

Periodic Medical Certification of Workers Using Respirators Is Overkill



Under OHS regulations, employers must ensure that workers who have to use respirators are examined by a physician to verify their medical fitness to do so at least once a year. An electrochemical company wanted to go further and require workers to complete medical assessment questionnaires and undergo certification review by a medical professional periodically during the year. The union grieved and the case went to binding mediation. The BC mediator agreed that while the safety objective was legitimate, the program requirements were overkill. Resolution: The employer should drop its questionnaire and certification requirements except in cases where annual medical screening and fit testing indicates they're necessary to monitor a specific medical situation. And in that situation, the employer should pay workers 2 hours pay for attending the certification exam [[Unifor Local 697 v Chemtrade Electrochem Inc.](#), 2020 CanLII 91859 (BC LA), November 10, 2020].