

# Joint Health and Safety Committee – What is a Joint Health and Safety Committee Fact Sheets



## WHAT IS A JOINT HEALTH AND SAFETY COMMITTEE?

In the Canadian legislation, health and safety committees are mentioned under slightly varying names. We have used the name joint health and safety committee to reflect its composition. The committee may also be known as the joint work site health and safety committee, occupational health committee, workplace safety and health committee, or occupational health and safety committee.

A joint health and safety committee (JHSC) is a forum for bringing the internal responsibility system into practice. The committee consists of labour and management representatives who meet on a regular basis to deal with health and safety issues. The advantage of a joint committee is that the in-depth practical knowledge of specific tasks (labour) is brought together with the larger overview of company policies, and procedures (management). Another significant benefit is the enhancement of cooperation among all parts of the work force toward solving health and safety problems. In smaller companies with fewer than a specified number of employees, a health and safety representative is generally required. Consult health and safety legislation applicable to your workplace for details.

## Who is responsible for establishing a joint health and safety committee?

Employers are responsible for establishing joint health and safety committees. Most Canadian health and safety legislation set guidelines for organizing the committee, the structure of the committee, meeting frequency, and the roles and responsibilities of committee members.

Employers establish terms of reference applicable to the formation, structure and functioning of the committee. Such terms of reference must ensure:

- Compliance with the OHS legislation.
- Effectiveness of the committee in meeting workplace specific needs.
- Widest possible employee involvement.

## What does a joint health and safety committee do?

While exact roles may vary by jurisdiction, in general, the committee assists the employer to:

- Recognize workplace hazards.

- Evaluate the hazards and risks that may cause incidents, injuries and illness.
- Participate in development and implementation of programs to protect the employees' safety and health.
- Respond to employee complaints and suggestions concerning safety and health.
- Ensure the maintenance and monitoring of injury and work hazard records.
- Monitor and follow-up hazard reports and recommend action.
- Set up and promote programs to improve employee training and education.
- Participate in safety and health inquiries and investigations, as appropriate.
- Consult with professional and technical experts.
- Participate in resolving workplace refusals and work stoppages.
- Make recommendations to management for incident prevention and safety program activities.
- Monitor effectiveness of safety programs and procedures.

### **Is a committee or a representative required by law?**

A Joint Health and Safety Committee or the appointment of health and safety representatives is either mandatory or subject to ministerial decision in all Canadian jurisdictions. Certain types of workplaces may be exempt from this requirement, depending on the size of work force, industry, incident record, or some combination of these factors. Consult the most up-to-date applicable legislation to find out what are requirements for your workplace.

### **What are the sources of legislation regarding joint health and safety committees?**

The following are references to the provincial and federal legislation where you will find the guidelines for joint health and safety committees from the different jurisdictions in Canada. Since legislation is amended from time to time, the jurisdictions should be contacted for the most current information.

#### **Canada**

Canada Labour Code, Part II (R.S.C. 1985, C. L-2), Sections 135 to 137

#### **British Columbia**

Workers Compensation Act, (R.S.B.C. 1996 as amended) Part 3, Division 4, Sections 125 to 140

#### **Alberta**

Occupational Health and Safety Act (R.S.A. 1980, c. 0-2 as amended), Part 3 Joint Work Site Health and Safety Committees and Health and Safety Representatives, Sections 16 to 30

Occupational Health and Safety Code (October 2003) Part 13 Joint Work Site Health and Safety Committee, Sections 196 to 202

(Called Joint Work Site Health and Safety Committees)

#### **Saskatchewan**

Saskatchewan Employment Act (S.S., 2013, c. S-15.1), Sections 3-22 to 3-27

(Called: Occupational Health Committees)

Occupational Health and Safety Regulations, 1996 (R.S.S., c. 0-1, r.1), Sections 38 to 49

#### **Manitoba**

Workplace Safety and Health Act (R.S.M. 1987, c. W210), Section 40

(Called: Workplace safety and health committees)

Workplace Safety and Health Regulation (Man. Reg. 217/2006), Part 3

## **Ontario**

Occupational Health and Safety Act (R.S.O. 1990, c. 0.1), Section 9(2)

Quebec (English language legislation)

Act respecting Occupational Health and Safety (R.S.Q., c. S-2.1), Chapter IV, Sections 68 to 86.

And the Regulation respecting health and safety committees (R.R.Q. 1981, c. S-2.1, r. 6.1, O.C. 2025-83)

(Called: Health and Safety Committees)

## **New Brunswick**

Occupational Health and Safety Act (A.N.B. 1983, c. 0-0.2), Sections 14 to 18

## **Nova Scotia**

Occupational Health and Safety Act (S.N.S. 1996, c. 7), Sections 29 to 32

## **Prince Edward Island**

Occupational Health and Safety Act (R.S.P.E.I. 2004, c. 42), Section 25

## **Newfoundland**

Occupational Health and Safety Act (R.S.N. 1990, c. 0-3), Sections 37 to 40

(Called: Health and Safety Committees)

## **Yukon Territory**

Occupational Health and Safety Act (R.S.Y. 1986, c. 123), Sections 12 & 13

## **Northwest Territories**

Safety Act (R.S.N.W.T. 1988, c. S-1), Section 7.1

(Called: Joint Occupational Health and Safety Committee)

Also: Occupational Health and Safety Regulations (R-039-2015), Part 4

## **Nunavut**

Safety Act (R.S.N.W.T. 1988, c. S-1), Section 7

(Called: Joint Occupational Health and Safety Committee)

**When are health and safety committees required, how many people are on the committee, and who are the committee members?**

Table One provides brief information about the committees: when they are necessary, size and representation. This summary is intended to provide basic facts. Please consult the legislation applicable to your workplace for exact information.

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<b>Table 1</b> <b>Legislation Requirements for Health and Safety Committees</b>			
	<b>When do I need one?</b>	<b>Size of Committee</b>	<b>Representation</b>
Canada	Mandatory – 20 or more employees	At least 2	At least half to represent employees
British Columbia	Mandatory – when there are 20 or more employees or when “required by order”	Not less than 4	At least one half must be worker representatives
Alberta	Mandatory – 20 or more employees	At least 4 persons	At least half must represent workers
Saskatchewan	Mandatory – when 10 employees or more	At least 2 and not more than 12	At least half to represent employees
Manitoba	Mandatory – 20 or more employees as designated by Lt Governor	At least 4 and not more than 12	At least half to represent employees
Ontario	Mandatory – 20 or more employees, or when ordered by Minister, or where a designated substance is in use (no minimum number of employees)	At least 2 (fewer than 50 employees); At least 4 (50 or more employees)	At least half to represent employees
Quebec	20 or more employees and where required by CNESST*	At least 4	At least half to represent employees
New Brunswick	Mandatory – 20 or more employees	As agreed upon by employees and employer	Equal Representation
Nova Scotia	Mandatory – 20 or more employees	As agreed upon by employees and employer	At least half to represent employees
Prince Edward Island	Mandatory – 20 or more employees	As agreed upon by employees and employer	At least half to represent employees
Newfoundland	Mandatory – 10 or more employees	At least 2 and not more than 12	At least half to represent employees
Yukon	Mandatory – 20 or more employees	At least 4 and not more than 12	At least half to represent employees
Northwest Territories	Mandatory – 20 or more, or as directed by Chief Safety Officer	Not Specified	Equal Representation
Nunavut	Mandatory – 20 or more, or as directed by Chief Safety Officer	Not Specified	Equal Representation

