

Fuel Safety Bulletin

2011-04

Dated: Oct. 4, 2011

Subject: Oil Regulation Clarification - Section 90

During our recent series of talks on the new Fuel Safety regulations, it has become evident that some sections require clarification. The following is a clarification of section 90 regarding "direct supervision".

90 *A trainee who is an apprentice in the oil heat system technician trade program is not required to hold an oil burner technician licence to perform the regulated work in Section 88 if all the following conditions are met:*

(a) the trainee is under the direct supervision of an oil burner technician at all times;

The question of "Direct Supervision" has caused some concern. This definition, however, must be tied to the *Oil Burner Installer and Maintenance Mechanic Trade Regulations* made under Section 29 of the *Apprenticeship and Trades Qualifications Act* since this is a compulsory certified trade under that Act. That Act defines Direct Supervision as follows;

For the purpose of these regulations, an apprentice is under the direct supervision of a journeyperson if

(a) the journeyperson is on site and readily available;

(b) the journeyperson mentors the apprentice, through instruction, demonstration and feedback, in order to provide the technical information, knowledge and guidance necessary for the apprentice to work and develop skills in the trade to a standard of competence expected of

(i) a person who has reached the apprentice's level in the apprenticeship program, or

(ii) a journeyperson in the trade; and

(c) the extent of supervision by the journeyperson is proportionate to the degree of risk present while the apprentice is performing a task.

For any questions regarding this Bulletin, please contact me at our Halifax offices.

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