



# Introduction to Occupational Health and Safety and Joint Health and Safety Committees (“JHSCs”)

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The information is not legal advice. The materials only address Workers Compensation and Occupational Health and Safety. Nothing in this presentation supersedes the WCB Act, OHS Regulations and Policy. There may also be Collective Agreement rights and obligations. This information is for CUPE use only, cannot be used in any other proceeding and is without prejudice and precedent to any labour relations matter, collective bargaining, grievance, arbitration, and WCB claim or appeal. Each case is subject to the fact pattern and to the changing jurisprudence. This information is subject to frequent changes in law, regulation and policy and will vary by both province and jurisdiction. The current law and policy should be reviewed as they change frequently. There were many changes to numbering in the BC Workers Compensation Act in 2020.



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While humour is incorporated in this Power Point, occupational health and safety is a very serious matter. There were over 187 fatalities in BC in 2018. Injuries to workers in precarious employment are increasing each year with very high rates of injuries and fatalities for younger workers. Please see the “Injury Prevention for Workers in Precarious Employment & New and Young Workers 2018” CUPE Guide as well.

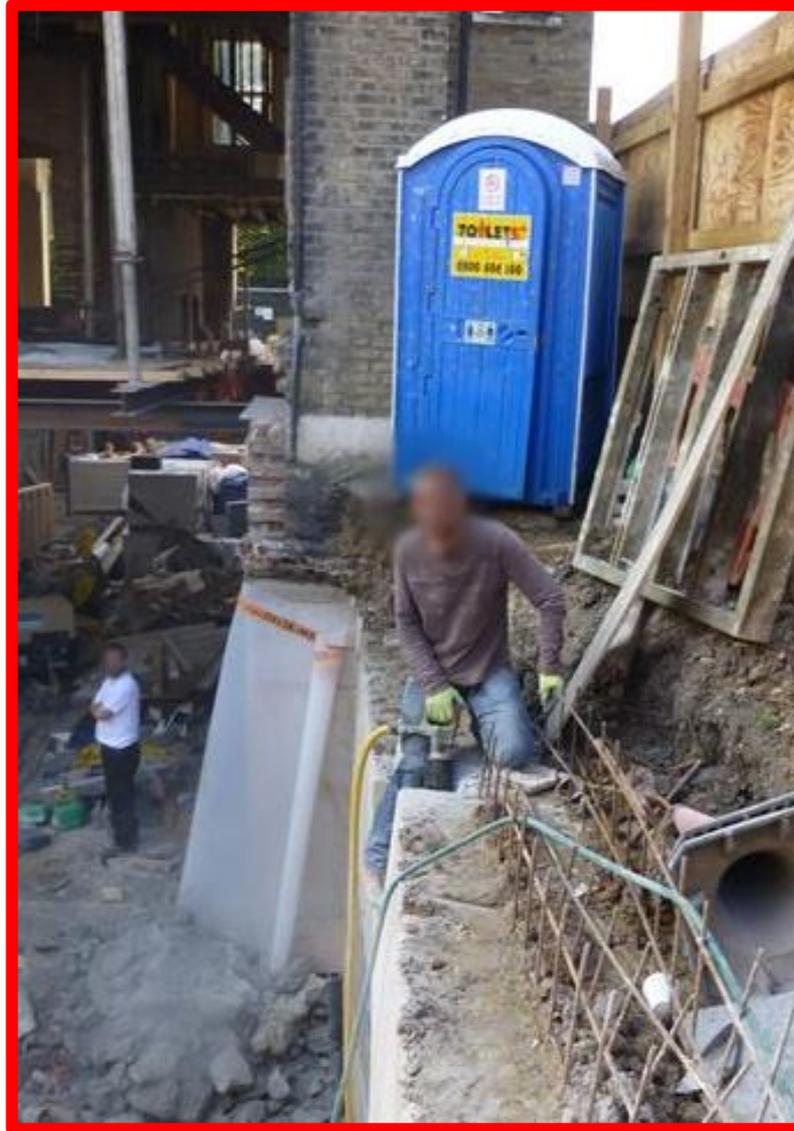
Risks to safety come  
in many forms.  
Safety starts with the  
Joint Health and  
Safety Committee



# I. Overview of Presentation

- This presentation is a brief introduction to Health and Safety Programs and Joint Health and Safety Committees in BC.
- CUPE members are advised to also take the CUPE National “Health & Safety Learning Series” modules, the BC Federation of Labour Health & Safety Centre courses and the CLC weeklong Winter School courses.
- This introduction does NOT form part of the annual mandatory JHSC 8 hour training as required by WorkSafeBC (WCB) nor the new member JHSC training.
- This Power Point does not address small employers/Worker Representatives vs JHSCs.

**Unresolved JHSC  
issues impact  
safety...**



## Addressing Problems cont'd.

- Section 38(2) has also been amended to allow the WCB to unilaterally investigate and attempt to resolve any health and safety matter upon which a JHSC is unable to reach agreement.
- Requesting a Prevention Officer to come and speak with the JHSC per Section 38 of the Act (see the WCB P.A.C.E. program).



## Addressing Problems cont'd.

- Advising the Employer they must respond as per Section 39 of the *Act*.
- Ensuring the JHSC has the necessary resources per Section 42 of the *Act*.
- Conducting a JHSC Committee Annual Evaluation – this is the easiest and most effective tool to ensure compliance.



Refer to the  
WCB  
materials for  
further  
information

## Program and Committee Evaluation (PACE) Initiative

WorkSafeBC's Program and Committee Evaluation (PACE) Initiative was created, in part, in response to the B.C. coroner's recommendations from the Lakeland inquest regarding the role and responsibilities of joint health and safety committees, and from *Bill 35* (2015), which focuses on expanding the role of joint committees in workplace health and safety.

<a href="#">Goals</a>	<a href="#">Updates and results</a>
<a href="#">Approaches</a>	<a href="#">Related resources</a>
<a href="#">Deliverables and timelines</a>	<a href="#">Related articles</a>

The initiative was piloted in 2017, focusing on employers with workplaces that were considered either moderate to high risk and with 20 or more workers, or low risk with 50 or more workers. Employers' occupational health and safety (OHS) programs and joint health and safety committees were evaluated as part of this pilot.

In 2018, the PACE Initiative was rolled out throughout the province and expanded to include employers in low, moderate, or high risk industry sectors with 9-19 workers requiring less formal OHS programs.

### Goals

The goals of the 2018–2020 PACE Initiative are to:

- Prevent and reduce injury rates
- Evaluate workplace OHS programs and joint committees/worker health and safety representatives for compliance with the *Workers Compensation Act* and the Occupational Health and Safety Regulation
- Engage employer leadership to promote improvement of formal and less formal OHS programs and joint committee/worker representative function beyond the basic requirements

### Approaches

- Inspections will focus on the implementation and maintenance of OHS programs and joint committee/worker representative function. Specifically this includes reviewing the following:
  - Management leadership and commitment to occupational health and safety
  - Ability to identify, assess, and control risks
  - Process of incident investigation and reporting
  - Functionality of joint committees/worker representatives
- This initiative uses an employer self-evaluation questionnaire, on-site inspections, specific interviews with management and joint committee co-chairs, document review, and a validation process to evaluate the adequacy of OHS programs and joint committee/worker representative function.

# Program and Committee Evaluation (PACE) overview

## Industry Initiative Overview – Program and Committee Evaluation (PACE)

WorkSafeBC's Program and Committee Evaluation (PACE) Initiative was created, in part, in response to the B.C. coroner's recommendations from the Labillard report regarding the role and responsibilities of joint health and safety committees, and from BCF 20 (2016), which focuses on expanding the role of joint committees in workplace health and safety.

The initiative was piloted in 2017, focusing on employers with workplaces that were considered either moderate to high risk and with 25 or more workers, or low risk with 50 or more workers. Employers' occupational health and safety (OHS) programs and joint health and safety committees were evaluated as part of the pilot.

In 2018, the PACE Initiative was rolled out throughout the province and expanded to include employers in low, moderate, or high risk industry sectors with 1-24 workers requiring less formal OHS programs.

### Goals

The goals of the 2019-2023 PACE Initiative are to:

- Prevent and reduce injury rates
- Evaluate workplace OHS programs and joint committees/worker health and safety representatives for compliance with the Workers Compensation Act and the Occupational Health and Safety Regulation
- Engage employer leadership to promote improvement of formal and less formal OHS programs and joint committees/worker representative function beyond the basic requirements

### Approaches

- Inspections will focus on the implementation and maintenance of OHS programs and joint committees/worker representative function. Specifically this includes assessing the following:
  - Management leadership and commitment to occupational health and safety
  - Ability to identify, assess, and control risks
  - Process of incident investigation and reporting
  - Functionality of joint committees/worker representatives

Industry Initiative Overview  
Program and Committee  
Evaluation (PACE)

February 2019

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**A properly  
functioning JHSC is  
crucial to safety...**



Questions?



# If you remember anything...

You should be able to come home from work without illness or injury.

Safety forms the foundation of the labour movement.

Safety is part of every orientation for new workers, including new jobs, changed jobs and work processes.

Safety is especially important for workers in precarious employment as they have much higher rates of injuries.