

## Interpretation

Alberta Labour has interpreted “**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, using powered equipment, done in connection with (a) to (c).

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

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.

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 structure is something built from different parts which is constructed or erected in a fixed location on the ground. It does not include equipment used in construction such as a forklift. It does include mechanical or electrical equipment that remains part of the final structure. This includes buildings, but the term structure can also be used to refer to any body of connected parts that is 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, tunnels.

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

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