

Environmental – Know The Laws of Your Province



Environmental regulations are vital for ensuring safe and healthy workplace conditions, particularly where chemical, thermal, and atmospheric hazards may arise. These regulations require **employers** to assess environmental risks, implement control measures, and maintain proper ventilation and temperature conditions. Workers **must** be trained in recognizing environmental hazards and their duties include reporting unsafe conditions and refusing dangerous work when necessary. While general environmental protection standards are consistent across Canada, each province and territory has specific regulations addressing unique environmental risks. Compliance with these regulations helps prevent health issues, limits exposure to contaminants, and promotes long-term environmental and occupational safety.

FEDERAL

Under the [Canada Labour Code](#) Part II, Sections 124, 125.1, 125.2(1), and the [Canadian Environmental Protection Act](#) Sections 44(1), 56, 64, **employers** are responsible for protecting both worker health and the environment from hazardous substances. They **must** ensure proper identification, handling, storage, and labelling of these substances, provide access to safety data sheets, and assess and monitor exposure. **Employers** may also be **required** to implement pollution prevention plans and support environmental monitoring and

research. These responsibilities are essential to maintaining a safe, healthy, and environmentally responsible workplace.

PART II – Occupational Health and Safety

Duties of Employers

General Duty of Employer

Every **employer shall** ensure that the health and safety at work of every person employed by the **employer** is protected. **Section 124.**

Further Specific Duties of Employer

Without restricting the generality of section 124 or limiting the duties of an **employer** under section 125 but subject to any exceptions that may be prescribed, every **employer shall**, in respect of every work place controlled by the **employer** and, in respect of every work activity carried out by an employee in a work place that is not controlled by the **employer**, to the extent that the **employer** controls the activity,

(a) ensure that concentrations of hazardous substances in the workplace are controlled in accordance with prescribed standards;

(b) ensure that all hazardous substances in the workplace are stored and handled in the manner prescribed;

(c) ensure that all hazardous substances in the workplace, other than hazardous products, are identified in the manner prescribed;

(d) subject to the Hazardous Materials Information Review Act, ensure that each hazardous product in the workplace or each container in the workplace in which a hazardous product is contained has affixed to it, printed on it, attached to it or otherwise applied to it a label that meets the prescribed requirements;

(e) subject to the Hazardous Materials Information Review Act, make available to every employee, in the prescribed manner, a safety data sheet for each hazardous product to which the employee may be exposed that meets the requirements set out in the regulations made under subsection 15(1) of the Hazardous Products Act;

(f) where employees may be exposed to hazardous substances, investigate and assess the exposure in the manner prescribed, with the assistance of the workplace committee or the health and safety representative; and

(g) ensure that all records of exposure to hazardous substances are kept and maintained in the prescribed manner and that personal records of exposure are made available to the affected employees. **Section 125.1.**

Employer to Provide Information in Emergency

(1) An **employer shall**, in respect of every work place controlled by the **employer** and, in respect of every work activity carried out by an employee in a work place that is not controlled by the **employer**, to the extent that the **employer** controls that activity, provide, in respect of any hazardous product to which an employee may be exposed, as soon as is practicable in the circumstances, any information that is included in the safety data sheet that is in the **employer's** possession for the hazardous product to any physician or other prescribed medical professional who requests that information for the purpose of making a medical diagnosis of, or rendering medical treatment to, an employee in an emergency. **Section 125.2.**

Canadian Environmental Protection Act

PART 3 – Information Gathering, Objectives, Guidelines and Codes of Practice

Environmental Data and Research – Monitoring, research and

publication

(1) The Minister shall:

(a) establish, operate and maintain a system for monitoring environmental quality;

(b) conduct research and studies relating to pollution prevention, the nature, transportation, dispersion, effects, control and abatement of pollution and the effects of pollution on environmental quality, and provide advisory and technical services and information related to that research and those studies;

(c) conduct research and studies relating to:

(i) environmental contamination arising from disturbances of ecosystems by human activity,

(ii) changes in the normal geochemical cycling of toxic substances that are naturally present in the environment, and

(iii) detection and damage to ecosystems;

(d) collect, process, correlate, interpret, create an inventory of, and publish on a periodic basis data on environmental quality in Canada from monitoring systems, research, studies and any other sources;

(e) formulate plans for pollution prevention and the control and abatement of pollution, including plans respecting the prevention of, preparedness for and response to an environmental emergency and for restoring any part of the environment damaged by or during an emergency, and establish, operate and publicize demonstration projects and make them available for demonstration; and

(f) publish, arrange for the publication of or distribute through an information clearing-house:

- (i) information respecting pollution prevention,
- (ii) pertinent information in respect of all aspects of environmental quality, and
- (iii) a periodic report on the state of the Canadian environment. **Section 44(1).**

For more information:

- Part 4 – Pollution Prevention – Pollution Prevention Plans. **Section 56 (1) to (6).**
- Part 5 – Controlling Toxic Substances – Interpretation. **Section 64.**

Further details on the Canada Labour Code and Canadian Environmental Protection Act can be found at justice.gc.ca and justice.gc.ca.

ALBERTA

In Alberta, **employers** are responsible for controlling environmental hazards under the [OHS Act Section 3\(1\)](#), [OHS Code Part 4 Section 16](#), and the [Environmental Protection and Enhancement Act Part 5 Sections 108–112](#). They **must** limit worker exposure to harmful substances, prevent and report releases, and take remedial action when incidents occur. These duties are essential to protect health, prevent environmental damage, and ensure compliance with safety laws.

Part 1 – General Obligations

Obligations of employers

- (1)** Every **employer** shall ensure, as far as it is reasonably practicable for the **employer** to do so,
- (a) the health, safety and welfare of
 - (i) workers engaged in the work of that **employer**,

(ii) those workers not engaged in the work of that **employer** but present at the work site at which that work is being carried out, and

(iii) other persons at or in the vicinity of the work site whose health and safety may be materially affected by identifiable and controllable hazards originating from the work site. **Section 3(1).**

Part 4 – Chemical Hazards, Biological Hazards and Harmful Substances

General Requirements

Worker Exposure to Harmful Substances

(1) An **employer must** ensure that a worker's exposure to any substance listed in Schedule 1, Table 2 is kept as low as reasonably achievable.

(2) An **employer must** ensure that a worker's exposure to any substance listed in Schedule 1, Table 2 does not exceed its occupational exposure limits listed in Schedule 1, Table 2.

(2.1) The amended occupational exposure limit for coal dust as shown in Schedule 1, Table 2 comes into effect on July 1, 2010.

(3) If no occupational exposure limit is established for a harmful substance present at a work site, an **employer must** ensure that a worker's exposure to that substance is kept as low as reasonably achievable.

(3.1) A worker may not be exposed to a substance listed in Schedule 1, Table 2 at a concentration exceeding its ceiling limit at any time.

(4) If no 15-minute occupational exposure limit or ceiling occupational exposure limit is listed for a substance in Schedule 1, Table 2, the **employer must:**

- (a) comply with the 8-hour occupational exposure limit, and
- (b) ensure that a worker's exposure to that substance does not exceed:
 - (i) 3 times the 8-hour occupational exposure limit for more than a total of 30 minutes during a continuous 24-hour period, and 5 times the 8-hour occupational exposure limit, or
 - (ii) the concentration that is immediately dangerous to life and health, whichever is lower. **Section 16 (1) to (4).**

Part 5 – Release of Substances

Division 1 – Releases of Substances Generally

Prohibited Release Where Approval or Regulation

(1) No person **shall** knowingly release or permit the release of a substance into the environment in an amount, concentration or level or at a rate of release that is in excess of that expressly prescribed by an approval, a code of practice or the regulations.

(2) No person **shall** release or permit the release of a substance into the environment in an amount, concentration or level or at a rate of release that is in excess of that expressly prescribed by an approval or the regulations.

(3) For the purposes of this section, if there is a conflict between an approval or a code of practice and the regulations as to an amount, concentration, level or rate of release of a substance, the most stringent requirement prevails. **Section 108 (1) to (3).**

Prohibited Release Where no Approval or Regulation

(1) No person **shall** knowingly release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or

may cause a significant adverse effect.

(2) No person **shall** release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect.

(3) Subsections (1) and (2) apply only where the amount, concentration, level or rate of release of the substance is not authorized by an approval, a code of practice or the regulations.

(4) No person may be convicted of an offence under this section if that person establishes that the release was authorized by another enactment of Alberta or Canada. **Section 109 (1) to (4).**

Duty to Report Release

(1) A person who releases or causes or permits the release of a substance into the environment that may cause, is causing or has caused an adverse effect **shall**, as soon as that person knows or ought to know of the release, report it to:

(a) the Director,

(b) the owner of the substance, where the person reporting knows or is readily able to ascertain the identity of the owner,

(c) any person to whom the person reporting reports in an employment relationship,

(d) the person having control of the substance, where the person reporting is not the person having control of the substance and knows or is readily able to ascertain the identity of the person having control, and

(e) any other person who the person reporting knows or ought to know may be directly affected by the release.

(1.1) Where:

(a) a person released or caused or permitted the release of a substance into the environment before September 1, 1993, and

(b) the activity that resulted in the release was permanently discontinued before that date, the person **shall** as soon as that person is aware that an adverse effect has occurred or is occurring in respect of that release, report the release to the persons specified in subsection (1).

(2) The person having control of a substance that is released into the environment that may cause, is causing or has caused an adverse effect **shall**, immediately on becoming aware of the release, report it to the persons referred to in subsection (1)(a), (b), (c) and (e) unless the person having control has reasonable grounds to believe that those persons already know of the release.

(3) A police officer or employee of a local authority or other public authority who is informed of or who investigates a release of a substance into the environment that may cause, is causing or has caused an adverse effect **shall** immediately notify the Director of the release unless the police officer or employee has reasonable grounds to believe that it has been reported by another person. **Section 110 (1) to (3).**

For more information:

- Manner of reporting. **Section 111 (1) to (4).**
- Duty to take remedial measures **Section 112 (1)(2)**

Further details on the Occupational Health and Safety Act, Occupational Health and Safety Code, and Environmental Protection and Enhancement Act can be found at alberta.ca, <https://search-ohs-laws.alberta.ca/legislation> and alberta.ca.

BRITISH COLUMBIA

In British Columbia, **employers** are responsible for environmental safety under the [Workers Compensation Act Section 21\(1\)\(2\)\(a\)](#), the [Occupational Health and Safety Regulation Sections 5.53, 5.54](#), and the [Environmental Management Act Sections 79 and 87](#). **Employers must** ensure a safe workplace, control exposure to hazardous materials through WHMIS compliance, and report and manage environmental spills or emergencies involving polluting substances. These duties are essential to prevent health risks, protect the environment, and uphold safety standards.

Part 2 – Occupational Health and Safety

General Duties of Employers

(1) Every **employer must**:

(a) ensure the health and safety of:

(i) all workers working for that **employer**, and

(ii) any other workers present at a workplace at which that **employer's** work is being carried out, and:

(b) comply with the OHS provisions, the regulations and any applicable orders.

(2) Without limiting subsection (1), an **employer must**:

(a) remedy any workplace conditions that are hazardous to the health or safety of the **employer's** workers. **Section 21 (1)(2)**.

Part 5: Chemical Agents and Biological Agents

Workplace Hazardous Materials Information System (WHMIS)

Application

(1) Subject to subsections (2) to (4), sections 5.4 to 5.18

(the WHMIS Requirements) apply to **employers** and workers with respect to hazardous products used, stored or handled at a workplace.

(2) The provisions concerning a supplier label and SDS do not apply if the hazardous product is:

(a) an explosive as defined in section 2 of the *Explosives Act* (Canada),

(b) a drug, food or cosmetic device within the meaning of the *Food and Drugs Act* (Canada),

(c) a pest control product as defined in section 2(1) of the *Pest Control Products Act* (Canada),

(d) a nuclear substance as defined in section 2 of the *Nuclear Safety and Control Act* (Canada), that is radioactive, or

(e) a consumer product as defined in section 2 of the *Canada Consumer Product Safety Act*.

(3) The provisions do not apply if the hazardous product is:

(a) wood or a product made of wood,

(b) tobacco or a tobacco product as defined in section 2 of the *Tobacco Act* (Canada),

(c) a manufactured article, or

(d) being transported or handled pursuant to the requirements of the *Transportation of Dangerous Goods Act, 1992* (Canada) or the *Transport of Dangerous Goods Act*.

(4) The provisions do not apply to a hazardous waste, except that the **employer must** ensure the safe storage and handling of a hazardous waste generated at the workplace through the combination of worker training and the information **required** by this Regulation. **Section 5.3 (1) to (4).**

Prohibition

(1) Subject to subsection (2), an **employer must** ensure that a hazardous product is not used, stored or handled in a workplace unless all the applicable WHMIS Requirements concerning labels, product identifiers, SDSs and worker education and training are complied with.

(2) An **employer** may store a hazardous product in a workplace while actively seeking information **required** by subsection (1).
Section 5.4 (1)(2).

For more information:

- Part 7 – Powers in Relation to Managing the Environment
 - Spill prevention and reporting. **Section 79 (1) to (7).**
- Environmental emergency measures. **Section 87 (1) to (8).**

Further details on the Workers Compensation Act, Occupational Health and Safety Regulation and Environmental Management Act can be found at worksafebc.com, worksafebc.com and gov.bc.ca.

MANITOBA

In Manitoba, **employers** are **required** to protect environmental safety under the [Workplace Safety and Health Act](#) Section 4(1), and [Workplace Safety and Health Act and Regulation](#), Sections 36.6 to 36.8, as well as the [Environment Act](#) Sections 30.1 to 36. **Employers must** monitor chemical exposure, implement control measures when limits are exceeded, and retain records for 30 years. If a pollutant is released that may cause harm, the release **must** be reported immediately, and action taken to remediate the impact.

General Duties of Employers

(1) Every **employer shall** in accordance with the objects and purposes of this Act:

(a) ensure, so far as is reasonably practicable, the safety, health and welfare at work of all his workers; and

(b) comply with this Act and regulations. **Section 4 (1).**

Part 36 – Chemical And Biological Substances

Monitoring and Control Measures

Monitoring

(1) If a worker is, or may be, exposed to an airborne chemical or biological substance in the workplace at a concentration in excess of the occupational exposure limit for the substance established under section 36.5, an **employer must**:

(a) conduct monitoring of the substance on a regular basis to determine the airborne concentration of the substance; or

(b) Implement control measures in accordance with section 36.7 sufficient to ensure that no worker is exposed to the substance in excess of the occupational exposure limit for that substance.

(2) When an **employer** conducts monitoring under subsection (1), the **employer must** ensure that:

(a) the concentrations of the chemical or biological substance to which a worker is exposed are determined by a competent person from analyses of air samples representative of the worker's exposure; and

(b) the air sampling and the analyses of the air samples are conducted in accordance with the requirements of:

(i) the National Institute for Occupational Safety and Health Manual of Analytical Methods, published by the United States Department of Health and Human Services, or

(ii) another method established by a recognized occupational hygiene practice.

(3) An **employer must** make a record of all monitoring, which **must** include the following information:

- (a) the type of monitoring;
- (b) the type of equipment used;
- (c) each result of the monitoring and the time each result was obtained;
- (d) any interpretation of the monitoring data;
- (e) the names of the workers whose exposure was measured.

(4) An **employer must** provide the monitoring records to:

- (a) the committee at the workplace;
- (b) the representative at the workplace;
- (c) if no committee or representative exist, to affected workers; and
- (d) upon request, to a worker who was exposed to a chemical or biological substance in the workplace.

(5) An **employer must** maintain a monitoring record for a 30-year period after the monitoring was conducted. **Section 36.6 (1) to (5).**

Control Measures

When monitoring under section 36.6 indicates that a worker has been exposed to an airborne chemical or biological substance at a concentration in excess of the occupational exposure limit established for the substance, an **employer must** implement control measures in the workplace sufficient to ensure that the exposure of the worker to the chemical or biological substance does not exceed the occupational exposure limit in the future. **Section 36.7.**

Monitoring After Control Measures Implemented

When an **employer** implements control measures to control the concentration of an airborne chemical or biological substance, the **employer must** monitor the concentration of the substance in the workplace for a period sufficient to determine that the control measures have reduced the concentration of the substance below the occupational exposure limit for the substance. **Section 36.8.**

Environment Act

No Unauthorized Release of Pollutants

(1) No person **shall** release or allow the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, unless expressly authorized or permitted to do so:

- (a) under this Act or the regulations;
 - (b) under another Act of the Legislature or an Act of Parliament, or a regulation made under one of those Acts; or
 - (c) by a license, permit, order, instruction, directive or other approval or authorization issued or made under this Act, another Act of the Legislature or an Act of Parliament.
- Section 30.1.**

For more information:

- Exception re agricultural operations. **Section 30.1 (2).**
- Duty to report release. **Section 30.1 (3).**
- Reporting by person responsible for pollutant. **Section 30.1 (4).**
- **Section 31.**
- Penalties on individuals. **Section 33 (1).**
- Penalties on corporations. **Section 33 (2).**
- Other penalties. **Section 36.**

Further details on the Workplace Safety and Health Act, Workplace Safety and Health Act and Regulation, and Environment Act can be found at canlii.org, gov.mb.ca and canlii.org.

NEW BRUNSWICK

In New Brunswick, **employers must** protect environmental health under **OHS Act Section 9(1)**, **General Regulations Section 14(1)**, **345.2**, **345.3**, and **Clean Environment Act Sections 4.3**, **4.31**, and **5**. They **must** assess environmental hazards, report contaminant releases, and implement corrective actions.

Duties of employer

(1) Every **employer shall**:

- (a) take every reasonable precaution to ensure the health and safety of its employees;
- (b) comply with this Act, the regulations and any order made in accordance with this Act or the regulations; and
- (c) ensure that its employees comply with this Act, the regulations and any order made in accordance with this Act or the regulations. **Section 9 (1).**

Occupational Health Service

(1) Where an occupational health service is **required** under section 45 of the Act, the occupational health service **shall** be established and maintained so as to:

- (a) provide leadership, support and medical and technical services in all areas relating to health in the place of employment,
- (b) provide ongoing health assessments and health supervision of each employee,

(c) establish appropriate records, standards, procedures, policies and reporting systems to identify and prevent health and safety hazards in the place of employment,

(d) promote prevention of occupational disease and injury through health education, health counselling and environmental assessment programs,

(e) be able to provide an emergency response to injuries and potential disasters in the place of employment, and

(f) enhance or maintain the health of employees through appropriate follow-up care, rehabilitation services or referrals to community based services. **Section 14 (1).**

Initial Safety Meeting

(1) Before employees start work in a new work area, a safety meeting **shall** be held to inform the employees of any hazards in that area and the actions to be taken to eliminate or minimize the hazards.

(2) If an employee fails to attend the safety meeting, the **employer shall** ensure the employee is informed of any hazards in the work area and the actions to be taken to eliminate or minimize the hazards. **Section 345.2 (1) (2).**

Code of Practice – Environmental Conditions

An **employer shall** develop a code of practice to protect employees from possible hazardous situations caused by environmental conditions, including:

(a) weather conditions;

(b) topography;

(c) wildlife contacts; and

(d) biological hazards. **Section 345.3.**

Clean Environment Act

Requirement to Notify of a Release

In the circumstances and the manner prescribed by regulation, each of the following persons who knows or has reason to believe that a contaminant has been released into or is present in the environment **shall** give notice to the Minister and the persons prescribed by regulation:

- (a) the person who is the owner of or who is in possession or control of or has responsibility for a contaminant found at the site;
- (b) the person who has released a contaminant on the site or has contributed to its release;
- (c) the current owner, occupier or operator of the site;
- (d) the person who was the owner, occupier or operator of the site at the time when a contaminant was released;
- (e) any person who was the owner, occupier or operator of the site at any other time when a contaminant was present;
- (f) the holder of a mortgage or other charge on the affected land;
- (g) the successor, assignee, executor, administrator, receiver, receiver-manager or trustee of a person referred to in paragraphs (a) to (e);
- (h) a person acting as principal or agent of a person referred to in paragraphs (a) to (g); or
- (i) any site professional. **Section 4.3.**

Contaminated Sites – Designation

[\(1\)](#) If the Minister determines that an area in the Province has concentrations of a contaminant that exceed the limits

prescribed in a protocol, standard, policy, guideline or procedure developed or adopted by the Minister under [section 4.9](#), the Minister may designate the area as a contaminated site in the form established by the Minister under that section.

[\(2\)](#) The Minister may make a designation under subsection (1) if the Minister is of the opinion that it is in the best interests of the public to do so, in circumstances when the contaminant has caused, is causing or may cause:

(a) the natural, physical, chemical, or biological quality or constitution of the environment to be affected, or

(b) the health of human, plant or animal life or the safety or well-being of a human to be adversely affected.

[\(3\)](#) The Minister **shall** provide written notice of a designation made under subsection (1) to:

(a) each responsible party, and

(b) if the registered owner has not been declared a responsible party, each registered owner of the land referred to in the designation. **Section 4.31 (1) to (3).**

For more information:

- Orders – types and circumstances. **Section 5 (1) to (8).**

Further details on the Occupational Health and Safety Act, General Regulations, and Clean Environment Act can be found at [gnb.ca](#), [gnb.ca](#) and [canlii.org](#).

NEWFOUNDLAND & LABRADOR

In Newfoundland and Labrador, **employers** are responsible for environmental safety under the [OHS Act](#) Sections 4, 5(a), 6, 45, [OHS Regulations](#) Sections 14, 23, 44, 45, and the [Environmental Protection Act](#) Sections 22 to 28. Employers must

assess and control hazards from contaminants, ensure proper ventilation and thermal comfort, prevent and report pollution, and implement remediation plans for contaminated sites. These measures are essential to protect workers' health and reduce environmental risks in the workplace.

Employers' General Duty

An **employer shall** ensure, where it is reasonably practicable, the health, safety and welfare of the **employer's** workers. **Section 4.**

Specific Duties of Employers

Without limiting the generality of section 4, an **employer:**

(a) **shall**, where it is reasonably practicable, provide and maintain a workplace and the necessary equipment, systems and tools that are safe and without risk to the health of the **employer's** workers; **Section 5.**

Workers' General Duty

A worker, while at work, **shall** take reasonable care to protect the worker's own health and safety and that of workers and other persons at or near the workplace. **Section 6.**

Right to Refuse to Work

(1) A worker may refuse to do work that the worker has reasonable grounds to believe is dangerous to the health or safety of the worker, another worker or another person at the workplace:

(a) until remedial action has been taken by the **employer** to the worker's satisfaction;

(b) until the committee or worker health and safety representative has investigated the matter and advised the worker to return to work; or

(c) until an officer has investigated the matter and has advised the worker to return to work.

(2) Where a worker refuses to do work under subsection (1), the **employer** may reassign the worker to other work that is reasonably equivalent to work that is normally performed by the worker and the worker **shall** accept the reassignment until the worker is able to return to work under subsection (1).

(3) Where a worker is reassigned to other work under subsection (2), the **employer shall** pay the worker the same wages or salary and grant the worker the same benefits the worker would have received had the worker continued in the worker's normal work.

(4) Where a worker has reasonably refused to work under subsection (1) and has not been reassigned to other work under subsection (2), the **employer shall** pay the worker the same wages or salary and grant the worker the same benefits the worker would have received had the worker continued to work, until the worker is able to return to work under subsection (1).

(5) A reassignment of work under subsection (2) is not discriminatory action under section 49. **Section 45 (1) to (5).**

Occupational Health and Safety Regulations

General Duties of Employers

(1) An **employer shall** ensure, so far as is reasonably practicable, that all buildings, structures, whether permanent or temporary, excavation, machinery, workstations, places of employment and equipment are capable of withstanding the stresses likely to be imposed upon them and of safely performing the functions for which they are used or intended.

(2) An **employer shall** ensure that necessary protective clothing and devices are used for the health and safety of the

employer's workers.

(3) The **employer shall** ensure that safe work procedures are followed at all workplaces.

(4) An **employer shall** ensure, so far as is reasonably practicable, that work procedures promote the safe interaction of workers and their work environment to minimize the potential for injury. **Section 14 (1) to (4).**

Violence Prevention

(1) Where a risk of injury to workers from violence is identified by an assessment performed under section 22.1, the **employer shall:**

(a) establish procedures, policies, and work environment arrangements to eliminate the risk to workers from violence; and

(b) where elimination of the risk to workers is not possible, establish procedures, policies and work environment arrangements to minimize the risk to workers.

(2) Where an **employer** becomes aware, or ought reasonably to be aware, that family violence that would likely expose a worker to physical injury may occur in the workplace, the **employer shall** take every precaution reasonable in the circumstances for the protection of the worker.

(3) In this section, "family violence" has the same meaning as in section 3 of the *Family Violence Protection Act*. **Section 23 (1) to (3).**

For more information:

- Thermal environment. **Section 44 (1) to (5).**
- **Section 45 (1) to (11).**
- Environmental Protection Act – PART VI – AIR QUALITY MANAGEMENT – Air quality standards and controls. **Section**

22, 23.

- PART VII – CONTAMINATED SITES. Section 24 to 28.

Further details on the Occupational Health and Safety Act, Occupational Health and Safety Regulations , and Environmental Protection Act can be found at assembly.nl.ca, assembly.nl.ca. and canlii.org.

NOVA SCOTIA

In Nova Scotia, **employers must** address environmental safety under the [Occupational Health and Safety Act](#) Sections 13(1)(a), 43, and the [Environment Act](#) Sections 2 and 111. **Employers are required** to take every reasonable precaution to protect worker health and safety and **must** respond effectively to environmental risks such as air contaminants. The Environment Act further mandates the development of air quality standards and monitoring systems.

Occupational Health and Safety Act

Employers' Precautions and Duties

(1) Every **employer shall** take every precaution that is reasonable in the circumstances to:

(a) ensure the health and safety of persons at or near the workplace; **Section 13(1)**.

Right to Refuse Work

Right to Refuse Work and Consequences of Refusal

(1) Any employee may refuse to do any act at the employee's place of employment where the employee has reasonable grounds for believing that the act is likely to endanger the employee's health or safety or the health or safety of any other person until:

(a) the **employer** has taken remedial action to the satisfaction

of the employee;

(b) the committee, if any, has investigated the matter and unanimously advised the employee to return to work; or

(c) an officer has investigated the matter and has advised the employee to return to work.

(2) Where an employee exercises the employee's right to refuse to work pursuant to subsection (1), the employee **shall**:

(a) immediately report it to a supervisor;

(b) where the matter is not remedied to the employee's satisfaction, report it to the committee or the representative, if any; and

(c) where the matter is not remedied to the employee's satisfaction after the employee has reported pursuant to clauses (a) and (b), report it to the Division.

(3) At the option of the employee, the employee who refuses to do any act pursuant to subsection (1) may accompany an officer or the committee or representative, if any, on a physical inspection of the workplace, or part thereof, being carried out for the purpose of ensuring others understand the reasons for the refusal.

(4) Notwithstanding subsection 50(8), an employee who accompanies an officer, the committee or a representative, as provided in subsection (3), **shall** be compensated in accordance with subsection (7), but the compensation **shall** not exceed that which would otherwise have been payable for the employee's regular or scheduled working hours.

(5) Subject to any applicable collective agreement, and subsection (3), where an employee refuses to do work pursuant to subsection (1), the **employer** may reassign the employee to other work and the employee **shall** accept the reassignment until the employee is able to return to work pursuant to

subsection (1).

(6) Where an employee is reassigned to other work pursuant to subsection (5), the **employer shall** pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued in the employee's normal work.

(7) Where an employee has refused to work pursuant to subsection (1) and has not been reassigned to other work pursuant to subsection (5), the **employer shall**, until clause (1)(a), (b) or (c) is met, pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued to work.

(8) A reassignment of work pursuant to subsection (5) is not a reprisal pursuant to Section 45.

(9) An employee may not, pursuant to this Section, refuse to use or operate a machine or thing or to work in a place where:

(a) the refusal puts the life, health or safety of another person directly in danger; or

(b) the danger referred to in subsection (1) is inherent in the work of the employee. **Section 43 (1) to (9).**

For more information:

- Environment Act. **Section 2 (a) to (j).**
- Part Xi – Air-Quality Management – Duties of and powers of Minister. **Sections 111 (1)(a) to (h).**

Further details on the Occupational Health and Safety Act and Environment Act can be found at [nslegislature.ca](https://www.nslegislature.ca) and [canlii.org](https://www.canlii.org).

NORTHWEST TERRITORIES

In Northwest Territories, **employers** are responsible for

environmental safety under the [Occupational Health and Safety Regulations](#) Sections 12(a), 21, and the [Environmental Protection Act](#) Sections 4 to 7. Employers must implement a written occupational health and safety program addressing hazard identification, emergency response, and safe handling of hazardous substances. They are also **required** to prevent and respond to contaminant discharges, report environmental emergencies, and take remedial actions to protect the environment.

Occupational Health and Safety Regulations

PART 3 – GENERAL DUTIES

General Duties of Employers

An **employer shall**, in respect of a work site,

(a) provide and maintain systems of work and working environments that ensure, as far as is reasonably possible, the health and safety of workers; **Section 12.**

Occupational Health and Safety Program

(1) An **employer shall** provide an occupational health and safety program under this section if:

(a) there are 20 or more workers who work at the work site; or

(b) the **employer** is so directed by the Chief Safety Officer.

(2) An occupational health and safety program for a work site **must** include:

(a) a statement of the **employer's** policy with respect to the protection and maintenance of the health and safety of workers;

(b) an identification of hazards that could endanger workers at the work site, through a hazard recognition program;

(c) measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate and control the hazards identified under paragraph (b);

(d) an identification of internal and external resources, including personnel and equipment, that could be **required** to respond to an emergency;

(e) a statement of the responsibilities of the **employer**, the supervisors and the workers;

(f) a schedule for the regular inspection of the work site and inspection of work processes and procedures;

(g) a plan for the control of hazardous substances handled, used, stored, produced or disposed of at the work site and, if appropriate, the monitoring of the work environment;

(h) a plan for training workers and supervisors in safe work practices and procedures, including procedures, plans, policies or programs that the **employer** is **required** to develop;

(i) a procedure for the investigation of refusals to work under section 13 of the Act;

(j) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of refusals to work under section 13 of the Act; and

(k) a procedure to review and, if necessary, revise the occupational health and safety program not less than once every three years or whenever there is a change of circumstances that could affect the health or safety of workers.

(3) An occupational health and safety program **must** be implemented and updated in consultation with:

(a) the Committee or representative; and

(b) the workers.

(4) An occupational health and safety program **required** under this section **must** be in writing and made available to the workers. **Section 21 (1) to (4).**

Environmental Protection Act

Environmental Protection

Protection Order

(1) Where the Chief Environmental Protection Officer is of the opinion, based on reasonable grounds, that it is necessary or advisable for the protection of the environment to do so, the Chief Environmental Protection Officer may, by order directed to any person, require that person:

(a) to install safeguards to prevent the discharge of contaminants into the environment;

(b) to site, transport, or store any contaminant in the manner set out in the order; or

(c) to have on hand at all times the equipment and material necessary to alleviate the effect of any discharge of contaminants that may be specified in the order.

(2) Where an inspector believes on reasonable grounds that a discharge of a contaminant in contravention of this Act, the regulations or a provision of a permit or license is likely to occur, the inspector may issue an order requiring any person whose actions may increase the likelihood of a discharge or the owner or person in charge, management or control of the contaminant to take the preventive measures that the inspector considers necessary. **Section 4 (1)(2).**

Discharge of Contaminants

(1) Subject to subsection (3), no person **shall** discharge or

permit the discharge of a contaminant into the environment.

Exceptions

(3) Subsection (1) does not apply where the person who discharged the contaminant or permitted the discharge of the contaminant establishes that:

(a) the discharge is authorized by this Act or the regulations or by an order issued under this Act or the regulations;

(b) the contaminant has been used solely for domestic purposes and was discharged from within a dwelling-house;

(c) the contaminant was discharged from the exhaust system of a vehicle;

(d) the discharge of the contaminant resulted from the burning of leaves, foliage, wood, crops, or stubble for domestic or agricultural purposes;

(e) the discharge of the contaminant resulted from burning for land clearing or land grading;

(f) the discharge of the contaminant resulted from a fire set by a public official for habitat management or silviculture purposes;

(g) the contaminant was discharged for the purposes of combatting a forest fire;

(h) the contaminant is a soil particle or grit discharged in the course of agriculture or horticulture; or

(i) the contaminant is a pesticide classified and labelled as "domestic" under the Pest Control Products Regulations (Canada). **Section 5 (1) to (3).**

For more information:

- Exception to Environmental Protection Act. **Section 5**

(4).

- Environmental emergency. **Section 5.1.**
- Order of inspector. **Section 6 (1).**
- Effect of order. **Section 6(1)(3).**
- Order to remedy or repair damage. **Section 7(1).**
- Measures where failure to comply with order. **Section 7(2).**

Further details on the Occupational Health and Safety Regulations and Environmental Protection Act can be found at canlii.org and canlii.org/en/nu/laws.

NUNAVUT

In Nunavut, **employers** are responsible for environmental safety under the **Occupational Health and Safety Regulations Sections 12(a), 21**, and the **Environmental Protection Act Sections 4 to 7**. **Employers must** implement a written occupational health and safety program addressing hazard identification, emergency response, and safe handling of hazardous substances. They are also **required** to prevent and respond to contaminant discharges, report environmental emergencies, and take remedial actions to protect the environment.

Occupational Health and Safety Regulations

PART 3 – GENERAL DUTIES

General Duties of Employers

An **employer shall**, in respect of a work site,

(a) provide and maintain systems of work and working environments that ensure, as far as is reasonably possible, the health and safety of workers; **Section 12.**

Occupational Health and Safety Program

(1) An **employer shall** provide an occupational health and

safety program under this section if:

- (a) there are 20 or more workers who work at the work site; or
- (b) the **employer** is so directed by the Chief Safety Officer.

(2) An occupational health and safety program for a work site **must** include:

- (a) a statement of the **employer's** policy with respect to the protection and maintenance of the health and safety of workers;
- (b) an identification of hazards that could endanger workers at the work site, through a hazard recognition program;
- (c) measures, including procedures to respond to an emergency, that will be taken to reduce, eliminate and control the hazards identified under paragraph (b);
- (d) an identification of internal and external resources, including personnel and equipment, that could be **required** to respond to an emergency;
- (e) a statement of the responsibilities of the **employer**, the supervisors and the workers;
- (f) a schedule for the regular inspection of the work site and inspection of work processes and procedures;
- (g) a plan for the control of hazardous substances handled, used, stored, produced or disposed of at the work site and, if appropriate, the monitoring of the work environment;
- (h) a plan for training workers and supervisors in safe work practices and procedures, including procedures, plans, policies or programs that the **employer** is **required** to develop;
- (i) a procedure for the investigation of refusals to work under section 13 of the Act;

(j) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of refusals to work under section 13 of the Act; and

(k) a procedure to review and, if necessary, revise the occupational health and safety program not less than once every three years or whenever there is a change of circumstances that could affect the health or safety of workers.

(3) An occupational health and safety program **must** be implemented and updated in consultation with:

(a) the Committee or representative; and

(b) the workers.

(4) An occupational health and safety program **required** under this section **must** be in writing and made available to the workers. **Section 21 (1) to (4).**

Environmental Protection Act

Environmental Protection

Protection Order

(1) Where the Chief Environmental Protection Officer is of the opinion, based on reasonable grounds, that it is necessary or advisable for the protection of the environment to do so, the Chief Environmental Protection Officer may, by order directed to any person, require that person:

(a) to install safeguards to prevent the discharge of contaminants into the environment;

(b) to site, transport, or store any contaminant in the manner set out in the order; or

(c) to have on hand at all times the equipment and material

necessary to alleviate the effect of any discharge of contaminants that may be specified in the order.

(2) Where an inspector believes on reasonable grounds that a discharge of a contaminant in contravention of this Act, the regulations or a provision of a permit or license is likely to occur, the inspector may issue an order requiring any person whose actions may increase the likelihood of a discharge or the owner or person in charge, management or control of the contaminant to take the preventive measures that the inspector considers necessary. **Section 4 (1)(2).**

Discharge of Contaminants

(1) Subject to subsection (3), no person **shall** discharge or permit the discharge of a contaminant into the environment.

Exceptions

(3) Subsection (1) does not apply where the person who discharged the contaminant or permitted the discharge of the contaminant establishes that:

(a) the discharge is authorized by this Act or the regulations or by an order issued under this Act or the regulations;

(b) the contaminant has been used solely for domestic purposes and was discharged from within a dwelling-house;

(c) the contaminant was discharged from the exhaust system of a vehicle;

(d) the discharge of the contaminant resulted from the burning of leaves, foliage, wood, crops, or stubble for domestic or agricultural purposes;

(e) the discharge of the contaminant resulted from burning for land clearing or land grading;

(f) the discharge of the contaminant resulted from a fire set

by a public official for habitat management or silviculture purposes;

(g) the contaminant was discharged for the purposes of combatting a forest fire;

(h) the contaminant is a soil particle or grit discharged in the course of agriculture or horticulture; or

(i) the contaminant is a pesticide classified and labelled as “domestic” under the Pest Control Products Regulations (Canada). **Section 5 (1) to (3).**

For more information:

- Exception to Environmental Protection Act. **Section 5 (4).**
- Environmental emergency. **Section 5.1.**
- Order of inspector. **Section 6 (1).**
- Effect of order. **Section 6(1)(3).**
- Order to remedy or repair damage. **Section 7(1).**
- Measures where failure to comply with order. **Section 7(2).**

Further details on the Occupational Health and Safety Regulations and Environmental Protection Act can be found at canlii.org and canlii.org/en/nu/laws.

ONTARIO

In Ontario, **employers must** comply with environmental health and safety duties outlined under the [Occupational Health and Safety Act](#) Section 25(2)(a) and (h), 43(1) and (3), [Regulation 851 – Industrial Establishments](#) – Sections 127 to 129, as well as the [Environmental Protection Act](#) Sections 6 to 10, 124 to 130. **Employers** are responsible for ensuring adequate ventilation, temperature control, and contaminant-free air in industrial establishments. They **must** prevent or control the discharge of pollutants into the natural environment and

comply with stop or control orders issued by the Director when contaminants pose a risk to health or safety.

Occupational Health and Safety Act

Part III – Duties of Employers and Other Persons

Duties of Employers

(2) Without limiting the strict duty imposed by subsection (1), an **employer shall**,

(a) provide information, instruction and supervision to a worker to protect the health or safety of the worker;

(h) take every precaution reasonable in the circumstances for the protection of a worker; **Section 25 (2).**

PART V – RIGHT TO REFUSE OR TO STOP WORK WHERE HEALTH OR SAFETY IN DANGER

Refusal to Work

Non-Application to Certain Workers

(1) This section does not apply to a worker described in subsection (2),

(a) when a circumstance described in clause (3) (a), (b), (b.1) or (c) is inherent in the worker's work or is a normal condition of the worker's employment; or

(b) when the worker's refusal to work would directly endanger the life, health or safety of another person.

Refusal to Work

(3) A worker may refuse to work or do particular work where he or she has reason to believe that,

(a) any equipment, machine, device, or thing the worker is to use or operate is likely to endanger himself, herself or

another worker;

(b) the physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;

(b.1) workplace violence is likely to endanger himself or herself; or

(c) any equipment, machine, device, or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself or another worker. **Section 43 (1) to (3).**

Regulation 851 – Industrial Establishments

Part III – Industrial Hygiene

An industrial establishment **shall** be adequately ventilated by either natural or mechanical means such that the atmosphere does not endanger the health and safety of workers. **Section 127.**

(1) Replacement air **shall** be provided to replace air exhausted.

(2) The replacement air **shall**,

(a) be heated, when necessary, to maintain at least the minimum temperature in the workplace specified in section 129;

(b) be free from contamination with any hazardous dust, vapour, smoke, fume, mist or gas; and

(c) enter in such a manner so as,

(i) to prevent blowing of settled dust into the workplace,

(ii) to prevent interference with any exhaust system, and

(iii) not to cause undue drafts.

(3) The discharge of air from any exhaust system **shall** be in such a manner so as to prevent the return of contaminants to any workplace. **Section 128 (1) to (3).**

(1) Subject to subsection (2), an enclosed workplace **shall** be at a temperature,

(a) suitable for the type of work performed; and

(b) not less than 18° Celsius.

(2) Clause (1) (b) does not apply to a workplace,

(a) that is normally unheated;

(b) where the necessity of opening doors makes the heating of the area to the temperature specified in clause (1) (b) impracticable;

(c) where perishable goods requiring lower temperatures are processed or stored;

(d) where radiant heating is such that a worker working in the area has the degree of comfort that would result were the area heated to the temperature specified in clause (1) (b);

(e) where the process or activity is such that the temperature specified in clause (1) (b) could cause discomfort; or

(f) during the first hour of the main operating shift where process heat provides a substantial portion of building heat. **Section 129 (1)(2).**

For more information:

- Environmental Protection Act – Part II – General Provisions. **Section 6(1), 10.**
- Part XI – Control Orders and Stop Orders. **Section 124 to 130.**

Further details on the Occupational Health and Safety Act, Regulation 851 – Industrial Establishments, and Environmental Protection Act can be found at ontario.ca.

PRINCE EDWARD ISLAND

In Prince Edward Island, under the [Occupational Health and Safety Act](#) Sections 12(1)(a), 16(1)(a), 28(1) to (3) and [Occupational Health and Safety Act General Regulations](#) Sections 11.1 to 11.11, employers must ensure safe air quality, proper ventilation, and take all reasonable precautions to protect workers. Under the [Environmental Protection Act](#) Sections 20 to 21.1, 25, they must prevent and report contaminant discharges and assist in environmental remediation. These responsibilities safeguard worker health and the environment.

Occupational Health and Safety Act

Duties Of Employers, Workers, and Other Persons

Duties of Employers

(1) An employer shall ensure:

(a) that every reasonable precaution is taken to protect the occupational health and safety of persons at or near the workplace; **Section 12 (1)**.

Duties of Worker

(1) A worker, while at work, shall:

(a) take every reasonable precaution to protect the worker's own occupational health and safety and that of other persons at or near the workplace; **Section 16 (1)**.

Refusal To Work

Right to Refuse Work

(1) A worker may refuse to do an act at the worker's workplace where the worker has reasonable grounds for believing that the act is likely to endanger the worker's occupational health or safety or the occupational health and safety of another worker.

Report to and Investigation by Supervisor

(2) A worker who has reason to believe that an act is likely to endanger the worker's occupational health and safety or the occupational health or safety of another worker **shall** immediately report the concern to the worker's supervisor, who **shall** promptly investigate the situation in the presence of the worker.

Remedial Action

(3) Where a supervisor finds that the worker has reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the supervisor **shall** take appropriate remedial action or recommend appropriate remedial action to the **employer**. **Section 28 (1) to (3).**

Occupational Health and Safety Act General Regulations

Part 11 – Ventilation

Adequate Ventilation

The **employer shall** ensure that the workplace is adequately ventilated by either natural or mechanical means such that the atmosphere does not endanger the health and safety of workers under normal working conditions. **Section 11.1.**

Control Systems

Where practical, contaminants **shall** be controlled at the source by means of hoods, ducts or such other means as may be necessary. **Section 11.2.**

Threshold Limit Values

Where the air of working areas is contaminated by vapours, fumes, gases, mists, or other impurities which constitute a hazard to the health or safety of workers, suitable means of ventilation **shall** be provided by the **employer** to reduce contamination in the atmosphere at or below the threshold limit values specified by the American Conference of Governmental Industrial Hygienists (ACGIH) in the 2019 edition of the publication "Threshold Limit Values and Biological Exposure Indices", as amended from time to time. **Section 11.3.**

Maintenance

The **employer shall** ensure that all parts of ventilation systems are maintained, cleaned and that ventilation openings are always free of any obstruction or source of contamination. **Section 11.4.**

Drawings, etc.

The **employer shall**, upon request, submit drawings and specifications of the ventilation system or any modification of the ventilation system to an officer. **Section 11.5.**

Air Space Requirement

The **employer shall** ensure that every workplace contains at least 8.5 m³ (300 ft³) of air space for each worker. (When calculating the cubic meter (foot) requirement, height above 3.1 m (10 ft.) is excluded.) **Section 11.6.**

Means of Ventilation

The **employer shall** ensure that every workplace **shall** be adequately ventilated by either:

(a) natural ventilation provided by windows, shutters or louvres which can be opened, having a combined area equal to at least five per cent of the floor area; or

(b) mechanical ventilation, where the minimum amount of outside air introduced into any room is at least 0.45 m³/min. (15 c.f.m.) per person. **Section 11.7.**

Discharge

The **employer shall** ensure that the discharge of air from any exhaust system is in such a manner so as to prevent the return of contaminants to any workplace. **Section 11.8.**

Humidity

The **employer shall** ensure that the relative humidity in an office environment **shall** be a minimum of 30%. **Section 11.9.**

Temperature

The **employer shall** ensure that, subject to section 11.11, the temperature of an enclosed workplace corresponds with the following chart:

Section 11.10.

For more information:

- Exceptions to Ventilation Requirements. **Section 11.11.**

Environmental Protection Act

- Discharge Of Contaminants. **Section 20, 21.**
- Contaminated Sites. **Section 21.1 (1) to (11).**
- **Section 25 (1).**

Further details on the Occupational Health and Safety Act, Occupational Health and Safety Act General Regulations, and Environmental Protection Act can be found at PrinceEdwardIsland.ca, [General Regulations](http://GeneralRegulations), and Canlii.Org.

QUÉBEC

In Québec, under the [Act Respecting Occupational Health and](#)

Safety, Sections 7, 9, 12, and 13, employers and self-employed workers **must** ensure safe conditions and comply with safety obligations regarding substances, equipment, and processes. Workers have the right to refuse unsafe work unless it endangers others or involves normal job risks. Under the Environment Quality Act, Sections 20 and 21, it is prohibited to release contaminants that exceed legal limits or cause harm. Accidental releases **must** be reported immediately, and responsible parties **must** stop, clean, or remove the contamination.

Act respecting Occupational Health and Safety

CHAPTER II – SCOPE

DIVISION I – GENERAL PROVISIONS

Every self-employed natural person who, for another person, and without the assistance of workers, carries out work in a workplace where there are workers is subject to the obligations imposed on a worker pursuant to this Act and the regulations.

The person described in the first paragraph **must**, furthermore, comply with the obligations imposed on an **employer** in respect of products, processes, equipment, materials, contaminants, and dangerous substances. **Section 7.**

CHAPTER III – RIGHTS AND OBLIGATIONS

DIVISION I – THE WORKER

General Rights

Every worker has a right to working conditions that have proper regard for his health, safety and physical and mental well-being. **Section 9.**

A worker has a right to refuse to perform particular work if he has reasonable grounds to believe that the performance of

that work would expose him to danger to his health, safety or physical or mental well-being, or would expose another person to a similar danger. **Section 12.**

No worker may, however, exercise his right under section 12 if his refusal to perform the work puts the life, health, safety or physical or mental well-being of another person in immediate danger or if the conditions under which the work is to be performed are ordinary conditions in his kind of work. **Section 13.**

Environment Quality Act

CHAPTER IV – ENVIRONMENTAL PROTECTION RESPONSIBILITIES

DIVISION I – GENERAL PROVISIONS

No one may release or allow the release into the environment of a contaminant in a quantity or concentration greater than that determined in accordance with this Act.

The same prohibition applies to the release of any contaminant whose presence in the environment is prohibited by regulation or is likely to adversely affect the life, health, safety, welfare or comfort of human beings, or cause damage to or otherwise impair the quality of the environment or ecosystems, living species or property. **Section 20.**

Anyone responsible for the accidental release into the environment of a contaminant referred to in section 20 or a hazardous material **must**, without delay, notify the Minister.

That person **must** also, without delay,

(1) stop the release;

(2) in the case of a release of a contaminant, recover, clean or treat in situ the matter contaminated by the release or, if that cannot be done, remove the contaminated matter from the area affected by the release and ship it to an authorized

site; and

(3) in the case of a release of a hazardous material, deal with the matter contaminated by the release in accordance with sections 70.5.1 to 70.5.5.

The Government may, by regulation, prescribe the cases in which a person other than the person responsible **must** comply with the obligations specified in the second paragraph, on the terms and conditions it determines. **Section 21(3).**

Further details on the Act Respecting Occupational Health and Safety and Environment Quality Act can be found at gouv.qc.ca and legisquebec.gouv.qc.ca.

SASKATCHEWAN

In Saskatchewan, under **OHS Regulations Sections 3-1(a), 3-11(1)(f) to (j), 6-7, employers must** provide safe work systems, control hazardous substances, and maintain thermal conditions. They **must** also implement and review safety programs. Under the **Environmental Management and Protection Act Sections 3, 8, 9, 55, 56, employers must** report and remediate unauthorized discharges, and may be ordered to stop operations and restore affected areas if there is an environmental risk.

Occupational Health and Safety Regulations

PART 3 – General Duties

General Duties of Employers

The duties of an **employer** at a place of employment include:

(a) the provision and maintenance of plant, systems of work, and working environments that ensure, as far as is reasonably practicable, the health, safety and welfare at work of the **employer's** workers; **Section 3-1.**

Occupational Health and Safety Program

(1) Subject to subsection (2), an occupational health and safety program **required** by section 3-20 of the Act **must** include:

(f) a plan for the control of any biological or chemical substance handled, used, stored, produced, or disposed of at the place of employment and, if appropriate, the monitoring of the work environment;

(g) a plan for training workers and supervisors in safe work practices and procedures, including any procedures, plans, policies or programs that the **employer** is **required** to develop pursuant to the Act or any regulations made pursuant to the Act that apply to the work of the workers and supervisors;

(h) a procedure for the investigation of accidents, dangerous occurrences and refusals to work pursuant to section 3-31 of the Act at the place of employment;

(i) a strategy for worker participation in occupational health and safety activities, including audit inspections and investigations of accidents, dangerous occurrences and refusals to work pursuant to section 3-31 of the Act; and

(j) a procedure to review and, if necessary, revise the occupational health and safety program at specified intervals that are not greater than 3 years and whenever there is a change of circumstances that may affect the health or safety of workers. **Section 3-11.**

Thermal Conditions

(1) Subject to subsection (3), in an indoor place of employment, an **employer**, contractor or owner **shall** provide and maintain thermal conditions, including air temperature, radiant temperature, humidity and air movement, that:

(a) are appropriate to the nature of the work performed;

(b) provide effective protection for the health and safety of workers; and

(c) provide reasonable thermal comfort for workers.

(2) At an indoor place of employment where the thermal environment is likely to be a health or safety concern to the workers, an **employer**, contractor or owner **shall** provide and maintain an appropriate and suitably located instrument for measuring the thermal conditions.

(3) If it is not reasonably practicable to control thermal conditions or if work is being performed outdoors, an **employer**, contractor or owner **shall** provide and maintain measures for:

(a) the effective protection of the health and safety of workers; and

(b) the reasonable thermal comfort of workers.

(4) Measures for the purposes set out in subsection (3) may include, but are not limited to, the following:

(a) frequent monitoring of thermal conditions;

(b) the provision of special or temporary equipment, including screens, shelters and temporary heating or cooling equipment;

(c) the provision of suitable clothing or personal protective equipment;

(d) the provision of hot or cold drinks;

(e) the use of acclimatization or other physiological procedures;

(f) the use of limited work schedules with rest and recovery periods, changes in workloads, changes in hours or other arrangements for work;

(g) frequent observation of workers by a person who is trained to recognize the symptoms of physiological stress resulting from extreme temperatures;

(h) the provision of emergency supplies for use when travelling under extremely cold or inclement weather conditions.

(5) If a worker is **required** to work in thermal conditions that are different from those associated with the worker's normal duties, an **employer** or contractor **shall** provide, and require the worker to use, any suitable clothing or other personal protective equipment that is necessary to protect the health and safety of the worker. **Section 6-7 (1) to (5).**

For more information:

- The Environmental Management and Protection Act – PART II – Minister's Responsibilities and Powers and the State of the Environment Report – DIVISION 1 – Minister's Responsibilities and Powers. **Section 3 (1) to (8).**
- PART III – Unauthorized Discharges and Environmentally Impacted Sites – DIVISION 1 – Unauthorized Discharges and Obligation to Report. **Section 8, 9.**
- PART VIII – General Rules Respecting Orders and Terrorist Activity – DIVISION 1 – General Rules Respecting Orders. **Section 55, 56 (1) to (6).**

Further details on the Occupational Health and Safety Regulations and the Environmental Management and Protection Act can be found at saskatchewan.ca and publications.saskatchewan.ca.

YUKON

In Yukon, under the [Occupational Health and Safety Act](#) sections 3(1)(a), 9(a), 15, and [Occupational Health and Safety](#)

Regulations sections 1.03.01 and 1.04, employers must ensure that workplace environments are safe by assessing and controlling hazards, and workers **must** protect their own and others' safety, with the right to refuse work if a danger exists. In relation to environmental responsibilities, the Environment Act sections 6, 8, and 63 grant all Yukoners the right to a healthful natural environment, allow legal action against environmental harm, and authorize environmental protection officers to enforce the law.

OCCUPATIONAL HEALTH AND SAFETY ACT

DUTIES IN RESPECT OF HEALTH AND SAFETY

Employer's Duties

(1) Every **employer shall** ensure, so far as is reasonably practicable, that:

(a) the workplace, machinery, equipment, and processes under the **employer's** control are safe and without risks to health;
Section 3.

Employee's Duties

Every worker **shall**, so far as is reasonably practicable, in the course of their employment:

(a) take all necessary precautions to ensure their own health and safety and that of any other person in the workplace;
Section 9.

HAZARDOUS WORK

Refusal by Employee

(1) A worker may refuse to work or do particular work if the worker has reason to believe that:

(a) the use or operation of a machine, device, or thing constitutes an undue hazard to that worker or any other

person; or

(b) a condition exists in the workplace that constitutes an undue hazard.

(2) A worker who refuses to work or do particular work **shall** immediately report the circumstances of the matter to their **employer** or supervisor who **shall** immediately investigate the situation reported in the presence of the worker and in the presence of:

(a) the committee, if any;

(b) a health and safety representative, if any, who represents the worker; or

(c) a worker selected by the employee, who **shall** be made available and **shall** attend without delay.

(3) After the investigation referred to in subsection (2) and any action taken to remove the hazard, the worker may again refuse to work or do particular work because of that hazard if they have reasonable cause to believe that:

(a) the use or operation of the machine, device, or thing continues to constitute an undue hazard to them or to any other person; or

(b) the condition of the workplace continues to constitute an undue hazard.

(4) A worker who refuses under subsection (3) to work or do particular work **shall** immediately report the circumstances of the matter to their **employer** or supervisor and the **employer** or supervisor **shall** then immediately report the circumstances of the matter to a safety officer.

(5) No worker may exercise their right under subsection (1) or (3) if their refusal to perform the work puts the life, health, safety, or physical well-being of another person in

immediate danger or if the conditions under which the work is to be performed are ordinary conditions in that kind of work. **Section 15 (1) to (5).**

Environment Act

PART 1 – ENVIRONMENTAL RIGHTS

Environmental Right

The people of the Yukon have the right to a healthful natural environment. **Section 6.**

Right of Action

(1) Every adult or corporate person resident in the Yukon who has reasonable grounds to believe that:

(a) a person has impaired or is likely to impair the natural environment; or

(b) the Government of the Yukon has failed to meet its responsibilities as trustee of the public trust to protect the natural environment from actual or likely impairment may commence an action in the Supreme Court.

(2) In this section, and in sections 9 and 14, “activity” includes development.

(3) The Government of the Yukon may commence an action under paragraph 8(1)(a). **Section 8 (1) to (3).**

PART 4 – ADMINISTRATION

Environmental protection officers:

(1) The Minister may designate environmental protection officers or analysts for the purposes of this Act, including any person employed in the administration of a law respecting the conservation of the environment by:

(a) a municipality;

(b) a Yukon First Nation; or

(c) the Government of Canada; with the approval of the municipality, Yukon First Nation or Government of Canada, as the case may be.

(2) A designation under subsection (1) may direct that the authority of the environmental protection officer or analyst be exercised subject to any terms or conditions that the Minister includes in the designation.

(3) An environmental protection officer **shall** be furnished with an identification card by the Minister. **Section 63 (1) to (3).**

For more information:

- Occupational Health and Safety Regulations – GENERAL Hazard assessment. **Sections 1.03.01, 1.04.**

Further details on the Occupational Health and Safety Act, Occupational Health and Safety Regulations, and Environment Act can be found at laws.yukon.ca, wcb.yk.ca and yukon.ca.