

LEGISLATIVE INTERPRETATIONS

Topic: First Aid Room Users	Issued by: Director, Compliance and Regulatory Review
Statute: First Aid Regulation	Date Issued: February 8, 2005
Subsection: 12(3)(d)	Date Revised: May 29, 2017

Question:

My workplace is open to the public and I already have a first aid room in case a customer gets hurt. Am I required to provide a separate first aid room for my staff?

Answer:

The intent of subsection 12(3)(d) is to require employers to provide a dedicated first aid room. This subsection prohibits an employer from using a room that is also used for another purpose. The employer cannot, for example, use a storage room or a cleaning closet as the first aid room. The first aid room can only be used for first aid.

Some workplaces, such as shopping malls and department stores, have regular access by the general public. In such workplaces, the same first aid room used to provide first aid services for the general public can also be used to provide first aid services for employees. Subsection 12(3)(d) requires that the first aid room be used only for first aid; it does not prohibit first aid services being provided to other persons from that same room.

Although subsection 12(3)(d) permits employers to use the same first aid room for employees and the general public, employers should consider that this subsection creates a regulatory requirement for this room to serve the employees. There is no such regulatory requirement for a first aid room for customers and other members of the public. As such, when planning the location of the first aid room, employers should consider the hazards that employees face and locate the room so that it best serves the employees' needs.

Question:

What are other types of appropriate uses of a first aid room under “providing health care or instruction to employees”?

Answer

In the regulation, first aid care is well defined as it is restricted to the training first aid providers receive from an approved training agency. Health care, however, is not defined and is subject to some interpretation. Health care would include care that would normally be provided by a nurse or a physician employed at the workplace or employed by an employer for a specific purpose. Examples of

these activities are administering flu shots, taking blood pressure measurements, administering medications, drawing blood for analysis, and caring for an injury too serious for a first aid provider to attend to, such as deep lacerations requiring stitches.

A first aid room could be used to address chronic health issues that require a staff member to make regular, potentially daily use of the room to address on-going health issues. However, the room should only be used for such purposes if the employer allows it.

As outlined in the regulation, the important requirements of a first aid room are access and that it be maintained in a sanitary condition. Staff using the room for chronic health issues that require a staff member to make regular, potentially daily use of the room to address on-going health issues would not likely compromise these requirements.

Referenced legislation

12(3) An employer shall ensure that a first aid room ...
(d) is used only for the purposes of providing first aid to employees or providing health care or instruction to employees.