

Applying for an OHS acceptance or approval

Information for applicants

Key information

- The *Occupational Health and Safety (OHS) Act* gives OHS statutory directors authority to grant acceptances and approvals.
- If you are applying for an acceptance or approval, read this bulletin. Incomplete applications - missing or incorrect information - will delay processing.

What are acceptances and approvals?

Acceptances and approvals are legislated tools that allow OHS statutory directors – Directors of Inspections, Occupational Hygiene and Medical Services – to grant regulatory permissions under specific circumstances.

Acceptances

An acceptance provides for an alternative approach offering equal or greater protection to workers than a requirement in the Regulation or Code.

Section 55 of the *OHS Act* enables acceptances. Acceptances can be issued by a statutory director for alternative:

- piece(s) of equipment
- work processes
- standards
- requirements
- substances
- services
- first aid services, supplies, or equipment

The work site party proposing the alternative must, along with other requirements, provide sufficient information and supporting evidence to show that the alternative offers equal or greater protection to workers than the legislated requirement. The information provided can include photographs, technical reports, sketches and drawings.

Approvals

Approvals from statutory directors are required in some specific provisions of OHS legislation. Section 56 of the *OHS Act* enables approvals.

Many provisions that require approval set out criteria that work site parties must meet, and require that a director approve the measures the work site party has put in place to meet the criteria.

In cases where a provision requires approval but the criteria for assessing the approval request are not in legislation, the director considers factors appropriate to the application. Examples of such factors are the circumstances, written submissions, documents, or reports, technical information, jurisdictional scans or consultation feedback.

Acceptances and approvals are not exemptions to requirements of the OHS legislation.

Who can apply for an acceptance or approval?

Prime contractors, contractors, employers, self-employed persons, suppliers, service providers, owners, or a group of one or more of these persons can apply for an acceptance or approval. These work site parties are defined in the *OHS Act*.

Group applications allow work site parties dealing with the same issue to apply jointly for the same acceptance or approval, rather than each work site party having to do so individually.

How to apply

There are two ways you can apply for either an acceptance or approval.

Option 1 (recommended)

Apply through the [OHS Acceptances and Approvals](#) secure online feature. (Full web address on page 4.)

With this option, you can enter or upload all required information directly and track the status of your application.

Option 2

Complete the appropriate application form.

- OHS acceptance form [LI030TMP](#)
- OHS approval form [LI030-1TMP](#)

Submit the completed form and all required information to OHS either by mail or email.

- Send technical non-mining applications to:

OHS Specialized Professional Services
8th Floor, Labour Building
10808 - 99 Avenue NW
Edmonton AB T5K 0G5
lbr.ohsaccept@gov.ab.ca

- Send mining-related applications to:

Director of Inspections for Mining
J.G. O'Donoghue Building
Main Floor, 7000 – 113 Street
Edmonton, AB T6H 5T6
lbr.ohsmining@gov.ab.ca

Required information

An acceptance or approval application must include:

- The specific section(s), subsection(s), clause(s) or sub-clause(s) of the OHS legislation you're requesting the acceptance or approval for.
- The reason the acceptance or approval is requested or necessary.

Joint work site health and safety committee (HSC) or health and safety (HS) representative, autonomous haulage system and workplace first aid approvals have their own application processes. If you are applying for one of these approvals, read the applicable bulletin.

Note that you can only apply for HSC/HS representative approvals by mail or email.

[Applying for a joint work site health and safety committee or health and safety representative approval](#)

[Applying for an OHS autonomous haulage system approval](#)

[Workplace first aid approval: Alberta Plus Quality Management Plan](#)

- Any applicable work site locations and a description of the work being performed.
 - Provide longitude and latitude if there is no street address (for example, at an oil well site).
 - State if the acceptance or approval is for mobile equipment with no fixed work site.
- Length of the acceptance or approval you're requesting (maximum five years).
 - Include specific dates and time periods if known.

Acceptance applications must also include:

- Details of the alternative piece of equipment, work process, standard, requirement, substance, service, first aid service or first aid supplies or equipment being proposed.
- The rationale as to how the proposed alternative will provide equal or greater protection to the workers compared to the legislative requirement.

Approval applications must also include:

- Specific details about the circumstances and work site that a director needs to determine where the approval should be granted.

Applicants must provide all supporting information needed to assess the application. This may include:

- Photographs, technical reports, proposed work procedures, sketches and drawings.
- If applicable, a copy of relevant hazard assessments, conducted with the involvement of

the HSC, HS representative or affected workers, and identifying the methods used to eliminate or control the identified hazards.

Acceptance applications must include the results of consultation with HSCs, HS representatives and/or other affected workers, as applicable. Worker consultation may be required with approval applications if deemed appropriate by the director.

Certification of any alternatives by a professional engineer or other appropriate professional is often helpful. In some cases, the director may request this.

Application processing

OHS acknowledges applications submitted through the online feature with an immediate receipt. Acknowledgement of mailed or emailed application is typically sent to the applicant within three business days of receipt of the application.

While the application is being processed and assessed, all existing requirements of the OHS legislation must continue to be met.

Acceptance applications must be provided to the HSC or HS representative (if one exists) and posted at the work site until the decision is received. (This does not apply to structure or equipment demolition requests).

Requests are considered on a case-by-case basis. Timelines for application review vary and typically take a number of weeks.

- Make requests well in advance of critical project deadlines where possible.
- You may be contacted during the assessment process to answer questions or provide additional information.

Granted or denied requests

A director may either grant or deny a request, in whole or in part, after considering all the information provided. In either case, the director will provide their decision to the applicant in writing.

If the request is granted

A director's acceptance or approval granting letter may include a list of terms and conditions that must be met, and will specify the acceptance or approval

- time period
- recipients (work site party or parties)
- applicable work site(s)

An acceptance or approval is not transferable to other work site parties and locations. Any such transfer or amendment must be approved by the director.

Acceptances and approvals should be made readily available to HSCs or HS representatives, if those exist. Granting letters for acceptances must be posted at a conspicuous place, kept with any equipment the acceptance applies to, and otherwise communicated to affected workers.

An OHS officer may visit the work site(s) to confirm that work site parties are complying with the terms and conditions of the granting letter.

Validity

An acceptance or approval is in effect for a maximum of five years from the date it is granted, subject to the terms and conditions in the granting letter. Applicants are responsible for re-applying for acceptances or approvals, if so desired, before the expiry date. OHS recommends re-applying at least three months in advance of the expiry of the acceptance or approval.

If circumstances change

If the circumstances of the original application change, the applicant must notify the director. At their discretion, the director may amend, suspend, or revoke the acceptance or approval for non-compliance with the terms, conditions or requirements set out in the acceptance or approval.

Examples of changed circumstance include but are not limited to altered work site conditions, new work site locations or project timelines that go beyond the expiry date in the granting letter.

If the request is denied

The director must provide the applicant with written reasons for their decision. The applicant can revise their application to address any stated concerns and re-apply.

Contact us

OHS Contact Centre

(Complaints, questions, reporting serious incidents)

Anywhere in Alberta

- 1-866-415-8690

Edmonton & surrounding area

- 780-415-8690

Deaf or hearing impaired

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

OHS Online Incident Reporting Service

(PSIs, mine or mine site incidents)

oirportal.labour.alberta.ca/pre-screening/

Website

alberta.ca/OHS

Get copies of the *OHS Act*, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

Occupational Health and Safety

alberta.ca/ohs-act-regulation-code.aspx

For more information

Applying for a joint work site health and safety committee or health and safety representative approval (LI030-2)

ohs-pubstore.labour.alberta.ca/li030-2

Applying for an OHS acceptance: form (LI030TMP)

ohs-pubstore.labour.alberta.ca/li030tmp

Applying for an OHS approval: form (LI030-1TMP)

ohs-pubstore.labour.alberta.ca/li030-1tmp

Applying for an OHS autonomous haulage system approval (LI056)

ohs-pubstore.labour.alberta.ca/li056

OHS Acceptances and Approvals online application feature

ohsacceptances.labour.alberta.ca/

Workplace first aid approval: Alberta Plus Quality Management Plan (FA017)

ohs-pubstore.labour.alberta.ca/fa017

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