

2.1.1 - Terms of reference - sample

Joint Work Site Health and Safety Committee Terms of Reference

Introduction

Alberta's *Occupational Health and Safety Act* requires that under certain circumstances an employer establish a HSC in the workplace. In order to work effectively, the HSC's role must be clearly defined, understood and accepted. Detailed terms of reference that set out the mandate, structure and functions of the HSC ensure that its important work can be done.

HSCs are important forums for workers to participate in OHS. They ensure supervisors and workers discuss health and safety issues in the workplace and work collaboratively to find ways to address them. Committees allow workers to participate in OHS and support the three basic rights of workers:

- the right to know
- the right to participate
- the right to refuse dangerous work

Vital to developing and maintaining healthy and safe workplaces is an effective internal responsibility system (IRS). An IRS functions best when it recognizes the roles and responsibilities of all work site parties and encourages joint participation in recommending solutions to health and safety issues. The HSC is an important part of the IRS in a workplace, representing the collective contributions of workers and employers.

1.0 Purpose

1.1 The Committee identifies opportunities and recommends initiatives to promote physical and psychological health and safety and continuous improvement in the operation and effectiveness of the *Insert Employer Name* Health and Safety Program within the department.

- 1.2 The Committee helps department management fulfill their obligation to address employee concerns related to hazardous activities or conditions that affect employee health and safety across the department's business operations.
- 1.3 The Committee promotes and encourages employees to participate in health and safety committees and events at the workplace.
- 1.4 It is understood that these terms of reference shall not amend, alter, subtract from, add to or qualify in any way, the Occupational Health and Safety Act, or the terms of collective agreements between the *Employer* and the union that is the certified bargaining agents.
- 1.5 Any amendments to the Occupational Health and Safety Act or collective agreement provisions will be incorporated into the terms of reference, as applicable.

2.0 Membership

- 2.1 A committee consists of a minimum of 4 members in total with half of the members representing workers and half of the members representing management.
- 2.2 The union that is the certified bargaining agent shall select the worker member(s) of the HSC. If the workplace also includes non-represented workers, the non-represented workers shall have the opportunity to select a worker member from amongst the non-represented workers in the workplace.
- 2.3 The employer shall select the employer member(s) of the HSC.
- 2.4 A worker member who ceases to be employed at the workplace ceases to be a member of the HSC and shall be replaced as soon as practicable.

Co-Chairs

- 2.5 Each HSC must have two co-chairs; one chosen by the employer members on the committees and the other chosen by the worker members on the committee. The co-chairs shall alternate in serving as chair at meetings of the HSC and shall participate in all decisions of the committee.

Posting of names

- 2.6 The names and contact information of the HSC members or representatives are posted conspicuously at every work site.

3.0 Term of office

3.1 The term of office for the HSC members is not less than 1 year and may continue to hold office until their successors are selected or appointed. If a union exists and the unions constitution specifies a term of office for the worker members of the HSC committee or the health and safety representative the term of office is the term specified in the unions constitution.

4.0 Functions

4.1 The HSC is an advisory body and its main function is to identify, evaluate and make recommendations concerning health and safety hazards and issues in the workplace.

4.2 The HSC will encourage workers to discuss any occupational health and safety concern with their manager/supervisor before bringing it to the attention of the HSC.

4.3 All committee members will strive to fulfil their roles and responsibilities by working cooperatively, following the processes in these terms of reference, and make every effort to reach consensus on issues for the effective operation of the committee

5.0 Member responsibilities

Co-chairs

5.1 Co-facilitate Committee Meetings by:

- a) Taking a leadership role in guiding Committee discussions towards definite conclusions;
- b) Ensuring meeting start and end on time and are conducted in accordance with the established agenda and process;-chairperson
- c) Strive to achieve consensus;
- d) Reviewing previous minutes and materials prior to each meeting;
- e) Prepare and distribute meeting agenda and materials; and
- f) Posts meeting materials to the designated location(s).

5.2 Complete and maintain the Health and Safety Committee Minutes

Committee members

5.3 Attend all Committee meetings and, when unable to attend ensure all relevant correspondence and documents are reviewed and that any assigned tasks are acknowledged.

5.4 Participate and contribute to the team by representing employees in their respective area of the organization.

5.5 Prior to the meetings review meeting materials.

5.6 Seek input from staff regarding the Programs, gaps issues, and questions.

Workplace inspections

5.7 A worker member designated by the worker member(s) on the HSC shall inspect the physical condition of the entire workplace every three months

5.8 A different worker member may conduct each inspection. Where practical, the worker conducting the inspection should be accompanied by a management person for the work area being inspected or a management member of the HSC.

5.9 The inspections should be undertaken in accordance with a schedule developed by the HSC. 5.10 The schedule should be distributed to all committee members, the manager(s) of the area(s) being inspected, and posted as appropriate.

5.11 All occupational health and safety concerns raised during the physical inspection should be recorded on an appropriate workplace inspection report form.

5.12 The workplace inspection form should be forwarded to all HSC members within one week of the workplace inspection.

Recommendations to the employer

5.12 The committee will make recommendations to the employer (senior manager or management designee) to improve the health and safety of employees and follow up on the status of the recommendations.

Recommendations could include but are not limited to:

- a) improvements pertaining to health and safety in the workplace
- b) improvements in response to incidents/accidents in the workplace
- c) improvements pertaining to workplace inspections or review of local workplace programs

5.13 The HSC will review responses to their written recommendations.

- a) **Note:** The employer (senior manager or management designee) must provide a written response within thirty (30) days. The response shall contain a timetable for implementation of acceptable recommendations or give reasons for not accepting recommendations.

6.0 Entitlements of HSC members

Time to fulfil HSC duties

6.1 In each workplace, one worker member of the HSC, and not necessarily the same member on each occasion, shall be afforded time from work to inspect the workplace as per the inspection schedule.

Members of a HSC are entitled to:

- a) pre-meeting preparation time,
- b) such time as is necessary to attend meetings of the HSC
- c) such time as is necessary to carry out the members' functions and entitlements as outlined in these terms of reference.

6.2 HSC members shall be deemed at work when carrying out HSC functions and entitlements, and shall be paid at the regular or premium rate as appropriate.

Accompany OHS officer

6.3 A worker member of the HSC shall be afforded the opportunity to accompany an OHS Officer during an inspection of the workplace.

Investigations and work refusals

6.4 A worker member, designated by the worker members of HSC, shall be afforded the opportunity to investigate the circumstances where a worker from the workplace has been killed or seriously injured, and will report his or her findings to the HSC and to the Ministry of Labour.

6.5 A worker member shall be made available to be present at any inspection into a work refusal by a worker from the workplace and shall attend such inspection without delay.

7.0 Administrative processes

Meetings

7.1 HSC meetings shall be held at least once every three months. A schedule of meeting will be developed by the HSC.

7.2 The HSC shall have a quorum of at least one half of the members if a) both worker and employer members are present and b) at least one half of those present are worker members.

Agenda

7.3 The co-chairs will jointly prepare an agenda and forward a copy of the agenda to all HSC members in advance of scheduled meetings.

7.4 Unresolved items raised from the agenda in meetings will be placed on the agenda for the next meeting.

Guest(s)

7.5 With the consent of the co-chairs, guest(s) may be invited to attend a HSC meeting, as a resource, to provide advice or expertise on specific items.

Minutes

7.6 The HSC will designate a member to take minutes for the meeting.

7.7 All items raised in meetings will be reported in the minutes, along with information as to whether they were resolved or follow-up is required.

7.8 Names of HSC members will not be used in the minutes except to record attendance, or to record the name of the committee member responsible for completing an identified action.

7.9 Minutes of meetings will be reviewed, edited where necessary and signed by the co-chairs, and circulated within a few days of the meeting to all HSC members with a copy forwarded to the senior manager or management designee of the workplace.

7.10 Minutes should be posted in the workplace within seven days of the meeting and remain posted until the next meeting.

Record keeping

7.11 The HSC shall maintain and keep all agenda and meeting minutes, completed workplace inspection reports, and workplace inspection schedule for review by an OHS Officer.

7.12 The HSC shall maintain and keep these terms of reference.

Dispute resolution

7.13 If the committee fails after trying in good faith to reach consensus about making recommendations to the employer, either co-chair of the committee has the power to make unilateral written recommendations to the employer.

8.0 Training

8.1 An employer or prime contractor as applicable shall ensure that HSC co-chairs and health and safety representatives receive training with respect to the duties and functions of a HSC. HSC members, co-chairs and health and safety representatives are to be permitted time away from regular duties to attend training

8.2 The amount of time allowed annually for training is 16 hours or the number of hours the worker normally works during 2 shifts

9.0 Review and approval of the terms of reference

9.1 These terms of reference should be reviewed annually and will remain in force and effect until new terms of reference are entered into.

9.2 These terms of references were last amended on June 18, 2018 and approved by:

_____	_____
Worker Co-Chair	Date
_____	_____
Management Co-Chair	Date

Distribution: Copy 1 – Senior Management, Copy 2 – HSC Files, Copies – HSC members