

Which Workplaces Must Establish a JHSC?



While joint health and 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.

Go to the [OHS Insider](#) for a complete [JHSC laws compliance Game Plan.](#)

JHSC/HSR Requirements Across Canada

FEDERAL

JHSC REQUIRED:

At each workplace employer controls with 20 or more normally employed employees (unless workplace is a ship or MOL grants an exemption) [Can Labour Code, Sec. 135(1)].

SAFETY REP REQUIRED:

At each workplace employer controls with fewer than 20 normally employed employees (unless workplace is a ship or Ministry grants an exemption) [Can Labour Code, Sec. 136(1)].

ALBERTA

JHSC REQUIRED:

Employer must establish JHSC for site where it employs 20 or more workers or where Director designates the site as requiring a JHSC [*OHS Act*, Section 13(1)].

SAFETY REP REQUIRED:

Employer must establish safety rep at any site where it employs 5 to 19 workers or where Director designates site as requiring a safety rep [*OHS Act*, Section 14(1)].

Prime contractor must designate a person in writing for purposes of ensuring cooperation between the employer and workers in respect to health and safety and implementing a system to address the matters set out in section 13(6) [*OHS Act*, Section 7(b)].

BRITISH COLUMBIA

JHSC REQUIRED:

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 [*Workers' Comp Act*, Sec. 31].

SAFETY REP REQUIRED:

At each workplace employer controls where 9 to 19 of its workers are regularly employed or any other workplace WorkSafeBC orders [*Workers' Comp Act*, Sec. 45].

MANITOBA

JHSC REQUIRED:

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) [*Workers' Health & Safety Act*, Sec. 40(1)].

Prime Contractor: At each construction project involving 20 or more workers where work is expected to last longer than 90 days [*Workers' Health & Safety Act*, Sec. 40(3)].

SAFETY REP REQUIRED:

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 [*Workers' Health & Safety Act*, Sec. 41(1)(a)]. **Prime Contractor:** At each construction project even if it has a JHSC [*Workers' Health & Safety Act*, Sec. 41(1)(b)] At each workplace the Board orders [*Workers' Health & Safety Act*, Sec. 41(1)(c)].

NEW BRUNSWICK

JHSC REQUIRED:

Employer: At each workplace with 20 or more regularly employed employees other than a construction project site [*OHS Act*, Section 14.3(1)].

Medium Project Site Contractor: At any site for which contractor is responsible where work is expected to last longer than 90 days with 30 to 499 employees [*OHS Act*, Section 14(3)].

Large Project Site Contractor: At any site for which

contractor is responsible with 500 or more employees at any given time [OHS Act, Section 14.4(2)].

SAFETY REP REQUIRED:

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 [OHS Act, Section 17(1)]. **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 [OHS Act, Section 17.1(1)].

NEWFOUNDLAND

JHSC REQUIRED:

At each workplace with 20 or more employed workers [OHS Act, Section 37].

SAFETY REP REQUIRED:

At each workplace with 19 or fewer employed workers [OHS Act, Section 41].

NOVA SCOTIA

JHSC REQUIRED:

Employer: At each workplace with 20 or more regularly employed persons.

Constructor: At each project site with 20 or more regularly employed persons [OHS Act, Section 29(1)].

SAFETY REP REQUIRED:

Employer: At each workplace with 5 to 19 regularly employed persons [*OHS Act*, Section 33(1)].

Constructor: At each project site with 5 to 19 regularly employed persons [*OHS Act*, Section 33(2)]. Any workplace with fewer than 5 regularly employed persons if Director orders [*OHS Act*, Section 33(3)].

ONTARIO

JHSC REQUIRED:

Employer: At each workplace with 20 or more regularly employed workers or fewer than 20 if workplace is subject to *Designated Substance Reg.* or MOL orders JHSC for site [*OHS Act*, Section 9(2)]. **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 *Designated Substance Reg.* or MOL orders JHSC for site [*OHS Act*, Sections 9(1) + (2)].

SAFETY REP REQUIRED:

Employer/Constructor: At each workplace where no JHSC is required where number of workers regularly exceeds 5 (or for which MOL orders safety rep) [*OHS Act*, Sections 8(1) and 8(2)].

PRINCE EDWARD ISLAND

JHSC REQUIRED:

Employer: At each workplace with 20 or more persons regularly employed by employer, or for which Director orders a JHSC [*OHS*

Act, Section 25(1)].

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 [OHS Act, Section 25(2)].

SAFETY REP REQUIRED:

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 [OHS Act, Section 26(1)]. **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 [OHS Act, Section 26(2)].

QUÉBEC

JHSC REQUIRED:

At any establishment employing more than 20 workers and listed as a site requiring a JHSC in Schedule 1 of the OHS regulations [OHS Act, Section 68].

SAFETY REP REQUIRED:

*In any workplace with a JHSC, at least 1 member must be designated as safety rep to act independently of JHSC [OHS Act, Section 87].

* 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 [OHS Act, Section 88].

SASKATCHEWAN

JHSC REQUIRED:

Employer: At every place of employment where 10 or more workers of one employer work, or for which Director orders JHSC [*Sask. Employment Act*, Section 3-22(1)].

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 [*OHS Regs.*, Section 38].

SAFETY REP REQUIRED:

Employer/Contractor: At every 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 [[*Sask. Employment Act*, Section 3-24(1); *OHS Regs.*, Section 4-8(1)].

NORTHWEST TERRITORIES & NUNAVUT

JHSC REQUIRED:

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 [*OHS Regs.*, Section 37].

SAFETY REP REQUIRED:

At each workplace with fewer than 20 workers and no JHSC [*OHS Regs.*, Section 39].

YUKON

JHSC REQUIRED:

At each workplace where 20 or more workers are regularly employed; Board can order JHSCs at other sites [WSC Act, Section 36].

SAFETY REP REQUIRED:

An employer that's not required to establish and maintain a committee at a workplace must ensure that at least one worker health and safety representative is selected for the workplace: (a) when the number of workers regularly employed by the employer is 5 or more but fewer than 20; or (b) if required by order of the Board [WSC Act, Section 39(1)].