



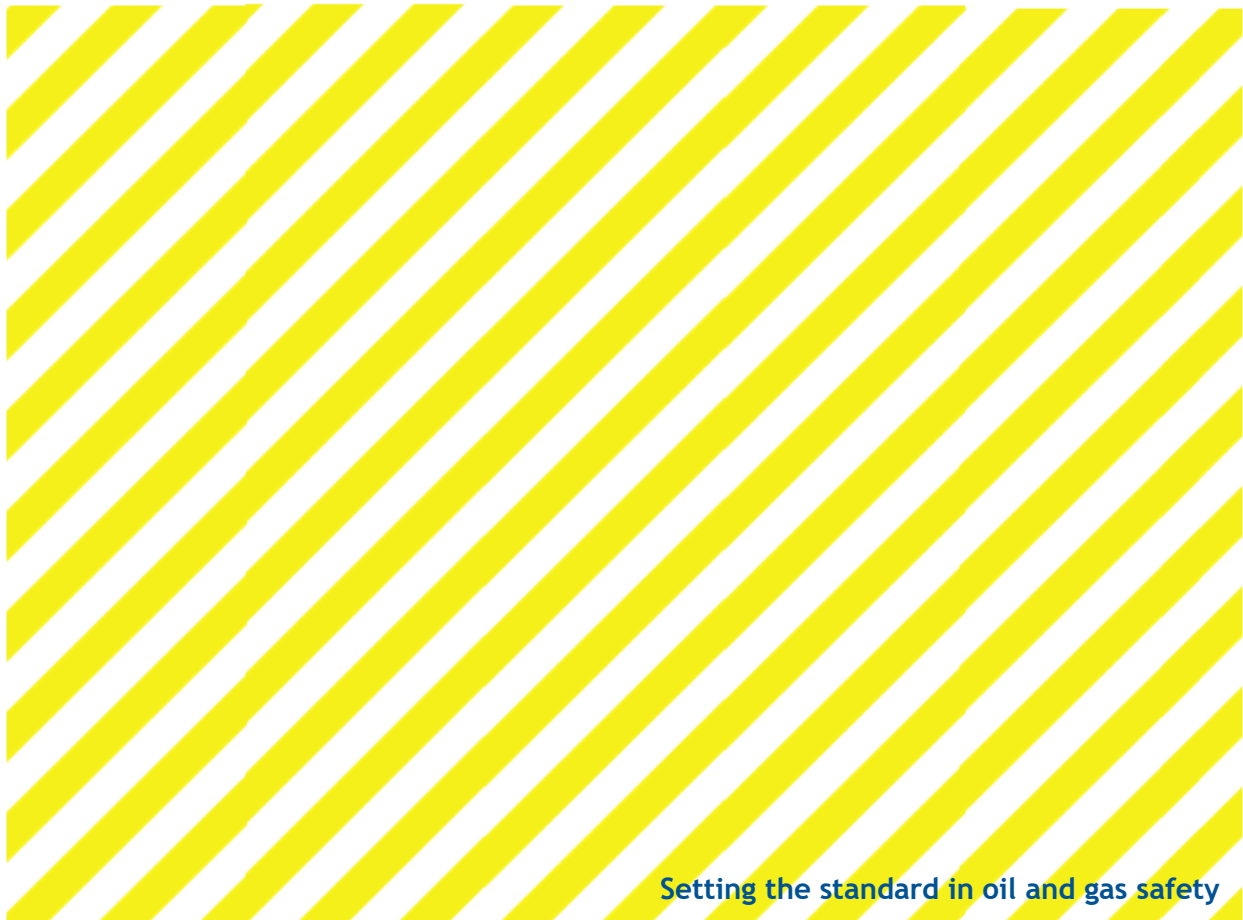
# JOINT WORK SITE HEALTH & SAFETY COMMITTEE:

A Program Development Guideline

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Setting the standard in oil and gas safety

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## ACKNOWLEDGEMENT

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## 1.0 Introduction

### 1.1 Purpose

The purpose of this guideline is to define what a Joint Work Site Health and Safety Committee (HSC) is and to highlight the significant role they play in the effort to improve health and safety practices in the workplace. This guideline intends to provide employers with a non-prescriptive, flexible framework of best practices for how to establish and maintain a successful health and safety committee.

### 1.2 What Is A Joint Health & Safety Committee (HSC)?

A Joint Work Site Health and Safety Committee (HSC) is a group of worker and management representatives collaborating to reduce injuries and incidents and to promote health and safety in the workplace. The Alberta Government, for instance, highlights that *“HSCs and HS representatives contribute to the basic rights all workers have in protecting their health and safety: the right to know, the right to participate, and the right to refuse unsafe work”*<sup>1</sup>. The objective for HSCs is to facilitate discussions that identify and evaluate concerns, make recommendations for corrective and preventative action, and help to establish a unified safety management system.

### 1.3 Why An HSC Is Important

Zero injury and incidents is the goal for any work site. Health and Safety Committees are a critical means to achieving that goal. Because most injuries and incidents in the workplace can be prevented, the most important element of workplace health and safety is *awareness and communication*. Health and Safety Committees establish this by performing two functions:

1. **Hazard Assessment** - HSCs members in collaboration with operations, should identify potential risks to avoid injuries/incidents *before* they happen. By identifying hazards, they will work on preventative strategies. Hazard assessment represents the *awareness* element and is the best approach to ensure a safe workplace.
2. **Lessons Learned** - The details of an injury/incident occurrence provide HSCs the knowledge for how to do things differently – in a safer manner. Members of HSC’s work with incident investigators to determine why the

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<sup>1</sup> Alberta Occupational Health and Safety Act Highlights of Changes effective June 1, 2018 ©2018  
<https://www.alberta.ca/assets/documents/ohs-changes-highlights.pdf>

incident took place and a process to ensure follow up actions items are appropriately resourced, and responsibilities disseminated. Determining the root cause or ‘why’ an injury or incident occurs is the key to preventing *future* occurrences. Lessons learned represents the *communication* piece whereby historical information is collected and distributed across the organization to ensure a collective understanding.

Health and Safety Committees are collaborative and consider *everyone’s* perspective which encourages worker participation and helps to promote a strong health and safety culture.

## 2.0 Legislation

Health and Safety Committees are designed as a resource for the prevention of injuries and incidents. The committee is responsible for recommending how health and safety problems might be solved, not for carrying out the necessary changes. The Occupational Health and Safety (OHS) Act identifies the concept of the Internal Responsibility System (IRS). OHS Law mandates that everyone in the workplace is responsible for Occupational Health and Safety, according to their authority and control. Alberta’s provincial legislation recognizes the importance health and safety committees play in relation: ***“HSCs form an important part of the internal responsibility system and help ensure that work site parties are aware of their roles and responsibilities in the workplace”.***<sup>2</sup>

Employers need to determine the requirements<sup>9</sup> for Health and Safety Committees within their own jurisdiction. If the work site has multiple employers or contractors, it becomes the responsibility of the prime contractor to establish an HSC. Finally, if the work site does not have a prime contractor, it then becomes the responsibility of the employers to coordinate the establishment of an HSC.

Canadian provincial legislation generally stipulates an HSC is required where there are 20 or more employees, on a work site lasting more than 90 days. Saskatchewan and Newfoundland are exceptions, whereby 10 or more employees necessitate an HSC. Directors also have the power to order any other work site to establish an HSC.

The following table provides brief information about the committees: when they are necessary, size and representation across Canada. The summary is intended to provide basic facts. Always consult the legislation applicable to your workplace for exact information.

One of the most important features of a Health and Safety Committee is the composition of its members. The Occupational Health and Safety Act generally requires a minimum of 4 members; half of which must be workers and selected by the workers themselves. The employer or prime contractor would then select the remaining members. Ideally, both the

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<sup>2</sup> Labour and Immigration, Government of Alberta, December 2019 Joint Work Site Health and Safety Committee/Health and Safety Representative Manual

employer and workers should consider individuals that have stronger knowledge of operations and health and safety procedures in their workplace.

For organizations that have multiple sectors, it is recommended that the HSC is reflective of their demographic. As an example, if a workplace has a plant, an office and a warehouse, their HSC should be comprised of individuals from each area. Establishing an interdisciplinary HSC promotes a common understanding of best health and safety practices, guarantees equal representation across the company and provides a voice for everyone.

Health and safety committees should also be co-chaired by two members. One of the co-chairs would be chosen by worker members, while the other by members who exercise managerial functions. Legislation indicates that co-chairs should alternate the chairing of each meeting to avoid biased viewpoints.

To better illustrate the requirements for health and safety committees, below provides some examples that reflect the legislation of Alberta Bill 30<sup>3</sup>, as amended December 13, 2019:

How Do I Determine if I Need an HSC or H&S rep?	
Example	Worker Participation
When work is expected to last 90 days or more and:	
*Employer has 5 to 19 full or part-time workers in total	One health and safety representative
*Employer has 20 or more full or part-time workers in total	One committee

\*Employers of any size are required to protect the health and safety of all parties at their work sites. All workers, regardless of number, also have health and safety rights and obligations.

<sup>3</sup> Do I need a joint work site health and safety committee or a health and safety representative?  
 ©2018 Government of Alberta <https://www.alberta.ca/assets/documents/ohs-when-i-need-a-committee.pdf>

## 3.0 Roles and Responsibilities

The members of the HSC or (in Alberta would include duties of the H&S Representative) will each have their own responsibilities according to their role within the organization as detailed below:

### 3.1 Health & Safety Representative(s)

In Alberta, organizations that employ between five to nineteen workers are required to have one health and safety representative who is selected by the workers they represent. Responsibilities for this individual will be similar to those of HSCs (with any necessary modifications) sharing a determined focus on improving the health and safety in the workplace. The health and safety representative should be selected by the workers and does not exercise managerial functions.

### 3.2 Management

Responsibilities relating to HSCs include:

- Establishing and maintaining an HSC at a workplace, where required
- Select committee members (not to exceed half of the total representation of members) who exercise managerial functions to sit on the HSC
- Assist and cooperate with committee members in the carrying out of their functions
- Provide the committee with information relating to hazards in the workplace and any work practices and standards
- Management shall post the names and the work locations of the HSC members in a conspicuous place or places where they are most likely to come to the attention of the workers
- Provide the committee with a copy of all orders or reports issued to the employer by a Ministry of Labour inspector informing the committee of any employer work-related incidents involving stop work, stop use, injury, death or occupational illness
- Consult with the HSC or H&S representative on the development of health and safety programs, training and policies (including workplace violence and harassment plans consisting of prevention policy and prevention procedures
- Provide a health and safety committee member with the opportunity to accompany a Ministry of Labour inspector.

### 3.3 Health & Safety Committee Members

Responsibilities relating to HSCs include:

- The receipt, consideration and disposition of concerns and complaints respecting the health and safety of workers
- Working closely with employers (and employee assistance program providers) to ensure employee privacy is protected in instances of workplace violence and harassment
- Identifying actual and potential hazards in workplace
- Conduct regular meetings
- Inspecting the workplace on regular basis
- Cooperation with an officer exercising duties under the Act
- Participating in investigations of work refusal and injuries or incidents
- The development and promotion of programs for education and information concerning health and safety
- Checking efficacy of measures taken to protect the health and safety of workers on work site

### 3.4 Committee Chairs

Responsibilities relating to HSCs include:

- Facilitating the meetings
- Ensuring the maintenance of an unbiased viewpoint
- Reviewing previous meeting minutes and other materials prior to the meetings
- Arranging for the meeting place
- Notifying members of meetings
- Preparing correspondence and meeting agendas
- Forwarding a copy of meeting reports to the employer for distribution
- Preparing recommendation(s) and forwarding to the executive(s) for a response
- Ensure follow up to action items

The Occupational Health and Safety legislation in each jurisdiction defines the responsibilities for employers, supervisors and workers to work safety and follow safe work practices. It is the employer's legal obligation to ensure compliance with current regulatory requirements and ensure the required qualifications and competencies of all supervisors and workers.



## 4.0 Terms of Reference

Although legislation identifies key requirements for Health and Safety Committees, it does not specifically detail the methodology for how a committee must operate. Daily operations are at the discretion of the committee, but it may be advantageous for committees to create written procedures and a terms of reference (TOR) to assist in their coordinating efforts.

Terms of reference provide structure and purpose for a committee; a set of guidelines for what needs to be done, by whom, when etc. Employing TORs keeps a committee on track and ensures meeting procedures are understood by all members.

Considerations for HSC Terms of Reference as follows:

Committee Structure:

- Establish the committee to distinguish the HSC from other committees within the organization (if required)
- Determine appropriate committee structure, ensuring legislation compliance
- Clearly state the duties of the committee, members and co-chairs (refer to legislation where required)
- Indicate the department areas the employer representatives will be elected from (if required)
- Elect the co-chairs – where the worker representatives select one co-chair and the employer representatives will select one co-chair
- Determine a method for the selection of alternate co-chairs at the meetings if either are unavailable to attend
- Conduct a regular review of committee and members' responsibilities including confidentiality and effectiveness

Meetings:

- Establish the arrangements with respect to minutes of meetings, including the requirement to identify issues and set out recommendations, the responsibility of taking, reviewing, circulating and editing of the minutes, and the preparation of agendas for meetings and notice of meetings
- Determine parameters of a quorum where required
- Develop a meeting schedule for the frequency and place for meetings

### Develop procedures for:

- The co-chairs to facilitate the actions of the committee
- Conveying recommendations in writing arising from inspections back to the co-chairs, the committee and to the employer
- Selection of member(s) to accompany Ministry of Labour inspectors during a physical inspection of the workplace
- Selection of a member representing workers or designated workers in the workplace for the purposes of the statutory provisions for investigating a work refusal
- Achieving consensus at meetings
- Dispute resolution by the committee (e.g. situations when the co-chairs do not agree on a recommendation)

### Training:

- Health and safety committee (HSC) co-chairs, members and health and safety representatives (HS representatives) shall be permitted to take the greater of 16 hours or to attend work site health and training programs, seminars or courses of instruction.
- Co-chairs and H&S representative training includes a mandatory six to eight hour course, provided by an approved training agency.
- Have a list of approved training available for members in the terms of reference

### Incident Investigation:

- Establish a process for reporting incident investigations to the committee, including types and severity of incidents to be investigated (beyond the legal requirements)
- Identify the means for how members participate in the investigations
- Provide incident statistics and information to identify incident trends
- Develop and implement protocols for incident investigation follow-up (ie. determine root cause and prevention strategies for future incident occurrence)

### Inspection:

- Develop a schedule of inspections of the workplace and provisions for the conduct of inspections
- Establish protocols for follow up on action items raised through inspection findings, where required

### Terms of Office:

- State the time frames members are expected to be on the committee – generally not less than one year and may hold the position until their successors are selected or appointed (dependent upon union or individual provincial legislation)

## 5.0 Meetings

### 5.1 Frequency

To ensure a concerted focus on the prevention of injury/incidents, the committee holds frequent meetings and conducts regular workplace inspections to identify opportunities to improve the health and safety of workers. Organizations that require an HSC must abide by the meeting requirements set forth by legislation, as every province will have their own jurisdictional specifications. As an example, Alberta’s legislation mandates that a “***joint work site health and safety committee shall hold its meetings and carry out its duties and functions during normal working hours***”<sup>4</sup>. Meetings are generally conducted once per month; the first of which to be held 10 days once the committee has been established. In some cases, however, it may be advantageous for some organizations to conduct meetings at more frequent intervals; dependent upon the nature of the work and associated risks. The HSC must also convene special meetings if requested to do so by a Director of Inspection.

### 5.2 Quorum

By definition, a quorum is the minimum number of members of the committee that must be present at any of its meetings to make the proceedings of that meeting valid. Canadian legislation does not specify requirements related to quorums and is left to the discretion of the organization’s HSC. General practice suggests that one-half of the committee’s members must be present to hold an official meeting.

Of the members attending the meeting:

- i. Both worker and employer members must be present, and
- ii. At least one-half of those present must be worker members

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<sup>4</sup> Sections 19 and 20 of the *OHS Act*

## 5.3 Agenda

The agenda is a critical component for successfully hosting an HSC meeting. The purpose of the agenda is to advise the time and place of the meeting in addition to identifying matters for discussion. Those matters of more serious consequence may warrant additional attention and can be prioritized in the agenda sequence.

Co-chairs are generally responsible for preparing the meeting agendas and should be distributed to every member in advance. It is recommended the agenda is distributed one week before the meeting date to allow the opportunity for members to provide their feedback and to secure the meeting room with attendee confirmation.

(Sample Agenda in Appendix A)

## 5.4 Meeting Minutes

Meeting minutes are generated to document and track concerns and corresponding actions discussed during the Health and Safety Committee meetings. To best capture all matters discussed, it is recommended that meeting minutes are created as the meeting progresses rather than afterwards. The committee will elect the individual responsible for taking the meeting notes – this person should be established before the meeting is conducted in the interest of clarity and efficiency. However, it is not recommended that either co-chair be elected as the minute taker because of their highly active roles in the meetings.

The committee reviews the completed meeting minutes; and, once approved, copies are to be given to the management within 7 days after the meeting was conducted. It is then the employer's responsibility to ensure the meeting minutes are posted in a conspicuous place at the work site (or by electronic means) within 7 days and available to be viewed for a period of at least 2 weeks. The Occupational Health and Safety Act stipulates the meeting minutes and any other relevant health and safety documents produced by the HSC are to be retained for 2 years following the meeting dates and readily available for inspection by a Ministry of Labour inspector, when requested.

(Sample Meeting Minutes in Appendix B)

## 5.5 Inspection

An important role for HSC members is to routinely conduct inspections at the work site. HSC and H&S representative(s) engage with supervisors and workers to gain their help in recognizing concerns that might otherwise be overlooked. These inspections identify potentially hazardous equipment or work practices and become the subject matter for discussion at the health and safety committee meetings. The frequency for the inspections are not specifically identified in legislation and becomes the discretion of the HSC. It is advisable, that consideration is given for the type of work being conducted with relative to risk – ie. the higher the risk of work undertaken, the more frequently inspections ought to be conducted.

Performing inspections several days prior to the scheduled HSC meeting allows sufficient time to add the concern(s) to the agenda for circulation. In effect, committee members gain the opportunity to consider the area of concern and develop possible solutions before the meeting is conducted.

It is important that all identified hazards discovered during inspection should receive attention before the committee meets. Establishing a hierarchy in order of importance will guarantee that the most critical elements are given due attention during the meeting.

## 5.6 Training Requirements

An important requirement mandated in legislation is for employers to permit the HSC member or safety representative to attend health and safety training programs, seminars or courses of instruction with full pay. At a minimum, the amount of time required for certified training is 16 hours annually but may vary depending on provincial legislation.

The employer or prime contractor are responsible to ensure the co-chairs (and H&S representative if mandated by provincial legislation), receive training respecting the duties and functions of a committee. Co-chairs are mandated by Alberta OHS to have the following training: six to eight hour Health and Safety Committee course, provided by an approved training agency.

## 5.7 Terms of Office

Members of the HSC terms of office varying parameters for individuals to hold office within an HSC. Generally, the duration for members of a Health and Safety Committee is to be no less than one year and may continue to hold office until their successors are selected or appointed.

If the organization is unionized, their mandate for the term of office will govern.

## 6.0 Evaluate Effectiveness

To ensure the HSC successfully accomplishes its goals to improve the health and safety of their workplace, it is recommended that the organization conduct random surveillance, internal management system audits and third party COR audits.

## 7.0 Resources

The following are references to the provincial and federal legislation where you will find the guidelines for joint health and safety committees from the different jurisdictions in Canada. Since legislation is amended from time to time, the jurisdictions should be contacted for the most current information.

### Canada

- Canada Labour Code, Part II (R.S.C. 1985, C. L-2), Sections 135 to 137

### British Columbia

- Workers Compensation Act, (R.S.B.C. 1996 as amended) Part 3, Division 4, Sections 125 to 140

### Alberta

- Occupational Health and Safety Act (R.S.A. 1980, c. O-2 as amended), Section 31
- Occupational Health and Safety Code (October 2003) Part 13 Joint Work Site Health and Safety Committee, Sections 196 to 207

### Saskatchewan

- Saskatchewan Employment Act (S.S., 2013, c. S-15.1), Sections 3-22 to 3-27 (Called: Occupational Health Committees)
- Occupational Health and Safety Regulations, 1996 (R.S.S., c. O-1, r.1), Sections 38 to 49

**Manitoba**

- Workplace Safety and Health Act (R.S.M. 1987, c. W210), Section 40 (Called: Workplace safety and health committees)
- Workplace Safety and Health Regulation (Man. Reg. 217/2006), Part 3

**Ontario**

- Occupational Health and Safety Act (R.S.O. 1990, c. O.1), Section 9(2)

**Quebec (English Language Legislation)**

- Act respecting Occupational Health and Safety (R.S.Q., c. S-2.1), Chapter IV, Sections 68 to 86.
- The Regulation respecting health and safety committees (R.R.Q. 1981, c. S-2.1, r. 6.1, O.C. 2025-83) (Called: Health and Safety Committees)

**New Brunswick**

- Occupational Health and Safety Act (A.N.B. 1983, c. O-0.2), Sections 14 to 18

**Nova Scotia**

- Occupational Health and Safety Act (S.N.S. 1996, c. 7), Sections 29 to 32

**Prince Edward Island**

- Occupational Health and Safety Act (R.S.P.E.I. 2004, c. 42), Section 25

**Newfoundland**

- Occupational Health and Safety Act (R.S.N. 1990, c. O-3), Sections 37 to 40 (Called: Health and Safety Committees)

**Yukon Territory**

- Occupational Health and Safety Act (R.S.Y. 1986, c. 123), Sections 12 & 13

**Northwest Territories**

- Safety Act (R.S.N.W.T. 1988, c. S-1), Section 7.1 (Called: Joint Occupational Health and Safety Committee)
- Occupational Health and Safety Regulations (R-039-2015), Part 4

**Nunavut**

- Safety Act (R.S.N.W.T. 1988, c. S-1), Section 7 (Called: Joint Work Site Health and Safety Committee)



# Appendix A: Sample Agenda

[Name] Joint Health and Safety Committee - Agenda

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

- 1.0 ***Review of agenda and minutes of previous meeting***
- 2.0 ***Old business***
  - a. List action items from previous minutes
  - b. List any approvals and/or responses from Management
- 3.0 ***Incident Summary***
- 4.0 ***Monthly Reports from worker members***
  - a. Inspections
  - b. Audits
- 5.0 ***Policy or program updates***
  - a. Policy review and/or update
  - b. New health and safety programs (e.g., new Risk Management Manual additions, new designated substance assessments or control programs)
- 6.0 ***New business***
  - a. New items/issues
  - b. Ministry of Labour visits (if any)
  - c. Policies or programs
- 7.0 ***Annual reviews***
  - a. Terms of reference (date)
  - b. Statistics summary (date)
  - c. Training (date)
  - d. Committee membership (date)
  - e. Designated substances (date)
- 8.0 ***Other business***

Contacts: \_\_\_\_\_ Worker co-chair: \_\_\_\_\_

Management co-chair: \_\_\_\_\_ Minutes prepared by: \_\_\_\_\_





## Appendix B: Sample Meeting Minutes

[Name] Joint Health and Safety Committee

Date:

Time:

Location:

### *Information about HSC members:*

- Name
- Work location of member (department, building, room)
- Present or absent for meeting?
- Member category:
  - worker/non-management - if unionized, record name of union)
  - management
- Is member certified?
- Work location (department, building, room)

### *Information about Guests (if any):*

- Name and Title
- Department/trade

### *Minutes of previous meeting:*

(Include a statement to indicate minutes of previous meeting have been read and acknowledged, and to record any corrections if required)

### *Business arising from minutes:*

List discussion items, and describe the following for each:

- Actions taken
- Recommendations
- Who actions were taken by

### *New business:*

List of discussion items similar to the above.

### *Other business:*

### *Next meeting:*

List date, time and location

Signatures:





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