consequently, such a device shall:

- (1) be inspected before it is used for the first time;
- (2) have its motor turned off when filling the gas tank;
- (3) not be used if strong winds, storms or extreme temperatures make it dangerous to use;
- (4) not be used when repair or maintenance work is being carried out;
- (5) be inspected and maintained in accordance with the manufacturer's instructions or standards offering equivalent safety;
- (6) when one of its parts is repaired, reconditioned or replaced, provide as regards this part a level of safety that is equivalent to that of the original part;
- (7) not be modified to increase its rated load or to be used for any other purpose without a signed and sealed certificate from an engineer or a written certificate from the manufacturer, indicating that the modification is safe.

O.C. 885-2001, s. 245.

246. Hoisting accessories: Hoisting accessories shall be solidly built, have requisite resistance, depending on their use, and be kept in good working order.

O.C. 885-2001, s. 246.

247. Safe access: When a hoisting device has an operator's station for moving the device about or a control station for hoisting, the latter shall be safely accessible by means of a ladder, steps, grip handles or any other means.

O.C. 885-2001, s. 247.

248. Precautions: A hoisting device shall not:

- (1) be loaded beyond its rated load;
- (2) be subject to sudden movements.

O.C. 885-2001, s. 248.

249. Rated load: The rated load shall be indicated on all hoisting devices, at a place where it is easy to read.

O.C. 885-2001, s. 249.

250. Load-rating table: A table shall indicate the rated loads of a crane or of a similar device. This table shall:

- (1) be so placed as to be easily read by the operator;
- (2) provide information which complies with that provided by the manufacturer;
- (3) furnish all the necessary information for the safe operation of the crane or apparatus.

O.C. 885-2001, s. 250.

251. Mobile crane: A mobile crane shall meet the requirements of the CSA Z150-1974 Safety Code for Mobile Cranes standard and its supplement no 1-1977, or any other recognized standard offering equivalent safety.

O.C. 885-2001, s. 251.

252. Transformed mobile crane: A mobile crane with a luffing boom transformed and used for purposes other than the hoisting of loads, and serving as a scoop, a dragging bucket, a clamshell bucket or a pile hammer shall be equipped:

- (1) with bumpers or boom stops;
- (2) a high boom angle switch.

O.C. 885-2001, s. 252.

253. Signalman: If the operator of a hoisting device does not have an unrestricted view during any manoeuvre, one or more signalmen shall assist the operator. The signalman shall:

- (1) observe the movement of the apparatus or the load when it is out of sight of the operator;
- (2) communicate with the operator by a well-established, uniform signal code or by means of a telecommunication system, when conditions so require or when the operator judges it necessary.

O.C. 885-2001, s. 253.

254. Travelling crane: A general purpose overhead travelling crane, with the exception of a single-girder overhead crane, shall conform to the CSA B167-1964 General Purpose Electric Overhead Travelling Cranes standard.

O.C. 885-2001, s. 254.

254.1. Training of the overhead travelling crane operator: An overhead travelling crane must be operated exclusively by an operator who has received theoretical and practical training given by an instructor. The theoretical training must cover, among other things,

- (1) a description of the different types of overhead travelling cranes and hoisting accessories used in the establishment;
- (2) the workplace and how it affects the operation of the overhead traveling crane;
- (3) the operations involved in operating the over-head travelling crane and hoisting accessories, such as using slings and control devices, signalling using the universal system, handling and moving loads, and any other manoeuvre necessary to the operation of the overhead travelling crane;
- (4) the means of communication used in the operation of the overhead travelling crane;
- (5) the inspection to verify the working order and proper functioning of the overhead travelling crane and hoisting accessories prior to operation by the operator; and
- (6) the rules governing the operation of the overhead travelling crane, and the establishment's directives regarding the work environment. Practical training within the context of the second paragraph must be given in the workplace under conditions that do not expose the operator and other workers to hazards arising from the overhead travelling crane operation training. The training must also be of sufficient duration to enable the overhead traveling crane and hoisting accessories to be operated safely. When the operation of the overhead travelling crane and hoisting accessories requires the presence of a signaller or slinger, those persons must also be given theoretical and practical training on the duties they are to perform.

O.C. 510-2008, s. 3.

255. Safe handling of loads: The handling of loads on a work site shall take place in accordance with the following standards:

- (1) before hoisting a load, the operator or the signaller shall ensure that all the cables, chains, slings or other moorings are properly attached to the load and that hoisting does not present any hazard;
- (2) the hoisting of loads shall be done vertically;
- (3) when oblique hoisting is absolutely necessary, precautions dictated by the circumstances shall be taken, and this operation shall be performed in the presence of a competent person representing the employer;
- (4) if the uncontrolled movement or the swinging of a raised load involves a danger, one or more guide ropes shall be used;

(5) the hoisting device shall not be left unsupervised when a load is suspended there from;

(6) the moving of loads above people shall be avoided and, if this is not possible, then specific measures shall be taken to ensure the safety of these persons;

(7) it is prohibited for any person to stand on a load, a hook or a sling suspended from a hoisting device;

(8) the hooks used to hoist loads as well as those attached to slings shall be equipped with a safety catch except where these hooks are specifically designed for the safe hoisting of certain loads.

O.C. 885-2001, s. 255.

257. Lifting jacks: Lifting jacks that are used to lift loads shall:

(1) rest on solid bases;

(2) be lined up with the load to lift;

(3) be equipped with a positive stop to prevent overstop or a stop indicator.

O.C. 885-2001, s. 257.

258. Hoisting devices that can be dismantled: Hoisting devices that can be dismantled shall be assembled, maintained and dismantled in accordance with the manufacturer's instructions or trade practice.

O.C. 885-2001, s. 258.

259. Brakes and warning device: A hoisting device shall be equipped with:

(1) hoisting brakes so designed and installed as to stop a load of at least one and half times that of the rated load ;

(2) a warning device when the hoisting device is motorized, except in the case of a person-lifter. The warning device shall be used each time that a load is moved over a work station or a traffic area.

O.C. 885-2001, s. 259.

260. Prohibition: Subject to section 261, no operator shall lift a worker using a hoisting device, unless the latter was designed for that purpose by the manufacturer.

O.C. 885-2001, s. 260.

261. Lifting of a worker : The lifting of a worker using a mobile crane is permitted if the conditions set out in section 3.10.7 of the Safety Code for the construction industry (c. S-2.1, r. 6) as it reads at the time that it applies, are respected.

The lifting of a worker using a fork lift truck must be done in compliance with ASME Standard B56.1 (1993-A.1995) Safety Standard for Low Lift and High Lift Trucks. Each worker must wear a safety harness that complies with sections 347 and 348. O.C. 885-2001, s. 261; O.C. 1120-2006, s. 5.

262. Aerial basket lifting device: Every aerial basket lifting device must be designed, manufactured and installed on a carrier vehicle in compliance with CSA Standard C225 or ANSI Standard A92.2 applicable at the time of its manufacture. O.C. 885-2001, s. 262; O.C. 1120-2006, s. 6.

263. Aerial basket lifting device - design and manufacture: Every aerial basket lifting device designed and manufactured before November 1976 must

(1) be equipped with an emergency stop button located within reach of the worker occupying the basket ; and

(2) be installed on a carrier that must provide a stable and structurally sound support when the basket is used.

O.C. 885-2001, s. 263; O.C. 1120-2006, s. 6.

263.1. Aerial basket lifting device - training : Every worker operating an aerial basket lifting device must undergo training in compliance with articles 10.11 to 10.11.3 of CSA Standard C225-00 Vehicle-Mounted Aerial Devices and more specifically on the operating methods related to the operation in motion of the carrier vehicle of the aerial basket lifting device.

O.C. 1120-2006, s. 6.

264. Protection against falls: The wearing of a safety harness is compulsory for any worker occupying the aerial basket of a lifting device, except if the worker is protected by some other device that provides him with equivalent safety. A safety harness shall be equipped with an energy absorber and a lifeline attached to an anchorage point specified by the manufacturer or any other anchorage point independent of the basket and offering a resistance to breakage of at least 18 kilonewtons per worker who is anchored thereto.

O.C. 885-2001, s. 264.

§4. Self-propelled vehicles

272. Conditions of use and maintenance: Every self-propelled vehicle shall be used, made and repaired in such way that it does not compromise the health, safety and well-being of workers. Consequently:

(1) the vehicle motor shall be in the off position during fueling, except if a safe work method has been established;

(2) the vehicle shall not be used if repair or maintenance work is being carried out on it;

(3) the vehicle shall be maintained and inspected in accordance with the manufacturer's instructions or standards offering equivalent safety;

(4) when one of its parts is repaired, reconditioned or replaced, this new part shall provide a level of safety that is equivalent to that of the original part.

O.C. 885-2001, s. 272.

273. Safe access: The control or operating station of a self-propelled vehicle shall be easily and safely accessible by means of a step, grip handles or a ladder.

O.C. 885-2001, s. 273.

274. Brakes and warning device: Every self-propelled vehicle shall:

(1) be equipped with efficient brakes;

(2) be equipped with a warning device (siren). The warning device shall be used in yards and in buildings when there are persons nearby and in areas presenting a risk, such as doors and around bends. Subparagraph 2 of the first paragraph does not apply to tracked bulldozers and hauling machines.

O.C. 885-2001, s. 274.

275. Design and safe layout : A self-propelled vehicle shall be designed, built and laid out so as to ensure that the driver is not struck or does not get caught by a moving vehicle part, and is not otherwise injured by operating the vehicle on entering or leaving the cab.

O.C. 885-2001, s. 275.

276. Protection of the driver: The self-propelled vehicle shall be equipped with a roof, a protective screen, a cab or a structure to protect the driver in the following cases:

(1) where there is a risk of falling objects;

(2) if the driver risks impact with an object being handled.

O.C. 885-2001, s. 276.

277. Protective structure of self-propelled vehicles: The following selfpropelled vehicles manufactured starting on the 2 August 2001 shall be provided before the date of the 180th day following the 2 August 2001 with a roll-over protective structure which meets the CSA B352-M1980 Roll-over Protective Structures standard for farm, construction, landscaping, forestry, industrial and mining vehicles:

(1) industrial tractors, motor graders, prime movers, tracked hauling machines, crawler tractors, tracked loaders, wheeled tractors and wheeled loaders, whose mass is greater than 700 kilograms;

(2) compacting machines and rollers whose mass is greater than 2 700 kilograms, except machines designed for compacting asphalt;

(3) wheeled agricultural tractors of more than 15 kilowatts. This section does not apply to a low profile agricultural tractor when it is used in an orchard.

O.C. 885-2001, s. 277.

278. Protective structures of existing self-propelled vehicles: The following self-propelled vehicles manufactured before the date on which this regulation comes into force shall be provided with a roll-over protective structure which meets a standard from The Society of Automotive Engineers (SAE) standardization organization or a standard providing equivalent safety:

(1) power rams, and tracked or wheeled loaders and hauling machines;

(2) graders;

(3) tractor scrapers;

(4) agricultural and industrial tractors of more than 15 kilowatts. The design, manufacture or installation of a protective structure is deemed to be in compliance with the standard if it has been certified, signed and sealed by an engineer. This section does not apply to graders or loaders used for snow removal if these vehicles only circulate in places where there is no risk of overturning. Nor does it apply to a low profile agricultural tractor when used in an orchard.

O.C. 885-2001, s. 278.

279. Identification plate: A plate shall be attached to the protective structure in the event of an overturn. This plate shall indicate:

(1) the name of the manufacturer;

(2) the protective structure's serial number;

(3) the standard with which it complies;

(4) the make and model of equipment for which it was designed. The plate shall be permanently attached and the inscriptions thereupon shall be legible at all times.

O.C. 885-2001, s. 279.

280. Safety belt: The wearing of a safety belt is mandatory for the driver of a self-propelled vehicle equipped with a roll-over protective structure as well as for any worker in the vehicle while it is in motion.

O.C. 885-2001, s. 280.

281. Protective shield: Self-propelled vehicles equipped with a winch for towing materials shall have a protective shield between the winch and the driver if there is a risk of injuring the driver should the cable snap.

O.C. 885-2001, s. 281.

282. Seat and belt: Any persons other than the driver are prohibited from being on a self-propelled vehicle, if it is not equipped with a seat and a belt to accommodate each person.
O.C. 885-2001, s. 282.

283. Vehicle in motion: No worker shall remain on the load of a self-propelled vehicle in motion.
O.C. 885-2001, s. 283.

284. Signalman: When a self-propelled vehicle moves in reverse, a signalman shall direct the driver if such a move poses a risk for the safety of a worker or the driver.
O.C. 885-2001, s. 284.

285. Prohibition: The driver of a self-propelled vehicle referred to under section 277 or 278 shall not leave his vehicle unattended when the mobile part of the device used for lifting, towing or pushing a load is in a raised position.
O.C. 885-2001, s. 285.