

ATIRA WOMEN'S RESOURCE SOCIETY

# JOINT HEALTH & SAFETY COMMITTEE

EVALUATION REPORT

September 2022

# TABLE OF CONTENTS

- INTRODUCTION .....3**
- PART 1: EVALUATION OF LEGAL OBLIGATIONS.....4**
  - 1.1 JHSC selection, membership, and procedures ..... 4**
  - 1.2. Employer Support for the JHSC ..... 4**
  - 1.3 JHSC recommendations ..... 5**
  - 1.4 Duties and functions of the JHSC ..... 5**
- PART 2: EVALUATION OF THE EFFECTIVENESS OF THE JHSC.....6**
  - 2.1 Rules of Procedures (Terms of Reference)..... 6**
  - 2.2 Meeting attendance and participation ..... 7**
  - 2.3 Report of the meeting (Meeting minutes) ..... 8**
  - 2.4 JHSC response to refusals of unsafe work..... 8**
  - 2.5 Overall effectiveness ..... 9**
- PART 3: FOCUS AREAS — ENCOURAGING GROWTH AND DEVELOPMENT .....9**
  - Focus Area A - Communication ..... 9**
    - A.1 JHSC meetings and communication..... 9**
    - A.2 Communication with workers..... 10**
    - A.3 Communication with the employer ..... 11**
  - Focus Area B - Workplace inspections and risk assessment and control..... 11**
  - Focus Area C – Incident Investigation..... 12**

## INTRODUCTION

The joint health and safety committee (JHSC) supports Atira Women's Resource Society's (Atira's) duty to ensure a healthy and safe workplace. The JHSC brings together representatives of Atira (the employer) and representatives of Atira staff, to identify and help resolve health and safety issues in the workplace.

The JHSC plays an important role in the occupational health and safety program, giving workers and employers a way to work together to identify and find solutions to workplace health and safety issues. The JHSC has the following specific duties and functions:

- Identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations.
- Consider, and promptly deal with complaints relating to the health and safety of workers.
- Consult with workers and the employer on issues related to occupational health and safety, and the occupational environment.
- Make recommendations to the employer and the workers for the improvement of the occupational health and safety, and the occupational environment of workers.
- Make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Occupational Health and Safety (OHS) provisions of the *Workers Compensation Act* and the regulations and monitor their effectiveness.
- Advise the employer on programs and policies required under the regulations for the workplace, and monitor their effectiveness
- 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
- Ensure that accident investigations and regular inspections are carried out as required
- Participate in inspections, investigations, and inquiries as provided in the OHS provisions of the *Workers Compensation Act* and Part 3 of the Regulation

Section 3.26 of the Regulation requires a written evaluation to be conducted annually to determine the effectiveness of the JHSC. The intent of the evaluation is to determine whether the JHSC is in compliance with the *Act* and Regulation, and to assess whether the JHSC has been effective in fulfilling its role. **Evaluations should also identify improvements to be considered and implemented.**

At Atira, we used the Health and Safety Evaluation Tool, a form designed by WorkSafe BC, as the primary evaluation template in order to ensure that all information required by section 3.26 of the Regulation is included in the evaluation.

This evaluation was filled out by four Atira's JHSC members; Maria Kinuthia, the Employer's co-chair, Mellissa Jones, the alternate employees' co-chair, Christine Lamont, the former employer

representative, and Arita Atwal, the current employer's representative. The evaluation team also looked at JHSC meeting minutes, and other documents relevant to the committee. WorkSafe regulations require the evaluation to survey the two Co-chairs of the JHSC however, we asked two additional people to fill out the forms because the alternate employee's co-chair was not in the position long enough (just three months) to be able to answer all of the questions thoroughly. Christine Lamont was the employer Co-Chair for nine years and left the committee during the preparations for the evaluation. Arita Atwal has been the employer's rep for the past five months.

## **PART 1: EVALUATION OF LEGAL OBLIGATIONS**

### **1.1 JHSC selection, membership, and procedures**

All interviewees indicated that all the assessment criteria for this area were completed and that the JHSC is compliant with the different requirements of the Act including having a minimum of at least four members, assigned worker representatives and employer representatives, two co-chairs: one selected by workers, and the other selected by the employer. The worker representatives' selection process was according to Section 34 of the Act, the employer representatives were selected according to Section 35 of the Act. The JHSC meets at least once a month, prepares meeting minutes with a copy to the employer, and has terms of reference. The JHSC's selection process, membership, and procedures are fully compliant with legal obligations.

### **1.2. Employer Support for the JHSC**

All interviewees indicated that employer support for the committee is evident, referring to:

- members attending meetings during paid working hours,
- employer providing needed and required equipment, premises, and clerical personnel necessary for carrying out the JHSC's duties and functions,
- employer providing information requested by the JHSC, including information on health and safety hazards, and including the names and work locations of JHSC members in the OHS binder, and minutes of at least three most recent meetings.

However, when asked "if members received paid time off work that is reasonably necessary to prepare for meetings and fulfill other JHSC duties and functions" the former employer representative indicated that because members' duties to the committee are done during shift hours, they do not have adequate time to properly prepare for the JHSC. She also indicated the names and work locations of committee members are posted in the OHS binder but not on the OHS board, which needs to be changed.

***Recommendation 2: JHSC Co-Chairs must ensure the names and work locations of JHSC members are posted not only in the OHS Binders, but also on the OHS Boards.***

The employer's representative and co-chair both agreed that all items in this section are fulfilled, and the members received the minimum eight hours of instruction and training that is required

within six months of becoming a committee member. All committee members receive the annual educational leave totaling eight hours, to which they are entitled to attend occupational health and safety training courses. Committee members receive educational leave without loss of pay or other benefits. The employer pays for the cost of the training and for attending.

All interviewees however, referred to the impact of COVID-19 on JHSC trainings. Before COVID-19, group trainings were organized but when the pandemic hit and with the expansion of the JHSC, it became harder to support and implement trainings on a regular basis. Interviewees indicated that holding sessions online instead of in-person made the training and education requirement a challenge.

***Recommendation 3: Now that the pandemic is waning, the JHSC must plan a clear training and development program for its members, including but not limited to the minimum eight-hour requirement within six months of becoming a JHSC member/eight-hour annual requirement.***

***Recommendation 4: Committee Co-Chairs must regularly review training completed by JHSC members to ensure planned training is being completed, especially if pandemic-related health restrictions force training back on line.***

### **1.3 JHSC recommendations**

The committee has a duty to make recommendations to the employer about the improvement of workplace health and safety, as well as make recommendations on educational programs promoting the health and safety of workers and compliance with the Act and the Regulation.

All interviewees agreed that the JHSC's rules of procedure (terms of reference) including provisions for how to make recommendations to the employer are fulfilled. Interviewees' answers indicated that the employer has been responsive and supportive of the JHSC recommendations; even going through investigation processes to assess and support the JHSC recommendations when needed.

None of the interviewees referred to incidents in which Atira was late or was not supportive of or responsive to the JHSC's recommendations.

### **1.4 Duties and functions of the JHSC**

In terms of duties and functions, the employer co-chair and the employer representative believed the JHSC has complied with all requirements which include:

- identifying and reporting situations that may be unhealthy or unsafe.
- considering and dealing with complaints related to the health and safety of workers.
- consulting with workers and the employer on issues related to workplace health and safety and the work environment.
- making recommendations to the employer and workers about the improvement of the workplace health and safety and work environment.

- advising 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,
- ensuring that accident investigations are carried out as required by the Act and the Regulation.
- participating in inspections, investigations, risk assessments, and inquiries as provided in the Act and the Regulation.
- and participating in the procedure for resolving refusals of unsafe work.

All interviewees agreed that the JHSC has been compliant with the requirements under this section except with respect to advising the employer on educational programs promoting the health and safety of workers and supporting compliance with the Act and its regulations.

**Recommendation 5: The JHSC must review and understand all its duties and responsibilities according to the Act and ensure they are implemented and followed up on, including making recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the Act and the Regulation.**

## **PART 2: EVALUATION OF THE EFFECTIVENESS OF THE JHSC**

### **2.1 Rules of Procedures (Terms of Reference)**

The following are the characteristics of an effective committee's rules of procedure:

- Committee members know the role of the committee and the extent of its authority.
- Committee members actively contribute to a set of regularly reviewed objectives.
- Rules of procedure meet the minimum legal requirements of Section 37 of the Act.
- Rules of the procedure include provision for: Committee composition and selection of members, duties and functions, record keeping, roles of guests, decision-making procedures, informal and formal committee recommendations, resolution of action items, education and training for committee members, committee evaluation, defining quorum, conflict resolution, and other relevant matters.
- Rules are developed collaboratively, with the participation of committee members.
- Rules are reviewed periodically and reflect the committee's current process and mandate.

In obtaining approval for the JHSC in March 2021, Atira ensured full compliance with the requirements for an effective Terms of Reference (ToR) and established ToR that were reviewed and approved by the JHSC before submitting to WorkSafe BC.

Considering the above criteria, three interviewees evaluated the committee function in relation to the rules of procedure as "very effective", while one evaluated it as "somewhat effective." The

main reason for the “somewhat effective” rating related to the effectiveness of the JHSC when it comes to its own members training, and advising on education programs as a whole.

The former employer representative mentioned that: *“The most practical and useful function of the committee is recognizing trends where the development of new Safe Work Procedures can better protect the health & safety of workers. This is, in fact, sometimes done by the committee by sharing info regarding the effective dealing of issues that may at first blush seem site-specific, but may have broader applications. Training has not been a topic the committee has given much consideration in the past year due to COVID restrictions, but as these are lifted, renewed attention to live, hands-on training might better equip the committee to learn methods and skills that may be helpful.”*

## 2.2 Meeting attendance and participation

The following are characteristics of an effective committee’s meeting attendance and participation:

- Agenda is distributed prior to meetings.
- Agenda is used at meetings to guide discussion and keep the meeting on time.
- Relevant documents (reports, etc.) are distributed and reviewed prior to meetings.
- Committee members are given time that is reasonably necessary to prepare for committee meetings (per [section 40](#) of the Act).
- Committee members regularly attend meetings.
- Alternates are selected in case of member absence.
- Employer and worker co-chairs take turns running the meeting.
- Committee members are engaged and participate in discussions.
- Employer and worker representatives participate equally, with no one group dominating discussions.
- Regular attendance is supported by the employer. This includes removing barriers such as scheduling, and backup coverage.

The employer’s co-chair and representative agreed that the meeting attendance and participation were “very effective”. The employer’s co-chair stated that *“The representatives are dedicated to their roles. They regularly attend meetings.”* However, the former employer representative evaluated it as “moderately effective” and said, *“Many of the techniques listed above have been tried already but routinely keep the level at moderate.”*

The employee’s alternate co-chair evaluated the participation as “somewhat effective” and she commented: *“There is no agenda that I am aware of, being distributed prior to meetings, However the minutes (reports) from the previous meeting guide our proceedings. We rarely have a quorum at 3 pm when the meeting is set to begin, resulting in the employer representative(s) calling around to ask committee members to attend. This can sometimes take*

*up to half an hour. Confirming attendance/reminding committee members prior to the meeting could enable us to begin meetings on time.”*

Based on the above, attendance seems to be an area that would benefit from more attention and Co-Chairs must agree on a way to improve attendance.

**[Recommendation 6: JHSC Co-Chairs and members must explore ways to improve attendance at JHSC meetings.](#)**

## **2.3 Report of the meeting (Meeting minutes)**

The following are characteristics of an effective committee’s meeting minutes:

- Meeting minutes provide a full and accurate record of the meeting, and include: Who attended the meeting; the issues that were discussed; reports, statistics, and other documents reviewed; any action required, the name of the person assigned to complete the action, its priority, and the expected completion date; and outstanding action items are tracked and monitored to completion.
- Minutes are circulated to members promptly.
- Minutes are adopted at the next meeting

In terms of the meeting minutes, the employer’s co-chair evaluated the procedure as “somewhat effective” and the alternate co-chair evaluated the procedure as “moderately effective”. The other two interviewees agreed that the procedure is “very effective”. Interviewees who did not evaluate the minutes as “very effective” referred to that fact the minutes do not have an expected completion date for recommended actions, which affect the effectiveness of the JHSC’s work. In general, the evaluator believes meeting minutes are being produced, used, and functioned according to the requirements of the Act.

**[Recommendation 7: Co-Chairs must ensure clear deadlines and/or completion dates for recommended actions are identified and agreed upon and recorded in JHSC meeting minutes.](#)**

## **2.4 JHSC response to refusals of unsafe work**

This section was not relevant for the current JHSC evaluation as there were no refusals of unsafe work in the past 12 months.

In general, interviewees evaluated this area as “very effective” however, the former employer representative did not evaluate as she only looked at the fact that in the past year there were no work refusals.

The only risk in this area is the potential for JHSC members to lack practice in implementing procedures for refusal of unsafe work and therefore fail to deal adequately with a situation if/when one arises.

[Recommendation 8: Co-Chairs must ensure that proper training is regularly conducted for members on dealing with work refusals and procedures according to the Act, even when there are no refusals](#)

## 2.5 Overall effectiveness

In this section the co-chairs needed to complete and measure the overall effectiveness of the previous parts. The employer co-chair and the employer representative in addition to the alternate employees' co-chair believed that overall, the JHSC is "very effective". The employer's co-chair commented, *"The Committee has improved as members have gained more confidence and understanding of their roles."*

The alternate employee co-chair commented, *"I am selecting "very effective" as it appears to me that there have been no refusals to work by an employee, which could indicate that the committee is effective in resolving workplace hazards in a timely fashion, resulting in no interruptions to work"*.

The JHSC complied with the Act during the last 12 months, and all legal requirements.

## PART 3: FOCUS AREAS — ENCOURAGING GROWTH AND DEVELOPMENT

An effective committee provides a way for workers and employers to work together to identify and find solutions for health and safety problems in the workplace. The first objective is to ensure that the committee complies with the minimum legal requirements. As we are satisfied that the committee is compliant, committee members should develop a plan for continual improvement. WorkSafe BC recommends three areas for improvement and suggests choosing one of the following areas to focus on improving each year. The areas include: 1) communication, 2) workplace inspections, hazard identification, risk management, and control, and 3) incident investigation. The below sub-sections will explore each of these three areas separately.

### Focus Area A - Communication

Effective communication ensures that everyone in the workplace is aware of the work of the JHSC in promoting workplace health and safety and encourages people to contribute ideas and be more involved.

#### A.1 JHSC meetings and communication

The respondents evaluated communication within the JHSC meetings as effective and responded to the questions positively with answers either "always" or "usually".

That means that the committee:

- seeks out and explores different opinions to ensure issues and concerns are fully considered when there are differences of opinion within the committee.
- the committee generally resolve the matter.
- the committee is generally able to reach an agreement on matters relating to health and safety relating to workers.
- the co-chairs demonstrate effective communication, conflict resolution, and facilitation skills.
- the committee regularly follow up on the implementation of decisions and recommendations.
- the committee composition reflects the composition of the workplace.
- and finally, the committee proactively identify possible barriers to the implementation of health and safety decisions and recommendations, and propose solutions

The employer co-chair noted, *“the committee communicates effectively and respects other opinions, A lot of ideas are shared on solutions to issues that are brought up”*.

The JHSC complied fully with regulations in terms of communication among the members.

## A.2 Communication with workers

In this section communication between JHSC members and other employees within the organization was evaluated. The evaluation looked at whether the workers regularly approach JHSC members to make suggestions or to discuss health and safety matters, and whether the JHSC regularly interacts with a cross-section of workers (including part-time, and shift workers, and workers at job sites other than their own) about relevant health and safety matters.

Again, the interviewees answered positively with all responses being either “always” or “usually”. The employer’s co-chair confirmed, *“workers approach committee members and supervisors with health and safety matters.”*

The only question that interviewees agreed is difficult and inappropriate for this JHSC to conduct is related to members meeting and interacting with a cross-section of workers at other job sites. The former employer representative indicated, *“Workers in some programs regularly connect with the worker representative and/or manager about any issues that give cause for concern. However, it is simply not practical for worker representatives to meet with workers at other sites. Their regular jobs are demanding and busy and generally, there are only two workers on shift at any given site at most times. It is a challenge to get even most worker reps together once a month for online meetings for 1.5 hours per month, much less have them travel around together from site to site to meet with two other workers at a time. The scheme does not take into account the nature of our 24/7 operations, and our other responsibilities to the women we serve on the shifts that we work.”*

As AWRS runs multiple sites and programs with over 500 staff who work 24/7, communications with workers at other sites remains a challenge however, it must be noted that as part of Atira’s practice to ensure staff communication and full participation, Atira held quarterly all-day staff meetings prior to the pandemic, where workers from across the organization could meet and communicate with each other. However, the pandemic made large gatherings at first impossible

and then difficult, due to health restrictions. As the pandemic restrictions ease and people's confidence to meet in large gatherings increases, Atira will return to organizing all-day staff meetings.

### **A.3 Communication with the employer**

In this section, the evaluation looked at how communication is being conducted with the employer. The questions assessed to what extent the employer representative on the committee (with decision-making authority) regularly seeks out the opinions of the JHSC on existing and potential workplace health and safety issues, including proposed changes to the workplace, and shares health and safety information with the JHSC. This may include industrial hygiene testing results, WorkSafeBC reports or statistics, other occupational and safety health reports, etc.

All interviewees responded positively with either "usually" or "always", indicating that the JHSC has been compliant with the regulations regarding communication with the employer.

However, the employer's co-chair suggested "*more written communication is advised between committee members and supervisors*".

### **Focus Area B - Workplace inspections and risk assessment and control**

Regular workplace inspections can help improve communication around workplace health and safety, identify unsafe conditions and procedures, and better understand the work and the work environment.

According to the responses by the two co-chairs, the committee members "always" interact with a representative sample of workers when conducting workplace inspections. In addition, the JHSC ensures a cross-section of equipment, work methods, and work practices are inspected when conducting workplace inspections, and when hazards are identified and corrected.

When asked if workers who conduct workplace inspections are trained to do so, the common answer was "usually". This is an indication of the need to ensure JHSC members are well-trained on conducting inspections.

Two interviewees responded with "never" when asked if information from workplace inspection reports were reviewed by JHSC members to identify any trends that may be developing. This is an indication that JHSC work is more task by task and rarely looked at globally with respect to OHS incidents or practices or issues across the organization as a whole.

We asked the interviewees to comment further on how effectively the JHSC is participating in workplace inspections including suggestions on how the JHSC might improve the effectiveness of workplace inspections and identify unhealthy and unsafe situations in the workplace. The former employer rep indicated, "*Monthly workplace inspections are done by the worker rep or her alternate at most sites, and they are reviewed by the program manager for that program. However, the hazards we deal with in this work usually have more to do with the work we do in the buildings rather than the building itself, and therefore are typically brought to the attention of*

*the worker reps and the manager by any given member of the staff rather than be discovered in a building inspection.”*

When asked about the most significant risks to worker health and safety in the workplace, interviewees seem to agree that injuries are still a major concern. The alternate employee co-chair commented *“injuries during garbage removal (punctures, cuts, infection transmission, etc), needle pokes, (disposing of exposed needles, emptying full sharps containers, taking out the garbage). Strains slip or fall while lifting or moving objects. Burns and cuts while cooking in the community kitchen.”* On a similar note, the former employer representative said *“I believe the most frequent type of workplace injury is still needle sticks - despite the dramatic decrease in these some years ago when we changed the method of taking out the garbage. Workers engaged in cleaning duties (particularly the building custodians) are the most likely to be affected.”*

All interviewees confirmed measures and controls are now in place and that they have been effective at reducing these risks.

Have controls been put in place and are they effective at reducing the risks. The employer co-chair commented: *“yes. The controls are specific to the various workplaces represented in this committee.”* The alternate employee co-chair commented: *“Yes. We have Safe Work Procedures posted on the OHS board; it is part of the new staff orientation to read all of the OHS manuals. The Safe Work Procedures manual covers all of the above, except for burns and cuts incurred while cooking in the Community Kitchen.”* Finally, the former employer representative: *“Yes, measures are in place, and they are very effective when consistently observed.”*

**[Recommendation 10: Plan and conduct a training on building inspection procedures and practices for all JHSC members.](#)**

**[Recommendation 11: Prepare a checklist that gets attached to the JHSC TOR that includes a list of the trainings and orientation procedures needed for inspection and risk assessment and control for new members joining the JHSC.](#)**

**[Recommendation 12: Atira must explore ways to strengthen JHSC skills and capacities related to looking at trends and overall themes of OHS issues within its programs.](#)**

## **Focus Area C – Incident Investigation**

Employers must conduct investigations of any workplace incidents resulting in an injury to a worker or near misses with the potential for worker injury, as well as major structural failures, the release of hazardous substances, and other circumstances. Refer to Part 2 Division 10 of the Act and section 3.28 of the Regulation.

According to the interviewees, all agreed that worker and employer representatives received appropriate training on incident investigation methodology and that JHSC members understand the purpose of preliminary and full investigation reports, including the statement of sequence of events.

The employer co-chair and the employer representative indicated that the JHSC “always” ensures that incidents are investigated in accordance with [sections 69 to 72](#) of the Act, and that JHSC members know the purpose of preliminary and full investigation reports and how to conduct them; complying with the Act requirements. The employer’s co-chair indicated, *“committee members participate in investigations. They also help in corrective actions to prevent injuries”*.

However, the former employer representative believed that two areas had “never” been considered; “the committee receives reports of preliminary investigations in a timely manner” and “the committee receives reports of full investigations in a timely manner”. The feedback she provided to explain her response in this section is as follows: *“We rarely have the actual documents from investigations present (or distributed in advance) at the committee meetings. Rather, the pertinent info is communicated to other committee members in a short oral summary of the type of incident and the conclusions/recommendations of the investigation by the worker rep belonging to the team at any of the 17 different worksites represented on the committee”*.

Therefore, and looking at the responses of the four interviewees, the evaluation has two recommendations to strengthen practices of incident investigations within the committee:

**[Recommendation 13: Atira must share the full investigation reports with the JHSC.](#)**