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GENERAL MANUAL POLICY

APPROVED BY:



Executive Director

CATEGORY: Health & Safety

TOPIC: Joint Occupational Health & Safety Committee Terms of Reference

Page 1 of 9

POLICY

It is the policy of Community Living Thunder Bay to establish terms of reference for the Joint Occupational Health and Safety Committee.

PURPOSE

To establish the duties, roles and responsibilities of the committee and its members.

RESPONSIBILITY

It is the responsibility of each committee member to adhere to this policy.

Initial: AB

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 2 of 9

PROCEDURE:

PURPOSE (TO ACTIVELY IMPROVE AND PROMOTE WORKPLACE HEALTH AND SAFETY)

The Joint Occupational Health & Safety Committee is a forum for workers, union and management, to discuss work related health and safety concerns. It gives workers and employers an opportunity to share their knowledge and experience of the work process and their management skills; this sharing will help to identify recommendations to the employer that will improve the workplace environment and increase protection of the workers' health and well-being. The Joint Occupational Health & Safety Committee is an advisory body that oversees the overall Occupational Health & Safety Program in the organization.

MEMBERSHIP

Membership of the committee will be such that all workers are represented.

The committee consists of 10 members representing each service area as follows:

- Management
- Residential
- Monty Parks Centre
- W.J. Griffis Children's Centre
- Administration

At least two of the committee members will be certified. If more than two committee members are certified only two members will be designated as certified members, one representing management and one representing workers.

At least 1/2 of the committee members must represent workers.

SELECTION OF MEMBERS

Members are selected by employees from within each of the service areas, except for the management representatives who are appointed to the committee by the HR Advisor. Members representing unionized members may be appointed or selected by the Union. Two alternates representing workers will be appointed or selected by the union.

TERM OF OFFICE

The term of office is two years. If a member resigns from the committee before completion of the two-year term, he/she will be replaced as soon as possible. The new member's two-year term will commence from the date of appointment.

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 3 of 9

QUORUM

A quorum will be 50% plus one, taking into consideration that at least 50% of the members in attendance must represent workers.

In the case where there is no quorum, the meeting will be cancelled and rescheduled if appropriate. If the meeting cannot be rescheduled and there are urgent items that need to be resolved, those issues will be referred to the two Co-Chairs. The two Co-Chairs will provide a follow-up report of any decisions made to all committee members, and the report will be discussed at the next scheduled committee meeting.

EDUCATION OF MEMBERS

New committee members will be oriented to the committee by the Management Co-Chair by way of review of general orientation to Occupational Health and Safety as presented to all employees, review of legislation, review of terms of reference and review of roles and responsibilities of committee members.

If it is required for a new committee member to become certified, certification training will be set up through the Workplace Health & Safety Agency. The Agency will be responsible for payment of regular wages and all fees associated with certification of the member.

Any committee member can request to attend a seminar or workshop. All educational requests will be presented at committee meetings and recommendations made as to appropriateness of attendance. If it is determined that attendance is appropriate, the Co-Chairs will write up the recommendation and it will be forwarded to Senior Management.

Any member attending a seminar or workshop will provide the committee with an inservice at the next regularly scheduled meeting and, if possible, will provide a written summary of information obtained.

MONTHLY INSPECTIONS

The JOHSC will ensure that monthly inspections (as directed by the Workplace Inspections Policy, H&S 12.0) are carried out by the Workers, Team Leaders/Supervisors, Committee Members and Senior Management.

PROCESS FOR RECOMMENDATIONS TO SENIOR MANAGEMENT FORM

The form is used by the JOHSC to inform Senior Management of the identification, analysis, possible control and recommendation of a hazard. Senior Management must respond in writing to the JOHSC within 21 days.

Initial: AB

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 4 of 9

PROCESS FOR ACCIDENT INVESTIGATIONS

All accidents, including first aid/ injury reports, near miss/hazard and all critical injuries and fatalities, must be investigated (please refer to the Accident Investigation Policy & Procedure, H&S 22.0).

WORK REFUSAL

In compliance with The Occupational Health & Safety Act and to ensure the health & safety of the worker, the worker has the right in certain situations to refuse work that is unsafe (please refer to the Work Refusal Policy & Procedure, H&S 9.0).

CO-CHAIRS

All meetings will be co-chaired. One member will represent management and one member will represent workers.

The Co-Chairs will alternately chair the meetings on a monthly basis.

The Co-Chairs will be responsible for writing up recommendations and submitting them to Senior Management.

FUNCTIONS AND DUTIES OF CO-CHAIRS

- Prepare the agenda
- Facilitate the meeting process, by guiding the committee in the attainment of its objectives
- Maintain a neutral point of view until all others have expressed their points of view
- Assist the committee in reaching consensus
- In urgent situations, may make decisions in absence of the committee but only as described in the terms of reference
- Prepare annual schedule of meetings and ensure meeting room is booked.
- Prepare and submit recommendations to Senior Management

MEETING FREQUENCY AND PREPARATION TIME

Meetings will be held on a monthly basis (except for July & August), in accordance with the meeting schedule. Schedules will be prepared by the Co-Chairs on an annual basis and distributed to the committee members, OH&S bulletin boards, the recording secretary, the Executive Director and service areas.

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 5 of 9

In compliance with the Occupational Health & Safety Act, Section 9 (34), each committee member will be allowed one hour of preparation time for each meeting if required and such time as necessary to carry out the member's duties under Section 9 (26) (27) and (31).

If required, a member of the committee shall be deemed at work during the times described above. The member's employer shall pay for the member for those times at the member's regular rate of pay.

MINUTES

All committee meeting proceedings will be recorded and transcribed by the Admin Assistant. The minutes will be reviewed and signed by the Co-Chairs prior to distribution. The Admin Assistant will distribute the meeting minutes to the following persons:

Joint Occupational Health & Safety Committee Members
Executive Director
Joint Occupational Health & Safety Bulletin Boards
Service Areas (to be inserted into the Health & Safety binders)

Minutes of meetings will include the details of problems discussed, suggested solutions, action decided and a timeline for completion, name of person responsible for taking the action/implementing the solution, and a record of responses to recommendations.

AGENDA

An agenda will be prepared for each committee meeting using the following format:

1. Welcome
2. Review Minutes of Previous Meeting
3. Business Arising
4. New Business
5. Monthly Items
 - a. Training
 - b. Employee Report of Incidents
 - c. Near Miss/Incident/Potential Hazard Reports
 - d. Recommendations to Senior Management / Responses
 - e. Walkthrough Evaluations
6. Running Items & Date
7. Next Meeting Date

The Admin Assistant will type and distribute the agenda at least one week prior to the regularly scheduled meeting. Miscellaneous items that arise between distribution of the Agenda and the meeting date will be added to the Agenda at the beginning of the meeting and discussed as new business. Additional items will be added to the Agenda upon the approval of both Co-Chairs.

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 6 of 9

Summary reports for regular agenda items will be submitted to the Admin Assistant for distribution with the agenda. The following summary reports will be completed on an ongoing basis:

Accident/Incident Investigation
Walkthrough Evaluations
Incident Reports
Hazard Reports

POWERS, FUNCTIONS AND DUTIES OF THE JOHSC

All Members:

- to identify situations that may be dangerous or hazardous to workers
- to make recommendations to the employer and the workers for improving the health and safety of workers
- to recommend to the employer and the workers the establishment, maintenance and monitoring of programs and procedures for the health and safety of workers
- to obtain information from the employer about
 - potential or existing hazards or materials, processes or equipment, and
 - health and safety experiences, work practices and standards in other industries of which the employer has knowledge
- to obtain information from the employer about tests related to occupational health and safety of any equipment or chemical or physical agent related to the workplace
- to be consulted about, and have a designated member representing workers present at, the beginning of testing referred to above, if the designated member believes his/her presence is required to ensure valid testing procedures or results
- to develop a schedule for inspecting the entire workplace every year
- to be consulted by management about the preparation of a chemical inventory, and have access to the inventory and the relevant material safety data sheets to review any assessments or control programs for designated biological or chemical agents
- to be consulted about the development and review of any prescribed OH&S instruction and training for workers (WHMIS)
- to receive and review OH&S reports that the employer has.

Additional Responsibilities of Worker Members

- must designate one of them to be entitled to be present at the beginning of the testing described above
- must designate a worker member(s) to do the scheduled inspections of the physical condition of the workplace
- must designate a member to investigate cases where a worker is killed or critically injured at the workplace (where possible, the worker should be certified)

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 7 of 9

- must be given the opportunity to accompany the Ministry of Labour inspector when he/she is present in the workplace doing an inspection
- must be present at work refusals when required

Certified Joint Occupational Health & Safety Members

- At least two members of the committee, one representing the employer and one representing the workers, will be certified members. More than two members of the committee may be certified; however only two members will be designated as certified members.
- A certified member is a committee member certified by the Workplace Safety Insurance Board in accordance with established criteria.
- If a certified member of the committee resigns and there are other members of the committee who are certified, the committee will choose one of those members to replace the certified member who resigns, provided that the replacement is in accordance with the Act.
- If no other members of the committee are certified, one of the members will be chosen in accordance with regulation. The Agency will be responsible for payment of regular wages and all fees associated with certification of the employee.

Duties of Certified Members

- may report and investigate dangerous circumstances
- has the power to stop work in dangerous circumstances
- may inspect the workplace if selected to do so by other Joint Occupational Health & Safety worker members
- paid for all time spent fulfilling his/her role as a certified member

Other Committee Rights

- a written response (including a timetable for implementation or justification for any disagreement with the recommendations) from the employer to its written recommendations within 21 days
- paid time necessary to attend meetings
- paid time necessary to carry out duties under the Occupational Health & Safety Act
- written notice within 48 hours of any critical injury
- written notice within four (4) days of an accident, explosion or fire that injures a person at a workplace so he/she is unable to perform his/her usual work or requires medical attention
- written notice within four (4) days that a present or former worker has an occupational illness, or that a claim for an occupational illness has been filed with the Workplace Safety and Insurance Board

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 8 of 9

- assistance and cooperation from the employer when carrying out its duties and responsibilities

To Carry Out The Legislated Requirements The Committee Will:

- review all accident and injury data to identify trends and recommend changes
- review all items on inspection reports that are not resolved at the department level
- review records of WHMIS and other OH&S training
- review the programs, measures and procedures that relate to worker OH&S
- identify potential and existing hazards
- review methods of controlling potential or existing hazards and recommend changes that decrease the hazard
- be involved in preparing and reviewing an organization-wide OH&S manual
- participate in the development of OH&S policy
- develop subcommittees to discuss particular OH&S concerns or program where required
- work with other committees in the workplace that are related to OH&S
- promote OH&S awareness and education
- be aware of current, relevant OH&S literature
- attend in-house and external educational sessions to keep up with current OH&S concerns

ROLES AND RESPONSIBILITIES OF THE MEMBERS

Co-Chairs

- schedule and coordinate meetings
- prepare agenda
- review and sign minutes
- guide meeting, ensure participation
- define decision making process
- ensure decisions are reached
- write and submit recommendations to management

Members

- attend preparation time and meetings
- contribute to discussion
- bring up unresolved concerns
- carry out assigned tasks
- carry out requirements of the Act
- represent constituents
- arrange for alternates

Initial: AB

GENERAL MANUAL PROCEDURE

TOPIC: JOHSC Terms of Reference

Page 9 of 9

Admin Assistant

The Admin Assistant for committee meetings will:

- take minutes and prepare draft minutes
- distribute minutes
- distribute agenda
- perform other work as required by the Committee

