



## **Occupational, Health & Safety Committee Members' Guide**

A pro-active approach to participating  
and committing to your workplace  
OH&S Committee

November 8, 2016

## **Saskatchewan Employment Act (SEA)**

### **PART III Occupational Health and Safety**

#### **DIVISION 3 - Duties**

##### **3-1 (1) Interpretation/definitions**

- (o) "Occupational health and safety" means:**
  - (i) the promotion and maintenance of the highest degree of physical, mental and social well-being of workers**
    - This definition reflects the language included in the "General duties of the employer" section of the Act, whereby every employer shall ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers.
    - Note that the term "welfare" has significant meaning, throughout this legislation.
- (r) "Occupational health committee" means an occupational health committee established pursuant to section 3-22 or the regulations made pursuant to this part**
  - The definitions of "practicable" and "reasonably practicable" found in this section also require some consideration, as these are mentioned throughout the legislation

##### **3-8 General duties of employer, whereby every employer shall:**

- Ensure, consult and cooperate, make a reasonable effort to resolve, in a timely manner
- The employer is responsible for providing information to the committee members at their request (3-16)
- eg. Queen's Printer material, such as the previously provided occupational health and safety: committee manual
- The employer is responsible for providing occupational health and safety programs, as indicated in (3-20)



## **Division 4 – Occupational Health Committees**

### **3-22 (1) Establishment of Committees**

- It is generally understood that every employer will assure that their workplace OH&S committees have been established in accordance with this part of the Act.
- Since SGEU members are present in these workplaces, the provisions in 3-22 (4) (b) would be a requirement. Understandably(c), in workplaces such as Health, it would be the unions determining the make-up of any committees established.

### **3-25 (1) Duty to post names**

- The employer is responsible for assuring committee members' names are posted in "conspicuous" locations at the workplace. Generally accepted locations include lunchroom bulletin boards, common areas where other general notices are posted.

### **3-27 (1) Duties of committees**

- The legislation clearly allows fulsome participation in all matters related to the health and safety of workers at the place of employment.

## **Division 5 – Right to Refuse Dangerous Work; Discriminatory Action**

- The Committee becomes involved whenever a worker is dissatisfied of the employer's suggested remedy to resolve any such situation. Details are clearly outlined in the Regulations

## **The Occupational Health and Safety Regulations, 1996**

### **PART II – Notice Requirements**

- Generally, the OH&S committee members require notification whenever an accident occurs which causes "serious bodily injury", or is deemed a "dangerous occurrence". Aside from notifying the OH&S Division, the worker co-chairperson is required to be provided a copy of the report.
- Sections 8(1) and 9(1)

### **PART III – General Duties**

- As identified in the Act, the duties of the employer include, that they ensure, as far as is reasonably practicable, the health, safety and welfare of the workers. Section 12
- Also, copies of the Act and Regulations are to be provided by the employer, for reference by the workers. Section 15
- During inspections, or investigations by an officer, a worker member is allowed to accompany the officer. Section 20
- Workplace inspections should occur on a frequent basis, whereby the committee decides. Section 28
- Investigations mentioned in the Act, whereby the committee has a right to participate. Sections 29, 30 and 31
- Harassment policies and policies on violence require co-development with the committee. Sections 36 and 37

### **PART IV – Committees and Representatives**

- Committee members should be designated to “equitably represent groups of workers with substantially different concerns”. Note, this is under the employer’s obligation, and reflects on the employer side of the committee only. Section 39
- Three years may be extended over and over again. Section 39 (2)
- The quorum requirements give the worker committee members an ability to clearly provide worker-friendly recommendations to the employer. Section 40 (Note the provisions in 40 (3), regarding work refusals)
- Meetings are to be held no less than once every 3 months. Section 41
- Minutes of committee meetings are to be posted at the workplace for review by the workers. Section 42
- The co-chairpersons duties are of equal responsibility. The co-chairperson will be allowed ample time, during normal working hours, at no loss of pay or benefits, to discharge their duties. Section 43
- Special meetings may be called, however, there would need to be some pressing requirement. Section 44



- **Training is the obligation of the employer. Take the employer up on this obligation whenever possible. The employer is responsible for 5 working days per year of training, provided the training is “conducted or provided by the division or by an approved training agency”. Section 46**
- **Duties of committee members are such that they are to be conducted during normal working hours, without loss of pay or benefits. Section 48**

**Resources for committee members can be found at the following links:**

**[www.worksafesask.ca](http://www.worksafesask.ca)**

- **This site will provide access to the following training, with calendars and locations of upcoming sessions:**
- **Level 1 OHC, Level 2 OHC, Supervisor and safety workshop, Level 1 Train the trainer, and Level 2 Train the trainer.**

**Queen's Printers sells the Occupational Health and Safety: Committee Manual for \$15. Each (bound copies). Remember, the employer is obligated to provide these to you upon request.**