

Requirements to Pay for Worker PPE – Know the Laws of Your Province



Seven provinces and territories specifically require employers to pay for required PPE.

OHS laws require workers to use (and employers to ensure workers actually do use) certain kinds of PPE necessary to protect them against different work hazards. But who has to actually pay for that equipment? The answer to that seemingly simple question depends on the jurisdiction and type of PPE involved. There are 2 basic approaches:

- The OHS requirements are clearest in BC, MB, QC, SK and the 3 territories that expressly require employers to furnish workers most kinds of required PPE at no cost to workers;
- Other jurisdictions require employers to 'provide' some kinds of PPE and merely ensure the use of other PPE but don't define 'provide' or explain whether it means pay for.

Here's a summary of the PPE payment requirements in each part of Canada.

OHS PPE Payment Requirements

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FEDERAL

Employer Must Provide*

- Fall protection.
- Hearing protection.
- Respiratory protection.
- Eye and face protection.
- Skin protection.
- Protection against drowning.

*COHS Regulations don't define 'provide' or explain whether it means pay for.

Employer Need Only Ensure Use of:

- Protective headwear.
- Protective footwear.

ALBERTA

Employer Must Provide*

- Fall protection.
- Rescue and evacuation PPE.

Respiratory protection.

*OHS Code doesn't define 'provide' but Guidelines imply that it means pay for.

Employer Need Only Ensure Use of:

- Hearing protection.
- Protective headwear.
- Protective footwear.
- Eye and face protection.
- Skin protection.
- Protection against drowning.
- Flame-resistant and other protective clothing.

BRITISH COLUMBIA

Employer Must Provide All Required PPE at No Cost to Worker EXCEPT:

- Clothing needed for protection against the natural elements.
- General purpose work gloves.
- Appropriate footwear including safety footwear.
- Safety headgear.

If worker is allergic to equipment employer provides, employer must provide alternative equipment or take alternative measures so worker doesn't have to use it

MANITOBA

Employer Must Provide All Required PPE at No Cost to Worker EXCEPT:

- Protective headwear at a construction site.
- Protective footwear*.

*Employer DOES have to provide toe caps, metatarsal protection

and protective footwear against hot, corrosive or toxic substances at no cost to worker

NEW BRUNSWICK

Employer Must Provide* All Required PPE

*OHS Regs. don't define 'provide' but WorkSafeNB guidance states that the term 'may or may not mean that the employer actually pays for the equipment. WorkSafeNB believes that this decision is best made by the workplace parties.' While it doesn't necessarily mean pay for, the duty to provide does, however, mean that employers must ensure that required PPE is available for workers to purchase themselves.

NEWFOUNDLAND

Employer Must Provide*

- Fall protection.
- Respiratory protection.

*OHS Regs. don't define 'provide' or indicate whether it means pay for

Employer Need Only Ensure Use of:

- Hearing protection.
- Protective headwear.
- Protective footwear.
- Eye and face protection.
- Limbs and body protection.
- Skin protection.
- Protection against drowning.
- High visibility clothing.
- Flame resistant clothing.

NOVA SCOTIA

Employer Must Provide*

- Fall protection.
- Respiratory protection.
- Drowning protection.
- Electrical PPE to workers that work on energized equipment.

*OHS Regs. don't define 'provide.' OHS guidelines from 2006 specified that provide means pay for but those guidelines have since been revoked.

Employer Need Only Ensure Use of:

- Hearing protection.
- Protective headwear.
- Protective footwear.
- Eye and face protection.
- Limbs and body protection.
- Skin protection.
- Protective clothing

ONTARIO

Employer Must Provide:

- Fall protection.
- Hearing protection.
- Respiratory protection.

Employer Need Only Ensure Use of Other Required PPE*

*MOL Guidelines say that employers should 'provide' (without saying whether that means pay for):

- Hearing protection.
- Respirators.

- Protective clothing.
- Protective footwear.
- Face and eye shields.

PRINCE EDWARD ISLAND

Employer Must Provide and Pay for: Protective clothing to guard workers working with asbestos containing material from contamination

Employer Must Provide: Hearing protection and rubber insulating gloves to workers working on electrical installations

Employer Must Ensure Workers Are Provided with: Eye and face protection guarding against infrared radiation, protection against drowning

Employer Need Only Ensure Use of: Head protection, foot protection, eye and face protection, respiratory protection, hand protection, limb protection, protective clothing

QUÉBEC

Employer Must Provide Workers, Free of Charge, All PPE:

- Required by the OHS Regulations.
- Selected by the workplace JHSC.

SASKATCHEWAN

Employer or Contractor Must Provide All Required PPE at No Cost to Worker EXCEPT:

- Safety pants or chaps used by workers to protect their legs.
- Protective footwear*

*Employer or employer DOES have to provide toe caps, metatarsal protection and protective footwear against hot, corrosive or toxic substances at no cost to worker

NORTHWEST TERRITORIES & NUNAVUT

Employer Must Provide All Required PPE at No Cost to Worker EXCEPT:

- Safety pants or chaps used by workers to protect their legs.
- Protective footwear*.

*Employer or employer DOES have to provide toe caps, metatarsal protection and protective footwear against hot, corrosive or toxic substances at no cost to worker.

YUKON

Employer Must Provide All Required PPE and Protective Clothing at No Cost to Worker EXCEPT:

- Clothing needed to protect workers against the natural elements.
- General purpose work gloves.
- Appropriate footwear including safety footwear.