

2. Occupational Health and Safety Legislation

In Canada, both employers and workers have responsibilities for health and safety at the work site. These responsibilities are covered under either Provincial (Occupational Health and Safety Acts) or Federal (Canada Labour Code) legislation.

Employer and Employee Responsibilities

Are there any similarities in occupational health and safety (COH&S) legislation across Canada?

Many basic elements (e.g. rights and responsibilities of workers, responsibilities of employers, supervisors, etc.) are similar in all the jurisdictions across Canada. However, the details of the OH&S legislation and how the laws are enforced vary from one jurisdiction to another. In addition, provisions in the regulations may be "mandatory", "discretionary" or "as directed by the Minister". For more details on legislation for your province or territory, see pages 85-86.

What are the general responsibilities of governments?

General responsibilities of governments for occupational health and safety include:

- enforcement of occupational health and safety legislation
- workplace inspections
- investigation of serious incidents and fatalities
- dissemination of information
- promotion of training, education and research

What are the employer's responsibilities?

An employer must:

- take every reasonable precaution to ensure the workplace is safe
- train employees about any potential hazards and in how to safely use, handle, store and dispose of hazardous substances and how to handle emergencies
- ensure that personal protective equipment is used where required and that workers know how to use the equipment safely and properly
- immediately report serious injuries or fatalities to the government department responsible for OH&S – as required by the specific legislation

What are the worker's responsibilities?

Worker responsibilities include:

- to work in compliance with OH&S acts, codes and regulations
- to use personal protective equipment and clothing as directed by the employer
- to report workplace hazards and dangers
- to work in a manner as required by the employer and use the prescribed safety equipment

Federal

Canada Labour Code Part 2: Occupational Health and Safety

<http://laws.justice.gc.ca/en/l-2/17632.html>

Canada Occupational Health and Safety Regulations

<http://laws.justice.gc.ca/en/L-2/SOR-86-304/index.html>

Provincial and Territorial

Alberta

Alberta Employment, Immigration and Industry, Workplace Health and Safety

<http://www.worksafely.org>

British Columbia

Workers Compensation Board of British Columbia, Health and Safety Centre

<http://regulation.healthandsafetycentre.org/s/Home.asp>

Manitoba

Manitoba Labour and Immigration, Workplace Safety and Health Division

<http://www.gov.mb.ca/labour/safety/actreg.html>

New Brunswick

Workplace Health, Safety and Compensation Commission (WHSCC)

http://www.whscc.nb.ca/legcntleg_e.asp

Newfoundland and Labrador

Department of Government Services, Occupational Health and Safety Branch

<http://www.gov.nl.ca/gs/ohs/legislation.stm>

Northwest Territories

Government of Canada, Northwest Territories, Occupational Health and Safety

<http://bsa.cbasc.org/gol/bsa/site.nsf/en/su07102.html>

Nova Scotia

Nova Scotia Environment and Labour, Occupational Health and Safety Division

<http://www.gov.ns.ca/enla/employmentworkplaces/>

Nunavut

Department of Human Resources, Government of Nunavut

<http://www.hr.gov.nt.ca:80/workplace/>

Ontario

Ministry of Labour, Government of Ontario

<http://www.labour.gov.on.ca/english/hs/index.html>

Prince Edward Island

Workers Compensation Board

<http://www.wcb.pe.ca/index.php3?number=60189&PHPSESSID=532c45c4fbc9db0040d9768548115cae>

Quebec

Commission de la santé et de la sécurité du travail (CSST)

French: <http://www.csst.qc.ca/portail/fr/>

English: <http://www.csst.qc.ca/portail/en/>

Saskatchewan

Department of Labour, Government of Saskatchewan

<http://www.labour.gov.sk.ca/safety/INDEX.HTM>

Yukon

The Yukon Workers' Compensation Health and Safety Board

<http://www.wcb.yk.ca/Introduction.109.0.html>

Workers' Compensation Legislation

Most workers are covered under provincial or territorial workers' compensation legislation if they are injured or ill at work. A listing of all provincial and territorial Workers' Compensation Boards is available at the Government of Canada website at:

<http://www.hrsdc.gc.ca/asp/gateway.asp?hr=en/lp/lo/fwcs/boards.shtml&hs=fxf>

Information of Canadian Workers' Compensation Boards is also available on the Association of Workers' Compensation Boards of Canada at: <http://www.awcbc.org/>