

NOTICE OF MEASURE

to Achieve a Legitimate objective under Chapter 7 of the Canadian Free Trade Agreement (CFTA)

Approved by the GOVERNMENT OF ALBERTA

Regulated Occupation Name: Safety Codes Officers

Province(s)/Territory(ies) whose workers are affected:

Saskatchewan, Manitoba, Ontario Quebec, Nova Scotia, New Brunswick and the Northwest Territories

Under which legitimate objective(s) is/are the measure(s) being filed:

Public security and safety

Rationale/Justification: Material Scope of Practice Difference

A Safety Codes Officer (SCO) is a law enforcement occupation established under the *Safety Codes Act (Act)* to administer and enforce provisions of the Act, including codes and standards for the nine safety disciplines established under the Act. The disciplines are: building, fire, plumbing (including private sewage systems), gas, electrical (including oil and gas and utilities), boilers and pressure vessels, elevating devices, amusement rides, and passenger ropeways. SCO responsibilities are broad and varied and deal with construction, installation, and safe operation and maintenance in the built environment.

A SCO is empowered to address emergency situations, which can include issuing an order for immediate closure for all or part of a premise based on the SCO's determination that an immediate risk to public safety exists. Based on their knowledge of Alberta's laws and safety codes, SCOs can issue variances, which allow construction to occur that is not as prescribed in code, but does, in their expert opinion, provide for equal or greater public safety. In some cases, SCOs are required to provide evidence and appear as witnesses at Alberta Courts. To be effective in their roles, Safety Codes Officers must know and be able to apply the relevant provincial legislation, regulations and policy in Alberta.

As the adoption of safety codes is a matter of provincial jurisdiction and informs the qualifications for SCO certification, substantive code differences may require that persons trained outside Alberta undertake additional course work and/or examination to ensure that they are sufficiently knowledgeable and therefore capable of interpreting, applying and enforcing the sections of these codes that do not exist in the jurisdiction in which they were trained.

Additional Requirement(s):

The Safety Codes Council, responsible under legislation for certifying SCOs in the different disciplines, and designating the employers for whom they can work, have to assess the competency of all potential SCOs before they can practice in Alberta. For out-of-province workers this includes:

1. Assessing the safety codes and standards competencies of workers trained in other provinces and territories on an individual basis. The Council has compiled comparative information for all provinces and territories to assist them in this assessment. Credit for equivalency training is provided where it is found to exist. The applicant may be required to take additional training if necessary.

2. The applicant must also successfully complete a mandatory four-day jurisprudence training and exam to demonstrate a sound knowledge and understanding of Alberta's safety system, the responsibilities and powers provided to a SCO under Alberta's legislation, and the relevant policies.	
Anticipated Duration of the additional requirement(s): Indefinite	
Date Approved:	<u>2017 / 07 / 01</u> YY MM DD (*originally approved under the former AIT on 09/11/30)
Date(s) Reviewed and/or Updated	All of Alberta's Labour Mobility Exceptions are under review and will be confirmed, updated, revised, or removed.
Contact Information	Government of Alberta LabourMobility@gov.ab.ca