

## Guidelines for Reimbursement of Construction Workers

### Legislation:

Section 4. (2) of the Workplace Safety and Insurance Act states:

The Board shall pay persons who are regularly employed in the construction industry for the time they spend fulfilling the requirement of being certified for the purposes of the *Occupational Health and Safety Act (OHSA)*. However, the Board shall not pay persons who may represent management as members of a joint health and safety committee.

### Criteria:

Reimbursement is considered when:

- A worker is on a construction project that requires CERTIFIED MEMBERS (project is expected to last three months or longer and regularly employs 50 or more workers – Please see Section 9(13) of the OHSA); and
- Worker is the **designated certified worker member** on the Joint Health and Safety Committee for the Project.

### Requirements for reimbursement:

1. A signed letter from the Project Manager / Contractor of the project certifying:
  - a. the project name,
  - b. project number (MOL #),
  - c. project duration,
  - d. project size,
  - e. name of the worker, and
  - f. dates when worker was the Designated Certified Health and Safety member representing for the workers.
2. A signed letter from the employer or union outlining:
  - a. Name and certification identification number of worker,
  - b. Dates when the worker was the Designated Certified Health and Safety (as per Section 9 sub section(13) of the OHSA) representative on the Joint Health and Safety Committee
  - c. Date when certification training was completed.
  - d. A statement of the worker's regular hourly wage paid plus vacation pay for the time spent while taking the training.

Please note that regular hourly wage does NOT include: healthcare tax, pension, CPP, UI, WSIB costs, union training fund, union dues or any other payments or costs. A breakdown of the earnings is required. i.e. hourly wage times number of hours plus vacation pay equal the amount of the reimbursement. No other costs are eligible for reimbursement. The wages must be from the time when the training was taken; not the time when the worker was on the committee; unless it is the same wage rate.

The request with all the documentation must be sent to:

Joan Benjamin  
WSIB  
200 Front Street, West, 11th Floor  
Toronto, Ontario M5V 3J1