

## PART 3

### WORKPLACE SAFETY AND HEALTH COMMITTEES AND REPRESENTATIVES

#### COMMITTEES

##### **Formation of committee**

**3.1(1)** When a committee is required to be established, an employer or prime contractor must immediately consult with each of the existing unions, or the workers if there is no union, to jointly determine its size.

**3.1(2)** If no union exists, an employer or prime contractor must appoint one or more workers to conduct the election of worker members to the committee. The workers appointed must not be associated with the management of the workplace and the election must be conducted in a manner consistent with recognized democratic practices.

**3.1(3)** An employer or prime contractor must not influence or attempt to influence the election of the worker members of a committee.

**3.1(4)** An employer, prime contractor or worker who disputes

(a) the number of worker members to be elected; or

(b) the election of, or manner of electing, worker members;

may refer the dispute to a safety and health officer who may issue an order in accordance with the Act.

##### **Term of office**

**3.2(1)** A committee member is to serve for a term of two years and continues to hold office until reappointed or re-elected or until a successor is appointed or elected.

**3.2(2)** Despite subsection (1), if a union exists and the union's constitution specifies a term of office for worker members of the committee, the term of office of the worker member is the term specified in the union's constitution.

##### **Meetings**

**3.3(1)** A committee must meet within one month after it has been established and, after that,

(a) at regular intervals not exceeding three months; or

(b) at such shorter intervals as ordered by the director.

**3.3(2)** An order of the director under clause (1)(b) may be made for a particular workplace or a class of workplaces.

**3.3(3)** A committee member must be given at least three days' prior notice of a regularly scheduled committee meeting.

**3.3(4)** An employer or prime contractor must provide a committee with a suitable location for committee meetings and appropriate resources for carrying out its duties and functions.

### **Special meetings**

**3.4** A co-chairperson of a committee may call a special meeting to deal with matters of urgent concern, including but not limited to serious incidents, accidents, dangerous occurrences or matters believed to constitute a serious risk to the safety or health of a worker or other persons.

### **Quorum**

**3.5** The quorum of a committee is one-half of the worker members and one-half of the members appointed by the employer or the prime contractor.

### **Committee must establish rules**

**3.6(1)** A committee must establish written rules of procedure for discharging its duties under the Act.

**3.6(2)** The committee must in its rules provide for

(a) regular meetings of the committee, and the day, time and place of the meetings;

(b) the procedure to be followed and the type and amount of notice to be given to change the day, time or place of a regular meeting of the committee; and

(c) rules respecting the conduct of committee meetings.

**3.6(3)** The committee may in its rules provide for such other matters as the committee considers necessary or desirable.

### **Minutes**

**3.7(1)** A committee must ensure that

(a) the minutes of each committee meeting are

- (i) recorded in a format acceptable to the division,
- (ii) signed by the co-chairpersons, and
- (iii) kept at the workplace for a period of at least 10 years from the date of the meeting; and

(b) a copy of the minutes prepared in accordance with clause (a) is given to the employer or prime contractor.

**3.7(2)** An employer or prime contractor must, within seven days of receiving a copy of the minutes of a committee meeting, ensure that a copy is sent to the division and to each committee member.

#### **Distributing information to committee members**

**3.8** An employer or prime contractor must distribute to committee members at the workplace any information or document addressed to the committee or to committee members as soon as reasonably practicable but no later than seven days after the information or document is received.

### REPRESENTATIVES

#### **Meetings with representative**

**3.9(1)** When a representative is designated at a workplace, an employer must meet with the representative at regular intervals not exceeding three months to discuss safety and health matters.

**3.9(2)** A representative may call a special meeting with the employer to deal with matters of urgent concern, including but not limited to serious incidents, accidents, dangerous occurrences or matters believed to constitute a serious risk to the safety or health of a worker or another person.

**3.9(3)** An employer must meet with a representative when the representative calls a special meeting.

### GENERAL

#### **Officer may call meeting**

**3.10** For the purpose of ensuring the proper functioning or to provide information or education concerning workplace safety and health, a safety and health officer may call a special meeting of

- (a) a committee;
- (b) several committees jointly;
- (c) the co-chairpersons of one or more committees; or
- (d) one or more representatives.

### **Bulletin board**

**3.11(1)** An employer or prime contractor must provide a bulletin board in a prominent place in the workplace that is readily accessible to workers for the exclusive use of committee members, the representative, or both, in connection with safety and health matters.

**3.11(2)** When a bulletin board is provided under subsection (1), the following information must be posted on it:

- (a) when a committee exists,
  - (i) the name of each committee member and the date each member's term of office expires,
  - (ii) the scheduled dates of committee meetings,
  - (iii) the agenda for each meeting,
  - (iv) a copy of the minutes of each committee meeting, which must be signed by the co-chairpersons and must remain posted until all matters of concern recorded in the minutes are resolved, and
  - (v) any item recommended to be posted by a committee member;
- (b) if a representative has been designated,
  - (i) the name of the representative,
  - (ii) the scheduled dates of meetings,
  - (iii) the agenda for each meeting, and
  - (iv) any item recommended to be posted by the representative.

### **Examination of information and materials**

**3.12** An employer and a prime contractor must ensure that a committee member and a representative is allowed to examine any logbook, assessment, inspection report or other record that the employer or prime contractor is required

to keep at the workplace under the Act or the regulations.

**Lost-time injury information**

**3.13** An employer must provide information respecting lost-time injuries at the workplace to the committee members and to the representative.

**Handling of personal health information**

**3.14** A committee member and a representative must not disclose a worker's personal health information unless the disclosure is required or permitted by law.