University of Waterloo
Joint Health and Safety Committees (JHSCs)
and Health and Safety Representatives (HSRs)
Terms of Reference

In exercising their duties JHSCs and HSRs strive to inform their workplace community on means and measures to improve health and safety according to the Occupational Health and Safety Act (OHSA) and University of Waterloo Policy #34, Health, Safety and Environment. UWaterloo is a complex organization with multiple functions and environment, therefore the JHSCs and HSRs shall endeavour to encourage department/work area resolution of health and safety concerns by members of their workplace community and their supervisors as obligated under the OHSA. University management shall provide such information and assistance as is necessary for JHSC and HSR duties to be carried out. No person shall knowingly hinder or interfere with JHSCs and HSRs or furnish JHSCs and HSRs with false information.

Duties

1) Ensure inspections are conducted;
2) Identify situations that may be a source of hazard or danger;
3) Review health and safety concerns;
4) Make recommendations for the improvement of health and safety;
5) Obtain information respecting health and safety experience, work practices and standards, the identification of hazards and be consulted on tests for the purpose of occupational health and safety;
6) Recommend the establishment, maintenance and monitoring of programs, measures and procedures respecting health and safety;
7) Designate worker members to attend a work refusal or a work stoppage, investigate a critical injury or fatality, attend beginning of occupational health and safety testing, if required, and accompany Ministry of Labour inspector investigations and inspections of the workplace;
8) Be bound by confidentiality except where disclosure of information is specifically required by legislation; and
9) Review annually UW’s Health, Safety and Environment Policy, Program, JHSC/HSR Guidelines and JHSC/HSR OHSA responsibilities.

Authority and Reporting

Each JHSC receives its authority from the Occupational Health & Safety Act. The Director of Safety and Joint Health and Safety Committees will deliver periodic reports to the Vice-President, Academic & Provost on University-level health and safety concerns. An executive summary of the Health, Safety & Environment annual report will be posted on the Safety Office’s website.
Membership and Selection

JHSCs are required where a workplace employs more than twenty employees. HSRs are required where a workplace employs more than five but less than twenty employees, and do not hold meetings. The Safety Office shall maintain a listing of JHSC and HSR membership requirements.

**JHSC Worker Members and HSRs** - Employees who do not exercise managerial functions are selected by employee union and associations.

**JHSC Management Members** - Employees who exercise managerial functions on behalf of UWaterloo are appointed by the Vice-President, Academic & Provost.

Resource Persons
Resource persons from the Safety Office, Occupational Health, Police Services and the Federation of Students provide background information, guidance and assistance and may attend JHSC meetings at the request of the JHSC. Resource persons attendance at JHSC meetings is reviewed annually or when requested by a co-chair. Resource persons shall maintain the confidentiality of any personal or medical information.

Secretarial support shall be available from:
- Safety Office – Main Waterloo Campus
- Faculties/Departments – Other workplaces

Powers and Protection
All members of UWaterloo Joint Health and Safety Committees are recognized as legal JHSC members under the Occupational Health and Safety Act. All powers and protection under the OHSA for each JHSC are assumed by each member.

Entitlement and Release Time

JHSC/HSR members are deemed to be at work for time spent attending meetings and attending to other JHSC/HSR duties as specified by the OHSA. Time required to attend to JHSC duties includes:
- inspections and investigations
- JSHC meetings
- Preparation times for JHSC meetings; and
- Accompanying Ministry of Labour inspectors conducting an inspection, investigating critical injury, hazard or work refusal

JHSC/HSR members shall notify their supervisor for release time from regular duties. Travel and related expenses shall be reimbursed by the JHSC/HSR member’s department in accordance with UWaterloo Policy #31.

Where in a department head’s view a department cannot support the expense of releasing a JHSC/HSR member for duties, the department head shall make necessary arrangements.
with the Senior University administrator accountable for the area to ensure UWaterloo reasonably complies with OHSA employer obligations.

Training

JHSC/HSR members are provided health and safety training as follows:

a) JHSC Orientation session conducted by the Safety Office

b) Joint Health and Safety Certification according to Ministry of Labour requirements.

At least two members of the JHSC, one representing management and one representing workers, will be certified members. Certification training will be encouraged and provided to any interested JHSC member as is feasible. For this reason, UWaterloo expects that the employee union and associations shall select for reappointment, at least once, those members who have received and maintained their JHSC Certification.

c) Certified members remaining on the committee certified after March 1, 2016 will complete refresher training every three years.

Periodic health and safety education arranged through the Safety Office, either internally or through University-approved health and safety training providers.

Co-Chairs

A worker Co-Chair shall be selected by the worker members and management Co-Chair shall be selected by management members. Incoming Co-Chairs shall be selected annually, with a term of office from May to April. To facilitate distribution of Co-Chair positions amongst the workplace parties the current Co-Chairs may form an ad hoc committee for nominating incoming Co-Chairs.

JHSC Meetings

- JHSCs shall meet at least every three months according OHSA requirements. The JHSC Guidelines for each committee shall outline regular meeting schedules. The Chair shall normally alternate, from meeting to meeting, between worker and management Co-Chairs. JHSC meetings are open to all members of the campus community however to comply with legislative confidentiality requirements portions of meetings may be closed to non-members.

- Agenda is prepared by the JHSC secretary in consultation with Co-Chairs and distributed to members about one week prior to a meeting. The agenda is approved at the meeting.

- Minutes of meetings, which record attendance, issues discussed and action taken, are prepared by the JHSC secretary, reviewed by Co-Chairs and distributed to the members prior to next meeting. Minutes are approved at the next meeting. Minutes must not identify an individual’s personal or medical information. The minutes are available for review by the Ministry of Labour.
• Decision-making is conducted by consensus. If a vote is required the motion shall be handled according to the Co-Chairs Meeting Guidelines in Appendix A.

• Motions that are recommendations shall also be issued separately from the minutes in a memorandum signed by the Co-Chairs and/or the Director of Safety to the manager accountable for the area.

• Sub-committees may be formed for specific purposes. Sub-committees shall have at least one worker member represented. Safety Office resource persons, sub-committee chair and expected reporting should be noted in the minutes.

• Pending items (issues unresolved) from the minutes are recorded and reviewed at least once per academic term (every four months). Pending items will be added to JHSC agenda when action has been taken. Otherwise items are not to be discussed unless an item is requested to be added to a meeting agenda by a JHSC member.

• The minimum number of members for quorum shall be 50% management members, 50% worker members + one additional worker member. Once quorum is met, the number of worker members at a meeting shall equal or exceed the number of management members. Without quorum a meeting can be conducted however no motions can be put forward.

• The JHSC approves a schedule to ensure the annual review of UWaterloo’s Health, Safety and Environment Policy, Program, JHSC/HSR Guidelines and JHSC/HSR OHSA responsibilities. The JHSC Guidelines will incorporate this schedule for each JHSC.

• The Safety Office shall retain copies of the JHSC agendas, minutes and all documents relevant to the activities of the Committee, pursuant to WatCLASS Retention Schedule.

**Designation of Worker Members**

A certified worker member designated by employee union and associations will be notified according to OHSA requirements as follows:

- **Critical injury or fatality** - The worker member shall investigate with the Safety Office and report findings to JHSC and Ministry of Labour normally through the Director of Safety.
- **Disabling or medical aid injury or occupational illness** - The worker member may investigate and report findings to JHSC.

JHSC/HSR Guidelines shall further outline procedures for designation of worker members to attend a work refusal, a work stoppage, beginning of occupational health and safety testing, an incident or accompany a Ministry of Labour inspector for the purposes of investigation or inspection.
Health and Safety Concern Resolution

A) Resolving Worker Concerns – Informal

Concerns unresolved under UW Policy #34 Sections 6.4.4. and 6.4.5

6.4.4 Subject to Section 6.4.5, University employees, students and visitors shall promptly report conditions that are contrary to good health, safety or environmental practices or that contravene any legislative requirements to their supervisor or another University employee in a position of authority. If the employee, student or visitor making a report does not see evidence of investigations being commenced or remedial actions being taken within a reasonable period of time, the employee, student or visitor shall report the situation to the director of safety or a Joint Health and Safety Committee member.

6.4.5 University employees, students and visitors shall report unsafe buildings and grounds conditions on University Property to Plant Operations.

1) Director of Safety
When a member of the University community raises an unresolved concern, the Director of Safety or designate will review the concern with the member of the University community who will be advised of the following:

- Policy #34 requirement to inform supervisor and the option to refer their concern to a Joint Health and Safety Committee and
- that their supervisor will be contacted as part of the concern process.

The concern will be investigated with the findings and any recommendations reported to the member of the University community and their supervisor.

2) Joint Health and Safety Committee
When a member of the University community raises an unresolved concern, a Joint Health and Safety Committee shall designate Joint Health and Safety Committee member(s) with a Safety Office resource person to review the concern with the member of the University community who will be advised of the following:

- Policy #34 requirement to inform supervisor and
- that their supervisor will be contacted as part of the concern process.

The concern will be investigated with the findings and any recommendations reported to the Joint Health and Safety Committee, the member of the University community and their supervisor.

B) Formal Recommendation of the Joint Health & Safety Committee

JHSC recommendations shall be issued to the manager accountable for the area in a memorandum format signed by the Co-Chairs and/or the Director of Safety. The OHSA requires that:

a) The manager accountable for the area must provide a written response within twenty one calendar days; and

b) The response shall include a timetable for implementing the recommendations the manager agrees with, and the reasons for disagreement with any recommendations not accepted.

When a health and safety concern cannot be solved in the manner above, it will be reported
in writing by the Director of Safety to the senior University administrator accountable for the area, usually with a recommendation. The action in response to a recommendation rests with this senior administrator. The senior administrator’s decision shall be communicated in writing to the Director of Safety. The Director of Safety will report the senior administrator’s decision to the JHSC.

Inspections

The JHSC/HSR Guidelines shall outline procedures to ensure that workplace inspections are conducted according to OHSA requirements. An annual schedule of inspections is presented to the JHSC/HSR.

JHSC worker members and HSRs, in addition to inspections of the physical workplace, shall monitor compliance under UW’s Health, Safety and Environment Program.

Injury/Illness Statistics

The JHSC/HSR Guidelines shall outline how the Safety Office provides JHSC/HSR members with records of:

- employee injuries/incidents and occupational illness; and
- student, contractor and visitor injuries/incidents.

The Safety Office will provide a copy of the Annual Report on Health, Safety and Environment to the JHSC for information and comment.

Health, Safety and Environment Information

Regulatory notices, hazard alerts, case histories and related Health, Safety and Environment information shall be distributed regularly to JHSC/HSR members by the Safety Office.

Approved: VP Academic and Provost September 2016
Appendix A

JHSC Co-Chairs Meeting Procedures

Co-Chairs’ Role
1) Assisting the JHSC to function smoothly, efficiently and harmoniously towards desired outcomes. It may be a simple yes or no decision, a plan of action, or a report. The Co-Chairs should be neutral about the specifics but facilitate a result.
2) Directing preparation of meeting agenda and reviewing agenda and materials attached prior to the meeting.
3) Sitting so as to have a clear view of all JHSC members. The JHSC Secretary should sit next to the Chair.

Conducting Meetings
1) Start meetings on time.
2) Welcome and Introductions (Call to Order) - Welcome attendees, new members or visitors.
3) Approval of Agenda - Co-chairs ask if any additional items should be added at this time, at the discretion of the co-chair additional items may be accepted
   Call for approval, with any amendments.
   Motion to approve the agenda of (Date) meeting. Moved by ___ and seconded by ___.
   Carried.
4) Approval of the Minutes - Ask if there are any omissions, deletions or changes to the minutes.
   Call for approval, subject to amendments.
   Motion to approve the minutes of (Date) meeting. Moved by ___ and seconded by ___.
   Carried.
5) Announce each item.
6) If there is a name beside the item ask individual to give a report. Allow discussion. If a decision is needed, begin to move towards one after a reasonable amount of full and free discussion time.
7) Discontinue topic discussion once it is established that:
   a) more information is required;
   b) views of persons not present are required; or
   c) more time is needed to consider the matter.
8) Thank on behalf of JHSC any presenters and sub-committees for their time and effort.
9) Ensure that motions that are recommendations and other decisions are clearly stated to assist the JHSC Secretary in recording the minutes.
10) Keep meeting going forward, not around in circles.
11) At the end of the meeting note the date, time and place of the next meeting. Thank everyone for attending.

Motions
1) A member makes a motion.
2) Co-Chair confirms the motion by restating the motion prior to asking for a seconder. The motion should be a clear and concise statement.
3) Another member seconds the motion. If none, motion is defeated.
4) The members discuss the motion.
5) The Co-Chair reads the motion and endeavours to call the question by consensus of members.
6) If a vote is required, members shall vote as follows:
   a) Vote by a show of hands. The Co-Chair states; "all in favour of the motion", then "those opposed".
b) The Co-Chair chairing the meeting only votes when his/her vote would actually affect the outcome. That is, when their vote would have the effect of passing a motion or when voting to create a tie, to defeat a motion.
c) The Co-Chair announces the result of a vote. The motion is defeated if a tie vote.

Co-Chair Selections
Any worker member may nominate a worker member to serve as a co-chair. Any management member may nominate a management member to serve as a co-chair.

When an election is required for worker or management Co-Chairs, the JHSC Secretary distributes a slip of paper, or "secret ballot", to eligible JHSC members. Worker JHSC members vote for the worker Co-Chair and the management JHSC members vote for management Co-Chair. The JHSC Secretary collects the ballots, tallies the results and reports to the Co-Chair of the meeting, who announces the results.