

Health and Safety Responsibilities for Self-Employed Persons

Everyone has a role to play in keeping a workplace safe and healthy. The [Occupational Health and Safety Act \(OHS Act\)](#) outlines the responsibilities that [employers](#) and [workers](#) have at a workplace.

Self-employed persons also have responsibilities under the *OHS Act* and are required to be in compliance with all workplace safety legislation that applies to their work activities.

Self-Employed Persons

A self-employed person is defined under the *OHS Act* as a person who is engaged in an occupation on that person's own behalf.

Section 17 of the *OHS Act* states that a self-employed person shall:

- (a) take every reasonable precaution to protect the self-employed person's own occupational health and safety and that of other persons who may be affected by the self-employed person's undertaking;
- (b) cooperate with an employer, a committee or representative, if any, at a place at which the self-employed person conducts an undertaking, to protect the self-employed person's own occupational health and safety and that of other persons who may be affected by the undertaking;
- (c) cooperate with any person performing a duty or exercising a power conferred by this Act or the regulations; and
- (d) comply with this Act and the regulations.



What can a self-employed person do to protect themselves?

A self-employed person must work in a manner that protects their own health and safety as well as making sure their work does not pose a hazard for others at the work site.

Self-employed persons are not exempt from safety laws, and must comply with the *OHS Act* and regulations related to their work activities. For example, any work activities requiring personal protective equipment (PPE) as outlined in the regulations also apply to the self-employed person. Self-employed persons who are working with hazardous products are also required to be in compliance with the WHMIS regulations, including the requirement to have WHMIS training.



Reduce Your Risk

Self-employed persons are required to work safely, whether working alone, as part of a crew, or contracted by another person or employer to carry out a task. An employer who contracts out a task to a self-employed person should always ensure they know their responsibilities and follow the workplace safety legislation.

Employers contracting out work to a self-employed person must always ensure that any workplace-specific rules that apply to the self-employed person are communicated and enforced. For instance, if an employer requires all workers on a site to wear a reflective vest and hard hats, a self-employed truck driver contracted to deliver a load to a workplace would also be required to wear a reflective vest and hard hat when outside the cab of the truck. The self-employed driver must comply with the workplace rules. If the self-employed person fails to comply with the rules, the employer has the authority to remove the person from the workplace. In the event of an injury, it is important for the self-employed person to report the injury to the employer.

It is the employer's responsibility to inform a self-employed person of any known hazards to which that person may be exposed while on the employer's workplace. It is recommended that the responsibilities, hazards, and work tasks required be clearly set out in a contract or other agreement before the self-employed person begins their work. If no hazard information or agreement is provided by the employer, the self-employed person should ask the employer to provide it.

For information on workplace safety responsibilities, contact the OHS Division at 902-368-5697. For further information on WCB coverage call 902-368-5680.

