

DETERMINING IF A HEALTH AND SAFETY COMMITTEE OR REPRESENTATIVE IS REQUIRED

Health and safety committee requirements

Employer-wide HSCs

An employer who has a total of 20 or more full or part time workers, and work that is expected to last 90 days or more must establish an HSC (*OHS Act* s. 16(1a)).

Multiple employer work sites

A work site with two or more employers/self-employed persons and work that is expected to last 90 days or more requires an HSC if there is a total of 20 or more full or part-time workers on the site. If there is a prime contractor on the work site, they must establish the HSC. If there is no prime contractor, all employers and self-employed persons at the site must coordinate establishing the HSC (*OHS Act* s. 16(2)).

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

Where a union exists, the HS representative must be appointed in accordance with the constitution of the union that is the certified bargaining agent or has acquired bargaining rights on behalf of those workers (*OHS Act* s. 17(2)). If there is no union, a representative must be designated.

Note that as per OHS legislation, supervisors and employers cannot serve as HS representatives.

Employer-wide HS representatives

An employer who has one or more work sites, and work that is expected to last 90 days or more must designate a worker HS representative if the employer has 5 to 19 full or part-time workers.

Multiple employer work sites

A work site with two or more employers/self-employed persons and work that will likely last 90 days or more requires an HS representative if there are 5 to 19 full or part-time workers in total at the site. If there is a prime contractor on the work site, they must coordinate the appointment of an HS representative for the site. If there is no prime contractor, all employers and self-employed persons at the site must coordinate appointing an HS representative together (*OHS Act* s. 17(3)).

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

Multiple employer work site decision tree

