



<b>ADMINISTRATIVE PROCEDURE</b>	
<i>Approval Date</i> <b>May 2009</b>	<i>Replacing</i> <b>All previous procedures.</b>
<i>Review Date</i> <b>2014</b>	<i>Page</i> <b>1 of 2</b>
<i>Contact Person/Department</i> <b>Superintendent of Business</b>	<i>Identification</i> <b>BU – 3585</b>

## **PROTOCOL FOR BILATERAL WORK STOPPAGE**

### **1.0 PURPOSE**

Section 45 of the Health and Safety Act outlines the required process for a Bilateral Work Stoppage. This procedure outlines the Board's protocol.

### **2.0 REFERENCES/RELATED DOCUMENTS**

- 2.1 *Occupational Health and Safety Act and Regulations*
- 2.1 *JOH&S Terms of Reference*

### **3.0 TERMS AND DEFINITIONS**

- 3.1 **JOHSC** – The Board's Joint Occupational Health and Safety Committee
- 3.2 **Designated worker JOHSC member** – the union designated member of the complainant worker that represents the worker on the Board's Joint Occupational Health & Safety Committee. This person must hold certification under the Occupational Health & Safety Act.
- 3.3 **Designated management JOHSC member** – the management person is determined by the Board. This person must hold certification under the Occupational Health and Safety Act.

### **4.0 ADMINISTRATIVE PROCEDURE**

- 4.1 The designated worker JOHSC member informs the Principal/Supervisor that the worker believes that dangerous condition(s) exist and requests that the Principal/Supervisor investigate the matter.
- 4.2 The Principal/Supervisor shall investigate the situation immediately in the presence of the designated worker JOHSC member.
- 4.3 If the Principal/Supervisor undertakes corrective measures that make the workplace healthy and safe in the opinion of the designated worker JOHSC member, that member presents a report on the matter to the next meeting of the JOHSC.

- 4.4 If the designated worker JOHSC member believes that dangerous condition(s) continue to exist after the investigation of the Principal/Supervisor, then that member requests that the certified management member designated for that workplace conduct an investigation.
- 4.5 The designated management JOHSC member shall investigate the workplace in the presence of the designated worker JOHSC member.
- 4.6 If both certified members agree that dangerous conditions exist, then they shall direct that the employer stop any work affected by the dangerous circumstances.
- 4.7 The Principal/Supervisor shall comply with this direction.
- 4.8 If the two designated certified members do not agree that dangerous conditions exist, then either one may request that an inspector from the Ministry of Labour investigate the situation in the presence of the two designated certified members.
- 4.9 The inspector shall investigate promptly and will issue a written report.
- 4.10 The inspector's written report shall be presented to the JOHSC at the next meeting.
- 4.11 Once corrective actions to make the workplace safe and healthy have been taken, either the inspector, or both designated certified members jointly, may cancel the work stoppage order.

