

Joint Occupational Health & Safety Committee

Foundation Workbook



This workbook was developed by:
Certification Services
Worker & Employer Services Division
WorkSafeBC
P.O. Box 5350
Vancouver, B.C. V6B 5L5

**This is a health and safety related document.
It is not copyrighted and you are encouraged to copy the document as necessary.**

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.

Table of Contents

Introduction	5
Role of the Committee	6
Organizing the Committee	7
Selection of Members	9
Terms of Reference	12
Activities of the Committee	15
Inspections	17
Investigation of Accidents and Diseases	18
Worker Complaints	19
Refusal to Work	19
The Meeting	20
Agenda	20
Conducting the Meeting	22
Meeting Reports	23
Records and Statistics	25
Committee Recommendations	36
Committee Educational Leave	49
Education/Training Courses	53
Reaching Objectives	54
Conclusion	58

Appendices	.59
1. Sample Employer Checklist #1: How to Set Up a Joint H & S Committee	.61
2. Sample of Joint H & S Committee Terms of Reference	.62
3. Sample of Joint H & S Committee Agenda	.66
4. Sample Meeting Report	.67
Sample Inspection Report	.71
Sample Accident/Incident Investigation Report	.75
5. Sample Data Summary Table	.77
6. Sample Recommendation Form	.78
7. Sample Educational Leave Worksheet	.79
8. Sample Joint H & S Committee Meeting Schedule	.81
9. Sample Joint H & S Committee Self Assessment Checklist	.82
10. Sample Employer Checklist#2: How to Maintain a Joint H & S Committee	.86
11. Sample Worksheets (For Photocopying Purposes)	.87
12. Division 3, 4 and 5	.97
13. Division 6-Prohibition Against Discriminatory Action	.109
14. Refusal of Unsafe Work	.111
15. Educational Leave Policy Item D4-135-1	.112
16. Eleven Lethal Workplace Sins + One	.113

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:

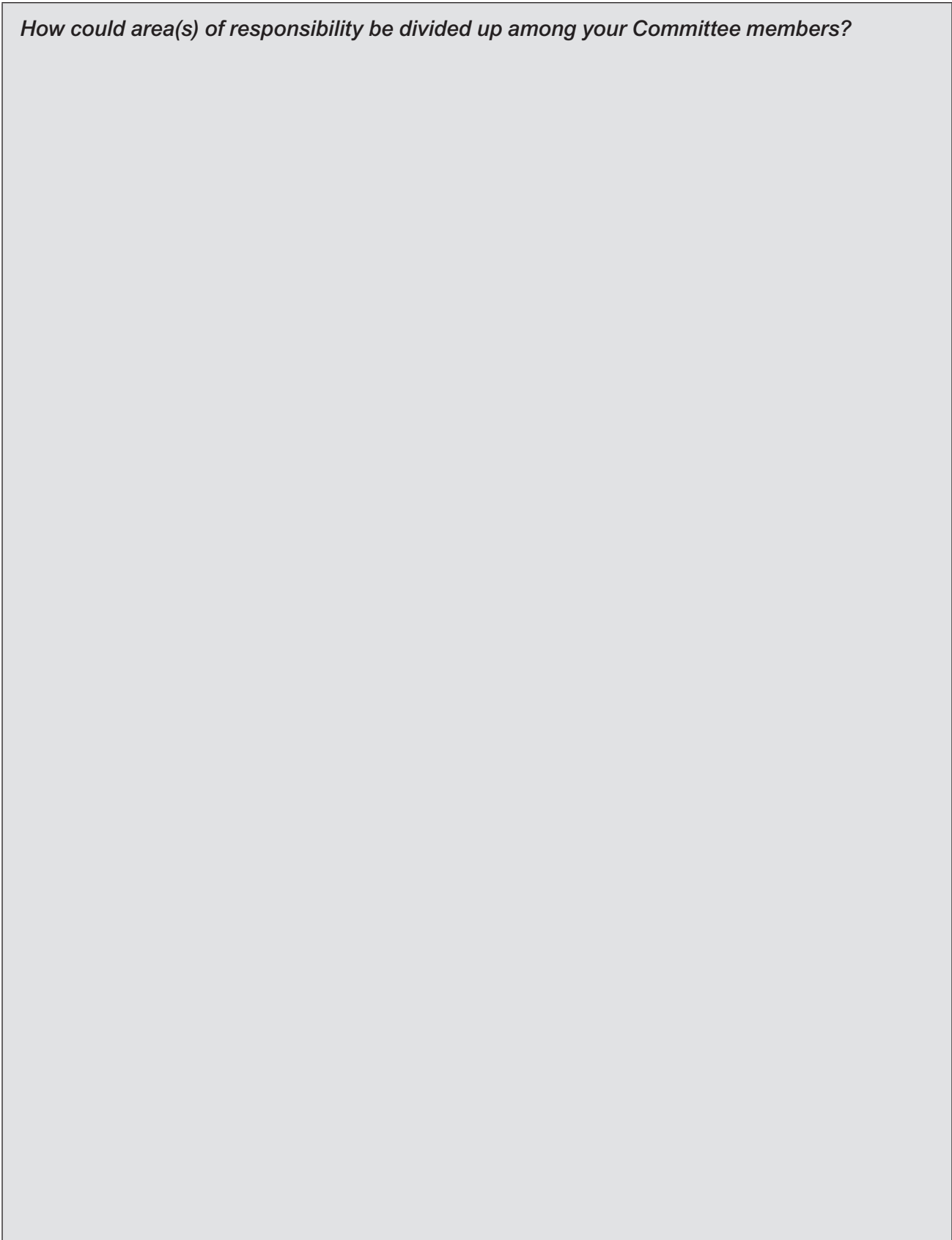
- Make sure work areas are inspected for health and safety hazards
- Make sure accidents/incidents are reported and investigated
- Investigate complaints or refusals to work due to real or perceived hazards

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.



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

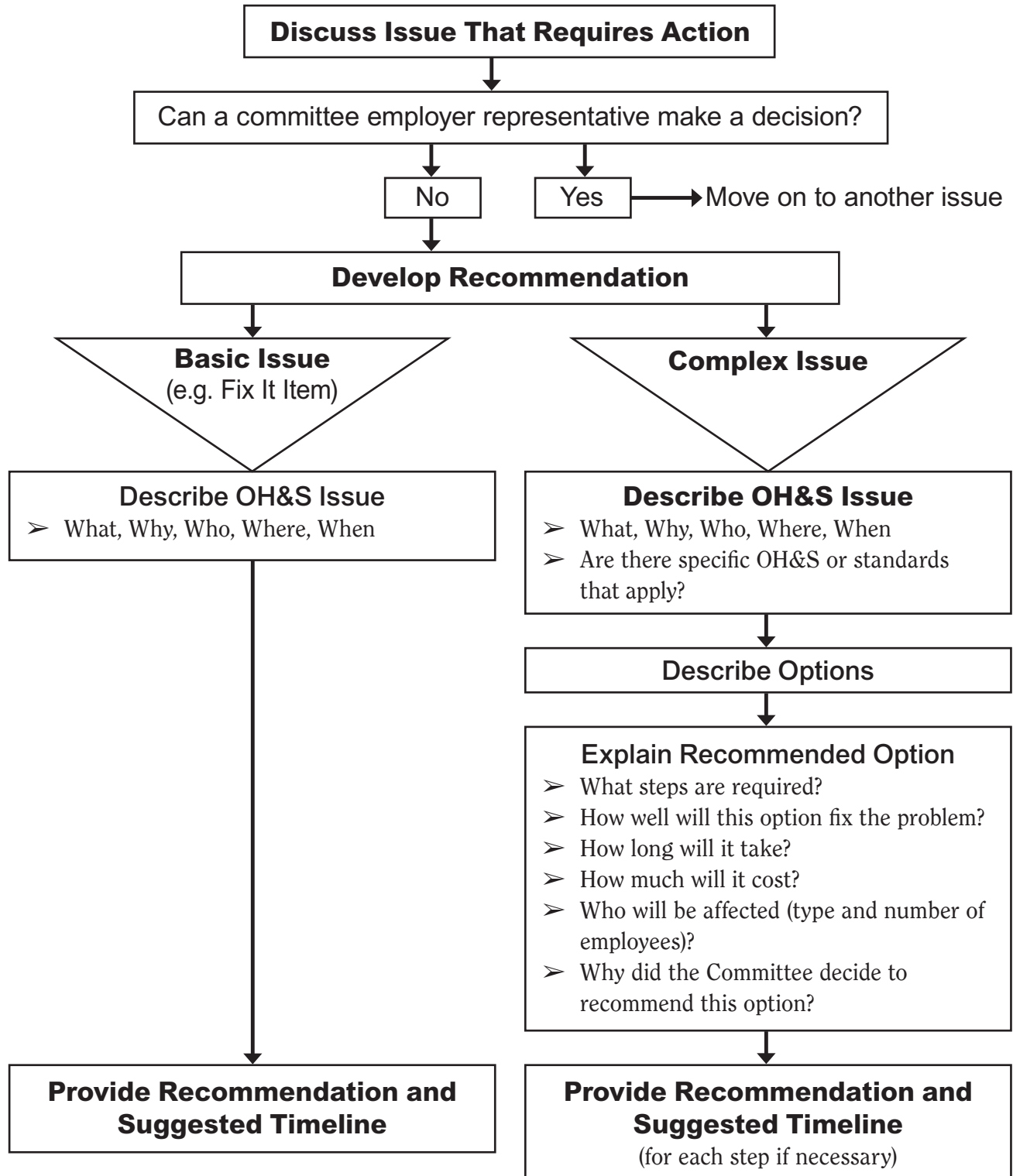
Committee Comments:

(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.

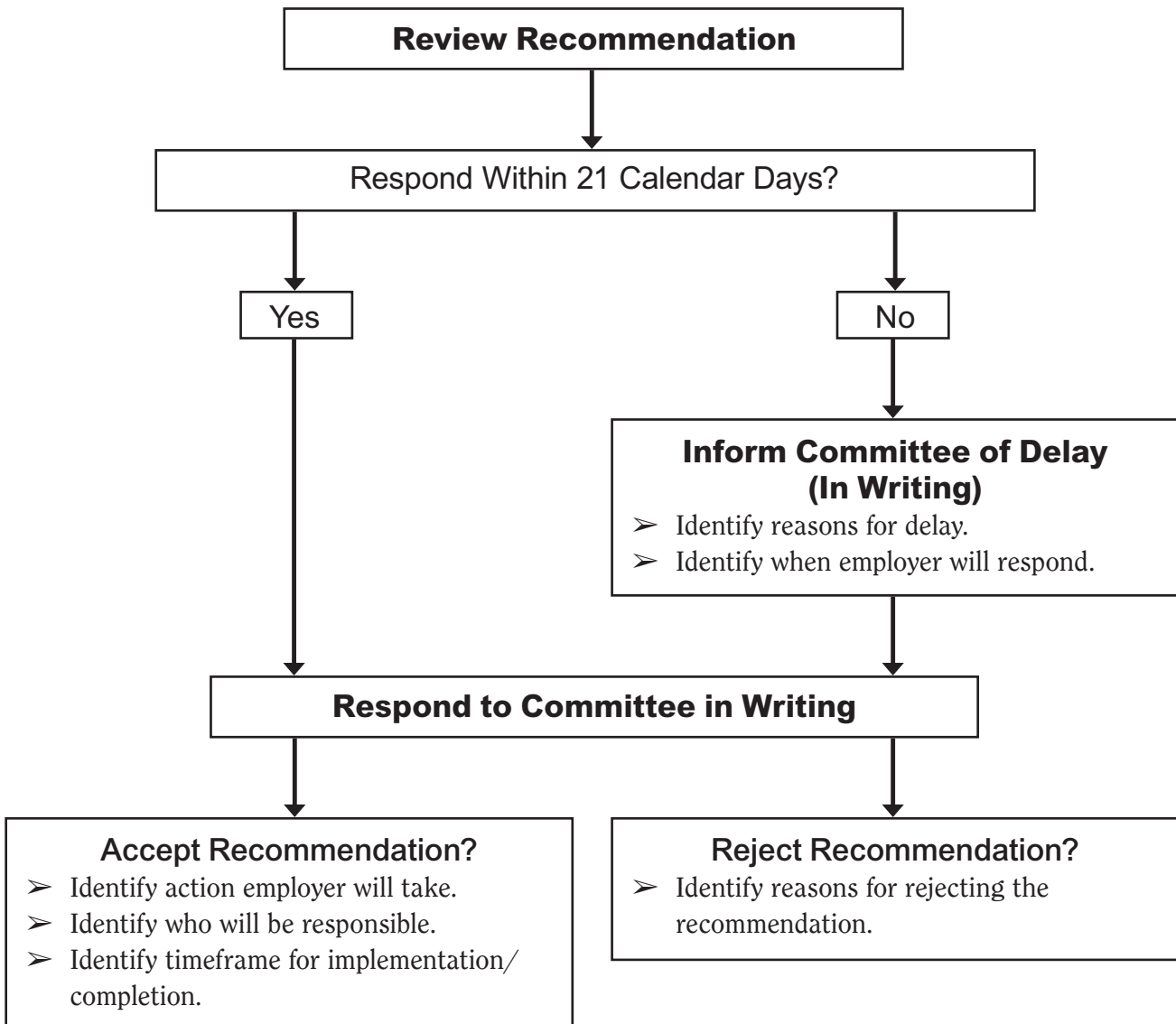
Developing A Recommendation

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: <u>Gordon Martin</u>			

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.

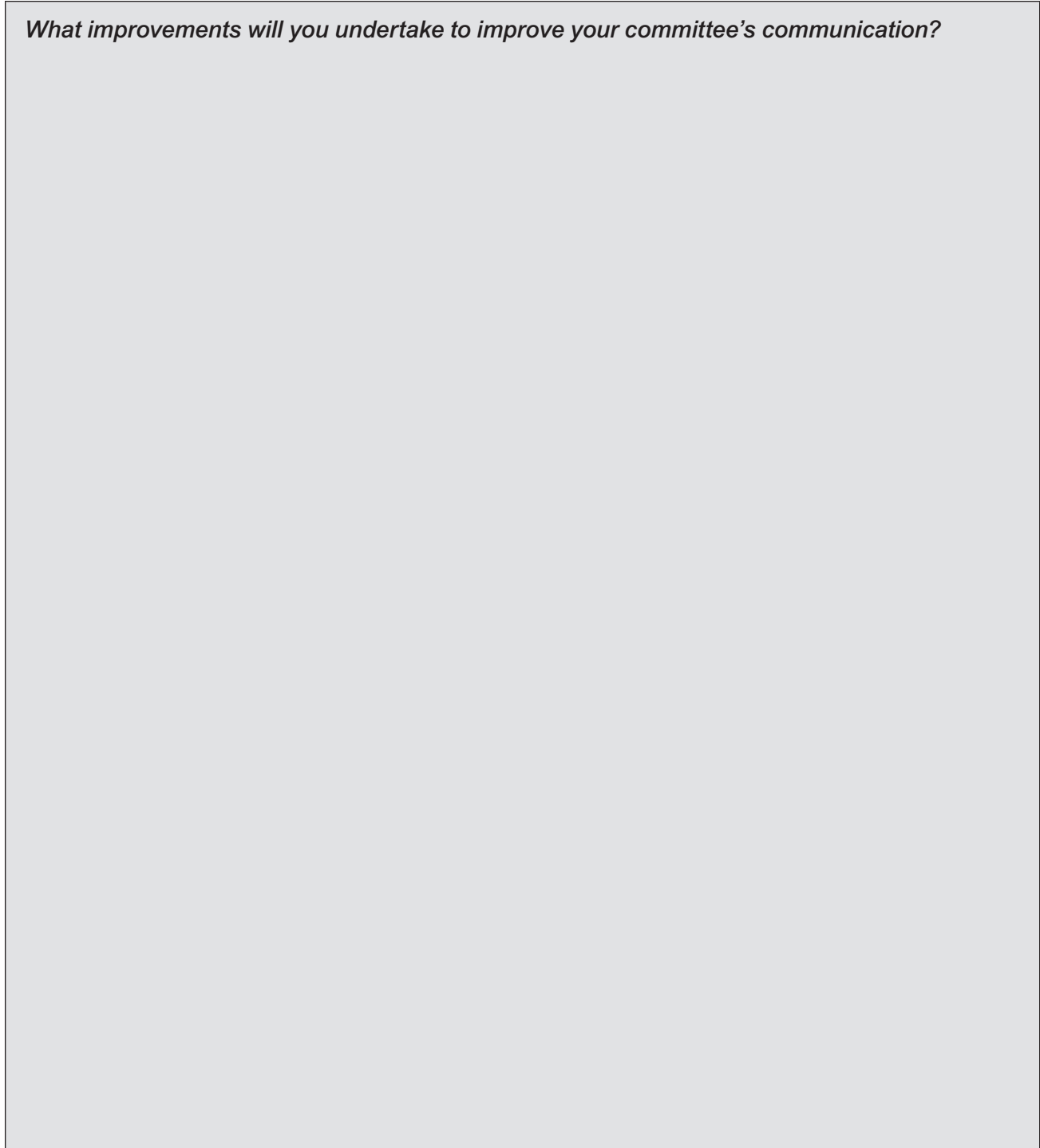
Employer representatives should report proceedings to management.

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

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
<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:		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				

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 <p style="text-align: center;">PIECE OF STEEL IN RIGHT EYE</p>			
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
Meeting Activities	
17. Meet regularly at least once each month.	<input type="checkbox"/> Yes <input type="checkbox"/> No
18. Use OH&S Regulation and standards as guidance for issues discussed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
19. Consider employee OH&S suggestions.	<input type="checkbox"/> Yes <input type="checkbox"/> No
20. Review and comment on inspection reports.	<input type="checkbox"/> Yes <input type="checkbox"/> No
21. Review and comment on reports of accidents, incidents and industrial disease.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
23. Prepare a report for each meeting. Provide a copy to the employer.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Committee Recommendations	
24. 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)	
25. 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	
26. Attend OH&S training courses. Education and training should total 8 hours annually for each member.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
29. Reports of 3 most recent meetings are posted.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Action Plan - Directions

- Identify which checklist item(s) need follow-up.
- Explain what needs to be done, and identify the person responsible and the recommended date of completion.
- Track action items that have been completed. As each action has been completed, check the 'completed' box.

Item #	Action Required	Action by (person)	Target Date	Completed
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

(Optional) Scoring Sheet - Directions

- Fill out the Self-Assessment Checklist.
- For every 'Yes', give the assigned score listed in column A.
- For every 'No', give a score of zero (0) in column B.
- Add up the total of column A and B. This will give you an Initial Score for your committee's performance.
- After completing the Action Plan for column B items, give the improved score listed in Column C.
- Take the best score of A or C for each item, and list it in Column D.
- Add up the total of Column D. This will give you a Score After Action Plan for your committee's performance.

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) 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.

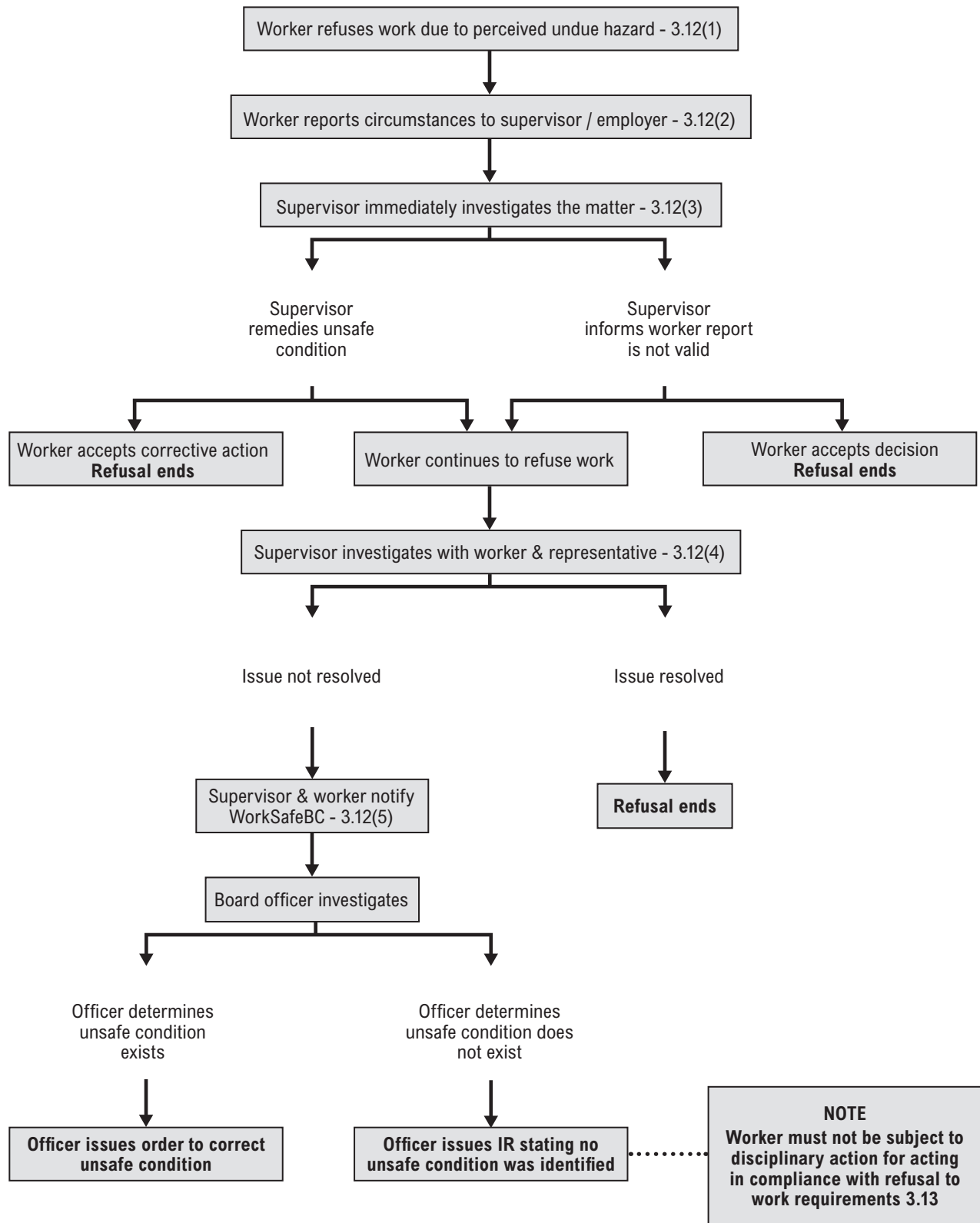
Response to complaint

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)

**TREE
FELLING**

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.



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.