

- At least two members of the workplace Joint Health & Safety Committee (JHSC) must be Certified: One from the bargaining unit and one from management.
- More than one committee member can be certified but *only one* holds the power under the Occupational Health & Safety Act (OHSA) at one time.
- Some committees designate a Certified Member per shift or department that holds the power for that time or area.
- A Certified Member is paid by the employer at regular or premium rate (as may be proper) for the time spent performing their duties and attending training with respect to their status as a Certified Member.
- The workers or the trade union elect/designate workers to be part of the workplace JHSC.



For more information  
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# Health & Safety

## CERTIFIED MEMBERS



**REQUIREMENTS & RESPONSIBILITIES**

The Local Union for All Workers



## REQUIREMENTS

To be Certified you require two courses

- Basic Certification Part 1
- Workplace Specific Hazard Training Part 2

After completing both courses and successful completion of Part 1 Evaluation, the WSIB issues a Certification Card with an ID number.

**PART 1** is generic and is for all participants.

**PART 2** trains the member in hazards that could result in injury or illness if not controlled, determined by the type of workplace.

The Local Union offers Certification Training in partnership with the Workers Health & Safety Centre (WHSC), paid for by the employers of the members attending. The worker is paid by their employer for the time spent at the course.

For the Retail Sector this entails three days of training on nine different subjects and for the Industrial Sector, workers receive five days training on 15 different subjects.



## DEFINITIONS

### BILATERAL CERTIFIED MEMBER

Most Certified Members fall under this category. This means that it requires one Certified Member worker and one Certified management person to direct the employer to shut down an unsafe job using the OHSA criteria.

### UNILATERAL CERTIFIED MEMBER

A Bilateral Certified Member can become a Unilateral Certified Member if:

- The employer advises the committee in writing that the Certified Member(s) have the right to unilateral stop-work; or
- An application is made to and approved by the Ontario Labour Relations Board (OLRB) for unilateral rights.

### CERTIFIED MEMBER'S REQUIRED DUTIES

These duties can ONLY be performed by a Certified Member:

- Initiate Bilateral Work Stoppage (OHSA 45)
- Initiate Unilateral Work Stoppage (OHSA 47)
- Investigate any complaint from anyone in the workplace that Dangerous Circumstances exist (OHSA 48)

**PREFERRED DUTIES** can be performed by a committee member but, when possible, should be done by a Certified Member.

- Perform workplace inspections (OHSA 9[23][24])
- Be present when another worker is advised of a work refusal pending investigation (OHSA 43[11][12a])

## RESPONSIBILITIES

### ROLE OF THE CERTIFIED MEMBER

A Certified Member is trained to identify hazards in the workplace. When a hazard is identified the Certified Member must determine if the hazard fits the criteria for 'dangerous circumstances' before going forward (OHSA 44 (1), sections 45-48). 'Dangerous circumstances' means a situation in which,

- a. a provision of this Act or the regulations is being contravened;
- b. the contravention poses a danger or a hazard to a worker; and
- c. the danger or hazard is such that any delay in controlling it may seriously endanger a worker.

When the hazard fulfills the three criteria, the Bilateral Certified Member can initiate a Work Stoppage. The Certified Member notifies the employer of the hazard. The employer and Certified Member investigate the hazard and, if they both agree, the situation is corrected.

If the Certified Member and the employer do not agree, the second Certified Member is called. That member immediately joins the other Certified Member and the two Certified Members investigate the hazard.

If the two Certified Members agree that dangerous circumstances exist, the employer is directed to shut down the job until the hazard is removed/controlled.

If agreement cannot be reached, the Ministry of Labour (MOL) is notified. An MOL Inspector will visit the workplace and decide if dangerous circumstances exist and may write orders to correct the hazard.