

## **Joint Occupational Health and Safety Committee Terms of Reference**

### **1. Mandate**

The Joint Occupational Health and Safety Committee will monitor the University's compliance with the Occupational Health and Safety Act as well as foster cooperation between employees and management to achieve and maintain a safe working environment.

### **2. Membership**

The Committee will be composed of a minimum of three (3) appointed voting members representing the University administration and at least an equal number of voting members appointed by non-management employee groups. The actual size and composition of the Committee may vary slightly, within those parameters. Voting members will be representative of the various departments and the diverse University workplace.

The University's Human Resource Officer (HR Officer, OH&S and Wellness) shall provide ongoing support to the Committee, as an ex-officio member.

The names of the Joint Occupational Health and Safety Committee will be posted on the Occupational Health and Safety Bulletin Board in the McNally Main Basement and on the Occupational Health and Safety website at <http://www.smu.ca/about/occupational-health-and-safety.html>.

### **3. Reporting Structure**

The Committee will report to the Vice President, Finance and Administration. The Vice-President, Finance and Administration will forward issues to the Executive Management Group, when required.

### **4. Functions of the Committee**

Recognizing that the employer has the greatest amount of responsibility for health and safety at the University, the function of the JOHSC is to involve representatives of employees and the employer in the identification and resolution of health and safety issues in the workplace and in the production of healthy and safe work practice, including:

- The co-operative identification of hazards to health and safety, and effective systems to respond to the hazards;
- The cooperative auditing of compliance with health and safety requirements in the workplace;
- Receipt, investigation and prompt disposition of matters and complaints with respect to workplace health and safety;

- Participation in inspections, inquiries and investigations concerning health and safety; in particular, participation in an inspection referred to in Section 50 of the NS OHS Act;
- Investigating and reporting on refusals to perform work under the procedures defined in the Act under Section 43 – Right to Refuse Work
- Advising on individual protective devices, equipment and clothing that, complying with the OHS Act and the regulations, are best adapted to the needs of the employees;
- Advising the employer regarding the OHS program, including the requirements under OHS Act and its regulations and making recommendations to the employer, the employees and any person for the improvement of the health and safety of persons at the workplace;
- Maintaining records and minutes of Committee Meetings in a form and manner approved by the Department of Labour and Advanced Education and providing an OHS officer with a copy of these records or minutes upon request;
- Establish sub-committees as required;
- Advising on training requirements for all employees and Joint Occupational Health & Safety Committee Members;
- Any other related occupational health and safety function assigned by agreement between the University and the employees or the union(s).

## **5. Committee Procedures**

### **5.1 Membership Term**

- Voting members will normally serve a three-year term, and may be reappointed to serve subsequent terms. Employee groups and the University may name alternates who, in the absence of the appointed member, will have voting privileges and may fully participate in Committee activities.
- Terms of membership for voting members should be staggered; no more than one half of the committee should be new at any given time.
- Appointment of voting members shall occur in September of each year. The HR Officer (OH&S and Wellness) is responsible for contacting the relevant parties in June on behalf of the Committee, to solicit their selections for new members.

### **5.2 Co-Chairpersons**

- The Committee shall select Co-Chairpersons (Co-Chairs) from among the voting members. The non-management voting members shall select one of the Co-Chairs and the voting members representing University Administration shall select the other.
- The selection of Co-Chairs shall occur annually, at the regular September meeting.
- The Co-Chairs shall serve a two-year term, and may be reappointed to serve subsequent terms.
- Meetings will be conducted by one of the Co-Chairs, generally alternating yearly. In the absence of both Co-Chairs, the members in attendance will select a voting member as acting Chair.

- If a vacancy in the Office of the Co-Chair occurs, the Committee will elect an interim Co-Chair.

### **5.3 Schedule of Meetings**

- The Committee will meet monthly, between September and June, and at such other times as the Chairperson may consider necessary. As much notice as is practical will be provided in the event that additional meetings are required.
- Meetings may be re-scheduled as agreed to by the members.

### **5.4 Agenda**

- The HR Officer (OH&S and Wellness) shall prepare and distribute the agenda for regular meetings on behalf of the Co-Chairs. Every effort will be made to distribute the agenda 3 working days prior to any scheduled meetings.
- Any member may place items on the agenda for discussion at a Committee meeting by notifying the HR Officer (OHS & Wellness) prior to the date of finalizing the agenda.
- The Joint Occupational Health and Safety Committee (JOHSC) can amend the agenda at the meeting, if necessary to address last minute issues.

### **5.5 Attendance at Meetings**

- All members shall make an effort to attend all meetings or send an alternate. Regrets, if necessary, should be declared to the HR Officer (OH&S and Wellness) well in advance of scheduled meetings.

### **5.6 Decision-making**

- The Committee will normally seek to operate by consensus amongst the voting members, without the need for formal votes. Critical recommendations to the University and other significant decisions may, however, warrant a formal vote. Voting may also be necessary if the voting members cannot reach consensus on a matter.
- Any member may request a formal vote on a matter before the Committee. Whenever practical, the intent to request a formal vote should be declared to the HR Officer (OH&S and Wellness) in advance of a meeting, so that the agenda may advise members accordingly.
- When a proper advance notice of a vote has been given, and when a sufficient number of members are present to establish a quorum, a motion will be carried when supported by one-half plus one of the members present.

### **5.7 Quorum**

- At regular meetings, a quorum will be four of the appointed voting members, two representing the University Administration and two representing non-management employee groups.

## **5.8 Minutes**

- Minutes of all Committee meetings will be kept by the HR Officer (OH&S and Wellness). For each action item, the person responsible and the target date for completion shall be recorded.
- The Committee shall approve all minutes at the first meeting following the meeting for which the minutes were produced. Any changes necessary to the minutes shall be noted by the Recording Secretary in the following minutes.
- The Recording Secretary will make any changes, if necessary and post the approved minutes on the OH&S bulletin board in McNally Main Basement and others and the OH&S website.

## **5.9 Recording Keeping**

- The following reports, records and information shall be maintained for the JOHSC by the HR Officer (OH&S and Wellness):
  - Meeting Minutes – should be maintained for at least 5 years
  - Written concerns/complaints reports
  - Incident/accident reports
  - Record of accident/investigation reports
  - Records of safety inspections
  - Correspondence
  - Department of Labour and Advanced Education Written Orders
  - Unsafe Work Refusals
  - Written Recommendations
  - Written Request for Information
  - University's Response to Recommendation
  - Any other relevant information

## **5.10 Training**

- All members and alternates shall be provided basic training on the duties of being a member of the JOHSC. Specifics of such training will be determined by the JOHSC.

## **5.11 Health and Safety Sub-committees**

Chairperson of Departments, Directors of Divisions and Administrative Department Heads are responsible for health and safety within their respective areas. To assist in that regard, the Joint Occupational Health and Safety Committee has established two health and safety sub-committees, Facilities Management/Administration sub-committee and Science Safety sub-committee. These sub-committees are working groups that are intended to involve faculty, staff and others in the development, implementation and maintenance of an effective health and safety system.

- Membership on the sub-committees will be broadly representative of the component departments and faculties, and should include individuals with both supervisory or administrative responsibilities, as well as other departmental employees. The HR Officer (OH&S and Wellness) and the Senior Director, Facilities Management or designate will act as an advisory

member on all sub-committees. The HR Officer (OHS & Wellness) and the Senior Director, Facilities Management or designate will provide leadership and direction, as required and ensure that open channels of communication are maintained between the sub-committees and the Joint Occupational Health and Safety Committee.

- Each sub-committee will establish basic terms of reference and rules of procedure.
- The Sub-committees will meet monthly, between September and June, and at such other times as the Chairperson may consider necessary. As much notice as is practical will be provided in the event that additional meetings are required. Meetings may be re-scheduled as agreed to by the members.
- Each Sub-committee will ensure that minutes are kept. A copy of the minutes will be forwarded to the HR Officer (OH&S and Wellness) who will provide a copy of the minutes to the members of the Joint Occupational Health and Safety Committee for review.
- The role of Sub-committees is to provide support for the various University departments and faculties by assisting with such activities as:
  1. Participating in inspections and hazard identification,
  2. Participating in the development of policies, procedures, work practices and guidelines that will improve health and safety performance.
  3. Participating in the identifying of health and safety training requirements,
  4. Participating in the identifying of facility and equipment changes that will improve health and safety; and
  5. Participating in problem-solving and follow-up on various health and safety matters.

### **5.12 Ad Hoc sub-Committees**

As required, the Joint Occupational Health and Safety Committee will form various ad hoc sub-committees that will serve as working groups. The ad hoc sub-committee shall:

- be chaired or organized by a voting member of the Committee;
- be composed of an adequate number of persons to provide appropriate participation and representation;
- conduct meetings in the same general manner as prescribed for the Joint Occupational Health and Safety Committee;
- provide support for the various University departments/faculties by assisting with such activities as inspections, hazard identification and control, the development of health and safety procedures, and follow-up on various health and safety matters;
- maintain minutes and other records of health and safety activities.
- forward minutes to the HR Officer (OH&S and Wellness).

### **5.13 Recommendation to Management**

- The Joint Occupational Health and Safety Committee will complete the Recommendation Report and forward to Senior Management for a written response within 21 calendar days.

#### **5.14 Responding to Work Refusals**

- As described by Section 43 of the Occupational Health and Safety Act, the Committee may be asked to consider a work refusal by an employee of the University who believes that the concerns which prompted the refusal have not been adequately addressed by the employee's supervisor.
- Upon learning of a work refusal requiring a Committee response, a member of the Committee will immediately notify a Co-chair and the HR Officer (OH&S and Wellness). Once the second Co-Chair has been advised of the refusal, the Co-Chairs shall schedule a special meeting of voting members, in cooperation with the HR Officer, (OHS & Wellness). That meeting shall be held at the earliest opportunity. Provided that quorum requirements are met, those voting members able to attend the special meeting will constitute the Committee, as described by section 43 of the Act.
- Having reviewed section 43 of the Act, and after thoroughly investigating the circumstances of the work refusal, the Committee will either unanimously advise the employee to return to work, or make such other written recommendations to the employee or the University as the Committee feels appropriate. If the employee is not unanimously advised by the Committee to return to work, and the refusal is still unresolved, the committee shall advise the employee that the employee may contact the OHS Division, Department of Labour and Advanced Education to request an OHS Officer investigate the refusal.

The circumstances of all work refusals considered by the Committee, including decisions and recommendations, shall be documented by the Committee and kept on file in the OHS Office.