28.1 Definitions
28.2 Application

**DIVISION 1 — GENERAL CONDITIONS**

28.3 Cold storage rooms
28.4 Bridges and culverts
28.5 Barriers for manure pits
28.6 Instruction of seasonal, temporary and other workers
28.6.1 Rollover risk
28.7 Animal handling
28.8 Indoor air quality exception
28.9 Control of environmental tobacco smoke and e-cigarette vapour exception
28.10 Drinking water

**DIVISION 2 — HAZARDOUS SUBSTANCES**

28.11 Personal hygiene
28.12 Biohazards exception [Repealed]
28.13 Anhydrous ammonia
28.14 Ventilation of buildings near manure tanks

**DIVISION 3 — PERSONAL PROTECTIVE EQUIPMENT**

28.15 Horseback riding exception

**DIVISION 4 — EQUIPMENT**

28.16 Warning signs for power take-off devices
28.17 Signs and procedures for equipment guarding
28.18 Hay balers
28.19 Round balers
28.20 Post-hole diggers
28.21 Post drivers
28.22 Chain saws exception
28.23 Hand winch for auger conveyors
28.24 Alternative means of evaluation for automotive lifts and vehicle supports
28.25 Orchard ladders exception
28.26 Orchard ladders design
28.27 Orchard ladders instructions and use
28.28 Previously installed fixed ladders exception
28.29 Small cranes and hoists exception
28.30 Altered application dates for cranes and hoists
28.31 Alternative requirements for rigging identification
28.32 Evaluation of a rigging device
28.33 Older mobile equipment exception [Repealed]
28.34 Means of escape exception [Repealed]
28.35 Alternative evaluation of an attachment [Repealed]
28.36 Alternative for design of riding station [Repealed]
28.37 Safety device on older trucks exception [Repealed]
28.38 Protective structures exception for mobile equipment [Repealed]
28.39 ROPS on older equipment exception [Repealed]
28.40 Protective structures exception for agricultural tractors [Repealed]
28.41 Rollover protective structures for agricultural tractors [Repealed]
28.42 Use of seat belts on agricultural tractors [Repealed]
28.43 General requirements for mobile elevating work platforms
28.44 Mobile elevating work platform design standards
28.45 Identification on mobile elevating work platforms
28.46 Fall protection exception
28.47 Annual inspection and certification exception
28.48 Operational devices exception
28.49 Pulling loads [Repealed]
28.50 Transportation of workers

28.1 In this Part:

*"agricultural operations"* include the production activities related to

(a) apiculture,

(b) berry farming,

(c) Christmas tree culture,

(d) composting,

(e) dairy farming,

(f) egg farming,

(g) forest seedling and seed production,

(h) grain and oilseed production,

(i) greenhouse operations,

(j) herb production,

(k) horticulture, including floriculture, tree nurseries and ornamental nurseries,

(l) insects raised for biological pest control,

(m) orchards,

(n) poultry farming,

(o) a riding academy, or the boarding or breeding of horses,

(p) seed production,

(q) sod or turf production,

(r) vegetable farming,

(s) wool, hide, feather or fur production, and

(t) the raising of crops or animals for human or animal consumption,

but do not include

(u) the production of agricultural byproducts or of manufactured derivatives from agricultural raw material,

(v) the breeding or raising of pets other than horses, or

(w) aquaculture;

*"agricultural tractor"* means a vehicle, with more than 20 engine horsepower, running on wheels, designed to furnish the power to pull, carry, propel or drive an implement that is designed or used for agriculture, but does not include a self-propelled implement;

*"farm land"* means land used for agricultural operations;

*"low-profile tractor"* means an agricultural tractor with the following characteristics:

(a) the front wheel spacing is equal to the rear wheel spacing, as measured from the centre line of each right wheel to the centre line of the corresponding left wheel;

(b) the clearance from the bottom of the tractor chassis to the ground does not exceed 46 cm (18 in);

(c) the highest point of the hood does not exceed 1.5 m (60 in);

(d) the tractor is designed so that the operator straddles the transmission when seated;

*"orchard ladder"* means a self-supporting portable ladder of the tripod type, wide at the bottom and tapering towards the top, non-adjustable in length, and consisting of side rails, flat steps and a hinged, single leg back section.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.2 Application**

This Part applies to agricultural operations on farm land.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

Back to Top

**28.3 Cold storage rooms**

Cold storage rooms must have at least one door that can, at all times, be opened from inside the room.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.4 Bridges and culverts**

(1) Bridges and culverts under roadways within the agricultural workplace must be

(a) designed, constructed and maintained so as to safely support the heaviest load expected to be imposed on them, and

(b) of sufficient width to permit equipment and machinery to cross safely.

(2) A bridge within the agricultural workplace must also be provided with bullrails not less than 25 cm (10 in) in height.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.5 Barriers for manure pits**

(1) Where manure or other material is loaded into pits by self-propelled equipment, the employer must install barriers sufficient to prevent the equipment from falling or inadvertently entering the pit.

(2) If the use of barriers required by subsection (1) is not practicable, the employer must adopt procedures that provide equivalent protection for workers.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.6 Instruction of seasonal, temporary and other workers**

When workers, including seasonal and temporary workers, start employment, the employer and the employer's supervisor must ensure that they are instructed about the safe performance of their duties.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.6.1 Rollover risk**

If an agricultural tractor is proposed to be used without a ROPS under section 16.34 (2)(b), in addition to the factors listed in section 16.34(1) to be considered in the rollover risk assessment, the qualified person must also consider the training and experience of the operator.

[Enacted by B.C. Reg. 139/2021, effective September 1, 2021.]

**28.7 Animal handling**

(1) An employer must ensure that workers have a safe means of escape from any enclosure occupied by animals that are potentially dangerous to workers.

(2) If a worker is required to handle animals, the employer must ensure that the worker is effectively instructed and trained and is competent to perform the assigned work.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.8 Indoor air quality exception**

Sections 4.70 to 4.80 (Indoor air quality) do not apply to a private residence.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.9 Control of environmental tobacco smoke and e-cigarette vapour exception**

Sections 4.81 and 4.82 (Environmental tobacco smoke and e-cigarette vapour) do not apply in a private residence, except when a worker, other than the occupant of the residence, is working in the residence.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 9/2017, effective May 1, 2017.]

#### 28.10 Drinking water

(1) An employer must ensure that an adequate supply of potable drinking water is available to workers during the workday.

(2) Water in irrigation ditches or other similar sources is not potable drinking water for the purposes of subsection (1).

(3) If drinking water is provided in portable dispensers, the dispensers must be

(a) equipped with a tap,

(b) capable of being covered, and

(c) maintained in a sanitary condition.

(4) Workers must be informed of any water supplies that are unsafe to drink.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.11 Personal hygiene

(1) Section 5.82(2)(a) and (b) does not apply to agricultural operations on farm land.

(2) If work processes involving substances such as lead, mercury, asbestos, silica or pesticides are high hazard, the employer must ensure that workers are provided with adequate and appropriate shower and change facilities.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.12 Biohazards exception

Repealed. [B.C. Reg. 199/2014, effective February 25, 2015.]

#### 28.13 Anhydrous ammonia

(1) Sections 6.116 to 6.132 (Toxic process gases) do not apply to anhydrous ammonia fertilization systems.

(2) If anhydrous ammonia is stored or used for the purpose of fertilization, the employer must ensure that

(a) the equipment containing anhydrous ammonia is inspected before each use, to prevent accidental leakage or spillage,

(b) the hose end-valves are in the closed position when the equipment is not operating, and

(c) the relief and vapour valves are positioned so that any discharge is directed upwards and away from the worker's operating position.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.14 Ventilation of buildings near manure tanks

(1) A worker must not enter or remain in a building or structure adjoining a liquid manure tank while the manure is being agitated.

(2) Following agitation of the manure, any adjoining building or structure must be thoroughly ventilated before a worker is permitted to re-enter it.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.15 Horseback riding exception

Section 8.23 (non-slip footwear) does not apply to a work activity involving horseback riding.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.16 Warning signs for power take-off devices

At conspicuous locations near rotating shafts driven by power take-off devices, warning signs must be located specifying that shields must be kept

in place.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.17 Signs and procedures for equipment guarding

If the removal of a guard or access door would expose a worker to a component that continues to rotate after the power to the component has been disengaged,

(a) the employer must apply a sign to the guard or access door warning of the danger, and

(b) the guard must not be removed or access door opened until enough time has elapsed to bring all components to a complete stop.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.18 Hay balers

A worker using a hay baler must not attempt to clear hay from the collection area unless the engine is stopped and cannot be inadvertently started.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.19 Round balers

A worker must keep clear of the discharge area of a round baler and the area under the hatch unless the hatch is blocked open.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.20 Post-hole diggers

A post-hole digger must have

(a) the tractor or machine brakes set before digging,

(b) shear bolts as specified by the manufacturer, and

(c) a hold-to-run control when operated as a hand-held unit.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.21 Post drivers

A worker operating a post driver must

(a) lower the hammer and stop the engine when adjustment or maintenance is required,

(b) if necessary for safety, steady the post with a steady fork or guide, and

(c) lower or block the hammer when the machine is not in use.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.22 Chain saws exception

Section 12.72 does not apply to a chain saw used in agricultural operations on farm land, if the chain saw was purchased for first use before December 31, 1993.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.23 Hand winch for auger conveyors

A hand winch for raising an auger conveyor must

(a) have a control that will hold the auger at any angle, and

(b) respond only when the handle is turned.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.24 Alternative means of evaluation for automotive lifts and vehicle supports**

(1) Despite section 12.76, if written instructions are not available from the manufacturer or a professional engineer, the instructions may be provided instead by any other person qualified to develop them.

(2) Despite sections 4.8 and 12.79, if a modification is made to a device listed in section 12.79(1) or if the manufacturer's rated capacity is not known, the rated capacity may be determined by a person qualified to do so.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.25 Orchard ladders exception**

Sections 13.2(1) and 13.5(a), (b) and (c) do not apply to orchard ladders.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]

**28.26 Orchard ladders design**

An orchard ladder must

(a) meet the construction requirements of *CSA Standard CAN3-Z11-M81, Portable Ladders*, except that the spreader requirement does not apply to orchard ladders,

(b) have a rail spread that increases at least an average of 6 cm (2.5 in) for each 30 cm (12 in) of ladder length, and

(c) when necessary for safety, have the feet of the ladder equipped with steel points or other non-slipping bases designed for the ground on which the ladder will be used.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.27 Orchard ladders instructions and use**

(1) An employer must ensure that

(a) the ladder used is appropriate for the task, and

(b) a worker using an orchard ladder is instructed in its proper use.

(2) Repealed. [B.C. Reg. 422/2004, effective January 1, 2005.]

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.28 Previously installed fixed ladders exception**

Despite section 13.2(1)(a), a fixed ladder existing on or before January 1, 2006, and not conforming to the current or an earlier edition of *ANSI Standard A14.3-1992, Safety Requirements for Fixed Ladders*, may remain in use subject to any modifications considered necessary by the Board.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]

**28.29 Small cranes and hoists exception**

(1) Sections 14.2 to 14.33 and 14.44 do not apply to a job built crane or hoist for use on site with a rated capacity of less than 1 tonne (2 200 lbs) if

(a) the device is built or otherwise assembled by a person qualified to do the work,

(b) the rated capacity of the device, including support structures, is determined by a person qualified to make the assessment,

(c) the rated capacity is marked on the device and is not exceeded,

(d) the device is not used to support a worker,

(e) the device is operated so that a worker is not under the load,

(f) the device is inspected and maintained at a frequency and to the extent required to ensure that every component is capable of carrying out its

original design function with an adequate margin of safety,

(g) inspection and maintenance records are maintained for the device consistent with Part 4 (General Conditions), and

(h) any modifications to the device are made by a person qualified to do the work.

(2) Despite subsection (1), the Board may require compliance with sections 14.2 to 14.33 and 14.44 if the design of the equipment or the circumstances of use indicate the need.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.30 Altered application dates for cranes and hoists

(1) The certification of drop stops required under section 14.19(2) must be completed by January 1, 2006.

(2) Section 14.54 applies to a bridge, overhead or gantry crane, if installed after January 1, 2006, or to a crane or its runway if it is modified after that date.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.31 Alternative requirements for rigging identification

The requirements for identification of various rigging components in sections 15.5, 15.24(3), 15.42, 15.46, 15.52, 15.55 and 15.59 may also be met if the employer is able to determine the information required for a particular device by any means of identification specific to it.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.32 Evaluation of a rigging device

The requirements of sections 15.6(2), 15.27, 15.28(1), 15.32 and 15.36 for the competency of a person evaluating a device may be met by a person who is qualified to conduct the evaluation.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

#### 28.33 Older mobile equipment exception

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.34 Means of escape exception

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.35 Alternative evaluation of an attachment

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.36 Alternative for design of riding station

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.37 Safety device on older trucks exception

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.38 Protective structures exception for mobile equipment

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.40 Protective structures exception for agricultural tractors

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

#### 28.41 Rollover protective structures for agricultural tractors

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

**28.42 Use of seat belts on agricultural tractors**

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

**28.43 General requirements for mobile elevating work platforms**

A mobile elevating work platform used in an orchard must

(a) have a platform equipped with a non-skid surface,

(b) be provided with a drive system that ensures there will be no unintended movement of the unit, and

(c) not be operated on sloping ground unless

(i) specific instructions from the manufacturer for the operation are followed, and

(ii) the unit is equipped with a braking system capable of restraining the machine under any condition of use, or the unit is equipped with wheels that will not turn unless driven.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.44 Mobile elevating work platform design standards**

(1) Except as provided by subsection (2), a mobile elevating work platform used in an orchard must meet the requirements of section 13.2(1).

(2) A mobile elevating work platform may be used in an orchard if it has

(a) a platform equipped with

(i) a gate that does not swing outward and that can be securely fastened in the closed position to minimize the risk of accidental opening,

(ii) a top rail approximately 90 cm (36 in) in height above the floor and capable of withstanding a load of 890 N (200 lbs) applied in any direction at any point on the top rail, and

(iii) a toe rail, on the sides not serviced by a gate, which is approximately 8 cm (3 in) in height with a maximum clearance between the floor and the bottom edge of the toe rail of 5 cm (2 in), and

(b) for equipment manufactured after December 31, 1993, a maximum platform height of 3.6 m (12 ft).

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]

**28.45 Identification on mobile elevating work platforms**

A mobile elevating work platform used in orchards, if manufactured after December 31, 1993, must have the following information permanently and conspicuously marked on it:

(a) certification to confirm the standard met by the device;

(b) the make, model, serial number and manufacturer's name;

(c) the rated platform workload;

(d) the maximum platform height and travel height;

(e) the maximum slope on which the device may be operated when the platform is elevated.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]

**28.46 Fall protection exception**

Section 13.33(1) and Part 11 (Fall Protection) do not apply to a worker using a mobile elevating work platform in an orchard if the platform height is 3.6 m (12 ft) or less.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]

**28.47 Annual inspection and certification exception**

For the purposes of application of section 13.12 and 13.23(1)(b), a person may make the inspection and determination of safety for continued use of a mobile elevating work platform used in orchards if the person is qualified to do so, and the work platform has a maximum operational height of 3.6 m (12 ft).

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 116/2022, effective August 22, 2022.]

**28.48 Operational devices exception**

Sections 13.24(2), 13.25 and 13.26 do not apply to mobile elevating work platforms when they are used in orchards at a height of 3.6 m (12 ft) or less.

[Enacted by B.C. Reg. 312/2004, effective January 1, 2005.]
[Amended by B.C. Reg. 422/2004, effective January 1, 2005.]

**28.49 Pulling loads**

Repealed. [B.C. Reg. 139/2021, effective September 1, 2021.]

**28.50 Transportation of workers**

(1) Despite sections 16.8 and 16.20 and Part 17, a person other than the operator may be transported on mobile equipment that is not designed for the transportation of workers, if

(a) the person is safely seated, and

(b) the mobile equipment is operated at no more than 10 km/h (6 mph).

[Enacted by B.C. Reg. 139/2021, effective September 1, 2021.]