

## Section 3 - Joint Health and Safety Committees (JHSC)

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**PURPOSE** The focus of our Joint Health and Safety Committee (JHSC), when legislated to be in place, will be to ensure identified health and safety concerns are discussed between levels of management and worker on a regular basis.

**SCOPE** Our JHSC, when legislated to be in place, shall be established and maintained in accordance with the Occupational Health and Safety Act and our health and safety program.

### RESPONSIBILITIES

Health and Safety Coordinator Responsibilities:

- Facilitate an election process for worker representatives. The election of the worker health and safety representative shall be made by workers who do not exercise managerial functions and who will be represented by the health and safety representative in the workplace.
- Appoint appropriate management representatives when required to participate in the JHSC process.
- Arrange for certification training as required for JHSC representatives and members.
- Coordinate availability and timelines of JHSC members for meetings and inspections.
- Track all near misses, first aid usage, and injuries and provide documentation for the JHSC meetings.
- Maintain all documentation related to the JHSC Terms of Reference, meetings, reports and inspections.
- Distribute and communicate information to the appropriate parties regarding any nonconformance or deficiencies reported.
- Ensure compliance with all the requirements as defined under the Occupational Health and Safety Act and Regulations.

Senior Management Responsibilities:

- Review any written recommendations and determine the appropriate action or provide a written response to the recommendations within 21 calendar days.
- Confirm, when legislation dictates, that the minimum of quarterly JHSC meetings are being held and documented.
- Comply with all the requirements as defined under the Occupational Health and Safety Act and Regulations.
- Ensure that the equipment, materials and protective devices as prescribed are provided, maintained in good condition and used as prescribed.
- The measures and procedures prescribed are carried out in the workplace.

## Section 3 - Joint Health and Safety Committees (JHSC)

---

### Project Managers Responsibilities:

- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

### Superintendent Responsibilities:

- Assist in the coordination of availability and timelines of JHSC members for meetings and inspections.
- Assist in the completion of documents and reports for tracking all near misses, first-aid usage, and injuries.
- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

### Foreman Responsibilities:

- Ensure documents and reports for tracking all near misses, first-aid usage, and injuries are to be provided with documentation.
- Ensure, where reasonably possible, that every workplace party complies with all Occupational Health and Safety Act and Regulations.
- Works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.
- Advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which they are aware of
- Take every precaution reasonable in the circumstances for the protection of a worker.
- Where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker.

### Workers Responsibilities:

- Participate in the election process of the Non-Union Worker JHSC Representative where applicable.
- Report workplace hazards and concerns to your Foreman or JHSC Representative.
- Advise Foreman if experiencing any difficulties with assigned tasks, or if assigned tasks are beyond perceived limitations or medically not capable of performing tasks.
- Works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

## Section 3 - Joint Health and Safety Committees (JHSC)

---

- Report to his or her Supervisor any contravention of the Occupational Health and Safety Act and Regulations or the absence/defect in any equipment or protective device.

### PROCEDURE

Joint Health and Safety Committees (JHSC) and Worker Representatives are an essential part of our workplace Internal Responsibility System. They help to create a greater cooperation between management and labour in mutually achieving a safe and healthy workplace. Depending on the workplace and workforce size, various types of Committees may be required, as follows;

Workplace	Workforce (All Employees)	Requirement
All workplaces	6 - 19 employees	Elected worker representative (chosen by the workers)
All workplaces	over 20 employees	Joint Health and Safety Committee required w/ worker members appointed by co-workers, management members appointed by management.
Construction Projects w/ duration of 3 months or more.	20 - 49 employees	Joint committee w/ worker members appointed by co-workers, management members appointed by management.
Workplaces or Construction Projects w/duration of 3 months or more.	50+ employees	Joint committee w/ at least 2 workers appointed by their co-workers (1 certified). No greater (than worker) number of management members appointed by site management (1 Certified). Worker trades committee w/ all trades represented by workers only.

Specific powers, functions and duties of the JHSC are specifically outlined under the Terms of Reference.

A Joint Health and Safety Committee will be established within our workplaces where required. All necessary procedures and forms to establish and maintain the committee are located and will cover the following Program Parts;

1. JHSC Membership
2. JHSC Duties and Conduct – Terms of Reference
3. JHSC Meetings
4. JHSC Records
5. Recommendations to Management

## Section 3 - Joint Health and Safety Committees (JHSC)

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### Part 1: MEMBERSHIP

**PURPOSE** Occupational health and safety legislation identifies, specifically, the minimum requirements and procedures for membership on the Health and Safety Committees. The membership of the committees may vary to meet location requirements, providing that it meets the minimum requirements outlined in the legislation.

#### **PROCEDURE** **Step 1**

A compliant JHSC will be established on all required work locations.

Election/selection - notices/memos are to be sent to all non-union workplace parties, divisions and departments to have a representative voted and appointed by workers.

Union Worker Members will be appointed by the Union and serve as one of the worker members (where required).

Senior Management will serve as one of the management members and will choose other management members (where required).

At least 1 worker and 1 management member of each committee must be certified members. Worker members of the committee may be rotated from our workforce or from the Workers Trades Committee on a regular basis, as voted on by the committee, or as required by their specific work functions or activities.

**Worker Trades Committees** - A committee will be established where a specific jobsite or work location exceeds a site population of 50 workers or more workers over a consecutive 3 month timeframe.

Each JHSC will have a Memorandum defining each committee representative's names and contact information.

**DISTRIBUTION** The JHSC Memorandum will be posted advising of;

- JHSC representative's names and contact information
- Certified Member (where required)

**RECORDS** All documentation for the set-up of the JHSC will be maintained by the Health and Safety Coordinator.

## Section 3 - Joint Health and Safety Committees (JHSC)

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### **Part 2: DUTIES AND CONDUCT**

**PURPOSE** The basic duties of committee members are clearly identified by legislation. Identified members of the committee should have certain duties defined so they may be prepared and familiar with their responsibilities. The acceptable conduct and forum for meetings should also be decided upon initially to avoid concerns or confusion about committee activities.

**PROCEDURE** Upon the establishment of a Joint Health and Safety Committee the first order of business will be the definition of Duties and the establishment of Rules of Conduct as a JHSC Terms of Reference.

These are to include, as a minimum, requirements for members to conduct the tasks outlined under the Terms of Reference Listed on the following pages.

The Terms of Reference must be communicated at minimum annually and made part of these JHSC minutes.

**DISTRIBUTION** These duties as agreed upon should be documented on this sheet and placed on the "Committee Memorandum". The "Committee Memorandum" must be

- Posted at all company locations
- Supplied to all Subcontractors on construction projects for Trade Committees
- Maintained on file for reference

### **RULES OF CONDUCT – TERMS OF REFERENCE**

1. Members of the Joint Health and Safety Committee (JHSC) and other Health and Safety Representatives on site will use their position only to ensure the Health and Safety of their coworkers. If Health and Safety representatives are unable to resolve problems that are particular to their area of responsibility through the Internal Responsibility System (i.e. reporting to Supervisor and Superintendent), then these concerns should be brought before the JHSC, or Worker Trades Committee.
2. Meetings of the JHSC are to be held quarterly on a scheduled basis and posted within each location.
3. Topics for future meetings will be discussed by the committees at the end of each meeting consisting of unresolved topics, objectives to complete action items and new or upcoming topics or concerns.
4. Minutes will be kept of each meeting where each of the respective co-chairpersons may take notes and a formal recorded of each meeting will be produced by the secretary.

## Section 3 - Joint Health and Safety Committees (JHSC)

---

5. These meeting minutes will be reviewed by the co-chairpersons and then distributed within seven days of the meeting to all members of the committee, and additional copies will be placed on file and will also be posted in all workplaces.
6. A workplace Health & Safety inspection will be conducted by one member of the JHSC at least once per month and one week prior to the next upcoming meeting. Inspections will be submitted to Senior Management immediately for follow-up and then subsequently reviewed at the next committee meeting
7. Attendance is mandatory at all scheduled meetings by every member of the respective committees. There must be at least two management and two worker members present to have a quorum.
8. Every representative will be given an opportunity to present his/ her concerns at each meeting. Only one person should hold the floor at one time as co-coordinated by the chairperson. Unmanageable arguments will be cause for discontinuing the meeting or asking the offending parties to leave the meeting.
9. Unscheduled interruptions of meetings will not be accepted. If absolutely necessary, and agreed upon, breaks may be requested but must be kept to a minimum.
10. Formal recommendations for improvement of workplace conditions should contain the following information and be presented on the appropriate form to be accepted by management:
  - Reason for recommendation (identify hazard)
  - Outline for requirements (what measures, procedures or equipment are being requested)
  - Time requirements for implementation
  - Time expectations for a response in writing (maximum 21 days)
11. All concerns or questions between the respective committee meetings are to be addressed immediately with the co-chairperson if it cannot be resolved through the Internal Responsibility System.
12. Decisions are to be made as a group wherever possible, with majority rule presiding. Guests do not maintain a vote, management and labour representation should remain equal with management not to exceed labour.
13. Topics and issues presented must deal only with Occupational Health and Safety of all locations. The JHSC will not be a forum for general concerns.
14. For the purposes of maintaining good employment relations, all members are requested not to abuse the time given for these meetings and for duties assigned by the committee outside their regular job functions.
15. Guests may be invited to meetings, from time to time, when agreed upon by the committee (e.g. Construction Safety Association Personnel, M.O.L. Inspectors, etc...)
16. Committee structure and functions will be followed as outlined in the Occupational Health & Safety Act and/or proposed committee structure

## Section 3 - Joint Health and Safety Committees (JHSC)

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17. Pro-active participation is required by all members; therefore, leading by example is expected in the workplace.
18. Committee meetings are anticipated to be no longer than 1 hour unless agreed upon by the JHSC.
19. The Workers Trade Committee will be established when 50 or more workers are present on any site lasting more than 3 months. The Workers Trade Committee will meet on a scheduled basis with minutes provided to JHSC.

Note: The fundamental intent of the Joint Health & Safety Committee is to work collectively to ensure the Safety and Health of our workers and our environment.

These Terms of Reference have been communicated to all JHSC members

## Section 3 - Joint Health and Safety Committees (JHSC)

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### **Part 3: MEETINGS**

<b>PURPOSE</b>	Meetings of the Joint Health and Safety Committee and Worker Trades Committee are required by legislation. These meetings are an effective method for determining unsafe conditions or acts on the project through worker input. Management/Labour co-operation, at these meetings, may also increase safety awareness and limit undesired occurrences.
<b>PROCEDURE</b>	<p>Frequency - Legislation requires that Joint Health and Safety Committees meet at minimum quarterly.</p> <p>Step 1; A schedule for meetings must be prepared during the first meeting and voted on. This should be based on the activity and number of workers for all locations.</p> <p>Step 2; A schedule for the Worker Trades Committee should be prepared and voted on. (to be used when site population reaches 50+ workers)</p>
<b>DISTRIBUTION</b>	<p>Meetings - Certain documents should be prepared by the Committee(s) to meet legislated requirements and good committee practice.</p> <p><b>Item 1; AGENDA</b> - An agenda should be prepared for each meeting identifying concerns and topics to be discussed in addition to New Business.</p> <p><b>Item 2; MINUTES</b> - Accurate minutes must be kept for the JHSC meetings.</p> <p><b>Item 3; RECOMMENDATIONS &amp; RESPONSE</b> - Where a committee makes a formal recommendation to management to improve safety or health conditions a response must be provided, in writing, within 21 days.</p> <p><b>Item 4; WORK REFUSALS</b> – Where a Work Refusal occurs, an investigation must be conducted by the selected committee members, documentation must be maintained (use "Accident Investigation" form)</p>
<b>RECORDS</b>	<p>All the above noted documents must be:</p> <ul style="list-style-type: none"><li>• Posted in the workplace</li><li>• Provided to committee members</li><li>• Available for Government Inspection</li></ul>



## Section 3 - Joint Health and Safety Committees (JHSC)

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### **Part 4: COMMITTEE RECORDS**

#### **PURPOSE**

All records and reports of the Joint Health and Safety Committee must be maintained and readily available for Government Inspection to demonstrate compliance.

Although committee records are generally available to all persons in the workplace, some documents or information to which the committee has access may be considered confidential. The committee must be aware of this responsibility and act accordingly.

#### **RECORDS**

The following is a list of all documents which must be stored in a separate filing system available specifically for members of the committee;

- Meeting Agendas
- Meeting Minutes
- Monthly Workplace Safety Inspection Reports & Follow-up
- Accident Investigations involving the JHSC – Critical
- Work Refusals & Unilateral Work Stoppage
- Recommendations to Management
- Response from Management
- Committee Memorandums

Due to the confidentiality of some of this information access to files will be restricted to committee members accompanied by the Senior Management and the JHSC Members.

## Section 3 - Joint Health and Safety Committees (JHSC)

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### Part 5:      **RECOMMENDATIONS**

**PURPOSE**                      The purpose of formal JHSC recommendations, is to provide a system for the committee to identify workplace health and safety concerns and ensure that they are communicated to management personnel who may not be on the committee. Through this process, the committee places the onus on management to review each recommendation, make specific decision and respond in writing.

At all of our locations, we realize that most safety matters can be resolved or implemented through verbal discussions and immediate actions, however, in the event that a problem is over looked or not given the appropriate attention (as deemed by the committee), the process of making a written recommendation to management will be available.

**PROCEDURE**                      Any committee member will be allowed to make written recommendations to management. The Recommendation forms for making recommendation to management are provided in the JHSC binder. The committee member will complete the form and present it to the Management Co-Chairperson.

Once obtained by the JHSC Members, the recommendation will be reviewed with Senior Management. Senior Management then has the obligation to respond to the recommendation in writing within 21 days. The appropriate forms for Responding to Recommendations are located under this section.

Senior Management will respond to written recommendations as soon as possible and in any event no later than 21 days from the day that the recommendation was provided by the Co-chairperson.

**DISTRIBUTION**                      All recommendations must be provided to the **Senior Management** by the **Health and Safety Coordinator**. All responses to recommendations must be returned back to the committee member who made the recommendation (within 21 Days).

Responses to recommendations will be provided to all committee members and posted at all locations.

**RECORDS**                              All recommendations made to management, will be retained on file for a period of up to five (5) years.

### Section 3 - Joint Health and Safety Committees (JHSC)

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DATE: \_\_\_\_\_ SITE: \_\_\_\_\_

RE: \_\_\_\_\_

REASON FOR RECOMMENDATION: (please provide a description of occurrence, violation, etc. and location or contractor involved)

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REQUIREMENTS FOR IMPLEMENTATION: (please provide any supporting information or documentation for your suggestions)

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DATE PRESENTED TO MANAGEMENT: \_\_\_\_\_ \ \_\_\_\_\_ \ \_\_\_\_\_

RECOMMENDATION PRESENTED TO: \_\_\_\_\_

EXPECTED DATE OF RESPONSE: \_\_\_\_\_ \ \_\_\_\_\_ \ \_\_\_\_\_  
(d) (m) (y)

NOTE: (THE OCCUPATIONAL HEALTH & SAFETY ACT STATES THAT AN EMPLOYER WHO RECEIVES WRITTEN RECOMMENDATIONS FROM A COMMITTEE SHALL RESPOND IN WRITING WITH IN 21 DAYS)

### Section 3 - Joint Health and Safety Committees (JHSC)

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#### **Management's Response**

DATE: \_\_\_\_\_

SITE: \_\_\_\_\_

RE: \_\_\_\_\_

#### **COMMITTEE RECOMMENDATION:**

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DATE RECOMMENDATION WAS RECEIVED:

\_\_\_\_\_\\_\_\_\_\_\\_\_\_\_\_  
(d) (m) (y)

MANAGEMENT AGREE'S WITH THE RECOMMENDATION: (YES / NO)

NOTE: If management agrees with the recommendation(s), complete the next section of this form, however, if there is a disagreement with or alternative to the recommendation(s), please provide reasons or explanation.

IMPLEMENTATION TIMETABLE FOR RECOMMENDATION:

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DISAGREEMENT WITH, OR, ALTERNATIVE TO, RECOMMENDATION:

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DATE RETURNED TO COMMITTEE:

\_\_\_\_\_\\_\_\_\_\_\\_\_\_\_\_  
(d) (m) (y)

\_\_\_\_\_  
Management Co-chairperson

\_\_\_\_\_  
Worker Co-chairperson

- cc.  Project Managers  
 Worker Co-chairperson  
 Management Co-chairperson