

**Legislative Inspection Requirements  
Summary Fact Sheet  
Applying to Health and Safety Committees in Canada by Jurisdiction**

Jurisdiction	Workplace/Worksite	Duty to Inspect
Federal	Canada Labour Code, Part II defines <b>work place</b> means any place where an employee is engaged in work for the employee's employer;	<p>Section 125 (1) Without restricting the generality of section 124, every employer shall, in respect of every work place controlled by the employer and, in respect of every work activity carried out by an employee in a work place that is not controlled by the employer, to the extent that the employer controls the activity,</p> <p>(z.12) ensure that the work place committee or the health and safety representative inspect each month all or part of the work place, so that every part of the work place is inspected at least once each year;</p> <p>Policy Committee:</p> <p>Section 134.1 (4) A policy committee...</p> <p>(d) shall participate to the extent that it considers necessary in inquiries, investigations, studies and inspections pertaining to occupational health and safety;</p> <p>Section 135 (7) A work place committee, in respect of the work place for which it is established, ...</p> <p>(e) shall participate in all of the inquiries, investigations, studies and inspections pertaining to the health and safety of employees, including any consultations that may be necessary with persons who are professionally or technically qualified to advise the committee on those matters;</p>
British Columbia	The <b>Workers Compensation Act</b> , s. 106 defines "workplace" as "any place where a worker is or is likely to be engaged in any work and includes a vessel, vehicle or mobile equipment used by a worker in work."	<p>Section 130 of the <b>Workers Compensation Act</b>, provides that the duties and functions of the joint health and safety committee include "(h) to ensure that accident investigations and regular inspections are carried out as required by this Part and the regulations; [and] (i) to participate in inspections, investigations and inquiries as provided in this Part and the regulations."</p> <p>The <b>Occupational Health and Safety Regulation</b>, s. 3.3 provides that an occupational health and safety program must include "(b) provision for the regular inspection of premises, equipment, work methods and work practices, at appropriate intervals, to ensure prompt action is undertaken to correct any hazardous conditions found," as well as "(f) the maintenance of records and statistics, including reports of inspections and incident investigations, with provision for making this information available to the joint committee or worker health and safety representative, as applicable and, upon request, to an officer, the union representing the workers at the workplace or, if there is no union, the workers at the workplace."</p> <p>Section 3.5 of the Regulation further provides that "every employer must ensure that regular inspections are made of all workplaces, including buildings, structures, grounds, excavations, tools,</p>

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British Columbia (cont'd)		equipment, machinery and work methods and practices, at intervals that will prevent the development of unsafe working conditions.” Such an inspection “must, where feasible, include the participation of members of the joint committee or the worker health and safety representative, as applicable [...]” (s. 3.8)
Alberta	The <b>Occupational Health and Safety Act</b> , s. 1 (bbb) defines “work site” as “a location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.”	<b>Occupational Health and Safety Act</b> , s. 19 provides that “the duties of a joint work site health and safety committee include [...] (g) the inspection of the work site at regular intervals.”  Section 37 (1) of the Act further provides that “an employer who employs 20 or more workers shall establish, in consultation with the joint work site health and safety committee, a health and safety program that includes [...] (e) a schedule and ... procedures for regular inspection of the work site,” as well as “(i) procedures for worker participation in work site health and safety, including inspections and the investigation of incidents, injuries and refusals to work.” Where an employer employs fewer than 20 workers, section 37 (5) provides that the employer “shall involve affected workers and the health and safety representative, if one exists, in hazard assessment and control or elimination of the hazards identified in accordance with the regulations and the OHS code.”
Saskatchewan	<b>The Saskatchewan Employment Act</b> , s. 3-1 (1) (hh) defines “worksite” as “an area at a place of employment where a worker works or is required or permitted to be present.”	Section 3-27 (1) of <b>The Saskatchewan Employment Act</b> , S-15.1 provides that “the duties of an occupational health committee are the following: (a) to participate in the identification and control of health and safety hazards in or at the place of employment; [...]”  <b>The Occupational Health and Safety Regulations, 1996</b> , s. 22 (1) (e) provides that an occupational health and safety program must include “a schedule for the regular inspection of the place of employment and of work processes and procedures.”  Section 28 (1) of the Regulations provides that “an employer, contractor or owner shall enable members of a committee or a representative to inspect a place of employment at reasonable intervals determined by the committee or the representative and employer.”
Manitoba	<b>The Workplace Safety and Health Act</b> , s. 1 defines “workplace” as “any building, site, workshop, structure,	<b>The Workplace Safety and Health Act</b> , s. 7.4 (5) requires that “a workplace safety and health program must include [...] (e) a schedule for the regular inspection of the workplace and of work processes and procedures at the workplace;” and “(j) a procedure for worker participation in workplace safety and health activities, including inspections and the investigation of accidents, dangerous occurrences and refusals to work under section 43.”

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Manitoba (cont'd.)	mine, mobile vehicle, or any other premises or location whether indoors or outdoors in which one or more workers, or self-employed persons, are engaged in work or have worked."	<p>The <b>Workplace Safety and Health Regulation</b>, s. 2.4 (1) (a) requires employers to "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; [...]" Likewise, section 2.4 (1) (b) requires prime contractors to "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; [...]"</p> <p>Section 3.2.2 of the Regulation provides that the members of a workplace safety and health 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." These meetings are required to take place "(a) at regular intervals not exceeding three months; or (b) at such shorter intervals as ordered by the director." (s. 3.3 (1))</p> <p>Section 3.12 of the Regulation provides that "an employer and a prime contractor must ensure that a committee member and a representative is allowed to examine any logbook, assessment, inspection report or other record that the employer or prime contractor is required to keep at the workplace under the Act or the regulations."</p>
Ontario	<p><b>The Occupational Health and Safety Act</b>, s. 1 (1) defines "workplace" as "any land, premises, location or thing at, upon, in or near which a worker works."</p>	<p>The <b>Occupational Health and Safety Act</b>, requires the following with respect to workplace inspections:</p> <p>Sections 8 (6) and 9 (26) require that "the physical condition of the workplace" be inspected "at least once a month" by a health and safety representative, except as otherwise required either "by the regulations or by an order by an inspector."</p> <p>If monthly inspections are "not practical", sections 8 (7) and 9 (27) require that the workplace be inspected "at least once a year", and that "at least a part of the workplace" be inspected each month. In this case, the inspection "shall be undertaken in accordance with a schedule agreed upon by the constructor or employer and the health and safety representative." (s.8 (8); see also. S.9 (28))</p> <p>Sections 9 (23)-(24) specify that "the members of a committee who represent workers shall designate a member representing workers to inspect the physical condition of the workplace," and where possible, that this member "shall be a certified member."</p> <p>Section 9 (29) requires that "the constructor, employer and the workers shall provide a member designated under subsection (23) with such information and assistance as the member may require for the purpose of carrying out an inspection of the workplace."</p>

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Ontario (con'd)		Section 8 (14) provides that “where a person is killed or critically injured at a workplace from any cause, the health and safety representative may subject to subsection 51(2) inspect the place where the accident occurred on any machine, device or thing, and shall report his or her findings in writing to a Director.”
Quebec	The <b>Act respecting the occupational health and safety</b> , s. 1 defines “workplace” as “any place in or at which a person is required to be present out of or in the course of work, including an establishment and a construction site.”	The <b>Act respecting the occupational health and safety</b> , s. 78 provides that “the functions of a health and safety committee” include “(6) to participate in the identification and assessment of the risks connected with certain jobs and certain kinds of work, and the identification of contaminants and dangerous substances connected with certain jobs, for the purposes of section 52,” as well as “(11) to receive and study the reports of inspections made in the establishment.”  Section 90.1 provides that it is a function of a safety representative “to inspect workplaces.”
New Brunswick	The <b>Occupational Health and Safety Act</b> , s.1 defines “place of employment” as “any building, structure, premises, water or land where work is carried on by one or more employees, and includes a project site, a mine, a ferry, a train and any vehicle used or likely to be used by an employee.”	Section 8.1 (1) of the <b>Occupational Health and Safety Act</b> , provides that “every employer with 20 or more employees regularly employed in the Province shall establish a written health and safety program, in consultation with the committee or the health and safety representative, that includes provisions with respect to the following matters: [...] (d) a hazard identification system that includes [...] (ii) procedures and schedules for inspections, and [...] (f) a record management system that includes reports of employee training, accident statistics, work procedures and health and safety inspections, maintenance, follow-up and investigations.”  Section 9 (2) outlines the duties of the employer, which include “(a.1) ensur[ing] that the place of employment is inspected at least once a month to identify any risks to the health and safety of [...] employees.”  Section 9 (3) requires that “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.”

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New Brunswick (cont'd)		Section 15(j) provides that the health and safety committee may “participate in all inspections, inquiries and investigations concerning the health and safety of employees.”
Nova Scotia	The <b><i>Occupational Health and Safety Act</i></b> , s. 3 (ah) defines “workplace” as “any place where an employee or a self-employed person is or is likely to be engaged in any occupation and includes any vehicle or mobile equipment used or likely to be used by an employee or a self-employed person in an occupation.”	<p>The <b><i>Occupational Health and Safety Act</i></b>, s. 28 provides that an occupational health and safety program shall include, with respect to inspections, “(e) a hazard identification system that includes [...] (ii) procedures and schedules for regular inspections,” and “(h) maintenance of records and statistics, including reports of occupational health and safety inspections and occupational health and safety investigations, with provision for making them available to persons entitled to receive them pursuant to this Act.”</p> <p>Section 31 of the Act provides that it is a function of the joint occupational health and safety committee “to involve employers and employees together in occupational health and safety in the workplace,” which includes “(d) participation in inspections, inquiries and investigations concerning the occupational health and safety of the employees and, in particular, participation in an inspection referred to in section 50 [...].”</p>
Prince Edward Island	The <b><i>Occupational Health and Safety Act</i></b> , s. 1 (y) defines “workplace” as “a place where a worker is or is likely to be engaged in an occupation and includes a vehicle, fishing vessel or mobile equipment used or likely to be used by a worker in an occupation.”	<p>The <b><i>Occupational Health and Safety Act</i></b>, s. 23 (3) provides that “an occupational health and safety program shall include [...] (e) a hazard identification system that includes (i) evaluation of the workplace to identify potential hazards, [and] (ii) procedures and schedules for regular inspections,” as well as “(h) the maintenance of records and statistics, including reports of occupational health and safety inspections and investigations, with provision for making the reports available to persons entitled to receive them under this Act.”</p> <p>Section 25 (7) provides that in a workplace with 20 or more employees, it is the function of the joint occupational health and safety committee to “(c) participate in inspections, inquiries and investigations respecting the occupational health and safety of workers in the workplace.”</p> <p>Section 26 (6) provides that in a workplace with five or more employees but where no committee is required as per section 25, it is the function of one worker health and safety representative to “(c) participate in inspections, inquiries and investigations respecting the occupational health and safety of workers in the workplace.”</p>

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Newfoundland	<p>The <b><i>Occupational Health and Safety Act</i></b>, s. 2 (n) defines “workplace” as “a place where a worker or self-employed person is engaged in an occupation and includes a vehicle or mobile equipment used by a worker in an occupation.”</p>	<p>The <b><i>Occupational Health and Safety Act</i></b>, s. 5 (f.3) provides that an employer shall consult “(i) the occupational health and safety committee at the workplace, (ii) the worker health and safety representative at the workplace, or (iii) [...] 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.”</p> <p>The <b><i>Occupational Health and Safety Regulations</i></b>, 2012, NLR 5/12 (<i>Occupational Health and Safety Act</i>), s. 12 requires a health and safety program to include “(g) a system for the recognition, evaluation and control of hazards that includes: [...] (ii) procedures and schedules for regular inspections by management and committee members,” as well as “(k) maintenance of records and statistics, including occupational health and safety committee minutes, reports of occupational health and safety inspections and investigations, with procedures to allow access to them by persons entitled to receive them under the Act.”</p> <p>Section 18 (1) of the Regulations provides that “regular inspections of all buildings, excavations, structures, machinery, equipment, work practices and places of employment shall be made by the employer or his or her 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.”</p>