



CITY POLICY & PROCEDURE

SECTION: HUMAN RESOURCES

NO: HR-HS-25

REFERENCE: HEALTH AND SAFETY

Date: Dec 5, 2017

Review Date:
December, 2019

TITLE: JOINT HEALTH & SAFETY COMMITTEE - PROVINCIAL (OHSA)

1.0 POLICY

- 1.1 The City of Dryden will establish Joint Health & Safety Committees to identify hazards and make recommendations to the employer to control the hazards. The JHSC is an integral part of the company's Internal Responsibility System (IRS).
- 1.2 Committees shall be established after due consultation with Departmental Management, the Health & Safety Coordinator, the Manager of Human Resources and Unions/Associations, to allow committee representation for the department/location in all work areas.
- 1.3 The IRS means everyone in the workplace is responsible for health and safety. An effective JHSC's role in an organization's IRS is to monitor the system by identifying and suggesting how to correct breakdowns in the IRS (e.g., information about hazards is not communicated to workers). The *Occupational Health and Safety Act* ensures that the spirit of the IRS is reflected in the JHSC by requiring members from both management and workers.

2.0 COMMITTEE MEMBERSHIP

- 2.1 Committee members should be selected on the basis of their genuine interest and commitment to Health and Safety issues and their ability to work co-operatively with others.
- 2.2 Management representation will be selected by the Senior Manager of the work area(s) concerned.
- 2.3 Worker Representatives who do not exercise managerial functions will be chosen by the Union or Worker Group from the work area(s) concerned.
- 2.4 Worker and Management Representatives must come from the work area(s) over which the Committee has jurisdiction.

3.0 TERMS OF COMMITTEE OFFICE

- 3.1 The length of the term of office of the representatives will be determined by the Managerial or Union/Worker Group making the appointment of their respective Representatives. Terms should be long enough for Committee members to gain expertise in Health and Safety issues. The terms should be staggered to promote continuity of representation. The recommendation is minimum of 3 years.

4.0 CO-CHAIRPERSONS

- 4.1 In accordance with the Ontario Health and Safety Act (OH&SA):
Committee to be Co-Chaired: Two of the members of a committee shall co-chair the committee, one of whom shall be selected by the members who represent workers and the other of whom shall be selected by the members who exercise managerial functions.
- 4.2 The Chair will alternate for each meeting.
- 4.3 The Chair may rotate throughout the committee as long as it alternates between worker and management.

5.0 TRAINING

- 5.1 The City will endeavour to train all Committee members in Health and Safety matters.
- 5.2 In accordance with the OH&SA:
The City shall ensure that at least one member of the committee representing the employer and at least one member representing workers are WSIB certified members.
- 5.3 The City shall ensure that if a certified member resigns or is unable to act, the City shall, within a reasonable time, take all steps necessary to ensure that a replacement is found or an existing member is certified to meet the requirements of the Act.

6.0 TERMS OF REFERENCE

- 6.1 Each Committee will, at a minimum, adopt the attached Terms of Reference. If modifications are required, the Committee will develop their own terms ensuring that the specific requirements of the Occupations Health & Safety Act are met.

7.0 MEETINGS

- 7.1 Meetings shall be held at least quarterly. Departmental Management, in consultation with the Committee, will determine meeting frequency within Legislative Guidelines.
- (a) Scheduling of Meetings:
Meetings will be scheduled by the Committee in consultation with Management to satisfy the frequency agreed upon.
 - (b) Location and Time:
Meetings will be scheduled at the work place during regular working hours.
 - (c) Secretarial Services:
Secretarial services for the Committee shall be determined by each committee.
 - (d) Preparation Time:
Committee members are entitled to paid time off for meetings, preparation for meetings, attending at the beginning of any testing, and for undergoing certification training.

8.0 FUNCTIONS OF THE COMMITTEE

- 8.1 Under the Occupational Health & Safety Act, the general function of a Joint Health and Safety Committee is to:
- (a) identify situations that may be a source of danger or hazard to employees;
 - (b) make recommendations to Management and Employees for the improvement of the health and safety of Employees;
 - (c) recommend to Management and Employees the establishment, maintenance and monitoring of programs, measures and procedures respecting the health and safety of Employees; and,
 - (d) review, analyze and make recommendations dealing with the Supervisor's Report of Injury/Incident forms received by the Committee.

- 8.2 To assist the Committee in carrying out these responsibilities, the Act gives the members the power or right to:
- (a) obtain information from the Corporation on existing and potential hazards of materials, processes and equipment and on Health and Safety experience and work standards and practices in similar industries;
 - (b) inspect the physical condition of the workplace;
 - (c) make recommendations for the improvement of Worker's health and safety, and for education and training programs for the health and safety of Workers;
 - (d) investigate cases of fatal or critical injury at the workplace;
 - (e) accompany a Ministry Inspector during a workplace inspection and receive copies of any reports or orders;
 - (f) obtain information from the Corporation or constructor concerning the testing of any equipment, machine or substance at the workplace; and,
 - (g) be consulted about, and be present at, the beginning of any testing of equipment, machinery or substances at the workplace.
- 8.3 In addition to the above, the Committees shall:
- (a) identify, evaluate and recommend in writing to the Chief Administrative Officer, a suggested resolution of any matter pertaining to health and safety in the workplace; and,
 - (b) evaluate the sufficiency of education and training programs and whether all employees are thoroughly knowledgeable of their rights, restrictions, responsibilities and duties under the Act.

9.0 COMMITTEE RECOMMENDATIONS

- 9.1 The Supervisor with authority over the workplace must be given the opportunity to address any health and safety concern prior to it being tabled at a meeting of the Committee. As such, all employees should follow the "Flow of Concern" table (see attached Internal Responsibility System flow chart) in dealing with health and safety issues.

- 9.2 All recommendations of the Committee shall be submitted on the "Joint Health and Safety Committee Recommendation to Management" form to the appropriate Supervisor, Manager or designate for action.
- 9.3 Supervisors, Managers or designates shall respond to the Committee in writing within twenty-one (21) days of receipt of the Committee recommendations using the "Management Response to Joint Health and Safety Committee Recommendation" form.
- 9.4 The response shall contain schedules for completion, reasons for any delay or non-concurrence with the recommendations or alternate proposals which Management believes will resolve the problem satisfactorily.
- 9.5 The Committee shall follow up on all outstanding actions in a timely manner to ensure completion of all actions.

10.0 CRITICAL INJURY OR DEATH

- 10.1 The Worker Representative on each Committee shall designate one Worker Representative to investigate those incidents where loss of life or critical injury occurs in the workplace, in accordance with the requirements of the Ontario Health and Safety Act (OH&SA) and regulations. A second Worker Representative may be designated to act as an alternate at the discretion of the Worker Representatives.
- 10.2 The designated Worker Representative shall prepare a written report of the investigation. This report shall be submitted to the Ministry of Labour, the respective Manager, Health & Safety Coordinator, the Joint Health & Safety Committee and the appropriate Union President(s).
- 10.3 The report will be reviewed by the Committee at its next regularly scheduled meeting or at a special meeting if deemed necessary by the Co-Chairpersons.

11.0 WORK REFUSALS

- 11.1 A Committee member, who represents Worker(s), has a duty to participate in work refusals and work stoppage. In a work refusal, the worker representative on the JHSC (certified if possible, but not mandatory) works with the worker who is refusing and the supervisor of that worker to try and come up with a solution that is safe. In a bilateral work stoppage situation, it is required that two certified members – one management and one worker – decide if it is a "dangerous circumstance" and can stop work in that circumstance.

This procedure is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.

- 11.2 The work refusal and bilateral work stoppage shall be undertaken in accordance with the provisions of the OH&SA. See Procedure HR-HS-13 - Refusal to Work.
- 11.3 The Human Resources Department and the Health & Safety Coordinator shall be contacted in the event of a work stoppage/refusal as soon as one is initiated.
- 11.4 The designated Worker shall at the next scheduled meeting, report the facts as determined by their investigation to the Committee.
- 11.5 Any recommendations resulting from the report shall be recorded in the Minutes of the Committee meeting.

12.0 WORKPLACE INSPECTION

- 12.1 A Worker member of the Committee shall inspect the workplace at minimum once per month. If this is not practical, then at inspection of at least a part of the workplace should be performed each month so that the whole workplace is inspected at least once a year.
- 12.2 Inspections are to be carried out by teams of at least one (1) Worker and one (1) Management Representative.
- 12.3 The Management Representative should be the supervisor of the area to be inspected wherever possible.
- 12.4 Inspections are to be scheduled by Management during regular working hours to ensure a complete inspection of all facilities within the Committee's jurisdiction at least every three (3) months but not more often than once per month.
- 12.5 An approved City of Dryden Workplace Inspection Form will be used to record inspection activities. These forms may be customized to fit the department, with approval by the Health & Safety Coordinator and Departmental Management. Inspections shall include an examination of fire extinguishers.

13.0 MANAGEMENT RESPONSIBILITY

Departmental Managers shall:

- 13.1 ensure that agendas, minutes, reports and notices to Departmental Management, Unions, Committee Members and Health & Safety Coordinator, are prepared and distributed;
- 13.2 ensure that an up-to-date listing of Committee Members and their work locations is posted on Department bulletin boards and submitted to the Health & Safety Coordinator;

**This procedure is subject to any specific provisions of the Municipal Act,
or other relevant legislation or Union agreement.**

- 13.3 respond in writing within twenty-one (21) days to Committee recommendations, with an implementation plan for changes agreed to, or reasons where not agreed to;
- 13.4 ensure that copies of Supervisor's Reports of Employee Injury are compiled by the Committee Secretary for Committee review before each meeting; and,
- 13.5 provide information to the Committee respecting the identification of potential or existing hazards of materials, processes or equipment, and provide information to the Committee on any testing and have a designated member present at the beginning of testing.

14.0 WORKER REPRESENTATIVE RESPONSIBILITY

Worker Representatives shall:

- 14.1 ensure that required committee representation is maintained;
- 14.2 notify their Supervisor of upcoming committee commitments such as meetings or inspections and apply for permission to attend using the normal departmental procedures; and,
- 14.3 choose one (1) of their members from the committee to investigate cases where a worker loss of life or critical injury occurs at the workplace.

15.0 HEALTH AND SAFETY COORDINATOR RESPONSIBILITY

- 15.1 The Health and Safety Coordinator will provide ongoing assistance to the Committee and act as a resource person or advisor to the Committee as required.
- 15.2 The Health and Safety Coordinator will track JHSC activities (meetings, inspections, training etc.) and provide feedback and reports on compliance.
- 15.3 The Health and Safety Coordinator will attend meetings upon request and if warranted.
- 15.4 The Health and Safety Coordinator will provide information on JHSC certification as well as availability of upcoming certification training.
- 15.5 The Health and Safety Coordinator will participate in incident investigations where loss of life or critical injury occurs in the workplace in conjunction with the Worker Representative of the Committee.

16.0 COMMITTEE GENERAL

- 16.1 The Committee shall not assume or infringe upon Management or Supervisory responsibilities for health and safety and will not upset or interfere with the normal Supervisor - Worker relationship.
- 16.2 The responsibility of compliance with the regulations lies with the Supervisor. For this reason, the Committee's site inspection reports will be strictly accurate and concise. The Committee will confine its discussion and activities to matters of incident prevention and employee health and safety.
- 16.3 The Committee shall not investigate individual incidents, other than cases of death or critical injury, but will review circumstances surrounding a particular incident for the purpose of recommending remedial action.
- 16.4 Incident review will be conducted for the purposes of determination of prevention measures for the health and safety of the worker(s).

APPENDICES:

Joint Health and Safety Committee Recommendation to Management

Management Response to Joint Health and Safety Committee Recommendations

JHSC Terms of Reference

History			
Approval Date:	January 1, 2003	Approved by:	Council Resolution
Amendment Date:	May 16, 2011	Approved by:	By-law 3876-2011
Review/Amendment Date:	December 19, 2011	Approved by:	By-law 3930-2011
Review/Amendment Date:	October 21, 2013	Approved by:	By-law 4114-2013
Review/Amendment Date:	Dec 19, 2017	Approved by:	CAO



Joint Health and Safety Committee Recommendation to Management

Facility:

Date(s):

Re:

Reason for Recommendation:

Requirements for implementation (supporting documentation may be attached):

Date presented to Management: _____ / _____ / _____
day month year

Management Co-chair

Worker Co-chair

Recommendation presented to: _____

Expected date of response : _____ / _____ / _____
day month year

IMPORTANT REMINDER:

An employer who receives written recommendations from the worker Health and Safety representative shall respond in writing within 21 days as per the Occupational Health and Safety Act (OHSA).



Management Response to Joint Health and Safety Committee Recommendations

Facility:

Date(s):

Response to recommendations received on: _____ / _____ / _____
day month year

Management agrees with the recommendation: Yes _____ No _____

NOTE: If Management agrees with the recommendation, complete the next section of this form.
However, if there's a disagreement with or an alternate recommendation, provide reasons or explanation.

Implementation for recommendation (timetable, actions taken or to be taken, etc.):

Disagreement with or alternate recommendation:

Date recommendation returned to the Health and Safety Representative:

_____ / _____ / _____
day month year

Responding Manager

Response received from Health and Safety Representative on:

_____ / _____ / _____
day month year

**Date:** Jan 17, 2017

JHSC Terms of Reference

Mission

The Site Joint Health & Safety Committees for the City of Dryden will support management in its goal for continuous improvement of the City's health and safety practices. This committee will, to the best of our ability, be proactive in health and safety initiatives. We will be responsible to keep the workplace informed of our purpose and provide high visibility in the workplace. The JHSC will help management identify unsafe and unhealthy standards of work, conditions and practices, and act as an advisory group to management to help resolve health, safety and environmental issues.

Members

Committee members should be selected on the basis of their genuine interest and commitment to Health and Safety issues and their ability to work co-operatively with others. Management representation will be selected by the Senior Manager of the work area(s) concerned. Worker Representatives who do not exercise managerial functions will be chosen by the Union or Worker Group from the work area(s) concerned. Agreement on health and safety issues from the committee will be decided by majority vote. Worker and Management Representatives must come from the work area(s) over which the Committee has jurisdiction.

Length of Term

The length of the term of office of the representatives will be determined by the Managerial or Union/Worker Group making the appointment of their respective representatives. Terms should be long enough for Committee members to gain expertise in Health and Safety issues. The terms should be staggered to promote continuity of representation. A minimum of 3 years is recommended.

Attendance

If anyone is absent for three consecutive meetings without just cause, they will be asked to resign from the JHSC and the position will be replaced.

Co-chair Position

Two members of a committee shall co-chair the committee, one of whom shall be selected by the members who represent workers and the other of whom shall be selected by the members who exercise managerial functions. The Meeting Chair will alternate between the worker and managerial reps for each meeting. The Chair may rotate throughout the committee as long as it alternates between worker and management.

Quorum

The minimum number of members required for a valid meeting to take place will vary on the size of the committee but at least 50% of the committee must be present. But the emphasis should always be on full attendance. In all cases, at least half of the members present must represent workers. Members who will not be able to attend a meeting should promptly notify the meeting chair in advance, so that the meeting can be rescheduled if a quorum is not available. Agreement on health and safety issues from the group will be decided by majority vote.

Meetings

The committee will meet at least once per quarter (4 per year) with additional meetings scheduled if required. The committee shall set a schedule of meeting dates for the next full calendar year during the last meeting of the current year. Meetings will be scheduled by the Committee according to member's availability. Meetings will be scheduled at the work place during regular working hours. Committee members are entitled to paid time for meetings, preparation for meetings, attending at the beginning of any testing, and for undergoing certification training. Only JHSC members and invited guests may attend meetings. Secretarial services for the Committee shall be determined by each committee. (recorder, distribution of agenda, preparation of minutes etc.)

Agendas

An agenda is to be prepared at least one week prior to the meeting. Anyone who would like to contribute information or suggestions to the JHSC must do so at least one week prior to the meeting.

Minutes

Minutes of meetings provide a written record of JHSC activities and can track the progress of actions on recommendations the committee has made. All minutes must be signed by both co-chairs. A copy of the minutes should be kept in the JHSC file, provided to all members and posted on the health and safety bulletin boards. Copies of all minutes must also be distributed to the Health & Safety Coordinator.

Training

The City will endeavour to train all Committee members in Health and Safety matters through a variety of means. The City shall ensure that at least one member of the committee representing the employer and at least one member representing workers are JHSC certified members. Although just two members must be certified under the OHSA, all members of the JHSC will be encouraged and supported to attend Certification Training level one and two.

Confidentiality

All information discussed in the meetings will be held in confidence and remain internal. Health and safety issues will be discussed omitting names of any people who may be involved. Any violation of confidentiality will result in the request of immediate resignation from that JHSC member and, if warranted, the violation will be communicated to senior management.

New Members

The employee and management representatives will be responsible to replace new members from their perspective groups. Employee replacements will be elected by majority vote. JHSC position vacancies will be posted and the workplace will be asked to respond to the request within three weeks of the posting. Management representatives will be appointed by senior management of the work area.

PROCEDURE TO FOLLOW WHEN REPORTING SAFETY CONCERNS

“INTERNAL RESPONSIBILITY SYSTEM”

