Who Pays for PPE Fact Sheets



WHAT IS THE LEGAL REQUIREMENT WHEN WORKERS MUST USE PPE?

How is anthrax contracted?

All jurisdictions in Canada have the requirement for workers to use personal protective equipment (PPE). PPE must be in good repair when being used and there are often requirements instructing workplaces on how to store or clean the equipment, especially respirators.

Employers are responsible for making sure that PPE requirements are being followed in the workplace.

However, making sure that employees use PPE during the course of their work does not mean all employers are required to pay for the PPE used by workers. Even where legislation requires employers to provide PPE, that statement does not mean it must be provided without cost to the employee.

WHAT DO THE LAWS STATE?

The information below is a general summary only. For any information about legislation and the requirement(s) about PPE, always check directly with your jurisdiction for the exact legal interpretation.

Jurisdictions where employers provide PPE at no cost to the workers:

- Northwest Territories
- Nunavut
- Quebec

Jurisdictions where some guidance is stated or where either party must pay for specified types of PPE:

- Alberta – The employer is required to provide (pay for) respiratory protective equipment to workers when needed. It is not specified if other PPE is paid by employer or worker.
- British Columbia – The worker is responsible for having clothing to protect against the elements, and general work purposes such as work gloves, appropriate footwear, and a hard hat. The employer must provide (pay for) any other PPE required by workers.
- New Brunswick – Note that a notice is posted on the WorkSafeNB site that it is the position of WorkSafeNB that deciding who pays for PPE in New Brunswick is

"best made by the workplace parties".
- Nova Scotia – Generally it is up to the employer and employees to decide who pays for personal protective equipment and whether it is cost shared. However, the Occupational Safety General Regulations do require the employer to provide or purchase several specific devices including respiratory equipment, personal floatation device, work cloths, and PPE associated with rechargeable storage batteries, energized electrical installations, and confined space entry.
- Saskatchewan – The employer supplies approved PPE.
- Yukon – Workers are expected to have the appropriate protective clothing, work gloves and footwear. The employer will provide PPE and specialty clothing as required.

Jurisdictions that specify use only (or are not specific about who purchases):

- Federal/Canada
- Manitoba
- Newfoundland and Labrador
- Ontario
- Prince Edward Island

WHAT DOES "PROVIDE" MEAN?

There is no legal definition for "provide" in any health and safety legislation across Canada. Instead, the provinces and territories rely on commonly accepted usage and dictionary definitions to determine what 'provide' means when it is used in legislation.

"Provide" therefore does not mean the employer must provide all PPE without cost to the worker. For example, where the worker may be unable to acquire a specific type of PPE, the employer may help their workers locate and order the required equipment.

Often employers will choose to pay for some or all of the personal protective equipment but this does not mean they are required to do so by law. Instead, it is often an issue to be determined by employment or union contracts. These agreements should outline who is responsible for paying for PPE or how much is covered by the employer.

Note, however, that even if the employee purchases the equipment, the employer must still ensure the equipment is the correct type and is in safe working condition.

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