



UPEI Joint Occupational Health and Safety Committee

Terms of Reference

Purpose

The Joint Occupational Health and Safety Committee (JOHSC) at UPEI is a committee of worker and employer representatives that will work together to follow and monitor the regulated Internal Responsibility System (IRS) that follows the Occupational Health & Safety Act and Regulations of PEI (ACT) as well as the obligations outlined in the UPEI Health, Safety and Environment Policy. Our role in the IRS is to identify, report and recommend corrective action on any hazards or potential hazards which may cause harm to people, property, or the environment. By promoting communication and collaboration of all workplace parties on health and safety issues, the JOHSC will ensure UPEI is healthy and safe to study, visit, and work.

Committee Mandate

UPEI's JOHSC is a mandated group that addresses matters of health and safety on the UPEI campus. Members of the Committee will exercise skill, diligence, and confidentiality when dealing with issues of health and safety. UPEI's JOHSC monitors compliance with provincial legislation and regulations, recommends policies and procedures, promotes awareness of matters pertaining to

health and safety, conducts workplace investigations and safety audits and produces reports, and identifies training requirements. The Committee will consider, evaluate, and offer recommendations to the employer on health and safety issues.

Committee Goals

For this Committee to meet its mandate, the goals for this Committee are:

- i. Comply with the legislative standards defined for JOHSC
- ii. Create a culture in which all employees view workplace accidents as preventable
- iii. Help create an injury-free workplace
- iv. Support health and safety initiatives set by the employer

Duties and Function of the Committee:

This Committee will be involved with reviewing and maintaining the UPEI Health and Safety Program. Section 25(7) of the PEI Occupational Health and Safety Act outlines the legislated requirements of the JOHSC as follows:

- i. Cooperate to identify hazards to occupational health and safety in the workplace and effective systems to respond to the risks;
- ii. Receive, investigate and promptly deal with issues respecting occupational health and safety;

- iii. Participate in inspections, inquiries, and investigations respecting the occupational safety of workers in the workplace;
- iv. Advise the employer on individual protective equipment, devices and safety features that are best suited to the needs of the workers, within the provisions of the OHS Act and Regulations;
- v. Advise the employer regarding a policy or program required by the OHS Act;
- vi. Make recommendations to the employer, the workers and any other persons for the improvement of the occupational health and safety of persons at the workplace; and
- vii. Maintain records and minutes of committee meetings in the prescribed form as dictated by WCB PEI.

Committee membership

According to Section 25(6) of the *PEI Occupational Health and Safety Act*, the membership committee shall include;

- i. One-half of the members selected by the union representing the workers or, in the absence of a union, by the workers that the members represent; (noted with an""); and
- ii. One-half of the members selected by the employer.

The UPEI JOHSC will consist of 12 members: six (6) worker-members and six (6) employer members.

The Committee must have two co-chairs, one employer, and one union. The Vice-President Administration and Finance (VPAF) will appoint the employer representative. The union representatives will nominate the union chair.

Each committee member must submit a name of an alternate to fill in for them when they are not available to attend a meeting. The replacement will have to be sanctioned by the union group that they represent. The JOHSC alternate will receive the same training as the JOHSC committee members.

Members

Worker Members	Employer members
*CUPE 1870 (Staff)	VP Admin & Finance Appointee
*CUPE 501 (Security)	VP Admin & Finance Appointee
*Faculty Association	Radiation Safety Officer, ex-officio
*IBEW 1928 (Facilities Management)	Biosafety Officer, ex-officio
* Student Union	Director, Facilities Management, ex-officio
* Graduate Student Association	Health, Safety, and Environment Manager, ex-officio

Terms of office

- i. **Worker members** shall serve a minimum of a three year term. A worker member may be elected for an additional second term. The terms of office will be staggered to ensure that no more than two members complete a term in any calendar year. If a member of the Committee chosen by the workers is unable to complete the term of office, the workers must choose another member.

- Employee groups, including unions and student groups, will be asked to appoint individuals to the Committee who have a genuine interest in and commitment to health and safety.
- ii. **Employer members** appointed by the Vice-President of Administration and Finance (VPAF) will serve a three year term. An employer member may be appointed for an additional second term.
 - iii. **Student members** will serve a one year term renewed annually.
 - iv. **Ex-officio members** will be permanent voting members.
 - v. **Designated guests** are invited to attend all meetings as non-voting members. These include Health and Safety Working Group Chairs for the Atlantic Veterinary College (AVC), Faculty of Sustainable Design Engineering (FSDE), Main Campus and Science, Institutional Biosafety Committee Chair, Accessibility Services Representative, Executive Assistant, and Security Services Manager.
 - vi. **Co-Chairs** shall serve a two-year term. A worker member co-chair and employer member co-chair can serve a consecutive two-year term if approved by the worker-members and VPAF, respectively.

Responsibilities

1. Co-Chair

- i. Facilitate and manage the meetings.
- ii. Preside over the meeting.
- iii. To guide meetings utilizing the agenda created by the UPEI Health, Safety, and Environment department.
- iv. Ensure all discussions remain in a professional tone.
- v. Assign projects to members.
- vi. Ensure that the Committee carries out its function.
- vii. Call emergency or special meetings when required.

2. Members

- i. Come prepared and on time for meetings and actively participate in the meetings.
- ii. Maintain confidentiality.
- iii. Help to raise awareness of JOHSC and its function on campus.
- iv. Analyze investigation reports and assist in workplace investigations as required by the ACT.
- v. Stay up to date on all legislation and communicate any changes to the groups the members represent.
- vi. Contribute to committee discussion, offering experience and ideas.
- vii. Address any workplace refusals as per Section 28 and 29 of the ACT.

3. Health, Safety, and Environment Manager

- i. Act as a liaison and resource person for the JOHSC.
- ii. Will be a key resource responsible for tracking compliance of the committee's activities.
- iii. Support the committee with technical advice and expertise.

- iv. Act as a liaison between the committee and the Employer.

4. Executive Assistant

- i. Duties as assigned by the HSE Manager, including taking minutes during the meeting.
- ii. If the assistant is unavailable, then another member will be designated by the Co-chair to take minutes.

Agenda

Any member can add items to the meeting agenda; all agenda items must be submitted to the Health, Safety, and Environment Department no later than five working days before the meeting. Any items submitted less than 5 days before the meeting, will be at the discretion of the Co-Chairs. Any discussion that will require members to vote must be on the current agenda.

Confidentiality

JOHSC members, in fulfilling their duties, may become aware of information that may be considered confidential. Committee members are bound to maintain confidentiality in accordance with all privacy legislation and UPEI policies. JOHSC members shall honour the confidentiality of such information and perform their required duties in good faith.

Guests

Guests may be requested to attend the meetings from time to time as agreed to by the Co-Chairs.

Inspections

The JOHSC, with the assistance of the four UPEI Health and Safety Working Groups, will inspect all areas of the campus as per the UPEI Inspection Procedure (more details can be found in the UPEI Laboratory Manual, UPEI OHS manual and the UPEI HSE website). High-risk areas will be inspected on an annual basis and low-risk areas inspected on a three-year rotation. Upon completion, the area authority (Area Lead, Dean, Director, etc.) will receive a copy of the report. Within 30 days, the area authority will return the report identifying corrective action(s) implemented or a plan of action, dates of implementation, and the responsible person. If the report is not submitted within 30 days, JOHSC will investigate the reasoning behind the delay, and send a recommendation to the employer if unable to resolve.

Meetings

The purpose of the monthly meeting is to provide positive participation and cooperation by the employer and worker representatives. Committee members will work together to promote health and safety in the workplace. Meetings will be held monthly according to Section 25(6) of the Act, 25 (9). Members will be notified of the meeting location via the agenda, and meetings should not be longer than 1.5 hours.

There must be a co-chair present at every meeting. If neither co-chair can attend, the Health, Safety, and Environment Manager will reschedule the meeting.

A quorum will be 50% of the members, with at least half of the worker-members being in attendance. Meetings that don't have quorum can still proceed, but voting will not occur without a quorum. The Committee will follow Roberts Rule of Order for all decisions requiring a vote.

Each meeting will have a roundtable discussion at the end of the meetings. Roundtable discussions are to recap agenda items and propose new business for a future meeting; discussion should be brief and concise.

If required, co-chairs can request special JOHSC meetings.

Recommendation

The JOHSC has a responsibility (under the *PEI Occupational Health and Safety Act*) to submit a formal written proposal to the employer for all Health and Safety issues: not addressed in a timely fashion, without corrective action taken, and/or that the corrective action is not reasonable. This recommendation must be made based on the consensus of the Committee.

When the Committee makes a written recommendation to the employer, the employer has 30 days to respond to the recommendations as per Section 27 (1) of the ACT. If the employer cannot respond within the 30-day timeline, the employer will notify the JOHSC as to why 30 days is not enough time.

Records and Reports

The minutes of the meeting will be distributed to the VPAF and JOHSC members and posted on the Health, Safety, and Environment Department website and the JOHSC information board in the Kelley Memorial Building's second floor. Records will be kept in the HSE Department for a minimum of five years.

Meeting agendas will be distributed to the members by the appointed Executive Assistant five (5) working days before the upcoming JOHSC meeting.

Review of Terms of Reference

The terms of reference will be reviewed every three years by the JOHSC with any changes to be approved by the JOHSC by a two thirds majority.

Any modifications, deletions, or additions to these terms of reference (outside of the tri-annual review) must be approved by the JOHSC; be set out in writing and signed by the co-chairs. Amended copies will be provided to the employer and all JOHSC members.

Roberts' Rules of Order

Unless otherwise agreed to by resolution, Robert's Rules of Order will be used to conduct all meetings.

Serious Injury Investigation

Both a worker and employer JOHSC member must assist with serious injury investigations (as per *PEI Occupational Health and Safety Act, Section 36.1*).

When a serious injury occurs at a workplace, in which a worker is seriously injured in a manner which causes or may cause a fatality, suffers a loss of limb, unconsciousness, substantial loss of blood, a fracture, an amputation of a leg, arm, hand, or foot, a burn to a major portion of the body, or the loss of sight in an eye, the employer is required to notify the PEI - Worker's Compensation Board immediately. The scene of the accident must be preserved, except to attend to persons injured or killed.

Training and Education

Training for members could include Incident Investigation, Inspection Training, Response to a Serious Injury, Work Refusal Process, etc.

Members of the JOHSC must have the following training and education as a minimum:

1. Workplace Hazardous Materials Information System (WHMIS)
2. Worker's Compensation Board Health and Safety Basics Course
3. Health and Safety Policies and Procedures ([HSE P & P](#))
4. JOHSC member roles and responsibilities as set out in Terms of Reference
5. Health and Safety Management System Administration ([HSE Management System Administration](#))

References

Laws of Prince Edward Island: Occupational Health and Safety Act, Queens' Printer. 2015

Guide to Workplace Health and Safety Committees, Worker Compensation Board of Prince Edward Island, www.wcb.pe.ca 2020

Signed at: UPEI this 13th day of July, 2021



Michael Arfken



Jennifer Prinz