
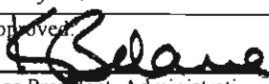
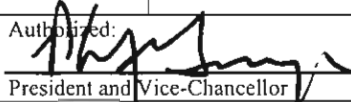


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| Submitted: Risk Management Support Group | Approved:  Vice President, Administration | Authorized:  President and Vice-Chancellor |

1 PURPOSE

- 1.1 To support the Central Joint Health and Safety Committee by conducting workplace inspections, safety audits, investigations and by filing copies of minutes of meetings with the CJHSC
- 1.2 To support the Internal Responsibility System (IRS) and provide a mechanism for joint resolution of unresolved occupational health and safety issues in the workplace
- 1.3 To ensure compliance with the Occupational Health and Safety Act (the Act) R.S.O. 1990, Sections 9, 42 (3) (See Appendix A)

2 SCOPE


- 2.1 All faculty, staff and recognized employee unions and associations.

3 RELATED DOCUMENTS

- 3.1 Occupational Health and Safety Act R.S.O 1990
- 3.2 McMaster University Environmental and Occupational Health and Safety Policy RMM#100
- 3.3 McMaster University Risk Management System RMM #101
- 3.4 McMaster University Central Joint Health and Safety Committee Program RMM#104
- 3.5 McMaster University Biosafety Program / Biosafety Committee Terms of Reference RMM#600 and RMM#106
- 3.6 McMaster University Radiation Safety Program Physics Advisory Committees Terms of Reference RMM#700 and RMM#107
- 3.7 McMaster University OSHA Work Refusals Program RMM#114

4 DEFINITIONS

- 4.1 Audit – a systematic check to determine quality in the operation of some function or the performance of some activity (e.g. Lockout / Tagout System)
 - 4.2 Certified Member – a committee member who is certified in accordance with the Act and criteria get out by the Workplace Safety and Insurance Board
 - 4.3 Inspection – an examination of the workplace to identify deficiencies that might cause injury, illness or property damage
 - 4.4 Internal Responsibility System – the fundamental concept on which the Act is based. The IRS defines and outlines the responsibilities of all parties in the workplace. The development of an effective IRS is shared by all parties and contributes to the quality of
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occupational health and safety programming, its execution and the health and safety culture.


- 4.5 Worker - a person who performs work or supplies services for monetary compensation.
- 4.6 Supervisor – Person who has charge of a workplace or authority over a worker
- 4.7 Critical Injury-An injury of a serious nature that, places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm but not a finger or toe; an amputation of a leg, arm, hand or foot but not a finger or a toe; consists of burns to a major portion of the body; or causes the loss of sight in an eye
- 4.8 Acronyms:
 - OHSА- Occupational Health and Safety Act
 - CJHSC – Central Joint Health and Safety Committee
 - JHSC – Joint Health and Safety Committee
 - EOHSS—Environmental and Occupational Health Support Services
 - RMSG – Risk Management Support Group (EOHSS, Faculty of Health Sciences Safety Office, Employee Health Services, Senior Health Physicist, Workplace Health and Benefits, Parking and Security Services and Director of Workplace Health and Benefits)
 - IRS-Internal Responsibility System
 - MOL-Ministry Of Labour
 - LOTO-Lockout/Tagout
 - FHSc – Faculty of Health Sciences Safety Office

5 RESPONSIBILITIES

5.1 McMaster University Joint Health and Safety Committees (See Appendix B)

The Joint Health and Safety Committees shall:

- Meet at least once every three months, more frequently if determined by the JHSC;
- Record the minutes of meetings and forward copies to the Senior Manager responsible and the CJHSC;
- Identify and report in writing unresolved workplace health and safety issues to the Senior Manager responsible;
- Review Incident/ Injury reports;
- Provide written recommendations to Senior Manager responsible on health and safety issues including improvements to internal responsibility and workplace health and safety conditions;
- Ensure that at least one member of the JHSC representing management and one representing workers are certified as per OHSА;

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- Provide certified members as required by OHSA for investigations, unilateral and bilateral work stoppages;
- Obtain information from constructor or employer regarding actual or potential hazards;
- Obtain information from the constructor or employer concerning testing;
- Be consulted about workplace testing methods and strategies;
- Review and post the names and work locations of members; and
- Make comment on safety training programs on an annual basis.

Worker members are required to designate one of their members who may carry out additional functions:


- to be present at the beginning of industrial hygiene testing;
- on a schedule established by the JHSC, inspect the workplace at least once per month or inspect part of the workplace each month resulting in the inspection of the entire workplace in one year;
- to inform the JHSC of actual or potential hazards; and
- to assist in resolving health and safety related work refusals.

5.3 **Certified Members:** The Act requires that at least one member of a JHSC representing management and one member representing workers be certified. Such members receive certification training that has been approved by the Workplace Safety and Insurance Board (WSIB). Required duties of the certified member include:

- to investigate that dangerous circumstance may exist according to section 45 of the Act; and
- to initiate and/or assist in the investigation of a bilateral work stoppage;
- contact the other certified member if dangerous circumstances continue to exist after the investigation; and
- in all cases EOHSS should be contacted immediately to assist in the investigation.

5.4 **Senior Manager Responsible:**
Senior Manager responsible shall:

- Support the activities of the JHSCs;
 - Respond promptly to concerns raised by the JHSCs;
 - Respond in writing within twenty-one days to any written recommendation from a JHSC;
 - Ensure that JHSC members are afforded the time and resources required to fulfill their obligations and rights as members of such committees and provide secretarial services for the committee;
 - Provide a comprehensive list of rooms and other areas to be inspected;
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- Ensure that the names and work locations of JHSC members are posted ;
- Ensure that copies of the JHSC minutes and MOL inspection reports are posted; and
- Provide information on known health and safety hazards to the JHSCs.

5.4 **The Central Joint Health and Safety Committee**

The Central Joint Health and Safety Committee shall:

- Review minutes and reports from Faculty and departmental JHSCs;
- Review and audit inspection reports from Faculty and departmental JHSCs;
- Conduct periodic health and safety audits at the departmental level;
- Review and make comment on proposed occupational health and safety policy and programs;
- Review injury and occupational disease (injury/ incident reports) and statistics;
 Review and comment on proposals for health, safety and fire loss prevention programs and training initiatives;
- When required provide assistance to departmental and Faculty JHSCs by participating in regulatory inspections, safety related work refusals and investigations of fatal or critical injuries; and
- make recommendations to improve internal responsibility and workplace health and safety conditions.


5.5 **Risk Management Support Group (EOHSS, Faculty of Health Sciences Safety Office, Employee Health Services, Senior Health Physicist, Director, Workplace Health and Benefits, and Parking and Security Services).**

The Risk Management Support Group shall:

- Provide technical and professional support to JHSCs;
- Provide up to date information on safety standards and legislation to the JHSCs;
- Facilitate occupational health and safety training ;
- Arrange for environmental testing of suspected contaminants in the workplace ;
- Participate in serious and critical injury investigations ;
- Participate in the investigation of unsafe conditions and the resolution of bilateral work stoppages; and
- Provide incident reports to JHSC.

6 **JOINT HEALTH AND SAFETY COMMITTEES**

6.1 **Joint Health and Safety Committee's Terms of Reference**

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The JHSCs shall develop a terms of reference consistent with the following guidelines

6.1.1 Senior Manager responsible:

The JHSCs receive authority from the OHSA and report to a senior manager at the Department Head or higher level. The legal authority for the establishment of the JHSCs is stated in the Occupational Health and Safety Act (the Act)

See **Appendix B** for listing of current JHSCs

6.1.2 Membership: The JHSCs shall be comprised of:

- At least 50 % shall be workers and will be named by the bargaining units they represent; and
- Not more than 50% of the members representing management, appointed by the Senior Manager responsible to whom the Committee reports

6.1.3 Officers:

Two Co-Chairs:

One representing the worker representatives
One representing the management representatives

- **Administrative Support:** The Faculty or department represented by the JHSC will provide administrative support services to the JHSC. This will include minute taking and document retention.

6.1.4 Certification: At least two members of each JHSC, one representing management and one representing workers, will be certified members Certification training will be encouraged and provided to any interested JHSC member.


6.1.5 Quorum: The minimum number of members for quorum shall be 50% Management members, 50% Worker members + one additional worker member. Once quorum is met, the number of worker members at a meeting shall equal or exceed the number of management members.

6.1.6 Meetings: Each JHSC shall meet at least once every three months. It may meet more often at the discretion of the co-chairs. The meeting schedule shall be included in their terms of reference

6.1.7 Powers and Protection: It is noted that all members of Joint Health and Safety Committees associated with McMaster University are recognized as legal JHSC members under the Occupational Health and Safety Act. All powers and protection under the Act for each JHSC are assumed by each member.

6.2 Committee Structure

6.2.1 The structure, number and composition of JHSCs shall be the subject of an annual review by the CJHSC. Recommendations from the review, if any, shall be forwarded to the Vice

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President, Administration and the Senior Manager responsible affected by the recommendation

- 6.2.2 Any changes to the structure, number or composition of the JHSCs shall be reported in its minutes

6.3 Other Committees


- 6.3.1 Nothing in this document shall be interpreted as precluding the formation and operation of safety committees or working groups at the department or smaller work group level. Such committees are encouraged to communicate and work in cooperation with the local JHSC, but are not bound by the requirements herein.

6.4 Inspections:

- 6.4.1 Frequency - on a schedule established by the JHSC, inspect the workplace at least once per month or inspect part of the workplace each month resulting in the inspection of the entire workplace in one year.
- 6.4.2 Reports-Shall include all rooms and areas inspected; identified by appropriate room number or designation
- 6.4.3 Attendance-A worker representative shall be present for all inspections.

7. RECORDS

The Faculty or Department represented by the JHSC shall retain copies of the JHSC minutes and all documents relevant to the activities of the Committees

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Appendix A


Occupational Health and Safety Act Sections 9, 43

NB. The following are key subsections of the above noted sections of the OHS Act that apply to this policy. It is the responsibility of all persons having supervisory authority to ensure that they have access to and are conversant with the OHS Act and Regulations.

OHS Act Section 9

Committee Membership


- (6) A committee shall consist of (a) at least two persons for a workplace where fewer than fifty workers are regularly employed: or (b) at least four persons or greater number of people as may be prescribed, for workplace where fifty or more worker are regularly employed.
 - (7) At least half of the members of a committee shall be workers employed at the workplace who do not exercise managerial functions.
 - (8) The members of a committee that represent workers shall be selected by the workers they are to represent or, if a trade union or unions represents the workers, by the trade union or unions.
 - (11) Two of the members of a committee shall co-chair the committee, one of whom shall be selected by the members who represent workers and the other of whom shall be selected by member s who exercise managerial functions.
 - (12) Unless otherwise prescribed, a constructor or employer shall ensure that at least one member of the committee representing the constructor or employer and at least one member representing workers are certified members.
 - (18) **Powers of committee-** It is the function of the committee and it has power to,
 - (a) identify situations that may be a source of danger or hazard to workers;
 - (b) make recommendations to the constructor or employer and the workers for the improvement of the health or safety of workers;
 - (c) recommend to the constructor or employer and the workers the establishment, maintenance and monitoring of programs, measures and procedures respecting the health and safety of workers
 - (d) obtain information from the constructor or employer respecting,
 - (i) the identification of potential or existing hazards of material, processes or equipment and
 - (ii) health and safety experience and work practices and standards in similar or other industries of which the constructor or employer has knowledge;
 - (e) obtain information from the constructor or employer concerning the conducting or taking of tests of any equipment, machine, device, article, thing, material or biological, chemical or physical agent in or about a workplace, for the purpose of occupational health and safety; and
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- (f) be consulted about, and have a designated member representing worker present at the beginning of testing referred to in clause (a) conducted in or about the workplace if the designated worker believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid.
- (23) **Inspection** – Subject to subsection (24), the members of a committee who represent workers shall designate a member representing workers to inspect the physical condition of the workplace.
- (24) If possible, the member designated under subsection (23) shall be a certified member.
- (25) The members of a committee are not required to designate the same member to perform all inspections or all of a particular inspection.
- (26) Unless otherwise required by the regulations or by an order by an inspector, a member designated under subsection (23) shall inspect the physical condition of the workplace at least once per month.
- (27) If it is not practical to inspect the workplace at least once per month, the member designated under subsection (23) shall inspect the physical condition of the workplace at least once a year, inspecting at least part of the workplace in each month.
- (31) The members of a committee who represent workers shall designate one or more such members to investigate cases where a worker is killed or critically injured at a workplace from any cause and one of those members may, subject to subsection 51(2), inspect the place where the accident occurred and any machine, device, or thing, and shall report his or findings to a Director and to the committee.
- (Section 51(2) refers to preservation of the scene of a fatality or critical injury)
- (32) **Posting of name and work locations** – A constructor or an employer required to establish a committee under this section shall post and keep posted at the workplace the names and work locations of the committee members in a conspicuous place or places where they are most likely to come to the attention of the workers.
- (33) **Meetings**- A committee shall meet at least once every three months at the workplace and may be required to meet by order of the minister.
- (34) **Entitlement to time from work** – A member of a committee is entitled to,
- (a) one hour or such longer period of time as the committee determines is necessary to prepare for each committee meeting.
 - (b) Such time as is necessary to attend meetings of the committee; and
 - (c) Such time as is necessary under subsections (26), (27) and (31).

OHSA Section 42 (3)

Review - An employer shall review, in consultation with the committee or health and safety representative, if any, for the workplace, the training and instruction provided to a worker and the workers familiarity therewith at least annually.

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Appendix B

McMaster University Joint Health and Safety Committees:

Administration JHSC (MUSC, WH, Alumni , GH – reporting to VP Admin, President’s House)

Arts (TSH, KTH, CNH and UH – T57 and T58 reporting to Dean of Humanities and Dean of Social Sciences)

Chedoke – all buildings at Chedoke where CAW staff are located

Commons Administration (reports to Director of Conference and Housing Services) – excluding living quarters

Business – reports to Dean of Business

Downtown Centre (reports to Assistant VP Administration)

Engineering (reports to Dean of Engineering)

Facility Services (reports to Director of Physical Plant)

Frid St. (reports to Dean of Health Sciences through Health Science Safety Manager)

Hamilton General Hospital – HGH as well as 293 Wellington

Health Sciences (reports to Dean of Health Sciences through Health Science Safety Manager)

Henderson – includes Henderson Research Centre and Juravinski Cancer Centre

Hospitality Services (reports to Director of Hospitality)

IWC/DBAC (reports to Director of Athletics and Recreation)

Libraries and Museums (reports to University Librarian)

McMaster Institute of Applied Radiation Sciences (reports to Director of Nuclear Facilities and Operations, Director of McLARS, and Senior Health Physicist)

MIP – Health and Safety Rep

Michael DeGroote Centre for Learning and Discovery (reports to Dean of Health Sciences through Health Science Safety Manager)

Science (report to Dean of Science)

St. Joseph’s

Stonechurch

UTS
