|  |  |
| --- | --- |
| Address Book with solid fill | Name Joint Health and Safety Committee |

# Terms of Reference

|  |
| --- |
| Last Revision: Enter last revision date |

## Name of health and safety committee

The committee shall be known as the Name Joint Health and Safety Committee, and hereafter referred to as the Joint Health and Safety Committee (JHSC).

## Constituency

The committee shall consist of a total of # members and # alternate members.

Worker Representatives consisting of # will be selected from the following operating locations and union affiliation:

|  |  |  |  |
| --- | --- | --- | --- |
| **Member** | | **Alternate Member** | |
| *Position / Area Represented* | *Union* | *Position / Area Represented* | *Union* |
| *Position / Area Represented* | *Union* | *Position / Area Represented* | *Union* |
| *Position / Area Represented* | *Union* | *Position / Area Represented* | *Union* |

Employer Representatives consisting of # will be selected from the following operating locations

|  |  |
| --- | --- |
| **Member** | **Alternate Member** |
| *Position / Area Represented* | *Position / Area Represented* |
| *Position / Area Represented* | *Position / Area Represented* |

The committee will elect co-chairs from its membership.

1. The worker representatives shall select a co-chair through a process as determined by the worker representatives.
2. The employer representatives shall select a co-chair through a process as determined by the employer.

## Purpose of the Committee

A joint committee is required by the *Workers Compensation Act* and is made up of worker and employer representatives consulting in a co-operative spirit to identify and resolve safety and health problems in support of a planned occupational health and safety program in the workplace.

## Duties and Functions of the Committee

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

1. Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
2. Consider and expeditiously deal with complaints relating to the occupational health and safety of workers.
3. Consult with workers and the employer on issues related to occupational health and safety and occupational environment.
4. Make recommendations to the employer and the workers for the improvement of the occupational health and safety of workers and compliance with the Occupational Health and Safety Regulation, and monitor the recommendations’ effectiveness.
5. Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Regulation, and monitor the recommendations’ effectiveness.
6. Advise the employer on programs and policies required under the Regulation for this workplace and monitor their effectiveness.
7. Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers.
8. Ensure that incident investigations and regular inspections are carried out as required by the Regulation.
9. Participate in inspections and inquiries as provided by the Regulation.
10. Select appropriate worker and employer representatives to participate in preliminary and full incident investigation processes.
11. Review and provide feedback on any corrective action reports resulting from incident investigations.
12. When necessary, request information from the employer about:
    1. Known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed
    2. Health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge
13. Carry out any other duties and functions prescribed by the Regulation.

## Records

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.

## Meetings

1. The employer will supply the resources required to facilitate a meeting, including a note-taker to document the minutes of the meeting
2. The committee will meet monthly on the (\_\_\_\_\_\_\_\_\_\_\_) working day of each month.
3. Special meetings, if required, will be held at the call of the co-chairs.
4. A quorum shall consist of a majority of members (\_\_\_\_\_\_\_\_\_\_\_).
5. The committee will add procedures it considers necessary for the meetings.

## Agendas and Meeting Reports

The committee will maintain copies of its minutes for a period of at least 2 years from the date of the joint health and safety committee meeting to which they relate.

1. An agenda will be prepared by the co-chairs and distributed to members prior to the meeting.
2. A report of the meeting will be prepared as soon as possible after the meeting and will be made available to the employer, Joint Health and Safety Committee members, workers and the Workers’ Compensation Board.
3. A copy of the report of each meeting will be posted promptly, in a place readily accessible to employees for whom this committee is responsible.
4. In this work location the meeting minutes will be posted on the Health and Safety board located (\_\_\_\_\_\_\_\_\_\_).
5. An electronic version of the minutes can also be located (\_\_\_\_\_\_\_\_\_\_).

## Co-chairs

The role of the Co-Chairs will be as follows:

1. Control the meetings.
2. Ensure the maintenance of an unbiased viewpoint.
3. Review previous meeting reports and material prior to the meetings.
4. Notify members of meetings.
5. Review meeting agendas.
6. Review meeting reports.
7. Forward a copy of meeting reports to the employer for distribution.
8. Prepare recommendation(s) and forward to the employer for a response.
9. Prepare all correspondence.
10. Determine the process for alternating the co-chair.
11. When called upon by the employer, identify employer representatives and worker representative to participate in incident investigations as per rule 4(j).

## Role of the members

The members shall:

1. Be selected in accordance with section 34 of the *Workers Compensation Act*
2. Actively participate
3. Come prepared and on time for meetings
4. Maintain confidentiality

## Guests

Guests can be invited to committee meetings at the request of the co-chair(s).

Guests attending committee meetings must be there for the purposes of:

1. Training
2. Making a presentation
3. Consultation

## Terms of Office

1. Committee members will sit on the committee for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ years.
2. If a member of the committee chosen by the workers is unable to complete the term of office, the workers will choose another member.
3. If a member of the committee appointed by the employer is unable to complete the term of office, the employer will appoint another member.
4. All members will arrange to have an alternate member to attend meetings in their place, when they are unavailable to attend.

## Participation in investigations

When an investigation is required, the representative from the area where the incident occurred to participate in the investigation. Where the worker representative is not available, the committee co-chairs will identify a worker representative from the committee to participate in the investigation.

If a suitable committee member is not available, the co-chairs will participate or identify another worker to participate in the investigation.

## Participation in work refusal process

When the committee is required to participate in the work refusal process, the worker co-chair will participate.

If the worker co-chair is not available, the worker co-chair will identify another worker representative to participate.

## Recommendations to the Employer

Recommendations to the employer must be:

1. Directly related to health and safety.
2. Complete (employer will not need more information to make a decision).

Informal recommendations that can be actioned by the employer co-chair will be documented in the meeting minutes.

Formal written recommendations will be sent to the employer via email, and the employer will respond within 21 days.

## Assistance in resolving disagreements within committee

This committee will make decisions based on consensus. If the committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a special meeting will be called to address the matter.

If the issue is still unresolved, the co-chairs of the committee will report this to WorkSafeBC for assistance in investigating and resolving the matter.

## Education and training

All new members appointed on or after April 3, 2017, will participate in an introductory joint committee course. The co-chairs will assist new members in selecting the appropriate training course. The employer co-chair will ensure that the training selected reflects the requirements of section 3.27 of the Regulation.

Every member of the joint committee is entitled to eight hours of education leave. For this committee, individual members can request their entitlement training during regular meetings. Individual members must provide the following information about the training program or seminar selected:

* Length of the program
* Topic and learning outcomes (if applicable)
* Fees
* Rationale for selection

If the committee agrees with the member, it will forward the request to the employer. If the committee does not agree with the training selected, the co-chairs will hold a special meeting with the member to assist in identifying a training program or seminar that supports the duties and functions of this committee.

## Amendments

These terms of reference may be amended by vote of the committee members.