Qualified Person: Competence and Selection per OHS Regulations

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1- Introduction

Most occupational health and safety jurisdictions require certain work processes or activities to be undertaken by a qualified or competent person. The competencies required of qualified person may vary depending on the scope of the work and applicable regulations. This article is prepared to provide an overview of the definition and role of qualified person, competency requirements and applicable regulations per Occupational Health and Safety Regulations set by WorkSafeBC.

2- Qualified or Competent Person

Within the context of occupational health and safety regulations, employers are responsible to select qualified or competent persons to undertake certain work processes and activities. Generally, a person with relevant work experience, education and training is considered qualified or competent. The Occupational Health and Safety Regulations set by WorkSafeBC, defines "qualified" as *being knowledgeable of the work, the hazards involved and the means to control the hazards, by reason of education, training, experience or a combination thereof* (OHS Regulation 1:1). Per Ontario's Occupational Health and Safety Act, R.S.O. 1990, c. O.1, *"competent person" means a person who, (a) is qualified because of knowledge, training and experience to organize the work and its performance, (b) is familiar with this Act and the regulations that apply to the work, and (c) has knowledge of any potential or actual danger to health or safety in the workplace; ("personne compétente") (Definitions 1(1)).*

Similarly, the Occupational Health and Safety Administration (OSHA) defines a competent person as "*one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them*." [29 CFR 1926.32(f)]. Per Health and Safey Executive (HSE), a competent person is someone who has the necessary knowledge, skills and experience to help an employer meet the requirements of health and safety law.

Some examples of work processes that must be conducted by a qualified person, based on the OHS Regulations of BC, include:

- Risk assessment for an exposure control plan (OHSR 6.34(1)),
- Preparing hazard assessment and written confined space entry procedures (OHSR 9.11(a))
- Completing a risk assessment for a work activity that may expose workers to traffic (OHSR 18.3.1(1))

3- Applicable Regulations and Standards

It is necessary to refer to the applicable **regulations** or **standards** to identify the work processes or activities that need to be performed by a qualified or competent person.

For instance, if you are an employer operating in BC and your workers need to use fall protection systems during the course of their work, provincial *OHS Regulation Part 11: Fall Protection* would be applicable. Per section *11.9 Inspection and maintenance*, equipment used in a fall protection system must be inspected by a qualified person before use on each workshift.

In another example, engaging in a work activity or a silica process that may expose workers to RCS dust must not be permitted by an employer, unless a risk assessment has first been completed by a qualified person per section 6.112(2) of the OHS Regulations. In addition, if the risk assessment indicates that a worker is or may be exposed to RCS dust, the employer must ensure that an exposure control plan is developed by a qualified person per 6.112.1(1). For reference RCS dust can be any of the following: (a) respirable crystalline silica; (b) respirable α-quartz; (c) respirable cristobalite (6.110).

4- Selection and Competency Requirements

Employers are expected to exercise due diligence in the selection of a qualified person. Usually a combination of experience, education and training in relation to the work process and hazards must be considered. In most cases, education and training alone without relevant experience is not sufficient as evidence of qualification and vice versa. The competencies required of a qualified person are sometimes outlined in the relevant regulations, guidelines or standards.

4-1 Example 1: Qualified Person for Confined Space

One example is the competencies required of a qualified person for preparing hazard assessment and written procedures for confined space entry. Per OHSR 9.11(1), *the hazard assessment and written confined space entry procedures must be prepared by a qualified person who has adequate training and experience in the recognition, evaluation and control of confined space hazards*. Section 9.11(2)(a) describes *qualifications to be acceptable as evidence of adequate training and experience* to be CIH, ROH, CSP, CRSP or P. Eng. *provided that the holders of these qualifications have* ***experience in the practice of occupational hygiene as it relates to confined space entry.***

Per Section 9.11(2)(c), *other combination of education, training and experience acceptable to the Board,* can be considered. The relevant guideline G9.11 Confined spaces - Qualified persons outlines *factors that employers should evaluate in determining whether a person selected to undertake the confined space hazard assessment and entry procedures under 9.11(2)(c) is qualified* as follows:

- *Specific* ***education and training*** *the person has received, and relevance to the* ***industry or type of space*** *the person will encounter*

- *Extent of **experience** with confined space entry relevant to the **industry and type of space** the person will encounter*
- *Experience with specific elements or tasks related to confined space entry, such as:*
    - *lockout and isolation*
    - *air monitoring*
    - *ventilation*
    - *use of lifeline, harness and lifting equipment*
    - *the use of personal protective equipment*
    - *participation in rescue drills*
    - *previous assessments conducted and procedures written.*
- *Proficiency with applying exposure limits*

The obligation of the employer to exercise due diligence is especially necessary if the person engaged in the activity does not hold any of the credentials specified under section 9.11(2)(a).

4-2 Example 2: Qualified Person for Asbestos

Another example is the competence necessary for a qualified person in relation to Part 6 asbestos of the regulation. In order to develop asbestos inventory, perform risk assessments and classifications, or developing asbestos removal procedures, *a qualified person must have the **appropriate knowledge (through education and training) and experience in the management and control of asbestos hazards** (G6.1-1)*. Acceptable credentials include CIH, ROH, CSP, CRSP or P. Eng. provided that the person holding these qualifications, has ***experience in the recognition, evaluation, and control of asbestos hazards.***

A combination of experience and education/training may also be considered, while *education and training, without extensive related experience, is not sufficient.* This includes *extensive occupational health and safety experience within the asbestos abatement industry*, in relation to *performing risk assessments, conducting inventories, and writing procedures for asbestos removal* as well as *knowledge obtained through completion of education and training courses in asbestos consultation and abatement*. *Experience with specific elements or tasks related to asbestos abatement,* may include the following:

- *Asbestos hazard identification and risk assessment*
- *Preparation of asbestos work procedures*
- *Collection of samples of materials suspected of containing asbestos*
- *Collection of air samples during asbestos abatement projects*
- *Preparation of inspection reports*
- *Conduction of workplace inspections*

4-3 Example 3: Qualified Person for Inspection of Fall Protection

In some cases, the definition or competencies required of a qualified person are outlined in the instructions of **applicable standards**. One example is the ANSI Z359.2 standard which specifies inspections of fall protection systems by an authorized person prior to use and at least annually by a qualified or competent person in accordance with the manufacturer's or a qualified person's instructions. ANSI Z359.2 defines a Qualified Person as, *"A person with a recognized degree or professional certificate and with extensive knowledge, training, and experience in the fall protection and rescue field who is capable of designing, analyzing, evaluating and specifying fall protection and rescue systems to the extent required by this standard."*

Similarly, based on CSA Z.259.17 standard, competent person training for *qualifying selected personnel* to perform specified roles in the fall protection program should be completed. Example roles include inspection, maintenance, training, and rescue training as a requirement under C.2.1 general elements of fall-protection training. According to the CSA standard, completion of such training is necessary as a competency requirement for a qualified person.

5- Resourcing

In selection of a qualified person, preference may be given to internal resources while exercising due diligence to ensure they have the appropriate level of competence. Otherwise, you may seek help from outside resources.

Typically, the qualified person must be selected prior to workers being engaged in work activities. One example is the risk assessment that must be conducted by a qualified person *prior to engaging workers in a work activity or lead process that may expose workers to lead dust, fumes or mist* per section 6.59.1(2). Other examples are hazard assessment and entry procedures for a confined space entry which must be prepared by a qualified person prior to entry and work inside a confined space or completing a risk assessment before engaging workers in a work activity or a silica process that may expose them to RCS dust.

6- References to Qualified Person in the OHS Regulations

The following table is prepared based on Occupational Health and Safety Regulation by WorkSafeBC, using a keyword search for the term "qualified". It also includes references to qualified worker(s), qualified supervisor, qualified coordinator, qualified arborist and other cases which may relate to a specialty trade or a specific part of the regulation. This table is provided as a reference guide only and does not substitute reference to the OHS Regulations or Guidelines.

Table of References to Qualified Person or Qualified Worker/Supervisor/Coordinator etc. per Occupational Health and Safety Regulation by WorkSafeBC.

Part 3: Rights and Responsibilities	
3.11 Emergency circumstances	If emergency action is required to correct a condition which constitutes an immediate threat to workers only those qualified and properly instructed workers necessary to correct the unsafe condition may be exposed to the hazard…
Part 4: General Conditions	
4.1.1 Avalanche risk assessment and safety plan	The avalanche risk assessment must be conducted by a qualified person. 4.1.1(3)
	The avalanche safety plan must be developed by a qualified person 4.1.1(5)
	… review the avalanche risk assessment and the avalanche safety plan 4.1.1(8)(a) … and make changes …as considered necessary… 4.1.1(8)(b)
4.1.2 Avalanche risk assessment and safety plan exception	…written safe work procedures …to minimize the risks associated with an avalanche 4.1.2(4)
4.6 Reassembly	If machinery, equipment or a structure is dismantled in whole or in part, and subsequently re-assembled, it must be checked by a qualified person and determined to be safe before operation or use. 4.6
4.16 Training	Workers assigned to firefighting duties in their workplace must be given adequate training, by a qualified instructor… 4.16
4.22.1 Late night retail safety procedures and requirements	By the end of the first year of the implementation of a violence prevention program and by the end of every second year after that first year, the employer must receive a security audit report, in writing, from an independent qualified person confirming that the program meets all of the requirements under subsection (2.1).4.22.1(2.2)
4.43.1 Storage racks	… installation and uninstallation of the storage rack 4.43.1(4)
	… inspection of the storage rack 4.43.1(8)
SCHEDULE 4–A on section 4.58 Installation and use requirements 5	…. inspection of rope rail and the guardrail system… before the system is relied on as the fall protection system for the work area. SCHEDULE 4–A on section 4.58 Installation and use requirements 5(4)(a)
	The qualified person is satisfied that the installation conforms to the written instructions of the professional engineer SCHEDULE 4–A on section 4.58 Installation and use requirements 5(4)(b)
	The qualified person provides the employer with a written record of the inspection that states that the guardrail system is properly installed SCHEDULE 4–A on section 4.58 Installation and use requirements 5(4)(c)
	… inspection of rope rail and the guardrail system at the start of each work shift, SCHEDULE 4–A on section 4.58 Installation and use requirements 5(5)
Part 5: Chemical Agents and Biological Agents	
5.31 Flammable gas or vapour	In a life-threatening emergency only, exposure of emergency response workers is permitted above 20% of the LEL, provided that only those qualified and properly trained and equipped workers necessary to correct

	the unsafe condition are exposed to the hazard… 5.31(d)
Part 6: Substance Specific Requirements	
6.4 Inventory	… collects representative samples of suspect asbestos containing materials in the workplace 6.4(1)(a)
	…. Determines that the material that is inaccessible or not practicable to sample is not asbestos containing 6.4.(2)
6.6 Assessment and classification	Conducting risk assessment on asbestos-containing material identified in the inventory with due regard for the condition of the material, its friability, accessibility and likelihood of damage, and the potential for fibre release and exposure of workers 6.6(1)
	Conducting risk assessment before any demolition, alteration, or repair of machinery, equipment, or structures where asbestos-containing material may be disturbed. 6.6.(2)
	Before a work activity that involves working with or in proximity to asbestos containing material begins the employer must ensure that a qualified person assesses the work activity and classifies it as a low risk work activity, a moderate risk work activity or a high risk work activity. 6.6(3)
6.27 Waste Removal	Before any work involving asbestos takes place, … set out written procedures for the safe removal of asbestos dust and debris from the work area 6.27(1)
	… every worker who is engaged in asbestos dust and debris removal at the work area is adequately instructed and trained in the written procedures of the qualified person 6.27(3)
6.34 Exposure control plan	… a risk assessment conducted by a qualified person to determine if there is potential for occupational exposure by any route of transmission 6.34(1)(a)
6.45 Risk assessment	… prepares a written risk assessment for the hazardous drugs identified in the list developed under section 6.44. 6.45(1)
	… review and update the risk assessment if necessary 6.45(3)
6.46 Exposure control plan	…. develops an exposure control plan (for hazardous drugs) 6.46(1)(a)
6.46.1 Work Procedures	… prepares written work procedures required to be incorporated into an exposure control plan (for hazardous drugs) 6.46.1(1)
6.59.1 Risk assessment	An employer must not permit workers to engage in a work activity or lead process that may expose workers to lead dust, fumes or mist unless a risk assessment has first been completed by a qualified person. 6.59.1(2)
	qualified person may rely on existing monitoring data for the purpose of assessing control measures under subsection (3) (d) only if it is reasonable to do so … 6.59.1(4)
	… review of risk assessment (for a lead work activity or process) 6.59.1(5)
6.60 Exposure control plan	… develop an exposure control plan if a risk assessment indicates that a worker is or may be exposed to lead dust, fumes or mist 6.60(1))
6.61.1 Exceptions to air monitoring requirement	… determining that existing control measures are effective in keeping worker exposure as low as reasonably achievable below the exposure limit

	to remove the requirement to monitor the concentration of airborne lead 6.61.1(2)
6.90 Authorization to enter before restricted entry interval expires	If an employer authorizes a worker to enter a treated area before the restricted entry interval expires, the employer must ensure… that hazards to the worker have been assessed by a qualified person 6.90(2)(b)
	…The area (treated with pesticides) … is evaluated by a qualified person and declared safe to enter … 6.90(2)(c)(ii)
6.91 Exemptions	Determining workers are not at risk of exposure during application of pesticides (6.91(2)(ii))
	(A) determines, before application of pesticides, that persons occupying the treated area are not at risk of exposure, (B) notifies persons occupying the treated area, before application, of any entry precautions applicable to the application, and (C) inspects the treated area after application to confirm compliance with this subsection. (6.91(2)(iv))
6.112 Risk Assessment	An employer must not permit workers to engage in a work activity or a silica process that may expose workers to RCS dust unless a risk assessment has first been completed by a qualified person 6.112(2)
	A qualified person may rely on existing monitoring data (for RCS dust) for the purpose of assessing control measures under subsection (3) only if it is reasonable to do so… 6.112(4)
	… review risk assessment (for RCS dust)… 6.112(5)
6.112.1 Exposure control plan	… develops an exposure control plan, … if a risk assessment indicates that a worker is or may be exposed to RCS dust…. 6.112.1(1)(a)
6.112.4 Exceptions to monitoring requirement	Despite section 6.112.3, an employer is not required to monitor the exposure of workers to RCS dust if a qualified person determines that existing control measures are effective in keeping worker exposure as low as reasonably achievable below the exposure limit… 6.112.4(2)(a)
Part 8: Personal Protective Clothing and Equipment	
8.45 Maintenance and inspections	Service and repair of self-contained breathing apparatus, including regulators 8.45
Part 9: Confined Spaces	
9.1 Definitions	"low hazard atmosphere" means an atmosphere which is shown by pre-entry testing or otherwise known to contain clean respirable air immediately prior to entry to a confined space and which is not likely to change during the work activity, as determined by a qualified person after consideration of the design, construction and use of the confined space, the work activities to be performed, and all engineering controls required by this Regulation 9.1
9.11 Qualifications	The hazard assessment and written confined space entry procedures must be prepared by a qualified person… 9.11(1)(a)
9.26 Procedures and equipment	Each confined space test must be carried out by a qualified person who has training and experience to calibrate, operate and monitor testing equipment and interpret readings from the testing equipment. 9.26(2)

9.41 Rescue procedures	Rescue or evacuation from a confined space must be directed by a supervisor who is adequately trained in such procedures or a qualified rescue person 9.41
Part 10: De-energization and Lockout	
10.9 Group lockout procedure	In a group lockout procedure 2 qualified workers must be responsible for (a) independently locking out the energy isolating devices, (b) securing the keys for the locks used under paragraph (a) with personal locks or other positive sealing devices acceptable to the Board, and (c) completing, signing and posting a checklist that identifies the machinery or equipment components covered by the lockout. 10.9(2)
	Workers may lock out a secondary key securing system if 2 qualified workers lock out the primary key securing system and place their keys in the secondary system. 10.9(4)
	When the requirements of subsection (5) have been met and it has been determined that it is safe to end the group lockout, 2 qualified workers must be responsible for removing their personal locks or the positive sealing device(s) … 10.9(6)
10.10 Alternative procedures	Control system isolating devices and the procedures for using them must be approved in writing by the Board, and must be used by workers qualified and authorized to carry out the work. 10.10(2)
10.12 Work on energized equipment	If it is not practicable to shut down machinery or equipment for maintenance, only the parts which are vital to the process may remain energized and the work must be performed by workers who (a) are qualified to do the work 10.12(a)
Part 11: Fall Protection	
11.9 Inspection and maintenance	Inspection of equipment used in a fall protection system before use on each workshift 11.9(a)
11.10 Removal from service	Inspection (of fall protection equipment including the anchorage, designed and intended for reuse by a performer in the entertainment industry), after each use of the system and determining it is in serviceable condition and safe for reuse. 11.10(3)(d)
Part 12: Tools, Machinery and Equipment	
12.17.1 Safeguards for objects or materials	Complete a written risk assessment of any hazards created by falling, flying or intruding objects or materials that may be present while the loader is being used. 12.17.1(a)
12.55 Storage	When not in use, a powder actuated tool must be unloaded and the tool and power loads must be securely stored and be accessible only to qualified and authorized persons. 12.55.1
12.56 Tool use	Handle or use a powder actuated tool or power loads 12.56
12.75 Assembly and installation	Assembling and installing an automotive lift, portable automotive lifting device or other vehicle support 12.75
	Only a qualified worker may (a) test a motor vehicle on a chassis dynamometer, or (b) operate a motor vehicle, chassis dynamometer or

12.83.1 Chassis dynamometers - motor vehicle testing	other test equipment for the purpose of testing a motor vehicle on a chassis dynamometer.. 12.83.1(2)
	Before a motor vehicle is tested on a chassis dynamometer, the wheels and tires of the motor vehicle must be inspected by a qualified worker. 12.83.1(3)
12.116 Flammable and explosive substances	Tests … to ensure that burning, welding or other hot work may be safely performed on any vessel, tank, pipe or structure, or in any place where the presence of a flammable or explosive substance is likely 12.116(2)(a)
12.180 Inspection following repair	Inspection of a roll-on/roll-off container after (a) significant structural modification or refurbishment; (b) significant repair of a structural component; (c) repairs made under section 12.179. 12.180(1)
	Determine whether, following the modification, refurbishment or repairs referred to in subsection (1), the container meets the requirements of the container safety standard. 12.180(2)
12.181 Periodic inspection	Inspects, in accordance with this section, each roll-on/roll-off container to determine if the container meets the requirements of the container safety standard. 12.181(1)
	Subsequent inspections of the container must occur within… a shorter period set by a qualified person, having regard to the condition of the container. 12.181(4)
Part 13: Ladders, Scaffolds and Temporary Work Platforms	
13.30 Lift truck mounted work platforms	Inspecting both the work platform and the lift truck supporting the work platform 13.30(6)
	Only a worker who is qualified and authorized by the employer may operate a work platform, and the lift truck supporting the work platform, for the purpose of supporting workers on the platform. 13.30(8)
Part 14: Cranes and Hoists	
14.13 Inspection, maintenance and repair	Maintenance or repair of a crane or hoist must be done by or under the direct supervision of a qualified person. 14.13(4)
14.34 Operator qualifications	A crane or hoist must only be operated by a qualified person who has been instructed to operate the equipment. 14.34(1)
14.42 Tandem lift	If a tandem lift is a critical lift or if the lifted load is to be moved laterally, the tandem lift must be carried out under the direction of a qualified supervisor who (a) is not operating a crane, hoist or other piece of powered lifting equipment, and (b) is responsible for the safe conduct of the operation. 14.42(1)
14.47 Signals	When the operator of a crane or hoist does not have a clear and unobstructed view of the boom, jib, load line, load hook and load throughout the whole range of the hoisting operation, the operator must act only on the directions of a qualified signaller who has a clear view of the things the operator cannot see. 14.47(1)
14.54.1 Detailed inspection	Inspection of a bridge crane, gantry crane or overhead crane 14.54.1

14.69 Supporting surface	If a mobile crane or boom truck will be used adjacent to an excavation, slope or backfilled area, a qualified person must determine the location for the equipment for hoisting operations. 14.69(2)
14.73.2 Tower crane erection	The erection, climbing, repositioning and dismantling of a tower crane must be done by qualified persons … 14.73.2(1)
	The erection, climbing, repositioning and dismantling of a tower crane must be done under the direction of a qualified supervisor 14.73.2(2)
14.75 Before use	Before a tower crane is put in service, a qualified supervisor must verify that the tower crane has been erected, climbed or repositioned according to (a) the manufacturer's specifications, or (b) the specifications of a professional engineer, if the engineer has authorized the crane to be erected, climbed or repositioned otherwise. 14.75(1)
	If a tower crane is erected, climbed or repositioned, a qualified person must adjust the overload prevention system as necessary 14.75(3)
	Before a tower crane is put in service following its erection, climbing or repositioning, a qualified supervisor must make available at the workplace at which the crane is installed a report… 14.75(5)
14.77 Structural inspection	before the erection of a tower crane, the structural components of the crane must be (a) inspected to determine their integrity by a qualified person 14.77(1)
	If a tower crane remains erected at a workplace for more than 12 months, (a) its structural components must be inspected to determine their integrity 14.77(2)(a)
	A self erecting tower crane must be inspected visually by a qualified person each time it is erected 14.77(4)(a)
14.91 Hoisting ropes	The equipment records for a tower crane must contain the following information about the hoisting rope installed on the crane… if the rope was not new at the time of installation, the name of the qualified person who inspected the rope before installation on the crane… 14.91(3)(g) … the name of the qualified person who installed the rope 14.91(3)(h)
Part 15: Rigging	
15.2 Qualified riggers	Rigging and slinging work must be done by or under the direct supervision of qualified workers familiar with the rigging to be used 15.2
15.5 Component identification	The WLL (Working Load Limit) of existing fittings not identified as specified in subsection (1) must be determined by a qualified person. 15.5(2)
15.34 Sling angles	Determine the required reduction of the WLL of the sling - If a sling is used to lift at any angle from the vertical… 15.34
15.48 Chain removal criteria	A chain sling must be permanently removed from service or repaired by a qualified person to the original manufacturer's specification or to the specifications of a professional engineer if the chain has defects such as stretch or deformation, cracks, nicks or gouges, corrosion pits or burned links. 15.48
Part 16: Mobile Equipment	

16.18 High voltage contact	If mobile equipment has been subject to high voltage contact, it must be removed from service until a qualified person has conducted an inspection of, and completed any necessary repairs to, the mobile equipment. 16.18(2)
16.34 Rollover protective structure (ROPS)	Mobile equipment must be used with a ROPS (Rollover protective structure unless … a qualified person has completed a rollover risk assessment respecting the mobile equipment and determined there is no, or only a minimal, risk of rollover. 16.34(2)(b)
16.40 ATVs	The training program for an ATV operator must include training by a qualified person … 16.40(5)
Part 17: Transportation of Workers	
17.2 Employer's responsibility	An inspection of the worker transportation vehicle before first use on a work shift 17.2(b)
17.2.1 Operator responsibility	(1) The operator of a worker transportation vehicle must ensure that the worker transportation vehicle has been inspected by a qualified person before first use on a work shift. 17.2.1
Part 18: Traffic Control	
18.3.1 Risk assessment	An employer must not permit workers to engage in a work activity that may expose workers to traffic unless a risk assessment has first been completed by a qualified person and the risk assessment 18.3.1(1)
	Review and update of risk assessment if (a) there is reason to believe the risk assessment is no longer valid, or (b) there has been a significant change in the scope or nature of the work to which the risk assessment relates. 18.3.1(4)
18.4 Supervision	An employer must ensure that a qualified supervisor is designated whenever traffic control is required. 18.4
Part 19: Electrical Safety	
19.10 Disconnection and lockout	Except as specified in subsection (3), if it is not practicable to completely disconnect low voltage electrical equipment, work must be performed by qualified and authorized workers and in accordance with written safe work procedures … 19.10(2)
19.12 Working close to energized equipment	Uninsulated, energized parts of low voltage electrical equipment must be guarded by approved cabinets or enclosures unless the energized parts are in a suitable room or similar enclosed area that is only accessible to qualified and authorized persons. 19.12(1)
	Each entrance to a room and other guarded location containing uninsulated and exposed, energized parts must be marked with a conspicuous warning sign limiting entry to qualified and authorized persons. 19.12(2)
19.16 Isolation and lockout	two or more qualified and authorized persons must be present while the work is being done, unless the procedures being followed under paragraph (a) specifically permit the work to be done by one person, 19.16(2)(b)
19.27 Specially trained	A qualified electrical worker may work closer than the limits specified in Table 19-2 provided the worker is authorized by the owner of the power system and uses procedures acceptable to the Board. 19.27(2)

19.29 Authorization by owner	Qualified workers and workers under their direct supervision may work within the minimum distances to energized high voltage electrical equipment and conductors, as specified in Table 19-1A and Table 19-2, when authorized by the owner of the power system and using work procedures acceptable to the Board. 19.29
19.30 Preliminary inspection	Before commencing tree pruning or falling close to energized high voltage overhead conductors, the worksite must be inspected by a qualified person 19.30(1)
	Immediately before commencing work, an inspection must be performed by a qualified person to verify the results of the initial inspection done under subsection (1) are still valid. 19.30(2)
19.33 Site crew requirements	Tree pruning or falling is not permitted within the minimum distances in Table 19-1A from overhead high voltage energized conductors, unless (a) a certified utility arborist or a qualified electrical worker is present at the site and directing the work 19.33(a).
	At least one additional qualified person, trained in appropriate emergency rescue procedures, is present. 19.33(b).
19.34 Limits of approach	Vegetation touching an energized high voltage conductor or within the applicable limit in column A of Table 19-3 for a conductor at a potential of 75 kV or more may be removed only if (a) the line is isolated and grounded by a qualified electrical worker, or (b) the vegetation is removed by a qualified electrical worker who … 19.34(6)
19.36 General requirements	Only qualified and authorized persons may design, install, operate and maintain a control system. 19.36(2)
19.37 Programmable control systems	Only qualified and authorized persons may have access to the installed control system software. 19.37(2)
Part 20: Construction, Excavation and Demolition	
20.1A Qualified contractor	If a person agrees with the owner to be the prime contractor as provided in sections 13 and 24 of the Workers Compensation Act, then that person must be qualified. 20.1A
20.3 Coordination of multiple employer workplaces	If a work location has overlapping or adjoining work activities of 2 or more employers that create a hazard to workers, and the combined workforce at the workplace is more than 5, the owner, or if the owner engages another person to be the prime contractor, then that person, must (i) appoint a qualified coordinator for the purpose of ensuring the coordination of health and safety activities for the location 20.3(2)(a)(i)
	… a qualified person designated to be responsible for that employer's site health and safety activities. 20.3(2)(b)
20.23 Supervision	The employer must ensure that (a) a qualified supervisor supervises the erection, use and dismantling of formwork, falsework and reshoring 20.23(a)
20.25 Concrete placing hazards	After placement of concrete or other significant loads on the formwork, a person must be restricted from the areas underneath where the loads were

	placed until it can be confirmed by a qualified person that the formwork is withstanding the loads. 20.25(3)
20.26 Inspections	If ganged forms are being reused on the same worksite without modification to the design or method of erection of the ganged forms certified under subsection (1), immediately before placement of concrete or other intended loading of the ganged forms, the employer must ensure that the ganged forms are inspected by a qualified person… 20.26(4)
20.57 Panel handling	Tilt-up panel lifting and bracing operations must be done under the direct supervision of a qualified person. 20.57(1)
20.60 General requirements	Stressing operations must be carried out under the direction of a qualified supervisor. 20.60(2)
	Strand couplers must not be reused until they have been inspected by a qualified person and determined to be safe for reuse. 20.60(6)
20.66 Strand vises and hydraulic devices	Strand vises must not be reused until they have been inspected by a qualified person and determined to be safe for reuse. 20.66(2)
20.78 Work standards	Subject to this section, excavation work must be done in accordance with the written instructions of a qualified registered professional if… 20.78(1)
	The written instructions required by this section must (a) be certified by the qualified registered professional concerned 20.78(3)(a)
20.81 Sloping and shoring requirements	Subject to section 20.78, before a worker enters any excavation over 1.2 m (4 ft.) in depth or, while in the excavation, approaches closer to the side or bank than a distance equal to the depth of the excavation, the employer must ensure that the sides of the excavation are (a) sloped as specified in writing by a qualified registered professional. 20.81(1)
20.112 Hazardous materials	Before work begins on the demolition or salvage of machinery, equipment, a building or a structure, or the renovation of a building or structure, all employers responsible for that work, and the owner, must ensure that a qualified person inspects the machinery, equipment, building or structure and the worksite to identify the hazardous materials, if any. 20.112(2)
	In conducting an inspection and identifying the hazardous materials, if any, under subsection (2), a qualified person must do the following… 20.112(3)
	If, after written confirmation is provided under subsection (8), a person discovers material that may be hazardous material on or in the machinery, equipment, building or structure or at the worksite, … the qualified person must…. a) collects representative samples of the material; (b) identifies each representative sample and determines whether it is hazardous material; (c) if the actions under paragraphs (a) and (b) are not practicable, or not appropriate in the circumstances, uses other sufficient means to determine if the material is hazardous material; (d) based on the actions taken under paragraphs (a) and (b) or (c), determines the location of the hazardous material, if any; (e) makes a written report 20.112(6)
	Ensure, and confirm in writing, that the hazardous materials identified under subsection (2) or (6) are safely contained or removed. 20.112(8)

Part 21: Blasting Operations	
21.24 Transportation of explosives	During transportation by vehicle, explosives must be kept… in a fully-enclosed, locked, fire-resistant container, compartment or day box that is… attended by a qualified person at all times when the container, compartment or day box contains explosives. 21.24(1)(v)
21.25 Mobile drilling rigs	The transportation of explosives on a mobile drilling rig is permitted only if detonators and other explosives are stored in separate day boxes or magazines that are… attended by a qualified person at all times when the day boxes or magazines contain explosives. 21.25(e)
Part 22: Underground Workings	
22.12 Appointment of underground working supervisor	Supervise the active excavation or rehabilitation of the underground working 22.12(b)
22.13 Underground worker health and safety representative	In every underground working there must be a qualified underground worker safety representative on each shift who is regularly employed at the site 22.13(1)
22.17 Qualified person	At every underground working, the employer must appoint a qualified person on site to be responsible for all aspects of ventilation in the underground working. 22.17
22.30 Atmospheric testing	Underground atmospheric testing must be conducted by a qualified person using equipment, devices and methods acceptable to the Board. 22.30(2)
	Test results must be recorded and signed in the Underground Record by the qualified person doing the testing 22.30(4)
22.32 Additional tests	The employer must ensure that only workers qualified to conduct testing and workers necessary to assist them enter an underground working, until it is declared safe. 22.32(4)
22.62 General requirement	Periodic inspection of any part of the underground working accessible to workers by a qualified person to prevent the development of unsafe conditions. 22.62
22.63 During excavation	Any ground stabilization must be done by, or under the direction of a qualified person. 22.63(3)
22.79 Return to blasting site	(Atmospheric) testing must be carried out cautiously by a qualified person, following established safe work procedures which will prevent exposure to levels above exposure limits. 22.79(4)
22.84 Logs	The operator of any equipment must…not operate the equipment until repairs have been made by a qualified person, and noted in the log, or a qualified person has provided assurance that it is safe to operate the equipment, and has noted the reason in the log. 22.84(2)(c)
	Before operating equipment the operator must read the most recent entries in the log and if an unsafe condition has been recorded but not corrected the equipment must not be used until repairs have been made by a qualified person… 22.84(4)

22.100 General requirement	A dump or stockpile area must be examined daily by a qualified person who must communicate any dangerous or abnormal conditions to affected workers. 22.100(2)
22.101 Dumping procedures	The employer must (a) appoint only qualified and suitably equipped persons as dump workers. 22.101(1)
22.103 Dump worker	A qualified and suitably equipped person, who is responsible for directing traffic at a dump point, must inspect the condition of the dump site as required and report any dangerous or abnormal condition to a supervisor so that corrective action can be taken. 22.103
22.127 Equipment maintenance	Establish mechanical and electrical maintenance schedules for each raise climber, and to ensure that all maintenance is carried out in accordance with the manufacturer's recommendations and the requirements of this Regulation. 22.127(1)
Part 23: Oil and Gas	
23.4 Coordination of multi-employer workplaces	… appoint a qualified coordinator for the purpose of ensuring the coordination of health and safety activities for the location 23.4(2)(a)(i)
	… qualified person designated to be responsible for that employer's site health and safety activities. 23.4(2)(b)
23.21 Rigging up and tearing out	The driver of a vehicle used for rigging up or tearing out equipment must not move the vehicle until signalled to move by a qualified signaller. 23.21(1)
23.33 Rig moves	The raising and lowering of a derrick must be done under the direct supervision of the rig manager or other qualified person. 23.33(1)
23.39.2 Emergency escape system 1	The safety buggy required under subsection (3) must be … inspected by a qualified person at least once a week. 23.39.2(4)(c)
23.51 Riding hoisting equipment	In an emergency an injured worker may be lowered from the derrick by means of the travelling block or a tugger if the rotary table is stopped, and a qualified worker operates the controls. 23.51(2)
23.69 Flow piping systems – integrity assurance program	Administration of a program (for the purpose of ensuring the integrity of the flow piping systems at the worksite.) 23.69(3)
Part 26 – Forestry Operations and Similar Activities	
26.12.0.2 Requirements respecting tree-climbing activities	The employer must ensure that only a qualified arborist or trainee arborist engages in tree-climbing activities at the workplace. 26.12.0.2(1)
	qualified arborist determines that each tree that is intended to be climbed is able to withstand the loads intended to be imposed on it 26.12.0.2(2)
	qualified arborist determines that each tree that is intended to be climbed is able to withstand the loads intended to be imposed on it 26.12.0.2(2)
	A tree-climbing plan is prepared by a qualified arborist or trainee arborist … for the trees that a qualified arborist or trainee arborist intends to climb and determines are able to withstand the loads described in paragraph (a) of this subsection 26.12.0.2(2)(b)

	If the tree-climbing plan referred to in paragraph (b) is prepared by a trainee arborist, ensure that the plan is approved by a qualified arborist. 26.12.0.2(2)(c)
26.12.0.3 Tree-climbing plan	A qualified arborist or trainee arborist must for each tree that is intended to be climbed or that may be impacted by the tree-climbing activities, (i) visually assess and identify the hazards and risks…. (ii) identify how the hazards and risks identified under subparagraph (i) will be eliminated or minimized to the lowest level practicable 26.12.0.3(1)(a)
	A qualified arborist or trainee arborist must for each tree that is intended to be climbed or that may be impacted by the tree-climbing activities, (b) for each tree that is intended to be climbed, identify (i) the tree-climbing system to be used in climbing the tree, (ii) the type and location of the initial anchor point to be used in the tree, (iii) the name and duties of each worker involved in the tree-climbing activities or the work activities described in paragraph (a) (i) (D), (iv) the appropriate personal protective equipment to be used by each worker involved in the tree-climbing activities or the work activities described in paragraph (a) (i) (D), (v) an effective means of communication to be used between the qualified arborist or trainee arborist, as applicable, and the workersinvolved in any work activities described in paragraph (a) (i) (D), and (vi) the emergency response, evacuation and rescue procedures to be used in the event of an equipment malfunction, a fall, an injury or the incapacity of a qualified arborist or trainee arborist to self-rescue when engaging in the tree-climbing activities, and c) document the information described in paragraphs (a) (ii) and (b). 26.12.0.3(1)(b &C)
	If, after preparing a tree-climbing plan in accordance with subsection (1), a qualified arborist or trainee arborist becomes aware of a known or reasonably foreseeable hazard or risk described in subsection (1) (a) (i) that was not previously identified, the qualified arborist or trainee arborist must (a) amend the tree-climbing plan so it identifies how the hazard or risk will be eliminated or minimized to the lowest level practicable, (b) communicate the amendment to each affected worker before the amendment is implemented, and (c) document the amendment as soon as practicable. 26.12.0.3(2)
26.12.0.4 Tree-climbing procedures	A qualified arborist or trainee arborist engaging in tree-climbing activities must (a) assess and determine that each anchor point or other point of securement is suitable for the loads to be imposed on it before using it, (b) ensure each climbing line of the tree-climbing system (i) uses at least one anchor point or other point of securement in the tree, (ii) uses independent anchor points or other points of securement, if practicable, and

	(iii) is positioned at each anchor point or other point of securement in such a way that the climbing line will not move away from, though the climbing line may slide through, the anchor point or other point of securement, (c) position the tree-climbing system in a manner that minimizes the risk of the qualified arborist or trainee arborist falling and colliding with an object while swinging on a climbing line in a pendulum-like motion, (d) tie a stopper knot at the end of each climbing line of the tree-climbing system, (e) before accessing the tree, be secured to the tree by the tree-climbing system and remain secured until the work is completed and the qualified arborist or trainee arborist has returned to the ground, (f) operate a cutting tool only when tied into the tree with (i) a climbing line or lanyard, and (ii) a second means of securement, such as another climbing line or lanyard, and (g) engage in the tree-climbing activities in accordance with the parts of the tree-climbing plan described in section 26.12.0.3 (1) (a) (ii) and (b) (i), (ii) and (v) 26.12.0.4
26.12.0.5 Rescue	The employer must ensure that a qualified arborist or trainee arborist engaging in tree-climbing activities can be promptly rescued in accordance with the procedures described in section 26.12.0.3 (1) (b) (vi) that relate to the tree that is climbed. 26.12.0.5
26.12.0.6 Tree-climbing equipment	The employer must ensure that a tree-climbing system is inspected by a qualified arborist before the tree-climbing system is first used on each work shift. 26.12.0.6(2)
26.16 Slope limitations	…logging equipment may be operated beyond the maximum slope operating stability limits specified in those subsections if (a) a qualified person conducts a risk assessment of that operation… 26.16(4)
26.21 Faller qualifications	A worker must not fall trees or be permitted to fall trees, or conduct or be permitted to conduct bucking activities associated with falling trees, unless (a) the worker is qualified to do so to a standard acceptable to the Board. 26.21(1)
26.22.1 Falling supervisors for forestry operations	A qualified supervisor must be designated for all falling and associated bucking activities in a forestry operation. 26.22.1(1)
26.34 Signalling	Defective signalling devices that might cause a hazard to workers must not be used, and repairs, alterations, or adjustments to signalling devices must be performed by qualified persons. 26.34(10)
26.42 Rigging	Rigging must be inspected at regular and frequent intervals by a qualified worker. 26.42(6)
26.54.1 Damaged sweep arm	If a sweep arm attached to a ROPS on a skidder is bent or deformed, prior to the use of the skidder, a qualified person must determine whether the ROPS may be structurally damaged as a consequence of the damage to the sweep arm… 26.54.1(a)

26.68.2 Securing log loads – entirely off-highway transportation routes	A risk assessment for a log hauling operation must (a) be in writing, (b) be prepared by a qualified person, based on the circumstances of the log hauling operation… 26.68.2(4)(b)
	(Risk assessment for a log hauling operation must) set out the opinion of the qualified person that no logs, log chunks or debris will fall off a log transporter during loading, transportation or unloading of logs if the specified requirements are met. 26.68.2(4)(d)
26.69 Removing wrappers and tiedowns and releasing stakes	The following activities must be conducted in accordance with written safe work procedures prepared by a qualified person: (a) removing a wrapper or tiedown installed on a log load; (b) releasing a stake securing logs on a log transporter; (c) using a removal station. 26.69(2)
Part 27: Wood Products Manufacturing	
27.10 Personnel hoists	A personnel hoist for a hot press, a pulp and paper dryer or a similar machine must… have critical components regularly inspected by a qualified person 27.10(c)
27.28 Saw maintenance	A saw must be inspected for cracks and other defects each time the saw is sharpened, and a cracked saw must be removed from service until repaired by a qualified person. 27.28(3)
	A saw or saw collar damaged by excessive heat or undue stress must be removed from service until inspected and repaired by a qualified person. 27.28(4)
27.29 Cracks in circular saws	A circular saw with a crack of any size adjacent to the collar line, or with a crack elsewhere which exceeds the limit specified in Table 27-1, must be removed from service until the crack is repaired and the saw retensioned by a qualified person. 27.29(1)
	A circular saw with a crack near the periphery which does not exceed the limit specified in Table 27-1 must be removed from service until the crack is repaired or the lengthening of the crack has been arrested by slotting, centre punching, drilling or other effective means, and the saw is retensioned as necessary, by a qualified person. 27.29(2)
27.30 Cracks in band saws	A band saw, other than a shake band saw, with a crack exceeding the limit specified in Table 27-2 must be removed from service until the crack is repaired and the saw retensioned by a qualified person. 27.30(1)
	A band saw, other than a shake band saw, with a crack not exceeding the limit specified in Table 27-2 must be removed from service until the crack is repaired or the lengthening of the crack has been arrested by centre punching or other effective means, and the saw retensioned as necessary, by a qualified person. 27.30(2)
27.31 Band saw wheel wear limits	A band saw wheel over 1.2 m (48 in) diameter must be non-destructively tested for cracks by a qualified person at least once a year. 27.31(2)
Part 28: Agriculture	

28.6.1 Rollover risk	… in addition to the factors listed in section 16.34 (1) to be considered in the rollover risk assessment, the qualified person must also consider the training and experience of the operator. 28.6.1
28.24 Alternative means of evaluation for automotive lifts and vehicle supports	Despite section 12.76, if written instructions are not available from the manufacturer or a professional engineer, the instructions may be provided instead by any other person qualified to develop them. 28.24(1)
	Despite sections 4.8 and 12.79, if a modification is made to a device listed in section 12.79 (1) or if the manufacturer's rated capacity is not known, the rated capacity may be determined by a person qualified to do so. 28.24(2)
28.29 Small cranes and hoists exception	Sections 14.2 to 14.33 and 14.44 do not apply to a job built crane or hoist for use on site with a rated capacity of less than 1 tonne (2 200 lbs) if (a) the device is built or otherwise assembled by a person qualified to do the work, (b) the rated capacity of the device, including support structures, is determined by a person qualified to make the assessment, … (h) any modifications to the device are made by a person qualified to do the work.28.29(1)(a),(b),(h)
28.32 Evaluation of a rigging device	The requirements of sections 15.6 (2), 15.27, 15.28 (1), 15.32 and 15.36 for the competency of a person evaluating a device may be met by a person who is qualified to conduct the evaluation. 28.32
28.47 Annual inspection and certification exception	… A person may make the inspection and determination of safety for continued use of a mobile elevating work platform used in orchards if the person is qualified to do so … 28.47
Part 30 – Laboratories	
30.8 Fume hoods	(b) following installation and before it is used, a custom built laboratory fume hood is tested on site by a qualified person. 30.8(2.3)(b)
30.12 Biological safety cabinets	Biological safety cabinets must be certified by a qualified person at least annually and before use after… 30.12(2)
30.27 Animal handling	Animal health must be monitored by qualified personnel and quarantine measures must be taken as required for infected animals. 30.27(3)
Part 31: Firefighting	
31.26 Maintenance and records	Self-contained breathing apparatus, including regulators, must be serviced and repaired by qualified persons. 31.26(1)
Part 32 – Evacuation and Rescue	
32.5 Inspection of equipment	Ropes and associated equipment must be inspected visually and physically by qualified workers after each use for rescue, evacuation or training purposes. 32.5(1)

7- Summary

In conclusion, the employer needs to select qualified persons to help them comply with the occupational health and safety regulations. While anyone with education, training and work experience related to the work process may be considered qualified, the selection must be made with due diligence. It is necessary

to refer to the applicable regulations, guidelines and standards to identify the work processes and/or competencies required of a qualified person. Preference may be given to selecting the qualified person through the organization's internal resources, otherwise, the employer needs to hire an external qualified professional.

By: Ehsan Hemmati V. (CIH, ROH, CSP, CRSP, CMIOSH) – January 5th, 2025