



OH&S STEWARDS BULLETIN

Annual Education Leave – Section 135 WCB Regulations

One of the most frequently asked questions we receive here in HEU's OH&S department is how Joint Occupational Health and Safety (JOHS) members access their eight hours of paid education leave per year. The employer is responsible for ensuring that all members of the committee receive this paid training.

The JOHS committee co-chairs should discuss with the committee what types of training each member needs considering what education each member has had in the past and what they are likely to need in the future. The co-chairs then inform the employer about the educational needs of each member.

The employer can provide training, however it needs to be approved by WorkSafeBC and meet the training needs of those taking the course.

B.C. Federation of Labour courses are WCB-approved and open to all members of the committee, including employer representatives.

There's a process if any member of the committee wants to take training provided by someone other than the employer:

1. Take the request to the OH&S committee.
2. If the committee agrees, they should send the request, in writing, to the employer.
3. If the committee doesn't agree, then the person who wants to take the course can ask the employer, in writing, themselves.
4. The employer must make a decision in a reasonable time and give their answer in writing.
5. The employer should have a good reason to deny the request.
6. If the person who made the request doesn't agree with the employer's reason for denial, then they can go directly to the WC Board and ask for help and/or file a grievance.

WCB Act Part 3 Division 4 Educational leave

135 (1) Each member of a joint committee is entitled to an annual educational leave totaling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.

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(2) A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.

(3) The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

HEU is planning on holding a one-day introductory OH&S course in the fall in different regions of the province. The course is directed to those members of JOHS committees who have never had any formal HEU OH&S training. This training is **not** WCB-approved or sponsored, and does not count as your eight hours of paid annual training.

Please check HEU's website for more information at <www.heu.org>.

In solidarity,

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