

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



1. Purpose

The purpose of the Joint Occupational Health & Safety Committee (JOHSC) is to have the employer and employees work cooperatively to address occupational health and safety issues in the workplace. The Municipality of the District of St. Mary's is committed to excellence, innovation, wellness and safety for all employees, contractors, visitors, volunteers, and the public. The Joint Occupational Health & Safety Committee is an essential part of the Municipality's commitment to creating and supporting a healthy and safe work environment and culture for its employees. In support of the Municipality of the District of St. Mary's Occupational Health and Safety (OHS) Program, the JOHSC will play an intricate role in helping to identify, resolve, control, and prevent all Health and Safety matters related to the operations of Municipality of the District of St. Mary's.

2. Authority

The Municipality has chosen to develop a Joint Occupational Health and Safety Committee under the provisions set out in section 30 of the *Nova Scotia Occupational Health and Safety Act (OHS Act)*.

3. Scope

This policy applies to the Municipality as an employer, its employees, councillors, contractors, and volunteers.

4. Definitions

- 4.1. *CAO* – Chief Administrative Officer
- 4.2. *Committee* – The Joint Occupational Health & Safety Committee (JOHSC).
- 4.3. *Committee Lead* – The committee lead is responsible for completing the administrative work of the committee.
- 4.4. *Council*- Council of the Municipality of the District of St. Mary's.
- 4.5. *Days* – Calendar days.
- 4.6. *Department* – Nova Scotia Department of Labour & Advanced Education.
- 4.7. *Director* - Means the Executive Director of Occupational Health and Safety or any person designated by the Executive Director pursuant the Nova Scotia Occupational Health and Safety Act to act on behalf of the Executive Director.

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



4.8. *Division* – Labour Standards Division of Nova Scotia.

4.9. *Employer* – The Municipality of the District of St. Mary's.

4.10. *Employees* – The employees of the Municipality of the District of St. Mary's

4.11. *JOHSC* - Joint Occupational Health & Safety Committee.

4.12. *Management* – Includes the Chief Administrative Officer, Director of Finance, Director of Public Works, Director of Community Development and Recreation, and Municipal Councillor Representative.

4.13. *Municipality* – The Municipality of the District of St. Mary's.

4.14. *Officer* – an occupational health and safety officer appointed pursuant to the Nova Scotia Occupational Health & Safety Act.

4.15. *OHS Act* – Nova Scotia Occupational Health and Safety Act.

5. Membership

5.1. The minimum number of committee members is five. These members will represent both the Employer and Employees.

Members of the Employer

5.2. Two (2) committee members will represent the Employer. Employer members will be comprised of the following breakdown:

5.2.1. One (1) Municipal Council Representative.

5.2.2. One (1) Management Representatives.

5.3. The CAO will select one member which will represent the employer. The representative will be selected from management roles. Council will appoint one Council representative at the Annual General Meeting of Council.

Members of the Employees

5.4. Three (3) committee members will represent the employees.

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



5.5. All employees have the right to put their name forward to become a part of the JOHSC. Employee members will be selected by their fellow employees. Employee representatives will be determined by the JOHSC asking for volunteers from each Department. If there are more volunteers than representative positions, then the Employees will select their representatives through a secret ballot voting process, whereby the member(s) selected will be those who receive the most votes. If there are no volunteers, employee members will be appointed by the Chief Administrative Officer. The CAO must ensure that there is an appropriate balance of membership from Departments deemed to present higher risk, all individual departments, and all employees.

5.6. The Employee's membership will be selected as follows:

5.6.1. One (1) Employee representative must come from the Department of Public Works.

5.6.2. One (1) Employee representative must come from the Department of Community Development & Recreation.

5.6.3. One (1) Employee representative from the Department of Administration.

5.7. The term of appointment for each committee member is two (2) years. Members may be reappointed.

6. Chair and Vice Chair Functions & Responsibilities

6.1. One member of the committee shall be chosen by the committee to be the chair for a two (2) year term. The individual elected to this role has the opportunity to accept or reject this position.

6.2. One member of the committee shall be elected to be vice-chair for a two (2) year term. The elected individual elected to this role has the opportunity to accept or reject this position.

6.3. Chair and vice chair positions will be determined after the Municipality's Annual General Meeting in alternating years.

6.4. Agendas will be set by the JOHS chair with input from committee members. Items for the agenda will be sent to the Committee Lead to draft the agenda. Items placed on the agenda which are not relevant to the OHS Committee will be forwarded to the appropriate individual/department.

6.5. The Chair shall forward committee reports on any recommendations on health and safety concerns expressed by JOHSC to the appropriate Department Head & CAO for review and

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



remedy. Due to the seriousness of a safety issue, as per section 34 of the *OHS Act* if the Committee has requested a response to a recommendation and is not satisfied with the response, has not received a response within 21 days, or believes that any proposed delay is not reasonable, the Chair can report this fact to the Department of Labour and Advanced Education.

- 6.6. The Chair shall function as a liaison between the JOHSC, management & employees.
- 6.7. The Chairs shall ensure the activities of the JOHSC are communicated to all stakeholders.
- 6.8. The Chair will include a summary of key accomplishments or tasks taken by JOHSC for the monthly CAO report.
- 6.9. The Chair will lead meetings of the JOHSC.
- 6.10. The Vice-Chair will fill the role of a chair in the event they are not able to perform their duties.
- 6.11. The Chair and Vice Chair will follow the Council Procedure Policy while conducting meetings.

7. Committee Lead Functions & Responsibilities

- 7.1. The Committee Lead shall be appointed by the CAO and is responsible to ensure all administrative items and tasks associated with the committee are complete before, during, and after the meeting as per section 3 of the ***Internal Committee Meeting Preparation Standard Operating Procedure***.

8. Committee Members' Functions & Responsibilities

- 8.1. It is the function of the committee to involve employers and employees **together** in occupational health and safety in the workplace.
- 8.2. The Chair will ensure that newly elected members shall complete the training outlined in ***Schedule B – OHS Training for JOHSC Members*** within 90 days of their appointment. This training will comprise of, as a minimum, instruction on the Internal Responsibility System, Nova Scotia Occupational Health and Safety Act and Regulations, Roles, and Responsibilities of the JOHSC, and the Safety Policy and Program for the Municipality. Additional training on Accident Investigation, Hazard Assessment and other specific skills will be provided to all members as deemed necessary. Additional training must have prior approval of the CAO.
- 8.3. The Committee will provide leadership, and advice to employees and management related to required occupational health and safety policies or programs. Make formal recommendations to

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



the employer, employees, and any person for the improvement of the health and safety of persons at the workplace.

- 8.4. The Committee will continually monitor the Municipality's OHS Policy and Program in a formal manner and where appropriate makes recommendations to Management regarding all aspects of the OHS Program.
- 8.5. The Committee shall involve employers and employees together in the **co-operative** identification of hazards to health and safety and effective systems to respond to the hazards.
- 8.6. The Committee shall take a leading role in identifying hazards to health and safety, as well as in the reporting and making recommendations to eliminate or decrease hazards in the workplace. Committee members should also encourage and support staff to identify, report, and address risks or hazards in the organization.
- 8.7. The Committee shall involve employers and employees together in the **co-operative** inspection of compliance with health and safety requirements in the workplace.
- 8.8. Committee members may participate in inspections, inquiries, and investigations concerning health, safety, and the environment, including those conducted by an OHS Officer.
- 8.9. The Committee may request information from the employer using the process outlined in the Municipality's *OHS Program*.
- 8.10. The Committee may receive employee concerns with respect to workplace health and safety, conduct investigations and inspections, and make recommendations to the CAO. Where appropriate, the Committee's recommendations must be accompanied by applicable legislation.
- 8.11. The Committee shall advise on individual protective devices, equipment and clothing that comply with legislation and are best adapted for employees. This advice will be accompanied by references to common practices, legislation, or industry standards.
- 8.12. The Committee may cooperate and liaise with Occupational Health & Safety Officers, the Department of Labour & Advanced Education; and provide access to records such as minutes, assessments, and reports regarding health and safety issues/concerns in the workplace.
- 8.13. The Committee will annually evaluate the performance and function of the JOHSC and make recommendations for improvement where indicated.

- 8.14. Committee members must regularly attend JOHSC meetings and be an active member of the JOHSC. Except for cause due to illness or emergency, no committee member shall miss more than three meetings in one fiscal year. If this occurs the committee may seek out a new member.
- 8.15. The Committee will assist in the development or review of safe work practices, job procedures and environmental best practices.
- 8.16. The Committee will promote health and safety training and awareness to fellow workers. Employees will need to approve additional training with the CAO prior to attending.
- 8.17. The Committee has no spending powers, recommendations for spending must be sent to the CAO.

9. Employer Responsibilities

- 9.1. The Employer must consult the JOHSC on any changes to the OHS Program and/or anything related to health and safety risks/issues and/or concerns in the organization.
- 9.2. The Employer must notify the JOHSC of any workplace inspections (As per section 35 (1) of *OHS Act*), monitoring or tests (as per 35 (b) of the *OHS Act*) undertaken at the workplace by, or at the request of an OHS Officer or the Employer.
- 9.3. Upon request from the Committee, the Employer must provide the Committee with documentation of:
- a. Reports of inspections, monitoring, or tests as per section 35 (1) and (2) of the *OHS Act*.
 - b. Annual summary of Workers Compensation data pertaining to the workplace as per section 41 of act of the *OHS Act*.
 - c. Orders, notices of appeal and/or reports issued by the Department of Labour as per section 39 (1) of the *OHS Act*.
 - d. Applications for deviations from NS OHS Regulations and the Director's decision as per section 83 (9) and (10) of the *OHS Act*.
 - e. Permission granted to allow employee observation of workplace monitoring and tests as per section 42 (2) and (3) of the *OHS Act*.

- 9.4. Upon receiving recommendations and a request in writing to respond to the recommendations, the Employer must respond in writing to the Committee within 28 days, and the response will indicate acceptance of the recommendations or give reasons for the disagreement with any recommendations that the Employer does not accept.
- 9.5. Where it is not reasonably possible to respond in the 28-day period, the Employer must provide, within that timeframe, a reasonable explanation for the delay and indicate when the response will be forthcoming and provide a response as soon as it is available.
- 9.6. The Employer shall post on the OHS bulletin board and maintain the current names of the JOHSC members and means of contacting them.
- 9.7. The CAO shall review the draft minutes of the most recent meeting of the JOHSC and send back to the Committee Lead to post on the OHS bulletin board, and ensure they remain posted until superseded by the minutes of the next upcoming meeting.

10. Rules of Engagement

- 10.1. JOHSC meetings will be held regularly on the first Monday of the month at 1:00pm, holding a minimum of ten meetings per year.
- 10.2. If a JOHSC meeting is required outside this schedule, the Chairs of the Committee can notify committee members of the date and time and agenda of the formal meeting with a minimum of one week notice. Special meetings may be called by the Chair, or, in the absence of Chairs, the Vice-Chair. Conditions in which Emergency meetings are called may include:
 - a. Work Refusals.
 - b. Incidents involving serious injury, death, or damage to property.
 - c. A serious risk / hazardous conditions.
- 10.3. A quorum shall consist of four (3) committee members, at least two members must be employee representatives, and at least one member has to be an employer member.
- 10.4. If an item is moved to a vote by the JOHSC, then there must be a majority for the motion to carry.
- 10.5. A consistent agenda framework will be implemented to outline areas to be potentially covered so there are no omissions.

Municipality of the District of St. Mary's

Joint Occupational Health & Safety Committee Policy



- 10.6. Committee members who wish to submit items for the agenda are, when possible, to give those items to one of the Chair ten working days prior to the meeting date or added at the meeting as an addition with motion of the Committee.
- 10.7. A copy of the agenda including the minutes of the previous meeting shall be posted on the Joint Occupational Health & Safety Information Board.
- 10.8. The agenda shall be comprised of a minimum of:
 - a. Land Acknowledgement
 - b. Call to order
 - c. Roll Call
 - d. Additions to the Agenda
 - e. Approval of the Agenda
 - f. Approval of Minutes
 - g. Business Arising from the Minutes
 - h. Correspondence
 - i. Review of Inspections, Hazards, Incidents / Accidents
 - j. Health & Safety Suggestions & Complaints
 - k. New Business
 - l. Training
 - m. Date & Time of the Next Meeting
 - n. Adjournment
- 10.9. The format of Special Meeting Agendas will follow the format laid out in the Council Procedural Policy.

11. Related Policies, Procedures and Legislation

- *Nova Scotia Occupational Health & Safety Act & Regulations*
- Municipal Council Procedural Policy

Revisions

The Municipality shall ensure that this policy is reviewed at least every four years or as requested by the JOSHC or Council and, where necessary revised. Reviews and revisions are to be recorded using *Schedule A*.

Municipality of the District of St. Mary's
**Joint Occupational Health & Safety
Committee Policy**



Mallory Fraser

Municipal Clerk

May 15, 2023

Date Approved

Municipality of the District of St. Mary's
**Joint Occupational Health & Safety
Committee Policy**



SCHEDULE A
"Policy Record"

This policy will be reviewed at least once annually. The "Policy Review Record" will be updated accordingly to reflect policy review and amendment dates.

Date of Review	Section(s) Updated	Council Approval Date
	Adoption of Policy	May 15 th , 2023



SCHEDULE B

"OHS Training for JOHSC Members"

Occupational Health and Safety courses are available through the Canadian Centre for Occupational Health and Safety. Courses are sponsored by the Department of Labour, Skills and Immigration, Safety Branch. Nova Scotians can take up to 5 courses per year for free. You can register for courses at https://www.ccohs.ca/catalog/courses_list_nova.php.

Course Name	Provider	Time to Complete
Health and Safety Committees	Canadian Centre for Occupational Health and Safety	1 hour
Due Diligence in Occupational Health and Safety	Canadian Centre for Occupational Health and Safety	1 hour
Hazard Identification, Assessment and Control	Canadian Centre for Occupational Health and Safety	3 hours
Occupational Health and Safety Management Systems	Canadian Centre for Occupational Health and Safety	2 hours