

ONTARIO regulation made under the
Occupational Health and Safety Act

Amending Reg. 851 of R.R.O. 1990
(Industrial Establishments)

Note: Regulation 851 has previously been amended. Those amendments are listed in the Table of Regulations published in The Ontario Gazette dated January 20, 2001.

1. Sections 104, 105 and 106 of Regulation 851 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

104. (1) Sections 105 to 106.2 apply to employers who undertake logging operations.

(2) In sections 105 to 106.2,

“registered” means registered with the Ministry of Training, Colleges and Universities in order to complete a training program referred to in subsection 105 (1).

105. (1) Every employer shall establish and maintain the following training programs, approved by the Ministry of Training, Colleges and Universities:

1. For cutters and skidder operators,

i. Cutter-Skidder Operator (Program # P750000),

ii. Cutter (Program # P750010), and

iii. Skidder Operator (Program # P750020).

2. For mechanical harvesting equipment operators, Mechanical Harvesting Equipment Operator – Common Core (Program # P750025) and,

i. Feller Buncher Operator (Program # P750035),

ii. Cut to Length Processor Operator (Program # P750045),

iii. Grapple Skidder Operator (Program # P750055),

iv. Forwarder/Transporter Operator (Program # P750065),

v. Delimber Operator (Program # P750075),

vi. Slasher Operator (Program # P750085),

vii. Chipper Operator (Program # P750095).

(2) A document issued by the Ministry of Training, Colleges and Universities, showing that a worker is registered for a training program referred to in subsection (1) or has successfully completed it, is conclusive proof, for the purposes of sections 106, 106.1 and 106.2, of the worker being registered for the program or of his or her successful completion of the program, as the case may be.

(3) In accordance with the Agreement on Internal Trade, 1995 and the Protocols of Amendment, a worker shall be deemed to hold a document showing successful completion referred to in subsection (2) if he or she has successfully completed equivalent training in another province or territory of Canada, as determined by the Director.

106. (1) The employer shall ensure that,

(a) every cutter has successfully completed Cutter-Skidder Operator (Program #P750000) or Cutter (Program #P750010); and

(b) every skidder operator has successfully completed Cutter-Skidder Operator (Program #P750000) or Skidder Operator (Program #P750020).

(2) The employer shall ensure that every cutter or skidder operator who has not successfully completed the training required under subsection (1) is registered for the appropriate program before performing work to which the program relates.

(3) Despite subsection (2), the employer shall ensure that every worker employed to work as a cutter or as a skidder operator on May 31, 2002 who has not successfully completed the training required under subsection (1) is registered for the appropriate program by June 3, 2002.

(4) The employer shall ensure that every worker who is registered under subsection (2) or (3) successfully completes the appropriate program within one year after being registered.

106.1 (1) The employer shall ensure that every worker who operates mechanical harvesting equipment has successfully completed the appropriate program referred to in subparagraphs 2 i. to vii. of subsection 105 (1).

(2) The employer shall ensure that every worker who operates mechanical harvesting equipment and has not successfully completed the training required under subsection (1) is registered for the appropriate program before performing work to which the program relates.

(3) Despite subsection (2), the employer shall ensure that every worker employed to operate mechanical harvesting equipment on May 31, 2002 who has not successfully completed the training required under subsection (1) is registered for the appropriate program by June 3, 2002.

(4) The employer shall ensure that every worker who is registered under subsection (2) or (3) successfully completes the appropriate program within one year after being registered.

106.2 (1) The employer shall ensure that every worker who supervises the operation of mechanical harvesting equipment has successfully completed Mechanical Harvesting Equipment Operator – Common Core (Program # P750025) before performing supervisory work relating to mechanical harvesting equipment.

(2) Despite subsection (1), the employer shall ensure that every worker employed to supervise the operation of mechanical harvesting equipment on May 31, 2002 who has not successfully completed the training required under subsection (1) successfully completes the program no later than December 31, 2002.

Commencement

2. This Regulation comes into force on June 1, 2002.