

The following information was shared with us by the Ministry of Labour, Training and Skills Development with respect to the hygiene requirements on projects, namely the requirements for running water and heat:

What may be “reasonably possible” for running water and heat in toilet facilities on construction projects as outlined in sections 29 to 29.2 of O. Reg. 213/91?

It may be reasonably possible for constructors and suppliers to comply with requirements for providing running (hot and cold) water and heated facilities even when access to hydro and water pose challenges.

Compliance is determined on a case-by-case basis and may consider areas such as:

- Geographical location: Hydro and running water are widely available throughout Ontario, even in remote locations.
- Water sources: Any possible source of clean, hot (including lukewarm) and cold water that would allow its free flow so that a worker may clean both hands by rubbing them against each other using soap or other cleanser is deemed acceptable running water.
- Access to project: Road and terrain conditions for the delivery and on-going maintenance of facilities.
- Weather conditions: extreme events limiting access or causing equipment failure (e.g. freezing).
- Hazardous materials: If corrosive, poisonous or other substances likely to endanger workers are present at the project, running water is required at the clean-up facilities, along with soap and individual or disposable towels.
- Heating methods: Toilet facilities must be adequately heated, namely for cold weather. Available methods to heat the facilities include:
 - Facilities are delivered as self-contained facilities with their own heating and lighting systems. These facilities do not require inspection or approval from the Electrical Safety Authority (ESA).
 - Facilities are retrofitted with heating and lighting system attached to hydro or a power generator on the project. These facilities must comply with all regulatory requirements, including the Ontario Electrical Safety Code, and are subject to inspection and approval from the ESA.

- Facilities equipped with lighting and otherwise compliant are placed in a shed or other enclosed area of the project which may be heated through a power generator or other means. **These facilities must have adequate ventilation to ensure carbon monoxide and other by-products of combustion are controlled.** The exhaust must be adequately discharged directly outside the enclosed structure to a point sufficiently remote to prevent the return of the gases and fumes.
- Role under OHSA: Contractors and suppliers share responsibility for ensuring compliance of facilities with the requirements.
 - Constructors must ensure facilities comply with O. Reg. 213/91. Suppliers must supply equipment in compliance with the OHSA and the regulation (OHSA clause 31(1)(b)).
 - Contracts between suppliers and constructors may stipulate how facilities will comply with requirements (for example, how facilities will be heated when not self-contained). In the absence of such an agreement, both the constructor and the supplier are responsible for compliance of the facilities with the requirements.