

NORTHWEST TERRITORIES & NUNAVUT

CODES OF PRACTICE

In accordance with the *Northwest Territories Safety Act* and *Occupational Health and Safety Regulations*; and *Nunavut Safety Act* and *Occupational Health and Safety Regulations*.

May 2018

Joint Occupational Health and Safety Committees



WSCC Workers' Safety & Compensation Commission | ᐃᖃᓐᓂᐱᖃᓐᓂᐱᓂᐱ ᐸᓕᑕᐱᖃᓐᓂᐱ ᐸᓕᑕᐱᖃᓐᓂᐱ ᖃᐅᐱᓕᓂᐱ

Joint Occupational Health and Safety Committees

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FOREWORD

The Workers' Safety and Compensation Commission (WSCC) produced this industry Code of Practice in accordance with subsections 18(3) and 18(4) of the Northwest Territories and Nunavut *Safety Acts*.

Joint Occupational Health and Safety committees -- made up of employer (management) and worker representatives-- work cooperatively to identify hazards and recommend corrective actions to eliminate or control those hazards.

The WSCC acknowledges and thanks WorkSafeBC and Saskatchewan Labour for information and resources used in the *Joint Occupational Health and Safety Committees Code of Practice*. This code of practice adapts information from the WorkSafeBC *Joint Occupational Health & Safety Committee Foundation Workbook* and the Saskatchewan Labour *Occupational Health Safety Committee Manual*.

This Code is in effect as published in the *Northwest Territories Gazette* and *Nunavut Gazette*, in accordance with the *Safety Acts* and *Occupational Health and Safety (OHS) Regulations*.

IN EFFECT DATES:

Northwest Territories: 31 May 2018

Nunavut: 31 May 2018



Chief Safety Officer, WSCC

Disclaimer

This publication refers to obligations under workers' compensation and occupational health and safety legislation as administered by the Workers' Safety and Compensation Commission.

To ensure compliance with legal obligations, always refer to the most recent legislation. This publication may refer to legislation that has been amended or repealed.

Check for information on the latest legislation at wsc.nt.ca or wsc.nu.ca, or contact WSCC at 1-800-661-0792.

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1 HOW DOES THIS CODE OF PRACTICE APPLY?

The Workers' Safety and Compensation Commission (WSCC) Codes of Practice provide practical guidance to achieve the safety requirements of the Northwest Territories and Nunavut *Safety Acts* and related *Regulations*.

As per subsection 18(3) of the Northwest Territories and Nunavut *Safety Acts*, "For the purpose of providing practical guidance with respect to the requirements of any provision of this Act or the regulations, the Chief Safety Officer may approve and issue such Codes of Practice as he or she considers are suitable for that purpose."

The WSCC Codes of Practice apply to workplaces in the Northwest Territories and Nunavut. The Chief Safety Officer approves Codes of Practice for use by all occupational health and safety (OHS) stakeholders. Codes of Practice come into effect in each territory on the day they are published in the *Northwest Territories Gazette* and *Nunavut Gazette*.

Codes of Practice do not have the same legal force as the *Safety Acts* and related *Regulations*. A person or employer cannot face prosecution for failing to comply with a Code of Practice. However, in legal proceedings under the *Safety Acts* and related *Regulations*, failure to observe a Code of Practice may be a consideration when determining whether a worker or employer complies with the *Safety Acts* and related *Regulations*.

Employers and workers should follow the WSCC Codes of Practice unless there is an alternative course of action that achieves the same or better occupational health and safety outcomes.

A Code of Practice

- Provides practical guidelines.
- Adapts to individual work sites.
- May serve as evidence.
- Should be followed unless there's a better way.

2 DEFINITIONS

Consensus: The beliefs, values, attitudes and habits and traditions that all organizational members share.

Dangerous Occurrence: Incidents with a high potential to cause death or serious injury, and must be reported to the WSCC. An occurrence that does not result in, but could have resulted in an accident causing serious bodily injury, such as

- (a) structural failure or collapse of
 - (i) a structure, scaffold, temporary falsework or concrete formwork, or
 - (ii) a tunnel, caisson, coffer dam, trench, excavated shaft or excavation,
- (b) failure of a crane or hoist or the overturning of a crane or powered mobile equipment,
- (c) accidental contact with an energized conductor,
- (d) bursting of a grinding wheel,
- (e) uncontrolled spill or escape of a toxic, corrosive or explosive substance,
- (f) premature or accidental detonation of explosives,
- (g) failure of an elevated or suspended platform, or
- (h) failure of an atmosphere-supplying respirator.

Documentation: printed material which can provide information to an investigator; for example, job procedures, maintenance records, training records.

Due Diligence: the level of judgment, care, prudence, determination, and activity that a person or organization should reasonably be expected to have or do under particular circumstances.

Evidence Preservation: the key building block to a successful incident investigation involves taking action to keep all the position, people, parts and paper evidence intact.

Fatality: any death resulting from a work injury.

First Aid: the immediate treatment or care given to a person suffering from an injury or illness until more advanced care is available or the person recovers.

Frequency: used in statistical analysis, refers to how often a task occurs.

Hazard: any situation, thing, or condition that may expose a person to risk of injury or occupational disease.

Hazard Assessment: the process followed to identify, assess, and eliminate or manage workplace hazards and risks to worker health and safety.

Incident: an occurrence arising in the course of work that could result in an injury or illness.

Investigation: a careful search or examination in order to discover facts.

Investigator: a person or team charged with the responsibility of finding the root cause(s) of an incident in order to prevent its reoccurrence.

Legal Requirements: requirements of applicable OHS federal, provincial/territorial, and municipal laws, regulations, and bylaws, and where applicable, provisions of the organization's collective agreements that relate to health and safety.

Occupational Illness: a condition that results from exposure to a physical, chemical, biological, or psychosocial hazard in the workplace.

Personal Protective Equipment (PPE): Any clothing, device, or other article intended for use by a worker to prevent injury or to facilitate rescue.

Procedure: a documented method to carry out an activity.

Process: a set of interrelated or interacting activities that transforms inputs into outputs.

Recommendation: a proposal for an appropriate course of action.

Record: a document that states achieved results, or provides evidence of activities performed.

Risk: the chance or probability of a person getting harmed, or experiencing an adverse health effect if exposed to a hazard.

Severity: used in statistical analysis, refers to how extensive and serious an injury or illness is.

Supervisor: an individual who is authorized by an employer to oversee or direct workers.

Terms of Reference: a document that describes and defines the purpose and structure of the committee. Terms include what the committee should achieve (the vision, objectives, and scope); who will participate (stakeholders, roles and responsibilities); how to achieve the goals (resources and action plans); and work breakdown structure and schedules.

Witness: a person who has observed an event or events leading up to an incident.

Worker: An individual engaged in work for an employer, whether working with or without remuneration.

Workers' Safety and Compensation Commission (WSCC): the agency of the Governments of the Northwest Territories and Nunavut that provides insurance to employers for workers who sustain workplace related injuries. If workplace incidents occur it is the responsibility of the employer to ensure it is reported to the WSCC.

3 INTRODUCTION

CODE OF PRACTICE FOR JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEES

This Code of Practice specifically applies to the legislation outlined in Part 4 of the Northwest Territories (NT) and Nunavut (NU) *Occupational Health and Safety (OHS) Regulations*. This part includes additional direction for committees and representatives in addition to the *Safety Acts* and other parts of the NT and NU *OHS Regulations*.

A Joint Occupational Health and Safety (OHS) committee is a group made up of an equal number of employer (management) and worker representatives who meet regularly to deal with health and safety issues. They help identify hazards in the workplace and make recommendations to the employer on how to eliminate or control those hazards.

The *Safety Acts* and *Occupational Health and Safety Regulations* in the Northwest Territories and Nunavut may require employers to establish a Joint OHS Committee to be responsible for certain aspects of a health and safety program on a work site.

This *Joint Occupational Health and Safety Committees Code of Practice* provides information on the role of a Joint OHS Committee, as well as how to develop and maintain an effective committee. This code includes guidelines on how to run meetings and maintain appropriate records for the OHS program at a workplace.

Critical Role in the Internal Responsibility System

The Internal Responsibility System (IRS) is the underlying philosophy of OHS legislation in the Northwest Territories and Nunavut. Under an IRS everyone has a personal and shared responsibility for working together to identify and control situations (hazards) that could cause harm. The ultimate objective of the IRS is to ensure everyone

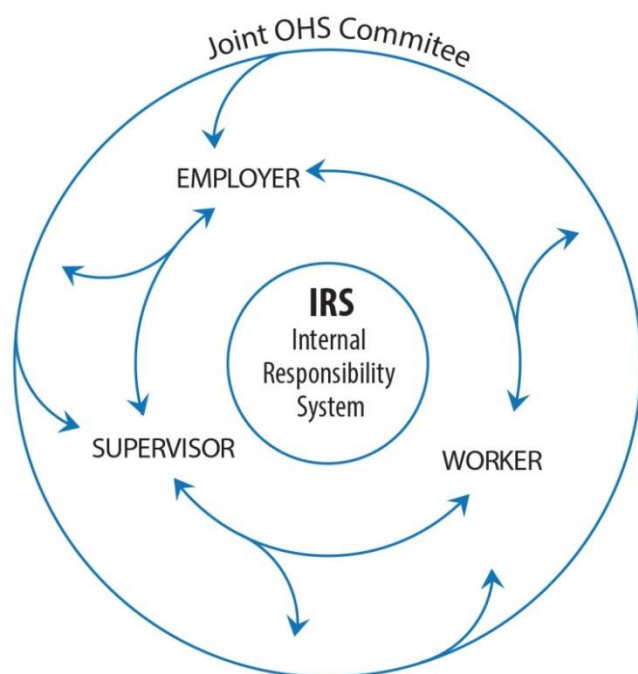
- employers, supervisors, managers, and workers
- makes health and safety part of their work.

OHS committees are also known as:

- Joint health and safety committees
- Joint work site health and safety committees
- Industrial health and safety committees
- Health and safety committees
- Workplace safety and health committees
- Incident prevention committees

In simple terms, employers, supervisors, and workers all have the responsibilities to:

- identify hazards;
- analyze the risks posed by those hazards;
- communicate information throughout the; workplace about the risks; and
- control those risks.



To create and maintain a safe workplace, the IRS involves employers, supervisors, and workers sharing the responsibility of identifying and controlling hazards.

The Joint OHS Committee, which includes equal worker and employer representation, identifies steps to address health and safety concerns and recommends actions the employer should take to correct any issues.

The IRS requires competent managers, supervisors, and employees to work and act safely. Internal responsibility has many advantages. It places responsibility for controlling hazards on those in the workplace, making everyone a contributor to workplace health and safety.

Everyone applies their knowledge to improve health and safety, and the IRS encourages employers and workers to take joint action to identify and control hazards through co-management of health and safety. When properly handled, the IRS promotes cooperation among workers, supervisors, senior management, and employers. It motivates everyone to protect their own health and safety and that of their fellow workers. The Joint OHS Committee helps the employer make the IRS function effectively. Legislation sets up a framework to support the IRS and maintain fundamental health and safety standards within the workplace.

4 ACTS, REGULATIONS, AND STANDARDS

Safety Acts

Northwest Territories and Nunavut

Health and Safety

- 4.** (1) Every employer shall
- (a) maintain his or her establishment in such a manner that the health and safety of persons in the establishment are not likely to be endangered;
 - (b) take all reasonable precautions and adopt and carry out all reasonable techniques and procedures to ensure the health and safety of every person in his or her establishment; and
 - (c) provide the first aid service requirements set out in the regulations pertaining to his or her class of establishment.
- (2) If two or more employers have charge of an establishment, the principal contractor or, if there is no principal contractor, the owner of the establishment, shall coordinate the activities of the employers in the establishment to ensure the health and safety of persons in the establishment.
- 5.** Every worker employed on or in connection with an establishment shall, in the course of his or her employment,
- (a) take all reasonable precautions to ensure his or her own safety and the safety of other persons in the establishment; and
 - (b) as the circumstances require, use devices and articles of clothing or equipment that are intended for his or her protection and provided to the worker by his or her employer, or required pursuant to the regulations to be used or worn by the worker.
- 7.1** (1) Every employer shall, at a work site, in accordance with the regulations,
- (a) establish a Joint Occupational Health and Safety Committee;

Occupational Health and Safety Regulations

Northwest Territories and Nunavut

Investigation of Certain Accidents

- 28.** (1) Subject to section 29, an employer shall ensure that an accident causing serious bodily injury or a dangerous occurrence is investigated as soon as is reasonably possible
- (a) by the Committee and employer or by the representative and the employer; or
 - (b) if no Committee or representative is available, by the employer.
- (2) After the investigation of an accident causing serious bodily injury or a dangerous occurrence, an employer shall, in consultation with the Committee or representative or, if no Committee or representative is available, the workers, prepare a written report that includes
- (a) a description of the accident or occurrence;
 - (b) graphics, photographs, video or other evidence that could assist in determining the causes of the accident or occurrence;
 - (c) identification of unsafe conditions, acts, omissions or procedures that contributed to the accident or occurrence;

Preserving Scene of Accident Causing Death

- 29.** (1) Unless expressly authorized by statute or by subsection (2), a person shall not, other than for the purpose of saving life or relieving human suffering, interfere with,

destroy, carry away or alter the position of wreckage, equipment, articles, documents or other things at the scene of, or connected with, an accident causing a death until a safety officer has completed an investigation of the circumstances surrounding the accident.

- (2) If an accident causing a death occurs and a safety officer is not able to complete an investigation of the circumstances surrounding the accident, the safety officer may, unless prohibited by statute, grant permission to move wreckage, equipment, articles, documents or other things at the scene or connected with the accident, to an extent that is necessary to allow work to proceed, if he or she is satisfied that
- (a) graphics, photographs, video or other evidence showing details at the scene of the accident are made or taken before granting permission; and
 - (b) a member of the Committee or the representative, if available, has inspected the site of the accident and agreed that the things may be moved.

PART 4

COMMITTEE AND REPRESENTATIVE

Committee and Representative

- 37.** An employer shall establish a Committee
- (a) at a work site where 20 or more workers work or are likely to work for more than 90 days; or
 - (b) if so directed by the Chief Safety Officer.
- 38.** If an employer is required to establish a Committee, he or she shall ensure that it is composed of an equal number of
- (a) workers chosen by the workers at the work site, who are representative of and who shall represent the occupational health and safety concerns of the workers at the work site; and
 - (b) individuals chosen by the employer, or by each employer where workers of two or more employers work at the same work site, to represent the employer or employers.
- 39.** If fewer than 20 workers work at a work site and there is no Committee, each employer shall designate not less than one worker as the occupational health and safety representative for the workers.
- 40.** An employer shall ensure that the name of each member of the Committee or of each representative is readily accessible to workers at the work site.
- 41.** (1) A quorum consists of one-half of the members of the Committee, if
- (a) representatives of both employers and workers are present; and
 - (b) not less than one-half of the members present represent workers
- (2) Any business of a Committee that is transacted, and any meeting of a Committee that is held where a quorum is not present is not a valid transaction or meeting.
- (3) A decision of the Committee made under subsection 13(5) or (6) of the Act with respect to a refusal to work must be made by a unanimous vote of members of the Committee who are present.
- (4) If a Committee is unable to make a decision under subsection (3), it shall, as soon as is reasonably possible, notify and refer the matter to a delegate of the Chief Safety Officer for investigation.
- (5) The delegate of the Chief Safety Officer referred to in subsection (4) must be a safety officer.

- 42.** (1) Subject to subsection (2), a Committee shall
- (a) hold its first meeting within 14 days after being established;
 - (b) hold three subsequent meetings not less than once each month; and
 - (c) after the third subsequent meeting referred to in paragraph (b), hold regular meetings at intervals not exceeding three months.
- (2) The Chief Safety Officer may require the Committee to meet more frequently than required under subsection (1) due to any of the following at a work site:
- (a) the existence of particular hazards or circumstances;
 - (b) the complexity of the work carried out;
 - (c) the number of workers.
- 43.** A Committee shall
- (a) record minutes of each meeting and keep the minutes on file;
 - (b) send a copy of the minutes to the Chief Safety Officer, if required by the Chief Safety Officer; and
 - (c) post a copy of the minutes at a location that is readily accessible to workers at the work site.
- 44.** (1) At the first meeting of the Committee,
- (a) members of the Committee representing workers shall elect a worker co-chairperson from among their number; and
 - (b) each employer shall jointly appoint only one employer co-chairperson from the members of the Committee representing the employers.
- (2) A worker co-chairperson shall keep the workers informed of the activities, concerns and recommendations of the Committee and of any information addressed to the Committee.
- (3) An employer co-chairperson shall keep each employer informed of activities, concerns and recommendations of the Committee and of any information addressed to the Committee.
- (4) An employer shall facilitate the performance of a worker co-chairperson's duties during normal work hours by
- (a) permitting meetings of workers; or
 - (b) other means that are appropriate in the circumstances.
- 45.** Either co-chairperson may call a special meeting of the Committee to deal with urgent concerns, imminent dangers to health or safety, investigations of accidents causing serious bodily injury or dangerous occurrences, or refusals to work under section 13 of the Act.
- 46.** (1) If a representative is designated for a work site, each employer shall meet with the representative regularly to discuss health and safety matters.
- (2) A representative may call a special meeting with an employer to deal with urgent concerns, imminent dangers to health and safety or investigations of accidents causing serious bodily injury or of dangerous occurrences.
- 47.** (1) An employer shall ensure that
- (a) the Committee or representative is allowed to examine any log book, inspection report or other record that the employer is required to keep at the work site under the Act or these regulations;
 - (b) each member of the Committee or a representative has reasonable opportunity, during normal working hours and without loss of pay or benefits, to receive and investigate concerns, to inform workers of the provisions of the Act or regulations

- made under the Act, or to conduct other business necessary for the functioning of the Committee or representative;
- (c) the members of the Committee have reasonable opportunity to hold a special meeting under section 45 at any time; and
 - (d) the representative has reasonable opportunity to hold a special meeting under subsection 46(2) at any time.
- (2) An employer shall ensure that each member of the Committee or a representative who participates in a regular meeting held under subsection 42 or subsection 46(1) or in a special meeting held under section 45 or subsection 46(2), does not lose any pay or benefits as a result of that participation.
- 48.** A safety officer may meet with the Committee or with the representative for the purpose of
- (a) ensuring the proper functioning of the Committee or representative;
 - (b) providing information to the Committee or representative; or
 - (c) providing education concerning occupational health or safety to the Committee or representative.
- 49.** An employer shall ensure that the Committee or representative
- (a) performs an inspection of the work site not less than once every three months; and
 - (b) submits a written report of each inspection to the employer.
- 50.** If a safety officer inspects a work site or investigates an accident at a work site, he or she may require a Committee member or representative to be present at the inspection or investigation.
- 51.** (1) If a Committee is established at a work site, the employer shall ensure that the co-chairpersons of the Committee receive training respecting the duties and functions of the Committee.
- (2) If a representative is designated at a work site, the employer shall ensure that the representative receives training respecting the duties and functions of the representative.
- (3) If a member of a Committee or a representative attends a training program, seminar or course of instruction on health and safety matters conducted or provided by the Commission or by an approved training agency, the employer shall credit the member or representative's attendance as time at work and ensure that he or she loses no pay or benefits as a result of that attendance.
- 52.** An employer shall, as soon as is reasonably possible after receiving a recommendation made by a Committee or representative, reply in writing to the Committee or representative with a response to the recommendation.
- 53.** (1) In this section, "communication" includes any order, notice or report.
- (2) An employer who receives a written communication from a safety officer shall make the communication readily available to workers for not less than 30 days after the date of receiving it.
- (3) If a safety officer issues a written communication to an employer relating to the health and safety of workers, the employer shall ensure that a copy of the communication is sent to the Committee or representative.

5 ROLE OF A JOINT OHS COMMITTEE

Workers and employers communicate through the Joint OHS Committee to identify and control hazards. The committee brings health and safety concerns into the open and focuses attention on the concerns until the employer resolves the issue. The employer keeps the committee informed on safety concerns and provides the committee with records the employer is required to keep.

When a worker sees an unsafe or harmful condition or act, they must report it as soon as possible to a supervisor or their employer. Supervisors and workers, if they can, fix unsafe conditions as they encounter them. With more complex concerns, the supervisor or employer must investigate and take corrective action without delay, while keeping the workers safe. When workers, supervisors and employers continually assess and address safety concerns, most issues will not reach the Joint OHS Committee.

5.1 RECOMMENDING CORRECTIVE ACTIONS

The Joint OHS committee addresses outstanding issues that someone has reported to the supervisor or employer but no one has corrected. They also address health and safety concerns identified through their inspections. Their key role is to assess unresolved safety concern and recommend corrective actions that will control or eliminate the hazards to the employer.

5.2 ASSESSING A HEALTH AND SAFETY PROGRAM

The various activities of the Joint OHS Committee help the employer assess the effectiveness of the health and safety program. They consider and review:

- Health and safety systems
 - Policies, plans and programs, procedures
- Resources allocated to health and safety
- Accountability and authority for health and safety decision making
- The importance of health and safety in:
 - Purchasing and tendering decisions
 - Design of the workplace, work stations and work processes
- The effectiveness of:
 - Standards
 - Worker orientation and training
 - Existing hazard controls and work procedures
 - Housekeeping and maintenance programs
 - The committee's activities (inspections, investigations, and recommendations)

While the employer retains ultimate control over a workplace, worker participation is one of the most effective ways to identify and control hazards. Joint OHS Committees play a critical role in promoting worker participation in health and safety. Employers benefit from workers' expertise in detecting occupational health and safety hazards and developing practical approaches to controlling hazards.

6 ORGANIZING A JOINT OHS COMMITTEE

An employer must have a Joint OHS Committee:

- (a) at a work site where 20 or more workers work or are likely to work for more than 90 days; or
- (b) if directed by the Chief Safety Officer to establish a committee.

The Joint OHS Committee should operate in an atmosphere of cooperation between management and workers to effectively promote the OHS program. Meeting regularly to review safety issues and recommend corrective actions, they work with the employer and workers to maintain and monitor the effectiveness of the IRS.

Joint OHS Committee:

- helps the employer identify, assess and control hazards;
- helps the employer develop and monitor policies, plans and programs;
- provides a channel of communication between the employer and workers;
- helps the employer plan worker training;
- conducts regular inspections;
- talks with workers about their health and safety concerns;
- participates in investigations of incidents and dangerous occurrences;
- meets regularly to discuss concerns; and
- makes recommendations for corrective action to the employer.

While the employer is responsible for the overall safety program, the individual worker has a responsibility to report problems to their supervisor or employer. When the supervisor or employer does not take corrective action, workers contact a committee member. The Joint OHS Committee brings the concerns forward and recommends solutions.

6.1 COMMITTEE SIZE

The committee should be able to handle the needs of the organization as well as the diversity of the work. Consider the following factors when deciding on committee size:

- Degree of hazards in the workplace;
- Number of employees, departments, places of employment, union or worker groups; and
- Need to represent different shifts.

6.2 SELECTING COMMITTEE MEMBERS

The Committee has equal representation of workers and the employer. All types of workers in the organization require representation; for example, full and part time workers, shift and seasonal workers, and workers from various operational divisions.

Labour-management matters should not become conflicts in safety meetings. Worker and employer representatives work together to solve problems.

6.2.1 Employer Representatives

The committee does not have the authority to act on its own recommendations. The employer co-chair or employer representative should have sufficient authority to take any action the committee agrees upon at a meeting to the employer.

6.2.2 Worker Representatives

Workers choose who will represent them on the committee. The selection may be according to the constitution of the union representing the workers. Worker representatives should effectively represent all workers on all shifts and departments, so committee members come from different areas within an organization.

6.2.3 Use of Alternates

Designate alternate members to attend meetings or conduct committee activities if regular members are not available. The committee continues to work with proper representation for effective decision making and recommendations when an alternate can step in without delay.

6.2.4 Co-Chairs

The two co-chairs should have leadership skills and hold the confidence of committee members. Worker representatives of the committee select one co-chair. Employer representatives of the committee select the other co-chair. The co-chairs' major responsibilities are to:

- Prepare the agenda;
- Send out meeting notices and agendas;
- Conduct meetings, keeping meeting on track and on safety topic;
- Maintain an unbiased viewpoint;
- Review previous meeting reports and material;
- Record the committee activities; and
- Post the meeting reports.

The employer should provide typing and clerical services. It is acceptable for the employer to provide a recording secretary who is not necessarily a committee member.

The employer must make committee member names and work location available to all workers.

6.3 TERMS OF REFERENCE

Terms of reference describe the committee’s purpose and structure. They outline how the committee will function to meet its purpose and should include the following:

Name of the committee	The name the committee will officially use
Constituency	Who sits on the committee
A statement of committee purpose	Clear definition of committee goals
Duties and functions	Definition of functions (meetings, inspections, investigations, recommendations)
	First aid requirements
Records	Maintain accurate documentation and reports.
	Maintain confidentiality. The committee may not access medical information
Agendas and meeting reports	Definitions of roles in functions (who does what?)
Composition	How many members
	Member selection procedures. Include designating alternates (when regular members are not available to carry out duties)
Co-chairs	Describe the selection process for employer and worker co-chair
Terms of office for members	How long members sit on the committee
Meetings	Frequency, special meetings, quorum, new committee procedures
	What makes a quorum (the minimum number of members that must be present to make a meeting valid)
Inspections (guidelines)	When to conduct scheduled inspections
	Define policies for unscheduled inspections
Investigations (guidelines)	Define which investigations will the committee conduct
	Define the procedures for investigation
	Outline what resources are available to investigators
Recommendations (guidelines)	Define the process for how the committee will bring forth recommendations to the employer
	Define how long the employer has to respond to recommendations (suggested 21 calendar days)
Resolving disagreements	How the committee will ensure consensus
	How the committee resolves an issue where there is no consensus
Amendments	Process the committee will use to change these <i>Terms of Reference</i>

See a sample *Terms of Reference* and template in Appendix A.

6.4 EMPLOYER OBLIGATIONS TO THE JOINT OHS COMMITTEE

6.4.1 Training

Committee members, particularly co-chairs, require tools and skills to properly perform their duties. Employers must provide training in respect to the duties and functions of Committee activities. Training topics include, but are not limited to, the following:

- How to identify and control industry-specific hazards, including ergonomic hazards
- How to conduct inspections
- How to investigate incidents and dangerous occurrences
- Familiarization with health and safety legislation in the Northwest Territories and Nunavut
- The Workplace Hazardous Materials Information System (WHMIS1988 and WHMIS2015.)

Alternate committee members (those who take the place of co-chairs or other members who are not available to attend meetings) should also receive training.

The employer, senior managers, and supervisors must also attend relevant occupational health and safety awareness training.

6.4.2 Provide Information

The employer must provide the committee with information of any environmental or biological monitoring in the workplace. However, the employer may not release any confidential (personal) medical information.

Employers should provide:

- Reports from consultants that impact the occupational health and safety of workers
- Information on health and safety hazards associated with the place of employment.
 - This includes any information an employer, contractor, owner, or supplier knows, or may reasonably be expected to know, including information from the WSCC;
- [Employer report of incident](#). Notifications and investigation reports on incidents causing serious bodily injury or dangerous occurrences.
 - The employer must report these to the Chief Safety Officer and provide a copy of the report to the Joint OHS Committee (removing any confidential information); and
- Access to review any logs and records the employer must keep.
 - For example, first aid registers, logs and books.

6.4.3 Provide Time

Employers must allow time for committee members to carry out their duties (at no loss in pay or benefits). This includes time for inspections, investigations, meetings, and developing recommendations.

6.4.4 Ensure Regular Workplace Inspections

The employer should ensure the Joint OHS Committee or the co-chairs regularly inspect the workplace and discuss concerns with workers. Ensure the committee posts their reports.

7 JOINT OHS COMMITTEE ACTIVITIES

7.1 MEETINGS

Regularly scheduled meetings give Joint OHS Committee members dedicated time to assess and discuss health and safety concerns in order to make recommendations for corrective actions. Meetings present an opportunity to problem solve using the best knowledge and experience available from managers and workers.

Activities that generate items for consideration include inspections, investigations of incidents, workplace hazards, investigations of worker complaints, consultations with technical experts, and review of the workplace's OHS program.

The meeting should always start on time. Encourage members to arrive promptly.

7.1.1 Meeting Agenda

The agenda outlines the meeting plan in advance and ensures all members are aware of and can prepare for the meeting.

Co-chairs prepare and distribute the meeting agenda to make sure:

- Members know the date, time and place of the meeting;
- Members have the opportunity to study the items before the meeting;
- Every item on the agenda receives focused attention; and
- Business stays on track.

Committee members should submit discussion items in time for the Co-chair to include them on the agenda.

Agenda items include, but are not limited to:

- Date, time, and place of meeting;
- Minutes of last meeting;
- Review of unfinished business
follow-up from previous meeting, business carried forward);
- Regular reports (workplace inspections, incident investigations);
- Special reports (sub-committees, training, and education).
- Responses and follow-up (committee inquiries, recommendations, employer responses);
- Education session; and
- New business — employers and the committee should encourage supervisors and workers to submit items for possible inclusion on the agenda.

It is the co-chairs' responsibility to keep the meeting moving; cut off irrelevant discussion; complete the agenda; and close on a positive note.

7.1.2 Running Effective Meetings

Each item on the agenda should receive attention during the meeting. Refer items that require more information to further study, recording the referral in the meeting report with clear instruction on how to pursue the matter further.

When reviewing inspection reports and first aid or incident report statistics, committee members should try to understand what the statistics indicate. They may identify trends or other areas requiring further investigation. For example, use first aid records to:

- Show patterns in minor events before they become serious (for example, gradual onset of signs and symptoms indicating unsafe exposure, or repeated injuries of the same type);
- Indicate possible widespread problems (for example, several workers reporting the same signs and symptoms of exposure); or
- Implement early intervention control measures before minor discomforts become disabling time loss injuries. (For example, address wrist pain before a worker develops carpal tunnel syndrome).

7.1.3 Reaching Consensus

Joint OHS Committees work best using consensus decision making to develop solutions.

As a co-chair presents an item, a brief discussion confirms that all members understand the topic. Members then discuss possible solutions. All members contribute to shaping recommendations that meet the goals of the committee as much as possible.

The effort to reach widespread agreement values all perspectives and supports positive relationships among committee members. Consensus decision-making encourages members to voice their personal perspectives but to always consider the purpose of the group. The committee benefits from all points of view. Ultimately, personal preferences are less important than understanding how to work together to help the committee succeed.

If members cannot agree, it may be necessary to call for a break and have the co-chairs mediate the problem.

Tips for Running a Meeting

1. Create an agenda for members to review before the meeting.
2. The co-chairs should keep the meeting moving by following the agenda and keeping the conversation relevant.
3. Include education in every meeting, which may include talks from suppliers or experts on certain equipment or procedures.
4. Keep accurate and clear reports. These provide a permanent record of the meeting and indicate required actions and who will perform them.
5. Post meeting reports in an easily accessible location to inform all employees.
6. Forward recommendation(s) to the employer.

7.1.4 Meeting Reports

Make meeting reports brief and factual. The meeting report provides a permanent historical record of proceedings, and informs the employer and workers of committee decisions and recommended corrective actions.

To help track issues meeting to meeting, assign a new number to each issue and number continuously from meeting to meeting. This saves time and confusion when handling information about where in the process an issue stands.

Meeting reports should indicate action required, who is responsible for what activity, and target deadlines for each action. Co-chairs and members should review the reports to approve them as accurate and correct and provide the final report to the employer.

The employer must keep a copy for at least two years from the date of the meeting and make reports accessible to the Joint OHS Committee and WSCC Safety Officers.

The employer should make reports of the three most recent meetings accessible to all workers.

7.1.5 Recommendations

The meeting provides the Joint OHS Committee dedicated time to discuss issues in order to develop effective recommendations to the employer.

They consider input from:

- worker's concerns;
- inspections;
- lost time injury and illness trends; and
- investigations of incidents and dangerous occurrences.

7.2 RECORDS AND STATISTICS

Committees need basic statistics that give them a clear picture of the injury and illness history and trends for a workplace, so they can make informed recommendations to the employer.

Records and statistics help employers, managers, supervisors, and Joint OHS Committee members:

- identify the nature, extent, and cause of health and safety hazards;
- implement prevention activities; and
- determine if control measures are working.

Occupational Health and Safety Regulations require employers to maintain certain records, statistics and reports as part of an effective health and safety program. Employers need to supply these records and reports to the Joint OHS Committee, workers, and to the WSCC upon request. See *Appendix F* for a full list of documentation employers must maintain.

7.2.1 Records

Records are a written statement or document (for example, records of first aid injury, accident/incident investigation reports). They are the source of data for generating

statistics that can provide meaningful information on safety performance.

Good record keeping is an essential component of a successful health and safety program. Each piece of information, such as inspection reports and accident/incident investigation reports, must be reliable and accurate so the committee can understand exactly what is happening in the workplace. Accuracy helps them make informed recommendations to best protect workers from harm.

The people completing the forms (for example, committee members conducting inspections and investigations) need education and training to understand and complete the forms properly.

7.2.2 Records Employers Must Keep

All employers must maintain specific information about work-related injuries and illnesses. This information typically comes from the four main sources:

- First aid records (of all injuries and manifestations of disease reported or treated)
- Incident investigation records (including incidents that result in injury)
- The Employer's Report of Injury documents
- Annual Statistical Report – detailed work-related injuries report

Employers use the injury and illness data to generate work injury and illness statistics. Other important records employers must maintain include: education and training; risk assessments; workplace inspections; exposure monitoring for harmful chemicals; and noise, and hearing tests.

7.2.3 Statistics

Determining what injury and illness statistics are most useful depends on what information you need. Some statistics are more useful than others but, in general:

- the more specific and current the statistics are, the more helpful they will be; and
- statistics that identify specific tasks, occupations, departments, agents (for example, chemicals), body part injured, contributory causes and hazards that account for the greatest frequency and/or severity of injury deserve priority attention.

No single statistical report provides everything you want to know about injury and illness. Tracking trends by looking at frequency and severity of injuries or illnesses over time (monthly and annually) helps a Joint OHS Committee direct their attention to specific hazards and risk within their workplace.

Frequency gives information on how often injury or illness happens.

Severity gives information on how serious an injury or illness is.

7.3 MONITOR HEALTH AND SAFETY PROCEDURE

Outside the regularly scheduled committee meetings, members monitor ongoing health and safety procedures. As they identify hazards, they make recommendations to employers to eliminate hazards and improve conditions. Members are in a good position to promote cooperation throughout the worksite.

Important tasks members do outside regular meetings include:

- Making sure workers report accidents/incidents;
- Ensuring inspections for health and safety hazards take place;
- Assisting with investigations of reported accidents/incidents;
- Addressing worker complaints and propose solutions; and
- Investigating and help resolve refusals to work issues due to real or perceived dangers.

If an organization is large with many divisions, co-chairs may assign each Joint OHS Committee member responsibility for specific areas, departments, divisions, or units. Each member can monitor to make sure their area carries out health and safety activities. A chart can show how the committee divides up the areas of responsibility.

For example:

Joint OHS Committee		
Name	Representative (Employer or Worker)	Areas of Responsibility
Person 1	Co-chair Employer	Store Floor and Warehouse
Person 2	Co-chair Worker	Loading Dock
Person 3	Worker	etc.
Person 4	Employer	etc.

Post the information so managers, supervisors, and workers know who to contact for safety concerns in their area.

7.4 INSPECTIONS

An inspection is a planned walk through or examination of a workplace; selected work areas or particular hazards; machinery; tools; equipment; and work practices. Regular inspections help reduce incidents and occupational illnesses, and increase awareness of the IRS.

Employers must arrange for their Joint OHS Committee to regularly inspect the workplace, while managers, supervisors, and workers have a duty to report hazards to and cooperate with the committee.

Inspections help the committee to:

- compare existing conditions with standards, such as regulations and industry practices;
- determine if gaps exist between workplace practices and standards set by the organization, industry, and legislation;
- identify hazards throughout the workplace;
- identify the root causes for any gaps they find; and
- develop recommendations for corrective action.

Inspections are an excellent way of communicating with workers to find and correct problems before they cause harm. Committee members should ask workers about their concerns and support supervisors and workers by finding defects they may have overlooked. Examples include housekeeping hazards, unsafe work practices, and hazards in out of the way places, such as storage areas. Committee inspections focus specifically on safety.

Effective inspections concentrate on finding facts, not finding fault or blame. The Joint OHS Committee focuses on recommending corrective actions that will keep workers safe. Conducting inspections a day or so before regularly scheduled meetings can help the committee discuss their findings for effective recommendations.

7.4.1 Types of Joint OHS Committee Inspections

There are three types of inspections that a Joint OHS Committee conducts: regularly scheduled inspections; inspections accompanying a safety officer; and intermittent inspections because of circumstances. Joint OHS Committee inspections complement the daily operational inspections managers, supervisors, and workers perform.

Effective inspections concentrate on observing facts, not finding fault or blame.

Regular inspections:

The employer should help the Joint OHS Committee organize and schedule inspections. Publicizing the schedule may encourage people to hide hazards and unsafe work practices. Some Joint OHS Committees meet shortly after each inspection. This provides a chance to discuss the root causes for what they found while memories are still fresh.

Inspections with a safety officer:

The Joint OHS Committee worker and employer co-chairs or their alternates should accompany a WSCC Safety Officer visiting the workplace. This allows the employer to demonstrate commitment to health and safety. It also helps the Joint OHS Committee discuss concerns and allows the Officer to provide advice.

Intermittent inspections:

Outside of regularly scheduled inspections, the Joint OHS Committee performs inspections any time there is an incident, dangerous occurrence or when asked by a Safety Officer. They should also perform inspections when there is new equipment, new workers on the job, or other special circumstances which require new safe work practices.

Access to records:

The Joint OHS Committee can review employer's records, logs and books that the employer is expected to keep. Examples include first aid registers, crane logs and lists of chemical substances. However, the Joint OHS Committee may not access personal medical information.

7.4.2 Training for Inspections

Both the employer and Joint OHS Committee members should be familiar with:

- the training and information needed to work safely;
- work processes and work areas;
- workplace hazards and hazardous areas;
- applicable personal protective equipment and its limitations;
- how to ensure PPE is working and used properly;
- engineering controls in the workplace;
- applicable health and safety standards and legislation;
- the recommendations of equipment and material suppliers;
- how to record and maintain information; and
- how to report and deal with concerns.

Checklist for Emergency Procedures and First Aid (partial list)

Emergency Procedures	Yes	No
Are there emergency procedures in place for your workplace?		
Did workers and the Joint OHS Committee participate in developing the procedures?		
Is everyone familiar with the procedures, their roles and responsibilities?		
Are there enough emergency exits available throughout the workplace?		
Are emergency exits clearly marked and free of obstructions?		
Are there enough properly serviced and approved fire extinguishers?		
First Aid		
Is there a properly stocked first aid box?		
Is the first aid kit inspected and restocked regularly?		
Do workers know where the first aid box is?		
Is someone trained in first aid always available?		
Do workers know whom to contact to get first aid?		
Is an up-to-date first aid register kept to record injuries?		
Is the register inspected regularly to look for trends and sources of injury?		
Are all incidents and dangerous occurrences reported and investigated?		
Are injuries reported to the Workers' Safety & Compensation Commission (WSCC)?		

7.4.3 Planning Inspections

The effectiveness of each inspection depends on the ability to measure existing conditions against clearly defined standards. Equipment manuals, trade publications, legislation, suppliers, and industry associations provide standards to measure against.

When planning inspections consider:

- What hazards are workers likely to encounter and where?
- What equipment do you need to inspect?
- What aspects of each item do you need look at and how?
- What conditions and work practices do you need to inspect?
- How often must you inspect these items, conditions, and work practices?
- Who conducts inspections (co-chairs, experienced workers or outside experts)?
- Consider the impact of the inspection on work scheduling. For example, will a machine have to be shut down for inspection?

Watch for unexpected hazards, such as welding outside of designated areas.

Inventories and checklists:

An inventory tells you the items that exist in the workplace. A checklist is a guideline of what to look for when you are inspecting each item in the inventory. The Joint OHS Committee can help the employer prepare an inventory of what to inspect.

Develop checklists from legislation, industry standards, and equipment manuals, through interviewing experienced workers, or purchase a prepared checklist. Be sure to update checklists regularly.

The example to the right is a (partial) checklist for assessing emergency procedures and first aid.

Joint OHS Committee representatives must know what to look for during an inspection. Using clear language in checklists will guide Joint OHS Committee members, managers, or workers to inspections recognize concerns. Well-developed checklists also help maintain consistent inspections.

What to Inspect:

The Joint OHS Committee and employer should develop inspection schedules for the following components of a safety program: people; materials (such as substances and machinery); system (such as policies, plans, and procedures); environment (such as workplace conditions); and work process (such as workflow design).

1. People , such as:	Supervision, orientation Work practices, work rules and safety procedures Training and experience
<hr/>	
2. Material , such as:	<i>Substances and materials</i> Products controlled under the current Workplace Hazardous Materials Information System (WHMIS) and incoming Globally Harmonized System (GHS) Biological substances Other materials of concern to workers

	<p><i>Tools equipment and machinery</i></p> <p>Production, machine-tools and related equipment</p> <p>Engines, electric motors and other power supplying equipment</p> <p>Electrical equipment, switches, circuits, and so forth</p> <p>Hand tools and equipment, such as wrenches and power tools PPE and clothing</p> <p>First aid stations and emergency equipment, such as eye washes</p> <p>Fire protection and emergency response devices, such as fire extinguishers and water supplies</p> <p>Walkways, ramps, docks, parking lots, and roadways</p> <p>Elevators, hoists, and lifts</p> <p>Storage sheds and areas</p>
3. System , such as:	<p>Health and safety policies, procedures, and rules</p> <p>Budget allocations toward health and safety</p> <p>Training and orientation provided for workers and supervisors</p>
4. Environment , such as:	<p>Weather conditions (hot and cold conditions)</p> <p>Workplace conditions (dust, fumes, or vapours, work area design and lighting)</p>
5. Work process , such as:	<p>The job itself</p> <p>The work area and work flow</p> <p>Controls and safety features on equipment and machinery</p>

7.4.4 What to Do During Inspections:

Follow-up and communicate with workers	<p>Ask workers: How well corrective actions implemented from the last inspection work.</p> <p>Do workers, supervisors, and maintenance personnel perform necessary inspections?</p> <p>Do they have safety concerns?</p>
Use monitoring equipment	<p>Noise monitors, chemical sensing equipment, and other devices detect and evaluate specific hazards?</p>
Take careful notes	<p>Note all hazards, even those corrected at once.</p> <p>Carefully describe each hazard How serious it is</p> <p>Identify its precise location</p> <p>Precisely explain how to fix each problem.</p> <p>Use diagrams and drawings to illustrate the circumstances when applicable.</p>
Communicate with supervisors	<p>Discuss findings with the supervisor</p>

The employer should ensure supervisors have a clear idea of what they should do when they receive a report of a problem. Employers and managers can support supervisors by ensuring supervisors have the authority and resources to take corrective action.

Post the inspection reports according to the committee's *Terms of Reference* and procedures.

When an Inspection Reveals an Unsafe Condition:

The Joint OHS Committee must bring health and safety concerns and hazards identified during an inspection or investigation to the employer, including concerns and hazards that may require immediate corrective actions.

The committee prepares recommendations for corrective action and the employer must respond.

The committee may ask a WSCC Safety Officer for advice on what sort of corrective actions will bring the employer into compliance.

7.5 INVESTIGATIONS

An incident is an occurrence arising in the course of work that could result in an injury or illness. A dangerous occurrence is any event that could have caused injury, but did not. It is important to investigate both. The employer must also report both to the Chief Safety Officer. Investigations can identify fundamental weaknesses in hazard controls and what improvements may prevent a recurrence.

The employer should also provide copies of reports to the Joint OHS Committee, removing any personal medical information about any employees involved in the incident.

Each incident and dangerous occurrence usually has several contributing factors, some of which are not always obvious. Investigators must look for the deeper causes, called root causes, and not simply record events.

The employer must include the Joint OHS Committee when investigating dangerous occurrences that cause the death of a worker, or hospitalization. The employer, contractor or owner may investigate dangerous occurrences, depending on who has control over the situation.

If the incident involves injured workers and a fatality, qualified first aid providers should care for the injured workers only if the site is safe, but avoid disturbing the scene until authorized by WSCC.

7.5.1 Investigations

What incidents and dangerous occurrences will the Joint OHS Committee investigate other than those listed in the *Regulations*? The employer and Joint OHS Committee are encouraged to investigate all incidents and any dangerous occurrence that could have caused an injury or illness someone.

7.5.2 Procedures

How will employers, workers, supervisors and the Joint OHS Committee investigate incidents and dangerous occurrences? Each should know their roles and responsibilities for what to do if an incident or dangerous occurrence happens.

The employer must ensure that Joint OHS Committee members receive training to meet their responsibilities.

7.5.3 Resources

The employer provides the necessary tools, personal protective equipment, and training, for committee members to carry out their investigations safely.

7.5.4 Regulatory Reporting Requirements

Reporting an injury under the *Workers' Compensation Act* to WSCC's Claims Services **DOES NOT** fulfill reporting requirements under the *Safety Acts* and related *Safety Regulations*.

Accident causing serious bodily injury or death

8. (1). An employer shall, as soon as is reasonably possible, give notice to the Chief Safety Officer of an accident causing serious bodily injury.

Dangerous Occurrence

9. (1). An employer shall, as soon as is reasonably possible, give notice to the Chief Safety Officer of a dangerous occurrence that takes place at a work site, whether or not a worker sustains injury.

7.5.5 Standards

Generally, investigations should:

- compare what should have happened with what actually happened;
- determine what gap exists between the two;
- determine why the gap developed; and
- recommend appropriate corrective action to prevent a reoccurrence.

Refer to the *Safety Acts* and *Occupational Health and Safety Regulations*, organization standards, and industry publications to identify what standards apply to the situation.

7.5.6 Planning Investigations

Investigations help identify root causes and avoid a similar incident, or dangerous occurrence from happening. The employer and Joint OHS Committee should prepare a plan for investigating incidents and dangerous occurrences. The plan should include the necessary procedures, personnel, and resources.

7.5.7 Carrying Out Investigations

The Joint OHS Committee's investigation should look for the root causes of the incident so that it will not happen again.

Do not disturb the site of a fatality except to make the site safe and relieve the suffering of those injured until a Safety Officer has investigated. Where an officer cannot investigate and gives permission, take photos and draw sketches that clearly depict the scene before clearing the site.

Investigations normally include these steps:

1. secure the scene and report the incident or dangerous occurrence;
2. study the scene;
3. interview witnesses;
4. investigate the physical evidence; and
5. look for the root cause.

A thorough and well documented investigation will assist the Joint OHS Committee in identifying appropriate options for corrective actions to recommend to the employer.

7.6 WORKER HEALTH AND SAFETY COMPLAINTS

Employees should direct complaints concerning health and safety to their supervisor first. If the situation does not change, they contact a Joint OHS Committee member. The member can work with the supervisor to resolve the complaint. Inform the worker of how the Joint OHS Committee and employer will handle the matter.

7.6.1 Refusal to Work

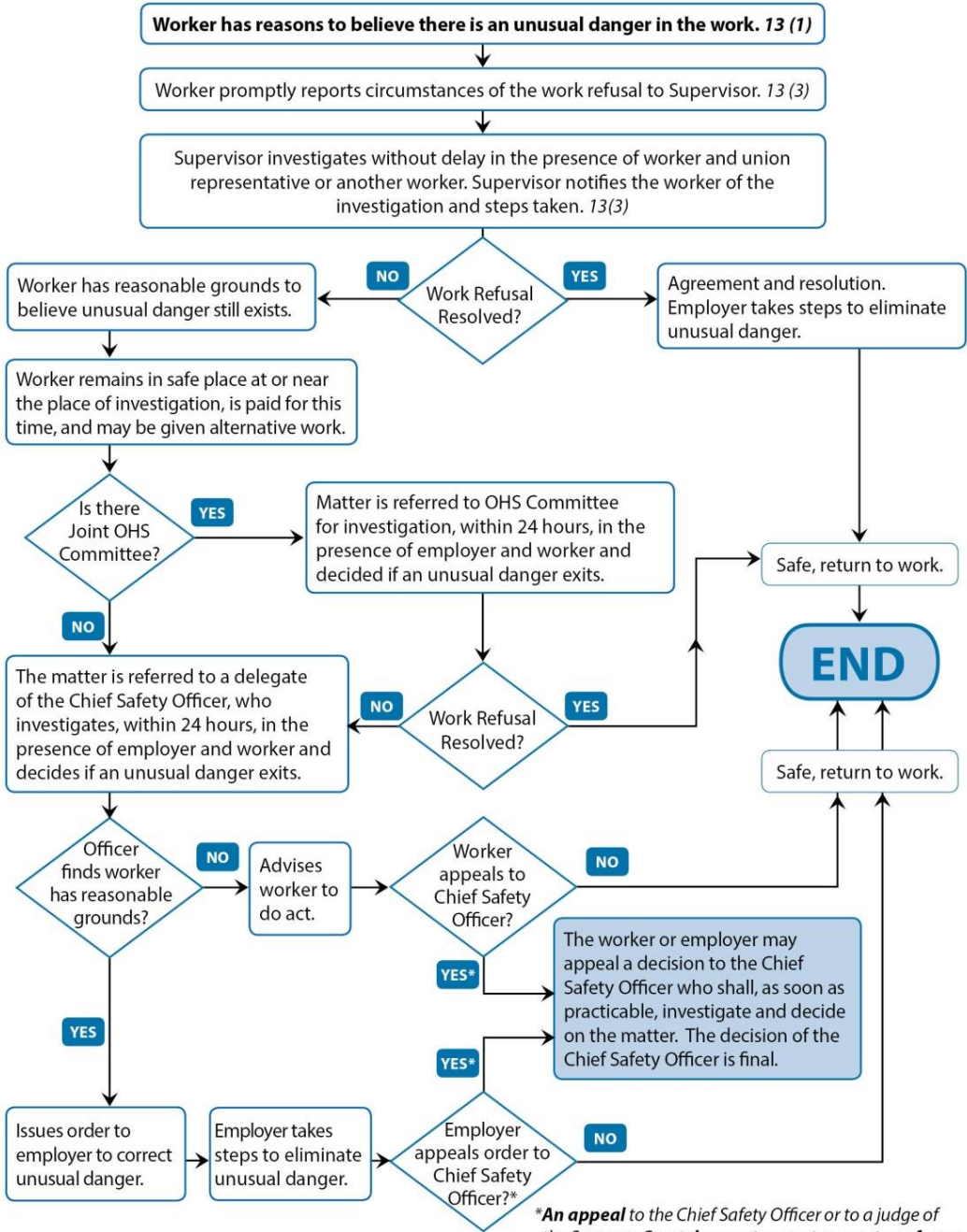
Workers have the right to refuse any work they consider poses an unusual danger and that is a danger that does not normally exist in their work, or that they do not perform. If a worker refuses to work, they, the employer, and the Joint OHS Committee must follow certain corrective steps:

- The worker first reports the circumstances to his or her supervisor or employer.
- The supervisor or employer must investigate the matter and worker representative of the Joint OHS Committee must be present. If a committee member is not available, the worker has the right to select another worker to be present.
- The supervisor or employer corrects the unsafe condition, or determines the complaint is invalid.
- The worker returns to work.

The Joint OHS Committee worker representative ensures the protection of the worker's rights. They make sure the employer carries out a proper investigation, and collaborate with the employer to develop a solution. If they cannot resolve the matter, the employer must refer the issue to a WSCC Safety Officer.

STEPS FOR WORK REFUSAL

In the Northwest Territories and Nunavut Safety Act



**An appeal to the Chief Safety Officer or to a judge of the Supreme Court does not operate as a stay of any direction or decision given by a safety officer or the Chief Safety Officer not to use a place, matter or thing.17(2)*

7.7 RECOMMENDATIONS

The Joint OHS Committee discusses health and safety concerns and forwards their recommendations for corrective actions to the employer. The committee considers unsafe conditions found during inspections and investigations; addresses worker concerns; and scans for injury and illness problem areas when reviewing records and statistics.

7.7.1 Issues Requiring Written Recommendations

There are a number of issues that may require a formal recommendation, such as:

- Policy, directive or procedure creation or revision;
- Changes to equipment, office layouts or product purchasing that may require allocation of funds;
- Training or orientation programs for employees;
- Commitment and follow-up to issues where earlier approved corrective action has not been carried out, been ignored, or gone unnoticed;
- Matters which require review and/or agreement of other divisions, departments, areas; and
- Investigations and work refusals

7.7.2 Writing Effective Recommendations

It is important that committee co-chairs and members develop effective recommendations. Recommendations should:

- Directly relate to health and safety in the workplace;
- Offer doable actions (reasonably capable for the employer to achieve);
- Include all relevant information (who, what, where, when, and why) as well as the committees justifications for the recommendation. The employer should not need any more information to make a decision; and
- Offer short-term and long-term solutions to the health and safety issue, when applicable.

An effective recommendation includes:

The issue	Identify the immediate problem, its components, and the root cause from initial research.
Define the problem	
The background	Involve all committee members.
Research the issues	Do not jump to conclusions.
	Review relevant legislation, standards at other workplaces, equipment manuals, MSDSs, records, and diagrams.
	Look for the underlying causes for the problems.
	Ask other workers for their opinions and suggestions.
	Review any previous actions concerning this issue.

Give options Review the alternatives	Prepare several potential solutions. Consider: <ul style="list-style-type: none"> • improved worker training and job procedures; • replacing equipment and tools, update to state-of-the-art equipment; • develop better work environment controls; and redesign workplace.
Practical Choices	Consider administrative controls: <ul style="list-style-type: none"> • at the source: policies • at the level of the worker: procedures Consider cost-effective ideas Recommend alternatives with the most chance of success
Timelines	Set out timelines for corrective actions Short-term interim solution Long-term

This information helps management understand the issue, and take action. *See sample Recommendation Form in Appendix C.*

7.7.3 Employer Response to Committee Recommendation

If the committee reports an unsafe condition, the employer shows leadership and commitment by:

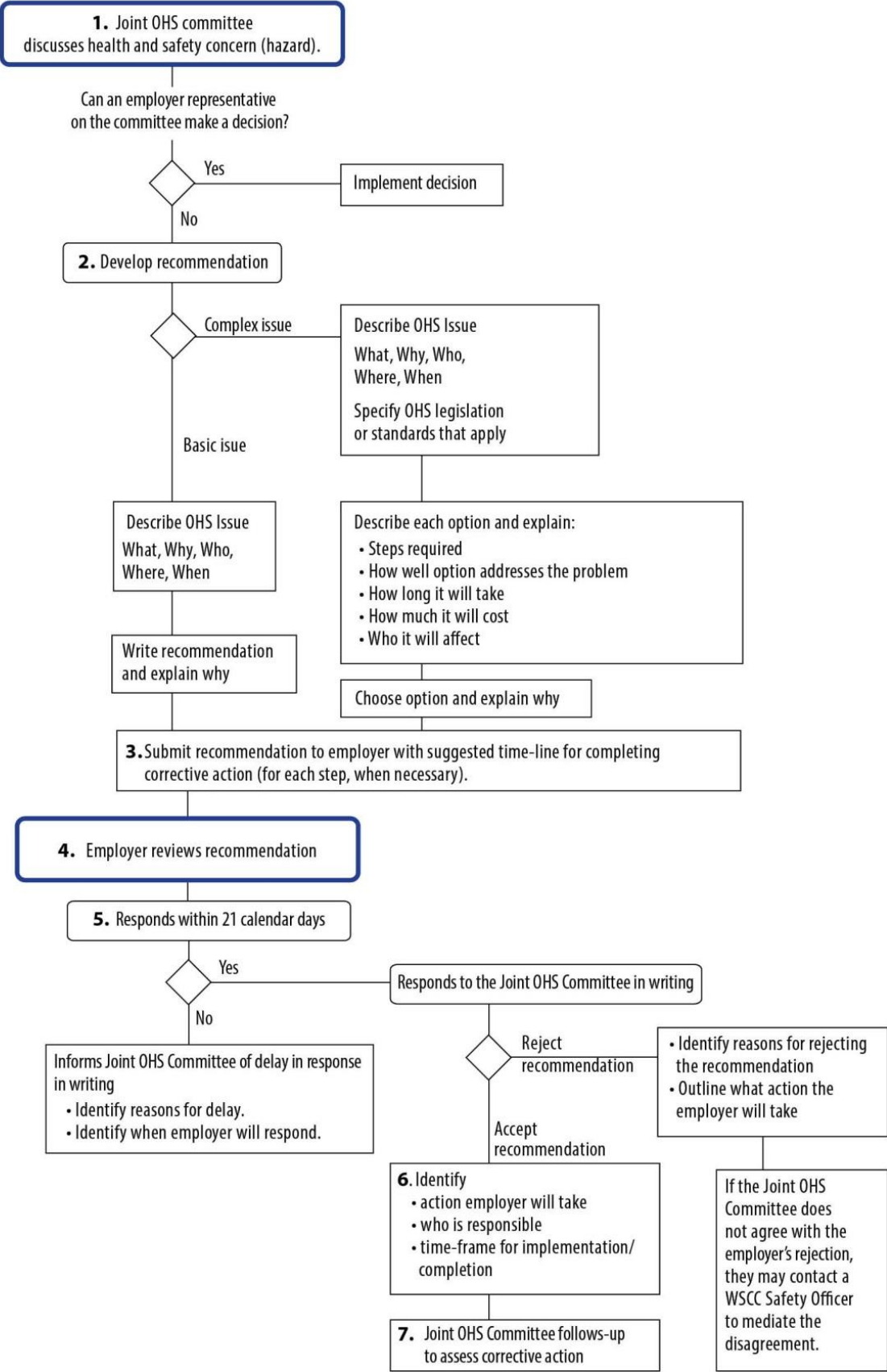
- Immediately protecting the health and safety of workers at risk until they correct the unsafe condition or hazard;
- Correcting the root cause of the problem;
- Informing workers and the committee about corrective actions taken or planned; and
- Helping the committee to monitor corrective actions to ensure they solved the problem.

The employer may not agree with the committee's recommendations. If so, the employer provides the committee with a written explanation. Any committee member, worker, or the employer has a right to contact a WSCC Safety Officer for assistance and advice. Where the committee defers to a Safety Officer, the Officer may:

- Determine there is no problem or concern and inform the persons involved;
- Try to mediate a solution. If the employer and committee cannot resolve their issue, the Officer may provide a written report to the employer and committee stating why they did not reach a solution; and
- Identify violations of the legislation, and issue orders for corrective action.

7.7.4 Recommendations

The flow chart shows the Joint OHS Committee process for making and submitting a recommendation and the employer process for responding to a recommendation.



SAMPLE

Joint OHS Recommendation Form

<p><i>To: Address the form to a senior management, manager, or supervisor who has the authority to take action.</i></p> <p><i>Outline this reporting structure in the Joint OHS Committee Terms of Reference.</i></p>	<p>Date dd/mm/yy</p>
<p><i>From: Use official name designated in the Terms of Reference.</i></p>	
<p style="text-align: center;"><i>Co-chair Signature - Employer Representative</i></p>	<p style="text-align: center;"><i>Co-chair Signature - Worker Representative</i></p>
<p><i>Please respond by: Request a response date within 21 calendar days of recommendation.</i></p>	
<p>OHS Issue <i>Give a short, clear, and complete description of the issue. Describe what, why, who, where, and when.</i></p> <p><i>Give enough information so the employer does not require additional information to make a decision.</i></p> <p><i>Refer to any accident, incident or other occurrence related to the issue. (Have similar incidences happened before? Were there any previous requests to address the issue?)</i></p>	
<p>Committee Recommendations <i>(attach separate sheet, if necessary)</i></p> <p><i>Make sure the recommendation is directly related to workplace health and safety.</i></p> <p><i>Include reasons for the recommendation.</i></p> <p><i>Recommend actions the employer can reasonably implement.</i></p> <p><i>For more complex issues, the employer will need details and background information to make a decision.</i></p> <p><i>It can be helpful to answer the following questions within the recommendation:</i></p> <p><i>Does specific OHS legislation or accepted standard apply? (Include relevant excerpts.)</i></p> <p><i>What other options are there? (Describe each.)</i></p> <p><i>To what degree will recommended options fix the problem or address the issue?</i></p> <p><i>How long will it take to complete, implement, or see results?</i></p> <p><i>How much will it cost?</i></p> <p><i>Who will the recommended actions affect? (For example, number and type of employees)</i></p> <p><i>Why did the Joint OHS committee decide to recommend this option?</i></p> <p><i>Often complex issues will involve more than one step. For example:</i></p> <ul style="list-style-type: none"> <i>Conduct a Risk Assessment of affected workers</i> <i>Purchase equipment or supplies to address the identified risks</i> <i>Develop safe work procedures to reduce or eliminate the hazard</i> <i>Provide education and training to affected workers</i> <p><i>It may be helpful for the Committee to complete a separate recommendation form for each step in order to include all relevant information.</i></p> <p><i>cc: send a copy of the recommendation to those identified in the Terms of Reference.</i></p>	
<p>Employer Response</p> <p><i>The employer needs to reply indicating they accept the recommendation or give reasons for why they do not accept it.</i></p> <p><i>If it is not reasonably possible for the employer to respond before the end of 21 calendar days, the employer must provide a written explanation for the delay and let the Joint OHS committee know when the employer will respond.</i></p>	<p>Date Returned to JOHS dd/mm/yy</p>
<p>Committee Comments</p> <p><i>Note any follow-up, further action required, or no further action required by the Joint OHS Committee reviewing the employer response.</i></p>	<p>Date dd/mm/yy</p>

8 SUPPORTING THE JOINT OHS COMMITTEE

When employers, managers, supervisors, and workers support their Joint OHS Committees, the committee can effectively support the IRS and create a safer workplace.

Joint OHS Committee set up and activity planning	<ul style="list-style-type: none"> ● Appoint respected managers and supervisors to serve as employer representatives. ● Ensure all workers (shift, full-time, part-time, distinct work areas) have fair representation on the committee. ● Ensure the committee members obtain training to carry out their responsibilities. ● Provide sufficient resources for committee activities (such as facilities, tools and equipment). ● Inform managers, supervisors, and workers about the committee and responsibilities to and support of committee activities. ● Ensure new hires know who committee members are and how to report concerns. ● Provide time for members to carry out duties
Meetings	<ul style="list-style-type: none"> ● Help committees meet once every three months (or more, if the Chief Safety Officer directs the committee to meet more often).
Joint OHS committee information	<ul style="list-style-type: none"> ● Provide bulletin boards, or an internal organization web site for posting information. ● Post the names of committee members clearly in the workplace ● Post reports in the workplace and provide to the WSCC upon request.
Inspections and investigations	<ul style="list-style-type: none"> ● Help the committee to inspect the workplace regularly ● Arrange for committee workplace inspections when they can discuss concerns with workers. ● Have the committee promptly investigate incidents and dangerous occurrences. ● Provide the committee information (records, reports, and statistics).
Recommendations	<ul style="list-style-type: none"> ● Act promptly on committee recommendations. ● Empower managers and supervisors to correct problems committee members bring to their attention.
Health and Safety Program	<ul style="list-style-type: none"> ● Include the committee in developing safety policies, plans and programs. ● Include the committee in worker orientation and training, including WHMIS instruction.

8.1 MANAGERS

To help the Joint OHS Committee, managers should:

- Provide sufficient resources for committee activities (such as time, facilities, tools and equipment).
- Encourage supervisors and workers to cooperate with the committee and get involved.
- Involve the committee in all health and safety activities.
- Help the committee schedule activities, such as inspections and investigations.
- Separate health and safety issues from unrelated concerns.
- Work and act safely and ensure that supervisors work and act safely.

8.2 SUPERVISORS

To support their managers and the committee, supervisors:

- Ensure workers understand the committee's role in workplace safety and know who committee members are.
- Promptly correct concerns the committee and workers report, informing the appropriate manager of concerns they cannot resolve on the front line.
- Introduce new workers to committee member.
- Involve the committee in shop safety meetings, safety talks, and local area inspections.
- Help the committee carry out inspections and investigations. For example, the supervisor might arrange for the technical specialist of a piece of equipment to help the committee inspect it.
- Distribute information the committee provides, ensuring workers are aware of the latest committee meeting reports.
- Support the worker's right to participate in workplace safety and serve on the committee.
- Work and act safely and ensure workers do the same.

8.3 WORKERS

To support the committee, workers can:

- Serve as a committee member.
- Encourage influential workers to serve on the committee.
- Cooperate with the committee during its activities.
- Promptly report concerns to the supervisor.
- Inform the appropriate committee member about concerns supervisors cannot resolve.
- Work and act safely and help inexperienced workers work safely.

8.4 WORKER UNION REPRESENTATIVES

To help the committee and employer, the worker's union representative can:

- Encourage union members to support the committee.
- Share union safety information with committee members and the employer.
- Separate health and safety issues from unrelated concerns.

9 ROLE OF THE WSCC

Under OHS legislation, the Chief Safety Officer can direct an employer to set up and maintain a Joint OHS Committee. The Chief Safety Officer can also direct already existing committees to meet more often than the minimum of once every three months stipulated in the *Occupational Health and Safety Regulations*.

Safety Officers conduct inspections in the presence of a Joint OHS Committee member. Officers may request all records indicating the Joint OHS Committee's activities. It is important that the employer and the committee keep accurate documentation: meeting reports, training records, inspection and investigation reports, and records of recommendations, including what corrective actions the employer has taken.

Where a WSCC Safety Officer finds a contravention (violation) of the legislation, the Officer can issue a *Stop Work Order* or give verbal directions. If the issues are none life-threatening, the Safety Officer will give employers a verbal report followed by written directions and an inspection report. Employers have a set amount of time to address and correct the concerns.

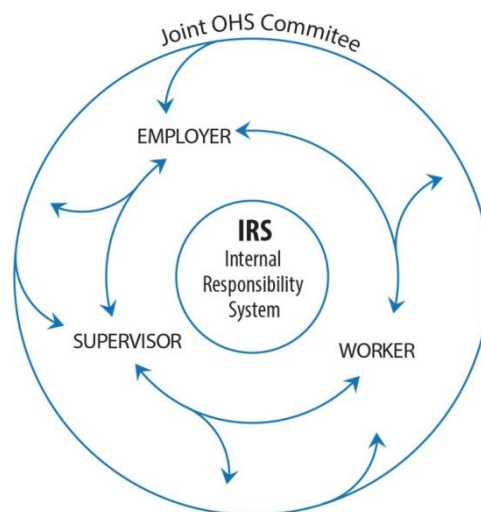
Employers sign off the Safety Officer's inspection reports which state actions required to correct the contravention. Employers must share the signed report with affected workers.

They must also provide copies to the Joint OHS Committee and post the information in the workplace for all workers.

9.1 MAINTAINING A SAFE WORKPLACE

Creating and maintaining a safe workplace involves the shared responsibility of employers, supervisors, and workers. While employers often control the root causes in a workplace, workers and supervisors control the direct causes for incidents. Within the IRS, employers and workers work together to control both root and direct causes.

An effective Joint OHS Committee, made up of equal worker and employer representation and actively supported by both, builds the employer-worker partnership and the IRS that helps maintain a safe and healthy workplace.



APPENDIX A – TERMS OF REFERENCE

The *Terms of Reference* describes and defines the purpose and structure of the committee. Terms include what the committee should achieve (the vision, objectives, and scope); who will participate (stakeholders, roles and responsibilities); how to achieve the goals (resources and action plans); and work breakdown structure and schedules.

SAMPLE

Joint OHS Committee Terms of Reference

1. Name of joint occupational health and safety committee:

The committee shall be known as the Head Office Joint Health and Safety Committee.

2. Members (when applicable, identify which group(s) the member represents.) The Committee must have the same number of worker representatives and employer representatives.

<i>Employer Representative #1</i>	<i>Purchasing Department; Shipping/Receiving Department</i>
<i>Employer Representative #2</i>	<i>Parking Lot; Executive Offices</i>
<i>Worker Representative #1</i>	<i>Reception Works Yard</i>
<i>Worker Representative #2</i>	<i>Warehouse Security Department</i>

3. Purpose of the Committee

Our purpose is to promote awareness of safety issues and develop a collaborative relationship between management and workers to identify and resolve health and safety problems. We ensure the Internal Responsibility System functions effectively and ensure our organization meets occupational health and safety legislation requirements.

4. Duties and Functions of the Committee

- (a) Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.*
- (b) Consider and expeditiously deal with complaints relating to the occupational health and safety of workers.*
- (c) Consult with workers and the employer on issues related to occupational health and safety and occupational environment.*
- (d) Make recommendations to the employer and the workers for the improvement of the occupational health and safety of workers and compliance with the regulations, and monitor their effectiveness.*
- (e) Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Regulation, and monitor their effectiveness.*
- (f) Advise the employer on programs and policies required under the Regulation for the workplace, and monitor their effectiveness.*
- (g) Advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers.*
- (h) Ensure that incident investigations and regular inspections are carried out as required by the Regulation.*
- (i) Participate in inspections, investigations, and inquiries as provided by the Regulation.*
- (j) When necessary, request information from the employer about:

 - (i) Known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed.*
 - (ii) Health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge.**
- (k) Carry out any other duties and functions prescribed by the Regulations.*

5. Records

The committee will keep accurate records of all matters that come before it. The committee will maintain copies of its minutes for a period of at least two years from the date of the OHS Committee meeting to which they relate.

We will retain first aid records for at least X years; education and training related records for at least three years after the training session.

6. Meetings

- (a) The committee will meet monthly on the [SPECIFY working day of each month.]*
- (b) Special meetings, if required, will be held at the call of the co-chairs.*
- (c) A quorum shall consist of a majority of members [SPECIFY NUMBERS].*
- (d) The committee will add procedures it considers necessary for the meetings.*

7. Agendas and Meeting Reports

- (a) The co-chairs will prepare and distribute an agenda to members prior to the meeting.*
- (b) As soon as possible after the meeting, the Committee will prepare a meeting report and make it available to the employer, all Joint OHS Committee members, workers and the Workers' Safety and Compensation Commission.*
- (c) The committee will promptly post a copy of the report of each meeting in a place readily accessible to employees.*

8. Composition of the Committee (50-50, equal representation from workers and management)

- (a) The committee shall consist of (X) members.*
- (b) (X - number of workers) worker representative will be elected from each of the following areas or unions.*
- (c) (X - number of employees in management) employer representative will be appointed to the committee.*

9. Co-chairs

- (a) The committee will elect co-chairs from its membership.*
- (b) The worker representatives shall select the worker co-chair.*
- (c) The employer representatives shall select the employer co-chair.*
- (d) The co-chairs shall:*
 - (i) Lead the meetings and keep them on track (follow the agenda).*
 - (ii) Ensure the maintenance of an unbiased viewpoint*
 - (iii) Arrange the agendas*
 - (iv) Review previous meeting reports and material prior to the meetings*
 - (v) Arrange for the meeting place*
 - (vi) Notify members of meetings*
 - (vii) Prepare meeting agendas*
 - (viii) Prepare meeting reports*
 - (ix) Forward a copy of meeting reports to the employer for distribution*
 - (x) Prepare recommendation(s) and forward to the employer for a response*
 - (xi) Prepare all correspondence*

10. Terms of Office

- (a) Committee members will sit on the committee for [SPECIFY] years.*
(Note committees are more effective if terms of office overlap for committee members.
This allows a mix of new and experienced committee members on the committee, even after elections).
- (b) If a member of the committee chosen by the workers is unable to complete the term of office, the workers will choose another member.*
- (c) If a member of the committee appointed by the employer is unable to complete the term of office, the employer will appoint another member.*
- (d) When any member is unable to attend, they will arrange to have an alternate member to attend meetings in their place.*

11. Recommendations to the Employer will Meet These Guidelines:

- (a) Directly related to health and safety.*
- (b) Doable (reasonably capable of being done).*
- (c) Comprehensive and complete; that is, the employer will not need more information to make a decision.*
- (d) Recommend short-term (interim) corrective actions and long-term corrective actions when applicable.*
- (e) Copies of Committee recommendations will be forwarded to (SPECIFY POSITION, such as Senior Managers, CEO, President)*

12. Assistance in Resolving Disagreements within Committee

If the OHS Committee is unable to reach consensus (agreement) on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to the Workers' Safety and Compensation Commission (WSCC), which may investigate and attempt to resolve the matter.

13. Amendments

These terms of reference may be amended by vote of the committee members.

14. Review

These terms of reference shall be reviewed committee members every three (3) years.

APPENDIX B – COMMITTEE AND EMPLOYER CHECKLISTS

The following checklist templates can assist the Joint OHS Committee in documenting committee set up, employer checklist for maintaining a Joint OHS Committee, and committee self-assessment checklist.

Joint OHS Committee Set Up Checklist			
Activity	Completion Date mm/dd/yyyy	Assigned to:	Check & initial when done
<p>Draft Committee Terms of Reference</p> <p>Terms of Reference should include information on:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Name of the joint health and safety committee <input type="checkbox"/> Constituency <input type="checkbox"/> Statement of committee purpose <input type="checkbox"/> Duties and functions <input type="checkbox"/> Records (who on the committee will maintain records, which records and how) <input type="checkbox"/> Meetings (how often the committee will meet, minimum of once every three months) <input type="checkbox"/> Agendas and meeting reports <input type="checkbox"/> Composition <input type="checkbox"/> Co-chairs (one employer representative, one worker representative) <input type="checkbox"/> Terms of Office (how long the employee holds the position as a committee member) <input type="checkbox"/> Assistance in resolving disagreements (Define steps to reach consensus. When there is no consensus, define steps the committee will take to decide final recommendations.) <input type="checkbox"/> Amendments 			<input type="checkbox"/>
<p>Determine Number of Committee Members</p> <ul style="list-style-type: none"> <input type="checkbox"/> Minimum = 4 members (Half of members must be worker representatives and half employer representatives.) <p>Factors to consider include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Efficiency <input type="checkbox"/> Total number of employees in the organization <input type="checkbox"/> Degree of hazards in the workplace <input type="checkbox"/> Number of places of employment <input type="checkbox"/> Number of unions or worker groups <input type="checkbox"/> Need to represent different shifts/departments 			<input type="checkbox"/>

Joint OHS Committee Set Up Checklist			
Activity	Completion Date mm/dd/yyyy	Assigned to:	Check & initial when done
Select Worker Representatives and Alternates <input type="checkbox"/> Select from workers who do not exercise managerial functions <input type="checkbox"/> Union workers: select according to union(s) established procedures <input type="checkbox"/> Non-union workers: elect by secret ballot <input type="checkbox"/> Number of employees <input type="checkbox"/> Determine number of union and non-union worker representatives in equitable proportion to their relative numbers and health and safety risks			<input type="checkbox"/>
Post names and work locations of Joint OHS Committee members and their alternates			<input type="checkbox"/>
Set First Monthly Meeting Date and Agendas First meeting activities include: <input type="checkbox"/> Worker representatives select one co-chair <input type="checkbox"/> Employer representatives select one co-chair <input type="checkbox"/> Review draft <i>Terms of Reference</i> <input type="checkbox"/> Review sample meeting agenda and meeting report <input type="checkbox"/> Prepare template for meeting agenda and meeting report			<input type="checkbox"/>
Committee Business <input type="checkbox"/> Provide committee members time from regular work (deemed paid time) for committee meetings and any other time required to fulfill committee functions. <input type="checkbox"/> Provide the committee with the equipment, premises and clerical personal necessary to carry out its duties and functions.			<input type="checkbox"/>
Committee Recommendations <input type="checkbox"/> Respond to committee in writing within 21 calendar days of receiving written recommendations Indicate acceptance or reasons for not accepting recommendations. <input type="checkbox"/> Provide a written explanation for any delay if not reasonably possible to provide a response within 21 calendar days.			<input type="checkbox"/>

Maintain a Joint OHS Committee Employer Checklist			
Activity	Completion Date mm/dd/yyyy	Assigned to:	Check & initial when done
<p>Committee Monthly Meeting Reports</p> <ul style="list-style-type: none"> <input type="checkbox"/> Retain a copy of committee monthly meeting reports for at least two years from the date of the meeting. <input type="checkbox"/> Ensure monthly meeting reports are readily accessible to committee members, workers and to the WSCC. <input type="checkbox"/> Send a copy of the committee monthly meeting reports to worker union(s) upon request. 			<input type="checkbox"/>
<p>Committee Training</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide Training and Education relevant to committee activities (such as legislation familiarization, investigations, report writing). 			<input type="checkbox"/>
<p>Health and Safety Information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Advise the committee of any planned introduction of new equipment, new operating procedures, new chemicals or other substances or materials. <input type="checkbox"/> Provide committee, on request, with information about known or reasonably foreseeable health or safety hazards that workers at the workplace may be exposed to. <input type="checkbox"/> Provide committee, on request, with information about health and safety experience, work practices, and standards in similar or other industries of which the employer has knowledge. 			<input type="checkbox"/>

Maintain a Joint OHS Committee Self-Assessment Checklist						
Item	Status		Action Required	Action by (person)	Target Date	Completion Date
	Yes	No				
<p>1. Terms of Reference</p> <p>Committee has written Terms of Reference that establish the committee’s rules of procedure:</p> <ul style="list-style-type: none"> ▪ Name of health and safety committee ▪ Constituency ▪ Statement of committee purpose ▪ Duties and functions ▪ Records ▪ Meetings (how often will ▪ Agendas and meeting reports ▪ Composition ▪ Co-chairs (one employer representative, one worker representative) ▪ Terms of Office (how long the employee will hold the position) ▪ Assistance in resolving disagreements (what are the steps to reach consensus; when there is no consensus, what are the steps the committee will take to decide final recommendations.) ▪ Amendments (how will the committee change the <i>Terms of Reference</i>) 						
Membership						
2. There are a minimum of four (4) members						
3. There is an equal number of worker representatives and employer representatives (50/50).						
4. Worker representatives have selected the worker co-chair.						
5. Employer representatives have selected the employer co-chair.						
6. Names and work locations of committee members and alternates are posted.						
Duties and Function						
7. Identify unhealthy or unsafe workplace situations and advise on effective systems for responding to those situations.						
8. Consider and quickly deal with complaints relating to the health and safety of workers.						
9. Consult with workers and employer on issues related to OHS and workplace environment.						
10. Advise employer on workplace programs and policies required under the OHS Legislation and monitor their effectiveness.						
11. Advise employer on proposed changes to the workplace or work processes that may affect the health or safety of workers.						

Maintain a Joint OHS Committee Self-Assessment Checklist						
Item	Status		Action Required	Action by (person)	Target Date	Completion Date
	Yes	No				
12. Make recommendations to the employer on educational programs promoting health and safety of workers and compliance with the OHS Regulation, and monitor program(s) effectiveness.						
13. Ensure incident investigations and regular inspections are carried out as required.						
14. Assign representatives to participate in inspections as required.						
15. Assign representatives to participate in incident investigations as required.						
16. Assign representatives to participate in inquiries as required.						
Meeting Activities						
17. Meet regularly at least once every three months.						
18. Use <i>Safety Acts</i> and <i>related Regulations</i> and standards as guidance to discuss issues.						
19. Consider employee OHS suggestions.						
20. Review and comment on inspection reports.						
21. Review and comment on accident, incident, and industrial disease reports.						
22. Confirm the committee: <ul style="list-style-type: none"> ▪ assigned an individual was for each action item in reports; ▪ set a deadline for task completion; and ▪ follow-up done to make sure action items were completed. 						
23. Reports <ul style="list-style-type: none"> • Prepare a report for each meeting. • Provide a copy to the employer. • Post reports. 						
Committee Recommendations						
24. Write recommendations that are: <ul style="list-style-type: none"> ▪ Directly related to health and safety; ▪ Doable (reasonably capable of being done); and Complete (clearly described so the employer does not need more information to make a decision)						
25. Send recommendation(s) to the employer requesting a written response within 21 calendar days.						

**Maintain a Joint OHS Committee
Self-Assessment Checklist**

Item	Status		Action Required	Action by (person)	Target Date	Completion Date
	Yes	No				
Other Activities						
26. Attend OHS training appropriate to participating on a Joint OHS Committee (report writing, investigations)						
27. Co-chairs are aware they may report to WSCC if the committee is unable to reach agreement on a matter relating to the health or safety of workers.						
28. Co-chairs are aware they may report to WSCC if the employer does not accept the committee’s recommendations or if the committee is not satisfied with employer’s response.						
29. Posted three 3 most recent meetings reports.						
30. Joint OHS Committee members, workers and WSCC can readily access monthly meeting reports (kept for at least two years from date of meeting).						

APPENDIX C – MEETING AGENDA AND RECOMMENDATION FORMS

Use the agenda template to develop the Joint OHS Committee meeting agenda.
The form template on the following page is for Joint OHS Committee recommendations to the employer.

Joint OHS Committee Meeting Agenda	
Date:	Room:
Time:	Location:
Agenda Item	Allotted Time
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	Total Time

Agenda prepared by: _____

The recommended meeting time limit is one hour to a maximum of two hours.
If there is unfinished business after the allotted time, schedule additional meetings.

Joint OHS Committee Recommendation Form

To:		Date dd/mm/yy
From:		
Co-chair Signature - Employer Representative	Co-chair Signature - Worker Representative	
Please respond by:		
OHS Issue		
Committee Recommendations (attach separate sheet, if necessary)		
cc:		
Employer Response		Date Returned to JOHS dd/mm/yy
Committee Comments		Date dd/mm/yy

APPENDIX D – INVESTIGATIONS

The following provides an overview of what to consider when conducting an investigation. Conducting an effective investigation requires training.

1. Secure the scene and report the incident or dangerous occurrence

A supervisor or manager must:

- Assess and stabilize the situation.
- Make the area safe for emergency crews and investigators dealing with the injured.
- Secure the scene and protect evidence until an investigation starts.
- Record the names of witnesses.
- Keep witnesses from talking with each other until you have interviewed them (to keep viewpoints distinct).
- Report any incident of a serious nature listed in the *Regulations* to the Chief Safety Officer. Notifications sent to the Chief Safety Officer must contain:
 - the date, time, and location of the incident or dangerous occurrence
 - a description of what happened
 - the name of each employer or contractor at the place of employment, including the employer of any injured workers
 - the name, telephone, and fax number of the person to contact for more information

If the incident involves a serious injury, the report should include the name of each injured worker and the apparent injuries to each.

2. Study the scene

Look at everything involved in the incident or dangerous occurrence. Carefully go over the debris and note the damage.

- Record the exact location of the incident or dangerous occurrence.
- Look at the pattern of the debris and the location of each piece.
- Note the lighting, visibility, time of day, and weather conditions.
- Take photographs, measurements, and drawings of the scene and everything involved. Be sure to make notes for each illustration.
- Label and catalogue each diagram, drawing, and photo.
- Find out who was involved and who can provide expert advice on technical issues
- Prepare a list of witnesses and experts to interview.
- Prepare a list of questions to ask.

3. Interview witnesses

The purpose of the interview is to determine the facts of the accident or incident so that similar incidents do not recur. To reconstruct what happened and why, investigators need accurate interview records. The employer and Joint OHS Committee determine how to interview witnesses to obtain the most accurate understanding of what occurred. Investigators should contact everyone who can provide information.

- Witnesses should be kept separate to prevent any discussion which could influence how they saw the events of the incident unfold.
- Interview eyewitnesses privately and as soon as possible, when memories are still fresh.

- Consider the witness' emotional state, particularly in case of a fatality or serious injury.
- Use open-ended questions and let the witnesses explain events in their own words.
- Avoid interrupting during their statements. Ask clarifying questions later if necessary.
- Use photographs and drawings to help witnesses remember.

If possible, have each witness visit the scene to show you what they saw. Witnesses see events from different perspectives and their statements will often disagree. At the end of every interview:

- Have each witness review their statement.
- Clear up anything you do not understand.
- Get the phone number and address of each witness.
- Thank each witness.

After interviewing eyewitnesses, talk to technical specialists, suppliers and experts.

4. Investigate the physical evidence

- Study the damage done to tools, equipment, products and so forth.
- Try to find out what the physical evidence indicates as to happened and why.
- Look at the details of the work environment. Consider visibility, noise, temperature, humidity and exposure to hazardous substances.
- Make detailed photographs and drawings. Clearly label photographs and drawings, including measurements, location and direction.
- Describe everything involved in detail, including work procedures and safety policies.

Collect product documentation, including the exact names of any substances involved. Gather material safety data sheets (MSDSs), blueprints and workflow diagrams that might help. Find out if any changes in design, products or work procedures were introduced before the incident or dangerous occurrence.

Compare what happened with the requirements of applicable standards. If procedures did not meet requirements, find out why.

5. Look for the root cause

Ask *Who? What? Where? When? and How?* For every essential event in the incident or dangerous occurrence until you know why the incident happened. Separate facts from theory and opinion as much as possible. Look for underlying causes and avoid jumping to conclusions. Analyze the factors surrounding the incident.

Analyze the incident factors Go through the incident, in stages. Ask why each event happened. Evaluate the role of every factor involved, including, but not limited to:

1. People
2. Materials
3. System (such as policies, plans, and procedures)
4. Environment (such as workplace conditions)
5. Work process (such as work flow design)

1. People	For example, what was the role of: <ul style="list-style-type: none"> • The supervision provided • The instructions given at the time of the incident or dangerous occurrence • The training and experience of everyone involved Personal factors (such as inexperience, illness, stress, and so forth)
2. Material	For example, what was the role of: <ul style="list-style-type: none"> • Substances and materials • Tools, equipment and machinery, personal protective equipment
3. System	For example, what was the role of the workplace <ul style="list-style-type: none"> • Health and safety policies, procedures and rules • Budget allocations toward health and safety • Training and orientation provided for workers and supervisors
4. Environment	For example, what was the role of: <ul style="list-style-type: none"> • Weather conditions • Workplace conditions (visibility, noise, heat and so on) • The time of the day, shift or week when the incident or dangerous occurrence happened
5. Work process	For example, what was the role of the design of: <ul style="list-style-type: none"> • The job itself • The work area and work flow Controls and safety features on equipment and machinery

Find the Causes of an Incident

You need to look at three types of causes: direct, indirect, and root. *Find the direct cause*

The direct causes usually occur immediately before the incident or dangerous occurrence. For example, a direct cause might be a collapsing jack that dropped a car onto a worker.

Find the indirect causes

Indirect causes set the stage for an incident and can include:

- lack of training and supervision
- inadequate tools, equipment, and materials
- departures from safe work procedures

An indirect cause in the example above could be that the worker did not use proper procedures in setting up the jack.

Find the root causes

An incident or dangerous occurrence may or may not have one ultimate root cause.

Examples of root causes might include:

- inexperience (employer/worker)
- weaknesses in the safety management program
- equipment design flaws

A root cause in the collapsed jack example could be that gaps in the safety management program, such as equipment manuals were not current and did not offer proper instructions to the worker.

The Joint OHS Committee and employer should try to find if there were any symptoms of a problem before the incident occurred. If so, why were no concerns expressed? Where did the health and safety system fail?

Taking Action

The Joint OHS Committee reviews what happened at each step in the incident of a serious nature; prepare a report describing events; and recommend corrective action. Use photos and drawings to illustrate key points.

- Describe the work being done.
- Describe the immediate (direct) cause(s) of the incident or dangerous occurrence.
- Describe the indirect cause(s).
- Explain why the incident happened (the root cause).
- Recommend corrective action, including: - short-term controls to prevent any immediate recurrence, and - long-term controls to remove fundamental causes.
- File a copy of the report and post summaries.

The employer should take appropriate corrective action based on the report and inform the Joint OHS Committee. Inspect the effectiveness of the corrective action.

Joint OHS Committee Accident/Incident Investigation Report			
Last name of injured person:	First Name :	Age:	Gender: Male Female
Length of employment:	Time on present job:	Occupation:	
Date of accident:	Time of accident:	Date of report:	
Nature of injury:			
Description of accident / incident or employee's account:			
Description of direct cause and contributory causes. (Fully explain unsafe acts, conditions, or personal factors.):			
Recommended corrective measures:			Action by:
Management review by:		Date to be complete:	

Joint Occupational Health and Safety Committees

Workers' Safety & Compensation Commission
Northwest Territories and Nunavut

WSCC Emergency Reporting
24-hour Incident Reporting Line

1 800 661-0792

WSCC



If you would like this Code of Practice in another language, please contact us.