

University Health Network Policy & Procedure Manual UHN Safety Services: Bilateral Work Stoppage

Policy

University Health Network (UHN) recognizes the authority of certified members of a Joint Health and Safety Committee (JHSC) to stop work if they believe a dangerous circumstance exists in accordance with section 45 (Bilateral Work Stoppage) of the [Occupational Health & Safety \(OH&S\) Act](#).

Definition

Dangerous circumstance: A situation where the following three conditions are met:

- failure to comply with the OH&S Act,
- it poses a danger or a hazard to the worker, and
- any delay in controlling the danger or hazard may seriously endanger a worker.

Note: The work stoppage provisions of the OH&S Act do not apply where the dangerous circumstance is characteristic of the work or the work stoppage would directly endanger the life, health or safety of another person.

Procedure

1. A certified member of any UHN JHSC who believes that a [dangerous circumstance](#) exists or receives a complaint from another employee that a dangerous circumstance exists investigates the situation.
 - The certified member requests a supervisor/manager to investigate the situation.
 - The supervisor/manager promptly investigates the situation in the presence of the certified member.

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Section	Workplace Safety	Revision Dates	
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2. If after the supervisor/manager has investigated and possibly taken any remedial action, the certified member believes the dangerous circumstance still exists, they request the second certified member representing the other workplace party to investigate the matter.
 - The second certified member promptly investigates the matter in the presence of the first certified member.
3. If both certified members find that a [dangerous circumstance](#) exists, they direct the employer to stop work or stop the use of any part of the workplace or of any equipment, machine, device, article or thing.
 - The employer complies immediately with the direction and ensures compliance is effected in a way that does not endanger a person.
4. If the certified members do not agree that a [dangerous circumstance](#) exists, either certified member requests that a Ministry of Labour, Training and Skills Development (MLTSD) inspector investigate the matter.

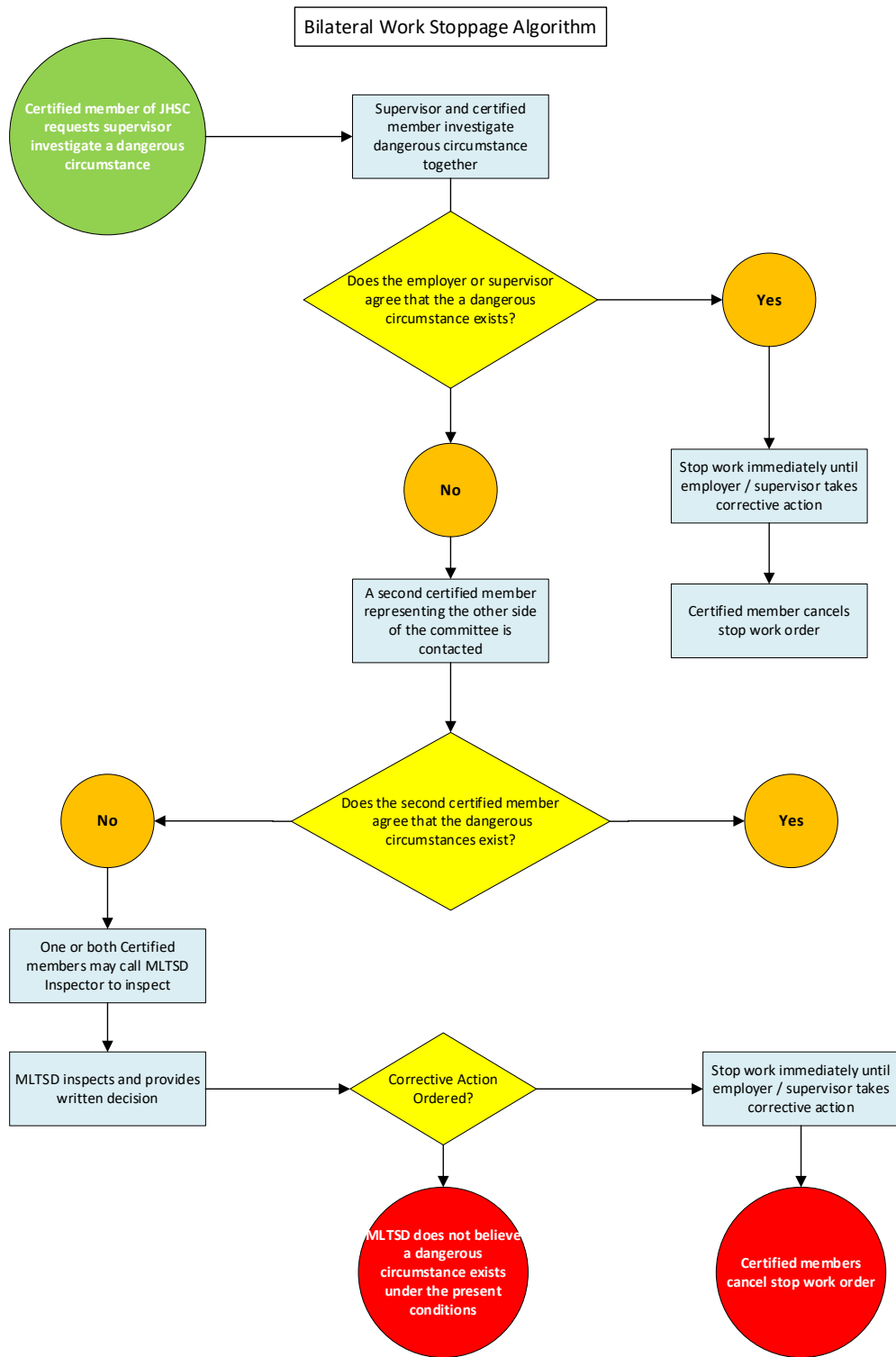
Note: The MLTSD inspector will provide the certified members with a final written decision.
5. After taking steps to remedy the [dangerous circumstance](#), the employer requests that the certified members or the MLTSD inspector cancel the stop work direction.
6. Refer to [Bilateral Work Stoppage Algorithm](#).

Reference

Occupational Health and Safety Act, R.S.O. 1990, c. 0.1, s. 44- 49.

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