

School District #81 (Fort Nelson, BC)
JOINT OCCUPATIONAL HEALTH AND SAFETY (JOHS) COMMITTEE
TERMS OF REFERENCE

1. Name of Joint Occupational Health and Safety Committee

The committee shall be known as School District #81 (Fort Nelson, BC) Joint Occupational Health and Safety (JOHS) Committee.

2. Purpose of the Committee

The purpose of the District JOHS Committee is to work cooperatively in identifying and resolving health and safety issues in the school district and to prevent occupational injuries and diseases in the workplace.

3. Committee Membership

1. The committee must consist of worker representatives and employer representatives.
2. The worker representatives on the committee shall consist of:
 - one worker representative from each work site
 - one Fort Nelson District Teachers' Association Representative (FNDTA)
 - one B.C. General Employees' Union (BCGEU) Representative
3. The worker representatives must be selected by the workers at the workplace who do not exercise managerial functions at the workplace according to the procedures identified in section 34 of the Worker's Compensation Act. The worker representative's union should be notified of the selection so that the employer can be notified of their appointment by the union. The employer representatives must be selected by the employer from among persons who exercise managerial functions for the employer. The employer representatives will include the Director of Facilities and the Secretary-Treasurer.
4. The Administrative Assistant will act as recording secretary.
5. A member of the Principals' Association will be invited to participate as an employer representative.
6. The union representatives must be selected by the individual union membership.
7. The committee must have 2 co-chairs, one selected by the worker representatives: from the Fort Nelson District Teachers' Association Representative or the B.C. General Employees' Union Representative identified in 3.2, and the other selected by the employer representatives.

4. Co-Chair Duties

1. Facilitate the meetings
2. Review previous meeting reports and material prior to the meetings
3. Prepare recommendations and forward to the employer for a response

5. Committee Recording Secretary Duties

1. Ensure a meeting place is arranged
2. Ensure members are notified of meeting dates, times and locations
3. Ensure meeting agenda is prepared and distributed
4. Ensure meeting reports are prepared and distributed
5. Prepare all correspondence on behalf of the committee

6. Terms of Office

1. Committee members will sit on the committee from September-June of the current school year.
2. The worker representative co-chair will be selected by the worker representatives, at the JOHS committee meeting in September of each year.
3. If a member of the committee, chosen by the site workers, is unable to complete the term of office, the site workers must choose another member.
4. If a member of the committee, appointed by the employer, is unable to complete the term of office, the employer must appoint another member.
5. If a member of the committee, appointed by the union, is unable to complete the term of office, the union must appoint another member.
6. All members should arrange to have an alternate member to attend meetings, in their place, when they are unavailable to attend.

7. Duties and Functions of the Committee

The duties and functions of a District Joint Occupational Health and Safety Committee are those identified in Division 5, Section 36, of the Workers Compensation Act:

1. To identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations
2. To consider and expeditiously deal with complaints relating to the health and safety of workers
3. To consult with workers and the employer on issues related to occupational health and safety and occupational environment
4. To make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers
5. To make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHS provisions and the regulations and to monitor their effectiveness
6. To advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness
7. To advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health and safety of workers
8. To ensure that accident investigations and regular inspections are carried out as required by the OHS provisions and the regulations
9. To participate in inspections, investigations and inquiries as provided in the OHS provisions and the regulations
10. To carry out any other duties and functions prescribed by regulation

8. Consulting

Generally, this means communicating for the purposes of seeking information and advice.

9. Decisions of the Committee

The District JOHS Committee should attempt to reach consensus on each decision it makes. If the committee cannot reach consensus, then a vote may be taken. The committee will go with the majority vote, when a vote is needed.

10. Assistance in Resolving Disagreements Within a Committee

If the District JOHS Committee is unable to reach agreement on a matter relating to the health or safety of workers at a workplace, a co-chair of the committee may report this to the Superintendent, who may investigate and attempt to resolve the matter.

11. Recommendations to the Employer

The District JOHS Committee must make all recommendations to the Superintendent in writing with a written request for a response from the Superintendent within 21 days. Co-chairs must sign the recommendations before they are forwarded to the Superintendent. All recommendations must be made separate from the minutes of the meeting.

The Superintendent is required, under the Act, to respond to the District JOHS Committee recommendations within 21 days of receiving the written request.

The Superintendent must respond in writing by:

- Indicating acceptance of the recommendation, or
- Giving reasons for not accepting the recommendation.

If the Superintendent is not reasonably able to provide a response before the end of the 21-day period, the Superintendent will be asked to provide, within that time, an explanation for the delay, together with an indication of when the response will be provided.

12. Support for the Committee

At the request of the District JOHS Committee, the Superintendent is required, by the Act, to provide space and clerical support necessary for the committee to carry out its duties and functions.

The District JOHS Committee may request the following information from the Superintendent, as needed:

1. The identification of known or reasonably foreseeable health or safety hazards which workers are likely to be exposed to in the workplace,
2. Orders, penalties, and prosecutions under the Act or OHS Regulation relating to health and safety at the workplace,
3. Any other matter identified by OHS Regulation.

13. Meetings

- a. The District JOHS Committee will meet monthly on the fourth Thursday of the month other than the months of December, March, June, July, August.
- b. In the months of December, March and June, the committee members will share concerns on the District JOHS Committee electronic messaging system.
- c. Special meetings, if required, will be held at the call of the co-chairs.
- d. A quorum shall consist of a majority of members on the committee.

14. Time from Work for Meetings and Other Committee Functions

Members of the District JOHS Committee are entitled to time off from work for ([Workers Compensation Act Joint Committees-Time Off Work](#)):

1. Time required to attend meetings of the committee-BCGEU members
2. Time to fulfill other duties and functions of the committee
(e.g. site inspections, incident investigations)-FNDTA and BCGEU members

Time off is deemed to be time worked for the employer, and the employer must pay the member for that time.

15. Agendas and Reports of the Committee

1. A draft agenda will be sent to the members one week prior to the meeting. The final agenda will be distributed to all members on the Monday prior to the meeting.
2. Draft minutes from the meeting will be distributed as soon as possible after the meeting.
3. The employer will retain a copy of the minutes for at least 2 years after the date of the District JOHS Committee meeting to which they relate.

16. Posting Committee Information

The employer must post ([WorkSafe BC Employer Must Post Information](#)), in places readily accessible to the District JOHS Committee, workers and WorkSafe BC, the following:

1. the names and work locations of the District JOHS Committee members
2. the reports of the 3 most recent District JOHS Committee meetings, and
3. copies of any applicable orders under this Division for the preceding 12 months

17. Training and Education

There are two types of training and education for District JOHS Committee members ([WorkSafe BC Joint Committee Member Mandatory Training and Annual Educational Leave](#)):

1. Mandatory training and instruction (minimum eight hours) for new members (no more than six months after becoming a member), on the following topics:
 - The duties and functions of the JOHS committee
 - The rules of procedure of the JOHS committee
 - The requirements for conducting incident investigations
 - The requirements and processes for conducting regular workplace inspections
 - The requirements for responding to a refusal of unsafe work
 - The requirements for annually evaluating the JOHS committee
2. Annual health and safety education

In addition to the mandated introductory training, each District JOHS committee member is entitled to eight hours of education leave per year to attend occupational health and safety training courses.



([Workers Compensation Act Educational Leave](#))

If there is more than one representative from a worksite, the representatives may share the annual health and safety education training.

The employer must provide the education training without loss of pay or other benefits and must pay for, or reimburse the worker for the costs of the training and the reasonable costs of attending the course.

18. Amendments

These terms of reference may be amended by vote of the committee members.

<p>Lori Woodworth</p> <p>Printed Name of Worker Co-Chair</p>	<p>Darryl Low</p> <p>Printed Name of Employer Co-Chair</p>
<p></p> <p>Signature of Worker Co-Chair</p>	<p></p> <p>Signature of Employer Co-Chair</p>
<p>Date <u>October 21, 2022</u></p>	<p>Date <u>Oct. 26, 2022</u></p>