

“employer” means

- (i) a person who is self-employed in an occupation,
- (ii) a person who employs one or more workers,
- (iii) a person designated by an employer as the employer’s representative, or
- (iv) a director or officer of a corporation who oversees the occupational health and safety of the workers employed by the corporation

“worker” means a person engaged in an occupation, but does not include, except for the purpose of section 2(2), the following persons engaged in a farming and ranching operation specified in the regulations:

- (i) a person to whom no wages, as defined in the *Employment Standards Code*, are paid for the performance of farming or ranching work;
- (ii) a person referred to in clause (s)(i)(B)(I) to (IV) to whom wages, as defined in the *Employment Standards Code*, are paid for the performance of farming or ranching work;
- (cc) “work site” means a location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.

RSA 2000 cO-2 s1;2002 c31 s2;2012 c7 s2;2015 c19 s5

Obligations of employers, workers, etc.

2(1) Every employer shall ensure, as far as it is reasonably practicable for the employer to do so,

- (a) the health and safety of
 - (i) workers engaged in the work of that employer, and
 - (ii) those workers not engaged in the work of that employer but present at the work site at which that work is being carried out, and
- (b) that the workers engaged in the work of that employer are aware of their responsibilities and duties under this Act, the regulations and the adopted code.

(2) Every worker shall, while engaged in an occupation,

- (a) take reasonable care to protect the health and safety of the worker and of other workers present while the worker is working, and
- (b) co-operate with the worker’s employer for the purposes of protecting the health and safety of
 - (i) the worker,
 - (ii) other workers engaged in the work of the employer, and
 - (iii) other workers not engaged in the work of that employer but present at the work site at which that work is being carried out.

(3) Every supplier 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.

(4) Every supplier shall ensure that any tool, appliance, equipment, designated substance or hazardous material that the supplier supplies complies with this Act, the regulations and the adopted code.

(5) Every contractor who directs the 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 this Act, the regulations and the adopted code in respect of that work site