

TERMS OF REFERENCE

ACADIA STUDENTS' UNION HEALTH & SAFETY COMMITTEE

I. POLICY

The Acadia Students' Union Health & Safety Committee (hereinafter referred to as the "Committee") is established pursuant to the *Occupational Health and Safety Act, S.N.S. 1996, C. 7 as amended* (hereinafter referred to as the "Act") and the Committee shall perform the functions of a Joint Occupational Health and Safety Committee as defined in the Act.

II. RESPONSIBILITIES¹

The Committee is responsible to:

- a. perform the functions of a Joint Health and Safety Committee as defined in the Act.
- b. hold regular meetings in accordance with written terms of reference and maintain records of committee activities.
- c. establish its own rules of procedures.
- d. work cooperatively with employees and management, to identify work site hazards and to develop, implement, and evaluate occupational health and safety programs designed to respond to these hazards.
- e. receive, investigate and promptly resolve, if possible, work site health and safety concerns, complaints, and work refusals.
- f. participate in inspections, inquiries, investigations and audits concerning work site health and safety concerns and follow up according to established procedures when necessary.

¹ See section 31 of the Act for a list of the statutory 'functions of committee'

- g. advise on the development, implementation and evaluation of an occupational health and safety policy and program which is designed to improve workplace health and safety.
- h. participate in health and safety education and training programs for employees and advise on the use of personal protective equipment.
- i. submit written recommendations on health and safety concerns to the ASU for consideration.
- j. participate in the auditing of work sites to determine compliance with occupational health and safety requirements.
- k. approve all Occupational Health and Safety Policies, Procedures and work site Safety Programs prior to implementation.
- l. provide the ASU with the names of current Committee members and the means of contacting them.
- m. promptly provide the ASU with minutes of the most recent Committee meeting so that the ASU may post same.

III. PROCEDURES

1. Membership²

- a. The Committee shall consist of at least six (6) members and the Committee acknowledges that the ASU (the Employer) and the employees will agree to the aforementioned number of members.
- b. At least three (3) of the members of the Committee shall be employees who are not connected with management and these three (3) members shall be determined by the employees they represent (Employee and Student Group Appointees).

² Membership Requirements – s. 30(1) the committee shall consist of such number of persons as may be agreed to by the employer and the employees; 30(2) at least half of the members shall be employees who are not connected with management and the employer may choose up to ½ of the members if it wishes to do so; and 30(3) the employees on the committee are to be determined by the employees they represent.

- c. The ASU shall appoint three (3) members of the Committee (ASU Appointments) and these three (3) members shall include the General Manager of the ASU, the Bar Services Manager and a representative from the Students' Representative Council of the ASU.
- d. The ASU appointments referred to in subsection (c) above shall be appointed for a three (3) year term.
- e. The Employee and Student Group Appointees referred to in subsection (b) above shall be appointed for one (1) year terms.
- f. Any Committee member shall be eligible for re-appointment or for re-election.

2. **ELECTION OF CHAIR³**

- a. The Committee shall have a Chairperson (hereinafter referred to as the "Chair") elected at the first Annual meeting in September.
- b. The Chair position shall alternate between ASU Appointees and Employee groups from year to year.
- c. The terms of office for the Chair shall be one (1) year.
- d. If a vacancy in the office of Chair occurs, the Committee shall elect a pro-tem Chair to perform the duties of the Chair. The pro-tem Chair shall be drawn from either the ASU Appointees or the Employee group, depending on which group held the Chair for that term of office.

3. **DUTIES OF CHAIR**

The Chair shall:

³ Section 30(8) provides that unless a committee determines another arrangement for chairing the committee in its rules of procedures, two members of the committee shall co-chair the committee – one of whom shall be selected by the members who represent employees and the other whom shall be selected by the other members. We suggest that the procedures provide for one (1) chair with the position alternating between employee and employer groups on a yearly basis.

- a. preside over the meetings of the Committee and ensure that the meetings are conducted in a democratic and orderly manner.
- b. arrange for a suitable meeting place and notify the Committee members or arrange to have the Committee members notified of the location.
- c. review minutes prior to distribution and posting.
- d. ensure that the agenda and minutes are circulated in writing to the members at least five (5) business days prior to the meeting.
- e. Post and make available all reports and minutes of meetings.
- f. maintain committee records including a list of current committee members, attendance, all minutes and correspondence.
- g. ensure all committee members attend meetings on a regular basis and are meeting the requirements of the position to which they were appointed.
- h. report to the Committee of any incoming correspondence.
- i. inform the Committee of any incident/accident reports or concerns/complaints that have been directed to the Committee for consideration.
- j. require the review and analysis of reported incidents, investigations, inspections, and recommendations from the Committee.
- k. ensure recommendations by the Committee are sent to the ASU for consideration.
- l. ensure information concerning the activities of the Occupational Health and Safety Program are communicated throughout the organization.
- m. perform other tasks assigned by the Committee or required by the Act.

4. **POSITION OF SECRETARY/ADMINISTRATIVE SUPPORT**

- a. The ASU shall provide a person (hereinafter referred to as the “Secretary”) who shall perform the secretarial and administrative support duties for the committee.
- b. The Secretary shall record and prepare the minutes of all meetings.
- c. The Secretary shall provide a written report of minutes to the Chair within five (5) working days following any meeting for distribution to all members of the Committee.
- d. The Secretary shall ensure approved minutes and other relevant correspondences are distributed to Committee members for posting within ten (10) working days following any meeting.
- e. The Secretary shall distribute information concerning the activities of the Committee as directed by the Committee or the Chair.
- f. The Secretary shall provide any other duties as directed by the Committee or required by the Act.
- g. The Secretary is not and shall not be considered a member of the committee.

5. **DUTIES OF COMMITTEE MEMBERS**

The Committee members shall:

- a. attend Committee meetings.
- b. notify the Chair or Secretary if unable to attend.
- c. receive and bring forward health and safety issues from areas of representation.
- d. set examples to fellow workers by observing healthy and safe work practices and procedures.
- e. promote and support health and safety activities throughout areas of representation.

- f. contribute ideas and make suggestions to improve health and safety in the workplace.
- g. participate in Committee inspections and investigations as required and directed by the Committee.
- h. participate in committees and subcommittees as required.
- i. acquire a level of knowledge and education with regard to health and safety issues in the workplace.
- j. any other duties as directed by the Committee or required under the Act.

6. **MEETINGS**

6.1 **FREQUENCY**

- a. The Committee shall meet at least once a month, or at such time and frequency as agreed to by the Committee.
- b. The first meeting in September shall be designated the annual meeting.
- c. During the summer period (which commences in mid-May), three employees will be designated by the Committee to serve until the General Meeting for the purposes of attending emergency meetings.

6.2 **AGENDA**

- a. The agenda shall be delivered by the Chair of the meeting and distributed five (5) working days prior to the meeting to all Committee members and the Secretary.
- b. Any Committee member who has an issue for discussion at the meeting shall notify the Chair prior to the date for finalizing the agenda.
- c. The Committee can amend the agenda at the meeting, if necessary, to address last minute issues.

6.3 MINUTES

- a. Approved minutes shall be circulated in writing to members no more than ten (10) working days following any meeting.
- b. Posting of approved minutes and other relevant correspondence shall be within ten (10) working days following a meeting, on the Committee web site.
- c. The Committee shall approve all minutes at the first meeting following the meeting for which the minutes were produced.
- d. Any changes to the minutes shall be made by the Secretary and noted in the following minutes.

6.4 EMERGENCY MEETINGS

- a. An emergency meeting of the Committee may be called by the Chair without minimum notice. An emergency meeting will address a situation or matter that requires immediate action.
- b. Where the Chair is not available or Committee Members cannot agree on the need for an emergency meeting, an emergency meeting can be called where two (2) members of the Committee agree to the meeting provided that at least one (1) member must be a representative of the ASU (as employer) and at least one (1) member must be a representative of the employees.

6.5 QUORUM

- a. A quorum for the Committee at a regular and at a special meeting shall be four (4) members of the Committee provided that there is at least one (1) member representing the employees and one (1) member representing the ASU (employer).
- b. A regular meeting shall address regularly scheduled business. A special meeting is a meeting held in addition to the regular meeting to address an important but not urgent matter.

7. **SUB-COMMITTEES**

As required, the Committee shall form sub-committees to carry out tasks on behalf of the Committee.

8. **TRAINING**

All Committee members shall be provided basic training on the duties of being a member of the Committee. The Committee shall determine the specifics of such training.

9. **RESPONDING TO WORK REFUSALS**

As directed by section 43 of the Act, the Committee may be asked to consider a work refusal raised by an employee who believes that the concerns that prompted the refusal have not been adequately addressed by the employee's supervisor. In such a circumstance, the Committee shall adhere to the following procedure:

- a. Upon learning of a work refusal which has not been adequately addressed by the supervisor and, therefore, requiring a Committee response, a member of the Committee shall immediately notify the Chair.
- b. The Chair shall schedule an emergency meeting providing as much notice to Committee members as is possible in the circumstances.
- c. Those Committee members able to attend the emergency meeting will constitute the Committee as described by sections 17(2) and 43(1) of the Act, provided quorum requirements are met.
- d. During the emergency meeting, the Committee may:
 - i. interview relevant employee(s), suppliers or others;
 - ii. examine all relevant documentation, both electronic and paper;
 - iii. designate a sub-committee to address the work refusal;
 - iv. investigate the work refusal;
 - v. submit a written recommendation to the ASU for consideration.

- e. Having considered the information provided by the person exercising the right to refuse and such other information as the Committee considers appropriate, if the Committee is unanimous, it may direct the employee(s) to return to work. If the Committee is not unanimous in the decision, it shall report the matter to the Department of Labour.