

LEGISLATIVE INTERPRETATIONS

Topic: Posting of <i>OHS Act</i> and Regulations	Issued by: Director Chief Compliance Office
Statute: <i>Occupational Health and Safety Act</i>	Date Issued: May 21, 2014
Subsection: 44(1)	Date Revised:

44(1) Every owner or employer shall keep posted in a prominent place or places at the place of employment where they are most likely to come to the attention of the employees

- (a) a copy of this Act and the regulations; and
- (b) in addition to such notices and reports as are otherwise required by this Act or the regulations to be posted, any notice which an officer considers advisable to enable employees to become acquainted with their rights, liabilities and duties under this Act and the regulations.

Question

I received an order from a health and safety officer requiring me to post paper copies of the *OHS Act* and the regulations in several locations in our workplace. Our preference would be to make the legislation available electronically to our workers through computers located throughout the workplace.

Is it possible to do this and still be in compliance with the legislation?

Response

WorkSafeNB will accept electronic access of the *Act* and the regulations to ensure compliance with subsection 44(1), provided that:

- (a) all reasonable steps are taken to keep the computers in active working order,
- (b) paper copies of the legislation and other required documents are made available on the request of an employee, and
- (c) training is provided in accessing computer-stored information to the affected employees including members of the joint health and safety committee, if any, or a health and safety representative, if any.

It should be noted that the employer is responsible to ensure electronic documents are kept updated. Providing a web link to the documents, such as WorkSafeNB's website, would be one way to achieve this.