

## What does my OHS Committee do?

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DELEGATES TO THE RECENT HSA CONVENTION in Vancouver asked a number of questions about the role and responsibility of workplace occupational health and safety committees:

#### **When should worksite inspections occur, who organizes them and how are members freed up to do them?**

The Workers Compensation Act (Division 4 Item 130) addresses this, and while it doesn't define a precise schedule it states that worksite inspections must be held "regularly" so as to ensure safety concerns are adequately recognized and dealt with to reduce risk of injury or illness. The OHS committee for each worksite should reach consensus on a schedule of inspections and set these out in their terms of reference.

The Act (Division 4 Item 134) requires employers to ensure that worker representatives are given time off work to attend meetings. They are also required to allow for "other time that is reasonably necessary to prepare for meetings for the committee, and to fulfill the other functions and duties of the committee".

If employees are being denied any of the above, the matter should be brought to the attention of their supervisor with the appropriate Act references. If no positive action occurs, the matter should be brought to the safety committee.

#### **What do we do if our site is not holding regular meetings?**

The employer is obliged by law to ensure regular meetings are being held. If not, the union co-chair should meet with the management co-chair and insist that meetings take place.

#### **What if the employer doesn't respond to this or any other committee recommendation or request? How long should we wait for resolution of a safety concern?**

Under the Act (Division 4 - 133), the employer is required to respond within 21 days to a written request from the committee. If the employer fails to respond in this timeframe, co-chairs should call Worksafe BC to ask for assistance from an officer.

#### **My employer says that funding cuts mean we can't do safety committee training.**

The Act makes it clear that training is a legal requirement for all employers. It is not discretionary. Division 4 Item 135 states that the employer must pay for eight hours of training for committee members to attend "occupational health and safety training courses conducted by or with the approval" of WorksafeBC. The absence of a budget line to cover this is irrelevant; it must be done.

#### **Sometimes police are called about a dangerous client but no staff injuries actually occur. Does the employer have to notify the safety committee of such "near miss" incidents? Can the employer hold back incident reports by citing patient confidentiality?**

Incidents where a potential for injury existed ... even though none occurred ... must be reported as part of the employers safety program. If a situation is dangerous enough that police are called, it is certainly dangerous enough to report. Therefore the safety committee should hear about this as part of the regular reports received.

Under Division 4 Item 130a the employer is required to provide the committee such reporting documentation so they can -identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations" and -consider and expeditiously deal with complaints relating to the safety of workers" (Division 4 Item 130b). Committee members are responsible for dealing with this confidential information. If an employer is not forthcoming about these incidents, the committee co-chair should notify Worksafebc for assistance.

*On these or other questions, HSA members can contact Marty Lovick, Sr. Labour Relations Officer (OHS), at HSA. Call 604-439-0994, toll-free 1-800-663-6119 or send email to [mlovick@hsabc.org](mailto:mlovick@hsabc.org). *

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