

## **OCCUPATIONAL HEALTH AND SAFETY POLICY STATEMENT**

The Township of North Huron is committed to the Health and Safety of its employees. The Township is responsible for ensuring safe working practices and procedures and that all employees receive the necessary information and training to perform their work safely.

All supervisory staff are to be familiar with the requirements of the Occupational Health and Safety Act and are directed to ensure that all work under their control is in compliance with the Act and regulations applying thereto.

It is the goal of the Township of North Huron to minimize Workers' Compensation claims by eliminating incidents and assisting those employees who have been injured in their return to work.

Employees are directed to work within the requirements of the Occupational Health and Safety Act, take precautions to protect themselves and fellow workers from unsafe situations, and wear appropriate safety equipment when required by the Act.

The Township of North Huron is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.

It is the policy of the Township of North Huron to provide all employees with the proper equipment and training as by the Act and regulations.

Contractors employed by the Township of North Huron are to comply with the Occupational Health and Safety Act.

The undersigned on behalf of the Corporation of the Township of North Huron, do acknowledge that the Municipality has agreed to the aforesaid terms and conditions of the Occupational Health and Safety Policy.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019

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Reeve, Bernie Bailey

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Clerk/Health and Safety Coordinator, Carson Lamb

# JOINT HEALTH AND SAFETY COMMITTEE

## TERMS OF REFERENCE

### 1. PREAMBLE

This document sets out the structure of the Joint Health & Safety Committee (JHSC) for the Township of North Huron. The Committee is established pursuant to requirements of the Ontario *Occupational Health and Safety Act (OHS Act)*.

The JHSC, as set out herein, is established under Section 9 of *OHS Act*.

### 2. GENERAL

#### 2.1 Introduction

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

The Act provides for the establishment of a Joint Health and Safety Committee (JHSC), composed of people who represent the workers and the employer. Together, they are committed to improving health and safety conditions in the workplace.

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

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

#### 2.2 Definitions

**Certified Member** – means a JHSC member who is certified under section 7.6 of the OHS Act; The Chief Prevention Officer may (i) establish training and other requirements that a Committee member shall fulfill in order to become a certified member; and (ii) certify a Committee member who fulfills the requirements described in clause (i). 2011, c. 11, s. 4.

**Critical Injury** (as defined in the *OHS Act*) – an injury of a serious nature that (a) places life in jeopardy; (b) produces unconsciousness; (c) results in substantial loss of blood; (d) involves the fracture of a leg or arm but not a finger or toe; (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe; (f) consists of burns to a major portion of the body; or (g) causes the loss of sight in an eye.

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

**Occupational Illness** (as defined in the *OHS Act*) – means a condition that results from exposure in a workplace to a physical, chemical or biological agent to the extent that the normal physiological mechanisms are affected and the health of the worker is impaired thereby and includes an occupational disease for which a worker is entitled to benefits under the *Workplace Safety and Insurance Act, 1997*.

**Supervisor** (as defined in the *OHS Act*) – means a person who has charge of a workplace or authority over a worker.

**Worker** (as defined in the *OHS Act*) – means a person who performs work or supplies services for monetary compensation.

**Workplace** (as defined in the *OHS Act*) – means any land, premises, location or thing at, upon, in or near which a worker works.

## **2.3 Health and Safety Coordinator**

The Health & Safety Coordinator will be responsible for overseeing the implementation of the Township of North Huron Health and Safety Program in the work location. Subsequently, the Coordinator will be responsible for promoting a safe and healthy workplace for all employees and will develop and implement policies and procedures that meet legislated requirements. The Health & Safety Coordinator will be responsible for developing and amending health and safety policies and procedures that formulate the Township of North Huron Health and Safety Program and will serve as a facilitator of information between the Joint Health & Safety Committee and the Senior Management Team/Department Heads.

## **2.4 Description of Workplaces Covered**

The Corporation of the Township of North Huron operating under the name “Township of North Huron”, maintains a multisite Joint Health and Safety Committee covering the municipal facilities listed below.

<b>Location</b>	<b>Approx. Distance from Town Hall</b>
Municipal Office – Town Hall	0 km
North Huron Museum	0 km
Former Wingham Police Building/Wingham Parks Office	0 km
Wingham Fire Hall	0.5 km
North Huron Children’s Centre	0.5 km

Wingham Public Works Yard	1 km
North Huron Wescast Community Complex	2km
Wingham Cemetery	4 km
Richard W. LeVan Airport	4 km
Wingham Landfill Site	7 km
East Wawanosh Pubic Works Yard	12 km
Blyth Public Works Shed	19 km
Blyth Community Centre	19 km
Blyth Fire Hall (Cowbell Building)	20 km
Blyth Union Cemetery	24 km

The maximum travel time from head office (Town Hall) to the furthest workplace is approximately 30 minutes. Many of the Township of North Huron's workplaces are considered unmanned and as such do not have personnel onsite at all times.

## **2.5 Non-unionized and Temporary Workers**

All workers are non-unionized. Worker representatives from each department are selected by the workers to represent their department on the Committee. Temporary workers are represented by the representative(s) of their department.

## **2.6 Designated Substances**

Although present in the building materials of some of the Township of North Huron's older facilities, employee exposure to designated substances is not likely while performing regular business functions. A designated substance report/policy is available on site.

# **3. JOINT HEALTH AND SAFETY COMMITTEE (JHSC)**

## **3.1 Composition of the Joint Health and Safety Committee**

The Township of North Huron's multisite Joint Health & Safety Committee consists of:

- 3 (Three) management members, plus one alternate
- 5 (Five) worker members, plus one alternate
- 1 (One) Health & Safety Coordinator (who is a member of management)

Worker members are selected by the workers they are to represent. Adequate representation across all departments and locations is considered and maintained during the member selection process. The JHSC will try to maintain worker representation of:

- 1 (One) worker member from Town Hall/Admin
- 1 (One) worker member from Public Works/Facilities
- 1 (One) worker member from the Child Care Centre
- 1 (One) worker member from the Fire Department
- 1 (One) worker member from Recreation/Community Services

The Council of the Township of North Huron shall select management members from among the persons who exercise managerial functions for the Township. The alternate management member will attend Joint Health & Safety Committee meetings in the absence of one or two of the management members.

### **3.2 Certification of Members**

The Township of North Huron Council shall ensure that at least one member of the Committee representing management and at least one member representing workers are certified members. The Committee shall select from among the Committee, the members to receive certification.

Designated workers may be selected at the discretion of a Committee member(s) to perform the duties of a Committee member when required.

### **3.3 Chairs**

The JHSC has two co-chairs:

- One (1) worker member who is appointed by the worker members of the Committee; and
- One (1) management co-chair who is appointed by the management members of the Committee.

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

### **3.4 Roles and Powers of JHSC Members, Designated Workers, and Alternates**

Management and worker Committee members, both certified and non-certified are entitled to the powers described in the OHSA section 9 (18), (19), and sections (43), (49).

Management and worker co-chairs are entitled to the powers described in the OHSA section 9 (18), (19), and sections (43), (49). In addition, co-chairs shall preside over the meeting to ensure that an agenda is followed and all members are offered equal opportunity for input.

Designated workers are entitled to the powers described in the OHSA section 9 (23), 43 (4) (a), 43 (7), (11), and (12).

Alternate Committee members are entitled to all powers afforded to regular Committee members. The use of alternate members is to ensure sufficient representation of worker representatives.

A member of the Committee is entitled to:

- one hour or such longer period of time as the Committee determines is necessary to prepare for each Committee meeting;
- such time as is necessary to attend meetings of the Committee;
- such time as is necessary to carry out the member's duties and responsibilities

under the Act or the Regulations.

A member of the Committee shall be deemed to be at work during the times described above and the Township shall pay the member for those times at the member's regular or premium rate as may be proper.

### **3.5 Training of JHSC Members and Designated Workers**

New Committee members and designated workers are provided with an overview of the roles and powers of the JHSC. Members are made aware of the requirements and entitlements associated with being a member. Certified member training or other specific training may be provided depending on the circumstances.

All members of the JHSC are provided with OHS awareness training in addition to WHMIS and Workplace Violence and Harassment training(s).

Training opportunities provided to designated workers are dependent upon the task(s) in which they have been designated to perform. Adequate training will be provided to allow designated workers to perform their duties.

The Township of North Huron maintains the minimum number of required certified members. As such, certification may be required of some members. Additional members are occasionally certified when constraints permit.

Certification time frame and other requirements follow the Ministry of Labour guidelines defined for certified JHSC members.

## **4. FUNCTIONS OF THE JOINT HEALTH AND SAFETY COMMITTEE**

### **4.1 Membership and Term of Office**

Under the OHSA, Chapter O.1, Part II, Section 9, Subsection 8, the members of the JHSC who represent workers shall be selected by the workers they are to represent. The replacement of a worker representative will be handled in the same manner. The replacement of a management member will be conducted by senior management. The term of office will also be determined by senior management.

### **4.2 Vacancies**

When a member of the Joint Health and Safety Committee (JHSC) leaves the Township for retirement, other employment opportunities or whose employment is terminated, the replacement worker representative for the JHSC shall be selected by the workers they are to represent. Senior management will appoint a new management representative to the JHSC.

### **4.3 Functions of the Committee**

The JHSC is predominantly responsible for (i) identifying potential sources of danger or hazards, (ii) evaluating these potential hazards, (iii) recommending corrective action, (iv) following-up on implemented recommendations, and (v) advising and assisting management and workers in the development, implementation and operation of the Occupational Health and Safety Program for the Township of North Huron.

#### **Duties Include:**

- Assist and advise in the development, implementation and operation of the Occupational Health and Safety Program.
- Assist and advise in the development of specific Occupational Health and Safety standards and procedures.
- Advise on accident investigation and reporting and in determining and implementing proper corrective action.
- Obtain and distribute safety information and material.
- Identify conditions that may be a source of danger or hazard to worker through work place inspections.
- Make recommendations to the employer for the establishment, maintenance and monitoring of programs, standards and procedures for the health and safety of workers.
- Compile and review accident statistics, health and safety training records and make recommendations to the employer and the workers for the improvement of the health and safety of workers.
- One copy of the Joint Health and Safety Committee minutes shall be posted in a prominent place in the workplace within one week of the meeting and where possible remain posted for not less than one month after the next meeting.
- A copy of the workplace inspection shall be included with the minutes and any recommendations/communication as a result of injury/incident investigations.
- The JHSC shall post all reports or surveys conducted by management on the Safety Bulletin Board as well as any Ministry of Labour notice of visits or non-compliance orders.

### **4.4 Recommendations**

Where one of the Committee member's makes a recommendation regarding a health and safety matter, the recommendation shall be recorded in the minutes of the corresponding meeting and the Secretary of the JHSC shall forward said recommendation to the Health & Safety Coordinator to be provided to the required Department Head. Within 21 days of receipt of the recommendation, the Department Head shall respond in writing to the Health and Safety Coordinator.

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

## **4.5 Workplace Inspections**

- 4.5.1 Monthly Inspections** - The members of the Committee who represent workers shall designate a member representing workers to inspect the physical condition of the Township of North Huron workplaces. It is not required that the same member perform all inspections or to perform all of a particular inspection. The member shall be provided with such information and assistance as the worker may require for the purpose of carrying out an inspection of the workplace.

The members of the Committee who represent management shall designate a member representing management to inspect the physical condition of the Township of North Huron workplaces as well.

- 4.5.2 Inspection Schedule** – An inspection schedule will be created by the JHSC in November of each year identifying a team consisting of 2 Committee members to conduct an independent inspection of the various worksite locations in North Huron. Inspections will be conducted on a monthly basis and shall contain both a worker and management representative.

- 4.5.3 Inspection Form** – The members carrying out the inspection shall complete and sign the *Workplace Inspection Form*. All health and safety concerns raised during an inspection shall be recorded on the workplace inspection form.

The completed Workplace Inspection Form shall be filed with the JHSC Secretary and forwarded to the Health & Safety Coordinator. The Health & Safety Coordinator, without undue delay, shall distribute a copy of the Workplace Inspection Form to the appropriate Department Head to resolve deficiencies noted from inspection.

- 4.5.4 Department Head Response** - The responsible Department Head will carry out the corrective action, sign, date and return to Health & Safety Coordinator within 2 weeks with action noted. The signed response will be provided to the JHSC Secretary to be placed on the next JHSC meeting agenda.

- 4.5.5 Fire Extinguisher Inspections** - The responsible Department Head is in charge of ensuring that monthly fire extinguisher inspections are occurring and that health and safety boards within their jurisdiction are maintained. During monthly JHSC inspections, JHSC members are required to inspect that the required inspections and maintenance have occurred.

- 4.5.6 Health & Safety Board Maintenance** – The JHSC Secretary (in conjunction with the relevant Department Head) is responsible for updating and maintaining the Health and Safety Boards. During monthly JHSC inspections,



JHSC members are required to inspect that the boards are up-to-date. Health and Safety Boards are required to have the following items:

- “Health & Safety at Work: Prevention Starts Here” Poster
- The “In Case of Emergency” Poster
- “Employment Standards in Ontario” Poster
- A copy of the Occupational Health and Safety Act (Green book)
- All Ministry of Labour non-compliance orders and Notice of Visits
- Meeting Minutes of the JHSC (3 most recent)
- The Occupational Health and Safety Policy Statement and JHSC Terms of Reference
- Names, Contact information and Work Locations of JHSC members
- JHSC Completed Inspection Forms (3 most recent)
- Fire Safety Plan
- Any new health and safety policies/reports by Management

**4.5.7 Buildings and Boards to be Inspected** – The following chart contains a list of all North Huron workplaces and health and safety boards to be inspected during monthly inspections.

<b>Location</b>	<b>Address</b>	<b>Dept. Head in Charge of Maintaining H&amp;S Board</b>	<b>Inspection Schedule</b>
Municipal Office – Town Hall	274 Josephine Street, Wingham ON	Clerk	Monthly
Wingham Fire Hall	369 Josephine Street, Wingham ON	Fire	Monthly
Blyth Fire Hall (Cowbell Building)	40193 Blyth Road, Blyth ON	Fire	Monthly (Until New Fire Hall/Public Works Yard is Built)
North Huron Children’s Centre	239 William Street, Wingham ON	Child Care	Monthly
North Huron Westcast Community Complex	99 Kerr Drive, Wingham ON	Recreation	Monthly
Blyth Community Centre	377 Gypsy Lane, Blyth ON	Recreation	Monthly
Wingham Public Works Yard	441 Josephine Street, Wingham ON	Public Works	Monthly
Blyth Public Works Yard	435 Mill Street, Blyth ON	Public Works	Monthly (Until New Fire Hall/Public Works Yard is Built)
East Wawanosh Public Works Yard	39498 Belgrave Road, Belgrave ON	Public Works	Monthly
Wingham Cemetery	90397 Holmes Line, Wingham ON	Public Works	Monthly (Except during winter months)

Wingham Landfill	39601 Reid Road, Wingham ON	Public Works	Monthly
Blyth Union Cemetery	82781 Cemetery Line, Blyth ON	No Board	Monthly (Except during winter months)
Former Wingham Police Building/Wingham Parks Office	273 Edward Street, Wingham ON	No Board	Monthly
Richard W. Levan Airport	40647 Amberley Road, Wingham ON	No Board	Monthly
North Huron Museum	273 Josephine Street, Wingham ON	No Board	Monthly

#### 4.6 Certified Members

A certified member is a Committee member who is certified by the Workplace Safety and Insurance Board under the *Workplace Safety and Insurance Act*.

Certified members are entitled to exercise the rights and are required to perform the duties under this Act representing workers [section 9(15)] and representing the employer [section 9(16)].

Only designated certified members can exercise stop work authority.

A designated certified member has the right to investigate complaints that dangerous circumstances exist. He or she will initiate and assist in the investigation of a bilateral work stoppage.

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

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

If the certified members do not agree whether dangerous circumstances exist, either certified member may request that the Health & Safety Coordinator

investigate the matter, and the Coordinator shall do so and provide the certified members with a written decision [section 45(6) of the *OHS Act*].

After taking steps to remedy the dangerous circumstances, the employer may request the certified member or the Coordinator to cancel the direction [section 45(7) of the *OHS Act*]. The certified members who issued a direction may jointly cancel it or the Coordinator may cancel it [section 45(8) of the *OHS Act*].

**4.6.2 Dangerous circumstances** – Dangerous circumstances, as defined in The Act, means a situation in which:

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

## **5. MEETINGS OF THE COMMITTEE**

### **5.1 Schedule of Meetings**

Members are required to attend meetings or have an alternate member attend in his/her place.

Committee meetings will be held five times per year or at the call of the Co-chairs. Meetings will be held the last Thursday of the months of January, March, June, September and November in the Township of North Huron Council Chambers.

### **5.2 Quorum**

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

- at least half (3) of the Committee members who represent workers specified in this document;
- at least two (2) management-appointed members; and
- at least one of the two co-chairs must be present

Management members shall not out number worker members.

### **5.3 Agenda**

The Committee shall select and appoint a Secretary from among the Committee members. The Secretary shall be responsible for taking, reviewing, circulating and editing the minutes, the preparation of agendas for meetings and notice of meetings. Accident statistics and other health and safety information received will be included in meeting agendas. Minutes shall be made available for examination and review by an inspector of the Ministry of Labour.

For every Committee meeting, the Secretary of the Committee will prepare an agenda and forward a copy thereof to every Committee member at least 7 days prior to the meeting.

#### **5.4 Chairing a Meeting**

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

#### **5.5 Consensus and Voting**

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

#### **5.6 Invited Persons**

A co-chair may, with the consent of the other co-chair, invite any persons to attend the meeting to provide information and comment, but such persons shall not participate in the regular business of the meeting.

#### **5.7 Minutes of Meetings**

The appointed Secretary of the Committee will take the minutes of the meeting.

Names of Committee members present, absent or excused will be identified in the minutes. The minutes will also identify who chaired the meeting, and individuals responsible for action items.

Every concern brought to the attention of a Committee by a worker shall be reported at a Committee meeting and recorded in the minutes. Every concern that is raised and resolved shall be recorded in the minutes. The minutes shall also report every agenda item that was not resolved in the course of the meeting.

The Secretary will type and distribute the minutes and maintain the JHSC records. Correct minutes shall be approved and signed by the two chairs, and shall be forwarded to Committee members. One copy of the JHSC minutes shall be posted at the Health & Safety Boards in each workplace within one week of the meeting and where possible remain posted for not less than one month after the next meeting.

### **6. REPORTING HEALTH AND SAFETY CONCERNS**

#### **6.1 General**

A health and safety concern which is essentially of a maintenance nature should be reported to the workers immediate supervisor.

## **6.2 Health and Safety Concern in the Area where the Worker Normally Works**

For a health and safety concern in the area where the worker normally works, the matter should be reported to the worker's immediate supervisor. The supervisor will deal with the matter and may, if appropriate, or may inform the worker that no action appears necessary.

After the health and safety concern is corrected, the worker's immediate supervisor shall send a brief written report of the health and safety concern and the steps taken to correct it, and then a copy will be provided to the Health & Safety Coordinator, to the JHSC worker member representing the area in question and to the worker who reported the problem.

If the worker who reported the health and safety concern is not satisfied that the problem has been adequately dealt with, the worker should report this to the JHSC member representing the area in question, or to any other member of the JHSC. In the case where the worker reporting the concern is the worker member of the JHSC for that respective department, then that worker should report it to one of the chairs of the JHSC.

## **6.3 Health and Safety Concerns Outside the Area where the Worker Normally Works**

A health and safety concern outside of the area where the worker normally works should be reported to the worker member of the JHSC for that respective department, if the concern is of a local nature. In the case of a concern which may extend beyond the scope of the JHSC, or may have policy implications, it should be reported to the supervisor of that respective department immediately.

## **6.4 Notification of Outcome**

Where a worker reports a health and safety concern to a member of the JHSC or to a co-chair of the JHSC, and the matter is brought before the JHSC, the Management Co-Chair shall notify the worker who reported the concern of the decision taken in response to said concern.

## **6.5 Unresolved Concerns**

Where a health and safety complaint by a worker cannot be resolved by the procedures set out herein [6.1, 6.2, 6.3, 6.4, 6.5 of the *OHS*A], the worker or the management representative of the respective department shall meet with the Senior Management Team/Department Heads. The Senior Management Team will diligently exhaust all internal procedures to resolve the issue, such as hiring external consultant, or in some cases as per the collective agreements, mediation or arbitration. If the complaint still cannot be resolved, the worker or the appropriate member of the Department Heads may contact the Ministry of Labour.

# **7. ACCIDENT/INCIDENT INVESTIGATIONS**

## **7.1 Accident Notification**

Accidents not resulting in lost time including near misses and non-critical accidents are recorded by the department in which they occurred. All records are forwarded to the JHSC Secretary and reviewed at the next JHSC meeting.

Accidents resulting in lost time including critical injuries and fatalities are reported to the Ministry of Labour. Records are kept for reference by the JHSC Secretary.

## **7.2 Accident Investigation**

An investigation usually refers to seeking out the facts about an injury, illness, or fatality after it has occurred. It can also refer to investigating incidents that could have caused injury, illness or death (e.g. structural collapse). The purpose is to determine the causes and to prevent injuries and illnesses in the future. Injuries and illnesses are costly to employers and employees alike. For employers, there are not only direct costs (such as Ministry of Labour fines or WSIB surcharges), but also indirect costs such as paying substitute workers and loss of production.

When an accident/incident occurs, the following steps will take place:

- A) Provide medical aid to any injured parties and/or call 911. This also includes speaking to them, when possible, about what happened.
- B) Determine if the worksite needs to be held/locked down – see critical injury definition. Eliminate or control remaining dangers.
- C) Contact will now be made to the immediate supervisor/Department Head to inform them of the accident.
- D) If a person, whether a worker or not, has been critically injured or killed at the workplace, the employer and the constructor, if any, must immediately notify the Ministry of Labour Health & Safety Contact Centre - Toll-free 1-877-202-0008, and the Joint Health and Safety Committee. This notice must be by telephone or other direct means. Within 48 hours, the employer must also notify, in writing, a director of the Ministry of Labour, giving the circumstances of the occurrence and any information that may be prescribed [section 51(1) of the *OHS*A].
- E) If a worker has been critically injured or killed at the workplace, the Chief Administrative Officer will contact legal counsel at this point.
- F) If an accident, explosion or fire occurs, or if there is an incident of workplace violence, and a worker is disabled or requires medical attention, the employer must notify the Joint Health and Safety Committee within four days of the incident. This notice must be in writing and must contain any prescribed information [section 52(1) of the *OHS*A]. If required by an inspector, this notice must also be given to a director of the

Ministry of Labour.

- G) If an employer is told that a worker has an occupational illness or that a claim for an occupational illness has been filed with the Workplace Safety and Insurance Board, the employer must notify a director of the Ministry of Labour, and the Joint Health and Safety Committee within four days. This notice must be in writing and must contain any prescribed information [section 52(2) of the *OHSA*]. The duty to notify applies not only to current workers but also to former ones [section 52(3) of the *OHSA*].
- H) Even if no one is hurt, written notice of an accident or unexpected event that could have caused an injury at a construction site is required from the constructor of the project. This notice must be given to a director of the Ministry of Labour, and the Joint Health and Safety Committee within two days and must contain any prescribed information [section 53 of the *OHSA*].
- I) The members of the JHS Committee who represent workers must designate one or more worker members to investigate cases in which a worker is killed or critically injured at a workplace. The designated member(s) may [subject to subsection 51(2) of the *OHSA*] inspect the place where the accident occurred and any machine, device, etc. and report his or her findings to a Ministry of Labour Director and the JHS Committee [subsection 9(31) of the *OHSA*]. The Township may also consider bringing in outside assistance in the form of a safety consultant or law firm. This can often be a better solution considering the trauma internal staff may experience if a co-worker is killed or critically injured. This can often lead to the investigation wrapping up quicker.
- J) **Accident Scene** - Examine the scene of the accident/incident and any involved equipment. This includes reviewing maintenance records, manufacturer's or operator's manuals, pre-use inspection forms and any prior Ministry of Labour visit reports.

Once this initial examination has been completed, the Township will be able to determine if it needs to bring in a professional to assist with the investigation. This could be necessary if the cause of the accident/incident does not seem readily apparent and the inclusion of an engineer or forensic investigator, with their technical knowledge, would be able to provide insight.

- K) **Visuals** - Take photographs of the scene. In addition to the photographs, it is useful to take as many measurements as possible. These measurements can be used to create diagrams of the scene, which should also include all the people in the area and what they were doing.
- L) **Witnesses** - It is necessary to speak to any and all witnesses to the incident. This not only means speaking to those who were present at the time of the accident/incident, but also those who may have information that can round out what may have happened. These potential witnesses include those with the same job or role as the injured party, any supervisor or trainers, or those who have relevant health and safety-related

knowledge. As an added step, get each witness to sign his or her statement.

- M) **Review** - Review the collection of documents in order to round out the investigation. Review the training records of the injured party, as well as those of other workers who perform the same job and other workers who were involved in the incident. The review should also extend to identifying and correcting any relevant workplace policies and procedures, including proof of any third-party training or licensing.

Finally, the investigation should review internal health and safety steps, including Joint Health & Safety Committee minutes to see if anything relevant to the accident/incident had been discussed in the past.

**Develop an Investigation Report** - Once the investigation is complete, a report is often drawn up that will outline the investigation's findings. This report will contain valuable information for the Township, as well as valuable information for any government inspector investigating the accident/incident.

## **8. WORK REFUSAL AND WORK STOPPAGE**

A member representing workers shall be selected and present during the investigation of any work refusals.

Work refusals shall be conducted in a timely manner and as per guidelines specified within Section 43 of the Occupational Health and Safety Act.

Should a work refusal continue after an internal investigation has taken place, notification will be sent to the Ministry of Labour.

## **9. WORKPLACE TESTING**

A health and safety member representing workers at a workplace is entitled to be present at the beginning of testing conducted with respect to industrial hygiene at the workplace if the member believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid.

It is preferable that the member present for any workplace testing be an employee of the department in which the workplace is a part of. If a member of the department is unavailable, an available member from another department may be attend in their place.

## **10. JHSC EVALUATION/EFFECTIVENESS**

Non-JHSC member workers should bring any health and safety related questions or concerns to the worker member representing their workplace.



Worker JHSC members report any questions or concerns to the JHSC during regular meetings unless it is urgent to do so sooner in which case an emergency meeting may be called.

Worker JHSC members are to report their findings resulting from the JHSC meeting back to the individual(s) who raised the issue or to all workers in the workplace if the findings are relevant to the entire workforce.

The effectiveness of the JHSC is measured by the usefulness of the Committee as seen by the workers as well as a reduced number of occurrences per year recorded.

## **11. CHANGES TO THE TERMS OF REFERENCE**

The JHSC Terms of Reference will be reviewed at each June Committee meeting. Any and all amendments to the Terms of Reference will be recorded in the minutes. Amendments will be red lined for the JHS Committee's review and approved, with consensus, at their September meeting.

Any changes, amendments or alterations must be agreed to by workplace parties, and Committee Members, and will be forwarded to the Ministry of Labour for approval prior to implementation.

The Minister's Order for a Multi-site JHSC may be withdrawn at any time upon consultation with workplace parties.

## **12. RESOURCES OF THE JOINT HEALTH AND SAFETY COMMITTEE**

### **12.1 Township of North Huron Health & Safety Program**

Program manual can be found at each workstations Health & Safety Board or from the Health and Safety Coordinator.

### **12.2 Ontario Occupational Health & Safety Act and Regulations "The Green Book"**

"The Green Book" can be found at each workstations Health & Safety Board or from the Health and Safety Coordinator.

### **12.3 Occupational Health & Safety Act and Regulations for Industrial Establishments**

The Occupational Health & Safety Act and Regulations for Industrial Establishments can be found at each workstations Health & Safety Board or from the Health and Safety Coordinator.

The undersigned, on behalf of the Corporation of the Township of North Huron and the Multi-site Joint Health & Safety Committee for the Township of North Huron, do acknowledge and agree to the aforesaid terms and conditions of the enclosed ***Terms of Reference***.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Valerie Watson, Co-Chair Management  
Representative

\_\_\_\_\_  
Jordan Murray, Co-Chair Worker  
Representative

\_\_\_\_\_  
Carson Lamb, Health and Safety Coordinator

\_\_\_\_\_  
Mackenzie Nesbitt, JHSC Secretary