

About Written Recommendations (“21-Day Letter”)

General Written Recommendations FAQ

1. What is a written recommendation?

A written recommendation is a written notice submitted by a Joint Occupational Health and Safety Committee (JOHSC) or a Worker Health and Safety Representative to an employer, in accordance with [section 39](#) of the *Workers Compensation Act* (British Columbia). It documents a health or safety concern and formally requests the employer to review the issue and respond in writing.

2. Why is it sometimes called a “21-Day Letter”?

The term “21-Day Letter” refers to the employer’s legal obligation to respond in writing within 21 calendar days of receiving the recommendation. The written response must:

- acknowledge the recommendation, and
- describe what action will be taken or explain why no action will be taken.

3. Is the employer required to respond?

Yes. In accordance with [section 39](#) of the *Workers Compensation Act*, employers are legally required to provide a written response within 21 days of receiving a written recommendation. Failure to respond may result in the matter being escalated to WorkSafeBC.

4. What should an employer’s written response include?

An employer’s response must:

- be in writing;
- address each recommendation;
- outline corrective actions and timelines **or**
- the reasons for not taking action.

5. What happens if the employer does not respond within 21 days?

If no written response is received within 21 days:

- the committee or worker representative may follow up with the employer, or
- a co-chair of the committee may report this to WorkSafeBC.

6. Does issuing a written recommendation mean there is an immediate danger?

Not necessarily. A written recommendation can address:

- immediate safety concerns;
- ongoing or systemic issues; or
- opportunities to improve workplace health and safety.

If there is immediate danger, workers should follow established procedures, which may include stopping unsafe work and notifying a supervisor or contacting WorkSafeBC directly.

7. Can an employer partially accept a recommendation?

Yes. An employer may:

- accept the recommendation in full; or
- accept it in part; or
- decline the recommendation.

In all cases, the employer must clearly explain their decision in writing and describe any actions they will take.

8. What if the employer's response is unclear or incomplete?

If the response does not adequately address the recommendation, the committee may take the following steps:

1. Request clarification in writing.
2. Submit a follow-up recommendation.
3. Discuss the matter at the next JOHSC meeting.
4. Escalate or forward it to WorkSafeBC for review and determination.

9. What role does the JOHSC play after the employer responds?

After receiving the employer's written response, the JOHSC or worker representative should take the following steps:

1. Review the response at a committee meeting.
2. Record the response in the meeting minutes.
3. Monitor agreed-upon actions and timelines.
4. Follow up if actions are delayed or incomplete.

10. Can a written recommendation be withdrawn?

Yes. A recommendation may be withdrawn if:

- the issue has been fully resolved, or
- both parties agree that a written response is no longer required.

Any withdrawal should be documented and recorded in the committee's records.

11. What response options can the employer choose?

The employer may submit a written response indicating whether they Accept, Partially Accept, or Reject the recommendation. If additional time is required to provide a thorough response, the employer may submit a Request for Extension, which must be approved or declined by a Co-Chair.

12. What happens if the employer rejects a written recommendation?

The committee may choose to:

- withdraw the recommendation, or
- escalate it to WorkSafeBC.

Any interaction with WorkSafeBC must occur outside of the OHS Resource Centre platform. The Co-chair can manually update the records in the OHS Resource Centre to reflect the outcome.

13. Can a written recommendation be reassigned?

Yes. The receiving employer or the original sender can reassign however the response is still required within 21 days of the letter being issued.

OHS Resource Centre Function FAQ

14. Does the recipient need an OHS Resource Centre account?

No. The employer can respond using the link provided in the email. Single Factor Authentication via an email code is required to access and respond.

15. How is the employer representative notified after a written recommendation is sent?

The recipient receives an email notification and must acknowledge, using the link provided in the email, receipt of the written recommendation.

16. Who is notified when a recommendation letter is sent?

Only the designated employer representative receives the email notification by default. The sender may include additional recipients in the CC field.

17. Does WorkSafeBC have access to the OHS Resource Centre?

No, WorkSafeBC does not have access to the platform. Any communication with WorkSafeBC must occur outside the system and can be manually recorded by the Co-chair.

18. Who can send written recommendation?

A written recommendation can be prepared and sent within the OHS Resource Centre by a Co-Chair or Admin Assistant on behalf of a JOHSC. The recommendation is typically approved through a committee motion and documented in the meeting minutes.

Where can I find more information?

Additional guidance is available from WorkSafeBC ([section 39](#)), the *Workers Compensation Act* ([section 39](#)) and Occupational Health and Safety Regulation ([section 3.26](#)), and your organization's health and safety policies.