

TERMS OF REFERENCE

1. 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.

2. COMMITTEE SITES AND EMPLOYEE REPRESENTATION

- 2.1 All employees of the Turtle Mountain School Division (The Division) shall be represented on a site or program representative Workplace Safety and Health (WS&H) Committee. These committees shall meet in September, December, March and June of each calendar year.
- 2.2 In accordance with the requirements of the Workplace Safety and Health Act (W210) section 40, Workplace Safety and Health Committees shall be established at each worksite with twenty (20) or more employees. Unless a formal request to operate under a variance has been submitted and approved.
- 2.3 The Division Corporate Office will address their WS&H concerns through Representatives of a centralised committee that shall meet in September, December, March and June of each calendar year; and follow the WS&H Terms of Reference at those meetings.
- 2.4 In accordance with legislative requirements, The Workplace Safety and Health Committee shall be based on the following locations, with representation from all groups: Division Board Office, Bus Garage, Killarney School, Boissevain School, Minto School, and representation from colony schools.

- 2.5 It is the responsibility of the Superintendent/CEO or designate to ensure that the Central Safety and Health Committees/Representative meetings are operational and meet in the designated months at the Division Board Office,. It is the responsibility of the Divisions Superintendent or designate to ensure the central committee has met and has sent in their Workplace Safety and Health meeting minutes in the designated months.
- 2.6 The WS&H committee 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.
- 2.7 The following guidelines shall be followed when forming Workplace Safety and Health Committees:
- 2.7.1 The number of employer members must not exceed the number of employee members.
 - 2.7.2 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.
 - 2.7.3 The employer representative(s) shall be teacher reps or designates.
 - 2.7.4 Two Co-chairs shall be identified; one chosen from and by employee members, and one chosen from and by employer members.
 - 2.7.5 The employer and employee co-chairs shall alternate chairing meetings.
 - 2.7.6 Co-chairs shall have equal participation rights to other members of the committee.
 - 2.7.7 The committee shall decide upon regular meetings, establishing the day, time and place for the regularly scheduled meetings.
 - 2.7.8 Changes to the day and time or place of the meeting are to be communicated to all committee members as soon as possible.
 - 2.7.9 The committee members must be given at least three days' prior notice of a regularly scheduled committee meeting.
 - 2.7.10 Committees shall meet on a regular basis, as determined by each Workplace Safety and Health Committee; however, **at a minimum**, quarterly meetings shall be conducted in September, December, March and June of each calendar year.
 - 2.7.11 A quorum shall be established at half of the employee members and half of the employer members.
 - 2.7.12 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.
 - 2.7.13 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.

3. REPORTING OF CONCERNS

- 3.1 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.

4. PROCEDURE FOR HANDLING CONCERNS

4.1 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.

4.2 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 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.

4.3 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.

5. EMPLOYEE REPRESENTATION ON COMMITTEES

5.1 All Division schools whom employ 20 or more employees shall elect three (3) to five (5) employee members, representative of the workforce for that committee (1 person per Union).

6. COMMITTEE MEMBER RESPONSIBILITIES

6.1 Workplace Safety and Health Committee members/Representatives shall:

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

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

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

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

7. MEETING AGENDAS

7.1 The agenda for each Committee meeting shall:

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

- 7.1.2 Include the place and time of the meeting.
- 7.1.3 Be forwarded to individual committee members at least three days in advance.
- 7.1.4 Be posted on the Safety and Health Bulletin Boards three days in advance of the meeting.
- 7.1.5 Be limited to safety and health issues.

8. MEETING MINUTES

- 8.1 Meeting minutes are recorded on a downloaded copy of the minute form from <http://www.gov.mb.callabour/safety/committee/index.html>
- 8.2 Minutes display the official name and address of the appropriate workplace.
- 8.3 The minutes list those in attendance and their role, i.e. employer representative or employee representative, resource, advisory, etc.
- 8.4 Shall record the date an issue was raised.
- 8.5 Shall be signed by both Co-chairs.
- 8.6 Shall be distributed within one week of the meeting as follows:
 - 8.6.1 A copy of the minutes will be placed on the Site WS&H board.
 - 8.6.2 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 .

9. EMPLOYER RESPONSIBILITIES

- 9.1 The Employer shall ensure that:
 - 9.1.1 A Bulletin Board is placed in a prominent place for the exclusive use of Committee members in connection with safety and health issues.
 - 9.1.2 Safety and Health Committees are advised of planned introduction of new equipment, new operating procedures or new chemicals, or other substances or materials with Workplace Health and Safety implications.
- 9.2 Each respective Safety and Health Bulletin Board shall:
 - 9.2.1 Be located in a prominent location at each site;
 - 9.2.2 Post the names of all Committee members, contact information, and expiry date of office held;
 - 9.2.3 Post scheduled dates of Committee meetings;
 - 9.2.4 Post the Agenda of each meeting three days prior to the said meeting;
 - 9.2.5 Post the minutes for each meeting within one week after the meeting and for at least one month following the said meeting; and
 - 9.2.6 Post Workplace Safety and Health information received from Workplace Safety and Health Division.