

# WHAT FISHERMEN NEED TO KNOW ABOUT REQUIREMENTS UNDER THE NOVA SCOTIA OCCUPATIONAL HEALTH & SAFETY ACT AND REGULATIONS

## Vessels with 1 to 4 crew including Captain

The captain of a vessel must understand their duties and responsibilities under the *Occupational Health & Safety Act* (OHS) and is responsible to ensure deckhands do what is required by provincial law.

Everyone on board is responsible for safety according to the vessel's chain of command. The captain has the greatest degree of responsibility.

## Captain's Rights & Responsibilities (OHS Act Section 13):

- Ensure the health and safety of the crew.
- Provide and adequately maintain equipment on the vessel.
- Provide safety information, including any health and safety hazards, provide instruction, training and adequate supervision to the crew.
- Ensure the crew is familiar with the proper use of safety clothing/devices for their protection.
- Report any fires or serious injury at the workplace – on the vessel, at the wharf, etc. (OHS Act Section 63/64).
- Right to refuse unsafe work if not self-employed, and know how to handle a work refusal by a crew member (OHS Act Section 43).

## Crew's Rights & Responsibilities (OHS Act Section 17):

- Protect themselves and other crew members – take every reasonable precaution.
- Cooperate with the captain regarding any health and safety requirements.
- Ensure safety clothing and equipment required by the captain are used or worn.
- Immediately report any safety concerns to the captain or person in charge.
- Right to refuse unsafe work (OHS Act Section 43).

*This document is meant to be a quick reference to the relevant Occupational Health and Safety requirements in Nova Scotia so the requirements can be properly applied. It is not a substitute for reviewing the legislation and regulations.*

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## Applicable Provincial Regulations

- 1. Personal Protective Equipment (PPE):** A personal flotation device must be worn where there is a risk of drowning. Hard hat, safety footwear, gloves, safety glasses, fall protection, hearing protection are to be worn where hazards exist.
- 2. Sanitation & Accommodation:** Drinking water, washrooms (where it is reasonable), hand cleaning, eye wash, housekeeping, non-slip flooring and decking, railings at steps, fire protection.
- 3. Handling & Storage of Material:** Ensure fish bins are properly maintained, hatch covers are secure with no tripping hazards, nets/line/buoys/ropes are adequately stored, propane is stored and secured in a well-ventilated area and lines are protected, and doorways and alleyways are kept clear.
- 4. Hoists:** Inspected annually, rated load posted, equipped with safety chains for blocks, safety clips on hooks, cables in good condition.
- 5. Mechanical Safety:** Adequate guarding to prevent cable entanglement, guide bars to guide cable on winch, guards to cover pinch points, bait cutters must conform to hazard alert, equipment such as drags, blocks, chains, cables, rakes and anchor points must be adequately maintained, engine exhaust must adequately clear exhaust from deck and be insulated to prevent burns, lockout system, gasoline vapour alarm, if applicable.
- 6. Electrical:** Electrical equipment must be maintained i.e.: no rusted panels, no bare wires, no hanging wires. Lights must be guarded.
- 7. Confined Spaces:** Follow safe work procedures.
- 8. Chemical Safety:** Provide list of chemicals on board, safety data sheets and WHMIS training. Ensure proper storage and use. Supply and use appropriate PPE when handling.
- 9. Fall Protection:** Required where there is a risk of falling that could cause injury. Employees must be trained and a fall protection procedure and/or plan (including rescue plan) in place when required.
- 10. First Aid Regulations:** Provide first aid training and equipment as required.
- 11. Diving Regulations:** Captain is responsible to ensure diving regulations are followed when divers are contracted to perform work.
- 12. Smoke-Free Places Act & Regulations**



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