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Ontario Issues Regulations for New Requirements for Construction Sites

Date: April 5, 2023

On March 15, 2023, Ontario [announced proposed changes](#) to jobsite requirements in the construction sector. On March 29, the government filed proposed [regulatory changes](#) to amend the [Construction Projects Regulation](#) (the Regulation) under the *Occupational Health and Safety Act*.

The proposed regulatory changes will amend section 21 of the Regulation, which addresses protective clothing, equipment and devices, to require employers to provide personal protective clothing and equipment that is a “proper fit, having regard to all relevant factors including body types.”

The regulatory changes also set out more stringent requirements for construction employers with respect to providing safe, private and clean restroom facilities, including a minimum number of designated washrooms for women and new requirements regarding privacy, lighting and sanitation. These amendments can be summarized as follows.

Section 29 of the Regulation will be amended to require that, subject to limited exceptions, washroom facilities be located no more than 90 metres from the project work area “where reasonably possible.” If a distance of 90 metres is not possible, the maximum distance remains 180 metres (the current requirement).

Section 29 will also be amended with a new requirement that the facilities shall be kept in good repair at all times.

Section 29.1 will be amended to update the basic requirements for toilet facilities, including:

- a toilet with an open front seat, toilet paper holder and adequate supply of toilet paper
- a self-closing door that can be locked from the inside
- adequate light, heat, ventilation, and privacy and protection from weather and falling objects

Additionally, section 29.1 will be amended by adding the following requirements:

- If a facility is a single-toilet facility, it must be completely enclosed.
- If the minimum number of toilets required at a project is five or more, at least one facility must (where reasonable) be for the use of female workers only, with a disposal receptacle for sanitary napkins and a sign indicating the facility is for female use only or male use only.

Finally, section 29.2 of the Regulation will be amended to address matters relating to clean-up facilities, including the following changes:

- Single-toilet facilities shall be provided with their own clean-up facility, or one clean-up facility for two single-toilet facilities located together in the same area of a project.
- If it is not reasonably possible to have a wash basin with running water at a clean-up facility, both a means of cleaning hands and an alcohol-based hand sanitizer containing a minimum of 60 per cent alcohol must be provided.

The proposed changes will come into force on July 1, 2023.

Should you have any questions about the proposed changes, please contact your [regular Hicks Morley lawyer](#).