

Joint Workplace Health and Safety Committee Terms of Reference

Approval: Senior Program Officer, Workplace Health and Safety

Approval Date: August 25, 2023

Next Review: August 25, 2026

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1.0 Purpose

The purpose of the Joint Workplace Health and Safety Committee (JWHSC) is to promote health, safety and wellness (including physical, psychological and social well-being) in the work site by bringing together health care workers and management in a collaborative forum focused on issues of common concern. The JWHSC will advise and assist on health, safety and wellness to local Alberta Health Services (AHS) work sites and/or program service operations, where each member is equal and acts in the best interest of all workers. The success of the JWHSC is, in part, dependent on the attendance and participation of all representatives at all meetings.

2.0 Applicability

These Terms of Reference shall be adopted by JWHSCs at AHS work sites, in accordance with the Occupational Health and Safety Act (*OHS Act*). These Terms of Reference are a provincial foundational document and outline the minimum expectations of JWHSCs at AHS. Where unique circumstances need to be addressed, addendums to this agreement may be added with mutual agreement of all parties.

The JWHSC shall represent the interests of both management and workers within the scope of the JWHSC with regard to work site health, safety and wellness related concerns in the workplace. The JWHSC shall act in an advisory and consultative capacity. It does not have the authority to make decisions or establish policy on behalf of the organization. These Terms of Reference do not amend or restrict the *OHS Act*, Regulations and Code, the applicable collective agreements, the agreement with the Professional Association of Resident Physicians of Alberta or Non-Union Exempt Terms and Conditions of Employment.

3.0 Functions of the Committee

The duties of a JWHSC include the following

- The receipt, consideration and disposition of concerns and complaints respecting the health and safety of workers;
- Receive and review incident and investigation data, including additional health and safety reports and documentation required for JWHSCs to assist in the identification of hazards and recommending controls;
- Participate in the identification of hazards to workers or other persons arising out of or in connection with activities at the work site, as per the Hazard Identification, Assessment and Control (HIAC) process;
- Participate in the development and promotion of measures to protect the health and safety of persons at the work site and check the effectiveness of such measures.

- Cooperate with Government of Alberta OHS officer(s) exercising duties under the *OHS Act*, Regulations and Code;
- Participate in the development and promotion of programs for education and information concerning health and safety;
- Make recommendations to AHS (or, if applicable, the prime contractor or owner) respecting the health and safety of workers;
- Participation in worksite inspections by JWHSC members will not be unreasonably denied;
- Review work site inspection documentation;
- Participate in investigations of serious incidents, potentially serious incidents and dangerous work refusals. Participation will include both worker and employer representatives. JWHSC involvement is not appropriate in incidents involving alleged worker-to-worker violence and harassment, and may not be appropriate in other exceptional circumstances. In the case of other exceptional circumstances, the decision to deny committee participation in an incident investigation may be escalated through the Health and Safety Concern Resolution Procedure;
- Review serious incident, potentially serious incident and dangerous work refusal investigation report. JWHSC involvement is not appropriate in incidents involving alleged worker-to-worker violence and harassment, and may not be appropriate in other exceptional circumstances. In the case of other exceptional circumstances, the decision to deny committee review of an incident investigation report may be escalated through the Health and Safety Concern Resolution Procedure;
- Participate in the quarterly JWHSC All Members Forum and collaborate with employer and worker co-chairs to allow for coordination and sharing of knowledge with other JWHSCs;
- Maintain records in connection with the receipt and disposition of concerns and complaints and the attendance to other matters relating to the duties of the JWHSC;
- Review Government of Alberta orders and notices that are provided to the employer;
- The protection of personal information and personal health information of an identifiable individual in accordance with the applicable law; and
- Other duties as specified in the Alberta *OHS Act*, Regulations and Code and applicable collective agreements;

Contribute to Committee Effectiveness

- Attend meetings regularly;
- Provide a channel of communication between management and workers;
- Support collaboration with management, workers and, as applicable, union partners to resolve issues;
- Enhance co-operation and deal with issues jointly; and
- Understand the local accountability structure.

Encourage Employees

- Seek input from co-workers;
- Actively promote and connect employees to health, safety, and wellness programs and services;
- Role model health, safety, wellness and safe work practices;
- Encourage appropriate notification and reporting; and
- Support co-workers in dealing with health and safety issues.

Contribute Knowledge

- Share information, contribute solutions and apply practical knowledge;
- Promote and encourage workers' participation in health and safety education and training; and
- Invite guests (e.g. subject matter experts, AHS worker or leader from the work site, union representatives, etc.) to provide additional knowledge to support committee decision making, as needed.

4.0 Composition of the Committee

The JWHSC shall consist of at least four members, where at least half of the members are worker representatives. Employer representatives cannot outnumber worker representatives. The total number of representatives will be determined by agreement of all parties (employer representatives, Union Partners, PARA and Non-Union Exempt Employees (NUEE)) on the JWHSC and should be representative of the size and nature of the work site. Representatives shall include:

- Management employed by AHS; and
- Workers representing all applicable union stakeholders (UNA, HSAA, AUPE (Auxiliary and General Support Staff)), PARA, and Non-Union Exempt Employees (NUEE) not in a formal leadership position, employed by AHS.

The JWHSC shall be supported by a representative of AHS at a senior management level (the Management Sponsor). The Management Sponsor, WHS Advisor, a Facilities, Maintenance and Engineering representative or other representative with specialized knowledge of certain AHS processes or projects can attend in an ex officio capacity to provide expertise or support resolution.¹

To ensure alignment with the AHS structure and the goal of worker representation, the parties may from time to time propose modifications to the composition of the JWHSC which must be agreed upon through consensus by the JWHSC, Union Staff Health and Safety Representative, Management Sponsor and the WHSBP Director.

The names and contact information of JWHSC representatives will be posted at the work site and electronically.

Worker Members

- Unionized worker members will be appointed, and their term determined by their respective unions.
- NUEE worker members must serve a minimum term of one year but are expected to serve a term of three years.
- The resident physician worker member, if required for the particular JWHSC, will be appointed and their term determined by PARA.

Where there is a vacancy of a unionized worker member, AHS will notify the respective Union Staff Health and Safety Representative. If the respective union is unable to fill a vacancy within 3 months of notification, the employer will select a member and notify the respective union. This is a voluntary position and will be considered temporary until the union is able to confirm or fulfill the temporary appointment.

Employer Members

- AHS will appoint the employer representatives, who will serve a three-year term.

Employers have a responsibility to fill vacancies for their respective members within a reasonable timeframe,

Co-chairs

- The JWHSC will be co-chaired by an employer co-chair, selected by the employer members on the JWHSC and a worker co-chair, selected by the worker members and they will alternate chairing meetings.
- Each co-chair is expected to serve a three-year term. After three years, employer representatives will renew or appoint a new employer co-chair and the worker representatives will renew or appoint a new worker co-chair.

5.0 Member Responsibility

JWHSC members shall:

- Be a positive role model for health, safety and wellness behaviours in the work site.
- Attend required training about the duties and functions of the JWHSC (see 7.0 Training).
- Attend JWHSC meetings.
- Participate and contribute to the committee by representing all of the workers the JWHSC represents.
- Participate in JWHSC business and duties as required by the committee.
- Complete JWHSC duties during scheduled work hours, where possible.
- Review written materials to be addressed at the meeting including the agenda, which will be circulated 7 days prior to the meeting.
- Review and approve meeting minutes so they can be posted within 14 days of the meeting taking place.
- Support consensus based decisions.
- Take action on opportunities for improvement work site health and safety programs, processes, codes and services, where applicable.
- In the event that a committee member is not fulfilling their JWHSC duties or they are not being supported by their leader to fulfil their JWHSC duties, the member should discuss the concerns with the committee co-chairs. The co-chairs will work with the member to understand any barriers or challenges and bring them forward to the respective leader, if required. If unresolved issues remain, the committee co-chairs will connect with their WHS Advisor and WHSBP will notify the respective Union Staff Health and Safety Representative for consultation.

6.0 Meetings

- The JWHSC shall meet monthly. In the event a meeting needs to be cancelled or rescheduled the meeting minutes must reflect agreement by a representative of all bargaining units and the employer.
- Union Staff Health and Safety Representative or Labour Relations representative may attend the JWHSC meeting at a member's request and will give notice to the JWHSC co-chair prior to attending.²
- JWHSCs will convene a special/ additional meeting if requested to do so by an officer or if required to do so by way of collective agreement.
- Upon consultation between co-chairs, either co-chair may also determine if they need to convene a special/ additional meeting if requested to address urgent concerns.
- Minutes shall be taken for each meeting. Minutes will be typed, circulated, approved by the JWHSC, filed and posted within 14 days of the meeting. Minutes must be posted online or in print and be accessible to all workers at the work site.
- If a worker member of a particular union is not able to attend a meeting, decisions or recommendations impacting their bargaining unit shall not be made until that bargaining unit has had sufficient time to participate and evaluate the recommendation(s).
- A quorum exists when at least half of the JWHSC members are present, including both worker and employer members, and at least half of those in attendance represent the workers. Meetings can continue without a quorum for the purpose of sharing information, but a quorum must be present for the committee to make decisions, including deciding upon recommendations for the employer.

7.0 Training

As per Section 201 of the OHS Code, all Committee members must, be trained in (i) roles and responsibilities of Committee members, (ii) obligations of work site parties, and (iii) the rights of workers.

As such, all members must complete the required training as per the JWHSC Training Bulletin. Additional training requested by committee members related to JWHSC duties and responsibilities must not be unreasonably denied.

8.0 Collaboration

To allow opportunities for JWHSC co-chairs to coordinate with other co-chairs, it is recommended that the employer co-chair and worker co-chair (or designated committee member) attend meetings, facilitated by WHS. The purpose of the meetings are for co-chairs to receive program updates, and to have a collaborative forum to discuss health, safety and wellness. No request to attend will be unreasonably denied.

9.0 Resolution

If workers identify a health and safety concern, they should report it to their leader and follow the Health and Safety Concern Resolution Procedure. If the concern is escalated to the committee, JWHSC consensus-based recommendations shall be provided in writing to the employer. The employer shall provide a written response within 14 calendar days (from when the employer received written recommendations from the JWHSC) that includes rationale if the recommendation is rejected, if additional time is required, and a reasonable timeline for implementation.

If consensus cannot be reached among the committee, the zone WHS Director can be notified to support decision making, or unions may follow their respective collective agreement to escalate the matter at any point.

10.0 References

[OHS Legislation](#)

[JWHSC Handbook](#)

[JWHSC Duties and Applicable Rate of Pay Bulletin](#)

[JWHSC Training Bulletin](#)

[Health and Safety Concern Resolution Procedure](#)

[Health and Safety Concern Resolution Algorithm](#)

[Collective Agreements](#)

¹Ex officio means an individual who attend at a JWHSC meeting by virtue of their position, and include management sponsors, WHS and other AHS leaders, and Union representatives. They act in an advisory capacity and their attendance is on an ad hoc basis. Ex officio members do not participate in consensus-based decisions and are not considered to be either employer representatives or worker representatives.

²Notification of the attendance of union representatives is to be given to the JWHSC co-chair(s) prior to the meeting.

11.0 Terms of Reference Review

These Terms of Reference will be reviewed and revised as needed, and at least every 3 years.

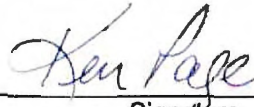


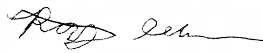


First version: adopted February 7, 2011 by the provincial AHS/Union Health and Safety Committee (WHS and AUPE, HSAA, UNA and PARA).

Second version: revised July 8, 2013; adopted by the provincial AHS/Union Health and Safety Committee August 30, 2013

Third version: revised March 30, 2017; adopted by the provincial AHS/Union Health and Safety Committee May 8, 2017.

Fourth version: revised November 30, 2018; adopted by the provincial AHS/Union Health and Safety Committee January 18, 2019.

Fifth version: revised August 25, 2023; adopted by the provincial AHS/Union Health and Safety Committee August 25, 2023.

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