

## LEGISLATIVE INTERPRETATIONS

Topic: Welding Certification	Issued by: V.P. WorkSafe Services
Statute: General Regulation 91-191	Date Issued: June 15, 2011
Paragraph: 274.1(b)	Date Revised:

**274.1** Where the safety of any person depends on the strength of a weld, an employer shall ensure that the weld is done by a welder who

(b) is employed by a company certified to CSA standard W47.1-92, “Certification of Companies for Fusion Welding of Steel Structures”.

### Question 1

My employer is a Division 2 Certified Company under the Canadian Standard Association (CSA) standard W47.1-09. The Canadian Welding Bureau (CWB), which is the certifying agency for this standard, has required that companies meet the conditions of the latest edition of CSA standard W47.1 to maintain their certification. CSA standard W47.1-92 was superseded in 2003 and again in 2009. As a welder who is employed by a company certified to CSA standard W47.1, am I expected to follow the requirements of CSA standard W47.1-92 as required in General Regulation 91-191 under the *Occupational Health and Safety Act (OHS Act)*, or the requirements of CSA standard W47.1-09 as required by the CWB and my employer’s certification?

### Answer

In this case, your employer can require you to meet the requirements of the latest edition of CSA standard 47.1 as required by the CWB. The CWB does not currently certify companies to an edition of the standard except the latest. Also, the regulatory requirements are only the minimum standard imposed. Workplaces are encouraged to adopt higher standards and best practices.

### Question 2

Our company was certified under CSA standard W47.1-92. The CWB, which is the certifying agency for this standard, requires that companies meet the requirements of the latest edition of CSA standard W47.1 to maintain their certification. CSA standard W47.1-92 was superseded in 2003 and again in 2009. Our company opted not to pursue certification to the most recent standard and, as a result, our certification has been revoked. Given that we were certified to CSA standard W47.1-92, do we meet the requirements of Reg. 91-191, paragraph 274.1(b), under the *OHS Act*?

**Answer**

No, as the CWB is the only body recognized as being able to certify compliance with the standard, it is impossible to determine if your company still meets the requirements of the standard. Once the CWB has withdrawn your certification, the bureau representative would not have made plant and site visits for periodic verification that the company continues to meet the applicable requirements. The result is that there is no valid certification in place.

**Question 3**

Our company is seeking certification under CSA standard W47.1-92 to comply with Reg. 91-191, paragraph 274.1(b), under the *OHS Act*. The CWB requires that we meet the requirements of the latest edition of CSA standard W47.1 to obtain certification. Given that it is not possible for our company to get certified to CSA standard W47.1-92, do we need to be certified at all?

**Answer**

Yes, your company is required to be certified. As you have indicated, the CWB requires that you meet the requirements of the latest edition of CSA standard W47.1 to obtain certification. WorkSafeNB will accept certification to the latest edition of CSA standard W47.1.