

# Required OHS Training for JHSC Members & Health & Safety Representatives



In addition to the regular training required to do their jobs safely and effectively, workers who serve on JHSCs or as health and safety representatives must get training and instruction to perform their roles and responsibilities as a JHSC member or safety rep. Such training, which is mandatory in 11 jurisdictions, typically addresses:

- The jurisdiction's OHS Act and regulations;
- The JHSC's functions and duties;
- Preparation to perform hazard assessment and control, workplace inspections and investigations, work refusals and other JHSC functions;
- The rights and responsibilities of JHSC members;
- JHSC procedures and meetings; and
- JHSC recommendations.

Here's a summary of the JHSC/safety rep. training rules in each jurisdiction:

**FEDERAL:** Employer must: i. Ensure committee members and health and safety reps. get prescribed health and safety training and are informed of their OHS responsibilities (*Can. Labour Code*, Sec. 125(1)(z.01); ii. Develop above training in consultation with committee/rep.; and iii. Review it at least every 3 years or sooner if changes in circumstances suggest revision is necessary (*Committee/Reps. Reg.*: Sec. 14(1)).

**ALBERTA:** Employer or prime contractor must: i. Ensure committee co-chairs and/or health and safety reps. get training in duties and functions; ii. Let members or reps. who give reasonable notice take leave for health and safety training of up to 16 hours or hours worked in 2 regular shifts, whichever is greater (*OHS Act*, Sec. 29); iii. Training must be provided by approved trainer following approved training criteria (*OHS Code*, Sec. 201).

**BC:** i. Committee members get annual education leave of up to 8 hours and health and safety reps. get up to 4 hours to take WorkSafeBC-approved courses with no loss of pay or benefits (*Workers' Comp. Act*, Sec. 135); ii. In addition to education leave, members must get at least 8 hours and reps. at least 4 hours of instruction and training on JHSC duties and functions and other issues listed in Sec. 3.27(4) of Regs. as soon as practicable and no later than 6 months after designation unless member or rep. already received the required training in the past 2 years, e.g., as a result of being on a different committee; iii. Employer must ensure that it gets a training record from the trainee as soon as

practicable after training is completed and keeps that record for at least 2 years after he/she stops being a committee member or rep. (*OHS Regs.*, Sec. 3.27).

**MANITOBA:** i. Employer or prime contractor must ensure committee members and/or health and safety reps. are trained to perform their duties competently (*WSH Act*, Secs. 40(13), 41(8), respectively); ii. Members and reps. get annual education leave of up to 16 hours or 2 normal work shifts, whichever is greater, to take approved training with no loss of pay or benefits; iii. No education leave for committee members at construction or seasonal sites (*WSH Act*, Sec. 44).

**NEW BRUNSWICK:** Employer must ensure: i. Committee members at non-construction sites have taken a JHSC education training program meeting *Training & Designated Trades Reg.* (Reg.) criteria before designation or take one within 12 months of designation (*OHS Act*, Sec. 14.1); ii. Committee members at construction sites have taken a JHSC education training program meeting Reg. criteria before designation (unless they served on a construction site committee within past 12 months) (in other words, can't be taken after designation) (*OHS Act*, Sec. 14.5); and iii. Health and safety reps. at construction sites have taken a JHSC education training program meeting Reg. criteria before designation (unless they served on a construction site committee within past 12 months) (*OHS Act*, Sec. 17.1); iv. Approved training must be delivered by WorkSafeNB or a certified trainer, last at least 3 days and cover topics listed in Sec. 17(2) of Reg; v. Worker must receive dated certification from WorkSafeNB upon successful completion of training (*Training & Designated Trades Reg.*, Secs. 2-4).

**NEWFOUNDLAND:** i. If 50 or more workers at workplace, employer must provide and pay for training of committee members (*OHS Act*, Sec. 38.1(1)); ii. If 10 to 49 workers, employer must provide and pay for training of committee co-chairs (*OHS Act*, Sec. 38.1(2)); iii. If less than 10 workers, employer shall provide and pay for training of health and safety rep. (*OHS Act*, Sec. 41); iv. In all cases, training must meet WorkplaceNL criteria.

**NOVA SCOTIA:** Sec. 13(1)(c) of *OHS Act* requires employer to provide "such additional training of committee members or the representative as may be prescribed by the regulations." However, the regulations **don't** prescribe any special training for JHSC members or reps. although such training is recommended by govt. guidelines.

**ONTARIO:** i. Employer or constructor must ensure at least one committee member representing workers and one representing management are certified, i.e., successfully complete certification training (*OHS Act*, Sec. 9(12)); ii. Exception: Certification not required at construction projects with fewer than 50 regularly employed workers or that are expected to last less than 3 months (*OHS Act*, Sec. 9(14)); iii. Certification not required for health and safety reps. although employer or constructor must ensure reps. gets training necessary to perform their functions effectively (*OHS Act*, Sec. 8(5.1)); iv. Certification training must be provided by approved trainer and consist of 2 parts: Part 1, 19.5 hours of general training; and Part 2, 13 hours for trainees to apply concepts of hazard recognition, assessment, and control, and evaluation of hazard controls to at least 6 specific workplace hazards; v. Certification must be renewed at least once every 3 years by completing approved refresher training course of at least 6.5 hours.

**PRINCE EDWARD ISLAND:** Sec. 12(2)(c) of *OHS Act* requires employer to provide such additional training of committee members as may be prescribed by the regulations. However, the regulations **don't** prescribe any special training for JHSC members although such training is recommended by govt. guidelines.

**QUÉBEC:** OHS Act and regs. don't address training of JHSC members or health and safety reps. other than to say that a safety rep. may take time off work to participate in approved training programs without loss of pay (no such parallel provision for JHSC members) (*OHS Act*, Sec. 91).

**SASKATCHEWAN:** i. Employer must ensure reps. get training on their functions and duties; ii. Employer or contractor must ensure committee co-chairs get training on their functions and duties; iii. In addition to above training, employer or contractor must let a committee member or rep. that provides reasonable notice up to 5 working days per year to attend OHS training programs, seminars or courses (*OHS Regs.*, Sec. 46) with no loss of pay or benefits; Govt. guidelines also recommend that alternate co-chairs also get training in their functions and duties.

**NORTHWEST TERRITORIES/NUNAVUT:** i. Employer must ensure committee co-chairs get training in committee functions and duties and health and safety reps. get training in a rep.'s functions and duties (*OHS Regs.*, Sec. 51); ii. JHSC members, co-chairs and reps. can attend training courses, programs or seminars without loss of pay or benefits, as long as training is provided by WSCC or WSCC-approved provider; iii. WSCC Guidelines 6.4.1 recommend that alternate co-chairs also get training in their functions and duties.

**YUKON:** Employer must orientate committee co-chairs and health and safety reps. to their functions and duties within 90 days of selection and let them participate in a government-approved training course as soon as such a course is available to them after their selection [*OHS Act*, Sec. 14].