

DISTRICT OCCUPATIONAL HEALTH & SAFETY COMMITTEE

TERMS OF REFERENCE

Year 2019-2020

Name	Representing:	I authorize that I have read and acknowledge this Terms of Reference (Signature)	Date:
Brian Olohan	District Administration		
Melissa Pledger	District Administration		
Robin Tosczak	GVTA		
Leah Hassall	GVTA		
Heidi Fowler	GVTA		
Jeanette Alexander	Allied Specialists' Association		
Nancy Archer	VPVPA		
Brian Whin-Yates	CUPE 382		
Todd Conrod	CUPE 382		
Taily Wills	CUPE 947		
Kerrie Proudlove	CUPE 947		

MISSION STATEMENT

The District Health & Safety Committee participates in reducing occupational hazards and promoting safe working and learning conditions throughout the District. The committee will function as a recommending body to the employer in support of Joint Occupational Health & Safety committees.

COMMITTEE FUNCTIONS ([WORKERS COMPENSATION ACT-OCCUPATIONAL HEALTH & SAFETY REGULATIONS](#))

The Committee's functions shall include, but not to be limited to, the following:

1. To identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
2. To consult on issues related to occupational health and safety and occupational environment at the District-level.
3. Advise upon the District's compliance with workplace safety legislation, make recommendations on educational programs promoting the health and safety of workers and compliance with the Occupational Health & Safety Regulations.
4. Ensure that the workplace is inspected by the site-based team on a regular basis along with incident investigations.
5. Hold regular monthly meetings.
6. Advise the management on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers.
7. Review WorkSafeBC inspection reports.
8. If requested by WorkSafeBC, to provide representation on inspections, investigations, and work refusal follow-ups.
9. Recommend maintenance of occupational health & safety programs, measures, and procedures with monitoring of their effectiveness.
10. Review and make recommendations on occupational health & safety problems which have not been resolved at the site-based level. This includes considerations for expeditiously dealing with complaints relating to the health and safety of workers and recommendations for the improvement of the occupational health and safety and occupational environment of workers.
11. Review incident and occupational disease reports with recommendations regarding identified trends or problems.
12. Review reports from school-based Joint Occupational Health & Safety committees and providing feedback and support as necessary.

MEMBERSHIP

Committee membership shall be comprised of regular appointed employees representing each of the district bargaining units, as well as representation from Management. Each of the groups will select membership using their own internal procedures.

- Two representative of the Board's District administration;
- Three representatives selected by the Greater Victoria Teachers Association;
- Two representatives selected by the Canadian Union of Public Employees, Local 382;
- Two representatives selected by the Canadian Union of Public Employees, Local 947;

- One representative selection by the Allied Specialists' Association;
- One representative from the VPVPA group

CO-CHAIRS

The Committee shall appoint one representative from management and one worker representative co-chair in September of each year. Interim replacement elected to replace a co-chair who leaves the Committee shall hold office until that time.

DUTIES OF MEMBERS

The duties of the committee members shall include the following:

Co-Chairs

The Co-Chairs shall be responsible for:

1. Setting the Agenda, it's distribution, and previous month's meeting.
2. Ensuring that the meetings are conducted in an orderly and timely manner.
3. Ensuring that the meeting adheres to the agenda.
4. Reviewing and approving the minutes of the meetings.
5. Act for the Chair in the event of an absence.

Other District Health & Safety Committee Members

A worker health and safety representative is responsible for:

1. Attending all committee meetings
2. Participating in all the functions of the committee
3. Contributing to committee discussions
4. Receiving and responding to health and safety concerns brought to their attention
5. Providing feedback from the committee to their represented groups

MEEETINGS

1. District Health and Safety Committee meetings shall be held on the second Monday of each month. The meeting may be postponed to another date that month upon the agreement of the Co-Chairs. The need for summer meeting(s) will be determined at the June meeting.
2. The three-hour meeting will commence at 08:45 am and will be held at the School Board Office, unless directed elsewhere on the agenda.
3. The meeting agenda, and the minutes of the previous meeting, shall be circulated to all committee members a week prior to the meeting. Any items to be discussed at the meeting are to be provided to the District Office two-days prior to meeting in order to be included on the agenda. The District does make alliance for such important items that could not be previously identified within the two-days.

4. In the event of a dispute resolving disagreements within the District Occupational Health & Safety Committee's meetings, the Roberts Rules of Order shall govern meeting procedures
 - a. If the 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 elect to report this to WorkSafeBC, which may investigate the matter and attempt to resolve the matter.
 - b. If WorkSafeBC considers that the committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, it can on its own initiative, investigate the matter and attempt to resolve the matter.
5. A quorum of the committee shall consist of the presence of six or more of the committee members, including at least one co-chair.

The agenda shall follow the following format:

- Review and approval of the minutes
- Additional and Approval of agenda items
- Review of Violent Incidents
- Review of Workplace Incident(s)/Accident(s)
- Review of Outstanding items
- Review of Inspection(s), if any
- New business
 - Receiving, reviewing and responding to reports from the school-based Health and Safety Committees
 - Review/Update of *The Workers Compensation Act and Occupational Health and Safety Regulations*

RECOMMENDATIONS

1. The District Health and Safety Committee will provide recommendations to the employer representatives.
2. In addition to forward copies of the minutes of committee meetings, the District Health and Safety Committee may make recommendations to the Senior Leadership.
3. Recommendations shall follow the following general format:
 - a. Date of the recommendation
 - b. The subject of the recommendation
 - c. The specifics of the identified problem
 - d. Recommended actions to deal with the problem
 - e. Reasons for the recommendations
 - f. If known, the person responsible for the actions
 - g. A time frame for action

Senior Management must respond to committee recommendations

1. If the DOHS committee sends a written recommendation to an employer with a written request for a response from the administration.

2. The administration must respond in writing to the committee within 21 days of receiving the request, either:
 - indicating acceptance of the recommendation, or
 - giving the employer's reasons for not accepting the recommendation
3. If the administration does not accept the committee's recommendations, a co-chair of the committee may report the matter to WorkSafeBC, 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 administration 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 DOHS committee is not satisfied that the explanation provided is reasonable in the circumstances, a co-chair of the committee may report this to WorkSafeBC, which may investigate the matter and may, by order, establish a deadline by which the employer must respond.
6. Nothing relieves the District of the obligation to comply with OHS regulations.

Other Senior Management obligations to support committee

1. The employer must provide the DOHS committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.
2. On request of the DOHS 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 WorkSafeBC or the regulations relating to health and safety at the workplace, and
 - d. any other matter prescribed by OHS regulation.
 - e. Retain a copy of the reports for at least 2 years from the date of the DOHS committee meeting to which they relate, and
 - f. Ensure that the retained reports are readily accessible to the DOHS members, workers, senior management and other persons authorized by WorkSafeBC or the minister.

Participation of worker representative in inspections

If:

1. A worker representative has the right to be present for an inspection, investigation or inquiry at a workplace, and

2. If 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.

Employer must post committee information

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

1. the names and work locations of the joint committee members,
2. the reports of the 3 most recent DOHS meetings, and
3. copies of any applicable WorkSafeBC orders for the preceding 12 months.

EDUCATION (http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96492_03#section130)

Applicable training will be provided to ensure the committee's effectiveness. The requirements for mandatory training are different for joint committee members and worker health and safety representatives.

Educational leave

Applicable training leave will be provided to ensure the committee's effectiveness.

Time from work for meetings and other committee functions

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

REVIEW OF TERMS OF REFERENCE

These terms of reference shall be reviewed during the September meeting of each year.