

Joint Occupational Health & Safety Committee Foundation Course - Facilitator Guide

Module: Responsibilities for OH&S

This course was developed by:

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DISCLAIMER

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The material is designed for use by Joint Health and Safety Committees. WorkSafeBC is not responsible for the results or interpretations when the material is presented through other sources.

If there is any conflict between information in this material and the current *Workers Compensation Act, Occupational Health and Safety Regulation* and related policies, the Act, the Regulation and policies shall take precedence.

Module at a Glance

Introduction <ul style="list-style-type: none">• Responsibilities for OH&S• Objectives and Agenda
Legal Responsibilities <ul style="list-style-type: none">• Identify the legal responsibilities of employers, supervisors, workers and others• Case Study # 1
WorkSafeBC, Worker and Employer Services Division <ul style="list-style-type: none">• Identify WorkSafeBC, Worker and Employer Services Division (WES) services that help employers and workers to fulfill their health and safety responsibilities
Role of the Committee <ul style="list-style-type: none">• Membership• Duties & Functions• Committee Terms of Reference
Refusal of Unsafe Work <ul style="list-style-type: none">• Explain the individual right and responsibility to refuse unsafe work and the right to be protected from health and safety discrimination
Protection from H&S Discrimination <ul style="list-style-type: none">• Define actions that are considered H&S discrimination
Records and Statistics <ul style="list-style-type: none">• Frequency & Severity• Committee Recommendations• Communication
Review and Summary
Appendix

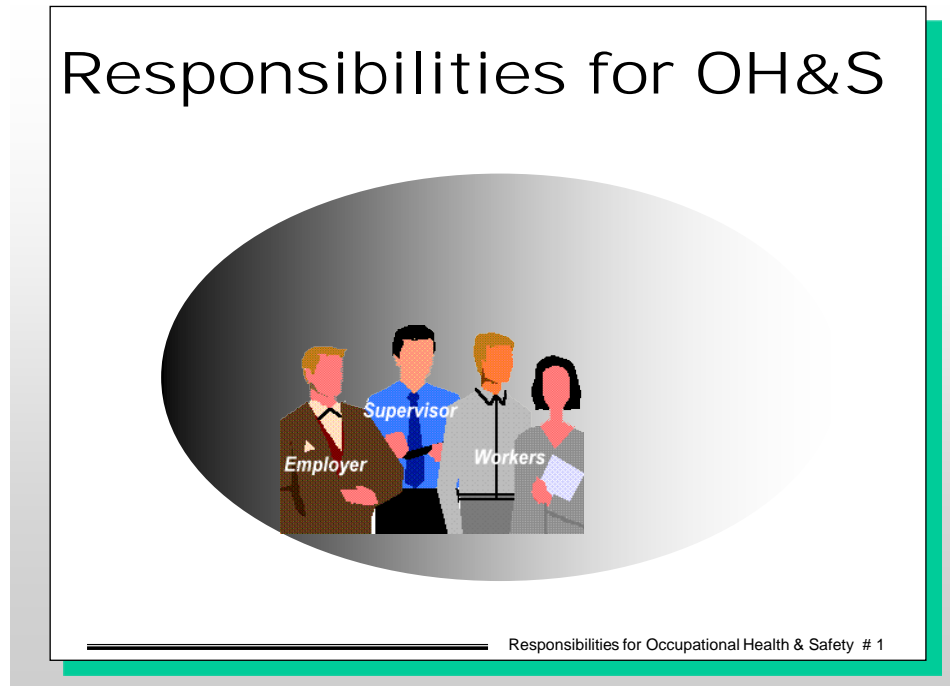
Notes to Facilitator

1. Encourage participants to ask questions and engage in discussions. The total time required to facilitate this module will vary according to the number of examples provided, the depth of the discussions and the number of participants. This module will take approximately 4 hrs to complete if all exercises and case studies are used.
2. In this module, the “Act” refers to the *Workers Compensation Act* and the “Regulation” refers to the Occupational Health and Safety Regulation.
3. This module was designed to be facilitated using the WorkSafeBC publication called *Joint Health and Safety Committee Foundation Workbook* available on WorkSafeBC’s website.
4. Periodic updates to this module guide will be made and posted on WorkSafeBC’s website. However, if you wish to update the statistics in this module independently, you may do so by going to the worksafebc.com website to obtain the most current “Injuries and Claims Information”.
5. Review emergency evacuation procedures and housekeeping matters with the participants before proceeding with the main presentation.

Introduction

Facilitator: Introduce yourself and your experience with OH&S.

Show Slide # 1



Ask participants to introduce themselves and to share their occupational health and safety experience, if any (including experience as a Worker Rep or on a Joint Committee).

Allow a few minutes for introductions.

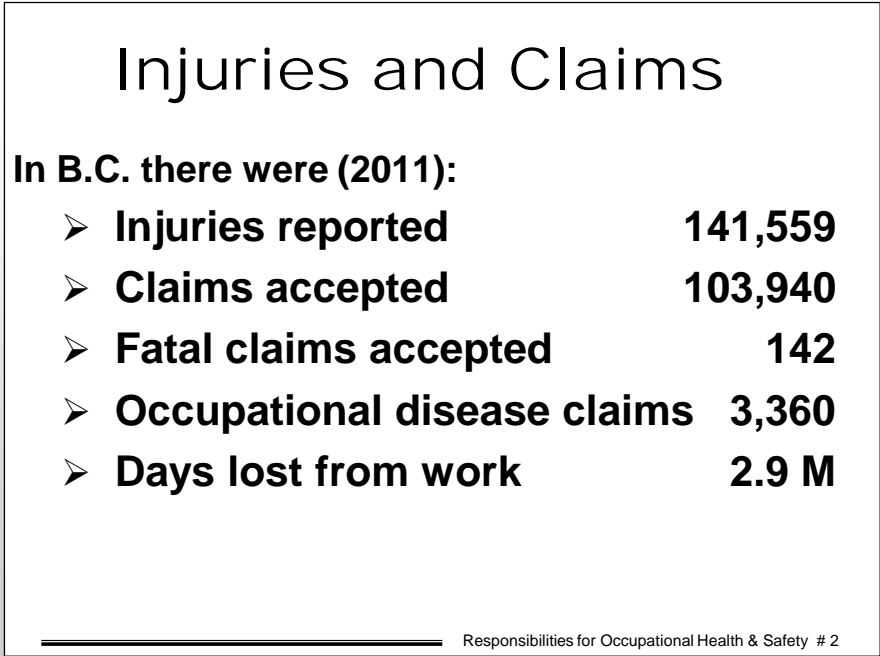
Explain that this module explores the various responsibilities for maintaining a safe and healthy workplace.

If these responsibilities are fulfilled, workplace accidents can be prevented, and the number of workers injured and killed on the job can be reduced.

Ask participants to list some of the reasons why they think injuries and diseases occur in the workplace

- Record answers on the flipchart

Show Slide # 2 - Review statistics on slide.



Injuries and Claims

In B.C. there were (2011):

- **Injuries reported** 141,559
- **Claims accepted** 103,940
- **Fatal claims accepted** 142
- **Occupational disease claims** 3,360
- **Days lost from work** 2.9 M

Responsibilities for Occupational Health & Safety # 2

Although the number of occupational injuries and diseases in B.C. has consistently declined in the past 5 years, serious injuries have not declined.

Definition of a “Serious Injury”

Section 172 of the Act provides that employers must notify WorkSafeBC of an accident that resulted in the "serious injury" or death of a worker.

Explain that the term "serious injury" is not defined in the *Act*; however, there is a guideline **G-D10-172-1**. The purpose of this guideline is to set out what WorkSafeBC considers to be a "serious injury," which an employer would be required to report to WorkSafeBC.

Explain that a serious injury is any injury that can reasonably be expected at the time of the incident to endanger life or cause permanent injury. Serious injuries include both traumatic injuries that are life threatening or that result in a loss of consciousness, and incidents such as chemical exposures, heat stress, and cold stress which are likely to result in a life threatening condition or cause permanent injury or significant physical impairment.

NOTE (below are references to what is considered a serious injury)

Traumatic injuries that should be considered "serious injuries" include

- Major fractures or crush injuries, such as
- A fracture of the skull, spine, or pelvis
- Multiple, open or compound fractures, or fractures to major bones such as the humerus, fibula or tibia, or radius or ulna
- Crushing injuries to the trunk, head or neck, or multiple crush injuries
- An amputation, at the time of the accident, of an arm or leg or amputation of a major part of a hand or foot
- Penetrating injuries to eye, head, neck, chest, abdomen, or groin
- An accident that caused significant respiratory compromise, or punctured lung
- Circulatory shock (i.e. internal hemorrhage) or injury to any internal organ
- Lacerations that cause severe hemorrhages
- All burns that meet the rapid transport criteria of the Occupational First Aid Training Manual, including
 - Third degree burns to more than 2% of the body surface
 - Third degree burns to the face, head, or neck
 - Burns of any degree with complications
- An asphyxiation or poisoning resulting in a partial or total loss of physical control (i.e. loss of consciousness of a worker in a confined space) or a respiratory rate of fewer than 10 breaths per minute or severe dyspnea (difficult or laboured breathing)
- Decompression illness, or lung over-pressurization during or after a dive or any incident of near drowning
- Traumatic injury which is likely to result in a loss of Sight, Hearing or Touch

Injuries that require a critical intervention such as CPR, artificial ventilation or control of hemorrhaging or treatment beyond First Aid, such as the intervention of Emergency Health Services personnel (e.g. transportation to further medical attention), a physician and subsequent surgery, or admittance to an intensive care unit should also be considered "serious injuries".

Ask, if a person is in a position that would allow him / her to prevent a workplace injury or occupational disease, do you think that person has a moral responsibility to do so?

Note general consensus of participants

Ask if anyone can describe what is meant by a "moral responsibility"?

Possible answers: *Being honest and ethical; doing the right thing.*

Ask if anyone can explain the difference between a moral responsibility and a "legal" responsibility?

Answer, a legal responsibility is a specific duty cast upon a person by the provisions of law: an act, a regulation.

State

Prevention of injuries and illnesses in the workplace is both a moral and a legal responsibility.

The following pieces of legislation form the basis of legal responsibilities in British Columbia:

In 1998 the BC Legislature passed Bill 14, the *Workers Compensation (Occupational Health and Safety) Amendment Act*. The *Amendment Act* became effective on October 1, 1999.

The *Amendment Act* describes the jurisdiction of the WorkSafeBC and its authority to make regulations, inspect workplaces, issue orders and impose penalties.

The *Amendment Act* also explains the rights and responsibilities of employers and workers with respect to health and safety.

The requirements of the Occupational Health and Safety Regulation are adopted under the authority of the *Workers Compensation Act* of April 15, 1998, as subsequently amended by the *Workers Compensation Amendment Act*.

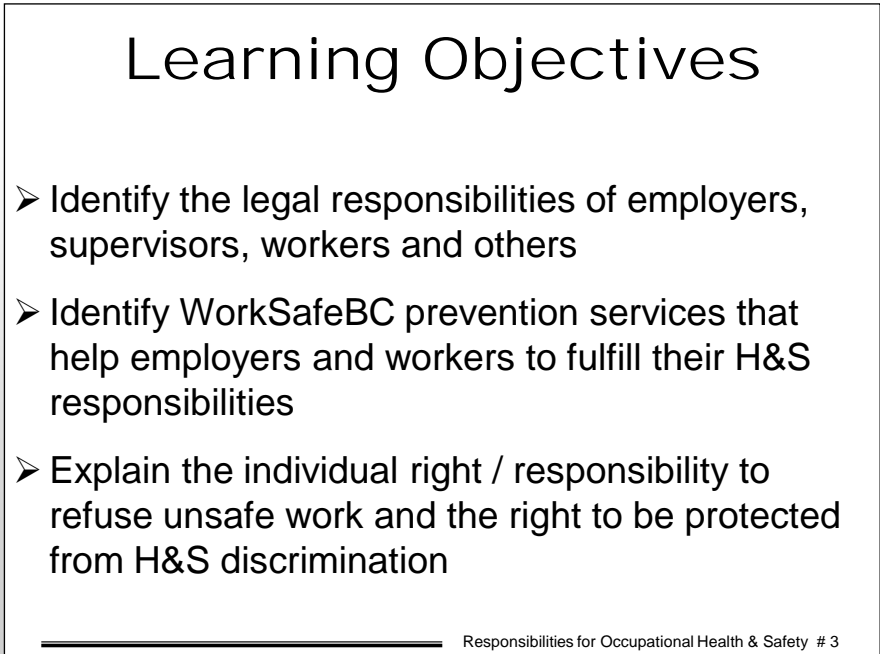
The purpose of the Occupational Health and Safety Regulation is to promote occupational health and safety, and to protect workers and other persons present at workplaces from work-related risks to their health, safety and well-being.

Objectives and Agenda

Ask participants to state their expectations for this session.

Using a flipchart record participants expectations of the course for review at the end of this module.

Show Slide # 3



Learning Objectives

- Identify the legal responsibilities of employers, supervisors, workers and others
- Identify WorkSafeBC prevention services that help employers and workers to fulfill their H&S responsibilities
- Explain the individual right / responsibility to refuse unsafe work and the right to be protected from H&S discrimination

Responsibilities for Occupational Health & Safety # 3

Review the learning objectives of the module. Note how they match with participants' expectations. Encourage the class to actively take part in discussions, ask questions and make notes.

Let the participants know that, during the breaks, it is OK to take pictures of each other's flip charts with their cell phone or camera.

Legal Responsibilities

Ask, who in the workplace have legal responsibilities? Elicit suggestions and write them on a flip chart.

Show Slide # 4

Legal Responsibilities

- **Employers**
- **Workers**
- **Owners**
- **Suppliers**
- **Corp. Directors & Officers**
- **Prime contractors**
- **Supervisors**
- **Joint H&S committee or H&S Worker Representative**

Responsibilities for Occupational Health & Safety # 4

Group Exercise # 1

Divide the participants into small groups and ask each group to choose a spokesperson. Get the groups to brainstorm and summarize-in point form – the responsibilities of the people in Slide #4. The Facilitator may need to assign people to groups.

Post group answers at the front of the room. The spokesperson for each group explains the list to the other participants in the room.

Distribute the Workbook

“Joint Occupational Health and Safety Committee Foundation Workbook”

Note: Page references in this module refer to the Joint H&S Committee Foundation Workbook. Encourage the participants to make notes in their workbook for future reference.

Direct and Indirect Responsibility

Legal responsibility could be direct (or line) or indirect (or contributory). People immediately involved with the day to day operation have direct legal responsibility.

Ask, among the people listed on Slide #4, most have direct legal responsibilities. Who have **indirect** responsibilities?

Answer: *Joint committee members and worker representatives*

A joint H&S committee or worker rep has significant indirect responsibilities, which include:

- Making recommendations to promote and improve health and safety
- Advising the employer on policies and programs and monitoring their effectiveness
- Advising the employer on changes in the workplace that may affect H&S
- Ensuring inspection and incident investigations are conducted

Suppliers also have indirect H&S responsibilities in the workplace but they have direct responsibilities for the equipment and any other material that they supply.

Similar to employers, owners, prime contractors, and corporate directors and officers have direct legal responsibilities.

Supervisors

Supervisors are people in a position to exercise control, i.e., they have the expressed or implied authority of the employer. The OH&S Regulation (Part 1: Definitions) describes a supervisor as: *"a person who instructs, directs and controls workers in the performance of their duties"*.

People in the following capacity could, therefore, also be considered supervisors:

A journeyman trade's person training an apprentice could be considered a supervisor even if that is not part of the job title.

A worker asked to help train a new hire in the same job position could also be considered a supervisor when performing that task.

Ask participants to turn to page 97 of their workbook.

Review the excerpts of the *Workers Compensation Act* that cover responsibilities for occupational health and safety. Inform the participants that they may find the information useful especially if they continue on with further studies in OH&S.

Note: Case Study # 1 is not in the workbook. The Facilitator may want to print a copy for each participant and/or create an overhead of this case study exercise. The Facilitator may wish to replace this case study exercise for one that is more relevant or appropriate for the participants.

This case study can take up to 30 minutes to complete if you wish to run it as a group exercise with discussion.

Case Study #1

This scenario illustrates the results of failing to fulfill OH&S responsibilities.

Worker - Age 17

Experience - 2-1/2 days

Injury - Right arm severed

Sunday night:

The worker arrived at the isolated sawmill.

Monday:

The site superintendent drove the worker from the camp to the mill and turned the worker over to the maintenance foreman. The foreman was busy and turned the worker over to a 20 year old saw filer. The saw filer was told to "show him around and show him what to do".

The saw filer showed the worker the lubricant storage area and the various lubricants and then took him to the mill and showed him the equipment to service. This was the extent of the training.

Throughout the day, the worker lubricated equipment with grease nipples or oil holes, including some equipment that was shut down for the lunch hour. He was not told about a *lock-our procedure* and did not know what that meant.

Tuesday:

The worker continued oiling. The maintenance foreman showed him some lube points he had missed and the worker then carried on alone for the rest of the day.

Wednesday:

The worker continued oiling until 11:45 a.m. when he was reaching across an operating gear drive unit for the oil level dipstick and his hand was caught in the chain drive socket. His arm was torn off at the elbow. He received first aid and was rushed to hospital

Ask participants to read Case Study #1

Explain the term “Lockout”

Write the definition for ‘lockout on a whiteboard or flip chart.

The Definition for Lockout is in OHSR Part 10.1 “the use of a lock or locks to render machinery or equipment inoperable or to isolate an energy source in accordance with a written procedure.”

Example: Locking an electrical breaker - breaker turned off and panel closed with a lock - during maintenance so the equipment cannot be turned on (risk of a worker being caught in moving parts, risk of electrocution, etc).

Ask, in this case study, who is responsible for ensuring the safety of the worker and why?

Encourage suggestions and discuss them.

Elaborate on Answers

The site superintendent is the agent of the employer and responsible for ensuring that the worker:

- Is properly trained in the safe performance of his duties
- Is made aware of known or reasonably foreseeable hazards
- Is properly supervised
- Complies with requirements of the Act & Regulation (e.g., lock out)
- Is made aware of his / her rights and duties for health & safety (e.g., to refuse unsafe work 3.12 OH&S)

The superintendent is also responsible for ensuring that occupational health & safety policies and the essential elements of an effective occupational health & safety program are in place (e.g. orientation Part 3 – 3.24).

The foreman, in this situation, is the supervisor and is responsible for:

- Supervising the worker - checking on him and observing his work, or ensuring his delegate does the same
- Instructing the worker in how to work in accordance with safe operating instructions and work procedures, or ensuring his delegate does the same
- Ensuring the worker is aware of all known or reasonably foreseeable hazards and complies with legislated requirements

The saw filer, if exercising the duties of the foreman, also meets the definition of a "supervisor" and has the same responsibilities while the worker is under his control.

The injured worker may also be responsible for his actions.

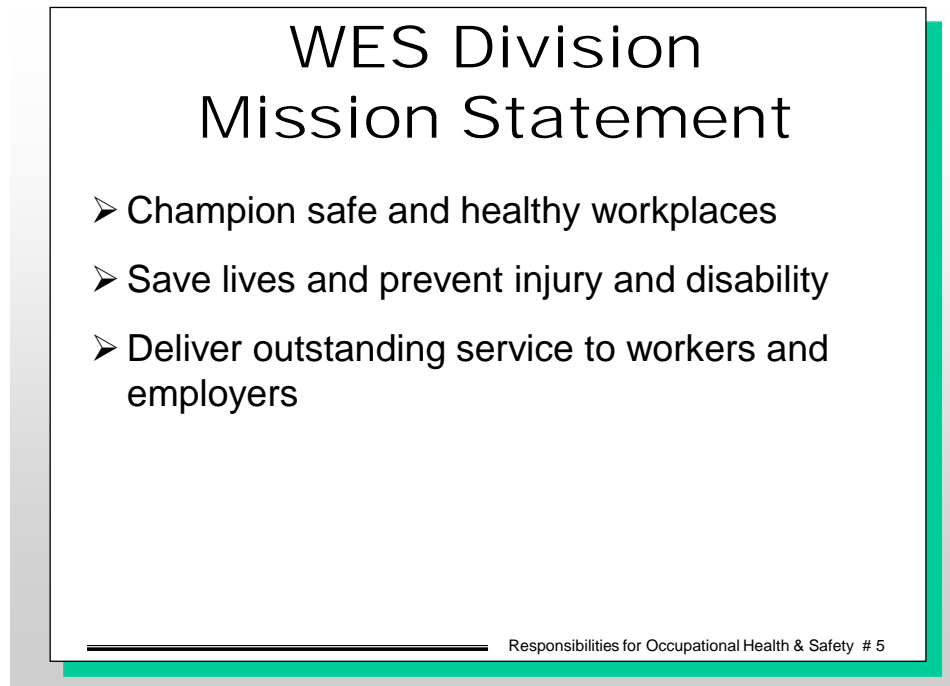
Encourage discussion

Ask, if the injured worker didn't know about his right to refuse unsafe work, he didn't know how to recognize the hazard and he did not know the correct procedure can he be held responsible?

Answer: A worker is usually not held responsible if the worker has not been adequately trained and the worker was the only person injured as a result of a safety violation.

Worker and Employer Services

Show Slide # 5



The slide displays the WES Division Mission Statement. It features a title, three bullet points, and a footer. The slide is framed with a grey border and a green vertical bar on the right side.

**WES Division
Mission Statement**

- Champion safe and healthy workplaces
- Save lives and prevent injury and disability
- Deliver outstanding service to workers and employers

Responsibilities for Occupational Health & Safety # 5

Explain that WorkSafeBC has staff members in Worker and Employer Services Division (WES) to assist employers and workers in fulfilling legal responsibilities and meeting the standard of due diligence.

Regional Services

The WorkSafeBC staff members that employers are most likely to meet in the workplace are Occupational Safety Officers (OSO) and Occupational Hygiene Officers (OHO).

Ask, what are officers' key functions?

Elicit suggestions – there is no need to record the answers

Many people think that WorkSafeBC officers just conduct workplace inspections. In fact, they provide a variety of services.

Show Slide # 6

Elaborate on overhead points



Regional Services
- Officers

- Education and Consultation
- Accident Investigations
- Inspections
- Enforcement

Responsibilities for Occupational Health & Safety # 6

Education/Consultation

WorkSafeBC officers provide education and consultation to employers and workers to help them comply with requirements in the Act and the Regulation and to develop or improve their OH&S programs.

Accident Investigations

WorkSafeBC officers investigate serious and fatal accidents to identify the basic accident causes to prevent recurrence. (Note: WorkSafeBC officer investigations are independent from employer investigations.)

Inspections

WorkSafeBC officers inspect workplaces on a planned and spot-check basis in order to ensure compliance with the Act or Regulation.

Inspections are often targeted at companies or industries with a high risk of injury and/or high claims costs (e.g., healthcare, forestry, construction, and heavy manufacturing).

Officers also conduct inspections related to Section 3.12 (refusal of unsafe work) or in response to complaints.

Enforcement

When a WorkSafeBC officer identifies a violation of the Act or Regulation during an inspection, the officer has a number of enforcement options.

Show Slide # 7

Elaborate on points – provide examples of each bullet point

Prevention Enforcement Options

Board officers may

- **Issue an order**
- **Write an inspection report**
- **Recommend to the board to**
 - ↪ **Issue a warning letter**
 - ↪ **Apply administrative penalty**
 - ↪ **Charge claims cost**
 - ↪ **Prosecute**

Responsibilities for Occupational Health & Safety # 7

WorkSafeBC Officers may:

Issue an Order

In any situation where action is required to remedy a violation, the Board Officer may write an order instructing the employer to do so.

Where it is necessary to close down all or part of a workplace to mitigate or control the risk, a closure order may be issued.

Write an Inspection Report

If an individual, such as a supervisor or a worker, does not comply with the Act or Regulation, the officer can write an inspection report on their employer and/or the officer may write an order on the individual worker.

The officer may not write an order to worker for a violation resulting from lack of training. The Officer will first confirm that the employer has provided adequate training, supervision and work procedures, or adopted other applicable preventive measures.

Recommend to the Board any of the following options:

Board Officers make the recommendation(s) but it is WorkSafeBC that actually issues a warning letter, applies an administrative penalty and charges claims cost, etc.

Issue a Warning Letter

A warning letter may be issued in a number of situations.

Examples include:

- A violation causing serious injury, illness or death
- Violations of several provisions indicating general complacency
- A violation of the same provision more than once

Apply an Administrative Penalty

An administrative penalty may be imposed in a number of situations.

Examples include:

- An employer has failed to take sufficient precautions for the prevention of work related injuries or illness
- An employer has not complied with the Act, the Regulation or an order
- The working conditions are unsafe

Note:

Mandatory Penalty Review: Certain work situations with very high risk of injury or death require a mandatory WorkSafeBC review to determine if sanctions will be applied. These include violations of 12 specific areas of the Regulation. The specific situations that require Mandatory Penalty Review can be found in Appendix 16 of the workbooks – Eleven Lethal Workplace Sins +1.

Charge Claims Costs

If an administrative penalty may not be effective, the Board may take action to recover the cost of a claim from the employer. This measure may be imposed when serious injury, disablement or death has resulted from a violation.

Prosecute

Where there has been a serious violation of the *Workers Compensation Act* or the OH&S Regulation, the case may be referred to the Crown for prosecution. Examples include:

- One or more prior administrative penalties and / or charges of claims costs have been imposed for the same violation and further use of these measures would not be effective
- A prior prosecution has occurred for the same violation
- A public adjudication process through the court is required to address the serious nature of the offence, the degree of risk involved or the deliberate or systemic nature of the violation

Other Services available from WES

Show Slide # 8

Other WES Services

- Services for specific high risk industries or industries with high claims costs
 - ↳ Construction
 - ↳ Heavy manufacturing
 - ↳ Forest products mfg
 - ↳ Healthcare
 - ↳ Hospitality and retail
 - ↳ Oil & Gas
- First aid, ergonomics, hearing conservation & occupational disease prevention
- Certification Services
- Publications and Resources

Responsibilities for Occupational Health & Safety # 8

Elaborate

- Industry and Labour Services (ILS) assists specific industries to drive down injury rates through working with industry associations and unions.
- WES contact numbers:
 - (604) 276-3100 (Lower Mainland) or
 - 1-888 621-SAFE (7233) (toll free)

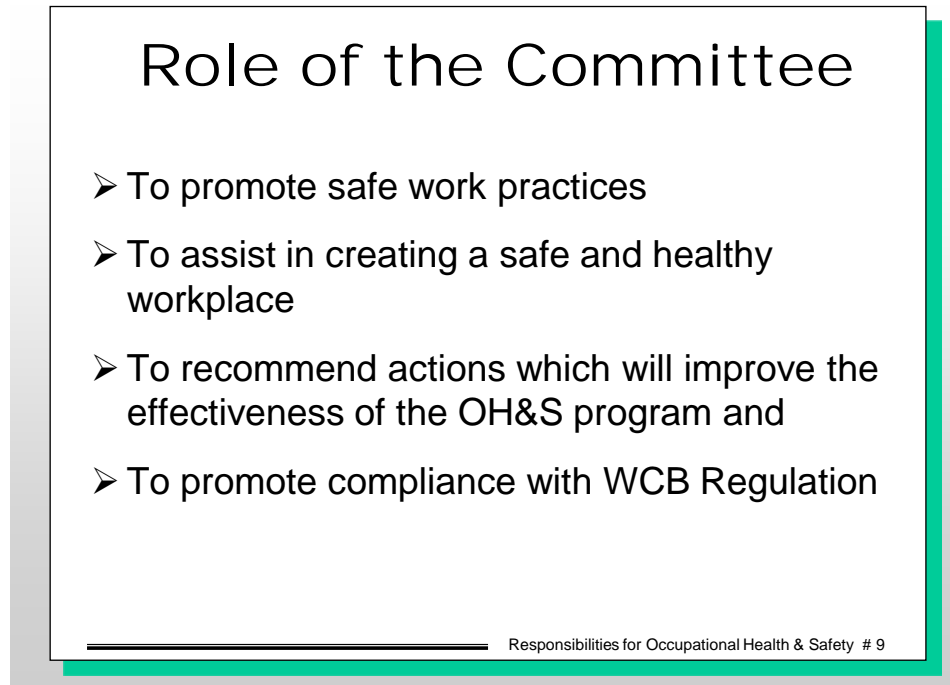
WorkSafeBC prevention resources can be accessed via the web:

<http://www.worksafebc.com>

Role of the Committee

Show Slide # 9

Elaborate on each of the points – provide examples

A presentation slide titled "Role of the Committee" with a white background and a green border. It contains a bulleted list of four points. At the bottom right, there is a small text footer: "Responsibilities for Occupational Health & Safety # 9".

Role of the Committee

- To promote safe work practices
- To assist in creating a safe and healthy workplace
- To recommend actions which will improve the effectiveness of the OH&S program and
- To promote compliance with WCB Regulation

Responsibilities for Occupational Health & Safety # 9

Ask, in what situation might the board ask that a committee be formed when it would not otherwise be required?

Possible Answer: A committee may be required in a multiple-employer workplace involving a high risk industry such as construction or logging. If ordered by a board officer, such a workplace may be required to establish a joint H&S committee at each worksite.

Composition and Structure

Show Slide # 10

Elaborate and provide examples for each of the points on slide #10.

Committee Size

Depends on the following:

- Degree of hazard in the workplace
- Number of employees
- Number of departments
- Number of places of employment
- Number of unions or worker groups
- Need to represent different shifts

Responsibilities for Occupational Health & Safety # 10

Ask participants to turn to page 8 in their Workbook - Committee Size

Note: For the next classroom activity the Facilitator may have the participants flip to the appendix for a copy of Division 4 but it is not a necessity. You can just have the participants give an answer, then you give the correct answers and explain why.

Membership

Ask participants if they know the minimum number of members required on a joint H&S committee.

Answer: *Section 127(a) - at least 4 (or more if it is required by regulation)*

Ask participants if they have a joint H&S committee (by show of hands) and, if so, ask if they know how many members are on it.

Note:

No maximum size is specified but there are a number of factors to consider:

- Level and nature of hazards in the workplace
- Number of employees
- Number of departments, locations and unions
- Shifts

Subcommittees can be formed to deal with specific issues.

Term of Office

This is not specified but is generally one or two years.

A staggering system is recommended (e.g. overlapping terms of office) to maintain committee with half experienced members and half new members after each election.

Representation

Ask participants to explain the type of representation required.

Answer: *Section 127(b) - Worker and employer representatives*

Section 127(c) - At least half must be worker representatives

Explain:

- Worker representatives can represent workers of the same or different sites and departments.
- There is no specified worker and employer representative ratio except the requirement of Section 127(c).
- In selecting members, it is important to look for individuals who have an ability to work cooperatively to solve problems.
- It is very important to select alternate committee members to substitute when the regular committee members are absent.

WCA Section 129 - Selection of employer representatives.

- Employer representatives are chosen or appointed by management
- An individual employer may act as an employer representative

Selection of Members

Ask participants to turn to pages 9 &10 of their workbook

Exercise 2:

Explain, in this exercise I want you to think of people in your organization that would make good representatives based on the requirements that we have already discussed.

I do not need the name of the person(s) but more the person's position and why you believe the person(s) you're thinking of would be a good representative.

I will give you a couple of minutes for you to think of people to fill in the spots on pages 9 & 10. Yes, it can be you too.

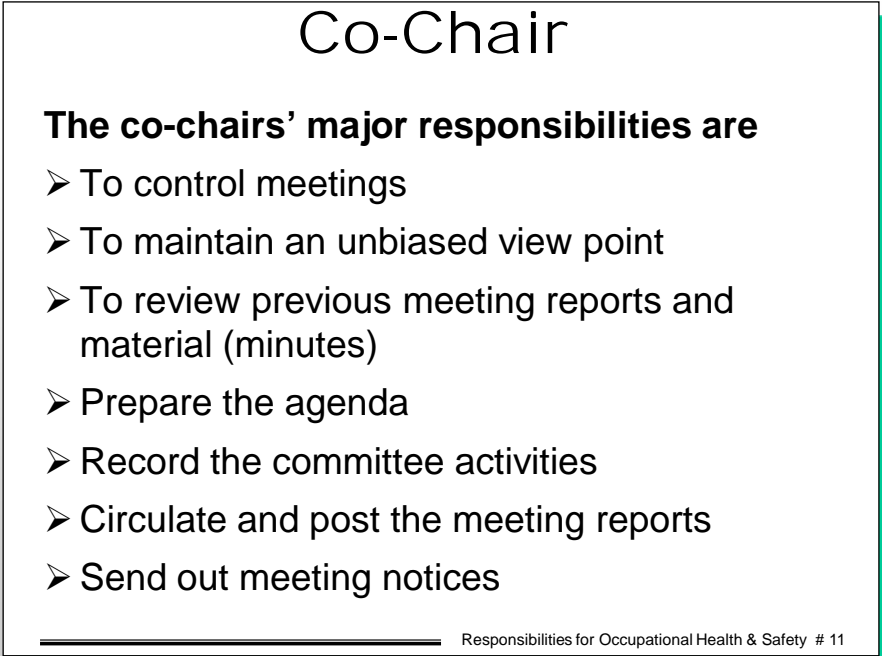
Ask participants to explain their choices to the group.

Committee Co-chair

Ask participants to turn to page 11 of their Workbook

Show Slide # 11

Elaborate on slide points; explain each as needed



The slide is titled "Co-Chair" and lists the major responsibilities of co-chairs. The text is as follows:

Co-Chair

The co-chairs' major responsibilities are

- To control meetings
- To maintain an unbiased view point
- To review previous meeting reports and material (minutes)
- Prepare the agenda
- Record the committee activities
- Circulate and post the meeting reports
- Send out meeting notices

Responsibilities for Occupational Health & Safety # 11

Note: Some additional discussion points.

- The duties of the chair and co-chair are often alternated with each successive meeting.
- Ensuring minutes are taken during meeting and making sure recommendations are recorded
- Seeking assistance from WorkSafeBC in resolving disagreements in matters related to OH&S at the workplace

Worker H&S Representative

Show Slide # 12

**Worker H&S
Representatives**

- **Requirements**
 - ↪ **Where more than 9 but fewer than 20 workers are regularly employed**
 - ↪ **When ordered by the board**
- **Selection**
 - ↪ **Same as a joint committee worker member**
- **Duties & Entitlements**
 - ↪ **Same as a joint committee where practicable**

Responsibilities for Occupational Health & Safety # 12

Explain: In some workplaces, it is not required to have a joint committee; instead, a worker health and safety representative is required.

Ask, when is a worker health and safety representative required?
Encourage suggestions.

Answer: A worker representative is required:

- Where more than 9 but fewer than 20 workers of the employer are regularly employed
- When ordered by the board (this may be ordered due to a history of frequent or serious injuries or worker complaints about H&S etc).

Explain: a worker representative is selected in the same way as a member of the joint H&S committee.

- To the extent that is practicable, the representative has the same duties, functions, and entitlements as a joint committee. “Practicable” means that which can reasonably be done.

Functions and Duties

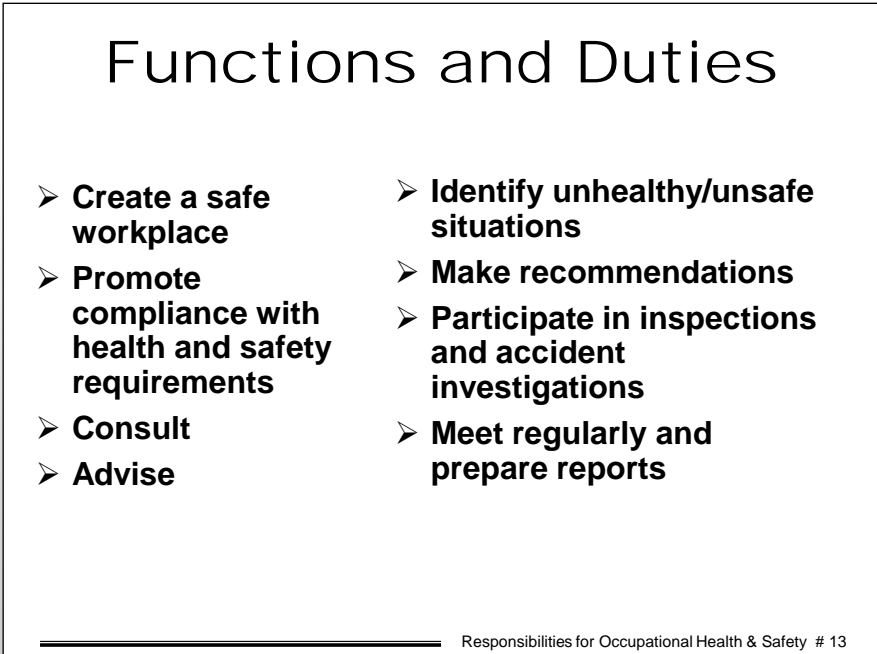
Exercise 3

Organize participants into small groups and refer participants to Appendix 12

Ask participants to review Sections 130, 131 and 132 of the Act and relate the duties and functions to their own committee experiences, if any. Summarize the committee duties that are specified.

Give the group 10 minutes, and then ask a spokesperson from each group to report their answers. **Record results on flip chart**

Show Slide # 13



Functions and Duties

- Create a safe workplace
- Promote compliance with health and safety requirements
- Consult
- Advise
- Identify unhealthy/unsafe situations
- Make recommendations
- Participate in inspections and accident investigations
- Meet regularly and prepare reports

Responsibilities for Occupational Health & Safety # 13

Elaborate, a joint committee's functions are to create a safe workplace by promoting compliance with health and safety requirements.

The duties of a joint committee as stated in Division 4 of the *Workers Compensation Act* include:

- Identify situations that may be unhealthy or unsafe and advise on control measures.
- Consider and deal with health and safety complaints.
- Consult with workers and the employer on OH&S issues.
- Make recommendations to improve health and safety.
- Make recommendations on OH&S educational programs and monitor their effectiveness.
- Advise the employer on health and safety programs and policies, and monitor their effectiveness.
- Advise the employer on changes in the workplace that may affect H&S.
- Ensure accident investigations and inspections are performed as required.
- Participate in inspections, investigations and inquiries. Note it is not necessary for the whole committee to participate. The committee should develop its own procedures, for example, one worker and one management representative each time, where practicable.
- Meet regularly, at least once a month.
- Prepare reports / minutes of committee meetings and provide employers with copies.
- Carry out other duties prescribed by regulation.

Ask participants what they think some of the “other duties” prescribed by regulation are?

Elicit answers

Answer is on slide # 14.

Show Slide # 14

Review other committee duties specified in the OHSR

Other Duties

OH&S Regulation

➤ Section 3.8	Inspections
➤ Section 3.12(4)	Refusal of Unsafe Work
➤ Section 4.21(5)	Working Alone or in Isolation

Responsibilities for Occupational Health & Safety # 14

3.8 Participate in regular inspections and special inspections resulting from malfunction or an accident.

3.12(4) Assist in the investigation of a refusal to carry out unsafe work when the issue cannot be resolved by the employer / supervisor.

4.21(5) Assist in developing the procedure used to check on the well being of people working alone or in isolation.

Remind the participants that Section 130 of the Act covers the duties of a Joint H&S Committee and it is in Appendix 12 in their Workbook. Let the participants know that the OH&S Regulation is available on the web free of charge. www.worksafebc.com – The OHS Regulation is under Quick Links on the left hand side of the Home Page.

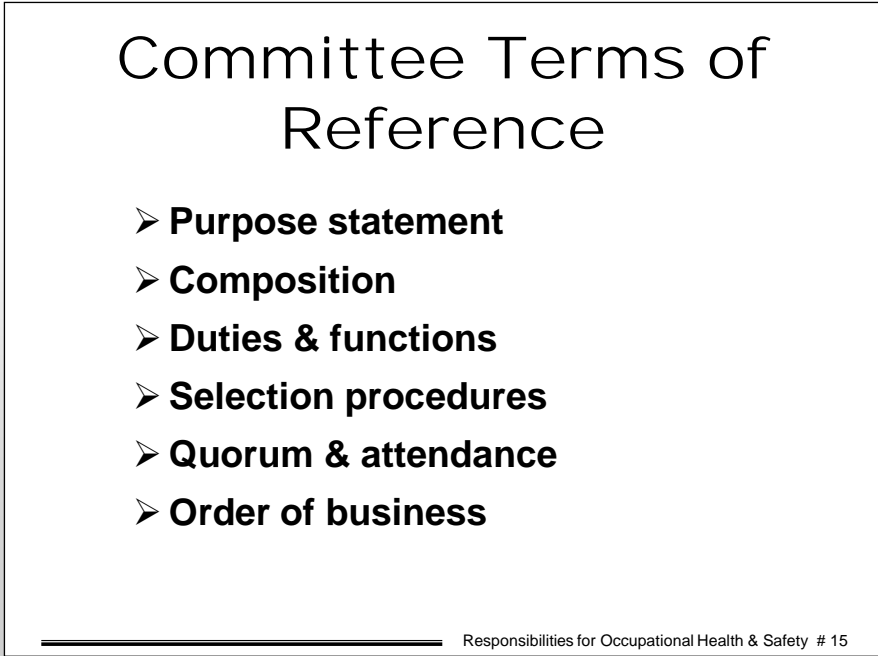
Terms of Reference

Ask, what are some of the things that need to be considered when setting up a joint committee (i.e., the committee's terms of reference)?

Elicit answers.

Show Slide # 15

Review each point on slide #15 & #16 in detail and elaborate for clarity.



Committee Terms of Reference

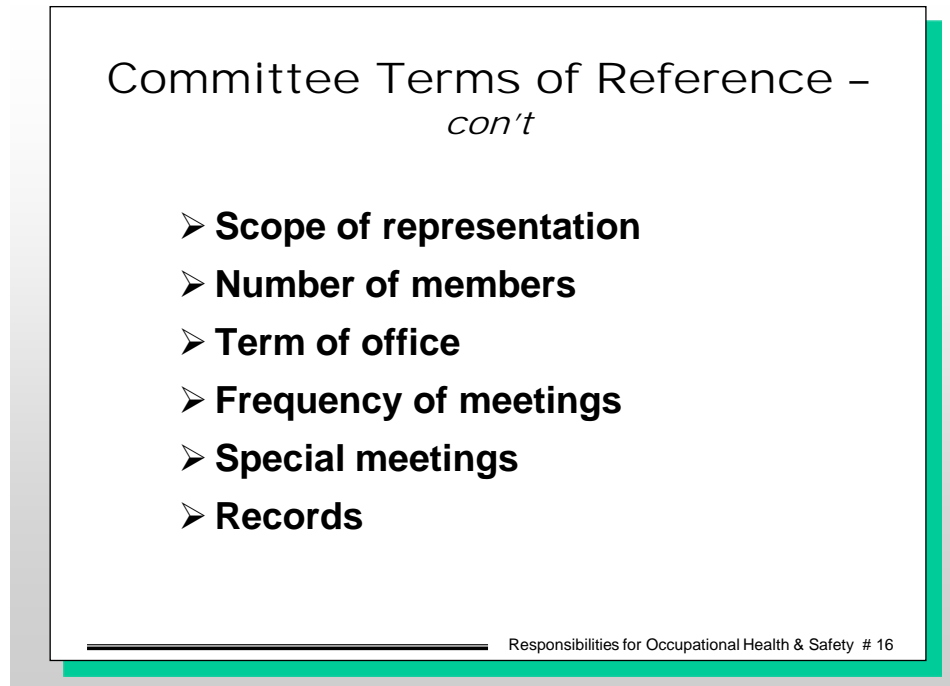
- Purpose statement
- Composition
- Duties & functions
- Selection procedures
- Quorum & attendance
- Order of business

Responsibilities for Occupational Health & Safety # 15

Explain that these are terms of reference that should be described in the company's OH&S program and communicated to all committee members so they can correctly carry out their duties.

Terms of Reference continued

Show Slide # 16



Committee Terms of Reference –
con't

- **Scope of representation**
- **Number of members**
- **Term of office**
- **Frequency of meetings**
- **Special meetings**
- **Records**

Responsibilities for Occupational Health & Safety # 16

Ask participants to turn to page 12 of the Workbook. Point out that there is also a Sample Employer Checklist: How to Set-up a Joint Health and Safety Committee in the Appendix. If there is time in the session the participants can flip to Appendix 1 of their workbook.

Ask participants to turn to page 13 and Appendix 2 for an example of the Committee Terms of Reference

Activities of the Committee

Ask participants to turn to page 15 of their workbook

Show Slide # 17

Elaborate on each point on slide # 17 - give relevant examples that participants will relate to.

Activities of the Committee

Important tasks members do outside the regular meetings:

- **Make sure work areas are inspected for H&S hazards**
- **Make sure accidents/incidents are reported & investigated**
- **Investigate complaints or refusals to work due to real or perceived hazards**

Responsibilities for Occupational Health & Safety # 17

Jurisdiction

Show Slide # 18

Jurisdiction			
Employer Representative 1	Employer Representative 2	Worker Representative 1	Worker Representative 2
Jane Ko	Gary Smith	Karminder Singh	Rhonda Markovich
Purchasing Department	Parking Lot	Reception Area	Warehouse
Shipping/Receiving Department	Executive Offices	Works Yard	Security Department

Responsibilities for Occupational Health & Safety # 18

Exercise # 4

Divide the participants into small groups to answer the question on page 16 of their workbook.

Each of the members of the group can be one of the representatives on slide #18.

Ask participants who they think should be on the inspection team, the accident investigation team, and who should investigate complaints due to perceived hazards etc.?

Have each group print their answers on their flip chart. After each group has completed their flip chart list, ask each group to pick a spokesperson and present their findings to the other groups.

Refusal of Unsafe Work

Show Slide # 19

Refusal of Unsafe Work

OH&S Regulation: Section 3.12

- **Right to refuse work when a person has reasonable cause to believe that doing the work would create an undue hazard to the health and safety of any person**

Responsibilities for Occupational Health & Safety # 19

Explain that under section 3.12 of the OH&S Regulation, employees have the right to refuse hazardous work. This requirement is based on the worker's perception of the hazardous situation.

Emphasize: “Reasonable cause to believe” means that the refusal must be fair and proper under the circumstances.

Definition - “undue hazard” means – a hazard that is unwarranted; excessive; inappropriate; unjustifiable; improper; unreasonable; and/or unnecessary.

Ask, what work activities might be considered an undue hazard?

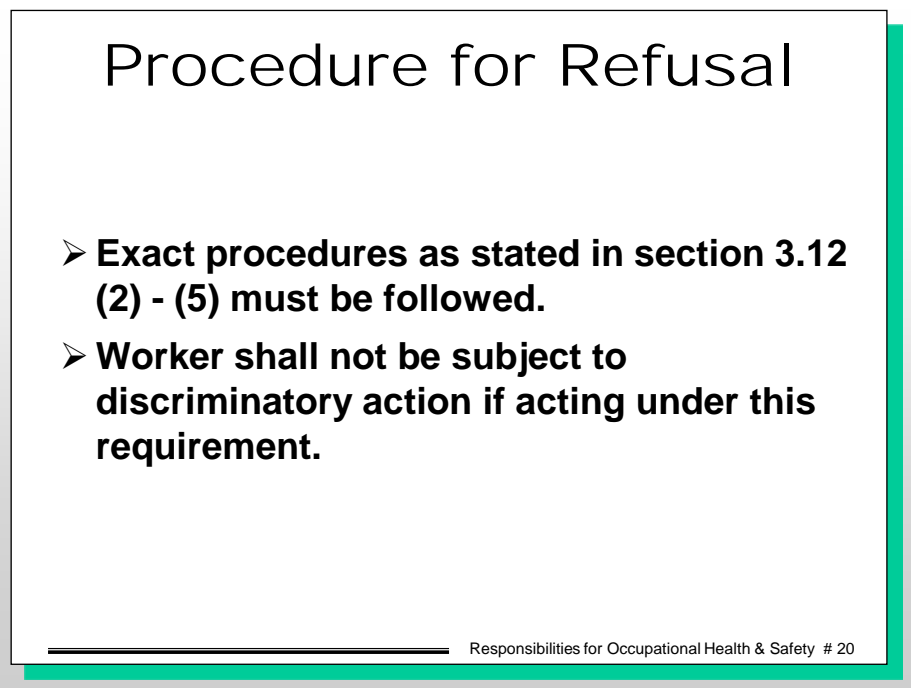
Examples of answers:

- Climbing on broken ladders
- Using malfunctioning equipment (e.g. faulty brakes on forklift)
- Being exposed to hazardous substances (e.g. asbestos)
- Working too close to power lines
- Lifting very heavy items

Show Slide # 20

Explain:

Refusal to work does not mean walking off the job. There are exact procedures to follow.



Procedure for Refusal

- **Exact procedures as stated in section 3.12 (2) - (5) must be followed.**
- **Worker shall not be subject to discriminatory action if acting under this requirement.**

Responsibilities for Occupational Health & Safety # 20

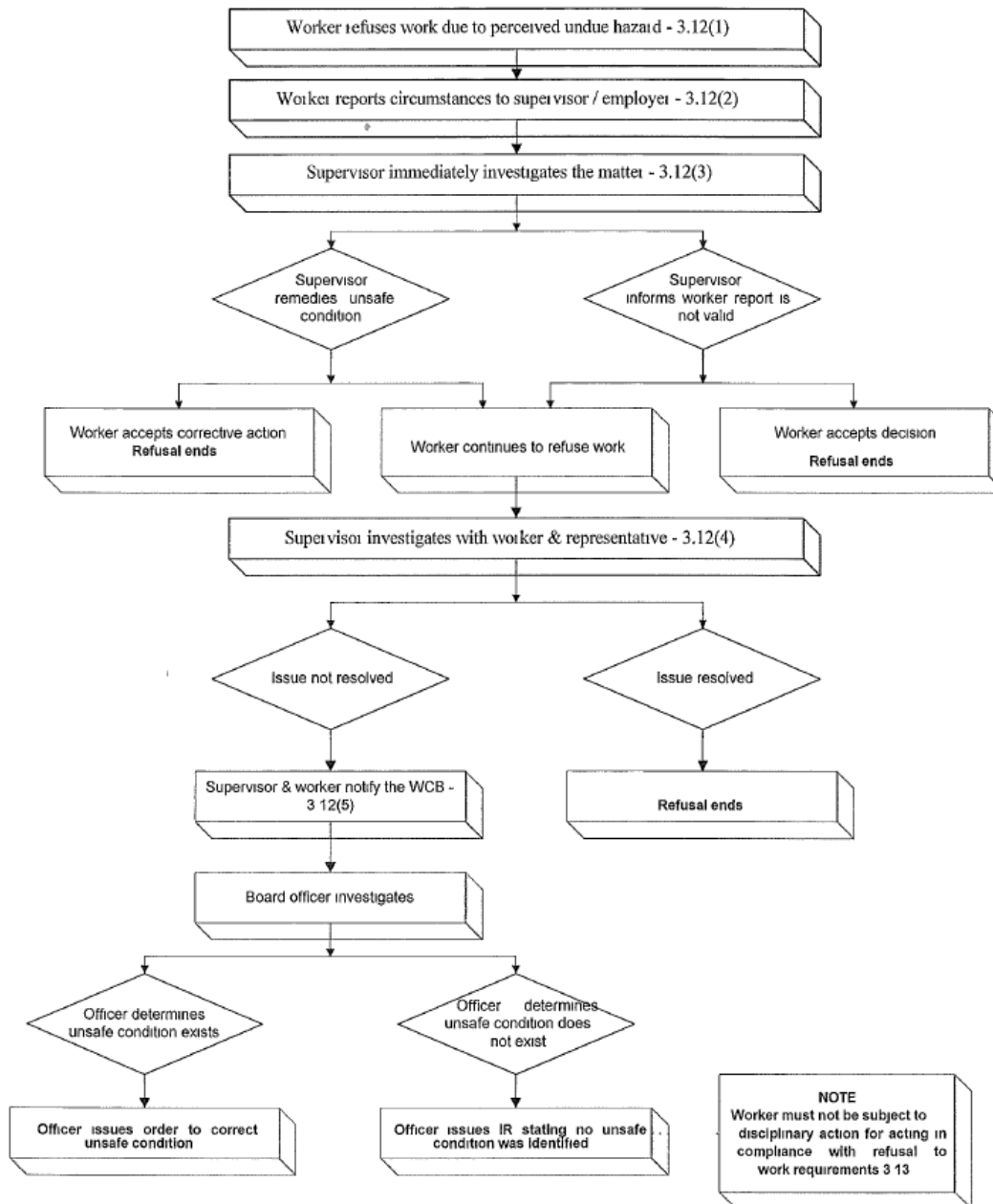
Ask participants to turn to the flow chart in Appendix 14 of their workbook

Process for Refusal of Unsafe Work

Explain:

Using the workbook, outline the step by step procedure to follow if a worker refuses to work due to a perceived hazard.

OH&S Regulation - Section 3.12 & 3.13



The Procedure:

- The worker must report the circumstances of the unsafe condition to the supervisor or employer.
- The supervisor or employer must immediately investigate the matter and either (a) remedy the situation or, (b) if the report is not valid, notify the worker.
- If the worker is not satisfied with the response, the supervisor or employer must investigate the matter in the presence of the worker and of a worker member of the joint H&S Committee or the worker's union representative (or another available worker if committee member or union rep is unavailable).
- If the worker still feels the problem has not been remedied, the supervisor or employer and the worker must immediately notify an officer of the Board who must investigate without undue delay.

Note:

A Board Officer will not investigate unless the steps outlined in 3.12 have been followed.

Section 3.13 states that no worker shall be subject to discriminatory action because they have acted in compliance with section 3.12.

Protection from health and safety discrimination will be discussed in detail in the next section.

Sometimes a workplace situation exists that does not require an employee to refuse to carry out unsafe work, but nevertheless needs attention.

- It is recommended that workers discuss their concerns with their supervisor, employer, union and/or joint H&S committee or worker representative so that the employer is allowed the opportunity to address the concern.
- If the situation cannot be resolved, a worker can place a call to WorkSafeBC and a Board Officer will investigate. The person making the call may remain anonymous or may disclose his / her identity and ask that it not be disclosed. In the latter case, the Board Officer will be discreet and will not divulge any information regarding the anonymous call to anyone in the workplace. The Board Officer's site visit will be treated as a regular spot inspection.
- Spouses or friends who are concerned about the worker's health and safety on the job may also make anonymous calls.
- Calls about refusal of unsafe work and anonymous calls can be made to WorkSafeBC at the following numbers.

During business hours (604) 276 3100

Out-of-town 1 888 661 SAFE (7233)

Protection from H& S Discrimination

Workers are protected from discrimination when they exercise their right or perform duties to comply with the Act or regulation or applicable orders, including:

- Refusal to perform dangerous work
- Reporting unsafe work conditions
- Testify on issues related to OH&S
- Given information (example in an interview situation) regarding conditions affecting the OH&S of a worker

Explain:

Division 6 of the *Workers Compensation Act* contains provisions that clearly define actions that are considered health and safety discrimination.

Division 6 also identifies when workers are protected from such discrimination.

Show Slide # 21

Protection from H&S Discrimination

- Workers exercising their rights under the Act are protected from discriminatory action.
- Workers can make discriminatory complaints to the WCB.
- The WCB has the power to inquire, order discrimination be stopped, and order remedy be made to worker.

Responsibilities for Occupational Health & Safety # 21

Discrimination action includes:

- Suspension, lay-off or dismissal
- Demotion or loss of opportunity for promotion: Transfer of duties, change of location, etc.
- Coercion or intimidation: Imposition of any discipline or penalty

A remedy made to a worker having been discriminated against could include:

- Reinstatement of the worker (if dismissed)
- Payment of wages and expenses
- Removal of the incident from the employee's record

Ask participants to turn to Appendix 13 of their Workbook

Review Division 6 – Prohibition Against Discriminatory Action.

Allow a few minutes for participants to review Division 6, ask if there are any questions – offer feedback as appropriate.

Records and Statistics

Ask participants to turn to page 25 of their workbook.

The OHS Regulation requires employers to maintain certain records, statistics and reports meaningful to an effective H&S program and to make them available to JH&S Committees, workers, and WorkSafeBC.

Show Slide # 22

Records and Statistics

- **Statistics analyze records in a meaningful way**
 - ↳ **Total no. of incidents/injuries for a given period of time**
 - ↳ **Average cost per injury**
 - ↳ **Total and average no. of days lost per claim**
 - ↳ **How often and how severe injuries/illnesses**

Responsibilities for Occupational Health & Safety # 22

Records are a written statement or document (e.g., record of first aid rendered, accident/incident investigation report). Records are the source of data for generating statistics.

Record Keeping

Ask participants to turn to page 26 of their workbook.

Good record keeping is an essential component of successful health and safety programs for the prevention of occupational injury and disease. Keep in mind that for occupational health and safety information to be useful, it must be reliable and accurate.

One cannot make good decisions based on poor data. Each piece of information in a record must be accurate. Forms (e.g., inspection reports, incident investigation reports) must be user-friendly and designed or modified to collect meaningful information. The people completing the forms (e.g., inspectors, incident investigators) need education and training to complete the forms properly.

Ask: What records must be kept?

Show Slide # 23

What Records Must be Kept?

- **First aid records**
- **Incident investigation records**
- **The Employer's Report of Injury or Occupational Disease**
- **Others:**
 - **Workplace inspections**
 - **Education & training**
 - **Exposure monitoring**
 - **Risk assessments**
 - **Hearing tests etc**

Responsibilities for Occupational Health & Safety # 23

All employers are required to maintain specific information about work related injuries and illnesses. This type of information typically comes from 3 main sources:

- First aid records
- Incident investigation records
- The Employer's Report of Injury or Occupational Disease

Review the other types of records that should be kept:

What Types of Injury/Illness Statistics Are Most Useful?

Ask participants to turn to page 27 of their workbook.

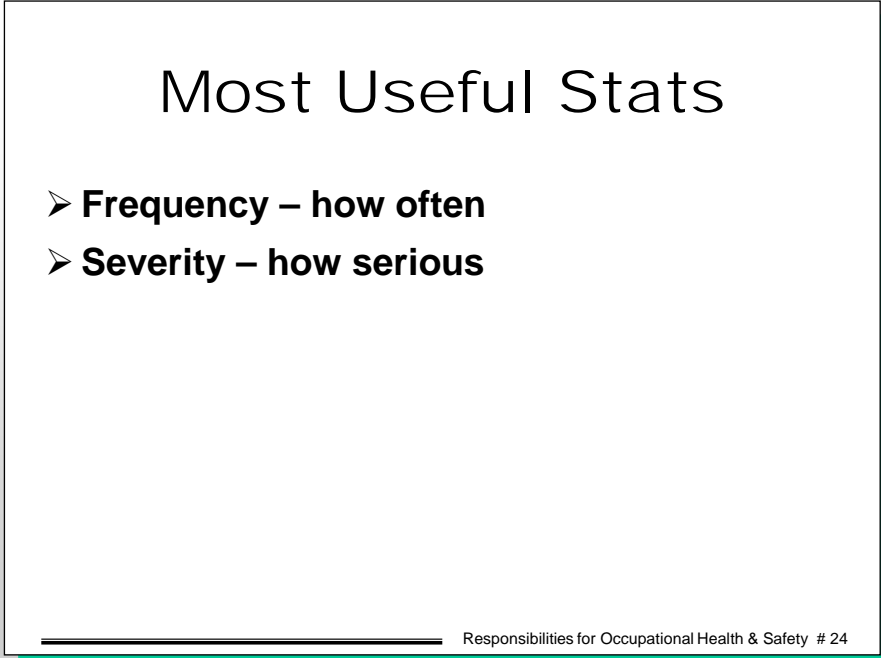
Determining what injury/illness statistics are most useful depends on what information you need to know. Statistics often include determination of injury or illness frequency and severity.

NOTE: This slide has been designed with mouse control to bring each bullet on to the slide.

Show Slide # 24

Provide examples of each point.

- **Frequency** gives information on how *often* injury or illness happens.
- **Severity** gives information on how *serious* an injury or illness is.



The slide is titled "Most Useful Stats" and lists two key statistics: Frequency (how often) and Severity (how serious). It includes a footer with the text "Responsibilities for Occupational Health & Safety # 24".

Most Useful Stats

- **Frequency** – how often
- **Severity** – how serious

Responsibilities for Occupational Health & Safety # 24

Explain why statistics are important and specifically why frequency and severity are most useful. Provide relevant examples of each for clarity.

WorkSafeBC Injury/Disease Reports

Ask participants to turn to page 28 of their workbook.

Show Slide # 25

Statistics that are Useful to Measure	
Dangerous Occurrence Or near miss incident	Near miss; no worker involved (e.g. structural collapse, toxic substance release)
Report only (First Aid)	Cases reported to first aid attendant, no time loss, no medical attention sought
Health care only	Person received medical attention, no time loss (WorkSafeBC claim)
Short term disability (STD)	Time loss from work-WorkSafeBC claim (worker sought medical attention and missed time from work)
Fatal	Death occurred

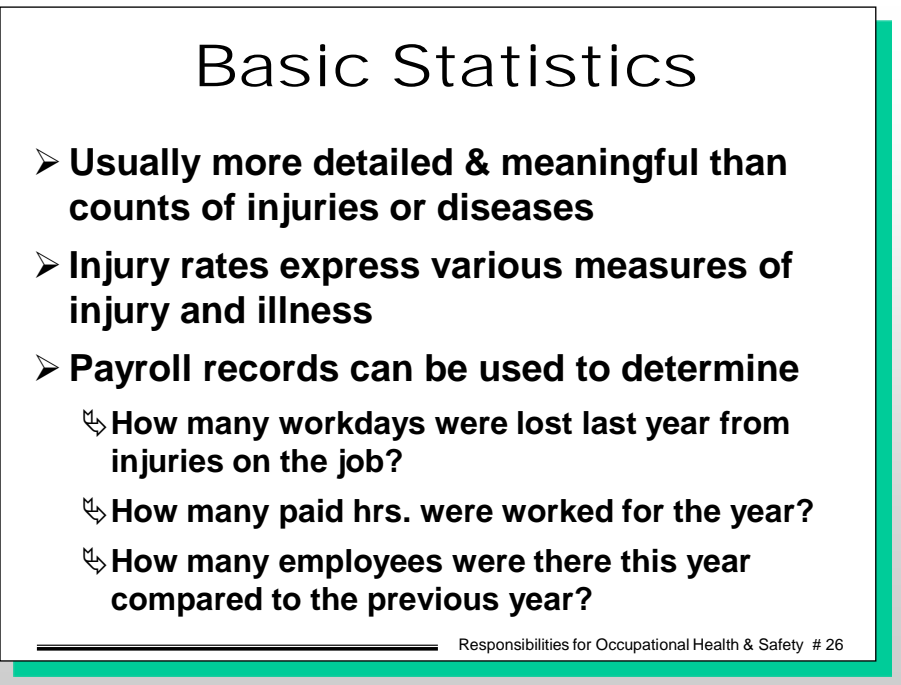
Responsibilities for Occupational Health & Safety # 25

By using customized statistics for their workplace, JH&S Committees can then target efforts where they are most needed and improve their company's OH&S program. Statistics that are useful to measure (both monthly and yearly counts) can be found from the following types of records:

Basic Statistics

Ask participants to turn to page 30 of their workbook.

Show Slide # 26



Basic Statistics

- **Usually more detailed & meaningful than counts of injuries or diseases**
- **Injury rates express various measures of injury and illness**
- **Payroll records can be used to determine**
 - ↪ **How many workdays were lost last year from injuries on the job?**
 - ↪ **How many paid hrs. were worked for the year?**
 - ↪ **How many employees were there this year compared to the previous year?**

Responsibilities for Occupational Health & Safety # 26

Rates usually give more detailed and meaningful information than counts by showing the level or extent of injuries or diseases. Injury rates express various measures of injury and illness in terms of a constant such as exposure time (e.g., employee hours worked).

Payroll records may provide additional information that can be used to determine:

- How many workdays were lost last year from injuries on the job?
- How many paid hours were worked for the year?
- How many employees were there during the current year compared to the previous year?

Discuss basic statistics example on the bottom of page 30.

Calculating Rates

Ask participants to turn to page 31 of their workbook.

Show Slide # 27

Review and Explain Examples A and B using material on page 31 and 32 of the workbook then discuss the injury rate calculation example on the bottom of page 33.

The slide is titled "Calculating Rates" and contains two examples of rate calculations. Example A shows the formula for Incidence Rate:
$$\text{Incidence Rate} = \frac{\text{Annual total number of work injuries}}{\text{Number of employees}}$$
 Example B shows the formula for Injury Rate:
$$\text{Injury Rate} = \frac{\text{Number of STDs X 100}}{\text{Number of FTEs}}$$
 At the bottom of the slide, there is a footer: "Responsibilities for Occupational Health & Safety # 27"

Note:

Facilitators need to review and understand “How Records and Statistics Help” on page 35 of the Workbook before reviewing the material with the participants.

Calculating Rates continued

Show Slide # 28

Review and Explain Example C on slide # 28 then discuss the injury rate calculation example on the bottom of page 34.

Calculating Rates - cont.

Example C
 These frequency and severity rate calculations are commonly used in the United States and Canada

Frequency Rate =	$\frac{\text{Number of Time Loss Injuries X 200,000}}{\text{Person-hours worked}}$
Severity Rate =	$\frac{\text{Days Lost X 200,000}}{\text{Person-hours worked}}$

Note. 200,000 = 100 person plant X 40 hours (work week) X 50 weeks per year

Responsibilities for Occupational Health & Safety # 28

Many trade associations, government bodies and safety associations put out general stats for specific industries.

A company for example, may compare themselves to others in their industry to assess if they are above or below the average for their industry.

Committee Recommendations

Remember that under OHS Regulation sections 3.9 to 3.11, unsafe or harmful conditions found during a workplace inspection must be fixed without delay. Also, anytime an employee sees an unsafe or harmful condition or act, it must be reported as soon as possible to a supervisor or to the employer. The supervisor or employer must investigate and make sure that any corrective action is taken without delay.

JH&S Committee members discuss unresolved issues at their meetings. Issues might also include injury / illness problem areas identified by review of records and statistics. The committee can decide if any action should be taken. If committee members agree on the action to be taken, they must decide between two options.

Ask participants to turn to page 36 of their workbook.

Show Slide # 29

This slide has been designed with mouse control to bring each bullet on to the slide.

Elaborate and provide relevant examples for each option.

Committee Recommendation

- **Option 1 – Deal with the Issue Immediately**
- **Option 2 – Create a Recommendation**

Show Slide # 30

Ask participants to turn to page 37 of their workbook.

Review “Writing Effective Recommendations” and highlight the recommendations (below) on page 38 of their workbook.

Formal Recommendation

- **Policy, directive or procedure creation or revision.**
- **Changes to equipment, office layouts or product purchasing**
- **Training or orientation**
- **Commitment and follow-up to issues**
- **Matters which require review and/or agreement**

Responsibilities for Occupational Health & Safety # 30

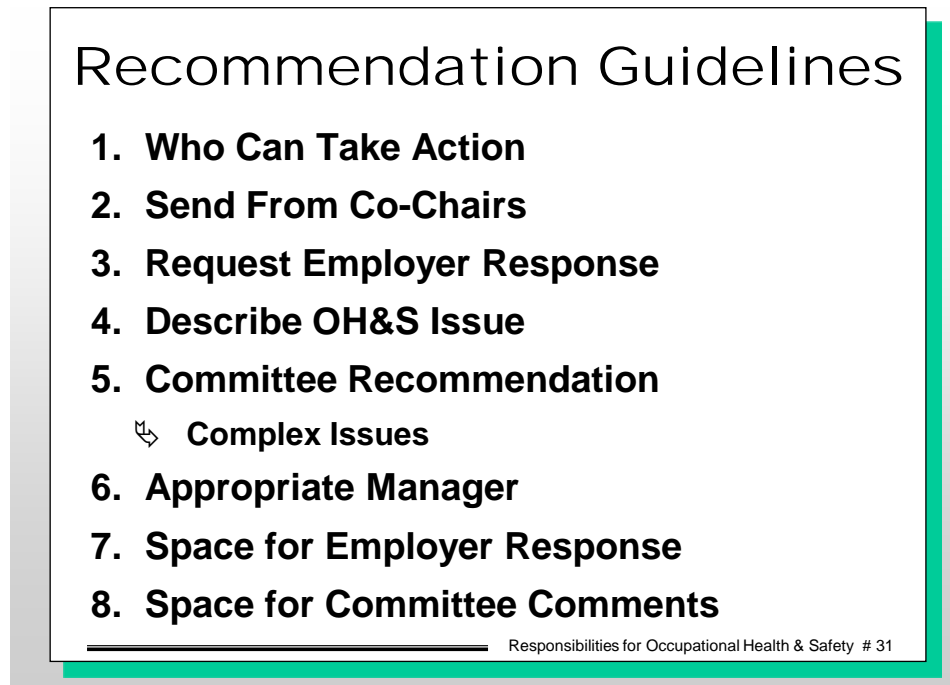
Recommendations should be:

- Directly related to health and safety in the workplace
- Doable (reasonably capable of being done)
- Complete (employer should not need any more information to make a decision)

Show Slide # 31

Ask participants to turn to the sample on page 39.

Elaborate on the points on slide # 31 using pages 40 to 42 of the workbook



The slide is titled "Recommendation Guidelines" and contains a numbered list of eight items. The text is black on a white background with a green border on the right and bottom. At the bottom right, there is a small footer: "Responsibilities for Occupational Health & Safety # 31".

1. Who Can Take Action
2. Send From Co-Chairs
3. Request Employer Response
4. Describe OH&S Issue
5. Committee Recommendation
 - ↳ Complex Issues
6. Appropriate Manager
7. Space for Employer Response
8. Space for Committee Comments

Responsibilities for Occupational Health & Safety # 31

Review “Developing a Recommendation” and “Responding to a Recommendation” flow charts on pages 47 and 48 of the workbook.

After reviewing the 2 flow charts on pages 47 and 48, direct the participants to the samples on pages 43-46 of the workbook.

Review the completed samples with the participants and note whether they include all of the information needed (refer participants to the recommendation guidelines on pages 40 to 42 and/or the 2 flowcharts if needed).

Practical exercise: Have participants practice developing basic and complex recommendations. There are blank sample recommendation forms in appendix 11 of the workbook. You will need to photocopy a few blank forms for each participant. You may prefer to develop a form that is specific to an industry or the participants.

Committee Education Leave

Refer participants to page 49 of their Workbook and to Policy Item D4-135-1 in Appendix 15.

Annual Educational Leave

The annual education plan for each committee member will depend on the education needs identified. New committee members might receive training in the general operation of the committee and an introduction to member's duties and functions (e.g., a basic or introductory "Joint Health and Safety Committee" foundation course or equivalent).

Members who already have this basic knowledge might take more advanced training in areas such as workplace inspections, accident investigations, hazard awareness or risk assessment.

A sample Educational Leave Worksheet is provided to show you one way an employer can identify members' health and safety education needs.

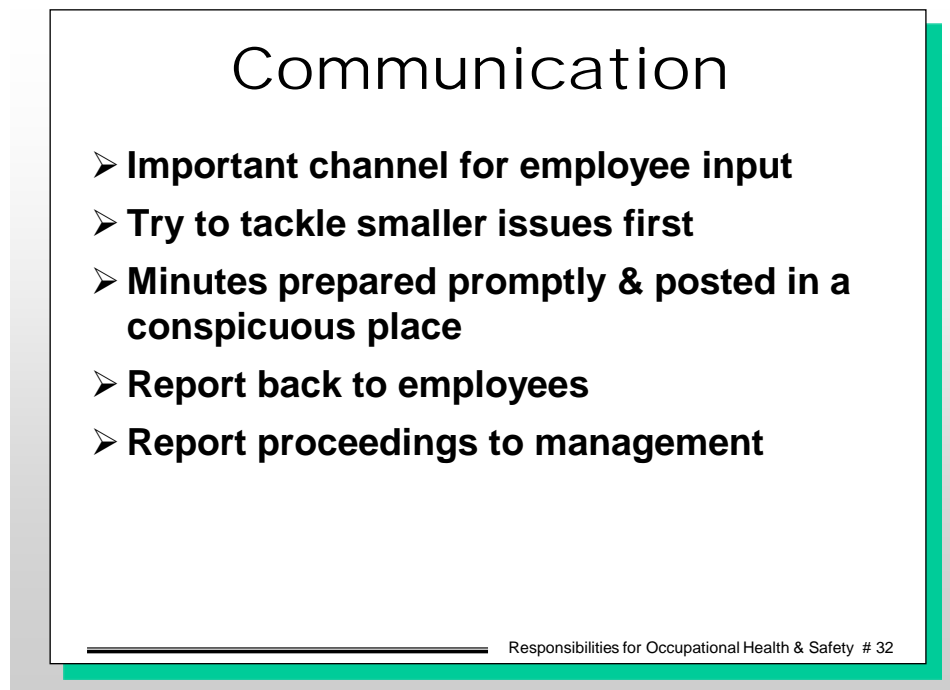
This is only one approach. Employers can use any method or format that works for their workplace.

Review and work through the sample Educational Leave Worksheets on pages 51 and 52 of the workbook.

Reaching Objectives

Once a Joint H&S Committee is established and functioning, the committee's ability to achieve its objectives depends on its ability to communicate and its effectiveness will depend on the employer's support and the cooperation of the committee members.

Show Slide # 32



The slide is titled "Communication" and lists five key points for effective communication. It is framed with a light blue border and a dark blue header. At the bottom right, it includes the text "Responsibilities for Occupational Health & Safety # 32".

Communication

- Important channel for employee input
- Try to tackle smaller issues first
- Minutes prepared promptly & posted in a conspicuous place
- Report back to employees
- Report proceedings to management

Responsibilities for Occupational Health & Safety # 32

Review the communication avenues checklist on page 54 of the workbook. Provide examples of the appropriateness of each avenue.

Complete the exercise on page 55 – Allow 5 to 10 minutes for this.

Get participants to think about the question on page 55 including the “why” aspect of the question. Encourage the participants to write down their answers in their workbook and to review their answers throughout the coming year.

Discuss some of the improvements suggested by the participants.

An Effective Committee

Show Slide # 33 and # 34.

Review the information on pages 56 and 57. Provide relevant examples and clarify each point as appropriate.

An Effective Committee

- Action should be taken promptly and results posted throughout the place of employment
- Important that members do not attempt to bypass normal employer channels of supervision or control
- Should establish procedures for self-monitoring

Responsibilities for Occupational Health & Safety # 33

Employer's Role

- Fewer incidents, accidents and injuries – can directly affect a company's profits
- Employees will be more productive and safe
- Assessment costs can be reduced

Responsibilities for Occupational Health & Safety # 34

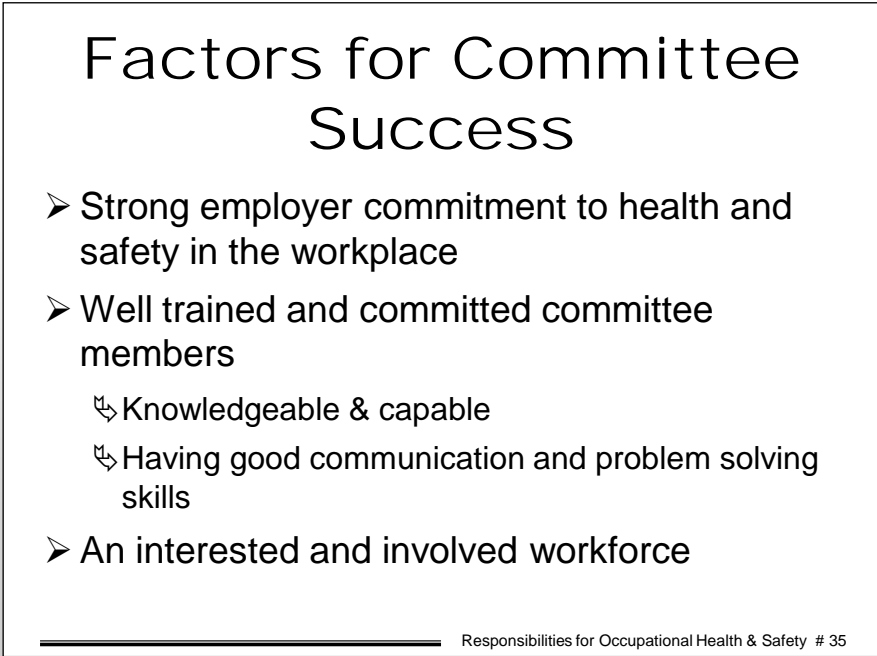
Review and Summary

Review major topics discussed in the session:

- People having legal responsibilities - who are they and what are their responsibilities?
- What are the main responsibilities of the joint H&S Committee or worker rep?
- How does the committee or worker rep contribute to a safer / healthier workplace?
- What are workers' rights / responsibilities of refusal of unsafe work?
- What are workers' rights to protection against H&S discrimination?
- How does WorkSafeBC help employers and workers to comply with regulatory standards and improve workplace health and safety?
- Others?

Show Slide #35

Elaborate on the key ingredients for joint committee success as listed on the slide.



Factors for Committee Success

- Strong employer commitment to health and safety in the workplace
- Well trained and committed committee members
 - ↳ Knowledgeable & capable
 - ↳ Having good communication and problem solving skills
- An interested and involved workforce

Responsibilities for Occupational Health & Safety # 35

Ask if participants have any questions. Address concerns if any.

Summarize

- People in the workplace today have many more legal OH&S responsibilities than in the past.
- Everyone needs to know and accept their moral and legal responsibilities.
- If we all do our share and fulfill our responsibilities, we will have fewer workplace accidents, injuries and diseases.

Note: if you wish you can bring up the objectives slide again as a review or to check if all the objectives were met.

Show Slide # 36

Responsibilities for
Health and Safety

**“I wondered why somebody didn’t
do something. Then I realized I was
that somebody”**

Responsibilities for Occupational Health & Safety # 36

Appendix

- **Joint Occupational Health & Safety Committee
Foundation Workbook**
- **Module – Responsibilities for OH&S – Facilitator
Guide Slides**

DISCLAIMER

This instructional guide has been developed by Certification Services, Worker & Employer Services division of WorkSafeBC.

The material is designed for use by Joint Health and Safety Committees. WorkSafeBC is not responsible for the results or interpretations when the material is presented through other sources.

If there is any conflict between information in this material and the current *Workers Compensation Act, Occupational Health and Safety Regulation* and related policies, the Act, the Regulation and policies shall take precedence.

Developed by Certification Services,
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Joint Occupational Health & Safety Committee

Foundation Workbook



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For more information contact the WorkSafeBC Information Line at
604-276-3100 or toll free at **1-888-621-7233**

Guidelines

This workbook looks at concepts and methods to develop and maintain an effective Joint Occupational Health and Safety Committee (Joint Health and Safety Committee or Joint H & S Committee) at your workplace.

Various sample forms, checklists and other documents are included.

It is important to remember that these samples are only one approach. Employers and Joint Health and Safety Committees can use any method or format that works for their workplace.

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Introduction

The *Workers Compensation Act* requires employers to establish a Joint Health And Safety Committee in any workplace that regularly employs 20 or more workers (full and part time). The WorkSafeBC (formally known as The Workers' Compensation Board of BC) may also require other workplaces to establish a health and safety committee.

This workbook examines the occupational health and safety committee, its role, selection of members, activities, conduct of meetings, writing recommendations, planning educational leave, and reaching committee objectives.

Many workplaces in British Columbia find that joint worker/employer safety and health committees are an excellent means of consultation within the organization. These committees can help identify workplace health and safety responsibilities, establish positive attitudes, and assist the employer with reducing/eliminating workplace injuries or diseases.

Note that worker health and safety representatives are required in any workplace that regularly employs more than 9 but fewer than 20 workers (full and part time). Worker health and safety representatives have the same duties and functions as a Joint Health and Safety Committee.

Role of the Committee

A Joint Health and Safety Committee is a committee made up of worker and employer representatives working together to identify and resolve health and safety problems in the workplace.

To be successful, the committee must operate in an atmosphere of cooperation and be effective in promoting and monitoring a sound occupational health and safety program.

While the employer is ultimately responsible for the overall safety program, the committee is responsible for identifying and recommending solutions to problems. The individual worker has a responsibility to report problems to the supervisor or employer. However, if the problem is not corrected, a committee member should be contacted.

The Committee's role in the workplace includes:

- to promote safe work practices
- to assist in creating a safe and healthy workplace
- to recommend actions which will improve the effectiveness of the occupational health and safety program and
- to promote compliance with WorkSafeBC OH&S Regulation.

Organizing the Committee

The structure of a Joint Health and Safety Committee is outlined in the WorkSafeBC OH&S Regulation. Members should be selected according to the needs of the organization. All workers in the operation need to be represented. Committee policy should address

- term of office for members
- how alternates are designated
- what constitutes a quorum (the fixed minimum number of members that must be present to make a meeting valid)

Where should the committee representation come from?

- (a) There should be no fewer than four regular members, employed at the operation and experienced in the types of work carried on at the operation.
- (b) Membership should be chosen by and represent the workers and the employer. At least half the members must be worker representatives.

Committee Size

Factors to consider when deciding on committee size include

- degree of hazard in the workplace
- number of employees
- number of departments
- number of places of employment
- number of unions or worker groups
- need to represent different shifts

The committee needs to be able to handle the needs of the organization and diversity of the work.

Selection of Members

The role of the Committee is consultative. Duties are to review and recommend. It is important that members work in a cooperative manner to solve problems. People involved in union/management matters should leave any adversarial role behind if they become part of the health and safety committee.

Employer Representatives

Committee members can become frustrated and lose enthusiasm if the employer representatives do not have authority to follow up on most of the safety and health issues. The committee itself does not have the authority to act on its own recommendations. It is therefore vital that the employer representatives have sufficient authority to act upon many matters agreed upon at a meeting.

Who should represent management on your committee?

Worker Representatives

Worker representatives must be chosen by and represent the workers. This is sometimes done according to the constitution of the union representing the workers. Worker representatives should be chosen to effectively represent all workers on all shifts and departments; therefore, committee members should be chosen from different areas within the organization.

From what areas within your organization should worker representatives be chosen for your committee?

Use of Alternates

Alternate members should be selected to attend meetings or conduct committee business when regular members are not available. It is a good idea to have the alternate selected in advance.

Co-Chairs

The two co-chairs must have leadership quality and the confidence of the members. One co-chair should be selected by the worker representatives of the committee. Another co-chair should be selected by the employer representatives of the committee. The co-chairs' major responsibilities are

- to control meetings
- to maintain an unbiased viewpoint
- to review previous meeting reports and material
- prepare the agenda
- record the committee activities
- circulate and post the meeting reports
- send out meeting notices

It is desirable for the employer to provide typing and clerical services. It is also acceptable for the employer to provide a recording secretary who would not necessarily be considered a committee member.

Posting Committee Member Information

The employer must post the names and work locations of committee members.

Terms of Reference

Terms of reference should include the following

- name of health and safety committee
- constituency (scope of representation)
- a statement of committee purpose
- duties and functions
- records
- meetings (frequency, special meetings, quorum, new committee procedures)
- agendas and meeting report
- composition (number of members, selection procedures, alternates)
- co-chairs
- terms of office
- recommendations (guidelines)
- assistance in resolving disagreements
- amendments

Note Appendix 1: Sample Employer Checklist: How to Set Up a Joint Health and Safety Committee

Write the Terms of Reference for your Committee



Note Appendix 2: Example of Joint Health and Safety Committee Terms of Reference

Seasonal Operations

Many industries in British Columbia operate seasonally, presenting special problems for organizing the committee. There is usually a permanent core staff who could act as a nucleus of the committee. Often, seasonal workers who have worked for the organization on previous occasions will have the experience to act as members who can make a valuable contribution to the committee. Meetings during the off-season are not always practical, but administrative planning and maintenance should include considerations for health and safety. These factors can be planned for in regular committee meetings during the active season.

It may be advisable to designate one or two people as a “caretaker” to ensure program continuity from one season to another.

Activities of the Committee

Although the periodic meeting is a major event, it should not be the only time when members concern themselves with the program. Not all safety related problems can wait until the next meeting to be solved.

Outside the regular meeting, members should monitor ongoing health and safety procedures. Hazards can be identified and recommendations made to workers and employers that will eliminate hazards and improve conditions. Members are in a good position to promote cooperation throughout the operation.

Important tasks members do outside the regular meetings:

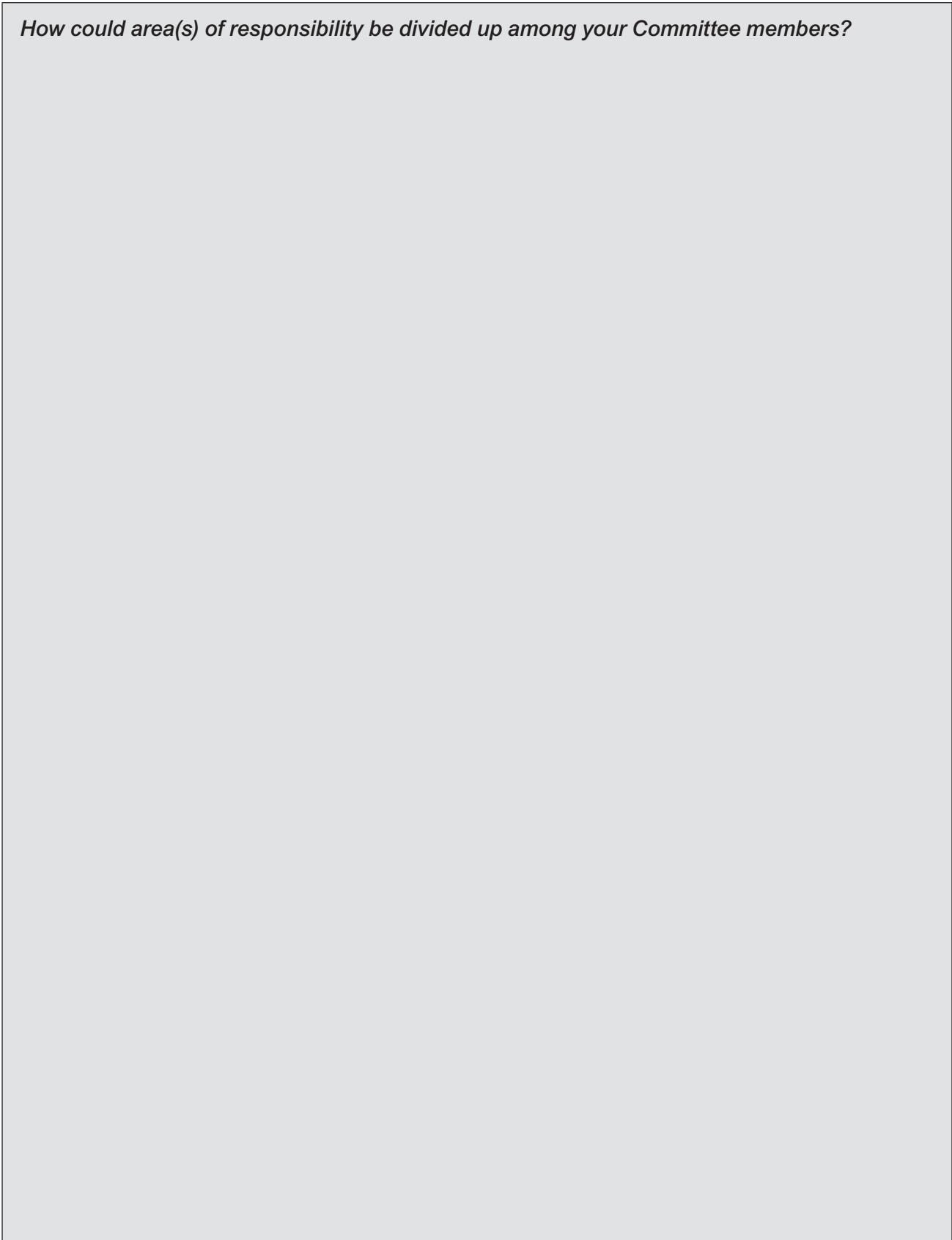
- Make sure work areas are inspected for health and safety hazards
- Make sure accidents/incidents are reported and investigated
- Investigate complaints or refusals to work due to real or perceived hazards

Jurisdiction

It may be helpful for each committee member to be responsible for specific areas, departments, divisions, etc. Members can then monitor their area(s) of responsibility to make sure health and safety activities are being carried out. A jurisdiction chart can easily show how area(s) of responsibility are divided up among committee members. For example:

Employer Representative 1	Employer Representative 2	Worker Representative 1	Worker Representative 2
Jane Ko	Gary Smith	Karminder Singh	Rhonda Markovich
Purchasing Department	Parking Lot	Reception Area	Warehouse
Shipping/Receiving Department	Executive Offices	Works Yard	Security Department

How could area(s) of responsibility be divided up among your Committee members?



Inspections

Under the WorkSafeBC OH&S Regulation, employers and workers have the right to have a representative accompany the Occupational Safety Officer during regular WorkSafeBC inspections. The worker representative should be selected from the Joint Health and Safety Committee. As well, committee members may be required to participate in inspections of their own workplace to identify hazards due to conditions or practices (OH&S Regulation 3.5-3.8).

Any deficiencies found during regular inspections by committee members should be reported immediately to the supervisor. If corrective action is not taken to the satisfaction of the committee, the item should be included on the agenda for consideration at the next meeting.

Inspections should be made far enough ahead of the meeting so that minor housekeeping items can be corrected in time and the committee can concern itself with more significant matters.

*When are your inspections held in relation to your committee meeting?
Should it be changed?*

For further information refer to WorkSafeBC workbook “Safety Inspections”.



Note Example Inspection Report in Appendix 4 (Example Committee Meeting Report)

Investigation of Accidents and Diseases

Definitions

An accident is an unplanned, unwanted event that disrupts the orderly flow of the work process. It involves the motion of people, objects or substances.

An incident includes an accident or other occurrence which resulted in or had the potential for causing an injury or occupational disease.

3. Accidents/Incidents to be Investigated

Certain incidents or accidents must be investigated. See WCA Part 3, Division 10, Section 173 and OH&S Regulation 3.4. It is useful for Joint Health and Safety Committees to confirm that all reportable incidents/accidents have been investigated as required. Unless causes of incidents/accidents are investigated and eliminated, they may well happen again.

4. Investigators' qualifications

Accident/incident investigations should be carried out by persons knowledgeable in the type of work involved. Where feasible, investigations must include the participation of one worker representative and one employer representative.

5. Intent of an investigation

An accident/incident investigation should, as far as possible, determine the cause or causes of the incident or accident, identify any unsafe conditions, acts or procedures which contributed in any manner to the incident and develop recommended corrective action to prevent similar incidents.

For further information refer to WorkSafeBC workbook *Investigation of Accidents and Incidents*.

 **Note** Example Accident/Incident Investigation Report in Appendix No. 4
(Example Committee Meeting Report)

Worker Complaints

Employees should be instructed that complaints concerning health and safety should be directed to their supervisor. However, if the situation is not handled to the worker's satisfaction, a committee member should be contacted. The member can work with the supervisor and the committee, if needed, to resolve the complaint. It is important to keep the worker informed of the disposition of the matter.

The safety and health committee must not be used as a grievance committee.

Refusal to Work

Under OH&S Regulation section 3.12, an employer must follow certain corrective steps in the event that a worker refuses to work if he/she considers the activity hazardous. The worker must first report the circumstances to his or her supervisor or employer.

The supervisor or employer investigates the matter and either corrects the unsafe condition or decides the report is not valid. If the worker continues to refuse to work, the employer or supervisor must investigate in the presence of a worker member of the Joint Health and Safety Committee.

The worker member has a responsibility to see that the rights of the workers are protected. The member can do this by making sure that the proper steps of an investigation are carried out. As a member of the committee, the responsibility is to work with the employer to develop a solution. If the matter cannot be resolved, it must be referred to an Occupational Safety Officer of WorkSafeBC. The Procedure for Refusal of Unsafe Work is on page 111 of this workbook.

The Meeting

The purpose of the meeting is to provide positive participation and cooperation by employer and worker representatives. Committee members work together to promote health and safety in the workplace.

Activities that generate items for consideration include inspections, investigations of accidents/incidents, workplace hazards, investigations of worker complaints, consultations with technical experts and review of the workplace's occupational health and safety program.

Members are entitled to time away from their regular job duties to attend and prepare for meetings.

Agenda

Agendas for meetings are prepared by the co-chairs. They are essential to the success of the meeting. Agendas make sure:

1. Members know the date, time and place of the meeting.
2. Every item the committee considers will receive attention.
3. Business will not be sidetracked.
4. Members will have the opportunity to study the items before the meeting.

Meetings will be productive if they are seen as problem solving sessions that use the best knowledge and experience available.

Develop an agenda for your meetings

Note Appendix No. 3: Example of Joint Health and Safety Committee Agenda

Conducting the Meeting

Each item on the agenda should receive attention during the meeting. Some items can be referred to a subcommittee for further study. If this happens, it should be recorded in the meeting report.

When reviewing inspection reports and first aid/incident report statistics, committee members should try to read beyond report statistics. If committee members look at the ‘big picture’, they may identify trends or other areas requiring further investigation. For example, first aid records can be used to:

- Show patterns in minor events before they become serious (e.g. gradual onset of signs and symptoms indicating unsafe exposure, or repeated injuries of the same type)
- Indicate possible widespread problems (e.g. are several workers reporting the same signs and symptoms of exposure?)
- Implement early intervention control measures before minor discomforts (e.g. wrist pain) become disabling time loss injuries (e.g. carpal tunnel syndrome).

When considering new business, remember that the committee should only be dealing with outstanding issues. These are issues or problems that have already been reported to the employer. If there is no follow-up or the follow-up is unsatisfactory, issues can be brought forward to the committee.

Health and safety committee meetings work best by reaching a consensus (e.g. majority of committee in agreement) to develop solutions. It is not necessary for meetings to follow strict parliamentary procedures. The co-chairs should try to arrive at a consensus to bring issues to a conclusion.

As each item is presented, a brief discussion should follow to confirm that all members understand the topic to be considered. Members can discuss if any action should be taken.

It is the responsibility of the co-chairs to keep the meeting moving by cutting off irrelevant discussion, completing the agenda and closing the meeting on a positive note. In the event of a dispute, it may be necessary to call for a break and use that time to mediate the problem. The meeting should always start on time, with members encouraged not to arrive late.

Meeting Reports

Meeting reports should be brief and factual. They provide a permanent record of proceedings, a historical record and inform the employer and workers of decisions and actions that have been recommended.

Throughout all meeting reports, assign a different number to each item. Numbering should be continuous from meeting to meeting. It saves time and confusion and assists in maintaining control. The meeting reports should indicate action required, who is responsible and deadlines. The meeting reports should be studied carefully by the co-chairs and the members to ensure they are correct.

Meeting reports must be provided to the employer. The employer must keep a copy of reports for at least 2 years from the date of the committee meeting, and make meeting reports readily accessible to the committee, workers of the employer and Occupational Safety Officers of WorkSafeBC. The employer must also post reports of the 3 most recent meetings so that the workers can be informed.

 **Note** Appendix No. 4: Example Meeting Report

Tips for a Smoothly Running Meeting

1. Create an agenda for members to go over before the meeting begins.
2. The co-chairs should keep the meeting moving by following the agenda and keeping the conversation relevant.
3. Set aside time at every meeting for education, which may include talks from suppliers or experts on certain equipment or procedures.
4. Keep accurate and clear minutes as they will provide a permanent record of the meeting and indicate what action will be taken and by whom.
5. Post meeting reports to inform all employees.
6. Forward recommendation(s) to appropriate manager(s).

Records and Statistics

The WorkSafeBC OH&S Regulation requires employers to maintain certain records, statistics and reports meaningful to an effective health and safety program and to make them available to Joint Health and Safety Committees, workers and WorkSafeBC.

Records are a written statement or document (e.g. record of first aid injury, accident/incident investigation report). Records are the source of data for generating statistics.

Statistics analyze records in a meaningful way. Statistics is a branch of mathematics dealing with the collection, analysis and interpretation of raw data (a large pile of numbers that have not been summarized into a more manageable and meaningful value). An example of raw data is a collection of accident/incident investigation reports. Although such reports contain valuable information, it is often necessary and more meaningful to summarize the data. For example:

- Total number of incidents/injuries for a given period of time
- Average cost per injury
- Total and average number of days lost per claim
- How often and how severe injuries/illnesses are

Records and statistics are important components of occupational health and safety programs for the prevention of injuries and illnesses. They help employers, managers, supervisors and Joint Health and Safety Committee members:

- identify the nature, extent and cause of health and safety hazards
- set prevention activities
- determine if control measures are working

Record Keeping

Good record keeping is an essential component of successful health and safety programs for the prevention of occupational injury and disease. Keep in mind that for occupational health and safety information to be useful, it must be reliable and accurate. One cannot make good decisions from poor data.

Each piece of information in a record must be accurate. Forms (e.g. inspection reports, accident/incident investigation reports) must be user-friendly and designed or modified to collect meaningful information. The people completing the forms (e.g. inspectors, accident/incident investigators) need education and training to complete the forms properly.

What Records Must be Kept?

All employers are required to maintain specific information about work related injuries and illnesses. This type of information typically comes from the 3 main sources listed below:

1. *First aid records* (of all injuries and manifestations of disease reported or treated)
2. *Incident investigation records* (including accidents that result in injury)
3. *The Employer's Report of Injury or Occupational Disease* (WorkSafeBC Form 7 – claim form)

The focus here is injury and illness data that is needed to generate work injury and illness statistics. Note that although injury and illness records are important, other important types of records must also be maintained (e.g. records of education and training, risk assessments, workplace inspections, exposure monitoring for harmful chemicals and noise, hearing tests, etc.).

What Types of Injury/Illness Statistics are Most Useful?

Determining what injury/illness statistics are most useful depends on what information you need to know. Statistics often include determination of injury or illness frequency and severity.

- **Frequency** gives information on how often injury or illness happens.
- **Severity** gives information on how serious an injury or illness is.

Keep in mind that some statistics are better than others but, in general:

- the more specific and current the statistics are, the more helpful they will be
- statistics that identify specific tasks, occupations, departments, agents (e.g. chemical), body part injured, contributory causes and hazards that account for the greatest frequency and/or severity of injury deserve priority attention.
- no single statistics report will give you everything you want to know about injury and illness. Various reports will be necessary (e.g. monthly summary report, annual summary report, etc.)

To get a reasonable picture of the injury/illness history and trends for your workplace, basic statistics in the form of counts and rates are needed.

Basic Statistics - Counts

Basic injury/illness statistics for your workplace can be generated using the forms and methods in this workbook combined with using your company's own records and statistics.

WorkSafeBC Injury/Disease Reports

By using customized statistics for their workplace, Joint Health and Safety Committees can then target efforts where they are most needed, and improve their company's occupational health and safety program.

Statistics that are useful to measure (both monthly and yearly counts) can be found from the following types of records:

Dangerous Occurrence Or near miss incident	Near miss; no worker involved (e.g. structural collapse, toxic substance release)
Reported only (First Aid)	Cases reported to first aid attendant, no time loss, no medical attention sought.
Health care only	Person received medical attention, no time loss (WorkSafeBC claim)
Short term disability(STD) Long term disability (LTD)	Time loss from work - WorkSafeBC claim (worker sought medical attention and missed time from work)
Fatal	Death occurred

In all cases, record as much information as possible. Worker occupation/trade, location, cause of accident or near miss, and body area of injury.

The basic statistics generated by your workplace can provide answers to important questions; for example:

- How many dangerous occurrences, reported only (first aid), health care only and short term disability incidents have there been for a particular month or year? How does this compare with the same period last year?
- How many short term disability injuries have there been?
- What is the most common accident type? Injury type? (e.g. What percentage of workers had 'struck by' type injuries last year?)
- What types of injuries occurred in different occupations? (e.g. How many welders had back strains last year?)
- What was the cost of STD claims for each month so far this year? (from monthly WorkSafeBC Claim Cost Statement)

Basic Statistics - Rates

Rates usually give more detailed and meaningful information than counts by showing the level or extent of injuries or diseases. Injury rates express various measures of injury and illness in terms of a constant such as exposure time (e.g. employee hours worked).

Payroll records may provide additional information that can be used to determine:

- How many workdays were lost last year from injuries on the job?
- How many paid hours were worked for the year?
- How many employees were there this year compared to the previous year?

The following example shows how injury rate information can be more meaningful than an injury count alone.

Suppose there were 9 lost time injuries in a nursing home in 2009 and 11 in 2010. If only counts of the number of injuries were considered, one might conclude that the risk of injury from working at the nursing home was on the rise. But if the nursing home had 100 employees in 2009 and 130 in 2010, the number of injuries per 100 workers actually decreased from 9 in 2009 to 8.5 in 2010. Statistically speaking, workers had a lower chance (risk) of injury in 2010 when compared in 2009. Thus, simple counts alone (like 9 injuries one year compared to 11 the next) may be an unreliable or misleading indicator of health and safety performance.

Calculating Rates

With good records (data), different kinds of injury rates can be calculated, measuring different aspects of workplace health and safety. Rates can be used to answer such questions as:

- How many STD injuries were there for every 100 full-time equivalent workers in the past year?
- What was the average number of days lost for each Time Loss injury?

There are various methods available to calculate injury/illness rates. A few examples are provided on the following pages.

Example A

$$\text{Incidence Rate} = \frac{\text{Annual total number of work injuries}}{\text{Number of employees}}$$

For example, suppose you wanted to know the incidence rate for time loss injuries/illness in your workplace for the previous year. Assume there were 34 employees and 10 time loss injuries/illnesses.

$$\text{Incidence Rate} = \frac{10}{34} = .29$$

In general, the lower the incidence rate, the lower the risk of injury on the job.

Example B

$$\text{Injury Rate} = \frac{\text{Number of STDs} \times 100}{\text{Number of FTEs}}$$

This calculation represents the number of short term disability claims per 100 person years of employment. One person-year of employment is the equivalent of 52 paid weeks of employment (one FTE or full time equivalent), whether worked by one person or several. The number of FTEs for a workplace is calculated using the following formula:

$$\text{Number of FTEs} = \frac{\text{Total number of paid hours for the year}}{\text{Paid hours/FTE/year}}$$

Note:

- (a) The formula is for an annual calculation and the figures must be adjusted accordingly if they cover a shorter period.
- (b) The formula provides no details of the number of full-time, part-time or casual workers.
- (c) The actual number of workers in a workplace is often greater than the number of FTEs (e.g. due to the number of part-time workers).

Injury Rate Calculation Example

If you wanted to determine the injury rate (number of STDs per 100 FTEs) for your workplace for the previous calendar year based on the formula noted above, the following information must be obtained from your records:

- Number of paid hours for the year (from payroll record)
- Number of paid hours per FTE (from payroll record)
- Number of STD claims for the year (from WorkSafeBC Claims Cost Summary)

Assume in this example there were:

- 234,000 paid hours per year
- 1872 paid hours per FTE per year
- 12 STD claims for the year.

The number of FTEs is determined as follows:

$$\text{Number of FTEs} = \frac{234,000 \text{ paid hours for the year}}{1872} = 125$$

Using the value of 125 FTEs and 12 STD claims, the injury rate is calculated as follows:

$$\text{Injury Rate} = \frac{12 \text{ STDs} \times 100}{125 \text{ FTEs}} = 9.6$$

An injury rate of 9.6 means that, on average, there were 9.6 Time Loss (STD) claims for every 100 full time equivalent workers (9.6 out of 100) in the previous calendar year.

The lower the injury rate, the lower the risk of injury on the job. Effective health and safety programs limit the risk of injury/disease which results in a lower injury rate.

Example C

These frequency and severity rate calculations are commonly used in the United States and Canada.

$$\text{Frequency Rate} = \frac{\text{Number of Time Loss Injuries} \times 200,000}{\text{Person-hours worked}}$$

$$\text{Severity Rate} = \frac{\text{Days Lost} \times 200,000}{\text{Person-hours worked}}$$

Note: 200,000 = 100 person plant X 40 hours (work week) X 50 weeks per year

For example, suppose you want to know the frequency and severity rate for the month of February 2012. Assume your company had 1 time loss injury, 2 days lost and there were 4700 person hours worked for that month.

$$\text{Frequency Rate} = \frac{1 \times 200,000}{4700} = 42.5$$

$$\text{Severity Rate} = \frac{2 \times 200,000}{4700} = 85.1$$

The lower the frequency rate, the lower the risk of injury on the job. The lower the severity rate, the lower the seriousness of injury when injury/illness occurs (e.g. fewer days lost for sprained wrist versus amputation of hand).

How Can Records And Statistics Help?

Records and statistics are very useful tools for Joint Health and Safety Committees. They can be used to:

- collect and analyze data on causes of injury and disease so that specific control measures can be taken
- identify specific work locations, departments, occupations and tasks (such as heavy lifting) where there is a high risk of injury and/or illness so prevention efforts can be directed in those areas
- provide employers, managers, health and safety representatives and Joint Health and Safety Committees with factual information needed to objectively evaluate health and safety programs
- measure the progress and effectiveness of accident and injury prevention efforts

Employers should ensure that the information in records and reports is periodically and clearly summarized (e.g. in monthly and annual reports). This information should then be used to improve the health and safety of workers.

Monthly Summary Reports should be prepared as soon as possible (e.g. within 30 days) after the end of each month, and as required information becomes available. The incident history for the previous month can then be analyzed and preventive action taken where necessary. A monthly summary of injury and illness cases typically provides monthly and cumulative (e.g. year to date) totals, and the data needed to calculate injury rates and trends.

Annual Summary Reports of work-related incidents showing the cumulative (grand) total for the previous year should be prepared as soon as possible (e.g. within 30 days) after the year end.



Note Appendix No. 5: Sample Data Summary Table

Committee Recommendations

Remember that under WorkSafeBC OH&S Regulation sections 3.9 to 3.11, unsafe or harmful conditions found during a workplace inspection must be fixed without delay. Also, anytime an employee sees an unsafe or harmful condition or act, it must be reported as soon as possible to a supervisor or to the employer. The supervisor or employer must investigate and make sure that any corrective action is taken without delay.

When these steps are followed, most issues will not reach the Joint Health and Safety Committee. As a result, the committee should only be dealing with outstanding issues that have been reported to the supervisor or employer but not corrected.

Joint Health and Safety Committee members discuss unresolved issues at their meetings. Issues might also include injury/illness problem areas identified by review of records and statistics. The committee can decide if any action should be taken. If committee members agree on the action to be taken, they decide between two options.

Option 1 - Deal with the Issue Immediately

- If a management representative on the committee can deal with the issue (authorize work to be completed, make a decision, etc.), then the issue is addressed from within the committee. For these reasons, try to make sure that a high-level management representative is on the committee. Then issues can be dealt with immediately.

Option 2 – Create a Recommendation

- If a management representative can't deal with the issue (outside his/her authority, etc.) then the co-chairs, with help from the committee, need to write a recommendation to the employer.

Issues Requiring Formal Recommendations

There are a number of issues that typically require a formal recommendation. They usually involve:

- Policy, directive or procedure creation or revision.
- Changes to equipment, office layouts or product purchasing normally requiring allocation of funds.
- Training or orientation programs for employees.
- Commitment and follow-up to issues where earlier approved corrective action has been ignored or gone unnoticed.
- Matters which require review and/or agreement of other divisions, departments, areas, etc.

Writing Effective Recommendations

It is important for committee co-chairs and members to learn how to write an effective recommendation. An effective recommendation includes:

- the issue
- the background
- all the options
- a suggested timeline

This information helps management understand the issue and better equips them to take action.

Recommendations should be:

- Directly related to health and safety in the workplace
- Doable (reasonably capable of being done)
- Complete (employer should not need any more information to make a decision)

The following page shows a sample format for a Joint Health and Safety Committee Recommendation. Joint Health and Safety Committees can change the form to suit their workplace.

Sample Format Joint Health and Safety Committee Recommendation Form

To: _____ 1	Date: _____
From: Joint Health and Safety Committee	
_____ 2 (Co-chair Signature – Employer Representative)	_____ 2 (Co-chair Signature – Worker Representative)
Please respond by: _____ 3 (within 21 calendar days)	
<p>OH&S Issue: <i>(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)</i></p> <p style="text-align: center;">4</p>	
<p>Committee Recommendation: (attach a separate sheet if necessary) <i>(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)</i></p> <p style="text-align: center;">5</p>	
<p>cc: Appropriate Manager, Safety Coordinator, CEO, etc. 6</p>	
<p>Employer Response: (attach a separate sheet if necessary) <i>(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)</i></p> <p style="text-align: center;">7</p> <p style="text-align: right;">Signature: _____ (Department Head or Designate)</p> <p style="text-align: right;">Date Returned: _____</p>	
<p>Committee Comments: <i>(Note any follow-up or additional action required by the Committee.)</i></p> <p style="text-align: center;">8</p>	



Appendix No. 6: Blank Sample Joint Health and Safety Committee

Recommendation Guidelines

- 1 Send To Person Who Can Take Action**
 - Date the recommendation and send it to the manager or supervisor who has the authority to follow up on it.
- 2 Send From Co-Chairs**
 - Have both Joint Health and Safety Committee co-chairs sign the recommendation.
- 3 Request Employer Response Within 21 Calendar Days**
 - Include a reminder for a written response within 21 calendar days.
- 4 Describe OH&S Issue**
 - Give a short clear description of the issue; for example, WHAT, WHY, WHO, WHERE, WHEN.
 - Give enough information so that the employer does not need to ask for more details/background to make a decision.
 - Refer to any accident, incident or other occurrence related to the issue.
- 5 Describe Committee Recommendation**
 - Make sure the recommendation is about workplace health and safety.
 - Include the reasons for your recommendation.
 - Suggest a timeframe for it to be done.

Complex Issues

- For more complex issues, the employer will likely need details/background information to make a decision. It can be helpful to answer the following questions for the employer:
 - Are there specific OH&S legislation or standards that apply?
 - What other options are there? (Describe each.)
 - How well will the recommended option fix the problem/address the issue?
 - How long will it take to complete/implement/see results?
 - How much will it cost?
 - Who will be affected? (e.g. number and type of employees)
 - Why did the Committee decide to recommend this option?
- Often complex issues will involve more than one step. For example:
 - Conducting a Risk Assessment of affected workers
 - Purchasing equipment or supplies to address the identified risks
 - Developing safe work procedures to reduce/eliminate the hazard
 - Providing education and training to affected workers
- It may be helpful for the Committee to complete a separate recommendation form for each step so that all relevant information can be included.

6 Copy to Appropriate Manager

- It is helpful to forward a copy of the recommendation to higher levels of management (CEO, upper management, safety coordinator, etc.); for example, to anyone who should know about the health and safety recommendation.

7 Include Space on Form for Employer Response

- The employer needs to reply indicating acceptance of the recommendation or giving reasons for not accepting the recommendation.
- If it is not reasonably possible for the employer to respond before the end of 21 calendar days, the employer must provide a written explanation for the delay and let the Committee know when the employer will respond.

8 Include Space on Form for Committee Comments

- The Committee may want to make comments after reviewing the employer response; for example, note any follow-up or action required by the Joint Health and Safety Committee.

Sample recommendations for a basic issue and for a complex issue are shown on the following pages.

Sample Recommendation – Basic Issue

The following example shows a completed Joint Health and Safety Committee Recommendation for a basic ‘fix it’ item.

To: <u>Ms. Fix It (Maintenance Manager)</u>	Date: <u>Sept. 3, 2012</u>
From: Joint Health and Safety Committee	
<u>A. Trip</u> (Co-chair Signature – Employer Representative)	<u>I. Fall</u> (Co-chair Signature – Worker Representative)
Please respond by: <u>Sept. 07, 2012</u> (within 21 calendar days)	
OH&S Issue: <i>(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)</i> On Sept. 3 an incident occurred when a worker tripped on a loose floor tile at the back entrance. The person fell, but was not injured. In the July and August Inspection Reports, this loose tile was an action item and a ‘fix’ order was sent to maintenance. The loose floor tile has still not been corrected.	
Committee Recommendation: (attach a separate sheet if necessary) <i>(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)</i> Loose floor tile at back entrance must be repaired without delay. This formal recommendation has been completed due to lack of action on this identified hazard. Note OH&S Regulation 4.39(l) “Floors must be maintained in a state of good repair.”	
cc: Ms. North (CEO)	
Employer Response: (attach a separate sheet if necessary) <i>(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)</i> The Inspection Reports were lost/misfiled. A back order on the floor tile was expedited by Purchasing. Maintenance fixed the loose floor tile on Sept. 14.	
Signature: <u>Ms. Fix It</u> (Department Head or Designate)	
Date Returned: <u>Sept. 17, 2012</u>	
Committee Comments: <i>(Note any follow-up or additional action required by the Committee.)</i> No further action required.	

Sample Recommendation – Complex Issue

The following example shows a Committee Recommendation for a complex issue. Since a number of major steps were involved, this Joint Health and Safety Committee completed one recommendation form for each step.

To: <u>I.N. Charge CEO</u>	Date: <u>January 7, 2012</u>
From: Joint Health and Safety Committee <u>O. Back</u> (Co-chair Signature – Employer Representative)	<u>W. Hurt</u> (Co-chair Signature – Worker Representative)
Please respond by: <u>January 28, 2012</u> (within 21 calendar days)	
OH&S Issue: <i>(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)</i> The Joint Health and Safety Committee has reviewed the last 12 months of injury reports. Over half were related to workstation layout problems. New software requiring more computer mouse work was also a problem.	
Committee Recommendation: (attach a separate sheet if necessary) <i>(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)</i> 1. Conduct an Ergonomic (MSI) Assessment in conjunction with the Joint Health and Safety Committee. Note OH&S Regulation Section 4.47 – 4.53. There are 17 employees who use a computer at their workstation.	
cc: Mr. B. Safer (Safety Coordinator); Ms. Buy Right (Purchasing)	
Employer Response: (attach a separate sheet if necessary) <i>(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)</i> We agree. Per regulation we will conduct a risk assessment. The safety coordinator will follow up with the Committee to conduct the risk assessment as soon as possible. Signature: <u>I.N. Charge</u> (Department Head or Designate) Date Returned: <u>January 21, 2012</u>	
Committee Comments: <i>(Note any follow-up or additional action required by the Committee.)</i> W. Hurt and N. Stretch (worker representatives) will work with the safety coordinator on the risk assessment.	

To: Ms. Buy Right (Purchasing) Date: January 7, 2012

From: **Joint Health and Safety Committee**

O. Back
(Co-chair Signature – Employer Representative)

W. Hurt
(Co-chair Signature – Worker Representative)

Please respond by: January 28, 2012 (within 21 calendar days)

OH&S Issue: *(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)*

The Joint Health and Safety Committee has reviewed the last 12 months of injury reports. Over half were related to workstation layout problems. New software requiring more computer mouse work was also a problem.

Committee Recommendation: (attach a separate sheet if necessary) *(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)*

2. Purchasing department needs to develop a policy that ergonomic issues need to be given first consideration when selecting equipment and software.

cc: I.N. Charge (CEO); B. Safer (Safety Coordinator)

Employer Response: (attach a separate sheet if necessary)

(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)

This is potentially a high budget issue. Purchasing will wait until the risk assessment is complete before determining the need to develop a new policy or change Purchasing practices.

Signature: Ms. Buy Right
(Department Head or Designate)

Date Returned: January 24, 2012

Committee Comments:

(Note any follow-up or additional action required by the Committee.)

Wait until risk assessment is complete to review this recommendation.

To: I.N. Charge CEO Date: January 7, 2012

From: **Joint Health and Safety Committee**
O. Back W. Hurt
(Co-chair Signature – Employer Representative) (Co-chair Signature – Worker Representative)

Please respond by: January 28, 2012 (within 21 calendar days)

OH&S Issue: *(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)*

The Joint Health and Safety Committee has reviewed the last 12 months of injury reports. Over half were related to workstation layout problems. New software requiring more computer mouse work was also a problem.

Committee Recommendation: (attach a separate sheet if necessary) *(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)*

3. To eliminate MSI injuries, all employees (17) who use a computer need an Ergo Workstation complete with fully adjustable keyboard tray with coffee holder and heated wrist rest with dual massage capability. (Approximate cost per unit = \$2000). To be ordered asap.

cc: Mr. B. Safer (Safety Coordinator); Ms. Buy Right (Purchasing)

Employer Response: (attach a separate sheet if necessary)

(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)

There is no money in the budget for this. We feel there are more cost effective ways of reducing MSI risk at computer workstations. As an alternative, B. Safer will:

- Obtain and distribute WorkSafeBC book "How to Make Your Computer Workstation Fit You" for employees who use a computer. (complete by: Feb. 7)
- Train workers using a computer on how to adjust their workstation (e.g. chair height) and work processes (e.g. appropriate rest breaks) to reduce MSI risk. (complete by: Feb. 25)
- Assess workstations for affected workers (based on risk assessment) and make appropriate adjustments (e.g. adjust height of monitor; order new keyboard tray if required, move mouse off desktop to same level as keyboard, etc.) (complete by: Mar 17)
- Assess workstations for other workers (complete on ongoing basis - as required)

Signature: I.N. Charge
(Department Head or Designate)

Date Returned: January 24, 2012

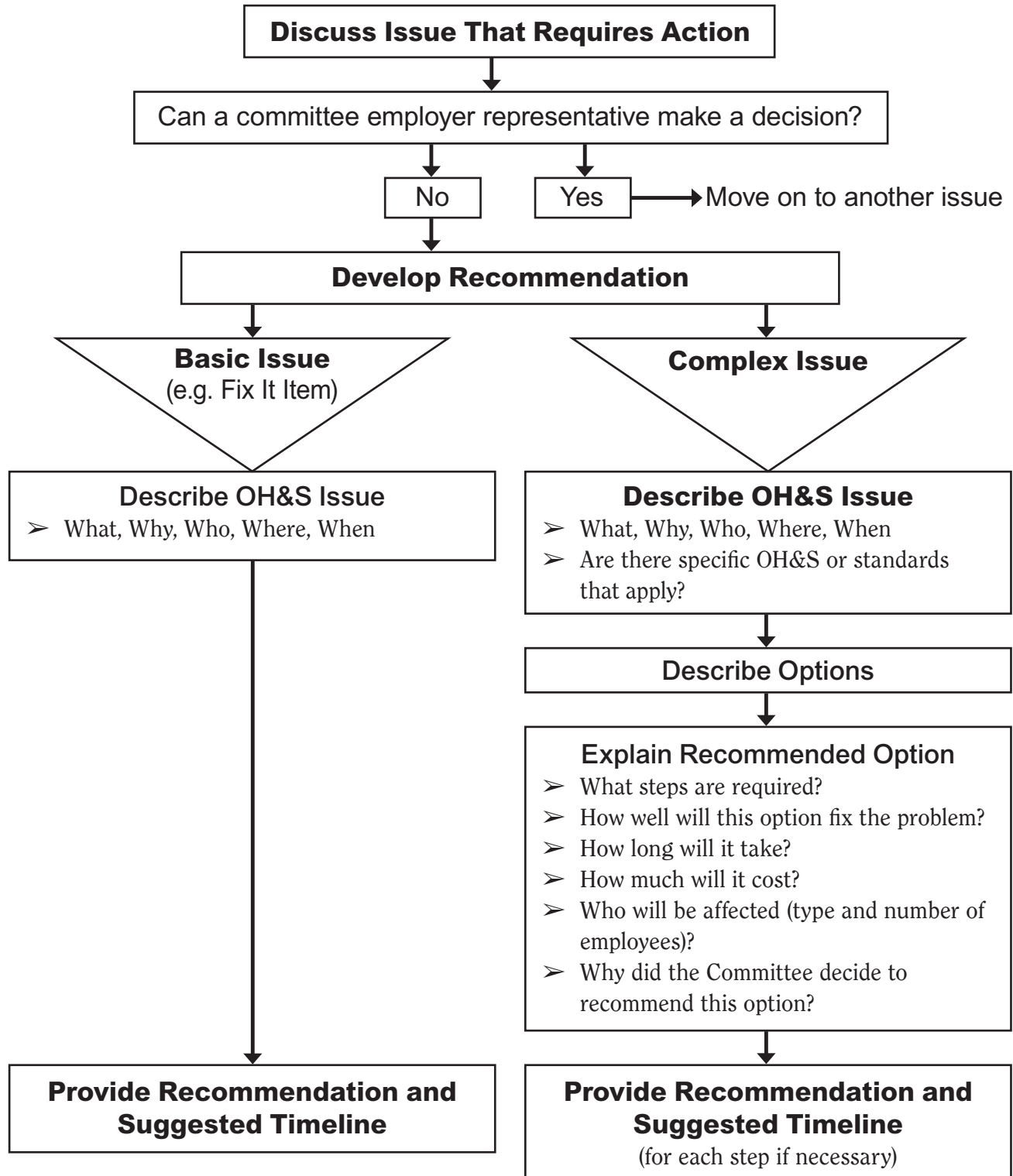
Committee Comments:

(Note any follow-up or additional action required by the Committee.)

O. Back and W. Hurt to monitor progress and follow up with B. Safer as required.

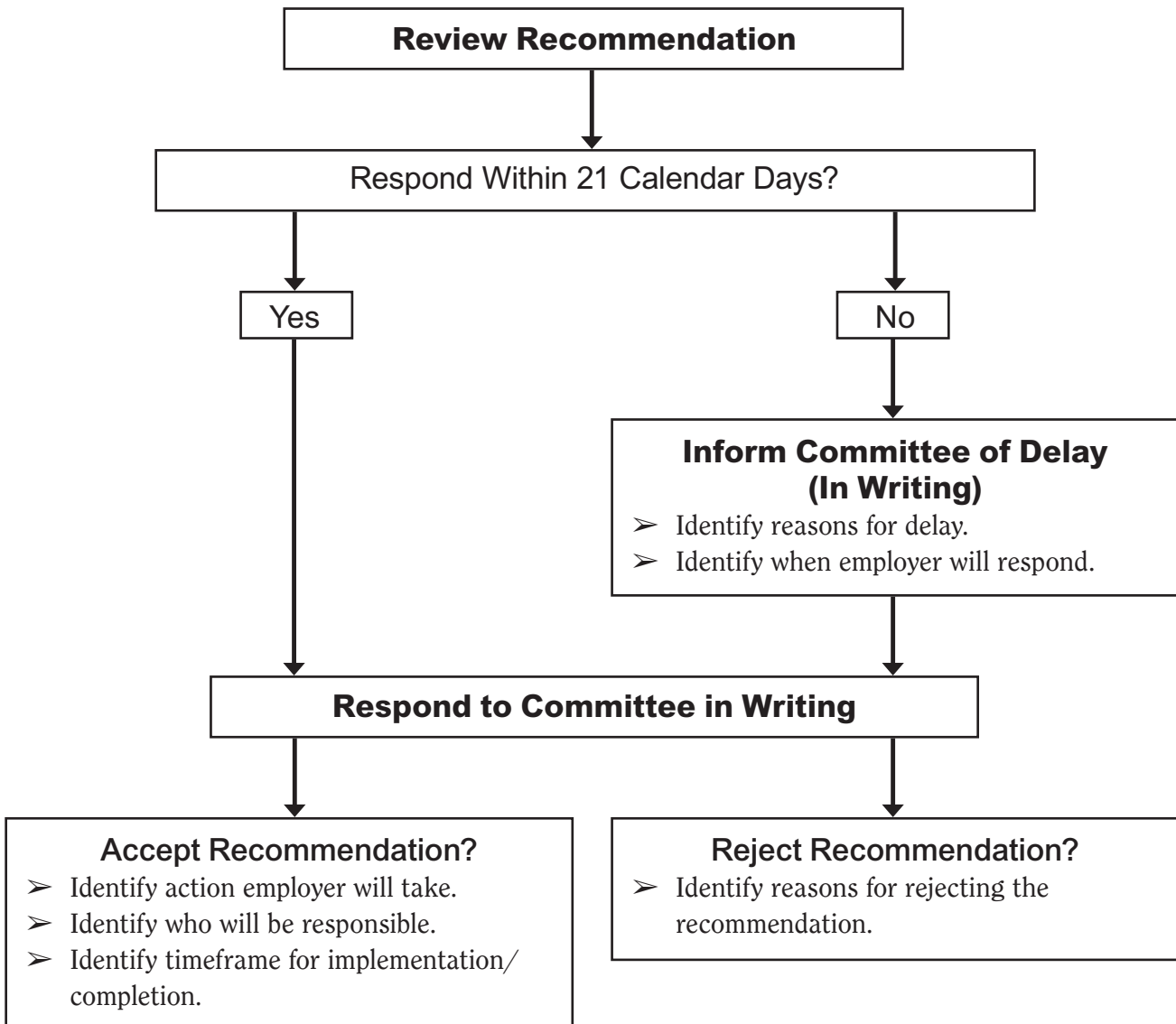
Developing A Recommendation

When a Joint Health and Safety Committee decides action should be taken on an issue, this flow chart can help the committee develop recommendations for the employer.



Responding To A Recommendation

This flow chart shows how an employer should respond to a Joint Health and Safety Committee Recommendation.



Committee Educational Leave

For a Joint Health and Safety Committee to function effectively, members must take appropriate education and training. Education and training should cover the information members need to assist in creating a safe and healthy workplace.

Members' entitlement to training is listed in Part 3–Division 4– Section 135 of the *Workers Compensation Act*.

- 135 (1) Each member of a joint committee is entitled to an annual educational leave totaling 8 hours,...for the purposes of attending occupational health and safety training courses conducted by or with the approval of the [WorkSafeBC] Board.*
- (2) A member of the joint committee may designate another member as being entitled to take all or part of the members' 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.*

Education Needs Assessment

Before educational decisions are made, each member's individual needs should be assessed. Typically the employer would do this with input from the committee (e.g. from co-chairs). In order to identify each member's education needs, the employer should consider the following questions:

- What does the member need to know to be effective on the health and safety committee?
- What health and safety related education has the committee member already taken in the past?
- What health and safety education do they need in the future?

By answering these questions, the employer can work with committee members to develop a plan for each member's annual educational leave.

Annual Educational Leave

The annual education plan for each committee member will depend on the education needs identified. New committee members might receive training in the general operation of the committee and an introduction to member's duties and functions (e.g. a basic "Joint Health and Safety Committee" Foundation course or equivalent). Members who already have this knowledge might take more advanced training in areas such as workplace inspections, accident investigations, hazard awareness or risk assessment.

A sample Educational Leave Worksheet is provided to show you one way an employer can identify members' health and safety education needs. This is only one approach. Employers can use any method or format that works for their workplace.



Appendix 7: Blank Sample Educational Leave Worksheet



Appendix 8: Example Joint H & S Committee Meeting Schedule

Sample Educational Leave Worksheet

Page 1: To be completed by Joint Health & Safety Committee Member or Worker Health & Safety Representative

Member/Representative Name: George Green

Date Completed: Feb. 11/12

1. List Any Health and Safety Experience You Have:

Experience/Position Held (e.g. safety rep; OH&S committee member)	Dates
Worker representative – work area inspections	2007-2009
Safety Committee Member	2010 - present

2. List Any Health and Safety Education You Have Taken:

- Complete this section by listing any health and safety education you have taken from your employer, previous employers, associations, schools/colleges, WorkSafeBC, consultants, etc.
- Attach additional sheet if necessary.

Presentation or Course	Delivered By (specify e.g. college)	Date	Duration
Safety Inspections	Employer	2011	1.5 hours
Lockout	WorkSafeBC Occupational Safety Officer Presentation	2010	2 hours
Safety Committee – Roles & Duties	College	2010	1 day

3. Identify the Health and Safety Education You Think You Need:

- 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.

Topic Area	Reason(s) You Want Education In This Topic Area	Your Priority	
		High	Low
Basic Health and Safety Principles:			
• Joint H & S Committee Duties & Functions		•	•
• Workplace Inspections		•	•
• Incident (Accident) Investigations		•	•
• Hazard Recognition and Control		•	•
<input checked="" type="checkbox"/> Risk Assessment and Hazard Control	More effective committee member	<input checked="" type="checkbox"/>	•
<input checked="" type="checkbox"/> OH&S Programs	Prepare for annual review of program	<input checked="" type="checkbox"/>	•
<input checked="" type="checkbox"/> OH&S Program Review	More effective committee member	<input checked="" type="checkbox"/>	•
• Responsibilities for OH&S			•
<input checked="" type="checkbox"/> Due Diligence	More effective committee member		<input checked="" type="checkbox"/>
• Writing Effective Recommendations		•	•
Other Health and Safety Related Topics (specify):			
<input checked="" type="checkbox"/> NAOSH Week Conference		<input checked="" type="checkbox"/>	•

Return completed form to designated employer representative: Gordon Martin

Page 2: To be completed by employer with input from Joint Health and Safety Committee Members or Worker Health and Safety Representatives

Member/Representative Name: George Green

Education Plan for the Year: 2012 (specify)

The above named member/representative designates all or part of this year's education leave to:	
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Total (maximum 8 hours):	
Member/Rep Signature:	Date:

Identify the Health and Safety Education Leave Approved For This Year:

- Complete this section by identifying the educational leave approved for this committee member or worker representative. Note: refer to WorkSafeBC policy Item D4-135-1 for more information or refer to Appendix 15.
- Education may be delivered by the employer, associations, schools/colleges, WorkSafeBC, consultants, etc.

Topic Area	Delivered By: (specify)	Approved? (Y/N)	Date	Duration (hours)	At Year End Check if Completed
Basic Health and Safety Principles:					•
• Joint H & S Committee Duties & Functions					•
• Workplace Inspections					•
• Incident (Accident) Investigations					•
• Hazard Recognition and Control					•
<input checked="" type="checkbox"/> Risk Assessment and Hazard Control	College	Y	June 9	5 hours	•
• OH&S Programs					•
• OH&S Program Review					•
• Responsibilities for OH&S					•
• Due Diligence					•
• Writing Effective Recommendations					•
Other Health and Safety Related Topics (specify):					•
<input checked="" type="checkbox"/> Committee Meeting Education (Committee to set up schedule of topics/speakers)	WorkSafeBC OHO (Hygiene Officer)	Y	TBA	3 hours	•
Total (minimum 8 hours)				8 hours	

This education plan has been approved by	Employer/Representative: <u>Tim McMillan</u>
Signature: <u>Tim McMillan</u>	Date Approved: <u>March 17/12</u>

OH&S Education/Training Courses

Once members' needs have been identified, arrangements should be made for them to attend appropriate courses. There are a number of options available in BC.

- OH&S courses offered by BCIT through its OH&S part-time studies program or industry training program – college accredited courses
- Training through one of the agencies listed on www.ohstrainingbc.com.
- WorkSafeBC approved courses for specific industries listed at <http://www2.worksafebc.com/Topics/CertificationTraining/Home.asp>.
- Purchase an OH&S Foundation training course from WorkSafeBC.
- Take the FREE WorkSafeBC Supervising for Safety course online at: www.SupervisingforSafety.com

Reaching Objectives

Once a health and safety committee is established and functioning, its ability to achieve its objectives depends on

- ability to communicate
- effectiveness through employer's support and cooperation of the members.

Communication

The committee is an important channel for employee input in the decision making process.

Committees should try to tackle smaller issues first. By looking at low cost issues that can be quickly and easily fixed, the committee will make positive changes and gain credibility.

Minutes should be prepared promptly and posted in a conspicuous place for all to see.

Worker representatives should report back to employees who have made complaints or suggestions and keep in touch until the matter has been resolved.

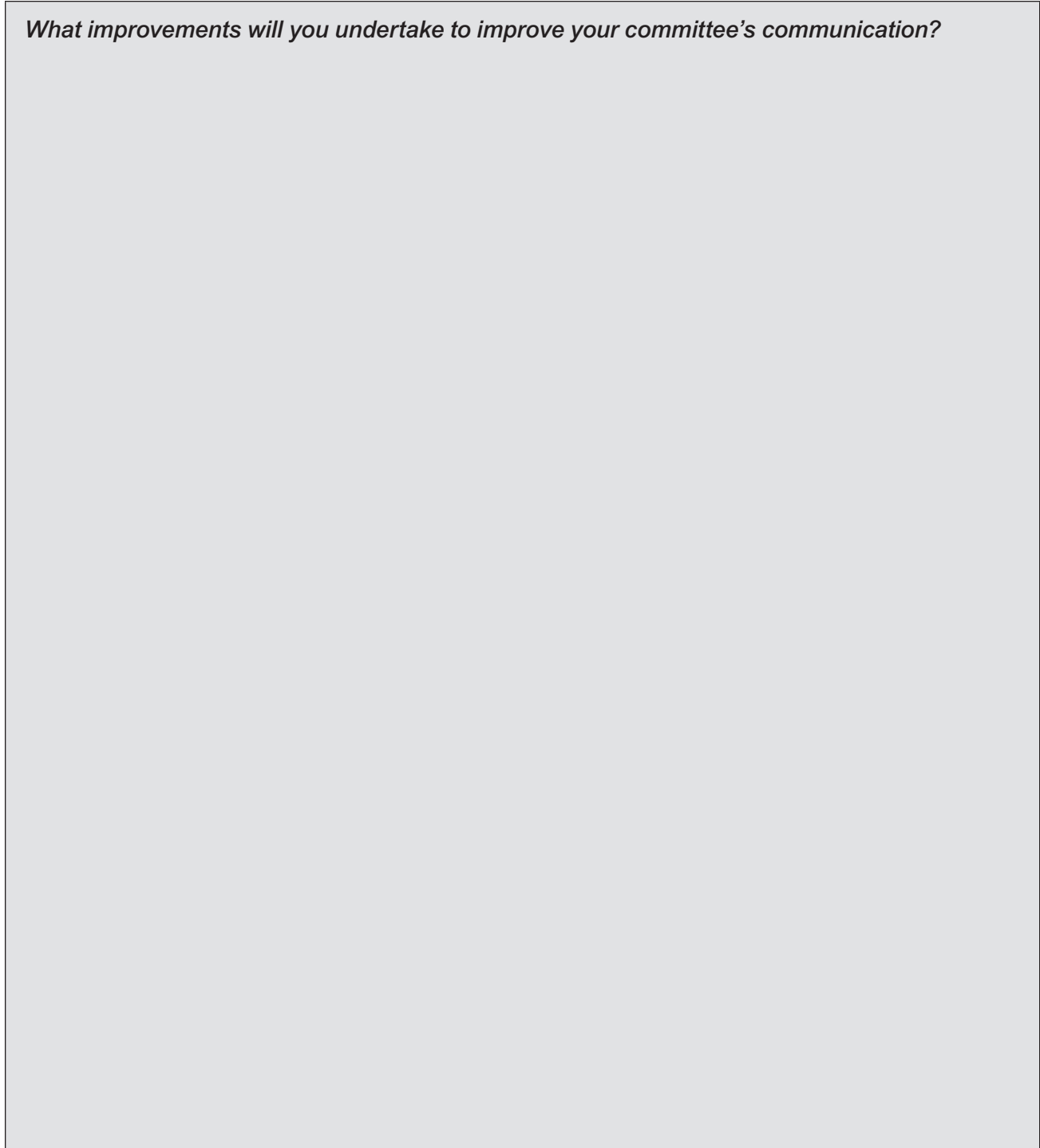
Employer representatives should report proceedings to management.

Worker representatives of a union should give a regular report at their local meetings and publish committee activities in their newsletter.

Communication avenues include:

- posting a list of member/alternate names and jurisdiction
- posting meeting reports
- posting inspection and incident investigation reports
- informal conversations
- various meetings
- health and safety bulletin board
- other?

What improvements will you undertake to improve your committee's communication?



An Effective Committee

The effectiveness and credibility of both the committee and the employer can be measured by results. The committee itself is only an advisory body and only the employer representatives have the authority to translate the committee's decisions into action. Such action should be taken promptly and the results posted throughout the place of employment.

If an employer decides against a committee recommendation for good reasons, it should be made known to the employees along with a reasonable explanation. **Failure to do so results in loss of credibility.**

It is equally important that members do not attempt to bypass normal employer channels of supervision or control. It should be remembered that safety and health are part of the job and should be dealt with on the job. Reporting hazardous conditions and procedures and taking corrective action is a matter for immediate attention through normal channels. **Don't wait until the next meeting.**

The work of the health and safety committee should supplement the employer's efforts and not attempt to be a substitute for them. The committee should not attempt to assume any of the employer's legal and moral responsibilities and should overcome a "them and us" attitude to be effective.

Finally, the committee should establish procedures for self-monitoring in an effort to ensure that objectives are being reached.



Note Appendix 9: Sample Joint Health and Safety Committee Self Assessment Checklist

Employer's Role

Employers who take health and safety in the workplace seriously and support the Joint Health and Safety Committee will benefit the most.

Fewer incidents, accidents and injuries – the likely result of an active health and safety committee – can directly affect a company's profits.

Employees will be more productive and safe, and assessment costs can be reduced through, WorkSafeBC's Certificate of Recognition (COR) program. A COR can be earned by employers that successfully implement a safety management system and meet a set of audit standards.

**For more information about Certificate of Recognition (COR)
Call 604-244-6164 or toll free 1 866 644-6164**



Note Appendix 10: Sample Employer Checklist: How to Maintain a Joint Health and Safety Committee

Conclusion

The attitudes of employers, employees and unions are critical to the success of the safety and health committee. Key ingredients are a strong commitment by the employer expressed in policies, procedures and actions as well as the interest and involvement of the workers.

Appendices

See Appendices for the following samples and examples:

- 1. Employer Checklist #1: How to Set Up a Joint Health and Safety Committee**
- 2. Terms of Reference**
- 3. Agenda**
- 4. Meeting Report with attachments:
Inspection Report
Accident/Incident Investigation Report**
- 5. Data Summary Table**
- 6. Recommendation Form**
- 7. Educational Leave Worksheet**
- 8. Joint Health and Safety Committee Meeting Schedule**
- 9. Joint Health and Safety Committee Self-Assessment Checklist**
- 10. Employer Checklist #2: How to Maintain a Joint Health and Safety Committee**
- 11. Sample Worksheets (For Photocopying Purposes)**
- 12. Division 3,4 and 5**
- 13. Division 6: Prohibition Against Discriminatory Action**
- 14. Refusal of Unsafe Work**
- 15. Educational Leave Policy Item D4-135-1**
- 16. Eleven Lethal Workplace Sins – Plus One**

These samples are only one approach. Employers and Joint Health and Safety Committees can use any method or format that works for their workplace.

Appendix 1 – Sample Employer Checklist #1: How to Set Up A Joint Health and Safety Committee

This checklist identifies the steps employers should follow to set up a compliant committee.

Activity	Completion Date	Assigned To	Check When Done
<p>Draft Committee Terms of Reference Terms of Reference should include information on:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name of health and safety committee <input type="checkbox"/> Constituency <input type="checkbox"/> Statement of committee purpose <input type="checkbox"/> Duties and functions <input type="checkbox"/> Records <input type="checkbox"/> Meetings <input type="checkbox"/> Agendas and Meeting Reports <input type="checkbox"/> Composition <input type="checkbox"/> Co-chairs <input type="checkbox"/> Terms of Office <input type="checkbox"/> Assistance in Resolving Disagreements <input type="checkbox"/> Amendments <p><i>See Example Terms of Reference</i></p>			<input type="checkbox"/>
<p>Determine Number of Committee Members</p> <ul style="list-style-type: none"> <input type="checkbox"/> minimum = 4 members <input type="checkbox"/> at least 50% of members must be worker representatives <p>Factors to consider include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> efficiency <input type="checkbox"/> number of employees <input type="checkbox"/> degree of hazard in the workplace <input type="checkbox"/> number of places of employment <input type="checkbox"/> number of unions or worker groups <input type="checkbox"/> need to represent different shifts/departments 			<input type="checkbox"/>
<p>Select Worker Representatives and Alternates</p> <ul style="list-style-type: none"> <input type="checkbox"/> select from workers who do not exercise managerial functions <input type="checkbox"/> union workers: select according to union(s) established procedures <input type="checkbox"/> non-union workers: elect by secret ballot <input type="checkbox"/> determine number of union and non-union worker <input type="checkbox"/> representatives in equitable proportion to their relative numbers and health and safety risks 			<input type="checkbox"/>
<p>Select Employer Representatives and Alternates</p> <ul style="list-style-type: none"> <input type="checkbox"/> select from among persons who exercise managerial functions <input type="checkbox"/> for an effective committee, employer representatives should have authority to take immediate action on committee recommendations 			<input type="checkbox"/>
<p>Post the names and work locations of Joint Health & Safety Committee members and alternates</p>			<input type="checkbox"/>
<p>Set First Monthly Meeting Date and Agenda First meeting activities should include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1 co-chair selected by worker representatives <input type="checkbox"/> 1 co-chair selected by employer representatives <input type="checkbox"/> Review draft Terms of Reference <input type="checkbox"/> Review sample meeting agenda and meeting report <p><i>See Example Agenda and Example Meeting Report</i></p>			<input type="checkbox"/>

Appendix 2 – Sample Joint Health and Safety Committee Terms of Reference

1. Name of health and safety committee

(A name is reference for identification where there are other committees in the organization.)

The committee shall be known as the Head Office Joint Health and Safety Committee.

2. Constituency

(Identify the parts of the operation or the group or groups of workers represented by the committee.) For example:

Employer Representative #1	Purchasing Department; Shipping/Receiving Department
Employer Representative #2	Parking Lot; Executive Offices
Worker Representative #1	Reception Works Yard
Worker Representative #2	Warehouse Security Department

3. Purpose of the Committee

It is a joint committee made up of worker and employer representatives consulting in a cooperative spirit to identify and resolve safety and health problems in support of a planned occupational safety and health program in the place of employment.

4. Duties and Functions of the Committee

- (a) Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
- (b) Consider and expeditiously deal with complaints relating to the occupational health and safety of workers.
- (c) Consult with workers and the employer on issues related to occupational health and safety and occupational environment.
- (d) Make recommendations to the employer and the workers for the improvement of the occupational health and safety of workers and compliance with the regulations, and monitor their effectiveness.
- (e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Regulation, and monitor their effectiveness.
- (f) Advise the employer on programs and policies required under the Regulation for the workplace and monitor their effectiveness.

- (g) Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers.
- (h) Ensure that incident investigations and regular inspections are carried out as required by the Regulation.
- (i) Participate in inspections, investigations and inquiries as provided by the Regulation.
- (j) When necessary, request information from the employer about:
 - (i) Known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed.
 - (ii) Health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge.
- (k) Carry out any other duties and functions prescribed by the Regulation.

5. Records

The committee will keep accurate records of all matters that come before it. The committee will maintain copies of its minutes for a period of at least 2 years from the date of the joint health and safety committee meeting to which they relate. (Note first aid records should be kept for at least 3 years; education and training related records should be kept for at least 3 years after the training session.)

6. Meetings

- (a) The committee will meet monthly on the working day of each month.
- (b) Special meetings, if required, will be held at the call of the co-chairs.
- (c) A quorum shall consist of a majority of members (_____).
- (d) The committee will add procedures it considers necessary for the meetings.

7. Agendas and Meeting Reports

- (a) An agenda will be prepared by the co-chairs and distributed to members prior to the meeting.
- (b) A report of the meeting will be prepared as soon as possible after the meeting and will be made available to the employer, Joint Health and Safety Committee members, workers and WorkSafeBC.
- (c) A copy of the report of each meeting will be posted promptly, in a place readily accessible to employees for whom this committee is responsible.

8. Composition of the Committee

- (a) The committee shall consist of (_____) members.
- (b) One worker representative will be elected from each of the following areas or

unions (list areas or unions).

- (c) One employer representative will be appointed from each of the following areas (list areas).

9. Co-chairs

- (a) The committee will elect co-chairs from its membership.
- (b) The worker representatives shall select a co-chair.
- (c) The employer representatives shall select a co-chair.
- (d) The co-chairs shall:
 - (i) Control the meetings
 - (ii) Ensure the maintenance of an unbiased viewpoint
 - (iii) Arrange the agendas
 - (iv) Review previous meeting reports and material prior to the meetings
 - (v) Arrange for the meeting place
 - (vi) Notify members of meetings
 - (vii) Prepare meeting agendas
 - (viii) Prepare meeting reports
 - (ix) Forward a copy of meeting reports to the employer for distribution
 - (x) Prepare recommendation(s) and forward to the employer for a response
 - (xi) Prepare all correspondence

10. Terms of Office

- (a) Committee members will sit on the committee for (____) years. (Note committees are more effective if terms of office overlap for committee members. This allows a mix of new and experienced committee members on the committee, even after elections).
- (b) If a member of the committee chosen by the workers is unable to complete the term of office, the workers will choose another member.
- (c) If a member of the committee appointed by the employer is unable to complete the term of office, the employer will appoint another member.
- (d) All members will arrange to have an alternate member to attend meetings in their place, when they are unavailable to attend.

11. Recommendations to the Employer will Meet These Guidelines

- (a) Directly related to health and safety.
- (b) Doable (reasonably capable of being done).
- (c) Complete (employer will not need more information to make a decision).

12. Assistance in resolving disagreements within committee

If the joint health and safety 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 WorkSafeBC, which may investigate and attempt to resolve the matter.

13. Amendments

These terms of reference may be amended by vote of the committee members.

Appendix 3 – Sample Joint Health and Safety Committee Agenda

Date: February 15, 2012	Location: Meeting Room 1
Time: 10:30 – 11:30	Place: Head Office
Agenda Item	Allotted Time
1. Roll Call Note those members present and absent; note guests and alternates.	1 min.
2. Meeting Report Adopt report of the previous meeting as circulated, correcting any errors or omissions.	1 min.
3. Unfinished Business	5 min.
4. Review of Inspection Report	10 min.
5. Review of First Aid and Accident/Incident Investigations	5 min.
6. New Business (items for consideration)	10 min.
7. Education	15 min.
8. Recommendation(s) to Employer	10 min.
9. Other Business	3 min.
10. Adjourn	Total = 60 min.

Note: The recommended time limit of the meeting will be one hour to a maximum of two hours. If there is any unfinished business after the time allotted, additional meetings may be scheduled.

Appendix 4 – Sample Meeting Report

Royal Oak Furniture Manufacturing
1234 Fifth Street
Wood Town, BC

Joint Occupational Health & Safety Committee Minutes

Date: February 10, 2012

Attendance: Tim McMillan, Manager
George Green, Shop Foreman
Mary Lee, Shipping Manager
Gordon Martin, Forklift Operator
Orville Stewart, Maintenance
Parvinder Atawall, Warehouse (alternate for Dal Singh)

Guests: Sharon Price, Occupational First Aid Attendant
Carl Page, Safety Coordinator

Co-chairs: Gordon Martin (employer representative)
George Green (worker representative)

Mr. Martin opened the meeting at 10:30 a.m. on February 10, 2012 in meeting room #1. The report of the January 13th meeting was adopted as circulated.

BUSINESS ARISING OUT OF THE PREVIOUS MEETING REPORT

George Green reported that management has agreed to the Safety Committee's recommendation of last month to install a new paint booth in the shop. The paint booth will be waterfall style ventilation booth with exhaust onto the roof. An air-line respirator system will be installed. This will be installed within the next month.

Carl Page advised that as soon as the installation is completed he will conduct a training program for all users.

NEW BUSINESS

First Aid Report

Sharon reported that in December 2010 we had 12 First Aid Cases, plus 2 Health Care Only (Medical Aid), plus 1 Short Term Disability (STD) Injury for a total of 15. The STD was a piece of steel in worker's eye. The 2 Health Care Only were to the warehouseman who had an X-Ray for a suspected fracture which was negative and a contact dermatitis case from use of glue. Statistics have been developed using frequency and severity rate calculations. Our man-hour exposure for 25 workers was 3,250 hours for December and 40,000 hours for last year.

ACCIDENT STATISTICS

December 2011 Monthly Summary

TYPE	December 2010	December 2011	YEAR TO DATE	Y.T.D. LAST YEAR
REPORTED ONLY (FIRST AID)	12	9	150	131
HEALTH CARE ONLY	2	1	28	22
STD (TIME LOSS)	1	0	10	8
TOTAL	15	13	188	161
DAYS LOST	6	0	70	55
ACC. INVESTIG.	3	4	40	30

		THIS YEAR	(PREV.) (YEAR)
FREQUENCY FOR DECEMBER 2010	$\frac{1 \times 200,000}{3,250}$	= 61.53	(42.10)
SEVERITY FOR DECEMBER 2011	$\frac{6 \times 200,000}{3,250}$	= 369.23	(289.5)

The committee evaluated the three incident investigations. Although the initial incident appears to have been addressed, it appears that table saw users need training, and this will be recommended by the committee.

2011 Annual Summary

TYPE	2010	2011
DANGEROUS OCCURRENCE	5	12
REPORTED ONLY (FIRST AID)	131	150
HEALTH CARE ONLY	22	28
STD (TIME LOSS)	8	10
TOTAL	166	200
DAYS LOST	70	55
ACC. INVESTIG.	30	40

2010 INJURY RATE = $\frac{\text{No. of STDs} \times 100}{\text{No. of FTEs}}$ = $\frac{10 \times 100}{25}$ = 40

2011 INJURY RATE (18 FTEs) = 44.4

The committee reviewed the statistics. A decision was made to start reviewing dangerous occurrences or near misses on a monthly basis so that potential hazards can be identified and controlled before more serious injury/illness might occur.

MONTHLY INSPECTION

The inspection was conducted on January 18th by George Green and Orville Stewart and is attached. Orville reported that out of the 17 items noted, only items #12 & 13 are outstanding. The yellow lines will be painted on the first week-end that there is no rain. New racking had been ordered for the warehouse and delivery is expected within three weeks. Meanwhile, the damaged racking has been tagged out of service.

Some discussion also took place about the wearing of running shoes. It was agreed that safety shoes must be worn throughout the operation with the exception of the office.

EDUCATION

Carl Page advised the three new members on the committee that he has registered them in a Joint Health and Safety Committee Foundation Course for committee members being conducted by the local college on March 22nd.

Gordon Martin gave a 15 minute education talk on “Fork Lifts-Operation and Monitoring Checklist”.

COMMITTEE RECOMMENDATION(S)

1. #2012/02-005 -

The committee recommends a further training session for table saw users and this topic be covered by Crew Talks.

Employer Action: Mr. McMillan (manager) agreed to this and will follow-up. A formal recommendation is not required at this time.

OTHER BUSINESS

A sub committee consisting of Carl Page, Dal Singh and Mary Lee was set up to develop a program for Canadian Occupational Health and Safety Week (COHSWeek). A preliminary report to be given next month.

Meeting adjourned at 11:45 a.m. Next meeting will be held March 9.

Distribution of minutes:

Joint Occupational Health & Safety Committee

All managers and supervisors

WorkSafeBC

Union Notice Board

Joint Health and Safety Committee Recommendation

To: <u>Tim McMillan (Manager)</u>	Date: <u>Jan. 13, 2012</u>
From: Joint Health & Safety Committee	
<u>Gordon Martin</u> (Co-Chair Signature – Employer Representative)	<u>George Green</u> (Co-Chair Signature – Worker Representative)
Please respond by: <u>Feb. 3, 2012</u> (Within 21 calendar days.)	
OH&S Issue: (Give a short, clear and complete description of the issue. Describe what, why, who, where and when.) <i>First Aid Record Book shows 10 incidents in last quarter of 2011 involving paint fumes in the shop. The existing paint booth is 20 years old and no longer functioning adequately.</i>	
Committee Recommendation: (attach a separate sheet if necessary) (Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.) <i>Estimates of repair costs are very high; it is more cost effective to purchase a new booth. Recommend installation of a new paint booth and respirator system in the shop.</i> cc: George Green (shop foreman), Carl Page (Safety Coordinator)	
Employer Response: (attach a separate sheet if necessary) (Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.) <i>Agreed. Paint booth will be waterfall style ventilation booth with exhaust onto the roof. An air-line respirator system will be installed within the next month. After installation, Carl Page will conduct a training program for all users.</i> Signature: <u>T. McMillan</u> (Department Head or Designate) Date Returned: <u>Jan 26/12</u>	
Committee Comments: (Note any follow-up or additional action required by the Committee.) <i>George Green to provide input to Carl on training program, as required.</i>	

INSPECTION REPORT					
DATE: JANUARY 18, 2012		INSPECTORS: GEORGE GREEN & ORVILLE STEWART			
TO BE COMPLETED BY INSPECTION TEAM:			ASSIGNED BY MANAGER:		FOLLOW UP
ITEM NO.	HAZARD AND LOCATION (ACTION IF APPROPRIATE)	RATING HAZARD A B C	CORRECTION BY (PERSON)	DATE TO BE COMPLETED	ACTION TAKEN COMPLETED/DATE PENDING
FURNITURE SHOP					
1	No. 4 table saw guard has been removed and could not be located. Tagged out-of-service until corrected.	A	Phil Lowe (operator) Correct and establish reason.	Immediate	Completed January 18
2	Fire extinguisher at planer is missing.	B	Tim Jones New extinguisher from stores.	January 19	Completed January 19
3	Two workers wearing running shoes. They were sent home for proper equipment.	B	George Green to enforce.	January 18	Completed
4	Grinding stone needed to be redressed.	A	J. Singh (foreman)	Immediate	Completed January 18
5	Belt sander was left running and no operator present. We shut it off.	B	J. Singh for crew talk	January 26	Completed January 21

<u>INSPECTION REPORT</u>					
DATE: JANUARY 18, 2012		INSPECTORS: GEORGE GREEN & ORVILLE STEWART			
TO BE COMPLETED BY INSPECTION TEAM:			ASSIGNED BY MANAGER:		FOLLOW UP
ITEM NO.	HAZARD AND LOCATION (ACTION IF APPROPRIATE)	RATING HAZARD A B C	CORRECTION BY (PERSON)	DATE TO BE COMPLETED	ACTION TAKEN COMPLETED/DATE PENDING
<u>MAINTENANCE</u>					
6	Ground prong missing from portable drill. Removed from service.	A	Fred Peters	Immediate	Completed January 18
7	Storage room cluttered.	C	Fred Peters	January 26	Completed January 24
8	Broken glass on gauge of oxygen acetylene unit. Tagged out-of-service.	A	Fred Peters	January 19	Completed January 19
<u>PAINT BOOTH</u>					
9	Open container of solvent left unattended.	B	Dave Asante to correct & establish reason.	Immediate	Completed January 18
10	WHMIS label illegible on paint container.	B	Dave Asante	Immediate	Completed January 21
11	Worker not wearing respirator while spray painting. Corrected on site.	A	Dave Asante for follow-up Crew Talk.	Immediate	Crew Talk given January 19.

INSPECTION REPORT					
INSPECTORS: GEORGE GREEN & ORVILLE STEWART					
TO BE COMPLETED BY INSPECTION TEAM:			ASSIGNED BY MANAGER:		
DATE: JANUARY 18, 2012			FOLLOW UP		
ITEM NO.	HAZARD AND LOCATION (ACTION IF APPROPRIATE)	RATING HAZARD A B C	CORRECTION BY (PERSON)	DATE TO BE COMPLETED	ACTION TAKEN COMPLETED/DATE PENDING
SHIPPING					
12	Semi wheels not chocked.	A	Driver & Paul Lapierre	Immediate	Completed January 18
13	Paint lines on dock are faded.	B	Fred Peters (Maintenance supt.)	February 1	Pending Weather
14	Racking at south wall of warehouse is damaged. Has been hit by forklift.	B	Fred Peters	February 1	Pending renew racking Racking not used.
OFFICE					
15	Exit light out at mail room.	B	Sharon Price	January 20	Completed January 19
16	Carpet torn in accounting.	C	Tim McMillan	February 21	Completed January 25
17	Secretary using chair to reach top shelf. Corrected immediately and located step-ladder.	B	Sharon Price	January 19	Completed. Crew Talk Jan. 19

INSPECTION REPORT							
DATE: _____		INSPECTORS: _____					
TO BE COMPLETED BY INSPECTION TEAM:		ASSIGNED BY MANAGER:					
ITEM NO.	HAZARD AND LOCATION (ACTION IF APPROPRIATE)	RATING HAZARD A B C	CORRECTION BY (PERSON)				
FOLLOW UP	DATE TO BE COMPLETED	ACTION TAKEN COMPLETED/DATE PENDING					

ROYAL OAK FURNITURE MANUFACTURING CO. LTD. ACCIDENT/INCIDENT INVESTIGATION REPORT

NOTE: SHADED AREAS ARE THE MOST IMPORTANT

Last name of injured person BAKER	First name BRENT	Age 43	Sex M
Length of service 18 YEARS	Time on present job 16 YEARS	Occupation TABLE SAW OPERATOR	
Date of accident JAN. 14, 2012	Time of accident 2:55 P.M.	Date of report JAN. 14, 2012	
Nature of injury PIECE OF STEEL IN RIGHT EYE			
Description of accident / incident or employee's account			
Shipping ran out of pallets and needed two for a shipment this afternoon. Foreman instructed to Baker to rip 6" x 6" posts that were part of old warehouse torn down last year. Baker proceeded to rip the posts into 3" x 6" and he was in a hurry he didn't check for nails. He also did not use the saw guard and he did not wear any eye protection. Also, First Aid Attendant was sick today and there was no one to treat the injured worker.			
Basic cause and contributory causes. Explain fully unsafe act, unsafe condition, personal factor, other.			
Out of pallets-Poor planning. Worker rushed due to production deadline.			
Using material that had nails in it. Saw guard not used.			
Worker not wearing eye protection.			
Post accident problem-No F.A.A. on duty, which delayed treatment.			
Recommended Corrective Measures:			Action by:
1) Develop inventory system for pallets and other supplies.			G. Green
2) Use new stock or carefully inspect material prior to cutting.			G. Green
3) Saw guard must be in place.			Operator
4) Saw operators must use eye & full face protection at all times.			Operator
5) Supervisor to retrain operators			G.Green
6) Train or hire additional first aid attendants.			T. McMillan
Inspection Team: George GreenDal Singh.....			
Management review by: Tim McMillan, Manager		Date to be completed by: Jan. 21-items 1-5. Feb. 18 -item 6	

(COMPANY NAME)

ACCIDENT/INCIDENT INVESTIGATION REPORT

NOTE: SHADED AREAS ARE THE MOST IMPORTANT

Last name of injured person		First name		Age	Sex
Length of service	Time on present job		Occupation		
Date of accident		Time of accident		Date of report	
Nature of injury					
Description of accident / incident or employee's account					
Basic cause and contributory causes. Explain fully unsafe act, unsafe condition, personal factor, other.					
Recommended Corrective Measures:				Action by:	
Inspection Team:					
Management review by:			Date to be completed by:		

Appendix 5 – Sample Data Summary Table

Information from the workplace can be tabulated and summarized. The information can then be analyzed to determine if there is any trend (positive or negative) in workplace injuries and incidents over time (e.g. number of STDs over months).

Note: Injury data is a results measure (post injury). Activity or performance measures could also be included (e.g. number of accident investigations, number of inspections, etc.)

Indicator	January	February	Etc.	Year To Date (YTD)	YTD Previous Year
Dangerous occurrence/near miss					
Reported only (First Aid)					
Health care only					
Short term disability (STD) claims					
Number of incident/accident investigations					
Days lost to work related injury/disease					
Cost of all STD claims					
Total paid hours					
Average No. of FTEs					
No. of time loss injuries (e.g. STDs) per 100 FTEs					
Average no. of days lost per injury					
Average cost per STD (time loss)claim					
TOTALS:					

FTE = Full time equivalent

Appendix 6 – Sample Joint Health and Safety Committee Recommendation Form

To: _____	Date: _____
From: Joint Health & Safety Committee	
_____	_____
(Co-Chair Signature – Employer Representative)	(Co-Chair Signature – Worker Representative)
Please respond by: _____ <i>(Within 21 calendar days.)</i>	
OH&S Issue: <i>(Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)</i>	
Committee Recommendation: (attach a separate sheet if necessary) <i>(Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)</i>	
cc:	
Employer Response: (attach a separate sheet if necessary) <i>(Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)</i>	
Signature: _____ (Department Head or Designate)	
Date Returned: _____	
Committee Comments: <i>(Note any follow-up or additional action required by the Committee.)</i>	

Appendix 7 – Sample Education Leave Worksheet

For Joint and Safety Committee Member/Worker Health and Safety Representative

Page 1: To be completed by Joint Health & Safety Committee Member or Worker Health & Safety Representative

Member/Representative Name: _____

Date Completed: _____

1. List Any Health and Safety Experience You Have:

Experience/Position Held (e.g. safety rep; OH&S committee member)	Dates

2. List Any Health and Safety Education You Have Taken:

- Complete this section by identifying the educational leave approved for this committee member or worker representative. Note: refer to WorkSafeBC policy Item D4-135-1 for more information or refer to Appendix 15.
- Attach additional sheet if necessary.

Presentation or Course	Delivered By (specify e.g. college)	Date	Duration

3. Identify the Health and Safety Education You Think You Need:

- 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.

Topic Area	Reason(s) You Want Education In This Topic Area	Your Priority	
		High	Low
Basic Health and Safety Principles:			
• Joint H & S Committee Duties & Functions		•	•
• Workplace Inspections		•	•
• Incident (Accident) Investigations		•	•
• Hazard Recognition and Control		•	•
• Risk Assessment and Hazard Control		•	•
• OH&S Programs		•	•
• OH&S Program Review		•	•
• Responsibilities for OH&S		•	•
• Due Diligence		•	•
• Writing Effective Recommendations		•	•
Other Health and Safety Related Topics (specify):			
•		•	•
•		•	•

Return completed form to designated employer representative:

Page 2: To be completed by employer with input from Joint Health and Safety Committee Members or Worker Health and Safety Representatives

Member/Representative Name: _____

Education Plan for the Year: _____ (specify)

The above named member/representative designates all or part of this year's education leave to:	
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Total (maximum 8 hours):	
Member/Rep Signature:	Date:

Identify the Health and Safety Education Leave Approved For This Year:

- Complete this section by identifying the educational leave approved for this committee member or worker representative. Note: refer to WorkSafeBC policy Item D4-135-1 for more information or refer to Appendix 15.
- Education may be delivered by the employer, associations, schools/colleges, WorkSafeBC, consultants, etc.

Topic Area	Delivered By: (specify)	Approved? (Y/N)	Date	Duration (hours)	At Year End Check if Completed
Basic Health and Safety Principles:					•
• Joint H & S Committee Duties & Functions					•
• Workplace Inspections					•
• Incident (Accident) Investigations					•
• Hazard Recognition and Control					•
• Risk Assessment and Hazard Control					•
• OH&S Programs					•
• OH&S Program Review					•
• Responsibilities for OH&S					•
• Due Diligence					•
• Writing Effective Recommendations					•
Other Health and Safety Related Topics (specify):					•
					•
Total (minimum 8 hours)					

This education plan has been approved by	Employer/Representative:
Signature:	Date Approved:

cc: Committee Member or Worker Representative;

Employee Education File

Appendix 8 – Sample Joint Health and Safety Committee Meeting Schedule

2012 Monthly Meeting Schedule – Joint Health and Safety Committee

Note: Meetings are held the second Thursday of each month.

2012 Meetings	Time	Place	Educational Topic (15 min./meeting unless otherwise noted)
<i>January 08</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>WHMIS – Workplace Labels</i>
<i>February 12</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Using the Forklift Checklist</i>
<i>March 12</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Safe Work Procedures</i>
<i>April 09</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Office Ergonomics</i>
<i>May 14</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Hearing Conservation Program</i>
<i>June 11</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Risk Assessments</i>
<i>July 09</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Invited Speaker – Topic To Be Determined</i>
<i>August 13</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Earthquake Preparedness</i>
<i>September 10</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Violence Prevention Program</i>
<i>October 08</i>	<i>10:30 – 11:30 11:30 – 12:30</i>	<i>Meeting Room 1</i>	<i>Note extra time for Education: Invited Speaker – Topic To Be Determined</i>
<i>November 12</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Building Evacuation</i>
<i>December 10</i>	<i>10:30 – 11:30</i>	<i>Meeting Room 1</i>	<i>Safety Footwear</i>

Appendix 9 – Sample Joint Health and Safety Self-Assessment Checklist

Committee Name: _____ **Location:** _____

Completed By: _____ **Date:** _____

The Joint Health and Safety Committee can conduct a self-assessment to see if the committee is set up and functioning as required (e.g. as part of an annual OH&S program review). The self-assessment process is made up of three parts:

- Self-Assessment Checklist – identify items that make the committee compliant and effective
- Action Plan – identify items that need attention
- (Optional) Scoring Sheet – measure and compare the committee’s performance over time

Self-Assessment Checklist - Directions

- Answer each statement by checking yes or no.

Item	Status
<p>Terms of Reference</p> <p>1. Committee has written Terms of Reference that establish the committee’s rules of procedure. Terms of Reference should include information on:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name of health and safety committee <input type="checkbox"/> Constituency <input type="checkbox"/> Statement of committee purpose <input type="checkbox"/> Duties and functions <input type="checkbox"/> Records <input type="checkbox"/> Meetings <input type="checkbox"/> Agendas and Meeting Reports <input type="checkbox"/> Composition <input type="checkbox"/> Co-chairs <input type="checkbox"/> Terms of Office <input type="checkbox"/> Assistance in Resolving Disagreements <input type="checkbox"/> Amendments 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Membership</p> <p>2. There are a minimum of 4 members, worker and employer representatives from and representing the workplace.</p> <p>3. At least 50% of members are worker representatives.</p> <p>4. Worker representatives have selected 1 co-chair.</p> <p>5. Employer representatives have selected 1 co-chair.</p> <p>6. Names and work locations of committee members and alternates are posted.</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>7. Identify unhealthy or unsafe workplace situations and advise on effective systems for responding to those situations.</p> <p>8. Consider and quickly deal with complaints relating to the health and safety of workers.</p> <p>9. Consult with workers and employer on issues related to OH&S and work environment.</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>

Item	Status
10. Advise employer on workplace programs and policies required under the OH&S Regulation and monitor their effectiveness.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Advise employer on proposed changes to the workplace or work processes that may affect the health or safety of workers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Make recommendations to the employer on educational programs promoting health and safety of workers and compliance with the OH&S Regulation, and monitor program(s) effectiveness.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Ensure accident investigations and regular inspections are carried out as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Assign representatives to participate in inspections as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. Assign representatives to participate in accident investigations as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. Assign representatives to participate in inquiries as required	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Meeting Activities</p> <p>17. Meet regularly at least once each month.</p> <p>18. Use OH&S Regulation and standards as guidance for issues discussed.</p> <p>19. Consider employee OH&S suggestions.</p> <p>20. Review and comment on inspection reports.</p> <p>21. Review and comment on reports of accidents, incidents and industrial disease.</p> <p>22. Confirm for each action item in reports that an individual was assigned, a deadline for completion was set, and follow-up was done to make sure action items were completed.</p> <p>23. Prepare a report for each meeting. Provide a copy to the employer.</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>Committee Recommendations</p> <p>24. Write recommendations that are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Directly related to health and safety <input type="checkbox"/> Doable (reasonably capable of being done) <input type="checkbox"/> Complete (clearly described so the employer does not need more information to make a decision) <p>25. Send recommendation(s) to the employer asking for a written response within 21 calendar days.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Other Activities</p> <p>26. Attend OH&S training courses. Education and training should total 8 hours annually for each member.</p> <p>27. Co-chairs are aware they may report to WorkSafeBC if the committee is unable to reach agreement on a matter relating to the health or safety of workers.</p> <p>28. Co-chairs are aware they may report to WorkSafeBC if the employer does not accept the committee’s recommendations or if the committee is not satisfied with employer’s explanation for a delayed response to recommendations.</p> <p>29. Reports of 3 most recent meetings are posted.</p> <p>30. Monthly meeting reports (kept for at least 2 years from date of meeting) are readily accessible to Joint Health and Safety Committee members, workers and WorkSafeBC.</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>

Item	A. Yes		B. No		C. Corrected using Action Plan		D. Score after using the Action Plan (best score from A or C).
		Score		Score		Score	
1.	3		0		3		
2.	3		0		3		
3.	3		0		3		
4.	3		0		3		
5.	3		0		3		
6.	3		0		3		
7.	3		0		3		
8.	3		0		3		
9.	3		0		3		
10.	3		0		3		
11.	3		0		3		
12.	3		0		3		
13.	3		0		3		
14.	3		0		3		
15.	3		0		3		
16.	3		0		3		

Total A: Total A:

Initial Score (Total A + B):

Score After Action Plan (Total D):

Score	Performance*
Less than 35	Immediate action should be taken. An effective Joint Health and Safety Committee is not in place.
35 to 59	Some safety and health activities exist but better planning and organization is required.
60 to 84	Joint Health and Safety Committee is active and underway but needs fine tuning.
85	Joint Health and Safety Committee meets recommended minimum compliance level.
86 to 100	Joint Health and Safety Committee exceeds minimum compliance level.

*Note performance scores are only a guideline. Other factors to consider include health and safety performance in the workplace, compliance with the *Workers Compensation Act* and OH&S Regulation, degree of hazard associated with violations, etc.

Appendix No 10 – Sample Employer Checklist #2: How to Maintain A Joint Health and Safety Committee

This checklist identifies the activities employers need to do to maintain a compliant committee. These activities need to be built into the employer’s ongoing business activities.

Activity	Completion Date	Assigned To	Check When Done
<p>Committee Business</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide committee members time away from regular work (deemed paid time) for committee meetings and any other time required to prepare for committee meetings and fulfill committee functions. <input type="checkbox"/> Provide the committee with the equipment, premises and clerical personnel necessary to carry out its duties and functions. <input type="checkbox"/> It is desirable for the employer to provide typing and clerical services, and is also acceptable for the employer to provide a recording secretary who would not necessarily be considered a committee member. 			<input type="checkbox"/>
<p>Committee Recommendations</p> <ul style="list-style-type: none"> <input type="checkbox"/> Respond to committee in writing within 21 calendar days of receiving written recommendation(s) indicating acceptance or reasons for not accepting recommendation(s). <input type="checkbox"/> Provide a written explanation for any delay if it is not reasonably possible to provide a response before the end of 21 calendar days. 			<input type="checkbox"/>
<p>Committee Monthly Meeting Reports</p> <ul style="list-style-type: none"> <input type="checkbox"/> Send a copy of the committee monthly meeting reports to the worker union(s) on request. <input type="checkbox"/> Retain a copy of committee monthly meeting reports for at least 2 years from the date of the meeting. <input type="checkbox"/> Ensure retained monthly meeting reports are readily accessible to committee members, workers, and WorkSafeBC. <input type="checkbox"/> Post the reports of the 3 most recent meetings. 			<input type="checkbox"/>
<p>Educational Leave</p> <p>Provide each committee member annual paid educational leave of 8 hours per year, including course costs and reasonable costs to attend occupational health and safety training courses conducted by or approved by WorkSafeBC*.</p>			<input type="checkbox"/>
<p>Health and Safety Information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Advise the committee of any planned introduction of new equipment, new operating procedures or new chemicals or other substances or materials. <input type="checkbox"/> Provide committee, on request, with information about known or reasonably foreseeable health or safety hazards that workers at the workplace may be exposed to. <input type="checkbox"/> Provide committee, on request, with information about health and safety experience, work practices, and standards in similar or other industries of which the employer has knowledge. 			<input type="checkbox"/>

* For details on courses and trainers etc., visit the WorkSafeBC website (www.worksafebc.com) or call the WorkSafeBC Information Line at 604-276-3100 or 1-888-621-7233.

Appendix 11 – Joint Health & Safety Committee Sample Worksheets

(For Photocopying purposes)

Sample Education Leave Worksheet

For Joint and Safety Committee Member/Worker Health and Safety Representative

Page 1: To be completed by Joint Health & Safety Committee Member or Worker Health & Safety Representative

Member/Representative Name: _____

Date Completed: _____

1. List Any Health and Safety Experience You Have:

Experience/Position Held (e.g. safety rep; OH&S committee member)	Dates

2. List Any Health and Safety Education You Have Taken:

- Complete this section by listing any health and safety education you have taken from your employer, previous employers, associations, schools/colleges, WorkSafeBC, consultants, etc.
- Attach additional sheet if necessary.

Presentation or Course	Delivered By (specify e.g. college)	Date	Duration

3. Identify the Health and Safety Education You Think You Need:

- 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.

Topic Area	Reason(s) You Want Education In This Topic Area	Your Priority	
		High	Low
Basic Health and Safety Principles:			
• Joint H & S Committee Duties & Functions		•	•
• Workplace Inspections		•	•
• Incident (Accident) Investigations		•	•
• Hazard Recognition and Control		•	•
• Risk Assessment and Hazard Control		•	•
• OH&S Programs		•	•
• OH&S Program Review		•	•
• Responsibilities for OH&S		•	•
• Due Diligence		•	•
• Writing Effective Recommendations		•	•
Other Health and Safety Related Topics (specify):			
•		•	•
•		•	•

Return completed form to designated employer representative:

Sample Education Leave Worksheet

For Joint and Safety Committee Member/Worker Health and Safety Representative

Page 2: To be completed by employer with input from Joint Health and Safety Committee Members or Worker Health and Safety Representatives

Member/Representative Name: _____

Education Plan for the Year: _____ (specify)

The above named member/representative designates all or part of this year's education leave to:	
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Committee Member/Rep:	Hrs. designated:
Total (maximum 8 hours):	
Member/Rep Signature:	Date:

Identify the Health and Safety Education Leave Approved For This Year:

- Complete this section by identifying the educational leave approved for this committee member or worker representative. Note: refer to Policy Item D4-135-1 for more information.
- Education may be delivered by the employer, associations, schools/colleges, WorkSafeBC, consultants, etc.

Topic Area	Delivered By: (specify)	WorkSafeBC Approved? (Y/N)	Date	Duration (hours)	At Year End Check if Completed
Basic Health and Safety Principles:					•
• Joint H & S Committee Duties & Functions					•
• Workplace Inspections					•
• Incident (Accident) Investigations					•
• Hazard Recognition and Control					•
• Risk Assessment and Hazard Control					•
• OH&S Programs					•
• OH&S Program Review					•
• Responsibilities for OH&S					•
• Due Diligence					•
• Writing Effective Recommendations					•
Other Health and Safety Related Topics (specify):					•
					•
Total (minimum 8 hours)					

This education plan has been approved by	Employer/Representative:
Signature:	Date Approved:

cc: Committee Member or Worker Representative;

Employee Education File

Sample Joint Health and Safety Committee Recommendation Form

To: _____	Date: _____
From: Joint Health & Safety Committee	
_____	_____
(Co-Chair Signature – Employer Representative)	(Co-Chair Signature – Worker Representative)
Please respond by: _____ (Within 21 calendar days.)	
OH&S Issue: (Give a short, clear and complete description of the issue. Describe what, why, who, where and when.)	
Committee Recommendation: (attach a separate sheet if necessary) (Make sure the recommendation deals with workplace health and safety. Include reasons for your recommendation. For complex issues, list options, steps involved and suggested time frame for implementation/completion.)	
cc:	
Employer Response: (attach a separate sheet if necessary) (Note to employer: In your response, if you accept this recommendation please include a time frame for completion. If you reject the recommendation please include your reasons.)	
Signature: _____ (Department Head or Designate)	
Date Returned: _____	
Committee Comments: (Note any follow-up or additional action required by the Committee.)	

Sample Joint Health and Safety Self-Assessment Checklist (page 1 of 4)

Committee Name: _____ **Location:** _____

Completed By: _____ **Date:** _____

The Joint Health and Safety Committee can conduct a self-assessment to see if the committee is set up and functioning as required (e.g. as part of an annual OH&S program review). The self-assessment process is made up of three parts:

- Self-Assessment Checklist – identify items that make the committee compliant and effective
- Action Plan – identify items that need attention
- (Optional) Scoring Sheet – measure and compare the committee’s performance over time

Self-Assessment Checklist - Directions

- Answer each statement by checking yes or no.

Item	Status
<p>Terms of Reference</p> <p>1. Committee has written Terms of Reference that establish the committee’s rules of procedure. Terms of Reference should include information on:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name of health and safety committee <input type="checkbox"/> Constituency <input type="checkbox"/> Statement of committee purpose <input type="checkbox"/> Duties and functions <input type="checkbox"/> Records <input type="checkbox"/> Meetings <input type="checkbox"/> Agendas and Meeting Reports <input type="checkbox"/> Composition <input type="checkbox"/> Co-chairs <input type="checkbox"/> Terms of Office <input type="checkbox"/> Assistance in Resolving Disagreements <input type="checkbox"/> Amendments 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Membership</p> <p>2. There are a minimum of 4 members, worker and employer representatives from and representing the workplace.</p> <p>3. At least 50% of members are worker representatives.</p> <p>4. Worker representatives have selected 1 co-chair.</p> <p>5. Employer representatives have selected 1 co-chair.</p> <p>6. Names and work locations of committee members and alternates are posted.</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>7. Identify unhealthy or unsafe workplace situations and advise on effective systems for responding to those situations.</p> <p>8. Consider and quickly deal with complaints relating to the health and safety of workers.</p> <p>9. Consult with workers and employer on issues related to OH&S and work environment.</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>

Sample Joint Health and Safety Self-Assessment Checklist (page 2 of 4)

Item	Status
1. Advise employer on workplace programs and policies required under the OH&S Regulation and monitor their effectiveness.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Advise employer on proposed changes to the workplace or work processes that may affect the health or safety of workers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Make recommendations to the employer on educational programs promoting health and safety of workers and compliance with the OH&S Regulation, and monitor program(s) effectiveness.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Ensure accident investigations and regular inspections are carried out as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Assign representatives to participate in inspections as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Assign representatives to participate in accident investigations as required.	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Assign representatives to participate in inquiries as required	<input type="checkbox"/> Yes <input type="checkbox"/> No
Meeting Activities	
8. Meet regularly at least once each month.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Use OH&S Regulation and standards as guidance for issues discussed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Consider employee OH&S suggestions.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Review and comment on inspection reports.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Review and comment on reports of accidents, incidents and industrial disease.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Confirm for each action item in reports that an individual was assigned, a deadline for completion was set, and follow-up was done to make sure action items were completed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Prepare a report for each meeting. Provide a copy to the employer.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Committee Recommendations	
15. Write recommendations that are:	
<input type="checkbox"/> Directly related to health and safety	
<input type="checkbox"/> Doable (reasonably capable of being done)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Complete (clearly described so the employer does not need more information to make a decision)	
16. Send recommendation(s) to the employer asking for a written response within 21 calendar days.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other Activities	
17. Attend OH&S training courses. Education and training should total 8 hours annually for each member.	<input type="checkbox"/> Yes <input type="checkbox"/> No
18. Co-chairs are aware they may report to WorkSafeBC if the committee is unable to reach agreement on a matter relating to the health or safety of workers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
19. Co-chairs are aware they may report to WorkSafeBC if the employer does not accept the committee's recommendations or if the committee is not satisfied with employer's explanation for a delayed response to recommendations.	<input type="checkbox"/> Yes <input type="checkbox"/> No
20. Reports of 3 most recent meetings are posted.	<input type="checkbox"/> Yes <input type="checkbox"/> No
21. Monthly meeting reports (kept for at least 2 years from date of meeting) are readily accessible to Joint Health and Safety Committee members, workers and WorkSafeBC.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Sample Joint Health and Safety Self-Assessment Checklist

(page 4 of 4)

Item	A. Yes		B. No		C. Corrected using Action Plan		D. Score after using the Action Plan (best score from A or C).
		Score		Score		Score	
1.	3		0		3		
2.	3		0		3		
3.	3		0		3		
4.	3		0		3		
5.	3		0		3		
6.	3		0		3		
7.	3		0		3		
8.	3		0		3		
9.	3		0		3		
10.	3		0		3		
11.	3		0		3		
12.	3		0		3		
13.	3		0		3		
14.	3		0		3		
15.	3		0		3		
16.	3		0		3		

Total A: **Total A:**

Initial Score (Total A + B):

Score After Action Plan (Total D):

Score	Performance*
Less than 35	Immediate action should be taken. An effective Joint Health and Safety Committee is not in place.
35 to 59	Some safety and health activities exist but better planning and organization is required.
60 to 84	Joint Health and Safety Committee is active and underway but needs fine tuning.
85	Joint Health and Safety Committee meets recommended minimum compliance level.
86 to 100	Joint Health and Safety Committee exceeds minimum compliance level.

*Note performance scores are only a guideline. Other factors to consider include health and safety performance in the workplace, compliance with *Workers Compensation Act* and OH&S Regulation, degree of hazard associated with violations, etc.

How to Set Up A Joint Health and Safety Committee

This checklist identifies the steps employers should follow to set up a compliant committee.

Activity	Completion Date	Assigned To	Check When Done
<p>Draft Committee Terms of Reference Terms of Reference should include information on:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name of health and safety committee <input type="checkbox"/> Constituency <input type="checkbox"/> Statement of committee purpose <input type="checkbox"/> Duties and functions <input type="checkbox"/> Records <input type="checkbox"/> Meetings <input type="checkbox"/> Agendas and Meeting Reports <input type="checkbox"/> Composition <input type="checkbox"/> Co-chairs <input type="checkbox"/> Terms of Office <input type="checkbox"/> Assistance in Resolving Disagreements <input type="checkbox"/> Amendments <p><i>See Example Terms of Reference</i></p>			<input type="checkbox"/>
<p>Determine Number of Committee Members</p> <ul style="list-style-type: none"> <input type="checkbox"/> minimum = 4 members <input type="checkbox"/> at least 50% of members must be worker representatives <p>Factors to consider include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> efficiency <input type="checkbox"/> number of employees <input type="checkbox"/> degree of hazard in the workplace <input type="checkbox"/> number of places of employment <input type="checkbox"/> number of unions or worker groups <input type="checkbox"/> need to represent different shifts/departments 			<input type="checkbox"/>
<p>Select Worker Representatives and Alternates</p> <ul style="list-style-type: none"> <input type="checkbox"/> select from workers who do not exercise managerial functions <input type="checkbox"/> union workers: select according to union(s) established procedures <input type="checkbox"/> non-union workers: elect by secret ballot <input type="checkbox"/> determine number of union and non-union worker <input type="checkbox"/> representatives in equitable proportion to their relative numbers and health and safety risks 			<input type="checkbox"/>
<p>Select Employer Representatives and Alternates</p> <ul style="list-style-type: none"> <input type="checkbox"/> select from among persons who exercise managerial functions <input type="checkbox"/> for an effective committee, employer representatives should have authority to take immediate action on committee recommendations 			<input type="checkbox"/>
<p>Post the names and work locations of Joint Health & Safety Committee members and alternates</p>			<input type="checkbox"/>
<p>Set First Monthly Meeting Date and Agenda First meeting activities should include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1 co-chair selected by worker representatives <input type="checkbox"/> 1 co-chair selected by employer representatives <input type="checkbox"/> Review draft Terms of Reference <input type="checkbox"/> Review sample meeting agenda and meeting report <p><i>See Example Agenda and Example Meeting Report</i></p>			<input type="checkbox"/>

How to Maintain A Joint Health and Safety Committee

This checklist identifies the activities employers need to do to maintain a compliant committee. These activities need to be built into the employer’s ongoing business activities.

Activity	Completion Date	Assigned To	Check When Done
<p>Committee Business</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide committee members time away from regular work (deemed paid time) for committee meetings and any other time required to prepare for committee meetings and fulfill committee functions. <input type="checkbox"/> Provide the committee with the equipment, premises and clerical personnel necessary to carry out its duties and functions. <input type="checkbox"/> It is desirable for the employer to provide typing and clerical services, and is also acceptable for the employer to provide a recording secretary who would not necessarily be considered a committee member. 			<input type="checkbox"/>
<p>Committee Recommendations</p> <ul style="list-style-type: none"> <input type="checkbox"/> Respond to committee in writing within 21 calendar days of receiving written recommendation(s) indicating acceptance or reasons for not accepting recommendation(s). <input type="checkbox"/> Provide a written explanation for any delay if it is not reasonably possible to provide a response before the end of 21 calendar days. 			<input type="checkbox"/>
<p>Committee Monthly Meeting Reports</p> <ul style="list-style-type: none"> <input type="checkbox"/> Send a copy of the committee monthly meeting reports to the worker union(s) on request. <input type="checkbox"/> Retain a copy of committee monthly meeting reports for at least 2 years from the date of the meeting. <input type="checkbox"/> Ensure retained monthly meeting reports are readily accessible to committee members, workers, and WorkSafeBC. <input type="checkbox"/> Post the reports of the 3 most recent meetings. 			<input type="checkbox"/>
<p>Educational Leave</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide each committee member annual paid educational leave of 8 hours per year, including course costs and reasonable costs to attend occupational health and safety training courses 			<input type="checkbox"/>
<p>Health and Safety Information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Advise the committee of any planned introduction of new equipment, new operating procedures or new chemicals or other substances or materials. <input type="checkbox"/> Provide committee, on request, with information about known or reasonably foreseeable health or safety hazards that workers at the workplace may be exposed to. Review draft Terms of Reference <input type="checkbox"/> Provide committee, on request, with information about health and safety experience, work practices, and standards in similar or other industries of which the employer has knowledge 			<input type="checkbox"/>

Appendix 12 – Workers Compensation Act: Divisions 3, 4, and 5

Division 3 – General Duties of Employers, Workers and Others General duties of employers

Section 115

- (1) Every employer must
 - (a) ensure the health and safety of
 - (i) all workers working for that employer, and
 - (ii) any other workers present at a workplace at which that employer's work is being carried out, and
 - (b) comply with this Part, the regulations and any applicable orders.
- (2) Without limiting subsection (1), an employer must
 - (a) remedy any workplace conditions that are hazardous to the health or safety of the employer's workers,
 - (b) ensure that the employer's workers
 - (i) are made aware of all known or reasonably foreseeable health or safety hazards to which they are likely to be exposed by their work,
 - (ii) comply with this Part, the regulations and any applicable orders, and
 - (iii) are made aware of their rights and duties under this Part and the regulations,
 - (c) establish occupational health and safety policies and programs in accordance with the regulations,
 - (d) provide and maintain in good condition protective equipment, devices and clothing as required by regulation and ensure that these are used by the employer's workers,
 - (e) provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace,
 - (f) make a copy of this *Act* and the regulations readily available for review by the employer's workers and, at each workplace where workers of the employer are regularly employed, post and keep posted a notice advising where the copy is available for review,
 - (g) consult and cooperate with the joint committees and worker health and safety representatives for workplaces of the employer, and
 - (h) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General duties of workers

Section 116

- (1) Every worker must
 - (a) take reasonable care to protect the worker's health and safety and the health and safety of other persons who may be affected by the worker's acts or omissions at work, and

- (b) comply with this Part, the regulations and any applicable orders.
- (2) Without limiting subsection (1), a worker must
- (a) carry out his or her work in accordance with established safe work procedures as required by this Part and the regulations,
 - (b) use or wear protective equipment, devices and clothing as required by the regulations,
 - (c) not engage in horseplay or similar conduct that may endanger the worker or any other person,
 - (d) ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,
 - (e) report to the supervisor or employer
 - (i) any contravention of this Part, the regulations or an applicable order of which the worker is aware, and
 - (ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,
 - (f) cooperate with the joint committee or worker health and safety representative for the workplace, and
 - (g) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General duties of supervisors

Section 117

- (1) Every supervisor must
- (a) ensure the health and safety of all workers under the direct supervision of the supervisor,
 - (b) be knowledgeable about this Part and those regulations applicable to the work being supervised, and
 - (c) comply with this Part, the regulations and any applicable orders.
- (2) Without limiting subsection (1), a supervisor must
- (a) ensure that the workers under his or her direct supervision
 - (i) are made aware of all known or reasonably foreseeable health or safety hazards in the area where they work, and
 - (ii) comply with this Part, the regulations and any applicable orders,
 - (b) consult and cooperate with the joint committee or worker health and safety representative for the workplace, and
 - (c) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

Coordination at multiple-employer workplaces

Section 118

(1) In this section:

“multiple-employer workplace” means a workplace where workers of 2 or more employers are working at the same time;

“prime contractor” means, in relation to a multiple-employer workplace,

- (a) the directing contractor, employer or other person who enters into a written agreement with the owner of that workplace to be the prime contractor for the purposes of this Part, or
- (b) if there is no agreement referred to in paragraph (a), the owner of the workplace.

(2) The prime contractor of a multiple-employer workplace must

- (a) ensure that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated, and
- (b) do everything that is reasonably practicable to establish and maintain a system or process that will ensure compliance with this Part and the regulations in respect of the workplace.

(3) Each employer of workers at a multiple-employer workplace must give to the prime contractor the name of the person the employer has designated to supervise the employer’s workers at that workplace.

General duties of owner

Section 119

Every owner of a workplace must

- (a) provide and maintain the owner’s land and premises that are being used as a workplace in a manner that ensures the health and safety of persons at or near the workplace,
- (b) give to the employer or prime contractor at the workplace the information known to the owner that is necessary to identify and eliminate or control hazards to the health or safety of persons at the workplace, and
- (c) comply with this Part, the regulations and any applicable orders.

General duties of suppliers

Section 120

Every supplier must

- (a) ensure that any tool, equipment, machine or device, or any biological, chemical or physical agent, supplied by the supplier is safe when used in accordance with the directions provided by the supplier and complies with this Part and the regulations,

- (b) provide directions respecting the safe use of any tool, equipment, machine or device, or any biological, chemical or physical agent, that is obtained from the supplier to be used at a workplace by workers,
- (c) ensure that any biological, chemical or physical agent supplied by the supplier is labelled in accordance with the applicable federal and provincial enactments,
- (d) if the supplier has responsibility under a leasing agreement to maintain any tool, equipment, machine, device or other thing, maintain it in safe condition and in compliance with this Part, the regulations and any applicable orders, and
- (e) comply with this Part, the regulations and any applicable orders.

Duties of directors and officers of a corporation

Section 121

Every director and every officer of a corporation must ensure that the corporation complies with this Part, the regulations and any applicable orders.

General obligations are not limited by specific obligations

Section 122

A specific obligation imposed by this Part or the regulations does not limit the generality of any other obligation imposed by this Part or the regulations.

Persons may be subject to obligations in relation to more than one role

Section 123

- (1) In this section, “function” means the function of employer, supplier, supervisor, owner, prime contractor or worker.
- (2) If a person has 2 or more functions under this Part in respect of one workplace, the person must meet the obligations of each function.

Responsibility when obligations apply to more than one person

Section 124

If

- (a) one or more provisions of this Part or the regulations impose the same obligation on more than one person, and
- (b) one of the persons subject to the obligation complies with the applicable provision,

the other persons subject to the obligation are relieved of that obligation only during the time when

- (c) simultaneous compliance by more than one person would result in unnecessary duplication of effort and expense, and
- (d) the health and safety of persons at the workplace is not put at risk by compliance by only one person.

Division 4 — Joint Committees and Worker Representatives

When a joint committee is required

Section 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

Section 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

Section 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

Section 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

Section 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

Section 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

Section 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

Section 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

Section 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

Section 134

- (1) A member of a joint committee is entitled to time off from work for
 - (b) the time required to attend meetings of the committee, and
 - (c) 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

Section 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

Section 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

Section 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

Section 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

Section 139

- (1) A worker health and safety representative is required
- (a) (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

Section 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.

Part 1 Division 5 - Procedure and Miscellaneous

Note: This box contains a summary of part of the *Workers Compensation Act*. It does not use the exact wording of the *Act*.

Sections 53-78 establish procedures for notifying the Board in the event of an injury, disabling occupational disease or death; the process for applying for compensation; the duties of physicians and practitioners; the requirements for workers to submit to a medical examination; and administrative processes such as undergoing audits, making annual reports and issuing orders.

The following sections are particularly noteworthy.

Section 53: Worker’s notification of injury (summary)

A worker must report an injury or disabling occupational disease as soon as possible to the employer or the employer’s representative. For an occupational disease, the employer to be informed is the one who last employed the worker in the type of work that can cause the disease. In case of death, the worker’s dependant makes the report.

Representatives of the employer include:

- the superintendent,
- the first aid attendant,
- the supervisor, and
- the agent in charge of the work where the injury occurred.

The report must include:

- the name of the worker,
- the time and place of the occurrence, and
- a description, in ordinary language, of the disease or injury and its cause.

At the request of the employer, the worker, if fit to do so, must give the employer details of the injury or occupational disease on a form prescribed by the Board. The employer supplies the form to the worker. If a worker fails to provide the information required, the claim for compensation will not be allowed, unless the Board is satisfied that:

- the information, although imperfect in some respects, adequately describes the disease or injury and how it happened,
- the employer or the employer’s representative had knowledge of it, or
- the employer has not been prejudiced, and the Board considers that the interests of justice require that the claim be allowed.

Employer's notification of injury (summary)

Section 54

An employer must report every work-related injury to the Board. The report must be made within 3 days of the injury's occurrence.

An employer must report every disabling occupational disease, or claim for or allegation of an occupational disease, to the Board. The report must be made within 3 days of receiving the worker's report of the disease.

An employer must report every work-related death immediately to the Board and the Board's local representative. The report must be on the form prescribed by the Board and must state:

- the name and address of the worker,
- the time and place of the disease, injury, or death,
- the nature of the injury or alleged injury,
- the name and address of any physician or qualified practitioner who attended the worker, and
- any other details required by the Board or by regulation.

An employer who does not report to the Board is committing an offence, unless the employer has a good reason why the report could not be made and is excused by the Board.

The Board may make regulations to:

- define a category of minor injuries not required to be reported, and
- define or vary the time when the obligation to report starts.

If the Board does not receive a report within 7 days of an injury or death, or any other time prescribed by regulation, the Board may allow the claim on an interim basis and begin paying compensation. Any compensation paid, until 3 days after the Board receives the report, may be collected from the employer through an additional assessment. The additional assessment will be contributed to the accident fund. If the Board believes the delay in reporting was excusable, it may relieve the employer of all or part of the additional assessment.

Section 73: Levy from employer to cover amount of compensation (summary)

When a worker suffers injury, death, or disablement from occupational disease, the Board may collect the compensation payable from the employer if the Board considers that the injury, death, or disablement was due to:

- gross negligence of an employer,
- failure of an employer to adopt reasonable means to prevent injuries, deaths or occupational diseases,
- failure to comply with the orders or directions of the Board, or
- failure to comply with the regulations.

The additional assessment may be collected the same way an assessment is collected to a maximum of \$52,221.94. Payment may be enforced the same way payment of an assessment is enforced.

Section 75: Orders (summary)

In addition to rules and regulations, the Board may issue any orders and directives it considers necessary to carry out its mandate under the *Act*. The Board may prescribe the form and use of payrolls, records, reports, certificates, declarations, and documents that may be needed, and may make regulations for those purposes.

Section 77: General Penalty

Every person convicted of an offence under Part 1 of the *Act* may be fined up to \$4,994.49, unless other punishment has been specified. The amount of the fine is adjusted periodically by regulation.

Section 78: Penalties (summary)

The penalties imposed under Part 1 are recoverable under the *Offence Act* or by an action brought by the Board in a court. The penalties are paid to the Board and deposited to the accident fund.

Appendix 13 – Workers Compensation Act: Division 6 – Prohibition Against Discriminator Actions

Actions that are considered discriminatory

Section 150

- (1) For the purposes of this Division, “discriminatory action” includes any act or omission by an employer or union, or a person acting on behalf of an employer or union, that adversely affects a worker with respect to any term or condition of employment, or of membership in a union.
- (2) Without restricting subsection (1), discriminatory action includes
 - (a) suspension, lay-off or dismissal,
 - (b) demotion or loss of opportunity for promotion,
 - (c) transfer of duties, change of location of workplace, reduction in wages or change in working hours,
 - (d) coercion or intimidation,
 - (e) imposition of any discipline, reprimand or other penalty, and
 - (f) the discontinuation or elimination of the job of the worker.

Discrimination against workers prohibited

Section 151

An employer or union, or a person acting on behalf of an employer or union, must not take or threaten discriminatory action against a worker

- (a) for exercising any right or carrying out any duty in accordance with this Part, the regulations or an applicable order,
- (b) for the reason that the worker has testified or is about to testify in any matter, inquiry or proceeding under this *Act* or the *Coroners Act* on an issue related to occupational health and safety or occupational environment, or
- (c) for the reason that the worker has given any information regarding conditions affecting the occupational health or safety or occupational environment of that worker or any other worker to
 - (i) an employer or person acting on behalf of an employer,
 - (ii) another worker or a union representing a worker, or
 - (iii) an officer or any other person concerned with the administration of this Part.

Complaint by worker against discriminatory action or failure to pay wages

Section 152

- (1) A worker who considers that
 - (a) an employer or union, or a person acting on behalf of an employer or union, has taken, or threatened to take, discriminatory action against the worker contrary to section 151, or
 - (b) an employer has failed to pay wages to the worker as required by this Part or the regulations may have the matter dealt with through the grievance procedure under a collective agreement, if any, or by complaint in accordance with this Division.

- (2) A complaint under subsection (1) must be made in writing to the board,
 - (a) in the case of a complaint referred to in subsection (1) (a), within 1 year of the action considered to be discriminatory, and
 - (b) in the case of a complaint referred to in subsection (1) (b), within 60 days after the wages became payable.
- (3) In dealing with a matter referred to in subsection (1), whether under a collective agreement or by complaint to the board, the burden of proving that there has been no such contravention is on the employer or the union, as applicable.

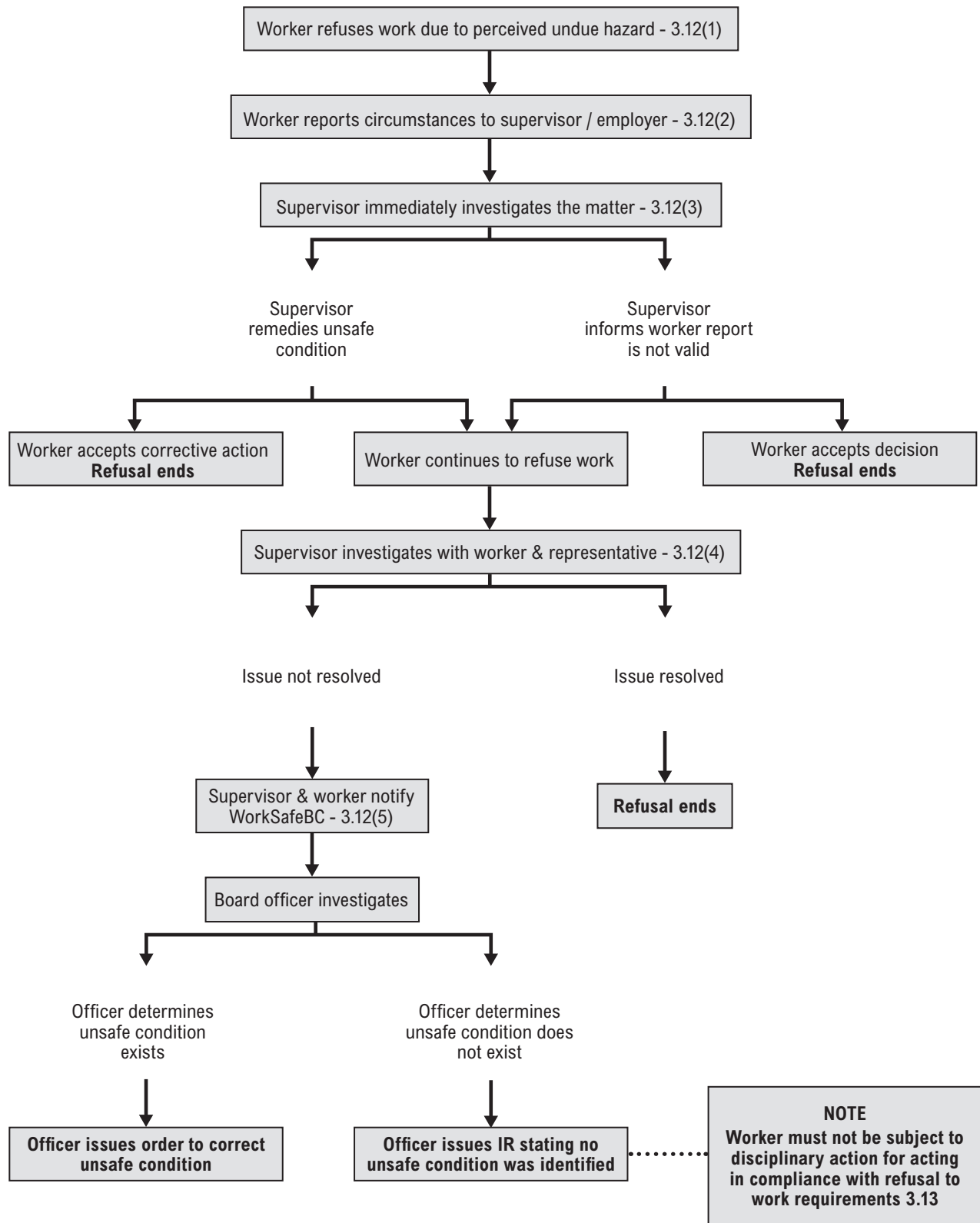
Response to complaint

Section 153

- (1) If the board receives a complaint under section 152 (2), it must immediately inquire into the matter and, if the complaint is not settled or withdrawn, must
 - (a) determine whether the alleged contravention occurred, and
 - (b) deliver a written statement of the board's determination to the worker and to the employer or union, as applicable.
- (2) If the board determines that the contravention occurred, the board may make an order requiring one or more of the following:
 - (a) that the employer or union cease the discriminatory action;
 - (b) that the employer reinstate the worker to his or her former employment under the same terms and conditions under which the worker was formerly employed;
 - (c) that the employer pay, by a specified date, the wages required to be paid by this Part or the regulations;
 - (d) that the union reinstate the membership of the worker in the union;
 - (e) that any reprimand or other references to the matter in the employer's or union's records on the worker be removed;
 - (f) that the employer or the union pay the reasonable out of pocket expenses incurred by the worker by reason of the discriminatory action;
 - (g) that the employer or the union do any other thing that the board considers necessary to secure compliance with this Part and the regulations.

Appendix 14 – Refusal of Unsafe Work Process

OH&S Regulation - Section 3.12 & 3.13



Appendix 15 – Educational Leave Policy Item D4-135-1

RE: Joint Committees - Educational Leave

BACKGROUND

1. Explanatory Notes

Section 135 provides for educational leave for members of joint committees. Section 135(3) requires the employer to provide the leave without loss of pay or other benefits.

2. The Act

Section 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.

POLICY

Members of joint health and safety committees are entitled to take time off from work to attend occupational health and safety training courses conducted by or with the approval of the Board.

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 where required by section 133. In making its decision, the employer must act in a manner consistent with the purpose and intent of section 135. Permission must not be unreasonably denied.

If a member of the committee considers that the employer is not allowing the member the leave to which he or she is entitled under section 135, the member may, after following the above process, complain to the Board. The Board will investigate the matter. Depending upon its findings, the Board may:

- decide that no further action is appropriate;
- attempt to resolve the dispute; or
- make an order under section 187 requiring the employer to comply with section 135.

If the employer does not pay a worker's wages for leave taken under section 135, a complaint can be made to the Board under section 152.

Dead certain

Eleven lethal workplace sins – plus one – pose consequences too big to risk

In the mid-80s, WorkSafeBC identified “11 deadly sins” too dangerous to contemplate in the workplace. Not necessarily responsible for the highest number of injuries, these safety violations offered a fast track to the most life-shattering injuries and diseases – or death. More than 20 years later, Ross Pallett, WorkSafeBC occupational health and safety regulation technical director, says workers and employers still forget the deadly sins.

And in the meantime, another workplace sin is being considered for the list: lack of fall protection. It produces 20 times the serious injury rate and the highest number of penalties and orders issued of any other workplace violation. “With killer contraventions like these, workers don’t get a second chance,” Pallett says.

- 1.** **Unsafe excavation** (excavation more than 1.2 m [4 ft.] deep without adequately supporting or sloping sides or adopting alternative safeguards)
- Consequences:* A worker recently entered an unshored, unshored 4.3 m (14 ft.) excavation and it collapsed on his head, killing him instantly.



- 2.** **Asbestos exposure risks** (permitting inadequately protected workers to be exposed to conditions likely to cause chronic health effects)
- Consequences:* WorkSafeBC has accepted 446 fatal claims related to asbestos exposure over the past 10 years.

- 3.** **Lock-out violations** (equipment not properly locked out when required)
- Consequences:* A worker was recently crushed and killed between the grab arms of an improperly locked out Waratah log processing head while performing routine maintenance on the head.



- 4.** **Confined space risks** (permitting workers to be exposed to situations or conditions posing immediate danger to life or health)
- Consequences:* A worker died after entering an oxygen-deficient barge hull. Three more workers died trying to rescue him.

- 5.** **Unsafe practices near overhead power lines** (working within specified minimum distances from unguarded overhead energized high voltage electrical conductors without complying with Regulation)
- Consequences:* A drill operator was killed while turning an air-track drill adjacent to a 14,400-volt B.C. Hydro power line. The top of the drill contacted the power line, issuing a lethal level of high-voltage trauma.



6. Rollover dangers (failing to use Rollover Protection Structure [ROPS]; failing to install or use seatbelts as required)

⚠ WARNING
A ROLL OVER
HAZARD
EXISTS
SEAT BELTS
MUST BE WORN



7. Unsafe manual falling (failing to fell all dangerous trees as required by Regulation)

Consequences: A manual faller was recently killed while working in a cutblock. He'd made cuts to fall a dead hemlock tree, and when the tree started to fall, a 4.9 m (16 ft.) section broke off and fell toward the faller, in the opposite direction intended by the cut.

8. Unsafe manual falling (using domino-falling procedures)

9. Unsafe manual falling (leaving behind cut-up trees)

10. Unsafe manual falling (inappropriate fall-control measures, e.g., insufficient holding wood, careless corner-cutting on holding wood, no use of wedges or wedging equipment)

11. Unsafe manual falling (permitting workers other than faller to be within two tree length minimum of tree being felled)

Consequences: A seismic felling crew stopped to refuel their saws. After refuelling, the lead faller decided to cut down a 34 m (112 ft.) tall cottonwood tree. He asked the rest of the crew to move behind him, so they stood a few metres away. The tree fell off course and struck another tree. The top third of the falling tree broke off, was thrown backwards, and hit one of the crew members. He suffered serious head injuries.

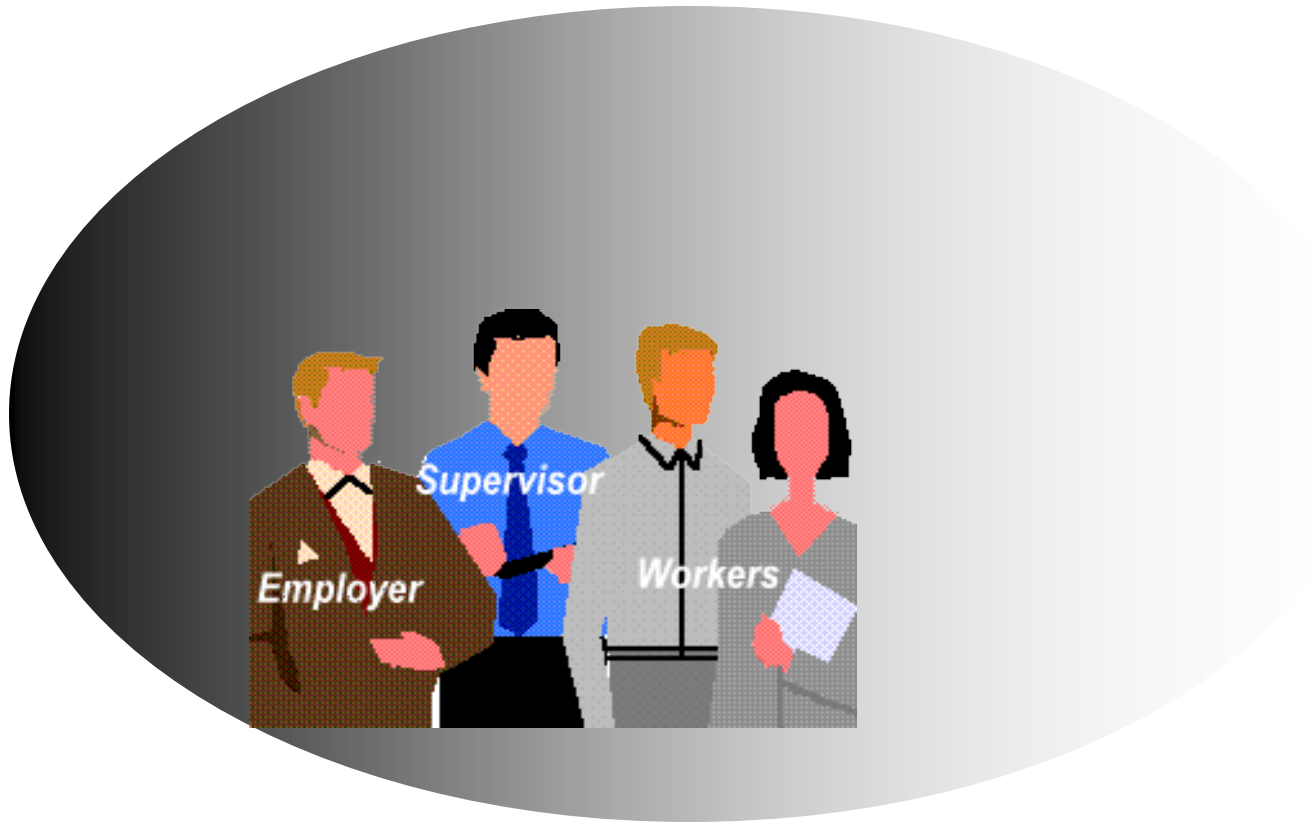
TREE
FELLING



12. Fall protection violations (failure to follow fall protection guidelines required under the Regulation)

Consequences: A young worker died recently after falling 5.6 m (18.5 ft.) from an unguarded, third-storey balcony to the ground below. The worker fell while in the process of installing vinyl siding above the sliding door of a newly constructed four-storey apartment complex. He died of a severe closed head injury.

Responsibilities for OH&S



Injuries and Claims

In B.C. there were (2011):

- **Injuries reported** **141,559**
- **Claims accepted** **103,940**
- **Fatal claims accepted** **142**
- **Occupational disease claims** **3,360**
- **Days lost from work** **2.9 M**

Learning Objectives

- Identify the legal responsibilities of employers, supervisors, workers and others
- Identify WorkSafeBC prevention services that help employers and workers to fulfill their H&S responsibilities
- Explain the individual right / responsibility to refuse unsafe work and the right to be protected from H&S discrimination

Legal Responsibilities

- **Employers**
- **Workers**
- **Owners**
- **Suppliers**
- **Corp. Directors & Officers**
- **Prime contractors**
- **Supervisors**
- **Joint H&S committee or H&S Worker Representative**

WES Division Mission Statement

- Champion safe and healthy workplaces
- Save lives and prevent injury and disability
- Deliver outstanding service to workers and employers

Regional Services - Officers

- **Education and Consultation**
- **Accident Investigations**
- **Inspections**
- **Enforcement**

Prevention Enforcement Options

Board officers may

- **Issue an order**
- **Write an inspection report**
- **Recommend to the board to**
 - ↪ **Issue a warning letter**
 - ↪ **Apply administrative penalty**
 - ↪ **Charge claims cost**
 - ↪ **Prosecute**

Other WES Services

- Services for specific high risk industries or industries with high claims costs
 - ↪ Construction
 - ↪ Heavy manufacturing
 - ↪ Forest products mfg
 - ↪ Healthcare
 - ↪ Hospitality and retail
 - ↪ Oil & Gas
- First aid, ergonomics, hearing conservation & occupational disease prevention
- Certification Services
- Publications and Resources

Role of the Committee

- To promote safe work practices
- To assist in creating a safe and healthy workplace
- To recommend actions which will improve the effectiveness of the OH&S program and
- To promote compliance with WCB Regulation

Committee Size

Depends on the following:

- Degree of hazard in the workplace
- Number of employees
- Number of departments
- Number of places of employment
- Number of unions or worker groups
- Need to represent different shifts

Co-Chair

The co-chairs' major responsibilities are

- To control meetings
- To maintain an unbiased view point
- To review previous meeting reports and material (minutes)
- Prepare the agenda
- Record the committee activities
- Circulate and post the meeting reports
- Send out meeting notices

Worker H&S Representatives

➤ Requirements

- ↪ Where more than 9 but fewer than 20 workers are regularly employed
- ↪ When ordered by the board

➤ Selection

- ↪ Same as a joint committee worker member

➤ Duties & Entitlements

- ↪ Same as a joint committee where practicable

Functions and Duties

- **Create a safe workplace**
- **Promote compliance with health and safety requirements**
- **Consult**
- **Advise**
- **Identify unhealthy/unsafe situations**
- **Make recommendations**
- **Participate in inspections and accident investigations**
- **Meet regularly and prepare reports**

Other Duties

OH&S Regulation

➤ **Section 3.8**

➤ **Section 3.12(4)**

➤ **Section 4.21(5)**

Inspections

Refusal of Unsafe Work

Working Alone or in Isolation

Committee Terms of Reference

- **Purpose statement**
- **Composition**
- **Duties & functions**
- **Selection procedures**
- **Quorum & attendance**
- **Order of business**

Committee Terms of Reference – *con't*

- **Scope of representation**
- **Number of members**
- **Term of office**
- **Frequency of meetings**
- **Special meetings**
- **Records**

Activities of the Committee

Important tasks members do outside the regular meetings:

- **Make sure work areas are inspected for H&S hazards**
- **Make sure accidents/incidents are reported & investigated**
- **Investigate complaints or refusals to work due to real or perceived hazards**

Jurisdiction

Employer Representative 1	Employer Representative 2	Worker Representative 1	Worker Representative 2
Jane Ko	Gary Smith	Karminder Singh	Rhonda Markovich
Purchasing Department	Parking Lot	Reception Area	Warehouse
Shipping/Receiving Department	Executive Offices	Works Yard	Security Department

Refusal of Unsafe Work

OH&S Regulation: Section 3.12

- **Right to refuse work when a person has reasonable cause to believe that doing the work would create an undue hazard to the health and safety of any person**

Procedure for Refusal

- **Exact procedures as stated in section 3.12 (2) - (5) must be followed.**
- **Worker shall not be subject to discriminatory action if acting under this requirement.**

Protection from H&S Discrimination

- Workers exercising their rights under the Act are protected from discriminatory action.
- Workers can make discriminatory complaints to the WorkSafeBC.
- The WorkSafeBC has the power to inquire, order discrimination be stopped, and order remedy be made to worker.

Records and Statistics

- **Statistics analyze records in a meaningful way**
 - ↪ **Total no. of incidents/injuries for a given period of time**
 - ↪ **Average cost per injury**
 - ↪ **Total and average no. of days lost per claim**
 - ↪ **How often and how severe injuries/illnesses**

What Records Must be Kept?

- **First aid records**
- **Incident investigation records**
- **The Employer's Report of Injury or Occupational Disease**
- **Others:**
 - **Workplace inspections**
 - **Education & training**
 - **Exposure monitoring**
 - **Risk assessments**
 - **Hearing tests etc**

Most Useful Stats

- **Frequency – how often**
- **Severity – how serious**

Statistics that are Useful to Measure

Dangerous Occurrence Or near miss incident	Near miss; no worker involved (e.g. structural collapse, toxic substance release)
Report only (First Aid)	Cases reported to first aid attendant, no time loss, no medical attention sought
Health care only	Person received medical attention, no time loss (WorkSafeBC claim)
Short term disability (STD)	Time loss from work-WorkSafeBC claim (worker sought medical attention and missed time from work)
Fatal	Death occurred

Basic Statistics

- **Usually more detailed & meaningful than counts of injuries or diseases**
- **Injury rates express various measures of injury and illness**
- **Payroll records can be used to determine**
 - ↪ **How many workdays were lost last year from injuries on the job?**
 - ↪ **How many paid hrs. were worked for the year?**
 - ↪ **How many employees were there this year compared to the previous year?**

Calculating Rates

Example A

$$\text{Incidence Rate} = \frac{\text{Annual total number of work injuries}}{\text{Number of employees}}$$

Example B

$$\text{Injury Rate} = \frac{\text{Number of STDs X 100}}{\text{Number of FTEs}}$$

Calculating Rates - cont.

Example C

These frequency and severity rate calculations are commonly used in the United States and Canada

$$\text{Frequency Rate} = \frac{\text{Number of Time Loss Injuries X 200,000}}{\text{Person-hours worked}}$$

$$\text{Severity Rate} = \frac{\text{Days Lost X 200,000}}{\text{Person-hours worked}}$$

Note. 200,000 = 100 person plant X 40 hours (work week) X 50 weeks per year


Committee Recommendation

- **Option 1 – Deal with the Issue Immediately**
- **Option 2 – Create a Recommendation**

Formal Recommendation

- **Policy, directive or procedure creation or revision.**
- **Changes to equipment, office layouts or product purchasing**
- **Training or orientation**
- **Commitment and follow-up to issues**
- **Matters which require review and/or agreement**

Recommendation Guidelines

- 1. Who Can Take Action**
- 2. Send From Co-Chairs**
- 3. Request Employer Response**
- 4. Describe OH&S Issue**
- 5. Committee Recommendation**
 -  **Complex Issues**
- 6. Appropriate Manager**
- 7. Space for Employer Response**
- 8. Space for Committee Comments**

Communication

- **Important channel for employee input**
- **Try to tackle smaller issues first**
- **Minutes prepared promptly & posted in a conspicuous place**
- **Report back to employees**
- **Report proceedings to management**

An Effective Committee

- Action should be taken promptly and results posted throughout the place of employment
- Important that members do not attempt to bypass normal employer channels of supervision or control
- Should establish procedures for self-monitoring

Employer's Role

- Fewer incidents, accidents and injuries – can directly affect a company's profits
- Employees will be more productive and safe
- Assessment costs can be reduced

Factors for Committee Success

- Strong employer commitment to health and safety in the workplace
- Well trained and committed committee members
 - ↳ Knowledgeable & capable
 - ↳ Having good communication and problem solving skills
- An interested and involved workforce

Responsibilities for Health and Safety

**“I wondered why somebody didn’t
do something. Then I realized I was
that somebody”**