

Your Right to PPE

This fact sheet explains the law in general. It is not intended as legal advice for your particular problem. Because each person's situation is different, you may need to seek legal advice. The information in this fact sheet was reviewed by a lawyer, and was last updated on 1 December 2020.

Your work may expose you to certain health and safety hazards. If the hazard cannot be eliminated, your last defence is personal protective equipment (PPE). This fact sheet explains what PPE is, who provides and pays for PPE required for your job, and your PPE-related rights and responsibilities as a worker, including during COVID-19.

What is PPE?

PPE stands for **personal protective equipment**. As a worker in the province of British Columbia, you have the right to use PPE to protect yourself from any hazard that cannot be eliminated on the job. You need to wear all PPE required by your job.

What specific PPE is required depends on the nature of the job. For example, a worker with the risk to be exposed to toxic gas at work is required to wear an appropriate respirator, while a worker with cold exposure must wear adequate insulating clothing.

Who provides and pays for PPE?

As a default rule, a **worker** provides and pays for the following types of PPE, if required for their job:

- clothing needed for protection against the natural elements,
- general purpose work gloves and appropriate footwear including safety footwear, and
- safety headgear.

If agreed by both you and your employer, your employer can take over the responsibility to provide any or all of the above listed PPE. Depending on your agreement, your employer may provide the PPE to you for free or ask you to pay for some of the cost.

Your **employer** is responsible for providing and paying for all other required PPE that is not listed above. If your employer is providing the PPE required for your job, you may want to be involved in the PPE selection process. It is important to choose PPE that is comfortable and fits well to ensure your safety at work. You may consult your Occupational Health and Safety (OHS) committee, or worker representative, on issues related to PPE.

My employer provided the required PPE for my job, but I'm allergic to the equipment. What right do I have?

You have the right to alternative appropriate equipment provided by your employer. If the PPE provided by your employer causes allergic or other adverse health effects, your employer must provide appropriate alternatives or safety measures.

What are my PPE responsibilities as a worker?

The following PPE responsibilities for workers are listed by WorkSafeBC:

- Make sure you are educated and trained in how and when to fit and wear your PPE properly, and how to clean, maintain, store, and dispose of it, before you start work.
- Wear all PPE required for the job.
- Check that your PPE does not compromise your health and safety (for example, interfere with your breathing, vision, communication, or mobility).
- Take care of your PPE — clean, maintain, and store it properly.
- Inspect your PPE for wear and tear and other damage before use.
- Make sure your PPE is repaired or replaced as necessary. Report any damage to your supervisor or employer.

For more information, check out WorkSafeBC's fact sheet on *PPE responsibilities – workers* at: <https://www.worksafebc.com/en/resources/health-safety/ppe-information-sheets/ppe-responsibilites-workers?lang=en>

Is my employer required to provide me with COVID-19-related PPE during the pandemic?

It depends. While employers are responsible for minimizing risks at the workplace, whether an employer must provide PPE to its employees depends on the specific situation of each job.

During the pandemic, employers are required to assess COVID-19 risks at the workplace and take measures to reduce the risks. These measures could include limiting the number of people at the workplace, installing barriers to separate people, establishing rules and guidelines to maintain physical distancing at the workplace, etc. If those measures are not enough to reduce COVID-19 risks at the workplace, employers may adopt the use of PPE (usually a face mask) as a **final resort**.

For more information on different types of COVID-19 safety measures at the workplace, check out our fact sheet on *COVID-19 Safety Measures at Work*.

The type of PPE required for each job during COVID-19 can be different. As an example, the BC government has listed the following possible types of PPE for migrant agricultural workers:

- Leased or purchased handwashing stations.
- Leased portable toilets.
- Leased or purchased portable showers.
- Face shields/Face masks.
- Soap/Hand sanitizer.
- Cleaning and disinfecting supplies.

My employer does not provide COVID-19-related PPE and I'm being asked to return to work. What should I do if I feel unsafe?

As a worker in Canada, you have the fundamental right to refuse unsafe work. For more information on this topic, check out our fact sheet on *Your Right to Refuse Unsafe Work*.