

Which Workplaces Must Establish a JHSC?



While joint health safety committees (JHSCs) and health and safety representatives (safety reps) are mandatory in all jurisdictions, the rules governing when they're required at a particular worksite vary by jurisdiction. Here's a rundown of each jurisdiction's rules.

JHSC/HSR Requirements Across Canada

JURISDICTION	JHSC REQUIRED	SAFETY REP REQUIRED
FEDERAL	At each workplace employer controls with 20 or more normally employed employees (unless workplace is a ship or MOL grants an exemption) [<i>Can Labour Code</i> , Sec. 135(1)]	At each workplace employer controls with fewer than 20 normally employed employees (unless workplace is a ship or Ministry grants an exemption) [<i>Can Labour Code</i> , Sec. 136(1)]
ALBERTA	Prime contractor must establish JHSC <u>at each site</u> it controls with 20 or more workers where work expected to last at least 90 days unless Director grants exemption [<i>OHS Act</i> , Section 16(2)] Employer must establish JHSC <u>for entire company</u> if it employs 20 or more workers where work expected to last at least 90 days unless Director grants exemption [<i>OHS Act</i> , Section 16(1)]	Prime contractor must establish safety rep <u>at each site</u> it controls with 5 to 19 workers where work expected to last at least 90 days unless Director grants exemption [<i>OHS Act</i> , Section 17(2)] Employer must establish safety rep <u>for entire company</u> if it employs 5 to 19 workers where work expected to last at least 90 days unless Director grants exemption [<i>OHS Act</i> , Section 17(1)]
BRITISH COLUMBIA	At each workplace employer controls where 20 or more of its workers are regularly employed; WorkSafeBC may order or OK multiple or overlapping JHSCs at same site [<i>Workers' Comp Act</i> , Sec. 125]	At each workplace employer controls where 9 to 19 of its workers are regularly employed or any other workplace WorkSafeBC orders [<i>Workers' Comp Act</i> , Sec. 139]

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MANITOBA	<p>Employer: At each workplace where 20 or more of its workers are: i. regularly employed; or, ii. involved in work expected to last at least 90 days; any other workplace Board orders (1) [<i>Workers' Health & Safety Act</i>, Sec. 40(1)]</p> <p>Prime Contractor: At each construction project involving 20 or more workers where work expected to last longer than 90 days [<i>Workers' Health & Safety Act</i>, Sec. 40(3)]</p>	<p>Employer: At each workplace, other than a construction project, where 5 or more workers are regularly employed that's not required to have a JHSC [<i>Workers' Health & Safety Act</i>, Sec. 41(1)(a)]</p> <p>Prime Contractor: At each construction project even if it has a JHSC [<i>Workers' Health & Safety Act</i>, Sec. 41(1)(b)]</p> <p>At each workplace the Board orders [<i>Workers' Health & Safety Act</i>, Sec. 41(1)(c)]</p>
NEW BRUNSWICK	<p>Employer: At each workplace with 20 or more regularly employed employees other than a construction project site [<i>OHS Act</i>, Section 14(1)]</p> <p>Medium Project Site Contractor: At any site for which contractor is responsible where work expected to last longer than 90 days with 30 to 499 employees [<i>OHS Act</i>, Section 14(3)]</p> <p>Large Project Site Contractor: At any site for which contractor is responsible with 500 or more employees at any given time [<i>OHS Act</i>, Section 14(4)]</p>	<p>Employer: At each workplace with 5 to 19 regularly employed employees other than a construction project site if OHS policy provides for safety rep or WorkSafeNB orders [<i>OHS Act</i>, Section 17(1)]</p> <p>Project Site Contractor: At any site for which contractor is responsible with: i. 5 to 29 employees regardless of how long work lasts; or ii. 30 to 499 employees expected to last longer than 90 days [<i>OHS Act</i>, Section 17.1]</p>
NEWFOUND.	At each workplace with 10 or more employed workers [<i>OHS Act</i> , Section 37]	At each workplace with 9 or fewer employed workers [<i>OHS Act</i> , Section 41]
NOVA SCOTIA	<p>Employer: At each workplace with 20 or more regularly employed persons</p> <p>Constructor: At each project site with 20 or more regularly employed persons [<i>OHS Act</i>, Section 29(1)]</p>	<p>Employer: At each workplace with 5 to 19 regularly employed persons [<i>OHS Act</i>, Section 33(1)]</p> <p>Constructor: At each project site with 5 to 19 regularly employed persons [<i>OHS Act</i>, Section 33(2)]</p> <p>Any workplace with fewer than 5 regularly employed persons if Director orders [<i>OHS Act</i>, Section 33(3)]</p>

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ONTARIO	<p>Employer: At each workplace with 20 or more regularly employed workers or fewer than 20 if workplace is subject to <i>Designated Substance Reg.</i> or MOL orders JHSC for site [<i>OHS Act</i>, Section 9(2)]</p> <p>Constructor: At project site where work expected to last longer than 3 months that has 20 or more regularly employed workers or fewer than 20 if workplace is subject to <i>Designated Substance Reg.</i> or MOL orders JHSC for site [<i>OHS Act</i>, Sections 9(1) + (2)]</p>	<p>Employer: At each workplace where no JHSC is required where number of workers regularly exceeds 5 (or for which MOL orders safety rep) [<i>OHS Act</i>, Section 8(2)]</p> <p>Constructor: At project site where work expected to last longer than 3 months for which no JHSC is required and where number of workers regularly exceeds 5 (or for which MOL orders safety rep) [<i>OHS Act</i>, Section 8(1)]</p>
PRINCE EDWARD ISLAND	<p>Employer: At each workplace with 20 or more persons regularly employed by employer, or for which Director orders a JHSC [<i>OHS Act</i>, Section 25(1)]</p> <p>Constructor: At each project with 20 or more persons regularly employed by a constructor for which work is expected to last longer than 3 months, or for which Director orders a JHSC [<i>OHS Act</i>, Section 25(2)]</p>	<p>Employer: At each workplace where no JHSC is required with 5 or more persons regularly employed by employer, or for which Director orders a safety rep [<i>OHS Act</i>, Section 26(1)]</p> <p>Constructor: At each project where no JHSC is required with 5 or more persons regularly employed by a constructor for which work is expected to last longer than 3 months, or for which Director orders a safety rep [<i>OHS Act</i>, Section 26(2)]</p>
QUEBEC	<p>At any establishment employing more than 20 workers and listed as a site requiring a JHSC in Schedule 1 of the OHS regulations [<i>OHS Act</i>, Section 68]</p>	<p>*In any workplace with a JHSC, at least 1 member must be designated as safety rep to act independently of JHSC [<i>OHS Act</i>, Section 87]</p> <p>* In any establishment listed as a site requiring a JHSC in Schedule 1 of the OHS regulations, regardless of how many workers, the union (or 10% of workers if there is no union) may designate safety rep for site, as long as it/they provide employer + CNESST written notice [<i>OHS Act</i>, Section 88]</p>

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SASKATCHEWAN	<p>Employer: At every place of employment where 10 or more workers of one employer work, or for which Director orders JHSC [<i>Sask. Employment Act</i>, Section 3-22(1)]</p> <p>Contractor: At every construction site where 10 or more workers or self-employed persons work or are expected to work and for which work is expected to last longer than 90 days, or for which Director orders JHSC [<i>OHS Regs.</i>, Section 38]</p>	<p>Employer: At every place of employment where fewer than 10 workers of one employer work [<i>Sask. Employment Act</i>, Section 3-24(1)]</p> <p>Contractor: At any place of employment listed in Table 7 of the Appendix to the Regs. where more than 4 but fewer than 10 workers of one employer work [<i>OHS Regs.</i>, Section 45]</p>
NORTHWEST TERRITORIES + NUNAVUT	At each workplace where 20 or more workers work or are likely to work more than 90 days, or for which Chief Safety Officer orders JHSC [<i>OHS Regs.</i> , Section 37]	At each workplace with fewer than 20 workers and no JHSC [<i>OHS Regs.</i> , Section 39]
YUKON	At each employer workplace where 20 or more workers are regularly employed for more than one month; Chief industrial safety officer + chief mines safety officer can grant exemptions or order JHSCs at sites with <20 workers [<i>OHS Act</i> , Section 12(20)]	At each employer workplace where a JHSC isn't required depending on number of workers and workplace's hazard classification: "A" hazard: 5 or more workers at workplace "B" hazard: 10 or more workers at workplace "C" hazard: 15 or more workers at workplace [<i>OHS Act</i> , Section 13(1)]