

To: Local Coordinators, Bargaining Unit Presidents, Health and Safety Network Leads, and Joint Health and Safety Committee (JHSC) members from the Executive Booklet

From: Karen MacDonald, RN, Vice-President, Region 1, Occupational Health and Safety

Date: March 3, 2008

Re: Tools to convince employer to report injuries to Union and Joint Health and Safety Committee (JHSC)

C: Board of Directors, District Service Teams, Provincial Services Team

We continue to receive reports that health care employers are resisting giving information about injuries to Joint Health and Safety Committees and Unions even though they are required by law to do so. One of our bargaining units recently succeeded in its battle to obtain injury information from the employer by explicitly pointing out the pertinent legislation and the Ministry of Labour's position on the issue.

Many of your facilities are currently involved in construction projects that impact on your workplaces and workers. Remember that even if there is no workplace injury, section 53 of the *Occupational Health and Safety Act* may require the employer and constructor to report incident details to the JHSC:

*Where...an accident, premature or unexpected explosion, fire, flood or inrush of water, failure of any equipment, machine, device, article or thing, cave-in, subsidence, rockburst, or other incident as prescribed occurs at a project site.... **notice in writing** of the occurrence shall be given to a Director and to the committee, health and safety representative and trade union, if any, by the constructor of the project **within two days** of the occurrence*

We have been notified that in one hospital, demolition work recently resulted in "...a supporting steel structure...inadvertently severed" while hospital employees worked below.

We have drafted a sample letter for you to use if you are having problems getting information from your employer. Please consult your Labour Relations Officer about optional responses including grievances and complaints to the Ministry of Labour.