

Workplace First Aiders and Legal Requirements

OHS information for employers and workers

This Safety Bulletin outlines the requirements of specific sections of Alberta's OHS legislation that are relevant to work site first aiders. Anyone responsible for providing first aid services at the workplace needs to understand what is required by law.

What is the Emergency Medical Aid Act?

The *Emergency Medical Aid Act* is the name given to Alberta's "Good Samaritan" legislation, which may be applicable to voluntary first aid services rendered at a work site.

If applicable, the *Emergency Medical Aid Act* provides the following legal liability protection:

A person is "not liable for damages for injuries to or the death of that person alleged to have been caused by an act or omission on his or her part in rendering the medical services or first aid assistance, unless it is established that the injuries or death were caused by gross negligence on his or her part." (Section 2 (b) of the *Emergency Medical Aid Act*).

Please note that workers whose job description includes first aid may not be covered under this legislation and should speak with their employer regarding their legal status and protections in the provisions of first aid services.

Points to Consider

- Workers whose job description includes first aid may not be covered under this legislation
- Workers should speak with their employer regarding their legal status and protections in the provision of first aid services.

Occupational Health and Safety (OHS) Act

- The OHS Act is the umbrella legislation for all OHS legislation in Alberta.
- According to the Act, employers, workers, contractors and prime contractors are all responsible for ensuring health and safety at work.
- Although the Act outlines numerous requirements, subsection 23(2) pertains to first aiders. It allows the Director of Medical Services to ask for first aid reports and requires first aiders to provide them.

Occupational Health and Safety Code – Part 11 First Aid

- The OHS Code requires employers to provide first aid and have designated first aiders at work sites.

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- ❑ The OHS Code defines the minimum standards in first aid services, equipment and supplies. The OHS Code stipulates the required number of first aiders the level of first aid training, the required type and number of first aid kits and type and quantity of supplies and equipment. These requirements are based on the hazard level of the work performed at the workplace, the number of workers at the work site per shift, and the distance of the work site to the nearest health care facility as defined in OHS legislation.
- ❑ The OHS Code details record keeping requirements for designated work site first aiders.
- ❑ Material safety data sheets (MSDSs) may provide a valuable source of information on first aid treatment.
- ❑ Employers must ensure a means of transportation is available for taking injured or ill workers to a health care facility as defined in OHS legislation. If a licensed ambulance service is not available, then the means of transport being used must be suitable considering the distance to be travelled, the types of acute illnesses or injuries, must provide protection against the weather, have a means of communication with the health care facility and be large enough to accommodate a stretcher and an accompanying person.

Workers Compensation Act

- ❑ Section 37 of the Workers' Compensation Act allows first aid records required to be kept under occupational health and safety legislation to be inspected by the Board or a designate of the Board, and by the injured worker (or his/her representative) to whom the records relate.
- ❑ First aid treatment that is provided by work site first aiders for minor injuries does not need to be reported to the Workers' Compensation Board (WCB). However, workers and employers must report any workplace incident to the WCB where the work injury disables or is likely to disable the worker beyond the day of the incident. Employers must also notify the WCB if the worker has medical aid treatment or other services provided by licensed medical practitioners.

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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

FOR MORE INFORMATION:

[First Aid Records \(FA009\)](#)

[Quality Management Plan Requirements for First Aid Training in Alberta Workplaces \(FA010\)](#)

[Developing a First Aid Plan \(FA012\)](#)

[Oxygen Equipment and Related Training Requirements at Work Sites \(FA013\)](#)

[Medication in First Aid Kits \(FA014\)](#)

[Automated External Defibrillators in the Workplace \(FA015\)](#)

Get Copies of OHS Act, Regulation and Code

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Occupational Health and Safety

work.alberta.ca/ohs-legislation

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This material is current to February 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.

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