

Topic:	Joint Health and Safety Committees
Effective:	November 2018
Cross-Reference:	Ontario Occupational Health and Safety Act; Occupational Health and Safety Admin Procedure
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Responsibility:	Executive Officer, Human Resources

PURPOSE:

The Halton District School Board is committed to ensuring safe and healthy working and learning environments for all employees, students, volunteers, visitors, trustees and contractors performing work on behalf of the Board.

The Board recognizes that the establishment and maintenance of Joint Health and Safety Committees plays an integral role in the elimination of occupational illness and injury.

PROCEDURES:**1. PURPOSE**

This site-based Joint Health and Safety Committee (JHSC) Administrative Procedure is intended to ensure all HDSB site-based JHSCs are structured and functioning in a consistent manner and in accordance with the Occupational Health and Safety Act (OHSA). The guidelines can also assist JHSCs with the interpretation and application of applicable legislation in our work environment.

The intent of these guidelines is to assist our JHSCs in operating effectively toward the shared goal of improving health and safety for all employees and reducing work related injuries and illnesses.

The JHSC structure and function clauses are established in accordance with section 9 of the Occupational Health and Safety Act (OHSA) and may exceed legislative requirements. The following outlines the operating standards, requirements, duties, reporting, communications and functions to be implemented and followed by all parties for each site-based JHSC.

2. TERMS AND DEFINITIONS

- 2.1 Joint Health and Safety Committee (JHSC) - Site-based Committee established according to the Occupational Health and Safety Act (OHSA).
- 2.2 JHSC Management Member - a management person at the workplace that represents management on the JHSC as determined by Administrative Council.
- 2.3 JHSC Worker Member – an employee at a workplace chosen by the unions (for unionized employees) and by the non-unionized employees (if they are non-unionized) that represent employees on the JHSC.
- 2.4 School Administrator – A Principal or Vice-Principal of the school, who may or may not sit as a Management Member on the JHSC.
- 2.5 Administrative Council – a team comprised of academic and corporate Superintendents, Executive Officer of HR, Associate Director and Director.
- 2.6 MOL - Ministry of Labour: is the enforcement body for the Occupational Health and Safety Act.
- 2.7 OHSA – Occupational Health and Safety Act.
- 2.8 Reg. – Regulation under the Occupational Health and Safety Act.
- 2.9 IRS – Internal Responsibility System: is the underlying philosophy of all Health and Safety legislation in Canada and at its foundation means that everyone in the workplace is responsible for the safety of themselves and others.
- 2.10 Occupational Illness -- means a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected

and the health of the worker is thereby impaired and includes an occupational disease for which a worker is entitled to benefits under the Workplace Safety and Insurance Act, 1997.

- 2.11 Critical Injury -- OHS Reg. 834 (MOL clarified) – “Critical Injury” - means an injury of a serious nature that:
- a. places life in jeopardy;
 - b. produces unconsciousness;
 - c. results in substantial loss of blood;
 - d. involves the fracture of a leg (including ankle or foot) or arm (including wrist or hand) but not a finger or toe (multiple digits is considered critical);
 - e. involves the amputation of a leg, arm, hand or foot but not a finger or toe (multiple digits is considered critical);
 - f. consists of burns to a major portion of the body; or
 - g. causes the loss of sight in an eye.

3. STRUCTURE AND SELECTION

- 3.1 Establishment of a Site-Based JHSC
- a. A site-based JHSC shall be established in all HDSB workplaces, as required under the OHS Act. Where a JHSC is not required (sites with fewer than 6 workers) a Health and Safety Representative may be appointed.
 - b. Members should be appointed for no less than two (2) years. If a JHSC member is no longer able to fulfil their legislative duties, then it must be reported to the JHSC. The JHSC shall inform the Manager of Health and Safety of any JHSC member that does not actively participate in the functions of a JHSC member.
- 3.2 Selection of Members
- 3.2.1 A site-based JHSC shall consist of either:
- a. Two persons (1 being a worker at the workplace, jointly selected by the union presidents and 1 being management at the workplace, appointed by Administrative Council) for a workplace where 6 to 49 workers are regularly employed, or
 - b. Four persons (2 being workers at the workplace, jointly selected by the union presidents and 2 being management at the workplace, appointed by Administrative Council) where 50 or more workers are regularly employed.
- 3.2.2 Health and Safety Representative
- a. Where 1 to 5 workers are regularly employed, a JHSC is not required however, a Health and Safety Representative may be appointed. The Health and Safety Representative will be jointly selected by the union presidents.
- 3.2.3 Worker(s) Selection
- a. Workplaces that require two (2) members on the JHSC will have one (1) worker at the workplace selected to represent all workers at that workplace. The unions, who represent workers at the workplace, will be responsible for jointly selecting the one (1) worker at the workplace to sit on the JHSC as the Worker Member.
 - b. Workplaces that require four (4) members on the JHSC will have two (2) workers at the workplace selected to represent all workers at that workplace. The unions, who represent workers at the workplace, will be responsible for jointly selecting two (2) workers at the workplace to sit on the JHSC as Worker Members. If the workplace has non-unionized workers, one (1) Worker Member (of the two (2) required) will be selected by the non-unionized worker group to sit on the JHSC as a Worker Member.
 - c. This process shall also take place when a vacancy has occurred of an existing Worker Member by either a resignation, the Worker Member ceasing to work at that location, or is unable to fulfill their prescribed duties.
 - d. All selected JHSC worker(s) names shall be submitted to the Manager of Health and Safety within one (1) week of the change in representation.

- e. A member of the JHSC, who ceases to be employed at the workplace, ceases to be a member of the JHSC.

3.2.4 Management Selection

- a. Management Members shall be appointed by Administrative Council. For schools that require one (1) Management Member, it shall be the Principal.
- b. For elementary schools with multiple administrators where a second (2nd) Management Member is required a Vice-Principal shall be selected.
- c. For elementary schools with a single administrator where a second (2nd) Management Member is required it shall be the Field Supervisor.
- d. For secondary schools, a Vice-Principal or a Manager of Secondary School Operations shall be selected as the second (2nd) management member.
- e. For administrative buildings, two (2) employees with supervisory responsibility shall be selected as the management members.
- f. All appointed JHSC Management Member names shall be submitted to the Manager of Health and Safety.

3.2.5 Co-chair Selection

- a. Every JHSC shall have both a Worker Co-chair and a Management Co-chair from the above noted selection process. For sites with only two (2) members, this is automatic.
- b. For sites with four (4) members, the two (2) workers must select a Co-chair from among themselves. The Management Co-chair shall be the Principal. The Co-chairs will alternate the chairing of the JHSC meetings.

3.3 Training

- a. The Health and Safety Department staff shall ensure that two (2) Worker Members (where applicable) and one (1) Management Member of each JHSC have received or are scheduled to receive Level 1 and 2 Certification training as prescribed.
- b. In workplaces where there is a Health and Safety Representative, that individual will receive or will be scheduled to receive Level 1 and 2 Certification training.

4. PURPOSE / FUNCTION OF JHSC

4.1 Purpose of JHSC

- a. To promote the Internal Responsibility System (IRS).
- b. To promote occupational health and safety in the workplace as per the OHSA.
- c. To carry out their functions and duties as prescribed by the OHSA.

4.2 Health and Safety Bulletin Board

- a. The School Administrator/Supervisor shall ensure that all required postings on the Health and Safety Bulletin Board Requirements list (found on myHDSB) are posted on the workplace's Health and Safety Bulletin Board.

4.3 Monthly Health and Safety Inspections

- 4.3.1 For sites with only two (2) members, the Worker Member is responsible for completing monthly workplace inspections;
- 4.3.2 For sites with four (4) members, the two (2) Worker Members are responsible for developing a schedule to ensure that a Worker Member completes monthly inspections of the workplace;
- 4.3.3 Elementary Schools and Administrative Buildings are allocated one half (1/2) day per month and Secondary Schools one (1) day per month for inspections, including the recording of findings in the electronic inspection program. Some exceptions may apply;
 - a. If the entire school/facility cannot be inspected in any given month, a portion of the school/facility may be inspected each month, with the entire school/facility being inspected every two months;
 - b. Only schools operating Summer School and JW Singleton Centre must be inspected in July and August;

- 4.3.4 A School Administrator/Supervisor may accompany the JHSC Worker Member on the inspection;
- 4.3.5 The JHSC Worker Member will conduct the monthly inspection. The inspection findings will be entered into the electronic inspection program within three (3) business days for review by the School Administrator/Supervisor;
- 4.3.6 The School Administrator/Supervisor will review the inspection report and complete the follow-up sections within thirty (30) days of receiving the inspection report;
- 4.3.7 During the School Administrator/Supervisor's review of the current inspection, they are also to review the prior month's inspection to make sure all issues have been addressed/resolved;
- 4.3.8 The School Administrator/Supervisor is responsible to ensure that the current reviewed inspection report and previous month's report (where hazards have been further resolved) are posted on the Health and Safety Bulletin Board.

5. DUTIES

5.1 Duties of the Worker Member

The Worker Member shall:

- a. conduct a Health and Safety Workplace Inspection of the physical conditions of the workplace, or a portion of the workplace, every month and enter inspection findings into the electronic inspection program;
- b. investigate a critical injury as defined in the OHSA;
- c. be present during a work refusal or bilateral work stoppage;
- d. be present during a Ministry of Labour workplace inspection and or investigation;
- e. be invited to attend the beginning of Industrial Hygiene Testing.

5.2 The duties of the School Administrator/Supervisor are to ensure that:

- a. Health and Safety Workplace Inspection is conducted by the Worker Member every month of the school year;
- b. the inspection report findings are reviewed and that each item is addressed;
- c. to ensure the current reviewed inspection report and previous month's report (where hazards have been further resolved) are posted on the Health and Safety Bulletin Board;
- d. potential or existing hazards in the workplace are identified and addressed;
- e. the Worker Member obtains information from the employer concerning the conducting or taking of tests of any equipment, machine, device, article, thing, material or a biological, chemical or physical agent in or about a workplace for the purpose of Occupational Health and Safety;
- f. the Worker Member is consulted about and is invited to be present at the beginning of testing referred to in clause (e) conducted in or about the workplace if the representative believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid;
- g. the Worker Member is notified of critical injuries and occupational illnesses;
- h. the Worker Member receives Occupational Health and Safety reports regarding the workplace;
- i. the Worker Member is aware of Occupational Health and Safety training programs.

6. MEETINGS

6.1 The Co-chairs shall ensure:

- a. quarterly JHSC meetings take place on or before the last day of September, December, March and June in each school year. Meeting dates for the following school year are to be determined at the June meeting;
- b. a half (1/2) day will be allocated for JHSC meetings, and will include one (1) hour of preparation time for the meeting. JHSC Worker Members are entitled to one (1) hour or such longer time as the committee determines is necessary to prepare for each committee meeting;

- c. any items brought to the attention of either Co-chair shall be forwarded to the alternate co-chair member one week prior to the meeting whenever possible to be included on the agenda (Appendix A) as new business. The agenda shall be prepared by the Management Co-chair;
 - d. JHSC meetings are alternately chaired between the Management Co-chair and the Worker Co-chair;
 - e. monthly inspections are reviewed as identified below:
 - i. September - review June, July and August's inspection;
 - ii. December - review September, October and November's inspection;
 - iii. March - review December, January and February's inspections;
 - iv. June - review March, April and May's inspections;
 - f. If any of the following reports are received, they will be brought forward to the next meeting:
 - Health and Safety concern
 - critical injuries
 - occupational illness
 - work refusal
 - MOL reports
 - hygiene testing results
- 6.2 The member(s) shall:
- a. forward any items that they wish to discuss to the Co-chair one (1) week prior to the meeting whenever possible;
 - b. attend the quarterly JHSC meetings which take place every September, December, March and June each school year.
- 6.3 The JHSC shall have a quorum of fifty percent (50%) plus one (1) members in order to conduct business. The number of Management Representatives shall not be greater than the number of Worker Members.

7. AGENDA AND MINUTES

- 7.1 The Co-chairs shall ensure:
- a. the agenda is completed one (1) week prior to the meeting. The Management Co-chair will be responsible for creating the agenda and forwarding to all JHSC members.
 - b. minutes are recorded for each quarterly JHSC meeting by one of the Co-chairs;
 - c. within one (1) week after a JHSC meeting, the written minutes from the meeting must be shared with the JHSC. Utilize the Board's JHSC minutes template form;
 - d. a copy of the minutes is posted on the Health and Safety Bulletin board and forwarded to the Health and Safety Assistant, Health and Safety Department;
 - e. agendas and minutes are kept on file at the school for two (2) years.
- 7.2 Formal Recommendation
- The site-based JHSC is encouraged to discuss and resolve issues as a committee and at the school level, however the JHSC can make a formal recommendation to the employer, especially if the recommendation has board-wide implications. A recommendation must be forwarded to the Manager of Health and Safety on the Recommendation Form (Appendix C) immediately after the quarterly JHSC meeting. The Manager of Health and Safety shall respond in writing on behalf of the employer within the legislative timelines of 21 days.
- 7.3 Health and Safety Concerns
- Report of Health and Safety Concern:
- 7.3.1 Employees and Worker Members should report all health and safety concerns to the School Administrator/Supervisor. Health and Safety concerns can be initiated by an employee or through the JHSC Worker Member (Appendix D);
 - 7.3.2 Employees may consult with the JHSC Worker Member at any stage in the process;
 - 7.3.3 The School Administrator/Supervisor will respond to the employee within seven (7) business days with a course of action.