SUSSEX POLICY

Subject	Number
JOINT HEALTH AND SAFETY COMMITTEE TERMS OF REFERENCE	P-13
Date OCTOBER 23, 2023	**Approved by** COUNCIL [x] OTHER(S) [ ] **Date** MARCH 16, 2020
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Mission Statement

The JHSC for the Town of Sussex will support management in their goal to strive for continuous improvement of health and safety practices. This committee will, to the best of our ability, be proactive in health and safety initiatives. We will be responsible to keep the workplace informed of our purpose and provide high visibility in the workplace. The JHSC will assist management in identifying unsafe and unhealthy standards of work, conditions and practices and act as an advisory group to management to help in resolving company health, safety and environmental issues.

Members

The committee will be comprised of six or eight members with members representing employees, and the employer equally. Wherever possible the committee will strive to balance representation from the Works, Community Services, and Fire Departments, and Town Hall.

Meetings

The committee will meet every third Friday of the month in the meeting room of the Community Services Department at 10:00 am for approximately one hour. Additional meetings will be scheduled as required. Agreement on health & safety issues from the group will be decided by majority vote. In the event that there is no agreement on issues, the JHSC will immediately contact WorkSafeNB for guidance or resolution. All information from the JHSC to the workplace will be communicated in writing (not verbal).

Training

All new JHSC members will attend the WorkSafeNB Joint Health and Safety Committee Core Training within twelve months of joining the committee. Management must approve additional health and safety training for committee members.

Positions and Terms

Chairpersons and Secretary positions are two-year terms and are renewable. Employee members will serve at least a 2-3 year term with the workplace determining eligibility and renewal. All member positions will be staggered with the most recent member identified as committing to no less than a 3-year term.

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Attendance

In the event that anyone is absent for three consecutive meetings without just cause, they will be asked to resign from the JHSC and their position will be replaced as per this TOR.

Confidentiality

It is agreed that all information discussed in the meetings will be held in confidence and will remain internal to the Town of Sussex. Joint Health &
Safety Committee minutes will omit names of any individuals who may be involved. Any violation of confidentiality will result in the request of immediate resignation of that JHSC member and, if warranted, the violation will be communicated to senior management.

New Members

The JHSC will be responsible to replace members at the end of their term, as needed. Where possible the JHSC shall seek equal representation from the following groups (management, outside workers, Town Hall, and Fire Department).
Vacancy for all new positions on the JHSC will be posted and the workplace will be notified to respond to the request within three weeks of the posting. Employee replacements will be elected by way of majority vote (as needed).
Management will designate a representative to serve as the employer representative on the JHSC.

Co-chairpersons

There will be two co-chairs on the committee: one represents the employees and one representing the employers. Employee members of the JHSC will select their co-chair and employer members of the JHSC will select their co-chair. Co-chair will be responsible to:

- Prepare and distribute (via email) to all members and the Secretary the meeting agenda at least one week before the meeting. Recurring monthly documents will be collected by the co-chairs and distributed to all members during the meetings. Recurring monthly documents include: monthly accident and incident reports, department inspection results, information on previous months' JHSC recommendations to management and new educational opportunities

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- Provide clarity on points that may differ during the meetings by requesting input from the entire workplace, including management or from an external source (WorkSafeNB, for example) to resolve issues
- Ensure all agenda items are covered
- Encourage participation of all members
- Alternate chairing meetings on a monthly basis
- Act as the lead for introducing new employees to the company's JHSC
- Research and provide information necessary for workplace education, wellness, health and safety
- Lead a review of the JHSC's TOR annually
- Provide the workplace with the JHSC's contact information, including departments, phone numbers, cell numbers and email addresses
- Personally invite workers and management to the meetings
- Make arrangements for health and safety professionals to attend meetings for education and information sessions
- Sign the minutes form
- May accompany the WorkSafeNB safety officer on inspections

Secretary

The members will identify a Secretary to document minutes of each monthly meeting. In the event that there is more than one person interested in the position, the committee will fill the vacancy by way of majority vote.

In the event that the Secretary cannot attend the meeting, the co-chair not scheduled to lead a meeting will act as the Secretary.

Secretary Responsibilities

- Take minutes of the meeting
- Maintain incident/ near-miss statistics for reporting purposes
- Forward draft minutes to committee members within 1 week of the meeting for review
- Update minutes as needed at each monthly meeting

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- Within 24 hours of the co-chairs approval and signatures on the document, distribute via email the monthly JHSC minutes to the workplace for posting on the JHSC area boards, on the Town Intranet and to appropriate parties (Labour Management Committee and WorkSafeNB)

Quorum /Attendance

A quorum will consist of a majority of membership. Committee meetings are not cancelled if there is not a quorum present. If a quorum is not present within 10 minutes of the posted start time, the Secretary will note this in the minutes and the meeting will still start. Due to lack of participation of all members, there will not be a vote on resolution of issues for that meeting. Recommendations for concerns of a serious nature that have been addressed with management and cannot be resolved at the JHSC level will be immediately forwarded to WorkSafeNB for resolution (*OHS Act*, section 14(13)). This committee will not have alternates.

Committee Functions

1. Review the company's current inspection process with management on a regular basis (*OHS Act* 9(3)). Recommendations will be made, if necessary, for addition of inspection items. The JHSC will review each department's substandard and outstanding inspection items with formal recommendations to be documented to be resolved at senior management level. The JHSC will allot at least 1-2 hours semi-annually per department to complete a formal audit of the company, rotating members to different departments (April, November).
2. If necessary, review various sections of workplace legislation. Contact WorkSafeNB as needed for clarification or interpretation on sections that are unclear or if the workplace has questions regarding legislation.
3. Review regularly the company's policy and procedure manuals. If there are procedural gaps or omissions, the co-chairs will research options and formally inform management. If necessary, the JHSC will formally recommend changes to meet legislative standards.

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4. Review the company's WHMIS training annually (88-221 section 6(4), 2016-6 section7(4)) and make recommendations for changes to the program, if needed.
5. Respond to accident, near miss, and injury scenes immediately to start accident investigations as per the company accident investigation procedure.
6. Request and receive accident and injury data for the purpose of injury and trend analysis.
7. Attend JHSC core training within twelve months of becoming a member.
8. Attend immediately to work refusals. (See Responding to Work Refusals).
9. Participate in new employee orientation by introducing the committee members to the new employee and provide new employees with JHSC information such as becoming a member, departments where JHSC members are located and all other contact information.
10. Inform management and staff in writing about existing or potential hazards and the nature of risks if left unresolved.
11. Prepare and distribute health and safety information to the workplace (i.e. via monthly newsletter and flyers throughout the workplace(s)).
12. Receive, in writing, issues or complaints in respect to the health and safety of employees. Review the issues and respond within one week, in writing, to the person who has put forward the concern.
13. Receive information from the employer respecting the identification of existing or potential hazards or conditions, tools, devices, equipment and machines.
14. Receive, in writing, notification of serious accidents (*OHS Act*, section 43(2)).
15. Co-operate with the employer to prepare a list of all of toxic substances at the workplace (*OHS Act*, section 42(1)) and receive and file any amendments of that list from the employer (*OHS Act*, section 42(3)).

16. Consult and provide information, if necessary, on the development of a code of practice for respiratory equipment (91-191, section 45(4)).

17. Consult and provide information, if necessary, on appropriate types of hearing protection (91-191, section 48(2)).

18. Help the employer develop a code of practice for fall protection (91-191, section 50.2(3)).

19. Consult with the employer about fall protection training for company employees (91-191, section 50.3(4)).

20. Consult with the employer on lock-out training for company employees (91-191, section 240 (a)).

21. Perform any other duties that:

    - WorkSafeNB may assign
    - Are assigned in the *OHS Act* or regulations
    - May be assigned by agreement between the employer and employees

Agenda

The minutes from the previous JHSC meeting shall serve as the base agenda for the upcoming meeting. The agenda may be comprised of the following sections:

- Approval of agenda/addition of items
- Approval of minutes
- Review of incident/ near-miss reports
- Review results of workplace inspections
- Review employee health & safety concerns
- On-going business
- New business
- Education opportunities
- Schedule for next meeting

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Responding to Work Refusals

In the event of an employee refusing unsafe work, the employee will contact the JHSC co-chairs and one employee member for immediate resolution and immediately respond to the work refusal only **after the JHSC has identified that the employee has consulted with their immediate supervisor**. If an employee has not contacted or expressed concern to their supervisor, the JHSC member must instruct the employee to speak to their supervisor first and complete the ***Right to Refuse Form.*** If the incident is not documented, the JHSC cannot effectively address the concern. At all times throughout the refusal, the committee will be responsible to document the situation.

1. The employee will be responsible to contact the JHSC members (above) as soon as possible. Co-chairs and the employee rep names, phone numbers and email addresses are posted on the JHSC board. If the person contacted is unavailable, another JHSC member will be contacted.

2. Committee chairs and one employee member will attend the situation as soon as possible to investigate the situation.

3. The committee will personally meet with the employee and the employee's supervisor to review the documented concern. The JHSC will attend the area in question immediately and review all documentation relevant to the situation (policies, procedures and the legislation, for example). The JHSC can only put forth recommendations to the situation. This process is to be documented.

4. If the employee's concern cannot be resolved to the employee's satisfaction, the JHSC will advise the employee to immediately contact WorkSafeNB for resolution and the JHSC will provide that contact information to the employee.

Other items

JHSC members will only respond to concerns relating to the health, safety and well-being of the employees of Sussex. The JHSC does not have the authority nor the responsibility to address issues outside the scope of health, safety and employee well-being.

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Information contained in this document will be made available at any time to management and the workplace. Changes to this document will be made only in the event that the committee and management agree. At any time if there is no agreement among members, the members are to contact WorkSafeNB (OHS Act section 14(13)).