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JHSC Terms of Reference

Mission

The JHSC for _____ (company) _____ will support management in its goal for continuous improvement of _____ (company) _____ health and safety practices. This committee will, to the best of our ability, be proactive in health and safety initiatives. We will be responsible to keep the workplace informed of our purpose and provide high visibility in the workplace. The JHSC will help management identify unsafe and unhealthy standards of work, conditions and practices, and act as an advisory group to management to help resolve company health, safety and environmental issues.

Members

The committee will comprise six members: three employers representing management and three employees representing employees.

Meetings

The committee will meet every third Friday of the month in the conference room at 1 p.m. for about one hour. Additional meetings will be scheduled as required. Agreement on health and safety issues from the group will be decided by majority vote. If there is no agreement to resolve an issue, the JHSC will immediately contact WorkSafeNB for guidance or resolution. All information from the JHSC to the workplace will be communicated in writing (not verbal).

Training

All new JHSC members will attend the WorkSafeNB Joint Health and Safety Committee Core Training within three months of joining the committee. Management must approve additional health and safety training for committee members.

Positions and Terms

Chairpersons and recorder positions are two-year terms and are renewable. Employee members will serve at least a 2-3-year term with the workplace determining eligibility and renewal. All member positions will be staggered with the most recent member serving no less than a 3-year term.

Attendance

If anyone is absent for three consecutive meetings without *just cause*, they will be asked to resign from the JHSC and the position will be replaced as per this TOR.

Confidentiality

All information discussed in the meetings will be held in confidence and remain internal to _____ (company) _____. Health and safety issues will be discussed omitting names of any people who may be involved. Any violation of confidentiality will result in the request of immediate resignation from that JHSC member and, if warranted, the violation will be communicated to senior management.

New Members

The employee and employer representatives will be responsible to replace new members from their perspective groups. Employee replacements will be elected by majority vote. JHSC position vacancies will be posted and the workplace will be asked to respond to the request within three weeks of the posting. Management will only

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designate an employer (as defined by the *OHS Act*) to serve as the JHSC employer representative.

Co-chairpersons

There will be two co-chairs on the committee: one representing the employees and one representing the employers. JHSC employee members will select their co-chair and JHSC employer members will select their co-chair. Co-chairs will be responsible to:

- Prepare and distribute (via email) to all members, including the recorder, the meeting agenda at least one week before the meeting. Recurring monthly documents will be collected by the co-chairs and distributed to all members during the meetings. Recurring monthly documents include: monthly accident and incident reports, department inspection results, information on previous months' JHSC recommendations to management and new educational opportunities
- Provide clarity on positions that may differ during the meetings by requesting input from the entire workplace, including management or from an external source (WorkSafeNB, for example) to resolve issues
- Ensure all agenda items are covered
- Encourage participation of all members
- Alternate chairing meetings on a quarterly basis
- Help plan and request help for workplace wellness initiatives
- Act as the lead for introducing new employees to the company's JHSC
- Research and provide information necessary for workplace education, wellness, health and safety
- Review the JHSC's TOR annually and make changes as necessary
- Provide the workplace with the JHSC's contact information, including departments, phone numbers, cell numbers and email addresses
- Invite workers and management to the meetings
- Make arrangements for health and safety professionals to attend meetings for education and information sessions
- Sign the minutes form
- May accompany the WorkSafeNB safety officer on inspections

Recorder

Minutes of all health and safety committee meetings are required. Keeping a good record of JHSC activities and discussions is necessary to help ensure each concern and resolution is documented. The JHSC may elect an existing member as a recorder but it is also acceptable for the employer to provide a recorder who is not a JHSC member. (If this is the case, this person will be a non-voting member.) If the recorder cannot attend a meeting, the co-chair not scheduled to lead the meeting will act as the recorder.

Recorder Responsibilities

- Take minutes of the meeting and distribute to appropriate parties (workplace and WorkSafeNB).
- Distribute (via email) the monthly JHSC minutes to the workplace and post the monthly minutes on the JHSC area boards (four in total) within 24 hours of the co-chairs' approval and signatures on the document.

Quorum /Attendance

A quorum will consist of a majority of membership (three or five). Committee meetings will not be cancelled if there is not a quorum present. If a quorum is not present within 10

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minutes of the posted start time, the recorder will note this in the minutes and the meeting will start. Due to lack of participation of all members, there will not be a vote on resolution of issues for that meeting. Recommendations for concerns of a serious nature that have been addressed with management and cannot be resolved at the JHSC level will be immediately forwarded to WorkSafeNB for resolution (*OHS Act*, section 14(13)). This committee will not have alternates.

Committee Functions

1. Review the company's current inspection process with management on a regular basis (*OHS Act* 9(3)). Recommendations will be made, if necessary, for inspection item additions. The JHSC will review each department's substandard and outstanding inspection items with formal recommendations to be documented to be resolved at senior management level. The JHSC will allow at least 1-2 hours quarterly per department to complete a formal audit of the company, rotating members in different departments (January, April, August, November).
2. Review each month various sections of workplace legislation. If necessary, contact WorkSafeNB for clarification or interpretation on sections that are unclear or if the workplace has questions regarding legislation.
3. Regularly review the company's policy and procedure manuals. If there are procedural gaps or omissions, the co-chairs will research options and formally inform management. If necessary, the JHSC will formally recommend changes to meet legislative standards.
4. Review the company's WHMIS training annually (Regulation 88-221, section 6(4), Regulation 2016-6, section 7(4)) and make recommendations for changes to the program, if needed.
5. Respond to accident and injury scenes immediately to start accident investigations as per the company accident investigation procedure.
6. Request and receive accident and injury data for the purpose of injury and trend analysis.
7. Attend JHSC core training within three months of becoming a member.
8. Attend immediately to work refusals. See below for further instruction.
9. Participate in new employee orientation by introducing new employees to JHSC committee members and providing information such how members are chosen, departments where JHSC members are located and other contact details.
10. Inform management and staff in writing about existing or potential hazards and the risks if left unresolved.
11. Prepare and distribute health and safety information to the workplace via monthly newsletter and flyers throughout the building.

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12. Receive, in writing, issues or complaints about employee health and safety. Review the issues and respond within one week, in writing, to the person with the concern.
13. Receive information from the employer about identification of existing or potential hazards or conditions, tools, devices, equipment and machines.
14. Receive, in writing, notification of serious accidents (*OHS Act*, section 43(2)).
15. Co-operate with the employer to prepare a list of all of toxic substances at the workplace (*OHS Act*, section 42(1)) and receive and file any changes to that list from the employer (*OHS Act*, section 42(3)).
16. Receive and maintain records from management on the temperature readings (extreme heat and cold) for both the interior and exterior the building (Regulation 91-191, section (22)).
17. Receive and maintain records on dBA (noise level) readings in company departments.
18. Consult and provide information, if necessary, on the development of a code of practice for respiratory equipment (Regulation 91-191, section 45(4)).
19. Consult and provide information, if necessary, on appropriate types of hearing protection (Regulation 91-191, section 48(2)).
20. Help the employer develop a code of practice for fall protection (Regulation 91-191, section 50.2(3)).
21. Consult with the employer about fall protection training for company employees (Regulation 91-191, section 50.3(4)).
22. Consult with the employer on lock-out training for company employees (Regulation 91-191, section 240 (a)).
23. Perform any other duties that:
 - WorkSafeNB may assign
 - Are assigned in the *OHS Act* or regulations
 - May be assigned by agreement between the employer and employees

Agenda

The co-chairs will provide an agenda to members one week before the scheduled meeting. The agenda may include the following sections:

- Approval of agenda/addition of items
- Approval of minutes
- Review of injury statistics
- Review results of workplace inspections
- Review employee health and safety concerns
- Ongoing business
- New business

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- Education opportunities
- Schedule for next meeting

Responding to Work Refusals

If an employee refuses unsafe work, the employee must have consulted **their immediate supervisor**. If the employee has not contacted or expressed concern to their supervisor, the JHSC member must instruct the employee to speak to their supervisor first and complete the **Right to Refuse Form**. If the incident is not documented, the JHSC cannot effectively address the concern. At all times throughout the refusal, the committee will be responsible to document the situation.

1. The employee must contact the JHSC co-chairs and one employee member as soon as possible if the issue cannot be resolved with the immediate supervisor. JHSC member names, phone numbers and email addresses are posted on the JHSC board. If one of the above members mentioned is not present at the workplace, that person will be called into work immediately, regardless of the JHSC member's schedule. Only if the person contacted is unavailable, another JHSC member from the respective group will be contacted.
2. Committee chairs and one employee member will attend the situation as soon as possible to investigate.
3. The committee will personally meet with the employee and the employee's supervisor to review the documented concern. The JHSC will attend the area in question immediately and review all documentation relevant to the situation (policies, procedures and the legislation, for example). The JHSC can only make recommendations for the situation. This process must be documented.
4. If the employee's concern cannot be resolved to the employee's satisfaction, the JHSC will advise the employee to immediately contact WorkSafeNB for resolution and the JHSC will provide that contact information to the employee.

Other items

JHSC members will only respond to concerns relating to the health, safety and well-being of the employees of _____ (company) _____. The JHSC does not have the authority or responsibility to address issues outside the scope of health, safety and employee well-being.

Information contained in this document will be made available at any time to management and the workplace. Changes to this document will be made only if the committee and management agree. At any time if there is no member agreement, the members are to contact WorkSafeNB (*OHS Act* section 14(13)).

Signature of employee co-chair _____

Signature of employer co-chair _____

Signature of management _____

Date _____