



## Responsibilities of workplace safety and health committees and representatives in Manitoba

This document lists what the Manitoba law says workplace safety and health committees and representatives are to be consulted about and what information they should get. Part A lists the topics that committees and reps have to be consulted about. Part B provides a list of documents that committees and reps are supposed to receive when requested by or required by law. Part C lists the other responsibilities committees and reps have.

columns together. The first names the part of the law and the second explains what it says. The third column is where you can “translate” what the law says into what should happen in your workplace. What does the legal requirement mean, in practical terms, for you as a committee member or rep? The fourth column lists who else should be involved. You might have something to add there. The last column gives you a way to check how well the responsibility is dealt with.

To use this tool, look at the first and second

**Act** = Workplace Safety and Health Act W210    **WSH reg** = Workplace Safety and Health Regulation MR 217/2006

<b>Part A - Be consulted about ...</b>				
<b>The law</b>	<b>says committees and reps are supposed to ...</b>	<b>which means in practical terms ...</b>	<b>Who else is involved?</b>	<b>We do (not) do this (yet)</b>
<i>Act</i> s. 4(2)(e) s. 5 (c)	... and get co-operation to carry out, their responsibilities and functions.		Employer Workers	
<i>Acts.</i> 7.4(6)	.. what goes into the workplace health and safety program		Employer	
<i>WSH Reg.</i> s. 2.2	.. developing and implementing any “safe work procedures” required by the WSH regulation. Topics include: <ul style="list-style-type: none"> <li>- chemical or biological substances that may be health or safety hazards</li> <li>- compressed air</li> <li>- confined spaces</li> <li>- cranes and hoists</li> <li>- demolition work</li> <li>- diving</li> <li>- electrical work</li> <li>- elevated work platforms, falsework and flyforms</li> </ul>		Employer Supervisors Workers	

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<b>Part A - Be consulted about ...</b>				
<b>The law</b>	<b>says committees and reps are supposed to ...</b>	<b>which means in practical terms ...</b>	<b>Who else is involved?</b>	<b>We do (not) do this (yet)</b>
<i>WSH Reg.</i> s. 2.2 (cont'd)	<ul style="list-style-type: none"> <li>- explosives</li> <li>- fall protection</li> <li>- fire and explosive hazards</li> <li>- fire fighting</li> <li>- forestry and arboriculture</li> <li>- health care's infectious hazards (including those found in a laundry), patient handling and lasers</li> <li>- heat and cold</li> <li>- the use of machines, tools and robots</li> <li>- musculoskeletal injuries (ergonomics)</li> <li>- overhead electrical lines</li> <li>- personal protective equipment (PPE)</li> <li>- pile drivers</li> <li>- powered mobile equip.</li> <li>- work on ice</li> <li>- precast concrete work</li> <li>- radiation</li> <li>- roof work</li> <li>- building &amp; using temporary structures</li> <li>- trenches/excavations</li> <li>- welding &amp; related work</li> <li>- well drilling, operating or servicing</li> <li>- working alone/in isolation</li> <li>- working in traffic</li> </ul>		Employer Supervisors Workers	
<i>WSH Reg.</i> s. 36.2(1)	... assessing all information the employer has about chemical or biological substances in the workplace. The assessment must be done to figure out if the substance is a health or safety hazard for any worker. This also must be done when the employer gets new information about the substances.		Employer	

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<i>WSH Reg.</i> s. 21.2(2)	.. where there are hazardous, irritating or corrosive substances in the workplace. If any are found, the employer must provide emergency washing facilities.		Employer Worker(s)	
<i>WSH Reg.</i> s. 35.3(2), s. 35.3(4)	... developing & implementing WHMIS training. The training must be evaluated at least once a year in consultation with the committee. *		Employer Worker(s)	
<i>WSH Reg.</i> s. 6.12	... letting certain workers use soft-soled, slip-resistant protective footwear without puncture-proof plates in the soles and toecaps.		Employer Worker(s)	
<i>WSH Reg.</i> s. 10.1(2)	...preparing a harassment prevention policy.		Employer Worker(s)	
<i>WSH Reg.</i> s. 5.9	... what's needed in the way of first aid when the regulation doesn't properly deal with an occupational health hazard		Employer	
<i>WSH Reg.</i> s. 11.1(1)	... identifying and assessing violence hazards in the workplace.		Employer Worker(s)	
<i>WSH Reg.</i> s. 9.1	... identifying the hazards facing workers who are working alone or in isolation.		Employer Worker(s)	

\* WHMIS is the Workplace Hazardous Materials Information System. The national "right to know" system includes requirements about material safety data sheets or MSDSs, labels and training.

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<b>Part B - Get copies of ...</b>				
<b>The law</b>	<b>says committees and reps are supposed to ...</b>	<b>which means in practical terms ...</b>	<b>Who else is involved?</b>	<b>We do (not) do this (yet)</b>
<i>Act</i> s. 36.6(1)	... an improvement/stop work order given to their workplace.		Safety & Health Officer	
<i>WSH Reg.</i> s. 36.6(3)	... records about health and safety measurements made in the workplace. (There are rules about when and how this monitoring is to be done, when, by whom, etc. There also are rules about what's to be in the report.) The records have to be kept for 30 years.		Employer	
<i>WSH Reg.</i> s. 12.6(3)	... the annual report about preventing and reducing noise exposures, and statistics about the hearing tests done. The employer must provide it within 30 days of finishing the report.		Employer	
<i>Act</i> s. 7.4(7)	... the finished workplace health and safety program, if they ask for it.		Employer	
<i>WSH Reg.</i> s. 5.5(4)	... the list of first aiders. If committee asks for it, employer must provide the list.		Employer	
<i>Act</i> s. 35(c)	... reports explaining how problems listed in improvement orders will be fixed. The orders come from government inspectors (SHOs). They say that the law have been broken (contravened) and things must change.		Employer (or whom-ever gets an improvement order) Safety & Health Officer (SHO)	
<i>Act</i> s. 41.2	... (a) information about tests done on equipment or tools, or for chemical or biological substances; (b) reports about health and safety inspections or investigations; and (c) reports about health and safety monitoring or audits (e.g. tests for things in the air, evaluations of procedures), if the committee asks for them.		Employer	

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<b>Part C - Committee/rep - other responsibilities</b>				
<b>The law</b>	<b>says committees and reps are supposed to ...</b>	<b>which means in practical terms ...</b>	<b>Who else is involved?</b>	<b>We do (not) do this (yet)</b>
<i>WSH Reg.</i> s. 3.2(1)	Be members for two years at least. Individual members may stay on the committee until they are re-appointed or re-elected, or someone is chosen to replace them.		Employer Union	
<i>Act</i> s. 40(10)(e)	Co-operate with any government inspector (safety and health officer) who is doing his or her job			
<i>Act</i> s. 40(10)(c)	Develop and promote ways to protect the safety, health and "welfare" of anyone in the workplace. Check how effective the prevention efforts are.		Employer Supervisors Health & safety staff Workers Clients Visitors Patients	
<i>Act</i> s.40(10)(f)	Develop and promote workplace health and safety education and information activities.			
<i>WSH Reg.</i> s. 3.12	Examine any logbook, assessment, inspection report or other document an employer or prime contractor has to keep (according to the law).		Employer	
<i>WSH Reg.</i> s. 3.3(3)	Get at least three days notice of regularly scheduled meetings.			
<i>Act</i> s. 13(a)	Get help from the Director of the Workplace Safety and Health Division (WSHD), so they can meet the goals of protecting workers' health and safety.		Director, Workplace Safety and Health Division, Safety and Health Officer (SHO)	

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<i>WSH Reg.</i> s. 3.13, s. 3.14	Get information about lost-time injuries in the workplace. The employer must provide it. Committee members cannot talk about individuals' personal health information, unless the law requires it.		Employer	
<i>WSH Reg.</i> s. 3.8	Get information that comes to the employer and is addressed to the committee. The employer must get the information out as soon as possible; it must be within seven days after getting the material.		Employer	
<i>WSH Reg.</i> s. 35.17(1)	Get the source of information about the toxicology (health effects) listed on MSDSs of "controlled" products made in the workplace, if they request it. The employer is to provide this as soon as possible.		Employer	
<i>Act</i> s. 40(10)(a)	Get, look into, and deal with safety and health concerns and complaints in their workplace.		Workers, Supervisors, Employers, Health & safety staff, Union, "Outsiders"	
<i>WSH Reg.</i> s. 3.11(1)	Have a bulletin board just for health and safety issues. The employer must provide it, in a "prominent place".		Employer	
<i>WSH Reg.</i> s. 3.3(4)	Have a suitable location for meetings and resources needed to do their work. The employer is to provide these.		Employer	

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<i>Act</i> s. 44(1)	Have each member take training. The employer must cover wages and benefits for each person's regular hours for two days every year. Educational leave can be used for events offered by the WSHD, agreed to by the Committee or set out in the collective agreement.		Employer Supervisor Union	
<i>WSH Reg.</i> s. 35.12, s. 35.21(2)	Have easy access to material safety data sheets (MSDSs). Those about hazardous wastes also must be easily accessible.		Employer	
<i>WSH Reg.</i> s. 3.6(1), s. 3.6(2), s. 3.6(3)	Have rules about how it does its work. The terms of reference must say it meets regularly and set out when the committee meets, how changes of plans are to be sorted out, and how meetings are to be run. Other things can be covered if the committee agrees.		Committee	
<i>WSH Reg.</i> s. 2.9(2), s. 2.9(3)	Have the co-chairs be part of any investigation of serious events, injuries that require medical treatment or serious near-misses. If they can't do it, they may choose another person to participate. Be consulted about the written report about the investigation.		Employer Supervisors Workers	
<i>Act</i> s. 43(3)	Have the worker co-chair (or another worker committee representative) go on an inspection that is part of the refusal process.		Worker(s) Supervisor	
<i>Act</i> s. 43.1(3)	If an SHO backs a worker's refusal to do something that is dangerous to their health or safety, s/he must write a report. The committee co-chairs must get a copy of the report and any orders related to it.		Safety & Health Officer, Worker(s)	

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<i>Act</i> s. 40(10)(d)	If it exists, co-operate with an occupational health service (doctors, nurses or other health and safety professionals hired by the employer).			
<i>Act</i> s. 40(10)(h)	Inspect the workplace regularly.			
<i>Act</i> s. 40(10)(j)	Maintain records about how the committee gets and deals with concerns and complaints, and its other activities		Employer Workers	
<i>Act</i> s. 40(10)(g)	Make recommendations to the employer or prime contractor about workers' health and safety.			
<i>Act</i> s. 41.1(2), s. 41.1(3)	After making a written recommendation to the employer, get a written answer within 30 days (unless the employer has fixed the problem). The response must have a timetable for whatever the employer agrees to do. If s/he disagrees, the response must explain why.		Employer	
<i>Act</i> s. 41.1(4)	If the employer doesn't agree with the recommendations, the whole committee or one member may take the issue to the government.		Workplace Safety & Health Division	
<i>Act</i> s. 42(1)(f)	Not face discrimination for doing something to protect someone else's health and safety (including exercising the right to refuse on their behalf).		Workers Supervisors Employer Union	
<i>Act</i> s. 42(1)(d)	Not face discrimination for doing their "job" as a committee member or using their rights.		Supervisors Employer Union	

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<i>Act</i> s. 40(10)(b)	Participate in procedures to identify health and safety hazards from the workplace, or tasks related to it. The hazards may affect workers or other people.		Employer Supervisors Health & safety staff Workers Clients visitors patients	
<i>WSH Reg.</i> s. 3.7(1)	Take minutes of its meetings. Co-chairs must sign the final version. Committees must make sure the minutes are kept for at least 10 years. The committee must get a copy of the minutes to the employer. The employer is responsible for sending a copy to the WSHD and each committee member.		Employer	
<i>Act</i> s. 40(11)	Take time off his/her regular job to do whatever work is required of committee members. Be paid for all the time spent doing committee work; if it's done on overtime, it must be paid at overtime rates.		Employer Supervisor	

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