

WORKPLACE SAFETY AND HEALTH COMMITTEE RULES OF PROCEDURE

DEFINITION OF SAFETY & HEALTH ISSUES

As defined under the Workplace Safety & Health Act W210 [*the Act*], "health" means the condition of being sound in body, mind and spirit, and shall be interpreted in accordance with the objects and purposes of this Act; "safety" means the prevention of physical injury to workers and the prevention of physical injury to other persons arising out of or in connection with activities in the workplace.

The employer is responsible for providing a safe, healthy workplace. *The Act* requires that the employer in workplaces with twenty or more regularly employed workers to form a workplace safety and health committee. The committee is composed of worker and employer representatives, its purpose is to help the employer maintain a safe, productive, healthy work environment where risks to the workers' safety, health and welfare is minimized or eliminated. This cooperative approach to ensuring a safe and healthy work environment is an effective Internal Responsibility System (IRS).

Committee Function

- The role of the committee is to help Brandon University and its workers prevent injuries and illnesses by helping them make the IRS effective.
- Brandon University may delegate responsibilities to the committee. But, the committee is not expected to be a safety officer or enforce safety and health rules. In other words, the committee is not expected to make decisions about what is adequate to protect the safety and health of workers.
- The committee's role is to advise and assist, not assume managerial functions. The committee cannot assume any of the legal obligations, duties, or responsibilities of either Brandon University or the employees.
- The committee should not be involved in disciplinary matters. Maintaining compliance and adequate levels of safety and health at work is the responsibility of Brandon University, managers and supervisors. However, as an internal auditor of the IRS, the committee can inform Brandon University about general problems with worker compliance and recommend corrective action.
- Brandon University is responsible to ensure that all committee members are trained to fulfill their duties. Therefore, members are required to provide the employer with a copy of all certificates and/or documents confirming their attendance at committee training courses and workshops.

Committee Structure

- Brandon University must ensure that the committee is structured and maintained as required by law. All employees have a duty to help Brandon University make the committee effective.
- The committee shall have at least four, but not more than 12 members.
- At least half the members must be members representing workers not involved in management.

- All members of the committee will be provided with a copy of these *Committee Rules of Procedure* and a copy will also be posted on the workplace safety and health bulletin board for review by all workers.
- Worker members of the committee shall be appointed in accordance with the constitution of the union which is the certified bargaining agent or has acquired bargaining rights on behalf of those workers, or where no union exists, persons elected by the workers they represent.
- Brandon University must select employer members. Employer members must not outnumber worker members on the committee.
- Brandon University may provide clerical support to the committee. Support personnel who are not committee members should not vote or participate unduly in committee deliberations.
- Anyone, other than employer or worker members, who attend a meeting is considered a guest and therefore can only attend the meeting upon the invitation of the entire committee.

Committee Duties

- (a) the receipt, consideration and disposition of concerns and complaints respecting the safety and health of workers;
- (b) participation in the identification of risks to the safety or health of workers or other persons, arising out of or in connection with activities in the workplace;
- (c) the development and promotion of measures to protect the safety and health and welfare of persons in the workplace, and checking the effectiveness of such measures;
- (d) co-operation with the occupational health and safety office of Brandon University.
- (e) co-operation with a safety and health officer exercising duties under this Act or the regulations;
- (f) the development and promotion of programs for education and information concerning safety and health in the workplace;
- (g) the making of recommendations respecting the safety and health of workers;
- (h) the inspection of the workplace at regular intervals;
- (i) the participation in investigations of accidents and dangerous occurrences at the workplace;
- (j) the maintenance of records in connection with the receipt and disposition of concerns and complaints and the attendance to other matters relating to the duties of the committee; and
- (k) such other duties as may be specified in this Act or prescribed by regulation.
 - Committee recommendations will be by committee consensus and include a “risk assessment” where applicable.
 - Helping orientate new and inexperienced workers.
 - Handling refusals to work under section 43(1) of the Act.

Co-chairperson Selection and Responsibilities

- The committee must have two chairpersons. The employer co-chair must be designated by Brandon University and the worker co-chair selected by worker members.
- Both co-chairpersons have the same rights and responsibilities, including the right to call and chair meetings. Co-chairs will alternate chairing meetings.
- Both co-chairpersons will work jointly, along with all committee members, to keep all workers informed of the committee’s activities.
- Both co-chairs or their designates are responsible to carry out investigations as outlined in Part 2.9(1) of the Workplace Safety and Health Regulation 217/2006.
- Both co-chairs can call a “Special Meeting” to deal with matters of urgent concern.
- Both co-chairpersons are entitled to receive information sent to them by Manitoba Workplace Safety and Health and distribute it to workers.

Terms of Office

- Each committee member serves for a minimum of two years or by union constitution. Members may serve for more than one term.
- If a member does not want to serve on the committee anymore, that person should remain in office until someone is ready to take over.

Quorum at Meetings

The quorum for committee meetings shall consist of one-half the employer members and one-half the worker members.

Scheduling of Regular Meetings

The committee shall meet at least within every 90 days.

Additional meetings

Either co-chairperson may call special and emergency meetings of the committee.

Meeting Minutes

- The co-chairpersons must sign the minutes after each meeting. Within one week of each meeting, the Brandon University should ensure that a copy is:
 - posted in the workplace
 - circulated to committee members
 - kept on file for 10 years for future reference
- Brandon University shall provide the committee with a bulletin board in the workplace for posting minutes and safety and health information.
- Beyond this, the committee should work with Brandon University to continually maintain the effectiveness of the IRS.

Dealing with the Concerns of Workers

- The committee shall encourage workers to discuss their workplace safety and health concerns with their committee members and suggest practicable solutions.
- Workers should be reminded that their concerns need to be discussed with supervisors to attempt resolution at that level. If workers choose, they can request that the committee member speak to the supervisor regarding the concern on their behalf.
- Concerns that cannot be resolved at the supervisor level are then brought to the committee meeting for discussion. Methods include:
 - conversations
 - contacts during inspections and investigations
 - meetings