

Construction work sites defined

Information for employers and prime contractors

This resource defines construction work sites for the purposes of the *Occupational Health and Safety (OHS) Act*, section 10(1).

Key information

Construction work sites with two or more employers or self-employed persons (or a combination of these) involved in the work at the work site require a prime contractor.

Alberta Occupational Health and Safety interprets “**construction**” work sites to include the following:

- a) building, demolition, repair, alteration, extension or major renovations of a structure,
- b) site development, building and repair of:
 - roads or highways,
 - pipelines,
 - sewage or drainage systems, or
 - electrical or telecommunication transmission lines and systems,
- c) digging of, working in or filling a trench or excavation, or
- d) land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, abrasive blasting and concreting and/or using powered equipment done in connection with (a) to (c).

Existing work site

Where the above activities are conducted on an existing work site (for example, a manufacturing plant, commercial building or farm), the prime contractor obligation applies where there are two or more employers and/or self-employed persons engaged in the work.

Every construction and oil and gas work site or a work site designated by a Director must have a prime contractor if there are 2 or more employers or self-employed persons, or one or more employers and one or more self-employed persons involved in work at the work site.



~OHS Act, s. 10(1)

Distinct work site within a work site

If the work site parties opt to separate the construction activities to create a distinct work site within the larger work site, the employer would only consider the employers and/or self-employed persons working in the distinct work site for the purposes of determining whether a prime contractor is required.

Prime contractor not required

Minor renovations, such as painting the interior of a structure, installation of flooring or countertops, renovations in a single private residence by contractor(s) hired directly by the resident and repairs to plumbing, ventilation, electrical systems or other infrastructure connected to a structure (except where this requires excavation or significant demolition) are not considered “construction” for the purposes of the prime contractor requirement in the *OHS Act*.

- Regardless of whether the prime contractor requirement applies, all employers are subject to the requirements in the *OHS Act*, Regulation and Code.

For the purposes of this interpretation

A permanent building where the contractor has their office separate from a temporary construction site is not part of a construction work site.

A **structure** is something built from different parts that is constructed or erected in a fixed location on the ground.

The term structure includes buildings and can also be used to refer to any body of connected parts designed to bear loads, even if it is not intended to be occupied by people. Engineers sometimes refer to these as 'non-building' structures. Common examples include: aqueducts and viaducts, bridges, canals, cooling towers and chimneys, dams, railways, roads, retaining walls and tunnels.

The term structure does not include:

- equipment used in construction such as a forklift, or
- mechanical or electrical equipment that remains part of the final structure.

Demolition is the tearing down and removal of buildings and other man-made structures.

Major renovation is a project where the value of labour and materials is \$100,000 or more.

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Report serious incidents, make immediate danger complaints, ask OHS questions

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- 1-866-415-8690
- Edmonton and surrounding area
- 780-415-8690
- Deaf or hearing impaired
- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

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ohsComplaintsPortal.labour.alberta.ca

Online incident reporting

Potentially serious, mine or mine site incidents

oir.labour.alberta.ca

Website

alberta.ca/OHS

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