

MULTI-WORKSITE JOINT HEALTH AND SAFETY COMMITTEE AGREEMENT BETWEEN

The Employer:

The Corporation of the Town of Espanola
(Hereinafter referred to as the "Employer")

AND

The Union:

Canadian Union of Public Employees
LOCAL 534 & 4705,
(A Trade Union hereinafter referred to as "C.U.P.E. Local 534 & 4705")

AND

Non-Union/Non-Management Employees
(Herein referred to as NUNM)

AND

The Espanola Fire Association
(Herein referred to as "The Association")

PREAMBLE

1. It is a requirement of the Occupational Health and Safety Act (herein referred to as the Act) to establish a policy to encourage the active participation of the employer and all employees in the prevention of accidents and the promotion of occupational health and safety in the workplace. This is described best through the Internal Responsibility System in which each workplace party has rights and responsibilities as outlined in the Act.
2. Representation on behalf of the Corporation of the Town of Espanola, C.U.P.E. Locals 534 & 4705, NUNM & The Association has agreed to establish a Multi-site Joint Health and Safety Committee (herein referred to as the JHSC) under the Act and have reached an understanding as to the guidelines for the composition, practices and procedures for this committee.
3. The parties acknowledge that a JHSC and Program can only be successful where everyone in the workplace is committed to the rights and responsibilities outlined in the Act. Therefore, the parties undertake to co-operate in ensuring that the following guidelines and the full intent of the Act along with applicable Regulations will be carried out in an efficient and timely manner.
4. All workplace parties hereto adopt these guidelines in good faith and agree to promote and assist the JHSC by providing such information, training, and assistance as may be required for the purpose of carrying out their responsibilities.
5. In an effort to support site-specific health and safety issues, C.U.P.E. Locals 534 & 4705, The Association & NUNM agree to address health and safety concerns.
6. The workplaces covered under this agreement are Municipal Building, Public Works/Parks Department, Recreational Complex (Leisure Services Department), Fire Department and Library Services (see appendix "A").

1. GENERAL

- 1.1. This document describing the JHSC Multi-site terms of reference is mutually developed and agreed to by the workplace parties and is submitted to the attention of the Ministry of Labour, Training and Skills Development (herein referred to as the MLTSD) for sanction and approval, pursuant to Section 9(3.1) of the Act.
- 1.2. The MLTSD retains the right to withdraw sanction of this agreement if deemed appropriate.
- 1.3. The JHSC will not be empowered to amend, alter, subtract from or add to any of the terms of the Collective Bargaining Agreement.
- 1.4. All employees will be encouraged to discuss their health and safety concerns with their immediate supervisor before bringing it to the attention of the JHSC.
- 1.5. Strict confidentiality must be observed by all JHSC members (both regular and alternate) with respect to specific medical, personal or compensation information presented at committee meetings or in committee documentation in accordance with Section 63 of the Act.
- 1.6. In order to keep up to changes with the Act and applicable regulations and “test” the effectiveness of the agreement, the JHSC will review this document annually and recommend revisions to ensure continued compliance. All revisions to this document must be agreed to by all workplace parties prior to submission to the Ministry of Labour for approval.
- 1.7. Management and worker JHSC members are expected to serve a 2-year term on the committee.

2. STRUCTURE OF COMMITTEE

- 2.1. The JHSC shall consist of members representing the work locations. The committee will have a composition of 5 members; 3 members representing workers and 2 representing management. Committee members representing workers shall come from the following workforces:
 1. C.U.P.E. Local 534 – Public Works
 2. C.U.P.E. Local 4705 – Recreation Dept.
 3. Non-union/Non-management staff OR Espanola Fire Association

Each member representing workers shall have an alternate from the same workforce.

- 2.2. Committee members will be scheduled to participate in monthly committee meetings.
- 2.3. Committee members shall be made available to ensure JHSC duties are completed in a timely manner. Regular and/or alternate members at each work location are encouraged to discuss health and safety issues.
- 2.4. The committee shall meet at a minimum of every 3 months on a regularly established schedule predetermined and approved by the JHSC (see appendix "B"). Only a Co-Chairperson, with the consent and approval of his/her counterpart, may alter the meeting schedule.
- 2.5. There shall be two (2) Co-Chairpersons (one (1) from the employer and one (1) from the workers) who shall alternate the chair at meetings.
- 2.6. A Co-Chairperson may, with the consent and approval of his/her counterpart, invite any additional person(s) to attend regular or emergency meetings to provide additional information and comment, but such invited persons shall not participate in the regular business of the meeting.
- 2.7. The committee shall have a minimum of three (3) certified members, one (1) representing the Employer and two (2) representing workers.
- 2.8. The remaining uncertified regular and alternate committee members will complete certification training as defined by the Workplace Safety and Insurance Board (herein referred to as WSIB) on a volunteer basis as soon as is practicable. The objective of this training is to raise the level of health and safety awareness thereby impacting accidents and injuries.
- 2.9. As there may be more than one management certified member, senior management shall allow them to exercise the duties of the management certified member.
- 2.10. The JHSC may cause the formation of sub-committee(s) to investigate specific issues and to report their findings to the JHSC in a timely fashion.
- 2.11. A list of all JHSC members and alternates shall be posted in a conspicuous location in all departments complete with their work locations and contact information. The list shall identify those members responsible to perform the duties as per sections 3.3.1, 3.4.1, 3.5.1 and 3.6.2 of this agreement (see appendix "D").

3. FUNCTIONS OF THE COMMITTEE

3.1. GENERAL FUNCTIONS

- 3.1.1. In order to support the Internal Responsibility System of the Occupational Health and Safety Act, the functions of the JHSC are to:
- Identify, assess and recommend to the employer appropriate resolutions to all identified sources of danger or hazards
 - Encourage adequate education and training programs in order that all employees are knowledgeable in their rights, restrictions, responsibilities and duties under the Occupational Health and Safety Act
 - Address matters related to the Act and Regulations that pertain to workplaces within the scope of the Corporation.
 - Receive copies of all reports as they relate to health and safety issues; and to deal with any occupational health and safety matter that the JHSC deems appropriate. Reports are to have all identification information pertaining to the employee(s) involved removed prior to review at the JHSC level to ensure confidentiality.

3.2. WORKPLACE INSPECTIONS

3.2.1 Purpose:

A workplace inspection program is maintained as per the requirements of the Occupational Health & Safety Act – Section 9 (23...30) to ensure that inspections:

- Are conducted on each area according to the inspection schedule
- That a process is in place regarding the areas identified on the report are promptly attended to
- Work/repairs are completed to provide a safe working environment
- To identify health and safety hazards
- To be proactive in reducing hazards that could result in future accidents.

3.2.2 Policy:

Workplace Inspections

Workplace inspections are to be completed during normal working hours in the operating department as determined in each area.

See Appendix “C” for Inspection Procedure

Workplace Inspection Schedule

1. A Workplace Inspection Schedule will be prepared by the JHSC committee and reviewed on an annual basis during the first meeting of the year (see Appendix "B").
2. Copies of Workplace Inspection Schedules will be given to all members of the applicable JHSC members and representatives.
3. Additional workplace inspections may be added to the schedule on an ADHOC basis if need arises. (ie. acquisition of new building, etc.)
4. Joint Health and Safety Committee inspections are to be performed by the worker member monthly at all locations listed in Appendix 'A' in its entirety.

JHSC Members Responsibilities

1. Ensure inspections are completed as per the established inspection schedule by the month identified.
2. The inspection package shall include a review of the previous month's inspections prior to commencement of the inspection in order to ensure that the corrective action has taken place.
3. Ensure copies of the completed reports are submitted to the JHSC for review.
4. Contact each department to schedule and ensure inspections are completed before the next JHSC meeting.
5. Bring items identified as incomplete or concerns to the JHSC meeting for review.

Management Responsibilities

1. Correspond with the member to schedule inspections as per the schedule.
2. Accompany the JHSC member as required if available.
3. Ensure workplace inspections are completed on work time.

3.3. ACCIDENT AND INCIDENT INVESTIGATIONS

The JHSC will designate a certified worker member chosen by those they represent, to investigate all critical and fatal incidents. The Manager will also investigate all critical and fatal incidents that have occurred in the department that they manage. The investigation report will be submitted to the JHSC. If the certified worker member at the location is unavailable, the next certified worker member or alternate should be utilized.

3.4. MLTSD INSPECTIONS

During MLTSD inspections, the worker member at that location or their alternate shall accompany the inspector.

3.5. WORK REFUSALS AND STOPPAGES

3.5.1 For the purpose of investigating work refusals, the worker member at the work location shall be used first. In their absence an alternate worker member from the same work location or worker member from a different location should be used. A certified worker member is preferred to perform the work refusal investigation.

3.5.2 Bilateral work stoppage as per article 45 of the act shall be carried out by certified members of the committee.

3.5.3 Procedure for a work refusal:

First stage

1. Worker considers work unsafe.
2. Worker reports refusal to his/her supervisor or employer. Worker may also wish to advise the worker safety representative and/or management representative. Worker stays in safe place.
3. Employer or supervisor investigates in the presence of the worker and the worker safety representative.
4. Either:
 - a. Issue resolved. Worker goes back to work.
 - b. Issue not resolved. Proceed to the second stage

Second stage

1. With reasonable grounds to believe work is still unsafe, worker continues to refuse and remains in safe place. Worker or employer or someone representing worker or employer calls MLTSD.
2. MLTSD Inspector investigates in company of worker, safety representative and supervisor or management representative.*
3. Inspector gives decision to worker, management representative/supervisor and safety representative in writing.
4. Changes are made if required or ordered. Worker returns to work.

* Pending the MLTSD investigation:

- The refusing worker may be offered other work if it doesn't conflict with a collective agreement

- Refused work may be offered to another worker, but management must inform the new worker that the offered work is the subject of work refusal. This must be done in the presence of:
 - a member of the joint health and safety committee who represents workers; or
 - a health and safety representative, or
 - a worker who because of his or her knowledge, experience and training is selected by the trade union that represents the worker or, if there is not trade union, by the workers to represent them.

3.6. WORKPLACE TESTING

- 3.6.1. The Corporation of the Town of Espanola will consult with as well as provide information to the JHSC regarding proposed industrial hygiene testing strategies.
- 3.6.2. A JHSC member who represents workers and is selected by the worker members of the JHSC shall be entitled to be present at the beginning of industrial hygiene testing to ensure valid testing procedures are being used and the results from said testing is valid.

3.7. MEETING MINUTES

The JHSC will be supplied a secretary by the employer to take minutes and be responsible for having the minutes typed, circulated and filed within one (1) calendar week of the meeting, or as the JHSC may from time to time instruct. Minutes of meetings will be reviewed, and edited where necessary, by the Co-Chairperson, then signed and circulated to all JHSC members and a copy will be forwarded to the CAO, Department Managers, and also posted in a conspicuous place in each work location. Agenda's will be readily available for inspection and reference in a proper filing system. Names of JHSC members will not be used in the minutes except to record attendance, or for the purpose of identifying specific action items from the JHSC meeting.

3.8. MEETING AGENDA

- 3.8.1. The Secretary will prepare an agenda and then forward a copy of the agenda to all JHSC members at least one (1) week in advance of the meeting. The members will then review the agenda in preparation for the committee meeting.

3.8.2. All items raised from the agenda in meetings will be dealt with on the basis of a consensus, and formal motions will be used. All agenda items will be reported in the minutes and unresolved items will be placed on the agenda for the next meeting. The Chair of the meeting will make a formal statement, capturing the issue, for recording in the minutes.

3.8.3. Decisions shall be made by consensus

3.9. QUORUM

Each JHSC meeting shall have a minimum of one (1) employer member and two (2) worker members present in order to conduct business. One member shall be a co-chair to chair the meeting.

4. HEALTH AND SAFETY COMMITTEE MEMBERS ENTITLEMENT

4.1 JHSC members shall be given adequate release time from their job duties to participate in activities associated with carrying out their duties as members of the JHSC. All time spent in attendance at JHSC meetings or in activities relating to the function of the JHSC will be paid for at the member's appropriate rate of pay for performing work, and the time spent is to be considered as time at work.

4.2 JHSC members and alternates shall be entitled to:

- a) A minimum of one (1) hour or such longer period of time as the committee determines is necessary to prepare for each JHSC meeting.
- b) Such time as is necessary to attend meetings of the committee
- c) Such time as is necessary to carry out the member's duties

5. DISPUTE RESOLUTION

Persons with the knowledge and expertise required to assist in resolving the outstanding issue may be invited by the JHSC to attend the meeting to provide additional information and comment. Items unresolved by the JHSC after two (2) regular scheduled meetings would be referred to Council for consideration.

6. RECOMMENDATIONS TO EMPLOYER

6.1 It is the function of a committee and it has the power to make recommendations to the employer and the workers for the improvement of the health and safety of workers.

- 6.2 If a committee has failed to reach a consensus about making recommendations after attempting in good faith to do so, either co-chair of the committee has the power to make written recommendations to the employer.
- 6.3 An employer who receives written recommendations from a committee or co-chair shall respond in writing within twenty-one days.

Revised and Signed at Espanola, Ontario

Date: _____

Corporation Representative	Labour Representative
Douglas Gervais, Mayor	Tom Kelly, Building Rep. President C.U.P.E. Local 534
Signature	Signature
Joseph Burke CAO/Clerk	Debbie Sokoloski, Building Rep. Chair, C.U.P.E. Local 4705
Signature	Signature
	Joel Marion, Representative Fire Association
	Signature
	Krystal Bouwmeester, Representative Non-Union/Non-Management Employees
	Signature

APPENDIX “A”

Physical Site Location Information				
	Phone	Fax	Address	# of Employees
Public Works				
Administration, Roads and Traffic	705-869-1751		596 Second Ave. <i>1.2km from 100 Tudhope St.</i>	Management = 2 NUNM Staff = 1 Unionized Staff = 15
Complex				
Arena, Pool, Fitness Centre	705-869-1961	869-6697	175 Avery Drive <i>650m from 100 Tudhope St.</i>	Management = 3 Unionized Staff = 48
Municipal Building				
Administration Office	705-869-1540	869-0083	100 Tudhope St., Suite 2,	Management = 3 NUNM Staff = 4
P.O.A. Office	705-862-7875	862-7876	100 Tudhope St., Suite 2,	Management = 1 NUNM Staff = 2
Building Department	705-869-1540	869-0083	100 Tudhope St., Suite 2,	Management = 1 NUNM Staff = 1
Fire Department				
Fire - Administration Office	705-869-3888	869-6000	592 Second Ave. <i>1.2km from 100 Tudhope St.</i>	Management = 1 NUNM Staff = 1 Volunteers = 25
Environmental Services & Special Projects - Administration Office	705-869-1751		592 Second Ave. <i>1.2km from 100 Tudhope St.</i>	Management = 1
Library Services				
Administration Office	705-869-2940	869-6463	245 Avery Drive <i>700m from 100 Tudhope St.</i>	Management = 1 NUNM Staff = 6

APPENDIX "B"
JH & SC Inspection Sample Schedule
2025

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29
														30	31					

April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
13	14	15	16	17	18	19	11	12	13	14	15	16	17	15	16	17	18	19	20	21
20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30				25	26	27	28	29	30	31	29	30					

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2		1	2	3	4	5	6
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27
27	28	29	30	31			24	25	26	27	28	29	30	28	29	30				
							31													

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1		1	2	3	4	5	6
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31			
							30													

 JH&S Meeting Inspections Due

Inspections to be completed by:

JAN: REC	APR: REC	JULY: REC	OCT: REC
FEB: NON-UNION	MAY: PWD	AUG: PWD	NOV: PWD
MAR: PWD	JUNE: NON-UNION	SEPT: NON-UNION	DEC: NON-UNION

APPENDIX "C"

Workplace Inspection Procedure

JHSC Members Responsibilities

1. The worker member shall complete the Workplace Inspection Booklet three-part format in the area(s) identified as per the applicable workplace inspection schedule with the appropriate supervisor if available. It is recommended that a set date and time be established with the supervisor in advance to ensure their participation. **If a supervisor is unavailable during the inspection timeline as per section (2), the supervisor is to designate a worker in that department to accompany the inspector.**
2. Workplace inspections are required every month. Inspections will be conducted on the day of the JH&S Committee meeting or as soon thereafter, and to be completed no later than the Friday of the following week.
3. During an inspection, the member has the authority to rectify the situations that require immediate attention during an inspection and reporting to the supervisor.
4. Only safety items and non-compliance issues pertaining to the Act and Regulations are to be identified during inspections
5. Documentation of the scheduled inspection on the form must be completed even if there are no safety issues. **Document – no concerns or no safety issues observed at this time.** Follow the proper distribution process of the form.
6. The completed inspection report shall be filed at each workplace and available for review upon request.

Workplace Inspection Booklet Procedure

1. Original white copy of the report and yellow copy (if any hazards are identified) will be forwarded to the applicable supervisor.
2. Yellow copy will be returned to the JHSC recording secretary once action is completed and recorded. The turnaround time on monthly inspections is 21 days (maximum).
3. The pink copy stays in the book.
4. The original yellow copy that has been returned by the supervisor will be stapled to the pink copy in the book as a permanent record.
5. The workplace inspection book will be brought to each JHSC meeting for review.

APPENDIX "D"

JOINT HEALTH & SAFETY COMMITTEE MEMBER LIST

WORKER REPRESENTATIVES

WORKER'S NAME	DEPARTMENT	CONTACT	CERTIFIED
Ed Leblanc	Public Works	869 – 1751	✓
Mitch Bourcier	Recreation Complex	869 – 1961	✓
Krystal Bouwmeester	Municipal Office	869 – 1540	✓

ALTERNATE

Alex Sokoloski	Public Works	869 – 1751	✓
Debbie Sokoloski	Recreation Complex	869 – 1961	✓
Mike D'Agostino	Municipal Office	869 – 1540	✓

MANAGEMENT REPRESENTATIVES

WORKER'S NAME	DEPARTMENT	CONTACT #	
Joseph Burke	Municipal Office	869 – 1540	✓
Erik Bourcier	Recreation Complex	869 – 1961	✓

ALTERNATE

Bailey Bouwmeester	Recreation Complex	869 – 1961	✓
Laura Luopa	Library	869 – 2940	✓

RECORDING SECRETARY

WORKER'S NAME	DEPARTMENT	CONTACT #	
Angelle Duguay	Public Works	869 – 1751	✗

ALTERNATE

Jesus Osorio	Municipal Office	869 – 1540	✗
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NOTES:

Krystal Bouwmeester is the **Worker Representative** responsible to investigate critical and fatal incidents as well as participate in all workplace onsite testing.
Ed Leblanc is their **Alternate** responsible for the same duties in their absence.