

# Workplace Inspections – Know The Laws of Your Province



Workplace inspections are essential for maintaining a safe and healthy work environment. By systematically examining the workplace, identifying potential hazards, and ensuring compliance with safety regulations, inspections help prevent accidents, injuries, and health issues. They also foster a culture of safety, encouraging employees to report unsafe conditions and engage in proactive solutions. Regular inspections allow companies to address issues before they escalate, ultimately protecting employees and promoting productivity. Whether conducted by internal teams or external auditors, these inspections are a key component of an effective occupational health and safety program.

## ALBERTA

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Employers in Alberta must follow the **Occupational Health and Safety (OHS) Act** for workplace inspection pursuant to **Sections 77(1) to (7), 15, and 34.**

### Inspection

(1) For the purposes of this Act, an officer may:

(a) at any reasonable hour and without warrant, enter into or on any work site and inspect that work site except for

premises used as a private dwelling,

(b) subject to **section 31(6)**, require the production of any records, books, plans, or other documents, including electronic documents, that relate to the health and safety of workers and may examine them, make copies of them or remove them temporarily for the purpose of making copies,

(c) use data storage, information processing or retrieval devices or systems that are used by an **employer** in order to examine records, books, plans or other documents,

(d) require any person to provide the officer with all reasonable assistance, including using any computer hardware or software or any other data storage, processing or retrieval device or system to produce information,

(e) inspect, seize, or take samples of any material, product, equipment, or other thing being produced, used, or found in or on the work site that is being inspected,

(f) cause any material, product, equipment, or other thing taken pursuant to clause (e) to be dismantled or subjected to any process or test, but not in such manner as to damage or destroy it, unless under the circumstances damage or destruction thereto is unavoidable or necessary,

(g) bring along equipment or materials needed and be accompanied and assisted by a person who has special, expert, or professional knowledge of a matter relevant to the inspection,

(h) make tests and take photographs, measurements, or recordings in respect of any work site,

(i) require the **employer** or a person designated by the **employer** to demonstrate the use of any machinery, personal protective equipment, equipment, appliance or thing at a work site, and

(j) interview and obtain statements from persons at the work site or persons not located at the work site who have information related to the health and safety of workers at the work site.

(2) Notwithstanding subsection (1)(a), an officer may enter and examine a room or place used as a private dwelling that is a work site only if:

(a) the owner or person in possession of it consents to the entry and examination, or

(b) the entry and examination is authorized by a judge under subsection (3).

(3) Where a judge of the Court of Justice is satisfied on an officer's evidence under oath that there are reasonable grounds for an officer to exercise a power under this section and that:

(a) in the case of a room or place used as a private dwelling, the officer cannot obtain consent under subsection

(2)(a), or

(b) having obtained consent under subsection (2)(a), the officer has been obstructed or interfered with, the judge may make any order the judge considers necessary to enable the officer to exercise the powers under this section.

(4) When an officer:

(a) removes any records, books, plans, or other documents under subsection (1)(b), the officer **shall**:

(i) give to the person from whom those items were taken a receipt for them, and

(ii) forthwith make copies of, take photographs of or

otherwise record those items and forthwith return them to the person to whom the receipt was given, or

(b) seizes or takes samples of any material, product, equipment, or other thing under subsection (1)(e), the officer **shall**:

(i) give to the person from whom those items were seized or taken a receipt for them, and

(ii) on that person's request, return those items to that person when they have served the purposes for which they were seized or taken.

(5) If a person refuses to allow an officer to exercise any powers under subsection (1) or interferes or attempts to interfere with the officer in the exercise of those powers, a Director may apply to the Court of King's Bench for an order restraining that person from hindering or interfering in any manner with the officer in the exercise of those powers. **Section 34(1)(5).**

**For more information:**

- Division 2 – Employment Standards Officers. **Section 77(1) to (7).**
- Inspection of work site with officer. **Section 15.**

**Further details on the Employment Standards Code can be found at [kings-printer.alberta.ca](http://kings-printer.alberta.ca) and Occupational Health And Safety Act [Alberta.ca](http://Alberta.ca).**

## **BRITISH COLUMBIA**

Employers In British Columbia must follow the **Occupational Health and Safety (OHS) Act** for workplace inspection under **Sections 2.5, 2.6, 3.5 to 3.8** and under WorkSafeBC pursuant to **Sections 74 to 80.**

## ***Authority to conduct inspections***

(1) An officer of the Board may enter a place, including a vehicle, vessel or mobile equipment, and conduct an inspection for one or more of the following purposes:

(a) preventing work-related accidents, injuries, or illnesses;

(b) ascertaining the cause and particulars of a work-related accident, injury, or illness or of an incident that had the potential to cause a work-related accident, injury, or illness;

(c) investigating a complaint concerning health, safety, or occupational environment matters at a workplace;

(d) determining whether there is compliance with the OHS provisions, the regulations, or an order;

(e) determining whether to issue, suspend or cancel a licence under **Division 8.1 [Licensing in Relation to Asbestos Abatement]** of this Part or determining whether a licensee meets or is in compliance with the terms or conditions of such a licence.

(2) An inspection may be conducted:

(a) at a reasonable hour of the day or night, or

(b) at any other time if the officer has reasonable grounds for believing that a situation exists that is or may be hazardous to workers.

(3) An officer may do one or more of the following for the purposes of an inspection under this Division:

(a) bring along any equipment or materials required for the inspection and be accompanied and assisted by a person who has special, expert, or professional knowledge of a matter

relevant to the inspection;

(b) inspect works, materials, products, tools, equipment, machines, devices, or other things at the place;

(c) take samples and conduct tests of materials, products, tools, equipment, machines, devices, or other things being produced, used or found at the place, including tests in which a sample is destroyed;

(d) require that a workplace or part of a workplace not be disturbed for a reasonable period;

(e) require that a tool, equipment, machine, device, or other thing or process be operated or set in motion or that a system or procedure be carried out;

(f) inspect records that may be relevant and, on giving a receipt for a record, temporarily remove the record to make copies or extracts;

(g) require a person to produce records within a reasonable time in the person's possession or control that may be relevant;

(h) question persons with respect to matters that may be relevant, require persons to attend to answer questions, and require questions to be answered on oath or affirmation;

(i) take photographs or recordings of the workplace and activities taking place in the workplace;

(j) attend a relevant training program of an **employer**;

(k) exercise other powers that may be necessary or incidental to the carrying out of the officer's duties and functions under the OHS provisions or the regulations.

**Section 75(1) to (3).**

## **For more information:**

- Inspection reports. **Section 2.5(1).**
- Notification of compliance. **Section 2.6.**
- General requirement. **Section 3.5.**
- Special inspections. **Section 3.7.**
- Committee participation. **Section 3.8.**
- Representation on inspection. **Section 78.**
- Assistance on inspection. **Section 79.**
- Person being questioned is entitled to have another person present. **Section 80.**

**Further details on the Occupational Health and Safety Regulation can be found at [bclaws.gov.bc.ca](http://bclaws.gov.bc.ca) or at [WorksafeBC.com](http://WorksafeBC.com).**

## **MANITOBA**

Employers in Manitoba must follow the **Occupational Health and Safety (OHS) Act** for workplace inspection pursuant to **Sections 2.4(1)(2), 3.2.2, 7.4(5), 22(3), 23, 25, 41.3(1), 41.3(2).**

### **Inspections of workplace**

#### **(1) An employer must:**

- (a) ensure that regular inspections of the workplace and of work processes and procedures at the workplace are conducted to identify any risk to the safety or health of any person at the workplace; and
- (b) if a risk is identified, correct any unsafe condition as soon as is reasonably practicable and, in the interim, take immediate steps to protect the safety and health of any person who may be at risk. **Section 2.4(1).**

#### **(2) A prime contractor must:**

- (a) ensure that regular inspections of the construction

project site and the work processes and procedures at the site are conducted to identify any risk to the safety or health of any person at the site; and

(b) if a risk is identified, ensure that any unsafe condition is corrected as soon as is reasonably practicable, and in the interim, ensure that immediate steps are taken to protect the safety and health of any person who may be at risk. **Section 2.4(2).**

### **Committee inspection of workplace**

The members of a committee must inspect the workplace and the work processes and procedures at the workplace at least once before each regularly scheduled meeting of the committee. **Section 3.2.2.**

### **Content of program**

(5) A workplace safety and health program must include:

(a) a schedule for the regular inspection of the workplace and of work processes and procedures at the workplace; **Section 7.4(5).**

### **Duties of safety and health officers**

A safety and health officer **shall**:

(a) make such inspections and inquiries, and carry out such tests, as he deems necessary to ascertain whether compliance is being made with the provisions of this Act and the regulations; and

(b) carry out such other duties as may be assigned to safety and health officers under this Act or the regulations. **Section 23.**

### **Accompanying an officer**

(1) A safety and health officer who conducts an inspection or



investigation at a workplace, may request that he or she be accompanied by:

- (a) the worker co-chairperson of the committee or his or her designate;
- (b) if there is no committee at the workplace, the representative;
- (c) if there is no committee or representative at the workplace, a worker selected by the union; or
- (d) if there is no committee, representative, or union representing workers at the workplace, a worker not associated with the management of the workplace. **Section 41.3(1).**

### **Employer co-operation**

**(2)** If a safety and health officer makes a request under subsection (1), the **employer shall** permit the person requested to accompany the officer on the inspection or investigation and **shall** pay the person in accordance with subsection 40(11). **Section 41.3(2).**

### **For more information:**

- Inspections for other jurisdictions. **Section 22(3).**
- Power of commissioner under Evidence Act. **Section 25.**

**Further details on Manitoba Workplace Safety and Health Act and Regulation can be found at [manitobanurses.ca](http://manitobanurses.ca).**

## **NEW BRUNSWICK**

Employers In New Brunswick must follow the **Occupational Health and Safety (OHS) Act** for workplace inspection pursuant to **Sections 5(3), 9(3), 29, 8.1, 9. (1).**

### **Duties of Employer**

(1) Every **employer shall:**

(a) take every reasonable precaution to ensure the health and safety of his **employees;**

(2) Without limiting the generality of the duties under subsection (1), every **employer shall:**

(a) ensure that the necessary systems of work, tools, equipment, machines, devices, and materials are maintained in good condition and are of minimum risk to health and safety when used as directed by the supplier or in accordance with the directions supplied by the supplier;

(a.1) ensure that the place of employment is inspected at least once a month to identify any risks to the health and safety of his **employees;**

(b) acquaint an **employee** with any hazard in connection with the use, handling, storage, disposal, and transport of any tool, equipment, machine, device or biological, chemical, or physical agent;

(c) provide the information that is necessary to ensure an employee's health and safety;

(c.1) provide the instruction that is necessary to ensure an employee's health and safety;

(c.2) provide the training that is necessary to ensure an employee's health and safety;

(c.3) ensure that work at the place of employment is competently supervised and that supervisors have sufficient knowledge of all of the following with respect to matters that are within the scope of the supervisor's duties:

(i) this Act and any regulations under this Act that apply to the place of employment;

(ii) any safety policy for the place of employment;

(iii) any health and safety program for the place of employment;

(iv) any health and safety procedures with respect to hazards in connection with the use, handling, storage, disposal, and transport of any tool, equipment, machine, device or biological, chemical or physical agent by **employees** who work under the supervisor's supervision and direction;

(v) any protective equipment required to ensure the health and safety of the **employees** who work under the supervisor's supervision and direction; and

(vi) any other matters that are necessary to ensure the health and safety of the **employees** who work under the supervisor's supervision and direction;

(c.4) ensure that work at the place of employment is sufficiently supervised;

(d) provide and maintain in good condition such protective equipment as is required by regulation and ensure that such equipment is used by an **employee** in the course of work;

(e) co-operate with a committee, where such a committee has been established, a health and safety representative, where such a representative has been elected or designated, and with any person responsible for the enforcement of this Act and the regulations.

(3) An **employer shall** develop a program for the inspection referred to in paragraph (2)(a.1) with the joint health and safety committee, if any, or the health and safety representative, if any, and **shall** share the results of each inspection with the committee or the health and safety representative. **Section 9. (1).**

## For more information:

- Duties of employer. **Section 9(3).**
- Officer to be accompanied when carrying out inspection. **Section 29.**
- 20 or more employees regularly employed. **Section 8.1(1).**

Further details on the Occupational Health and Safety Act can be found at [Laws.GNB.ca](http://Laws.GNB.ca).

## NEWFOUNDLAND & LABRADOR

Workplace inspections must be performed regularly, at a frequency equal to the level of risk. They must also be performed in accordance with Sections of the [Occupational Health and Safety Act](#), namely, **Sections 5, 12, 18, 39.**

### **Occupational health and safety program**

(1) An occupational health and safety program required under section 36.1 of the Act **shall** be signed and dated by the **employer** and by the person or persons responsible for the management of the employer's operations in the province and **shall** include:

(g) a system for the recognition, evaluation, and control of hazards that includes:

(i) evaluation and monitoring of the workplace to identify potential hazards and the associated risks,

(ii) procedures and schedules for regular inspections by management and committee members,

(iii) procedures for the identification, reporting, and control or correction of hazards,

(iv) procedures for the prompt investigation of hazardous occurrences to determine the cause of the occurrence and the actions necessary to prevent a

recurrence,

(v) identification of the circumstances where the **employer** is required to report hazards to the committee and the procedures for doing so, and

(vi) measures for the accountability of persons responsible for the reporting and correction of hazards; **Section 12.**

### **Specific duties of employers**

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

(f) **shall** consult and co-operate with the occupational health and safety committee, the worker health and safety representative, or the workplace health and safety designate, where the **employer** is not the workplace health and safety designate, on all matters respecting occupational health and safety at the workplace;

(f.3) **shall** consult with:

(i) the occupational health and safety committee at the workplace,

(ii) the worker health and safety representative at the workplace, or

(iii) where the **employer** is not the workplace health and safety designate, the workplace health and safety designate at the workplace about the scheduling of workplace inspections that are required by the regulations, and ensure that the committee, the worker health and safety representative or the workplace health and safety designate participates in the inspection; **Section 5.**

### **Safety inspections**

(1) Regular inspections of all buildings, excavations, structures, machinery, equipment, work practices, and places of employment **shall** be made by the **employer** or the employer's representative at intervals to ensure that safe working conditions are maintained and that unsafe conditions found as a result of the inspection are remedied without delay. **Section 18.**

### **Duties of committees**

A committee established under section 37:

(a) **shall** seek to identify aspects of the workplace that may be unhealthy or unsafe;

(a.1) **shall** participate in a workplace inspection that an **employer** is required by the regulations to conduct;

(b) may make recommendations to principal contractors, **employers**, workers, self-employed persons, and the assistant deputy minister or an officer for the enforcement of standards to protect the health, safety and welfare of workers at the workplace;

(c) **shall** receive complaints from workers as to their concerns about the health and safety of the workplace and their welfare;

(d) **shall** establish and promote health and safety educational programs for workers;

(e) **shall** maintain records as to the receipt and disposition of complaints received from workers under paragraph (c);

(f) **shall** co-operate with the assistant deputy minister or an officer who is exercising duties under the Act; and

(g) **shall** perform those other duties and follow those procedures that may be prescribed by the regulations.

## Section 39.

### For more information:

- Operations of committees, representatives and designates. **Section 25.**

Further details on the Occupational Health and Safety Act can be found at [Ohsguide.workplaceNL.ca](http://Ohsguide.workplaceNL.ca).

## NOVA SCOTIA

Employers In Nova Scotia must follow the **Occupational Health and Safety (OHS) Act** for workplace inspection under **Sections 47 to 52.**

### **Powers of officers in inspections and orders**

For the purpose of ensuring compliance with this Act and the regulations and any order made thereunder, an officer may:

- (a) at a reasonable hour of the day or night enter and inspect a workplace, conduct tests, and make such examinations as the officer considers necessary or advisable;
- (b) require the production of records, drawings, specifications, books, plans, or other documents in the possession of the **employer** that relate to the workplace or the health and safety of **employees** or other persons at the workplace and remove them temporarily for the purpose of making copies;
- (c) require the production of documents or records that may be relevant to the investigation of a complaint pursuant to subsection 46(1), and remove them temporarily for the purpose of making copies;
- (d) take photographs or recordings of the workplace and any activity taking place in the workplace;

(e) make any examination, investigation, or inquiry as the officer considers necessary to ascertain whether there is compliance with this Act and the regulations and any order made under them;

(f) inspect, take samples and conduct tests of samples, including tests in which a sample is destroyed, of any material, product, tool, equipment, machine, or device being produced, used or found at the workplace for which the officer **shall** be responsible, except for a sample that has been destroyed, until the material, product, tool, equipment, machine, or device is returned to the person being inspected;

(g) examine a person with respect to matters pursuant to this Act or the regulations;

(h) for the purposes of an investigation, inquiry, or examination made by the officer pursuant to this Act or the regulations, summons to give evidence and administer an oath or affirmation to a person;

(i) in an inspection, examination, inquiry, or test be accompanied and assisted by or take with the officer a person having special, expert, or professional knowledge of any matter;

(j) exercise such other powers as may be necessary or incidental to the carrying out of the officer's functions pursuant to this Act or the regulations. **Section 47.**

### **Accompaniment during inspections**

(2) Where an officer conducts an inspection:

(a) the **employer shall** give the representative or an **employee** member of the committee, if any; and

(b) a representative of the **employer shall** have, the opportunity to accompany the officer during the officer's



inspection.

(3) Where there is no committee member representing **employees** or representative available, the officer may select one or more **employees** who **shall** accompany the officer during the officer's inspection.

(4) Where a representative or **employee** member of the committee is unavailable to accompany the officer during the officer's inspection, the officer **shall** endeavour to consult with a reasonable number of **employees** during the inspection.

(5) For greater certainty, where:

(a) a person referred to in clause (2)(a) or (b) is unavailable to accompany an officer during the officer's inspection; and

(b) in the officer's opinion it is necessary to proceed with the inspection without accompaniment, the officer may conduct the inspection without accompaniment.

(6) Notwithstanding subsections (2) and (3) and subject to subsection (7), an officer may question any person who is or was in a workplace either separate and apart from another person or in the presence of any other person regarding anything that is or may be relevant to the officer's inspection, examination, investigation, inquiry or test.  
**Section 50 (2) to (6).**

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

## **NORTHWEST TERRITORIES & NUNAVUT**

In the Northwest Territories and Nunavut, under the **Occupational Health and Safety (OHS) Regulations**, employers have specific responsibilities for workplace inspections under **Sections 27, 49, 50 and 19**. Under the **Official Consolidation**

**of Labour Standards Act** in the Part VI pertain to Administration and General Labour Standards Officer pursuant to **Section 41 to 43(2)**.

### **Inspection of Work Sites**

(1) An **employer shall** enable members of the Committee or a representative to inspect a work site at reasonable intervals determined by the Committee and **employer** or by the representative and **employer**.

(2) On written notice by the Committee or representative of an unsafe condition or a contravention of the Act or these regulations, the **employer shall**, as soon as is reasonably possible:

(a) take steps, until the unsafe condition is corrected or the contravention is remedied, to protect the health and safety of workers who could be endangered;

(b) take suitable action to correct the unsafe condition or remedy the contravention; and

(c) inform the Committee or representative in writing:

(i) of the steps and action the **employer** has taken or will take under paragraphs (a) and (b), or

(ii) if the **employer** has not taken steps and action under paragraphs (a) and (b), the reasons for not taking steps or action. **Section 27(1)**.

### **Duty to Inspect Work Site**

An **employer shall** ensure that the Committee or representative:

(a) performs an inspection of the work site not less than once every three months; and

(b) submits a written report of each inspection to the **employer**. **Section 49**.

## **Representation During Inspection or Investigation**

If a safety officer inspects a work site or investigates an accident at a work site, he or she may require a Committee member or representative to be present at the inspection or investigation. **Section 50.**

### **Workers' Contacts with Safety Officers**

(1) During an inspection or inquiry by a safety officer at a work site, an **employer shall** allow any one of the following to accompany the safety officer:

(a) a member of the Committee who, under paragraph 38(a) represents workers or, if such a member is not available, a worker designated by the Committee to represent workers;

(b) a representative or, if a representative is not available, a worker designated by a representative to represent workers;

(c) if there is no Committee member or representative available, a worker designated by the trade union representing workers or if there is no trade union representing workers, a worker designated by a safety officer.

(2) An **employer shall** allow any worker to consult with a safety officer during an inspection or inquiry at a work site.

(3) An **employer shall** ensure that the time a worker consults with or accompanies a safety officer during an inspection or inquiry is credited as time at work, and that he or she does not lose pay or benefits. **Section 19(1).**

### **Powers of inspector**

(2) An inspector may, for the purposes of enforcing this Act or the regulations:

(a) inspect and examine all books, payrolls, and other records of an **employer** that in any way relate to the wages, hours of work, or conditions of employment affecting any **employee**;

(b) take extracts from or make copies of any entry in the books, payrolls, and other records mentioned in paragraph (a);

(c) require an **employer** to make or supply full and correct statements, either orally or in writing in the form that may be required, respecting the wages paid to all or any of his or her **employees**, and the hours of work and conditions of their employment; and

(d) require an **employee** to make full disclosure, production and delivery to the inspector of all records, documents, statements, writings, books, papers, extracts from them or copies of them or of other information either orally or in writing that the **employee** has in his or her possession or under his or her control and that in any way relate to the wages, hours of work, or conditions of his or her employment. **Section 41.**

**For more information:**

- Right to enter premises. **Section 41(3).**
- Certificate of authorization. **Section 41(4).**
- Duty of assisting inspector. **Section 41(5).**
- Administering oaths. **Section 42.**
- Where underpayments found on inspection. **Section 43(1).**
- Consent to prosecution. **Section 43(2).**

**Further details on the Occupational Health and Safety Regulations can be found at [Justice.gov.NT.ca](http://Justice.gov.NT.ca) or on the Official Consolidation of Labour Standards Act can be found at [Nunavutlegislation.ca](http://Nunavutlegislation.ca).**

## **ONTARIO**

In Ontario, the [Canada Occupational Health and Safety Regulations](#) mandates specific standards for workplace sanitation and housekeeping to maintain a safe, clean, and organized environment pursuant to **Sections 9.2 to 9.11, 9.18 to 9.21.**

### **General**

(1) Every **employer shall** maintain each personal service room and food preparation area used by **employees** in a clean and sanitary condition.

(2) Personal service rooms and food preparation areas **shall** be so used by **employees** that the rooms or areas will remain as clean and in such a sanitary condition as is possible. **Section 9.2(1).**

All janitorial work that may cause dusty or unsanitary conditions **shall** be carried out in a manner that will prevent the contamination of the air by dust or other substances injurious to health. **Section 9.3.**

Each personal service room **shall** be cleaned at least once every day that it is used. **Section 9.4.**

(1) Every plumbing system that supplies potable water and removes water-borne waste:

(a) **shall** meet the standards set out in the Canadian Plumbing Code; and

(b) subject to subsection (2), **shall** be connected to a municipal sanitation sewer or water main.

(2) If it is not feasible to comply with paragraph (1)(b), the **employer shall** provide a waste disposal system that meets the standards set out in ANSI standard ANSI Z4.3-1979, Minimum Requirements for Non-Sewered Waste-Disposal Systems, dated

November 8, 1978. **Section 9.5(1)(2)(a)(b).**

(1) Each container that is used for solid or liquid waste in the workplace **shall**:

(a) be equipped with a tight-fitting cover;

(b) be so constructed that it can easily be cleaned and maintained in a sanitary condition;

(c) be leak-proof; and

(d) where there may be internal pressure in the container, be so designed that the pressure is relieved by controlled ventilation.

(2) Each container referred to in subsection (1) **shall** be emptied at least once every day that it is used. **Section 9.6(1).**

(1) Each enclosed part of a workplace, each personal service room and each food preparation area **shall** be constructed, equipped, and maintained in a manner that will prevent the entrance of vermin.

(2) Where vermin have entered any enclosed part of a workplace, personal service room or food preparation area, the **employer shall** immediately take all steps necessary to eliminate the vermin and prevent the re-entry of the vermin. **Section 9.7.**

No person **shall** use a personal service room for the purpose of storing equipment unless a closet fitted with a door is provided in that room for that purpose. **Section 9.8.**

In each personal service room and food preparation area, the temperature, measured one metre above the floor in the centre of the room or area, **shall**, if feasible, be maintained at a level of not less than 18°C and not more than 29°C. **Section 9.9.**

(1) In each personal service room and food preparation area, the floors, partitions and walls **shall** be so constructed that they can be easily washed and maintained in a sanitary condition.

(2) The floor and lower 150 mm of any walls and partitions in any food preparation area or toilet room **shall** be water-tight and impervious to moisture. **Section 9.10(1)(2).**

Where separate personal service rooms are provided for **employees** of each sex, each room **shall** be equipped with a door that is self-closing and is clearly marked to indicate the sex of the **employees** for whom the room is provided. **Section 9.11.**

### **Wash Basins**

Hot water provided for personal washing:

(a) **shall** be maintained at a temperature of not less than 35°C and not more than 43°C; and

(b) **shall** not be heated by mixing with steam. **Section 9.18.**

(1) Subject to sections 9.20 and 9.21, every **employer shall** provide for each toilet room wash basins supplied with cold water and hot water that meets the requirements of section 9.18 as follows:

(a) where the room contains one or two toilets or urinals, one wash basin; and

(b) where the room contains more than two toilets or urinals, one wash basin for every two toilets or urinals.

(2) If an outdoor privy is provided by an **employer**, the **employer shall** provide wash basins required by subsection (1) as close as possible to the outdoor privy. **Section 9.19 (1)(2).**

**For more information:**

- Toilet Rooms. **Section 9.12(1) to 9.17.**

Further details on the Canada Occupational Health and Safety Regulations can be found at [Laws-lois.justice.gc.ca](https://laws-lois.justice.gc.ca).

## **PRINCE EDWARD ISLAND**

In Prince Edward Island, under the **Occupational Health and Safety (OHS) Act**, employers have specific responsibilities for workplace inspections pursuant to **Sections 5, 13, 23, 25, 26, 29, 30, 31, 34, 37, 41, 43, and 49.**

### **Inspections for Government of Canada**

(2) The Board may agree with the Government of Canada to carry out occupational health and safety inspections or other work on behalf of the Government of Canada.

### **Persons entitled to accompany officer**

(5) Where an officer conducts an inspection of a workplace under subsection (1), the owner, constructor, contractor, **employer**, supervisor, or the person in charge of the workplace **shall** designate a representative of management to accompany the officer and **shall** provide a committee member representing workers, or a representative, if any, with the opportunity to accompany the officer during the officer's inspection of a workplace, or any part of the workplace.

### **Employer Duties**

When 20 or more workers are regularly employed, the **employer** must establish an occupational health and safety program [\[OHS Act, S. 23\]](#), which includes a system that monitors occupational health and safety matters and makes sure that there is prompt follow-up and control of any hazards that are identified. [\[OHS Act, S. 23 \(3\)\(f\)\]](#) The **employer** must also



have a system for promptly investigating incidents and complaints. This system will assist in identifying hazards that should be regularly inspected. [\[OHS Act, S. 23 \(3\)\(g\)\]](#) **Employers** must also maintain records and statistics of inspections. [\[OHS Act, S. 23 \(3\)\(h\)\]](#).

### **Specific inspection situations in P.E.I.**

- All safety equipment used in a confined space must be inspected by a competent person before use. [\[OHS General Regs., S. 13.3\(m\)\]](#).
- Ladders must be inspected before use. [\[OHS General Regs., S. 23.3\]](#).
- After explosive blasts have been fired, inspect that no unexploded charges remain in the holes [\[OHS General Regs., S. 26.37\]](#), and the person in charge of firing must inspect the site to give clearance before other workers are allowed to return to work. [\[OHS General Regs., S. 26.58\]](#).
- Tools must be inspected by their owners and users before being used. [\[OHS General Regs., S. 29.2\]](#)[\[OHS General Regs., S. 29.5\]](#).
- Power tools and their electrical cords must be inspected at regular intervals. [\[OHS General Regs., S. 29.6\]](#).
- Machinery must be inspected for defects [\[OHS General Regs., S. 30.3\]](#), including all power-operated machinery being inspected each day before operation, as practicable. [\[OHS General Regs., S. 31.1\]](#).
- Hoisting apparatus must be inspected according to required standards. [\[OHS General Regs., S. 34.2\]](#), and that the operator will visually inspect before use to verify the hoisting apparatus is in safe working order. [\[OHS General Regs., S. 34.6\(3\)\]](#).
- Welding and cutting torches, their fittings and regulators must be inspected before each use. [\[OHS General Regs., S. 37.11\]](#).
- Wires, ropes, slings, and fittings must be inspected at

regular intervals when used in logging operations. [\[OHS General Regs., S. 41.4\]](#).

- Ice roads, when over water, must be inspected daily to make sure the road is strong enough to carry any load expected to be hauled over it. [\[OHS General Regs., S. 41.44\]](#).
- Bridges on a haul road constructed by the **employer** must be inspected on a regular basis. [\[OHS General Regs., S. 41.45\]](#).
- Vehicles used in logging must be inspected before each work shift. [\[OHS General Regs., S. 41.60\]](#).
- Drums and barrels that were used for hazardous liquids and are now intended for other uses must be closely inspected for leaks and other defects. [\[OHS General Regs., S. 43.24\]](#).
- Carboys and their baskets or boxes must be examined before they are filled. [\[OHS General Regs., S. 43.30\]](#).
- Respirators must be inspected according to the specified standard. [\[OHS General Regs., S. 49.15\]](#).
- Asbestos that has been encapsulated must be inspected for potential fibre release. [\[OHS General Regs., S. 49.20\]](#).

Further details on Prince Edward Island's Guide To Occupational Health and Safety Legislation can be found at [Ohsguide.wcb.PE.ca](http://Ohsguide.wcb.PE.ca).

## **QUÉBEC**

In Québec, under the **Occupational Health and Safety Act (LSST)**, **employers** have responsibilities for workplace inspections under **Sections 177 to 193**.

### **INSPECTION**

177. For the purposes of the application of this Act and the regulations, inspectors **shall** be appointed in accordance with the Public Service Act ([chapter F-3.1.1](#)), and they

are officers of the Commission.

178. Sections 160 and 161 apply to an inspector appointed under section 177.

179. An inspector, in the performance of his duties, may, at any reasonable hour of the day or night, enter a place where activities are carried on in the fields contemplated in this Act and the regulations, and inspect that place.

An inspector **shall**, on demand, produce a certificate of his office.

179.1. An inspector may not, without the consent of the worker, enter a place where telework is carried on if that place is situated in a dwelling house, unless the inspector has obtained a court order authorizing such entry.

180. The inspector may, in addition to his general powers,

(1) investigate any matter within his competence;

(2) require the **employer** or principal contractor, whichever is the case, to produce the plan of the installations and of the layout of the equipment;

(3) take, free of charge, samples of any kind, particularly of objects used by the workers, for analysis; he must then inform the **employer** and, if possible, return the samples to him after analysis;

(4) conduct tests and make photographs or recordings at a workplace;

(5) in order to ensure that a building, a structure, or civil engineering works are stable, require the **employer**, principal contractor or owner to produce an attestation of solidity signed by an engineer or architect, or an attestation contemplated in section 54;

(6) in such cases as he may determine, install a measuring

device at a workplace, or cause it to be worn by a worker with the worker's written consent, or order the **employer** to install it or cause it to be worn at the time and place the inspector indicates, and require the **employer** to transmit the data on the terms and conditions the inspector determines;

(7) be accompanied by one or more persons of his choice while performing his duties.

181. On arriving at a workplace, and before making an investigation or inspection, an inspector **shall** take reasonable steps to advise the **employer**, the certified association and the safety representative. On a construction site, he **shall** advise the principal contractor, the health and safety coordinator and the health and safety representative.

182. If he considers it advisable, an inspector may issue a remedial order requiring a person to comply with this Act or the regulations and fix the time in which he must comply.

183. The inspector **shall** communicate the findings of his investigation or inspection to the **employer**, the certified association, the representative association within the meaning of the Act respecting labour relations, vocational training and workforce management in the construction industry ([chapter R-20](#)) that has affiliated workers present on the construction site, the job-site committee, the health and safety committee, the health and safety coordinator, the principal contractor, the health and safety representative or safety representative, as the case may be, and the public health director; he **shall** send them a copy of any remedial order. If there is no committee, the **employer shall** post up copies of the remedial order in a sufficient number of conspicuous places easily accessible to the workers to ensure that they are informed.

184. No person may be admitted to a workplace shut down by an inspector except, with his authorization, to do the necessary work to eliminate the danger.

185. Work **shall** not be resumed nor the workplace reopened until authorized by the inspector.

Section 183 applies, with the necessary modifications, to the inspector's authorization.

190. Where a person contravenes this Act or the regulations, an inspector may order him to cease making, supplying, selling, leasing, distributing, or installing the product, process, equipment, material, contaminant, or dangerous substance concerned, and affix seals or confiscate such objects and order the person to cease every activity that might cause the emission of the contaminant concerned.

191. An order or decision of an inspector has effect immediately, notwithstanding any application for review.

[191.1.](#) Any person who believes he has been wronged by an order or decision of an inspector may apply for review thereof by the Commission in accordance with sections 358.1 to 358.5 of the Act respecting industrial accidents and occupational diseases ([chapter A-3.001](#)) within 10 days of being notified of the decision.

[191.2.](#) Where the review relates to the complete or partial closing of a workplace or to the exercise of the right of refusal, the Commission **shall** proceed with the review by preference.

192. A decision made by the Commission following an application under section 191.1 has effect immediately, notwithstanding any contestation before the Administrative Labour Tribunal.

**For more information:**

- Remedial order by inspector appointed. **Section 184.**
- No hindrance of inspector. **Section 185.**
- Suspension of work or complete/partial shut-down. **Section 186.**

Further details on the Act respecting occupational health and safety can be found at [Legisquebec.gouv.QC.ca](http://Legisquebec.gouv.QC.ca).

## **SASKATCHEWAN**

Occupational health officers (OHOs) can enforce and administer occupational health and safety legislation as per ***The Saskatchewan Employment Act*** pursuant to **Sections 2-83(1), 3-63(1) and 3-64(1).**

### **Inspection**

(1) Subject to subsection (5), an employment standards officer may enter any premises, place of employment, workplace, or other place where records of employment are kept and conduct an inspection for the purpose of:

(a) making an inquiry in response to a complaint of an **employee**; or

(b) determining whether there is compliance with this Part, the regulations made pursuant to this Part, any authorization issued pursuant to this Part or any Acts or regulations mentioned in subsection 2-81(1).

(2) An inspection may be conducted at any reasonable time.

(3) When conducting an inspection in accordance with subsection (1) or enforcing a certificate, decision, order, or judgment for wages, an employment standards officer may do all or any of the following things:

(a) make any inquiry the officer considers appropriate;

(b) require the production of, inspect and make copies of

any books, records, papers, or documents or of any entry in those books, records, papers, or documents required to be kept by this Part or the regulations made pursuant to this Part;

(c) require any person to deliver any information and records that the officer considers necessary to ascertain whether this Part, the regulations made pursuant to this Part, any authorization issued pursuant to this Part, or any Acts or regulations mentioned in subsection 2-81(1) are being or have been complied with:

(i) within a period stated by the officer;

(ii) at a place designated by the officer; and

(iii) in a form acceptable to the officer;

(d) require any person to provide the officer with all reasonable assistance, including using any computer hardware or software or any other data storage, processing or retrieval device or system to produce information;

(e) in order to produce information and records mentioned in this subsection, use any computer hardware or software or any other data storage, processing or retrieval device or system that is used by the person required to deliver the information and records;

(f) subject to subsection (6), remove any books, records, papers or documents examined pursuant to this section for the purpose of making copies where a copy is not readily available, if a receipt is given.

(4) Without limiting the generality of subsection (3), for the purposes of enforcing a judgment for wages, an employment standards officer may demand from any person, including a judgment debtor, the Crown or any other public body, any information that pertains to the judgment debtor and that is

within the knowledge of, or is in any records in the possession or control of, the person, the judgment debtor, the Crown or public body, as the case may be, including:

- (a) the legal name of the judgment debtor;
- (b) the location and address of the judgment debtor;
- (c) any place of employment and work arrangements of the judgment debtor;
- (d) the wages, salary, and other income of the judgment debtor;
- (e) the assets of the judgment debtor and any property in which the judgment debtor may have an interest and any relevant information about those assets or that property;
- (f) any other information that may reasonably assist with enforcing the judgment.

(5) An employment standards officer **shall** not enter a private dwelling without a warrant issued pursuant to section 2-84 unless the occupant of the dwelling consents to the entry.

(6) An employment standards officer who removes any books, records, papers or documents pursuant to this section for the purpose of making copies. **Section 2-83(1).**

**For more information:**

- Inspection by occupational health officer. **Section 3-63(1).**
- Obtaining Information. **Section 3-64(1).**

**Further details on The Saskatchewan Employment Act can be found at [Saskatchewan.ca](https://www.saskatchewan.ca).**



## YUKON

In Yukon, under the **Occupational Health and Safety (OHS) Act**, employers have specific responsibilities for workplace inspections under **Sections 59 to 69** pertain to Division 8.

### **Powers and duties of officers**

(1) An officer may make any examinations, inquiries, inspections, and investigations that the officer considers necessary in the administration and enforcement of this Part and the regulations.

(2) Without limiting subsection (1), an officer may:

(a) at any reasonable time, without a warrant and without prior notification, enter any place or premises, other than a dwelling-house, in which the officer has reason to believe workers are or were working;

(b) with the consent of the owner or occupant or under the authority of a warrant that is issued under section 194, enter any dwelling-house in which the officer has reason to believe workers are or were working;

(c) bring with them any person, and any equipment and materials, that the officer needs to carry out their examination, inquiry, inspection or investigation, and arrange for that person to reenter a place or premises unaccompanied by the officer to perform duties specified by the officer;

(d) make any examinations, inquiries, inspections, and investigations that the officer considers necessary

(i) to determine the cause and particulars of any incident or of any injury to or death of a worker, or

(ii) to prevent incidents, injuries, and deaths at a workplace;

(e) take photographs or make recordings of any place or premises or of any activities that are taking place at the place or premises;

(f) take measurements, conduct tests and take samples of articles or substances that are found at or near a place or premises;

(g) cause any article or sample that is taken under paragraph (f) to be dismantled or subjected to any process or test, but not in a manner that would damage or destroy it, unless under the circumstances damage or destruction is unavoidable or necessary;

(h) in respect of equipment:

(i) test any equipment at a place or premises or cause it to be tested,

(ii) require equipment to be removed to a place that is designated by the board for the purpose of testing,

(iii) require an **employer** or their designate to demonstrate the use of any equipment, and

(iv) require an owner, prime contractor or **employer**, at their own expense,

(A) to have equipment tested by an expert who is acceptable to the board and to obtain a report of the expert's findings, and

(B) to provide the officer with the expert's report setting out the test results and any measures that need to be taken to meet the requirements of this Part or the regulations;

(i) take possession of any article, sample or equipment that is tested under this subsection for as long as is necessary for use as evidence in any proceeding that

relates to this Part;

(j) require any records or things that relate in any way to the health and safety of workers at a workplace to be produced for inspection and for the purpose of making copies of them or taking extracts from them;

(k) as part of any examination, inquiry, inspection, or investigation, require any person to provide the officer with all reasonable assistance, including using any computer hardware or software or any other data storage, processing, or retrieval device or system to produce information;

(l) as part of any examination, inquiry, inspection, or investigation, require any person who the officer believes may have information about the matter

(i) to accompany the officer during an inspection or investigation,

(ii) to attend an interview, at which only the following persons may be present:

(A) the person whose information is sought and is being interviewed,

(B) a person nominated by the person being interviewed,

(C) any other persons that the officer permits,

(iii) to provide the officer with full and correct answers to any questions that the officer may ask;

(m) direct that any workplace, or part of a workplace, or anything at a workplace, be left undisturbed for such time as is reasonably necessary for any of the purposes specified in this subsection;

(n) require an owner, prime contractor, or **employer** to provide to the officer, at their own expense, a written report of an expert acceptable to the board that either:

(i) confirms that any premises, land, or workplace meets the requirements of this Part and the regulations, or

(ii) sets out the measures that need to be taken for the premises, land or workplace to meet the requirements of this Part and the regulations;

(o) require an **employer**, prime contractor, or other person to produce safety data sheets and other records of information relating to any hazardous substance or combination of hazardous substances used or intended to be used at a workplace;

(p) require an **employer** or prime contractor, at their own expense,

(i) to undertake an audit, review, or other evaluation of their health and safety management system by an expert acceptable to the board, and

(ii) to provide to the officer the expert's written report setting out the results and any measures that need to be taken to meet the requirements of this Part or the regulations;

(q) require an **employer**, prime contractor, or other person, at their own expense,

(i) to cause an investigation to be conducted into an incident, injury, or death by an investigator acceptable to the board, and

(ii) to provide the officer with the investigator's written report setting out the results and any measures that need to be taken to meet the requirements of this

Part of the regulations. **Section 60.**

**For more information:**

- Persons accompanying officer on inspections. **Section 61.**
- Medical examination of workers. **Section 62.**
- Medical **Section 63.**
- Orders by board or officer. **Section 64.**
- Stop use orders. **Section 65.**
- **Section 67.**
- Posting of orders and distribution of copies. **Section 69.**

Further details on the Occupational Health and Safety Act can be found at [Laws.Yukon.ca](http://Laws.Yukon.ca).