

**Operational
Policy**Section
In the Course of and Arising Out ofSubject
On/Off Employers' Premises

Policy

A worker is considered to be in the course of employment on entering the employer's premises, as defined, at the proper time, using the accepted means for entering and leaving to perform activities for the purpose of the employer's business. The "in the course of employment" status ends on leaving the employer's premises, unless the worker leaves the premises for the purpose of the employment.

The employer's premises are defined as the building, plant, or location in which the worker is entitled to be, including entrances, exits, stairs, elevators, lobbies, parking lots, passageways, and roads controlled by the employer for the use of the workers when entering or leaving the work site.

An accident shall be considered to arise out of the employment when it happens on the employer's premises as defined, unless at the time of the happening of the accident:

- the accident is occasioned by the injured worker using, for personal reasons, any instrument of added peril such as an automobile, motorcycle, or bicycle, except when the accident was caused by the condition of the road or happening under the control of the employer, or
- the worker is performing an act not incidental to ~~his~~ their work or employment obligations.

Purpose

The purpose of this policy is to outline:

- what is considered to be an employer's premises
- when a worker is considered to be in the course of employment when on the employer's premises
- when an accident is not considered to arise out of the employment when it occurs on the employer's premises, and
- when a worker may be considered to be in the course of employment when not on the employer's premises.

Guidelines

It is generally considered that workers are in the course of ~~the~~ employment when they reach the employer's premises or place of work. A worker is generally not considered to be in the course of ~~the~~ employment when travelling to or from the workplace, although there are exceptions to this general rule. ~~See~~ refer to 15-03-05, Travelling.) The WSIB's practice in respect of accidents occurring on an employer's premises centre on geographical location as a determining factor as to whether or not a worker was in the course of employment at the time of the accident. Location has been adopted as the line to be drawn between personal activities and work-related activities.

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Without limitation to the following, the WSIB will consider entitlement in claims where a worker is injured when:

- going to or from work in transport under the control and supervision of, or chartered by, the employer
- obtaining pay or depositing tools, etc., on the employer's premises after actual work hours
- participating in a work-related sports activity, for example, school teachers and camp counselors, when the employer condones these activities by making the premises available and/or exercising a form of supervision and control
- attending compulsory evening courses
- travelling on company business, by the most direct and uninterrupted route, under the supervision and control of the employer
- travelling to or from a convention and/or participating in convention activities, and
- on a lunch, break, or other non-work period (period of leisure) by ordinary hazards of the employer's premises.

Application date

This policy applies to all decisions made on or after ~~June 1, 1989~~ [December 5, 2024](#), for all accidents.

Document history

This document replaces [15-03-03](#) ~~03-02-02~~ dated ~~June 1989~~ [October 12, 2004](#).

[This document was previously published as:](#)

[03-02-02 dated June 1989.](#)

References**Legislative authority**

Workplace Safety and Insurance Act, 1997, ~~as amended~~

Section 13(1)

Workers' Compensation Act, R.S.O. Revised Statutes of Ontario 1990, ~~as amended~~

Section 4(1)

[Minute Approval](#)

~~Administrative~~

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