Joint Health & Safety Committee Terms of Reference

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Preamble

The Carleton University Students Association (CUSA) of Carleton University believes that for the Joint Health & Safety Committee to be effective, representatives of all parties must be committed to their responsibilities under the Ontario Occupational Health & Safety Act. All parties must endeavour to promote a co-operative, positive and progressive approach to dealing with health and safety issues.

It is the Corporation’s first belief that the Joint Health & Safety Committee will assist in creating educational programs and training opportunities as well as participating in joint investigations of concern and joint resolution of those problems to assist in making the workplace safe and healthy for all Employees.

The following Terms of Reference include specific legal regulations and Corporate policies which must be followed in order to assist the Joint Health & Safety Committee in meeting their Legal and Corporate responsibilities.

1) **Scope**
   a) This policy applied to all CUSA employees

2) **Definitions**
   a) In these Terms of Reference, the terms below have the following meanings:
      i) “Critical Injury” mean an injury of a serious nature that: places life in jeopardy; produces unconsciousness; results in a substantial loss of blood; involves the fracture of leg or arm but not a finger or toe; involves amputation of a leg, arm, hand or foot but not a finger or toe; consists of burns to a major portion of the body; or, causes the loss of sight in an eye.
ii) “Joint Health & Safety Committee” or “JHSC” is a Committee made up of both Management and Worker Representatives and is required at a workplace at which twenty or more workers are regularly employed.

iii) “Management Representative” as Employee who exercises managerial/supervisory functions that has been selected by either the Executive Director of their Superior or that has volunteered to participate on the JHSC.

iv) “Worker Representative” means an Employee who represents workers that has been selected by their peers to participate on the JHSC.

v) “Work Refusal” means a situation where a Worker refuses to complete work because they have a reason to believe that their health and safety is at risk.

3) Role of the JHSC
   a) To identify, evaluate and recommend solutions on matters pertaining to the health and safety of the workplace to members of Management;
   b) To review educational and training programs, provided by the Employer, to ensure they are sufficient. These educational and training programs will ensure that all Employees are thoroughly knowledgeable of their duties, responsibilities, restrictions and rights under the Ontario Occupational Health and Safety Act and the Workplace Safety and Insurance Act;
   c) To create and maintain an active interest in health and safety concerns;
   d) To make written recommendations to Management on the continuous improvement of the Safety program and any hazards present in the workplace;
   e) To complete workplace inspections on a monthly basis to identify any potential hazards in the workplace;
   f) To identify a Worker Representative to accompany any Ministry of Labour Inspector while they carry out inspections of the workplace;
   g) To identify a Certified Worker Representative to investigate work refusals along with the Director of Human Resources, or their delegate;
   h) To address matters related to the “designated substances” regulations, where applicable;
   i) To review any accident/injury record summaries on an annual basis; and,
   j) To identify a Worker Representative to investigate any critical injury or fatality in the workplace along with the Director of Human Resources, or their designate.

4) JHSC Membership
   a) Composition: the JHSC membership is comprised of an equal number of worker and management members. There will be at least two (2) Worker Representatives and two (2) Management Representatives on the JHSC at all times.
   b) Member Selection:
      i) Worker Representatives will volunteer to be part of the JHSC, and be appointed by their peers as per the terms of reference in the CUPE Local 3011 collective bargaining agreement.
ii) Management Representatives will be appointed by the Executive Director or their superior. The Management Representative must be employed by CUSA and must exercise managerial functions.

iii) Should a JHSC worker or management representative need to be replaced, the selection process shall be followed as noted above.

c) Term: Members of the JHSC will serve a three year term with a possibility of renewal.

d) Posting and Identification: The names and work locations of the JHSC members will be posted on CUSAs website and any digital, internal relevant staff portals.

5) JHSC Co-Chairs

a) Two members of the JHSC will ask as Co-Chairs to organize and run meetings and speak on behalf of the committee. One Co-Chair is selected by the worker members on the JHSC and one Co-Chair is selected by the management of the JHSC.

b) In circumstances where both Co-Chairs will be unavailable to act as the meeting chairperson, the Co-Chairs will in advance, each select a deputy Co-Chair from the JHSC membership. If the deputy is not selected in advance, the attending JHSC members will mutually agree upon a JHSC member to act as Deputy Co-Chair for that meeting.

c) Should a worker or management Co-Chair need to be replaced, the selection process shall be followed in 5.01 above.

6) Meetings

a) Frequency: Committee meetings will be scheduled on a once-per-academic-term basis at a predetermined time and location. Changes to the meeting schedule may take place with the agreement of the committee Co-Chairs, provided that the period of time between any two committee meetings does not exceed six months. There will be three (3) meetings scheduled per year.

b) Co-Chairs: The worker and management Co-Chairs will normally alternate duties as meeting chairperson.

c) Minutes of Meeting:

i) The Co-Chairpersons will rotate the responsibilities of taking minutes and will be responsible for having the minutes typed or written legibly, circulated and filed with the Director of Human Resources within one week following the date of the meeting.

ii) Minutes of the meeting will be reviewed and edited where necessary by the Co-Chairpersons. Once reviewed by the Co-Chairpersons the minutes will be signed by the President, Executive Director, and Co-Chairpersons. The minutes will then be distributed to all JHSC members and posted for all Workers to review on the CUSA website or digital internal portals.

iii) Outstanding health and safety issues will be tracked until they are resolved as determined by the JHSC.

d) Quorum: Full participation by all JHSC members at all meetings is strongly encouraged. A quorum for committee meetings to conduct formal business will consist of two thirds (⅔) of JHSC membership with both worker and management
representation and at least one Co-Chair present. If quorum is not reached, the meeting will be held for information and discussion purposes only.

e) Attendance: If a member is unable to attend a scheduled meeting, they must notify one of the JHSC Co-Chairpersons at least one week prior to the meeting.

f) Agenda Items: The Co-Chairs will prepare a copy of a standardized agenda for each meeting and distribute it to all members in advance of the regularly scheduled Committee meetings. Agenda items will consist of workplace health & safety issues raised by the members of the JHSC. JHSC members shall communicate agenda items to JHSC Co-Chairs one week in advance of the regularly scheduled meeting. The JHSC will discuss the agenda items to discuss what reasonable actions might be taken to effectively control identified hazards.

g) Decision-Making/Voting: Every effort will be made to research and discuss items so the JHSC can reach a consensus. On occasions where consensus is not possible and quorum exists, a vote may be required. A vote of all members present is taken and the majority carries.

h) Injury/Incident Information: Information regarding injuries and incidents occurring at CUSA will be communicated to the JHSC at regularly scheduled meetings. The information will be prepared by the Director of Human Resources.

i) Instruction and Training Information: Instruction and training information provided to workers to protect their health & safety will be reviewed in consultation with the JHSC. The overall instruction and training review should take place annually.

j) Recommendations: Recommendations will be made by members of the JHSC. The respective committee members will forward in writing, a Notice of Recommendation Form to the appropriate management member sign off. The written response to the committee members must be submitted by the management member within twenty-one (21) days after receipt of the Notice of Recommendation Form. The response shall include a timetable for implementing the recommendation if the management member agrees and the reason for disagreement if any recommendation is not accepted.

k) JHSC Meeting Guest(s): Additional persons may attend Committee meetings at the invitation of the JHSC or suggestion of a JHSC members with the approval of both Co-Chairs

7) **Certification of JHSC Members**

   a) 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 within the first year of service on the committee. Those so certified will share the responsibilities of certified members such that those most closely associated with the location, activity or individual in question will be called upon to perform the duties under the OHSA of a certified member.

   b) At least two (2) worker representatives on the JHSC will be certified in level one and two. In the event that a certified worker representative needs to be replaced, the second certified worker representative will act as their designate.

8) **Workplace Inspections**
a) The JHSC members shall inspect the entire workplace a minimum of three (3) times per year in accordance with a written schedule established by the JHSC. The written schedule will include locations, dates and JHSC members designated to perform the inspections.
   i) This schedule will be created at the Winter Term JHSC meeting and forwarded to all committee members by the Director of Human Resources.

b) Workplace Cooperation: All CUSA employees will provide JHSC inspections with appropriate information and assistance for the purposes of carrying out inspections.

c) Inspection Teams: In the interest of sharing knowledge, experience, responsibility and accountability the Committee will be divided into bipartite (worker and management member) inspection teams to become familiar with and inspect defined areas of CUSA spaces. However, if a worker member feels that their ability to inspect is being hampered by the presence of their management member partner, they may elect to conduct some or all of their inspection, follow-up and reporting independently.

d) All occupational health and safety concerns found during the inspections shall be recorded on a Workplace Inspection Report Form.

e) Training needs for the JHSC members will be assessed on an annual basis on hazard recognition, assessment and control specific to workplace inspections.

f) The completed inspection form shall be forwarded to the Director of Human Resources within two (2) working days following the inspection.

g) The workplace inspection results will be discussed at the next scheduled JHSC meeting. In the event that there are repeat items on any workplace inspection, the Executive Director will be notified in writing. The Executive Director or their designate, will communicate directly to the Chairperson in writing or verbally to the entire JHSC, with regard to the recommendations of the JHSC by giving their assessment of the problem and outlining who will be responsible for resolving the matter, along with the appropriate time frame in which the matter will be resolved.

9) **Provided information to the JHSC**

   a) The JHSC shall be notified of any significant health and safety matter including, but not limited to, events such as: Work Refusals, Critical Injuries, industrial hygiene and other testing, and Ministry of Labour inspections. Such notification shall be provided by the Director of Human Resources or delegate; and

   b) Reports regarding workplace health and safety including accidents reports shall be submitted for the JHSC’s review on an annual basis. Such reports shall be provided by the Director of Human Resources or delegate.

10) **Investigations**

   a) The Worker Representatives will designate one Worker Representative to investigate cases where a worker is killed or Critically Injured at the workplace from any cause. The designated Worker Representative shall report the findings to the Administrative JHSC and to the Ministry of Labour; and,
b) Where a JHSC member is designated to conduct investigations, they will receive accident investigation training.

c) If an Ontario Ministry of Labour Occupational Health and Safety Inspector is conducting an inspection in the CUSA workplace, a certified worker and management member will be called upon by the Director of Human Resources as per the request of the Ministry of Labour Inspector.

11) Work Refusals and Work Stoppage
   a) Work Refusal: Outlined in the Work Refusal Conditions Process & Policy
   b) Bilateral Work Stoppage: Outlined in the Bilateral Work Stoppage for Dangerous Circumstances Policy

12) Entitlement to Time and Payment
   a) All time spent by JHSC members in connection with:
      i) Preparing for an attendance at Committee meetings;
      ii) Performing duties prescribed by the OHSA or these terms of reference; and
      iii) Fulfilling the requirements for becoming certified or additional JHSC endorsed training initiatives, will be considered as time at work for which Committee members will be paid at the appropriate rate of pay. Committee members are to be provided one hour or such longer time as the Committee determines is necessary to prepare for each Committee meeting.

13) General
   a) It is agreed that employees are to be encouraged to report health and safety concerns to their immediate supervisor before bringing it to a committee member. The OHSA requires that all workers report any workplace hazard or contravention of the legislation to their supervisor.
   b) It is understood and agreed that all personal and medical information is to be kept confidential. Any references to such information in Committee minutes must be made in a manner that prevents any identification of an individual's personal or medical information.
   c) The Committee may amend these terms of reference at any time, as deemed necessary to facilitate the ongoing effective operations of the Committee. At minimum, they shall be reviewed annually.