

AUGUST 2023 MONTH IN REVIEW

Québec

LAWS & ANNOUNCEMENTS

Noise Hazards

Jun 16: New OHS regulations reduce the occupational daily exposure level to hazardous noise on construction sites to 85 dBA for 8 hours of work. CNESST issued new [guidance](#) to help employers protect workers from exposure to excessive noise levels in the workplace and complying with the strict new OELs.

Action Point: Use the OHSI [noise control and hearing conservation program template](#) to protect your workers from hazardous noise exposure

New Laws

Jun 28: CNESST proposed [amendments](#) to OHS mining regulations, including new requirements for training in explosives work, explosives management programs, use of mechanized equipment for purging, seismic excavations, transport of explosives and drilling distances in underground mines and drilling on shot rock in open pit mines.

Transportation Safety

Jul 3: The government proposed a 3-year [action plan](#) listing 22 measures to improve the safety of workers or roadwork sites via training, signage, traffic and restraint devices, monitoring of vehicle speeds and reducing exposure of traffic flaggers.

Action Point: Find out about the [traffic signaling and control requirements](#) across Canada

CASES

Material Handling: Relying on Worker's Experience Not Enough to Show Due Diligence

A garage mechanic lost his life when the forklift tire he was repairing exploded sending part of the rim crashing into his skull. CNESST charged the employer with failing to protect a worker performing repair work. The employer claimed due diligence contending that the victim's carelessness caused the explosion. And since the victim was an experienced tire technician, the incident was unforeseeable. But the Québec court didn't buy it. The wheel's initial assembly of the wheel wasn't done according to industry standard, in effect turning the tire into a time bomb, the court acknowledged. But the employer did nothing to ensure that the work methods were safe, other than relying on the victim's experience. Given the absence of controls, it was entirely foreseeable that an incident like this would happen [[CNESST c. 9033-5878 Quebec inc. \(Pneu Dauville\)](#), 2023 QCCQ 3842 (CanLII), June 14, 2023].

Action Point: Use the [OHSI Due Diligence Scorecard](#) to assess the adequacy of your own OHS program