

## **Joint Health and Safety Committee**

<b>Reviewed Date</b>	<i>December 14, 2009</i>	<b>Number</b>	<i>HS0113</i>
<b>Revised Date</b>	<i>October 20, 2010</i>	<b>Approved Date</b>	<i>December 21, 2009</i>

### **Introduction**

The Simcoe Muskoka District Health Unit is committed to the health and safety of its workplaces and has therefore established a Joint Health and Safety Committee in accordance with the Occupational Health and Safety Act. The purpose of the committee is to provide a forum for employees and ensure that health and safety concerns are identified and addressed as part of the agency's internal responsibility system.

The concept of an *internal responsibility system* is based on the principle that the workplace parties themselves are in the best position to identify health and safety problems and to develop solutions. Ideally, the internal responsibility system involves everyone, from the chief executive officer to the worker.

The health unit is committed to providing training, information and supports to the Joint Health and Safety Committee and its members as may reasonably be required for the purpose of carrying out their responsibilities.

### **Purpose**

The purpose of this policy is to inform Simcoe Muskoka District Health Unit Board of Health members, employees, students, volunteers, and contractors (herein referred to as workers) of the rights and obligations of the Simcoe Muskoka District Health Unit (the employer) and the existence of the Joint Health and Safety Committee.

This policy also sets out general principles and duties for the joint health and safety committee required by legislation and details how these duties are to be carried out.

### **Legislative Authority**

Occupational Health and Safety Act R.S.O. 1990

### **Policy Definitions and Interpretation**

**Certified Member:** means a committee member who is certified by the workplace safety and insurance board under the Workplace Safety and Insurance Act 1997.

**Committee:** means a Joint Health and Safety Committee continued under this Act.

**Employer:** The Simcoe Muskoka District Health Unit Board of Health.

**Hazard:** a condition or any current or future activity that could cause: bodily injury; or illness immediately or several years after the exposure. (Conditions that have potential to cause accidents or bodily injury are commonly referred to as safety hazards. Hazardous exposures that can cause illness immediately or decades after are generally referred to as health hazards.)

**Inspector:** means an inspector appointed for the purposes of the Act and includes the Director for the Ministry of Labour.

**Worker:** means a person who performs work or supplies services for monetary compensation but does not include an inmate of a correctional institution or like institution or facility who participates inside the institution or facility in a work project or rehabilitation program.

**Workplace:** means any land, premises, location or thing at, upon, in or near which a worker works.

## **Policy**

The Employer will establish and maintain a Joint Health and Safety Committee in accordance with the Occupational Health and Safety Act. The committee will have the power to:

1. Identify situations that may be a source of danger or hazard to workers;
2. Make recommendations to the employer and the workers for the improvement of the health and safety of workers;
3. Recommend to the employer and the workers the establishment, maintenance and monitoring of programs, measures and procedures respecting the health or safety of workers;
4. Obtain information from the employer respecting the identification of potential or existing hazards of materials, processes or equipment, and the health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge;
5. Obtain information from the employer concerning the conducting or taking of tests of any equipment, machine, device, article, thing, material or biological, chemical or physical agent in or about a workplace for the purpose of occupational health and safety; and
6. Be consulted about, and have a designated member be present representing workers at the beginning of, testing referred to in clause (e) conducted in or about the workplace if the designated member believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid.

## **Structure of the Committee**

The composition of the SMDHU Joint Health and Safety Committee is consistent with the prescribed legislation. JHSC membership for the health unit represents a cross section of the agency based on its office locations.

The Joint Health and Safety Committee shall meet at least once every 3 months on a regularly established schedule. The co-chairs will amend the schedule as required.

- At least half the members on the committee are worker representatives. The members representing workers are selected by the workers from each of the respective SMDHU office sites.
- One member representing unionized workers.

- At least one management representative, selected by the employer
- At least one worker member and one management member of the JHSC must receive training and be a certified member.
- One management co-chair selected by management and a worker co-chair selected by the worker members. The co-chairs may invite additional persons to attend a meeting to provide additional information and comment, but invited persons shall not participate in the regular business of the meeting; these individuals are entitled as Ex-Officio members

### **Functions of the Joint Health and Safety Committee**

To attain the spirit of The Act, the functions of the Joint Health and Safety Committee shall be:

- a) to identify, evaluate and recommend a resolution of all matters pertaining to health and safety in the SMDHU workplace to appropriate senior management;
- b) to recommend adequate education and training programs in order that all employees are knowledgeable of their rights, restrictions, responsibilities and duties under The Act; and
- c) to address matters related to The Act and attendant Regulations (for example: Designated Substances and Workplace Hazardous Materials Information System WHMIS) and to receive reports or portions of reports that relate to health and safety.

All Joint Health and Safety Committee members are bound by the confidentiality requirements under the provisions of the Occupation Health and Safety Act.

### **Workplace Inspections**

- SMDHU members of the Joint Committee shall designate one of their members or alternate to inspect the physical condition of the respective SMDHU Office sites/clinics.
- The SMDHU workplace, or part thereof, shall be inspected once per month. Workplace inspection schedules shall be undertaken in accordance with a schedule established by the Joint Committee, with the entire SMDHU workplace being inspected at least annually.
- All health and safety concerns raised during the physical inspection shall be recorded on a "Workplace Inspection Report", signed by the Joint Committee member performing the inspection.
- Completed "Workplace Inspection Report" forms will be forwarded to the Operation & Office Support Supervisor for the addressing of concerns and for record maintenance. Copies of the report will be posted on the health and safety board

### **Recommendations of the Joint Health and Safety Committee**

The Joint Health and Safety Committee will report annually to Executive Committee through the Associate Director Corporate Service regarding the activities of the committee and recommendation for implementation of reasonable measures or precautions to protect the Health and Safety of the workers.

The Executive Committee through the Associate Director of Corporate Service shall respond, in writing, within 21 days of receipt, with regard to written Joint Committee recommendations. A copy of the recommendations shall be attached to the JHSC minutes. The written response shall indicate the Employer's assessment of the Joint Committee's recommendation and specify what action will or will not (with explanations) be implemented as a result of the recommendation. Any proposed action by the Employer shall include details of who will be responsible for such action and a proposed time frame.

### **Accidents and Accompaniment**

- SMDHU members of the Joint Committee will designate one of their members, if possible the certified member to investigate accidents, which have caused or have the potential to cause serious injury in the workplace.
- The investigating member shall submit a written report of the findings and recommendations to the Joint Committee and, if appropriate under Section 9(31), to the Ministry of Labour (MOL).
- Management and SMDHU members of the Joint Committee will each designate one of their own members and/or alternates, if necessary, to accompany the MOL Inspector while carrying out Ministry inspections of the workplace.
- SMDHU members of the Joint Committee will designate one of their members if possible the certified member if required, to be present during a work refusal investigation.
- The Joint Committee shall be consulted concerning proposed workplace testing strategies related to industrial hygiene. The Joint Health and Safety Committee shall be entitled to be present at the beginning of such tests if the member believes that his/her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid.

### **Minutes of Meetings**

Minutes of all committee meetings will be typed, circulated and filed, normally within two weeks of the meeting or as the Joint Committee may, from time to time, instruct. Minutes of the meeting will be reviewed and edited by the co-chairs. The edited minutes will be circulated to all Joint Committee members and to senior management on the Joint Committee mailing list. The approved minutes will be posted on the health unit's intranet as well as kept readily available in a proper filing system in accordance with records management practices of the SMDHU.

### **Meeting Agenda**

- The co-chairs will prepare an agenda and forward copies to all Joint Committee members at least one week in advance of the meeting.
- All items raised from the agenda in meetings will be dealt with on the basis of consensus. All items that are or are not resolved will be reported in the minutes. Unresolved items will be recorded in the minutes and placed on the agenda for the next meeting.

**Quorum**

A Joint Committee meeting must have a quorum of 50% of the members, with a minimum of two members from each party and at least one co-chair, in order to conduct business. If a co-chair is absent, his/her counterpart will chair the meeting. The two parties will have an equal number of votes.

**Payment for Attendance at Meetings**

The Employer will provide payment to committee members carrying out their functions under the Occupational Health and Safety Act.

*Procedures*

N/A

*Related Policies*

HS0101 Agency Health and Safety Policy

*Related Forms*

N/A

**Final Approval Signature:** \_\_\_\_\_

Review/Revision History:

Revised – October 20, 2010