

Joint Health & Safety Committees



PROGRAM MODEL

Manufacturing Safety Alliance of BC

The Manufacturing Safety Alliance of BC, formerly known as FIOSA-MIOSA Safety Alliance of BC, was established in December 2007 to reduce the high injury rate in the food and manufacturing industries. Our mission is to foster commitment among employers to reduce the injury rate in all applicable areas. Our vision is to promote industry leadership in health and safety.

The Manufacturing Safety Alliance of BC strives to accomplish our mission and vision through the delivery of a variety of core services including:

- Training in areas such as occupational health and safety (OHS) leadership, program building, and auditing
- Consultation and Advisory Services
- The certifying partner for the Occupational Safety Standard of Excellence (OSSE) in partnership with WorkSafeBC

For further information, visit: www.safetyalliancebc.com

Disclaimer

This course manual is intended solely for internal use as an awareness and information guide. It is not intended as a statement of the standards required in any particular situation, nor is it intended that this workbook should in any way advise anyone concerning legal authority to perform any activities or procedures.

Every effort was made to ensure the accuracy and relevance of this information; however, this material may be subject to change due to various factors. These factors may include regulatory or interpretive changes, and a need to adapt the material to unique situations or procedures.

Nothing in this package and the course program absolve participants from using their sound judgment in the appropriate application of the material learned.

Prepared by the MSABC Safety Alliance of BC

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Module 1: Introduction

1.1 Overview

A Joint Health and Safety Committee (JHSC) is a primary component of any employer's occupational health and safety management system. It helps to address one of the basic rights of workers, the right of participate in workplace health and safety. JHSC have been a legal requirement for all BC workplaces with 20 or more workers since 1977.

The JHSC is made up of worker members selected by members of the workforce and management members appointed by the employer.

The role of the JHSC is to assist the employer in identifying health and safety hazards, recommending means of controlling such hazards, support health and safety initiatives and act as an OHS resource in the workplace.

The JHSC achieves its goals through regular meetings, participation in workplace inspections and incident investigations, assistance in addressing worker concerns, participation in work refusals, and finally serving as a valuable means of communication between the workers and management.

An effective functioning JHSC must have knowledge of the regulatory requirements of its jurisdiction as well as applicable standards and industry best practices to provide the best recommendations to the employer. This means that the members of the JHSC must be provided ongoing education and training in OHS issues to enable them to carry out their designed roles and functions.

Eight of the thirteen jurisdictions in Canada mandate the requirement for a Joint Health and Safety Committee in workplaces that employ 20 persons or more while three more require a JHSC if there are 10 or more workers.

A Worker Health & Safety Representative (WHSR) is required in many of the 13 jurisdictions when there are not enough workers to require the formation of a JHSC. In BC a WHSR is required in workplaces with between 10 and 19 employees and has the same duties, function and rights as the JHSC.

The following model is driven by the legal requirement for worker participation in workplace health and safety and the need to reduce the damage to property and illness or injury to individuals caused by incidents in the workplace. Ensuring that an effective JHSC is an active element of your OHS management system and that it functions effectively and efficiently will help to achieve these goals.

This model is not meant to replace any existing JHSC or WHSR process, but is intended to be used by organizations looking for assistance in developing, implementing and maintaining an effective JHSC or a WHSR. It is reflective of the requirements of the Workers Compensation Act, Part 3, Division 4, Section 125-140 and those sections of the Occupational Health & Safety Regulation that reference the JHSC.

1.2 Internal Responsibility System

The Internal Responsibility System (IRS) is simply the process of every individual in an organization taking some responsibility for implementing, maintaining and improving workplace health and safety. Workers, supervisors, managers, CEO, members of the Board of Directors; all these individuals have legal responsibilities for health and safety in the workplace. The strength of the IRS is that it relies on the individual and combined knowledge, skills and experience of everyone in the workplace to identify and correct deficiencies and hazards internally.

The legal responsibilities for occupational health and safety rest with the employer, supervisors and workers, not with the JHSC. An effective JHSC carrying out its duties and functions can monitor and identify deficiencies in an OHS program or non-compliance with regulatory requirements and inform those responsible for addressing the issue.

The JHSC should never be assigned the responsibility for ensuring health and safety in the day to day operation of a workplace as that defeats the legal responsibility assigned to the employer, supervisors and workers.

Workers are required by legislation to report the existence of hazards to a supervisor or the employer who are then required to investigate and remedy any hazardous conditions. Too often the perception seems to be that the JHSC or WHSR are the parties who are required to solve the daily OHS issues in the workplace and end up with the overall responsibility for the effectiveness of the organizations health and safety management system.

1.3 JHSC Program

The JHSC program consists of the following:

1. A documented assessment that identifies the requirement for a joint health and safety committee or a worker health and safety representative based on the number of

workers in the workplace. If a committee is required the assessment should also identify the size of the committee required to adequately represent the workforce.

2. Process to appoint management representatives and to select the worker representatives for the committee
 3. Selection of two co-chairs, one by management representatives and one by worker representatives
-
1. Develop documented Terms of Reference for the JHSC
 - a. Committee Name
 - b. Scope of Representation
 - c. Statement of Purpose
 - d. Composition of Committee – number of members and alternates, co-chairs
 - e. Selection process and terms of office
 - f. Duties and Functions
 - g. Meetings – frequency, quorum, procedures, special meetings
 - h. Records – agendas, minutes, special reports
 - i. Process for making formal recommendations
 - j. Process for resolving committee disputes
 2. Identification of JHSC activities
 - a. Regular scheduled meetings
 - b. Hazard identification and risk assessment
 - c. Participation in inspections and investigations
 - d. Participate in second stage of work refusals
 - e. Other activities related to workplace health and safety
 3. JHSC Recommendations to Employer
 - a. Written recommendation that identifies OHS issue and provides enough information to allow employer to make decision
 - b. Requirement for employer to provide written response within 21 days, must provide reasons if recommendation is rejected
 4. Orientation, training and annual educational leave
 - a. Orientation for new committee members
 - b. Specific training to permit acceptable completion of assigned activities
 - c. JHSC members or Worker health and safety representative entitled to 8 hours of annual educational leave to attend OHS training courses

Module 2: Legislation

2.1 JHSC Requirements

The Workers Compensation Act of BC specifies the legal requirements that apply to the appointment and operation of a Joint Health and Safety Committee or a Worker Health and Safety Representative. Table 1 provided below summarizes the requirements of Sections 125 – 140 of the Workers Compensation Act (WCA). The specific wording of the Act is provided in Appendix B as a resource for employers, supervisors, workers and the JHSC.

Table 1

Requirement	Small Employer (<10 workers)	Small Employer (10-19 workers)	Large Employer (20+ workers)
Representation	None required	WHSR	JHSC
Size	N/A	1 or more	4 members minimum. Must adequately represent all organization's workers
Composition	N/A	Non-management	At least 50% non-management
Selection	N/A	Selected by workers	Worker representatives selected by union(s) and/or workers Management representatives appointed by employer
Co-chairs	N/A	N/A	Worker co-chair selected by worker representatives. Management co-chair selected by management representatives.
Frequency of Meetings	N/A	Monthly meeting with senior manager	Monthly regular meeting Special meetings as decided by co-chairs
Meeting Report	N/A	N/A	Copies posted for 3 months and retained for minimum 2 years
Term	N/A	2 years	2 years or as specified in JHSC Terms of Reference
Functions	N/A	As for JHSC members	See Section 2.2 for duties and functions
Education	N/A	As for JHSC members	Adequate training in order to effectively carry out functions assigned by legislation. In

			addition each member of JHSC entitled to minimum 8 hours of OHS related educational leave annually
Remuneration	N/A	As for JHSC member	Paid at regular rate of pay while carrying out assigned duties or attending educational or training courses

Appendix B documents the WCA Part 3 Division 4 - Joint Committees and Worker Representatives while Appendix C lists the other sections of both the WCA and the OHSR that specify the JHSC or the WHSR

2.2 Duties and Functions of JHSC

While the JHSC and the two co-chairs have no legal responsibilities other than to hold regular monthly meetings to discuss OHS issues and provide meeting reports to the employer there a large number of duties that members of the JHSC are expected to participate in. These are listed below.

JHSC

- Identify workplace hazards and recommend corrective action
- Consider and address health and safety concerns of workers
- Consult with workers and the employer on workplace health and safety issues
- Recommend to the employer and workers means for improving workplace health and safety
- Recommend to the employer education and training that promote workplace health and safety and monitor their effectiveness
- Advise the employer on workplace health and safety programs and policies required under the regulations monitor their effectiveness
- Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers
- Ensure that accident investigations and regular inspections are carried in accordance with regulatory requirements
- Participate in inspections, investigations and inquiries in accordance with regulatory requirements
- Carry out any other duties and functions as required by regulatory requirements.
- Hold regular meetings on at least a monthly basis

Co-Chairs

- Ensure that meeting agendas are developed and provided to all committee members in advance of regular meetings
- Ensure that accurate written records are kept of all meetings

- Ensure that meeting report is prepared and provided to the employer after every meeting

2.3 Responsibilities of Employers and Others

The employer, supervisors and workers in the workplace have specific legal responsibilities when it comes to the JHSC. Those responsibilities are listed below.

Employers:

- Consult and cooperate with the joint committee or worker health and safety representative for the workplace
- Ensure that all provisions of this program are fully implemented
- Provide all required resources for the implementation of this program
- Appoint an adequate number of management representatives to the committee
- Ensure that management representatives have sufficient authority to deal with the majority of workplace health and safety issues
- Ensure that there a written response within 21 days to any committee recommendation made in writing
- Ensure that worker representatives are selected in accordance with either union requirements or by secret ballot
- Ensure that committee members have adequate time to attend meetings and carry out other JHSC duties
- Ensure that committee members are eligible for a minimum of 8 hours education leave annually
- Ensure that committee members are paid at their regular rate for all duties including meetings and educational leave
- Provide the committee with the equipment, premises and clerical support required to carry out its duties and functions
- Upon request the employer must provide the committee with information regarding workplace health and safety including: identification of health and safety hazards; health and safety experiences, practices and standards in similar or other industries; and orders, penalties and prosecutions relating to health and safety at the workplace
- Post committee meeting reports in the workplace and ensure they remain posted for 3 months
- Ensure that new and existing workers are made aware of the committee members are and how they can be contacted. This can be accomplished by posting JHSC member names and telephone numbers in the workplace.
- Ensure that reports of each meeting are posted in the workplace for a minimum of 3 months and retained as required documentation for at least 2 years

Supervisors:

- Consult and cooperate with the joint committee or worker health and safety representative for the workplace

Workers:

- Consult and cooperate with the joint committee or worker health and safety representative for the workplace

Module 3: Selection & organization

The JHSC is made up of individuals selected from the workers, supervisors and managers employed in the workplace. The basic concept of the JHSC is workers and managers working together openly and in a spirit of co-operation to identify and address workplace health and safety issues. Members of the committee must be prepared to leave labour relations, management, union, and other issues out of JHSC operations.

3.1 Selection of Members

At a minimum a committee must be made up of four people, with at least 50% of the members selected from among those employees who do not exercise any management duties. The actual size of the committee will be based on the need to effectively represent all the workers in the workplace, considering all the various departments and any afternoon, night or weekend shifts in the workplace. Members of the committee should be experienced and knowledgeable about the work processes carried out in the workplace.

Management representatives can be appointed by the employer and at least one representative should have enough authority to approve the majority of recommendations made by the JHSC. As a rule of thumb managers are considered to be those individuals in an organization that have the authority to hire, promote or fire people and have the responsibility for departmental operating budgets.

Worker representatives to the committee must be selected from members of the workforce who do not exercise managerial functions. In many cases this means that lead hands and supervisors can become worker representatives. The process for selecting worker representatives is going to vary in a workplace according to the following legal requirements;

- Where the entire workforce is represented by union(s) the representatives must be selected in accordance with the procedure established or agreed to by the union(s)
- Where there is no union presence the representatives will be elected by secret ballot.
- If the workplace has both union and non-union workers then the representatives will be selected in accordance the requirements above in equitable proportion to their relative numbers and relative risks to health and safety
- The employer may appoint worker representatives to the committee if the unions and workers fail to select representatives themselves

The employer is responsible to provide the resources necessary to carry out the worker representative selection process.

When a Worker Health and Safety Representative is required in a workplace that person will be selected from the workers not exercising managerial functions in the same manner as JHSC members.

3.2 Alternates

Alternates are backup individuals that will represent committee representatives who are unable to attend meetings or fulfill other duties due to work or other commitments. Alternates should only be used in exceptional circumstances and not to replace a committee member on a regular basis. It is recommended that alternates should be identified for each worker representative on the committee and they should be selected at the same time and in the same manner as the worker representatives. Managers can also select alternates to represent them if they cannot attend a meeting.

3.3 Committee Co-Chairpersons

The JHSC is required to have two co-chairpersons, one selected from the employer representatives by those representatives and the other selected by the worker representatives from their members. The concept of having two co-chairs is to establish the equality of both workers and managers on the committee and promote participation by all members in JHSC activities. Normally, the co-chairs would alternate the responsibility for organizing and administering the scheduled meetings. The duties of the co-chairpersons may include:

- Preparing the agenda for and notifying members of upcoming meeting
- Inviting any special guests or resource persons to the meeting
- Arranging for individual to take meeting minutes, can be member of JHSC or external resource
- Administering the meeting and ensuring agenda is followed
- Ensuring that all items discussed by committee are resolved or assigned to individual for resolution
- Reviewing, approving and distributing meeting report to employer
- Ensuring that all meeting reports are posted in workplace for minimum 3 months

3.4 Committee Resources

In the Terms of Reference the committee can decide if certain individuals are going to be members of the JHSC or will be non-voting resources to assist the committee. The JHSC may wish consider a non-voting individual to take the meeting minutes and provide administrative support or they may have a committee member that can provide that assistance.

The occupational first aid attendant(s) in the workplace could be members of the committee or may be requested to act as a non-voting resource to provide assistance on issues regarding injury treatment and management.

If the organization has a health and safety advisor on staff the decision must be made on whether to have that individual serve as a member on the committee or act as a resource person. One point of view suggests that the advisor should be a resource for the committee rather than a voting member because of the need to be seen as impartial and not identified as either a manager or worker. The opposing point of view suggests that a health and safety advisor who sits as a management representative displays the employer's commitment to both the committee and the workplace; however it requires that the advisor always maintain a position that is seen to be unbiased.

Module 4: Duties and functions

4.1 Identify Hazards

The primary function of the JHSC is to identify existing or potential hazards in the workplace. It is important that both health and safety hazards are considered in the process. A health hazard may cause immediate (acute) health effects or long-term (chronic) health problems with the effects being minor or severe in outcome. A safety hazard is anything that could endanger the immediate safety of a worker by inflicting a trauma type injury.

There are numerous means of identifying hazards including formal hazard assessments, workplace inspections, incident investigations, first aid treatment reports, worker hazard reports and external reports. JHSC members must use these tools on a regular basis to keep aware of hazards within the workplace.

4.2 Worker Concerns and Complaints

If a worker has concern or complaint related to workplace health or safety they must initially report the circumstances to their supervisor and allow the supervisor time to correct the issue. However, if the supervisor does not address the issue in a timely fashion or to the satisfaction of the worker then a member of the JHSC should be contacted. The committee member can then work with the supervisor and possibly the worker to correct the issue; if necessary the member can request further assistance from the JHSC. The member should document the circumstances of the issue and inform the worker and the JHSC of the outcome.

If the issue cannot be resolved between the JHSC member in this fashion then it should be brought to the next JHSC meeting for discussion.

4.3 Consult, Recommend and Advise

The JHSC is expected to consult with both workers and the employer on issues relating to occupational health and safety, this means talking to workers, supervisors and managers regarding these issues to determine the concerns, corrective actions and outcomes. In addition the committee is expected to make recommendations to the employer on ways to improve

health and safety in the workplace, and on educational programs promoting health and safety in the workplace. Finally the committee is expected to advise the employer on policies and procedures required by regulation and to monitor their effectiveness, and on proposed changes to the workplace or processes that may impact worker health and safety

4.4 Workplace Inspections

Inspections of the workplace are required to be carried out at a frequency necessary to prevent the development of hazards within the workplace. Both formal (documented) and informal (undocumented) inspections should be carried out by workers, supervisors and management on a regular basis.

Worker and employer representatives of the JHSC are expected to participate in monthly formal inspections of the workplace as per OHSR 3.5-3.8. Members should be part of the inspection team along with departmental managers and area supervisors for the various departments/areas of the workplace.

In addition, when a WorkSafeBC officer carries out a formal inspection of the workplace representatives of both the employer and the workers who are reasonably available in the workplace have the right to accompany the officer on the inspection. Whenever possible the representatives should be members of the JHSC.

The JHSC should also review inspection reports to determine if identified hazards are being corrected in a reasonable time and that the corrective action is adequate to control the hazard. All inspection reports should indicate who has been assigned responsibility to address the issue as well as a tentative completion date.

4.5 Incident Investigations

An incident is any occurrence which resulted in or had the potential to result in property or environmental damage, or personal injury or illness. All incidents are required by Part 3, Division 10 of the Workers Compensation Act to be investigated by the employer. OHSR 3.04 also specifies mandatory information to be contained in any investigation report.

An incident report must include the following information:

- the place, date and time of the incident,
- the names and job titles of persons injured in the incident,
- the names of witnesses,
- a brief description of the incident,
- a statement of the sequence of events which preceded the incident,
- identification of any unsafe conditions, acts or procedures which contributed in any manner to the incident,
- recommended corrective actions to prevent similar incidents, and

- the names of the persons who investigated the incident.

The identification of unsafe conditions, acts or procedures must include both the immediate cause and all contributing causes or factors. An incident investigation that stops after determining the immediate cause is an incomplete investigation. The investigation must also include interviews with witnesses to help determine the circumstances.

The JHSC should review all incident reports in their regular meetings to ensure they are accurate and complete. In addition all incidents resulting in injury or illness requiring medical treatment or property damage above a designated dollar value should be investigated by a team that includes both an employer and worker representative from the committee.

4.6 Refusal of Unsafe Work

One of the basic rights that a worker has is the ability to refuse unsafe work. OHSR 3.12(1) states “A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.” A worker representative of the JHSC must be involved with a refusal of unsafe work incident which reaches the second stage as indicated in Appendix F of this model. The representative is required to investigate the circumstances of the refusal in the company of the worker making the refusal and the worker’s supervisor. A template for a model investigation form is found in Appendix G. If the issue cannot be resolved or if the worker still feels that a hazard exists then WorkSafeBC has to be notified and the issue will be investigated by an officer.

The primary duty of the representative is to ensure the health and safety of the worker and that their rights are protected. This can be done by assisting the supervisor in determining the hazards of the situation and the means by which they can be eliminated or controlled.

4.7 Review of Information

The JHSC can submit a written request to the employer for information regarding workplace health and safety. The information can include regulatory requirements, practices and standards developed by industry or external organizations, available information on health and safety hazards, health and safety experiences; and orders, penalties and prosecutions related to health and safety at the workplace

4.8 Recommendations to Employer

The majority of the issues raised and discussed in the meeting should be dealt with immediately through the authority of the management representatives. If the management

representatives do not have the authority to deal with an issue then the JHSC must forward a written recommendation to the employer which does the following:

- identifies the issue and provides the necessary background information
- best options to resolve the issue including supporting information
- estimated costs and proposed timeline for completion

The employer must respond to the written recommendation in writing within 21 days either accepting the recommendation or providing acceptable reasons for rejecting the recommendation. If the employer cannot provide a decision within the time period then the JHSC must be provided with a written response indicating the reason for the delay and a tentative date for a decision.

An example of a JHSC Recommendation is found in Appendix H on page 38 and an example of an Employer Response in Appendix I on page 39.

Module 5: JHSC Meetings

The JHSC is required by legislation to hold regular meetings on a monthly basis to undertake a number of duties. These include review of inspection reports, incident investigations and other documentation; discussions on workplace health and safety issues; developing recommendations to the employer; consideration of changes to OHS legislation or workplace processes and presentations from guest speakers on OHS issues. Special meetings can be called by the co-chairs to deal with any urgent issues such as a serious workplace incident, orders written by WorkSafeBC or other workplace health and safety issues that the JHSC feels should be dealt with quickly.

5.1 Meeting Schedule

It is beneficial to have the regular monthly meetings scheduled for a constant date and time. This allows JHSC members to schedule in the meetings well in advance of their occurrence and minimize the chance of not being able to attend because of a conflicting commitment. The date can be a specific date each month or simply “3rd Thursday of each month”, the time should be one that allows all JHSC members to attend, especially those that represent any non-day or rotating shifts. There is no specific time frame for a JHSC meeting. However adequate time should be set aside to allow all agenda items to be addressed.

5.2 Agenda

An agenda should be prepared for every meeting scheduled by the JHSC to ensure that members are aware of issues to be discussed and prepared for the meeting. Preparation and distribution of the agenda is the responsibility of the co-chairs and should be done a week in advance of any regular meeting, whenever possible supporting documentation or reports should be attached to the agenda to allow members to review documentation prior to the meeting. A member of the JHSC that wants to have an item added to the agenda is responsible to notify the co-chair and request it be included. It is important that the agenda should be followed to ensure that all issues are discussed within the allocated meeting times. See Appendix J for an example of a meeting agenda

5.3 Meeting

JHSC members must ensure that they are prepared for the meeting by reading the agenda and any supporting documentation. The meeting should start at the scheduled time and it is the responsibility of the co-chairs to keep the meeting on track. The meeting should follow the

agenda covering off each of the identified items listed. The first item to be dealt with should be the approval of the previous meeting report followed by any outstanding issues from previous meetings. From that point the JHSC can design their agenda and deal with issues as they decide. Remember that the following should be reviewed; inspection reports, incident investigations and concerns raised by workers. A report on injury/incident statistics can be developed and presented either by a committee member or by a resource person such as the occupational first aid attendant (OFA). An item should only be identified for consideration by the JHSC if it has been reported to the employer or a supervisor and either no action or insufficient action has been undertaken.

5.4 Decision Making

Decisions must be reached by the JHSC on many of the issues that are dealt with during the meeting. The two means by which a decision can be reached are compromise and consensus. Consensus is the preferred means of reaching a decision because it is a group decision based on the following:

- Thorough understanding of all relevant information
- Participation by all committee members
- Understanding of different perspectives and needs
- Creative efforts to reach agreement
- Willingness to discuss, understand and resolve disagreements

Compromise is more often seen as a situation where everyone gives up something to reach an unpopular decision.

5.5 Meeting Report

Accurate notes must be kept of all JHSC meetings, both regular and special. These notes will become the permanent record of the meeting informing the employer, workers and other interested parties of the decisions and recommendations of the JHSC. Every item on the meeting report should be assigned a unique and sequential number that uniquely identifies it. Items requiring action should identify the required action, the name of the person assigned responsibility and a completion date. The report must be provided to the employer within a reasonable time after the meeting, usually within a week.

The employer is responsible to post the meeting report in the workplace and ensure that it remains posted for a period of three months for worker information. The employer must also ensure a copy of the meeting report is retained for a period of at least two years after the meeting date and is readily available to committee members, workers and WorkSafeBC officers during that period.

Module 6: Orientation, training and education

JHSC members and Worker Health & Safety Representatives (WHSR) must be provide the training and education necessary to allow them to effectively carry out their duties and functions within the workplace. New committee members should be given an orientation as soon as possible after joining. In addition JHSC members and any WHSR who will participate in hazard identification and control, workplace inspections, incident investigations or right to refuse scenarios must be adequately trained to participate in the processes. Finally all members of the JHSC and any WHSR is entitled to 8 hours of educational leave annually to expand their knowledge on occupational health and safety issues.

6.1 Orientation

It is recommended that an orientation session be developed for the JHSC and presented to all new members of the committee and alternates within a week of their selection or appointment. The orientation presentation can be developed by the JHSC and/or the employer. It should addressed in a 1-2 hour session and should include the following items:

- Workers Compensation Act Requirements
- Roles and Responsibilities
- Duties and Functions
- Terms of Reference
- Educational Leave
- Employer Support and Resources

6.2 Training

Members of the JHSC must be given the necessary training to permit them to efficiently and effectively carry out their assigned duties. Areas where members should receive training include hazard identification and risk assessment, workplace inspections, right to refuse event and incident investigation. This type of training can consist of sessions of 1-2 hour duration and can either be done by an in-house or an external trainer. These sessions can be presented to all committee members or only to those members who have been identified to do these tasks.

The employer should identify the types or training and educational course that should be provided to the JHSC or that would benefit the requirements of the workplace in a training needs assessment. This can be done in conjunction with the JHSC.

6.3 Annual Educational Leave

Each member of the JHSC is legally entitled to 8 hours of annual leave to attend training or educational courses that are concerned with occupational health and safety. The employer is required to pay the members at their regular rate of pay during this educational leave as well as the cost of the course and reasonable expenses. WorkSafeBC does not require that these courses be approved by them in advance, however they do reserve the right to review and assess the content and quality of the training. A template for an Educational Leave Request can be found in Appendix K on page 41-42.

Decisions as to when members will attend courses, what courses they will attend and at what time and place will normally be made as follows:

- An individual member will bring his or her request to the committee. If the committee agrees, the committee will forward the request to the employer.
- If the committee does not agree, or is unable to come to a decision within a reasonable time, the individual member may forward the request to the employer.
- Upon receiving a request from either the committee or the individual member, the employer will make its decision within a reasonable time. The employer will give reasons in writing and must not unreasonably deny permission.

Module 7: Teamwork and teambuilding

Henry Ford is attributed the following quote that to me is the essence of teamwork;

- Coming together is a beginning
- Working together is progress
- Achieving together is success

Teamwork is defined as “co-operative or coordinated effort on the part of a group of persons acting together in the interests of a common cause or goal.”

Team building is simply process to develop the knowledge and skills necessary to work together as an effective and efficient team.

The JHSC must be a team working together to efficiently and effectively improve health and safety in their workplace. We are going to take a look at some important building blocks for teambuilding in your JHSC in the following pages.

7.1 Defined Goals and Objectives

What does the JHSC want to accomplish? The employer and the committee must have a goal that they want to obtain such as “improve the health and safety of the workplace”. In addition the committee must determine short term objectives to achieve their goal and must ensure that there is a means to determine if those objectives have been met.

7.2 Assigned Roles

The only identified positions on a JHSC are those of the worker and employer co-chairs. However the members of the JHSC are expected to participate in all the duties of the committee. This includes inspections, investigations, talking to workers about concerns and other OHS issues, assisting in right to refuse situations, acting as a resource to managers and supervisors in meetings where OHS is discussed. A member of the committee must have the knowledge and skills necessary to undertake these tasks if assigned to do so.

7.3 Shared Leadership

This requires that everyone on the committee accept personal responsibility for ensuring that issues are brought forward, are discussed and adequate solutions are developed. The co-chairs of the JHSC are there to guide the committee not to act as formal leaders. Everyone must participate in the activities of the JHSC and offer the necessary support

7.4 Supportive Relationships

The need for everyone on the JHSC to be accepted for what they bring to the committee in the way of knowledge, skills and commitment. In return each member must be willing to give the same consideration to every other member and demonstrate the willingness to collaborate in order to accomplish assigned tasks.

7.5 Equitable Participation

This ensures that every member of the JHSC is involved in the discussions and ongoing activities of the committee to the best of their abilities and strengths. Activities are evenly shared among the committee with no one person saddled with the majority of tasks while others do very little.

7.6 Trusting Atmosphere

External mandates and alliances must be left outside JHSC activities. There must be a high level of acceptance and trust among the members and a strong belief that what the committee does is important and cannot be obstructed by external factors. Trust can allow people to work together more effectively and efficiently with fewer chances of conflict or disagreement.

7.7 Clear Communication

Honest and open communication involves not only talking but also listening. Epictetus, a Roman philosopher said “We have two ears and one mouth so we may listen more and talk the less.” Everyone on the JHSC must be able to bring forward their perspective and ideas to committee discussions. No one should control discussions or prevent another member’s views from being brought forward. Effective communication allows each member equal opportunity to participate in discussions.

7.8 Extensive Diversity

The wide range of knowledge, skills, experience and ideas that each individual brings to the JHSC is what establishes and maintains the committee. The thinker, the doer and the evaluator all bring their strengths to and have their place in the effective committee.

7.9 Conflict Resolution

Conflicting points of view often surface during the JHSC decision making process or when undertaking other activities. There has to be a process for resolving any conflict through

discussion where all points of view are explored and the best resolution to the conflict is reached through consensus.

7.10 Effective Decisions

The JHSC must have the ability to effectively identify issues, discuss options, reach consensus on solutions and provide adequate recommendations to allow corrective action to be taken within a reasonable period of time.

Effective teamwork is not something that automatically occurs when a JHSC is formed and starts to work together. Teamwork is something that has to be learned and used on a regular basis to become and remain proficient at, the same as with first aid or ice skating.

7.11 Challenges to Teamwork

There are a number of challenges connected to teamwork that can negatively affect the effective and efficient operation of a committee. Here are some of the most common:

1. *Goals and Objectives*

not known or understood. The employer and the JHSC must decide on the intended goal of the committee. If the committee cannot agree on a goal or the employer will not support that goal then it will be hard to accomplish anything. Committee members along with the rest of the organization have to know what the intended outcomes are supposed to be.

2. *Roles not assigned or understood.*

Beyond the assigned duties of the JHSC co-chairs each member of the committee has to be assigned duties. This could be participation in inspections, investigations, participation in work refusals and research on potential hazard controls. Members assigned to specific duties or functions must understand what is required and must have the knowledge and skills necessary to carry out these duties. This knowledge and skill development will normally be achieved through training and education.

3. *Lack of Trust*

among members of the committee or between committee and supervisors and/or workers in the organization. Members of the JHSC must be able to put aside issues and personal feelings when involved in committee activities. In addition if the committee does not have the support of either the workforce or the supervisors in the workplace there ability to accomplish anything meaningful is going to be hindered or completely stopped.

4. *Personal Conflict*

may interfere with the smooth functioning of the JHSC. Different personality types along with varying attitudes and values of individuals means that members are not always going to agree on issues or solutions. The most important thing is to ensure that all members understand the need for ongoing communication and professionalism in the operation of the committee.

5. *Lack of Active Participation*

by all committee members. If the majority of duties and activities are being done by a small number of people then there is a greater risk of things not being done or done on time. In addition there is the possibility of active members developing feeling of resentment and non-active members feeling that they are being ignored.

6. *Lack of Adequate Resources*

can hinder the committee's sense of teamwork. Lack of time to accomplish assigned duties or lack of equipment, money and management support to carry out occupational health and safety activities can result in the JHSC becoming frustrated and lethargic.

7. *Lack of Knowledge and Skill*

can prevent a JHSC from functioning effectively. Teamwork is not a skill that most JHSC automatically have. Most, if not all committee members must be taught to work together as a team. Teamwork and team building courses are available from a number of training consultants that will assist a committee in reaching its potential.

7.12 Team Evaluation

A JHSC should have the means to evaluate the level of teamwork present within the committee in order to identify deficiencies and recommend solutions to those problems. We are going to look at some team element and some of the criteria that can be used to evaluate the level of teamwork present.

1. Goals and Objectives

- 1.1. Does your committee have a clear goal and defined objectives?
- 1.2. Does it have a means to measure achievement of the objectives?
- 1.3. Are objectives being met?

2. Assigned Roles

- 2.1. Do all members of the JHSC have assigned duties and functions?
- 2.2. Have the committee members received the training and education required to carry out those duties and functions?
- 2.3. Do all committee members participate in the assigned duties and functions?
- 2.4. Do assigned duties and functions make the best use of member's knowledge and skills?
- 2.5. Is there co-operation and professionalism within the committee?

3. Committee Resources

- 3.1. Does the JHSC have the support of management?
- 3.2. Are adequate resources allocated to the JHSC?
- 3.3. Does the workforce recognize the committee as the resource for workplace health and safety issues?

4. Effective Communications

- 4.1. Is there effective communications within the committee?
- 4.2. Are knowledge and skills shared within the committee to increase effectiveness?
- 4.3. Do all members of the committee feel comfortable with the issues being discussed?
- 4.4. Are various points offered and respected?
- 4.5. Do committee members support and encourage each other?

5. Team Accountability

- 5.1. Is information shared within the committee and are all members kept consistently informed?
- 5.2. Does the committee seek regular feedback on their perceived level of performance from both management and the workforce?
- 5.3. Does the committee maintain the documentation required by their activities?

7.13 Personal Evaluation

The same process we suggested in 7.12 to evaluate the committee can be used by each member of the committee to determine their individual strengths related to teamwork. The 16 questions below could help you to identify your strengths as well as any areas of weakness that you could work on.

Question	Yes/No
Can you work well as a member of a small group?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you work well as a member of a large group?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you set goals and objectives for both yourself and others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you follow procedures and rules?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you accept suitable criticism from others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you say communicate clearly and have others understand what you mean?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you ask questions to clarify what is meant others give you information?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you give instructions to others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you accept instructions given by others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you organize yourself to finish an assigned activity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you assist others to organize themselves?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you motivate yourself to accomplish an unwelcome activity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you encourage others to complete an unwelcome activity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you control your emotions and temper?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you speak up if you feel something is not correct?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Can you be positive and polite even in adverse circumstances?	<input type="checkbox"/> Yes <input type="checkbox"/> No

As was pointed out earlier teamwork is something that most people have to learn, for the majority of us it is not a skill that we have a chance to practice on a regular basis. In many

instances a committee would benefit from a workshop or training session on teamwork and teambuilding provided by an experienced instructor in the field.

Module 8: Measuring success

The JHSC can only be effective if it has the support of management, the trust of supervisors and workers, internal goals and standards, and probably most importantly members who are enthusiastic and knowledgeable.

Support

The management team starting with the CEO or senior manager in the workplace must commit to the concept of a JHSC and support it fully. The committee must be seen as a venue for identifying and addressing occupational health and safety concerns. This means that management must provide the necessary support to make the JHSC effective and successful. This means appointing managers to the JHSC who support health and safety in the workplace with the authority to deal with the majority of the issues that may arise in the workplace. If the CEO or senior manager does not sit on the JHSC then he/she must ensure that the committee has the resources; financial, human, and time necessary to operate efficiently and effectively.

Trust

Supervisors and workers must trust the JHSC to be impartial, fair and committed to improving health and safety in the workplace.

The JHSC is the means by which workers are able to participate in improving health and safety in their workplace. The committee is the source of information and the point of contact for issues that have not been resolved through regular means. The JHSC is not intended to replace or circumvent the authority of supervisors and workers must always report health and safety issues to their supervisor who has the responsibility for investigating and taking any corrective action. The worker can take an issue to a member of the JHSC if no action is taken by the supervisor or if the action is not considered adequate.

8.1 JHSC Goals and Objectives

A JHSC should set regular goals for itself and measure their accomplishments to determine their effectiveness in achieving objectives.

Goals are vague; objectives are specific.

Goals are unconfirmed; objectives can be measured.

Effective objectives must meet the following criteria:

- be achievable

- be measurable
- have an assigned person responsible for completion
- have assigned target date for completion
- be communicated throughout organization
- be regularly evaluated for completion and sufficiency

8.2 Member Skills

Potential members of the JHSC do not have to have any mandatory prerequisites to serve, however there are a number of attributes and skills that can make a committee member more efficient and effective.

Enthusiasm and Interest

The best members of a JHSC are going to be those who have an interest in making the workplace safer and healthier for everyone. These people will be more likely to display the enthusiasm to undertake the duties and functions of a committee member

Experience

Workers who have been employed in the workplace for a period of time are more likely to have knowledge of the organizational culture, processes and hazards that a new worker, however many new workers may have had experience serving on a JHSC in another workplace. There is room for a balance of both long term and newer workers serving on a JHSC.

Communications

Members of the JHSC should have good communication skills, this means being both an active listener as well as a clear, concise speaker. In many workplaces the majority of the workforce does not have English as their mother tongue, in this case identifying potential members who are bilingual can greatly enhance the ability of the JHSC.

Technical Expertise

Technical knowledge or experience with specific workplace processes, equipment and practices can provide a JHSC with the ability to realistically discuss issues and concerns and provide the best recommendations to correct these situations.

OHS Knowledge

Few potential members of a JHSC have any background or knowledge of occupational health and safety. Orientation, OHS skills training and ongoing OHS education must be provided to members of a committee in accordance with regulatory requirements and preferably as recommended in Element 6.

8.3 Communication

Effective communication is required in all JHSC activities. This means communications between committee members, as well as communications with all the stakeholders in the workplace; the employer, managers, supervisors, workers, unions and WorkSafeBC.

This means that issues brought forward by workers or identified by the JHSC during inspections must be documented, corrective action recommended and the workplace advised of the outcomes. Workers who have raised concerns should be individually advised of the progress of issue.

Management representatives sitting on the JHSC should be advising the rest of the management team in scheduled meetings of the issues dealt with by the committee and the outcomes.

Worker representatives should be should be advising the rest of the workforce of issues brought to the JHSC and more importantly the outcomes. Committee members should also ensure that worker understand that their concerns and suggestions regarding workplace health and safety issues are important and welcomed.

Minor issues should be addressed immediately rather than held until the next meeting of the JHSC.

JHSC minutes should not only be posted in the workplace but discussed in various departmental or group meetings throughout the organization.

8.4 Effectiveness

The effectiveness of the employer's health and safety program and of the JHSC objectives can only be measured by results. These can be a reactive measurement such as a reduction in injuries and damage costs, or it can be a proactive such as the number of meetings where health and safety was a topic, the number of workplace inspections carried out and the percentage of identified hazards corrected along with the time for correction.

The JHSC does not have any legal responsibility for workplace health and safety that is the responsibility of the employer, supervisors, workers and others identified in legislation. The committee is simply a resource that can assist the employer in achieving health and safety objectives.

Both management and worker representatives of the JHSC have to be impartial and fair in all their duties, there is no room in a committee for labour/management issues or for petty arguments. The JHSC must be and seen to be co-operative and effective.

8.5 Evaluation

The JHSC should be doing an evaluation of itself on a regular basis to understand and assess the value of its operation. The evaluation must be impartial and identify both strengths and weaknesses. This will allow the committee to take the necessary action to keep the committee operating at maximum efficiency and effectiveness. The evaluation process should:

- Be an ongoing process of review – responding to change;
- Provide a greater sense of ownership of the committee;
- Be a means of empowerment – enhancing skills and providing guidance.

A template for an annual internal evaluation of a JHSC is found in Appendix L on page 43-44.

Appendix

Appendix A: Definitions

Employer	any person who has one or more persons working for them in or about an industry, through either a hiring contract or an apprenticeship contract
Hazard	a condition or action that may result in damage to property or the environment and injury or illness to a worker
Incident	an occurrence which resulted in or had the potential for causing damage to property or the environment and injury illness to workers, this includes all events that could be called accidents.
Inspection	a scheduled, systematic examination of a workplace, the equipment and material within it and the actions of workers in order to identify and correct hazards within the workplace
Investigation	a systematic examination of an incident in order to identify both immediate and underlying causes in order to implement corrective action to prevent recurrence
Investigation Report	a formal document required as part of the investigation process which is required by regulation to contain specific information as indicated
Joint Committee	means a joint health and safety committee under Division 4 of the WCA
Occupational Health and Safety Regulation (OHSR)	the Occupational Health and Safety Regulation from WorkSafeBC are legal requirements applicable to workplaces in BC and are considered the minimum level of compliance for employers, supervisors and workers
Officer	an Occupational Safety or Hygiene Officer or other appointed official working for WorkSafeBC
Qualified	being knowledgeable of the work, the hazards involved and the means to control the hazards, by reason of education, training, experience or a combination thereof
Risk	the likelihood or probability that a hazard will result in damage, injury or illness
Supervisor	a person who instructs, directs and controls workers in the performance of their duties

Worker	any person who is in a contract of service or apprenticeship, written or oral, express or implied
Workers Compensation Act (WCA)	the legislation approved by the BC legislature which forms the framework for the OHSR and permits WorkSafeBC to make revisions to the OHSR and enforce the regulatory requirements applicable to health and safety in the workplace
Workplace	means any place where a worker is or is likely to be engaged in any work and includes any vessel, vehicle or mobile equipment used by a worker in work
Worker Health & Safety Representative	means a worker health and safety representative under section 139 of the WCA
Worker Representative	means a worker member of the joint health and safety committee or the worker health and safety representative for the workplace

Appendix B: Applicable Legislation

Workers Compensation Act

Part 3 Division 4 - Joint Committees and Worker Representatives

When a joint committee is required

125

An employer must establish and maintain a joint health and safety committee

- (a) in each workplace where 20 or more workers of the employer are regularly employed, and
- (b) in any other workplace for which a joint committee is required by order.

Variations in committee requirements

126

(1) Despite section 125, the Board may, by order, require or permit an employer to establish and maintain

- (a) more than one joint committee for a single workplace of the employer,
- (b) one joint committee for more than one workplace or parts of more than one workplace of the employer, or
- (c) one joint committee for the workplace or parts of the workplaces of a number of employers, if the workplaces are the same, overlapping or adjoining.

(2) An order under subsection (1) may

- (a) specify the workplace, workplaces or parts for which a joint committee is required or permitted, and
- (b) provide for variations regarding the practice and procedure of a joint committee from the provisions otherwise applicable under this Part or the regulations.

Membership of joint committee

127

A joint committee for a workplace must be established in accordance with the following:

- (a) it must have at least 4 members or, if a greater number of members is required by regulation, that greater number;
- (b) it must consist of worker representatives and employer representatives;
- (c) at least half the members must be worker representatives;
- (d) it must have 2 co-chairs, one selected by the worker representatives and the other selected by the employer representatives.

Selection of worker representatives

128

- (1) The worker representatives on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:
- (a) if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions;
 - (b) if none of the workers are represented by a union, the worker representatives are to be elected by secret ballot;
 - (c) if some of the workers are represented by one or more unions and some are not represented by a union, the worker representatives are to be selected in accordance with paragraphs (a) and (b) in equitable proportion to their relative numbers and relative risks to health and safety;
 - (d) if the workers do not make their own selection after being given the opportunity under paragraphs (a) to (c), the employer must seek out and assign persons to act as worker representatives.
- (2) The employer or a worker may request the Board to provide direction as to how an election under subsection (1) (b) is to be conducted.
- (3) The employer, or a union or a worker at a workplace referred to in subsection (1) (c), may request the Board to provide direction as to how the requirements of that provision are to be applied in the workplace.

Selection of employer representatives

129

- (1) The employer representatives on a joint committee 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.
- (2) For certainty, an individual employer may act as an employer representative.

Duties and functions of joint committee

130

- A joint committee has the following duties and functions in relation to its workplace:
- (a) to identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;
 - (b) to consider and expeditiously deal with complaints relating to the health and safety of workers;
 - (c) to consult with workers and the employer on issues related to occupational health and safety and occupational environment;
 - (d) to make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;

- (e) to make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with this Part and the regulations and to monitor their effectiveness;
- (f) to advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;
- (g) to advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers;
- (h) to ensure that accident investigations and regular inspections are carried out as required by this Part and the regulations;
- (i) to participate in inspections, investigations and inquiries as provided in this Part and the regulations;
- (j) to carry out any other duties and functions prescribed by regulation.

Joint committee procedure

131

- (1) Subject to this Part and the regulations, a joint committee must establish its own rules of procedure, including rules respecting how it is to perform its duties and functions.
- (2) A joint committee must meet regularly at least once each month, unless another schedule is permitted or required by regulation or order.

Assistance in resolving disagreements within committee

132

If a joint 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 Board, which may investigate the matter and attempt to resolve the matter.

Employer must respond to committee recommendations

133

- (1) This section applies if a joint committee sends a written recommendation to an employer with a written request for a response from the employer.
- (2) Subject to subsections (4) and (5), the employer must respond in writing to the committee within 21 days of receiving the request, either
 - (a) indicating acceptance of the recommendation, or
 - (b) giving the employer's reasons for not accepting the recommendation.
- (3) If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the Board, which may investigate and attempt to resolve the matter.
- (4) If it is not reasonably possible to provide a response before the end of the 21 day period, the employer must provide within that time a written explanation for the delay, together with an indication of when the response will be provided.

(5) If the joint committee is not satisfied that the explanation provided under subsection (4) is reasonable in the circumstances, a co-chair of the committee may report this to the Board, which may investigate the matter and may, by order, establish a deadline by which the employer must respond.

(6) Nothing in this section relieves an employer of the obligation to comply with this Part and the regulations.

Time from work for meetings and other committee functions

134

- (1) A member of a joint committee is entitled to time off from work for
 - (a) the time required to attend meetings of the committee, and
 - (b) other time that is reasonably necessary to prepare for meetings of the committee and to fulfill the other functions and duties of the committee.
- (2) Time off under subsection (1) is deemed to be time worked for the employer, and the employer must pay the member for that time.

Educational leave

135

- (1) Each member of a joint committee is entitled to an annual educational leave totalling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.
- (2) A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.
- (3) The employer must provide the educational leave under this section 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.

Other employer obligations to support committee

136

- (1) The employer must provide the joint committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.
- (2) On request of the joint committee, the employer must provide the committee with information respecting
 - (a) the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed,
 - (b) health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge,
 - (c) orders, penalties and prosecutions under this Part or the regulations relating to health and safety at the workplace, and
 - (d) any other matter prescribed by regulation.

Committee reports

137

- (1) After each joint committee meeting, the committee must prepare a report of the meeting and provide a copy to the employer.
- (2) The employer must
 - (a) if so requested by a union representing workers at the workplace, send a copy of the reports under subsection (1) to the union,
 - (b) retain a copy of the reports for at least 2 years from the date of the joint committee meeting to which they relate, and
 - (c) ensure that the retained reports are readily accessible to the joint committee members, workers of the employer, officers and other persons authorized by the Board or the minister.

Employer must post committee information

138

At each workplace where workers of an employer are regularly employed, the employer must post and keep posted

- (a) the names and work locations of the joint committee members,
- (b) the reports of the 3 most recent joint committee meetings, and
- (c) copies of any applicable orders under this Division for the preceding 12 months.

Worker health and safety representative

139

- (1) A worker health and safety representative is required
 - (a) in each workplace where there are more than 9 but fewer than 20 workers of the employer regularly employed, and
 - (b) in any other workplace for which a worker health and safety representative is required by order of the Board.
- (2) The worker health and safety representative must be selected in accordance with section 128 from among the workers at the workplace who do not exercise managerial functions at that workplace.
- (3) To the extent practicable, a worker health and safety representative has the same duties and functions as a joint committee.
- (4) Sections 133 to 136 apply in relation to a worker health and safety representative as if the representative were a joint committee or member of a joint committee.

Participation of worker representative in inspections

140

If

- (a) this Part or the regulations give a worker representative the right to be present for an inspection, investigation or inquiry at a workplace, and
- (b) no worker representative is reasonably available, the right may be exercised by another worker who has previously been designated as an alternate by the worker representative.

Appendix C: Reference to JHSC in BC Legislation

Workers Compensation Act (WCA)

WCA Part 3, Division 1 Interpretation and Purpose

Definitions - 106

WCA Part 3, Division 3 General Duties of Employers, Workers and Others

Duties of Employers -115

Duties of Workers – 116

Duties of Supervisors - 117

WCA Part 3, Division 4 Joint Committees and Worker Representatives

WCA Part 3, Division 7 Information and Confidentiality

Occupational Health and Safety Information Summary - 155

WCA Part 3, Division 9 Variance Orders

Notice of Application -167

WCA Part 3, Division 10 Accident Reporting and Investigation

Incident Investigation Report - 175

Follow-up Action and Report - 176

WCA Part 3, Division 11 Inspections, Investigations and Inquiries

Representation on Inspection - 182

Employer Must Post Inspection Reports - 183

WCA Part 3, Division 12 Enforcement

Notice of Cancellation - 189

Compliance Report - 194

Administrative Penalties - 196

WCA Part 3, Division 17 Regulations

Cabinet Regulations (summary)

Occupational Health and Safety Regulation (OHSR)

OHSR Part 2 Application

2.5 Inspection Reports

OHSR Part 3 Rights and Responsibilities

Occupational Health and Safety Program

3.3 Contents of Program

Workplace Inspections

3.8 Participation of Committee or Representative

Refusal of Unsafe Work

3.12 Procedure for Refusal

Young and New Workers

3.23 Young or New Worker Orientation and Training

OHSR Part 4 General Conditions

Working Alone or In Isolation

4.21 Procedure for Checking the Wellbeing of Worker

Violence in the Workplace

4.28 Risk Assessment (see Policy R 4.28-1)

Ergonomic (MSI) Requirements

4.53 Consultation

OHSR Part 5 Chemical and Biological Substances

Workplace Hazardous Materials Information System (WHMIS)

5.5 WHMIS Program

5.7 Worker Training

5.16 Availability of an MSDS

Controlling Exposure

5.54 Exposure Control Plan

5.59 Investigating Symptoms

Emergency Procedures

5.97 Emergency Plans

OHSR Part 6 Substance Specific Requirements

Asbestos

6.10 Substitution

OHSR Part 8 Personal Protective Equipment and Clothing

General Requirements

8.4 Workplace Evaluation

8.6 Annual Review

Respirators

8.33 Selection

OHSR Part 9 Confined Spaces

Hazard Assessment and Work Procedures

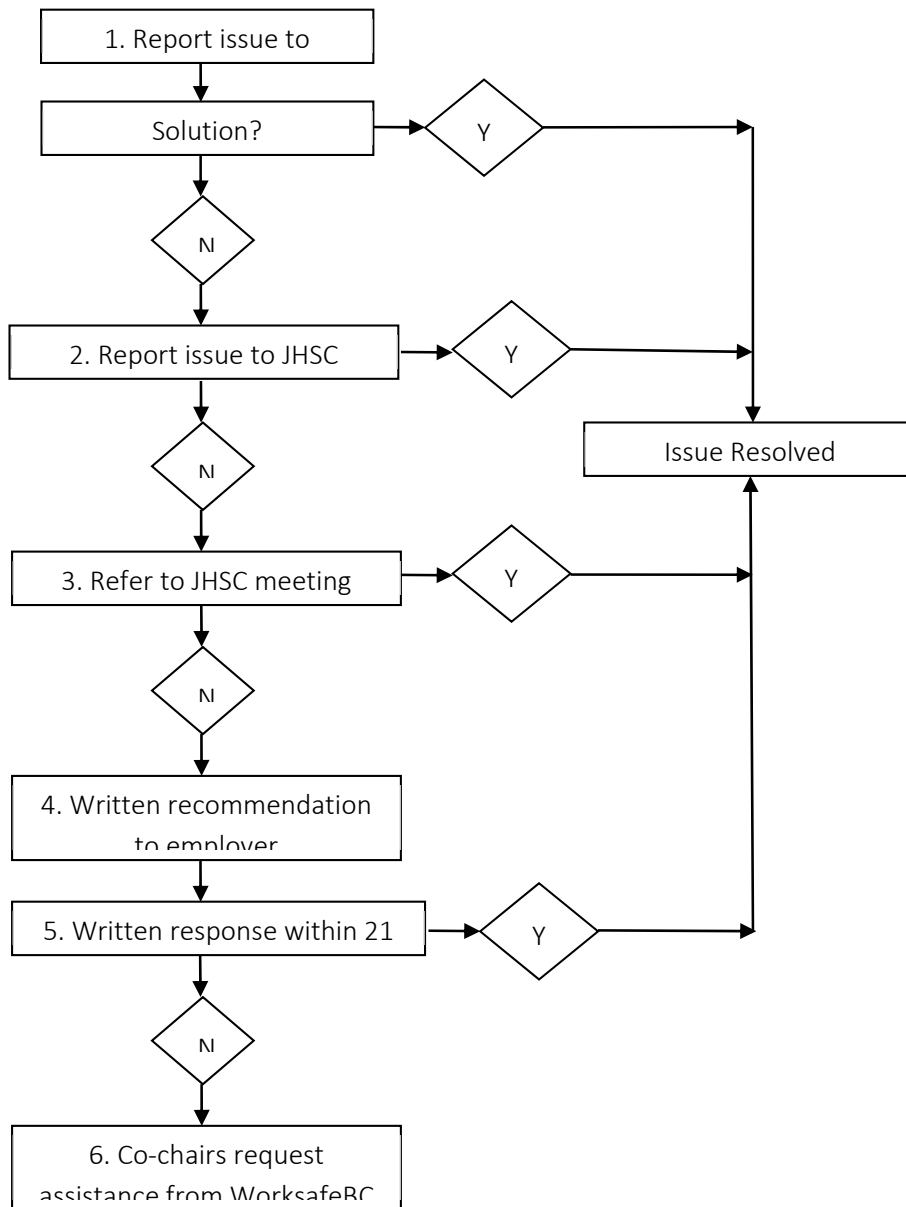
9.11 Qualifications

Appendix D: Employer JHSC Responsibility Checklist

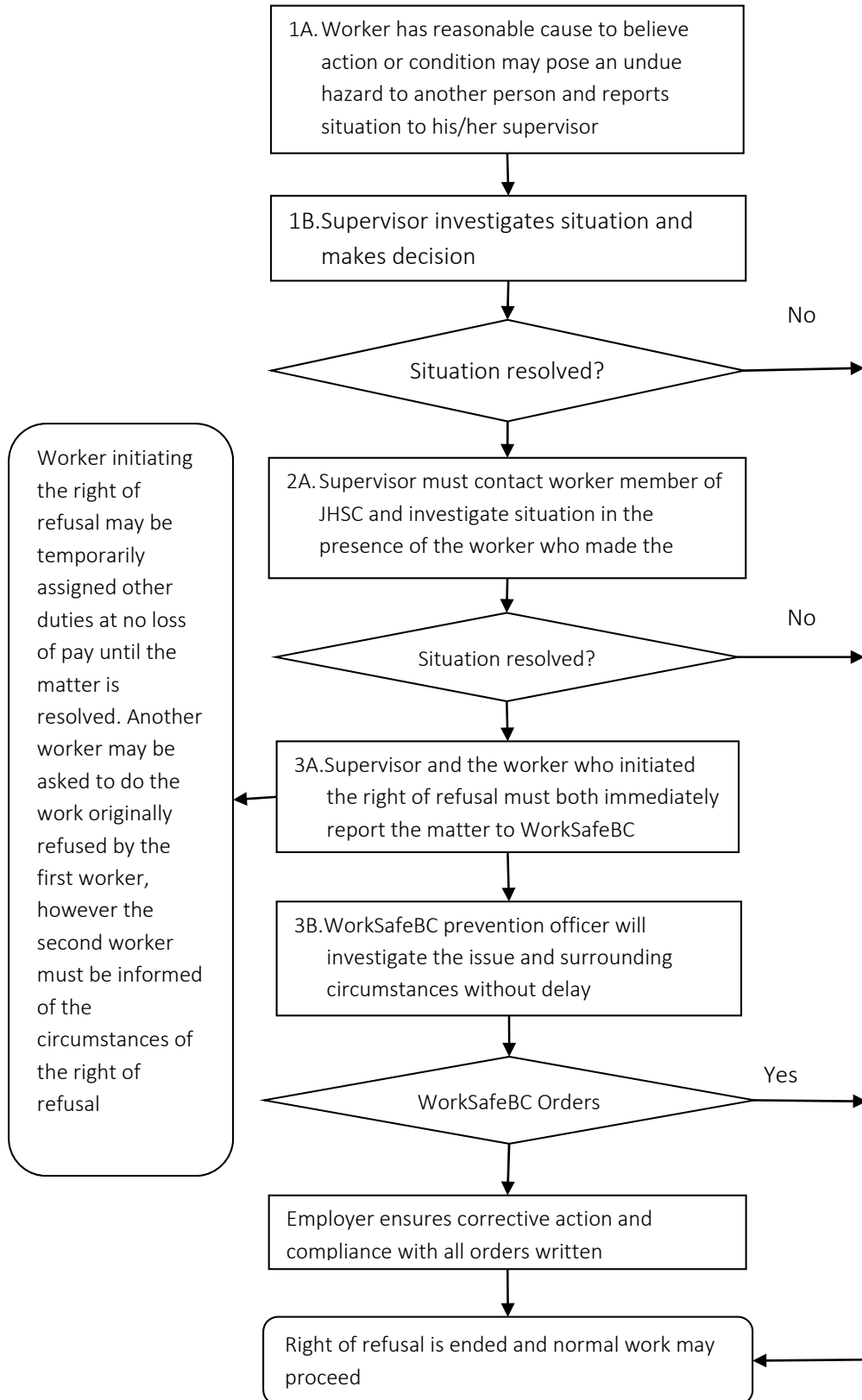
Activity	Completion Date	Person Responsible	Verification Signature
<p>JHSC Business</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide JHSC members or WHS representative time for meetings, duties, and other activities at regular rate of pay <input type="checkbox"/> Provide JHSC or WHSR with the resources including equipment, premises and clerical support, including a recording secretary necessary to carry out duties and functions 			
<p>JHSC Recommendations</p> <ul style="list-style-type: none"> <input type="checkbox"/> Respond to JHSC or WHSR recommendations within 21 days of receiving document indicating acceptance or reasons for rejection <input type="checkbox"/> Provide written explanation for delay if response is not possible within 21 day period 			
<p>JHSC Meeting Minutes</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide a copy to union(s) representing workers upon request <input type="checkbox"/> Post JHSC meeting minutes in workplace for minimum of 3 months <input type="checkbox"/> Retain copies of JHSC meeting minutes for a period of at least 2 years <input type="checkbox"/> Ensure that JHSC meeting minutes are readily accessible to committee members, workers and WorkSafeBC officers 			
<p>Educational Leave</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide each JHSC member or WHS representative with annual educational leave of at least 8 hours to attend OHS courses provided or approved by WorkSafeBC. Regular rate of pay, course costs and reasonable expenses to be paid by employer 			
<p>Occupational Health & Safety Information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide JHSC or WHSR with any available information on new equipment, processes, chemicals, substances or procedures planned for introduction to workplace 			

Activity	Completion Date	Person Responsible	Verification Signature
<input type="checkbox"/> Upon request provide the JHSC or WHSR with any information about known or reasonably foreseeable hazards that workers may be exposed to in the workplace <input type="checkbox"/> Upon request provide the JHSC or WHSR with any information about health and safety experience, work practices and standards in similar or other industries of which the employer has knowledge			

Appendix E: Health and Safety Issue Flowchart



Appendix F: Refusal of Unsafe Work Flowchart



Appendix G: Refusal of Work Investigation Form

<p>First Stage of Work Refusal (Worker must report circumstances of refusal to supervisor. Supervisor must investigate and either correct hazard(s) or indicate to worker that supervisor does not believe hazard(s) exist.)</p>	
Date and Time	
Name of Worker	
Position	
Supervisor	
Department	
Reason(s) for Refusal:	
Investigation:	
Corrective Action:	

Corrective Action:		
Refusal Resolved	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Third Stage of Work Refusal (If issue has not been resolved in second stage, then both the supervisor and the worker undertaking the refusal must both notify WorkSafeBC immediately. An officer will respond and investigate the matter without delay writing any orders necessary to resolve the issue. The worker may be assigned temporary duties until the issue has been resolved.)</p>		
Worker Signature		
Supervisor Signature		
Representative Signature		

Appendix H: JHSC Recommendation to Employer

JHSC RECOMMENDATION FORM			
Recommendation Number:		Date Submitted	
Recipient		Response Required Before	
OHS Issue (Description of issue which must be related to workplace OHS. Answer who, what, where, when and why.)			
Recommendation (Recommendation should be feasible, provide options and include as much information as possible. Include proposed date for completion.)			
Signed:			
	Worker Co-Chair		Management Co-Chair

As per section 133(2) of the workers compensation act the employer must respond to this recommendation in writing within 21 days of receipt.

Appendix I: Employer Response to JHSC Recommendation

EMPLOYER RESPONSE TO JHSC RECOMMENDATION				
Recommendation Number:		Date Received		
Date of Response		Recommendation Accepted	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Response to JHSC recommendation not possible within 21 day time frame</p> <p>(Explanation of delay to recommendation and tentative date for decision.)</p>				
<p>Approval of JHSC Recommendation</p> <p>(If recommendation accepted, employer must indicate any disagreement with recommendation scope such as date of completion or proposed budget)</p> <p>(If recommendation rejected then employer must provide substantiating reasons for decision)</p>				
Signed:	Employer Representative			

AS PER SECTION 133(2) OF THE WORKERS COMPENSATION ACT THE EMPLOYER RESPONSE MUST BE IN WRITING WITHIN 21 DAYS OF RECEIPT OF JHSC RECOMMENDATION.

Appendix J: JHSC Meeting Agenda Template

Meeting Date:	Meeting Time:
Location:	Co-Chair:

#	Time	Item	Presenter
1		Members and Guests in Attendance	Co-chair
2		Approval of Previous Meeting Report 2.1 Errors 2.2 Approved Corrections	Co-chair
3		Previous Unresolved Issues 3.1 Issue 1 3.2 Issue 2	???
4		Review of Inspection Reports 4.1 Inspection 1 4.2 Inspection 2	???
5		Review of Investigation Reports 5.1 Incident 1 5.2 Incident 2	???
6		Review of Incident/Injury/Illness Statistics 6.1 Current Months Numbers 6.2 YTD Numbers and Statistics	???
7		New Issues for Consideration 7.1 Issue 1 7.2 Issue 2	???
8		Presentation(s) from Resource Personnel or Guests 8.1 Presentation 1 8.2 Presentation 2	???
9		Recommendations to Employer 9.1 Recommendation 1 9.2 Recommendation 2	???
1		Other Business (not identified above) 10.1 Item 1 10.2 Item 2	???
1		Adjournment	Co-chair

Appendix K - Educational Leave Worksheet

Page 1 to be completed by JHSC Member or Worker Health & Safety Representative	
Name:	Date:

1. Health and Safety Experience

Experience/Position Held	Dates

2. Health & Safety Training/Education

Course/Presentation	Delivered By	Date	Duration (hours)

3. Identify Training/Education Required

- Under the Workers Compensation Act, Division 4 section 135, committee members and worker representatives are entitled to a minimum of 8 hours educational leave per year.
- Consider the hazards in your workplace and your duties and responsibilities as a committee member or worker representative.
- List education you believe is required. Attach additional sheet if necessary.
- Attach any course information (e.g. course outline) available.
- Note that a worker health and safety representative has the same duties and functions as a health and safety committee member

Subject/Topic	Reason Course Requested	Your Priority (H/L)
Hazard Identification & Risk Assessment		
Workplace Inspections		
Incident Investigation		
Legal Responsibility & Due Diligence		

1. Return completed form to JHSC Co-chair or in the case of the WHSR to the senior manager of the workplace

Page 2 to be completed by employer with input from JHSC or WHSR

Member/Representative Name:	
Education Year:	

2. The above named JHSC member designates all or part of this year's educational leave to JHSC member. Maximum hours designated cannot exceed 8.

Name:	Hours Designated
Name:	
Name:	
Member Signature:	Date:

3. Identify Health and Safety Educational Leave Approved For This Year:

- Complete this section by identifying the educational leave approved for this committee member or worker representative.*
- Education may be delivered by the employer, associations, schools/colleges, WCB, consultants, etc.

Course	Delivered by	Date	Duration
Hazard Identification & Risk Assessment			
Workplace Inspections			
Incident Investigation			
Legal Responsibility & Due Diligence			

This educational plan has been approved by	Signature:
Date:	Position:

Appendix L: Evaluation Checklist

JHSC Annual Evaluation Checklist

Committee:	Location:
Evaluator:	Date:

Item	Status
<p>Terms of Reference</p> <p>1. JHSC has written Terms of Reference that include following:</p> <ul style="list-style-type: none"> • Committee Name • Scope of Representation • Statement of Purpose • Composition of Committee – number of members and alternates, co-chairs • Selection process and terms of office • Duties and Functions • Meetings – frequency, quorum, procedures, special meetings • Records – agendas, minutes, special reports • Process for making formal recommendations • Process for resolving committee disputes 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Membership</p> <p>1. Minimum of 4 members from and representing the workplace</p> <p>2. At least 50% of members must be representatives selected by workers</p> <p>3. Two co-chairs, one selected by worker members, the other by management</p> <p>4. Alternates have been selected for members of JHSC</p> <p>5. Names, work locations and contact information for JHSC members and alternates has been posted in workplace</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Duties and Functions</p> <p>1. Identify workplace hazards and recommend corrective action</p> <p>2. Consider and address health and safety concerns of workers</p> <p>3. Consult with workers and the employer on workplace health and safety issues</p> <p>4. Recommend to the employer and workers means for improving workplace health and safety</p> <p>5. Recommend to the employer education and training that promote workplace health and safety and monitor their effectiveness</p> <p>6. Advise the employer on workplace health and safety programs and policies required under the regulations and monitor their effectiveness</p> <p>7. Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers</p> <p>8. Ensure that accident investigations and regular inspections are carried in accordance with regulatory requirements</p> <p>9. Participate in inspections, investigations and inquiries as required</p> <p>10. Participate in 2nd stage of work refusals</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p>Meeting Activities</p> <ol style="list-style-type: none"> 1. Hold regular meetings monthly 2. Use OHS Regulation as guidance for issues discussed 3. Consider worker OHS concerns and suggestions 4. Review and comment on inspection reports and recommendations 5. Review and comment on incident investigation reports and recommendations 6. Confirm that recommendations or action items have responsible individual, proposed completion date and verification of completion 7. Prepare a report for each meeting and provide it to the employer 	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Yes</td> <td style="width: 50%;"><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> </table>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<p>Committee Recommendations</p> <ol style="list-style-type: none"> 1. Ensure that JHSC recommendations are <ul style="list-style-type: none"> • Related to workplace health and safety • Reasonably capable of being done • Provide all the information required for the employer to make a decision 2. Provide written recommendation(s) to the employer requesting written response within 21 days 	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Yes</td> <td style="width: 50%;"><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> </table>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No						
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<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<p>Other Activities</p> <ol style="list-style-type: none"> 1. Attend orientation and training courses provided. Use 8 hour educational leave to attend courses related to OHS. 2. Co-chairs are aware that they may request WorkSafeBC assistance if employer does not respond to or rejects written recommendation 3. Co-chairs are aware that they may request WorkSafeBC assistance if JHSC is unable to reach decision on issue related to worker health and safety 4. Confirm that employer has posted last 3 meeting reports in workplace 5. Confirm that meeting reports are retained for minimum of 2 years 	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Yes</td> <td style="width: 50%;"><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> <tr> <td><input type="checkbox"/> Yes</td> <td><input type="checkbox"/> No</td> </tr> </table>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No				
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
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<input type="checkbox"/> Yes	<input type="checkbox"/> No														
<input type="checkbox"/> Yes	<input type="checkbox"/> No														

Appendix M: OSSE Audit Tool Requirements

Element H. Joint Health and Safety Committee

The purpose of the joint health and safety committee is to act as the internal safety review body of an organization. The committee must make recommendations to management when the system needs adjustment. Having a committee (or a worker health and safety representative) is also a legal requirement for every workplace in BC.

A functional committee will include the following:

- Terms of reference, membership, functions, and duties for each committee member
- Member training
- Active involvement in health and safety activities
- Accurate recording of meeting minutes
- Effective communication of committee recommendations
- Management support for committee recommendations

H.1 Joint Health and Safety Committee — Terms of Reference

1.1.A. Does the joint health and safety committee have written terms of reference?

1.1.B. Are committee members aware of the terms and their roles and responsibilities as identified?

Document Review

Terms of reference must include the following:

Defined roles and responsibilities (that meet or exceed legislative compliance) for the committee and individual committee members, including the following:

H1.1.1 Attending meetings. If yes, award 2 points (0,2)

H1.1.2 Conducting workplace inspections. If yes, award 5 points (0,5)

H1.1.3 Conducting accident investigations. If yes, award 5 points (0,5)

H1.1.4 Involvement in work refusal. If yes, award 3 points (0,3)

H1.1.5 A formalized process for making recommendations to management. If yes, award 5 points (0,5)

Professional judgement is required in scoring of the above.

H1.1.6 Committee member term as defined by collective agreement, if applicable. If yes, award 5 points (0,5)

H1.1.7 Process for members who do not comply with committee terms. If yes, award 5 points (0,5)

H1.1.8 Defined meeting frequency. If yes, award 5 points (0,5)

Interview

H1.1.9 Interview joint health and safety committee members to determine their level of knowledge and understanding of their roles and responsibilities under the terms of reference. Award a maximum of 10 points Professional judgement required (0-10)

H.2 Joint Health and Safety Committee — Training

2.1 Do committee members receive the training required to fulfill their roles?

Document Review

Review training records to determine if committee members have been trained to fulfill their responsibilities. Courses should include the following:

H2.1.1 New member orientation (for example, roles and responsibilities). If yes, award 2 points (0,2)

H2.1.2 Workplace inspections. If yes, award 2 points (0,2)

H2.1.3 Hazard identification and control. If yes, award 2 points (0,2)

H2.1.4 Accident investigation. If yes, award 2 points (0,2)

H2.1.5 A process to facilitate and evaluate health and safety concerns from employees. If yes, award 2 points (0,2)

H2.1.6 Safety-specific programs as relevant to the specific industry. If yes, award 2 points (0,2)

H2.1.7 Annual training leave (one day per year). If yes, award 2 points (0,2)

Interview

H2.1.8 Interview committee members to verify that they have received training as documented. Award a maximum of 5 points based on the percentage of positive responses. (1-20% = 1 point, 21-40% = 2 points...81-100% = 5 points) (0-5)

H.3 Joint Health and Safety Committee — Member Involvement

3.1 Are committee members involved in health and safety activities?

Document Review

H3.1.1 Review meeting minutes to determine if committee members were involved in recommendations about health and safety programs and policies.). If yes, award 5 points (0,5)

H3.1.2 Review workplace inspection reports to determine if committee members were involved. If yes, award 5 points (0,5)

H3.1.3 Review accident investigation reports to determine if committee members were involved. If yes, award 5 points (0,5)

Interview

H3.1.4 Interview a representative number of workers to confirm the involvement of joint health and safety committee members. Areas for consideration should include annual goal setting; trend identification and analysis; job safety procedure development;

workplace inspections; and accident investigations. Award a maximum of 10 points based on the percentage of positive responses. (1-20% = 2 point, 21-40% = 4 points...81-100% = 10 points) (0-10)

H.4 Joint Health and Safety Committee — Records

4.1 Are committee minutes recorded, posted, and communicated to employees?

Document Review

H4.1.1 Review documentation to determine if committee meeting minutes are recorded as required. If yes, award 10 points (0,10)

Observation

H4.1.2 Observe if committee minutes are posted in the workplace. If yes, award 5 points (0,5)

Interview

H4.1.3 Interview a representative number of workers to determine if they are aware of the types of information contained in the minutes. Award a maximum of 10 points based on the percentage of positive responses. (1-20% = 2 point, 21-40% = 4 points...81-100% = 10 points) (0-10)

H.5 Joint Health and Safety Committee — Recommendation Process

5.1.A. Does management have a process for reviewing committee recommendations, including a formal response from management when recommendations are not implemented?

5.1.B. Are worker members of the committee aware of the process?

Document Review

H.5.1.1 Review documentation of formal recommendations to determine if a process exists for managers to review committee recommendations, including a formal response (for example, a letter or meeting) when committee recommendations are denied. If yes, award 10 points (0,10)

Interview

H.5.1.2 Interview worker members of the committee to determine whether the committee recommendation review process is occurring as documented. Award a maximum of 10 points based on the percentage of positive responses. (1-20% = 2 point, 21-40% = 4 points...81-100% = 10 points) (0-10)

H.	Joint Health and Safety Committee	Maximum Allowed	Score Awarded
H.1	Terms of Reference	45	

H.2	Training	19	
H.3	Member Involvement	25	
H.4	Records	25	
H.5	Recommendation Process	20	
Total Points Awarded		134	
Overall % awarded			

About us

The Manufacturing Safety Alliance of BC, formerly known as FIOSA-MIOSA Safety Alliance of BC, was established in December 2007 to reduce the high injury rate in the food and manufacturing industries.

Our mission

We are catalysts for improving workplace health and safety within the BC Manufacturing Industry. Our leading edge health and safety programs, services and tools enable companies to make a difference in the lives of their employees – every day.

Our vision

Partnering with BC's industry leaders to achieve cultural change that ensures safe workplaces for all employees. The Manufacturing Safety Alliance of BC strives to accomplish our mission and vision through the delivery of a variety of core services including:

- Training in areas such as occupational health and safety (OHS) leadership, program building, and auditing.
- Consultation and advisory services.
- The certifying partner for the Occupational Safety Standard of Excellence (OSSE) in partnership with WorkSafeBC.

For more information please contact us: