

# Health and Safety Legislation in Canada

## Health and Safety Legislation - Sanitation and Toilet Facilities in the Workplace

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## What are the requirements for sanitation and toilet facilities in the workplace?

Occupational health and safety legislation in Canada requires employers to provide and maintain sanitary, accessible, and adequate toilet facilities for workers.

Across all jurisdictions, common requirements include:

- Providing an adequate number of toilets based on the workforce size.
- Providing toilet facilities that are accessible and within a reasonable distance of the work area.
- Ensuring toilet facilities are clean, sanitary, well-ventilated, and illuminated.
- Ensuring adequate privacy and protection from environmental conditions (such as cold).
- Providing necessary hygiene supplies such as toilet paper, soap, and hand-drying facilities.
- Providing regular maintenance and covered waste receptacles.

Toilets should be located near the work area, with some jurisdictions requiring toilet facilities to be within a certain distance. For example, Federal workplaces and workplaces in British Columbia must provide toilets within 60 metres of the work area and not more than one floor above or below the work area. The distance to the toilets may vary depending on the type of work, industry, or availability of plumbed services.

In certain jurisdictions and industries, such as construction, mining, or agriculture, additional requirements may apply. This requirement may include the provision of shower facilities or separate change rooms. For example, in New Brunswick, if an employee may be exposed to a hazardous substance or high levels of heat or humidity so that the employee's health may be negatively affected, the employer must provide a shower facility. Similarly, in Ontario's *Mines and Mining Plants Regulations*, suitable and adequate facilities to wash and shower must be provided at an underground mine and at a surface mine where the workers are subject to dusty, dirty, or wet conditions.

Toilet facilities must be kept clean, sanitary, and well-maintained. Regular cleaning schedules are required, with some jurisdictions (such as federal and Quebec) requiring daily cleaning. Disinfection requirements also exist in Quebec regulations.

Note that "toilet facilities" refer specifically to the areas or installations in the workplace where toilets (or lavatories) are provided for employees to use. These facilities include the toilets themselves, as well as toilet paper, hand sanitizers, and sometimes urinals.

"Washrooms" is a broader term that includes toilet facilities but also offers additional features for personal hygiene, such as sinks or handwashing stations and mirrors, and may include showers or other clean-up facilities.

Some jurisdictions require the provision of menstrual products in washrooms or toilet facilities. For more information, see [Menstruation and Menstrual Health in the Workplace](#).

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## What are the requirements for providing handwashing facilities?

Employers must provide adequate hand-washing facilities in workplaces in addition to toilet facilities. Wash basins should be readily accessible, typically within washrooms or near toilet facilities and eating areas. Where a wash basin (sink) is provided, it must have a supply of hot and cold water, soap, and sanitary hand-drying facilities (e.g., paper towels, air dryers, etc.).

Depending on the number of workers or toilets in a washroom, specific sinks may be required. For example, in the Yukon, one wash basin is required in a room with one to three toilets or urinals, and two wash basins are required in a room with more than three toilets or urinals. In Manitoba, the minimum number of washbasins matches the minimum number of toilets required.

Portable handwashing stations are usually required where running water is unavailable, such as on construction sites.

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## How many toilets should be available?

The number of toilets required in a workplace depends on the number of workers. Additional requirements under other laws, such as building codes or accessibility standards, may also need to be taken into account.

Generally, each jurisdiction requires:

Number of workers of that sex	Minimum number of toilets for that sex
0-9	1
10-24	2
25-49	3
50-74	4
75-100	5
101 or more	5 + 1 for each additional 30 workers of those workers' sex

Urinals may sometimes be substituted for toilets at workplaces requiring two or more toilets for male workers.

In addition, some jurisdictions, such as British Columbia and New Brunswick, allow one toilet facility for both sexes as long as the total number of workers at the workplace is below a certain number (9 or fewer) and the door to the toilet facility can be locked from the inside.

The occupational health and safety regulations may vary slightly between jurisdictions. Always verify the legislative requirements for the jurisdiction.

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## Are there specific requirements if there is no running water available?

If plumbed washrooms are not available, employers must provide portable or chemical toilets. These facilities must be kept clean and sanitary and often must follow the general requirements of the toilet facilities listed above. These requirements include ventilation, illumination, heating, privacy, and provision of toilet paper and handwashing facilities, to name a few. Any portable or chemical toilets must be emptied and serviced regularly to maintain clean and sanitary conditions and to prevent overflow.

For example, in Prince Edward Island, where a chemical toilet is provided, the employer must make sure that it is provided from the start of the project, constructed so that users are sheltered from view and protected from weather, heated in cold weather, provided with adequate supplies of disinfectant, and maintained in a clean and sanitary condition.

In addition, where an outdoor toilet is provided, a handwashing facility must be provided as close to the toilet as practicable. This provision may include hand sanitizer; however, handwashing facilities may still be required, especially in workplaces or industries where exposure to hazardous products is likely.

Where portable facilities are not practicable, employers must make reasonable arrangements to accommodate workers. These arrangements are only suitable for the short term and may include access to alternative facilities, such as public washrooms, parks, or other businesses (if agreed upon by the business's employer).

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## What should a worker do if the toilets are not functioning?

Toilet facilities must be maintained in proper working order and readily available for workers.

If workplace toilets are not functioning, the issue should be reported to a supervisor, manager, or employer. The employer will then:

- Assess the situation to determine the extent of the issue and identify the cause.
- Notify maintenance or facility management to arrange for a repair as soon as possible.

If the issue is ongoing, the employer should:

- Provide alternative facilities if the issue significantly reduces toilet availability. Temporary solutions may include access to other available toilet facilities within the workplace, portable toilets, or permission for workers to use nearby facilities (e.g., in another building).
- Communicate with workers and inform them of the issue, expected timeline, and alternative arrangements.
- Verify the number of available toilets still meets occupational health and safety requirements.
- Ensure hygiene standards continue to be maintained.
- Confirm that the repairs are completed and consider regular maintenance to prevent a similar issue in the future.

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## Can employers restrict access to washrooms?

Employers cannot impose unreasonable restrictions on access to washrooms. Any limitations, such as requiring workers to wait excessive periods, restricting access based on productivity targets, or not providing facilities close enough to work areas, may violate workplace regulations.

Several jurisdictions explicitly state that workers must have reasonable opportunities to use toilet facilities and that washrooms must be conveniently accessible. In Alberta and Manitoba, for example, the legislation states that an employer must not place unreasonable restrictions on a worker’s use of or access to toilet facilities.

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## Where can you find the legislative requirements for sanitation and toilet facilities across Canada?

The following table cites the relevant regulations and sections for sanitation and toilet facilities.

<b>Jurisdiction</b>	<b>Legislative Requirement</b>
Federal	<b>Canada Occupational Health and Safety Regulations</b>  Part IX Sanitation  s. 9.2-9.12
British Columbia	<b>Occupational Health and Safety Regulations</b>  4.85 Washroom facilities  20.3.1-20.3.2 Washroom facilities at construction sites  <b>Occupational Health and Safety Guidelines</b>  G4.85(1)-1 Washroom facilities – Sufficient facilities
Alberta	<b>Occupational Health and Safety Code</b>  357 Toilet facilities  359 Hand cleaning facilities  360 Supplies and waste receptacle  361 Condition of facilities  Schedule 7 Toilets at a Work Site
Saskatchewan	<b>The Occupational Health and Safety Regulations, 2020</b>  6-8 Toilet facilities  6-9 Personal washing  Table 10
Manitoba	<b>Workplace Safety and Health Regulations</b>  s. 4.7 Number of toilet facilities and washbasins  s. 4.8 Toilet facilities  s. 4.9 Hand washing facilities  s. 4.10 Hand cleaning facilities at construction project site  s. 4.11 Change and washing facilities
Ontario	<b>Occupational Health and Safety Act</b>  25.3* Washroom facilities  *Coming into force July 1, 2025  <b>R.R.O. 1990, Reg. 861: INDUSTRIAL ESTABLISHMENTS</b>

	<p>Part II Buildings</p> <p>s. 120(d)</p> <p><b>R.R.O. 1990, Reg. 854: MINES AND MINING PLANTS</b></p> <p>Part XI Working Environment</p> <p>s. 276-277</p> <p><b>O. Reg. 213/91: CONSTRUCTION PROJECTS</b></p> <p>s. 29.1 Hygiene</p>
Quebec	<p><b>Regulation Respecting Occupational Health and Safety</b></p> <p>Division XI Ventilation and heating</p> <p>s. 111 Ventilation of change rooms and toilets</p> <p>Division XIX Sanitary facilities</p> <p>s. 161-165</p> <p>Schedule IX Sanitary facilities</p>
New Brunswick	<p><b>General regulation 91-191</b></p> <p>s. 5 Toilets</p> <p>s. 6 Washrooms</p>
Nova Scotia	<p><b>Workplace Safety Regulations</b></p> <p>s. 19 Toilets</p> <p>s. 20 Hand-cleaning facilities</p>
Prince Edward Island	<p><b>Occupational Health and Safety Act General Regulations</b></p> <p>Part 2 – Toilet and washing facilities</p> <p>2.1-2.8</p>
Newfoundland and Labrador	<p><b>Occupational Health and Safety Regulations</b></p> <p>s. 61 Toilet facilities</p> <p>s. 62 Washing facilities</p>
Northwest Territories and Nunavut	<p><b>Occupational Health and Safety Regulations</b></p> <p>s. 75 Toilet Facilities</p> <p>s. 76 Personal Washing</p> <p>s. 78-79 Change and Shower Facilities</p>

	Schedule K  1. Minimum Number of Toilets Facilities at Work Site
Yukon	<b>Workplace Health and Safety Regulations</b>  1.71 Sanitation and accommodation  Code of Practice: Workplace Sanitary Amenities

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