

# Joint Occupational Health and Safety Committee (JOHSC) Terms of Reference



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## 1. Name of Joint Occupational Health and Safety Committee

The committee shall be known as the  
Health and Safety Committee (JOHSC).

Joint Occupational

## 2. Constituency

Name of Employer Representative(s)	Name of Worker Representative(s)

## 3. Purpose of the Committee

The JOHSC plays an important role in the clinic's occupational health and safety program, giving workers and employers a way to work together to identify and resolve workplace health and safety issues.

## 4. Committee Membership

- The committee shall consist of at least four (4) members.
- The committee must consist of worker representatives and employer representatives.
- At least half of the members must be worker representatives.
- The worker representatives must be selected from workers at the workplace who do not exercise managerial functions.
- 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.
- The committee must have two (2) co-chairs, one worker representative selected by the worker representatives and one employer representative selected by the employer representatives.
- All members will arrange to have an alternate member attend meetings in their place when they are unavailable to attend.

## 5. Training

- 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 [OHS Regulation 3.27](#).
- 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 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.

## 6. Co-chair Duties

- Facilitate the monthly meetings.
- Review previous meeting reports and material prior to the meetings.
- Ensure that a meeting is arranged monthly.
- Ensure members are notified of meeting dates, times, and location.
- Ensure the meeting agenda is prepared and distributed.
- Ensure meeting minutes are prepared and distributed.
- Prepare recommendation(s) and forward to the employer for a response.
- Prepare all correspondence on behalf of the committee.
- Notify the employer when there is a lack of representation on the committee.

## 7. 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.

## 8. 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 the occupational environment.
- d) Make recommendations to the employer and the workers on the improvement of occupational health and safety for workers and compliance with the occupational health and safety regulation (OHSR).
- e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHSR.
- f) Monitor the recommendations' effectiveness.
- g) Advise the employer on programs and policies required under the regulations for the workplace and monitor their effectiveness.
- h) Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers.
- i) Ensure that incident investigations and regular inspections are carried out as required by the OHSR.
- j) Participate in inspections and inquiries as provided by the OHSR.
- k) Select appropriate worker and employer representatives to participate in the preliminary and full incident investigation process.

- l) Review and provide feedback on any corrective action reports resulting from incident investigations.

## **9. Decisions and Resolving Disagreements**

### **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 JOHSC is unable to reach an agreement on a matter relating to the health or safety of workers at the workplace, a special meeting will be called to address the matter. If the issue is still unresolved, a co-chair will report to WorkSafeBC for assistance in investigating and resolving the matter.

## **10. 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 documented separately from the minutes of the meeting.

The employer is required, under the [Occupational Health & Safety 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 respond by the end of the 21-day period, the employer will provide the committee (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, 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.

## **11. Support for the 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.

On request of the joint committee, the employer must provide the committee with information respecting:

- 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 OHSR relating to health and safety at the workplace.
- d) Any other matter prescribed by OHSR.

## **12. 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.

## **13. Time from Work for Meetings and Other Committee Functions**

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

- The time required to attend committee meetings.
- Other time that is reasonably necessary to prepare for meetings of the committee.
- 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.

## **14. Agendas and Meeting Minutes of the Committee**

- a) An agenda will be prepared by the co-chairs and distributed to members prior to the meeting.
- b) Meeting minutes will be prepared by the co-chairs as soon as possible after the meeting, with a copy provided to the employer.
- c) The committee will maintain copies of its minutes for a period of at least two (2) years from the date of the JOHSC meeting.
- 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.

## **15. 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.

## **16. Amendments**

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

## 17. Committee Review

In accordance with legislation, the JOHSC will undergo an annual evaluation completed by the committee co-chairs. The evaluation can be completed utilizing the [WorkSafeBC JHSC Evaluation Tool](#).

## 18. Terms of Reference Review

These terms of reference will be reviewed on an annual basis.

## 19. Approval

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Signature of Employer Co-Chair

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Signature of Worker Co-Chair

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Date

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Date