

WorkSafe Services

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Services de travail sécuritaire

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July 28, 2006

"The Employer"

This is in reply to the employer's letter received July 4, 2006 where the employer has requested a Deviation from Section 14 (1) of the *OHS Act*. As the employer is aware, Section 14 (1) requires employers to establish a JHSC where there are twenty or more employees regularly employed at a place of employment.

According to the employer's letter, the employer has four locations with 20 or more employees which as required by Section 14 (1) of the *Act* would require its own JHSC. The employer also indicates that the employer has forty-seven locations with less than 20 employees and that the current set up at the employer's premises is that the employer has established one Committee to represent four locations with 20 or more employees and the other 47 locations, which are not required to have a JHSC.

The current JHSC structure is comprised of three bargaining and four non-bargaining employees. The Committee meets monthly in different locations around the Province, which the employer believes, gives members an opportunity to visit the various locations and speak in person with the employees. In addition, the employer states that there is good communication and relations between the employees with Committee members and all health and safety issues are reviewed and resolved in a timely manner. Minutes are posted on the employer's intranet for all employees to review at any time.

Furthermore, the employer indicates the employer currently has 799 employees and a reported 27 claims including 9 lost time in 2006. The number of claims reported in 2006 is significantly less than the 93 claims including 18 lost time claims reported in 2005.

As a result of the above, it is the employer's opinion that the current structure and Committee representation adequately meets the needs of the employees thus the request for a deviation.

Before a decision is rendered on the employer's request, the Chief Compliance Officer would like to attend one of the employer's JHSC meetings to discuss this matter further. Please provide the dates, time and location of the employer's next few meetings so that affected Commission staff can attend one of the meetings that are convenient to both the employer and WHSCC.

By copy of this letter, the Chief Compliance Officer has advised the WHSCC staff and the Co-chairs of the JHSC of the decision.

Yours truly,

Chief Compliance Officer

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