

Joint Health & Safety Committee
MUNFA/MUN JOINT ASSOCIATION COMMITTEE

Terms of Reference

In exercising their duties Joint Occupational Health and Safety Committees (JOHSCs) strive to inform the campus community on means and measures to improve health and safety according to the Occupational Health and Safety Act (OHSA), Memorial University of Newfoundland (MUN) Policy S-6 Safety Standards and Policy and article 26 of the MUN/MUNFA (Memorial University of Newfoundland Faculty Association) collective agreement.

MUN is a complex organization with multiple functions and environments. The Committee is responsible both for monitoring health, safety and welfare, and for taking action with respect to occupational health and safety matters, the promotion of a safe and healthy work and study environment for all University staff and students and the reduction of accidental injury.

The JOHSC will encourage department/work area resolution of health and safety concerns by members of the campus community. MUN shall provide information and assistance as is necessary for JOHSC's duties to be carried out according to safety standards.

Roles and Responsibilities

The function of the committee is to involve MUN and MUN employees together in occupational health and safety in the workplace.

Duties and responsibilities include but are not limited to:

- receiving and reviewing health and safety concerns *[OH&S Act, paragraph 39, subsection 39(c)]*
- investigating and promptly handling matters and complaints/concerns with respect to workplace health and safety and communicating regularly with employers on the progress of their issues *[OH&S Act, paragraph 39, subsection 39(c)]*
- identifying situations that may be a source of hazard or danger to health and safety and developing effective systems to respond to the hazards *[OH&S Act, paragraph 39, subsection 39(a)]*
- making recommendations to the employer, employees and other persons for the improvement of health and safety at the workplace *[OH&S Act, paragraph 39, subsection 39(h)]*
- advising the employer regarding a policy and program
- monitoring the elements of MUN OH&S program and promoting activities that reflect a healthy and safe culture *[OH&S Act, paragraph 39, subsections 39(a) and (d)]*
- ensuring the cooperative auditing of compliance with health and safety requirements at MUN
- organizing and attending regular meetings
- ensuring inspections are conducted, participating in inspections and investigations

concerning workplace health and safety and accompanying an Occupational Health and Safety Officer during workplace inspections [*OH&S Act, paragraph 39, subsection 39(c)*]

- gathering information regarding health and safety experience, work practices and standards, the identification of hazards
- reviewing annually MUN's Health, Safety and Environment Policy, Program, as well as JOHSC Guidelines and responsibilities.
- maintaining records and minutes of Committee meetings [*OH&S Act, paragraph 39, subsection 39(e)*]
- co-operating with the Occupational Health and Safety officer [*OH&S Act, paragraph 39, subsection 39(f)*]
- investigating work refusals [*OH&S Act, paragraph 45(1)(b)*]
- being bound by confidentiality except where disclosure of information is specifically required by legislation

Membership and Selection

JOHSCs are required where workplace is more than twenty employees. The Occupational Health and Safety Committee shall be composed of six (6) members, three (3) of whom shall be appointed by the MUNFA and three (3) of whom shall be appointed by the University [*MUN/MUNFA collective agreement, article 26-06*].

Resource persons from the Safety Office, Health Services, Police Services and Faculties/Departments provide secretarial support, background information, guidance and assistance and may attend JOHSC meetings at the request of the JOHSC.

Committee training

Because more than 50 persons are employed at a workplace, the employer shall provide and pay for OHS certification training for all the members of the occupational health and safety committee at the workplace [*OH&S Act, paragraph 38.1*]. The training shall meet the requirements the Workplace Health, Safety and Compensation Commission may set.

A plan to attend certification training will be made within three months of a person becoming a new member of the JOHSC.

JOHSC Meetings

JOHSCs shall schedule meetings at least every three months according OHS Act requirements. [*OH&S Act, paragraph 39*].

An agenda will be prepared by the co-chairs, who will ensure the JOHSC members and other staff are asked for their concerns and that the agenda is distributed to JOHSC members at least one week prior to meetings.

The items on the agenda will reflect OH&S issues.

Labour management issues, disciplinary or personnel matters, discussion of union business will not be discussed at JOHSC meetings.

Co-chairs will ensure that meetings follow the agenda and are held in a timely fashion.

Items where action is required, items where follow-up is required, and unfinished items should be forwarded to the agenda of the next meeting.

JOHSC members who were assigned action items, follow-up on items, or follow-up on recommendations are responsible to provide a status report at the following meeting.

The JOHSC considers a quorum to exist when at least two employer members and at least two worker members are present at a JOHSC meeting [*article 26.08, MUNFA collective agreement*]. Meetings will take place only if a quorum is present. If there is not a quorum at a JOHSC meeting, the meeting will be rescheduled. Co-chairs are to ensure all members are notified about the postponed meeting.

JOHSC Co-Chairs

The worker co-chair shall be selected by the worker members and the management co-chair shall be selected by the management members.

Co-chairs will take turns chairing committee meetings and will perform the following duties:

- schedule meetings and distribute agenda two weeks prior to the meeting
- encourage participation of all members
- involve members in problem solving and decision making
- send recommendations, with supporting documents, to the employer
- assign members of the JOHSC to follow-up on recommendations
- review accident/incident statistics
- invite special guests to attend meetings when appropriate
- sign minutes
- ensure minutes are distributed appropriately
- take part in work refusals where appropriate
- other duties appropriate to monitoring the OH&S program at the workplace

JOHSC Secretary

The secretary will be responsible for providing all secretarial support to the JOHSC. The secretary is not considered a member of the JOHSC and will have no role in discussions or decision-making during JOHSC meetings.

The secretary will perform the following duties:

- maintain accurate records of the documents
- prepare the agenda developed by the co-chairs
- distribute the agenda to JOHSC members a week before the meeting
- take minutes of JOHSC meetings
- ensure minutes are signed by co-chairs within one week of the JOHSC meeting, distribute

minutes to the Commission, the employer, the JOHSC members

- within one week of the JOHSC meeting post the minutes on the bulletin boards or the internet
- prepare and distribute other correspondence as required by the committee

If the secretary is not available to take minutes, the co-chair will appoint a member of the JOHSC to take the minutes and forward them to the secretary for processing.

Recommendations

Recommendations will be forwarded to the appropriate persons, the employer, a supervisor or a manager. All recommendations will include the rationale for the recommendation and be in writing and dated.

The JOHSC will follow up on recommendations by reviewing the employer/supervisors/managers' written response to recommendations within 30 days after forwarding the recommendations.

If a written response is not received within 30 days, the employer/supervisors will be contacted.

The JOHSC will monitor the implementation of recommendations accepted by the employer until the implementation is complete and report the progress of recommendations at JOHSC meetings

Inspections

The JOHSC/ Guidelines shall outline procedures to ensure that workplace inspections are conducted according to OHS requirements.

Health, Safety and Environment Information

Regulatory notices, hazard alerts, case histories and related Health, Safety and Environment information shall be distributed regularly to JOHSC members by the Safety Office.

Role in Work Refusals

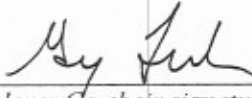
The JOHSC will document its involvement in all work refusals.

If a worker exercises the right to refuse unsafe work and notifies the JOHSC, the JOHSC will:

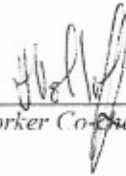
- confirm the worker reported the unsafe condition to the supervisor [*OHS Act, paragraph 45(1)(a)*].
- if the worker has not reported to the supervisor, He/she should be advised to do so immediately.
- ensure that the work refusal has been investigated by the supervisor and that the results of the investigation are provided to the JOHSC
- investigate the work refusal [*OHS Act, paragraph 45(1)(b)*] by conducting a physical inspection of the hazard with the worker and asking the worker to explain what is unsafe

or unhealthy

- provide a report to the JOHSC member
- if work is found to be safe and healthy by all members of the JOHSC, the worker should be advised to return to work. If one or more of the members find the work is unsafe or unhealthy, a recommendation should be made to the employer to implement corrective action.
- if the hazard is controlled to the satisfaction of the JOHSC members, the worker should be advised to return to work.
- if the JOHSC members cannot reach a unanimous decision, or if the work situation is not resolved to the worker's satisfaction, the worker should be advised to report the work refusal either in writing to the Occupational Health and Safety Branch, Department of Government Services [OHS Act, paragraph 45(1)(b)]



Employer Co-chair signature date



Worker Co-chair - signature date



Employer Member signature date



Worker Member - signature date



Employer Member signature date



Worker Member - signature date