

TERMS OF REFERENCE

NRCAN POLICY COMMITTEE ON HEALTH AND SAFETY

1.0 ESTABLISHMENT

As required by *Sections 134.1 and 135.1* of the *Canada Labour Code, Part II*, and any regulations issued pursuant to it, and as per commitment by the Deputy Minister of Natural Resources Canada (NRCan) outlined in the *Departmental Occupational Health and Safety Policy*, the NRCan Policy Committee on Health and Safety (herein referred to as the Policy Committee) has been established for Natural Resources Canada.

2.0 PURPOSE

The Policy Committee is an integral part of the internal responsibility system, as set forth in legislation, to ensure that all work place parties work in consultation towards the prevention of accidents and as such to monitor the health and safety program as established by the Department. The goal of the Policy Committee is to ensure that programs are in place for the prevention of hazards in the work place and the education of employees in health and safety matters. The Policy Committee shall strive to reach a general consensus on all issues.

It is understood that these Terms of Reference are established in accordance with the principles enunciated in the *Departmental Occupational Health and Safety Policy*, in *Sections 134.1 and 135.1* of the *Canada Labour Code, Part II*, and in the *National and Regional Safety and Health Committees Procedure 4-9* of the *Treasury Board Occupational Safety and Health Manual*.

3.0 ROLES AND RESPONSIBILITIES

The Policy Committee is the principal forum created to participate in a range of activities having an organization-wide impact and to complement the work of the work place health and safety committees. In this role, the Policy Committee ensures that parties work cooperatively to address safety and health matters in the work place to support the internal responsibility system by:

- a) communicating its findings to the DM, ADMs, RDGs, managers/supervisors, employees, bargaining agents and various health and safety committees as required;
- a) reporting annually to the DM and Departmental Management Coordinating Committee (DMCC) on Policy Committee activities;
- b) having authority to make recommendations for action to the Deputy Minister;
- c) considering and addressing outstanding or unresolved OHS-related issues tabled by

Policy Committee members or referred to the Policy Committee by the NRCan OHS Team, work place health and safety committees and/or health and safety representatives;

- d) participating in the planning and development, and monitoring the implementation of policies and programs for the prevention of work place health and safety hazards, for the provision of personal protective equipment, for the prevention of violence, and for making recommendations for the continual improvement of those programs;
- e) participating, to the extent that it considers necessary, in OHS inquiries, investigations, studies and inspections where there are organization-wide issues;
- f) monitoring data and trends analysis of work place accidents, injuries and health hazards for the purpose of identifying policy and/or program needs;
- g) endorsing preventative approaches to continually improve NRCan's OHS program;
- h) participating in the planning and the implementation of changes that might impact upon employee health and safety, including work processes and procedures;
- i) monitoring the operation of work place health and safety committees through a reporting framework coordinated by the Safety, Security and Emergency Management Division (SSEMD); recommending improvements to the performance of these committees and encouraging recognition for performance of individuals involved with health and safety. The Policy Committee will review annual compliance audits of meetings held in the regions. These audits will be conducted by the SSEMD.
- j) reviewing these terms of reference at regular intervals to ensure their relevancy and adequacy in addressing issues related to work place health and safety and taking action as necessary.

4.0 COMMITTEE STRUCTURE

The committee structure delineates the framework to ensure the Policy Committee is able to fulfill its obligations as enunciated in policy and legislation.

4.1 Membership

The Policy Committee will consist of both bargaining agent and senior management representatives with decision-making powers. Senior management representatives will be from the various sectors within NRCan. All bargaining agents will be represented on the Policy Committee. The senior management members are appointed by their respective ADM while the bargaining agent members are selected by their respective bargaining agent. All members of the Policy Committee should be trained in health and safety.

Management members appointed by their ADMs should be positioned at the highest possible level (Director-General or equivalent) within their respective Sector to ensure that OHS issues are addressed within the accountability framework. The management member from Corporate Services Sector shall be the Assistant Deputy Minister.

4.2 Alternates

Every member must designate an alternate to act as their replacement when they are unable to perform their function. Alternates will assume the same powers with respect to this Policy Committee as the member they are replacing.

4.3 Method of Appointment/Replacement

The Policy Committee chairpersons will initiate any written request and jointly sign correspondence for the appointment of new and replacement members.

4.4 Vacancy of Office

Should a member resign or cease to be a member, the vacancy shall be filled within thirty (30) days after the next regularly scheduled meeting of the Policy Committee. Vacancy of office by a member shall be done in writing to the chairpersons of the Policy Committee.

4.5 Chairpersons

The Policy Committee shall have two (2) chairpersons; with one representing the employer (Management Chairperson) and the other representing the employees (Bargaining Agent Chairperson). One (1) chairperson to represent the employer shall be the Assistant Deputy Minister, Corporate Services Sector. The chairperson representing the employees shall be selected by the employee members appointed to the Policy Committee.

The management and bargaining agent chairpersons act alternately and take turns chairing meetings. The chairperson must ensure that each agenda item receives attention.

The term of appointment of the Bargaining Agent Chairperson shall be for a period of two (2) years, at which time the bargaining agent representatives shall select a chairperson to represent them.

Chairpersons shall appoint an alternate chairperson from the existing Policy Committee members, to act as their respective replacement in their absence.

4.6 Chairpersons Authority

The chairpersons of the Policy Committee shall jointly designate Policy Committee members to perform the functions of the Policy Committee. These functions should be jointly shared

between employee and employer members. Where it is not possible, the roles and responsibilities shall be delegated to an employee member.

4.7 Secretary

A secretary shall be identified by the Management Chairperson and will be provided by management.

4.8 Advisors

The Chief, Safety and Security, from SSEMD shall attend committee meetings, as well as another advisor from the same office, who will be responsible for the administrative organization of the Policy Committee.

A staff relations advisor from the Staff Relations and Compensation Division and other advisors and/or technical experts may be invited at the request of the chairpersons to assist at meetings as required.

5.0 MEETINGS

5.1 Meetings - General

Policy Committee meetings shall take place in the National Capital Region in a conference room provided by management. Arrangements for teleconferences and/or video conferences will be made by management.

When English and French speaking representatives participate in meetings both oral and written communications should reflect equality of status of the two official languages. This committee will ensure that there is full comprehension by all members of the committee.

5.2 Regular Meetings

The Policy Committee shall meet at least quarterly (minimum of four (4) times a year) at regular intervals during normal working hours. These meetings may be held in person, via teleconference, in video conference (where the technology is available) or in any workable combination of the above. Members will notify the Policy Committee's secretary (for logistical reasons) if such technology is required no later than one month prior to the date set for the meeting. If required to obtain quorum, arrangements will be made.

5.3 Additional or Special Meetings

If additional or special meetings are required as a result of an emergency or other extenuating circumstances, the Policy Committee shall meet as required either during or outside those

hours.

5.4 Quorum

A quorum shall consist of at least half of the membership, of whom at least half are bargaining agent members or their alternates, and at least one (1) of whom is a management member.

5.5 Attendance at Meetings

The members of the Policy Committee are entitled to such time from their work as is necessary to attend meetings or to carry out any of the functions of a member of the Policy Committee, and any time spent by a member while carrying out any of the functions of a member of the Policy Committee shall, for the purpose of calculating wages owing to that member be deemed to have spent at work.

5.6 Immunity

Members are free to discharge their duties without fear of reprisal or fear that their relationship with the Department will be affected by actions taken in good faith as a member of the Policy Committee.

No member of the Policy Committee is personally liable for anything done, or omitted to be done, in good faith by the member under the authority of the *Canada Labour Code* or any *Regulation* made under the *Code*.

The above protections extend to alternate members while they are performing the functions of the Policy Committee member they are replacing.

6.0 RECORD KEEPING

6.1 Agenda

The Secretary shall solicit agenda items, at least twenty (20) working days prior to a regularly scheduled meeting, from all Policy Committee members, and will prepare an agenda under the direction of the Management Chairperson and provide an electronic copy to all members and advisors no later than five (5) working days prior to a regularly scheduled meeting.

6.2 Minutes

The Secretary shall prepare the minutes of the meeting as soon as possible following a meeting, for electronic distribution, for review and acceptance by all Policy Committee members and advisors subject to final approval by the two co-chairs. The final version of the minutes will subsequently be distributed to all Policy Committee members and advisors, the

NRCan OHS Team, and workplace health and safety committees, and posted electronically on the NRCan intranet site for availability to all employees within thirty (30) days of each regular meeting.

7.0 CANCELLATION(S)

These terms of reference supersede the Terms of Reference for the Departmental Joint Occupational Safety and Health (DJOSH) Committee dated May 9, 2002.

8.0 APPROVALS

These terms of reference, and any amendments thereto, require the approval of the Deputy Minister.

Bernice Wilson
Bargaining Agent Chairperson

Richard S. Tobin, Ph.D.
Management Chairperson

Date

Date

George Anderson
Deputy Minister

Date