

# Washroom facilities at construction sites

## Frequently asked questions

Changes to the Occupational Health and Safety (OHS) Regulation have been made to ensure the provision of clean, well-maintained flush toilets at construction worksites. The changes also address handwashing facilities and the need for regular maintenance.

### When do the new requirements come into effect?

The new regulation requirements came into effect on October 1, 2024.

### What worksites do these new requirements apply to?

The requirements apply to “specified construction sites,” which means any worksite where a construction project is undertaken and where 25 or more workers will be present at any time during the project.

A construction project is defined 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.

### Do the requirements apply to construction projects that are currently in progress, or just new ones?

The new requirements apply to construction projects where 25 or more workers will be on site at any time during the project, including ones that are currently underway or in the planning stages.

Employers 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 requirements in section 20.3.2 of the OHS Regulation apply through the duration of the project, and the employer will need to plan accordingly.

WorkSafeBC recognizes there may be challenges faced on existing projects where employers have planned out their site configurations or where bids have moved forward based on an understanding of costs. Constraints faced by projects already underway can be accounted for in the analysis of what is practicable.

### What obligations do prime contractors and owners have under the new requirements?

On multiple-employer workplaces, the duties imposed on an employer for washroom requirements 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. The intent is for employers (e.g., subcontractors) to be in communication

with a prime contractor to ensure compliance with the new regulation.

## What about sites where the number of workers vary during the day?

Any construction site where there will be 25 workers or more present, at any given time, must comply with the new requirements.

This applies to the number of workers who are working on the construction project itself, and not those who are on site for other purposes for a short period of time (such as workers making deliveries, emergency responders, or inspectors for regulators).

## What does it mean to provide a “sufficient number” of “readily available” washroom facilities?

The employer or prime contractor will need to ensure there are a “sufficient number” of washroom facilities available at the worksite. In determining the number of facilities to provide, the calculations should be based on the anticipated largest number of workers on any shift at the workplace at one time. Fewer facilities may be required at the start of a project, with more needed as the number of workers increase.

**OHS Guideline G4.85(1)-1** provides guidance on what it means to provide a sufficient number of washroom facilities. This guidance will be used to interpret this requirement under section 20.3.2 of the OHS Regulation.

“Readily available” 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-storey workplaces, washrooms should not be more than one floor above or below the working area.

**OHS Guideline G4.85(1)-2** provides guidance on ensuring that washroom facilities are readily available for workers.

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 when practicable.

## What types of washroom facilities are allowed?

The amendments require the employer to provide flush toilets for workers. If it is not practicable to provide flush toilets, the employer must provide chemical toilets or other types of toilets.

A “flush toilet” is defined as a toilet that can be connected to a sewer system or a holding tank, has a trap or positive seal separating the bowl from the sanitary sewer system or holding tank, and uses a flow of clean water or a mixture of clean water and chemicals to flush the waste from the bowl.

A “chemical toilet” means a toilet that does not have a bowl and in which waste falls directly into a tank containing a chemical product that processes the waste. A common example of a chemical toilet is a porta-potty.

## What does “if practicable” mean?

WorkSafeBC recognizes every construction project is different and could present unique situations. A guideline has been developed (**G20.3.2**) that sets out the factors for employers to consider when determining if it is not practicable to provide flush toilets. Factors include the phase of the project, the duration, and the location of the project. Ultimately, it is up to the employer to prove that it is not practicable to provide flush toilets.

## Do the new requirements address handwashing facilities such as a sink with running water?

The amendments include a requirement for a handwashing facility to 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.

## How often do facilities need to be cleaned?

The amendments include requirements for ensuring all toilets at construction sites are maintained, cleaned, well-supplied, and sanitized, and for the employer to keep a record of these actions covering the most recent 30 days. The amendments do not specify a set frequency for the cleaning of toilet facilities as that will vary from site to site. However, employers need to ensure that each toilet on the construction site is cleaned and sanitized as frequently as necessary to keep it in a clean and sanitary condition.

## How will WorkSafeBC ensure employers are complying with the new requirements?

WorkSafeBC will combine consultation, education, and enforcement to ensure employers are aware of and complying with the new requirements.

Enforcement under the OHS Regulation varies widely, depending on the individual circumstances and the severity of any contraventions.

Prevention officers have many options for ensuring employers comply with regulatory requirements — including consultation, issuing compliance orders, imposing citations, warning letters, and administrative penalties.

## Will similar requirements be implemented for industries other than construction?

WorkSafeBC has heard stakeholder concerns about this issue. We will be reviewing the general washroom provisions under [Part 4](#) of the OHS Regulation to ensure all workers have access to clean, hygienic, and properly maintained washroom facilities.

## Where can I go for more information?

Questions about this topic or any workplace health and safety matter can be directed to our Prevention Information Line: 604.276.3100, or toll-free 1.888.621.7233.