

The Workplace Safety and Health Act, RSM 1987, c.W210

Section 21 Exemption
for

3.2.2 Committee Inspection of Workplace

DATE GRANTED November 27, 2017

DATE AMENDED August 1, 2018

AUTHORITY Pursuant to the authority under section 21 of *The Workplace Safety and Health Act*, RSM 1987, c. W210 (“the Act”), the Director of the Workplace Safety and Health Branch (“Director”) grants an exemption to the River East Transcona School Division (excluding Kildonan East Collegiate and Murdock McKay Collegiate) from Manitoba Regulation 217/2006 (“the Regulation”), Part 3.2.2, *The members of a committee must inspect the workplace and the work processes and procedures at the workplace at least once before each regularly scheduled meeting of the committee.*

RESPONSIBILITY Granting the exemption does not relieve the employer of its duty to ensure compliance with all other sections of Act and the Regulation.
The employer has sole responsibility to ensure the Special Terms are complied with.

CONDITION The exemption is granted on condition the employer complies at all times with the Special Terms for the above Exemption request. Employer must ensure exemptions are reviewed by the Safety and Health committee as affording protection for workers equal to or greater than the protection under the Act and the Regulation.

- SPECIAL TERMS**
1. Safety inspections are conducted in accordance with River East Transcona School Division’s Modified Safety Inspection Schedule (attached);
 2. On-going risk assessments to ensure risks and hazards are categorized appropriately and inspection schedules updated accordingly;
 3. Safety and Health committee to conduct annual review of exemption to determine if risks, concerns, design or processes in the workplace warrant continuation of exemption.

REVOCATION

1. If the all of the terms of this exemption are not met, the exemption is without effect and the applicable sections of the Act and the Regulation must be complied. Any non-compliance with the terms of this exemption or other infractions relating to the subject matter of this exemption may also result in the imposition of Improvement Orders.
2. The granting of this exemption is based on the completeness and accuracy of the information provided to Workplace Safety and Health. Any failure to have provided complete and accurate information may result in the revocation of the exemption and imposition of Improvement Orders.
3. Workplace Safety and Health may reconsider the granting of the exemption, or its terms, if it is later found to have been granted in error, new information is received since it was granted or the applicable Act and Regulation provisions are substantively amended.
4. This exemption will be immediately reconsidered in the event the employer is found not in compliance with any term or condition of this exemption and the exemption may in the Director's discretion be revoked.
5. A person requesting a reconsideration of an exemption order must provide the director with information demonstrating why reconsideration is appropriate.

AMENDMENTS

Modifications of any kind to any part of this exemption by anyone other than the Director, will be void and of no effect unless the modifications are made in writing and have been approved by the Director, in writing.

TERM OF EXEMPTION:

This exemption will be valid for a period from the date granted shown above, until November 27, 2020, unless revoked by the Director before this date.



Crystal Baldwin
Director
Workplace Safety and Health