



**MOOSONEE DISTRICT  
SCHOOL AREA BOARD**

<b>BOARD GOVERNANCE POLICY</b>	
Motion	2016-09-008
Adopted	October 28, 2008
Last Revised	September 27, 2016
Review Date	

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**HEALTH AND SAFETY: WORKING ENVIRONMENT**

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**PURPOSE**

The Moosonee District School Area Board has developed this governance policy to ensure safe working conditions for all staff members and to ensure that consideration is given to the health and safety of the staff in all Board activities.

The Board and its administrators are committed to maintaining equipment and facilities in a safe condition and shall adhere to their responsibilities under the *Occupational Health and Safety Act*.

This policy supports the Board in taking every reasonable precaution to prevent personal injury and to ensure that every member of the staff meets the requirements of the *Occupational Health and Safety Act* in the performance of his or her duties.

**BOARD COMMITMENT**

- The Moosonee District School Area Board is committed to maintaining a safe and healthful work environment.
- The Board will take all reasonable measures to identify hazards, to minimize risks, to present health and safety awareness programs to the staff, and to comply with all applicable occupational health and safety legislation.
- The Board endorses the Joint Health and Safety Committee structure and supports the cooperative resolution of health and safety concerns through the joint management/worker participation process.
- The Board recognizes that workers and management share equally in the responsibility to perform all jobs properly and in accordance with the standards and procedures as defined in the *Occupational Health and Safety Act* and the Board’s health and safety policies. All Board staff must think and act in terms of their safety and the safety of others when carrying out their daily tasks in order to achieve the shared goal of a safe and healthful work environment.

**TERMS OF REFERENCE**  
**FOR**  
**THE STRUCTURE AND FUNCTION OF THE**  
**JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE**

**AS AGREED BETWEEN**

**THE MOOSONEE DISTRICT SCHOOL AREA BOARD**

**AND**

**THE EMPLOYEES [WORKERS]**

**OF**

**THE MOOSONEE DISTRICT SCHOOL AREA BOARD**

**POLICY****JOINT HEALTH AND SAFETY COMMITTEE****1. STRUCTURE OF COMMITTEE**

- 1.1. For the purpose of these Terms of Reference, the Joint Committee recognizes that all lands, premises, locations, or things at, upon, in, or near which a worker of the Moosonee District School Area Board works constitutes "the workplace".
- 1.2. The Joint Committee shall consist of four (4) members. Worker members shall be appointed by the unionized/non-unionized workers of the Moosonee District School Area Board. Representation of the employer shall not exceed those of the workers.
- 1.3. There shall be two (2) co-chairs, one from the employer and one from the workers. They shall alternate the chair. The first term shall be from September to January, with the second term being from February to June. The worker representative shall chair the first term. The management representative shall chair the second term, or as otherwise agreed by the Committee.
- 1.4. There shall be designated certified members, at least one from management (the employer), and at least one from the workers.
- 1.5. Additional persons may be invited by the Joint Committee to attend a meeting to provide additional information and comment, but they shall not participate in the regular business of the meeting.
- 1.6. Member groups shall ensure that their representation on the Joint Committee is maintained at all times, either by means of an alternate member, or a replacement member appointed by the next monthly meeting following a resignation.
- 1.7. An alternate member shall assume the membership rights and responsibilities of the Joint Committee member only when the member is absent.
- 1.8. The Joint Committee shall meet as stated in the *Occupational Health and Safety Act*, once every three (3) months. Additional meetings may be scheduled by the Joint Committee if needed.

**2. FUNCTIONS OF THE JOINT COMMITTEE**

- 2.1. The Joint Committee shall become familiar with the *Act* and address the issues contained therein.
- 2.2. The function of the Joint Committee shall be:
  - a) to identify, inspect, evaluate, and recommend a resolution of all matters pertaining to health and safety in the workplace to appropriate management;

- b) to promote and review education and training programs annually so that all workers are knowledgeable of rights, restrictions, responsibilities, and duties under the *Occupational Health and Safety Act*; and
  - c) to deal with any health and safety matter that the Committee deems appropriate.
- 2.3. The Joint Committee shall have access to:
- a) matters related to the Designated Substances Regulations;
  - b) the most recent inventory of controlled products and material safety data sheets; and
  - c) all reports that concern occupational health and safety.
- 2.4. The Joint Committee and union and/or federation presidents shall be notified of a workplace accident in accordance with the *Occupational Health and Safety Act—Part VII, Sections 51 and 52*.
- 2.5. The Joint Committee members shall be responsible for the following:
- a) to carry out physical inspections of the workplace;
  - b) to investigate all serious and critical workplace accidents and be responsible for overseeing that the requirements prescribed in Sections 51 and 52 of the *Act* and Sections 5 and 6 of the Regulations for Industrial Establishments are carried out;
  - c) to investigate any incident that has the potential for a serious accident or illness and be responsible to provide a report on these incidents;
  - d) to be consulted prior to workplace testing related to occupational health and safety and be entitled to have a worker member present at the beginning of safety testing as per the *Act*; and
  - e) to ensure the procedure for work refusal is followed, as prescribed in Section 43 of the *Act*.

### 3. TERMS OF OFFICE

- 3.1. Terms of office shall begin in January.
- 3.2. Co-chairs shall be selected or appointed for a period of two (2) years.
- 3.3. Members shall be elected or appointed for no less than two (2) years.

**4. CONFIDENTIALITY**

- 4.1. Except as required by law, no member shall disclose or communicate any information, report, or result of any examination, chemical formulation of trade name products, or personal medical data of any person acquired through serving as a Joint Committee member.

**5. QUORUM**

- 5.1. The Joint Health and Safety Committee shall have a quorum of two (2) members in order to conduct business. One member must represent the workers and one must be from management.
- 5.2. One co-chair shall be in attendance.

**6. MEETING AGENDA**

- 6.1. The co-chair shall prepare the agenda in advance of the meeting.
- 6.2. A copy of the prepared agenda shall be forwarded to the Committee members at least two (2) days in advance of the meeting by the Board office, or by the co-chair chairing the meeting.
- 6.3. The Committee may accept any items as proper for discussion and resolution pertaining to health and safety except to amend, alter, subtract from, or add to any terms of collective agreements.
- 6.4. All items raised from the agenda during the course of the meeting shall be dealt with on the basis of consensus rather than a vote. Consensus shall be defined as one hundred (100) per cent agreement.
- 6.5. All items that are reported shall be recorded in the minutes. Unresolved items shall be placed on the agenda of the next meeting.
- 6.6. Where an impasse has been reached on an item, it shall be referred to management for its recommendation. If the Committee is still unable to reach consensus following the recommendation from management, the Committee may seek assistance from the Ministry of Labour regarding application or interpretation.
- 6.7. The Joint Health and Safety Committee shall be provided with Workers' Compensation Board statistics, accident investigation reports, and any other pertinent health and safety information by the Board office.

**7. AMENDMENTS OF TERMS OF REFERENCE**

- 7.1. Any amendments, deletions, or additions to these Terms of Reference shall have the consensus of the total Committee. The following procedures shall prevail:
- a) Proposed changes to the Terms of Reference will be considered at any regularly scheduled meeting provided that the proposed changes are presented as a written notice of motion at the previous scheduled meeting.
  - b) The Committee member sponsoring the motion shall speak to the motion when it is presented.
  - c) The Committee shall approve of any changes by consensus.

**8. WORKPLACE INSPECTIONS**

- 8.1. The schedule of the workplace inspections by the Joint Health and Safety committee shall be:
- a) to inspect and identify hazards in the workplace as per Section 8 (6) and (7) of the *Occupational Health and Safety Act*;
  - b) to post current minutes and inspection reports on the Health and Safety bulletin board in the workplace;
  - c) to have Joint Health and Safety Committee members assist with the investigation of health and safety matters within the workplace; and
  - d) to have at least two (2) Joint Health and Safety Committee members present to conduct an inspection, unless otherwise agreed by the Committee.
- 8.2. Reports of inspection violations shall be forwarded to the proper supervisor, who shall promptly deal with the violation as recommended by the Joint Health and Safety Committee.
- 8.3. Complaints shall be addressed in writing to the Health and Safety Committee co-chair unless an immediate health hazard and/or health and safety violation is observed.

**9. FUNCTIONS OF THE WORKER REPRESENTATIVE(S)**

- 9.1. One Joint Health and Safety Committee member shall accompany a Ministry of Labour inspector on a workplace inspection.
- 9.2. The worker representative(s) of the Joint Health and Safety Committee shall be present at a work refusal.

- 9.3. The worker representative(s) shall investigate any incident that has the potential for a serious accident or illness, and provide a written report on the incident for the Committee.
- 9.4. The worker representative(s) shall recommend immediate action as required.
- 9.5. The worker representative(s) shall investigate all serious and critical workplace accidents.

## 10. ENTITLEMENT OF A COMMITTEE MEMBER

- 10.1. A member of a Committee shall be deemed to be at work during the workplace inspections, Joint Health and Safety Committee meeting times, and when an investigation is required due to a critical injury or death. The member's employer shall pay the member for those times at the regular or premium rate as may be proper. [Section 9 (35) *Occupational Health and Safety Act*]
- 10.2. If the employer and employee are in agreement, time off may be allotted instead of being paid, considering suitable advanced notice is given to the employer. The employee may accumulate his or her time, but the time accumulated may not exceed two (2) working days before being used. All time in lieu must be taken prior to the end of December. If the time is not taken, the employee shall be paid, as stated in the *Occupational Health and Safety Act*.

## REFERENCE DOCUMENTS

### **Legal:**

*Occupational Health and Safety Act 1990*

Regulations for Industrial Establishments

*Education Act, Section 265 Duties of Principal: Care of Property*

*Education Act, Section 286 Duties of Supervisory Officers: Supervise Property*

Ontario Regulation 298—Operation of Schools, Section 11: Duties of Principals: Inspect School Premises

### **Board:**

Board Policy GOV-01 Board Philosophy, Goals, and Values