

## Joint Occupational Health & Safety Committee Terms of Reference

---

December 14, 2017  
Amended July 26, 2018  
Amended Jan 30, 2020  
Amended Feb 25, 2021

---

## Table of Contents

<b>TABLE OF CONTENTS</b>	<b>2</b>
<b>1.0 PURPOSE AND SCOPE</b>	<b>3</b>
<b>2.0 REPORTING STRUCTURE</b>	<b>3</b>
<b>3.0 COMPOSITION</b>	<b>3</b>
<b>4.0 CO-CHAIR DUTIES</b>	<b>4</b>
<b>5.0 TERMS OF OFFICE</b>	<b>4</b>
<b>6.0 DUTIES AND FUNCTIONS OF THE JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE</b>	<b>4</b>
<b>7.0 PERFORMING THE DUTIES AND FUNCTIONS</b>	<b>5</b>
<b>8.0 EMPLOYER SUPPORT FOR THE JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE</b>	<b>6</b>
<b>9.0 MEETINGS</b>	<b>6</b>
<b>10.0 TIME FROM WORK FOR JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETINGS AND OTHER JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE FUNCTIONS</b>	<b>7</b>
<b>11.0 POSTING JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE INFORMATION</b>	<b>7</b>
<b>12.0 RECORDS</b>	<b>7</b>
<b>13.0 EDUCATIONAL LEAVE ENTITLEMENT</b>	<b>7</b>
<b>14.0 INSPECTIONS</b>	<b>8</b>
<b>15.0 INVESTIGATIONS</b>	<b>8</b>

## 1.0 Purpose and Scope

The Joint Occupational Health & Safety Committee (JOHSC) is a joint committee composed of employee (worker) and employer (management) representatives consulting in a cooperative, positive and progressive effort to identify, evaluate and recommend actions to safety and health issues in support of the planned Occupational Health and Safety Program at University worksites. It is the responsibility of each member, regardless of association, to participate in good faith with a mutual goal of improving the workplace environment for all.

## 2.0 Reporting Structure

The JOHSC shall normally make its recommendations to the Vice President, Finance and Administration (VPFA).

## 3.0 Composition

- (a) The JOHSC shall consist of twelve voting members: six employee representatives, and six employer representatives, consisting of:
  - i) Two employee representatives selected by the Faculty Association as per their internal appointment policies/procedures.
  - ii) Two employee representatives selected by CUPE 3799 as per their internal appointment policies/procedures.
  - iii) Two employee representatives selected by CUPE 2278 as per their internal appointment policies/procedures.
  - iv) Six employer representatives selected as per their internal appointment policies/procedures
  - v) An Employee Co-Chair will be elected on an annual basis by the employee representatives on the JOHSC.
  - vi) An Employer Co-chair will be appointed on an annual basis by the employer representatives on the JOHSC.
  - vii) A Recording Secretary will be provided by the employer as a non-voting member of the JOHSC to provide clerical support.
- (b) The Manager of Health & Safety, Bio Safety Officer, Chemical Safety Officer, and Chair of the Lab Safety Committee shall serve as a resource to the JOHSC in a non-voting ex-officio capacity, unless selected by their respective employee/employer groups as a voting member.
- (c) Other resources or guests may serve as a resource to the JOHSC, in a non-voting capacity or brought in as a resource with the approval of both Co-Chairs.
- (d) Each member will have a designated alternate which can but is not required to attend all meetings. All alternates will be ex-officio and only permitted to vote if the main representative is not in attendance.

#### 4.0 Co-Chair Duties

- (a) Facilitate the meetings.
- (b) Review previous meeting minutes, reports and materials prior to the meetings.
- (c) Ensure that a meeting place is arranged.
- (d) Ensure JOHSC members and their alternates are notified of meeting dates, times and location a week or more in advance.
- (d) Endeavor to distribute the meeting package a week in advance to JOHSC members and alternates.
- (f) Ensure recommendations are prepared and are forwarded to the VPFA.
- (g) Ensure all correspondence is prepared as directed by the JOHSC.
- (h) Ensure the maintenance of an unbiased viewpoint.
- (i) Co-Chairs will alternate Chair responsibilities on a monthly basis.
- (j) Solicit and collate response from members to complete an annual review of the committee.

#### 5.0 Terms of Office

- (a) The regular term of office for members of the JOHSC shall be two years.
- (b) If a member of the JOHSC chosen by the employees is unable to complete the term of office, the employees must choose another member as per their internal appointment policies/procedures.
- (c) If a member of the JOHSC appointed by the employer is unable to complete the term of office, the employer must appoint another member as per their internal appointment policies/procedures.
- (d) All JOHSC members must arrange to have an alternate member attend meetings in their place, when they are unavailable to attend and area responsible to ensure they are up to speed on committee matters.

#### 6.0 Duties and Functions of the Joint Occupational Health and Safety Committee

The duties and functions of a Joint Safety and Health Committee are those identified in Part 2 - Division 5, Section 36, of the *Workers' Compensation Act (WCA)*, which are to:

- (a) To identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;
- (b) To consider and expeditiously deal with complaints relating to the health and safety of workers;
- (c) To consult with workers and the employer on issues related to occupational health and safety and occupational environment;

- (d) To make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;
- (e) To make recommendations to the employer on educational programs promoting healthy and safety of workers and compliance with OHS provisions and the regulations and to monitor their effectiveness;
- (f) To advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;
- (g) To 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) To ensure that accident investigations and regular inspections are carried out as required by OHS provisions and the regulations;
- (i) To participate in inspections, investigations and inquiries as provided in the OHS provisions and regulations;
- (j) to carry out any other duties and functions prescribed by regulation

## **7.0 Performing the Duties and Functions**

### **Decisions of the JOHSC**

The JOHSC should attempt to reach consensus on each decision it makes. If the JOHSC cannot reach consensus then a vote may be taken. The vote shall be by hand, or by secret ballot if requested by a JOHSC member. The JOHSC will go with a majority vote, when a vote is needed.

### **Assistance in Resolving Disagreements within the JOHSC**

If the JOHSC is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a Co-Chair of the JOHSC may report this to the Workers Compensation Board/WorkSafe BC, who may investigate and attempt to resolve the matter.

### **Recommendations to the Employer**

The JOHSC must make all recommendations to the VPFA in writing from the co-chairs. The VPFA is required to respond to the JOHSC recommendations within 21 calendar days of receiving the request. Recommendations must be directly related to health and safety and reasonably capable of being done.

The VPFA must respond by:

- Indicating acceptance of the recommendation, or

- Giving the employer's reasons for not accepting the recommendation.
- Providing a copy of the employer's response to both JOHSC Co-Chairs and to Union Presidents.

If the VPFA is not reasonably able to provide a response before the end of the 21-day period, the VPFA will provide the JOHSC Co-Chairs with an explanation for the delay.

If the JOHSC is not satisfied that the explanation provided for the delay is reasonable a Co-Chair of the JOHSC may report this to WorkSafe BC. WorkSafe BC may investigate the matter and may, by order, establish a deadline by which the employer must respond.

### **Confidential Information**

All personal, private or confidential information read or discussed at this meeting (e.g. personal information in an incident/accident report) shall not be communicated beyond the membership of the committee.

## **8.0 Employer Support for the Joint Occupational Health and Safety Committee**

At the request of the JOHSC, the employer is required by Regulation to provide the reasonable equipment, space and clerical support necessary for the JOHSC to carry out its duties and functions.

On the request of the JOHSC the employer must provide:

- (a) The identification of known or reasonably foreseeable health or safety hazards to which workers are likely to be or have been exposed to in the workplace.
- (b) Health and safety experience, work practices and standards in similar or other industries of which the employer has knowledge.
- (c) Orders, penalties and prosecutions under the WCA or OH&S Regulation relating to health and safety at the workplace.
- (d) Any other matter prescribed by OH&S Regulation.

## **9.0 Meetings**

- (a) The JOHSC will meet monthly.
- (b) Regularly scheduled meetings will be held at a set date and time.
- (c) Special meetings, if required, will be held at the call of the Co-Chairs.
- (d) A quorum shall consist of a majority of at least six members of which at least three members must be employee representatives and a minimum of one employer representative.

- (e) For quorum purposes, the employer representatives must not outnumber the employee representatives at the meeting.
- (f) An agenda will be prepared by the Recording Secretary under the direction of the Co-Chair and distributed to JOHSC members and alternates one week prior to the scheduled meeting.

## **10.0 Time from Work for Joint Occupational Health and Safety Committee Meetings and other Joint Occupational Health and Safety Committee Functions**

Members of the JOHSC are entitled to time off from work for:

- (a) The time required to attend meetings of the JOHSC.
- (b) Other time that is reasonably necessary to prepare for meetings of the JOHSC.
- (c) Other time that is reasonably necessary to fulfill the other duties and functions of the JOHSC such as building inspections or incident investigations.

Time off for JOHSC members to perform these duties and functions will be deemed to be time worked for the employer, and the employer will pay for that time.

## **11.0 Posting Joint Occupational Health and Safety Committee Information**

The Safety & Security Department, on behalf of the employer, must post and keep posted, the following:

- (a) The latest approved meeting minutes will be posted on the JOHSC notice board and the past twelve (12) approved meeting minutes electronically posted under the JOHSC section of the Safety Website.
- (b) Contact information for JOHSC members shall be posted on the JOHSC notice board and electronically under the JOHSC section of the Safety Website.

## **12.0 Records**

The Safety & Security Department keeps records on behalf of the JOHSC and will maintain copies of approved minutes for a period of at least 2 years from the date of the meeting to which they relate.

## **13.0 Educational Leave Entitlement**

Each member of the JOHSC is entitled to an annual educational leave totaling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses.

New JOHSC members or worker representatives must receive this training within six months of being selected.

The training will not be required for new members who have previously been on the JOHSC within 2 years of the new selection date, provided they have already received the necessary and applicable training.

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

The employer must 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.

## **14.0 Inspections**

Site inspections will be carried out at a minimum by an employee and employer representative. All inspections will be recorded.

## **15.0 Investigations**

An investigation must be carried out by persons knowledgeable about the type of work involved, and if they are reasonably available, with participation of the employer and a worker representative (though not necessarily JOHSC members). All investigations done by the employer must be reported to the JOHSC at the next available JOHSC Meeting. The report shall include a summary with an overview of the corrective measures taken.