

1 Section 2 of New Brunswick Regulation 2004-130 under the Occupational Health and Safety Act is amended

(a) by repealing the definition “first aid provider” and substituting the following:

“first aid provider” means a person designated by an employer under subsection 7(1) and includes a workplace first aider as defined in CSA Group standard Z1210-17, *First aid training for the workplace – Curriculum and quality management for training agencies*. (*secouriste*)

(b) by repealing the definition “high hazard work” and substituting the following:

“high hazard work” means work that carries a greater likelihood of injury or damage to health and a greater severity of potential injury because of the place of employment or the nature of the work, and includes work carried out

(a) at a project site or mine,

(b) in a confined space or in an isolated area where emergency medical help is not in close proximity to the work area,

- (c) on electrical transmission, generation or distribution systems,
- (d) at foundries or machine shops,
- (e) at gas, oil or chemical processing plants, steel or other base metal processing plants,
- (f) at woodland operations, sawmills or lumber processing plants,
- (g) at brewery or beverage processing plants, meat packing or processing plants, and
- (h) with explosives or heavy equipment. (*travail à risque élevé*)

(c) by adding the following definitions in alphabetical order:

“Act” means the *Occupational Health and Safety Act*. (*Loi*)

“competent”, in relation to an employee, means

- (a) qualified, because of knowledge, training and experience, to do assigned work in a manner that will ensure the health and safety of persons in the place of employment,
- (b) knowledgeable about the provisions of the Act and the regulations that apply to the assigned work, and
- (c) knowledgeable about potential or actual danger to health or safety connected with the assigned work. (*compétent*)

2 Section 4 of the Regulation is amended

(a) by repealing subsection (1) and substituting the following:

4(1) Subject to subsections (2) and (3), an employer shall provide and maintain first aid kits, first aid providers and first aid rooms at a place of employment in accordance with the

standards established in subsection 7(0.1) and with Schedule A, for the maximum number of employees present during a shift.

(b) by repealing subsection (2) and substituting the following:

4(2) Subject to subsection (3), where a place of employment is a project site, the contractor shall provide and maintain first aid kits, first aid providers and first aid rooms in accordance with the standards established in subsection 7(0.1) and with Schedule A for all persons having access to the project site, and the provisions of this Regulation that apply to an employer apply to a contractor at every project site for which the contractor is responsible for the health and safety of persons having access to the project site.

(c) in subsection (3) of the French version by striking out “trousses de premiers soins” and substituting “trousses de secourisme”.

3 Section 7 of the Regulation is amended

(a) by adding before subsection (1) the following:

7(0.1) For the purposes of sections 7 to 13, standards for workplace first aid training and first aid kits are established by the adoption of the following standards:

(a) CSA Group standard Z1210-17, *First aid training for the workplace – Curriculum and quality management for training agencies*; and

(b) CSA Group standard Z1220-17, *First aid kits for the workplace*.

(b) by repealing subsection (1) of the French version and substituting the following:

7(1) L’employeur désigne un ou plusieurs salariés pour remplir les fonctions de secouriste et tient un registre dans lequel est consigné le nom de chacun.

(c) by adding after subsection (1) the following:

7(1.1) An employer may designate an employee who is a competent medical practitioner or nurse as a first aid provider without requiring the employee to complete the workplace first aid training referred to in section 8.

(d) by repealing subsection (4) and substituting the following:

7(4) An employer shall ensure that a designated first aid provider

(a) does not perform work of a nature likely to affect the ability to administer first aid, and

(b) is equipped, when administering first aid, with a face shield with a one-way valve and gloves that comply with the requirements of CSA Group standard Z1220-17 set out in subsection (0.1).

4 Section 8 of the Regulation is repealed and the following is substituted:

8(1) Subject to subsection 7(1.1), an employer shall ensure that each employee who is designated as a first aid provider is trained in accordance with CSA Group standard Z1210-17 set out in subsection 7(0.1) in workplace first aid appropriate to the level of risk in the place of employment or the nature of the activities carried out in the place of employment, being

(a) for work that is not high hazard work, the basic training level, or

(b) for high hazard work, the intermediate training level.

8(2) Workplace first aid training shall meet the following requirements:

- (a) it is provided by an organization or agency that meets the requirements of the standard for the development and maintenance of the training program provided;
- (b) it complies with the clauses of the standard; and
- (c) it is approved by the Chief Compliance Officer.

8(3) Workplace first aid training under subsection (1) shall include a knowledge component and a practical skills demonstration of the minimum duration set by the standard.

8(4) An organization providing workplace first aid training shall issue a workplace first aid certificate that meets the content and format requirements specified in the standard to all first aid providers who have demonstrated the necessary competencies in accordance with the standard and who have completed the training with satisfactory results.

8(5) A certificate issued in accordance with this section is valid from the date of issue for the duration specified in the standard.

5 *Section 9 of the Regulation is repealed and the following is substituted:*

9 An employee shall report an injury or illness to the employer or to a supervisor as soon as circumstances permit after the injury or the first signs of the illness.

6 *Subsection 10(3) of the Regulation is amended by striking out “5 years” and substituting “three years”.*

7 *The heading “Trousses de premiers soins” preceding section 11 of the French version of the Regulation is repealed and the following is substituted:*

Trousses de secourisme

8 Section 11 of the Regulation is repealed and the following is substituted:

11 An employer required to provide one or more first aid kits for the place of employment shall act in accordance with CSA Group standard Z1220-17 set out in subsection 7(0.1) with respect to

- (a) the minimum requirements regarding the quantity, size, whether small, medium, or large, and distribution of the first aid kits according to the number of employees per shift, and
- (b) the contents of the first aid kits.

9 Section 12 of the Regulation is amended

(a) *by repealing subsection (1) and substituting the following:*

12(1) For a place of employment with 100 or more employees per shift, an employer shall provide a first aid room and shall equip the room in accordance with paragraph (2)(e).

(b) *in subsection (2)*

(i) *in paragraph c) of the French version by striking out “des travailleurs qu’elle doit desservir” and substituting “des salariés qui s’en servent”;*

(ii) *by repealing subparagraph(e)(i) and substituting the following:*

(i) first aid kits as required by the standard, having regard for the particular risks of the place of employment and the number and location of employees per shift;

(c) *by repealing subsection (4).*

10 *The heading “Où sont rangées les troussees de premiers soins” preceding section 13 of the French version of the Regulation is repealed and the following is substituted:*

Emplacement des troussees de secourisme

11 *Section 13 of the Regulation is repealed and the following is substituted:*

13 An employer shall post signs at a conspicuous place in the place of employment indicating the location of first aid kits and shall ensure that all employees are aware of the location of the kits and any related equipment or supplies.

12 *The heading “Transition” preceding section 14 of the Regulation is repealed.*

13 *Section 14 of the Regulation is repealed.*

14 *Schedule A of the Regulation is repealed and the attached Schedule A is substituted.*

15 *Schedule B of the Regulation is repealed.*

SCHEDULE A

FIRST AID REQUIREMENTS

Number of employees per shift	Place of employment with no high hazard work	Place of employment with high hazard work
2 - 19	1 first aid provider	1 first aid provider
20 - 49	1 first aid provider	2 first aid providers
50 - 99	2 first aid providers	2 first aid providers
100 - 199	2 first aid providers, one of whom must have access to the first aid room 1 first aid room	3 first aid providers, one of whom must have access to the first aid room 1 first aid room
200 or more	3 first aid providers, one of whom must have access to the first aid room 1 additional first aid provider for each additional increment of 1-100 employees 1 first aid room	4 first aid providers, one of whom must have access to the first aid room 1 additional first aid provider for each additional increment of 1-100 employees 1 first aid room

DRAFT
ÉBAUCHE