

What Constitutes a Workplace?



OHS laws require you to take measures to control health and safety hazards `in the workplace.` What you might not realize is that the word `workplace` goes beyond the 4 corners of the physical facility to include any location in which workers may be expected to carry out their job duties, including not just off-site places but also company vehicles. Here's how each jurisdiction defines what a workplace is.

What Is a `Workplace` Covered by OHS Laws'

FEDERAL: `Work place` means any place where an employee is engaged in work for the employee's employer (*Canada Labour Code*, Sec 122(1))

ALBERTA: `Work site` means a location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation (*OHS Act*, Sec. 1(bbb))

BC: `Workplace` means any place where a worker is or is likely

to be engaged in any work and includes any vessel, vehicle or mobile equipment used by a worker in work (*Workers' Comp Act*, Sec. 106)

MANITOBA: "Workplace" means any building, site, workshop, structure, mine, mobile vehicle, or any other premises or location whether indoors or outdoors in which one or more workers, or self-employed persons, are engaged in work or have worked (*Workplace Safety & Health Act*, Sec. 1)

NEW BRUNSWICK: "Place of employment" means any building, structure, premises, water or land where work is carried on by one or more employees, and includes a project site, a mine, a ferry, a train and any vehicle used or likely to be used by an employee (*OHS Act*, Sec. 1)

NEWFOUNDLAND: "Workplace" means a place where a worker or self-employed person is engaged in an occupation and includes a vehicle or mobile equipment used by a worker in an occupation (*OHS Act*, Sec. 2(n))

NOVA SCOTIA: "Workplace" means any place where an employee or a self-employed person is or is likely to be engaged in any occupation and includes any vehicle or mobile equipment used or likely to be used by an employee or a self-employed person in an occupation (*OHS Act*, Sec. 3(ah))

ONTARIO: "Workplace" means any land, premises, location or thing at, upon, in or near which a worker works (*OHS Act*, Sec. 1)

PRINCE EDWARD ISLAND: "Workplace" means a place where a worker is or is likely to be engaged in an occupation and includes a vehicle, fishing vessel or mobile equipment used or likely to be used by a worker in an occupation (*OHS Act*, Sec. 1(y))

QUÉBEC: "Workplace" means any place in or at which a person is required to be present out of or in the course of work, including an establishment and a construction site (*Occup. health and safety, act respecting*, Sec. 1)

SASKATCHEWAN: "Worksite" means an area at a place of employment where a worker works or is required or permitted to be present (*Sask. Emp. Act*, Sec. 3-1(hh)); "Place of employment" means any plant in or on which one or more workers or self-employed persons work, usually work or have worked (*Sask. Emp. Act*, Sec. 3-1(v))

NORTHWEST TERRITORIES & NUNAVUT: "Work site" means a location where a worker is, or is likely to be, engaged in work, or a thing at, on, in or near which a worker is, or is likely to be, engaged in work (*Safety Act*, Sec. 1)

YUKON: "Workplace" means a place where a worker is engaged in work (*OHS Regs.*, Sec. 1.2)