



Labour and Advanced Education

Reference Guide
OCCUPATIONAL HEALTH AND
SAFETY
FIRST AID REGULATIONS

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Disclaimer:

The commentary found in this document is not intended to be an exhaustive interpretation or to constitute legal advice to members of the public. This document is prepared for convenience only, and for accurate reference, the reader should see the official volumes of the legislation.

REFERENCE GUIDE FIRST AID REGULATIONS

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Citation and application

- 1** These regulations may be cited as the *Occupational Health and Safety First Aid Regulations*.

- 2 These regulations apply to all workplaces to which the *Occupational Health and Safety Act* applies.

Interpretation

3 In these regulations,

- (a) "advanced first aid certificate" means a document issued by an approved organization certifying that a person has successfully completed a first aid course consisting of at least 35 hours of instruction;

Clause 3(a) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (aa) "approved organization" means an organization approved to deliver courses in first aid under subsection 5(4);

Clause 3(aa) added: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (b) "barrier equipment" means items that prevent the transfer of infectious substances between the wearer of the equipment and another person;
- (c) "emergency care facility" means a health care facility that
 - (i) is equipped to provide immediate treatment of injuries and illnesses, and
 - (ii) has a medical practitioner on call;

- (d) "emergency first aid certificate" means a document issued by an approved organization certifying that a person has successfully completed a first aid course consisting of at least 6.5 hours of instruction;

Clause 3(d) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (e) "first aid attendant" means an employed person who is the holder in good standing of an emergency first aid certificate, a standard first aid certificate or an advanced first aid certificate;

Clause 3(e) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (f) "first aid room" means a room at the worksite that is used exclusively for the purposes of administering first aid;

Clause 3(g) relettered (f): O.I.C. 2001-401, N.S. Reg. 104/2001.

- (fa) "full time" means an average of 30 hours or more of work in a week averaged over a 4-week period;

Clause 3(fa) added: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (g) "hospital" means

- (i) a hospital as defined in the *Hospitals Act* that provides emergency services during all hours of operation, or

- (ii) an emergency care facility;

Clause 3(h) relettered (g): O.I.C. 2001-401, N.S. Reg. 104/2001.

- (h) "kit" means a container holding first aid supplies;

Clause 3(f) relettered (h): O.I.C. 2001-401, N.S. Reg. 104/2001.

Clause 3(i) repealed: O.I.C. 2001-401, N.S. Reg. 104/2001.

With reference to certifications, note that the only criteria are length and the approved organization. Content is not regulated. Thus, no special courses (such as CPR) are required. Also, with regards to recertification, a person will be considered certified so long as they have passed an initial course of the required length, even though the recertification course may not meet the minimum times. May 15, 1997.

The holder of a first aid certificate is not automatically assumed to be a first aid attendant. A first aid attendant has specific duties and is to be designated as such by the employer (Feb. 1, 2004)

"4-week period" means the 4 weeks that had just past at the time of the inspection/investigation. October 22, 2001.

The Regulations specify content of the Kits and **not** the supplier; therefore, an employer may put their own together by purchasing the components that comprise the kits (Jan 1, 2004)

(j) "medical practitioner" means a person qualified to practice medicine under the *Medical Act*;

(k) "mobile" means normally based in a motor vehicle;

(l) "remote location" means a place requiring more than 30 minutes of surface travel time in one direction from an emergency care facility that is open during the working hours at a worksite;

With regards to a remote location, if the workplace is open 24 hours a day, but the emergency care facility is only open for 12 hours a day, the workplace cannot always rely on this facility if there was to be an injury in the workplace. In such a case, the workplace must look to another emergency care facility that is open 24 hours a day and determine how far it is from that facility. May 7, 1997

In calculating whether or not the workplace is within 30 minutes of an emergency care facility, the time period is based on the relevant conditions, including the time of year. Therefore, depending on the season or, for example, whether or not there is construction work being done on a road, the workplace may be considered in a remote location. May 15, 1997.

(m) "standard first aid certificate" means a certification of successful completion of a first aid course issued by an approved organization that consists of at least 13 hours of instruction;

Clause 3(m) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

(n) "surface travel time" means the time required to transport an injured employee on a stretcher from the place where they are injured to an emergency care facility by land or water.

Clause 3(n) replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

"Surface travel time" does not include the time required to extract and prepare a victim for transport. Once ready for transport though, surface travel time does include:

- 1) time required for a victim to get to a place where a vehicle may pick them up;
- 2) time spent waiting for transportation;
- 3) time spent in transit. May 15, 1997.

Note that the regulation does not require transport by ambulance. May 15, 1997.

General responsibilities

4 (1) Every employer shall

- (a) at the employer's expense, provide and maintain at each of the employer's worksites, the first aid supplies, services and first aid attendants required by these regulations;

The employer is to incur costs associated with the provision of first aid supplies, services and first aid attendants. This include wages and benefits to employees for time spent on training (or refresher training), whether or not the training takes place within normal working hours, where an employee is designated and required by the employer to become a first aid provider. December 14, 2000.

The employer's responsibility to provide all first aid services includes transportation of the injured person - so if an ambulance or a taxi was called, the employer would be responsible for covering the cost. March 17, 2008

- (b) pay the cost of a first aid course for an employee for the purpose of the employee acting as a first aid attendant, as required by these regulations; and

Most training pay and associated cost issues should be referred to the Labour Standards Division (if the employee is not unionized) or to the union grievance process. However, OH&S officers have authority to interpret and apply pay entitlements for employees where payment is required by regulation (as is the case with the First Aid Regulation) or is related to joint occupational health and safety committee or health and safety representative training. December 14, 2000.

The term "worksite" is not a defined term in this regulation. It is used and intended to provide the workplace parties with the flexibility to organize their operations to provide reasonable access to first aid services and supplies without imposing a requirement that supplies and services be duplicated needlessly. By way of example, the Act defines a vehicle as a "workplace." Where multiple vehicles are used at a site, and thus multiple "workplaces" exist side by side, it would be possible to say that all the vehicles made up one "worksite." Thus, so long as the vehicles stayed in one group, it would not be necessary for each vehicle to have a first aid kit and each driver to have first aid training. June 12, 1998.

The regulations do not explicitly mention Automated External Defibrillation equipment. That said, the Division sees no reason to ban such equipment from workplaces assuming that staff are adequately trained in the use of the equipment, the manufacturer's specifications are adhered to and that adequate supervision of equipment operators/maintainers is assured. February 4, 2000.

- (c) pay an employee who is taking a first aid course for the purpose of acting as a first aid attendant, as required by these regulations, the same wages and benefits that they would receive in the ordinary course of their employment.

Subsection 4(1) replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (2) Despite subsection (1), 2 or more employers may enter into a written agreement to collectively provide and maintain at each of their worksites the first aid supplies, services and first aid attendants required under these regulations, in which case a copy of the agreement shall be kept and made available at each worksite covered by the agreement.

Subsection 4(2) replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (3) It is the duty of each person at the worksite to
 - (a) use the first aid supplies and services provided at the worksite as needed and without undue delay; and
 - (b) report all injuries to the employer without undue delay.

“benefits” includes, as in 4(1)(a) above, travel expenses paid by the employer as they would for travel on the organization’s business. October 22, 2001.

When considering a first aid agreement, the required training and supplies shall be calculated by considering the likely number of staff on any one shift from all parties to the agreement. October 22, 2001.

More specifically with regards to this section: there must be a written agreement clearly and specifically outlining the responsibilities of the signing parties and meeting the requirements of the regulations. The employer(s) must communicate the agreement to their employees so that they understand the process to be followed in the event that first aid services are required. July 23, 2011

With regards to clause 4(3)(a), officers should ensure that any injury that requires first aid is reported. May 15, 1997.

First aid certificates

- 5 (1) Where a full time employee is employed in any type of employment that regularly requires the employee to work where there is no one available who could administer first aid or summon assistance within a reasonable length of time, the employee shall hold a valid emergency first aid certificate.

Subsection 5(1) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (2) Where the worksite is an office and the office is not part of a larger worksite where activities other than office-related activities are carried out, the employer shall ensure that at least one employee on each shift holds a valid emergency first aid certificate.

Subsection 5(2) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (3) Where the worksite is not an office, the employer shall ensure,
- (a) where there are more than one but fewer than 20 employees regularly employed on any one shift, that at least one employee on that shift holds a valid emergency first aid certificate;
 - (b) where there are 20 or more, but fewer than 100 employees regularly employed on any one shift, that at least one employee on that shift holds a valid standard first aid certificate; and
 - (c) where there are 100 or more employees regularly employed on any one shift, that at least one employee on that shift holds a valid advanced first aid certificate.

The regulation requires a full time employee to have a first aid certificate where that employee works alone on a regular basis. "Regularly" should include, as a minimum, any task that is clearly a part of a job description and is performed with some predictability or consistency. April 2, 1999

"reasonable length of time" shall be determined by the employer in the context of the specific operation. Questions to ask when considering the above are: if the person were injured would they be able to call for help; is there another mechanism by which the injury would be noticed (person-down automatic alarms); once help has been called how long before it arrives - January 1, 2004.

This sub-section to be read in the context of section 4, which places the costs on the employer. The employer is responsible for ensuring that people working alone have first aid training. October 22, 2001.

Because an office setting is seen as less hazardous than other types of workplaces, the regulation only requires one employee to have an emergency first aid certificate for any worksite that is an office, no matter the number of employees. May 15, 1997.

For clarification, a school or similar organization is not considered an "office" for the purposes of the First Aid Regulation. December 1, 1997

- (4) For the purposes of these regulations, an organization is approved to issue certificates and deliver courses in first aid if that organization has been approved to issue those certificates and deliver those courses under the *Canada Labour Code*.

Subsection 5(4) replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

Determining number of employees

- 6** All persons employed on any one shift, including full-time, part-time and casual employees, shall be included in determining the total number of employees employed on that shift for the purposes of Section 5.

In certain cases it is possible for a person to be both employer and employee. The key to whether an "employer" is also an "employee" is if there is a separate legal entity, ie. a corporation, or not. If a person has established a separate corporation and is paid to do work for the corporation, the corporation is an employer and the person is an employee. (July 22, 2009)

Vehicles, boats and aircrafts

- 7 **(1)** Subject to subsection (2), the first aid supplies and services required on any vehicle, boat or aircraft that is regularly used to transport employees shall be determined on the basis of the maximum seating capacity of the vehicle, boat or aircraft.
- (2)** Where a vehicle, boat or aircraft is regularly used to transport only the driver of that vehicle, boat or aircraft, the employer of the driver shall ensure that the vehicle, boat or aircraft has at least a Number 1 First Aid Kit.

Section 7 replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

Creation and maintenance of records

8 Where a first aid attendant administers first aid to an injured person at a worksite, the employer of the injured person shall, with respect to that person, maintain a written record for 5 years after the date of injury including the following:

- (a) the name of the injured person;
- (b) the date and time of the injury;
- (c) the location and nature of the injuries on the person's body;
- (d) the time when first aid was administered;
- (e) the first aid treatment provided;
- (f) the name of the person who provided the first aid; and
- (g) the name of the person to whom the injury was reported.

Section 8 amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

The "WCB Accident Report form" does NOT contain fields for all the information required under this section; therefore, filling out the WCB form does NOT constitute compliance with this section. October 22, 2001.

Location and accessibility of supplies and attendant

- 9**
- (1)** First aid services and supplies shall be
 - (a) accessible during all working hours; and
 - (b) where not required to be in a first aid room, located at the worksite.

 - (2)** To the extent reasonably practicable, the location of first aid supplies and the location or phone number of the first aid attendant shall be posted throughout the worksite on signs that can easily be seen by all persons at the worksite.

There is no requirement under any OSH legislation which requires an employer to purchase an epi pen.

If an employer provides “epi” pens for an employee they should be aware that some “epi” pens are specific to an individual’s condition; providing the wrong pen could mean the person’s allergic reaction does not improve. (July 10, 2007).

Condition of supplies

10 First aid supplies shall be

- (a) kept clean and dry;
- (b) checked regularly for expiry;
- (c) maintained so as to meet the requirements of these regulations; and
- (d) kept in a visible and accessible location.

Where a first aid kit has been used for treatment of an injury, the kit must be restocked to ensure there are sufficient supplies. May 15, 1997.

Duties of first aid attendants

11 A first aid attendant shall

- (a) at all times maintain reasonable access to a first aid kit and, where a first aid room is required by these regulations, to the first aid room;

Clause 11(a) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (b) have general control and supervision of the first aid kit and, where required, the first aid room;
- (c) be available at all times during their shift to treat an injured employee without undue delay;

Clause 11(c) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (d) use barrier equipment where necessary, to guard against exposure to an infectious condition; and
- (e) keep their first aid certificate at the worksite and available for display on request of an officer.

Clause 11(e) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

Section 11 addresses the duties of a first aid attendant. First, the attendant must work near a first aid kit or room, to ensure the attendant can access the supplies without delay. Secondly, the attendant has general control over the supplies and should be the main or only person to use the supplies. Thirdly, the attendant must perform work that enables the person to stop work immediately and begin treatment. Fourthly, the attendant is required to use appropriate protective devices to prevent the spread of infectious diseases. Finally, the first aid certificate must be kept at the worksite to ensure it is available to the inspector, upon request. May 15, 1997.

This Section is not meant to limit the role of a health clinic in a worksite or the role of a nurse or physician. Any treatment made by these professions is not first aid, but further medical treatment. May 15, 1997

Transportation

- 12 (1) Where an injured person must be transported to an emergency care facility, the employer and, in the case of a project, the constructor, is responsible for ensuring a safe and timely means of transport.
- (2) Where an injured person is being transported to an emergency care facility and may require the assistance of another person, at least one person, in addition to the driver or operator of the vehicle, boat or aircraft shall accompany the injured person.

The regulation gives the worksite the flexibility to provide an adequate means of transport for an injured worker, whatever that means may be. Also, a person to assist the injured worker is only required where it is necessary. April 2, 1999.

Powers of Director

- 13** Despite any other provision of these regulations, the Director may, in respect of a particular workplace or worksite,
- (a) require provision of additional first aid supplies or services;
 - (b) approve variations from the requirements of these regulations;
 - (c) grant exemptions from the requirements of these regulations where compliance with the regulations is not practicable; or
 - (d) prescribe such first aid services, requirements and supplies as the Director in the Director's sole discretion deems necessary or advisable.

Note that section 13 does not bar a person from applying for a deviation under the Act. It simply allows for another process. May 15, 1997.

These powers are applied on a worksite by worksite basis. Broader applications are not allowed. May 15, 1997.

First Aid Kit # 1

14 (1) Where there is only one employee regularly employed at a worksite, the employer shall provide a Number 1 First Aid Kit or a Number 2 or 3 First Aid Kit.

(2) A Number 1 First Aid Kit shall include

- (a) 1 first aid guide;
- (b) 1 first aid record book, or instructions on how first aid treatment records are to be maintained;
- (c) 1 pencil;
- (d) 6 safety pins;
- (e) 1 splinter tweezers;
- (f) 1 pair of 100 mm scissors;
- (g) 2 pairs of disposable latex gloves or gloves made of material that provides an equivalent level of protection against the spread of infections or contagious conditions;
- (h) at least the following individually wrapped dressings:
 - (i) 2 sterile bandage compresses (100 mm X 100 mm),
 - (ii) 12 sterile adhesive dressings (25 mm wide),
 - (iii) 12 sterile pads (75 mm X 75 mm),
 - (iv) 3 triangular bandages (1 m), and
 - (v) 1 Roller Bandage (50 mm wide)
- (i) one roll of adhesive tape (25 mm wide by 2.5 m long);

Clause 14(2)(b) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

"Regularly employed" is defined in the Act as including a seasonal employee with a predictable period of employment for at least four weeks at a time. However, where an officer orders the inclusion of other workers, they are to be considered regularly employed as well. April 2, 1999.

If a person uses their private vehicle in the course of carrying out their work, the employer is still required to provide a Number 1 First Aid kit for the person. If more than one person regularly travel in the car, while working, a number two kit would be required. For example a field inspector for a company being reimbursed for mileage while using their vehicle would need a number 1 kit supplied by the employer. Jan 1, 2003

There are no restrictions on First Aid kits containing medicine per se (although other regulations deal with the dispensing of prescription medication) i.e. Anacin, Tylenol, etc. The decision to add these to a first aid kit is the employers (Jan 1, 2004)

- (j) one marked plastic bag for the disposal of biohazardous waste;
- (k) one airway barrier device for rescue breathing; and
- (l) at least the following antiseptics:
 - (i) disinfectant in the form of
 - (A) a 100 ml bottle of an adequate antiseptic, or
 - (B) 12 individually wrapped towelettes with an adequate antiseptic, and
 - (ii) 6 hand cleaners.

Note that any biohazardous waste that may be created during a first aid incident must be disposed of in accordance with Nova Scotia Department of Environment guidelines. Workplace parties should contact the Department of Environment and Labour directly for specific advice on their particular circumstances. May 15, 1997.

First Aid Kit # 2

- 15 (1) Where there are more than one and fewer than 20 employees regularly employed on any one shift at a worksite, the employer shall provide a Number 2 or a Number 3 First Aid Kit.
- (2) A Number 2 First Aid Kit shall contain:
- (a) 1 first aid guide;
 - (b) 1 first aid record book, or instructions on how first aid treatment records are to be maintained;

Clause 15(2)(b) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (c) 1 pencil;
- (d) 12 safety pins;
- (e) 1 splinter tweezers;
- (f) 1 pair of 100 mm scissors;
- (g) 2 pairs of disposable latex gloves or gloves made of material that provides an equivalent level of protection against the spread of infections or contagious conditions;
- (h) at least the following individually wrapped dressings:
 - (i) 2 sterile bandage compresses (100 mm X 100 mm),
 - (ii) 24 sterile adhesive dressings (25 mm wide),
 - (iii) 16 sterile pads (75 mm X 75 mm),
 - (iv) 6 triangular bandages (1 m), and
 - (v) 2 roller bandages (50 mm wide);
- (i) one roll of adhesive tape (25 mm wide by 2.5 m long);

- (j) at least the following antiseptics:
 - (i) disinfectant in the form of
 - (A) a 100 ml bottle of an adequate antiseptic, or
 - (B) 12 individually wrapped towellettes with an adequate antiseptic, and
 - (ii) 24 hand cleaners;
- (k) one marked plastic bag for disposal of biohazardous waste;
and
- (l) one airway barrier device for rescue breathing.

First Aid Kit # 3

16 (1) Where there are more than 20 and fewer than 50 employees regularly employed on any one shift at a worksite, the employer shall provide a Number 3 First Aid Kit.

(2) A Number 3 First Aid Kit shall contain:

- (a) 1 first aid guide;
- (b) 1 first aid record book, or instructions on how first aid treatment records are to be maintained;

Clause 16(2)(b) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (c) 1 pencil;
- (d) 12 safety pins;
- (e) 1 splinter tweezers;
- (f) 1 pair of 100 mm scissors;
- (g) 4 pairs of disposable latex gloves or gloves made of material that provides an equivalent level of protection against the spread of infections or contagious conditions;
- (h) at least the following individually wrapped dressings:
 - (i) 6 sterile bandage compresses (100 mm x 100 mm),
 - (ii) 32 sterile adhesive dressings (25 mm wide),
 - (iii) 32 sterile pads (75 mm x 75 mm),
 - (iv) 6 triangular bandages (1 m),
 - (v) 3 roller bandages (50 mm wide);
- (i) 2 rolls of adhesive tape (25 mm wide by 2.5 m long)

- (j) at least the following antiseptics:
 - (i) disinfectant in the form of
 - (A) a 100 ml bottle of an adequate antiseptic, or
 - (B) 12 individually wrapped towellettes with an adequate antiseptic, and
 - (ii) 24 hand cleaners;
 - (k) one marked plastic bag for disposal of biohazardous waste; and
 - (l) one airway barrier device for rescue breathing.
- (3)** Where there are more than 49 employees regularly employed on any one shift at a worksite, the employer shall provide at least one Number 3 First Aid Kit, with an increase in the supply of dressings, bandages, and antiseptics that is proportionate to the number of employees in excess of 49.

First aid rooms

- 17 (1) Where the worksite is not an office and there are 100 or more employees regularly employed on any one shift at the worksite, the employer shall provide at least one first aid room or other approved first aid facility.
- (2) A first aid room shall
- (a) be of sufficient size to accommodate the supplies and services required by these regulations and have an entrance that can easily accommodate a stretcher;
 - (b) be kept clean, well lighted, heated, ventilated and in a sanitary condition;
 - (c) contain a telephone or other means of communication between the first aid room and worksite areas served by the first aid room;
 - (d) have emergency telephone numbers posted;
 - (e) include the following furniture:
 - (ii) 1 permanent sink with hot and cold running water,
 - (ii) 1 refuse pail with a cover,
 - (iii) 1 chair with arm rests that ensure that the chair is suitable to treat injured employees,
 - (iv) 1 bed, covered with a plastic sheet,
 - (v) pillows and blankets, and
 - (vi) 1 cabinet suitable for storing dressings and instruments;
 - (f) contain the following material, equipment and supplies:
 - (i) 1 first aid guide,

- (ii) 1 pair of 150 mm heavy-duty scissors,
- (iii) 1 splinter tweezers,
- (iv) 12 assorted safety pins,
- (v) 1 wash basin made of stainless steel or polypropylene,
- (vi) 1 nail brush,
- (vii) 1 package of paper towels,
- (viii) hand soap
- (ix) 1 package of disposable paper cups,
- (x) 1 cold sterilizer with a supply of non-rusting germicidal solution or a means of sterilization that provides an equivalent level of protection,
- (xi) 1 kidney basin made of stainless steel or polypropylene,
- (xii) 1 set of assorted x-ray permeable splints,
- (xiii) 1 portable Number 2 First Aid Kit and a flashlight for use outside the room at the scene of an accident,
- (xiv) 20 additional pairs of disposable latex gloves or gloves made of material that provides an equivalent level of protection against the spread of infections or contagious conditions,
- (xv) 1 first aid record book, or instructions on how first aid treatment records are to be maintained,

Subclause 17(2)(f)(xv) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (xvi) 1 pencil,
- (xvii) two rolls of adhesive tape (25 mm wide by 2.5 m long),
- (xviii) antiseptics, including
 - (i) a disinfectant in the form of
 - (A) a 100 ml bottle of an adequate antiseptic, and

- (B) 12 individually wrapped towellettes with an adequate antiseptic, and
 - (ii) 36 hand cleaners,
 - (xix) one marked plastic bag for disposal of biohazardous waste,
 - (xx) one airway barrier device for rescue breathing, and
 - (xxi) one magnifying lamp.
- (g) at least the following dressings, individually wrapped:
 - (i) 6 sterile bandage compresses (100 mm X 100 mm),
 - (ii) 48 sterile adhesive dressings (25 mm wide),
 - (iii) 32 sterile pads (75 mm X 75 mm),
 - (iv) 6 triangular bandages (1 m),
 - (v) 3 roller bandages (50 mm wide),
 - (vi) 1 roll of tubular finger bandages with applicator,
 - (vii) 10 finger tip dressings,
 - (viii) 10 knuckle pad dressings, and
 - (ix) 4 sterile abdominal bandages (200 mm X 300 mm)

Remote location plans

18 (1) Where a worksite or worksites are in a remote location or locations, the employer, or where the worksite or worksites are part of a project, the constructor, shall maintain a written first aid remote location plan that

(a) sets out a comprehensive plan for ensuring compliance with at least the minimum standards prescribed by these regulations at each remote location; and

(b) without limiting clause (a), specifies

(i) the method of transportation of injured employees from remote locations,

(ii) the means of communication with and from remote locations,

(iii) the number of first aid attendants required at remote locations and their qualifications, and

(iv) the list of supplies to be included in each first aid facility.

(2) A first aid remote location plan shall

(a) be complied with by all persons at the remote location; and

(b) reflect the nature of the work being performed at each remote location.

(3) Where a committee or representative is required, it shall be consulted in the development of the first aid remote location plan.

Subsection 18(3) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

Section 18 is an attempt to deal with worksites that are further than 30 minutes, in one direction, from a facility with an emergency care facility that is open during all hours that the worksite is operating. The employer or constructor must determine whether or not there is one or more worksites that are greater than 30 minutes from an emergency care facility. If there are, a written plan must be developed. May 7, 1997

The plan must consider the means of getting an injured worker to the facility and the means of communicating with the worksite(s). Also, the plan must consider the number of attendants, the level of training and supplies required to ensure the workers can be provided with adequate treatment while waiting for more qualified medical treatment. May 15, 1997.

the aim of the communications is to summon emergency assistance - the communications must be able to contact someone within a short period of time so assistance would be useful (March 1, 2004)

- (4) Despite subsection (1), where an employer has employees at a remote location and no employee spends more than 10% of their time measured over a 4-week period at that remote location, the employer is not required to have a first aid remote location plan.

Subsection 18(4) replaced: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (4A) Where an employer has employees at a remote location and where any of the employees spend more than 10% but less than 25% of their time, measured over a 4-week period, at that remote location, the employer is not required to have a written first aid remote location plan where the safety of the remote location is adequately assured having regard to the following factors:

- (a) an injured person can be transported from the remote location to the closest emergency care facility within a reasonable time;
- (b) there is a means of transport at the remote location for an injured worker;
- (c) a means of summoning assistance is available at the remote location;
- (d) there are first aid facilities available at the remote location;
- (e) there are an appropriate number of first aid attendants at the remote location; and
- (f) the risks or hazards of the job and likelihood of injury on the job are such that safety can be adequately assured.

Subsection 18(4A) added: O.I.C. 2001-401, N.S. Reg. 104/2001.

- (5) Despite Section 5, where fewer than 20 employees are employed at a worksite in a remote location, at least one person at the worksite shall hold a standard first aid certificate or at least 30% of the employees at the worksite shall hold emergency first aid certificates.

Subsection 18(5) amended: O.I.C. 2001-401, N.S. Reg. 104/2001.

Hospitals

19 Hospitals are not required to strictly comply with Sections 5, 11, 14, 15, 16 and 17 if first aid supplies and services equivalent to those required by these regulations are provided to employees through emergency care facilities in the hospital.

Section 20 repealed: O.I.C. 2001-401, N.S. Reg. 104/2001.

A hospital that has an emergency room open during all hours that the hospital is open does not need to have specially trained first aid attendants or specific first aid supplies. The rationale is that such a hospital has trained medical staff that deal with injuries and emergencies on a regular basis. The injured employee in such a worksite must be treated by the emergency room staff. May 15, 1997.

Therefore, where the hospital does not have an emergency room open during the entire time that the hospital is open, it must comply with the training and supply requirements. This is because a worker may be injured when the emergency room is closed. A worker has the right to immediate treatment. To ensure treatment, the hospital must have staff with the training to perform first aid. May 15, 1997.