

Regulatory amendment: A primer on washroom facilities at construction sites

Background

Amendments to the Occupational Health and Safety (OHS) Regulation came into effect October 1, 2024, to address the provision of flush toilets on specified construction sites. These amendments were open to public consultation and hearings earlier in 2024.

Objective of the regulatory amendments

The objective of the regulatory amendments is to ensure the provision of clean, well-maintained, flush toilets on construction projects where 25 or more workers will be present during the project. The new requirements also address handwashing facilities and the need for regular maintenance of facilities.

The amendments apply to construction projects, which are defined by the OHS Regulation as any erection, alteration, repair, dismantling, demolition, structural or routine maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, concreting, the installation of any machinery, or any other work deemed to be construction by WorkSafeBC.

Key provisions in the regulatory amendments

- An employer will need to determine at the start of a project if they will have 25 or more workers at any time during the project. If so, the new requirements will apply throughout the duration of the project, and the employer will need
- to plan accordingly. The number of workers excludes short-term visitors, such as delivery drivers, emergency responders, or regulators.
- The OHS Regulation sets out a hierarchy with respect to washroom facilities on a construction site. Employers must first consider if providing flush toilets is practicable. Chemical toilets or other types of toilets can only be provided as an alternative if the employer can demonstrate it is not practicable to comply with the requirement to provide flush toilets.
- A “sufficient number” of washroom facilities must be “readily available for workers at a specified construction site.” This has been interpreted to mean the walking distance from a working area to a washroom should not be more than 60 metres (200 feet). In multi-storied workplaces, washroom facilities should not be more than one floor above or below the working area. Therefore, to ensure a sufficient number of washroom facilities are readily available on larger construction sites, flush toilets may need to be supplemented with chemical or other types of toilets.
- A handwashing facility must be within or close to the enclosed space where toilets are situated. A handwashing facility is defined as a facility where a person can wash their hands using soap and water or clean their hands by some other means if it is not practicable to provide water.
- Washroom facilities must be maintained in good working order and be cleaned and

sanitized as frequently as necessary to maintain them in a clean and sanitary condition. Washroom facilities must also be in an enclosed space that provides privacy, is illuminated and ventilated, and is heated if doing so is practicable.

- Employers must ensure all washroom facilities at construction sites are maintained, cleaned, well supplied, and sanitized. The employer must keep a record of these actions covering the most recent 30 days. These records should be maintained in a manner that allows them to be provided to a WorkSafeBC prevention officer for review.
- On multiple-employer workplaces, the duties to provide washroom facilities also apply to the prime contractor for the workplace. This provision recognizes that on a multiple-employer construction site, a prime contractor may have more control over the infrastructure of the site or be in the best position to know how many workers will be on site — and to coordinate or provide washroom facilities accordingly. Employers and the prime contractor must review the construction project regularly to ensure washroom facilities on site are appropriate for their workers.

Key guidance for washroom facilities required at specified construction sites

WorkSafeBC has developed an [OHS guideline](#) in support of the new regulatory requirements. This guideline sets out how to do an assessment of what is practicable, as well as some factors to consider when determining if it is not practicable to provide flush toilets. The guideline is [posted for a 60-day preliminary period](#), during which time the stakeholder community can comment and request revisions.

For more information

- OHS Regulation, [sections 20.3.1 to 20.3.2](#)
- OHS Guideline, [G20.3.2](#)