

Guidelines
for the Structure and Function of
A WORKER TRADES COMMITTEE



Prepared by
Provincial Labour-Management Health and Safety Committee



Ontario
Ministry of
Labour

Ministère
du Travail
de l'Ontario

Occupational Health & Safety Branch

400 University Avenue
8th Floor
Toronto, Ontario
M7A 1T7
Tel: (416) 326-7770
Fax: (416) 326-7761

May 6, 1994

Mr. Joseph Duffy
Chairperson
Provincial Labour-Management Health
and Safety Committee
Construction Safety Association
of Ontario
74 Victoria Street
Toronto, Ontario
M5C 2A5

Dear Mr. Duffy:

Thank you for your recent correspondence with regard to the Guideline For the Structure and Function of a Worker Trades Committee.

We congratulate the Provincial Labour-Management Health and Safety Committee and the persons involved with the development of this informative document which outlines a practical approach to meeting the requirements of the Occupational Health and Safety Act Section 10.

Yours sincerely,


Mary Tate
Director
Occupational Health & Safety Branch

cc: I. Carruthers

June 1994
January 1995
October 1998

Additional copies of these guidelines (B028) can be obtained from

Construction Safety Association of Ontario
21 Voyager Court South
Etobicoke Ontario
M9W 5M7

(416) 674 2726 Fax (416) 674 8866

B028

Mandate

The purpose of these guidelines is to provide a simplified, concise, consistent and enforceable procedure for implementing that portion of the *Occupational Health and Safety Act* R.S.O. 1990 which deals exclusively with the Worker Trades Committee throughout Ontario.

It is not our mandate to change or alter the *Occupational Health and Safety Act/Regulations*, the *Ontario Labour Relations Act* R.S.O. 1990, or any Union Agreement. The language used should be in clear, simple and straightforward terms with as little ambiguity as possible. Only where necessary should we quote the written text of the *Occupational Health and Safety Act*.

The purpose of a Worker Trades Committee is to identify, to the Joint Health and Safety Committee on the project, any health and safety problems affecting individual trades and to assist the Joint Health and Safety Committee, when requested, in addressing health and safety problems relating to trade work or trade technology.

The Worker Trades Committee is an integral part of the health and safety program on a project and the workers involved must be encouraged to participate and contribute on a regular basis.

Preamble

1. It is a requirement of the *Occupational Health and Safety Act* for employers to establish a policy which should encourage the active participation of all employees in the prevention of accidents and the promotion of health and safety in the workplace. By "establish a policy" it is intended that employers should implement a system of initiatives to address the safety problems experienced and to ensure the participation of everyone involved.
2. The Worker Trades Committee must adopt these guidelines in good faith and agree to support the Joint Health and Safety Committee by providing information and assistance as requested to enable the Joint Health and Safety Committee to carry out its responsibilities.

1.0 Establishment of the Worker Trades Committee

- 1.1 The Joint Health and Safety Committee shall establish a Worker Trades Committee to assist it on all projects where the number regularly employed exceeds forty-nine (49) and where the duration of the project is expected to exceed three (3) months.

2.0 Structure of the Worker Trades Committee

- 2.1 The Worker Trades Committee shall consist of worker representatives from each trade on the project. The representatives shall be selected by the workers in the trade they represent or, if a trade union represents the workers in the trade, by the trade union.
- 2.2 The Worker Trades Committee shall have one representative from each trade on the project as required by Section 10 of the *Occupational Health and Safety Act*. It must be understood that "trade" does not mean "union." Where a union includes more than one trade, a representative from each trade should be selected.
- 2.3 A Chairperson should be chosen from among the Worker Trades Committee members by the members. It is preferable that the chairperson be a member of the Joint Health and Safety Committee to promote liaison and good communication between the two committees.
- 2.4 The names, trades, and employers of the Worker Trades Committee members should be posted at designated locations determined by the Joint Health and Safety Committee.
- 2.5 The Worker Trades Committee members selected should have expertise and good technical knowledge of the trade from which they are selected.

3.0 Frequency of Worker Trades Committee Meetings

- 3.1 The Worker Trades Committee should meet on a predefined date as scheduled by the Joint Health and Safety Committee. Whenever practical the Worker Trades Committee should meet immediately prior to the regular Joint Health and Safety Committee meeting so that issues from the Worker Trades Committee can be addressed without delay.

- 3.2 Meetings of the Worker Trades Committee should be held at a designated place on the project.

4.0 Meeting Documentation

- 4.1 A formal agenda or minutes should not be necessary for Worker Trades Committee meetings. Issues raised at these meetings should, however, be *documented in writing for the Joint Health and Safety Committee and should be included with Joint Health and Safety Committee minutes.*
- 4.2 All items raised will be dealt with on the basis of consensus. Formal motions will not be used.

5.0 Functions of the Worker Trades Committee

- 5.1 The Worker Trades Committee and individual committee members shall **assist** the Joint Health and Safety Committee in dealing with trade-specific concerns regarding health and safety.
- 5.2 The Worker Trades Committee and individual committee members shall **identify**, to the Joint Health and Safety Committee, any health and safety problems involving the trades represented.
- 5.3 The Worker Trades Committee and individual committee members shall assist Certified Joint Health and Safety Committee members in dealing with trade-specific **dangerous circumstances** when requested.
- 5.4 The Worker Trades Committee and individual committee members shall assist Certified Joint Health and Safety Committee members in dealing with trade-specific **work refusals when requested.**
- 5.5 The Worker Trades Committee and individual committee members shall **liaise with the trade workers** they represent regarding health and safety problems.
- 5.6 The Worker Trades Committee and individual committee members shall **assist, when requested, in accident investigations** by members of the Joint Health and Safety Committee.

6.0 Reporting Procedures

- 6.1 Any individual on-site who discovers a safety-related problem should immediately correct the problem if it poses an immediate danger to the health and safety of any worker, and should then report the problem to the supervisor.
- 6.2 The supervisor shall take the action necessary to correct the safety-related problem and/or inform the constructor's superintendent if assistance or direction is required.
- 6.3 The constructor shall in turn report back to the Joint Health and Safety Committee if informed of the safety-related problem.
- 6.4 All employees should discuss any occupational health and safety concern with their immediate supervisor before raising it with a Worker Trades Committee representative or a member of the Joint Health and Safety Committee.

7.0 Payment for Attendance at Worker Trades Committee Meetings

- 7.1 Time scheduled or requested by the Joint Health and Safety Committee for meetings or other activities of the Worker Trades Committee or individual members shall be deemed work time and payable at the member's current rate of pay by the member's employer.
- 7.2 Worker Trades Committee members shall be allowed preparation time prior to each meeting as determined by the Joint Health and Safety Committee.

8.0 General

- 8.1 All members of the Worker Trades Committee will carry out their duties and responsibilities under the *Occupational Health and Safety Act R.S.O. 1990* in good faith and in accordance with the spirit of this Act.
- 8.2 Any amendments to these guidelines must be approved by consensus of the Joint Health and Safety Committee for recommendation to the constructor.

- 8.3 All employees are encouraged to discuss any health and safety problem with their immediate supervisor before bringing it to the attention of a committee member.
- 8.4 All problems brought to the attention of the Worker Trades Committee shall be dealt with on the basis of fact. Resolution of all problems will be dealt with through the Joint Health and Safety Committee and reported in the Joint Health and Safety Committee minutes.
- 8.5 It is expected that Joint Health and Safety Committees will conduct their activities in accordance with the *Guidelines for the Structure and Function of a Joint Health and Safety Committee*.