Marine Occupational Safety and Health Regulations

SOR/87-183

CANADA LABOUR CODE

Marine Occupational Safety and Health Regulations

REGULATIONS MADE UNDER PART II OF THE CANADA LABOUR CODE RESPECTING OCCUPATIONAL SAFETY AND HEALTH OF EMPLOYEES EMPLOYED ON SHIPS REGISTERED IN CANADA WHILE IN OPERATION, OR ON UNCOMMISSIONED SHIPS OF HER MAJESTY IN RIGHT OF CANADA AND EMPLOYEES EMPLOYED IN THE LOADING AND UNLOADING OF SHIPS

[SOR/95-74, s. 1]

SHORT TITLE

1. These Regulations may be cited as the Marine Occupational Safety and Health Regulations. SOR/95-74, s. 2(F).

PART I
GENERAL

Interpretation

1.1 In these Regulations,

"Act" means Part II of the Canada Labour Code; (Loi)

"ANSI" means the American National Standards Institute; (ANSI)

"approved organization" means the St. John Ambulance, the Canadian Red Cross Society or the Workers' Compensation Board of British Columbia; (organisme approuvé)

"crew accommodation" means living, eating or sleeping quarters provided by an employer for the accommodation of employees on a ship; (logement de l'équipage)
"CSA" means the Canadian Standards Association; (CSA)

"dangerous substance" [Repealed, SOR/88-198, s. 1]

"electrical equipment" means equipment for the generation, distribution or use of electricity; (outillage électrique)

"elevating device" means an escalator, elevator or other device for moving passengers or freight; (appareil de levage)

"first aid certificate" means the certificate issued by or with the authority of an approved organization for successful completion of a first aid course that covers the information set out in the St. John Ambulance publication, First Aid, Safety Oriented, dated 1983; (certificat de secourisme)

"marine chemist" means a qualified person who

(a) is a graduate of a post-secondary educational institute who

(i) has successfully completed courses in chemical engineering,

(ii) has successfully completed a general course with a major in chemistry, or

(iii) has obtained a fellowship in the Chemical Institute of Canada; and

(b) has at least three years experience in chemical or engineering work after he has satisfied the requirements of paragraph (a), of which 150 working hours were spent under proper supervision in ship board work involving the testing of tank vessels and other vessels in the application of gas hazard control standards; (chimiste de la marine)

"oxygen deficient atmosphere" means an atmosphere in which there is less than 18 per cent by volume of oxygen at a pressure of one atmosphere or in which the partial pressure of oxygen is less than 135 mm Hg; (air à faible teneur en oxygène)

"protection equipment" means safety materials, equipment, devices and clothing; (équipement de protection)

"qualified person" means, in respect of a specified duty, a person who, because of his knowledge, training and experience, is qualified to perform that duty safely and properly; (personne qualifiée)

"register tonnage" means

(a) in respect of a ship that is registered in Canada, the register tonnage shown on the ship's certificate of registry, and

(b) in respect of an uncommissioned ship of Her Majesty in right of Canada and any other ship that is not registered in Canada, the register tonnage that the ship would have if it were registered in Canada; (jauge au registre)

"sanitary accommodation" means a room that contains a water closet or a urinal. (cabinet de toilette) SOR/88-198, s. 1; SOR/95-74, s. 3.

Prescription

1.2 These Regulations are prescribed for the purposes of sections 125, 125.1, 125.2 and 126 of the Act. SOR/88-198, s. 2; SOR/95-74, s. 4.
Application

1.3 These Regulations apply in respect of

(a) employees employed on ships registered in Canada;

(b) employees employed on uncommissioned ships of Her Majesty in right of Canada; and

(c) employees employed in the loading or unloading of ships. SOR/95-74, s. 5(F).

Records and Reports

1.4 Where an employer is required to keep and maintain a record, report or other document referred to in section 125 or 125.1 of the Act, the employer shall keep and maintain the record, report or other document in such a manner that it is readily available for examination by a safety officer and by the safety and health committee or the safety and health representative, if either exists, for the ship to which it applies. SOR/88-198, s. 3; SOR/95-74, s. 6.

Inconsistent Provisions

1.5 In the event of an inconsistency between any standard incorporated by reference in these Regulations and any other provision of these Regulations, that other provision of these Regulations shall prevail to the extent of the inconsistency.

1.6 Notwithstanding any provision in any standard incorporated by reference in these Regulations, a reference to another publication in that standard is a reference to the publication as it read on April 2, 1987.

PART II
TEMPORARY STRUCTURES

Interpretation

2.1 In this Part, "stage" means a working platform supported from above. (plate-forme suspendue)

Application

2.2 This Part applies to access ladders, portable ladders, gangways, stages and scaffolds.

General

2.3 No employee shall use a temporary structure on a ship where it is reasonably practicable to use a permanent structure. SOR/95-74, s. 7(F).

2.4 [Repealed, SOR/95-74, s. 8]

2.5 Tools, equipment and materials used on a temporary structure shall be arranged or secured in such a manner that they cannot be knocked off the structure accidentally. SOR/95-74, s. 9(F).

2.6 No employee shall use a temporary structure unless

(a) he has authority from his employer to use it; and
(b) he has been trained and instructed in its safe and proper use.

2.7 (1) Before a temporary structure is used by an employee, a qualified person shall make a visual inspection of it.

(2) Where an inspection made in accordance with subsection (1) reveals a defect or condition that adversely affects the structural integrity of a temporary structure, no employee shall use the temporary structure until the defect or condition is remedied.

Access Ladders and Gangways

2.8 (1) Every ship that is secured alongside a wharf or another ship shall be fitted with at least one access ladder or gangway between the ship and the wharf or other ship.

(2) Where an access ladder or gangway leads to a location on board a ship that is more than 1 m above the deck, access to the deck shall be provided by means of steps.

(3) Where a bulwark ladder is used to provide access to the deck of a ship, it shall be

(a) firmly secured to the bulwark to prevent shifting, slipping or pivoting of the bulwark ladder; and

(b) equipped with two handhold stanchions that are

(i) not less than 40 mm in diameter,

(ii) extended not less than 1.2 m above the top of the bulwark,

(iii) fitted not less than 700 mm and not more than 800 mm apart at the point of boarding or disembarking from the ship, and

(iv) firmly secured to the ship's structure at or near the base of the ladder and at a higher point.

(4) Every access ladder and gangway shall be

(a) maintained in a safe condition;

(b) suitably rigged and maintained to compensate for the movement of the ship;

(c) adequately lighted; and

(d) provided with a lifebuoy that has an attached line and is strategically placed and ready for immediate use.

(5) Where an access ladder or gangway is being used by a person to board or disembark from a ship, at least one end of the ladder or gangway shall be fastened securely and, if necessary to minimize movement of the ladder or gangway, an employee, other than an employee engaged in manoeuvring the ship, shall be stationed at the ladder or gangway to assist the person using it. SOR/95-74, s. 10.

2.9 (1) A safety net shall be fitted under every part of an access ladder or gangway except where

(a) the ladder or gangway and the approaches thereto are constructed in a manner that makes the fitting of a safety net unnecessary; or
the fitting of a safety net is not practicable.

(2) Every safety net referred to in subsection (1) shall

(a) extend on both sides of the access ladder or gangway for a distance of 1.8 m;

(b) be kept taut at all times; and

(c) meet the standards referred to in subsection 2.15(2). SOR/95-74, s. 11 (F).

2.10 Where a platform is provided at the bottom of an access ladder or gangway, the platform shall be flat and horizontal.

2.11 (1) Every Jacob's ladder shall be of sufficient length to reach the intended landing point.

(2) The means of attaching a Jacob's ladder to a ship shall be effective and maintained in a safe condition. SOR/95-74, s. 12(F).

Scaffolds

2.12 (1) The erection, use, dismantling and removal of a scaffold shall be carried out by or under the supervision of a qualified person.

(2) Where a scaffold is erected on an uneven surface, it shall be provided with base plates that maintain its stability.

(3) Every scaffold shall be capable of supporting at least four times the load that is likely to be imposed on it.

(4) Every scaffold shall

(a) have a platform that is at least 500 mm wide and securely fastened in place;

(b) have an even and horizontal working surface; and

(c) be fitted with guardrails except on the side where the work to be performed would be hindered by the guardrail.

(5) Every guardrail shall consist of

(a) a horizontal top rail not less than 900 mm and not more than 1 100 mm above the base of the guardrail;

(b) a horizontal intermediate rail spaced midway between the top rail and the base of the guardrail; and

(c) supporting posts spaced not more than 3 m apart at their centres.

(6) Every guardrail shall be designed to withstand a static load of 890 N applied in any direction at any point on the top rail. SOR/95-74, s. 13.

Stages

2.13 (1) The erection, use, dismantling and removal of a stage shall be carried out by or under the supervision of a qualified person.

(2) Every stage shall
(a) have a flat and horizontal working surface capable of supporting any load that is likely to be imposed on it;

(b) be fitted with an effective means for holding the stage away from the working area; and

(c) where the stage is to be used at a height of more than 3 m, be fitted with guard lines.

(3) The supporting structure and the ropes or tackle supporting a stage shall have a safety factor of not less than six. SOR/95-74, s. 14.

**Ladders**


(2) Subject to subsection (3), every portable ladder shall, while being used,

(a) be placed on a firm footing; and

(b) be secured in such a manner that it cannot be dislodged accidentally from its position.

(3) Every ladder, whether portable or permanently secured, shall be positioned in such a manner that it is not necessary for a person to use the underside of the ladder.

(4) Where a ladder provides access from one level to another,

(a) the ladder shall extend, where practicable, at least three rungs above the higher level; or

(b) where it is not practicable to comply with paragraph (a), handholds shall be provided.

(5) No metal or wire-bound portable ladder shall be used where there is a hazard that it may come into contact with any live electrical circuit or electrical equipment.

(6) No employee shall work from any of the three top rungs of any single or extension portable ladder or from either of the two top steps of any step ladder.

(7) No non-metallic portable ladder shall be painted. SOR/95-74, ss. 15(F), 89(F).

**Safety Nets**

**2.15 (1)** Where there is a hazard that tools, equipment or materials may fall onto or from a temporary structure, the employer shall provide a protective structure or a safety net to protect from injury any employee on or below the temporary structure.


**Housekeeping**


9/8/2005
2.16 Every platform, handrail, guardrail and work area on a temporary structure used by an employee shall be kept free of accumulations of ice and snow while the temporary structure is in use. SOR/95-74, s. 16(F).

2.17 The working surface of a temporary structure used by an employee shall, where reasonably practicable, be kept free of grease, oil or other slippery substance and of any material or object that may cause an employee to trip. SOR/95-74, s. 17(F).

PART III
ELEVATING DEVICES

Standards

3.1 (1) Every elevating device and every safety device attached thereto shall

(a) meet the standards set out in the applicable CSA standard referred to in subsection (2) in so far as is reasonably practicable; and

(b) be used, operated and maintained in accordance with the standards set out in the applicable CSA standard referred to in subsection (2).

(2) For the purposes of subsection (1), the applicable CSA standard for

(a) elevators, dumbwaiters and escalators is CSA Standard CAN/CSA-B44-M90, Safety Code for Elevators, the English version of which is dated May 1990 and the French version of which is dated December 1990, and Supplement No. 1, the English version of which is dated March 1992, other than clause 9.1.4; and

(b) manlifts is CSA Standard B311-M1979, Safety Code for Manlifts, the English version of which is dated October 1979 and the French version of which is dated July 1984 and CSA Standard B311S1-1984, the English version of which is dated June 1984 and the French version of which is dated August 1984. SOR/95-74, ss. 18, 89(F).

Use and Operation

3.2 No elevating device on a ship shall be used or operated

(a) with a load in excess of the load that it was designed and installed to move safely; or

(b) when the roll of the ship exceeds the maximum roll for the safe operation of the elevating device recommended by the manufacturer.

3.3 (1) Subject to subsection (3), no elevating device shall be used or placed in service while any safety device attached thereto is inoperative.

(2) Subject to subsection (3), no safety device attached to an elevating device shall be altered, interfered with or rendered inoperative.

(3) Subsections (1) and (2) do not apply to an elevating device or a safety device that is being inspected, tested, repaired or maintained by a qualified person. SOR/95-74, s. 19(F).

Inspection and Testing

3.4 Every elevating device and every safety device attached thereto shall be inspected and tested by a qualified person to determine that the prescribed standards are met.
before the elevating device and the safety device attached thereto are placed in service; 

(b) after an alteration to the elevating device or a safety device attached thereto; and 

(c) once every 12 months. SOR/95-74, s. 20(F). 

3.5 (1) A record of each inspection and test made in accordance with section 3.4 shall 

(a) be made and signed by the qualified person who made the inspection and test; 

(b) include the date of the inspection and test and the identification and location of the elevating device and safety device that were inspected and tested; and 

(c) set out the observations of the qualified person inspecting and testing the elevating device and safety device on the safety of the devices. 

(2) Every record referred to in subsection (1) shall be kept by the employer on the ship in which the elevating device is located for two years after the date on which it is signed in accordance with paragraph (1)(a). 

Repair and Maintenance 

3.6 Repair and maintenance of elevating devices or safety devices attached thereto shall be performed by a qualified person appointed by the employer. 

PART IV 
LEVELS OF LIGHTING 

Application 

4.1 This Part does not apply to 

(a) a ship of less than 500 tons register tonnage; 

(b) the bridge of a ship; and 

(c) the exterior deck of a ship. 

Measurement of Average Levels of Lighting 

4.2 (1) For the purposes of this Part, the average level of lighting in an area shall be determined by making four or more measurements at different places in the area 

(a) where work is performed at a level higher than the deck, at the level at which the work is performed, and 

(b) in any other case, 1 m above the deck, 

and dividing the aggregate of the results of the measurements by the number of the measurements. 

(2) Where the average level of lighting is measured in a dry provision storage room, it shall be measured when the room is empty. 

Minimum Average Levels of Lighting
4.3 The average level of lighting for a type of work or area referred to in Column I of an item of the schedule to this Part shall be not less than the average level set out in Column II of that item. SOR/95-74, s. 21(F).

Emergency Lighting Systems

4.4 (1) Every ship shall be equipped with an emergency lighting system that

(a) operates automatically in the event of a failure of the lighting system; and

(b) provides an average level of lighting of 3 dalx.

(2) Subsection (1) does not apply to

(a) the deck of a ship; and

(b) the cargo space of a ship.

Minimum Levels of Lighting

4.5 The level of lighting at any place in an area shall be not less than one third of the average level of lighting prescribed by this Part for the area.

SCHEDULE
(Section 4.3)
AVERAGE LEVELS OF LIGHTING ON SHIPS

<table>
<thead>
<tr>
<th>Column I</th>
<th>Column II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Type of Work or Area</td>
</tr>
<tr>
<td>1. Office Work</td>
<td></td>
</tr>
<tr>
<td>(a) General</td>
<td>20</td>
</tr>
<tr>
<td>(b) At the surface of desks</td>
<td>50</td>
</tr>
<tr>
<td>2. Dry Provision Storage Area</td>
<td>10</td>
</tr>
<tr>
<td>3. Workshops</td>
<td></td>
</tr>
<tr>
<td>(a) General</td>
<td>30</td>
</tr>
<tr>
<td>(b) At the bench in an area in which medium or fine bench work or machine work is performed</td>
<td>50</td>
</tr>
<tr>
<td>4. Service Space--at the head of every stairway, ladder and hatchway</td>
<td>20</td>
</tr>
<tr>
<td>5. Galleys</td>
<td></td>
</tr>
<tr>
<td>(a) General</td>
<td>30</td>
</tr>
<tr>
<td>(b) At working position</td>
<td>100</td>
</tr>
<tr>
<td>6. Crew Accommodation</td>
<td>20</td>
</tr>
<tr>
<td>7. Sanitary Accommodation</td>
<td></td>
</tr>
</tbody>
</table>

PART V
LEVELS OF SOUND

Interpretation

5.1 In this Part, "sound level meter" means an instrument for measuring levels of sound and impulse sound that meets the standards set out in ANSI Standard ANSI SI.4-1983, Specification for Sound Level Meters, dated February 17, 1983 and is referred to in that Standard as type 0, 1 or 2. (sonomètre)

Application

5.2 This Part does not apply to a ship of less than 300 tons register tonnage.

Levels of Sound

5.3 (1) Subject to subsections (2) and (3) and sections 5.4 and 5.5, the level of sound in a work place shall be less than 85 dB.

(2) Subject to subsection (3), where it is not reasonably practicable for an employer to maintain the level of sound in the work place at less than 85 dB, no employee shall be exposed in any 24 hour period

(a) to a level of sound referred to in Column I of an item of the schedule to this Part for a number of hours exceeding the number set out in Column II of that item; or

(b) to a number of different levels of sound referred to in Column I of an item of the schedule to this Part, where the sum of the following quotients exceeds one:

(i) the number of hours of exposure to each level of sound divided by

(ii) the maximum number of hours of exposure per 24 hour period set out in Column II of that item.
(3) Where it is not reasonably practicable for an employer to maintain the exposure of an employee to a level of sound at or below the levels referred to in subsection (1) or (2), the employer shall

(a) make a report in writing to the regional safety officer at the nearest regional ship safety office of the Canadian Coast Guard setting out the reasons why the exposure cannot be so maintained; and

(b) provide every employee entering the work place with a hearing protector that

(i) meets the standards set out in CSA Standard Z94.2-M1984, Hearing Protectors, the English version of which is dated June, 1984 and the French version of which is dated February, 1985; and

(ii) reduces the level of sound reaching the employee’s ears to less than 85 dB. SOR/95-74, s. 89(F).

5.4 No employee shall be exposed to a level of sound in crew accommodation that exceeds 75 dB.

5.5 Where the level of impulse sound in a work place exceeds 140 dB, the employer shall provide every employee entering the work place with a hearing protector that

(a) meets the standards set out in CSA Standard Z94.2-M1984, Hearing Protectors, the English version of which is dated June, 1984 and the French version of which is dated February, 1985; and

(b) reduces the peak level of impulse sound reaching the employee’s ears to 140 dB or less. SOR/95-74, s. 89(F).

Sound Level Measurement

5.6 The levels of sound referred to in sections 5.3 and 5.4 shall be measured by using the slow exponential-time-averaging characteristic and the A-weighting characteristic of a sound level meter.

5.7 The level of impulse sound referred to in section 5.5 shall be measured by using the impulse exponential-time-averaging characteristic of a sound level meter.

Warning Signs

5.8 In a work place where the level of sound is 85 dB or more or where the peak level of impulse sound exceeds 140 dB, the employer shall post signs warning persons entering the work place

(a) that there is a hazardous level of sound or impulse sound in the work place;

(b) if applicable, of the maximum number of hours of exposure determined under subsection 5.3(2); and

(c) if applicable, of the requirement to wear a hearing protector.

SCHEDULE
(Subsection 5.3(2))
MAXIMUM EXPOSURE TO LEVELS OF SOUND AT WORK PLACE
PART VI

ELECTRICAL SAFETY

Interpretation

6.1 In this Part, "control device" means a device that will safely disconnect electrical equipment from its source of energy. (*dispositif de commande*)

Safety Procedures

6.2 (1) All testing or work performed on electrical equipment shall be performed by a qualified person or an employee under the direct supervision of a qualified person.

(2) Where there is a possibility that the qualified person or the employee referred to in subsection (1) may receive a hazardous electrical shock during the performance of his testing or work,

(a) the qualified person or the employee shall use such insulated protection equipment and tools as will protect him from injury; and

(b) the employee shall be instructed and trained in the use of the insulated protection equipment and tools.

6.3 (1) Where electrical equipment is live or may become live, no employee shall work on the equipment unless

(a) the employer has instructed the employee in procedures that are safe for work on live conductors;

(b) a safety ground is connected to the equipment; or

(c) the equipment is isolated.

(2) Subject to subsection (3), where an employee is working on or near electrical equipment that is live or may become live, the electrical equipment shall be guarded.

<table>
<thead>
<tr>
<th>Column I</th>
<th>Column II</th>
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<tbody>
<tr>
<td>Maximum Number of Hours of Exposure per Employee</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Levels of Sound in dB per 24 hour period</td>
</tr>
<tr>
<td>1. 85 or more but not more than 90</td>
<td>8</td>
</tr>
<tr>
<td>2. more than 90 but not more than 92</td>
<td>6</td>
</tr>
<tr>
<td>3. more than 92 but not more than 95</td>
<td>4</td>
</tr>
<tr>
<td>4. more than 95 but not more than 97</td>
<td>3</td>
</tr>
<tr>
<td>5. more than 97 but not more than 100</td>
<td>2</td>
</tr>
<tr>
<td>6. more than 100 but not more than 102</td>
<td>1.5</td>
</tr>
<tr>
<td>7. more than 102 but not more than 105</td>
<td>1</td>
</tr>
<tr>
<td>8. more than 105 but not more than 110</td>
<td>0.5</td>
</tr>
<tr>
<td>9. more than 110 but not more than 115</td>
<td>0.25</td>
</tr>
<tr>
<td>10. more than 115</td>
<td>0</td>
</tr>
</tbody>
</table>

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(3) Where it is not practicable for electrical equipment referred to in subsection (2) to be guarded, the employer shall take measures to protect the employee from injury by insulating the equipment from the employee or the employee from ground. SOR/95-74, s. 22(F).

**Safety Watcher**

6.4 (1) Where an employee is working on or near live electrical equipment and, because of the nature of the work or the condition or location of the workplace, it is necessary for the safety of the employee that the work be observed by a person not engaged in the work, the employer shall appoint a safety watcher

(a) to warn all employees in the workplace of the hazard; and

(b) to ensure that all safety precautions and procedures are complied with.

(2) A safety watcher shall be

(a) informed of his duties as a safety watcher and of the hazard involved in the work;

(b) trained and instructed in the procedures to follow in the event of an emergency;

(c) authorized to stop immediately any part of the work that he considers dangerous; and

(d) free of any other duties that might interfere with his duties as a safety watcher.

(3) For the purposes of subsection (1), an employer may appoint himself as a safety watcher. SOR/95-74, s. 23(F).

**Coordination of Work**

6.5 Where an employee is working on or in connection with electrical equipment, that employee and every other person who is so working, including every safety watcher, shall be fully informed by the employer with respect to the safe coordination of their work. SOR/95-74, s. 24.

**Switches and Control Devices**

6.6 (1) Every control device shall be so designed and located as to permit quick and safe operation at all times.

(2) The path of access to every electrical switch, control device or meter shall be free from obstruction.

(3) Where an electrical switch or other control device controlling the supply of electrical energy to electrical equipment is operated only by a person authorized to do so by the employer, the switch or control device shall be fitted with a locking device that only the authorized person can activate.

(4) Control switches for all electrically operated machinery shall be clearly marked to indicate the switch positions. SOR/95-74, s. 25(F).

**Defective Electrical Equipment**

6.7 Defective electrical equipment shall be disconnected from its power source by a means other than the control switch and notices shall be placed on the equipment and at the control switch to indicate that the equipment is
Electrical Fuses

6.8 (1) Electrical fuses shall be of the correct ampere rating and fault capacity rating for the circuit in which they are installed.

(2) No employee shall replace missing or burnt-out fuses unless authorized to do so by a qualified person.

Power Supply Cables

6.9 (1) Power supply cables for portable electrical equipment shall be placed clear of areas used for vehicles unless the cables are protected by guards.

(2) A three wire power supply cable on electrical equipment or appliances shall not be altered or changed for the purpose of using the equipment or appliances on a two wire power supply.

Grounded Electrical Equipment

6.10 Grounded electrical equipment and appliances shall be used only when connected to a matching grounded electrical outlet receptacle.

PART VII
SANITATION

Interpretation

7.1 In this Part,

"ARI" means the Air-Conditioning and Refrigeration Institute of the United States; (ARI)

"day ship" means a ship on board which employees are not required to sleep; (navire de jour)

"personal service room" means a change room, sanitary accommodation, shower room, dining area, crew accommodation or a combination thereof. (local réservé aux soins personnels)

General

7.2 (1) Every employer shall maintain each personal service room and galley used by employees in a clean and sanitary condition.

(2) Where a ship is at sea, an inspection shall be made once a week of

(a) the supplies of food and water on the ship;

(b) all spaces and equipment used for the storage and handling of food; and

(c) the galley and equipment used for the preparation and service of food.

(3) A record of each inspection made in accordance with subsection (2) shall be kept by the employer on the ship to which it applies for a period of two years after the inspection is made. SOR/95-74, s. 26(F).

7.3 Personal service rooms and food preparation areas shall be so used by
employees that the rooms or areas remain as clean and in as sanitary a condition as is possible.

7.4 All cleaning and sweeping that may cause dusty or unsanitary conditions shall be carried out in a manner that will prevent the contamination of the air by dust or other substances injurious to health.

7.5 Each personal service room shall be cleaned at least once every day that it is used.

7.6 Where an interior deck on a ship is normally wet and employees on the ship do not use non-slip waterproof footwear, the deck shall be covered with a dry false floor or platform or treated with a non-slip material or substance.

7.7 Each container that is used for solid or liquid waste in the work place shall

(a) be equipped with a tight-fitting cover;

(b) be so constructed that it can easily be cleaned and maintained in a sanitary condition;

(c) be leak-proof; and

(d) where there may be internal pressure in the container, be so designed that the pressure is relieved by controlled ventilation.

7.8 (1) Each enclosed part of a work place, each personal service room and each galley shall be constructed, equipped and maintained in a manner that will prevent the entrance of vermin.

(2) Where vermin have entered any enclosed part of a work place, personal service room or galley, the employer shall immediately take all steps necessary to eliminate the vermin and prevent the re-entry of the vermin.

7.9 No person shall use a personal service room for the purpose of storing equipment unless a closet fitted with a door is provided in that room for that purpose.

7.10 In each personal service room and galley, the temperature, measured one metre above the deck in the centre of the room or galley, shall be maintained at a level of not less than 18°C and, where reasonably practicable, not more than 29°C. SOR/95-74, s. 27(F).

7.11 (1) In each personal service room and galley, the decks, partitions and bulkheads shall be so constructed that they can be easily washed and maintained in a sanitary condition.

(2) The deck and lower 150 mm of any partition or bulkhead that is in contact with the deck in a galley or sanitary accommodation shall be water-tight and impervious to moisture. SOR/95-74, s. 28.

_Sanitary Accommodation_

7.12 Every ship, other than a day ship, shall be provided with at least one water closet.

7.13 (1) Where separate sanitary accommodations are provided for employees of each sex, each sanitary accommodation shall be equipped with a door that is self-closing and is clearly marked to indicate the sex of the employees for whom the sanitary accommodation is provided.

(2) Where male and female employees use the same sanitary
accommodation, the door of the sanitary accommodation shall be fitted with an inside locking device.

7.14 A sanitary accommodation shall be located

(a) not more than one deck above or below each work place; and

(b) except in the case of a day ship, close to the sleeping quarters of the employee for whom the sanitary accommodation is provided.

7.15 (1) Subject to subsection (2), every sanitary accommodation shall be so designed that

(a) it is completely enclosed by bulkheads that are non-transparent from the outside;

(b) there is no direct access into the sanitary accommodation from a sleeping room, dining area or galley;

(c) where reasonably practicable, there is a direct access into the sanitary accommodation from a passageway; and

(d) if it contains more than one water closet, each water closet is enclosed in a separate compartment fitted with a door and an inside locking device.

(2) Where a sanitary accommodation is provided as part of private crew accommodation, there may be direct access thereto from the sleeping quarters for which the sanitary accommodation is provided. SOR/95-74, s. 29(F).

7.16 Toilet paper on a holder or in a dispenser shall be provided

(a) where there is only one water closet in a sanitary accommodation, in that sanitary accommodation; and

(b) in each water closet compartment.

7.17 Every water closet on a ship shall have

(a) a bowl of vitreous china or other suitable material;

(b) a hinged seat;

(c) a trap constructed in such a manner that it is easily cleaned;

(d) an adequate flush of water; and

(e) a soil pipe of adequate size that is constructed in a manner that

(i) facilitates cleaning, and

(ii) minimizes the risk of obstruction.

7.18 In every sanitary accommodation, the employer shall provide

(a) soap or other cleaning agent at each washbasin or between adjoining washbasins;

(b) sufficient sanitary hand drying facilities to serve the number of employees using the sanitary accommodation; and

(c) a non-combustible container for the disposal of used towels where towels are provided.
Wash Basins

7.19 Every ship shall be equipped with at least one washbasin.

7.20 (1) Subject to subsection (3), every employer shall provide for each sanitary accommodation washbasins supplied through taps with hot and cold water as follows:

(a) where the room contains one or two water closets or urinals, one washbasin; and

(b) where the room contains more than two water closets or urinals, one washbasin plus one washbasin for every two water closets or urinals.

(2) Every tap referred to in subsection (1) shall be clearly marked to indicate whether the water supply is hot or cold.

(3) On day ships, hot water need not be supplied to washbasins through taps. SOR/95-74, s. 30(E).

7.21 Every washbasin on a ship shall be made of vitreous china, vitreous enamelled iron or other material having a smooth and impervious surface that is not likely to crack, flake or become corroded.

7.22 Where the health of employees working in a work place is likely to be endangered by skin contact with a hazardous substance, the employer shall provide a wash area with washbasins supplied with hot and cold water. SOR/88-198, s. 15.

Showers

7.23 (1) A shower for every 10 employees or portion of that number shall be provided on every ship other than a day ship.

(2) Every shower shall be provided with

(a) hot and cold water; and

(b) soap or other cleaning agent.

(3) Where duck-boards are used in showers, they shall not be made of wood.

Water

7.24 (1) Every employer shall provide employees with potable water for drinking and food preparation that meets the standards set out in the Guidelines for Canadian Drinking Water Quality, 1978, as amended in March 1990, published under the authority of the Minister of National Health and Welfare.

(2) Potable water for drinking shall be available at all times for the use of employees. SOR/95-74, s. 31.

7.25 (1) Every ship of 300 tons register tonnage or more that is not a day ship shall be capable of providing a supply of water that is available for all washbasins, bathtubs and showers and is sufficient to provide at least 68 L of water for each employee on the ship for each day he spends on the ship.

(2) Where a ship is a day ship, the supply of water shall be sufficient to provide at least 22.7 L of water for each employee on the ship for each day the
employee spends on the ship. SOR/95-74, s. 32(E).

**7.26** Where it is necessary to transport water for drinking, personal washing or food preparation, only sanitary portable water containers shall be used.

**7.27** Where a portable storage container for drinking water is used,

(a) the container shall be securely covered and closed;

(b) the container shall be used only for the purpose of storing potable water;

(c) the container shall not be stored in a sanitary accommodation; and

(d) the water shall be drawn from the container by

   (i) a tap,

   (ii) a ladle used only for the purpose of drawing water from the container, or

   (iii) any other means that precludes the contamination of the water. SOR/95-74, s. 33(F).

**7.28** Except where drinking water is supplied by a drinking fountain, sanitary single-use drinking cups shall be provided.

**7.29** Any ice that is added to drinking water or used for the contact refrigeration of foodstuffs shall be

(a) made from potable water; and

(b) so stored and handled as to prevent contamination.

**7.30** Where drinking water is supplied by a drinking fountain, the fountain shall meet the standards set out in ARI Standard 1010-82, Standard for Drinking-Fountains and Self-Contained, Mechanically-Refrigerated Drinking-Water Coolers, dated 1982.

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*Preparation, Handling, Storage and Serving of Food*

**7.31 (1)** Each food handler shall be instructed and trained in food handling practices that prevent the contamination of food.

(2) No person who is suffering from a communicable disease shall work as a food handler.

**7.32** Where food is served in a work place, the employer shall adopt and implement Section G of the Sanitation Code for Canada's Foodservice Industry, published by the Canadian Restaurant and Foodservices Association and dated September, 1984, other than items 2 and 11 thereof.

**7.33 (1)** Foods that require refrigeration to prevent them from becoming hazardous to health shall be maintained at a temperature of 4° C or lower.

(2) Foods that require freezing to prevent them from becoming hazardous to health shall be maintained at a temperature of -11° C or lower.

**7.34** All equipment and utensils that come into contact with food shall be

(a) designed to be easily cleaned;

(b) smooth, free from cracks, crevices, pitting or unnecessary indentations;
and
(c) cleaned and stored to maintain their surfaces in a sanitary condition.

7.35 No person shall eat, prepare or store food in
(a) a place where a hazardous substance may contaminate food, dishes or utensils;
(b) a personal service room that contains a water closet, urinal or shower; or
(c) any other place where food is likely to be contaminated. SOR/88-198, s. 15.

Food Waste and Garbage

7.36 (1) No food waste or garbage shall be stored in a galley.

(2) Food waste and garbage shall be handled and removed from a galley or dining area in accordance with subsections (3) and (4).

(3) Garbage shall be held in leak-proof, non-absorptive, easily-cleaned containers with tight-fitting covers.

(4) Dry food waste and garbage shall be removed or incinerated.

(5) Food waste and garbage containers shall be kept covered and the food waste and garbage removed as frequently as is necessary to prevent unsanitary conditions.

(6) Food waste and garbage containers shall, each time they are emptied, be cleansed and disinfected in an area separate from the galley. SOR/95-74, s. 34(F).

Galleys and Dining Areas

7.37 Every dining area provided by the employer shall be
(a) of sufficient size to allow individual seating and table space for each employee using the area;
(b) provided with non-combustible covered receptacles for the disposal of food waste or garbage; and
(c) separated from any place where a hazardous substance may contaminate food, dishes or utensils. SOR/88-198, s. 15.

7.38 Where no galley is provided on a day ship and any employee is required to eat on board, a hot plate or range, a refrigerator or cooler and dishwashing facilities shall be provided on board.

Crew Accommodation

7.39 In each crew accommodation,
(a) a separate bed or bunk that is not part of a unit that is more than double-tiered and is so constructed that it can be easily cleaned and disinfected shall be provided for each employee;
(b) mattresses, pillows, sheets, pillow cases, blankets and bed covers shall be kept in a clean and sanitary condition; and
(c) at least one shelf and a locker fitted with a locking device shall be provided for each employee.