

What the OHS Legislation Says:

NWT and Nunavut *Occupational Health and Safety Regulations*

Section 162.

An employer shall ensure that only competent workers operate powered mobile equipment or are required or permitted to operate that equipment.

Section 266.

- (1) An employer shall ensure that
 - (c) equipment, spoil piles, rocks and construction materials are kept not less than 1 m from the edge of an excavation or trench;
- (2) Subject to subsections (3) and (4), if a wall of an excavation or trench is cut back, an employer shall ensure that
 - (a) in the case of type 1 or type 2 soil, the walls are sloped to within 1.2 m of the bottom of the excavation or trench, with a slope at an angle not steeper than one horizontal to one vertical, or 45° measured from the horizontal;
 - (b) in the case of type 3 soil, the walls are sloped from the bottom of the excavation or trench, with a slope at an angle not steeper than one horizontal to one vertical, or 45° measured from the horizontal; and
 - (c) in the case of type 4 soil, the walls are sloped from the bottom of the excavation or trench, with a slope at an angle not steeper than three horizontal to one vertical, or 19° measured from the horizontal.
- (6) An employer shall ensure that none of the following is operated or located near an excavation or trench so as to affect the stability of the walls of the excavation or trench:
 - (a) a unit of powered mobile equipment;
 - (b) a vehicle of any type;
 - (c) any other load.