

Response to:

**Harmonization of Personal Protective Equipment  
Requirements across Canada**

Proposed amendments to  
*The Occupational Health and Safety Regulations, 1996*

Submitted to:

Ministry of Labour Relations and Workplace Safety

May 15, 2019  
(Revised)



The Canadian Union of Public Employees  
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**CUPE represents 30,000 members working in a variety of public service occupations across Saskatchewan** including: health care, K-12 school system, universities, libraries, municipalities, community-based organizations, and various boards and agencies.

*CUPE is the largest union in Saskatchewan and Canada's leading union.*

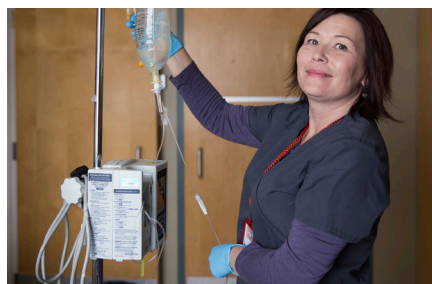


## Introduction

The Canadian Union of Public Employees (CUPE) welcomes the opportunity to present comments and recommendations to the occupational health and safety proposed regulation content review regarding the *Harmonization of Personal Protective Equipment requirements across Canada*.

CUPE is Canada's largest union, representing 680,000 members across the country working in a variety of occupations and sectors. In the province of Saskatchewan, CUPE represents more than 30,000 members working in health care, K-12 school system, universities, libraries, municipalities, community-based organizations, and various boards and agencies. The work that they do exposes them to numerous hazards at their workplaces, and frequently, the last line of defence between these workers and the hazards they face are their personal protective equipment. CUPE members are concerned about having an effective, fair and responsive health and safety system.

CUPE is committed to occupational health and safety through a National Health and Safety Branch, as well as through regional health and safety representatives. We believe that the prevention of injuries is the paramount consideration in both improving the quality of working conditions and lowering workers' compensation costs.



This submission will provide general recommendations and it will address specific responses to each section of the discussion paper published by the Government of Saskatchewan, entitled: *Harmonization of Personal Protective Equipment requirements across Canada*.

According to the discussion paper, the Government of Saskatchewan is seeking input on proposed amendments to *The Occupational Health and Safety Regulations, 1996*, which are intended to bring jurisdictions into compliance with the *Canadian Free Trade Agreement* and a subsequent agreement, the *National Occupational Health and Safety Reconciliation Agreement*, signed on January 30, 2019, which sets out specific standards for personal protective equipment.

# General Recommendations

## Determining the Currently Approved Standards

As it is noted in the discussions paper, many sections of *The Occupational Health and Safety Regulations, 1996* requires employers and contractors to provide “approved” personal protective equipment. Additionally, “approved” is defined as:

- i. approved by an agency acceptable to the director for use under the conditions prescribed by the agency; or
- ii. approved conditionally or otherwise by a certificate of the director;

The discussion paper describes what the currently approved standards are for the personal protective equipment considered in this paper, however, if a worker wanted to find this information to determine if their employer are up-to-date on the standards, there is no reasonably easy way to determine the complete standards list, or even a singularly referenced ‘approved’ standard.

CUPE recommends that the Government of Saskatchewan, Occupational Health and Safety Division, post a full easily accessible list of all the approved standards.

Additionally, for the purposes of education and ease of worker use to advance their right to know about hazards in their workplace, the Government of Saskatchewan, Occupational Health and Safety Division should work with the Canadian Standard Association to ensure that referenced and approved standards are up to date on the free OHS Standards view access portal, and if feasible, provide a link to the CSA website (which is completely out of date for Saskatchewan at the time of writing this submission).

## Continually Updating Standards

The discussion paper notes the change of the approved standards from older standards that are, in some cases more than 10 years old.

While CUPE understands the purpose of these changes are to create a harmonized health and safety regime across Canada, the Canadian Standards Association does not provide support for standards that are replaced by new versions. A new version can be released every 4-5 years unless they are re-adopted without change. Some of the new standards being referenced are at the end of their dormant review cycles, and as such, it could be quite likely that new editions of the reference acceptable standards will be released in the near-term future.

CUPE recommends that the Saskatchewan government take the lead at CALL-OHS to ensure that the regulatory updates needed to ensure harmonization across Canada are aligned to the work performed by the technical committees that manage the standards referenced in legislation.

## Enforcement

The Canadian Union of Public Employees calls on the government of Saskatchewan to increase staffing for enforcement so that more proactive inspections can be performed across all sectors of the Saskatchewan economy, but especially for health care and education sectors where we continue to see high levels of worker injuries.

# Specific Responses

## Eye and Face Protection

CUPE notes that there are significant changes between the old and new versions of CSA Z94.3

- Hazards caused by Type I (lasers) and provision for laser radiation protection have been added to the standard.
- Hazard caused by electrical arc flash and provision for electric arc flash protection have been added to the standard.
- Increased safety provision for revised optical requirements for plane (cosmetic) eyewear with non-prescription reading segments.
- Updated processes for impact and penetration tests as well as ignition and flame resistance requirements and test procedures for eyewear as well as the points of impact for face shields and welding protectors have been added to the standard.
- And finally, the standard has been updated to reflect provisions for types of lenses presumed to be compliant with this standard and added additional text to the method for determining field of view - accommodating curved lens surfaces.

**As such, CUPE supports updating the accepted standard from CSA Z94.3-07 to CSA Z94.3 2015 for harmonization across Canada.**

## Head Protection

CUPE notes that there are changes between the old and new versions of CSA Z94.1

This edition incorporates several changes:

- Clarifying a "protected area" has been established through the specification of a test line on the head form used for impact and penetration tests, as well as technical changes to how the penetration tests are performed.
- Additional clarification of symbols and terminology (including accreditation) used on labels has been provided.

**CUPE is concerned about the removal of the UV resistance requirements and pre-conditioning procedure.** CUPE requests that either the CSA or the Government of Saskatchewan provide guidance to this issue in short order, as we know the photochemical effect of UV radiation has negative impacts on the polymer structure and therefore the performance of plastics.

**Though not perfect, CUPE supports updating the accepted standard from CSA Z94.1-05 to CSA Z94.1-15 for harmonization across Canada.**

## Foot Protection

The new edition of CSA Z195 incorporates several amendments made to the 2009 edition including:

- Provided clarification of the scope as addressing only protective boots or shoes, as opposed to temporary measures such as overshoes, ankle supports, detachable components, or accessories.
- Provided clarification of testing procedures and labeling requirements for slip-resistant footwear.
- Increased guidance and allowances for labelling for different shoe specificities, designs and performance measures.

**As such, CUPE supports updating the accepted standard from CSA Z195-09 to CSA Z195-14 for harmonization across Canada.**

## Hearing Protection

**The current edition of the accepted standard is the most recent CSA standard published. As such, CUPE has no concerns with CSA Z94.2-14 becoming the national harmonized standard.**

However, it should be noted that hearing loss continues to be one of the highest compensated affects of work. While Z94.2 is excelled for hearing protection at the worker, **CUPE encourages the Government of Saskatchewan to increase the requirements for employers who expose their workers to noise above 80 dB to institute a full hearing loss prevention plan** akin to that described in CSA Z1007.

## Personal Flotation Devices

As there is no change, CUPE has no comments regarding personal flotation devices and supports the harmonized standard.

## First Aid Kits

This is the first edition of CSA Z1220-17, First aid kits for the workplace.

This new standard establishes the minimum requirements for workplace first aid kits and is meant to be part of a series of standards on workplace first aid. The standard provides general requirements for workplace first aid kits, specifies a classification system for the kits, and sets minimum requirements for their contents based on their classification. It also provides requirements for the selection of kits based on various workplace environments, for their containers and the marking of the containers, and for ongoing kit maintenance.

**CUPE fully supports the adoption of CSA Z1220-17 as the accepted standard for harmonization across Canada.**

Finally, it should be noted that CUPE is disappointed that the national regulators have been unable to accept CSA Z1210-17 as the national harmonized standard for first aid training in the workplace.

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