

# Employer Needn't Give Risk Assessment to Safety Committee until Appeal Decided



A worker complained to the MOL after his employer refused to provide a copy of the site hazard assessment to the workplace safety committee. The MOL officer issued a direction to correct an OHS violation ordering the employer to hand over the report. The employer refused and filed an appeal. Question: Should the order be stayed, i.e., frozen, until the appeal was resolved? The federal OHS Tribunal said yes for 3 reasons:

1. The issue to be decided was important and not 'frivolous'
2. The assessment contained sensitive information that would harm the employer if disclosed
3. The employer showed that it would implement adequate health and safety measures if the stay was granted that would remain in place until the appeal was decided

[*Canada Border Services Agency v. Public Service Alliance of Canada*, 2019 OHSTC 6 (CanLII), March 4, 2019].