

Are Federally-Regulated Employees Entitled to Pay for Attending Safety Courses?

written by vickyp | September 10, 2015



QUESTION

Are federally regulated companies required to pay wages to employees who are taking training courses as a part of their job, i.e., safety related courses?

– Manitoba-based oilfield trucking company

[learn_more caption="Answer"]

No, at least not under federal OHS laws.

EXPLANATION

Employee Training: Federal OHS laws require employers to “provide, in the prescribed manner, each employee” with the training necessary to ensure their health and safety at work (*Canada Labour Code*, Sec. 125(1)(q)). The OHS Regulations fill in the details, i.e., “prescribe” what training is required for different hazards like hazardous chemicals and operations, e.g., confined space entry. But unlike some provinces, e.g., Ontario, the Regulations **don’t** mandate any specific courses (other than for first aid) let alone specify that employers must pay employees their wages for taking these courses.

Training of Safety Committee Members/Representatives: Sec. 125(1)(z.01) of the Code also requires employers to ensure that safety committee members and representatives get the “prescribed” health and safety training set out, i.e., “prescribed” in Section 14 of the *Policy Committees, Work Place Committees and Health and Safety Representative Regulations*. But once more, neither the Code nor the Regulations don’t specify any course or require employers to pay the employee for taking it.

Although the Code (Sec. 136(11)) does require employers to pay members/representatives their wages for attending meetings or performing their other duties, including travel, it doesn’t list attending training courses as one of these duties.

Final Caveat: Even though the federal OHS laws don't require it, you do have to pay employees for attending safety training if the employee's contract or collective agreement says you must.

I hope this helps.

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