

Employer Must Disclose Ergonomics Assessment Report to JHSC



After a worker was injured, the employer hired a consultant to do an ergonomics assessment. The resulting report contained recommendations on how to prevent future injuries. The employer didn't give the report to the JHSC out of privacy concerns. A health and safety officer ordered the employer to do so, but it challenged the order. The OHS Tribunal noted that the OHS law required employers to provide the results of hazard assessments to the JHSC. The fact the ergonomics assessment was done by a consultant doesn't relieve the employer of this duty. And because the report didn't qualify as a 'medical record,' privacy concerns were unfounded [*Foreign Affairs and International Trade-Passport Canada v. Public Service Alliance of Canada*, [2013] OHSTC 17, May 6, 2013].