

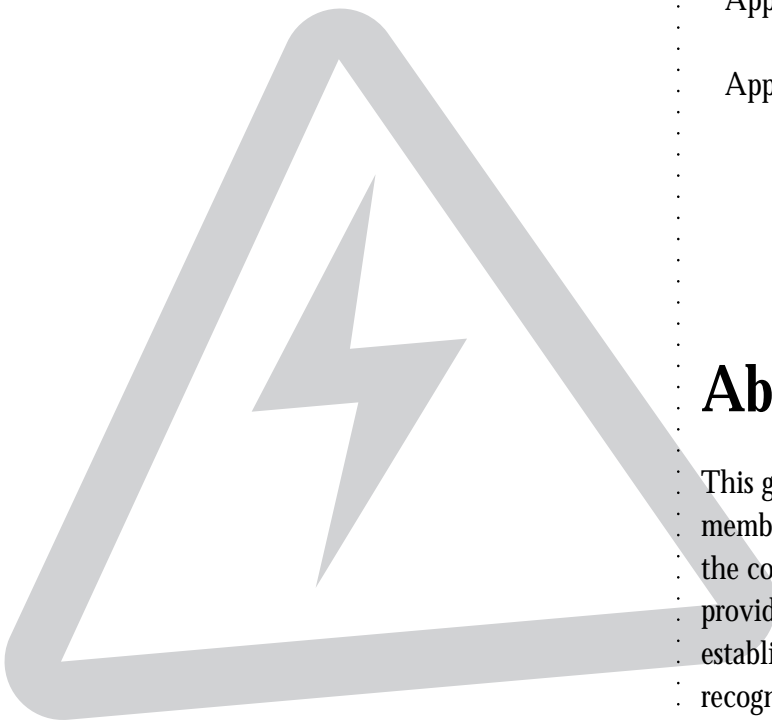


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About This Guide

This guide provides joint health and safety committee members and their employers with information about the committee's legal functions and powers. It provides practical guidelines to help committees establish procedures and activities. However, we recognize that the needs of joint health and safety committees will vary from company to company. Therefore, this guide is designed to help committees identify their own priorities, so that they can respond to concerns in their own workplaces.



Introduction

A joint health and safety committee is a group of worker and employer representatives working together to identify and solve health and safety problems at the work site.

The committee is an important communication link between workers and management. Active, involved employees can create and maintain interest in health and safety, and establish positive attitudes throughout the work force. An effective joint health and safety committee can help reduce losses resulting from accidents and occupational illness.

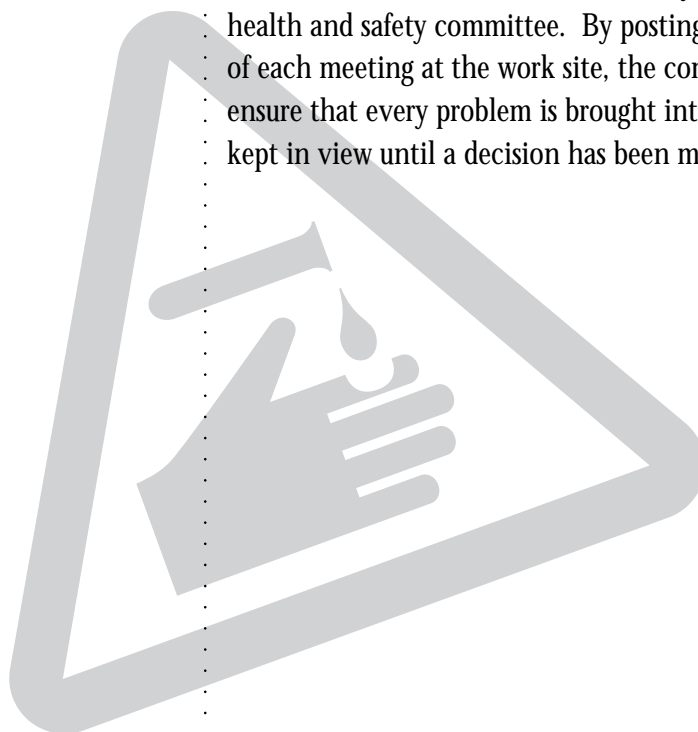
A joint health and safety committee is a group of worker and employer representatives working together to identify and solve health and safety problems at the work site.

Every member of a committee should become familiar with the New Brunswick *Occupational Health and Safety Act* and Regulations. These documents describe the responsibilities and organization of an effective joint health and safety committee.

Two co-chairpersons (hereafter to be referred to as co-chairs), selected by the employer and worker representatives, share the chair equally. They also take turns chairing the meetings of the joint health and safety committee.

A successful committee operates in a cooperative, non-adversarial atmosphere. Members should bear in mind that their committee is not a policy making body and cannot violate the normal divisions of authority at the work site. Recommendations and suggestions are expected from the committee and management must give each concern careful consideration.

Many health and safety concerns can be resolved immediately in the course of daily work. Those that are not resolved should be dealt with by the joint health and safety committee. By posting the minutes of each meeting at the work site, the committee can ensure that every problem is brought into view, and kept in view until a decision has been made.



Committees and Health & Safety Representatives

What is a joint health and safety committee?

Composed of people who represent the employees and the employer, the committee is committed to improving health and safety conditions in the workplace.

Committees identify potential health and safety problems and bring them to the employer's attention. Members must also keep informed about health and safety developments in the workplace.

Why are the committees necessary?

Committees are necessary to provide greater protection against workplace injury and illness. Greater protection means reduced human suffering, work-related accidents and work-related deaths.

Committees often involve people from all levels of an organization. This co-operative involvement ensures that everything possible is done to prevent health and safety hazards.

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What are the goals of the committee?

A committee works most effectively when its role is clearly defined and accepted. It is an advisory body that helps stimulate awareness of safety issues, recognize workplace risks and deal with these risks. To achieve its goal, the committee holds regular meetings, conducts regular workplace inspections, investigates health and safety related complaints and investigates the cause of health and safety accidents. The committee can serve as a communication link between management and workers. It assists management on problem-solving teams.

Because of the differing viewpoints of the members, committees are well equipped to assist in the development, implementation and monitoring of the workplace health and safety program.

What are some of the principal functions of the health and safety committee?

- Identify potential or hazardous situations in the workplace through such activities as workplace inspections, accident investigations and information analysis.
- Evaluate these potential hazards and situations giving particular attention to employee concerns, complaints and recommendations.

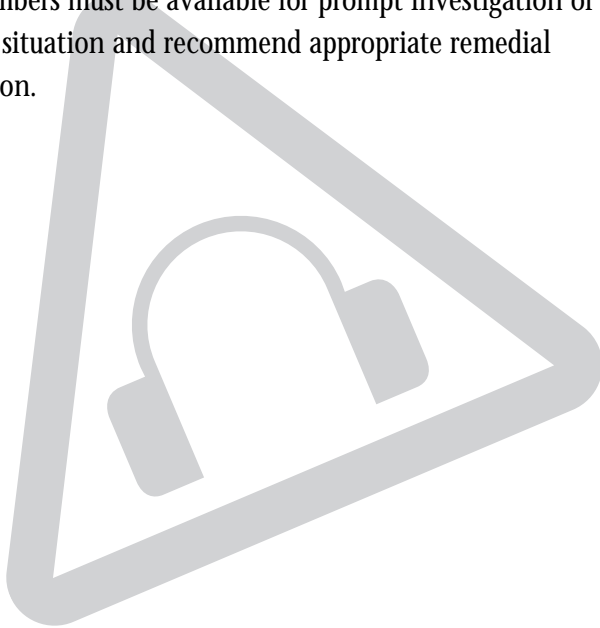
- Recommend corrective plans by participating in the development of assessment and control programs, discussing problems, recommending solutions, providing input into existing and proposed health and safety programs.
- Follow-up on implemented recommendations, maintain records and do statistical analysis.

Other duties and powers

Workplace inspections: Regular or scheduled inspections help to identify hazards. Every workplace should develop an inspection plan adequate for its processes and its hazards, ensuring that the entire workplace is covered.

Accident investigation: Some committee members should be designated and trained to investigate accidents, especially those resulting in fatalities or critical injuries. The findings should be reported to the committee.

“Right to refuse” investigations: Trained committee members must be available for prompt investigation of the situation and recommend appropriate remedial action.



Which workplaces need joint health and safety committees?

- any workplace that regularly employs 20 or more employees [section 14(1)]; and
- construction projects expected to last three months or more and on which 20 or more workers are regularly employed [section 14(1.1)].

Whenever possible, committees should represent the health and safety concerns of the entire workplace.

What size should a joint health and safety committee be?

The Act requires a minimum of two members on the committee [section 14(2)]. There must be an equal number of workers and managers [section 14(3)]. Whenever possible, committees should represent the health and safety concerns of the entire workplace. For example, if a workplace has a plant, office, laboratory and warehouse, each of these areas should be represented on the committee as well as representation from various workshifts.

The employees and employer must agree on the size of the joint health and safety committee, taking into account health and safety risks and hazards, the operations and processes involved, the number of employees at the workplace and the geographic locations of the workers.

What if there is a dispute about the establishment of a committee or its size or function?

A health and safety officer of the Workplace Health, Safety and Compensation Commission (WHSCC) should be alerted to any disagreement about the establishment, function or composition of a committee. Upon investigation, the health and safety officer may issue an order to an employer to establish or to improve the function of a committee.

If there is no agreement on the size of the committee, the Commission may establish its size. The Commission's Board of Directors has delegated the authority to make this determination to the President/C.E.O. of the Commission [Section 14(3)].

What is a project site joint health and safety committee? When is one required?

Construction projects that are expected to last three months or longer and employ 20 or more workers must establish a joint health and safety committee. The 20 or more workers may work for different companies. Members of the project site committee should represent a cross-section of the workers employed in the various trades at the workplace.

The committee's primary responsibility is to identify, discuss and make recommendations to the principal contractor, owner or employer on any health and safety concern of the trade workers.

What is a health and safety representative?

Workplaces with more than five but fewer than 20 employees may have a health and safety representative [section 17(1)].

Where there are fewer than 20 employees, and the activities being performed have high risks associated with them, the Commission may require the employer to have a health and safety representative. The Board of Directors has delegated this authority to the President/C.E.O. of the Commission. Like joint health and safety committee members, the representative is committed to improving health and safety conditions in the workplace.

The health and safety representative must be selected by employees at the workplace [section 17(3)]. The representative requires special training and, like committee members, his/her name must be posted at the place of employment in order to be known by the employer and workers.

Construction projects that are expected to last three months or longer and employ 20 or more workers must establish a joint health and safety committee.

Members

How are committee members selected?

At least half the committee members must be non-supervisory employees at the workplace. They must be selected by a mechanism in which all the employees at the workplace participate.

The employer chooses members as well (employer members) [section 14(3)]. It is recommended that the employer select representatives considering their knowledge of operations and their duties and responsibilities relating to work procedures and safety.

Ex-officio members are not recommended. However, when dealing with a specific issue, the committee may wish to invite persons with specialized knowledge or experience to attend as advisors or observers. Alternates may be elected for the purpose of maintaining a quorum at monthly meetings or assuming some of the responsibilities of absent members. Alternates are especially important if a workplace has shiftwork or other conditions that may prevent members from attending every meeting.

While it is not a requirement, it is recommended that members of the joint health and safety committee be different from representatives sitting on bargaining/negotiating committees. The purpose of this suggestion is to avoid having the adversarial environment of contract negotiations contaminate the health and safety process. It also ensures that contractual issues don't become mixed up with health and safety issues.

Do committee members need special training?

At least two committee members — one representing the employer and one representing workers — must be chosen for special training as co-chairs. Health and safety committee co-chairs play a key role on the committee. They also have specific authority and responsibilities under the *Occupational Health and Safety Act*. The employer shall grant to all committee members the necessary leave for training in the duties and responsibilities of a committee member.

Other specialized training is available through workplace organizations and outside agencies. It is beneficial to all members to have adequate training and it is a requirement under the Act.

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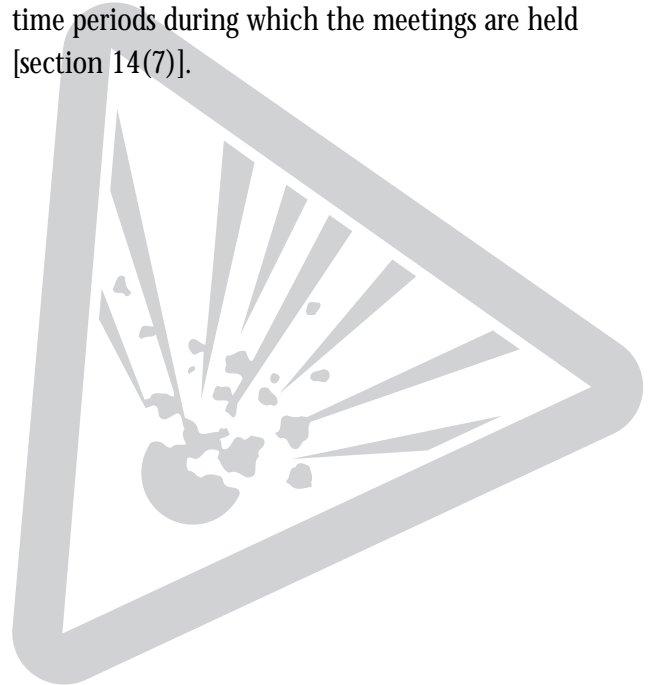
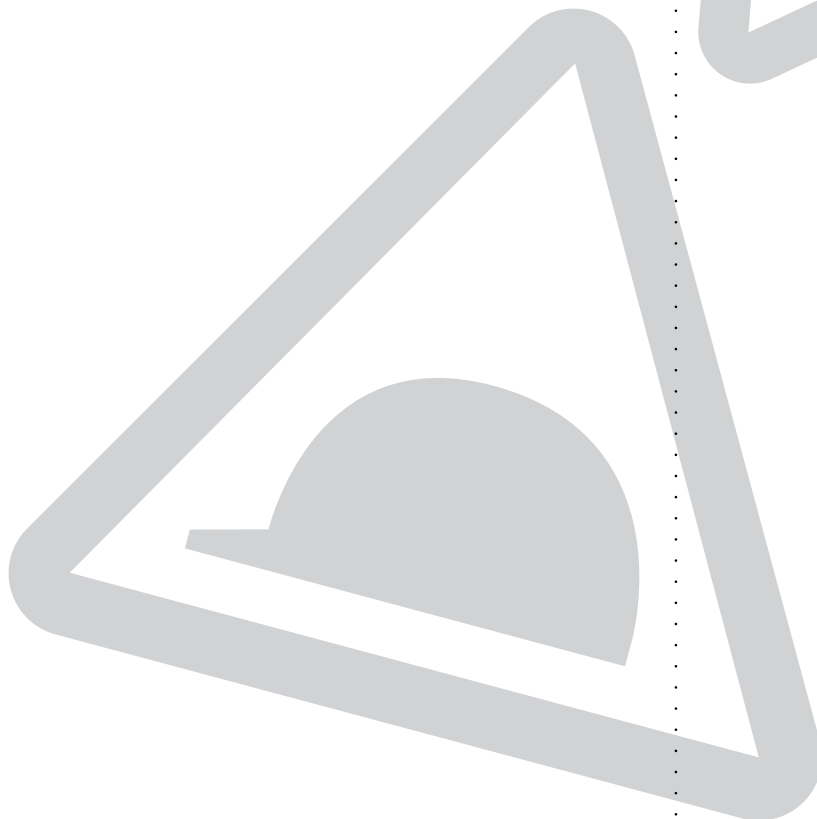
How long is a committee member's term of office?

A committee member should serve for at least one year. Where there is more than one worker member and one employer member, terms should be staggered for continuity. Vacancies should be filled as quickly as possible; terms of office from three to five years are suggested.

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Do committee members get paid for their time?

Members are entitled to take time to attend committee meetings, inspections and investigations, and to accompany WHSCC inspectors (when required by the inspector) investigating an accident, potential hazard or a work refusal. When engaged in committee meetings, each member of the committee will be paid at his/her rate and will receive other benefits for the time periods during which the meetings are held [section 14(7)].



Meetings

How often should the joint health and safety committee meet?

Committee members should meet at the workplace at least once every month [section 14(6)]. More frequent meetings may be necessary particularly in industries where hazardous substances or procedures are involved.

Meetings may be held less frequently when the risk at the workplace is low, and the committee has obtained approval from the Commission. Authority to reduce the frequency of joint health and safety committee meetings has been delegated to the WHSCC's director, health and safety.

Who chairs the meeting?

One of the co-chairs is chosen by the worker representatives, the other by the employer representatives. It is good practice to alternate the chairing of each meeting between the two co-chairs, although the committee may find other, more appropriate procedures.

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How is an agenda prepared?

The purpose of an agenda is to set out the meeting plan in advance and ensure that all members are aware of and prepared for the meeting. It should be prepared and approved by the co-chairs and distributed to all members preferably at least a week before the meeting.

Some of the important information on the agenda is:

- date, time and place of meeting; and
- agenda items, including:
 - minutes of last meeting,
 - review of unfinished business (follow-up from previous meeting, business carried forward),
 - regular reports (workplace inspections, accident investigations),
 - special reports (sub-committees, training, education),
 - responses and follow-up (committee inquiries, recommendations, employer responses),
 - new business (itemize different topics),
 - education session (if this committee has adopted this practice), and
 - new business (all employees - managers, supervisors and workers should be encouraged to submit items for possible inclusion on the agenda).

Note: Committee members who wish to have items added to the agenda should give the person chairing the meeting ample notice.

How are committee members informed of upcoming meetings?

Meeting dates should be established on a pre-set schedule (for example: 1st Wednesday or 2nd Thursday) or at the conclusion of each meeting. This

date will be recorded in the minutes of the meeting. A copy of the minutes should be distributed to members a few days after the meeting. The dates of upcoming meetings should also be posted along with its agenda (See Appendix B).

Minutes should contain details of all matters discussed, as well as a full description of problems and their resolution or any action deemed necessary.

Is a quorum needed to hold a meeting?

Every meeting must have members present who represent the employees and the employer. Otherwise, the committee should determine its own rules for the quorum requirement at meetings.

Must the minutes be recorded? What should the minutes include?

The minutes of each meeting must be recorded and made available for review by an inspector from the Commission. Minutes should contain details of all matters discussed, as well as a full description of problems and their resolution or any action deemed necessary.

Minutes must be signed by the co-chairs and should be posted in a prominent place or places at the workplace within one week of the meeting. A copy must be sent to the Commission [section 14 (8)(9)(10)]. Send to your regional WHSCC office.

Preparation

The co-chairs should ensure that every member receives an agenda prior to the day of the meeting, that the best possible room is made available, and that each member has arranged to attend.

Agendas for meetings are essential to the success of the committee, and provide the following assurances.

- a. members know the time and place of the meeting;
- b. every item the committee considers serious will be discussed;
- c. business will not be sidetracked into maintenance problems or non-safety matters, at least until all pre-selected concerns have been dealt with; and
- d. everyone receiving the agenda ahead of the meeting has a chance to study the more difficult problems needing attention.

To ensure business is conducted effectively, the meeting should be free from intrusions and excessive noise. Members should be seated together as a group. The secretary, chairperson, and if possible all other members, should have a table.

Copies of the previous minutes, inspection reports and all accident reports should be provided for each member wherever practical.

The only other requirement to make effective business possible is good attendance. Anyone who wants to can usually find an emergency that will prevent attendance, and anyone who is determined to attend can usually arrange that nothing will interfere. Unless

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a meeting is held outside the member's working hours, failure to attend is almost always a personal choice, however well disguised as "unavoidable". If a member stays away because of feeling the committee is unsuccessful, such action will only aggravate the failure. The best solution is for the member to increase his/her participation in the committee activities, and come to grips with the real reasons for its lack of success. A less desirable solution is to replace members who do not participate.

Minutes

The minutes should be entered on a form (prescribed by the Commission) item by item, as the meeting progresses. Do not take notes and prepare the minutes after the meeting.

A great deal of discipline is required to deal with each safety concern effectively, and to keep a firm grip on following the progress of items from meeting to meeting. The most effective way to achieve this is to enter every item in the minutes as it arises. In writing down each concern, the secretary must have a clear statement of each problem from the co-chair. This ensures all members understand what is being discussed. In the same way, because the recommended action must be written down, all members clearly understand what they are recommending.

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Throughout all meetings, assign a different number to every concern (also assign the date when the issue was first raised). It saves time and confusion. If there are eight concerns discussed at the first meeting, new business at the next meeting should start with number nine.

Copies of the completed minutes should be circulated to all committee members, management, and site noticeboards. Although you are only legally required to post one month's minutes at a time, it is recommended that minutes of at least two consecutive meetings remain posted to ensure that the workforce can clearly follow progress.

Review of previous business

List concerns resolved and concerns in progress without feeling it is necessary to take minutes of their discussion. For each recommendation past target date, carefully re-examine the problem, and discuss the recommended action and target date. Enter these in the minutes. Do the same with each recommendation where the action was completed, but did not completely solve the original concern.

From the previous minutes, check off all items where the original concern has been resolved, and show them as items complete on the current minutes. Then check off items where the target date still lies in the future, listing them as "in progress". These usually cause some discussion, but it is not often necessary to convey this in the minutes.

This leaves items that did not receive action. It also leaves items that received action which did not solve the original concern. This is a situation that occurs frequently with difficult health and safety problems where the real nature of the problem cannot initially be proven without some testing or where none of the suggested solutions can be proven successful until tried.

In both these cases, enter each item in the minutes with its original number, and then restate the problem after careful re-examination. Quite often a recommended action is not carried out because the real problem was not properly identified. Where the problem is unchanged, and the recommended action was never carried out, the committee must decide whether to refer the concern to the Commission for assistance. On the other hand, where the problem appears different after review, a different recommended solution is probably required. Where there is a new recommendation, assign a new target date.

For each recommendation past target date, carefully re-examine the problem, and discuss the recommended action and target date.

The assistance of the Workplace Health, Safety and Compensation Commission should only be sought after every reasonable effort has been made to resolve the problem at the committee level. If absolutely no progress can be made, contact the Commission at 1-800-442-9776.

It is not easy during the meeting for a secretary to keep track of every item from the previous minutes. The co-chair should see that every old item has been checked off before proceeding to new business.

Quite often a recommended action is not carried out because the real problem was not properly identified.

New concerns

Ensure each new concern is a valid health or safety matter. Take care that the problem is properly identified. Ensure the recommendation is a specific action which can be completed within a definite time. Assign a realistic target date and a committee member to follow through or monitor.

Validating the concern

A concern should not receive action unless it is a valid health or safety problem. Other matters, such as labour-management relations, should not be dealt with by the health and safety committee. Occasionally a concern may be raised that is both a labour relations matter and a safety matter. Give the labour relations channel a chance to solve the problem first. If that fails to produce a solution, the committee may then discuss the matter. Their task is to judge whether there is in fact a hazard, but not to recommend corrective steps. That is for the labour relations channel to decide.

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The problem

Be careful of concerns expressed as a “need”, such as “guardrail needed on hopper platform.” Until you find out why the item is needed, the real problem may be hidden. Ask what the danger is. Ask what is wrong with leaving things as they are. In the example of the guardrail, you might find there is no danger because

nobody goes up there. Or you might find that, rather than a guardrail, a remote control on the hopper gates should be installed so that the platform is not needed. Unless the committee questions every “need” before it is discussed, the result can be argument, bad decisions, or lack of action.

Until you find out why the item is needed, the real problem may be hidden.

Inspection review

The purpose of inspections is to identify hazards and to recommend corrective action. For this reason it is of utmost importance that joint health and safety committees use this pro-active approach to accident prevention. When done properly, the safety inspection can be the safety program’s best tool to prevent accidents and injuries. Part of the inspection process is the joint health and safety committee’s review of the inspection reports and recommendations which should become part of the meeting and included in the minutes.

Accident review

Concerns arising from review of accidents can each be treated as a additional item under “New Concerns”.

It is up to the co-chair to control the discussion. Common problems are:

- a. Nobody speaks. The co-chair should always have his/her own idea for a solution. If nobody has any suggestions, the co-chair’s suggestion usually gets things done.
- b. Everybody tries to speak. The co-chair should note briefly on paper every new idea that members offer to solve the concern. He/she should try to hold back discussion of any one idea until every member has made his/her suggestion. Working down the list, the co-chair should then have each one discussed in turn. The most popular solution should be accepted unless there is a member in strong disagreement.
- c. There is strong disagreement. Usually this occurs because a member does not agree that there is any real hazard involved. In this case, check with the regulations under the *Occupational Health and Safety Act* — it may provide the answer. If disagreement remains, compromise by making a recommendation that will partially solve the problem or provide a better understanding of it.
- d. Personal involvement. The other common reason for strong disagreement is a member’s personal involvement. If a member happens to be the supervisor of an area where a concern has arisen, he/ she often feels strong motivation to prove he/ she knows the answer. The strong response by maintenance people to maintenance problems, and by superintendents to production problems, gives the impression they are dominating the meeting. (Members seeing this problem in others should recognize it as natural, and not feel offended or unable to express their own thoughts. It is important to recognize the wisdom of letting others speak first.)

When done properly, the safety inspection can be the best tool of safety program to prevent accidents and injuries.

Without a target date, lack of action can mean the item is always in “progress”.

The target date

No recommended action can be followed up unless a target date is set for completion. Without a target date, lack of action can mean the item is always “in progress”.

- a. If nobody at the meeting knows how long the action should take, estimate what date might be reasonable. It may turn out to be unrealistic, but in any event the actual date will be determined by those in charge of the work, so use your own estimate as the target date.
- b. If it seems impossible to attach any target date at all, it is usually because the recommendation contains no specific action. In such cases, the recommendation itself should be changed to include action.
- c. Sometimes the corrective action is extremely urgent, but arguments arise as to the practical difficulties or expense of an early target date. Expense, being entirely a matter for management, should not affect the recommended target date. Practical difficulties have to be allowed for, and the target date must be one that is attainable in practice. Where the earliest attainable date fails to remove the danger soon enough, the committee should add a temporary solution, such as roping-off the danger area. There would then be two recommendations and two different target dates.

The recommendation

It is important that every recommendation contain a specific action, monitored by members of the joint health and safety committee.

Failure to state an action causes three general problems. For example, “loaders must ensure pallets are stacked safely” is a typically poor recommendation. First, it can not be followed-up: who can say whether it is completed or not? Secondly, it has all the characteristics of a supervisor’s authority to direct workers, thereby implying the supervisor himself can forget the problem because the committee is the new boss. Both valid and useful would be either a toolbox meeting to discuss stacking problems, or preparation of a written job procedure.

Recommendations for partial solutions, temporary solutions, studies and reports are all valid.

Failure to limit the action to company employees makes follow-up difficult. If a lift truck problem seems to require dual wheels, action should be “order dual wheels”. Only maintenance and purchasing staff are involved. To recommend “install dual wheels” would be a mistake. Action is then in the hands of the manufacturer and common carrier. How can there be a target date? Who is accountable if the action fails to take place?

Finally, remember many problems cannot be solved without experimenting. Trying to obtain longer trailers or remove bumps in the yard may solve the lift truck’s instability better than dual wheels. Recommendations for partial solutions, temporary solutions, studies and reports are all valid. They can be followed up with further action when more is known.

Monitoring the corrective action plan

Monitoring is the responsibility of the employer. The joint health and safety committee should assign the task of auditing or monitoring to make sure that the corrective action recommended is effective and not creating other problems. This is a very important responsibility of the joint health and safety committee, one which can largely determine the committee's credibility and effectiveness in the workplace. Each concern and/or recommendation entered in the minutes should have a person assigned to monitor this concern and should be identified in the minutes in the "Action by Whom" column.

Training and education

A program of tool box meetings, job-procedure training, and job education has a major beneficial effect on work habits. The committee should make every effort to establish and maintain such a program.

The first requirement for training and education is allocating time. The first way of using such time is simply for workers and supervisors to discuss any work-related problem. This is the "tool box talk". The committee should promote allocation of the necessary ten minutes or so to every crew two or three times a month. Each supervisor should make a daily note of any work habit or equipment problem that catches his/her attention, and make one of these the opening subject of his/her next tool box meeting. Where the activity involves construction, a brief safety walk of the site by the supervisor and a worker for the sole purpose of assessing the safety hazards associated with the day's activities is a good way of keeping on top of a constantly changing environment. It provides the opportunity to reinforce, with the workers, the precautionary measures and procedures they are expected to follow.

The second way of using time should be to develop written job procedures. The steps required to start, run and deal with emergencies on each job, should be written in the form of three separate procedures for every important or difficult job. Each step should have a parallel comment drawing attention to any danger that may occur during that step. Time is required for operators and supervisors to meet and finalize the wording of these procedures. Further guidance is available from the WHSCC.

The steps required to start, run and deal with emergencies on each job, should be written in the form of three separate procedures for every important or difficult job.

Thirdly, time is needed for supervisors to train new employees with the help of written procedures where possible.

Finally, time is needed for job education — an hour or so for operators and supervisors to learn, with the help of outsiders, new facts concerning the jobs they perform. Meetings can be arranged using resource people such as mobile equipment dealers, wire-rope or grinding wheel salespeople, or the Commission's staff. Films and slide programs can be borrowed. Employees can attend training courses at the work site or in training institutions.

Numerous studies indicate that workplaces with better trained committee members tend to have good health and safety records.

Roles

Role of the Commission

One of the roles of the Commissions' health and safety officers is to assist workers and employers in establishing and maintaining their committees.

The Commission does not intend to impose rigid rules for the operation of committees. Procedures may vary from industry to industry and plant to plant, with the mutual consent of the committee members.

Role of the co-chairs

The co-chairs play a key role in the committee. They have the primary responsibility for running meetings. They should consult with each other in the planning of meetings and the review of minutes. The person actually chairing the meeting should be responsible for getting it started on time, keeping it on track, bringing all issues to a conclusion, and ensuring that all members have the opportunity to contribute. The ultimate success of the meeting will depend upon the quality of the contributions from all members.

They have the primary responsibility for running meetings.

Planning meetings

Good meetings don't just happen - they require careful planning. The co-chairs can ensure that meetings are effective by:

- scheduling meetings - arranging the dates, times, and a suitable location for meetings;

- preparing notices of meetings and agenda items in advance, and ensuring that necessary information on agenda items is available; and

- ensuring that meetings start and end on time.

Conducting meetings

The co-chairs can play a key role in ensuring that meetings are conducted successfully. Some factors that make for successful committee meetings are:

- The committee must agree on the problem and only then consider solutions. Solutions also require agreement by consensus.
- It is important for each member to share any relevant facts and opinions with the committee.
- It is better to listen than attempt to out-talk others. The co-chair conducting the meeting should ensure that everyone on the committee has a chance to express his or her views, and that no one person monopolizes the meeting.
- Joint decision-making is preferable to decisions made with the support of only part of the committee. The co-chair can facilitate this by ensuring that all views are heard and discussed, and that decisions are reached by consensus.

Follow-up

The co-chairs should ensure that committee recommendations are presented to the employer in writing, and that the committee is informed of the employer's response.

Role of the Secretary

The secretary's most important task is to record the minutes of the meeting and keep records of all the committee's activities. Minutes are discussed earlier on page 9.

The secretary's responsibilities may also include:

- compiling the agenda as set by the co-chairs;
- notifying committee members of meeting times and locations;
- notifying the co-chairs when there will not be a quorum for a meeting;
- ensuring that the minutes are agreed to by the co-chairs before they are distributed, and that the committee has the opportunity to point out any errors or omissions before or at the start of the next meeting;
- circulating minutes, reports, and information to committee members promptly;
- pointing out those items recorded in past minutes that require discussion and/or follow-up by the committee; and
- where necessary during meetings, clarifying with the committee whatever decisions have been reached.

Role of the members

Every committee member has a role to play in ensuring that the committee meets its objectives. In general, all members should:

- attend meetings (if a member cannot attend a meeting, he or she should notify the secretary in advance);

- contribute their experience and ideas to committee discussions;

- obtain information if assigned to do so by the committee;

- listen to concerns and suggestions made by managers or employees outside the committee, and ensure these are referred to supervisors or to the committee, as appropriate; and

- learn about health and safety in the workplace.

In addition, individual members may have special responsibilities from time to time. These include:

- carrying out workplace inspections;
- undertaking special tasks for the committee;
- attending refusal to work situations;
- carrying out accident investigations;
- accompanying a health and safety officer on inspections; and
- being present at the beginning of a safety or industrial hygiene test.

Members with special responsibilities should ensure that the committee is kept informed of their work and findings.

The co-chairs should ensure that committee recommendations are presented to the employer in writing, and that the committee is informed of the employer's response.

Responsibilities

Responsibilities of a joint health and safety committee

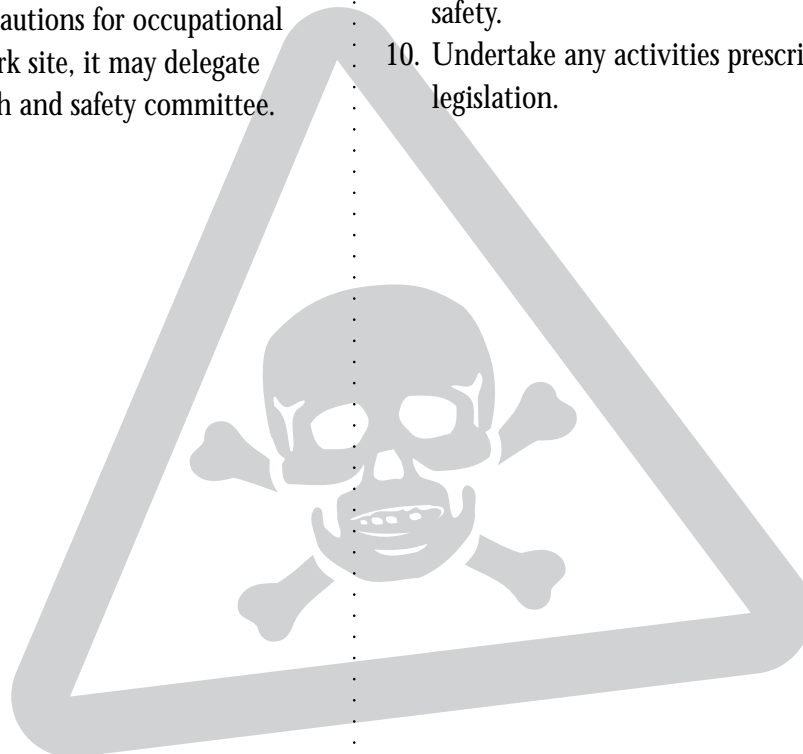
No worker, supervisor, manager, employer or government agency can hold the committee responsible for unsafe or unhealthy situations. The committee is responsible for recommending how health and safety problems might be solved, not for carrying out the necessary changes.

A frequent problem for joint health and safety committees is a tendency for others to expect to shift all responsibility for health and safety on to their shoulders. This must not be done. Under the *Occupational Health and Safety Act*, every worker is held personally responsible to work with regard for the health and safety of himself/herself and others. Every supervisor and manager is obligated to take reasonable steps to ensure the health and safety of their workers. Every employer must do the same.

While management has the ultimate responsibility for ensuring the necessary precautions for occupational health and safety at the work site, it may delegate authority to the joint health and safety committee.

The *Occupational Health and Safety Act* enables the committee to undertake the following activities:

1. Identify health and safety concerns at the workplace.
2. Make recommendations to correct health and safety concerns.
3. Monitor the corrective action taken.
4. Create an awareness of the importance of occupational health and safety to everyone at the workplace.
5. Ensure that health and safety education training programs are established and maintained at the workplace.
6. Help in the resolution of questions arising from the right to refuse dangerous work.
7. Investigate the causes of accidents to prevent reoccurrence.
8. Become familiar with the *Occupational Health and Safety Act* and Regulations.
9. Maintain a positive and enthusiastic attitude toward the practice of occupational health and safety.
10. Undertake any activities prescribed by legislation.



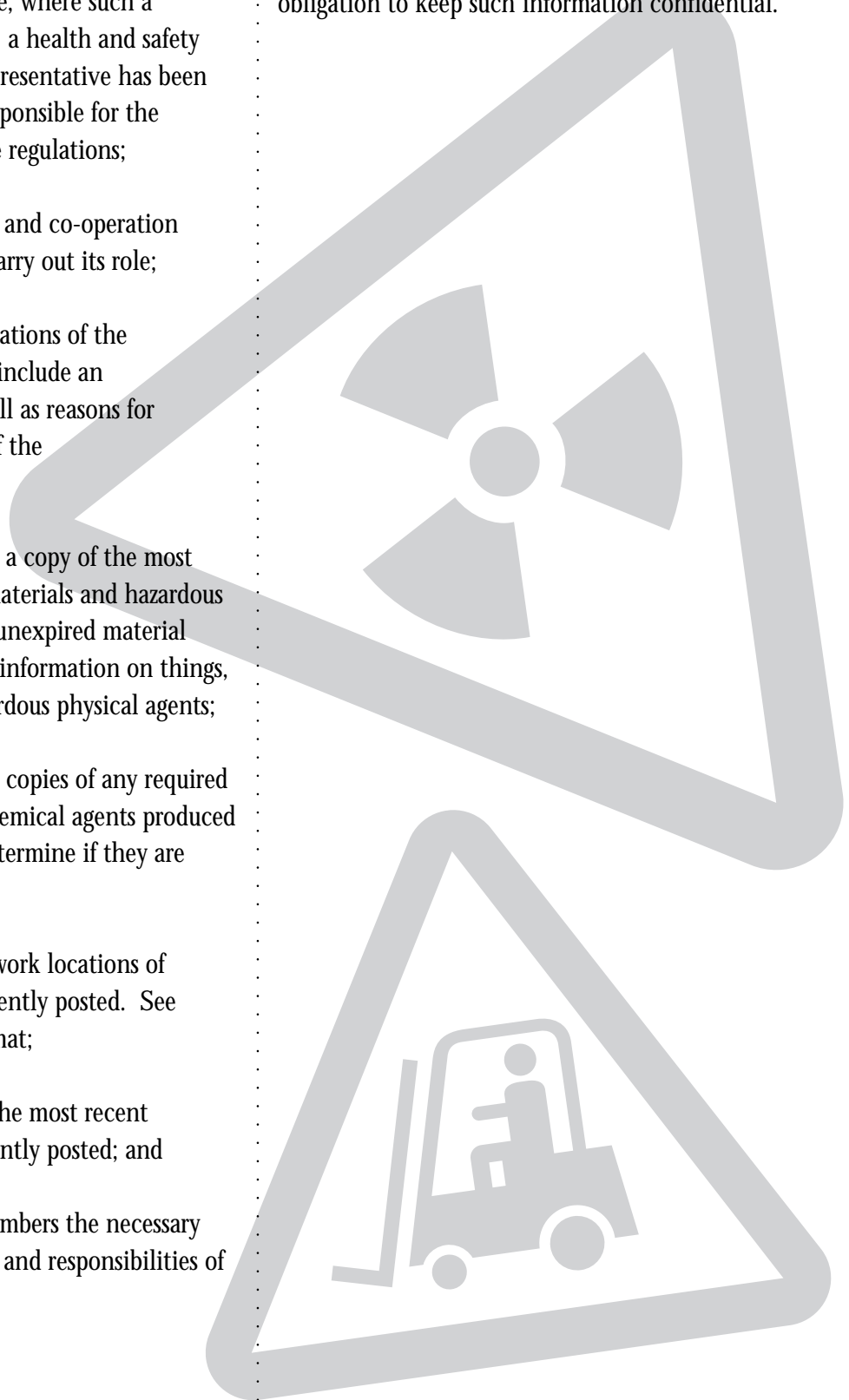
Employer's Responsibilities

An employer's legal responsibilities to the committee include:

- co-operating with a committee, where such a committee has been established, a health and safety representative, where such a representative has been elected, and with any person responsible for the enforcement of this Act and the regulations;
- providing whatever assistance and co-operation necessary to the committee to carry out its role;
- responding to the recommendations of the committee. This response is to include an implementation timetable as well as reasons for disagreement, if any, with any of the recommendations;
- providing the committee with a copy of the most recent inventory of hazardous materials and hazardous physical agents, along with the unexpired material safety data sheets and suppliers' information on things, devices, etc., that emit the hazardous physical agents;
- providing the committee with copies of any required assessments of biological and chemical agents produced and used in the workplace to determine if they are hazardous materials;
- ensuring that the names and work locations of committee members are prominently posted. See Appendix C for a suggested format;
- ensuring that the minutes of the most recent committee meeting are prominently posted; and
- granting to the committee members the necessary leave to be trained in the duties and responsibilities of a committee member.

Confidentiality

In the course of conducting committee business, confidential company and personal information may become known to committee members. They have an obligation to keep such information confidential.



Conclusion

Effectiveness

The laws that require a joint health and safety committee in workplaces cannot make them effective. A committee needs organizational support, comprehensive terms of reference, and a means of self-assessment to ensure effectiveness. These should be developed by each committee, and be part of a set of written procedures made available to all committee members, and used as an orientation tool for new committee members.

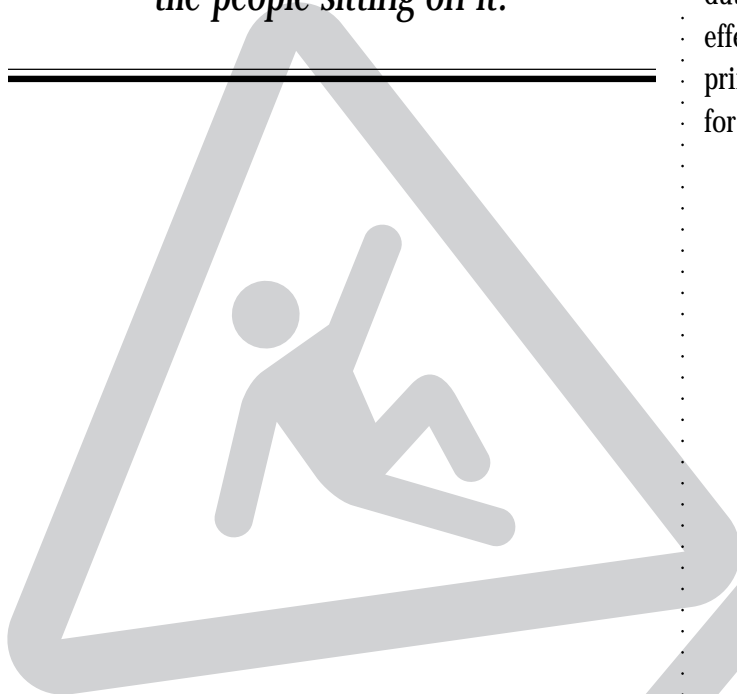
A committee can only be as effective as the people sitting on it.

Communication

Good communication between management and the committee and between the committee and other employees is essential to the effective working of a committee. Committee members must be open to concerns, complaints and suggestions, must be able to discuss problems and recommend solutions as well as become an advisory body in the workplace.

Training

Effective committees are those whose members have the knowledge and skills needed to carry out their duties and activities. Proper training on how to work effectively as part of a committee and on the principles of occupational health and safety is essential for all committee members.



Appendix A

Sections 14, 15, 16, 17, and 18 of the *Occupational Health and Safety Act* on....

Joint Health and Safety Committees

14(1) Subject to subsection (1.1), every employer with twenty or more employees regularly employed at a place of employment shall ensure the establishment of a joint health and safety committee.

14(1.1.) Where twenty or more employees are employed at a project site, the principal contractor or, if there is no principal contractor, the owner shall ensure the establishment of a joint health and safety committee.

14(2) A committee shall consist of such number of persons as may be agreed to by the employer and the employees.

14(3) A committee shall consist of equal representation from both the employer and the employees, and the employer shall designate his representative or representatives and the employees shall designate their representative or representatives.

14(4) Where the employer and employees cannot agree on the size of the committee, the Commission may establish its size.

14(5) The employer and employee members of a committee shall elect a co-chairman from their respective groups.

14(6) Subject to section 16, a committee shall meet at least once a month.

14(7) Each member of the committee shall receive when engaged in committee meetings pay at his rate and other benefits for the time periods during which the meetings are held.

14(8) A committee shall take and maintain minutes of its meeting on a form provided by the Commission.

14(9) The employer at a place of employment shall ensure that the names of the members of the committee of the place of employment and the minutes of the most recent committee meeting are posted in a prominent place or places at the place of employment.

14(10) A copy of the minutes signed by the co-chairmen of the committee shall be sent to the Commission.

14(11) The employer at a place of employment, in consultation with members of the committee at the place of employment, shall grant to the committee members the necessary leave to be trained in the duties and responsibilities of a committee member.

14(12) Where an employer does not grant a leave to members of a committee in accordance with subsection (11), the Commission may order an employer to grant a committee member leave.

14(13) Where a committee cannot agree on a matter related to health and safety, the committee shall call an officer to resolve the problem.

15 A committee may

(a) make recommendations for the establishment and enforcement of policies involving health and safety practices;

(b) participate in the identification and control of health and safety hazards at the place of employment;

(c) inform employees and the employer of existing or potential hazards at the place of employment and of the nature of the risks to their health and safety;

(d) establish and promote health and safety programs for the education and information of the employer and employees;

(e) receive, consider and make recommendations to the employer regarding complaints respecting the health and safety of the employees at the place of employment;

(f) maintain records respecting the receipt of, the consideration of and recommendations respecting complaints;

(g) obtain information from the employer respecting the identification of existing or potential hazards of conditions, tools, equipment, devices and machines at the place of employment;

(h) carry out monitoring and measuring procedures by trained committee members where the Commission has determined there is a need for regular monitoring and measuring at the place of employment and has directed the committee to carry out such monitoring and measuring;

(i) investigate any matter referred to in paragraph (e);

(j) participate in all inspections, inquiries, and investigations concerning the health and safety of employees, and in particular the investigation of any matter referred to in section 43;

(k) perform any other duties that

(i) the Commission may assign to a committee;

(ii) may be assigned to a committee by agreement between the employer and the employees, or

(iii) are prescribed by this Act or the regulations.

16(1) Where the nature of employment at a place of employment presents a low risk to the health or safety of employees at the place of employment, the Commission may, upon receipt of an application from the committee and after such consultation with any interested persons as it considers advisable, reduce the frequency of committee meetings, if the standard of health and safety of the employees is not thereby materially affected.

16(2) Where meetings as scheduled by a committee could cause a disruption to the normal operations at a place of employment, the Commission may, upon receipt of an application from the employer and in consultation with the committee, schedule the time for the meetings of the committee.

Health and Safety Representatives

17(1) Subject to subsection (2), every employer with not fewer than five and not more than nineteen employees regularly employed at a place of employment shall establish a safety policy in respect of that place of employment which may include provision for a health and safety representative.

17(2) Where the nature of employment at a place of employment presents a high risk to the health and safety of employees or where the accident record of a place of employment is higher than is normal for that place of employment or for similar places of employment, the Commission may require an employer to establish and file with the Commission a safety policy that includes provision for a health and safety representative.

17(3) Where a safety policy established under subsection (1) or (2) includes provision for a health and safety representative, the employees shall elect a health and safety representative.

17(4) The employer shall post the name of the elected health and safety representative in a prominent place or places at the place of employment.

18(1) A health and safety representative may do anything that a committee may do under section 15.

18(2) A health and safety representative shall consult regularly with his employer in the course of his activities.

18(3) Where the employer and a health and safety representative cannot agree on a matter related to health or safety, the health and safety representative shall call an officer to resolve the problem.

Appendix B

Joint Health and Safety Committee Meeting Sample Agenda

ABC Company Joint Health & Safety Committee Meeting

Date	Time	Place	
Item		Presenter	Approx. Time (in minutes)
	1. Minutes of last meeting	Secretary	5
	2. Unfinished business		
	* results of noise survey	Joe Smith	10
	* company response to recommendation No. 7: lighting at loading dock	Jean Sims	10
	* Report on training courses and suggestions for more training	Mary Smith (co-chairperson)	10
	3. Regular reports		
	*Workplace inspections and recommendations	Jack Harrod	25
	*Update on accidents and first-aid	Joe Smith	10
	4. Employer response to past recommendation No. 6	Harry Brown (co-chairperson)	
	5. New business		
	* Preview film on back injuries	Jean Sims	20
	6. Next meeting		
	* Date and agenda item		

Appendix C

Joint Health & Safety Committee Sample Minute Form

Minutes of Joint Health & Safety Committee / Procès-verbal du comité mixte d'hygiène et de sécurité

Name of Employer / Nom de l'employeur

Location / Lieu de travail

Date of Meeting / Date de la réunion

Date of Last Meeting / Date de la dernière réunion

Name of Co-Chairperson / Nom du (de la) coprésident-e

Name of Secretary / Nom du (de la) secrétaire

Members Present / Membres présents

BUSINESS CARRIED FORWARD / ORDRE DU JOUR REPORTÉ

Origin / Source	Concern / Problème	Target Date / Date d'exécution	Action & By Whom / Mesures prises et par qui

NEW BUSINESS / AFFAIRES NOUVELLES

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Co-Chairperson / Coprésident-e

Date of Next Meeting / Date de la prochaine réunion