



# *YUSAPUY Health and Safety Committee*

# *Terms of Reference*

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# 1. Committee and Composition

The YUSAPUY Health and Safety Committee (hereafter referred to as “Committee”) is a standing Committee of YUSAPUY and is entrenched in the YUSAPUY Constitution (Article V, Section 2). Per Article V, Section 2(e) of the YUSAPUY Constitution, this Committee *“shall provide information to and educate the general membership about health and safety issues and legislation, and examine legislation, policies and procedures and their effect on Union members”*.

## 1.1 Composition

In accordance with Section 9(8) of the Occupational Health and Safety Act, the Health and Safety Committee is comprised of YUSAPUY Members who have been appointed to the Committee by the YUSAPUY Executive Board as representatives of YUSAPUY.

Members interested in participating in this Committee shall contact the Chair of the Committee, who shall provide information about the Committee, the work of the Committee, time commitments, etc. Interested Members shall provide a written statement of interest that will be submitted to the YUSAPUY Executive Board for consideration of appointment.

Members who are appointed to the Committee are appointed for an indefinite term, and represent all YUSAPUY Members, including YUSAPUY Unit 1 and Unit 2 Members. Per Article IV of the YUSAPUY Constitution, Full-Time Officers of YUSAPUY are ex-officio, non-voting members of the Committee.

## 1.2 Confidentiality Agreement

Committee Members shall sign a YUSAPUY confidentiality agreement (Article V, Section 6, YUSAPUY Constitution).

# 2. Roles, Responsibilities and Expectations

## 2.1 Participation normally related to Two (2) Committees

### *2.1.1 YUSAPUY Health and Safety Committee*

Committee Members have been appointed by the YUSAPUY Executive Board. The Committee meets two (2) hours (lunch hour plus one hour of union release time) every other month, February to December each year.

### 2.1.2 York Health and Safety Committees

Committee Members are assigned as YUSAPUY Representatives to positions on the York Health and Safety Executive Council (HSEC) and/or to the various York Joint Health and Safety Committees (JHSCs) as *Worker Members* or associated *Worker Member Alternates* (see **Appendix A: Assignment to York Health and Safety Committees**).

Meeting dates and frequency varies according to the specific JHSC and the HSEC. See **Appendix B: JHSC Responsibilities** for a description of responsibilities related to JHSCs.

## 2.2 Members Participating in York Health and Safety Committees

Representatives on the York Health and Safety Executive Council (HSEC) and Worker Members of the various York JHSCs are deemed to be at work and thus continue to be paid according to their salary for time spent completing their roles and responsibilities.

Worker Member Alternates are deemed to be at work and thus continue to be paid according to their salary for time spent completing the following designated responsibilities:

- monthly inspections of the workplace,
- participating in the various York Joint Health and Safety Committees as substitutes for absent Worker Members, and
- meeting with Ministry of Labour Inspectors, as necessary.

## 3. Terms of Membership

Members who are appointed to the Committee by the YUSAPUY Executive Board are appointed for an indefinite term during their employment at York University. Therefore, Committee Members remain Members unless they:

- a. resign from the Committee,
- b. are de-appointed from the Committee by the YUSAPUY Executive Board (Article VI, Section 4, YUSAPUY Constitution),
- c. change employee groups, i.e., are no longer a YUSAPUY Member, or
- d. cease to be employees of York University.

Committee Members who do not uphold their committee responsibilities or miss an unreasonable number of meetings without notice may be asked by the YUSAPUY Executive Board to resign from the Committee. If such identified Members refuse to resign, de-appointment action may be taken by the

YUSAPUY Executive Board to remove them from the Committee (see Article VI, Section 4, YUSAPUY Constitution).

### **3.1 Extended absences from the Committee**

Committee Members who must be absent from the Committee for an extended period, may take a leave from the Committee by contacting the Chair and Vice Chair of the Committee.

### **3.2 Resignations**

Members who wish to cease participation on the Committee, i.e., resign, must do so in writing to the Chair and Vice Chair of the Committee.

### **3.3 De-Appointment**

The YUSAPUY Executive Board has the authority to de-appoint Committee Members per Article VI, Section 4 of the YUSAPUY Constitution.

### **3.4 Members who cease to be Committee Members**

Committee Members who resign from the Committee, or who have been de-appointed, or are no longer employees of York University, cease to be members of the Committee.

Additionally, individuals who cease to be Members of the Committee also cease to participate and represent YUSAPUY on the York Health and Safety Executive Council (HSEC) and York JHSCs.

## **4. Chair and Vice Chair**

In accordance with the *YUSAPUY Policy for the Role and Selection of Chairs and Vice Chair*, the Committee shall elect biennially from among its members a Chair and Vice Chair for a two (2) year term or as determined by the YUSAPUY Constitution. The Chair shall represent the Committee as a voting member on the YUSAPUY Executive Board. The Vice Chair will act in the absence of the Chair.

### **4.1 Chair**

The Chair of the Committee, and Vice Chair, shall be members of the Committee, elected biennially by the Committee (see Constitution Article V, Section 3).

The Chair will:

- Recruit new Members; provide information about the work of the Committee and expectations about participation,
- Coordinate meetings of the Committee,
- Prepare agendas and chair meetings of the Committee,
- Draft communications on behalf of the Committee related to the Committee's work,
- Report to the YUSAPUY Executive Board on the work of the Committee and any issues related to the Committee,
- Provide initial orientation and training to new Committee Members,
- Act as a liaison between the Committee and the YUSAPUY Executive Board,
- Coordinate training for the Committee,
- Maintain the Committee's listserv,
- Represent the Committee as a voting member on the YUSAPUY Executive Board.

## **4.2 Vice Chair**

The Vice Chair of the Committee shall act in the absence of the Chair.

## **5. Orientation to the Committee**

Upon appointment to the Committee, Members are provided with an initial Orientation by the Chair of the Committee. The Orientation will include a structured and detailed review of the expectations of the Committee, such as:

- the roles and responsibilities of the Committee,
- the term of membership,
- the relationship of the Committee to the YUSAPUY Executive Board,
- the York JHSCs Structure and that Member's position,
- crucial principles practiced by the Committee,
- safely maintaining records, i.e., hard copy and electronic, associated with the work of the Committee,
- various legislations that impact occupational health and safety, and
- key players in workplace health and safety at the University.

## **6. Training**

Training of the Health and Safety Committee shall be at the expense of the Union and/or the Employer, and by approval of the YUSAPUY Executive Board.

### **6.1 Certification Training**

Normally within the first year of joining the Committee, Members shall complete a two-part Certification program. Members certified after June 30, 2017, must complete Refresher Certification Training every three (3) years in order to maintain their certification. Members certified prior to 1996 are not required to refresh their Certification Training.

## **6.2 Other Training**

The Chair will arrange training for the Committee as appropriate according to the provisions of YUSAPUY Collective Agreement.

# **7. Communication and Meetings**

The Health and Safety Committee normally meets in-person for two (2) hours (lunch and one-hour union release time) every two (2) months starting in February of each year.

Additional meetings may be scheduled as necessary.

If a member is not able to participate in a meeting, that Member may communicate with the Chair in advance so that the Chair can include that Member's perspective at the meeting. That Member may also circulate comments, documents and provide feedback via the Committee listserv. Other communications between Committee Members can occur via email and telephone as needed.

## **7.1 Communications about the work of the Committee**

Updates about the work of the Committee, as well as any concerns that may arise in the Committee, are made to the YUSAPUY Executive Board by the Chair of the Committee or the Vice Chair in the Chair's absence. Decisions determined by the YUSAPUY Executive Board relating to the Committee are communicated to Committee Members through the Committee Chair or the Vice Chair in the Chair's absence.

## **7.2 Semi-annual Reports**

Additionally, per Article V, Section 3 of the YUSAPUY Constitution, semi-annual reports shall be prepared and presented to the Executive Board for review during the months of May and October. Subsequently, these reports will be made available to the general membership.

## **7.3 Meeting Proceedings**

Per Article XVI, Section 2 of the YUSAPUY Constitution, all meetings shall be governed by the Constitution. In cases where this is inadequate, Bourinot's Rules of Order shall govern.

### ***7.3.1 Decision-making***

Wherever possible, decision-making by consensus is preferred. If consensus cannot be achieved, the Committee members must agree on how to deal with the outstanding issue (i.e., vote; continue the discussion; table the issue for another meeting; take the issue to the Executive Board.) There shall be no proxy voting or email voting unless explicitly determined by the Committee in advance of the vote.

### ***7.3.2 Minutes***

Minutes should be taken at all meetings. The minutes should be provided to the YUSAPUY office for record-keeping and archiving as soon as practicable but within thirty (30) days.

### ***7.3.3 Quorum***

Attendance by fifty percent of Committee members shall constitute quorum (Article X, Section 4 of the YUSAPUY Constitution).

## **8. Accountability and Governance**

According to Article V, Section 2 of the YUSAPUY Constitution, all YUSAPUY Committees are responsible to the Executive Board. The Committee shall not commit the use of YUSAPUY financial or human resources without prior approval from the Executive Board.

## **9. Review of Terms of Reference**

The Committee Terms of Reference will be reviewed at least biennially, or as deemed necessary by the Chair and/or the Members of the Committee. Proposed changes to the Terms of Reference shall be presented to the YUSAPUY Executive Board for consideration and approval.



# Appendix A: Assignment to York Health and Safety Committees

York's JHSCs were restructured mid-April 2019, (see the [York JHSCs](#) website for more details). Members of the YUSAPUY Health and Safety Committee shall be assigned as YUSAPUY representatives to the York Health and Safety Executive Council (HSEC) and/or York Joint Health and Safety Committees (JHSCs) according to the Assignment set out below. Final consideration and approval shall be the purview of the Executive Board.

## A.1 Assignment Criteria

### A.1.1 York HSEC

The YUSAPUY Executive Board shall assign primary and alternate representatives to the York Health and Safety Executive Council (HSEC).

### A.1.2 York JHSCs

The following criteria shall be used by the Chair and Vice Chair of the YUSAPUY Health and Safety Committee to assign Committee Members as *Worker Members* or *Worker Member Alternates* to available positions on York JHSCs:

1. According to the JHSC to which the Member is **aligned**, i.e., works in a building/location that is associated with a particular JHSC.
2. If multiple Members have the same alignments, years of service on the Committee, i.e., date of appointment to the YUSAPUY Health and Safety Committee, shall be used as the determining factor.

The Chair and Vice Chair of the YUSAPUY Health and Safety Committee shall submit assignment recommendations to the YUSAPUY Executive Board for final consideration and approval.

## A.2 Other Considerations

1. If a YUSAPUY JHSC representative secures employment at a building or York campus that does not align with their current JHSC, they shall vacate their current JHSC position and shall be realigned to the related JHSC **based on availability**. If no position is available on the related JHSC, the Member may choose to be added to a waitlist for the associated JHSC and continue to participate in the HSC until a position becomes available or resign from the HSC.

2. HSC Members on JHSC waitlists shall be assigned a position according to the date they were added to the waitlist.
3. YUSAPUY Members who express an interest in participating on York JHSCs that do not have available positions shall be added to a waitlist for the JHSC. When a vacancy related to the JHSC becomes available, Members on the waitlist shall be presented to the YUSAPUY Executive Board for consideration of appointment and assignment.

## Appendix B: JHSC Responsibilities

Responsibilities of JHSCs are outlined in Section 9 of the [Occupational Health and Safety Act](#). Other responsibilities are outlined in the YUSAPUY [Unit 1](#) and [Unit 2](#) Collective Agreements. Some responsibilities include:

- provide information to, and educate, the general membership about occupational health and safety issues, including rights and responsibilities under the Ontario Occupational Health and Safety Act, as well as related legislations and regulations,
- examine legislation, policies, programs and procedures and their effect on Union members,
- inspect the workplace on a monthly basis,
- investigate incidents and accidents that occur in the workplace involving YUSAPUY Members,
- advocate for changes in the workplace to support a healthy and safe environment,
- to respond to queries from the general membership about occupational health and safety,
- be available to meet with Ontario Ministry of Labour Inspectors as necessary, and
- collaborate with colleagues across the University to address occupational health and safety concerns.