

# High Visibility Apparel – Know the Laws of Your Province



The presence of moving machinery and human beings at the same work site can be a deadly combination, especially when work takes place at night or under conditions of low visibility. Most struck-by, back over and vehicle collision incidents occur because the operator didn't see the victim. So, ensuring that workers have and use appropriate reflective and brightly coloured vests, bibs, coveralls and other high visibility (HV) apparel that makes them easier to see is crucial to preventing such incidents.

It's also an essential requirement of OHS regulations. BC and Yukon have the most detailed and extensive HV apparel rules; by contrast, federal COHS regulations don't address the issue at all. Here's a rundown of the requirements in each part of Canada.

## OHS High Visibility Apparel Requirements

### FEDERAL

*COHS Regulations* include no specific requirements for high visibility apparel

### ALBERTA

1. Employer must provide and workers serving as designated signalers for traffic control operations and who use hand signals must wear high visibility safety apparel that clearly identifies the worker as a designated signaler (*OHS Code*, Sec. 191(2));
2. Employer must ensure that a worker on foot and exposed to traffic wears and such worker must wear high visibility safety apparel (*OHS Code*, Sec. 194(2)); and
3. Employer must ensure that worker designated by employer to control traffic wears and such worker must wear high visibility safety apparel that (a) clearly identifies the worker as a designated traffic controller, and (b) is retroreflective if the worker is controlling traffic in the dark or

visibility is poor (*OHS Code*, Sec. 194(4))

## **BRITISH COLUMBIA**

1. Workers exposed to vehicles or mobile equipment moving faster than 30 km/h must wear high visibility apparel meeting the requirements for Class 2 or Class 3 apparel in CSA Standard Z96-15, High-Visibility Safety Apparel;
2. Workers exposed to vehicles or mobile equipment moving 30 km/h or less must wear high visibility apparel that meets the requirements for Class 1, Class 2 or Class 3 apparel in CSA Standard Z96-15;
3. Exceptions: The above requirements don't apply to: (a) firefighters wearing a protective coat that meets the 2007, 2013 or 2018 edition of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting; (b) the following persons who are wearing high visibility apparel that meets the requirements for Class 2 apparel in CSA Standard Z96-15 (with specific modifications): (i) a person employed by British Columbia Emergency Health Services as an emergency medical assistant or in any other capacity; (ii) a municipal constable as defined in the Police Act; (iii) a person employed in the Commercial Vehicle Safety and Enforcement branch of the Ministry of Transportation and Infrastructure; (c) a traffic control person referred to in section 18.9 of the OHS regulation (*OHS Regs.*, Sec. 8.24);
4. Distinguishing apparel required by the OHS Regulation for the purpose of identifying a worker's location or well-being must be of a colour which contrasts with the environment and must have at least 775 sq cm (120 sq in) of fluorescent trim for daytime use and retroreflective trim for nighttime use, on both the front and back (*OHS Regs.*, Sec. 8.24);
5. Each traffic control person must be provided and must use, when directing traffic, safety headgear of a high visibility colour with a strip of retroreflective tape across the top from front to back and a strip of retroreflective tape on each side, as well as high visibility apparel meeting the requirements for the Class 3 garment criteria of CSA Standard Z96-15, and that: (i) is in fluorescent yellow-green or fluorescent orange-red background colour, (ii) covers fully, at a minimum, the upper torso, (iii) has, in a contrasting colour, combination retroreflective-fluorescent stripes/bands that are at least 100 millimetres wide, made up of an at least 50 millimetre-wide retroreflective band with 2 at least 25 millimetre-wide fluorescent stripes in a contrasting colour to the background colour, in fluorescent yellow-green or fluorescent orange-red, on each side of the retroreflective band, (iv) is worn as a torso vest, jacket or coveralls, with the combination retroreflective-fluorescent stripes/bands described in subparagraph (iii) laid out in: (A) a symmetric X, on the back of the garment, from shoulders to waist; (B) 2 vertical stripes/bands on the front and extending over the shoulders to the waist; (C) waist-level, horizontal stripes/bands extending entirely around the circumference of the torso, from the back to the bottom of the vertical stripes/bands on the front where they end at the front garment-fastening mechanism; (D) with no gaps, in the retroreflective-fluorescent material, that exceed 50 millimetres (*OHS Regs.*, Sec. 8.9);
6. Workers in forestry operations must wear highly visible outer clothing meeting the above requirements if (a) the worker may be endangered by any moving equipment or line, (b) the worker's location must be routinely

- checked, or (c) the worker is involved in harvesting trees at night;
7. Safety headgear worn by a worker in a forestry operation must be a high visibility colour that contrasts with the background against which the worker is working (*OHS Regs.*, Sec. 26.7)

## **MANITOBA**

1. Employer must provide a worker high visibility safety apparel appropriate for the risk when a worker is (a) at risk of injury from a moving vehicle or mobile equipment, or (b) not visible to other persons because of environmental or other conditions in the workplace or at the worksite;
2. Such high visibility safety apparel must meet the specifications for design and performance of CAN/CSA-Z96-02, High Visibility Safety Apparel and be selected, use and maintained in accordance with CSA Z96.1, Guideline on Selection, Use and Care of High Visibility Safety Apparel (*WSH Regs.*, Sec. 6.7); and 2. Employer must ensure that a flagperson is provided with (a) high visibility safety apparel that meets the Class 3 Level 2 requirements of CSA Z96-15, and is fluorescent yellow-green in colour, and (b) protective headwear of a fluorescent colour, augmented during hours of darkness with a retro-reflective material or combined materials securely attached to the headwear so as to provide 360° visibility to others (*WSH Regs.*, Sec. 20.6(2))

## **NEW BRUNSWICK**

1. Employer must provide signalers designated to control traffic hazards and signalers must wear a reflectorized vest or jacket when controlling the flow of traffic (*OHS Regs.*, Sec. 91(2)); and
2. For logging and silviculture operations, employer must ensure that an employee wears: (a) high visibility safety apparel that meets the requirements of CSA standard Z96-15, "High-Visibility Safety Apparel" or a standard offering equivalent or better protection, and (b) high visibility safety headgear (*OHS Regs.*, Sec. 346)

## **NEWFOUNDLAND**

1. A worker exposed to the danger of moving vehicles or heavy equipment must wear distinguishing apparel containing highly visible material suitable for daytime or night time use, as appropriate (*OHS Regs.*, Sec. 81); and
2. A worker in an underground place of employment must wear retro-reflective material on headgear and outer clothing (*OHS Regs.*, Sec. 549)

## **NOVA SCOTIA**

1. Employer must ensure that every person who is a pedestrian at a surface mine in an area of operating mobile equipment wears high-visibility apparel that meets the standards: (a) for the selection, use and care of the apparel, the latest version of CSA standard CSA Z96.1, "Guideline on selection, use and care of high-visibility safety apparel"; (b) for the design and performance of the apparel, the latest version of CSA standard

CSA Z96, "High-visibility safety apparel" (*Occ. Safety Gen. Regs.*, Sec. 179); and

2. 2. Subject to exceptions for emergency services agencies, employers who conduct work at a temporary highway workplace must ensure that an employee who is on foot at the temporary highway workplace wears high-visibility safety apparel that meets the standards: (a) for the selection, use and care of the apparel, the latest version of CSA standard CSA Z96.1, "Guideline on selection, use and care of high-visibility safety apparel", and (b) for the design and performance of the apparel, the latest version of CSA standard CSA Z96, "High-visibility safety apparel" (*Workplace Health and Safety Regs.*, Sec. 24.5)

## ONTARIO

### Construction Projects:

1. Signalers and workers who may be endangered by vehicular traffic must wear a garment that covers at least the upper body and: (a) Is fluorescent blaze or international orange in colour; (b) Has 2 yellow retro-reflective and fluorescent stripes that are 5 centimetres wide on the front and back with the yellow area totaling at least 500 square centimetres on the front and at least 570 square centimetres on the back; (c) The front strips are arranged vertically, centred and approximately 225 millimetres apart, measured from the centre of each stripe, and the back stripes are arranged in a diagonal "X" pattern; (d) The stripes are retro-reflective and fluorescent;
2. If the garment is a vest, it must have adjustable fit; a nylon vest must also have a side and front tear-away feature; and
3. Signalers and workers who may be endangered by vehicular traffic during night-time hours must also wear retro-reflective silver stripes encircling each arm and leg, or equivalent side visibility-enhancing stripes with a minimum area of 50 square centimetres per side (*OHS Const. Projects Regs.*, Secs. 69.1 and 106)

## PRINCE EDWARD ISLAND

Employer must provide and signalers must wear a reflectorized vest or jacket when controlling the flow of traffic (*OHS Gen. Regs.*, Sec. 12.12)

## QUÉBEC

1. Site signal persons must wear fluorescent yellow-green high-visibility safety apparel of Class 2 or 3 and of Level 2 that meets CSA Z96, High-Visibility Safety Apparel (*Safety Code for Const. Industry*, Sec. 2.8.4(1));
2. Employer must ensure that a flag person directing traffic for road users wears high-visibility safety apparel and is equipped with other accessories in compliance with the standards determined by the Minister of Transport and recorded in Volume V of the manual entitled "Traffic Control Devices", determined and set out by the Minister of Transport under the second paragraph of section 289 of the *Highway Safety Code* (chapter C-24.2)

(*Safety Code for Const. Industry*, Sec. 10.3.2);

3. All other workers at construction projects who perform tasks on or near a road where self-propelled vehicles are likely to hit a worker must wear fluorescent orange high-visibility safety apparel of Class 2 or 3 and of Level 2 that meets CSA Z96, High-Visibility Safety Apparel, is mandatory for every worker (*Safety Code for Const. Industry*, Sec. 10.4.1);
4. Class 1 high-visibility safety garments that meet CSA Z96 and don't have suspenders is mandatory for every worker in an arboriculture work area (*OHS Regs.*, Sec. 312.108(4)); and
5. A class 2 high-visibility safety garment that meets CSA Z96, High-visibility safety apparel, and doesn't have suspenders is mandatory for workers performing work near a power line (*OHS Regs.*, Sec. 312.110(4))

## **SASKATCHEWAN**

1. Employer or contractor must ensure that any industrial protective headwear provided to a worker under the OHS regulations is fluorescent orange or other high visibility colour if: (a) the worker is working in a forestry or sawmilling operation; or (b) visibility of the worker is necessary to protect their health and safety (*OHS Regs.*, Sec. 7-6(5));
2. Employer or contractor must provide each designated signaler with, and require the signaler to use, a high visibility vest, armlets or other high visibility clothing, whether the signaler is on a public highway or is at any other place of employment (*OHS Regs.*, Sec. 9-21(2)); and
3. Employer or contractor must ensure that a worker at risk from vehicular traffic, whether on a public highway or at any other place of employment, is provided with and required to use a high visibility vest, armlets or other high visibility clothing (*OHS Regs.*, Sec. 9-22(1))

## **NORTHWEST TERRITORIES & NUNAVUT**

1. Employer must ensure that any industrial protective headwear provided to a worker is fluorescent orange or other high visibility colour if visibility of the worker is necessary to protect their health and safety (*OHS Regs.*, Sec. 94(4));
2. Employer must provide each designated signaler with, and require the signaler to use, a high visibility vest, armlets or other high visibility clothing (*OHS Regs.*, Sec. 138(2)); and 3. Employer must ensure that a worker at risk from vehicular traffic on a highway or at any other work site, is provided with and required to use a high visibility vest, armlets or other high visibility clothing (*OHS Regs.*, Sec. 139(1))

## **YUKON**

1. Required protective headwear must be blaze orange, red or another high visibility colour or have retro-reflective decaling to make the worker more visible, such as when working around moving equipment, in forestry operations or controlling traffic (*WSC Regs.*, Sec. 1.18(2));
2. **Level 1:** Workers exposed to the hazards of moving vehicles or equipment, directing traffic on a public way or endangered by vehicular traffic on a public way must be provided with, and required to wear, Level 1 high

visibility safety headwear and high visibility apparel, i.e., (a) a vest, coat, jacket, shirt or coveralls with at least 0.13 sq. m (200 sq. in.) of background material on both front and back, (b) bright or fluorescent coloured background material of yellow, lime green, red or orange, (c) a minimum length of 0.61m (24in.), and (d) trimmed with a minimum of 0.05 sq. m (80 sq. in.) of trim that's both fluorescent and retro-reflective which is at least 0.05 m (2 in.) wide, or an equivalent combination of fluorescent and retro-reflective trim in 2 vertical stripes on the front and an "X" pattern on the back (*WSC Regs.*, Sec. 1.48(2));

3. **Level 2:** Workers exposed to the danger of slow moving mobile equipment at a workplace must be provided with, and required to wear, high visibility safety headwear and Level 2 high visibility apparel, i.e., (a) at a minimum, a harness type garment with at least 0.064 sq. m (100 sq. in.) background material, on the front and back, (b) bright or fluorescent coloured background material of yellow, lime green, red or orange, and (c) a minimum of 0.51 m (20 in.) in length, and either i. a harness trimmed with a minimum of 0.064 sq. m (100 sq. in.) of trim that is both retro-reflective and fluorescent and is at least 0.05 m (2 in.) wide, or an equivalent combination of fluorescent and retro-reflective trim on the front, back and waistband, or ii. if it is other than a harness, trimmed with a minimum of 0.05 sq. m (80 sq. in.) of trim that is both retro-reflective and fluorescent which is at least 0.05 m (2 in.) wide, or an equivalent combination of fluorescent and retro-reflective trim in two vertical stripes on the front and an 'X' pattern on the back of the garment (*WSC Regs.*, Sec. 1.18(4));
4. **Level 3:** Where there's a need to distinguish the worker in the workplace, workers must be provided with, and required to wear, high visibility headwear and Level 3 high visibility apparel, i.e., (a) headwear that's brightly coloured and contrasts sharply with the work environment, (b) a vest, coat, shirt, jacket, harness or coveralls at least 0.51 m (20 in.) in length, with a minimum of 0.064 sq. m (100 sq. in.) of background material on both front and back, and (c) bright or fluorescent coloured background material of yellow, lime green, red or orange, and either i. a harness, trimmed with a minimum of 0.064 sq. m (100 sq. in.) of trim that is both retro-reflective and fluorescent, which is at least 0.05 m (2 in.) wide or an equivalent combination of fluorescent and retro-reflective trim, on the front, back and waistband, or ii. if it's other than a harness, trimmed with a minimum of 0.05 sq. m (80 sq. in.) of trim that's both retro-reflective and fluorescent, which is at least 0.05 m (2 in.) wide, or an equivalent combination of fluorescent and retro-reflective trim, in two vertical stripes on the front and an 'X' pattern on the back of the garment (*WSC Regs.*, Sec. 1.18(6)); and
5. Workers at a forestry operation must wear highly visible outer clothing as required by Part 1 – General, when (a) they may be endangered by moving equipment, (b) work is being done in hours of darkness, or (c) their location must be routinely checked, and safety headwear worn in a forestry operation must be high visibility orange or red (*WSC Regs.*, Sec. 12.05)