

# Ask The Expert: Can an Owner's Relative Be the Workplace Health & Safety Representative?



## QUESTION

In Ontario, is a person allowed to serve as workplace health and safety representative if he's related to the owner of the company?

## ANSWER

Yes under the letter of the law; no under the spirit.

## EXPLANATION

In Ontario and most other jurisdictions, an individual is eligible to serve as a workplace health and safety representative if he/she:

- Is a worker at the workplace;
- Is chosen by the workers; and
- Doesn't exercise management functions.

Technically, being a relative of the owner wouldn't automatically disqualify the person. But reading between the lines, the clear intent of the law is to ensure that the health and safety rep is a person that can be expected to act as an independent and effective advocate of the workers. So, I think it's safe to say that making family members reps looks suspicious.