

[NAME] Joint Health and Safety Committee
TERMS OF REFERENCE

PREAMBLE

The University of Toronto as an employer is responsible for establishing and maintaining joint health and safety committees to deal with health and safety issues concerning employees in all bargaining units and other employee groups in University workplaces.

The University of Toronto and its employees firmly believe that through joint investigations of health and safety issues and joint resolution of these issues, the workplace will be co-operatively maintained in a safe and healthy condition.

The University of Toronto and its employees have acknowledged that the proper functioning of the Committee can only be carried out where the representatives of the parties are committed to their responsibilities under the *Occupational Health and Safety Act* and have agreed to endeavour to promote a co-operative, positive and progressive effort concerning health and safety in the workplace.

The [NAME] Joint Health and Safety Committee has adopted these terms of reference to guide its operations, as outlined under the University of Toronto's *Handbook of Operating Procedures for Joint Health and Safety Committees* and the U of T multisite terms of reference.

1.0 COMPOSITION OF THE COMMITTEE

Member Selection

- 1.1 There will be [...] worker members on the Committee. These worker members will be selected by the Union(s) and other employee groups.
- 1.2 The Union and other employee groups may also select [...] alternate worker members for the purpose of attending Committee meetings if a worker member cannot attend the meeting.
- 1.3 There will be [...] members on the Committee selected by the Responsible Line Manager from among persons who exercise managerial functions. The Responsible Line Manager may also select [...] alternate members from among persons who exercise managerial functions.
- 1.4 The committee will ensure that the membership list on the Office of Environmental Health and Safety (EHS) website is kept updated at all times by *immediately* sending the names of any members who are joining or leaving the committee to the EHS office email (currently ehs.office@utoronto.ca).

Co-Chairpersons

- 1.4 There will be two co-chairpersons ("co-chairs") of the Committee, one co-chair to be selected by the worker members of the Committee and one co-chair to be selected by the management members of the Committee.

Certified Members

- 1.5 There will be two certified members, one who represents the workers, and one who represents management. The Union(s) being represented by the committee will select the worker member(s) to be certified. The Responsible Line Manager shall select the management member to be certified.

Guests

- 1.6 Additional persons may attend Committee meetings with the approval of both co-chairs.

2.0 FUNCTIONS OF THE COMMITTEE

General

- 2.1 It is the function of the Committee to:
 - (a) identify, evaluate and make recommendations concerning workplace health and safety issues;
 - (b) inspect the workplace, or ensure it is inspected, on a regular basis; and
 - (c) discuss other workplace health and safety issues and reports as appropriate.

Inspections

- 2.2 Workers will perform workplace inspections. Under the multisite JHSC provisions, if the members of the JHSC are not able to conduct workplace inspections, workers outside the committee may be requested to do so. With the agreement of the worker members, management members may accompany the worker members on the inspection.
- 2.3 The Committee will inspect, or will have inspected by a worker, all areas used by workers and management in the organisational unit(s) on a *monthly* basis as determined by an inspection schedule to be prepared by the Committee. For large workplaces the whole area must be examined at least once a year, with some part of the workplace being inspected each month.

- 2.4 The Committee will prepare and adopt inspection forms, based on the sample forms outlined in the University's *Handbook of Operating Procedures for Joint Health and Safety Committees*. All inspectors conducting inspections will use the approved inspection forms and the forms will be signed by the worker(s) conducting the inspection upon completion of the inspection. Completed inspection data will be provided to the appropriate manager, the co-chairs and EHS within three (3) working days of the completion of an inspection. The appropriate manager will provide a written response to the identified hazards to the committee co-chairs before the next scheduled Committee meeting.
- 2.5 The JHSC will be advised of planned workplace hygiene testing. Worker members of the committee may elect to be present at the beginning of any occupational hygiene testing.

Recommendations of the Committee

- 2.5 The Committee shall forward any recommendations to the appropriate manager, the Responsible Line Manager, the Director of Environmental Health and Safety, and the unions represented on the committee. The Responsible Line Manager will provide a written response to Committee recommendations (in accordance with section 9(20) and 9(21) of the Act) to the co-chairs within twenty-one (21) calendar days after receipt of the written recommendations. This response shall include a timetable for implementing the recommendations the Responsible Line Manager agrees with, and the reasons for disagreement with any recommendations not accepted.
- 2.6 Resolved recommendations and other minute items will be removed from the minutes on resolution. It is not intended that the current minutes represent a historical log of items raised.

Accident Investigations

- 2.6 The Employer will provide lost-time/medical aid information to the co-chairs on a regular basis and upon request.
- 2.7 Where a worker is killed or critically injured on the job, the worker members of the committee shall designate one or more such members to investigate the accident and inspect the place where the accident occurred. The findings of the investigation shall be provided to the Committee, the appropriate manager, the Responsible Line Manager, the unions represented on the committee, EHS, and the Ministry of Labour.

Ministry of Labour Inspections

- 2.8 A designated worker member is to be notified and accompany any Ministry of Labour inspector conducting inspections in the workplace. The Director, Environmental Health and Safety shall also be notified, and the Director or their designate may accompany the inspector during the inspection of the workplace.

Work Refusals

- 2.9 A designated worker member and a management member will be notified and attend a work refusal of any bargaining unit member without delay. The Director, Environmental Health and Safety shall also be notified, and the Director or their designate may attend the work refusal.

3.0 MEETINGS

Frequency

- 3.1 Committee meetings will be scheduled [e.g. monthly, quarterly] 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 three months.

Co-Chairs

- 3.2 The worker co-chair and the management co-chair will alternate duties as chairperson every second Committee meeting.

Quorum

- 3.3 A quorum for Committee meetings will consist of 50 percent plus one of Committee members, with both worker and management representation and at least one co-chair present. The number of management members must not exceed the number of worker members. Student representatives or guests do not count towards the determination of the quorum. If the number of attendees do not meet the minimum number, the meeting will still proceed, but a note in the minutes will reflect that quorum was not met.

Agenda Items

- 3.4 The co-chairs will prepare a copy of the agenda for each meeting and distribute it to all members, the Responsible Line Manager, EHS, and the unions represented on the Committee at least one week in advance of regularly scheduled Committee meetings.
- 3.5 Agenda items will consist of workplace health and safety issues. Agenda items should be dealt with by consensus and there should be no voting. Where consensus is not reached, this will be recorded in the minutes.

- 3.6 Agenda items which continue to be unresolved by the committee after three consecutive meetings will be referred to the Director of Environmental Health and Safety. The Director, EHS shall meet with the workplace parties and endeavour to resolve the outstanding issue.

Minutes

- 3.7 The Responsible Line Manager will provide clerical assistance with respect to the typing, filing and timely circulation of the agenda and minutes of Committee meetings.
- 3.8 The Committee shall designate a Secretary of the Committee to take minutes at all Committee meetings.
- 3.9 Minutes of Committee meetings are to be prepared in a timely fashion, reviewed and signed by both co-chairs prior to circulation or posting. Minutes should be sent to the EHS office email (currently ehs.office@utoronto.ca) within 3 days of the meeting. Draft minutes can be sent to EHS to provide a record of a meeting. When the minutes are finalised, the final version will replace the draft.
- 3.10 The co-chairs are responsible for ensuring that signed Committee minutes are promptly posted on the local safety bulletin boards in the workplace provided by the Responsible Line Manager for such use.
- 3.11 Copies of all minutes signed by co-chairs will be forwarded to the Committee members, the Responsible Line Manager, managers of all departments covered by the Committee, the union(s) represented on the Committee, and the Director of Environmental Health and Safety.
- 3.12 The names of Committee members should not be used in the minutes of Committee meetings except for attendance purposes and to denote the responsible party for an action item.

4.0 PAYMENT FOR COMMITTEE MEMBERS

- 4.1 All time spent by Committee members in connection with attending at Committee meetings or performing duties prescribed by the Act or these terms of reference will be considered as time at work for which Committee members will be paid at the appropriate rate of pay.

5.0 GENERAL

- 5.1 It is agreed that employees are to be encouraged to take health and safety concerns to their immediate supervisor before bringing it to a Committee member.
- 5.2 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 done in a manner that prevents any identification of an individual's personal or medical information.
- 5.3 Committee members are to be provided one (1) hour or such longer period of time as the Committee determines is necessary to prepare for each Committee meeting.
- 5.4 Pursuant to the *Occupational Health and Safety Act*, the Employer will advise the Committee through its co-chairs, of any relevant workplace hygiene and safety testing, and a worker member of the Committee may be present at the beginning of such testing. A copy of workplace test reports will be provided to the co-chairs.
- 5.5 The Committee may amend these terms of reference at any time, as deemed necessary to facilitate the ongoing harmonious operation of the Committee.
- 5.6 A copy of these terms of reference and any subsequent revisions must be filed with the Responsible Line Manager, the Director, Office of Environmental Health and Safety (EHS), and the unions represented on the Committee.

Responsible Line Manager

Date

Worker Co-Chair

Date

Management Co-Chair

Date

Approved by:

Director, Environmental Health and Safety

Date