

MINE HEALTH AND SAFETY ACT
R-020-2018
Registered with the Registrar of Regulations
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MINE HEALTH AND SAFETY REGULATIONS, amendment

The Commissioner, on the recommendation of the Minister, under section 45 of the *Mine Health and Safety Act* and every enabling power, makes the annexed amendment to the *Mine Health and Safety Regulations*, N.W.T. Reg. R-125-95.

1. The *Mine Health and Safety Regulations*, N.W.T. Reg. R-125-95, are amended by these regulations.
2. Paragraph 18.01(f) is repealed.
3. The following is added after section 18.02:

PART XVIII

IMPAIRMENT

18.02.1. (1) In this section, "impaired" means having a deteriorated or weakened state of judgment, physical abilities, or both, as a result of fatigue, illness, alcohol or other drugs, that causes a departure from the normal abilities required to safely complete an employee's duties.

(2) No employee shall enter or remain in a worksite if the employee is impaired.

(3) No owner or manager shall permit an employee to enter or remain in a worksite if the employee is impaired.

(4) All employees must inform the owner or manager if they are impaired.

(5) An owner shall, in consultation with the Committee or representative, or, if no Committee or representative is available, with a reasonable number of workers, develop, maintain and make readily available to employees, a written policy regarding impairment that includes

- (a) the duties of employees with respect to identification and reporting of impairment;
- (b) the duties of owners, managers and supervisors with respect to identification of impairment, employee protection and corrective action respecting employees in breach of the policy;
- (c) a policy implementation plan;
- (d) a hazard identification and assessment methodology;
- (e) preventive measures to be undertaken by owners and employees;
- (f) employee education programs; and
- (g) a policy evaluation mechanism.