Health and safety committee terms of reference (sample)

This is one example of a health and safety committee terms of reference. If you choose to use this sample, make sure you customize it to your work and work site.

**Employer name:**

The <***employer name***> Health and Safety Committee has adopted these terms of reference to guide its operations in alignment with the *Occupational Health and Safety Act*, Regulation and Code.

The committee hereby confirms that any appointments made before the date that these terms of reference are approved and effective, are valid, and made in compliance with occupational health and safety laws.

These terms of reference do not include employer responsibilities related to health and safety committee functioning, including those set out in the act, regulation and code.

# Committee membership

## Members

Members are selected in compliance with Sections 13(4) and 13(5) of the *Occupational Health and Safety Act*, and Section 196.1 of the Occupational Health and Safety Code.

* As determined by <***employer name***>, a total of <***numbe***r> workers members are needed to equitably represent the workers and address relevant health and safety concerns:
  + <***number***> bargaining unit members from <***union name***>.
  + <***number***> representing non-union workers.
* Worker members cannot be management or persons associated with management of the work. All committee members must be directly employed by <***employer name***>.
* Bargaining unit members are selected using the following process set by <***union name***>:
  + <***insert process steps***>.
* The committee has set the following processes for selecting non-union worker members:
  + <***insert process steps that ensure non-union workers select their representatives,*** for example: nomination process; voting by non-union workers>.
  + <***include applicable decision processes***, for example: how to choose from multiple nominees; how to resolve tie votes>.
  + The initial worker members must be selected by the processes above within <***reasonable time frame set by the employer***>.
* Vacancies must be filled within <***enter number of days***> from the day that the vacancy occurs.
* The committee will include <***number not greater than the number of worker members***> employer members to represent the employer.
  + <***employer name***> choses the employer members.
  + <***other requirements***, for example: employer members are selected from management or persons associated with management of the work>.

## Co-chairs

In compliance with Section 196.2 of the Occupational Health and Safety Code:

* The committee will have two co-chairs: one representing workers, the other representing the employer.
* The employer co-chair is selected by the employer’s representatives on the committee according to the following process:
  + <***insert process steps*** >.
  + <***include applicable decision processes***>.
* The worker co-chair is selected by the worker’s representatives on the committee according to the following process:
  + <***insert process steps***>.
  + <***include applicable decision processes***>.

## Secretary

* The secretary is selected by the committee members according to the following process:
  + <***insert process steps***>.
  + <***include applicable decision processes***>.

## Non-voting, ex-officio members, guests

* Non-voting members include:
  + <***list applicable individuals***, for example: a representative from a specific business area to act as an expert resource to the committee; the secretary (if they are not selected from the committee membership); employer’s health and safety advisor>.
* Non-voting, ex-official members are permitted to attend all meetings of the committee.
* Guests are permitted to attend meetings with the prior agreement of the committee.
* Any Alberta OHS officer has the right to attend any committee meeting as an observer.

# Committee responsibilities

The committee must carry out duties required by or implicit in Sections 13(6), 17(5), 17(12) and 33(6)(d) of the *Occupational Health and Safety Act,* and provisions of the code.

* Participate in the hazard assessment process set by <***employer name***>.
* Review <***employer name***> health and safety records including:
  + Work site inspection documentation.
  + Incident investigation reports received under Section 33 of the act.
  + Dangerous work refusal reports received under Section 17 of the act.
  + Worker overexposures received under Section 22(3) of the code.
* Ensure receipt of worker concerns as follows:
* <***insert all processes set by the committee***, for example: concerns received via anonymous feedback box kept in the staff room at each work site; concerns received by email to the committee email address; concerns received through the employer’s dangerous work refusal notifications>.
* Consider health and safety concerns, including those:
* Received from workers.
* Raised by committee members.
* Identified through review of <***employer name***> health and safety records.
* Make recommendations on any health and safety concerns using the process described in “Forwarding concerns and recommendations”.
* Participate in developing, implementing and reviewing <***employer name***> violence and harassment prevention plans.
* Participate in developing and implementing certain procedures related to hazardous products (WHMIS).
* The committee will maintain the confidentiality of information provided to the committee in relation to a health and safety incident, dangerous work refusal or any other matter deemed to be confidential by the committee or the employer, unless authorized by the employer or required under law.

The committee will review these terms of reference at least <***frequency***, for example, once per year>.

## Co-chairs

In addition to duties described elsewhere in the terms of reference, the co-chairs work with members to achieve consensus regarding concerns and recommendations. This may involve acting as a moderator during, or encouraging member participation in, committee discussions.

## Secretary

In addition to duties described elsewhere in these terms of reference, the secretary <***insert additional duties***, from example: arranges for meeting space as required>.

# Meeting framework

## Frequency and scheduling

* Committee meetings will be scheduled:
* <***insert meeting frequency***>.
* <***insert procedure*** ***set by committee***, for example: providing committee members two weeks’ notice of time and place of meeting >.
* In compliance with Section 13(7) of the *Occupational Health and Safety Act*, committee meetings will be held during normal working hours.
* In compliance with Section 198(1) of the Occupational Health and Safety Code, the committee will hold a special meeting if required to do so by an Alberta OHS officer.

## Agenda

* The secretary will request agenda items from the members at least <***number***> days before the meeting.
* The secretary will prepare, and the co-chairs approve, a meeting agenda at least <***number***> days before the meeting.
* The secretary will distribute the agenda to members at least <***number***> days before the meeting.

## Conducting meetings

The co-chairs lead meetings according to the following processes:

* The co-chairs will alternate leading meetings.
* <***insert additional process or references***, for example: the co-chair leading the meeting will begin by reading the agenda; committee members can request additions to the agenda; the committee will decide whether to accept additions; the committee will follow the agenda items in order; the committee will follow specific point of order rules>.
* The co-chair leading the meeting will put any appropriate items to the committee for a vote.

## Quorum

* To carry out valid business, the committee will meet quorum requirements set out in Section 199 of the Occupational Health and Safety Code:
  + At least half the committee members must be present.
  + Both worker and employer members must be present.
  + At least half of the members present are worker members.
* Additionally, the committee has set the following quorum requirements:
  + <***insert additional applicable requirements***, for example: a certain number of bargaining unit members must be present>.

## Voting

Committee votes will be held according to the following process:

* <***describe process***, for example: consensus; majority vote>.

## Meeting records

* The secretary records committee meetings through the following process:
  + <***describe process selected by the committee***, for example: audio recording; written notes>.
* The secretary prepares and distributes the records to all committee members through the process:
  + No more than <***number***> days after the meeting.
  + Committee members can provide the secretary with corrections within <***number***> days of receipt.
  + Secretary will make any necessary corrections and redistribute within <***number***> days.
* The secretary may, with the permission of the committee, distribute the records to the following parties:
  + <***list who else can receive the records***, for example: employer; union; general workers>.
* The secretary maintains committee meeting records according to the following process:
  + Records are kept <***where and in what form***, for example: in secure network drive, notes in secure file cabinet>.
  + Records are retained for <***number***> years.
  + Records are accessible by the following parties: <***list***>.

# Forwarding concerns and recommendations

* The co-chair who leads a meeting will forward the committee’s health and safety concerns or recommendations to the employer within <***number***> days or another period specified by the committee, if applicable.
* The co-chair will forward the concerns or recommendations according to the following process:
  + <***insert process steps***, for example: who will receive the concern or recommendation; how a concern or recommendation is followed up if needed; how employer’s response is communicated back to the committee>.

# Term of office

* The committee has set each member’s term in office at <***insert number***> years.
* <***include any additional rules the committee has set related to term of office***, for example: number of terms an individual can serve consecutively; number of terms an individual can serve in total>.

# Replacing members during terms of office

* The committee may remove a member from the committee, if the committee determines that the member has done any of the following:
  + <***describe reasons why a member would be removed from office***, for example: not fulfilling duties; conflict of interest; disruptive behaviour at meetings; any other reason that could compromise the reputation or functioning of the committee>.
* Removal of a committee member will be carried out according to the following process:
  + <***describe removal steps here***, for example: a two-thirds vote to remove by the committee>.
* If a member cannot complete their term in office or is removed from the committee, a new member will be selected following the processes specified in “Committee membership”.

# Dispute resolution process

* When an item is not settled through the voting process described in “Meeting framework”, the co-chair who is leading the meeting will make all efforts to resolve the issue.
* Committee members will work together collaboratively and respectfully, to best resolve issues and reach consensus.
* If the issue cannot be resolved, the co-chair will forward the concerns of the committee, including the disagreement among the committee, to the employer. The co-chair will follow the process described in “Forwarding concerns and recommendations”.

# Terms of reference approval and effective date

**We, the co-chairs of the committee, confirm that these terms of reference have been passed by the committee.**

| **Employer co-chair** | **Worker co-chair** |
| --- | --- |
| Print name | Print name |
| Signature | Signature |
| Date | Date |

This form is for example purposes only. Completing this form alone will not necessarily put you in compliance with the legislation. It is important and necessary that you customize this document to meet the unique circumstances of your work site. Further, it is essential that this document is not only completed, but is used, communicated and implemented in accordance with the legislation. Neither the Crown, nor its agents, employees or contractors, will be liable to you for any damages, direct or indirect, arising out of your use of this form.