**HSC Terms of Reference**

**Introduction**

Alberta’s *Occupational Health and Safety Act* requires that under certain circumstances an employer establish a HSC at the work site. In order to work effectively, the HSC’s role must be clearly defined, understood and accepted. Detailed terms of reference that set out the mandate, structure and functions of the HSC ensure that its important work can be done.

HSCs are important forums for workers to participate in OHS. They ensure supervisors and workers discuss health and safety issues at the work site and work collaboratively to find ways to address them. Committees allow workers to participate in OHS and support the three basic rights of workers:

* the right to know
* the right to participate
* the right to refuse dangerous work

Vital to developing and maintaining healthy and safe workplaces is an effective internal responsibility system (IRS). An IRS functions best when it recognizes the roles and responsibilities of all work site parties and encourages joint participation in recommending solutions to health and safety issues. The HSC is an important part of the IRS at the work site, representing the collective contributions of workers and employers.

**1.0 Purpose**

The Committee identifies opportunities and recommends initiatives to promote physical and psychological health and safety and continuous improvement in the operation and effectiveness of the *(Insert Employer Name)* Health and Safety Program within the department.

* 1. The Committee helps department management fulfill their obligation to address employee concerns related to hazardous activities or conditions that affect employee health and safety across the department’s business operations in a confidential manner.
	2. The Committee promotes and encourages employees to participate in health and safety committees and events at the work site in a confidential manner.
	3. It is understood that these terms of reference shall not amend, alter, subtract from, add to or qualify in any way, the Occupational Health and Safety Act, or the terms of collective agreements between the *(Insert Employer Name)* and the union that is the certified bargaining agents.
	4. Any amendments to the Occupational Health and Safety Act or collective agreement provisions will be incorporated into the terms of reference, as applicable.

**2.0 Membership**

* 1. A committee consists of a minimum of 4 members in total with half of the members representing workers and half of the members representing management. (Insert organization’s membership here, keeping in mind above is the minimum)
	2. The union that is the certified bargaining agent shall select the worker member(s) of the HSC. If the work site also includes non-represented workers, the non- represented workers shall have the opportunity to select a worker member from amongst the non-represented workers in the work site.
	3. The employer shall select the employer member(s) of the HSC.
	4. Any member who ceases to be employed at the work site ceases to be a member of the HSC and shall be replaced as soon as practicable.

**Co-Chairs**

* 1. Each HSC must have two co-chairs; one chosen by the employer members on the committees and the other chosen by the worker members on the committee. The co- chairs shall alternate in serving as chair at meetings of the HSC and shall participate in all decisions of the committee.

**Posting of names**

* 1. The names and contact information of the HSC members or representatives are posted conspicuously at every work site (consider naming the posting place(s) here).

**3.0 Term of Office**

* 1. The term of office for the HSC members is (place the term here, minimum is not less than 1 year) and may continue to hold office until their successors are selected or appointed. If a union exists and the unions constitution specifies a term of office for the worker members of the HSC committee or the health and safety representative the term of office is the term specified in the union’s constitution
	2. If a HSC member is unable to fulfill their term of office, but is still employed by the employer, replacement of that member will (outline how it is that the organization will replace that members).

**4.0 Functions**

* 1. The HSC is an advisory body and its main function is to identify, evaluate and make recommendations concerning health and safety hazards and issues at the work site.
	2. The HSC will encourage workers to discuss any occupational health and safety concern with their manager/supervisor before bringing it to the attention of the HSC. When necessary, the HSC will bring health and safety concerns confidentially to the committee.
	3. All committee members will strive to fulfil their roles and responsibilities by working cooperatively, following the processes in these terms of reference, remaining confidential and make every effort to reach consensus on issues for the effective operation of the committee

**5.0 Member responsibilities**

**Co-chairs**

* 1. Co-facilitate Committee Meetings by:
1. Taking a leadership role in guiding Committee discussions towards definite conclusions;
2. Ensuring meeting start and end on time and are conducted in accordance with the established agenda and process
3. Strive to achieve consensus;
4. Reviewing previous minutes and materials prior to each meeting;
5. Prepare and distribute meeting agenda and materials; and
6. Posts meeting materials to the designated location(s).
	1. Ensure the Health and Safety Committee Minutes are complete and maintain

**Committee members**

* 1. Attend all Committee meetings and, when unable to attend ensure all relevant correspondence and documents are reviewed and that any assigned tasks are acknowledged.
	2. Participate and contribute to the team by representing employees in their respective area of the organization.
	3. Prior to the meetings review meeting materials.
	4. Seek input from staff regarding the Programs, gaps issues, and questions.

**Work Site inspections**

* 1. Committee members shall inspect the physical condition of the entire work site (Insert organization’s frequency, keeping in mind the minimum frequency of quarterly)
	2. Different members may conduct each inspection. Where practical, the member conducting the inspection should be accompanied by a management person for the work area being inspected.
	3. The inspections should be undertaken in accordance with a schedule developed by the HSC. The schedule should be distributed to all committee members, the manager(s) of the area(s) being inspected and posted as appropriate.
	4. All occupational health and safety concerns raised during the physical inspection should be recorded on an appropriate work site inspection report form. (Insert the name of the form here)
	5. The work site inspection form should be forwarded to all HSC members within one week of the work site inspection.

**Recommendations to the employer**

* 1. The committee will make recommendations to the employer (senior manager or management designee) to improve the health and safety of employees and follow up on the status of the recommendations. (consider listing the steps of how this will happen and what forms might be used)

**6.0 Entitlements of HSC members**

**Time to fulfil HSC duties**

* 1. At each work site, one worker member of the HSC, and not necessarily the same member on each occasion, shall be afforded time from work to inspect the work site as per the inspection schedule.

Members of a HSC are entitled to:

* + 1. pre-meeting preparation time,
		2. such time as is necessary to attend meetings of the HSC
		3. such time as is necessary to carry out the members’ functions and entitlements as outlined in these terms of reference.
	1. HSC members shall be deemed at work when carrying out HSC functions and entitlements, and shall be paid at the regular or applicable rate.

**Accompany OHS officer**

* 1. A worker member of the HSC shall be afforded the opportunity to accompany an OHS Officer during an inspection of the work site.

**Serious Incident Investigations and work refusals**

* 1. A worker member, designated by the worker members of HSC, shall be afforded the opportunity to investigate the circumstances where a worker from the work site has been killed or seriously injured, and will report his or her findings to the HSC and to the Ministry of Labour.
	2. A worker member shall be made available to be present at any inspection into a work refusal by a worker from the work site and shall attend such inspection without delay.

**7.0 Administrative processes**

**Meetings**

**7.1** HSC meetings shall be held (Insert the frequency of meetings, remember min. is quarterly). A schedule of meetings will be developed by the HSC

**7.2** The HSC shall have a quorum of at least one half of the members if

* + 1. both worker and employer members are present and
		2. at least one half of those present are worker members

**Agenda**

**7.3** The co-chairs will jointly prepare an agenda and forward a copy of the agenda to all HSC members in advance of scheduled meetings.

**7.4** Unresolved items raised from the agenda in meetings will be placed on the agenda for the next meeting.

**Guest(s)**

**7.5** With the consent of the co-chairs, guest(s) may be invited to attend a HSC meeting, as a resource, to provide advice or expertise on specific items.

**Minutes**

**7.6** The HSC will designate a member to take minutes for the meeting.

**7.7** All items raised in meetings will be reported in the minutes, along with information as to whether they were resolved or follow-ups is required,

**7.8** Names of HSC members will not be used in the minutes except to record attendance, or to record the name of the committee member responsible for completing an identified action.

**7.9** Minutes of meetings will be reviewed, edited where necessary and signed by the co-chairs, and circulated within seven days of the meeting to all HSC members with a copy forwarded to the senior manager or management designee of the work site.

**7.10** Minutes should be posted at the work site within seven days of the meeting and remain posted until the next meeting.

**Record Keeping**

**7.11** The HSC shall maintain and keep all agenda and meeting minutes, completed work site inspections reports and work site inspection schedule for review by an OHS officer.

**7.12** The HSC shall maintain and keep these terms of reference.

**Dispute Resolution**

* 1. If the committee fails after trying in good faith to reach consensus about making recommendations to the employer, the committee will participate in a secret ballot where majority votes will be the final decision.

**Coordination of Committees (This may not be applicable)**

* 1. If the employer has multiple Health and Safety Committees the employer will ensure that the committees have a means to share information. (consider outlining the process here)

**8.0 Training**

* 1. An employer or prime contractor as applicable shall ensure that HSC co-chairs and health and safety representatives receive training with respect to the duties and functions of a HSC. HSC members, co-chairs and health and safety representatives are to be permitted time away from regular duties to attend training
	2. The amount of time allowed annually for training is 16 hours or the number of hours the worker normally works during 2 shifts
	3. **Review and approval of the terms of reference**
	4. These terms of reference should be reviewed (Based on the committee’s terms of office or other factors specify when terms of reference will be review. Health and Safety programs need to be evaluated every 3 years.) and will remain in force and effect until new terms of reference are entered into.
	5. These terms of references were last amended on (Insert date here) and approved by:

|  |  |  |
| --- | --- | --- |
| Worker Co-Chair |  | Date |
| Management Co-Chair |  | Date |

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