

[What is the Joint Occupational Health and Safety \(JOHS\) Committee?](#)

Every BC workplace employing HSA members is required by law to have an occupational health and safety program in place. The purpose of such a program is to prevent workplace injuries and occupational diseases. The OHS program requires the establishment of a joint occupational health and safety committee. Committees and OHS programs are governed by the Workers' Compensation Act (WCA) and OHS Regulation.

[How are representatives for the \(JOHS\) Committee selected?](#)

The worker reps on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:

- a) if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions;
- b) if none of the workers are represented by a union, the worker representatives are to be elected by secret ballot;
- c) if some of the workers are represented by one or more unions and some are not represented by a union, the worker representatives are to be selected in accordance with paragraphs (a) and (b) in equitable proportion to their relative numbers and relative risks to health and safety;
- d) if the workers do not make their own selection after being given the opportunity under paragraphs (a) to (c), the employer must seek out and assign persons to act as worker representatives. ([WCA Part 3 S128](#))

[Duties and functions of joint committee](#)

130 A joint committee has the following duties and functions in relation to its workplace:

- (a) to identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;
- (b) to consider and expeditiously deal with complaints relating to the health and safety of workers;
- (c) to consult with workers and the employer on issues related to occupational health and safety and occupational environment;
- (d) to make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;
- (e) to make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with this Part and the regulations and to monitor their effectiveness;
- (f) to advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;
- (g) to advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers;
- (h) to ensure that accident investigations and regular inspections are carried out as required by this Part and the regulations;

- (i) to participate in inspections, investigations and inquiries as provided in this Part and the regulations;
- (j) to carry out any other duties and functions prescribed by regulation. ([WCA Part 3 S130](#))

[How does the JOHS Committee work for HSA?](#)

According to the Union's Constitution, "There will be a minimum of one Occupational Health and Safety Steward and one alternate Occupational Health and Safety Steward per Chapter. In those Chapters which have more than one site, there will be a minimum of one Occupational Health and Safety Steward where practical, per site." In larger sites where the JOHS committee requires more than one HSA rep (as specified in that JOHS committee's terms of reference), the HSA chapter is expected to fill those spots and ensure there are alternates available for each rep.

A significant portion of an OHS steward's role is to represent the HSA on the JOHS committee. The HSA constitution defines the broader role of the OHS steward like this:

- a) To represent members on the joint occupational health and safety committee in the chapter or worksite, as required.
- b) To be an advocate on behalf of members to the employer in health and safety matters.
- c) To keep members informed on workplace health and safety matters.
- d) To communicate significant health and safety problems to the chief steward and the union staff person.

[Who pays for JOHS committee work?](#)

JOHS committee work is considered as time worked for the employer and the employer must pay the committee member for that time. A member of a joint committee is entitled to time off from work for the time required to attend meetings of the committee, 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. ([WCA Part 3 S134](#)).

[Is there training for these committees?](#)

There are two legal requirements to ensure committee members are properly trained:

1. For new committee members:

The employer must ensure that each member of the joint committee, as soon as practicable but no more than 6 months after becoming a member, receives a total of at least 8 hours of instruction and training. The instruction and training must include the following topics:

(a) the duties and functions of a joint committee under section 130 of the *Workers Compensation Act*;

(b) the rules of procedure of the joint committee as established under or set out in section 131 of the *Workers Compensation Act*;

(c) the requirements respecting investigations under sections 173 to 176 of the *Workers Compensation Act*;

(d) the requirements respecting inspections under sections 3.5, 3.7 and 3.8 of this regulation and how to make regular inspections under section 3.5 of this regulation;

- (e) the requirements respecting refusal of unsafe work under section 3.12 of this regulation;
- (f) the requirements respecting the evaluation of joint committees under section 3.26 of this regulation. ([Section 327, OHS Regulation](#))

2. For all committee members:

In addition to the above, each member of a joint committee is entitled to an annual educational leave totaling eight hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses. A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave. The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course. ([WCA Part 3 S135](#))

For information about OH&S education available through the union, check the HSA website for upcoming workshops.

[Are there other employer obligations to support the committee?](#)

1. The employer must provide the joint committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.
2. On request of the joint committee, the employer must provide the committee with information respecting:
 - the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed,
 - health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge,
 - orders, penalties and prosecutions under this part or the regulations relating to health and safety at the workplace, and
 - any other matter prescribed by regulation. ([WCA Part 3 S136](#))

For more information about HSA occupational health and safety programs and committees, contact HSA's OH&S officer, Michael.Wisla@hsabc.org or call 604-517-0994/toll-free 800-663-2017.