

JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

TERMS OF REFERENCE

*IN COMPLIANCE WITH THE WORKERS COMPENSATION ACT (1996)
CURRENT TO NOVEMBER 18, 2009*

Selkirk College

2009-11-19

Purpose

The Selkirk College Joint Occupational Health and Safety Committee (JOHSC), made up of employee (worker) representatives and employer (management) representatives, has the responsibility to work in a cooperative spirit to promote Health and Safety, to identify and help resolve health and safety issues at all Selkirk College campuses and other areas where college employees might work.

1. Joint Occupational Health and Safety Committees (JOHSC)

Will consist of:

- At least one PPWC Local 26 member representative
- At least one BCGEU member representative
- At least one SCFA member representative
- Two management representatives

Each Selkirk College campus with 20 or more employees shall have an active JOHSC.

Total management representation shall not exceed total worker representation on the JOHSC.

2. Joint Occupational Health and Safety Steering Committee

Will be established to review health and safety issues of concern to all campuses, and will consist of:

- At least one PPWC local 26 member
- At least one BCGEU member representative
- At least one SCFA member representative
- One representative from each Selkirk College Campus
- Two management representatives
- The Health and Safety Coordinator

Meetings of the Steering Committee will be held quarterly.

3. Selection of Worker Representatives

The worker representatives on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:

- a) if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions;
- b) if the workers do not make their own selection after being given the opportunity under paragraph a, the employer must seek out and assign persons to act as workers representatives.

4. Selection of Employer Representatives

The employer representatives on a joint committee must be selected by the employer from among persons who exercise managerial functions and, to the extent possible, do so at the workplace for which the joint committee is established.

5. Attendance at Meetings

Roll call will be taken at all meetings. They will list attendees, absent with regrets, and absent (no notification given).

6. Role of the Co-Chairs

The Co-Chairs of the JOHSC and of the Sub-Committees shall be selected from the membership of the committee. There shall be one management Co-Chair and one worker Co-Chair.

Their responsibilities include:

- a) ensuring that the meeting starts and ends on time;
- b) ensuring and maintaining an unbiased viewpoint;
- c) reviewing previous minutes and related documents prior to the meetings;
- d) preparing the agenda and providing the recording secretary or Health and Safety Coordinator with the items for distribution.

7. Term of Appointment

The Chairperson's or Co-Chairs' term of appointment will be reviewed annually.

8. Role of the Recording Secretary

Selkirk College will provide a recording secretary for the Joint Occupational Health and Safety Committee and the sub-committees, to:

- a) prepare and distribute the agenda;
- b) arrange the meeting place;
- c) notify members regarding upcoming meetings;
- d) prepare the minutes; and
- e) distribute the minutes as described in Section 12 of this document.

9. **Functions of the Joint Committees and Steering Committee**

The JOHSC and Steering Committee should play an important role in creating a healthy and safe working environment at all Selkirk College facilities and areas where employees are engaged in work. The responsibilities of these groups include, but are not limited to, the following:

- a) Promote health and safety at Selkirk College campuses and ensure that all managers, supervisors and employees have an understanding Occupational Health and Safety Policy.
- b) Consider suggestions from workers in respect to health and safety matters and make recommendations to management.
- c) Promote compliance with the British Columbia Occupational Health and Safety Regulations and the Workers Compensation Act.
- d) Participate in the identification of potentially unsafe conditions or other hazards at Selkirk College places of employment and recommend means of controlling those risks.
- e) Review accident or incident investigation reports, as required.
- f) Investigate complaints or refusals to work due to real or perceived hazards.
- g) Review reports of inspections carried out in the workplace. Hold regular monthly meetings, except during the months of July and August, when some activities are reduced.
- h) Forward suggestions which may affect the campus community or environs to the Selkirk College Executive.
- i) Keep accurate records of all matters that come before the committees, including minutes of meetings, correspondence, etc.
- j) Ensure JOHSCs provide the Steering Committee, and the Health and Safety Coordinator with a copy of the committee minutes.
- k) Encourage safety discussions within their areas of work and assist whenever possible.

10. **Meetings**

1. The Joint Committee will meet monthly on _____.
2. The Steering Committees shall meet quarterly on _____.
3. Items that cannot be dealt with through the individual campus JOHSC or have the potential to affect the all campuses will be brought forward to the JOHS Steering Committee quarterly all campus meeting.
4. A quorum shall consist of one-half plus one present at the meeting. Where management employer representatives out number workers representatives, the meetings will be postponed.
5. Committees will add procedures it considers necessary for the meetings.

11. **Committee Reports**

1. After each JOHSC meeting, the committee must prepare minutes of the meeting and provide a copy to the Selkirk College Executive.
2. The employer must:
 - if so requested by a union representing workers at the workplace, send a copy of the reports to the union;
 - retain a copy of the reports for a least 2 years from the date of the joint committee meeting to which they relate; and
 - ensure that the retained reports are readily accessible to the Joint Committee members, workers of the employer, officers and other persons authorized by WorkSafe BC.

12. Employer Must Respond to Committee Recommendations

(Worker's Compensation Act division 4 section 133)

1. This section applies if a joint committee sends a written recommendation to an employer with written request for response from the employer.
2. Subject to subsections 4 and 5, the employer must respond in writing to the committee within 21 days of receiving the request, either
 - a) indicating acceptance of the recommendation, or
 - b) giving reasons for not accepting the recommendation.
3. If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the WorkSafe BC which may investigate and attempt to solve the matter.
4. If it is not reasonably possible to provide a response before the end of the 21-day period, the employer must provide within that time a written explanation for the delay, together with an indication of when the response will be provided.
5. If the joint committee is not satisfied that the explanation provided under subsection 4 is reasonable in the circumstances, a co-chair of the committee may report this to the WorkSafe BC, which may investigate the matter and may, by order, establish a deadline by which the employer must respond.

13. Other Employer Obligations to Support Committee

(Worker's Compensation Act division 4 section 136)

1. The employer must provide the JOHSC with the equipment, premises and clerical personnel necessary for the carrying out its duties and functions.
2. On request of the JOHSC, the employer must provide the committee with information respecting:
 1. the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed;
 2. health and safety experience, work practices and standards in similar or other industries of which the employer has knowledge;

3. orders, penalties and prosecutions under the Part of the regulation relating to health and safety at the workplace; and
4. any other matter prescribed by regulation.

14. Safety Discussions

In addition to the Committee activities, all supervisors are encouraged to hold regular “safety talks” with their workers and/or students in order to discuss any safety or health concerns and obtain input from those people who are directly involved in the activities.

15. Committee Training

(Worker’s Compensation Act division 4 section 135)

- a) Each member of the JOHSC or a Sub-Committee is entitled to an annual paid educational leave totalling 8 hours, or longer if prescribed by the regulation, for the purposes of attending occupational health and safety training courses conducted by, or with approval of, the board.
- b) A committee member may designate another member as being entitled to take all or part of the member's educational leave.
- c) The employer must provide the educational leave under this section 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.

16. Amendments

These terms of reference may be amended by vote of the Joint Committee members. Amendments must comply with the Workers Compensation Act and the British Columbia Occupational Health and Safety Regulations.