

Offshore Occupational Health and Safety Regulations Initiative

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Introduction of Part III.1 (OHS)

- On December 31, 2014, the Government of Canada, the Province of Newfoundland and Labrador and the Province of Nova Scotia brought Part III.1 of the Accord Acts into force
- Part III.1 creates an occupational health and safety regime for each of the Atlantic Accord areas that:
 - Places authority for managing and administering OHS with the CNLOPB or CNSOPB;
 - Clarifies the roles and responsibilities of governments, regulators, operators, employers and employees; notably, the provincial minister responsible for OHS and the federal Minister of Natural Resources will be jointly responsible for the new regime;
 - Ensures that the new OHS regime applies to workers in transit to or from offshore workplaces;
 - Grants the CNLOPB or CNSOPB the authority to disclose information to the public related to occupational health and safety; and,
 - Provides clear and specific enforcement powers for OHS officers, including the powers of inspection and investigation, warrant provisions and the authority to order corrective measures to be taken in case of dangerous situations.

Part III.1 (OHS) – Application

- Part III.1 applies to
 - Workplaces having employees involved in the exploration or drilling for, construction and development, production, conservation or processing of petroleum in offshore area; and,
 - Employees and other passengers in transit to/from and between offshore workplace(s)

Rights of Employees

Right to Know

Right to Refuse

Right to Participate

Duties of Employees

- Every employee at a workplace or on a passenger craft must take all reasonable measures to protect his or her own health and safety, as well as that of other individuals at the workplace or on the passenger craft. Specifically, every employee must:
 - cooperate with the operator, all employers and employees, and the Board to ensure the health and safety of individuals at the workplace;
 - comply with employer instructions for the purposes of ensuring OHS at the workplace;
 - use and wear PPE and take all reasonable measures to ensure that other employees do the same;
 - comply and cooperate with safety procedures while being transported to and from a workplace on a passenger craft;
 - consult and cooperate with workplace committees; and
 - report to the employer any thing or circumstance that is likely to be hazardous

Transitional OHS Regulations (TOHSR)

- Part III.1 of the Accord Acts could only enter into force with regulations in place
- TOHSR were developed based on existing *Oil and Gas Occupational Safety and Health Regulations* under the *Canada Labour Code* also take account of C-NLOPB/CNSOPB OHS requirements that had been applied through conditions of authorization prior to III.1
- The TOHSR may be in place for a maximum of five years (until Dec. 31, 2019; but the governments may replace them before that) and must be replaced by permanent OHS regulations

Development of Permanent OHS Regulations

- Governments kick-started the initiative to develop permanent regulations following legislative approvals of the bills in 2014
- Dedicated project manager leading governments work to develop the permanent regulations including through monthly technical meetings

Stakeholder Consultation & Engagement

- Bulk of consultation and engagement activities to occur in 2016 and 2017
- Multiple opportunities for stakeholder engagement:
 - Website where stakeholders and the public may submit comments throughout the process of developing the permanent regulations
 - In-person feedback sessions in both St. John's and Halifax on draft regulation at various points in the process of developing the permanent regulations
 - Multiple written comment period(s) on draft regulations

Stakeholders

- Workforce
- Labour Groups (Unifor, NLFL)
- Operators
- Employers
- Providers of Service
- Certifying Authorities
- Industry Associations (CAPP, NOIA, etc)

Engaging the Workforce

- Workforce feedback is extremely important in the development of the permanent regulations
- How to best engage the workforce for feedback on draft regulations?
 - Ensuring each offshore JOHS committee is kept up-to-date on progress
 - Looking into video- and/or tele-conferencing technology to provide workers offshore to participate in in-person stakeholder sessions

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QUESTIONS?