




# WORKPLACE HEALTH & SAFETY COMMITTEE TERMS OF REFERENCE

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Approval: 

Approved by: Al Biekse – Director OH&S

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**SUMMARY OF CHANGES**

This summary shows:

- All changes from the last approved and published document

Version	Date	Author(s)	Revision Notes
1.0			

**SUMMARY OF REVIEWERS**

The following individuals were involved in the review of this Procedure.

Name	Position

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## 1.0 ABOUT THIS COMMITTEE

### 1.1 Purpose

The Joint Occupational Health and Safety Committee (committee) Terms of Reference (TOR) is designed to achieve compliance with *Workers Compensation Act* of BC Section 37 Joint Committee Procedure. It will help support and guide both employer and worker members on the committees' duties and responsibilities as they relate to workplace health and safety matters at this workplace.

### 1.2 Scope

The Joint Occupational Health and Safety Committee (JOHSC) TOR applies to all employer and worker members that serve on the committee at this workplace.

## 2.0 SELECTION AND COMPOSITION OF COMMITTEE MEMBERS

The committees will be comprised of both employer and worker members. Each committee will consist of at least four persons and at least half of the members will be worker members that do not exercise managerial functions.

### 2.1 Co-Chairs

The committee will have two co-chairpersons. One representing employer members and the other representing the worker members.

The employer co-chair will be selected and appointed by management, while the worker co-chair will be selected and appointed by the union as per their process.

If the union fails to select a co-chair, the employer co-chair will perform the functions of the committee until a worker co-chair is selected and the committee is established.

### 2.2 Committee Members

The committee will have more worker members than employer members. Employer members will be selected and appointed by management, while worker members will be selected and appointed by the union as per their process.

### 2.3 Committee Note Taker

The employer will provide a note minute taker that is not a committee member. The note taker is a non-voting member of the committee. If they are unable to attend a meeting, the co-chair not leading the meeting will act as the note taker for that meeting.

## 3.0 ROLES AND RESPONSIBILITIES

### 3.1 Committee Responsibilities

As required by section 36 of the *Workers Compensation Act*, the duties and functions of the committee are to:

- (a) Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
- (b) Consider and expeditiously deal with complaints relating to the occupational health and safety of workers.
- (c) Consult with workers and the employer on issues related to occupational health and safety and occupational environment.
- (d) Make recommendations to the employer and the workers for the improvement of the occupational health and safety of workers and compliance with the regulations, and monitor their effectiveness.
- (e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Regulation, and monitor their effectiveness.
- (f) Advise the employer on programs and policies required under the Regulation for the workplace and monitor their effectiveness.
- (g) Advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers.
- (h) Ensure that incident investigations and regular inspections are carried out as required by the Regulation.
- (i) Participate in inspections, investigations and inquiries as provided by the Regulation.
- (j) When necessary, request information from the employer about:
  - (i) Known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed.
  - (ii) Health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge.
- (k) Carry out any other duties and functions prescribed by the Regulation.

### 3.2 Employer Responsibilities

The employer is responsible for but not limited to the following:

- Ensuring an employer co-chair is selected and appointed to the committee.
- Ensuring employer committee members are selected and appointed to the committee.
- Ensuring committee members are provided with the necessary time required during their regular working hours to prepare for and attend committee meetings and other required duties.
- Responding to and addressing hazards committee members identified during monthly workplace inspections in a timely manner.
- Responding in writing to committee concerns/complaints brought forward within 21 days of receipt of concern/complaint.
- Providing all required documentation, reports, studies and tests for the committee to fulfill its responsibilities.

### 3.3 Committee Member Responsibilities

Committee members are responsible for but not limited to the following:

- Attending and participating in committee meetings.
- Participating in monthly workplace inspections.

- Participating in incident investigations.
- Participating in work refusals.
- Reviewing various workplace OH&S policies and procedures as applicable.
- Identifying and reporting workplace hazards.
- Ensuring they've completed required committee training requirements.
- Reviewing monthly inspection and incident reports.
- Reviewing incident investigations.
- Reviewing any required risk assessments.
- Putting forward any policy suggestions or recommendations to the committee.
- Informing the employer in writing of any health and safety concerns/complaints.
- Bringing any health and safety concern/complaints received from workers forward to committee meetings for review and action.

### 3.4 Co-Chair Responsibilities

Committee co-chairs are responsible for but not limited to the following:

- Preparing and distributing to all members, the meeting agenda at least one week before the meeting. Recurring monthly documents will be collected by the co-chairs and distributed to all members during the meetings. Recurring monthly documents may include monthly incident reports, inspection reports, previous months meeting minutes and any written recommendations made to the employer.
- Creating annual inspection schedules.
- Ensuring all agenda items are covered.
- Encouraging participation of all members.
- Alternating the chairing of meetings.
- Acting as the lead for introducing new employees to the employer's committee.
- Researching and providing information necessary for workplace education, wellness, health and safety.
- Reviewing the committee's TOR annually and requesting any changes as necessary to workplace OH&S policies and safe work procedures.
- Ensuring committee members contact information including phone numbers and email addresses are up to date and posted on the OH&S bulletin board.
- Making arrangements for health and safety professionals to attend meetings for education and information sessions.
- Signing monthly meeting minutes.
- Participating in inspections, incident investigations and work refusals.
- If not available, designation their alternate to participate in inspections, incident investigations and work refusals.
- Performing the required annual evaluation of the effectiveness of the committee.

## 4.0 TERMS OF REFERENCE (TOR)

The following terms of reference outlines specific requirements of the committees, their members and related activities.

### 4.1 Committee Meetings

The committee will meet during regular working hours at least twelve (12) times monthly per year. If additional meetings are required as a result of an emergency or special circumstances, the committee will meet as required either during working hours or outside of working hours as required.

### 4.2 Meeting Times

Meetings will be scheduled for the second Wednesday of each month.

### 4.3 Time Required for Duties and Payment of Wages

Committee members will be entitled to take the reasonable time required, during regular working hours to prepare for and attend meetings as well as perform any other required functions as a committee member.

Committee members will be compensated at their regular rate of pay for committee activities performed during or outside of their regular working hours.

### 4.4 Quorum

The following is required for a committee meeting to meet quorum and count towards the twelve (12) annual required meetings:

- At least 50% of committee members must be present
- At least one co-chair must be present
- There cannot be more employer members than worker members

### 4.5 Meeting Agenda

The co-chairs will take turns creating the meeting agenda. All proposed agenda items will be provided to all committee members at least 7 days prior to the meeting.

Unresolved items will be recorded and placed on the agenda for the next meeting. The committee will accept any item pertaining to workplace health and safety.

### 4.6 Meeting Minutes

The committee will designate a note taker for the meeting to take meeting minutes and be responsible for finalizing the meeting minutes and circulating them to the rest of the committee members within 3 business days of the meeting.

The co-chairs will review the meeting minutes, then sign and circulate them to all committee members as well as forward a copy to the workplace OH&S department and USW Local 2009 within 7 days of the

committee meeting.

All finalized meeting minutes will be posted on all H&S Board and any online means within 7 days of the committee meeting.

#### **4.7 Training**

All new committee members will attend prescribed training within three months of joining the committee. The employer will approve any additional health and safety training for committee members. Each member of the committee is entitled to an annual paid educational leave totaling eight (8) hours, for the purposes of attending occupational health and safety training courses. The committee will approve all training but a request for training will not be unreasonably withheld. Upon approval the employer will provide the educational leave without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

A member of the joint committee may designate another member or alternate member of the committee as being entitled to take all or part of the member's educational leave.

#### **4.8 Incident Investigations**

Where an incident investigation is required, either committee co-chair and a worker member will participate in the incident investigation. If a suitable committee member is not available, the co-chairs will identify another worker to participate in the incident investigation.

#### **4.9 Workplace Inspections**

The co-chairs will establish a monthly safety inspection schedule. The schedule will ensure regular inspections are made of all areas in the workplace, including buildings, structures, grounds, excavations, tools, equipment, machinery and work methods and practices, at intervals that will prevent the development of unsafe working conditions. A special inspection must be made when required by malfunction or accident.

Committee members will work together as the inspection team to conduct workplace inspections. Each co-chair will designate the management and union committee member who will be participating in the monthly inspection. The inspection team will verbally notify management immediately of any imminent hazard(s) identified during the inspection. Management will address the hazards identified and notify the committee of actions taken to mitigate the hazard(s) as soon as possible. The inspection team will update the inspection report to reflect outstanding items as well as items that have been corrected.

Inspection records will be reviewed during committee meetings to discuss any outstanding items, identify any safety trends and make any necessary recommendations to the employer.

#### **4.10 Work Refusals**

When an employee refuses unsafe work, they first must notify the immediate supervisor who is responsible for conducting the initial work refusal investigation. Once the investigation has been completed, the supervisor will present their investigation findings to the refusing employee and an available union steward. If the issue cannot be resolved and the employee continues to refuse unsafe work, management will conduct a second investigation with a worker member of the committee participating.

Both co-chairs or their designates will immediately upon notification of the unsafe work refusal, be available to meet with the refusing employee and the supervisor to review the work refusal investigation report and findings. The co-chairs or their designates will also review any applicable workplace OH&S policies and procedures. Once the review had been documented and is complete, the co-chairs or their designates will present their findings and advice to the refusing employee and the supervisor. If the issue cannot be resolved and the employee continues to refuse unsafe work, the management and worker member of the committee will contact Worksafe BC.

#### **4.11 TERMS OF OFFICE**

##### **4.11.1 Co-chairs**

Co-chairs will hold their position for a two-year period and may elect to renew their position at the end of the term. If the worker co-chair chooses to renew their position, they must reach out to their union notifying them of their intent and the union will approve or deny the request based on their process.

##### **4.11.2 Members**

Employer and worker members will hold their position for a two-year period and may elect to renew their position at the end of their term.

If an employer member chooses to renew their position, they must notify the applicable management director for review and approval.

If a worker member chooses to renew their position, they must reach out to their union notifying them of their intent and the union will approve or deny the request based on their process.

#### **4.12 Attendance**

Committee members are expected to be in attendance and participate in committee meetings. If a committee member is unable to attend a committee meeting, they may select an alternate to attend on their behalf. The alternate will be recorded as such in the meeting minutes.

If any member is absent for three consecutive meetings without just cause, they will be asked to resign from the committee and the position will be replaced as per this TOR.

#### **4.13 Recommendations**

The committee will attempt to agree on recommendations to be made to the employer following review and discussion of identified issues during the committee meeting. The worker co-chair will retain the right to submit a written recommendation without the consent of the committee when necessary.

The employer will respond, in writing, within 21 days of receiving the recommendation. The committee will review managements response at the next scheduled meeting.

#### **4.14 Resolution**

All committee decisions will be made through consensus where possible. If consensus cannot be reached, the committee members will vote on the decision(s). If the vote results in a tie, the issue will be brought forward to the senior management and union officials for review and a final decision.

#### **4.15 Record Keeping**

The committee will keep accurate records of all matters that come before it. Under the mandate of this joint committee, the employer will make the following records and reports available to the committee upon request:

- Incident investigations reports
- Corrective action reports
- Inspection reports
- OHS-related training records
- Company health and safety program
- Safe work policies and procedures
- Manufacturers' specifications
- First aid statistics
- Time-loss injury statistics

The employer will consider all requests made for documentation not specified within the rules of procedure.

#### **4.16 Other Items**

Committee members will only respond to concerns relating to the health, safety and wellbeing of employees. The committee does not have the authority or responsibility to address issues outside the scope of health, safety and employee wellbeing.