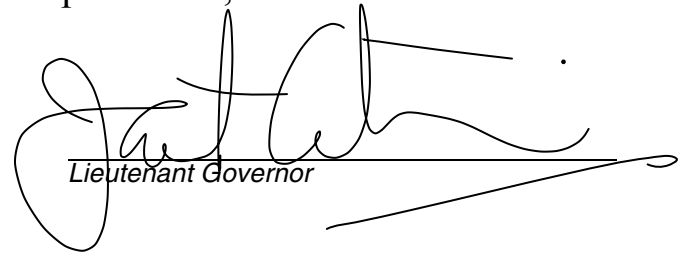


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 574

, Approved and Ordered September 5, 2024



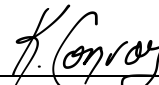
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective October 1, 2024, the Occupational Health and Safety Regulation, B.C. Reg. 296/97, is amended as set out in the attached Appendix.



Minister of Labour



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Workers Compensation Act, R.S.B.C. 2019, c. 1, s. 116*

Other:

R20818617

APPENDIX

1 Section 4.85 of the Occupational Health and Safety Regulation, B.C. Reg. 296/97, is amended

(a) in subsection (1) by striking out “Except as provided by subsection (2)” and substituting “Subject to subsections (2) and (4)”;

(b) in subsection (2) (a) and (b) by striking out “hand-washing” and substituting “handwashing”; and

(c) by adding the following subsection:

(4) This section does not apply to a specified construction site as defined in section 20.3.1.

2 The following heading and sections are added after section 20.3:

Washroom Facilities at Construction Sites

Definitions

20.3.1 In section 20.3.2:

“chemical toilet” means a toilet

- (a) that does not have a bowl, and
- (b) in which waste falls directly into a tank containing a chemical product that processes the waste;

“flush toilet” means a toilet that meets the following specifications:

- (a) the toilet is connected to a sanitary sewer system or a holding tank;
- (b) the toilet has a trap or positive seal separating the bowl from the sanitary sewer system or holding tank;
- (c) waste is flushed from the bowl by means of a flow of clean water or a mixture of clean water and chemicals;

“handwashing facility” means a facility by which a person can

- (a) wash their hands using soap and water, or
- (b) clean their hands by some other means, if providing water is not practicable;

“specified construction site” means a worksite at which

- (a) a construction project is undertaken, and
- (b) 25 or more workers will be present at any time during the undertaking of the construction project.

Toilets at specified construction sites

20.3.2 (1) Subject to subsection (2), the employer must ensure that a sufficient number of flush toilets are readily available for workers at a specified construction site.

(2) If it is not practicable to provide flush toilets, the employer must ensure that a sufficient number of chemical toilets or other types of toilets are readily available for workers at the specified construction site.

- (3) The employer must ensure that each toilet available at a specified construction site
 - (a) is maintained in proper working order,
 - (b) is cleaned and sanitized as frequently as necessary to keep it in a clean and sanitary condition,
 - (c) is situated within an enclosed space that
 - (i) provides privacy for the user,
 - (ii) is illuminated and ventilated, and
 - (iii) is heated, if heating the enclosed space is practicable,
 - (d) includes a handwashing facility within or close to the enclosed space referred to in paragraph (c), and
 - (e) has the supplies that are necessary for its use.
- (4) The employer must ensure that a record is maintained in respect of actions taken for the purpose of complying with subsection (3) (a) and (b).
- (5) The period of time covered by a record under subsection (4) must be no shorter than the most recent 30 days.
- (6) In the case of a multiple-employer workplace, the duties imposed on the employer under this section also apply to the prime contractor for the workplace.