

LEGISLATIVE INTERPRETATIONS

Topic: Respiratory protective equipment – Compressed breathing air	Issued by: V.P., WorkSafe Services
Statute: General Regulation 91-191	Date Issued: December 11, 1998
Section: 45(2)	Date Revised:

45(2) An employer shall comply with CSA standard Z94.4-93, “Selection, Care, and Use of Respirators” in developing the code of practice.

Question:

General Regulation 91-191 references a standard. That standard in turn references a second standard. Is an employer required to comply with the second standard?

Answer:

Section 45(2) requires an employer to develop a code of practice that complies with the 1993 version of CSA Z94.4 *Selection, Use, and Care of Respirators*. That standard says “Compressed breathing air shall comply with the purity requirements of CSA Standard CAN3-Z180.1”.

Section 4.3.8 of CAN3-Z180.1-M85 *Compressed Breathing Air and Systems* requires purity analysis testing of the air produced by the breathing air system “by a qualified laboratory acceptable to the regulatory authority at least once every six months”.

In essence, Reg. 91-191 incorporates a standard, which in turn incorporates another standard. In this circumstance, the second standard has the effect of the regulation. One standard is on respirators and the other is on compressed breathing air. It is reasonable for an employer in a workplace that requires respiratory equipment to be familiar with both. Both are CSA standards and are readily available.

