WORKPLACE SAFETY AND HEALTH – TERMS OF REFERENCE

PURPOSE OF COMMITTEE

Employees and employers share an equal responsibility in preventing accidents and health concerns arising out of conditions in the workplace. The intent of the joint Safety and Health Committees is to enhance the ability of employees and employers to resolve safety and health concerns reasonably and cooperatively.

1. COMMITTEE SITES AND EMPLOYEE REPRESENTATION

All employees of the Swan Valley School Division (The Division) shall be represented by a site or program representative on the Central Workplace Safety and Health (WS&H) Committee. The committee shall meet in September, December, March and June of each calendar year.

In accordance with the requirements of the Workplace Safety and Health Act (W210) section 40, Workplace Safety and Health Committee shall be established at each worksite with twenty (20) or more employees .unless operating under a variance with a central committee.

1.1. Central Committee Size: Committee size takes into consideration the complexity of the workplace and the total number of workers.

- Employer Members: The number of employer members is six.
- Worker Members: The number of worker members is six.
- There must be representation from all schools and buildings in the division, so these

Numbers may exceed the mandated 12 positions, but must still have the equal number of Workers in comparison to employers

1.2. The Division's schools will address their WS&H concerns through an employee and a management representative from their school or building. Representatives for each school shall meet in September, December, March and June of each calendar year; and follow the WS&H Terms of Reference at those meetings.

1.3. In accordance with legislative requirements, the Central Workplace Safety and Health Committee shall consist of representation from the following locations:

- Swan Valley Division Office
- Swan Valley Maintenance Shop/Bus Garage
- Benito School
- Bowsman School
- Ecole Swan River South Heyes School
- Heyes School
- Minitonas School
- Swan Valley Regional Secondary School
- Taylor School

1.4. In accordance with legislative requirements, Workplace Safety and Health Representatives shall be based at the above-listed locations.

1.5. It is the responsibility of the Committee Chair\ Designate to ensure that Workplace Safety and Health Committee meetings are operational and meet in the designated months at the Division Office Board Room. It is the responsibility of the Division's Safety and Health Officer or designate

to ensure all schools have conducted their pre-meeting facility inspections and that the Central Committee has sent in the Workplace Safety and Health meeting minutes for the designated months.

1.6. The WSH committee Rep, along with the Principal, custodian and Workplace Health and Safety Officer or designate, must perform a Formal Planned Quarterly Inspection of the site prior to each WS&H quarterly meeting. The Workplace Safety and Health planned inspections form shall be used.

1.7. The following guidelines shall be followed when forming Workplace Safety and Health Committees:

1.7.1. The number of employer members must not exceed the number of employee members.

1.7.2. Employee members shall be elected in accordance with the constitution of the union which is the certified bargaining agent or has acquired bargaining rights on behalf of those employees; or if no such union exists, shall be elected by the employees he or she represents, with terms of office for two years , with eligibility for reappointment.

1.7.3. The employer representative(s) shall be the school Principal and/or Vice Principal.

1.7.4. Two Co-chairs shall be identified; one chosen from and by employee members, and one chosen from and by employer members.

1.7.5. The employer and employee co-chairs shall alternate chairing meetings.

1.7.6. Co-chairs shall have equal participation rights to other members of the committee.

1.7.7. The committee shall decide upon regular meetings, establishing the day, time and place for the regularly scheduled meetings.

1.7.8. Changes to the day and time or place of the meeting are to be communicated to all committee members as soon as possible.

1.7.9. The committee members must be given at least three days' prior notice of a regularly scheduled committee meeting.

1.7.10. Committees shall meet on a regular basis, as determined by each Workplace Safety and Health Committee; however, at a minimum, quarterly meeting shall be conducted in September, December, March and June of each calendar year.

1.7.11. A quorum shall be established at half of the employee members and half of the employer members.

1.7.12. Non-member employers or non-member employees may be asked to attend meetings on an advisory or observer basis. There shall be no ex-officio members.

1.7.13. Site inspections shall be held prior to the meetings using the Workplace Safety and Health planned inspections form and the results of those inspections addressed at the meeting.

2. REPORTING OF CONCERNS

All persons connected with the workplace shall forward safety or health concerns to the appropriate Manager or Supervisor; and where practical, to a Safety and Health Committee member. If requested, any Committee member contacted directly by an employee shall keep confidential the identity of the employee who forwarded the concern.

3. PROCEDURE FOR HANDLING CONCERNS

3.1. First Stage – Direct Resolution: Where a safety or health concern is identified, the appropriate Supervisor shall attempt to remedy or resolve the matter. Where practicable, an employee member of the Safety and Health Committee shall be involved in this effort.

3.2. Second Stage – Committee Involvement: Where a satisfactory resolution is not achieved, the Committee member or the appropriate Manager/Supervisor shall ensure that the concern is placed on the agenda of the next regular meeting for the purpose of resolving the concern. The matter shall be placed on the agenda of each successive meeting until it is resolved, in accordance with section 41.1(2) of the Workplace Safety and Health Act.

If an employer receives written recommendations from the Committee identifying anything that may pose a danger to the safety or health of any person, the employer shall respond in writing to the Committee no later than thirty (30) days after receiving the recommendations, unless the employer implements all of the recommendations. The response of an employer must contain a timetable for implementing the recommendations that the employer accepts, or give reasons why the employer disagrees with any recommendations that the employer does not accept.

3.3. Third Stage – Outside Assistance: If the Committee members are unable to resolve the concern, they shall request assistance and/or direction from the Division Health and Safety Officer or designate.

4. EMPLOYEE REPRESENTATION ON COMMITTEES

4.1. All Division schools that employ 20 or more employees shall elect three (3) to six (6) employee members, representative of the workforce for that committee (1 person per Union).

4.2. Should the Division work under a variance, there should be both worker and employer representation on the committee from each school/building.

5. COMMITTEE MEMBER RESPONSIBILITIES

Workplace Safety and Health Committee Members/Representatives shall:

5.1. Protect the anonymity of complainants who request to remain anonymous.

5.2. Notify complainants of decisions or recommendations made by the committee relating to their concerns.

5.3. Communicate fellow employees' concerns brought to them at WS&H committee meetings.

5.4. Actively contribute to the WS&H committee or Representatives meeting.

6. MEETING AGENDAS

The agenda for each Committee meeting shall:

6.1. Be prepared by the Co-chairs of the Committee.

6.2. Include the place and time of the meeting.

6.3. Be forwarded to individual committee members at least three days in advance.

6.4. Be posted on the Safety and Health Bulletin Boards three days in advance of the meeting.

6.5. Be limited to safety and health issues.

7. MEETING MINUTES

7.1. Meeting minutes are recorded on a downloaded copy of the minute form from http://www.gov.mb.callabour/safety/committee/index.html

7.2. Minutes display the official name and address of the appropriate workplace.

7.3. The minutes list those in attendance and their role, i.e. employer representative or employee representative, resource, advisory, etc.

7.4. Shall record the date an issue was raised.

7.5. Shall be signed by both Co-chairs.

7.6. Shall be distributed within one week of the meeting as follows:

7.6.1. A copy of the minutes will be placed on the Site WS&H board.

7.6.2. A copy of the minutes will be forwarded to the Division's Safety and Health and Officer or designate by fax or email (Person responsible to be assigned)

7.6.3. A copy of the minutes will be forwarded to Workplace Safety and Health Division by fax (204-726-6749) or email to cominutes@gov.mb.ca.

8. EMPLOYER RESPONSIBILITIES

The Employer shall ensure that:

8.1. A Bulletin Board is placed in a prominent place for the exclusive use of Committee members in connection with safety and health issues.

8.2. Safety and Health Committees are advised of the planned introduction of new equipment, new operating procedures or new chemicals, or other substances or materials with Workplace Health and Safety implications.

Each respective Safety and Health Bulletin Board shall:

8.3. Be located in a prominent location at each site;

8.4. Post the names of all Committee members, contact information, and expiry date of office held;

8.5. Post the scheduled dates of Committee meetings;

8.6. Post the Agenda of each meeting three days prior to the said meeting;

8.7. Post the minutes for each meeting within one week after the meeting and for at least one month following the said meeting; and

8.8. Post Workplace Safety and Health information received from the Workplace Safety and Health Division.

9. EDUCATION AND TRAINING

9.1. Arrangements may be made for a training program for Committee members. Regulations provide that this training be considered part of the working day, so there is no loss of salary.

9.2. The Committee may recommend certain persons to attend Provincial Workplace Safety and Health training seminars.

9.3. Each committee member is entitled to 2 paid days of training as per section 44.1 of the Workplace Safety and Health Act.

9.4. Workers must submit their request for approval to the Superintendent at least two weeks prior to leave.