

# Regulatory amendments under consideration First Aid Regulation 2004-130

Stakeholder Consultation — Autumn 2021



CURRENT	CSA Z1210-17 First aid training for the workplace - Curriculum and quality management for training agencies	WorkSafeNB COMMENTS
	Scope	No issue with this section.
	General	
	<ul> <li>a) The Standard sets the minimum requirements for workplace first-aid training courses.</li> <li>b) It is intended for WorkSafeNB, other occupational health and safety organizations, consultants and training agencies, and other interested workplace parties.</li> <li>c) It provides guidance on design and development, required competencies, and ongoing quality management for workplace first-aid training programs and courses.</li> </ul>	
	Purpose and Audience	
	The Standard sets the minimum requirements for workplace first-aid training programs.	
	It is intended for all those who design, develop, deliver, maintain, and review workplace first-aid training courses.	
	Introduction	
	The Standard specifies requirements for workplace first-aid training:	
	<ul> <li>a) program design and development.</li> <li>b) required competency levels (for instructors and learners).</li> <li>c) ongoing quality management requirements.</li> </ul>	
	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies. © 2017 Canadian Standards Association. Please visit store.csagroup.org	
"high hazard work" means)		High hazard work currently just changes the number of kits and the number of first aid providers required. This is an opportunity to look into requiring high hazard work to require intermediate level first aid training while others may only require basic.

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		If this provision goes forward, the definition of high hazard work will need to be revisited to ensure appropriate industries receive adequate first aid training.
(a) work carried on at a place of employment specified in Schedule A, or		Schedule A may need to be amended pending the definition change to high hazard work.
(b) if no place of employment is specified, work identified in Schedule A as high hazard work		Schedule A may need to be amended pending the definition change to high hazard work.

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	Training program design and considerations  Workplace first-aid training design  Training agencies must design workplace first-aid training programs that take the following into consideration:  a) optimal training environment; b) required training materials and equipment; c) estimated training course duration; and d) intended audience characteristics.  Training environment  Training agencies must establish policies and procedures to ensure the training environment provides for the requirements of course delivery, and ensures the safety, comfort, and accessibility needs of learners are met.  Training materials and equipment  Training agencies must establish policies and procedures with respect to the training materials, equipment, and infection prevention and control practices required for safe and effective delivery of course curriculum.  Workplace first-aid training program and quality management  Notes:  1) Some content from CSA Z1001 has been adapted for use in this Clause.	No conflict, this is a training agency requirement to do. This type of requirement is currently silent in the first aid regulation.

2) At the time of publication, workplace first aid legislation differs from jurisdiction to jurisdiction in Canada. It is the user's responsibility to determine how their Provincial legislative requirements apply to the Standard.

# Resources and responsibilities of training agencies

Training agencies must have documented policies and procedures that specify:

- a) the process used to develop and update their workplace first-aid training program(s)
- b) how the instructional method(s) used are appropriate to the competencies
- c) the training, qualification, and assessment process for instructors, including:
  - i. Required pre-requisite training.
  - ii. Re-qualification frequency and process.
  - iii. Performance evaluation standards. frequency and process.
  - iv. Performance management processes.
- d) the assessment process for learners, including:
  - i. the process used to develop and regularly review both formative and summative assessment tools; and
  - ii. an evaluation management process designed to track trends and set procedures for re-assessments.

## **Training agency organizational structure**

Training agencies must document policies and procedures with respect to their organizational structure including:

- a) identifying the position or department responsible for developing and delivering workplace first-aid training; and
- b) identifying those responsible for quality assurance and quality control activities; and
- c) identifying all third-party providers, and their training agency liaison position/department.

# **Conduct and oversight**

Training agencies must ensure adequate resources are in place to support program development and ongoing quality management.

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	Training agencies must have policies and procedures that:	
	a) document the skills, qualifications, and/or credentials of all competent subject matter expert(s) used in the development and maintenance of workplace first-aid training programs.	
	b) provide documentation of the evidence and best practices used in the development and maintenance of the workplace first aid training program.	
	<b>Note:</b> The Canadian Consensus Guidelines on First Aid and CPR are generally accepted as the best evidence and practice for first aid protocol(s) within Canada.	
	c) specify how quality management activities will be applied to the workplace first-aid training program. This includes all training events and courses, as well as partnerships or affiliations with third-party training providers.	
	d) document a code of conduct for workplace first-aid training providers.	
	e) ensure contracts are in place for training providers authorized to deliver workplace first-aid training on behalf of the training agency.	
	f) ensure a process is in place to deal appropriately with complaints and disputes – including an appeals process.	
	g) specify how training providers will deal with fraudulent activities, such as forged certificates; and	
	h) document the process for managing the issuance of certificates.	
	Records management	
	Training agencies must have a documented records retention policy and procedure. Accurate records (electronic or paper) will be maintained in accordance with the Standard to support the workplace first aid training program.	
	Records must:	

- a) be maintained, accessible, and stored in a secure location in accordance with all applicable privacy legislation and/or organizational requirements.
- b) be current, accurate, legible, dated (including revision dates), and retained for a specified period of time.

**Note:** The retention time for documents and records might be mandated by applicable laws, standards, codes, or guidelines or by organizational policy, or both.

- c) meet legislated requirements for access, disclosure, confidentiality, and protection of trade secrets, and comply with all relevant privacy legislation; and
- d) include:
  - i) details of certificates issued.
  - ii) training and assessment records including records of participation and assessment (as applicable), and learner results, and
  - iii) any other documents required for the workplace first aid training program Standard.

### Quality management and workplace first aid program evaluation

Training agencies must have policies and procedures that specify.

- a) methods for identification and correction of training program deficiencies.
- b) procedures for evaluating the effectiveness of quality management procedures; and
- c) procedures for conducting periodic reviews and updates of workplace first-aid training programs, to assess the validity of competencies, and the reliability of evaluation tools.

These reviews must occur at least every five years or as required by: a medical advisor; federal/provincial/territorial legislation; or by other consensus body recommendations (e.g. the Canadian Consensus Guidelines on First Aid and CPR, ILCOR etc.).

# Training agency evaluation

Training agencies must also be evaluated by their learners. Results will be shared with the training agency and/or training provider as requested. Topics for evaluation include:

a) overall delivery

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	b) use of course materials and topic coverage	
	c) duration appropriateness and predicted duration accuracy	
	d) adult learning principles applied	
	e) sufficient time for feedback and discussion	
	f) training instructor subject-matter expertise	
	g) meeting the needs of the learners; and	
	h) clear description of learning outcomes and qualification requirements.	
	Instructor qualifications	
	General	
	Training agencies must ensure workplace first-aid instructors have competencies that, at minimum, match the level of program qualifications they are tasked to deliver.	
	Minimum instructor qualifications shall be specified for each training course.	
	Subject matter expertise	
	Training agencies must ensure workplace first-aid instructors have the required level of knowledge, skills, and abilities in the subjects they deliver.	
	<b>Note:</b> Knowledge, skills, and abilities can be gained through a combination of training, education, and experience.	
	Training delivery skills	
	Training agencies shall ensure workplace first-aid instructors are competent in current adult learning techniques and methods.	
	<b>Note:</b> Competence can be acquired through a combination of training, education, and/or experience.	
	Continuing education	
	Training agencies must ensure workplace first-aid training instructors maintain their training skills.	
	Notes:	

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	1) Training skills may be maintained by participating in continuing education or development programs or through experience related to their subject-matter expertise and delivery skills.	
	2) In Canada, specific requirements for instructor education might be prescribed in some jurisdictions.	
	Documentation of instructor qualifications	
	Training agencies must be able to provide documentation that demonstrates compliance.	
	<b>Note:</b> Examples of documentation include, but are not limited to, experience sheets, resumes, accredited continuing education course certificates, certificates associated with accredited standards, licensing, registration, etc.	
	Evaluation of instructors	
	Training agencies must establish evaluation policies and procedures designed to periodically audit the quality of instruction, to ensure it meets requirements.	
	This process should confirm materials are delivered in the manner intended, and that the methods used effectively meet the needs of learners.	
	Assessing workplace first-aid competencies	
	Training agencies must consistently administer competency assessments, ensuring alignment with generally accepted competency assessment principles.	
	Review of evaluation tools and techniques	
	Training agencies must document the link between learning outcomes and the assessment methodology.	
	Training agencies must revise their assessment tool(s) as required, to reflect changes in course scope or in the competencies of the workplace first aider.	
	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies. © 2017 Canadian Standards Association. Please visit store.csagroup.org	

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Application		
3This Regulation does not apply to a place of employment that is a ferry, a train or a vehicle used or likely to be used by an employee.	<ul> <li>1.1 The Standard does not include: <ul> <li>a) workplace first-aid training for members of the public</li> <li>b) workplace first-aid instructor training; and</li> <li>c) specialty first-aid training courses and programs where industry-specific legislation and regulatory requirements could apply, such as: <ul> <li>marine, mining, transportation, pools, school buses, etc.</li> </ul> </li> <li>Source: CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies.</li> <li>© 2017 Canadian Standards Association. Please visit store.csagroup.org</li> </ul> </li> </ul>	The exclusion of the standard does not mean that it does not apply to that type of specific industry but rather that it does not address the special requirements of those industries.
Employer responsibilities		Not addressed in the standard.
4(1)Subject to subsections (2) and (3), an employer shall provide and maintain the first aid kits, first aid providers and first aid rooms at a place of employment in accordance with Schedule A for the maximum number of employees present during a shift.		WorkSafeNB is looking at amendments to Schedule A. The number of employees per first aid kit is addressed in the first aid kit standard that was partially
4(2)Subject to subsection (3), where the place of employment is a project site, the contractor shall provide and maintain the first aid kits, first aid providers and first aid rooms as set out in Schedule A for all persons having access to the project site, and the provisions of this Regulation that apply to an employer apply to a contractor at every project site for which the contractor is responsible for the health and safety of persons having access to the project site.		adopted in 2020. WorkSafeNB intends to use the amendment process as an opportunity to streamline both first aid training and kit requirements to the number of employees.
4(3)The requirements set out in this Regulation are minimum requirements, and each employer shall assess the risks that employees are likely to encounter at a place of employment and shall ensure that there are adequate first	Intended audience Training agencies must identify the intended audience for each training course, to assist learners and organizations in selecting best-fit courses.	The intent is somewhat similar, but since the standard is for training agency, the onus in the standard is for training agency to

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aid supplies, equipment, services and facilities in place for the provision of first aid, having regard to those risks.	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies.  © 2017 Canadian Standards Association. Please visit store.csagroup.org	identify the trainee's requirements.
		Consider adding "or contractor" after "each employer" in 4(3):
		"and each employer or contractor shall assess the risks"

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Emergency transportation		Not addressed in the standard.
6(1)An employer shall prepare, in writing, a transportation procedure that describes arrangements for the transportation of injured or ill employees from the place of employment to the nearest health care facility.		Citing the standard does not impact this section.
6(2)Where it is necessary to move an injured or ill employee from an isolated site to another place in order to transfer to an ambulance, an employer shall ensure that the transportation is by a means that		
(a) is suitable, considering the distance to be travelled and the types of serious injuries or illnesses that may occur,		
(b) affords protection against the weather,		
(c) is equipped with a means of two-way voice communication with the emergency medical services to which the injured or ill employee is being transported, and		
(d) is of sufficient size and suitability to accommodate a stretcher and accompanying persons where required.		
6(3)An employer shall provide a means of communication to summon the transportation in the event of a medical emergency and shall ensure that transportation is readily available in the event of a medical emergency when work is carried out at an isolated site.		
6(4)Where an employee is seriously injured or needs to be accompanied during transport, an employer shall ensure that the employee is accompanied by at least one first aid provider who is not the operator of the transportation.		

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First aid providers		Not addressed in the standard.
7(1)An employer shall designate one or more employees to act as first aid providers and maintain a record of the names of each employee who is designated as a first aid provider.		The First aid kit standard currently referenced in regulation already addressed the
7(2)An employer shall post, at a conspicuous place at the place of employment, signs that state the names of first aid providers.		requirement of subsection 7(1), 7(3) and 7(4).  Do you support repealing this
7(3)Where the posting of a sign is not practicable, the employer shall ensure that each employee is informed of the identity of first aid providers.		section to avoid duplication?
7(4)An employer shall ensure that an employee who is designated as a first aid provider		
(a) does not perform work of a nature likely to affect the employee's ability to administer first aid, and		
(b) has readily available access to disposable latex or vinyl gloves and a face shield with a one-way valve.		

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First aid training  8(1)An employer shall ensure that each employee who is designated as a first aid provider is trained to the minimum level as set out in subsection (2) and holds a valid certificate issued by an agency referred to in subsection (3) in respect of that training.		Consider: Is trained to the minimum level as set out in CSA Z1210-17 (definition of basic and intermediate levels of first aid training) and holds a valid certificate as outlined in the standard.  Should certificates cite the standard rather than a New Brunswick course that may or may not be recognized in other jurisdictions?
New		Before 2004, nurses and physicians could be designated as first aid providers without having to complete first aid training. Soon after the amendments to first aid, the CCO received requests for deviations from healthcare facilities to allow the designation of nurses (and more recently licensed practical nurses (LPN) in nursing homes) without first aid training. A review of the professional training for both professions demonstrates that active nurses and LPNs have the skills to provide first aid if necessary and are available to do so. As a result, deviations have been

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		granted but staff recommend that this matter be revisited as a regulatory amendment.
		Do you agree with exempting nurses and physicians from first aid training requirements?
8(2)The minimum level of training consists of		If changes to 8(1) occur, 8(2) can be repealed.
(a) the 10 compulsory modules and any 2 of 5 elective	Workplace first-aid training levels	Standard changes the language.
modules of the Workplace Standard First Aid Course as set out in Schedule B, and	The following workplace first-aid training levels apply:	A review from an expert (Andrew Davis, Beesafe Consulting Inc.)
	<b>a) Basic:</b> At this level, workplace first aiders must be able to recognize an injury or illness, inform emergency medical services (EMS), and provide workplace first aid to an injured/ill worker.	provided evidence that intermediate level from the
	<b>b) Intermediate:</b> At this level, workplace first aiders must have competence in the Basic training level, and also be able to provide a broader scope of emergency workplace first aid to an injured/ill worker.	standard was equivalent to the current Workplace Standard First Aid from the regulation.
	c) Advanced: At this level, workplace first aiders must have competence in both the Basic and Intermediate training levels, and also be able to provide care to an injured/ill worker using specialized equipment specific to the workplace.	WorkSafeNB is considering two
	Competencies	options:
	Notes	a) Requiring Intermediate level for all workplaces, or
	1) Competencies of a workplace first aider (awareness, knowledge, and skill) are classified at the basic, intermediate, and advanced training levels.	b) Requiring one of the three levels based on risk
	2) At the time of publication, workplace first-aid legislation differs from jurisdiction to jurisdiction in Canada. It is the user's responsibility to determine how applicable legislative requirements relate to the Standard.	(employer self-assessment or established by WorkSafeNB based on
	General	industries or type of work)

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	Competencies of a workplace first aider	Which option do you prefer?
	At a minimum, the competencies of a workplace first aider must meet the standard.	
	Competency levels	
	Competency levels shall be identified by the following:	
	a) Not applicable (N): The competency is not applicable to this training level. b) Awareness (A): Upon successful completion of the workplace first-aid training course, the workplace first aider will have	
	information about this topic and will be able to access additional resources.	
	c) Knowledge (K): Upon successful completion of the workplace first-aid training course, the workplace first aider will be able to recognize and recall knowledge related to this topic.	
	<b>Note:</b> Evaluation methods may include, but are not limited to, written, oral, or pictorial (visual) testing, or any combination thereof.	
	d) Skill (S): Upon completion of the workplace first-aid training course, the workplace first aider will be able to apply a procedure or protocol at the required competency level.	
	<b>Note:</b> Application includes situations where learned material is demonstrated by using models, presentations, interviews, or simulations.	
	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies. © 2017 Canadian Standards Association. Please visit store.csagroup.org	
(b) a minimum of 16 hours of classroom and practical	Training course duration	This is a change from the
training.	General	regulation, but one that is changed already from an
	Training courses must:	interpretation from the CCO to
	a) provide sufficient time for learners to successfully understand and demonstrate the required competencies.	allow for blended learning which

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	b) include both a skills demonstration of specified duration, and a knowledge component.	is what that section of the
	All competencies identified as skills shall be assessed by the training course instructor in a supervised environment.	standard is doing.
	Practical skills demonstration	
	Learners must demonstrate the competencies acquired in each workplace first-aid training course for a duration that corresponds to the level of the course qualification.	
	The minimum skills demonstration duration is as follows: a) basic level, 3.5 h; b) intermediate level, 7 h; and c) advanced level, 35 h.	
	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies. © 2017 Canadian Standards Association. Please visit store.csagroup.org	
8(3)The first aid training described in this section may be provided by	<b>Training agency</b> — an organization that develops and authorizes the delivery of workplace first-aid training programs.	St. John Ambulance and Red Cross are not specifically named in the standard as approved.
(a) St. John Ambulance,	<b>Source:</b> CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies.  © 2017 Canadian Standards Association. Please visit store.csagroup.org	
(b) Canadian Red Cross Society, or	© 2017 Canadian Standards Association. I rease visit store, estagroup, org	Do you agree with rescinding provisions 8(3)(a) and (b)?
(c) any other agency that provides first aid training that meets the requirements of subsection (2) and that is		There is no formal approval process in the standard.
approved by the Chief Compliance Officer.		WorkSafeNB is considering amending (c) to "An agency approved by The Commission".
		WorkSafeNB relies on a third- party consultant from Ontario to review and approve training providers.

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		An alternative would be to repeal (c) and add a provision that WorkSafeNB will approve any first aid training provider that has been approved by another jurisdiction; or
		If not approved in other jurisdictions approval is by WorkSafeNB.
		Do you agree with adding a provision that allows the approval of first aid training providers who are approved by other jurisdictions?
8(4)An agency that provides first aid training that meets the requirements of subsection (2) shall issue a certificate in accordance with subsection (5) to a person who satisfactorily completes the training.	General  Training agencies must ensure the competency of instructors through a combination of education, training, and experience appropriate to the level course qualification.  Minimum qualifications of instructors must be specified for each training course.	WorkSafeNB intends to repeal First Aid Regulation subsections 8(4) & 8(5) so certificates will match those from across Canada. Do you agree?

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8(5)The certificate shall	Issuance of certificates	The section can be repealed.
<ul><li>(a) be entitled "The First Aid Workplace Certificate",</li><li>(b) be signed and dated by an official of the agency, and</li><li>(c) state that the course in respect of which the certificate is issued is the Workplace Standard First Aid Course.</li></ul>	Workplace first-aid certificate(s) must only be issued to persons who have demonstrated competency of awareness, knowledge, and skills.  Certificate(s) must include:  a) the name of the learner  b) level of workplace first-aid training achieved  c) the date of issuance of the certificate  d) the date of expiration  e) the name of the training agency; and  f) the province or territory of issuance.  Source: CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies.  © 2017 Canadian Standards Association. Please visit store.csagroup.org	
8(6)A certificate issued pursuant to this section is valid for 3 years from the date of issue.	Certificate duration and requalification  A workplace first-aid certificate should be valid for two years and shall not be valid for longer than three years.  Note: There is growing evidence that a two-year requalification cycle promotes learner retention. For the sake of harmonization within Canada, the first edition of the Standard specified a three-year requalification cycle.  Training agencies may develop alternative workplace first-aid training event(s) for requalification purposes. To requalify for a certificate, a workplace first aider must provide proof of current workplace first aid training and meet the competency requirements for the training level as defined in the Standard.  Source: CSA Z1210-17, First aid training for the workplace – Curriculum and quality management for training agencies.  © 2017 Canadian Standards Association. Please visit store.csagroup.org	The proposal is to keep 8(6) as is and to exclude the requalification provision of the Standard to ensure workplace first aiders receive the full curriculum of the program every 3 years.  Still allows for a 3-year cycle.  The recertification language in the standard is vague. The concern is that agencies can develop "alternative" methods for recertification that are done quickly and do not provide the

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		requirements for first aid in workplaces.
		WorkSafeNB proposes adding a section in the regulation that the first aid provider must do the full training every three years. Do you agree?
8(7)An employer shall ensure that a first aid provider has a minimum of 6 hours practice on first aid skills each year during which he or she holds a valid certificate.		Do you agree that this provision should remain in regulation?
Report of injury or illness		Not addressed in the standard.
9 An employee shall report an injury or illness to the employer as soon as practicable after the injury or the first signs of the illness.		Consider amending to include reporting to supervisor and/or first aid provider as well.
		Do you agree?
Record of treatment		
10(1)A first aid provider shall prepare a written record that sets out the name of the injured or ill employee, a description of the injury or illness, the treatment and care provided, a description of the incident, the date of occurrence, the name of the person providing emergency care and the date the record was made.		Not addressed in the standard. Should remain as is. It should be noted that CSA first aid kit requirements does not include a first aid logbook
10(2)The record referred to in subsection (1) shall be prepared as soon as practicable after the injured or ill employee has received the emergency care.		Not addressed in the standard. No amendments recommended.

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10(3)An employer shall ensure that a record referred to in subsection (1) is retained for a period of 5 years after the date on which it has been made.		Not addressed in the standard.  Amendments to the five-year retention time frame could be revisited. Rationale for this provision is unknown.  Do you agree with amending the retention period for first aid records? If so, what retention period do you propose?
First aid kits		Not addressed in the standard.
11An employer shall ensure that each first aid kit required to be provided by the employer is equipped as set out in CSA standard CSA Z1220-17: First aid kits for the workplace.		No amendments proposed.

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First aid room		Not addressed in the standard.
12(1)An employer who is required to have a first aid room shall provide and equip the first aid room in accordance with subsection (2).		No amendments proposed.
12(2)The requirements for a first aid room are as follows:		
(a) has a minimum floor area of 10 m <sup>2</sup>		
(b) is constructed to permit ease of access to a person on a stretcher		
(c) is located as close as practicable to the work force it is to serve and clearly identified by a sign		
(d) is equipped with a sink supplied with hot and cold running water with easy access to a toilet		
(e) is equipped with the following supplies:		
(i) one first aid kit as set out in Schedule A, or as needed, having regard for the particular risks at the place of employment and the number and location of employees		
(ii) a telephone or other effective means of communication along with an up-to-date list of emergency contacts		
(iii) a separate cubicle or a divider with a cot or bed equipped with a moisture-protected mattress, 2 pillows and 2 blankets		
(iv) storage space, a cupboard, a counter, a table and 2 or more chairs.		

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12(3)An employer shall ensure that a first aid room		Not addressed in the standard.
(a) is under the supervision of a first aid provider		No amendments proposed.
(b) is maintained in an orderly and sanitary condition		
(c) has the temperature maintained between 20 degrees Celsius and 24 degrees Celsius, and		
(d) is used only for the purposes of providing first aid to employees or providing health care or instruction to employees.		
Location of first aid kits		Not addressed in the standard.
13(1)An employer shall ensure that the first aid kits are		Amendments not
(a) conspicuously located at or near the working areas that they are intended to serve,		recommended.
(b) easily accessible during all working hours, and		
(c) maintained in a clean, dry, and serviceable condition.		
13(2)An employer shall post, at a conspicuous place at the place of employment, signs that indicate the location of first aid kits.		
13(3)Where the posting of a sign is not practicable, an employer shall ensure that each employee is informed of the location of first aid kits.		
SCHEDULE A- FIRST AID REQUIREMENTS		As mentioned above, amendments to Schedule A have been recommended.

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