

April 18, 2024

Jay Meyer, Executive Director
Saskatchewan Association of Rural Municipalities
2301 Windsor Park Road
REGINA SK S4V 3A4

Dear Jay Meyer:

**Re: Exemption from Section 11-2 of
The Saskatchewan Occupational Health and Safety Regulations, 2020
Pursuant to Section 3-85 of *The Saskatchewan Employment Act***

Further to your correspondence received March 27, 2024, an exemption will be granted subject to the conditions stated on the attached exemption form.

We understand that you will forward this exemption to Rural Municipalities who may wish to rely on this exemption. This exemption will only apply to residents contracted by individual Rural Municipalities to apply water for dust control, who meet the conditions of this exemption, and who sign an agreement to comply with the conditions set out in this exemption.

Sincerely,



Bryan Lloyd
Executive Director
Occupational Health and Safety Branch

Attachment

EXEMPTION FROM REGULATIONS

BY VIRTUE OF THE PROVISION MADE IN SECTION 3-85 OF *THE SASKATCHEWAN EMPLOYMENT ACT*, AND IN CONSIDERATION OF THE FACT THAT THE SAFETY OR HEALTH OF PERSONS WORKING AT THE PLACES OF EMPLOYMENT OF:

Saskatchewan Rural Municipalities

various locations

WILL NOT BE MATERIALLY AFFECTED AND THAT INTERESTED PERSONS HAVE BEEN CONSULTED, I HEREBY DIRECT:

A Saskatchewan Rural Municipality (“R.M.”) is exempt from the requirements of section 11-2 of *The Occupational Health and Safety Regulations, 2020* with respect to the training of municipal residents contracted by an R.M. to apply water for dust control of municipal roads (“dust control”).

SUBJECT TO THESE CONDITIONS:

1. This exemption only applies to municipal residents who are contracted by the R.M. in which they reside to engage in dust control.
2. The R.M. shall ensure that municipal residents to which this exemption applies are included within the R.M.’s Saskatchewan Workers’ Compensation Board insurance coverage.
3. This exemption does not apply to self-employed persons or employers engaged in the business of dust control.
4. This exemption does not apply to R.M. employees who engage in dust control in the course of their employment with an R.M.
5. The R.M. shall ensure that the equipment used for dust control must be owned by the municipal resident. Further, the R.M. shall ensure that this equipment complies with the requirements of *The Vehicle Equipment Regulations, 1987* and *The Occupational Health and Safety Regulations, 2020*, including, but not limited to, being equipped with amber beacons, working head and tail lights, slow-moving signage, and roll-over protective devices and seat belts.
6. The R.M. shall ensure that the equipment used for dust control by the municipal resident must be in safe working condition, have a clear and unobstructed windshield, and have working wiper blades.
7. The R.M. shall ensure that municipal residents who engage in dust control must hold a valid Saskatchewan driver’s license.
8. The R.M. shall ensure that municipal residents who engage in dust control must each sign a written agreement with the applicable R.M. that:
 - a. the equipment used by the municipal resident for dust control meets the conditions set out in this exemption;

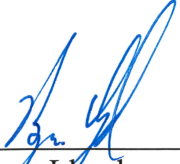
- b. the municipal resident will shut off the engine of the equipment used for dust control before performing any maintenance on this equipment while engaged in dust control operations;
 - c. the municipal resident is familiar with the roads on which the dust control takes place, and in particular that the resident has knowledge of the location of steep ditches, intersections, railway tracks, or other hazards that may be present;
 - d. the municipal resident understands and will comply with all traffic rules relevant to the roadway on which the dust control is taking place;
 - e. except in the case of emergency, the municipal resident will not apply water for dust control during periods of low visibility;
 - f. the municipal resident will carry an operational telephone, radio, or other electronic communication device while engaged in dust control.
9. A copy of the agreement noted in condition 8 of this exemption must be kept at the office of the applicable R.M., and be readily available for inspection by any occupational health officer.
 10. The R.M. shall ensure that a copy of this exemption is given to any municipal resident to whom the exemption applies.
 11. The R.M. shall ensure that a copy of this exemption is posted in two conspicuous locations at the place of employment of workers or self-employed persons who are or may be directly affected by this exemption.

AND FOR THIS REASON:

1. The standard of health and safety of any worker will not be materially affected by this exemption.

EXPIRY AND REVOCATION:

This exemption may be revoked by the Director at any time without notice. Unless sooner revoked, this exemption shall expire on April 30, 2025.



Bryan Lloyd
Executive Director
Occupational Health and Safety Branch

Date: April 18, 2024

Contractor's Agreement

I _____, a resident of the R.M. of _____,
who has been contracted by the R.M. to engage in dust control on roadways within the R.M., hereby
confirm that I have read this exemption and agree to comply with its terms and conditions.

Signature

Date:

Print Name: _____