



# JOINT OCCUPATIONAL HEALTH & SAFETY COMMITTEE GUIDE



## NOVA SCOTIA

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## Joint Occupational Health and Safety Committee Guide

The following document is a guide for CUPE members on Joint Occupational Health and Safety (JOSH) Committees. This document will detail the tools available to you as a committee member and provide some suggestions on how those tools can best be used to effect positive change in your workplace, to improve the health and safety of all of our brothers and sisters in the workplace, and to ensure your employer is meeting their legal obligations. We want to prevent the terrible, catastrophic, events that can lead to serious injury or death. We also must not lose sight of the potential consequences of less immediate or severe conditions that can nonetheless compromise a worker's quality of life.

In the following document you will find excerpts from the *Nova Scotia Occupational Health and Safety Act*. That Act requires the formation of your committee and also contains the tools that you can use as a member of the JOSH committee. Please keep in mind that these are just a few provisions from the Act and at times, other sections can clarify, quantify, or qualify these provisions. You can always access the full text of the Act here: [http://nslegislature.ca/legc/statutes/occp\\_h\\_s.htm](http://nslegislature.ca/legc/statutes/occp_h_s.htm).

This document attempts to answer some common questions about committees, their mandate, how they operate, the role of members, and the protections for members of the committee. It is written primarily in a question and answer format where the questions have been derived from many meetings with members across the province. The regular text through the document is commentary, while the *italicized* text indicates direct excerpts from the Act. Remember – this is the law. Employers are required to follow these provisions, and the OHS Division of the Nova Scotia Department of Labour and Advanced Education is mandated and empowered to enforce this Act.

It is encouraged to read this guide in its entirety but it has also been designed to be used as a quick reference guide you can consult as questions or situations arise in your workplace. There is one tool that will not be discussed specifically in this guide yet cannot be ignored. It is one of the most powerful tools we can use in any workplace and one which we as unionists are intimately familiar – solidarity.

## Basic Committee Requirements

This section will deal with the most basic requirements of the Act regarding JOHS committees. Most workplaces will already have established committees so many of these requirements may already be met in your workplace. Nonetheless, it's worth reading through this section to ensure those basic requirements have been met. If not, it's never too late to speak up and ensure these requirements are met; they will form the foundation of your JOHS committee.

**What is the committee?** We won't find this question specifically answered in the Act but the general concept is that the JOHS committee is an advisory body to the employer. It is not the employer's health and safety program nor is it responsible for managing health and safety in the workplace; those duties belong to the employer. The JOHS committee participates, advises, and promotes. It does not belong to the employer and it does not belong to the Union. It is an independent third party.

**When is a committee required?** Any workplace with 20 or more workers must have a committee. There are also cases where the OHS Division will require the formation of a committee in a smaller workplace. In most workplaces with fewer than 20 workers, a Health and Safety Representative will fulfill the role of the committee.

*29(1) At every workplace where twenty or more persons are regularly employed, the employer shall establish and maintain one joint occupational health and safety committee or, at the discretion of the employer, more than one such committee and, where twenty or more persons are regularly employed by one or more constructors at a project, a constructor shall establish and maintain a joint occupational health and safety committee for the project.*

**How many people should be on the committee?** By definition a committee must be comprised of at least two people. The Act does not specify a minimum or maximum number of members but does require that number to be reached by consensus.

*30(1) A committee shall consist of such number of persons as may be agreed to by the employer and the employees or their union or unions.*

**Can the employer control the committee by stacking it with its own people?** No. The Act requires that a minimum of 50% of the members are workers (people who do not exercise managerial functions).

*30(2) At least half of the members of a committee shall be employees at the workplace who are not connected with the management of the workplace and the employer may choose up to one half of the members of the committee if the employer wishes to do so.*

**Who picks the worker representatives on the committee?** In our case the Union does. The executive of your local will choose from our members, and the employer will appoint them to the committee. It is important for us to remember we need activists on JOHS committees.

30(3) *The employees on the committee are to be determined by the employees they represent, or designated by the union that represents the employees.*

**How often will the committee meet?** The committee shall meet monthly unless another frequency is agreed upon in the committee's rules of procedure (more on that soon). Generally we do not want to consent to less frequent meetings. Employers often want to skip meetings during the "busy period" which is when we need them the most! Vacation time is also offered as an excuse to go a month or more without meetings. While absences can make it difficult to hold meetings, this can be addressed through the appointment of alternate members from either side. Rather than permitting excuses we should be proposing practical solutions to ensure these critical meetings are not skipped.

30(4) *A committee shall meet at least once each month unless*  
*(a) a different frequency is prescribed by the regulations; or*  
*(b) the committee alters the required frequency of meetings in its rules of procedure.*

30(5) *Where a committee alters the required frequency of meetings by its rules of procedure and the Director is not satisfied that the frequency of meetings is sufficient to enable the committee to effectively perform its functions, the frequency of meetings shall be as determined by the Director.*

**Is this something I have to do on my own time?** No. You must be compensated for your time spent as a committee member and if meetings, inspections, or other functions occur during your regular working hours, you are entitled to take the necessary time away from your regular duties.

30(6) *An employee who is a member of a committee is entitled to such time off from work as is necessary to attend meetings of the committee, to take any training prescribed by the regulations and to carry out the employee's functions as a member of the committee, and such time off is deemed to be work time for which the employee shall be paid by the employer at the applicable rate.*

**What were those "rules of procedure" you mentioned?** A critical but often overlooked requirement of the Act is the establishment of rules of procedure for the committee. These are the rules that will govern how the committee does its work. Without clear direction, it can be difficult for a committee to fulfill its mandate. These rules will include topics such as how a motion is made, carried or modified, how votes are conducted, who chairs the meeting. This list could go on at length. Instead, here is a reference for more information:

<http://www.gov.ns.ca/lae/healthandsafety/docs/JOHCommitteeSingEmployer.pdf>

This is a guide published by the Department of Labour on committees. Appendix A5 contains sample rules of procedure. For those of you who still need to draft rules for your committee, this can be a good starting point. In a situation where a committee cannot agree on rules, the Department of Labour has the ability to impose rules on the committee.

*30(7) A committee shall establish its own rules of procedure and shall adhere to the applicable regulations.*

**Who runs the meetings of the committee?** Unless the agreed upon rules of procedure say otherwise, the Act requires each committee to have two co-chairs – one selected from (and by) the workers and the other from the employer side. It is advisable to maintain the system of co-chairs rather than rotating the chair. Giving complete control of even a single meeting to the employer can derail some of the long term projects you will be working on.

*30(8) Unless a committee determines another arrangement for chairing the committee in its rules of procedure, two of the members of the committee shall co-chair the committee, one of whom shall be selected by the members who represent employees and the other of whom shall be selected by the other members.*

*30(9) The rules of procedure established pursuant to subsection (7) shall include an annual determination of the method of selecting the person or persons who shall*

- (a) chair the committee; and*
- (b) hold the position of chair for the coming year.*

## Specific Duties and Functions of the Committee

Ok, so we know what the committee is supposed to look like, how it operates, how often it meets, and who exactly should be on it, but the concept of Health and Safety is huge.

**What precisely is the committee supposed to do?** This is critical information. At times employers like to keep this vague so the committee operates in isolation without clear direction. It is not up to the employer to define the committee's mandate – it's the law! We will go through the following section of the Act carefully and clarify each point.

*31 It is the function of the committee to **involve employers and employees together** in occupational health and safety in the workplace and, without restricting the generality of the foregoing*

This is a broad mandate that empowers the committee to involve itself in any matter in the workplace that can be reasonably viewed as affecting health and safety. The problem with broad mandates is that they are vague and leave room for an employer to try and “interpret”. The following provisions will give the committee more clear power:

*31(a) the co-operative **identification of hazards** to health and safety and effective systems to respond to the hazards;*

So the committee must be involved in finding hazards (think reports from workers and work place inspections) and must be involved in the actions that are taken to minimize those hazards. The word “co-operative” is critical. The employer cannot go and do these things by themselves. The committee must be involved in the process. You may want to propose a motion modifying the rules of procedure to stipulate how we will be involved in conducting inspections and reviewing hazard from other workers.

*31 (b) the co-operative **auditing of compliance** with health and safety requirements in the workplace;*

One of the committee's duties is to ensure the workplace is following the requirements of the Act and the regulations made under the Act (full list of regulations at the end). Sidebar here – the employer must provide this information in the workplace for us:

*38(1) Every employer shall*

*(a) make available for examination at the workplace*

*(i) a copy of the **regulations that relate to the workplace**, and..*

*38(b) post in a prominent place or places in the workplace capable of being easily accessed by the employees*

*(i) **a current copy of this Act** . . . and ensure they remain posted.*

31(c) *receipt of and co-operation with the employer in the **investigation and prompt disposition of matters and complaints** with respect to workplace health and safety;*

The committee will receive complaints or concerns from workers and decide when it's necessary to discuss or investigate. (Disagreement between the worker and employer side can be addressed through a motion and a vote as per your rules of procedure.) If the committee finds merit in the complaint or concern, it should result in a written recommendation to the employer.

31 (d) ***participation in inspections, inquiries and investigations** concerning the occupational health and safety of the employees and, in particular, participation in an inspection referred to in Section 50;*

Here is your mandate to participate in proactive inspections of the workplace and investigations where accidents or near misses have occurred. The reference to inspections in "Section 50" refers to the requirement for the committee to be involved when the Department of Labour conducts inspections. Another sidebar:

50 (1) *For the purpose of this Section, "inspection" means a physical inspection of a workplace, or any part or parts of a workplace, pursuant to the powers conferred upon an officer pursuant to Section 47.*

(2) *Where an officer conducts an inspection,*

- (a) *the employer shall give the representative or an employee member of the committee, if any; and*
- (b) *a representative of the employer shall have the opportunity to accompany the officer during the officer's inspection.*

(3) *Where there is no committee member representing employees or representative available, the officer may select one or more employees who shall accompany the officer during the officer's inspection.*

(4) *Where a representative or employee member of the committee is unavailable to accompany the officer during the officer's inspection, the officer shall endeavour to consult with a reasonable number of employees during the inspection.*

As a committee member, it is your right to be involved. Hold your employer to it, hold the Department to it – it's your right; it's the law.

31 (e) ***advising on individual protective devices, equipment and clothing** that, complying with this Act and the regulations, are best adapted to the needs of the employees;*

This is referring to Personal Protective Equipment (PPE). If there is discussion of requiring, changing, or renewing any such equipment (anything from safety boots to respirators) the committee must be given the opportunity to advise the employer.

31 (f) ***advising the employer regarding a policy or program** required pursuant to this Act or the regulations and making recommendations to the employer, the employees and any person for the improvement of the health and safety of persons at the workplace;*

This is a big one and it's in two parts. The Act creates many requirements for different policies or programs, and the committee has the right and duty to advise the employer on them. Even more important is the second part, the power to make recommendations to improve health and safety. This is the single most important action a committee can engage in. Recommendations are not limited to matters already addressed in the Act or Regulations. A committee can make any recommendation it sees fit as long as it relates to the health and safety of workers (more on recommendations soon).

*31 (g) maintaining records and minutes of committee meetings in a form and manner approved by the Director and providing an officer with a copy of these records or minutes on request;*

This requirement is pretty self-explanatory. The committee will keep minutes of its meeting. Under a separate requirement those minutes must be posted in the workplace for everyone to see. The employer must also post the names of committee members. These requirements ensure workers can contact those who represent them on the JOHS committee and they see what the committee is doing on their behalf.

*37 The **employer** shall*

*(a) post and maintain the current names of the committee members or the representative, if any, and the means of contacting them; and*

*(b) post promptly, where there is a committee, the minutes of the most recent committee meeting and ensure they remain posted until superseded by minutes of the next committee meeting. 1996, c. 7, s. 37.*

*31 (h) performing any other duties assigned to it*

*(i) by the Director,*

*(ii) by agreement between the employer and the employees or the union, or*

*(iii) as are established by the regulations. 1996, c. 7, s. 31; 2010, c. 66, s. 8.*

It is not up to the employer to assign additional functions to the committee. As you can see above, any duties in addition to those we just listed must be agreed upon by the employer and the Union. (Note – There are no additional duties assigned by the Director or regulation at this time.)

## Recommendations, Requests, and Provision of Information

We discussed how powerful recommendations from a committee can be but **what happens after the committee makes a recommendation?** The employer is required by law to respond in writing and either accept the recommendation or specify the reasons why they are not accepting them. The written recommendation is the most powerful tool the committee has at its disposal. In the world of health and safety, if it's not documented it didn't happen! Employers are very good at maintaining records and creating paper trails to "cover their butts". If issues are being ignored or not adequately addressed then the written recommendations and the written response from the employer will ensure their "butts" are exposed! Do not underestimate how powerful this kind of pressure can be.

*34(1) An employer who receives written recommendations from a committee or representative and a request in writing to respond to the recommendations, shall respond in writing to the committee or representative within twenty-one days, and the response shall*

- (a) indicate acceptance of the recommendations; or*
- (b) give reasons for the disagreement with any recommendations that the employer does not accept,*

*or, where it is not reasonably possible to provide a response before the expiry of the twenty-one day period, provide within that time a reasonable explanation for the delay, indicate to the committee or representative when the response will be forthcoming, and provide the response as soon as it is available.*

*34(2) Where the committee or representative makes a request pursuant to subsection (1) and is not satisfied that the explanation provided for a delay in responding is reasonable in the circumstances, the chair or co-chairs of the committee, or representative, as the case may be, shall promptly report this fact to an officer. 1996, c. 7, s. 34.*

The committee members can't be everywhere all the time so **how do we ensure the committee is kept up to date by the employer?** The Act requires the employer to provide any information to the committee on any tests or inspections conducted in the workplace. If, for an example, the employer hired someone to advise them on removing asbestos from the workplace then the employer would be compelled to provide to tell the committee and if requested, provide you with a copy of the report.

*35(1) An employer shall notify the committee or representative, if any, of the existence of reports of*

- (a) workplace occupational health or safety inspections; and*
- (b) workplace occupational health or safety monitoring or tests,*

*undertaken at the workplace by, or at the request of, an officer or the employer and, on request, the employer shall make the reports available to the committee or the representative.*

**How would the committee request a report or any other information they need from the employer?** The same way we make a recommendation: in writing with a request for a reply. (At the end of this guide you will find a template letter to request reports and documents from your employer).

*35(3) Within twenty-one days of receiving a request in writing from the committee, representative or, where there is no committee or representative, an employee at a workplace for any information of a health or safety nature other than that specified in subsection (1), the employer shall respond in writing and the response shall*

*(a) provide the requested information; or*

*(b) give reasons for not providing the information, in whole or in part,*

*and where it is not reasonably possible to provide a response before the expiry of the twenty-one day period, provide within that time a reasonable explanation for the delay, indicate to the committee, representative or employee when the response will be forthcoming and provide the response as soon as it is available.*

*(4) Where the committee, representative or employee makes a request pursuant to subsection (3) and is not satisfied that the explanation provided for a delay in responding is reasonable in the circumstances, the chair or co-chairs of the committee, the representative or the employee, as the case may be, shall promptly report this fact to an officer. 1996, c. 7, s. 35.*

**My committee has never made a written recommendation before. How exactly do we do it?**

First, refer to your committee rules of procedure which were discussed in the section on “Basic Committee Requirements” as each committee can develop its own procedure to make and carry a motion. In principle, it’s not much different than one of our Union meetings. In most cases a motion requires someone to make it, often someone to “second it” and then a vote. You do not need to debate your recommendation with the employer within the committee. You can bring it to the committee meeting already drafted and make a motion to have the committee make your recommendation to the employer.

**Ok, so the law says they have to respond to our recommendations and provide us with certain information. What if they won’t?** It is the law, and we have enforcement mechanisms in Nova Scotia. If someone steals your property you call the Police. If someone steals your rights granted by the Act you call the OHS division of the Nova Scotia Department of Labour and Advance Education. For more information please read the section on “Getting Enforcement”.

**What if we know there is a problem but we are not sure how best to address it? How can we make a recommendation if we don't have the answer?** There are two general types of recommendations a committee can make – identifying the problem or suggesting a solution. When identifying a problem the committee is saying, “We have identified this hazard and we recommend the employer does something about it.” When suggesting a solution the committee is saying. “We have identified this problem and we recommend the following solution to address it.” Each format has its own strengths and weaknesses. When broadly identifying a problem, we are leaving the employer a lot of latitude to implement weak or ineffective controls. When we are suggesting a specific solution, we might be making it easy for the employer to dismiss that specific solution for justifiable reasons leaving the problem unaddressed. Depending on the situation your committee is working on, put some thought into what approach will work best for you. Sometimes a combination of both strategies is needed.

## Your Legal Protections

Being an advocate in your workplace is never easy and you may have some justifiable concerns about what protections you have while you're working to keep the rest of your local safe. The bottom line is that the Act protects you from any discipline or discrimination while you fulfill your role on the committee. As you can read below, the protections are broad and cover any situation that can be construed as a punishment. You do not need to go through a grievance procedure for a remedy either. This provision is enforced by the Labour Board and upon receipt of a complaint, it is up to the employer to prove they didn't discriminate against you. You don't need to prove the case. (Note: as Union members you could choose between the Labour Board and the grievance procedure in your collective agreement.)

*45(1) In this Section and in Section 46, "discriminatory action" means an action that adversely affects an employee with respect to terms or conditions of employment or any opportunity for employment or promotion and includes dismissal, layoff, suspension, demotion, transfer of job or location, change in hours of work, coercion, intimidation, imposition of any discipline, reprimand or other penalty including reduction in wages, salary or other benefits, or the discontinuation or elimination of the job of the employee*

*45(2) No employer or union shall take, or threaten to take, discriminatory action against an employee because the employee has acted in compliance with this Act or the regulations or an order or direction made thereunder or has sought the enforcement of this Act or the regulations or, without limiting the generality of the foregoing, because*

*(a) of the participation of the employee in, or association with, a committee or the employee has sought the establishment of a committee or performed functions as a committee member;*

*(b) of the association of the employee with a representative or the employee has sought the selection of a representative or performed functions as a representative;*

*(c) the employee has refused to work pursuant to subsection 43(1);*

*(d) the employee has sought access to information to which the employee is entitled by this Act or the regulations, or has been assigned the role of observer pursuant to Section 42;*

*(e) the employee has testified or is about to testify in any proceeding or inquiry pursuant to this Act or the regulations; or*

*(f) the employee has given information to the committee, a representative, an officer or other person concerned with the administration of this Act or the regulations with respect to the*

*health and safety of employees at the workplace, unless the employer or union, as the case may be, establishes that such action is solely motivated by legitimate business reasons.*

*45(3) On an inquiry into a complaint pursuant to Section 46 alleging that there has been a failure by an employer or a union to comply with subsection (2), the burden of proving that there has been no such failure is upon the employer or the union, as the case may be. 1996, c. 7, s. 45.*

## Getting Enforcement

This may not surprise you but not all employers are compliant with the Act and regulations all the time. You may also recall from the section “Specific Functions and Duties of the Committee” that one of the mandatory duties of the JOHS committee is “*the co-operative **auditing of compliance with health and safety requirements in the workplace***”. Translation: the committee is tasked with ensuring the employer is in compliance with the Act and Regulations. We can point out instances of non-compliance to our employers, and in most cases, the situation should be resolved; however, there will be cases where we need enforcement. The Occupational Health and Safety Act, and the regulations made under it, are enforced by Occupational Health and Safety Officers at the OHS Division of the Department of Labour and Advanced Education.

It is important to know what we can and cannot have enforced. Officers can enforce the specific requirements in the Act, regulations, or a code of practice (see the section “Acts, Regulations, and Codes of Practice” for more details on each). Some examples are – if an employer is not responding to recommendations of the committee as required by the Act, or not providing respiratory protection in situation where it is required by the Occupational Safety General Regulations, or if they are conducting asbestos abatement and not following the Removal of Friable Asbestos Containing Materials code of practice. In those situations you can call in an officer for enforcement. Officers can only enforce the law.

An officer can’t enforce common sense or good ideas. Your good ideas will become recommendations from the JOHS committee, not enforceable by law, but they do put significant pressure on an employer and make it impossible for them to ignore the issues.

When you call in an Officer it helps if you can clearly articulate for them what section(s) of the Act or regulations are being violated. The more concise you are, the more likely we will get the speedy resolution you’re looking for. A member of the JOHS committee also has the right to accompany the Officer when they are in your workplace.

*50(1) For the purpose of this Section, "inspection" means a physical inspection of a workplace, or any part or parts of a workplace, pursuant to the powers conferred upon an officer pursuant to Section 47. (2) Where an officer conducts an inspection,*

*(a) the employer shall give the representative or an employee member of the committee, if any; and*

*(b) a representative of the employer shall have the opportunity to accompany the officer during the officer's inspection.*

Note that the Act requires the employer to give you the “opportunity” to accompany the Officer. It is your right. Do not be dissuaded.

## Acts, Regulations, and Codes of Practice

An **Act** is a law passed by a government. Our discussions have centered on Nova Scotia's Occupational Health and Safety Act (OHS Act). The Act established broad responsibilities for employers.

A **Regulation** is made under a specific Act and stipulates the specific actions an employer must take to meet their broad responsibility under the Act.

A **Code of Practice** is a document that employers have been ordered to follow by the Director of the OHS Division of the Department of Labour. They are enforceable just like a regulation and while one may be issued for a specific workplace they are generally made to apply in all workplaces. (Example – we do not have regulations on Asbestos Abatement in Nova Scotia but there is a Code of Practice that must be followed when an employer engages in such an operation.)

(Note: The documents that are most commonly used have been italicized for ease of use.)

### Act

*Occupational Health and Safety Act*

[http://nslegislature.ca/legc/statutes/occph\\_s.htm](http://nslegislature.ca/legc/statutes/occph_s.htm)

### Regulations

*Occupational Health and Safety First Aid Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohsfirst.htm>

*Occupational Safety General Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohsgensf.htm>

*Temporary Workplace Traffic Control Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohs17291.htm>

*Violence in the Workplace Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm>

*Workplace Hazardous Materials Information System Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohs6489.htm>

*Blasting Safety Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohsblasting.htm>

*Disclosure of Information Regulations*

<http://www.gov.ns.ca/just/regulations/regs/ohs6589.htm>

Fall Protection and Scaffolding Regulations

<http://www.gov.ns.ca/just/regulations/regs/ohs296f.htm>

Occupational Diving Regulations

<http://www.gov.ns.ca/just/regulations/regs/ohsodive.htm>

Occupational Health Regulations

<http://www.gov.ns.ca/just/regulations/regs/hpaohs.htm>

Occupational Health and Safety Administrative Penalties Regulations

<http://www.gov.ns.ca/just/regulations/regs/ohspenalties.htm>

Occupational Health and Safety Appeal Panel Regulations

<http://www.gov.ns.ca/just/regulations/regs/ohs2597.htm>

Underground Mining Regulations

<http://www.gov.ns.ca/just/regulations/regs/ohsmine.htm>

### **Codes of Practice**

Managing Asbestos in Buildings

<http://www.gov.ns.ca/lae/kb/questions/120/Managing+Asbestos+in+Buildings%3A+Code+of+Practice>

Removal of Friable Asbestos Containing Materials

<http://www.gov.ns.ca/lae/kb/questions/119/Removal+of+Friable+Asbestos+Containing+Materials%3A+Code+of+Practice>

Working with Inorganic Lead

<http://www.gov.ns.ca/lae/kb/questions/132/Working+with+Inorganic+Lead+-+Code+of+Practice>

## Health and Safety Recommendation to the Employer

(Date)

Attention: (Name of Senior Manager)  
(Name of Employer/Organization)  
(Address of applicable worksite)

Pursuant to sections 31(a), and 31 (f) of the *Occupational Health and Safety Act*, our functions as the Joint Occupational Health and Safety Committee of (*insert name of worksite*) include the identification of hazards and making recommendations to the employer for the improvement of the health and safety of persons at the workplace.

As such, we have identified the following (*act, condition, hazard, danger*) \_\_\_\_\_ and make the following recommendation(s) to ensure the health and safety of all persons in our workplace \_\_\_\_\_.

Pursuant to section 34(1) of the *Occupational Health and Safety Act*, an employer who received a written recommendation from the Joint Occupational Health and Safety Committee is required to provide a response, in writing, within twenty one days. We anticipate your response will contain the information required by sections 34(1)(a) and (b) indicating acceptance of the recommendations or providing reasons for disagreement with any recommendations that are not accepted.

\_\_\_\_\_, Employee Co-Chair  
\_\_\_\_\_, Employer Co-Chair

*(Note: Ideally a motion properly passed by the committee should be signed by both co-chairs even if the employer chair did not support the motion. However, the recommendation can proceed without their signature; just ensure that the minutes of the meeting reflect that the motion to make the recommendation was passed by the committee.)*

## Request for Information Pertaining to Health and Safety

(Date)

Attention: (Name of Senior Manager)  
(Name of Employer/Organization)  
(Address of applicable worksite)

Pursuant to sections 31(a) and 31 (d) of the *Occupational Health and Safety Act*, our functions as the Joint Occupational Health and Safety Committee of (insert name of worksite) include the identification of hazards and participation in inspections, inquiries and investigations concerning the occupational health and safety of the employees.

As such, we have identified that we required the following (information/report/test results) in order to fulfill our mandate:

(Insert required information, report or test results here)

Pursuant to section 35(3) of the *Occupational Health and Safety Act*, an employer who received a written request from the Joint Occupational Health and Safety Committee is required to provide the information within twenty one days or give reasons for not providing the information, in whole or in part.

\_\_\_\_\_, Employee Co-Chair  
\_\_\_\_\_, Employer Co-Chair

(Note: Ideally a motion properly passed by the committee should be signed by both co-chairs even if the employer chair did not support the motion. However, the request can proceed without their signature; just ensure that the minutes of the meeting reflect that the motion to make the recommendation was passed by the committee.)

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