

The University of Ontario Institute of Technology
Terms of Reference for the Joint Health and Safety Committees

1.0 INTRODUCTION

The Ontario Occupational Health and Safety Act (OHSA) requires the establishment of a Joint Health and Safety Committee (JHSC) where twenty or more workers are regularly employed at a workplace and to conduct JHSC meetings on a regular basis, no less than quarterly, and as often as each JHSC deems appropriate. It is also required that each JHSC has a Certified Management and a Certified Worker representative.

The OHSA is based on the principle of the "internal responsibility system", whereby every individual in the workplace has responsibilities for health and safety. The Joint Health and Safety Committee gives formal expression to the right of employees, (i.e. all full time and part time university workers) to participate in decisions affecting their health and safety. The JHSC is thus an integral and essential component of the health and safety management system of the University.

The OHSA specifies the composition, selection, function and powers of the JHSC. These terms of reference build on the basic requirements of the Act and outline the operating procedures for the University of Ontario Institute of Technology JHSCs.

These Terms of Reference will be reviewed by the JHSC at least once per year and revised as appropriate.

2.0 COMPOSITION OF THE JOINT HEALTH & SAFETY COMMITTEES

- 2.1** There are two Joint Health and Safety JHSCs for the University of Ontario Institute of Technology, one for the North location (2000 Simcoe St. N.) and one for the Downtown location (11 Simcoe St. N, 55 Bond St. E., 61 Charles St. and other leased space proximal to downtown Oshawa).
- 2.2** Each JHSC will consist of at least four (4) members employed by the University at their respective campuses. Each JHSC will be composed of members who do not exercise managerial functions (worker members) and of members which exercise managerial functions for the University (management members). At least 50% of JHSC members shall be worker members, in compliance with Section 9(7) of the OHSA
- 2.3** If either JHSC decides to add additional members in order to achieve better representation or to carry out its functions effectively, the number of management representatives must not exceed 50% of the total membership of the JHSC.
- 2.4** With the objective of the whole JHSC being generally representative of all geographic and departmental areas of the University, new members will first be sought from faculties, departments and/or buildings that do not already have an existing member (worker or management) from that area.
- 2.5** The worker members of each JHSC shall be selected by the workers which they represent. When a vacancy occurs, worker members in the affected area will be advised and asked for expressions of interest. In the event of more than one person being interested in becoming a worker representative, a vote will be held amongst the worker employees in the affected area.

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- 2.6 In the event that any group of workers is represented by a trade union, the trade union will appoint a worker representative and be entitled to have a representative on any JHSC required by the OHS Act.
- 2.7 The management members of either JHSC shall be appointed by the University President.
- 2.8 Any JHSC may invite specialists or representatives from other organizations external to the university to attend meetings as observers and/or advisors. These individuals will not have voting rights.
- 2.9 The membership term shall run from July 1 through June 30 (of the second year)
- 2.10 The normal term for a JHSC member will be two (2) years. Members may be reappointed by the constituency they represent, per Article 2.4.
- 2.11 The starting dates of each worker member and each management member will be staggered with the objective being to assure there are always experienced JHSC members working with newly selected/appointed JHSC members.
- 2.12 All time spent by members at JHSC meetings, or in activities relating to the function of either JHSC, or in any related activity required to meet their obligations under the Occupational Health and Safety Act, shall be deemed to be work time, and the University shall pay the member for those times at the member's regular or premium rate as may be proper.
- 2.13 The current membership of each JHSC shall be posted on the health and safety bulletin board and on the "Health and Safety" section of the University internet site under [Health + Safety JHSC](#).

3.0 FUNCTIONS OF THE JOINT HEALTH & SAFETY COMMITTEE

The functions of each JHSC shall be:

- 3.1 to identify situations that may be a source of danger or hazard to workers, students, contractors or visitors;
- 3.2 to assess and make recommendations to the appropriate management for corrective actions to deal with identified hazards;
- 3.3 to recommend to the appropriate management the establishment, maintenance and monitoring of programs respecting the health or safety of workers, students, contractors or visitors;
- 3.4 to follow up on any recommendations with management as to the disposition, implementation and effectiveness of the recommendations;
- 3.5 to obtain from the employer information respecting the identification of potential or existing hazards in the workplace or health and safety experience and work practices in similar or other industries of which the employer is aware;

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- 3.6** to thoroughly investigate all concerns and obtain factual information, pertaining to a health and safety issue presented to them by an employee, only if the concern cannot first be resolved by the employee and their immediate supervisor. When seeking a solution to a concern, relevant information and facts must be freely exchanged.

4.0 JOINT HEALTH & SAFETY COMMITTEE OPERATIONS

- 4.1** Each JHSC shall meet at least every three months, or more frequently as determined by each JHSC.
- 4.2** Each JHSC shall have two (2) co-chairs, one selected by the worker representatives and one by the management representatives. The two co-chairs shall chair alternate meetings.
- 4.3** The JHSC Secretary shall consult the two co-chairs and prepare and distribute an agenda to the members one week before the regularly scheduled meeting.
- 4.4** Each JHSC shall keep minutes of meetings. The minutes are to be recorded by the JHSC Secretary and reviewed and approved by each JHSC within two weeks of the meeting's completion
- 4.5** Approved minutes shall be distributed to members of the JHSCs, the V.P. Human Resources and Services, the Provost, the Deans and their respective Planning and Budget Officers. A copy will also be sent to the executive Assistant to the Chief Administration Officer of Durham College. Minutes shall be posted in the workplace and electronically (e.g. SharePoint) for inspection by any employee and made available to an inspector of the Ministry of Labour upon request.
- 4.6** The North location and the Downtown location JHSC's will communicate and work with each other on matters of mutual concern.
- 4.7** The North location JHSC will communicate and work with the Durham College, Oshawa campus, JHSC on matters of mutual concern.
- 4.8** A list of the names, work locations, telephone numbers and e-mail addresses of JHSC members shall be posted prominently in the workplace and on the [UOIT health and safety website](#) so that they may come to the attention of employees.
- 4.9** JHSC meetings require a quorum of four (4) members, of which at least 50 % must be workers and one must be a management representative, in order to conduct JHSC business.
- 4.10** Each JHSC shall endeavour to reach decisions by consensus. Where no consensus is achieved a simple majority shall suffice and this will be noted in the minutes
- 4.11** All items that are resolved will be reported in the minutes. Unresolved items will be placed on the agenda for the next meeting.

5.0 JOINT HEALTH & SAFETY COMMITTEE CERTIFIED MEMBERS

- 5.1** At least one worker member and one management member of each JHSC shall obtain "certification" from the Ministry of Labour.
- 5.2** Each JHSC shall review and assess actual or potential workplace hazards and recommend appropriate workplace-specific certification training.
- 5.3** Both JHSC's shall formally identify those Certified Members on the JHSCs who are solely entitled to perform the duties of a Certified Member under the Act.
- 5.4** The identified Certified Members of each JHSC's shall:
- a) be notified by the employer of and investigate, along with the appropriate supervisor, all work refusals;
 - b) be informed by the employer of and accompany Ministry of Labour inspectors during a workplace visit or Ministry inspection;
 - c) be informed by the employer of and be present at the commencement of any workplace testing.

6.0 JOINT HEALTH & SAFETY COMMITTEE WORKPLACE INSPECTIONS

- 6.1** For purposes of inspection, a workplace is any place in or about a place where an employee of the University works.
- 6.2** Each JHSC shall designate one or more worker members of the JHSC to inspect the physical condition of the workplace.
- 6.3** Each JHSC shall establish an inspection schedule such that at least a portion of the workplace is inspected each month and the entire workplace is inspected at least once per year.
- 6.4** The worker member or members conducting the inspection shall report to the management of the workplace and to their JHSC any situations which may be a source of danger or hazard to workers.
- 6.5** Each JHSC shall follow-up on the disposition of any hazards identified during their inspections.
- 6.6** Workplace inspections shall be conducted in accordance with and as set out in the criteria noted in the applicable Health and Safety Inspection checklist.
- 6.7** All health and safety concerns raised during the workplace inspection will be recorded on an appropriate workplace inspection form with the members of the inspection team identified.
- 6.8** The workplace inspection form will be forwarded to the manager or supervisor of the area inspected, Health and Safety Officer, Director, Office of Campus Infrastructure and Sustainability and to the JHSC Secretary within two (2) days of the workplace inspection. Management will inform the JHSC of the status of any outstanding items by the next JHSC meeting.

7.0 JOINT HEALTH & SAFETY COMMITTEE RECOMMENDATIONS

7.1 Each JHSC may make written recommendations to the employer who shall respond in writing within 21 days. The response of the employer shall contain either:

- (a) a timetable for implementing the recommendations with which the employer agrees, or
- (b) the reasons why the employer disagrees with any recommendations that the employer does not accept.

Approved: March 2018