Ticketing and Administrative Penalties

Administrative Penalties

Occupational Health and Safety (OHS) administrative penalties can be imposed against any parties regulated by OHS legislation. These penalties aim to encourage improved compliance with health and safety legislation and are meant to work as a persuasive deterrent against those who demonstrate a disregard for health and safety in the workplace.

The administrative penalty system came into effect October 1, 2013. Details are included in the Administrative Penalty Regulation (under the *Occupational Health and Safety Act*). Visit the Government of Alberta's OHS website for more information on the administrative penalty system.

Ticketing

As of January 1, 2014 workers and employers in contravention of ticketable provisions of OHS legislation can be issued tickets by OHS officers. OHS tickets are similar to a traffic ticket; they are an on-the-spot penalty given out following an infraction of the law.

Details of ticketable items are contained in the Procedures Regulation under the *Provincial Offences Procedures Act*. For convenience, the following table provides a summary of OHS ticketable provisions. Please be aware that law is constantly changing and this listing is subject to change. If in doubt with respect to any information contained within this table, or for confirmation of the official legal information, please refer to the current edition of the *Provincial Offences Procedures Act* and Procedures Regulation. Further, if there is any inconsistency or conflict between any of the information contained in the table below and the applicable legislation, the legislation shall prevail.

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OHS Ticketable Provisions

OHS Statute	Section	Summary of Offence (brief description on ticket)	Category	Fine Amount
Part 1 General				
Regulation	12(2)	Emplr fail to ensure wrkr use/wear req'd equip	Employer/ Supervisor	$500
Part 4 Chemical Hazards, Biological Hazards and Harmful Substances				
Code	24	Emplr fail to ensure wrkr has immed access to emerg. wash equip.	Employer	$500
Code	26(1)	Emplr fail to have req'd code of practice	Employer	$300
Part 5 Confined Spaces				
Code	47(1)	Person fail to have valid entry permit when enter confined space	Worker **(Person)**	$100
Part 6 Cranes, Hoists and Lifting Devices				
Code	62(1)	Emplr fail to ensure lift device has req'd load cap plate/label	Employer	$300
Code	62(2)	Emplr fail ensure non-comm. mfg'd lift device has req'd load cap plate/label	Employer	$300
Code	82(1)	Person rides on material hoist	Worker **(Person)**	$100
Code	82(2)	Emplr fail to ensure wrkr does not ride on material hoist	Employer	$300
Code	90	Emplr fail to ensure mobile crane/boom truck outrigs extended and supported	Employer	$500
Code	97(2)	Person uses roofing materials as counterweight	Worker **(Person)**	$200
Part 8 Entrances, Walkways, Stairways and Ladders				
Code	122(2)	Emplr fail to ensure stairway /w five or more risers has handrail	Employer	$500
Code	122(3)	Emplr fail to ensure temporary stairs are at least 600 mm wide	Employer	$300
Code	133(1)	Wrkr works from top two rungs/steps/cleats of portable ladder	Worker	$200
Code	136	Wrkr fail to secure/position ladder as req'd	Worker	$200

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Part 9 Fall Protection				
Code	139(8)	Wrkr fail to use/wear fall protection system req'd by emplr	Worker	$200
Code	142(2)	Wrkr fail to use/wear req'd full body harness	Worker	$200
Code	155(3)	Wrkr climbs onto load that is not secured	Worker	$200
Code	161(1)	Emplr fail to use control zone as specified	Employer	$500
Part 10 Fire and Explosion Hazards				
Code	162(3)	Person fail to not smoke where flammable substance present	Worker **(Person)**	$200
Code	170.1(5)	Emplr fail to provide nozzle guard for airless spray machinery	Employer	$300
Code	170.1(6)	Wrkr fail to ensure nozzle guard of airless spray machinery in place	Worker	$100
Part 12 General Safety Precautions				
Code	185	Emplr fail to keep work site clean/free of slip/trip hazards	Employer	$500
Code	187.1(1)	Emplr fail ensure roofing materials not < 2 m from residential bldg roof edge	Employer	$300
Code	194(2)	Emplr fail to ensure wrkr exposed to traffic wear req'd visible clothing	Employer	$500
Code	194(3)	Wrkr fail to wear req'd visible clothing when exposed to traffic	Worker	$200
Part 18 Personal Protective Equipment				
Code	229(1)	Emplr fail to ensure wrkr wears approved eye protection	Employer	$300
Code	233(1)	Emplr fail to ensure wrkr uses req'd protective footwear	Employer	$300
Code	235(1)	Emplr fail to ensure wrkr wears safety helmet (bikes/skates)	Employer	$300
Code	236(1)	Emplr fail to ensure wrkr wears safety helmet (ATV/snow veh./mcycl)	Employer	$300
Code	255	Emplr fail to ensure wrkr wear req'd hood while abrasive blasting	Employer	$500

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Part 19 Powered Mobile Equipment				
Code	256(3)	Operator of powered mobile equip fail to use seat belts/other safety equip	Worker **(Operator)**	$200
Code	276	Person rides on top of load that is moving	Worker **(Person)**	$200
Code	279(1)	Emplr fail to ensure igntn. source not present while vehicle refueling	Employer	$500
Code	279(2)	Person fail to ensure igntn. source not present while vehicle refueling	Worker **(Person)**	$200
Part 21 Rigging				
Code	305(1)	Emplr fail to remove damaged/worn synthetic fibre web sling from service	Employer	$500
Code	305(2)	Emplr fail to remove damaged/worn synthetic fibre web sling from service	Employer	$500
Code	306(2)	Emplr fail to remove damaged/worn running wire rope from service	Employer	$500
Code	306(3)	Emplr fail to remove damaged/worn stationary wire rope from service	Employer	$500
Code	307	Emplr fail to remove damaged/worn metal mesh sling from service	Employer	$500
Part 22 Safeguards				
Code	313(2)	Emplr fail to ensure bldg shaft w/o work platform enclosed as req'd	Employer	$500
Code	314(2)	Emplr fail to ensure temp. cover placed on prev. protected hole	Employer	$500
Code	318(1)	Emplr fail to ensure wrkrs protected from falling objects	Employer	$500
Part 23 Scaffolds and Temporary Work Platforms				
Code	324(4)	Emplr fail to ensure hoarded masonry scaffold anchored as req'd	Employer	$500
Code	327(1)	Emplr fail to ensure wrkr only use vert ladder on scaffold as permitted	Employer	$500
Code	327(2)	Wrkr fail to use vert ladder on scaffold as req'd	Worker	$200

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Code	328(1)	Emplr fail to ensure no wrkr work from access ladder of scaffold	Employer	$500
Code	328(2)	Wrkr works from access ladder of scaffold	Worker	$200
Code	334(2)	Wrkr remains on moving rolling scaffold when not permitted	Worker	$200
Code	334(3)	Wrkr fail to lock/block rolling scaffold against movement that wrkr is on	Worker	$200
Code	349(3)	Emplr fail ensure operator at controls while wrkr on fork-mntd. platform	Employer	$500
Code	349(4)	Persons on fork-mntd. platform while platform moving horiz.	Worker **(Person)**	$100
Part 25 Tools, Equipment and Machinery				
Code	367(2)	Operator fail to operate machine w/o endangering operator/other wrkrs	Worker **(Operator)**	$200
Code	374	Wrkr permits trigger of actuated fastening tool be mech. held "ON"	Worker	$100
Code	375(2)	Emplr fail to ensure guard of hand-held grinder covers req'd area	Employer	$500
Part 29 Workplace Hazardous Materials Information System (WHMIS)				
Code	407	Emplr fail to ensure req'd MSDS readily avail. at work site	Employer	$500
Part 33 Explosives				
Code	466(2)	Person fail to not smoke/burn material w/i 15 m of explosive	Worker **(Person)**	$200
Part 34 Forestry				
Code	523	Emplr fail to ensure partially cut tree not left standing	Employer	$500
Part 35 Healthcare and Industries with Biological Hazards				
Code	526(1)	Emplr fail to provide sharps container	Employer	$300
Code	526(2)	Wrkr fail to use provided sharps container	Worker	$100
Part 36 Mining				
Code	621	Wrkr smokes/has open flame w/i 8 m of veh. w/explosives	Worker	$500

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Code	648(3)	Wrkr smokes/allows sources of igntn. w/i 8 m of blast area	Worker	$200
Code	693(2)	Wrkr has smoking materials/means of igntn. in mine.	Worker	$200
Code	693(3)	Wrkr uses smoking materials/means of igntn. in mine	Worker	$200
Part 37 Oil and Gas Wells				
Code	755(2)	Emplr fail to ensure a derrick/mast log book avail. at work site	Employer	$300
Part 39 Tree Care Operations				
Code	794(2)	Wrkr fail to use/wear work positioning/fall protection system req. by emplr	Worker	$200
Part 41 Work Requiring Rope Access				
Code	810	Emplr fail to ensure rope access safe work plan avail. before work begins	Employer	$300
Code	827(4)	Wrkr fail to ensure rope access logbook current and avail. at work site	Worker	$100

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