

2.1.1 - Terms of reference and rules of procedure

Calgary Progressive Lifestyles Foundation Joint Work Site Health and Safety Committee Terms of Reference and Rules of Procedure

Introduction

Alberta's *Occupational Health and Safety (OHS) Act* requires that under certain circumstances an employer establish an HSC in the workplace. In order to work effectively, the HSC's role must be clearly defined, understood and accepted. Detailed terms of reference and rules of procedure that set out the mandate, structure and functions of the HSC ensure that its important work can be done.

HSCs are important forums for workers to participate in OHS. They ensure supervisors and workers discuss health and safety issues in the workplace and work collaboratively to find ways to address them. Committees allow workers to participate in OHS and support the three basic rights of workers:

- the right to know;
- the right to participate; and
- the right to refuse dangerous work.

Vital to developing and maintaining healthy and safe workplaces is an effective internal responsibility system (IRS). An IRS functions best when it recognizes the roles and responsibilities of all work site parties and encourages joint participation in recommending solutions to health and safety issues. The HSC is an important part of the IRS in a workplace, representing the collective contributions of workers and employers.

1.0 Purpose

- 1.1 The HSC identifies opportunities and recommends initiatives to promote physical and psychological health and safety and continuous improvement in the operation and effectiveness of the Calgary Progressive Lifestyles Foundation's Health and Safety Program.
- 1.2 The HSC helps management fulfill their obligation to address worker concerns related to hazardous activities or conditions that affect worker health and safety across the business operations.
- 1.3 The Committee promotes and encourages workers to participate in health and safety initiatives and events at the workplace.
- 1.4 It is understood that these terms of reference and rules of procedure shall not amend, alter, subtract from, add to or qualify in any way, the OHS Act. Calgary Progressive Lifestyles Foundation is not under a union agreement.
- 1.5 Any amendments to the OHS Act provisions will be incorporated into the terms of reference and rules of procedure, as applicable.

2.0 Membership

2.1 A committee consists of a minimum of four members in total with half of the members representing workers and half of the members representing management.

2.2 The work site workers are non-union represented, these workers shall have the opportunity to select a worker member from among the workers on the work site.

2.3 The employer shall select the employer member(s) of the HSC.

2.4 A worker member who ceases to be employed at the work site ceases to be a member of the HSC and shall be replaced as soon as practicable.

Co-Chairs

2.5 Each HSC must have two co-chairs; one chosen by the employer members on the committee and the other chosen by the worker members on the committee. The co-chairs shall alternate in serving as chair at meetings of the HSC and shall participate in all decisions of the committee.

Posting of names

2.6 The names and contact information of the HSC members or representatives are posted at every work site.

3.0 Term of office

3.1 The term of office for the HSC members is not less than one year and they may continue to hold office until their successors are selected or appointed.

4.0 Duties

4.1 The OHS Act under Section 19 specifies the following duties for an HSC:

- the receipt, consideration and disposition of concerns of concerns and complaints respecting the health and safety of workers
- participate in the identification of hazards to workers or other persons arising out of, or in connection with, activities at the work site;
- develop and promote measures to protect the health and safety of persons at the work site and checking the effectiveness of the measures;
- cooperate with an OHS officer exercising their duties;
- develop and promote programs for education and information concerning health and safety;
- make recommendations to the employer, prime contractor or owner respecting the health and safety of workers;
- participate in investigations of serious injuries and incidents at the work site;
- maintain records in connection with concerns and complaints;
- attend to other matters relating to the duties of the HS representative, including work refusals; and
- other duties as may be specified in the Occupational Health and Safety Act (OHS Act), Regulations and Code.

Rules of procedure for each of these duties are addressed within this document.

5.0 Member responsibilities

Co-chairs

5.1 Co-facilitate HSC meetings by:

- a) taking a leadership role in guiding Committee discussions towards definite conclusions;
- b) ensuring meeting start and end on time and are conducted in accordance with the established agenda and process;
- c) strive to achieve consensus;
- d) reviewing previous minutes and materials prior to each meeting;
- e) prepare and distribute meeting agenda and materials; and
- f) posts meeting materials to the designated location(s).

5.2 Complete and maintain the HSC minutes

Committee members

5.3 All HSC members will strive to fulfil their roles and responsibilities by working cooperatively, following the processes in these terms of reference and rules of procedure, and make every effort to reach consensus on issues for the effective operation of the committee

5.4 Attend all HSC meetings and, when unable to attend ensure all relevant correspondence and documents are reviewed and any assigned tasks are acknowledged.

5.5 Participate and contribute to the team by representing workers in their respective area of the organization.

5.6 Prior to the meetings review meeting materials.

5.7 Seek input from staff regarding the programs, gaps issues and questions.

Work site inspections

5.8 A worker member designated by the worker member(s) on the HSC shall inspect the physical condition of the entire work site every three months.

5.9 A different worker member may conduct each inspection. Where practical, the worker conducting the inspection should be accompanied by a management person for the work area being inspected, or a management member of the HSC.

5.10 Inspections by a Health and Safety Committee (HSC) can be supported by resources outside the HSC, if required, for specialized tasks. This support however does not replace an inspection by the members of the HSC.

5.11 The inspections should be undertaken in accordance with a schedule developed by the HSC.

5.12 The schedule should be distributed to all HSC members, the manager(s) of the area(s) being inspected, and posted as appropriate.

5.13 All OHS concerns raised during the physical inspection should be recorded on an appropriate work site inspection report form.

5.14 The work site inspection form should be forwarded to all HSC members within one week of the work site inspection.

Recommendations to the employer

5.15 The HSC will make recommendations to the employer (senior manager or management designee) to improve the health and safety of workers and follow up on the status of the recommendations.

Recommendations could include but are not limited to:

- a) improvements pertaining to health and safety in the workplace;
- b) improvements in response to incidents/accidents in the workplace; and
- c) improvements pertaining to work site inspections or review of local work site programs

5.15 The HSC will review responses to their written recommendations.

- a) **Note:** The employer (senior manager or management designee) must provide a written response within thirty (30) days. The response shall contain a timetable for implementation of acceptable recommendations or give reasons for not accepting recommendations.

6.0 Entitlements of HSC members

Time to fulfil HSC duties

6.1 On each work site, one worker member of the HSC, and not necessarily the same member on each occasion, shall be afforded time from work to inspect the work site as per the inspection schedule.

Members of an HSC are entitled to:

- a) pre-meeting preparation time;
- b) such time as is necessary to attend meetings of the HSC; and
- c) such time as is necessary to carry out the members' functions and entitlements as outlined in these terms of reference and rules of procedure.

6.2 HSC members shall be deemed at work when carrying out HSC functions and entitlements, and shall be paid at the regular or premium rate as appropriate.

Cooperation with OHS officer

6.3 A worker member, designated by the worker members of the HSC, shall be afforded the opportunity to cooperate with an officer exercising duties under the Alberta Occupational Health and Safety Act, Regulation and Code. This cooperation includes accompanying an officer during an inspection of the work site.

Investigations and work refusals

6.4 A worker member, designated by the worker members of the HSC, shall assist the employer in investigating the circumstances where a serious injury or incident has occurred as defined in Section 40 of the OHS Act. The designated worker member will report his or her findings to the HSC.

6.5 A worker member, designated by the worker members of the HSC, shall assist the employer in inspecting a dangerous condition that led to a work refusal by a worker and shall attend such an inspection without delay.

7.0 Administrative processes

Meetings

7.1 HSC meetings shall be held at least once every three months. A schedule of meetings will be developed by the HSC.

7.2 The HSC shall have a quorum of at least one half of the members if a) both worker and employer members are present and b) at least one half of those present are worker members.

Agenda

7.3 The co-chairs will jointly prepare an agenda and forward a copy of the agenda to all HSC members in advance of scheduled meetings.

7.4 Unresolved items raised from the agenda in meetings will be placed on the agenda for the next meeting.

Guest(s)

7.5 With the consent of the co-chairs, guest(s) may be invited to attend a HSC meeting, as a resource, to provide advice or expertise on specific items.

Minutes

7.6 The HSC will designate a member to take minutes for the meeting.

7.7 All items raised in meetings will be reported in the minutes, including the receipt, consideration and disposition of concerns and complaints respecting the health and safety of workers.

7.8 Names of HSC members will not be used in the minutes except to record attendance, or to record the name of the HSC member responsible for completing an identified action.

7.9 Minutes of meetings will be reviewed, edited where necessary and signed by the co-chairs, and circulated within a few days of the meeting to all HSC members with a copy forwarded to the senior manager or management designee of the workplace.

7.10 Minutes should be posted at the work site within seven days of the meeting and remain posted until the next meeting.

Record keeping

7.11 The HSC shall maintain and keep all agenda and meeting minutes, completed work site inspection reports, and work site inspection schedule for review by an OHS officer.

7.12 The HSC shall maintain and keep these terms of reference and rules of procedure.

Dispute resolution

7.13 If the HSC fails after trying in good faith to reach consensus about making recommendations to the employer, either co-chair of the HSC has the power to make unilateral written recommendations to the employer.

8.0 Training

8.1 An employer or prime contractor as applicable shall ensure that HSC co-chairs and HSC representatives receive training with respect to the duties and functions of a HSC. HSC members, co-chairs and health and safety representatives are to be permitted time away from regular duties to attend training

8.2 The amount of time allowed annually for training is 16 hours or the number of hours the worker normally works during two shifts

9.0 Review and approval of the terms of reference and rules of procedure

9.1 These terms of reference and rules of procedure should be reviewed annually and will remain in force and in effect until new terms of reference are entered into.

9.2 These terms of reference and rules of procedure were last amended on January 20, 2021 and approved by



Worker Co-Chair – Gabriel Mbonigaba

January 25, 2021

Date



Employer Co-Chair – Penny Tataryn

January 20, 2021

Date

Distribution: Copy 1 – Senior Management, Copy 2 – HSC Files, Copies – HSC members