



University Students' Council of the University of Western Ontario
JOINT HEALTH AND SAFETY COMMITTEE
TERMS OF REFERENCE

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SUPERSEDES: 15th November 2011

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RELATED DOCUMENTS: • Human Resources Directive

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PREAMBLE

The University Students' Council of the University of Western Ontario believes that for the Joint Health and Safety Committee to be effective, representatives of all parties must be committed to their responsibilities under the Ontario Occupational Health and Safety Act. All parties must endeavour to promote a co-operative, positive and progressive approach to dealing with health and safety issues.

It is the Corporation's firm belief that the Joint Health and Safety Committee will assist in creating educational programs and training opportunities as well as participating in joint investigations of concern and joint resolution of those problems to assist in making the workplace safe and healthy for all Employees.

The following Terms of Reference include specific legal regulations and Corporate policies which must be followed in order to assist the Joint Health and Safety Committee in meeting their Legal and Corporate responsibilities.

1.00 SCOPE

1.01 This policy applies to all USC employees.

2.00 DEFINITIONS

2.01 In these Terms of Reference, the terms below have the following meanings:

- (1) **"Critical Injury"** means an injury of a serious nature that: places life in jeopardy; produces unconsciousness; results in a substantial loss of blood; involves the fracture of leg or arm but not a finger or toe; involves amputation of a leg, arm, hand or foot but not a finger or toe; consists of burns to a major portion of the body; or, causes the loss of sight in an eye.
- (2) **"Joint Health and Safety Committee" or "JHSC"** is a Committee made up of both Management and Worker Representatives and is required at a workplace at which twenty or more workers are regularly employed.
- (3) **"Management Representative"** an Employee who exercises managerial/supervisory functions that has been selected by the either the General Manager, or their Superior or that has volunteered to participate on the Joint Health and Safety Committee.



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- (4) **“Worker Representative”** means an Employee who represents workers that has been selected by her peers to participate on the Joint Health and Safety Committee.
- (5) **“Work Refusal”** means a situation where a Worker refuses to complete work because she has a reason to believe that her health and safety is at risk.

3.00 ROLE OF THE JHSC

- (1) To identify, evaluate and recommend solutions on matters pertaining to the health and safety of the workplace to members of Management;
- (2) To review educational and training programs, provided by the Employer, to ensure that they are sufficient. These educational and training programs will ensure that all Employees are thoroughly knowledgeable of their duties, responsibilities, restrictions and rights under the Ontario Occupational Health and Safety Act and the Workplace Safety and Insurance Act;
- (3) To create and maintain an active interest in health and safety concerns;
- (4) To make written recommendations to Management on the continuous improvement of the Safety program and any hazards present in the workplace;
- (5) To complete workplace inspections on a monthly basis to identify any potential hazards in the workplace;
- (6) To identify a Worker Representative to accompany any Ministry of Labour Inspector while she carries out inspections of the workplace;
- (7) To identify a Certified Worker Representative to investigate work refusals along with the Human Resources Manager, or her designate;
- (8) To address matters related to the “designated substances” regulations, where applicable;
- (9) To review any accident/injury record summaries on an annual basis; and,
- (10) To identify a Worker Representative to investigate any critical injury or fatality in the workplace along with the Health and Safety Coordinator, or her designate.

4.00 JHSC MEMBERSHIP

- 4.01 Composition: The Joint Health and Safety Committee (JHSC) membership is comprised of an equal number of worker and management members. There will be at least 2 worker representatives and 2 management representatives on the JHSC at all times.



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4.02 Member Selection:

- (1) Worker Representatives will volunteer to be part of the JHSC.
- (2) Management Representatives will be appointed by the Health & Safety Coordinator of the USC. The Management Representative must be employed by the USC and must exercise managerial functions.
- (3) Should a JHSC worker or management representative need to be replaced, the selection process shall be followed as noted above.

4.03 Failure to select will result in:

- (1) Running an awareness campaign to heighten response; and/or
- (2) Approaching the Union to elect a Worker JHSC Representative as per the terms of reference in the CUPE Local 2820 collective bargaining agreement.

4.04 Term: Members of the JHSC will serve a three year term with a possibility of renewal.

4.05 Posting and Identification: The names and work locations of the JHSC members will be posted on each USC operation's Health & Safety Board as well as the USC's Health & Safety website.

5.00 JHSC CO-CHAIRS

5.01 Two members of the JHSC will act as Co-Chairs to organize and run meetings and speak on behalf of the committee. One Co-Chair is selected by the worker members on the JHSC and one Co-Chair is selected by the management members of the JHSC. A Co-Chair should have at least one year of experience as a member of the committee. The Co-Chairs shall be selected on an annual basis by their respective groups at the October meeting.

5.02 In circumstances where both Co-Chairs will be unavailable to act as the meeting chairperson, the Co-Chairs will in advance, each select a deputy Co-Chair from the JHSC membership. If the deputy is not selected in advance, the attending JHSC members will mutually agree upon a JHSC member to act as a Deputy Co-Chair for that meeting.

5.03 Should a worker or management Co-Chair need to be replaced, the selection process shall be followed in 5.01 above.

6.00 MEETINGS



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- 6.01 Frequency: Committee meetings will be scheduled monthly at a predetermined time and location. Changes to the meeting schedule may take place with the agreement of the committee Co-Chairs, provided that the period of time between any two committee meetings does not exceed two months. There will be 10 meetings scheduled per year on a monthly basis with the exception of September and December.
- 6.02 Co-Chairs: The worker and management Co-Chairs will normally alternate duties as meeting chairperson.
- 6.03 Minutes of Meeting:
- (1) The Co-Chairpersons will rotate the responsibilities of taking minutes and will be responsible for having the minutes typed or written legibly, circulated and filed with the Health & Safety Coordinator within one week following the date of the meeting.
 - (2) Minutes of the meetings will be reviewed and edited where necessary by the Co-Chairpersons. Once reviewed by the co-Chairpersons the minutes will be signed by the President, General Manager and Co-Chairpersons. The minutes will then be distributed to all JHSC members and posted for all Workers to review on the Health & Safety website.
 - (3) Outstanding health and safety issues will be tracked until they are resolved as determined by the JHSC.
- 6.04 Quorum: Full participation by all JHSC members at all meetings is strongly encouraged. A quorum for committee meetings to conduct formal business will consist of 2/3 JHSC membership with both worker and management representation and at least one Co-Chair present. If quorum is not reached, the meeting will be held for information and discussion purposes only.
- 6.05 Attendance: If a member is unable to attend a scheduled meeting, she must notify one of the JHSC Co-Chairpersons at least one week prior to the meeting.
- 6.06 Agenda Items: The Co-Chairs will prepare a copy of a standardized agenda for each meeting and distribute it to all members in advance of the regularly scheduled Committee meetings. Agenda items will consist of workplace health & safety issues raised by the members of the JHSC. JHSC members shall communicate agenda items to the JHSC Co-Chairs one week in advance of the regularly scheduled meeting. The JHSC will discuss the agenda items to discuss what reasonable actions might be takes to effectively control identified hazards.
- 6.07 Decision-Making/Voting: Every effort will be made to research and discuss items so the JHSC can reach a consensus. On occasion where consensus is not possible and quorum



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exists, a vote may be required. A vote of all members present is taken and the majority carries.

- 6.08 Injury/Incident Information: Information regarding injuries and incidents occurring at the USC will be communicated to the JHSC at regularly scheduled meetings. The information will be prepared by the Health & Safety Coordinator.
- 6.09 Instruction and Training Information: Instruction and training information provided to workers to protect their health & safety will be reviewed in consultation with the JHSC. The overall instruction and training review should take place annually.
- 6.10 Recommendations: Recommendations will be made by members of the JHSC. The respective committee members will forward in writing, a Notice of Recommendation Form to the appropriate management member and sign off. The written response to the committee members must be submitted by the management member within twenty-one days after receipt of the Notice of Recommendation Form. The response shall include a timetable for implementing the recommendation if the management member agrees and the reason for disagreement if any recommendation is not accepted.
- 6.11 JHSC Meeting Guest(s): Additional persons may attend Committee meetings at the invitation of the JHSC or suggestion of a JHSC members with the approval of both Co-Chairs.

7.00 CERTIFICATION OF JHSC MEMBERS

- 7.01 Although just two members must be certified under the OHS/A, all members of the JHSC will be encouraged and supported to attend Certification Training level one and two within the first year of service on the committee. Those so certified will share the responsibilities of certified members such that those most closely associated with the location, activity or individual in question will be called upon to perform the duties under the OHS/A of a certified member.
- 7.02 At least 2 worker representatives on the JHSC will be certified in level one and two. In the event that the certified worker representative needs to be replaced, the second certified worker representative will act as her designate.

8.00 WORKPLACE INSPECTIONS

- 8.01 The JHSC members shall inspect the entire workplace a minimum of eight (8) times per year in accordance with a written schedule established by the JHSC. The written schedule will include locations, dates and JHSC members designated to perform the inspections.



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- (1) This schedule will be created at the January JHSC meeting and forwarded to all committee members by the Health and Safety Coordinator.
- 8.02 Workplace Cooperation: All USC employees will provide JHSC inspections with appropriate information and assistance for the purpose of carrying out inspections.
- 8.03 Inspection Teams: In the interest of sharing knowledge, experience, responsibility and accountability the Committee will be divided into bipartite (worker and management member) inspection teams to become familiar with and inspect defined areas of the USC's space. However, if a worker member feels that their ability to inspect is being hampered by the presence of their management member partner, they may elect to conduct some or all of their inspection, follow-up and reporting independently.
- 8.04 All occupational health and safety concerns found during the inspections shall be recorded on the Workplace Inspection Report Form.
- 8.05 Training needs for the JHSC members will be assessed on an annual basis on hazard recognition, assessment and control specific to workplace inspections.
- 8.06 The completed inspection form shall be forwarded to the Health and Safety Coordinator within two working days following the inspection.
- 8.07 The workplace inspection results will be discussed at the next scheduled JHSC meeting. In the event that there are repeat items on any workplace inspection, the General Manager will be notified in writing. The General Manager, or her designate, will communicate directly to the Chairperson in writing or verbally to the entire JHSC, with regard to recommendations of the JHSC by giving her assessment of the problem and outlining who will be responsible for resolving the matter, along with the appropriate time frame in which the matter will be resolved.

9.00 PROVIDING INFORMATION TO THE JHSC

- 9.01 The JHSC shall be notified of any significant health and safety matter including, but, not limited to events such as: Work Refusals, Critical Injuries, industrial hygiene and other testing, and Ministry of Labour inspections. Such notification shall be provided by the Health and Safety Coordinator or, her designate; and,
- 9.02 Reports regarding workplace health and safety including accidents reports shall be submitted for the JHSC's review on an annual basis. Such reports shall be provided by the Health and Safety Coordinator or, her designate.

10.00 INVESTIGATIONS



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- 10.01 The Worker Representatives will designate one Worker Representative to investigate cases where a worker is killed or Critically Injured at the workplace from any cause. The designated Worker Representative shall report the findings to the Administrative JHSC and to the Ministry of Labour; and,
- 10.02 Where a JHSC member is designated to conduct investigations, they will receive accident investigation training.
- 10.03 If an Ontario Ministry of Labour Occupational Health and Safety Inspector is conducting an inspection in the USC workplace, a certified worker and management member will be called upon by the Health and Safety Coordinator as per the request of the Ministry of Labour Inspector.

11.00 WORK REFUSALS AND WORK STOPPAGE

- 11.01 Work Refusal: The Health and Safety Coordinator will be informed by the relevant USC Manager or Supervisor in the event of a work refusal. The Health and Safety Coordinator will respond immediately and will contact the certified worker and management JHSC members most closely associated with the union affiliation, location or activity in question to perform an investigation. The investigating team (Health and Safety Coordinator, JHSC members and Manager/Supervisor) will investigate the circumstance in the presence of the affected worker and follow the established work refusal procedure.
- 11.02 Bilateral Work Stoppage: Certified JHSC bipartite (worker and management) members may initiate a bilateral work stoppage when the members agree that “dangerous conditions” exist in the workplace.

12.00 ENTITLEMENT TO TIME AND PAYMENT

- 12.01 All time spent by JHSC members in connection with:
- (1) Preparing for and attendance at Committee meetings;
 - (2) Performing duties prescribed by the OHSA or these terms of reference; and,
 - (3) Fulfilling the requirements for becoming certified or additional JHSC endorsed training initiatives, will be considered as time at work for which Committee members will be paid at the appropriate rate of pay. Committee members are to be provided one hour or such longer time as the Committee determines is necessary to prepare for each Committee meeting.

13.00 GENERAL



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- 13.01 It is agreed that employees are to be encouraged to report health and safety concerns to their immediate supervisor before bringing it to a committee member. The OHSA requires that all workers report any workplace hazard or contravention of the legislation to their supervisor
- 13.02 It is understood and agreed that all personal and medical information is to be kept confidential. Any references to such information in Committee minutes must be made in a manner that prevents any identification of an individual's personal or medical information.
- 13.03 The committee may amend these terms of reference at any time, as deemed necessary to facilitate the ongoing effective operation of the Committee. At minimum, they shall be reviewed annually.