

TERMS OF REFERENCE OKANAGAN COLLEGE JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEES

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Reference: Workers Compensation Act; Part 3 — Occupational Health and Safety; Division 4, Joint Committees and Worker Representatives; Sections 125 – 140.
Approved by: Director of Facilities and Business Services

I. PURPOSE

A joint occupational health and safety committee is a nonpartisan group and an important prevention tool for Okanagan College (the "College"). Each of the four main campuses of the College has a joint occupational health and safety committee.

All committee members are health and safety champions. Members help ensure the health and safety of Okanagan College's employees and help identify occupational health and safety issues. Members disseminate health and safety information and foster awareness and understanding of incident prevention.

II. COMPOSITION AND OPERATIONS

- a.** The Workers Compensation Act (WCA) section 127 states that a joint occupational health and safety committee ("the Committee") must have at least four members, consisting of both worker representatives and employer representatives, and at least half of the members must be worker representatives. An individual member may represent more than one group on the Committee. At the College, suggested Committee membership is to include the following groups:
 - i. At least one, and no more than three, representatives(s) from each bargaining unit (BCGEU Support Staff, BCGEU Vocational Instructors, and OCFA);
 - ii. A representative from each portfolio present at that workplace; and,
 - iii. A representative from Campus Planning/Facilities Management.
- b.** The Committee shall meet at least once a month. Meetings will be scheduled on a designated day each month (for example: the first Tuesday of the month).
- c.** Committee members are expected to attend all meetings. Alternates may be assigned at the time of nomination from the same Portfolio, Division, or Bargaining Unit.
- d.** A quorum will consist of the majority of the members, at least half of which are worker representatives and at least one employer representative.
- e.** There must be two co-chairs, one selected by the worker representatives and the other selected by the employer representatives (members with supervisory duties).
- f.** The minimum term for members is one year and for co-chairs is two years. Terms can be renewed by consensus from the corresponding representatives of the member seeking renewal.

III. DUTIES AND RESPONSIBILITIES

- a.** Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;
- b.** Consider and expeditiously deal with complaints relating to the health and safety of workers;
- c.** Consult with workers and employer on issues related to occupational health and safety and the occupational environment;
- d.** Make recommendations to the employer and the workers for the improvement of the occupational health and safety and the occupational environment of workers;
- e.** Make recommendations to the employer on educational programs promoting the health and safety of workers and monitor their effectiveness;
- f.** Advise the employer on programs and policies required under the regulations for the workplace and monitor their effectiveness;
- g.** Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers;
- h.** Ensure that accident/incident investigations and regular inspections are carried out as required by the Workers Compensation Act (WCA) and the provincial health and safety regulations;
- i.** Participate in inspections, investigations and inquiries as provided by the Workers Compensation Act (WCA) and the provincial health and safety regulations;
- j.** Ensure compliance with the Workers Compensation Act (WCA) and the Occupational Health and Safety Regulations;
- k.** When necessary, request information from the employer about:
 - i.** Known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed.
 - ii.** Health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge.
- l.** Carry out any other duties and functions prescribed by regulation and/or College policy;

IV. RESOLVING DISAGREEMENTS WITHIN THE COMMITTEE

- a.** Committee members will strive to reach decisions through agreement. This process of decision-making requires all members to seek a resolution that can be supported, even if it is not their preferred option.
- b.** If a committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, the co-chairs of the committee are encouraged to discuss the issue with the Director of Facilities and Business Services.
- c.** Should the matter continue to be unresolved, either co-chair of the committee may choose to discuss the unresolved matter with WorkSafeBC (WSBC), which may investigate the matter and attempt to resolve it. It is important to note that WSBC is not obligated to consider the College's internal policies or bargaining agreements when providing their decision. It may be difficult to implement an external solution that is not tailored to the College environment and therefore the results may not be as effective as striving to seek an internal solution.

V. RECOMMENDATIONS TO THE EMPLOYER

- a.** Recommendations must be in writing and signed by both co-chairs subsequent to a consensus by committee members.
- b.** Recommendations are submitted to the Director of Facilities and Business Services for response on behalf of the employer. The employer will have 21 calendar days from the date of submission to respond in writing to the committee co-chairs.
- c.** The employer's response must indicate acceptance of the recommendation or the reasons for not accepting the recommendation. Should the employer not be able to respond within the set timeframe, a written explanation with a proposed response date must be provided to the co-chairs.
- d.** If the joint committee is not satisfied with the explanation provided, the co-chairs of the committee may report this to WSBC.

VI. INTERNAL RESPONSIBILITY SYSTEM

The Committee supports the College's internal responsibility system of the occupational health and safety program by conducting the following:

- a.** Receiving and reviewing health and safety complaints. If necessary, Committee member(s) will undertake appropriate interviews and investigations to determine the hazards surrounding the complaint in order to develop recommendations, if required.
- b.** Participating with workplace inspections: identification of hazards; determination of hazard level; recommendation of corrective measures; implementation strategies; identification of area responsibility for completion; and, follow-up.
- c.** Participating with workplace investigations: determination of the causes of the incident; identification of any unsafe conditions, acts or procedures that contributed to the incident; and, recommendation of corrective action to prevent similar incidents.

VII. TIME TO PREPARE FOR COMMITTEE MEETINGS AND PERFORM COMMITTEE FUNCTIONS

The College recognizes the contributions of Committee members and the time required to participate with health and safety meetings and other committee functions.

- a.** Committee members are deemed to be at work when performing approved committee functions and are expected to actively participate during meetings; therefore, reasonable employer paid time must be allotted to carry out these functions.
- b.** Committee co-chairs are required to perform additional duties throughout their term.
- c.** Each member must identify the time required to perform committee functions and receive agreement from their supervisor and the committee co-chairs prior to devoting time to complete Committee tasks.
- d.** In some circumstances, the supervisor may need to adjust work schedules and/or arrange for coverage of duties while the member is performing committee functions; therefore, reasonable notice is required.

VIII. EDUCATIONAL TIME FOR COMMITTEE MEMBERS

Each Committee member is entitled to an annual JOHS educational leave of up to 8 hours (16 hours for new members) for the purposes of attending approved occupational health and safety training courses.

- a.** All committee members must attend the mandatory training as specified in The Occupational Health and Safety Regulation, Section 3.27.
- b.** Any committee member who is unable to attend annual non-mandatory OHS training should bring this to the attention of the co-chairs who may designate another member as being entitled to take all or part of the member's annual educational leave.
- c.** The employer must provide the educational leave without loss of pay, benefits, or loss of any opportunities to career or personal development plans.
- d.** The employer will cover the costs (in direct payment or reimbursement) of the approved courses, course materials and reasonable costs of attending the course. Reasonable costs include parking, lunch and travel if outside of the home campus location.

IX. COMMITTEE DOCUMENTATION

- a.** Agendas are prepared by the co-chairs and distributed to members before the meeting. Distribution of the agenda at least one week in advance of the meeting is ideal.
- b.** When the Committee has identified a required action, a committee member and/or staff person and expected completion date is assigned to that task and the item is added to the Action Item register for recording and tracking purposes.
- c.** Minutes are prepared by committee support as soon as possible following the meeting and submitted to the co-chairs for review and clarification. Once approved by the committee the minutes are posted on the website and sent to the Director of Facilities and Business Services.
- d.** Minutes and Action items are sent to the committee no later than one week prior to the next meeting.

X. EVALUATION

- a.** The committee will conduct an annual self-evaluation to measure the effectiveness of the committee as required under The Occupational Health and Safety Regulation, Section 3.26.