



3201 OCCUPATIONAL HEALTH & SAFETY COMMITTEE TERMS OF REFERENCE

Policy Type: Human Resources Manual
 Applies To: All Staff, Students, Visitors
 Approved By: LCS Head of Schools
 Policy Reviewed: every 2 years
 Adopted: 03 2020
 Revisions:

1. NAME & PURPOSE

- (a) The committee shall be known as the LCS Occupational Health and Safety Committee (LCS OHSC)
- (b) The purpose of the joint committee is to work cooperatively with the employer in identifying and resolving safety and health issues in support of a planned occupational safety and health program and to prevent occupational injuries and diseases in the workplace.

2. COMMITTEE MEMBERSHIP

- (a) The committee shall consist of at least 4 members and may be up to 9
- (b) The committee must consist of worker representatives and employer representatives
- (c) At least half of the members must be worker representatives.
- (d) The worker representatives must be selected by the employees from workers at the workplace who do not exercise managerial functions at the workplace according to the procedures identified in section 34 of the Workers' Compensation (WC) Act.
- (e) The employer representatives must be selected by the employer from among persons who exercise managerial functions for the employer and, to the extent possible, who do so at the workplace for which the joint committee is established
- (f) List the names of the members below along with the campus or department they represent:

Name of Employer Representatives	Campus/Department Representing
Director of Operations - Frank Wood	LCS Board (Employer)
Assistant Principal – Patrick Lee	High School

Principal - Berkley Glazer	Middle School
Assistant Principal – Anita Wood	Elementary School
Name of Employee Representatives	Campus/Department Representing
Teaching Staff Representative - Rod Augustin	High School
Teaching Staff Representative - Kaily Bennett	Middle School
Teaching Staff Representative - Laurie Newbigging	Elementary School
Support Staff / Non-teaching Representative -	High School
Support Staff Operations/administration - Arne Larsen	Non Campus Specific
Support Staff / Non-teaching Representative	

- (g) The committee must have 2 co-chairs, one selected by the employee representatives, and the other selected by the employer representatives.
- (h) All members will arrange to have an alternate member to attend meetings in their place, when they are unavailable to attend.
- (i) The co-chairs of the committee must notify the employer when there is a lack of representation on the committee.
- (j) All committee members within the first 2 months of appointment must complete the 2-hour online training component provided by WorksafeBC.

3. CO-CHAIR DUTIES

- (a) Facilitate the meetings
- (b) Review previous meeting reports and material prior to the meetings
- (c) Ensure that a meeting place is arranged
- (d) Ensure members are notified of meeting dates, times and locations
- (e) Ensure meeting agenda is prepared and distributed
- (f) Ensure meeting reports are prepared and distributed
- (g) Ensure that a copy of meeting reports is forwarded to the employer for posting/distribution

- (h) Prepare recommendation(s) and forward to the employer for a response
- (i) Prepare all correspondence on behalf of the committee

4. TERMS OF OFFICE

- (a) Committee members will sit on the committee for 2 years. (Note that committees are more effective if terms of office overlap for committee members. This allows a mix of new and experienced committee members on the committee)
- (b) If a member of the committee chosen by the workers is unable to complete the term of office, the workers must choose another member.
- (c) If a member of the committee appointed by the employer is unable to complete the term of office, the employer must appoint another member.

5. DUTIES AND FUNCTIONS OF THE COMMITTEE

- (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 the employer on issues related to occupational health and safety and occupational environment
- (d) Make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;
- (e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHS provisions and the regulations and to monitor their effectiveness;
- (f) Advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;
- (g) Advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers;
- (h) Ensure that accident investigations and regular inspections are carried out as required by the OHS provisions and the regulations;
- (i) Participate in inspections, investigations and inquiries as provided in the OHS provisions and the regulations;
- (j) Carry out any other duties and functions prescribed by regulation.

6. PERFORMING THE DUTIES AND FUNCTIONS

- (a) Consulting
 - Generally means communicating for the purposes of seeking information and advice.
- (b) Decisions of the committee

- The committee should attempt to reach consensus on each decision it makes. If the committee cannot reach consensus then a vote may be taken. The committee will go with the majority vote, when a vote is needed.
- (c) Assistance in resolving disagreements within committee
- If the joint safety and health committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to the Head of School, who may investigate and attempt to resolve the matter.

7. RECOMMENDATIONS TO THE EMPLOYER

- (a) The joint committee must make all recommendations to the employer in writing with a written request for a response from the employer within 21 days. Both the employer and worker co-chairs must sign the recommendations before they are forwarded to the employer. All recommendations must be made separate from the minutes of the meeting.
- (b) The employer is required, under the OHS Regulation, to respond to the joint committee recommendations within 21 days of receiving the written request. The employer must respond in writing by:
- Indicating acceptance of the recommendation, or
 - Giving the employer's reasons for not accepting the recommendation.
If the employer is not reasonably able to provide a response before the end of the 21-day period, the employer will be asked by the committee to provide - within that time - a written explanation for the delay, together with an indication of when the response will be provided.
 - If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the LCS Board Chair, which may investigate and attempt to resolve the matter.
 - If the joint committee is not satisfied that the explanation provided for the delay is reasonable - in the circumstances - a co-chair of the committee may report this to WorkSafeBC. WorkSafeBC may investigate the matter and may, by order, establish a deadline by which the employer must respond.

8. SUPPORT FOR THE COMMITTEE

- (a) At the request of the joint committee, the employer is required by the Regulation to provide the reasonable equipment, space and clerical support necessary for the joint committee to carry out its duties and functions.
- (b) The joint committee may request the following information from the employer, as needed:
- The identification of known or reasonably foreseeable health or safety hazards which workers are likely to be exposed to in the workplace,
 - Health and safety experience, work practices and standards in similar or other industries of which the employer has knowledge,
 - Orders, penalties and prosecutions under the WC Act or OHS Regulation relating to health and safety at the workplace, and

- Any other matter prescribed by OHS Regulation.

9. MEETINGS

- (a) The committee will meet monthly with the exception of March, July, August and December
- (b) Special meetings, if required, will be held at the call of the co-chairs.
- (c) A quorum shall consist of a majority of members on the committee.
- (d) Time from work for meetings and other committee functions
- (e) Members of the joint committee are entitled to time off from work for:
 - The time required to attend meetings of the committee,
 - Other time that is reasonably necessary to prepare for meetings of the committee, and
 - Other time that is reasonably necessary to fulfill the other duties and functions of the committee.
 - Time off for joint committee members to perform these duties and functions will be deemed to be time worked for the employer, and the employer will pay for that time consistent with the provisions of employment agreements.

10. AGENDAS AND REPORTS OF THE COMMITTEE

- (a) An agenda will be prepared by the co-chairs and distributed to members prior to the meeting.
- (b) A report of the meeting will be prepared as soon as possible after the meeting with a copy provided to the employer.
- (c) The employer will retain a copy of the reports for at least 2 years from the date of the joint committee meeting to which they relate.
- (d) The employer will be responsible for ensuring that the retained reports are readily accessible to the joint committee members, workers of the employer, officers and other persons authorized by WorkSafeBC.

11. POSTING COMMITTEE INFORMATION

- (a) The employer must promptly post and keep posted at the workplace, in the staff room or another place readily accessible to employees, the following:
 - The names and work locations of the joint committee members,
 - The reports of the 3 most recent joint committee meetings, and
 - Copies of any applicable orders under this Division for the preceding 12 months.

12. RECORDS

- (a) The committee must keep accurate records of all matters that come before it.
- (b) The committee will maintain copies of its minutes for a period of at least 2 years from the date of the joint health and safety committee meeting to which they relate.

13. EDUCATIONAL LEAVE ENTITLEMENT

- (a) Each member of the joint committee is entitled to an annual educational leave totaling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses.
- (b) A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.
- (c) The employer must provide the educational leave without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

14. AMENDMENTS

- (a) These terms of reference may be amended by vote of the committee members.