

## What constitutes as a ‘worker’ on your farm in the eyes of the law?

**WINNIPEG, MANITOBA – July 15, 2019** – On farms it is not uncommon for a neighbour, family member or friend to come and help out. What many producers do not realize is that the moment that person steps foot on your property and starts helping with a task, they become a “worker” and the farmer becomes an “employer”.

“This great culture of helping each other out often leads to situations where, for example, a friend visits when you are in the middle of trying to repair a piece of equipment that friend just ‘rolls up their sleeves’ and starts helping”, says FSP’s Farm Safety Consultant Morag Marjerison. “Unfortunately, sometimes things go wrong and people get caught up in moving parts or blocking fails and equipment falls on them. In this scenario, the helper could be deemed to be a worker.”

Per the Manitoba Workplace Safety and Health Act and Regulation, a worker is any person who is employed by an employer to perform a service whether for gain or reward, whether under a contract of employment or not. An employer is every person who, by himself or his agent or representative employs or engages one or more workers. This means that regardless of whether someone is being paid, in the eyes of the law they are a worker if performing a task on your farm.

It is important for all farmers to be aware of the *Duties of Employers* under the legislation. Take the time to consider the things that could go wrong, and plan how the task will be done to reduce the risks to everyone involved. For further information on how safety legislation applies to your farm, contact Morag Marjerison at (204) 570-3290.

The Manitoba Farm Safety Program (FSP) was established in 2016 to provide workplace safety and health advisory services and training to producers. FSP is hosted by Keystone Agricultural Producers (KAP), however our services are available to all farmers whether or not they are KAP members - all sizes and all commodities.