

# No Stepping Around It! B.C. Ends Mandatory High Heels In The Workplace

May 01, 2017

A topic that has received a lot of attention recently as a result of a bill that had been introduced in March by Green Party leader to prohibit employers from requiring different footwear for different genders.

The B.C. government took steps earlier this month to address the issue of mandatory high heels in the workplace, a topic that has received a lot of attention recently as a result of a bill that had been introduced in March by Green Party leader Andrew Weaver to prohibit employers from requiring different footwear for different genders. Rather than specifically addressing this as a gender issue, the B.C. government amended the existing footwear requirements in the Occupational Health and Safety Regulation under the Workers Compensation Act to **set out specific health and safety standards that must be met for all workers' footwear in the workplace.**

**Section 8.22 of the Occupational Health and Safety Regulation now sets out a** requirement for all workers' footwear to be "of a design, construction, and material appropriate to the protection required and that allows the worker to safely perform the worker's work" and precludes an employer from requiring a worker to wear footwear that is contrary to this requirement. In making this determination, a variety of factors must be considered, including slipping, tripping, uneven terrain, abrasion, ankle protection and foot support, potential for musculoskeletal injury, crushing potential, temperature extremes, corrosive substances, puncture hazards, electrical shock, and any other recognizable hazard.

While the amendment does not specifically state that high heels cannot be mandated in the workplace, the effect is to ban such a practice for health and safety reasons, which **is to be enforced by WorkSafeBC. The B.C. Human Rights Code also sets out existing** restrictions against gender-based discrimination in the workplace. This does not mean that employers in B.C. cannot dictate what their workers wear on their feet or otherwise. An employer still has the right to set a dress code for its workplace, but it must comply with these new health and safety standards and cannot be discriminatory.

Expertise

[Labour & Employment, Employment Disputes](#)

---

## BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

[blg.com](http://blg.com)

### BLG Offices

#### Calgary

Centennial Place, East Tower  
520 3rd Avenue S.W.  
Calgary, AB, Canada  
T2P 0R3

T 403.232.9500  
F 403.266.1395

#### Ottawa

World Exchange Plaza  
100 Queen Street  
Ottawa, ON, Canada  
K1P 1J9

T 613.237.5160  
F 613.230.8842

#### Vancouver

1200 Waterfront Centre  
200 Burrard Street  
Vancouver, BC, Canada  
V7X 1T2

T 604.687.5744  
F 604.687.1415

#### Montréal

1000 De La Gauchetière Street West  
Suite 900  
Montréal, QC, Canada  
H3B 5H4

T 514.954.2555  
F 514.879.9015

#### Toronto

Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada  
M5H 4E3

T 416.367.6000  
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing [unsubscribe@blg.com](mailto:unsubscribe@blg.com) or manage your subscription preferences at [blg.com/MyPreferences](http://blg.com/MyPreferences). If you feel you have received this message in error please contact [communications@blg.com](mailto:communications@blg.com). BLG's privacy policy for publications may be found at [blg.com/en/privacy](http://blg.com/en/privacy).

© 2024 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.