

EMPLOYMENT STANDARDS

Employment Standards Guide for Employees

Minimum Wage Basic Rules

- Employers must pay at least the minimum wage.
- The current general minimum wage applies to all employees, with the exception of those who are employed in the agricultural, stock raising, or fishing industry.
- A job current general minimum wage was implemented June 26, 2019. Restrictions apply.
- Wages don't include tips or expense money.
- There are separate weekly and monthly minimum wages for salespersons and domestic employees.
- Employees must be paid at least 3 hours pay at the minimum wage each time they work over 1 hour if they are not required to work.
- Employers are not available to work the 3 hours. There are some exceptions to the rule for employees in the Employment Standards Regulation (Part 2, Section 11) or where the employee is a salesperson or domestic employee.
- Maximum deductions below minimum wage for provided meals and lodging are \$3.35 per consumed meal and \$4.41 per day's lodging.

Minimum Rates

The following minimum wage rates are set out in the Employment Standards Regulation (Part 2, Section 11):

Type of employee	Minimum wage
Most employees (general minimum wage)	\$15/hour
Students under 18	\$13/hour (restrictions apply)
Salespersons including land agents and certain professionals	\$598/week
Employees who normally live in their employer's home	\$2,848/month

Hours of Work Basic Rules

An employee may work a maximum of 12 hours a day unless an exception occurs. An employer may require an employee to work overtime hours before the first hours of work for shifts that are 30 to 50 hours long. For shifts 10 hours or longer, an employee is entitled to two 30-minute breaks. An employee is not entitled to a 30-minute break if the employee works less than 10 hours a day. The break may be taken in 2 periods of at least 15 minutes. Employees are entitled to at least one day of rest each work week.

Daily Rest

An employee's work must be confined within a period of 12 consecutive hours per day, unless one of the following occurs:

- Any work occurs or is required.
- Off-ferse or unpreventable circumstances a variance authorizes longer hours.
- Employees must be paid for at least 3 hours of pay at the minimum wage each time they're required to report to work, or come to work for short periods. This 3-hour minimum doesn't apply if the employee isn't available to work the full 3 hours.

If an employee works for fewer than 3 consecutive hours, the employer must pay wages that are at least equal to 3 hours at the minimum wage.

If an employer's regular wage is greater than the minimum wage, the employer may pay them for less than 3 hours of work at this higher rate.

Notice of Work

Employers must give their employees of the time that work starts and ends. The employer can do this by posting notices where they can be seen by employees, or by other reasonable methods.

Shifts

An employee must not be required to change from one shift to another without at least 24 hours written notice and at least 8 hours rest between shifts.

Only Rest Periods (Breaks)

Employers must give employees breaks as follows:

Breaks

Length of Shift	Breaks
5 hours or less	No break entitlement
More than 5 hours but less than 10 hours	At least one 30-minute break

If an employer and an employee agree, the break may be taken in 2 periods of at least 15 minutes. If the employer and the employee cannot agree on a break schedule, the employer must provide at least 30 minutes within or immediately following the first 5 hours of the shift (at a time chosen by the employer). If the break is taken in 2 periods, the employer must provide at least 30 minutes within or immediately following the first 5 hours of the shift (at a time chosen by the employer) and a second break of at least 30 minutes after the first 5 hours of the shift. If the break is taken in 2 periods, the employer must provide at least 30 minutes within or immediately following the first 5 hours of the shift (at a time chosen by the employer) and a second break of at least 30 minutes after the first 5 hours of the shift. If the break is taken in 2 periods, the employer must provide at least 30 minutes within or immediately following the first 5 hours of the shift (at a time chosen by the employer) and a second break of at least 30 minutes after the first 5 hours of the shift.

Basic Rules Termination

Employers and employees must give each other notice of their intention to end the employment. An employer may end the employment of an employee by:

- Termination notice
- Termination pay
- A combination of termination notice and termination pay if the period of employment is 90 days or less, no notice is required for each party.

Termination notice is not required for seasonal or task specific employment. Notice period length is based on how long the employee has been working for the employer.

The employer must pay an employee's earnings with 10 days after the end of the pay period in which termination occurred, or 31 consecutive days after the last day of employment.

Notice of termination for other terms or conditions of employment may be reduced during the notice period.

Employees are prohibited from requiring employees to use entitlements such as vacation, sick leave, or other benefits during the termination notice period, unless agreed to by both parties.

Deadline of payments for amounts owed:

When an employee is terminated, the employer must pay the employee as follows:

- within 10 consecutive days after the end of the pay period in which termination occurred, or
- 31 consecutive days after the last day of employment.

The employer may choose whichever option best suits their terms.

Employees who wish to end their employment must give written notice to the employer. The length of notice period is based on how long they have worked for the employer.

Termination by Employer

When an employer terminates the employment of an employee, the employer must give termination notice, termination pay or a combination of termination notice and termination pay.

Termination Notice

Employers who end their employees' employment must give the employee, and ensure they receive, written termination notice.

An employer must give written notice to their employee of at least:

Notice period	Length of employment
1 week	More than 90 days but less than 2 years
2 weeks	2 years or more

Termination by Employee

When an employee terminates the employment of an employee, the employer must give termination notice, termination pay or a combination of termination notice and termination pay.

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ALBERTA GENERAL HOLIDAYS

Year's Day	January 1
Alberta Family Day	Third Monday in February
Good Friday	Friday before Easter
Victoria Day	Monday before May 25
Labour Day	First Monday in September
Thanksgiving Day	Second Monday in October
Remembrance Day	November 11
Christmas Day	December 25

OPTIONAL ALBERTA GENERAL HOLIDAYS

Eastern Monday	First Monday following Easter
Boxing Day	December 26

Basic Rules Vacation Time

Employees must provide an annual vacation to most employees based on length of employment. Employees must receive at least 30 consecutive days of vacation. Employees must give vacation time, and employees must take the vacation to which they're entitled.

Employees must take one year before they're entitled to vacation time. Employees are entitled to these minimum paid vacations:

Length of employment	Minimum paid vacation
2 weeks with pay after each of the first 4 years of employment	3 weeks with pay after 5 consecutive years of employment

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HARASSMENT AND VIOLENCE IN THE WORKPLACE

This publication explains what is required under the Alberta occupational health and safety legislation as it relates to harassment and violence.

KEY INFORMATION

- Harassment and violence are workplace hazards.
- Employers and supervisors must take preventive measures.
- Employers and supervisors must ensure workers are not subject to or participate in workplace harassment or violence.
- Workers must refrain from causing or participating in harassment or violence.

Harassment and violence can take place at any work site and may range from disrespectful remarks to physical aggression. Addressing issues early on can prevent acts of bullying and harassment from progressing to acts of physical violence. Alberta's occupational health and safety legislation includes a harassment and violence prevention policy and harassment and violence assessment procedures when they do occur.

The plans must be written and readily available for reference by workers at the work site. Both paper and digital formats are acceptable.

A harassment prevention plan must include a harassment prevention policy and harassment prevention procedures. A violence prevention plan must include a violence prevention policy and violence prevention procedures.

When developing and implementing the plan, the employer must consult with the HSC or an HSC representative if one exists. Your work site is exempt from having a committee or representative if the employer must involve workers affected by the harassment when setting up and implementing the prevention plans.

What is workplace harassment? The definition of harassment in the Occupational Health and Safety (OHS) Act includes a broad range of harassing behaviours workers are subjected to or participate in.

Workplace harassment is behaviour intended to intimidate, offend, degrade or humiliate a particular person or group. It is a serious issue and creates an unhealthy work environment resulting in psychological harm to workers.

Harassment is a workplace hazard. It must be addressed during a hazard assessment. Harassing behaviour can include:

- Unwelcome conduct, comments, gestures or contact that cause offence or humiliation (e.g. name-calling, referring to class, spreading rumors).
- Deliberate misgendering (i.e. referring to a person using terms or pronouns that do not align with their gender identity).
- Physical or psychological bullying that causes fear or mistrust or that ridicules or humiliates an individual (e.g. shaming, insulting, humiliating).
- Exclusion or isolation of individuals.
- Stalking (e.g. standing too close or making inappropriate comments/remarks).
- Cyberbullying (e.g. sending text messages, making threatening messages through social media or email).
- Deliberate setting the individual up to fail (e.g. making unreasonable demands, setting impossible deadlines, interfering with work).
- Displaying or circulating offensive pictures or materials in print or electronic form.

"Harassment" is any single incident or repeated incidents of objectionable or insulting conduct, comments, gestures or contact that cause offence or humiliation to or adversely affect the worker's health and safety, and includes:

- any conduct that causes or is likely to cause physical or psychological harm to workers, including changing work assignments, scheduling, assessing and safety measures that are not reasonable, or any other actions that cause or are likely to cause physical or psychological harm to workers.
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What isn't workplace harassment? It is not considered harassment when an employer or supervisor takes reasonable actions while managing and directing their workers. Reasonable actions include:

- Disciplinary actions that are necessary to maintain discipline.
- Performance management actions that are necessary to maintain discipline.
- Work-related stress on its own. Does not constitute harassment. However, an excessive amount of stress resulting from harassing behaviours such as those described above may result in a hazardous situation.

Workplace violence

What is workplace violence? Violence in the workplace could put worker at risk of physical or psychological harm. Workplace violence can include:

- Physical attack or aggression (e.g. hitting, pushing, shoving or kicking on, such as throwing an object at a worker, kicking an object the worker is standing on, such as a chair).
- Threatening behaviour (e.g. shaking a fist at a worker's face, wielding a weapon at a worker, trying to hit a worker with a weapon, holding a weapon, or making an equipment such as a forklift, dressing room or throwing objects).
- Verbal or written threats (e.g. verbally threatening to attack a worker, leaving threatening notes or sending threatening emails to express an intent to inflict harm on a worker).
- Sexual violence.

Violence is a workplace hazard. It must be addressed during a hazard assessment.

Violence prevention policy A harassment prevention policy must state that:

- the employer will investigate all incidents of harassment or violence, or if the hazard cannot be eliminated, it will be controlled.
- the employer will investigate all incidents of harassment and take corrective action to prevent the recurrence of the hazard.
- the employer will not disclose the circumstances related to an incident of harassment or violence, or if the hazard cannot be eliminated, it will be controlled.
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Violence prevention procedures A violence prevention policy must state that:

- the employer will investigate all incidents of harassment or violence, or if the hazard cannot be eliminated, it will be controlled.
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Do You Qualify? The information below should be used by:

- your employer when documenting, investigating and implementing controls.
- informing the parties involved (including the complainant, the person alleged to have committed the harassment or violence, and any other parties).
- your employer when documenting, investigating and implementing controls.

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WORKERS RIGHTS

You deserve a safe and healthy workplace. Know your rights and how to use them, to help reduce the risk of getting sick or injured on the job.

Know about workplace hazards and have access to basic health and safety information.

Participate meaningfully on matters that affect your health and safety at work.

Refuse work you believe is dangerous.

Tip: your employer cannot take disciplinary action against you (such as firing, transferring or demoting) for refusing or cutting your pay for refusing work that is a serious and immediate danger to you or others.

Have concerns or questions, need to talk or want more information? Phone the OHS Contact Centre. You don't have to give your name to OHS. Calls can be anonymous.

1-866-415-8690 (Throughout Alberta) 1-800-232-7215 (T.T.)

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This information is for information only and is current to January 2024. For confirmation of legal requirements, refer to the current applicable legislation, as the law is constantly changing.
The Crown, its agents, employees or contractors will not be liable to you for any damages, direct or indirect, arising out of your use of the information.

ALBERTA HUMAN RIGHTS CODE

The purpose of the Alberta Human Rights Act (the Act) is to provide Albertans with protection of their human rights. The Alberta Human Rights Commission administers the Act. The Commission's role is to receive and investigate complaints that it believes are violations of the Act. The Commission can also refer complaints to the courts if it believes that a violation of the Act has occurred.

Protected areas The Act prohibits discrimination in the following areas:

- employment, including recruitment, hiring, promotion, training, and termination
- accommodation, including housing, hotels, and other places of public accommodation
- services, goods, facilities, and other places of public accommodation
- tenancy
- basic services, including education, health care, and social services
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- accommodation, including housing, hotels, and other places of public accommodation
- services, goods, facilities, and other places of public accommodation
- tenancy
- basic services, including education, health care, and social services

Prohibited grounds The Act prohibits discrimination on the basis of the following grounds:

- race, including colour, ancestry, and place of origin
- religion, including creed and observance of religious practices
- sex, including gender identity and gender expression
- sexual orientation
- age
- marital status
- physical disability, including mental disability
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Sexual orientation This ground includes protection from differential treatment based on a person's actual or presumed sexual orientation, whether gay, lesbian, heterosexual, bisexual or asexual.

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Family status The state of being related to another person by blood, marriage or adoption.

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Hours of operation: 8:15 a.m. to 4:30 p.m.

Monday to Friday (holidays excluded)

Northern Regional Office (Edmonton)
800 - 1045 Jasper Avenue NW
Edmonton, Alberta T6C 1G4
780-427-7661 Confidential Inquiry Line
780-427-8013 Fax

Central Regional Office (Calgary)
200 J. Bowen Building
Calgary, Alberta T2P 0Y8
403-299-6571 Confidential Inquiry Line
403-299-6572 Fax

Contact us

Phone: 1-866-922-9221 or visit our website at www.wcb.ab.ca

Web: www.wcb.ab.ca

Twitter: [wcb_ab](https://twitter.com/wcb_ab)

Facebook: [wcb.ab](https://www.facebook.com/wcb.ab)

Instagram: [wcb_ab](https://www.instagram.com/wcb_ab)

YouTube: [wcb_ab](https://www.youtube.com/wcb_ab)

INJURIES AT WORK

Tell your employer details of your injury.

Tell your doctor, physiotherapist or chiropractor you were injured at work.

Hurt at work?

Get the immediate first aid you need, then follow these steps.

Tell WCB - it's your right.

Report in the myWCB Worker and Mobile App. Available in the app Store and Google Play.

You can also report online at wcb.ab.ca.

Need more information?

Call toll free 1-866-922-9221 or visit our website at www.wcb.ab.ca.

Note: Employees are required under the Workers' Compensation Act, Section 145, to hang this poster in a place where employees can see it.

Payday Notice

Regular Paydays for Employees of

(Company Name)

Shell as follows:

Weekly	Bi-Weekly	Monthly	Other

EMPLOYMENT INSURANCE

Employment Insurance (EI) provides regular benefits to individuals who lose their jobs through no fault of their own (for example, due to shortage of work, or seasonal or mass layoffs) and are available for and able to work, but can't find a job.

Do You Qualify? The information below should be used by:

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JOINT HEALTH AND SAFETY COMMITTEES

Health and safety committees and representatives OHS information for employers and workers

This bulletin gives information about Alberta's joint health and safety committee (JHSC) and health and safety representative (HS representative) requirements.

KEY INFORMATION

- The Occupational Health and Safety (OHS) Act and Part 13 of the OHS Code give employers and workers the right to establish a JHSC or HS representative in Alberta.
- HSC and HS representative roles
- HSC - A group of worker and employer representatives working together to address health and safety concerns.
- HS representative - An individual worker representative who works with the employer to address health and safety concerns.
- HSCs and HS representatives are an important part of the internal responsibility system because they allow meaningful participation in health and safety.
- HSCs and HS representatives have the following responsibilities:
- Regularized work site parties who have control of work sites - such as prime contractors and employers or HS representatives implementing solutions.

INTERNAL RESPONSIBILITY SYSTEM The internal responsibility system gives everyone in the workplace accountability for health and safety in proportion to their authority and control on the work site.

For more information, read [Occupational Health and Safety and the Internal Responsibility System](#).

Establishing an HSC or HS representative Sections 13 and 14 of the OHS Code outline when an employer must set up an HSC in place and designate an HS representative.

- Employer must establish an HSC if the employer regularly employs 20 or more workers.
- Employer must designate an HSC representative if the employer regularly employs 20 or more workers.
- Alberta OHS directors can also require an HSC or an HS representative at any work site.

REGULARLY EMPLOYED The OHS Regulation states unregulated workers (volunteers) are not included in the control of regularly employed workers, for the purposes of determining if an HSC or HS representative is required.

Establishing an HSC or HS representative Sections 13 and 14 of the OHS Code outline when an employer must set up an HSC in place and designate an HS representative.

Volunteers Volunteers are workers with the same rights and protections under the OHS Act as regularly employed workers. However, volunteers can still serve as an HSC member or an HS representative.

Consultation Employees must consult with unions representing their workers before putting a required HSC or HS representative in place.

Work sites with multiple employers If there are two or more employers at a work site, the employers must establish a joint health and safety committee (JHSC) or designate an HS representative. Workers from any of the employers can be selected for these roles.

- If there are 20 or more regularly employed workers in total at the site, the employers must establish a JHSC.
- If there are 20 or more regularly employed workers in total at the site, the employers must designate a work site HS representative.
- There can be more employer members than worker members on an HSC.
- Regularized work site parties who have control of work sites must establish a system to ensure compliance with occupational health and safety laws and employer-worker cooperation on health and safety. The prime contractor must designate a person to ensure cooperation and system implementation. (An HSC or HS representative is not required.)
- Workers at a work site with a prime contractor can still access their employer-based health and safety representative.

For more information, read Prime contractor role and duties.

HSC membership The OHS Act sets out the basic rules for HSC structure. These are:

- HSCs must have worker and employer members. Worker members represent the workers and employer members, their employer.
- Worker members must be represented, if applicable.
- There can be more employer members than worker members on an HSC.
- Part 13 of the OHS Code gives further direction about HSC membership. Under the Code, employers must decide how many worker members the HSC needs, and set up a system to ensure compliance with occupational health and safety laws and employer-worker cooperation on health and safety. The prime contractor must designate a person to ensure cooperation and system implementation. (An HSC or HS representative is not required.)
- Workers at a work site with a prime contractor can still access their employer-based health and safety representative.

Employer duties

Part 13 of the OHS Code sets out general obligations for all regulated work site parties. An employer's general duties include requirements related to both HSCs and HS representatives.

Employers must ensure, as far as reasonably practicable, that health and safety concerns raised by workers, supervisors and the HSC or HS representative are resolved in a timely manner.

Employers must ensure that HSCs or HS representatives comply with their legislated HSC or HS representative requirements.

Employers must make health and safety information related to work site hazards, risk assessment and prevention procedures readily available to workers, HSCs, HS representatives or prime contractors.

Alberta OHS officers may ask an HSC member, their designate or the HS representative to accompany them on inspections.

Why are joint health and safety committees important?

Joint health and safety committees assist in providing greater protection against workplace injury and illness and deaths. Joint health and safety committees involve representatives from workers and employers. This co-operative involvement ensures that everything possible is done to identify and eliminate or mitigate workplace health and safety hazards.

Joint health and safety committees are a key element of a well-functioning occupational internal responsibility system.

Which workplaces must have joint health and safety committees?

No. of Workers

1 to 5

6 to 19

20 to 49

50 plus

Legislative requirement

You are not required to have a JHSC or a health and safety representative unless a designated substance regulation applies to your workplace.

You are required to have a JHSC. The committee must have at least two (2) members.

You are required to have a JHSC. The committee must have at least four (4) members.

JOINT HEALTH AND SAFETY COMMITTEES

What is a joint health and safety committee?

A joint health and safety committee (JHSC) is composed of worker and employer representatives. Together, they should be mutually committed to improving health and safety conditions in the workplace. Committees identify potential health and safety issues and bring them to the employer's attention and must be kept informed of health and safety developments in the workplace by the employer. As well, a designated worker member of the committee inspects the workplace at least once a month.

What is the joint health and safety committee's role?

The committee is an advisory body that helps to stimulate or raise awareness of health and safety issues in the workplace, recognizes and identifies workplace risks and develops recommendations for the employer to address these risks. To achieve its goal, the committee holds regular meetings and conducts regular workplace inspections and makes written recommendations to the employer for the improvement of the health and safety of workers.

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OCCUPATIONAL HEALTH & SAFETY

Participation in health and safety for small business owners and workers

OHS information for businesses with less than 20 workers

KEY INFORMATION

- Employers must involve affected workers in certain work site activities, such as hazard assessment and emergency response planning.
- Employers with five to 19 workers must designate a worker as a health and safety (HS) representative.
- Workers who are HS representatives are considered at work when carrying out their duties and attending training related to those duties.
- Alberta's occupational health and safety laws are based on the internal responsibility system, which is a way of sharing responsibility between everyone in the workplace.

INTERNAL RESPONSIBILITY SYSTEM The internal responsibility system gives everyone in the workplace accountability for health and safety in proportion to their authority and control on the work site.

For more information, read [Occupational Health and Safety and the Internal Responsibility System](#).

Alberta's main occupational health and safety laws are the Occupational Health and Safety (OHS) Act and the OHS Code. These laws apply to all provincially regulated work activities, work sites and work site parties in Alberta, except:

- Certain farming and ranching operations, if you are the owner, your family member or an unregulated person working at the farm or ranch.
- Private dwellings. If a person who lives in a home is doing tasks for their own business, or only part of their business, such as household chores or around the home, and you are working from home for an outside employer, the OHS Act and Code apply.

In some cases, only limited sections of the OHS Code apply. These are certain farming and ranching operations if they employ workers, non-family members and situations where the occupant of a private dwelling (or someone on their behalf) directly employs a worker who lives in or near a home or household units.

To learn more, read [Guide to OHS: Employers](#).

Worker rights and responsibilities Under the OHS Act, workers have the right to:

- Know about work site hazards and how to eliminate or control those hazards.
- Participate meaningfully in health and safety activities related to their work and safety concerns.
- This includes having the ability to express health and safety concerns.
- Refuse dangerous work.
- Participate in training on occupational health and safety laws including their general duties in section 5 of the OHS Act. These are:
- Keeping reasonable care to protect their own health and safety and the health and safety of others at the work site.
- Cooperating with their employer, supervisor or other persons to protect health and safety with anyone carrying out a duty under occupational health and safety legislation.
- Wearing required personal protective equipment and using required health and safety equipment.
- Refraining from causing or participating in harassment or violence.
- Reporting any concerns about unsafe or harmful situations at the work site to their employer or supervisor.

As well as their general duties, workers have other responsibilities under OHS laws. For more on these, read [Guide to OHS: Workers](#).

Involving affected workers Under the OHS Act, workers have duties that support workers' rights to know and participate.

The OHS Code also requires employers involve affected workers that certain specific duties to protect their health and safety. Some of the broader requirements for involving affected workers are introduced below.

Hazard assessment and control The OHS Code states that an employer must involve affected workers in hazard assessment and in the control or elimination of the hazard identified.

Hazard assessment and control is a process that allows employers and workers to identify and eliminate or control hazards in their workplace. By identifying hazards, employers and workers can develop and implement controls to address those hazards. Learn more in [Hazard Assessment and Control: a handbook for Alberta employers](#).

Emergency response planning The OHS Code states that an employer must involve affected workers in establishing an emergency response plan for any emergency that requires rescue or evacuation.

Emergency response planning: an occupational health and safety tool kit.

Health and safety prevention Some provisions in the OHS Code have requirements to protect a health and safety representative, HSC or HS representative, if they are affected workers (if they are in an HSC or HS representative role).

Learn more in [Hazard Assessment and Control: a handbook for Alberta employers](#).

HS representative An HS representative is a worker designated by the employer to ensure compliance with occupational health and safety laws and employer-worker cooperation on health and safety. HS representatives must be workers who are employed by the employer.

Supervisors, management or contracted service providers can't be HS representatives.

Contact us

Anywhere in Alberta - 1-866-415-8690 Edmonton and surrounding area - 780-415-8690

Deaf or hard of hearing (TTY) - 1-800-232-7215 (Alberta) - 780-427-9999 (Edmonton)

Notify OHS of health and safety concerns alberta.ca/file-complaint-online.aspx

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person or work site.

Report a workplace incident alberta.ca/ohs-complaints-incidents.aspx

Get copies of the OHS Act, Regulation and Code alberta.ca/ohs-act-regulation-code.aspx

Alberta Kings Printer [alberta-kings-printer.aspx](http://alberta.ca/alberta-kings-printer.aspx)

OHS alberta.ca/ohs-act-regulation-code.aspx