

Managing Food Allergies in the Canadian Workplace: An Essential Guide for OHS Professionals



Food allergies aren't always top-of-mind when workplace safety discussions occur, but for many employees across Canada, they're a serious daily concern. Severe food allergies can pose significant health risks, and addressing them proactively is essential for workplace safety, legal compliance, and fostering an inclusive environment.

As an Occupational Health and Safety (OHS) manager, it's important to fully understand your legal and ethical obligations when it comes to food allergies at work. Let's explore what Canadian law says, how workplaces should manage food allergies effectively, real-world implications, and practical steps you can take to create a safe and inclusive environment.

Why Food Allergies Matter in the Workplace

An allergic reaction to food isn't just uncomfortable—it can be life-threatening. Severe reactions, called anaphylaxis, involve symptoms like difficulty breathing, dizziness, rapid

heartbeat, loss of consciousness, and even death if not treated promptly.

In Canada, food allergies are common—about 7.5% of the population lives with food allergies, translating into nearly 3 million people. Given the statistics, it's likely that several employees within your organization manage food allergies daily.

Ignoring or inadequately managing food allergies not only endangers employees but exposes your organization to potential legal consequences, compensation claims, lost productivity, and reputational damage.

What Canadian Law Says About Food Allergies in the Workplace

Canadian law views severe food allergies as a health and safety matter as well as a human rights issue. Under the Canadian Human Rights Act and provincial human rights codes, severe allergies can constitute a disability. This means employers have a legal duty to accommodate employees with severe food allergies up to the point of undue hardship.

In Ontario, for example, the Ontario Human Rights Commission explicitly states that severe allergies are considered disabilities. Employers must accommodate affected employees, such as by implementing allergen-free spaces or developing emergency response protocols.

Across Canada, all jurisdictions mandate a general duty for employers to ensure workplace health and safety under their respective occupational health and safety acts. Food allergies clearly fall within this responsibility, requiring OHS professionals to implement effective prevention and emergency response measures.

Real-World Consequences of Ignoring Food Allergies

The implications of mismanaging workplace food allergies can be severe. For instance:

- **Ontario Tech Company (2019)**: A Toronto-based technology firm faced a human rights tribunal complaint after failing to adequately accommodate an employee with severe nut allergies. The company was ultimately ordered to implement allergen protocols and provide financial compensation.
- **British Columbia Hospitality Business (2021)**: A catering business faced legal consequences when an employee experienced a severe allergic reaction due to inadequate communication and management of allergens in a shared kitchen. WorkSafeBC imposed fines and mandated extensive allergen management training.

Cases like these highlight the legal, financial, and reputational repercussions organizations face when food allergies aren't properly managed.

How Should Employers Respond to Workplace Food Allergies?

An effective response to food allergies involves clear policies, education, accommodation measures, and emergency planning.

- First, develop clear written policies outlining your organization's approach to managing food allergies, including your accommodation obligations and emergency procedures. Clearly communicate these policies to all employees.

- Next, engage directly with employees who disclose severe food allergies. Discuss practical accommodations that help them feel safe and supported, such as allergen-free zones, clear food labeling, or allergen awareness education for coworkers.
- Ensure your workplace has emergency response plans in place, including readily accessible epinephrine auto-injectors (EpiPens) and training staff on their proper use.
- It's also beneficial to provide regular employee education on food allergies. Increasing awareness can significantly reduce inadvertent exposures and create empathy and understanding among coworkers.

The OHS Manager's Role in Ensuring Proper Response

As an OHS professional, you are central to implementing an effective allergen management strategy.

- Start by conducting a workplace risk assessment to identify potential allergen exposures, particularly in shared kitchens, lunchrooms, or during catered events.
- Ensure your company's safety and HR policies explicitly include food allergy management and clearly state the procedures for emergency situations involving allergic reactions.
- Educate supervisors and employees regularly about recognizing signs of allergic reactions, using epinephrine auto-injectors, and understanding their role in allergen management.
- Finally, audit your allergen management procedures periodically. Regular assessments help ensure your policies and procedures remain effective and that any

gaps or oversights are promptly addressed.

Building an Allergy-Inclusive Workplace Culture

Preventing allergic reactions goes beyond compliance—it's about fostering an inclusive, empathetic workplace culture. Here's how you can build that culture:

- Encourage open communication around allergies, ensuring employees feel comfortable disclosing their condition without fear of stigma or inconvenience.
- Implement allergy-safe zones or allergy-awareness protocols in communal eating areas to minimize risks.
- Recognize and support employees who actively help maintain an allergen-safe workplace.
- Regularly provide staff with resources and training to raise awareness about the seriousness of food allergies, creating empathy and shared responsibility among employees.

Jurisdictional Overview of Food Allergy Laws and Accommodation Requirements Across Canada

The following table provides a comparative view of legal requirements regarding food allergy management across Canada, with links to specific regulations and resources.

Jurisdiction	Relevant Laws	Accommodation Requirements	Link to Resources
Federal	Canadian Human Rights Act	Employers must accommodate allergies as a disability.	Canadian Human Rights Act
Ontario	Ontario Human Rights Code	Explicitly includes severe allergies as disabilities requiring accommodation.	Ontario Human Rights Code
British Columbia	Human Rights Code	Accommodation required for severe allergies; proactive allergen management expected.	BC Human Rights Code
Alberta	Alberta Human Rights Act	Requires accommodation of severe allergies as disabilities.	Alberta Human Rights Act
Québec	Charter of Human Rights and Freedoms	Severe allergies protected as disabilities; accommodation required.	Québec Charter
Manitoba	Manitoba Human Rights Code	Employers must accommodate severe allergies.	Manitoba Human Rights Commission
Saskatchewan	Saskatchewan Human Rights Code	Accommodation for severe allergies is mandatory.	Saskatchewan Human Rights Commission

Jurisdiction	Relevant Laws	Accommodation Requirements	Link to Resources
Nova Scotia	Nova Scotia Human Rights Act	Allergies recognized as disabilities; accommodation required.	Nova Scotia Human Rights Act
New Brunswick	Human Rights Act	Employers must accommodate severe allergies as disabilities.	New Brunswick Human Rights Commission
Prince Edward Island	PEI Human Rights Act	Explicit accommodation requirements for severe allergies.	PEI Human Rights Commission
Newfoundland & Labrador	Human Rights Act	Employers must accommodate severe food allergies.	NL Human Rights Commission
Northwest Territories	Human Rights Act	Accommodations required for allergies as disabilities.	NWT Human Rights Commission
Yukon	Yukon Human Rights Act	Mandatory accommodation for severe allergies.	Yukon Human Rights Commission
Nunavut	Nunavut Human Rights Act	Requires employer accommodation for severe allergies.	Nunavut Human Rights Tribunal

By proactively addressing food allergies, OHS professionals not only safeguard employees but strengthen their organization's compliance, inclusivity, and reputation.