

**NEW BRUNSWICK
REGULATION 91-191**

under the

OCCUPATIONAL HEALTH AND SAFETY ACT

(O.C. 91-1035)

**PART XVI
MECHANICAL SAFETY**

Lock out

239(1) An employer shall ensure that in addition to the normal control start and stop mechanism, a machine has a means of isolating the energy source to the machine that is

- (a) lockable,
- (b) in a location familiar to all employees, and
- (c) properly identified.

239(2) An employer shall provide a safety lock and key to an employee who may have to lock out a machine.

239(3) An employer shall establish a written lock out procedure for a machine and ensure that an employee who may have to lock out a machine has been adequately trained to lock out the machine.

239(4) Subject to section 240, where a machine is to be cleaned, maintained, adjusted or repaired, an employer shall ensure that no employee works on the machine until

- (a) a competent person puts the machine in a zero energy state,
- (b) each employee who will be working on the machine
 - (i) verifies that all potential energy sources have been made inoperative,
 - (ii) locks out the machine using the safety lock and key provided by the employer, and
 - (iii) puts on the safety lock a tag that does not conduct electricity and that contains
 - (A) words directing persons not to start or operate the machine,
 - (B) the employee's printed name and signature, and
 - (C) the date and time when the tag was put on the machine.

239(5) No employee shall clean, maintain, adjust or repair a machine until the employee verifies that paragraphs 4(a) and (b) have been complied with and verifies by testing that the machine is inoperative.

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239(6) No person shall remove a lock out device or tag on a machine except

(a) the person who installed it, or

(b) in an emergency or where attempts made to contact the person referred to in paragraph (a) indicate the person is not available, a competent employee designated by the employer.

240 Where the lock out procedure referred to in section 239 is inappropriate for the cleaning, maintenance, adjustments or repairs to be performed or is inadequate for the protection of an employee, an employer shall

(a) establish a code of practice in consultation with the joint health and safety committee or health and safety representative, if any, specifying personnel responsibilities, personnel training and details of procedure for the neutralization, clearance, release and start up of the machine, and

(b) comply with and enforce the code of practice.

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