

CANADIAN Employment Law Today

Hot workers and hot workplaces

Don't sweat it - tips for fulfilling employer health and safety obligations

Written by Sherrard Kuzz LLP, Employment and Labour Lawyers
July 18, 2012

As the peak of summer is upon us, an employer should be mindful of its legal duty to protect employees from danger or injury resulting from work in hot temperatures.

Jurisdiction	Maximum Heat Exposure	Other Notes
Canada - Federal	No specific maximum, but government policy recommends following ACGIH thresholds*	Exceptions for offices, personal food preparation areas, materials handling operators' compartments and first aid rooms.
Ontario	No specific maximum, but government policy recommends following ACGIH thresholds*	Every reasonable precaution to protect workers must be taken. Specific temperature restrictions exist in the construction industry (eg. 38C in work chambers and 27C in air locks).
British Columbia	ACGIH thresholds* apply and must be followed	Assessments, plans, protective equipment and cool water must be in place where workers are exposed to "extreme heat." Indoor temperatures must fall within an "acceptable comfort range."
Quebec	Ranges from 25C to 32.2C depending on nature of work	Maximum heat exposure depends on whether work is light, moderate, or heavy and how frequently a worker rests.
Alberta	No specific maximum, but government policy recommends following ACGIH thresholds*	There is a general duty to identify and report existing and potential hazards.

Jurisdiction	Maximum Heat Exposure	Other Notes
Manitoba	ACGIH thresholds* apply and must be followed	Employer must provide information, instruction and training regarding the symptoms and prevention of heat stress
Saskatchewan	No specific maximum, but government policy recommends following ACGIH thresholds*	Employer must maintain thermal conditions reasonable and appropriate for work performed.
Nova Scotia	No specific maximum, but government policy recommends following ACGIH thresholds*	General duty to take every reasonable precaution to ensure health and safety of employees.
New Brunswick	ACGIH thresholds* apply and must be followed	Temperatures must be frequently recorded and workers given adequate rest when exposed to “extreme heat.”
Newfoundland & Labrador	ACGIH thresholds* apply and must be followed	Temperature must be frequently monitored and additional precautions taken (eg. Provide special clothing and/or cold drinks) where possible exposure to “extreme heat.”
Prince Edward Island	ACGIH thresholds* apply and must be followed	Employer must take precaution where risk of injury or illness from heat is possible (eg. Develop a plan/procedures, and provide additional equipment or training).

*American Conference of Governmental Industrial Hygienists (ACGIH) standards provide a maximum temperature range of 24C to 32.5C (subject to individual acclimatization of employee and intensity of work performed).

Sherrard Kuzz LLP is a management-side employment and labour law firm in Toronto.