

PPE and Head Protection – Know the Laws of Your Province



When and what type of head protection required varies by province, as does responsibility to furnish and pay for it.

Head injuries are among the most serious injuries a worker can suffer. And they happen all the time. In 2020, 21,458 of the 253,009 lost-time injuries suffered by workers in Canada were injuries to the head, according to the Association of Workers' Compensation Boards of Canada. While engineering head hazards away is the preferred approach, when this solution isn't reasonably practicable, PPE and head protection become the chief means of hazard control. The first thing you need to do, though, is ensure compliance with the OHS head protection requirements of your own jurisdiction. Here's a summary of the rules in each part of Canada.

OHS PPE & Protective Headwear Requirements

FEDERAL

General PPE: (1) Employee must report PPE defects to employer as soon as feasible, who must then remove PPE from service if defect is dangerous and not return it to service until a qualified person restores it to good operating condition; (2) Employer must ensure that every **person** given access to workplace and who uses PPE is instructed and trained in its safe use and maintenance by a qualified person, with instruction and training provided summarized in writing and kept readily available to every person granted access to the workplace; (3) Employer must keep a record of all PPE they provide (other than disposable equipment) listing: (a) a description of equipment and the date employer acquired it; (b) date and result of each inspection and test; (c) date and nature of any maintenance work done on PPE since it was acquired; and (d) name of person who performed the inspection, test or maintenance; (4) Record must be kept at workplace where PPE is located and retained for 2 years after it's removed from surface, unless a standard requires longer retention period (*COHS Regs.*, Secs. 12.18 to 12.21)

Head Gear: (1) Protective headwear that meets CSA Z94.1 or ANSI Z89.1 must be worn in workplaces where risks of head injury exists; and (2) If employer, in consultation with the policy committee, JHSC or health and safety rep, determines that the above protective headwear doesn't eliminate or reduce risk of injury, employer must ensure that appropriate protective headwear selected by the employer, in consultation with the policy committee, JHSC or health and safety rep (*COHS Regs.*, Sec. 12.1)

ALBERTA

General PPE: If hazard assessment identifies need for PPE: (1) Employer must ensure that: (a) workers wear that's correct for the hazard, (b) workers properly use and wear the PPE, (c) the PPE is in a condition to perform the function for which it's designed, (d) workers are trained in the correct use, care, limitations and assigned maintenance of the PPE, and (e) Use of PPE itself doesn't endanger workers; and (2) Worker must: (a) properly use and wear the appropriate PPE in accordance with the training and instruction received, (b) inspect the PPE before using it, and (c) not use PPE that can't perform the function for which it's designed (*OHS Code*, Sec. 228).

Head Gear: (1) If there's foreseeable danger of injury to worker's head at a work site and significant possibility of lateral impact to the head, employer must ensure that the worker wears protective headwear that's appropriate to the hazards and meets: (a) CSA Z94.1-05, Industrial Protective, or (b) ANSI Z89.1 2003, for Type II head protection; (2) If there's foreseeable danger of injury to a worker's head at a work site but possibility of lateral impact to the head is unlikely, employer must ensure that the worker wears protective headwear that's appropriate to the hazards and meets: (a) CSA Z94.1-05, or (b) ANSI Z89.1 2003, for Type II head protection; (3) Separate requirements for helmets for bicycles and skates, ATVs, snow vehicles, motorcycles, fire fighting and bump hats; and (4) If it's impractical for a worker to wear protective headwear during a particular work process: (a) employer must ensure that worker's head is protected using an adequate alternative means of protection during the work process, and (b) worker may conduct the work while the alternative means of protection is in place (*OHS Code*, Part 18)

BRITISH COLUMBIA

General PPE: (1) Workers responsible for providing safety headgear unless it's agreed otherwise; (2) PPE must: (a) be selected and used in accordance with recognized standards, and provide effective protection, (b) not in itself create a hazard to the wearer, (c) be compatible, so that one item of PPE doesn't make another item ineffective, and (d) be maintained in good working order and sanitary condition; (3) If the use of PPE creates hazards equal to or greater than those it's intended to prevent, alternative PPE must be used or other appropriate measures taken; (4) Evaluation of workplace conditions required to determine appropriate PPE must be done in consultation with JHSC or health and safety rep, as well as worker who will use the equipment; (5) PPE program required where PPE is necessary to protect against a chemical exposure or oxygen deficient atmosphere, with program reviewed annually; (6) Employer must ensure that worker who wears PPE is adequately instructed in its correct use, limitations and assigned maintenance duties; (7) Supervisor must ensure that appropriate PPE is: (a) available to workers, (b) properly worn when required,

and (c) properly cleaned, inspected, maintained and stored; (8) Worker required to use PPE must (a) use the equipment in accordance with training and instruction, (b) inspect the equipment before use, (c) refrain from wearing PPE outside of the work area where it's required doing so would constitute a hazard, and (d) report any equipment malfunction to the supervisor or employer; and (9) Worker assigned responsibility for cleaning, maintaining or storing PPE must do so in accordance with training and instruction provided (*OHS Reg.*, Part 8)

Head Gear: (1) Before worker starts a work assignment in a work area with risk of head injury from falling, flying or thrown objects, or other harmful contacts, employer must take measures to: (a) eliminate the risk, or (b) if it's not practicable to eliminate the risk, minimize the risk to the lowest level practicable by applying the following control measures in order of priority: (i) engineering controls; (ii) administrative controls; (iii) requiring the worker to wear safety headgear; (2) Safety headgear must meet one of the following: (a) CSA-Z94.1-05 or CAN/CSA-Z94.1-15; or (b) ANSI/ISEA Z89.1-2009 or ANSI/ISEA Z89.1-2014; (3) If worker may be exposed to an electrical hazard the safety headgear must have an appropriate non-conductive rating; (4) Chin straps or other effective means of retention must be used on safety headgear when workers are climbing or working from a height exceeding 3 m (10 ft), or are exposed to high winds or other conditions that may cause loss of the headgear; (5) Damaged headgear or headgear with missing, mismatched, or modified components must be removed from service; and (6) Specific requirements for head gear for ATVs, snowmobiles, motorcycles, bikes, skates (*OHS Reg.*, Part 8)

MANITOBA

General PPE: (1) Employer must ensure that a worker wears and uses PPE when required to do so under the Regulations and in the event of an emergency in the workplace, including a spill or discharge of a hazardous substance; (2) Employer must: (a) develop and implement safe work procedures for the use of PPE; (b) train workers in those safe work procedures; (c) ensure that workers comply with those safe work procedures; and (d) ensure that safe work procedures developed by the PPE manufacturer, if any, are followed and that the employer's own procedures aren't inconsistent with the manufacturer's procedures; (3) If PPE is required, employer must: (a) provide a worker, at no cost, the equipment appropriate for the risks associated with the workplace and the work; (b) ensure that the equipment is (i) stored in a location that's clean, secure, and readily accessible by the worker, (ii) immediately repaired or replaced if it's defective, and (iii) immediately replaced with clean or decontaminated equipment if it's rendered ineffective because of contamination with a hazardous substance; and (c) make, so far as reasonably practicable, appropriate adjustments to the work procedures and rate of work to eliminate or reduce any risk to the safety or health of a worker that may arise from the worker's use of the equipment; (4) Employer must ensure that: (a) before providing PPE to a worker, the equipment is fit for its purpose, as determined by the employer inspecting it and testing it or carrying out any pre-use procedure in accordance with the manufacturer's specifications; (b) the equipment provided fits the worker correctly and can be safely used by the worker; and (c) the worker is informed of and understands the safety or health risk for which the equipment is designed and limitations, if any, in the protection it provides; (5) Worker provided with PPE must: (a) wear or use it in accordance with the manufacturer's specifications; (b) take reasonable steps to prevent damage to it; and (c)

inform the employer if it becomes defective or fails to provide the protection it's intended to provide; (6) When

a worker is required to provide protective headwear or footwear for themselves, (a) employer's duty is merely to ensure that the equipment provided by the worker meets, and is used in accordance with, the requirements of Part 6 of the Regs; and (b) the worker must take reasonable steps to prevent damage to the equipment and ensure that it (i) meets and is used in accordance with the manufacturer's specifications and the requirements of Part 6, (ii) is immediately repaired or replaced if it's defective, and (iii) is immediately replaced with clean or decontaminated equipment, if it's rendered ineffective because of contamination by a hazardous substance (*WSH Regs.*, Secs. 6.1 to 6.6)

Head Gear for Construction Project: Worker at a construction project site: (1) Must wear protective headwear that meets CSA Z94.1-05, or ANSI/ISEA Z89.1-2014 (R2019); and (2) Is responsible for providing the protective headwear they're required to wear under subsection and, if necessary, is also responsible for providing (a) a liner for the headwear to protect from cold conditions; and (b) a retention system to secure the headwear firmly to the worker's head, where the worker works in conditions that may cause the headwear to dislodge (*WSH Regs.*, Sec. 6.11)

Head Gear for Non-Construction Project Sites: At workplaces that aren't construction project sites: (1) Employer must provide workers with protective headwear appropriate for the risk that meets either CSA Z94.1-15, or ANSI Z89.1-2003, if there's risk of injury (a) to the worker's head, including a significant possibility of lateral impact to the worker's head; or (b) to the worker from contact with an exposed energized electrical conductor; (2) Employer required to provide workers with protective headwear must also provide: (a) a liner for that headwear, if necessary to protect from cold conditions; and (b) a retention system to secure the protective headwear firmly to the worker's head, if the worker is likely to work in conditions that may cause the headwear to dislodge; (3) Instead of complying with subsection (1), an employer may provide workers a bump hat or other protective headwear appropriate for the risk, if the risk of injury to a worker's head is limited to injury to the worker's scalp (*WSH Regs.*, Sec. 6.10); and (4) Separate requirements for head gear for ATVs and snowmobiles

NEW BRUNSWICK

General PPE: (1) Employer must provide any protective equipment Regs. require workers to use and ensure that the employee is instructed and trained in its proper use and care; and (2) Where Regs. require employees to use protective equipment, employee must: (a) use the equipment in accordance with the instruction and training received, (b) test or visually inspect the equipment before each use as appropriate to the type of equipment to be used, (c) report any defective equipment to the employer and not use the equipment, and (d) care for the equipment properly while using it (*OHS Gen. Reg.*, Sec. 38)

Head Gear: (1) Employee on a construction project site must use Class E, Type 1 headwear meeting CSA Z94.1-15, or a standard offering equivalent or better protection; (2) Employee at a place of employment that's not a project site who's exposed to head hazards must use protective equipment that's appropriate to the hazard and meets CSA Z94.1-15, or a standard offering equivalent or

better protection (*OHS Gen. Reg.*, Sec. 40); and (3) Separate standards apply for firefighting

NEWFOUNDLAND

General PPE: (1) PPE must: (a) be selected and used in accordance with recognized standards and provide effective protection; (b) not in itself create a hazard to the wearer; (c) be compatible so that one item of PPE doesn't make another item ineffective; and (d) be maintained in good working order and sanitary condition; and (2) Employer must ensure that a worker who wears PPE is adequately instructed in its correct use, limitations and assigned maintenance duties (*OHS Regs.*, Secs. 71 and 72)

Head Gear: Worker must wear safety headgear meeting CSA -Z94.1, or, in the case of emergency response personnel, the applicable NFPA Standard if there's a danger of head injury from falling, flying or thrown objects or other harmful contacts (*OHS Regs.*, Sec. 74)

NOVA SCOTIA

General PPE: (1) Employer must ensure that adequate PPE or devices required for an assigned task are used, based on: (a) the nature of the task; (b) workplace location and conditions; and (c) any hazards that may affect a person in the workplace's health and safety; (2) Where PPE or devices are required, employer must ensure that: (a) employee receives adequate training in their proper use and care; and (b) employee wears or uses the PPE or devices in accordance with instruction and training provided; (3) Employer must ensure that all required PPE or devices are: (a) maintained by a competent person; and (b) tested or visually inspected before each use, in accordance with the manufacturer's specifications (4) If anybody identifies a defect in PPE or devices that may impair their adequacy, employer must ensure that the PPE or devices aren't used until they're repaired; and (5) Employees must wear or use all required PPE or devices (*Occ. Safety Gen. Regs.*, Sec. 9)

Head Gear: Employer must ensure that persons exposed to head hazards wear protective equipment that's appropriate to the hazard and meets the latest version of either CSA Z94.1, or ANSI Z89.1 (*Occ. Safety Gen. Regs.*, Sec. 11)

ONTARIO

Industrial Establishments: (1) Workers required to wear or use any protective clothing, equipment or device must be instructed and trained in its care and use before wearing or using it; and (2) Workers exposed to head injury hazards must wear head protection appropriate in the circumstances (*Indust. Ests. Regs.*, Secs. 79 – 80)

Construction Projects: (1) Workers must wear such protective clothing and use such PPE or devices necessary to protect them against the hazards to which they may be exposed; (2) Worker's employer must require the worker to comply with subsection (1) above; (3) A worker required to wear protective clothing or use PPE or devices must be adequately instructed and trained in their care and use before wearing or using them; and (3) All workers must wear protective headwear at all times when on a project, specifically, a safety hat that: (a) consists of

a shell and suspension adequate to protect the head against impact and against flying or falling small objects; and (b) has a shell that can withstand a dielectric strength test at 20,000 volts phase to ground (*Const. Projects Reg.*, Secs. 21 – 22)

PRINCE EDWARD ISLAND

General PPE: (1) Employer must ensure that PPE is maintained in good condition; (2) Employer must ensure that every worker required to use PPE gets pre-job instruction by the employer to understand its use, limitations, and maintenance; and (3) Workers wearing or using PPE must test the equipment before each use and not wear or use any equipment they have reason to believe is defective (*OHS Gen. Regs.*, Sec. 45)

Head Gear: (1) Employer must ensure that a worker on a worksite or any other place of employment who's exposed to a head hazard wears head protection appropriate to the hazard that meets CSA Z94.1-15; and (2) Chin straps or other effective means of ensuring retention of safety headgear shall be fitted and worn when workers are exposed to high winds or other conditions which might cause the loss of the headgear (*OHS Gen. Regs.*, Sec. 45)

QUÉBEC

General PPE: (1) Employer must provide worker, free-of-charge, individual or collective means and equipment required under the OHS Regulation and ensure that workers have received the information necessary for using those means and equipment; and (2) Workers must wear or use the individual or collective protective means and equipment required (*OHS Regs.*, Secs. 338 and 339)

Head Gear: (1) Wearing of a safety hat meeting CSA Z94.1-05, is mandatory for all workers exposed to head injuries; (2) As of April 3, 2014, any new safety hat must meet most recent version of CSA Z-94.1 (*OHS Regs.*, Sec. 341); and (3) Any person on a construction site must wear a safety hat designed and manufactured in accordance with the version of CSA Z94.1, that was applicable at the time of manufacturing (*Safety Code for Const.*, Sec. 2.10.3.)

SASKATCHEWAN

General PPE: (1) If it's not reasonably practicable to protect health and safety via design of the plant and work processes, suitable work practices or administrative controls, employer or contractor must ensure that every worker wears or uses suitable and adequate PPE; (2) If PPE won't effectively protect a worker, employer or contractor must, if reasonably practicable, provide alternative work arrangements for worker; (3) An employer or contractor legally required to provide PPE must : (a) supply approved PPE to the workers at no cost to the workers; (b) ensure that the PPE is used by the workers; (c) ensure that the PPE is at the worksite before work begins; (d) ensure that the PPE is stored in a clean, secure location that's readily accessible to workers; (e) ensure that each worker is aware of the location of the PPE and trained in its use; (f) inform workers of the reasons why the PPE is required to be used and of the limitations of its protection; and (g) ensure that PPE provided to a worker is: (i) suitable and adequate and a proper fit for that worker; (ii) maintained and kept in a sanitary condition; and (iii) removed from use or service when

damaged; (4) If an employer or contractor requires a worker to clean and maintain PPE, employer must ensure that the worker has adequate time during normal working hours without loss of pay or other benefits for this purpose; (5) If reasonably practicable, an employer or contractor must make appropriate adjustments to the work procedures and the rate of work to eliminate or reduce the danger or discomfort to the worker that may arise from the worker's use of PPE; (6) A worker who's provided with PPE by an employer or contractor must: (a) use the PPE; and (b) take reasonable steps to prevent damage to it; (7) If PPE provided to a worker becomes defective or otherwise fails to provide the intended protection, the worker must: (a) return the PPE to the employer; and (b) inform the employer of the defect or other reason why the doesn't provide the intended protection; and (8) Employer must immediately repair or replace any PPE that the worker returns in accordance with subsection (7) (*OHS Regs.*, Part 7)

Head Gear: (1) Employer or contractor must provide approved industrial protective headwear to worker exposed to head hazards and require the worker to use it; (2) The following places are deemed to be places where a worker is exposed to head hazards: (a) a mine, mill or smelter; (b) a forestry or sawmilling operation; (c) a construction site; (d) a drilling operation; (e) an oil or gas servicing operation;

(3) Employer or contractor must provide and require a worker that may contact an exposed energized electrical conductor to use approved industrial protective headwear of adequate dielectric strength to protect the worker; (4) Employer or contractor must provide a worker that the OHS regulation require to use industrial protective headwear: (a) a suitable liner if necessary to protect from cold conditions; and (b) a retention system to secure the industrial protective headwear firmly to the worker's head if the worker is likely to work in conditions that may cause the headwear to dislodge; (5) Employer or contractor must ensure that any industrial protective headwear provided to a worker under the 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; (6) Employer or contractor must not require or permit a worker to use any industrial protective headwear that: (a) is damaged or structurally modified; (b) has been subjected to severe impact; or (c) has been painted or cleaned with solvents (*OHS Regs.*, Sec. 94); (7) Separate requirements for head gear used for ATVs and snowmobiles

NORTHWEST TERRITORIES & NUNAVUT

General PPE: (1) If it's not reasonably possible to protect health and safety via design of the plant and work processes, suitable work practices or administrative controls, employer must ensure that worker wears or uses suitable and adequate PPE; (2) If PPE won't effectively protect a worker, employer must, if reasonably possible, provide alternative work arrangements for worker; (3) An employer legally required to provide PPE must : (a) supply approved PPE to the worker at no cost to the worker; (b) ensure that the PPE is used by the worker; (c) ensure that PPE is at the worksite before work begins; (d) ensure that the PPE is stored in a clean, secure location that's readily accessible to workers; (e) ensure that each worker is aware of the location of the PPE and trained in its use; (f) inform workers of the reasons why the PPE is required and of the limitations of its protection; and (g) ensure that PPE provided to a worker is:

(i) suitable and adequate and a proper fit for that worker; (ii) maintained and kept in a sanitary condition; and (iii) removed from use or service when damaged; (4) If an employer requires a worker to clean and maintain PPE, employer must ensure that the worker has adequate time to do so during normal working hours without loss of pay or other benefits; (5) If reasonably possible, employer must make appropriate adjustments to the work procedures and rate of work to eliminate or reduce any danger or discomfort to the worker that may arise from the worker's use of PPE; (6) A worker who's provided with PPE by an employer must: (a) use the PPE; and (b) take reasonable steps to prevent damage to it; (7) If PPE provided to a worker becomes defective or otherwise fails to provide the intended protection, the worker must: (a) return the PPE to the employer or contractor; and (b) inform the employer or contractor of the defect or other reason why the doesn't provide the intended protection; and (8) Employer or contractor must immediately repair or replace any PPE that the worker returns in accordance with subsection (7) (*OHS Regs.*, Part 7)

Head Gear: (1) Employer must provide approved industrial protective headwear to worker exposed to head hazards and require the worker to use it; (2) Employer must provide and require a worker that may contact an exposed energized electrical conductor to use approved industrial protective headwear of adequate dielectric strength to protect the worker; (3) Employer must provide a worker that the OHS regulation require to use industrial protective headwear: (a) a suitable liner if necessary to protect from cold conditions; and (b) a retention system to secure the industrial protective headwear firmly to the worker's head if the worker is likely to work in conditions that may cause the headwear to dislodge; (4) If visibility is necessary to protect worker's health and safety, employer must ensure that any industrial head protection provided to a worker under the OHS regulations is fluorescent orange or other high visibility colour; (5) Employer must not require or permit a worker to use any industrial protective headwear that: (a) is damaged or structurally modified; (b) has been subjected to severe impact; or (c) has been painted or cleaned with solvents (*OHS Regs.*, Sec. 94); and (6) Separate requirements for head gear used for ATVs, snowmobiles, bikes, etc.

YUKON

General PPE: (1) All workers must be provided, at no cost to them, with all PPE, specialty clothing or equipment required by the OHS Regulations except: (a) clothing to protect them against the natural elements, (b) general purpose work gloves where required by the nature of the work or the elements, and (c) appropriate footwear including safety footwear required by the Regs.; (2) Required PPE must be: (a) selected, used and maintained to provide effective protection in accordance with the manufacturer's instructions, recognized standards and the Regs; (b) compatible with other equipment and not present a hazard to the user, (c) replaced with alternative equipment or other measures if its use creates hazards equal to or greater than those its use was intended to protect against, (d) replaced by alternative equipment or safe procedures or measures if the equipment causes allergenic or other adverse health effects; (e) promptly replaced if deteriorated or inadequate to meet the requirements of the applicable standard and Regs., or if the conditions of use change, and (f) selected in consultation with the JHSC, safety rep or the worker who will use it; (3) Appropriate PPE must be: (a) readily available to workers, with appropriate training provided; (b) properly used, cleaned, inspected, maintained

and stored; (c) used in accordance with the Regs. and instruction and training provided to workers; (4) PPE must be inspected before each use and any equipment malfunction must be reported to the supervisor or employer and may not be used until it's repaired, and; (5) PPE must be cleaned, maintained and stored in accordance with instructions and training (*OHS Regs.*, Part 1)

Head Gear: (1) Workers must be required to wear appropriate safety headwear if there is or may be a danger of injury to the head from falling, flying or thrown objects or any other contacts, or where the headwear is used to make the worker more visible in the workplace; (2) Safety headwear must be provided to and worn by workers and: (a) have a non-conductive rating where workers may be exposed to electrical hazards, (b) 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, and (c) meet requirements of: (i) CSA Z-94.1-05, (ii) ANSI Z89.1-2003, (iii) ANSI Z89.1-2003, or (iv) other similar standards acceptable to the Director; (d) meet previously published CSA or ANSI standards, remain in service only as long as it's in good condition and provide effective head protection, (e) have an effective means of headwear retention when the worker is working in conditions that may cause loss of the headwear, and (f) be equipped with winter liners in cold weather; (3) Workers are only allowed to wear a bump cap when the danger of an injury is limited to bumping the head against a stationary object; and (4) Separate requirements for headwear for ATVs, snow vehicles, motorcycles, bikes and skates (*OHS Regs.*, Part 1)