



UNIVERSITY OF MANITOBA PROCEDURE

Procedure:	Safety Committees
Parent Policy:	Health and Safety
Effective Date:	December 16, 2010
Revised Date:	
Review Date:	December 16, 2013
Approving Body:	Administration: President
Authority:	Policy: Health and Safety
Responsible Executive Officer:	President
Delegate: (If applicable)	Vice-President (Administration)
Contact:	Executive Director of Human Resources
Application:	All Employees

Part I Reason for Procedure

To establish a workplace safety and health committee structure that contributes to the safety and health of all staff, students and members of the University community while ensuring compliance with the University's obligations under the Workplace Safety and Health Act and Regulations. This includes:

- a) involving front-line workers and responsible individuals in identifying and evaluating workplace risk and recommending corrective actions;
- b) creating a functional structure to establish and maintain Local Area Safety and Health (LASH) committees and provide employer oversight of workplace safety and health issues
- c) recognizing that the ultimate responsibility for safety rests with the employer while the LASH committee plays an advisory role; and

d) complying with provincial regulations respecting workplace safety and health committees.

Part II Procedural Content

2.1 Definitions

a) Local Area Safety and Health (LASH) committee - is a committee established by the University in accordance with the provisions of the Workplace Safety and Health Act of Manitoba.

b) Senior management - in this Procedure refers to a Dean, Associate or Assistant Dean, or Director of an Administrative unit.

c) Responsible individual - in this Procedure refers to anyone who has charge of a workplace or authority over a worker, student or visitor.

d) Employer - in this Procedure refers to the University and includes departments, faculties, divisions, and any other work group established by the University as well as those individuals in charge of these work groups.

2.2 Committee Structure

The safety committee structure of the University shall have two important components as follows:

a) Local Area Safety and Health committees which are committees specific to a workplace.

b) An Organizational Safety and Health Advisory (OSHA) committee which is an advisory committee that will look at safety and health issues that cross department/faculty lines or affect the University as a whole.

2.3 Committee Protocol

The Manitoba Workplace Safety and Health Division has produced an excellent document that outlines the basics of establishing and maintaining committees. This will form the basis for the University's approach.

This protocol focuses on areas that are not prescribed by regulations but need to be established to ensure that committees are established and remain functional.

2.4 Local Area Safety and Health (LASH) Committees

2.4.1 Definitions

The following definitions apply to Local Area Safety and Health committees:

- a) Management safety representative - is a responsible individual specifically assigned to deal with issues related to committees and acting as the committee's contact with the employer;
- b) Unit - is an academic or administrative unit, e.g. a Faculty, Physical Plant.
- c) University workplace - is an area covered by a LASH committee. A University workplace may be based on a unit, location, common task, level of risk or other relevant factors. The size and diversity of the University requires a broader definition of "workplace" than that provided in the Workplace Safety and Health Act.

2.4.2 Committees are a Legislated Requirement

Workplace Safety and Health committees must be established as per the requirements of the Workplace Safety and Health (WSH) Act and Regulations. LASH committees are established to meet this requirement.

It is the employer's responsibility to ensure that Workplace Safety and Health committees are established and meet regularly. It is also the employer's responsibility to ensure that safety and health issues are resolved. Other employer duties are described in detail in the Provincial Guide referenced in the section below titled "Model for LASH Committees".

There are other groups whose agenda includes safety such as stakeholder committees that control permitting processes, and negotiated committees. These are outside the scope of this Procedure and are not considered to be LASH committees.

2.4.3 Model for LASH Committees

LASH committees will be established and function as laid out in the Manitoba Workplace Safety and Health Division's "Setting up a Workplace Safety and Health Committee (or Worker Representative) - Quick Guide February 2010".

2.4.4 Determining the Workplaces Covered by a LASH Committee

The University workplace is large and diverse in terms of activities, the people present, the level of risk and locations.

The WSH Act requires that committees "consist of not fewer than 4 or more than 12 persons" [Section 40(8)(a)]. This size limit affects the diversity of a University workplace that can be reasonably accommodated by a committee.

With this restriction in mind the "workplace" covered by a committee can be specific to a site, unit, activity or level of risk. Committees that have been established based on a worksite or a work unit have been successful.

Committees can also be established based on a common activity or level of risk. For example library staff or office support staff might be represented.

The Vice-Presidents for the University shall determine the appropriate number of Local Area Safety and Health committees for their respective units.

2.4.5 Establishment of Management Safety Representatives

Each Vice-President shall ensure the designation of an appropriate number of management safety representatives for units reporting to him/her.

The management safety representative will be responsible for:

- a) ensuring the LASH committee is properly appointed;
- b) making recommendations to the Vice-President on the workplace(s) to be covered by a LASH committee;
- c) making application to the Director of the MB Workplace Safety and Health Division where a committee will cover multiple workplaces;
- d) ensuring that the LASH committee meets regularly;
- e) ensuring that regular workplace inspections occur;
- f) receiving recommendations from the LASH committee;
- g) directing recommendations as appropriate;
- h) ensuring that the LASH committee receives a response to recommendations within 30 days;
- i) reporting required metrics to the Vice-President as required

Note that the management safety representative is only taking on responsibility for ensuring that LASH committees are functional. The employer responsibility for workplace safety remains with responsible individuals i.e. anyone directing the work of another.

2.4.6 Workplace with Multiple Units

Determining the workplace covered by LASH committee will be complicated where the workplace crosses unit lines. It is the responsibility of the Vice-Presidents to come to agreement about how the management safety representative role will be fulfilled in these cases.

2.4.7 Review of Workplaces

LASH committees and the management safety representative should regularly review the workplace that they cover and make recommendations for change that may be more effective.

2.4.8 Submitting a Safety Concern to a LASH Committee

Any worker with a safety concern should always present that concern to their direct supervisor first. The direct supervisor is responsible for resolving the concern. If the concern is not resolved, it should then be directed to the LASH committee for that workplace.

This is consistent with the "Response to Health and Safety Concerns" procedure adopted under the University's H&S Policy.

2.4.9 Overlap

Where the unit cannot resolve a safety issue because it affects areas beyond their control, it is the employer's responsibility to make contact with other areas involved and resolve the concern.

2.4.10 Employer response

The WSH Regulations require the employer to respond to a committee recommendation within 30 days. Some issues will require more than 30 days to resolve. In these cases the management safety representative will provide a response to the LASH committee detailing the steps that are being taken,

2.4.11 Unresolved issues

If a LASH committee recommendation is not resolved by the responsible individual directly involved, the concern should be taken to the next level in the management structure for response, i.e. the person in charge of the person not responding.

Alternately the issue can also be forwarded to the Organizational Safety and Health Advisory committee (see 2.5 below), EHSO, the WS&H Division or any other resource.

2.4.12 EHSO Role

As an advisory group the Environment Health and Safety Office (EHSO) cannot represent the employer or workers on a LASH committee. EHSO will attend meetings when invited as a technical resource.

The EHSO role will be to:

- a) support the committee with technical advice and expertise so that the committee can make informed recommendations;
- b) review LASH minutes and inspection reports to look for trends and share these trends with the Organizational Safety and Health Advisory committee for consideration
- c) Establish a forum to allow LASH committee co-chairs to meet at least annually to share approaches and issues.

2.5 Organizational Safety and Health Advisory (OSHA) Committee

2.5.1 Purpose

The OSHA committee is established to:

- a) evaluate and make recommendations on safety and health issues or trends that
 - i) affect the organization as a whole;
 - ii) affect multiple workplaces, faculties or departments;
 - iii) have not been resolved by the LASH committee's process and have been directed to the OSHA committee
- b) provide comment on proposed organizational policy and procedure
- c) collect and disseminate information to LASH committees as appropriate
- d) replace the Workplace Health and Safety Advisory Committee

2.5.2 OSHA Compliance Role Compared to LASH Committees

Section 40(10) of the WS&H Act outlines the duties of committees. For clarification, LASH committees have the primary responsibility for fulfilling these duties as they apply to the workplace they were established for. The OSHA committee meets these duties as they apply to organizational issues. For example, workplace inspection would fall to LASH committees while the OSHA committee might recommend a University-wide procedure for workplace inspection or consider the effectiveness of workplace inspection at the University.

LASH committees may refer items to the OSHA committee as appropriate, e.g. a workplace issue that has not been resolved after a LASH committee involvement.

2.5.3 Interim measure

Members of WHSAC will act as interim members of the OSHA committee.

2.5.4 Composition

The OSHA committee will be composed of one representative appointed by each bargaining unit at the University, an elected representative from employees not in bargaining units, as well as the University of Manitoba Students Union (UMSU), along with an equal number of employer representatives appointed by the Executive Director of Human Resources.

Both worker and employer representatives should establish alternates to ensure that there is representation at meetings should a regular representative be unable to attend and/or vote.

2.5.5 Voting

Each appointed member represents a single vote should a vote be required, i.e. additional representatives of a bargaining unit or the employer beyond the number appointed do not receive additional votes.

2.5.6 Co-chairs

The OSHA committee will have two Co-chairs, one chosen by the worker representatives of the committee and one chosen by the employer representatives of the committee. Co-chairs may participate in meetings.

2.5.7 Additional Committee Procedures

Matters such as the term of office, meetings, quorum, minutes and distribution of information to OSHA committee members shall follow the requirements laid out in the Manitoba Workplace Safety and Health Division's "Setting up a Workplace Safety and Health Committee (or Worker Representative) - Quick Guide February 2010".

2.5.8 Attendance at Meetings

A member of the OSHA committee shall request time off from work to attend committee meetings or to carry out duties of the committee members. A member of the OSHA committee is entitled to take time off from their regular work duties in order to carry out their duties as a committee member, without the loss of pay or benefits).

2.5.9 EHSO Role

EHSO will attend OSHA committee meetings as ex-officio members to provide technical support to the OSHA committee.

2.5.10 Recommendations

Recommendations of the OSHA committee will be submitted to the Executive Director of Human Resources.

2.5.11 Response to Recommendations

The Executive Director of Human Resources will follow the same steps as those required of the employer in responding to LASH committee recommendations.

2.5.12 Administrative Support

EHSO will provide administrative support to the OSHA committee.

Part III Accountability

3.1 The University Secretary or the President is responsible for initiating a formal review of these Procedures.

3.2 The Executive Director of Human Resources is responsible for the communication, administration and interpretation of these Procedures.

Part IV Review

4.1 Formal Procedure reviews will be conducted every three (3) years. The next scheduled review date for these Procedures is December 16, 2013.

4.2 In the interim, these Procedures may be revised or rescinded if:

- (a) the Vice-President (Administration) or the President deems necessary; or
- (b) the relevant Bylaw, Regulation(s) or Policy is revised or rescinded.

Part V Effect on Previous Statements

5.1 These Procedures supersedes:

- (a) all previous Board/Senate Policies, Procedures, and resolutions on the subject matter contained herein; and
- (b) all previous Administration Policies, Procedures and directives on the subject matter contained herein,

(c) all previous Faculty/School Council Procedures stemming from the Faculty/School Council Bylaw and academic and admission regulations and any resolutions on the subject matter contained herein.

Part VI
Cross References

Policy: Health and Safety