

Reasonably Practicable

OHS information for employers and workers

What does “reasonably practicable” mean?

Reasonably practicable is a term used in the *Occupational Health and Safety (OHS) Act*. It is the legislative “general duty” clause that employers must take care of their workers health and safety. Workers, suppliers, prime contractors, and contractors have a role in OHS.

Every province and territory in Canada has similar legislation that describes obligations under the OHS Act. Certain parts apply only to employers, others to workers.

“Reasonably practicable” is a recognized term that is assessed using the reasonable person test, that is, what would a dozen of your peers consider reasonable in similar circumstances? Your peers would likely review what you did and compare it to what they do in their own operations. Some might do more, others less.

The result would be a balanced judgement that could be defended to others. In short – if the legislation tells you what to do, you do it. If a process, procedure, document or protection is generally good-to-have or an industry accepted best practice, you should apply what is reasonably practicable for your work site.

Employers

Employers are required to, as far as it is reasonably practicable for the employer to do

so, ensure the health and safety of workers engaged in the work of that employer and all other workers present at the work site.

Alberta Occupational Health and Safety Act, Section 2(1)
Revised Statutes of Alberta 2000.

Workers

Workers are also required to, while engaged in an occupation, take reasonable care to protect the health and safety of the worker and of other workers present while the worker is working.

Alberta Occupational Health and Safety Act, Section 2(2)
Revised Statutes of Alberta 2000.

Suppliers

Suppliers, even if not present on the work site, also play a role as they shall ensure, as far as it is reasonably practicable for the supplier to do so, that any tool, appliance or equipment that the supplier supplies is in safe operating condition; and that any tool, appliance, equipment, designated substance or hazardous material supplied complies with the legislation.

Alberta Occupational Health and Safety Act, Section 2(3) and Section 2(4) Revised Statutes of Alberta 2000.

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Contractors

Contractors that direct work activities of an employer involved in work at a work site shall ensure, as far as it is reasonably practicable to do so, that the employer complies with the OHS Act and the regulations.

*Alberta Occupational Health and Safety Act, Section 2(5)
Revised Statutes of Alberta 2000.*

Prime Contractors

Prime contractors that direct work activities if there are two (2) or more employers involved in work at a work site also have a specific requirements in the OHS Act. If a work site is required to have a prime contractor, the prime contractor shall ensure, as far as it is reasonably practicable to do so, that the OHS Act, Regulations and Code are complied with.

*Alberta Occupational Health and Safety Act, Section 3(1)
Revised Statutes of Alberta 2000*

Unexpected Circumstances

Being reasonably practicable includes following the obligations in the OHS legislation that apply. In some cases, one may have to go a step further if it is “reasonably practicable” to do so, such as in an unexpected condition not normal to the work site with hazards that are usually not present.

Due Diligence

Although sometimes used interchangeably, due diligence is different than acting reasonably practicable.

Due diligence is a legal defence that can be used after an incident has already happened. These defences operate separate from “reasonably practicable” in law and occur when one contravenes a section of the legislation, but took reasonable efforts to try to comply.

For more information on due diligence, please refer to the bulletin [LI015 Due Diligence](#).

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Contact Us

OHS Contact Centre

Edmonton & Surrounding area

- 780-415-8690

Throughout Alberta

- 1-866-415-8690

Deaf or hearing impaired:

- 780-427-9999 (Edmonton)
- 1-800-232-7215 (Alberta)

Website

[work.alberta.ca/ohs-contact us](http://work.alberta.ca/ohs-contact-us)

FOR MORE INFORMATION:

[OHS Legislation in Canada – Due Diligence](#)

[OHS Alberta due diligence](#)

Get Copies of OHS Act, Regulation and Code

Alberta Queen's Printer

www.qp.gov.ab.ca

Occupational Health and Safety

work.alberta.ca/ohs-laws

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This material is current to December, 2017. The law is constantly changing with new legislation, amendments to existing legislation, and decisions from the courts. It is important imperative that you and keep yourself informed of the current law in this area.

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