

1. Purpose of the Committee

The University Safety Committee (USC) is a joint occupational health and safety committee as required by WorkSafeBC (WSBC). The committee is made up of employee and employer representatives working cooperatively in support of a comprehensive occupational health and safety program. The USC has a mandate to advise, assist and make recommendations on health and safety policy and procedures. As a joint committee, it represents an excellent means of consultation within the organization to review health and safety programs, establish proactive communication, and help minimize workplace risks and potential for accidents and injuries.

2. Duties and Functions of the Committee

The University recognizes the rights of employees to a safe and healthy workplace, to know about hazards in the workplace, and to participate in health and safety activities in the workplace. The University also recognizes an employee's right to refuse unsafe work.

- a) Identify situations that may be unhealthy or unsafe for employees and advise on effective systems for responding to those situations.
- b) Consider and expeditiously deal with complaints related to occupational health and safety of employees.
- c) Consult with employees and the employer on issues related to occupational health and safety and occupational environment.
- d) Make recommendations to the employer and employees for the improvement of the occupational health and safety and occupational environment of employees.
- e) Make recommendations to the employer on educational programs promoting the health and safety of employees and compliance with the Workers Compensation Act and Occupational Health and Safety Regulation (OHSR), and to 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, including significant proposed changes to equipment and machinery, or work processes that may affect the health and safety of employees. The employer will advise the USC on proposed changes that may impact institution-wide safety programs, policies, or work processes.
- h) Ensure that incident investigations and regular inspections are carried out and reviewed as required by the Regulation.
- i) Participate in inspections, investigations and inquiries as provided by the OHSR.
- j) When necessary, request information from the employer about:
 - i. Known or reasonably foreseen health or safety hazards to which employees at the workplace are likely to be exposed.
 - ii. Health and safety experience, work practices and standards in similar or other industries of which the employer has knowledge.

- k) Respond to requests from joint local safety committees (LSCs) for assistance with unresolved health and safety issues, including as part of the formal LSC recommendation process.
- l) Receive summary report of LSC performance and effectiveness as part of the USC annual consultation process, as required by the OHSR.
- m) Carry out any other duties and functions prescribed by the OHSR.

3. **Composition of the Committee**

- a. The committee will consist of a minimum of four members, and have an equal number of employer and employee representatives, or there may be a greater number of employee representatives¹.
- b. The committee will have appropriate employee representation from all union groups in place at the university: CUPE 917; CUPE 951; CUPE 4163; PEA; and, University of Victoria Faculty Association.
- c. Employee representatives will be elected or appointed by their respective union. In the event that the union is unable to appoint a member to the committee, the employee co-Chair will discuss with union leadership options to identify union members to voluntarily join.
- d. Employer representatives will be appointed by management.
- e. Only committee members may vote.
- f. All members will arrange to have an alternate member to attend meetings in their place, when they are unable to attend. The alternate member will be of the same union or management affiliation.
- g. Alternates should not attend meetings alongside their member, unless to provide an initial orientation to the committee or when it is expected that the alternate will soon be taking the place of the member.
- h. Alternates may vote when the regular member is absent from the meeting.
- i. Alternates are encouraged to complete the joint health and safety committee training, but it is not required.

4. **Committee Co-Chairs**

- a. The employee representatives shall select a co-Chair.
- b. The employer representatives shall select a co-Chair.
- c. The co-Chairs shall:
 - i. Chair the meetings (alternating each meeting, or as otherwise agreed)
 - ii. Ensure all members are provided opportunities to actively participate in committee business and share viewpoints.

¹ Employer representatives are those individuals who exercise management functions and may include unionized supervisors. At UVic, employer representatives are Deans, Directors, Chairs, Managers, Supervisors and Administrative Officers, but may include other positions. Employee representatives are those individuals who do not perform management functions and include unionized staff, faculty and librarians.

- iii. Review and approve the draft agendas
- iv. Review and approve the draft minutes
- v. Review previous meeting reports and material prior to the meetings
- vi. Ensure members receive meeting notifications, agendas, minutes, and other correspondence.
- vii. Prepare formal recommendation(s) and forward to the employer for a response, in accordance with the procedures in section 15.b.

5. Terms of Office

- a. Committee members will serve on the committee for at least 2 years and can be re-elected/re-appointed for additional terms.
- b. Co-Chairs will serve for a 2-year term and can be selected by their respective employee or employer representatives to serve additional terms, or a new co-Chair can be selected.
- c. If an employee representative is unable to complete their term, their union will elect or appoint another member.
- d. If an employer representative is unable to complete their term, the employer will appoint another member.

6. Committee Administrative Support

- a. OHSE will provide meeting space, and administrative support to the committee including attendance at meetings to record minutes.
- b. The administrative support person is non-voting.

7. Meetings and Release from Work

- a. The committee will meet monthly, preferably on the same working day of each month (e.g. last Tuesday of the month).
- b. Special meetings, if required, will be held at the call of the co-Chairs.
- c. Quorum shall consist of the majority of members, provided that the composition includes at least 2 employee and 2 employer representatives. Quorum is required for the meeting to proceed and for voting.
- d. A member of the committee is entitled to paid time off work to attend committee meetings, and other time that is reasonably necessary to prepare for meetings of the committee and to fulfill the other functions and duties of the committee, including completion of mandatory 8-hours of training for new members. As per Section 40 of the Workers Compensation Act, this time off is deemed to be time worked for the employer and the employer must pay the member for that time.
 - i. In lieu of paid time off work, the University will pay hourly compensation to the member representing CUPE 4163 for work described in 7.d.
 - ii. In lieu of paid time off work, the University will pay annually the cost of 0.75 units of course release for the member representing the University of Victoria Faculty Association for work described in 7.d.

- e. Each member of the committee is entitled to an annual educational leave totalling 8 hours of leave from work, without loss of pay, for the purpose of attending approved occupational health and safety courses. This training is optional and in addition to the training in 7(d). The employee's department/unit is responsible to provide the leave without loss of pay to the employee, and to reimburse the employee for costs of an approved course and reasonable costs of attending the course.
- f. The committee will add procedures it considers necessary for the meeting.

8. Committee Meeting Guests

- a. At the invitation or approval of the co-Chairs, guests may attend meetings to present on a health and safety topic, respond or consult on a health or safety issue or question, or otherwise provide information that the committee deems necessary.
- b. Guests will normally be scheduled to join and leave the meeting at a set time in order to fulfill their participation, and not be involved in regular committee business. Committee guests will not vote or move motions.

9. Records, Agendas and Meeting Reports

- a. The committee will keep accurate records of all matters that come before it.
- b. The committee will maintain copies of its minutes for a period of at least five years from the date of the committee meeting to which they relate.
- c. Agenda items can be brought forward by any member of the committee.
- d. Meeting agendas will be prepared by Occupational Health, Safety and Environment (OHSE), reviewed by the co-Chairs and distributed to members prior to each meeting.
- e. Meeting minutes will be prepared as soon as possible after each meeting, reviewed by the co-Chairs, and then distributed to the committee members by OHSE within 2 weeks of the meeting.
- f. The meeting minutes will include a list of committee members and their union affiliation or management position, as appropriate. Meeting guests will also be identified in the minutes.
- g. The minutes of at least the 12 most recent meetings will be posted on the OHSE website, accessible to all committee members and the campus community.
- h. Committee members are expected to maintain confidentiality of any personal or sensitive information discussed at meetings or received through committee correspondence, except where required by WSBC or another legal authority to disclose.

10. Decision-making

- a. The USC should strive to reach consensus on decisions requiring action.
- b. In cases where a vote is taken, the outcome (pass or fail) will be determined by majority vote (i.e. more than 50% of the votes cast), except as described in 10.c and 10.d.
- c. Amendments to the terms of reference or committee procedures requires approval by majority vote (i.e. more than 50% of the votes cast), including both co-Chairs.
- d. Decisions about formal recommendations will follow the procedures in 12.b.

- e. The outcome of all votes will be recorded in the minutes, including the number of votes in-favour or opposed, and any abstentions. Abstentions do not count as votes cast, and therefore do not affect the outcome of a vote.

11. Recommendations to the Employer

The USC may make informal or formal recommendations to the employer about a health and safety concern, issue or request.

- a. Informal recommendations are those made during a meeting that can be dealt with by an employer representative normally at the meeting, as follows:
 - i. any member may make an informal recommendation.
 - ii. a recommendation that is approved by the employer at the meeting will be communicated to and actioned by the appropriate unit manager.
 - iii. the recommendation and employer response will be recorded in the minutes.
 - iv. the status of the informal recommendation will be reported at a subsequent meeting.

- b. Formal recommendations are those that are made in writing, as follows:
 - i. the issue should first be raised at a meeting, or included with the agenda, with an opportunity for all members to discuss and provide input.
 - ii. at least one co-Chair must support and draft the formal recommendation to the employer, using the USC Recommendation Form.
 - iii. the named employer representative should be a management person with responsibility for the issue and authority to respond.
 - iv. recommendations must be directly related to health and safety, reasonably capable of being done, and contain sufficient information for the employer to make a decision.
 - v. once the recommendation is drafted, a co-Chair(s) will present it to the committee for a vote.
 - vi. the drafted recommendation will be forwarded to the named employer representative by OHSE if the majority of votes cast are to approve (i.e. more than 50% of the votes cast), including at least one co-Chair. The USC co-Chairs will be copied on this communication.
 - vii. Formal recommendations approved by the committee will also be communicated by OHSE to the VPFO, who is responsible for oversight of the committee. The USC co-Chairs will be copied on this communication.
 - viii. the employer is required to respond to the USC Co-Chairs in writing within 21 calendar days of receiving the recommendation, and indicate acceptance of the recommendation or give reasons for not accepting the recommendation.

- ix. if any members of the committee are not satisfied with the employer's response, the committee can review the reasons and determine if a revised recommendation is appropriate, or a co-Chair can report the matter to WSBC which may investigate it.
- x. if the employer is not reasonably able to provide a response before the end of the 21-day period, the employer must provide the USC Co-chairs - within that time - a written explanation for the delay, together with an indication of when the response will be provided.
- xi. if the committee is not satisfied that the explanation provided for the delay is reasonable (in the circumstances), a co-Chair may contact OHSE for assistance. If a reasonable result cannot be reached a co-Chair may report it to WSBC who may investigate the matter and may, by order, establish a deadline by which the employer must respond.

12. Reporting & Resolving Disagreements within the Committee

- a. The University Safety Committee reports to the Vice-President Finance and Operations (VPFO), who is responsible for ensuring that the university's joint health and safety committee is meeting WorkSafeBC requirements.
- b. If the committee is unable to resolve a matter requiring action, the co-Chairs may report it to the VPFO who will attempt to resolve the issue. A co-Chair may also refer the matter to WSBC.

13. Joint Local Safety Committee (LSC) Requests for Assistance

- a. The USC can assist joint LSCs in resolving health and safety issues in the following situations:
 - i. if a joint LSC is unable to reach agreement on a matter relating to the health and safety of employees at the workplace.
 - ii. if a joint LSC recommendation to the employer remains unresolved.
- b. The USC will respond to the request for assistance within 21 calendar days of reviewing the issue at the USC monthly meeting, or sooner if practicable.

14. Annual Committee Evaluation

Each year the University Safety Committee will complete a written self-evaluation as required by the OHS Regulation, to determine whether it is in compliance with the WSBC requirements and to assess whether the committee has fulfilled its duties. The evaluation will also assess if updates to these Terms of Reference are needed. The evaluation will be forwarded to the VPFO for their signature.

15. Procedures

The USC may create or modify its own procedures, or amend these terms of reference, by vote of the membership in accordance with section 10.c.