

Responding to JHSC Recommendations



If your Joint Health and Safety Committee (JHSC) makes a recommendation, how your management team responds says a lot about your organization's safety culture.

Unfortunately, many employers still treat JHSC recommendations like "suggestion box" items – nice to have, but optional. That's not only short-sighted, it's potentially **non-compliant with Canadian OHS law**.

Under every jurisdiction's OHS Act, employers have a **legal duty to respond in writing** to any formal recommendation from the JHSC or safety representative – usually within a defined period (for example, **21 days in Ontario** under s.11 of the JHSC Regulation). Failure to do so can expose the company to penalties and, more importantly, send a message that the company doesn't take worker input seriously.

Let's break down **why the management response matters, how to do it properly**, and **the most common mistakes to avoid**.

Why The JHSC Recommendation Process Matters

The JHSC isn't just an internal committee – it's a legally recognized mechanism that connects workers and management in identifying and controlling hazards.

When a JHSC submits a recommendation, it's not just an opinion; it's an official notice that a potential hazard, deficiency, or improvement opportunity has been identified through inspections, investigations, or meeting discussions.

Responding properly demonstrates three things:

1. Due Diligence:

A written, timely response shows that management has considered the issue, assessed the risk, and taken action. It's key evidence of due diligence if a Ministry inspector later asks, "What did you do when the committee raised this concern?"

2. Worker Engagement:

Workers notice when their committee's recommendations are acknowledged and acted on. A strong, transparent response encourages ongoing participation and trust in the safety process.

3. Compliance Assurance:

Regulators can and do check how employers handle JHSC recommendations. In several provinces, failure to respond can be treated as an OHS violation – especially if an unresolved hazard later causes injury.

What The Law Requires (By Jurisdiction)

While all provinces expect management to address committee recommendations, the timelines and formats vary:

- **Ontario:** Written response required within 21 days of receiving the recommendation. The response must indicate whether management *accepts or rejects* the recommendation, explain why, and specify any corrective action and timelines.
- **BC:** The employer must respond in writing "as soon as practicable" and state what actions will be taken or, if

none, why not.

- **Alberta, Manitoba, Saskatchewan, Federal, and others:** Require management to consider and respond "promptly," often documented in meeting minutes.
- **Québec & Atlantic provinces:** Typically expect a written acknowledgment and tracking through JHSC minutes, even if not explicitly time-bound.

In short: **no jurisdiction allows silence.** A formal response is a compliance obligation, not a courtesy.

The Right Way To Respond: A Step-By-Step Guide

1. Review and Assess the Recommendation

The first step is to treat every recommendation seriously – even if it seems minor. Review the issue, assess the risk, and determine if it requires engineering, administrative, or procedural control.

Example: The JHSC recommends adding anti-slip mats near the packaging line after several near-misses involving spilled lubricant.

In this case, a manager should review incident reports, talk to maintenance, and determine the best corrective action – such as installing mats, improving spill response, or upgrading floor coatings.

2. Decide: Accept, Partially Accept, or Reject

Not every recommendation must be accepted exactly as written. However, any rejection must be **justified with solid reasoning** – ideally supported by legislation, standards, or evidence.

For instance, if a JHSC recommends replacing all forklifts with electric models to reduce emissions, management might partially accept by committing to a phased replacement plan,

or reject with an explanation that ventilation improvements will control exhaust instead.

Avoid the temptation to issue vague responses like "We'll look into it." Regulators interpret that as non-action.

3. Respond in Writing – Clearly and Within the Deadline

Every management response should be:

- **Written:** Either in memo form or documented in official minutes.
- **Timely:** Within the required window (21 days in Ontario, or "as soon as practicable" elsewhere).
- **Structured:** Clearly state the decision and supporting rationale.

A simple structure works best:

- "We have reviewed the recommendation."
- "We accept it and will take the following actions by [date]."
- OR "We cannot implement this recommendation because [reason] but will implement the following alternative measures."

4. Assign Responsibilities and Timelines

If you accept or partially accept, specify who will carry out each action, and by when. Attach it to a corrective action tracker or safety improvement log so it's not forgotten.

5. Communicate Back to the Committee

Send your written response to both JHSC co-chairs. Ideally, present it at the next meeting and include it in the official minutes. That ensures transparency and creates a permanent record.

6. Verify and Follow Up

Finally, ensure the action was actually completed – and that it worked. The JHSC should verify effectiveness during the next inspection or meeting and record closure.

Common Mistakes To Avoid

1. Ignoring or Delaying the Response

The most frequent – and costly – mistake is not responding within the required period. In Ontario, inspectors routinely issue compliance orders when employers exceed the 21-day window or fail to respond entirely.

Even outside Ontario, delay shows poor safety culture and weak due diligence. When something goes wrong, investigators will ask, *"Was this issue raised before?"*

2. Providing Vague or Non-Committal Answers

Phrases like *"We'll review," "Under consideration,"* or *"Budget pending"* do not meet the legal standard for a written response. Your answer must specify what will or will not be done, why, and by when.

3. Responding Without Consultation

Sometimes, management writes a response without involving the operational supervisors or the maintenance department actually responsible for implementing it. This leads to promises that can't be fulfilled or actions that miss the root cause.

Always collaborate with those closest to the work.

4. Rejecting Without Evidence

Rejecting a recommendation is allowed – but only with justification. Saying *"We don't think it's necessary"* isn't enough. You need data, inspection reports, or compliance evidence (e.g., CSA or OHS regulation references) to support your reasoning.

5. Failing to Communicate Outcomes

Even if corrective actions are taken, failing to loop back to the JHSC undermines trust. Workers may assume management ignored them, even when improvements were made. Always confirm completion and record it in the minutes.

6. Treating It as a Paper Exercise

Some employers create beautiful forms and binders – but the process ends there. A management response should lead to tangible risk reduction. Regulators and courts care about actions, not paperwork.

7. Not Keeping Documentation

Every response should be archived – ideally for at least three years or for the life of the JHSC file. When an incident occurs, these records often become key evidence showing that management responded and took corrective action.

Case In Point: When Failing To Respond Backfires

In a recent Ontario arbitration (2025 CanLII 86379), a food processing plant dismissed its worker co-chair after he warned others about a possible water contamination issue. The arbitrator ruled it was a wrongful termination and illegal reprisal – partly because the company's communication with the JHSC had been inconsistent and dismissive.

The takeaway? Failing to respect or formally respond to JHSC concerns doesn't just risk compliance orders – it can escalate to **labour relations disputes and reputational damage**.

In another case, an Ontario manufacturing company was fined after inspectors found multiple unaddressed JHSC recommendations related to machine guarding. The Ministry noted that management's responses were "verbal only" and never

documented. That lack of written follow-up counted as non-compliance.

Best Practices For Effective Management Responses

1. Use a Standard Template

Create a consistent form that captures the date received, summary of the recommendation, management's decision, rationale, assigned responsibility, timeline, and verification.

(If you don't already have one, see the sample template provided earlier.)

2. Track Progress in a Central Log

Maintain a JHSC recommendation tracker – ideally integrated into your OHS management system – with columns for dates, actions, and status (open, in progress, closed).

3. Communicate Transparently

Discuss responses during JHSC meetings, not just via email. Hearing the rationale directly helps prevent misunderstanding.

4. Document Alternatives Clearly

If a recommendation isn't feasible, propose a reasonable alternative. For instance, instead of replacing an entire ventilation system, you might increase maintenance frequency or add local exhaust.

5. Use the Feedback Loop for Continuous Improvement

Treat JHSC recommendations as an internal audit tool. Each one highlights a gap or opportunity in your system – valuable insight for your next OHS management review.

The Bigger Picture: Building A

Culture Of Respect And Action

A well-functioning JHSC is one of the best early-warning systems a company can have. But it only works if management closes the loop.

When leaders respond promptly, provide rationale, and follow through, it sends a message:

"We listen. We act. We care."

That message doesn't just satisfy regulators – it boosts morale, strengthens engagement, and prevents injuries.

In contrast, dismissing or ignoring JHSC input tells workers their voices don't matter – eroding the very foundation of internal responsibility that Canadian OHS systems are built on.

Final Takeaway

Management's response to a JHSC recommendation isn't just a bureaucratic step. It's a **legal obligation, a test of safety culture, and a cornerstone of due diligence.**

The best organizations don't see it as a burden – they see it as an opportunity to demonstrate leadership, accountability, and care for their people.

So next time your JHSC raises a concern, don't just reply – respond. Show that the system works, from committee table to boardroom.

Management Response to JHSC

Recommendation

Workplace: _____

Date Received from JHSC: _____

Recommendation # / Reference: _____

1. Description Of Jhsc Recommendation

Provide a concise summary of the issue or hazard identified and the corrective action(s) proposed by the JHSC.

Example: "The JHSC recommends installation of additional machine guarding on the west press line to prevent worker contact with moving components."

2. Management Review And Assessment

Responsible Manager/Supervisor: _____

Date Reviewed: _____

Assessment Summary:

- ☐ Recommendation accepted in full
- ☐ Recommendation accepted in part
- ☐ Recommendation rejected

Provide rationale and relevant considerations:

Example: "Accepted in full. Risk of entanglement identified. Engineering controls feasible within budget. Implementation scheduled."

OR

"Rejected. Guarding already meets CSA Z432 standards; however, refresher training on safe work procedures will be conducted."

3. Actions To Be Taken

Action Item	Responsible Person	Target Completion Date	Status

4. Communication To JHSC

Date Response Sent to JHSC: _____

Method: ☐ Written memo ☐ Email ☐ Meeting minutes ☐ Other:

JHSC Acknowledgement:

☐ JHSC accepts management response

☐ JHSC requests further review

Date Acknowledged by JHSC Co-Chair(s): _____

5. Follow-Up Verification

(To be completed by JHSC at next meeting or inspection)

Verification Date: _____

Findings:

Example: "Guarding installed and operational. Hazard controlled. Closed."

Verified by:

Worker Co-Chair _____ Management Co-Chair

Retention: Keep a copy of this completed form in the JHSC meeting file and management safety action log for at least **3 years** (or as required by jurisdiction).