

# Health and Safety Committees

## Health and Safety Committee - Creation

### On this page

[How are members on the committee selected?](#)

[What is the ratio of management to labour members on the committee?](#)

[How do I know if the members of the committee are representative of the workplace?](#)

[Are members trained or certified in health and safety?](#)

[Do members have to have relevant work experience or training?](#)

[How long does one person serve on the committee?](#)

[What is the safety professional's role with the HS Committee?](#)

[Can there be more than one committee in a workplace?](#)

[Are members compensated for time spent on committee activities?](#)

[Can the employer take discriminatory action against a committee member?](#)

[Is there a need to post and maintain records and documents of the meetings?](#)

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## How are members on the committee selected?

A health and safety committee consists of worker (employee) and management members. Health and safety legislation specifies how the members of the committee are to be selected. Consult the legislation applicable to your workplace. Generally, the management members are selected by the management (employer). The worker members are selected by other workers or by the union (if there is one).

**Note:** In Canada the name of the health and safety committee varies from one jurisdiction to another (see table below). In the following sections, we will refer to them simply as the committee.

<b>Table 1</b>	
<b>Title of Health and Safety Committee</b>	
<b>Jurisdiction</b>	<b>Title</b>
Canada: Federal	Work place health and safety committee
British Columbia	Joint health and safety committee
Alberta	Joint health and safety committee
Saskatchewan	Occupational health committee
Manitoba	Workplace safety and health committee
Ontario	Joint health and safety committee
Quebec	Health and safety committee
New Brunswick	Joint health and safety committee
Nova Scotia	Joint occupational health and safety committee
Prince Edward Island	Joint occupational health and safety committee
Newfoundland and Labrador	Occupational health and safety committee
Yukon	Joint health and safety committee
Northwest Territories	Joint occupational health and safety committee
Nunavut	Joint occupational health and safety committee

Please refer to the following OSH Answers documents for more information about health and safety committees:

- [Health and Safety Committee – What is a Health and Safety Committee](#)
- [Health and Safety Committee – Effective and Efficient](#)
- [Health and Safety Committee – Measuring Effectiveness](#)
- [Health and Safety Committee – Structure of Meetings](#)

## What is the ratio of management to labour members on the committee?

The laws typically state that there should not be more management members on the committee than worker members.

## How do I know if the members of the committee are representative of the workplace?

The legislation or collective agreement may specify a minimum or maximum number of members usually dependent on the number of workers at the site. Too few workers may mean that all segments of the workforce are not represented, while too many members may make the committee hard to manage, resulting in more debate and less action. In deciding the ideal committee size, consider:

- Total number of workers.
- Number of different trades or unions involved.
- Complexity of the operation(s).
- Degree of hazard in the work.
- Whether all segments of the workforce are represented (management, supervisors, male workers, female workers, office staff).
- Whether the committee encompasses adequate knowledge of conditions, processes, or practices.

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## Are members trained or certified in health and safety?

Members should be adequately trained in health and safety in order for them to contribute fully to all committee activities. In some jurisdictions, safety training or certification is required by law for employer and worker members. Items in such training should include:

- Committee responsibilities and authority
- Occupational health and safety law
- Principles of incident causation
- [Hazard recognition](#)
- [Hazard control](#)
- [Job safety analysis](#)
- [Occupational \(industrial\) hygiene](#)
- Methods of raising safety awareness
- [Inspections](#)
- Incident or injury [investigation](#)
- Effective oral communication

**Table 2**  
**Health and Safety Committee: Training Requirements**

<b>Jurisdiction</b>	<b>Requirement</b>	<b>Reference to OHS Legislation</b>
Canada, Federal	<p>Canada Labour Code, Part II</p> <p>125 (1)(z.01) ensure that members of policy and work place committees and health and safety representatives receive the prescribed training in health and safety and are informed of their responsibilities under this Part;</p> <p>14 (1) For the purposes of paragraph 125(1) (z.01) of the Act, training for members of policy and work place committees and health and safety representatives must be developed by the employer after consultation with the committees or representatives concerned and must include the following aspects:</p> <p>(a) the Act and any regulations made under it;</p> <p>(b) the means that allow the committee members and the health and safety representatives to fulfill their responsibilities under the Act;</p> <p>(c) the rules of each of the committees; and</p> <p>(d) the principles of consensus building regarding health and safety issues.</p> <p>(2) The health and safety training program must be reviewed and updated at least once every three years, and whenever there is a change of circumstances that may affect the content of the training.</p>	<p><i>Canada Labour Code, Part II (R.S.C. 1985, c. L-2) Section 125 (1)(z.01)</i></p> <p><i>Policy Committees, Work Place Committees and Representatives Regulations (SOR/2015-164) Part 3 Section 14</i></p>
British Columbia	<p>41(1) Each member of a joint committee is entitled to an annual educational leave totalling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.</p> <p><i>3.27 Minimum training requirements for new joint committee members or worker health and safety representatives</i></p>	<p><i>Workers Compensation Act (R.S.B.C. 1996, c. 492) Part 2 Division 5 Section 41(1)</i></p>

**Table 2**  
**Health and Safety Committee: Training Requirements**

Jurisdiction	Requirement	Reference to OHS Legislation
	<p>(2) The employer must ensure that each member of the employer's joint committees who was selected on or after April 3, 2017 to be a member receives, as soon as practicable but no more than 6 months after becoming a member, a total of at least 8 hours of instruction and training, as set out in subsection (4).</p> <p>(3) The employer must ensure that the worker health and safety representative at each of the employer's workplaces who was selected on or after April 3, 2017 to be a representative receives, as soon as practicable but no more than 6 months after becoming a representative, a total of at least 4 hours of instruction and training, as set out in subsection (5).</p>	<p><i>Occupational Health and safety Regulation</i> (B.C. Reg. 296/97) Part 3 Section 3.27</p>
Alberta	<p>Training</p> <p>An employer must ensure that members of a joint health and safety committee or a health and safety representative are trained in the following:</p> <p>(a) the roles and responsibilities of co-chairs and members on joint health and safety committees and health and safety representatives;</p> <p>(b) the obligations of work site parties;</p> <p>(c) the rights of workers.</p>	<p><i>Occupational Health And Safety Code</i> (Reg. 191/2021) Section 201</p>
Saskatchewan	<p>.. an employer shall ensure that the representative receives training respecting the duties and functions of a representative... an employer or contractor shall ensure that the co-chairpersons of the committee receive training respecting the duties and functions of a committee.</p>	<p><i>Occupational Health and Safety Regulations, 2020</i> Section 4-9(1)(2)</p>
Manitoba	<p>...every employer... must allow each member of the committee, the representative, or their respective designates, to take educational leave each year, without loss of pay or benefits, for the</p>	<p><i>Workplace Safety And Health Act</i> (R.S.M. 1987, c. W210) Section 44 (1)</p>

**Table 2**  
**Health and Safety Committee: Training Requirements**

Jurisdiction	Requirement	Reference to OHS Legislation
	purpose of attending workplace safety and health training seminars, programs or courses of instruction...	
Ontario	Unless otherwise prescribed, a constructor or employer shall ensure that at least one member of the committee representing the constructor or employer and at least one member representing workers are certified members.	<i>Occupational Health And Safety Act</i> (R.S.O. 1990, c.0.1) Section 9 (12)
Quebec	... to participate in training programmes of such content and duration as are approved by the Commission. Registration, travel and accommodation expenses are borne by the Commission, in accordance with the regulations	<i>Act respecting occupational health and safety</i> (R.S.Q., c. S-2.1) Section 91
New Brunswick	An employer shall ensure that each person who is designated to serve on a joint health and safety committee (a) has attended an educational program as prescribed by the regulations, or (b) attends an educational program prescribed by the regulations within twelve months after being designated, if the person has not attended such program.	<i>Occupational Health And Safety Act</i> (A.N.B. 1983, c. O-0.2), Section 14.1 (2)
Nova Scotia	An employee who is a member of a committee is entitled to such time off from work as is necessary to attend meetings of the committee, to take any training prescribed by the regulations and to carry out the employee's functions as a member of the committee, and such time off is deemed to be work time for which the employee shall be paid by the employer at the applicable rate.	<i>Occupational Health And Safety Act</i> (S.N.S. 1996, c.7) Section 30 (6)
Prince Edward Island	A worker who is a member of a committee is entitled to take the necessary time off from work to attend meetings of the committee, to take training prescribed by the regulations and to carry out the worker's functions as a member of the committee.	<i>Occupational Health and Safety Act</i> (S.P.E.I. 2004, c.42) Section 25 (10)

**Table 2**  
**Health and Safety Committee: Training Requirements**

Jurisdiction	Requirement	Reference to OHS Legislation
Newfoundland and Labrador	Where 50 or more workers are employed at a workplace, the employer shall provide and pay for training for the members of the occupational health and safety committee at the workplace... Where 10 to 49 workers are employed at a workplace, the employer shall provide and pay for training for the co-chairpersons of the occupational health and safety committee at the workplace.	<i>Occupational Health and Safety Act</i> (R.S.N.L. 1990, c. O-3) Section 38.1 (1, 2)
Yukon	An employer or prime contractor, as applicable, must...orient committee members, committee co-chairs and worker health and safety representatives to their duties within 30 days after the date of their selection...ensure that, within six months after the date of their selection, the committee co-chairs and worker health and safety representatives are trained to perform their duties competently... ensure that, within six months after the date of their selection, at least one worker representative committee member is competently trained to participate in investigations of serious incidents, injuries, deaths and refusals of unsafe work	Workers' Safety and Compensation Act (S.Y. 2021), Part 3 Division 3 Section 41
Northwest Territories	...the employer shall ensure that the co-chairpersons of the Committee receive training respecting the duties and functions of the Committee... the employer shall ensure that the representative receives training respecting the duties and functions of the representative.	<i>Occupational Health and Safety Regulations</i> (R-039-2015) Part 4 Section 51(1)(2)
Nunavut	...the employer shall ensure that the co-chairpersons of the Committee receive training respecting the duties and functions of the Committee... the employer shall ensure that the representative receives training respecting the duties and functions of the representative.	<i>Occupational Health and Safety Regulations</i> (R-003-2016) Part 4 Section 51(1)(2)

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## Do members have to have relevant work experience or training?

Legislation does not require specific qualifications for a committee member. However, workers with varied work backgrounds and those involved in hazardous and complex operations will usually be able to contribute to the committee activities. Some jurisdictions have established mandatory training or a minimum amount of training or education hours for committee members.

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## How long does one person serve on the committee?

In some Canadian jurisdictions, the term of office is specified. Where it is not specified, the term of office should be specified in the terms of reference for your committee. The term of office should strike a balance between a short term where a large number of people are introduced to the committee and safety and too long when enthusiasm may fade. No matter how long the term is, a staggered rotation is suggested so that new members come in while others continue such that no more than one-half of the committee is new at any given time.





**Table 3**  
**Term of Office for HS Committee Members**

<b>Jurisdiction</b>	<b>Requirement</b>
British Columbia <i>Workers Compensation Act</i>	131. (1) Subject to this Part and the regulations, a joint committee must establish its own rules of procedure, including rules respecting how it is to perform its duties and functions.
Alberta <i>Occupational Health and Safety Code</i>	197 An employer must ensure each joint health and safety committee develops written terms of reference  (a) outlining the process to select co-chairs,  (b) outlining the process for selecting worker members to the committee to ensure worker members are representative of the workers for that employer,  (c) establishing a term of office for committee members,  (d) outlining the frequency for regular committee meetings and how meeting records will be maintained,  (e) outlining processes for conducting meetings, and forwarding health and safety concerns to the attention of the employer,  (f) establishing a process to replace a member during the member's term of office
Saskatchewan <i>Occupational Health and Safety Regulations</i>	4-2(1) An employer or contractor who is required to establish a committee shall:  (a) in designating the members:  (i) select persons to represent the employer or contractor on the committee; and (ii) ensure that there is a sufficient number of members representing workers on the committee to equitably represent groups of workers who have substantially different occupational health and safety concerns; and  (b) designate members for a term not exceeding three years. (2) Members of a committee hold office until a successor is designated, and may be re-designated for a second or subsequent term.

**Table 3**  
**Term of Office for HS Committee Members**

<b>Jurisdiction</b>	<b>Requirement</b>
<p>Manitoba <i>Workplace Safety and Health Regulation</i></p>	<p>3.2 (1) A committee member is to serve for a term of two years and continues to hold office until reappointed or re-elected or until a successor is appointed or elected.</p> <p>(2) Despite subsection (1), if a union exists and the union's constitution specifies a term of office for worker members of the committee, the term of office of the worker member is the term specified in the union's constitution.</p>
<p>Ontario Guide for Joint Health and Safety Committees (JHSCs) and Representatives in the Workplace</p>	<p>The Act does not specify requirements relating to the terms of committee members. The Ministry of Labour recommends a term of at least one year. Where there is more than one worker member and one employer member, terms should be staggered to allow continuity. Vacancies should be filled as quickly as possible.</p>
<p>Quebec <i>Regulation respecting health and safety committees</i></p>	<p>29. The workers' and employer's representatives on a committee shall perform their duties as long the employer, the certified association or the group of workers not represented by the certified association that appointed them remains authorized to do so and as long as they have not been replaced by the latter.</p>
<p>New Brunswick</p>	<p>Although there are no legal requirements for terms of reference for JHSCs, WorkSafeNB recommends that the committee define their mandate, composition, functions in a written terms of reference or policy.</p>
<p>Nova Scotia <i>Occupational Health and Safety Act</i></p>	<p>30. (7) A committee shall establish its own rules of procedure and shall adhere to the applicable regulations.</p> <p>(9) The rules of procedure established pursuant to subsection (7) shall include an annual determination of the method of selecting the person or persons who shall</p> <p>(a) chair the committee; and (b) hold the position of chair for the coming year.</p> <p>(10) Where agreement is not reached on</p> <p>(a) the size of the committee; (b) the designation of employees to be members; or</p>

<b>Table 3</b> <b>Term of Office for HS Committee Members</b>	
<b>Jurisdiction</b>	<b>Requirement</b>
	(c) rules of procedure,  the Director shall determine the matter.
Prince Edward Island <i>Occupational Health and Safety Act</i>	25. (12) A committee shall establish its own rules of procedure.
Newfoundland and Labrador <i>Occupational Health and Safety Act</i>	No specific reference to length of office/renewal of term
Yukon	No specific reference to length of office/renewal of term
Northwest Territories	No specific reference to length of office/renewal of term
Nunavut	No specific reference to length of office/renewal of term

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## What is the safety professional's role with the HS Committee?

Those individuals with safety expertise, such as safety professionals, safety engineers, fire marshals, occupational health nurses, or occupational (industrial) hygienists might serve as health and safety coordinators or resource persons who are available to help the committee. The duties of a qualified individual include:

- Informing employers and workers of workplace hazards.
- Ensuring control measures are in place to protect workers against these hazards.

The committee should not be controlled by (or seen as controlled by) those with safety expertise, nor should the presence of this person on the committee create an unbalanced ratio between worker and employer representation.

The functions of the coordinator and the committee are closely intertwined, and their relationship must be clearly defined to prevent misunderstanding and conflict. It would seem logical that the coordinator should attend every committee meeting, but their role at these meetings may be that of resource person, advisor, or guest. For the purposes of determining attendance and quorum, it must be agreed on what the role of this individual will be on the committee (e.g., ex officio, observer, voting member)

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## Can there be more than one committee in a workplace?

Depending on the number of workers, complexity of operations, or different locations, it may be appropriate to have more than one committee. In very large organizations, a tiered system of committees with a hierarchical reporting arrangement may be in place. For example, the Policy Health and Safety Committee in the Federal jurisdiction plays this role. This structure has the advantage of assuring full representation without too many members on a single committee.

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## Are members compensated for time spent on committee activities?

A committee member is entitled to take time from their regular work duties in order to carry out committee-related responsibilities. In some jurisdictions, this time is a legislated right (with pay) and includes time allocation to prepare for the meeting, the meeting itself, and any related activities (such as workplace inspections). With shiftwork, this provision is especially important to ensure full attendance at meetings and that all committee tasks are carried out.

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## Can the employer take discriminatory action against a committee member?

Reprisals against a health and safety committee member is against the law. An employer, any person acting on behalf of the employer, or any union cannot take discriminatory action against any worker because that person participates in the functions of the committee.

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## Is there a need to post and maintain records and documents of the meetings?

Minutes of all health and safety committee meetings are required. Some jurisdictions may require the use of specific forms. Some may require that the minutes be forwarded directly to the jurisdiction while others state the records must be made available when a government official or officer requests them. Regardless, keeping a good record of the activities and discussions of the health and safety committee is necessary to help ensure that each concern and resolution is documented. Minutes must also maintain confidentiality for individuals.

Minutes of meetings are generally circulated to all committee members after approval by both health and safety committee co-chairpersons. One copy should be posted in a prominent place in the workplace and the original kept with the records of the committee. It is recommended that the minutes be circulated to committee members and posted within a week of the meeting.

Minutes should be kept for a period of time. Some jurisdictions require this time to be at least 2 years.

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