

DETERMINING IF A HEALTH AND SAFETY COMMITTEE OR REPRESENTATIVE IS REQUIRED

Health and safety committee requirements

Employer-wide HSCs

An employer who regularly employs 20 or more workers, or at any work site designated by a Director (*OHS Act Part 2 s.13(1)(a)(b)*) must establish a joint health and safety committee.

Multiple employer work sites

If there are 20 or more regularly employed workers in total from 2 or more employers at a work site all employers shall, after consultation with any union or certified bargaining agent, establish a joint work site health and safety committee for that work site. If there is a designated prime contractor on the work site, this does not apply. If there is no prime contractor, all employers at the site must coordinate establishing the HSC (*OHS Act Part 2 s.13(2)(3)*).

The decision tree at the end of this section can be used to help determine the need for an HSC on multiple employer work sites.

Health and safety representative requirements

If the employer regularly employs 5 - 19 workers, the employer must designate a worker who is not associated with the management of the employer. (*OHS Act Part 2 s.14(a)(b)*) if there is a union the union or agent who has bargaining rights must be consulted.

The health and safety representative shall cooperate with a representative of the employer and perform the same duties with necessary modification as set out for a joint health and safety committee. A health and safety representative shall carry out all duties and functions during normal working hours. (*OHS Act, Part 2,s.(4)(5)*).

Multiple employer work sites

A health and safety representative is required at a work site with two or more employers if there are 5 to 19 regularly employed workers in total at the site. If there is no prime contractor, all employers and at the site must coordinate designating a HS representative together (*OHS Act Part 2 s.14(1)(2)(3)*). If there is a designated prime contractor for the site this does not apply.

The health and safety representative shall cooperate with a representative of the employer and perform the same duties with necessary modification as set out for a joint health and safety committee. (*OHS Act, Part 2,s.(6)*)

The decision tree on the next page can help determine the need for an HSC/HS representative on multiple employer work sites. 16 Manual | HSC/HS Representative Training

Effective December 1, 2021, all members of the Health and Safety Committee and Health and Safety Representatives must have at least the basic training in the HSC/ HSR Fundamentals however, AASP highly recommends for Co-Chairs and Health and Safety Leaders that they take the comprehensive detailed Joint Health and Safety Committee/ Health and Safety Representative Training which provides a detailed breakdown of all the roles and responsibilities of committee members.

MULTIPLE EMPLOYER WORK SITE DECISION TREE

