

Alberta OHS Compliance Alert: New/Old JHSC Rules Take Effect



In the name of cutting red tape, Alberta's Conservative government has reversed some significant changes to OHS joint health and safety committee (JHSC) rules contained in the Bill 30 legislation that took effect in June 2018.

Pop Quiz

ABC Ltd., an Alberta manufacturing company has 3 small plants, each containing 7 workers.

Question 1: Must ABC Ltd. establish a JHSC'

Answer: Yes, because under Section 16(a) of the Alberta *OHS Act*, an employer must have a JHSC if it employs 20 or more workers at a site where work is expected to last more than 90 days.

Question 2: How many JHSCs must ABC Ltd. establish'

Answer: On January 31, the rules dictating the answer to that question officially changed.

- **Previous Rule:** Employers that employed 20 or more workers at sites expected to last longer than 90 days had to have a JHSC *at each of its sites*. Thus, ABC Ltd. had to establish a JHSC at each of its 3 plants.
- **New Rule:** Employers that employ 20 or more workers at sites expected to last longer than 90 days must have a JHSC *for its company*. Thus, ABC Ltd. need establish a single JHSC representing workers at each of its 3 sites.

Same for Safety Representatives

The same principles apply to health and safety representatives, which are required at Alberta sites lasting longer than 90 days where 5 to 19 workers are employed by the employer. Thus, for example, if ABC Ltd. had 5 rather than 7 workers at each of its 3 plants, it would need just one safety rep for the entire company, as opposed to one safety rep at each plant under the old rules.

Prime Contractor JHSC Rules Not Changing

What *hasn't* changed is the requirement that prime contractors, i.e., contractors in charge of safety and OHS compliance at construction or energy at site where workers employed by multiple employers work, have a JHSC *at each site* with 20+ workers where work is expected to last longer than 90 days and a health and safety rep *at each site* with 5 to 19 workers expected to last longer than 90 days.

JHSC Training Change

Under previous rules, JHSC co-chairs in Alberta had to complete 2 modules of specialized training:

- Part 1: A 2-hour prerequisite course providing a general overview of OHS rights and duties and JHSC functions: and
- Part 2: A course of 6 to 8 hours delivered by designated trainer providing details about JHSC functions.

The new “red tape cutting” rules eliminate the need for Part 1 training.