

Joint Occupational Health and Safety Committee: University and Functional Committees

Terms of Reference



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The University of Ottawa Joint Occupational Health and Safety Terms of Reference were developed and approved by the University of Ottawa and all its employee unions and associations (12). The letter of approval from the Ministry of Labour is in Appendix J.

Approved by	Printed name	Position	Signature	Date (year/month/day)
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(délégué de
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0. PREAMBLE

This document sets out the structure of the University Joint Occupational Health and Safety Committee (UJOHSC) and the terms of reference of the committee's constituent parts. The committee is established pursuant to requirements of the Ontario *Occupational Health and Safety Act*. Instead of being set up directly under Section 9 of the *Act*, the committee is established by order of the Minister of Labour.

The UJOHSC, as set out herein, is established by ministerial order under Section 9 of the *Occupational Health and Safety Act*.

1. GENERAL

1.1 Introduction

Under the provisions of the Ontario *Occupational Health and Safety Act* (OHSA), workers and employers must share the responsibility for occupational health and safety. The *Act* sets up an internal responsibility system that involves everyone, from individual employees to the institution's upper management.

The *Act* provides for the establishment of a joint health and safety committee composed of people who represent the employees and the employer. Together, they are committed to improving health and safety conditions in the workplace.

The committee is an advisory body that helps recognize workplace risks and then recommends solutions, and helps stimulate awareness of occupational health and safety issues.

Except where it is modified by virtue of ministerial approval of these terms of reference under subsection 9(4) of the *Act*, the *Act* applies to the University Joint Occupational Health and Safety Committee described herein.

1.2 Committees

At the University of Ottawa, there exists a single joint occupational health and safety, named the UNIVERSITY JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE (UJOHSC), which will act solely as the multi-site health and safety committee. The UJOHSC will include representation from the five FUNCTIONAL OCCUPATIONAL HEALTH AND SAFETY COMMITTEES (FOHSC), which are:

- The Office Occupational Health and Safety Committee
- The Laboratory Occupational Health and Safety Committee
- The Protection and Facilities Occupational Health and Safety Committee
- The Alta Vista Occupational Health and Safety Committee, and
- The Psychological Health and Safety Committee

The UJOHSC is predominantly concerned with University-wide issues, with emphasis on:

- (i) policy recommendations;
- (ii) activities which concern several FOHSCs; and
- (iii) coordination of information received from the FOHSCs.

The individual FOHSCs are predominantly concerned with issues related to their fields of activity.

1.3 Functional Occupational Health and Safety Committees

The functional occupational health and safety committees (FOHSCs) are defined so that every University of Ottawa employee will be represented by his or her respective union, association, or non-unionized employee at one of the functional committees each representing:

- Laboratory health and safety
- Office health and safety
- Protection and Facilities health and safety
- Alta Vista health and safety
- Psychological health and safety

Specific delineation of each of the functional committees is set out in sections 6 through 10 of this document.

1.3.1 Working group

Each functional occupational health and safety committee has the power to create a specific working group to address a situation when deemed necessary. The working group will be assigned a specific task by the functional committee in a particular event, for example, workload, specific issues, or other.

The terms of the working group will be defined by the FOHSC which created it and will report to the FOHSC which created it.

1.4 Joint Health and Safety Committee Inspector(s) (JHSC inspector(s))

The JHSC inspector(s) will be responsible to receive all inspection reports, collate information in a central filing system, enter information into a data system, provide regular reports or updates to the UJOHSC, organize and schedule inspections, inspect areas not inspected by other worker members and ensure that all workplace areas are inspected yearly.

The UJOHSC worker members will designate at least two of their worker committee members to select and/or hire the JHSC inspector(s). A representative from the Office of Risk Management will cooperate with the worker committee members to assist with the hiring process.

The two designated UJOHSC worker members will provide directions to the JHSC inspector(s) about the inspection process, areas to inspect, and theme or specific issues to assess. The designated UJOHSC worker members will be the functional supervisor of the JHSC

inspector(s). The Office of Risk Management’s assistant-director, Health and Safety will be the administrative supervisor of the JHSC inspector(s).

The terms of office of the designated UJOHSC worker members will be one calendar year, renewable.

The JHSC inspector(s) will report unresolved issues to the UJOHSC and the Office of Risk Management for assistance in resolving the situation.

The JHSC inspector(s) will be a sitting member, as a non-voting member, of the;

- University Joint Occupational Health and Safety Committee;
- Functional Laboratory Health and Safety Committee;
- Functional Office Health and Safety Committee;
- Functional Protection and Facilities Health and Safety Committee; and
- Functional Alta Vista Health and Safety Committee.

The JHSC inspector(s) will provide regular reports to the above-cited committees on the inspection completion progress and unresolved or outstanding issues. The JHSC inspector(s) will provide a yearly statistical report on the inspection completion, outstanding reports, main category of issues identified, areas of improvements, etc.

1.5 Building management agent

Deans and directors will designate – for each building in which there are University of Ottawa premises or occupied by University Staff members – the management agent for health and safety matters to whom FOHSCs or the UJOHSC are to submit reports of problems concerning that building. The FOHSCs or the UJOHSC are to submit reports of problems concerning several buildings or campus areas outside of buildings to the Office of Risk Management.

1.6 Definition

For the purposes of this document:

1.6.1 Administration Committee

The Administration Committee (AC) is responsible for the internal management of the University and for the general administration of University business, in keeping with applicable laws and regulations. This includes setting the strategic direction for safety, health and wellbeing. It will maintain oversight of the University compliance with health-and-safety-related legislation, internal policies and procedures.

1.6.2 Accident

Means an unexpected event causing injury, illness or even death (see also critical injury), or involving a person’s exposure to harmful substances.

As per the *Workplace Safety and Insurance Act*, “accident” includes:

- a) a wilful and intentional act, not being the act of the worker;

- b) a chance event occasioned by a physical or natural cause; and
- c) disablement arising out of and in the course of employment. (“accident”)

1.6.3 Critical injury

As per Regulation 834 of the *Occupational Health and Safety Act*, a critical injury is an injury of serious nature that:

- Place life in jeopardy;
- Produces unconsciousness;
- Results in substantial loss of blood;
- Involves a fracture of a leg or arm, but not a finger or toe;
- Involves the amputation of a leg, an arm, a hand or a foot, but not a finger or toe;
- Consists of burns to a major part of the body; or
- Causes the loss of sight in an eye.

1.6.4 Employee

Means a person who receives a salary from the University of Ottawa and whose principal work location is on the main campus, on the Smyth Road campus (Roger Guindon Hall), on the Lees campus, or on any premises occupied by University employees.

A member of any of the occupational health and safety committees described herein whose employment with the University is terminated ceases to be a member of the committee. In the case of committee members appointed by the APTPUO, this provision shall not apply until the timeframe for participation is established within their collective agreement.

1.6.5 Employer

As defined in the *Occupational Health and Safety Act*, an employer means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, and contractor to perform work or supply services. This term also includes an employer representative.

Internal procedure 14-1 (Internal Responsibility Procedure for Health and Safety Issues) based on Policy 77 (Occupational Health and Safety Policy) specifies that:

“Employer” means the University or a person who employs a worker or contracts for the services of a worker and includes a contractor or subcontractor who performs work or supplies services. Examples of individuals who may be considered an employer under applicable health and safety legislation are the Board of Governors, the president, deans or directors.

1.6.6 Health and safety professional(s) - ORM

Means an employee who has experience, knowledge and expertise in the health and safety field, and who is an employee from the Office of Risk Management. The director of the Office of Risk Management nominates the health and safety professional for each health and safety committee. This person can be referred to as a person representing ORM.

1.6.7 Incident

Means an undesired event resulting in damage to property or the environment. For example, a fire, spill, or breakage of material. An incident may also be referred to as a “near miss”.

1.6.8 Member representing management

Means a person who is appointed by the management of the University to represent the employer or as specified.

1.6.9 Member representing workers

Means an employee who is chosen from and by the union, association, or group that he or she represents.

1.6.10 Occupational illness

Means a condition that results from exposure in a workplace to a physical, chemical, or biological agent to the extent that normal physiological mechanisms are affected and the health of the worker is impaired. It includes an occupational disease for which a worker is entitled to benefits under the *Workplace Safety and Insurance Act*:

- a) a disease resulting from exposure to a substance relating to a particular process, trade, or occupation in an industry;
- b) a disease peculiar to or characteristic of a particular industrial process, trade, or occupation;
- c) a medical condition that in the opinion of the Board requires a worker to be removed either temporarily or permanently from exposure to a substance because the condition may be a precursor to an occupational disease;
- d) a disease mentioned in Schedule 3 or 4; or
- e) a disease prescribed under clause 15.1 (8) (d) (“occupational disease”).

1.6.11 Owner

As defined in the *Occupational Health and Safety Act*, an owner includes a trustee, receiver, mortgagee in possession, tenant, lessee, or occupier of any lands or premises used, or to be used, as a workplace, and a person who acts for, or on behalf of, an owner as an agent or delegate.

1.6.12 Supervisor

Means a person who has charge of a workplace or authority over a worker or another person. Depending on the workplace relationship, a supervisor may include, for example, the president, vice-presidents, directors, deans, managers or principle investigators. The determination as to whether a person is a supervisor does not depend on that person’s job title. It depends on whether the person is responsible for a location (for example, an office or laboratory) where the work is performed on a paid or unpaid basis or whether the person gives direction to complete the work performed by workers, students, visitors, volunteers or learners.

1.6.13 Worker

Means a person as defined in 1.6.2 and a “person who receives a salary or monetary compensation for work performed or services supplied” (as defined by the Ministry of Labour) for the University of Ottawa. In addition, as of January 1, 2015, the definition of worker covers any of the following individuals (as per internal procedure 14-1 (Internal Responsibility Procedure for Health and Safety Issues) based on Policy 77 (Occupational Health and Safety Policy)):

- a) a person who performs work or supplies services for monetary compensation. This means a University employee and includes a person who performs work or supplies services for monetary compensation. Students hired by the University to perform paid work-study program duties or co-operative education placement duties for the University are considered workers;
- b) a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled;
- c) a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution;
- d) such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.

1.7 Amendments and list of unions and associations

The Administration Committee may from time to time redefine the functional committees or otherwise amend this document in light of recommendations by the UJOHSC and subject to consent of the employee organizations which endorsed the submission to the Minister, namely:

- the *Association of Professors of the University of Ottawa (APUO)*;
- *Association of Part-time Professors of the University of Ottawa (APTPUO)*;
- *Association of Part-time Professors of the University of Ottawa ILOB (APTPUO ILOB)*;
- *Association of Part-time Professors of the University of Ottawa (APTPUO Faculté de droit)*;
- *Association of Part-time Professors of the University of Ottawa (APTPUO Toronto/Windsor)*;
- *Local 772A of the International Union of Operating Engineers (IUOE)*;
- *Local 772B of the International Union of Operating Engineers (IUOE)*;
- *lifeguard of the Canadian Union of Public Employees (CUPE)*;
- *Local 2626 of the Canadian Union of Public Employees (CUPE)*;
- *Professional Institute of the Public Service of Canada (PIPSC)*;
- *Ontario Secondary School Teacher’s Federation (OSSTF)*; and
- *Non-Unionized Employee Association (NUEA - APNS)*.

The list of unions and associations, and the number of members, covered by the agreement can be found at Appendix F.

APTPUO, APTPUO ILOB, APTPUO Faculté de droit and APTPUO Toronto/Windsor will work together to appoint their members on all committees.

1.8 Process for the review of the terms of reference

The UJOHSC will review annually the University Joint Occupational Health and Safety Committee terms of reference.

In the case that any modifications to the terms of reference are required, the new proposed terms of reference will be submitted to the Ministry of Labour with the approval of the associations/unions indicated in section 1.7 and the Administration Committee.

1.9 Documentation distribution, record-keeping, and posting

The Office of Risk Management is responsible to keep the official documentation of the UJOHSC and the FOHSC and to post the minutes on the health and safety bulletin boards, as required under the *Occupational Health and Safety Act*. The Office of Risk Management will also keep documentation received from the Ministry of Labour (field visit reports, orders, etc.) and ensure that this documentation is distributed to co-chairs of the relevant functional occupational health and safety committees, and posted on health and safety bulletin boards.

The management co-chair of each committee is responsible to ensure the distribution of the minutes to the members of their committee and to the UJOHSC.

The Office of Risk Management will make available required documentation to the Ministry of Labour, as per the *Occupational Health and Safety Act*.

1.10 Approval and revocation

Once the terms of reference are reviewed and approved by unions/associations (as specified in section 1.7) and the Administration Committee, the Office of Risk Management will send an official letter to the Ontario Ministry of Labour (MOL) regional director for the approval of the amended multi-workplace joint health and safety committee terms of reference.

The MOL will write an order to the University of Ottawa indicating its final decision on the proposed amended University Joint Occupational Health and Safety terms of reference. Once the University receives the decision, the committees will be informed of the Ministry decision.

Any workplace party may write to the regional director requesting that the Minister's order be revoked. The regional director may then follow-up with the workplace parties to consider the factors supporting the request.

The MOL can revoke the order permitting a Multi-Workplace Joint Health and Safety Committee.

1.11 Roles of the health and safety professional(s) in supporting the functions of the UJOHSC

The role of the health and safety professional from the Office of Risk Management is to assist health and safety committees in the execution of their activities. The roles of the health and safety professional can vary from one committee to another but, in general terms, the health and safety professional will assist the committees to carry out their responsibilities as defined in the *Occupational Health and Safety Act*. The health and safety professional will work in cooperation with both parties (employer and employees) toward improving the occupational health and safety in the workplace. The health and safety professional will make every effort to assist the members and help improve the committee's effectiveness.

The health and safety professional is not a member of the UJOHSC or the functional occupational health and safety committees, except for the Psychological Health and Safety Committee (PHSC). The health and safety professional acts as a resource person on the UJOHSC and FOHSCs and is a member of the PHSC.

1.12 Evaluation and review of effectiveness of the committees

The committee will review its performance and effectiveness annually. The committee will review activities conducted in the year to ensure that they meet, at a minimum, the requirements specified in the *Occupational Health and Safety Act* for committee activities. This includes: the number of meetings conducted per year, the workplace inspections completion, the attendances of members to the meetings, the training offered to members (may include completion rates), the review of the safety policy, the reaching of the goals established by the committee, etc.

1.13 Confidentiality

Confidentiality of information disclosed at any time pursuant to the activities of the UJOHSC is to be maintained to the extent possible, consistent with the University's need to respond appropriately to the situation and to the safety of members of the University community. This means that information about the situation may be disclosed, provided this is required by the *Occupational Health and Safety Act* or its regulations, only to those who need to know in order to investigate and/or address the situation.

Members will be made aware of information that is sensitive in order to maintain confidentiality when required during a meeting, review, discussion, investigation or committee's activities.

Each committee member shall treat with appropriate confidentiality, during as well as after the completion of his or her term of office, all information relating to a person of which he or she acquires knowledge in connection with his engagement as committee member. Each committee member shall sign a confidentiality statement to this effect. The confidentiality statement can be found in Appendix I.

1.14 Designated substances

The Ministry of Labour has classified 11 substances as designated substances (Regulation 490/09), under the Ontario *Occupational Health and Safety Act*.

The designated substances present at the University of Ottawa are:

- acrylonitrile,
- arsenic,
- asbestos,
- benzene,
- ethylene oxide,
- isocyanates,
- lead,
- mercury,
- silica,
- vinyl chloride and
- construction-related asbestos.

These substances can be found in different compounds, forms, and quantities. There is an online inventory management system called “Vertère” to help to monitor the information on the purchase of chemicals or hazardous products and on the distribution, the storage and the disposal of the materials.

Ontario *Regulation 490/09* identifies specific requirements and controls for each of the designated substances present in the workplace. The work methods must be reviewed and the likelihood of worker exposure must be assessed. When there is likelihood of worker exposure, a control program must be instituted that includes engineering controls, work practices, hygiene practices, record-keeping and medical surveillance, if applicable.

There are two programs at the University that deal with the designated substances:

- The Designated Substances Program: this program informs those involved in the acquisition, handling, storage, removal or disposal of a designated substance on the University premises. It also provides information on roles and responsibilities, and on how to comply with the provisions of the legislative requirements under the Ontario *Regulation 490/09 – Designated Substances*.
- The Asbestos Management Program: this program notifies workers, contractors, employees of contractors, and uOttawa personnel of the presence of asbestos within University of Ottawa buildings and acquaints them with the procedures required when working with asbestos, as per *Ontario Regulation 278/05-Asbestos on Construction Projects and in Buildings and Repair Operations*.

The University Joint Occupational Health and Safety Committee (UJOHSC) or its functional occupational health and safety committees (as appropriate) must be consulted with regard to

both the assessment and the control program. The program is made available to the members and those working with one or more designated substances. The committee can make recommendations as appropriate.

2. THE UNIVERSITY JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE (UJOHSC)

2.1 Composition of the UJOHSC

The UJOHSC has seventeen (17) members but only sixteen (16) voting members:

- the Vice-President, Resources, or his/her delegate
- the Vice-President, Research, or his/her delegate
- the Vice-President, Academic and Provost, or his/her delegate
- two (2) employees appointed by APUO
- two (2) employees appointed by APTPUO
- one (1) employee appointed by IUOE, Local 772 A
- one (1) employee appointed by IUOE, Local 772 B
- two (2) employees appointed by OSSTF
- two (2) members appointed by CUPE, Local 2626
- one (1) employee appointed by CUPE, lifeguards
- one (1) employee appointed by PIPSC
- one (1) employee elected or nominated and representing the Non-Unionized Employee Association (NUEA- APNS)
- JHSC inspector (non-voting)

The committee has the JHSC inspector as a non-voting member selected by worker members from the UJOHSC. This member does not count as part of the quorum.

There should be a representative from each of the functional committees on the UJOHSC. This can be achieved by the union/association having the same worker committee member on one or more functional committees and on the UJOHSC. The UJOHSC worker members may also appoint a representative from each functional committee, as a non-voting member (selected by worker committee members from each functional committee) to attend the UJOHSC meeting.

In addition, the following employees may attend meetings of the UJOHSC as resource persons, but they do not count as part of the quorum: two employees representing ORM, two employees representing deans and two employees representing directors, the director of the Office of Human Rights and the associate-director, Health and Wellness. Other persons may attend at the committee's request.

Temporary workers will be provided with information on how to reach a worker representative of the committee or the committee co-chair who represents workers. This

information is available on the uOttawa website. The worker can bring their concern to any member of the committee. The member who is made aware of a concern or a situation will bring the issue to the relevant committee for review and recommendation, if deemed appropriate. The workers will be kept informed of the discussions and recommendations of the committee by the committee member who was initially approached by the worker.

See Appendix B for the structure of the University Joint Occupational Health and Safety Committee.

APTPUO, APTPUO ILOB, APTPUO Faculté de droit and APTPUO Toronto/Windsor will work together to appoint their members on all committees.

2.2 Membership and terms of office

The UJOHSC comprises appointed members representing management and members representing workers who are chosen by the union or association which they represent.

The term of office of an appointed member representing management is two calendar years and is renewable.

The term of office of a member representing workers is one calendar year, renewable.

Unions and associations should designate a formal alternate in case their appointee cannot attend the meeting.

Associations and unions must provide the name of their representative to the Office of Risk Management and to the co-chairs of Occupational Health and Safety Committees at the beginning of September of each year and within three weeks of the resignation of their representative. In addition, unions and associations must provide the name of their alternate before the meeting when the official designated member cannot attend, unless an alternate was already designated.

The offices of the vice-presidents are responsible to nominate their appointees to the UOHSC for their areas of responsibility.

Members representing workers are responsible to inform their respective supervisors of their nomination/election to the UJOHSC, as well as their participation in upcoming activities. This will allow for the coordination of University business activities, including the continuous and effective participation in the committee's activities.

2.3 Nomination and election

The management co-chair or the ORM representative will inform the responsible party of the need to name a person who will represent the group on the committees. The name will be provided to the Office of Risk Management and the co-chairs of the committee that will be represented by the person.

2.4 Vacancies

Where a management member cannot complete a term, the party responsible for the appointment will appoint another person to complete the term. Where a member representing workers cannot complete a term, the management co-chair or a representative from ORM will inform the responsible party of the need to provide the name of their representative within 30 days. If they fail to do so, the position that is not filled will not count toward quorum.

2.5 Chairs

The UJOHSC has two co-chairs: one elected by and from among the committee members representing workers, the other appointed by the Vice-President, Resources.

Their term of office is one calendar year and is renewable. The election takes place at the meeting.

When a worker co-chair cannot complete their term, an election by and amongst the worker committee members will take place at the next meeting.

When a management co-chair cannot complete their term, the Vice-President, Resources will name another management co-chair.

Co-chairs have specific responsibilities described in this document. To find out their respective responsibilities:

- worker co-chairs should refer to sections 4.3, 4.4.2, 4.4.3, 4.6.1, 4.6.2, 4.6.3, 4.6.4, 4.6.6, 5.3 and 5.4.
- management co-chairs should refer to sections 2.2, 3.2, 3.3., 3.5, 4.3, 4.4.2, 4.4.3, 4.6.1, 4.6.2, 4.6.3 4.6.4 4.6.6, 4.7, 5.3, 5.4 and 5.5

3. FUNCTIONAL OCCUPATIONAL HEALTH AND SAFETY COMMITTEES (FOHSCs)

3.1 Membership and terms of office

Every FOHSC comprises appointed members representing management and members representing workers who are chosen by the union or association which they represent.

The term of office of an appointed member representing management is two calendar years and is renewable.

The term of office of members representing workers is one calendar year, renewable.

Unions and associations should designate a formal alternate in case their appointee cannot attend the meeting.

Associations and unions must provide the name of their representative to the Office of Risk Management and to the co-chairs of UJOHSC and the functional occupational health and

safety committees at the beginning of September of each year and within three weeks of the resignation of their representative. In addition, unions and associations must provide the name of their alternate before the meeting when the official designated member cannot attend, unless an alternate was already designated.

The deans and service directors are responsible to nominate their appointees for their area of responsibility on the FOHSCs.

Members representing workers are responsible for informing their respective supervisor of their nomination/election to the occupational health and safety committee, as well as their participation in upcoming activities. This will allow for the coordination of the University business activities, including the continuous and effective participation in the committee's activities.

3.2 Nomination and election

The management co-chair or the ORM representative will inform the responsible party of the need to name a person who will represent the group on the committees. The name will be provided to the Office of Risk Management and the co-chairs of the committee that will be represented by the person.

3.3 Vacancies

Where a management member cannot complete a term, the party responsible for the appointment will appoint another person to complete the term. Where a member representing workers cannot complete a term, the management co-chair or a representative from ORM will inform the responsible party of the need to provide the name of their representative within thirty (30) days. If they fail to do so, the position that is not filled will not count toward quorum.

3.4 Chairs

Every FOHSC has two co-chairs: one elected by and from among the members representing the workers, the other appointed by the Vice-President, Resources from among the management members of the FOHSC named management co-chair.

Their term of office is one calendar year, renewable. The election takes place at a meeting convened by the previous year's management co-chair.

When a worker co-chair cannot complete their term, an election by and amongst the worker committee members will take place at the next meeting.

When a management co-chair cannot complete their term, the Vice-President, Resources will name another management co-chair.

Co-chairs have specific responsibilities described in this document. To find out their respective responsibilities

- worker co-chairs should refer to sections 4.3, 4.4.2, 4.4.3, 4.6.1, 4.6.2, 4.6.3, 4.6.4, 4.6.6, 5.3 and 5.4; and
- management co-chairs should refer to sections: 2.2, 3.2, 3.3., 3.5, 4.3, 4.4.2, 4.4.3, 4.6.1, 4.6.2, 4.6.3 4.6.4 4.6.6, 4.7, 5.3, 5.4 and 5.5.

3.5 Student representatives

The management co-chair shall annually contact the University of Ottawa Student Union (UOSU), inviting them to appoint undergraduate student representatives to sit during the coming year as non-voting members of the FOHSCs for which student membership is included in the committee structure.

4. COMMITTEE TERMS OF REFERENCE

4.1 General

The terms of reference set out herein apply to each of the committees of the University Joint Occupational Health and Safety Committee, namely the UJOHSC and the five functional occupational health and safety committees.

4.2 Functions of the committees

The UJOHSC is predominantly concerned with University-wide issues, with emphasis on (i) policy recommendations; (ii) activities which concern several FOHSCs; and (iii) coordination of information received from the FOHSCs. The individual FOHSCs are predominantly concerned with local issues affecting their designated sectors as set out in these terms of reference.

The UJOHSC has a global view of the health and safety-related matters affecting the University. The UJOHSC will review matters like:

- newly adopted legislative requirements related to occupational health and safety;
- University internal policies, procedures, directives or guidelines;
- all cases of critical injuries and/or occupational health and safety reported by the University to the Ministry of Labour;
- Ministry of Labour orders and reports received that are not confidential;
- inspection progress and yearly statistical report;
- accident, incident, or occupational illness yearly statistical report;
- review of the minutes of all the functional occupational health and safety committees;
- new business or matters that can be affecting the health and safety of workers.

The review of the University's Health and Safety Policies and its related procedures will be initiated at the UJOHSC. Other health and safety documentation will be reviewed by the UJOHSC or by functional committees according to their subject matter. Members are responsible to review the documentation and to consult with their respective union/association or group they are representing in order to provide proposed modifications and comments within the next 30 days. The proposed modifications will be reviewed by

management and the latest amended version will be presented at the next relevant meeting. Once this process is complete, the proposed final version of the policies and its related procedures will then be sent to the Administration Committee for their approval.

All other health and safety documentation, training content, specific procedures reviewed do not require to be approved by the Administration Committee, unless otherwise specified.

The functional occupational health and safety committees will be focussing and reviewing matters arising more specifically from their respective areas of responsibility, such as:

- New legislative requirements, University policies, procedures, guidelines or directives;
- Health and safety concerns and complaints;
- Investigations (as per the internal procedure) and review of accident and/or incidents, follow-ups and annual statistical report;
- Review of inspections, their progress, matters outstanding, and the annual statistical report;
- Matters arising out of the activities conducted by the members;
- Review of the UJOHSC minutes

Subject to the foregoing general allocation of responsibilities, it is the function of each committee and it has the power to:

- a) identify and evaluate any matter pertaining to health and safety in the workplace and recommend a resolution to appropriate management representatives;
- b) recommend to management and workers the establishment, maintenance, and monitoring of programs, measures, and procedures respecting the health and safety of University employees;
- c) obtain information from management respecting,
 - i. the identification of potential or existing hazards of materials, processes or equipment, and
 - ii. health and safety experience and work practices and standards in other institutions of which management has knowledge;
- d) obtain information from management concerning the conducting or taking of tests of any equipment, machine, or biological, chemical, or physical agent in or around a workplace for the purpose of health and safety;
- e) be consulted about, and have a designated member representing workers be present at the beginning of, any testing referred to in clause (d) conducted in or about the

workplace, if the designated member believes his or her presence is required to ensure that the test results will be valid;

- f) recommend adequate education and training programs in order that all employees be informed in their rights, restrictions, responsibilities and duties under the Ontario *Occupational Health and Safety Act*;
- g) address matters related to Designated Substance Regulations and the *Workplace Hazardous Materials Information System* (WHMIS) where applicable;
- h) deal with any health and safety matter that the committee deems appropriate or required under the *Act*.

4.3 Committee recommendations

Where one of the committees makes a recommendation regarding a health and safety matter, the recommendation shall be recorded in the minutes of the corresponding meeting and the management co-chair shall forward said minutes to the appropriate building management agent or agents, in the case of an FOHSC recommendation, or to the Vice-President, Resources in the case of a UJOHSC recommendation. Within twenty (21) days of receipt of the recommendation (minutes of the committee), the building management agent or the vice-president (or a person whom the vice-president has designated as responsible for that particular matter) shall respond in writing to the relevant committee's two chairs.

The response shall contain a timetable for implementing the recommendation that the recipient agrees with or shall give reasons for his/her disagreement with any recommendation and why it is not accepted.

In the situation that no response is provided to the committee within the twenty (21) days, the co-chairs will inform the Office of Risk Management in order to initiate follow-up. Should no response be provided in a timely manner and by the next committee meeting, this will leave the committee with the option of informing the Ministry of Labour of the matter.

Where a matter remains unresolved after consideration at two successive meetings of a FOHSC, it shall be automatically referred to the UJOHSC. The two FOHSC chairs shall report the matter in writing to the chairs of the UJOHSC. The UJOHSC may deal with the issue directly, or it may refer the matter to a subcommittee. The University will diligently exhaust all internal procedures to resolve the issue, such as hiring external consultants, or as per the collective agreements, mediation or arbitration. As soon as is reasonable in the circumstances, the UJOHSC shall formulate an appropriate recommendation to management and send a copy thereof to the relevant FOHSC.

4.4 Workplace inspections

4.4.1 *Inspection teams and schedule*

A part of the workplace shall be inspected each month, so that the entire workplace is inspected at least once every calendar year. Each FOHSC is responsible for inspections in its area of responsibility. Every inspection shall be conducted by a team designated by the members of the relevant FOHSC and consisting of one or more worker committee members. Should one or more members appointed by management of that FOHSC or other management representatives be available, they can also participate in the inspections. An FOHSC may form several inspection teams if, in the opinion of the FOHSC, inspection requirements are too onerous for a single team. Each inspection team will be responsible for the inspections of certain workplaces, as determined by a schedule of inspections adopted by the FOHSC, by the UJOHSC, or by the supervisors of the JHSC inspector.

The members of a committee who represent workers may designate a worker who is not a member of the committee to inspect the physical condition of the workplace under subsection 9 (23) and to exercise a committee member's rights and responsibilities under clause 43 (4) (a) and subsections 43 (7), (11) and (12) of the *Occupational Health and Safety Act*. The worker can proceed with the assigned activity's functions provided he or she has received adequate training set by the UJOHSC.

The JHSC inspector will assist with the inspection activities as specified in section 1.4 above and is considered a worker who can inspect the physical condition of the workplace. Refer to Appendix E for the list of workplace locations.

The JHSC inspector is responsible to develop and maintain the inspection schedule. The supervisors of the JHSC Inspector will review the schedule and the JHSC inspector work activities.

4.4.2 *Workplace inspection form*

After every workplace inspection, the members carrying out the inspection shall complete and sign a *workplace inspection form*. All health and safety concerns and areas inspected with no hazards found raised during an inspection shall be recorded on the workplace inspection form.

The completed workplace inspection form shall be forwarded to the two chairs of the relevant FOHSC. The management co-chair shall, without undue delay, distribute copies to the appropriate building management agent for their follow-up (see 1.4) and to the JHSC inspector. All inspection forms must be available to the members of the FOHSC.

See Appendix A for an example of a workplace inspection form.

4.4.3 Management response

Every building management agent to whom problems have been reported on workplace inspection forms shall forward to the two chairs of the relevant FOHSC and the JHSC inspector a written report on the status of outstanding items and resolved issues. Such reports shall be provided within twenty (21) days following receipt of a workplace inspection form. The management co-chair shall make available copies of any response to members of the FOHSC.

4.4.4 Other inspections and investigations

*Means that it does not apply to the Psychological Functional Health and Safety Committee, or cases involving harassment and/or violence (except in the case of a death or critical injury resulting from a situation of violence and as per outside authority direction).

Each FOHSC shall designate two of its members, one member representing workers of the FOHSC and the other an appointed member, to:

- a) conduct accident/incident and injury investigations where appropriate, according to the *Guidelines for investigations following an accident or incident for Functional Occupational Health and Safety Committee members* (see section 4.5 for more detailed information) (*);
- b) accompany Ministry of Labour inspectors during workplace site inspections (for more detailed information, see section 4.6);
- c) attend work refusals, as appropriate (see section 4.7 for additional information) (*);
and
- d) attend the beginning of testing conducted with respect to industrial hygiene at the workplace if the member believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid (see section 4.8 for additional information) (*).

The two designated members shall normally act together with respect to tasks under (a) or (c); however, when the appointed member cannot participate, the task shall be entrusted entirely to the member representing the workers. The Office of Risk Management representative will assist as needed. The above functions may also be undertaken by a certified member.

The Office of Risk Management will initially contact the certified member representing the union or association of the worker who initiated the work refusal. If the certified member is not available, the ORM will contact another committee member or another certified member. Once the Office of Risk Management/Health and Safety representative is made aware of the situation, the representative will contact the member as soon as is reasonably possible. See Appendix G: Flow Chart – Right to Refuse Unsafe Work

4.5 Accident investigation

Where a person is killed or critically injured on the job, the worker members of a committee shall designate one worker committee member to investigate the accident with a representative of the Office of Risk Management and/or the supervisor.

The findings of the investigation from the members must be reported to the concerned functional committee, the supervisor(s) and the Office of Risk Management.

An occupational health and safety committee member may also investigate situations involving:

- In the event of an accident:
 - After which, for no valid reason, the supervisor has not remedied the situation and does not intend to do so;
 - For which the supervisor's action is deemed insufficient;
 - That involves injury to more than one worker in a single event;
 - That has a high probability of reoccurrence; or
 - That is caused by dangerous circumstances.
- In the event of an incident (near miss):
 - That has a high probability of reoccurrence;
 - That could have resulted in death or permanent injury/disability;
 - After which, for no valid reason, the supervisor has not remedied the situation and does not intend to do so;
 - That involves property damage over five thousand dollars (\$5000); or
 - That is caused by dangerous circumstances.
- The following situations may also lead to investigations:
 - Any unforeseen event occurring as a result of a contravention of the *Occupational Health and Safety Act* (or its Regulations);
 - The management committee member, in conjunction with the Office of Risk Management and/or the assistant director, Occupational Health and Safety, determines that the committee should investigate; or
 - An occupational illness.

If any of the above-noted situations have occurred or exist, members of the occupational health and safety committee who have been designated to investigate and who have determined that an investigation is warranted will communicate their intention with the dean/director of the designated area.

Depending on the subject, a particular group can be required to investigate the situation. The following service or group will be asked to lead the investigation (when warranted) in a situation involving:

- a health and safety concern (including work-related accidents and incidents) – Risk Management (Occupational Health and Safety)
- an environmental concern – Risk Management (Environment Management)

- hazardous materials (including spills) – Risk Management (Environmental Management)
- fire and/or explosion – Protection Services (Fire Prevention Coordinator)
- biological/radiological concern– Risk Management (Radiation / Biosafety)
- structural/mechanical concern– Facilities

The investigation will be coordinated by the responsible party to ensure a streamlined approach and retention of records. If more than one faculty/service is involved, Risk Management will act as coordinator between the faculties/services.

This section does not apply to the Psychological Functional Health and Safety Committee, or cases involving harassment and/or violence (except in the case of a critical injury resulting from a situation of violence).

4.6 Ministry of Labour inspection

During a workplace inspection by an inspector of the Ministry of Labour, a worker committee member designated by the workers represented on the committee (preferably a certified member) upon request by the Ministry of Labour inspector, will be notified by the Office of Risk Management and be provided with the opportunity to accompany the Ministry of Labour inspector.

4.7 Work refusal

A worker has the right to refuse unsafe work if he/she has reasonable cause to believe that performing a job task puts them or someone else at risk. In such cases, the workers must not perform the job tasks. The workers must immediately notify the supervisor/employer, who will ensure that a committee member comes to the scene to investigate with the worker and the supervisor/employer. The supervisor/employer will then take the appropriate steps to determine if the work is unsafe and remedy the situation accordingly.

If the supervisor/employer decides that the worker's concern is not valid, the supervisor/employer must report that to the worker and provide explanations.

If the worker still has reasonable grounds to believe that the work endangers health or safety, the situation is reported to the Office of Risk Management for further review or for contacting the Ministry of Labour.

The worker, the supervisor, and the worker committee member will be present when the Ministry of Labour inspector comes on site to conduct the investigation of the situation.

The Ministry of Labour inspector will provide a written decision. If corrective measures are required, an order will be written to comply within the period fixed by the Ministry of Labour inspector. The report and/or order provided by the Ministry of Labour will be posted on the University health and safety bulletin boards.

Note that the worker can be assigned reasonable alternative work in a safe place during the investigation and while waiting for the Ministry of Labour inspector to come on site.

The supervisor may assign the refused work to another worker, if deemed safe to do so, but must inform the second worker about the work refusal and its reason, in the presence of the worker committee member.

This section does not apply to the Psychological Functional Health and Safety Committee, or cases involving harassment and/or violence (except in the case of a death or critical injury resulting from a situation of violence).

Consult the attached Appendix G for the flowchart on the right to refuse unsafe work.

4.8 Testing with regard to industrial hygiene

The University will consult with the appropriate functional occupational health and safety committee regarding hygiene testing to be conducted in the workplace. A worker member, preferably a certified member, will be provided with an opportunity to be present at the beginning of any industrial hygiene testing conducted in the workplace. A copy of test reports will be provided to the committee in a timely manner.

This section does not apply to the Psychological Functional Health and Safety Committee, or situation of harassment and/or violence, except in the case of a death or critical injury resulting from a situation of violence as directed by the outside official authority involved in the situation.

4.9 Certified members

A certified member is a committee member who is certified by the Chief Prevention Officer from the Ministry of Labour.

There should be a minimum of four (4) certified members for all the committees (UJOHSC and functional occupational health and safety committees):

- two (2) worker committee members; and
- two (2) management committee members.

If there is more than one certified member representing workers, the workers or the unions who selected the members representing workers shall designate one or more certified members who become solely entitled to exercise the rights and required to perform the duties under this Act of a certified member representing workers. Typically, every effort will be made to ensure that worker-certified members represent workers from the same union or association. Where this is not possible, another worker-certified member can be asked to participate, either from the same or a different union or association.

If there is more than one certified member representing the employer, the employer shall designate one or more of them who become solely entitled to exercise the rights and

required to perform the duties under this *Act* of a certified member representing the employer.

On the UJOHSC and FOHSCs, only designated certified members can exercise stop work authority, as per section 4.9.1 (see also Appendix H)

A designated certified member has additional rights to those of members of an occupational health and safety committee. The designate certified member has the right to investigate complaints that dangerous circumstances exist. He or she will initiate and assist in the investigation of a bilateral work stoppage.

The certified member can be a member of the UJOHSC or any of the functional committees.

The worker certified member will be designated by and among the worker committee members and/or their respective union/association. There should be a minimum of two worker certified members.

The management certified member will be designated by the Vice-President, Resources and/or the deans and directors. There should be a minimum of two certified members.

4.9.1 Bilateral work stoppage

A certified member who has reason to believe that dangerous circumstances, as defined in the *Act*, exist in a workplace may request that a supervisor investigate the matter, and the supervisor shall promptly do so in the presence of the certified member. The certified member may request that a second certified member representing the other workplace party investigate the matter if the first certified member has reason to believe that dangerous circumstances continue after the supervisor's investigation and remedial actions, if any. The second certified member shall promptly investigate the matter in the presence of the first certified member. (See sections 45(1), 45(2) and (3) of the *Occupational Health and Safety Act*.)

If both certified members find that the dangerous circumstances exist, the certified members may direct the employer representative or the constructor to stop the work or to stop the use of any part of a workplace or of any equipment, machine, device, article or thing. (See 45(4) of the *Occupational Health and Safety Act*.)

The constructor or employer representative shall immediately comply with the direction and shall ensure that compliance is effected in a way that does not endanger a person. (See section 45(5) of the *Occupational Health and Safety Act*.)

If the certified members do not agree on whether dangerous circumstances exist, either certified member may request that a Ministry of Labour inspector investigate the matter, and the Ministry of Labour inspector shall do so and provide the certified members with a written decision. (See section 45(6) of the *Occupational Health and Safety Act*.)

After taking steps to remedy the dangerous circumstances, the employer may request the certified members or a Ministry of Labour inspector to cancel the direction. (See section 45(7) of the OHS Act.) The certified members who issued a direction may jointly cancel it or a Ministry of Labour inspector may cancel it. (See section 45(8).)

Members are invited to consult the internal document on the process of the bilateral work stoppage (see Appendix H).

4.9.2 *Dangerous circumstances*

Dangerous circumstances, as defined in the *Act*, means a situation in which,

- a) a provision of this *Act* or the regulations is being contravened;
- b) the contravention poses a danger or a hazard to a worker; and
- c) the danger or hazard is such that any delay in controlling it may seriously endanger a worker. (See section 44(1) of the *Occupational Health and Safety Act*.)

4.10 Meetings of committees

4.10.1 *Schedule of meetings*

Each committee shall meet at least once every three months. The schedule of meetings shall be established by the committee. The meeting schedule may be changed for valid reasons by agreement of the two chairs.

The meeting schedule will be communicated during the fall term at the respective committees and members will receive an invitation.

Special arrangements will be made for members requesting to participate via telephone or telecommunication. For practical reasons, the request for accommodations should be made ahead of time, as soon that this is known by the member. Any request made less than seven (7) days prior to the meeting may not be able to be accommodated.

4.10.2 *Quorum*

In order that a meeting of the committee be properly constituted for the conduct of business, it must have:

- at least half the committee members representing workers specified in this document; and
- at least one management-appointed member; and
- at least one of the two co-chairs must be present.

Provided the above conditions are met, if a committee member representing workers is absent, the committee will be deemed to have achieved quorum.

For any union or group which does not fill a committee position allocated to it, the position will not be counted for quorum.

In addition, for those positions that are filled but where the person has not attended for the past three meetings, the position will not be counted for quorum.

The UJOHSC will be informed of situation when a functional occupational health and safety committee does not fulfill its activities as required and as per the University Joint Occupational Health and Safety terms of reference. The UJOHSC will review the situation and will make recommendations accordingly to address this.

The University recognizes the importance of the UJOHSC and its functional occupational health and safety committees in the structure and internal responsibility system related to health and safety. Therefore, in order to respect the terms set by this document, the union or the group in default will be formally informed of the situation via an official letter sent by a representative of ORM, with copies to both UJOHSC co-chairs for a resolution of the situation. Should the situation persist for three other meetings, the union or the group will be asked to reduce its number of representatives on the committee. As the last measure, should this not be satisfactory, this will activate the University dispute resolution process.

In the situation that the member representing the workers cannot participate in the meeting, the member will inform their respective group, association or union in order to find a temporary replacement to attend the committee activities on their behalf. The name of the replacement should be provided ahead of time to the ORM representative and to the two co-chairs.

4.10.3 Agenda

For every committee meeting, the two chairs will jointly prepare an agenda and forward a copy thereof to every committee member at least seven (7) days prior to the meeting. Members of the committee may agree to amend the agenda, except that they may not add to it any items for which advance notice would reasonably be required.

For an agenda template, see Appendix C.

4.10.4 Chairing a meeting

The two chairs of a committee shall chair meetings in alternation. If the person scheduled to chair a meeting is absent, the other co-chair shall chair the meeting.

4.10.5 Consensus and voting

Committee business shall normally be dealt with by consensus. Voting shall take place only where consensus is not possible. In the event of a vote, the number of votes for and against, and the number of abstentions, will be recorded.

The voting process can be by show of hands but, upon request, it could be conducted by secret ballot.

4.10.6 *Invited persons*

A co-chair may, with the consent of the other co-chair, invite any persons to attend the meeting to provide information and comment, but such persons shall not participate in the regular business of the meeting. Invitees can only be present during discussion of the topic for which they have been invited to participate.

4.11 *Minutes of meetings*

Each committee shall keep its own minutes. Meetings can be voice recorded (with members knowledge) to assist with the writing-up of the minutes and their integrity.

Names of committee members shall not be used in the minutes except to indicate those present, absent, or excused, and to identify the person chairing the meeting and to identify the individuals responsible for action items.

Every concern brought to the attention of a committee member in writing shall be reported at a committee meeting and recorded in the minutes.

Every concern that is raised and resolved shall be recorded in the minutes. The minutes shall also report every agenda item that was not resolved in the course of the meeting.

The management co-chair shall make arrangements for the taking, typing and distribution of minutes and the maintenance of records. Correct minutes shall be approved and signed by the two chairs and shall be forwarded to committee members and the relevant building management agent within 21 days following the meeting.

The management co-chair shall ensure that approved minutes are posted on the health and safety bulletin boards for viewing by workers in the workplace. Minutes will be made available on the Office of Risk Management website.

The management co-chair of a FOHSC shall promptly forward approved FOHSC minutes to the management co-chair of the UJOHSC for distribution to members of the UJOHSC. Likewise, the management co-chair of the UJOHSC shall promptly forward approved UJOHSC minutes to the management co-chair of every FOHSC for distribution to members of the FOHSC and to the Vice-President, Resources.

For a committee minutes template, see Appendix D.

4.12 *Time from work*

A committee member is entitled to:

- a) one hour or such longer period of time as the committee determines is necessary to prepare for each committee meeting;
- b) such time as is necessary to travel and attend meetings of the committee; and
- c) such time as is necessary to carry out any responsibility or duty under the *Occupational Health and Safety Act*.

Members of the committee other than representatives from CUPE Local 2626 shall be deemed at work during these time periods. The University shall pay all the members for these time periods at the member's regular or premium rate as may be appropriate except for the members appointed by CUPE Local 2626 who shall be paid through CUPE Local 2626 in accordance with the collective agreement between University of Ottawa and CUPE local 2626.

The provisions of this subsection do not apply to periods where the committee member has scheduled teaching duties.

4.13 Training for members of occupational health and safety committees

Members are offered orientation via online training workshops specifically for occupational health and safety committee members, which include topics such as:

- The occupational health and safety legislation
- Roles and responsibilities of members and certified members
- Health and safety orientation
- Orientation with respect to their respective roles and responsibilities on the committee
- Internal procedures for accident and incident investigation, inspections, work refusal, work stoppage, etc.
- Internal inspection process
- Hazard identification and corrective measures implementation

Members who will not take the online workshop training will be provided (by the Office of Risk Management) with a document containing the information on the roles and responsibilities of committee members. This will assist to ensure members' comprehension of their duties.

Members will also be invited to participate in a hands-on inspection.

Members will be invited to participate in new health and safety related training, in addition to mandatory training for employees required by the University of Ottawa.

The committee member selected to become a certified member will be offered the next training session available (nearest location) from an approved provider by the Chief Prevention Officer from the Ministry of Labour for parts 1 and 2 of the training.

5. REPORTING HEALTH AND SAFETY PROBLEMS and ACCIDENT, INCIDENT REPORTING

5.1 General

Any employee who is aware of a health or safety problem on the University of Ottawa premises has an obligation to report it. A problem which is essentially of a maintenance nature should be reported by the employee, the employee's immediate superior, or the

building management agent to Facilities at 613-562-5800 ext. 2222. Serious accidents or incidents and emergencies should be immediately reported to Protection Services at 613-562-5411 and then reported using the internal accident, incident or occupational disease form.

5.2 Information provided by the employer

A representative of the Office of Risk Management shall ensure that the relevant FOHSC and, where appropriate, the UJOHSC are informed of any injury or death caused by accident, explosion or fire at the workplace, it being understood that the foregoing also applies to any occupational illness of which the employer has knowledge. The Office of Risk Management representative shall provide to the relevant FOHSC and the UJOHSC where appropriate, any information from reports relating to health and safety in the workplace. This includes field visit reports and orders received from the Ministry of Labour which will also be posted on the health and safety bulletin boards.

The Office of Risk Management is responsible to contact the Ministry of Labour in case of a critical injury, work related death or occupational illness.

5.3 Problems in the area where the employee normally works

For a problem in the area where the employee normally works, the matter should be reported to the employee's immediate supervisor. In the situation where the supervisor is involved, the option is to report it to another management representative (such as the supervisor of the supervisor), to the certified member, or to the functional committee. The supervisor will deal with the matter and may, if appropriate, contact Facilities (in the case of a problem of a maintenance nature) or report the matter to the person designated as responsible for the building (the building management agent for health and safety matters — see 1.4), or may inform the employee that no action appears necessary.

After the problem is corrected, the employee's immediate superior shall send a brief written report of the health and safety problem, and the steps taken to correct it, to one of the chairs of the appropriate FOHSC, to the FOHSC member representing the area in question, and to the employee who reported the problem.

If the employee who reported the health and safety problem is not satisfied that the problem has been adequately dealt with, the employee should report this to the FOHSC member representing the area in question or to any other member of the relevant FOHSC.

5.4 Problems outside the area where the employee normally works

A problem outside of the area where the employee normally works should be reported to one of the chairs of the FOHSC responsible for the building in question, if the problem is of a local nature. Problems concerning areas outside of specific buildings should be reported to one of the chairs of the Protection and Facilities FOHSC. In the case of a more general problem which may extend beyond the territory covered by a particular FOHSC, or a problem which may concern University-wide issues or may have policy implications, it should be

reported to a member of the UJOHSC. If the problem is of a maintenance nature, it can be reported directly to Facilities.

5.5 Notification of outcome

Where an employee reports a health and safety problem to a member of a FOHSC or a member of the UJOHSC pursuant to sections 5.3 or 5.4 and the matter is brought before the relevant committee, the management co-chair shall notify the employee who reported the concern of the decision taken or recommendation made by the committee in response to said concern.

5.6 Unresolved problems

Where a health and safety complaint by an employee cannot be resolved by the procedures set out herein (sections 5.1, 5.2, 5.3, 5.4, 5.5), either the employee or an appropriate member of management should contact a representative of the Office of Risk Management. The University will diligently exhaust all internal procedures to resolve the issue, such as hiring external consultants, or as per the collective agreements, mediation or arbitration.

6. THE LABORATORY FUNCTIONAL OCCUPATIONAL HEALTH and SAFETY COMMITTEE

The Laboratory Functional Occupational Health and Safety Committee will comprise specialized and technical employees from areas where scientific research, scientific experiments or preparation for scientific experiments are taking place. This will also include all areas which support laboratories but not those areas covered by the Alta Vista Committee, the Office Committee, or the Protection and Facilities Health and Safety Committee. To name a few examples, it will cover areas dealing with x-ray, instrumentation, chemistry, biochemistry, hazardous waste rooms, storage rooms for chemical, biological or radioactive products, physics, animal care services, engineering, machine shops, woodworking shops, high temperature ovens, arts laboratories, autoclaves, radiation laboratories, etc.

The Laboratory Functional Occupational Health and Safety Committee has 16 members but only fifteen (15) are voting members, as follows:

- Two (2) employees appointed by and representing the deans or directors from faculties or services which have laboratory environment settings, machine shops, or industrial settings
- Three (3) employees appointed by the APUO
- Two (2) employees appointed by the APTPUO
- Three (3) persons appointed by the CUPE, Local 2626
- One (1) employee appointed by the PIPSC
- Three (3) employees appointed by the OSSTF
- One (1) employee appointed or elected by and representing the Non-Unionized Employee Association (APNS- NUEA)
- The JHSC inspector (non-voting)

The IUOE 772A and 772B will be participating and will be invited when required or when the union deems it is required. In addition, the committee has the JHSC inspector as a non-voting member selected by worker members from the UJOHSC. The committee also has a non-voting undergraduate student member appointed by the UOSU and non-voting resource employees from ORM. Other resource persons can also be included based on the committee's request.

7. THE OFFICE FUNCTIONAL OCCUPATIONAL HEALTH and SAFETY COMMITTEE

This committee will cover all areas excluded from the Laboratory Committee, the Facilities and Protection Committee and the Alta Vista Committee. It will cover computer laboratories, offices, classrooms, pools, common areas, kitchens, arenas, libraries, auditoriums, etc.

The Office Functional Occupational Health and Safety Committee has seventeen (17) members but only sixteen (16) are voting members, as follows:

- Two (2) employees appointed by and representing the deans or directors from all areas
- Three (3) employees appointed by APUO
- Two (2) employees appointed by APTPUO
- Three (3) persons appointed by CUPE, Local 2626
- Two (2) employees appointed by PIPSC
- Three (3) employees appointed by OSSTF
- One (1) employee appointed or elected by the Non-Unionized Employee Association (NUEA-APNS)
- The JHSC inspector (non-voting)

The committee has the JHSC inspector as a non-voting member selected by worker members from the UJOHSC. The committee also has non-voting undergraduate student members appointed by the UOSU and non-voting resource employees representing ORM. Other resource persons can also be included based on the committee's request.

8. THE PROTECTION AND FACILITIES FUNCTIONAL OCCUPATIONAL HEALTH and SAFETY COMMITTEE

The Protection and Facilities Functional Occupational Health and Safety Committee represents all employees employed by Facilities and all employees employed by Protection Services, regardless of their principal work locations.

The Protection and Facilities FOHSC is concerned with health and safety matters affecting the workplaces of the employees employed in this sector, as well as those affecting University of Ottawa premises which are not within a specific building (for instance, parking lots and University-owned roadways).

This committee will include areas affecting University of Ottawa premises which are not necessarily within a specific building (for instance, parking lots, underground parking, grounds and University-owned roadways, outer building walls) as well as locations used by staff from Protection Service or Facilities but which are usually not accessible by the public (for example, the tunnel, electrical and mechanical rooms, housekeeping area, roofs, loading docks, confined spaces, etc.). This includes the principal work areas of employees from Facilities, woodworking shops, specialized shops, etc. with the exception of offices.

The Protection and Facilities Functional Occupational Health and Safety Committee has fourteen (14) members but only thirteen (13) voting members, as follows:

- One (1) employee appointed by and representing the director of the Facilities
- One (1) employee appointed by and representing the director of Protection Services
- One (1) employee appointed by IUOE Local 772A
- One (1) employee appointed by IUOE Local 772B
- One (1) employee appointed by APUO
- One (1) employee appointed by APTPUO
- Two (2) employees appointed by OSSTF
- One (1) person appointed by CUPE, Local 2626
- One (1) person appointed by CUPE, lifeguards
- One (1) employee appointed by PIPSC
- Two (2) employees appointed or elected by the Non-Unionized Employee Association (NUEA-APNS)
- The JHSC inspector (non-voting)

In addition, the committee has the JHSC inspector as a non-voting member selected by worker members from the UJOHSC. The committee also has one non-voting undergraduate student member appointed by the UOSU and non-voting resource employees representing ORM. Other resource persons can also be included based on the Committee's request.

9. THE ALTA VISTA FUNCTIONAL OCCUPATIONAL HEALTH and SAFETY COMMITTEE

The Alta Vista Committee represents all employees whose principal work location is in Roger Guindon and Peter Morand buildings.

The Alta Vista Functional Occupational Health and Safety Committee will comprise specialized and technical employees from areas where scientific research, scientific experiments or preparation for scientific experiments are taking place, as well as office spaces such as computer laboratories, offices, classrooms, pools, common areas, kitchens, arenas, libraries, auditoriums, etc. It will not cover areas covered by the Protection and Facilities Health and Safety Committee.

The Alta Vista Functional Occupational Health and Safety Committee has fifteen (15) members but only fourteen (14) voting members:

- Two (2) employees appointed by and representing the deans or directors from faculties or services
- Two (2) employees appointed by the APUO
- Two (2) employees appointed by the APTPUO
- Two (2) persons appointed by the CUPE
- One (1) employee appointed by the PIPSC
- Two (2) employees appointed by the OSSTF
- One (1) employee appointed by IUOE, Local 772 A
- One (1) employee appointed by IUOE, Local 772 B
- One (1) employee appointed or elected by the Non-Unionized Employee Association (NUEA-APNS)
- The JHSC inspector (non-voting)

The committee has the JHSC inspector as a non-voting member selected by worker members from the UJOHSC. The committee also has one non-voting undergraduate student member appointed by the UOSU and non-voting resource employees representing ORM. Other resource persons can also be included based on the Committee's request.

10. THE PSYCHOLOGICAL FUNCTIONAL HEALTH and SAFETY COMMITTEE (PHSC)

The broad mandate of the Psychological Functional Health and Safety Committee will be to allow for direct input and participation of the members concerning mental health and wellness at the University, and to identify best practices concerning such matters for all employee groups.

The mandate of the PHSC will be to examine and discuss the four (4) key pillars identified by senior administration concerning mental health and wellness on campus. The pillars include:

- Awareness: of the entire community
 - Improve promotion of services and awareness of key messages
 - Improve navigation to appropriate services by community members
 - Reducing stigma and misinformation
- Mobilization: to better coordinate initiatives across campus
 - Engagement, buy-in and support from key partners in the community
 - Improved implementation and reduction of gaps across campus
- Training: to better understand how to support oneself and others
 - Increase uptake and learning from workshops and training
 - Training of all stakeholders on campus to play their appropriate role
- Strengthening: our supports and services
 - Measure and evaluate the services and the needs on the campus
 - Coordinate advocacy, simplify access, and work towards improvements of the services offered to the community.

The meetings will be co-chaired by one representative from the union/association group and one representative from the management group. The PHSC will meet on a quarterly basis. It

will not have decision-making authority but it will be tasked to move forward to develop recommendations concerning mental health and wellness issues. Additional meetings may be scheduled should it be deemed necessary by the members or the co-chairs. The administrative support needed for the functioning of the PHSC will be provided by the University.

The co-chairs' responsibilities will include:

- Assist in the drafting of meeting agendas prior to each meeting
- Co-facilitating the meetings to ensure the agenda is covered and that the attendees are given ample opportunity to participate
- Ensure that minutes of the meetings are kept, approved, and circulated to the committee members prior to meetings
- Ensure that an annual report from the committee is drafted, reviewed and approved by the committee members and sent to the University Joint Occupational Health and Safety Committee.

The composition of the PHSC for the unions/associations will have 18 voting members, as follows:

- One (1) representative from APUO,
- One (1) representative from APTPUO,
- One (1) representative from CUPE (Local 2626),
- One (1) representative from OSSTF,
- One (1) representative from PIPSC,
- One (1) representative from CUPE (lifeguards),
- One (1) representative from 772A,
- One (1) representative from 772B,
- One (1) representative from Non-Unionized Employee Association (NUEA-APNS)

The composition of the PHSC for management will be as follows:

- One (1) representative from Human Rights Office
- One (1) representative from Research
- One (1) representative from Faculty Affairs
- Two (2) representatives from Human Resources
- Two (2) representatives from Office of Risk Management
- One (1) representative representing faculties
- One (1) representative representing services

APPENDIX A – EXAMPLE WORKPLACE INSPECTION FORM

Rapport d'inspection – Comité fonctionnel de la santé et de la sécurité au travail
Inspection Report – Functional Occupational Health and Safety Committee

Édifice inspecté /Building Inspected: _____ Agent responsable d'édifice (ARE)/Building Management Agent (BMA): _____

Comité fonctionnel /Functional Committee: _____ Date de l'inspection/Date of inspection: _____

Date envoyée à l'ARE/Date sent to BMA: _____ À signer et remettre au BGR par le/To sign and return to ORM by : _____

Pièce Room	Problèmes Problems	Mesures Correctives Corrective Measures	Priorité** Priority**	Intervention effectuée* Action Taken*	Date

Rapport d'inspection – Comité fonctionnel de la santé et de la sécurité au travail
Inspection Report – Functional Occupational Health and Safety Committee

Pièce Room	Problèmes Problems	Mesures Correctives Corrective Measures	Priorité** Priority**	Intervention effectuée* Action Taken*	Date

Ce rapport est disponible dans les deux langues officielles. / *This report is available in both official languages.*

***Instructions aux superviseurs et aux agents responsables d'édifice**

Veillez compléter la section 'Intervention effectuée' et faire parvenir le rapport signé à l'inspecteur (blitz@uottawa.ca), aux coprésidents du Comité sectoriel de santé et de sécurité au travail (et à l'agent responsable d'édifice si vous êtes le superviseur), dans un délai de 21 jours suivants sa réception. Dans votre réponse:

1. Indiquez les mesures correctives que vous avez entrepris pour les recommandations que vous acceptées,
2. Fixez un délai de mise en œuvre des recommandations qui prendrons plus de 21 jours, ou
3. Justifiez votre refus pour les recommandations que vous n'acceptez pas.

***Instructions to Supervisors and Building Management Agents**

Complete the section 'Action taken' and return the signed report to the inspector (blitz@uottawa.ca), the Co-chairs of the Sectoral Health and Safety Committee (and the Building Management Agent if you are the supervisor) within 21 days of the date you received this report. The response shall:

1. Indicate the corrective measures implemented for the recommendations that you accepted,
2. Include a timetable for implementing the recommendation that will take more than 21 days, and
3. Justify your reasons for the recommendations rejected or in disagreement with.

Signature du superviseur / Supervisor's Signature: _____ **Date:** _____

Signature de l'agent responsable d'édifice / Building Management Agent's Signature: _____ **Date:** _____

**** Priorité pour apporter des mesures correctives / Priority to implement corrective measures**

0 - Urgent - immédiatement / *Urgent - immediately*

1 - Urgent - même journée / *Urgent - same day*

2 - Dans les 7 jours / *Next 7 days*

3 - Dans les 21 jours / *Next 21 days*

4 - Autres - précisez / *Other - specify*

Suggestions supplémentaires / *Additionnel suggestions* : **None.**

Inspecté par/ Inspected by: _____

Rôle/Role:

Membre travailleur du comité/
Worker committee member

Deuxième inspecteur/
Second Inspector

Date et signature /Signature and Date : _____

APPENDIX B – STRUCTURE OF THE UNIVERSITY JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

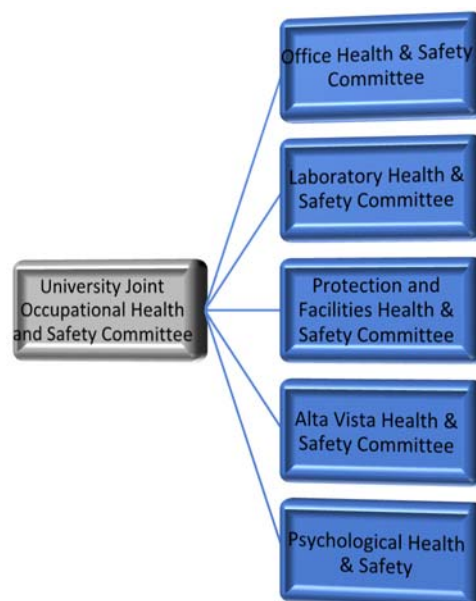
At the University of Ottawa, there exists a single Multi-site Joint Occupational Health and Safety Committee named the University Joint Occupational Health and Safety Committee (UJOHSC) which includes representation from five functional occupational health and safety committees (FOHSC), which are:

- The Office Health and Safety Committee;
- The Laboratory Health and Safety Committee;
- The Protection and Facilities Health and Safety Committee;
- The Alta Vista Health and Safety Committee; and
- The Psychological Health and Safety Committee.

The UJOHSC is predominantly concerned with University-wide issues, with emphasis on:

- policy recommendations;
- activities which concern several FOHSCs; and,
- coordination of information received from FOHSCs.

The individual functional occupational health and safety committees are predominantly concerned with issues related to their respective fields of activity. Each FOHSC has the power to create a specific working group to address a situation, when deemed necessary. The working group will be assigned a specific task by its FOHSC in a particular event.



APPENDIX C – AGENDA TEMPLATE

[NOM DU COMITÉ DE LA SANTÉ ET DE LA SÉCURITÉ AU TRAVAIL]

[NAME OF THE OCCUPATIONAL HEALTH AND SAFETY COMMITTEE]

[date, year, time, location (building and room)]

AGENDA

1. Approval of the agenda
2. Approval of the minutes of *[Date]*
3. Matters arising from the minutes of *[Date]*
 - a. *[Item A]*
 - b. *[Item B]*
4. [New matter A]
5. [New matter B]
6. New business
7. Next meeting dates
 - a. *[Date]*
 - b. *[Date]*
 - c. *[Date]*
8. Adjournment

[Brackets indicate where information is required]

APPENDIX D – COMMITTEE MINUTES TEMPLATE



[Nom du Comité de santé et de sécurité au travail]
[Name of the Occupational Health and Safety Committee]

Procès-Verbal / Minutes

Meeting of [Date]

Committee members:		Present
Management representative	[Name]	x
Management representative	[Name]	x
Worker representatives (from union and/or association)	[Name]	x
Worker representatives (from union and/or association)	[Name]	x
Worker representatives (from union and/or association)	[Name]	x
UJHSC Inspector	[Name]	x
Resource People:		
Management Representative	[Name]	x

Worker certified member [Name]
 Management certified member [Name]
 Chairperson: [Name]
 Secretary: [Name]
 Observer: [Name]

1. Approval of the agenda
2. Approval of the minutes of *[Date]*
3. Matters arising from the minutes of *[Date]*
4. New matters
5. Accident and incident report updates (including critical injury and occupational illness)
6. JHSC inspector report
7. New business
8. Next meeting
 - a. *[Date]*
 - b. *[Date]*

Signature

Management Co-Chair, *[Name]* *[Date]*

Worker Co-Chair, *[Name]* *[Date]*

APPENDIX E – LIST OF WORKPLACE LOCATIONS

EMPLOYEES PER LOCATION

Location	Number of employees	Distance from Campus
unknown or no set office	4733	N/A
1 Nicholas	141	0.6 km
1 Stewart	33	N/A
100 Laurier	14	N/A
100 Marie-Curie	18	N/A
100 Thomas-More	34	N/A
113 Osgoode	2	N/A
141 Louis-Pasteur	195	N/A
145 Séraphin-Marion	1	N/A
15-17 Copernicus	8	N/A
155-157 Séraphin-Marion	21	N/A
180 Waller	4	N/A
190 Laurier	19	N/A
200 Lees - Block A	99	2.1 km
30-32 Stewart	1	N/A
38 Stewart	1	N/A
52 University	2	N/A
538-540 King Edward	21	N/A
542 King Edward	3	N/A
554 King Edward	3	N/A
555 King Edward	5	N/A
556 King Edward	1	N/A
559 King Edward	1	N/A
562 King Edward	3	N/A
585 King Edward	57	N/A
598 King Edward	6	N/A
600 King Edward	1	N/A
600 Peter Morand	33	6.4 km
603 King Edward	3	N/A
850 Peter Morand	11	6.4 km
99 Bank	6	1.6 km
Academic Hall	10	N/A
Advanced Research Complex	60	N/A
Bioscience Phase 2	32	N/A
Brooks Residence	15	N/A
CAREG	3	N/A
CHEO	2	5.4 km
Civic	10	7.9 km
Colonel By Hall	89	N/A
Cornwall	1	102 km
Desmarais Building	363	N/A
D'Iorio Hall	53	N/A
Eye Institute	1	5.7 km
Fauteux Hall	188	N/A
Friel Residence	5	0.9 km
Gendron Hall (BioSc Ph 3)	48	N/A
Hagen Hall	15	N/A
Hamelin Hall	99	N/A
Heart Institute	8	7.2 km

Location	Number of employees	Distance from Campus
Henderson Residence	4	N/A
Hyman Soloway Residence	5	N/A
Lamoureux Hall	70	N/A
Leblanc Residence	5	N/A
Library Annex	5	N/A
Mann Residence	1	N/A
Marchand Residence	10	N/A
Marion Hall	24	N/A
McMaster	1	518 km
Montpetit Hall	67	N/A
Morisset Hall	89	N/A
National Research Council	6	7.0 km
OHRI	1	6.9 km
Ott.Reg.Can.Ctr	8	5.7 km
Ottawa Hospital	3	5.7 km
Ottawa Hospital - General	8	5.7 km
Parkdale	4	7.9 km
Pérez Hall	18	N/A
Personal Residence	1	N/A
Power Plant	15	N/A
Residential Complex	33	N/A
Rideau Residence	11	0.5 km
Roger Guindon Hall	322	N/A
Royal Ottawa	2	7.7 km
Simard Hall	55	N/A
SITE Building	70	N/A
Social Sciences Building	334	N/A
Sports Complex	43	N/A
Stanton Residence	5	N/A
Tabaret Hall	378	N/A
Thompson Residence	36	N/A
Toronto	9	443 km
University Centre	36	N/A
Vanier Hall	154	N/A
Windsor	3	803 km
(blank)		
Grand Total	8318	

*This list includes all term and contract employees (who may be working less than 3 months)
Updated as of March 16, 2018*

Campus is considered from 550 Cumberland Street (Tabaret Hall)

APPENDIX F – LIST OF UNION AND NON-UNION MEMBERS

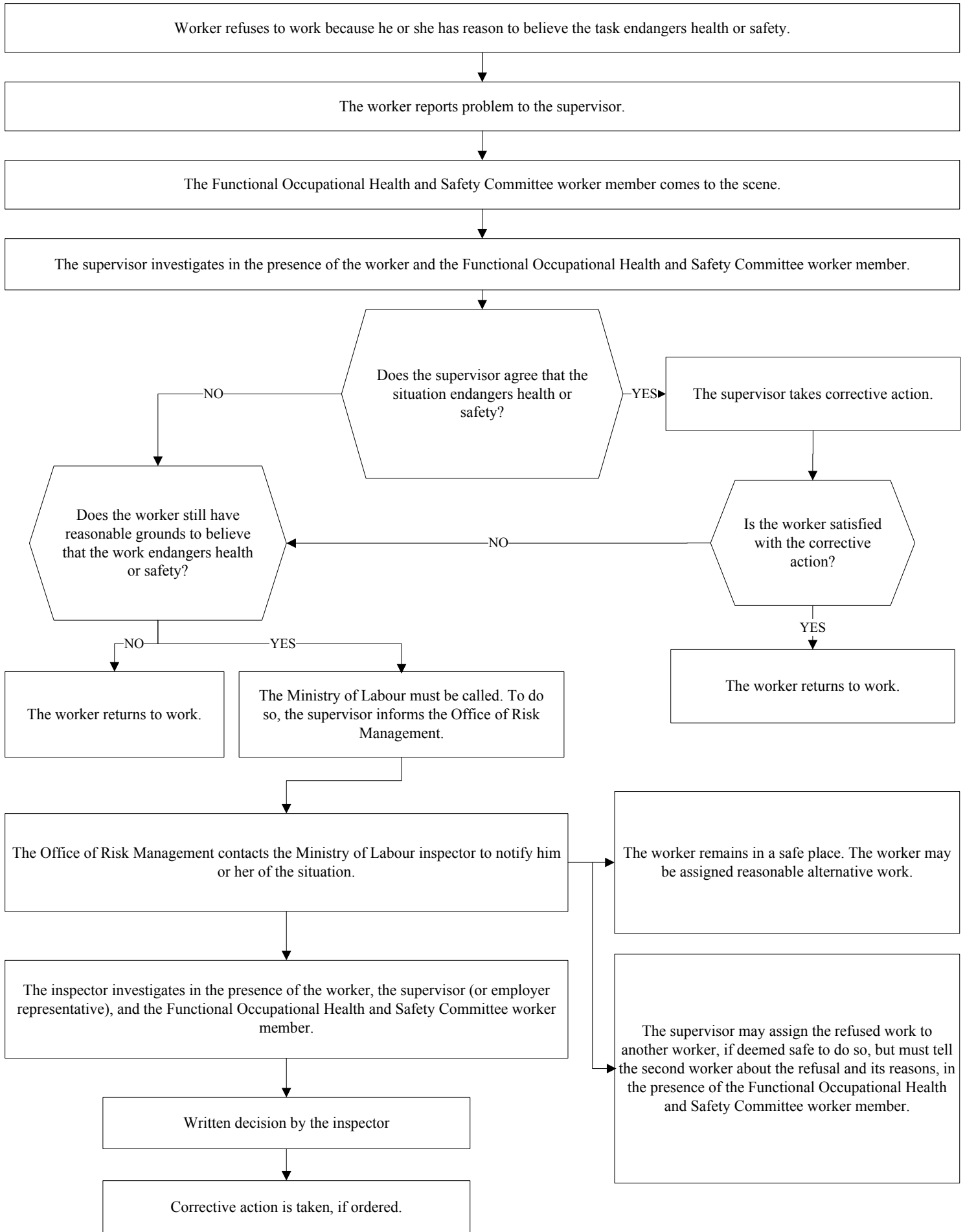
The number of employees in each group will vary significantly over the year and each term. The duration of the contract, the location, the mandate is according to the need at the time (number of students, courses offered, research conducted, project, etc.).

Union / Association	Employees
772A	29
772B	37
NUEA-APNS	379
APTPUO	701
APUO	1253
CUPE	2120
Non-union	2278
PIPSC	230
OSSTF	1291
TOTAL	8318

(As of March 2018)

APPENDIX G – FLOW CHART – RIGHT TO REFUSE UNSAFE WORK

FLOW CHART - RIGHT TO REFUSE UNSAFE WORK



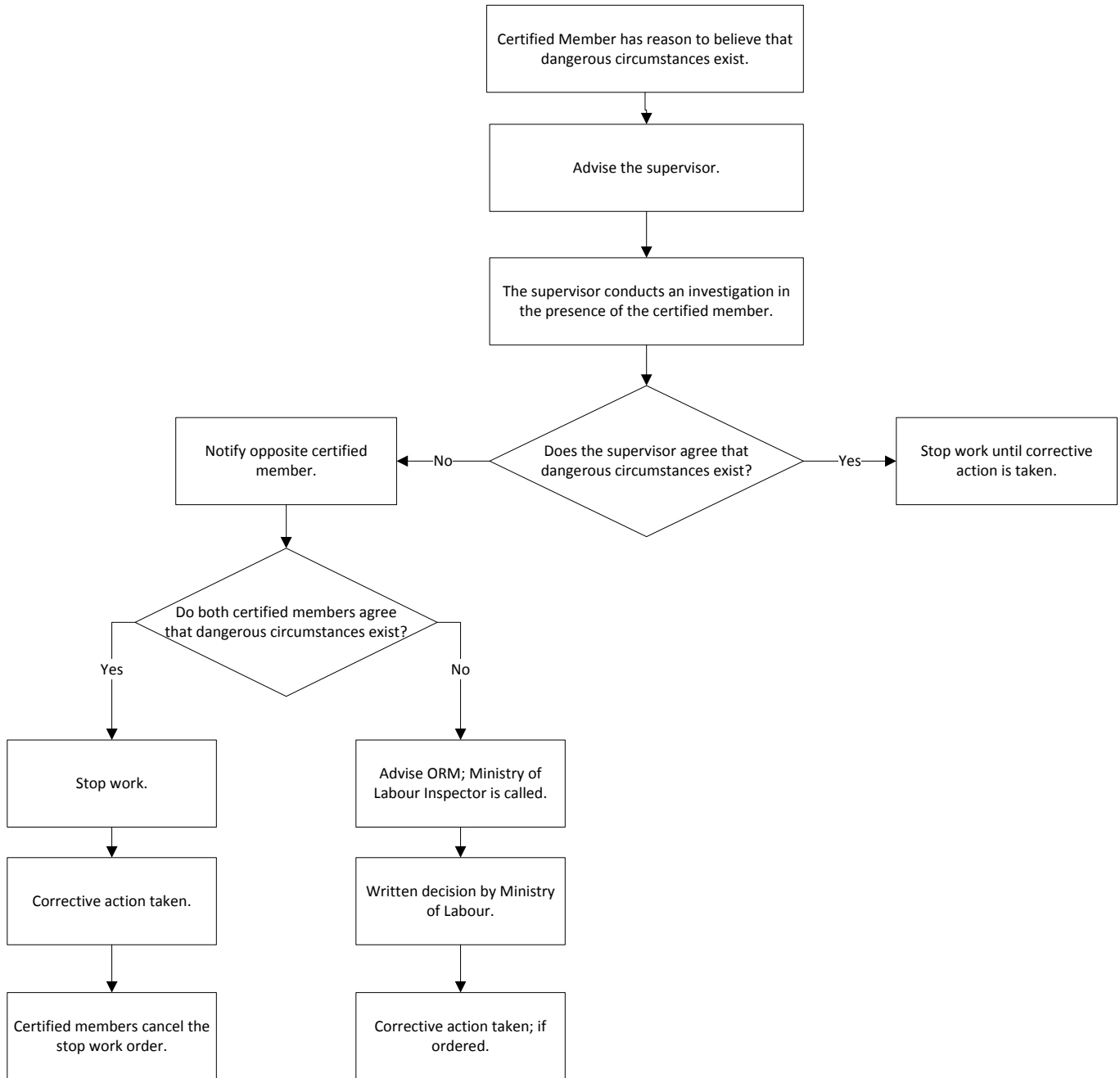
This is a right provided to the worker by the Ontario Occupational Health and Safety Act, Section 43. Consult it for more details and applicable restrictions. In case of personal threat or workplace violence, consult the Workplace Violence Policy (Policy 66)

The Office of Risk Management - 613-562-5800 ext. 5892 or call Protection Service at 613-562-5499 and ask them to reach the Office of Risk Management immediately.

Prepared by: Office of Risk Management
 Revised: February 2018
 Version: 1.7

APPENDIX H – BILATERAL WORK STOPPAGE

Bilateral Work Stoppage



Definitions:

Certified Member – means a committee member who is certified under section 7.6 of the *Ontario Occupational Health and Safety Act*; either representing workers or management.

Dangerous Circumstances – means a situation where;
 (i) a provision of the Occupational Health & Safety Act or one of its regulations is being contravened;
 (ii) that contravention poses a danger or hazard to a worker; and
 (iii) the danger or hazard is such that any delay in controlling it may seriously endanger a worker.

Inspector – means an Officer from the Ministry of Labour.

Opposite certified member – means one certified member’s counterpart (either worker or management).

ORM – Office of Risk Management.

Supervisor – means a person who has charge of a workplace or authority over a worker or another person. Depending on the workplace relationship, a supervisor may include, for example, the president, vice-presidents, directors, deans, managers or principle investigators. The determination as to whether a person is a supervisor does not depend on that person’s job title. It depends on whether the person is responsible for a location (for example, an office or laboratory) where the work is performed on a paid or unpaid basis or whether the person gives direction to complete the work performed by workers, students, visitors, volunteers or learners.

APPENDIX I – CONFIDENTIALITY STATEMENT



uOttawa

The University Joint Occupational Health and Safety Committee (UJOHSC)- Confidentiality Statement

UJOHSC members' duty of confidentiality

The UJOHSC is a committee established pursuant to the requirements of the Ontario *Occupational Health and Safety Act*. UJOHSC members carry out the duties of the UJOHSC and, while as a member of the UJOHSC, the UJOHSC members may from time to time be entrusted with, or have gained knowledge of, or may obtain access to or receive verbally, in writing, electronically or in any other form, confidential and/or proprietary information about individuals or about the University. The UJOHSC terms of reference set out the UJOHSC members' confidentiality obligation as they carry out their responsibilities:

As per section 1.13 of the UJOHSC terms of reference, "each committee member shall treat with appropriate confidentiality, during as well as after the completion of his or her term of office, all information relating to a person of which he or she acquires knowledge in connection with their engagement as a committee member. Each committee member shall sign a confidentiality statement to this effect."

General guidelines on the UJOHSC's management of confidentiality

If there is an issue with the classification of an agenda item/document or discussion/deliberation/views or positions expressed by others as confidential, it may be raised at the UJOHSC meeting for discussion and the co-chairs may decide on whether it is confidential or not and on the timing of, and extent to which, matters may or may not be disclosed.

Examples of considerations on the classification of confidentiality

The following are examples of some considerations that may assist in the classification of information as confidential and in making a final determination on confidentiality (the list is not exhaustive but meant to give examples):

- Confidentiality of the information at issue or of deliberations of the UJOHSC (and the views/positions expressed by other UJOHSC members) may be necessary to maintain the confidentiality of:
 - the identity of individuals
 - personal health information about an individual, including information that relates to the individual's mental and physical health
 - claim or complaint against individuals

- o information respecting or associated with research, chemical formula, or other information identified as confidential until such information has been published
 - o (and privilege) of legal advice or opinion.
- Certain information may not be confidential by virtue of it being:
 - o made available by the University (example, on the University's website);
 - o already in the public domain; or
 - o otherwise subject to disclosure by the Ontario *Occupational Health and Safety Act*, its regulations or other applicable law.
 - Some UJOHSC members represent a particular stakeholder group and as such may need to have the appropriate ability to inform and report back to the executive committee members of that stakeholder group on occupational health and safety matters.
 - There may be instances where disclosure of the information at issue by the UJOHSC member to the executive committee members of the stakeholder group they represent is reasonable in order for the UJOHSC member to seek input or consult with the stakeholder group and have fulsome discussions at the UJOHSC meeting or to cast an informed vote on recommendations/decisions under the UJOHSC's consideration.
 - If disclosure of information is jointly permitted by the co-chairs, the disclosure by the UJOHSC member must be made within limits jointly set by the co-chairs and within limits that do not undermine the operation of the UJOHSC or the UJOHSC member's confidentiality obligation. It must be consistent with the decision or recommendation made in respect of the information and those who are consulted or receive the information are expected to treat the information within the same limits and level of confidence.

UJOHSC member's statement and confidentiality agreement

I have read the UJOHSC members' duty of confidentiality and the general guidelines on the management of confidentiality by the UJOHSC as outlined above. During my appointment as a UJOHSC member and after its termination or expiry, I agree to abide by and to respect the confidentiality of information relating to a person or to the University that I may from time to time be entrusted with, or have gained knowledge of, or may obtain access to or receive verbally, in writing, electronically or in any other form.

Date: ____ (day) _____ (month), ____ (year)

_____ (Print name of UJOHSC member)

_____ (Signature of UJOHSC member) version February 14, 2018

APPENDIX J – MINISTRY OF LABOUR APPROVAL LETTER

Ministry of Labour, Training and Skills
Development
Regional Director
Eastern Region
347 Preston Street, Suite 430
Ottawa, ON K1S 3J4
Tel.: 613 727-2844
Fax: 613 727-2900
Toll Free: 1-800-267-1916

Ministère du Travail de la Formation et du
Développement des Compétences
Directeur régional
Ontario-Est
347, rue Preston, bureau 430
Ottawa, ON K1S 3J4
Tél.: 613 727-2844
Télééc.: 613 727-2900
Sans frais: 1-800-267-1916



December 30th, 2019

Mr. Michael Histed
University of Ottawa
1 Nicholas, room 840
Ottawa, Ontario

Dear Mr. Histed:

Re: Terms of Reference for Multi-Workplace Joint Health and Safety Committee

The Minister of Labour has delegated to me the power under subsection 9 (3.1) of the Occupational Health and Safety Act (OHSA) to issue an order permitting the use of a multi-workplace Joint Health and Safety Committee (MJHSC). I would like to thank you for the terms of reference submitted on December 12, 2019, for your proposed MJHSC that was developed and agreed to by the University of Ottawa and the workplace parties.

I am pleased that a cooperative approach has been achieved regarding the structure and terms of reference for the MJHSC and that the arrangement satisfies the recommended Ministry of Labour criteria. These criteria may change over time due to legislative changes and development of best practices; therefore, you are encouraged to review the terms of reference periodically to ensure it remains current. A copy of the terms of reference and Minister's Order granted should be kept at each workplace covered under the Minister's Order.

The attached Minister's Order indicates my approval of the proposed terms of reference. Compliance with this order requires vigilance on the part of all workplace parties to ensure adherence with the terms of reference. The employer's accountability may be reviewed through proactive field visits conducted by Ministry of Labour enforcement staff. Please note that the Minister's Order is revoked, without any further action on the part of the Minister or his delegate, on December 30th, 2024. Should you wish to continue using a MJHSC beyond the revocation date, you must reapply for a new Minister's Order. It is advised you re-apply to the Minister for a new Order at a minimum 6 months prior to the date of revocation.

If the workplace parties wish to amend the terms of reference at any time before the revocation date, they must advise the Regional Director in writing of the proposed changes. The Ministry will review the proposed amendments and determine next steps.

I would like to wish the MJHSC members every success in their endeavors towards an enhanced internal responsibility system with fully effective health and safety programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Lawson".

Sandra Lawson
Regional Director, Eastern Region

c: Anne-Marie Murphy Manager, Ministry of Labour

Matthew Clouthier RPC, Ministry of Labour

Encl: Minister's Order Granted under Subsection 9 (3.1) of the OHSA, R.S.O. 1990, c.O. 1

Order under Subsection 9 (3.1)

**The Occupational Health and Safety Act
R.S.O. 1990, c.O. 1**

Whereas subsection 9 (3.1) of the Occupational Health and Safety Act provides that the Minister may, by order in writing, permit a constructor or an employer to establish and maintain one Joint Health & Safety Committee for more than one workplace or parts thereof, and may, in such order provide for the composition, practice and procedure of any committee so established.

And whereas the University of Ottawa and the worker representatives have, in a document executed between them stated a desire to have the Joint Health & Safety Committee represent the workers, and have the Minister approve such arrangements.

NOW THEREFORE BE IT ORDERED that pursuant to subsection 9 (3.1) of the Occupational Health and Safety Act. The University of Ottawa as employer, is hereby permitted to establish and maintain the Multi-Workplace Joint Health Safety Committee to be governed as to composition, practice and procedures by the provision of the terms of reference, dated October 31st, 2019, and signed by the University of Ottawa and the workplace parties.

This order shall be effective as of the date of issue and is revoked by the Minister on December 30th, 2024.

Dated at Ottawa this 30th day of December, 2019.



Sandra Lawson, Eastern Region Director
Ministry of Labour

The order above is granted for the workplaces indicated in the attached document.