

---

## Part 3 Specifications and Certifications

### Highlights

Part 3 establishes the importance of manufacturer's specifications and of specifications certified by a professional engineer.

### Requirements

#### Section 12 Following specifications

The employer must ensure that equipment is adequate for the job. The equipment must be of sufficient size, strength, design and made of material that can withstand the stresses created during work. Whenever there is a question about how equipment is to be used, maintained, operated, etc., the answer should be found in the manufacturer's specifications or specifications certified by a professional engineer.

The term "manufacturer's specifications" is defined in the OHS Code and refers to written specifications, instructions or recommendations that describe how the equipment is to be used, maintained, operated, etc. Equally effective are specifications certified by a professional engineer, meaning that the specifications are signed and stamped by a professional engineer recognized by the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA). The author of the specifications, be it the manufacturer or a professional engineer, is considered to know the equipment best.

If an Occupational Health and Safety Officer is in doubt as to whether an employer is in compliance regarding the adequacy, performance or activity of an item of equipment, the officer may request a copy of the manufacturer's specifications or specifications of a professional engineer. After reviewing the specifications, the officer should be able to reasonably judge whether the employer is in compliance with this section.

---

## Section 13 Manufacturer's and professional engineer's specifications

### Subsection 13 (1)

Although the employer is required to comply with the manufacturer's specifications, this subsection provides the employer with the flexibility to modify specifications. This may result in the equipment being used in applications other than those originally intended by the manufacturer. A large power drill for example, may be fitted with a gear reduction mechanism and used as a hoisting mechanism on a swingstage.

A professional engineer must certify such modifications. The engineer providing the certification is responsible for ensuring that the equipment continues to be safe to use, maintain, operate, etc. according to the modified specifications. The subject matter of the specifications must be within the engineer's scope of practice.

### Subsection 13(2)

In some instances, the employer will not be able to follow the manufacturer's specifications as required in the OHS Code because the manufacturer's specifications are not available or do not exist. The employer is offered two alternatives:

- (a) have written procedures certified by a professional engineer. The procedures must be specific to the equipment and ensure the equipment will be safe for use. The procedures must also include all the essential ingredients of a typical manufacturer's specifications, such as limitations and controls to be applied by the operator, or
- (b) have the equipment certified as safe to operate by a professional engineer at least every 12 calendar months.

## Section 14 Certification by a professional engineer

This section describes what is meant by the phrase "certified by a professional engineer". The certification must be in writing, be signed and stamped, and ensure the safety of workers who may be affected by it.

This section only applies where a section of the OHS Code requires that procedures or specifications be certified by a professional engineer.

## Section 15 Approved equipment

Equipment requiring approval from a standards setting, certifying or approving organization normally has the organization's seal, stamp, logo or identifying mark affixed to the equipment. The presence of one of these markings indicates the equipment has been certified or approved by the organization and the marking can then be used as evidence of compliance with the applicable standard referenced in the OHS Code. Readers are referred to section 3.1 for additional information.

Because some types of equipment are used and operated under harsh conditions, the markings can fade, chip, wear off or otherwise become illegible. Recognizing this and the fact that the organizations listed above do not provide markings except at the time of equipment certification or approval, employers are required to use their "best efforts" to retain equipment markings. Markings should be protected to remain legible for as long as possible. Where this is not reasonably possible, original documentation referring to the equipment's certification or approval can be accepted.