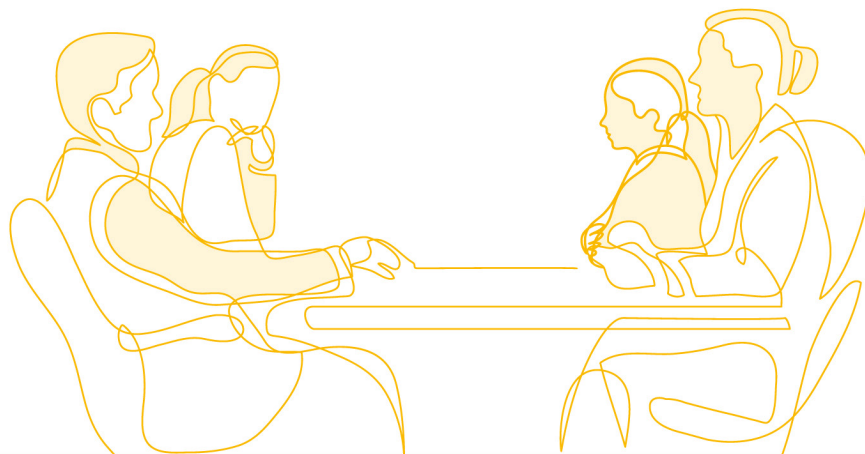


Joint Occupational Health and Safety Committee Terms of Reference



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1. Name of Joint Occupational Health and Safety Committee

The committee shall be known as the Joint Occupational Health and Safety Committee.

2. Purpose of the Committee

The purpose of the joint committee is to work cooperatively with the employer in identifying and resolving safety and health issues in support of a planned occupational safety and health program and to prevent occupational injuries and diseases in the workplace.

3. Committee Membership

- (a) The committee shall consist of at least four (4) members.
- (b) The committee must consist of worker representatives and employer representatives.
- (c) At least half of the members must be worker representatives.
- (d) The worker representatives must be selected from workers at the workplace who do not exercise managerial functions.
- (e) The employer representatives must be selected by the employer from people who perform managerial functions for the employer and, to the extent possible, who do so at the workplace for which the joint committee is established.

List the names of the members below:

| Name of employer representative(s) | Name of worker representative(s) |
|---|---|
| | |
| | |
| | |

(f) The committee must have two (2) co-chairs, one selected by the worker representatives and the other selected by the employer representatives.

(g) All members will arrange to have an alternate member attend meetings in their place, when they are unavailable to attend.

(h) The co-chairs of the committee must notify the employer when there is a lack of representation on the committee.

4. Co-chair Duties

(i) Facilitate the monthly meetings.

(ii) Review previous meeting reports and material prior to the meetings.

(iii) Ensure that a meeting is arranged monthly.

(iv) Ensure members are notified of meeting dates, times, and location.

(v) Ensure the meeting agenda is prepared and distributed.

(vi) Ensure meeting reports are prepared and distributed.

(vii) Ensure that a copy of meeting reports is forwarded to the employer for distribution to other staff.

(viii) Prepare recommendation(s) and forward to the employer for a response.

(ix) Prepare all correspondence on behalf of the committee.

5. Terms of Office

(a) Committee members will sit on the committee for two years.

(b) If a member of the committee chosen by the workers is unable to complete the term of office, the workers must elect a replacement.

(c) If a member of the committee appointed by the employer is unable to complete the term of office, the employer must appoint another member.

(d) All members must arrange to have an alternate member to attend meetings in their place, when they are unavailable to attend.

6. Who does this committee report to?

This committee will report to the employer represented on the committee.

7. Duties and Functions of the Committee

The duties and functions of a joint occupational safety and health committee are identified in the [*Workers Compensation Act, Section 36*](#):

- (a) Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
- (b) Consider and expeditiously deal with complaints relating to the health and safety of workers.
- (c) Consult with the workers and employer on issues related to occupational health and safety and occupational environment.
- (d) Make recommendations to the employer and the workers for the improvement of the occupational health and safety of workers and occupational environment of workers.
- (e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHS Regulation and monitor their effectiveness.
- (f) Advise the employer on programs and policies required under the regulations for the workplace and monitor their effectiveness.
- (g) Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers.
- (h) Ensure that incident investigations and regular inspections are carried out as required by the OHS Regulation.
- (i) Participate in inspections, investigations, and inquiries as provided by the OHS Regulation.
- (j) Carry out any other duties and functions prescribed by the OHS Regulation.

8. Performing the Duties and Functions

Decisions of the committee

The committee should attempt to reach consensus on each decision it makes. If the committee cannot reach consensus, then a vote may be taken. The committee will go with the majority vote, when a vote is required.

Assistance in resolving disagreements within committee

If the joint occupational health and safety committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to management for the employer, who may investigate and attempt to resolve the matter.

Recommendations to the employer

The joint committee must make all recommendations to the employer in writing with a written request for a response from the employer within 21 days. Both the employer and worker co-chairs must sign the recommendations before forwarding them to the employer. All recommendations must be made separate from the minutes of the meeting.

The employer is required, under the [OHS Regulation](#), to respond to the joint committee recommendations within 21 days of receiving the written request. The employer must respond in writing by:

- Indicating acceptance of the recommendation, or
- Giving the employer's reasons for not accepting the recommendation.

If the employer is not reasonably able to provide a response before the end of the 21-day period, the employer will be asked by the committee to provide (within that time) a written explanation for the delay, together with an indication of when the response will be provided.

If the joint committee is not satisfied that the explanation provided for the delay is reasonable – in these circumstances – a co-chair of the committee may report this to WorkSafeBC. WorkSafeBC may investigate the matter and may, by order, establish a deadline by which the employer must respond.

9. Support for the Committee

At the request of the joint occupational health and safety committee, the employer is required to provide the reasonable equipment, space, and clerical support necessary for the joint committee to carry out its duties and functions.

The joint committee may request the following information from the employer, as needed:

- (a) The identification of known or reasonably foreseeable health or safety hazards which employees are likely to be 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 OHS Regulation relating to health and safety at the workplace.
- (d) Any other matter prescribed by OHS Regulation.

10. Meetings

- (a) The committee will meet monthly on the same day of the week and at the same time.
- (b) Regularly scheduled meetings will be held in the:

- (c) Special meetings, if required, will be held at the call of the co-chairs.
- (d) A quorum shall consist of a majority of members on the committee.

11. Time from Work for Meetings and Other Committee Functions

Members of the joint committee are entitled to time off from regular work duties for:

- (a) The time required to attend meetings of the committee.
- (b) Other time that is reasonably necessary to prepare for meetings of the committee.
- (c) Other time that is reasonably necessary to fulfill the other duties and functions of the committee.

Time off for joint committee members to perform these duties and functions will be deemed to be time worked for the employer.

12. Agendas and Reports of the Committee

- (a) An agenda will be prepared by the co-chairs and distributed to members prior to the meeting.
- (b) A report of the meeting will be prepared as soon as possible after the meeting with a copy provided to the employer.
- (c) The employer will retain a copy of the reports for at least two (2) years from the date of the joint committee meeting to which they relate.
- (d) The employer will be responsible for ensuring that the retained reports are readily accessible to the joint committee members, workers of the employer, officers, and other persons authorized by WorkSafeBC.

13. Posting Committee Information

The employer must promptly print and post the following in a place readily accessible to employees at the workplace:

- a) The names and work locations of the joint committee members.
- b) The reports of the three (3) most recent joint committee meetings.
- c) Copies of any applicable orders for the preceding 12 months.

14. Records

The committee must keep accurate records of all matters that come before it. The committee will maintain copies of its minutes for a period of at least two (2) years from the date of the joint health and safety committee meeting to which they relate.

15. Educational Leave Entitlement

Each member of the joint committee is entitled to an annual educational leave totalling eight hours for attending occupational health and safety training courses. The employer must ensure that each joint committee member receives at least eight hours of training within six months of joining the committee, as set out in ([Regulation 3.27](#)).

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.

16. Amendments

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

Approved:

Signature of Employer Co-Chair

Signature of Worker Co-Chair

Date

Date