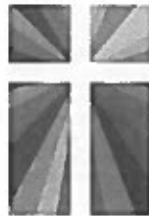


Multi-Workplace Joint Health and Safety Committee Terms of Reference

AS AGREED BETWEEN



**Northeastern
Catholic District
SCHOOL BOARD**

AND

- Ontario English Catholic Teachers' Association
- Canadian Union of Public Employees
- Non-Unionized Employees

EFFECTIVE DATE: TBD

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ARTICLE 1 - PREAMBLE

- 1.01 The Northeastern Catholic District School Board is vitally interested in the health and safety of its employees and has passed a policy that confirms this commitment (Appendix "C" Policy H-1). It is the policy of the Northeastern Catholic District School Board to provide its employees with a safe, healthy working environment in order to conduct all operations safely, and to prevent injuries to person(s) and damage to property. Safety starts with planning and continues through design, purchasing, construction, operation and maintenance. All practical steps shall be taken to maintain a safe, healthy workplace by promoting proper working conditions. All supervisors must be dedicated to the continuing objective of reducing risk and injury and each employee must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the Board and within the context of the legislation.
- 1.02 The Occupational Health and Safety Act requires the establishment of Joint Health and Safety Committees where twenty or more workers are regularly employed at a workplace and to hold Joint Committee meetings on a regular basis, no less than quarterly. The Joint Health and Safety Committee may meet more frequently as required.
- 1.03 The Northeastern Catholic District School Board operates under a multi-workplace agreement as approved by the Ministry of Labour. (*Occupational Health & Safety Act, Section 9.3.1*)
- 1.04 It is our firm belief that through joint education programs, joint investigations of concerns in the workplace and joint resolution of those concerns, the workplace will be made safe and healthy for all employees.
- 1.05 The parties acknowledge that the proper functioning of the Joint Health and Safety Committee (known hereafter as the Joint Committee) can only be carried out where the representatives of the Employer and of the workers are committed to these responsibilities. The undersigned undertake to make decisions that will be carried out by their respective organizations, and develop an effective internal responsibility system for resolution of Occupational Health and Safety concerns or issues.
- 1.06 The parties hereto adopt these guidelines in good faith and agree to promote and assist the Joint Health and Safety Committee.
- 1.07 The parties acknowledge that this multi-workplace agreement applies to all NCDSB work places as listed in Appendix "A".

ARTICLE 2 - STRUCTURE OF COMMITTEE

- 2.01 The Joint Committee shall consist of nineteen (19) regular members, fourteen (14) members representing the workers, one (1) member per worksite, and five (5) members representing the Employer. Where representation falls below the above criteria, the Board shall communicate with the appropriate employee group to ensure that the vacancy is filled as soon as possible.

2.02 The fourteen (14) members representing the workers shall be selected by their respective unions or associations, seven (7) representatives of Ontario English Catholic Teachers' Association (OECTA) including elementary, secondary and occasional teachers, five (5) representatives of Canadian Union of Public Employees (CUPE) and two (2) representatives selected from the full-time non-unionized employees. Any group may by mutual consent allocate its complement of representatives to another employee group to achieve compliance with Article 2.01.

Worker Member Groups			
Member Groups	Number of Members Covered by Agreement	Location	Number of JHSC Members
OECTA - Teachers	175	All locations	7
CUPE	113	All locations	5
Non-Union	33	All locations	2

2.03 Where a committee member is temporarily unable to fulfill their role due to extenuating circumstances, an alternate representative will be selected in consultation with the workplace supervisor and the appropriate employee group.

2.04 The five (5) Joint Committee members representing the Employer shall include two (2) School Principals. The management members will be selected by the Director of Education or designate. The School Principals will be selected in consultation with the Northeastern Catholic Principal and Vice-Principal Association.

2.05 Certified Members

The Committee shall have a minimum of nine (9) certified worker members selected by the worker members of the specific regions outlined below. The two (2) certified management members will be selected by the Director of Education or designate.

Region	# Certified Workers
Kapuskasing	1
Cochrane/Iroquois Falls	1
Timmins	3
Kirkland Lake	1
Englehart	1
New Liskeard/Cobalt	1
Moosonee	1

2.06 Training

Certified Members

All Certified Members will be offered the opportunity to complete JHSC certification training within one (1) year of taking on the role. JHSC Certification consists of:

- Part One – Basic Certification
- Part Two – Workplace Hazard Specific Training
- Refresher Training (within three years of completing Part Two or the last Refresher Training)

Members of the Committee

All members of the multi-workplace JHSC will be provided the opportunity to complete Part One – Basic Certification Training at the beginning of their term.

- 2.07 The President of OECTA Northeastern Unit and CUPE may attend meetings of the Joint Health and Safety Committee as observers at no cost to the Board.

ARTICLE 3 - FUNCTIONS OF COMMITTEE

- 3.01 As per Section 9.18 of the Act, the functions of the Joint Committee shall be:
- (a) identify situations that may be a source of danger or hazard to workers;
 - (b) make recommendations to the Employer and the workers for the improvement of the health and safety of workers;
 - (c) recommend to the Employer and the workers the establishment, maintenance and monitoring of programs, measures and procedures respecting the health or safety of workers;
 - (d) obtain information from the Employer respecting,
 - (i) the identification of potential or existing hazards of materials, processes or equipment, and
 - (ii) health and safety experience and work practices and standards in similar or other industries of which the constructor or employer has knowledge;
 - (e) obtain information from the Employer concerning the conducting or taking of tests of any equipment, machine, device, article, thing, material or biological, chemical or physical agent in or about a workplace for the purpose of occupational health and safety; and
 - (f) be consulted about, and have a designated member representing workers be present at the beginning of, testing referred to in clause (e) conducted in or about the workplace if the designated member believes his or her presence is required to ensure that valid testing procedures are used or to ensure that the test results are valid. R.S.O. 1990, c. O.1, s. 9 (18).
- 3.02 Personal medical information or any information that could be considered an invasion of personal privacy that is revealed through the operation of the Joint Committee will be kept confidential by all Joint Committee members.

ARTICLE 4 - MEETINGS OF THE COMMITTEE

- 4.01 The nineteen (19) regular members of the Joint Committee shall meet quarterly in the months of September, December, March and June, or as determined by the Committee, but at a minimum of once every three months.
- 4.02 The Joint Committee will meet a minimum of four (4) times per year. Videoconferencing or other technology at a designated regional site will be used to carry out regular committee meetings. Members are encouraged to attend the first meeting of each school year in person at the Catholic Education Centre. However, in the event of inclement weather conditions, the Board will arrange for members to participate from their primary workplaces. It is understood that the member from

Bishop Belleau School in Moosonee shall participate by videoconference unless otherwise arranged by the Board.

- 4.03 A Co-Chairperson may, with the consent and approval of his/her counterpart, invite any additional person(s) to attend the meeting to provide additional information and comments, but they shall not participate in the regular business of the meeting.
- 4.04 The names of all Joint Committee members, their respective representations and locations shall be posted in the workplace.

ARTICLE 5 - CO-CHAIRPERSONS

- 5.01 There shall be two (2) Co-Chairpersons for the Committee. Worker members shall select one (1) Worker Co-Chairperson and the Director of Education or designate shall appoint one (1) Management Co-Chairperson. The Co-Chairpersons will serve a term of one (1) year.

The Co-Chairpersons may alternate chairing the Committee Meetings. If a Co-Chairperson is unable to attend a meeting, he/she may designate an alternate Co-Chairperson to take his/her place at the JHSC meeting.

ARTICLE 6 - MEETING AGENDA

- 6.01 The Co-Chairpersons will prepare an agenda and forward a copy of the agenda to all Joint Committee members at least one (1) week in advance of the meeting.
- 6.02 The Joint Committee may accept any item as proper for discussion and resolution pertaining to health and safety, except to amend, alter, subtract from or add to, any terms of the Collective Bargaining Agreement.
- 6.03 All items raised from the agenda in meetings will be dealt with on the basis of consensus rather than by voting.

ARTICLE 7 - MINUTES OF MEETINGS

- 7.01 The Employer will provide a secretary for the meeting to take minutes and be responsible for having the minutes typed, circulated and filed within two (2) calendar weeks of the meeting, or as the Joint Committee may from time to time instruct.
- 7.02 The minutes of meetings will be reviewed and edited where necessary by the Co-Chairpersons, then signed and a copy forwarded to the Director of Education. Agenda items will be identified by a reference number and be readily available in a proper filing system.
- 7.03 Where an item raises policy issues, it shall be referred to the Director of Education for consideration and written reports will be filed with the Joint Committee.
- 7.04 The minutes of the Joint Health and Safety Committee shall be posted at all work sites on the Occupational Health and Safety bulletin board.

- 7.05 Copies of minutes or previous meetings and/or written correspondence will be supplied for examination and review by an inspector upon request.

ARTICLE 8 - QUORUM

- 8.01 The Joint Committee shall have a quorum of eleven (11) members present in order to conduct business. One Co-Chairperson must be present in order to conduct business. If a Co-Chairperson is absent, the other Co-Chairperson will chair the meeting.
- 8.02 The number of Employer members shall not be greater than the number of worker members.

ARTICLE 9 - COMMITTEE RECOMMENDATIONS

- 9.01 If the committee has failed to reach consensus about making recommendations as per Subsection 9 (18) of the *Occupational Health and Safety Act*, after attempting in good faith to do so, either Co-Chairperson of the committee has the power to make written recommendations to the Director of Education.
- 9.02 A written recommendation shall include a summary of the positions of the members of the committee who supported and who did not support the recommendation.
- 9.03 Upon receipt of written recommendations from the Committee, the Employer will respond in writing within twenty-one (21) days to the Co-Chairperson, giving an assessment of the matter, outlining who is responsible for resolving the matter and the timeframe in which the matter will be resolved. The Employer shall provide a reason in writing for not implementing a recommendation.

ARTICLE 10 - UNRESOLVED ITEMS

- 10.01 Items unresolved by the Joint Committee will be referred to the Co-Chairpersons of the Joint Committee to attempt to resolve the outstanding issues. Co-Chairpersons may access additional resources or expertise to find a resolution.
- 10.02 The Co-Chairpersons will report back to the Joint Committee by the next scheduled meeting.
- 10.03 Any outstanding health and safety components shall have interim measures until the problem can be resolved.
- 10.04 All items that are resolved or not resolved will be reported in the minutes.

ARTICLE 11 - PAYMENT

- 11.01 All time spent in attendance at Committee meetings or in activities relating to the function of the Joint Committee shall be deemed to be work time and shall be paid by the Board at his or her regular or premium rate as may be proper.

ARTICLE 12 - WORKPLACE INSPECTIONS

- 12.01 Workplace inspections shall be conducted as per the requirements of the *Occupational Health and Safety Act*, [Section 9 (23) - (26)].
- 12.02 Training for inspections of the workplace will be provided for the worker members to adequately perform the tasks delegated by the Joint Committee.
- 12.03 A worker member of the Joint Committee will perform monthly inspections of the physical condition of each workplace, accompanied by the School Principal when available. If the School Principal is not available, the worker member will proceed with the inspection.
- 12.04 All health and safety concerns raised during the physical inspection will be recorded in the eBase software by the worker member and submitted electronically to the Principal for review. Where the Principal is not available to participate in the inspection, the Principal shall access the inspection report in the eBase software for review and action issues identified.
- 12.05 The completed monthly Health & Safety Inspection report shall be posted on the Health & Safety bulletin board within five (5) days of the inspection. Work orders will be generated to address concerns that require intervention by the Plant and Maintenance Department. The Manager of Plant may access additional resources where the issue is outside the scope of his or her mandate. The two (2) Co-chairpersons shall have access to all site workplace inspections and responses.
- 12.06 The Manager of Plant will inform the Joint Committee of the status of the outstanding items by the next Joint Committee Meeting.

ARTICLE 13 - ACCIDENT STATISTICS

- 13.01 Board statistics concerning accidents, first aid, lost time and health care concerns are to be provided at each regular meeting of the Joint Committee to identify trends and patterns.

ARTICLE 14 - CRITICAL INJURY/FATALITIES

- 14.01 The Principal shall contact Emergency Services as required, notify the Manager of Human Resources or designate and secure the scene.
- 14.02 The Manager of Human Resources or designate will immediately contact the Ministry of Labour, the Joint Committee and the affected union/Association in the event of a fatality or a critical injury. (*Occupational Health & Safety Act*, Section 51)
- 14.03 The Joint Committee Co-Chair representing workers will designate one (1) certified worker member and the Board will designate one (1) certified employer member to investigate all fatalities and critical injuries (*Occupational Health & Safety Act*, Regulation 834). The general practice shall be to send the certified worker member closest to the scene. Where the closest certified worker is not available, the Co-Chair representing workers shall designate the next closest available certified worker.

- 14.04 The Employer will be responsible for overseeing that the requirements prescribed in Sections 25 and 26 of the Act and Sections 5 and 6 of the Regulations for Industrial Establishments are carried out.

ARTICLE 15 - PROCESS FOR CONCERNS OF EMPLOYEES

- 15.01 All employees will be expected to discuss their health and safety concerns with their Principal or immediate supervisor. If the matter is resolved, it is not necessary to document it in writing. Notwithstanding, the concern may be reported directly to the Committee. The worker member of the Joint Committee may also be advised. An Occupational Health & Safety Concern Form (See Appendix D) shall be available to formally document such issues at the discretion of the employee raising the concern. All concerns will be thoroughly investigated and factual information pertaining to the issue must be freely exchanged when seeking the resolution to a concern.
- 15.02 Where the employee's concern has not been addressed by the supervisor, all the facts of the matter will be brought to the Committee for their consideration. Resolution of concerns will be reported in the minutes.

ARTICLE 16 - WORK REFUSALS

- 16.01 Workplace refusals shall be investigated as per the requirements of the *Occupational Health and Safety Act*, Sections 43-44.
- 16.02 In the event of a work refusal, a worker member of the Joint Committee from that workplace shall be present for the investigation by the supervisor. Where possible, the worker shall be a certified member.
- 16.03 Information concerning a work stoppage will be posted on the Occupational Health and Safety bulletin board at each work place (Appendix E).
- 16.04 The Board shall provide training to all employees on the work refusal process upon hire.

ARTICLE 17 - WORK STOPPAGE

- 17.01 Workplace stoppages shall be investigated as per the requirements of the *Occupational Health and Safety Act*, Sections 45-49.
- 17.02 It takes two (2) certified members to direct an Employer to stop dangerous work (joint stoppage). One must be a certified member representing workers; the other, a certified member representing the Employer.
- 17.03 Information concerning a work stoppage will be posted on the Occupational Health and Safety bulletin board at each work site (Appendix F).
- 17.04 The Board shall provide training to all employees on work stoppages upon hire.

ARTICLE 18 - WORKPLACE TESTING

- 18.01 Any worker member of the Joint Committee may obtain information and be consulted about testing conducted in or about the workplace.
- 18.02 The worker member of the Joint Committee may be present at the beginning of testing in the workplace, if the worker representative believes his or her presence is required, to ensure that valid testing procedures are used or to ensure that the test results are valid. If the worker member is unable to attend, another JHSC member, chosen by the worker members of the JHSC, would be able to attend in his/her place.

A copy of testing results` will be provided to the Committee.

ARTICE 19 - ANNUAL REVIEW OF AGREEMENT

- 19.01 The Committee shall review the Terms of Reference at the beginning of each school year to ensure effectiveness and compliance with the *Occupational Health & Safety Act* and the regulations.

ARTICLE 20 - AMENDMENTS TO WORKPLACE AGREEMENT

- 20.01 Any amendments, deletions or additions to these Guidelines must have the consensus of the Joint Committee.
- 20.02 Any required amendments to the Terms of Reference will be reviewed by all workplace parties. The revised Terms of Reference will be submitted to the Ministry of Labour for re-approval of the Order for a multi-workplace Committee.

A copy of the Terms of Reference and accompanying Minister's Order of Approval shall be posted on the Health & Safety bulletin board at each workplace and will be made available to a Ministry of Labour inspector upon request.

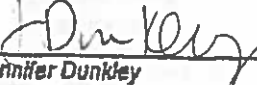
ARTICLE 21 – WITHDRAWAL OF MINISTER’S ORDER


- 21.01 It is recognized that the Minister's Order permitting a single Committee for a multi-workplace employer can be withdrawn without consultation with the workplace parties.

It is further acknowledged that any workplace party on the Committee may request that the order for a multi-workplace Committee be rescinded by writing to the Regional Director of the Ministry of Labour.


**For the Northeastern Catholic
District School Board:**


Keld Scott
Superintendent of Business



Jennifer Dunkley
Superintendent of Education

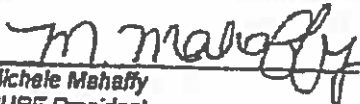

David Horton
Manager of Plant and Maintenance


Damon Berthier
Principal, Pope Francis Elementary School


Leri Hurtubise
Principal, St. Patrick School - Cobalt

For the Workers:


Louis Clausi
OECTA


Michele Mahaffy
CUPE President


Marina Cecchini
Non-Unionized Employees

Signed at Timmins, Ontario, this 8 day of October 2020

Appendix "A"

The terms of reference contained in this multi-workplace agreement apply to the following workplaces within the Northeastern Catholic District School Board:

Region	# Certified Workers	Workplace	# workers at workplace Sept. 1/2019
Kapuskasing	1	St. Patrick School 6 Cedar Street, Kapuskasing, ON Distance from Board: 150 km Travel Time: 2 hours	24
Cochrane / Iroquois Falls	1	Aileen Wright English Catholic School 75 Sixth Street, Cochrane, ON Distance from Board: 106 km Travel Time: 1 hour and 15 minutes	17
		St Anne English Catholic School 200 Church Street, Iroquois Falls, ON Distance from Board: 72 km Travel Time: 58 minutes	21
Timmins	3	O'Gorman Intermediate Catholic School 490 MacLean Drive, Timmins, ON Distance from Board: 600 metres Travel Time: 5 minutes	25
		O'Gorman High School 150 George Avenue, Timmins, ON Distance from Board: 850 metres Travel Time: 5 minutes	47
		Pope Francis Elementary School 387 Balsam Street North, Timmins, ON Distance from Board: 170 metres Travel Time: 1 minute	42
		St. Joseph School 207 Huot Street, South Porcupine, ON Distance from Board: 9 km Travel Time: 15 minutes	19
		Board Office (Timmins) 383 Birch Street North, Timmins, ON	36
Kirkland Lake	1	Sacred Heart Catholic School 63 Churchill Drive, Kirkland Lake, ON Distance from Board: 140 km Travel Time: 1 hour and 30 minutes	24

		St. Jerome School 128 Wood Street, Kirkland Lake, ON Distance from Board: 140 km Travel Time: 1 hour and 30 minutes	27
Englehart	1	Holy Family School 80, 8 th Avenue, Englehart, ON Distance from Board: 165 km Travel Time: 1 hour and 50 minutes	19
Cobalt / New Liskeard	1	St Patrick School 119 Lang Street, Cobalt, ON Distance from Board: 230 km Travel Time: 2 hours and 30 minutes	23
		English Catholic Central School 245 Shepherdson Street, New Liskeard, ON Distance from Board: 211 km Travel Time: 2 hours and 15 minutes	28
Moosonee	1	Bishop Belleau School 18 Bay Road, Moosonee, ON Distance from Board: 315 km Travel Time by train: 6 hours and 30 minutes	14

Appendix "B"

Members of the Joint Health and Safety Committee, 2020-2021

For the Board:

For the Workers:

Keld Scott Superintendent of Business Co-Chairperson	Renee Catt OECTA Co-Chairperson
Jennifer Dunkley Superintendent of Education	Mac Boucher OECTA
David Horton Manager of Plant and Maintenance	Sandra Ciraco OECTA
Lori Hurtubise Principal – St. Patrick School, Cobalt	Thevia Furlott OECTA
Darren Berthier Principal – Pope Francis School, Timmins	David Rosso OECTA
	Rosemary Rosso OECTA
	Melissa Orth OECTA
	Shelley Leclerc CUPE
	Karen Lafreniere CUPE
	TBD CUPE
	L. Roger Regular CUPE
	Luc Bernard CUPE
	Andrew Marks Non-union
	Marinna Cecchini Non-union

Appendix "C"

Designated Substances

The following Northeastern Catholic District School Board workplaces contain Asbestos:

SCHOOL NAME
Bishop Belleau School
English Catholic Central School
Holy Family School
O'Gorman Intermediate Catholic School
Pope Francis Elementary School
Sacred Heart School – Kirkland Lake
St. Anne English Catholic School
St. Jerome School
St. Patrick School - Cobalt
St. Patrick School - Kapuskasing

Appendix "D"

NORTHEASTERN CATHOLIC DISTRICT SCHOOL BOARD

HEALTH AND SAFETY

Policy Number: H-1

Authority: 00-219 / 03-233 / 12-171

POLICY STATEMENT

The Northeastern Catholic District School Board is vitally interested in the health and safety of its employees. In accordance with the Occupational Health and Safety Act of Ontario, it is the policy of the Northeastern Catholic District School Board to provide its employees with a safe, healthy working environment in order to conduct all operations safely, and to prevent injuries to person(s) and damage to property. Safety starts with planning and continues through design, purchasing, construction, operation and maintenance. All practical steps shall be taken to maintain a safe, healthy workplace by promoting proper working conditions. All supervisors must be dedicated to the continuing objective of reducing risk and injury and each employee must protect his or her own health and safety, and that of their coworker(s) by working in compliance with the law and with safe work practices and procedures established by the Board and within the context of the legislation.

REFERENCES

Nil.

POLICY REGULATIONS

1. All workers must receive training in their specific work tasks to protect their health and safety.
2. All workers must report all safety concerns or hazards to their employer or supervisor.
3. It is in the best interest of all parties to consider health and safety in every activity and to commit to health and safety as an integral part of the Northeastern Catholic District School Board.
4. All contractors will comply with the Board's Health and Safety Policy as they apply to the design, operation and maintenance of facilities and equipment on each project. All contractors will perform their jobs properly in accordance with established procedures and operating philosophy.
5. All workers must use or wear personal protective equipment where required by the employer.

Appendix "E"



**Northeastern
Catholic District
SCHOOL BOARD**

383 Birch St. North, Timmins ON P4N 6E8
(705)268-7443 or (877)422-9322 Fax (705)266-9139
www.ncdsh.on.ca

HEALTH & SAFETY CONCERN FORM

EMPLOYEE SECTION:

Name: _____ Date: _____

Position: _____ Workplace: _____

Describe health & safety concern:

Proposed solution:

PRINCIPAL/SUPERVISOR SECTION:

Action taken:

Supervisor signature: _____ Date: _____

BOARD OFFICE SECTION:

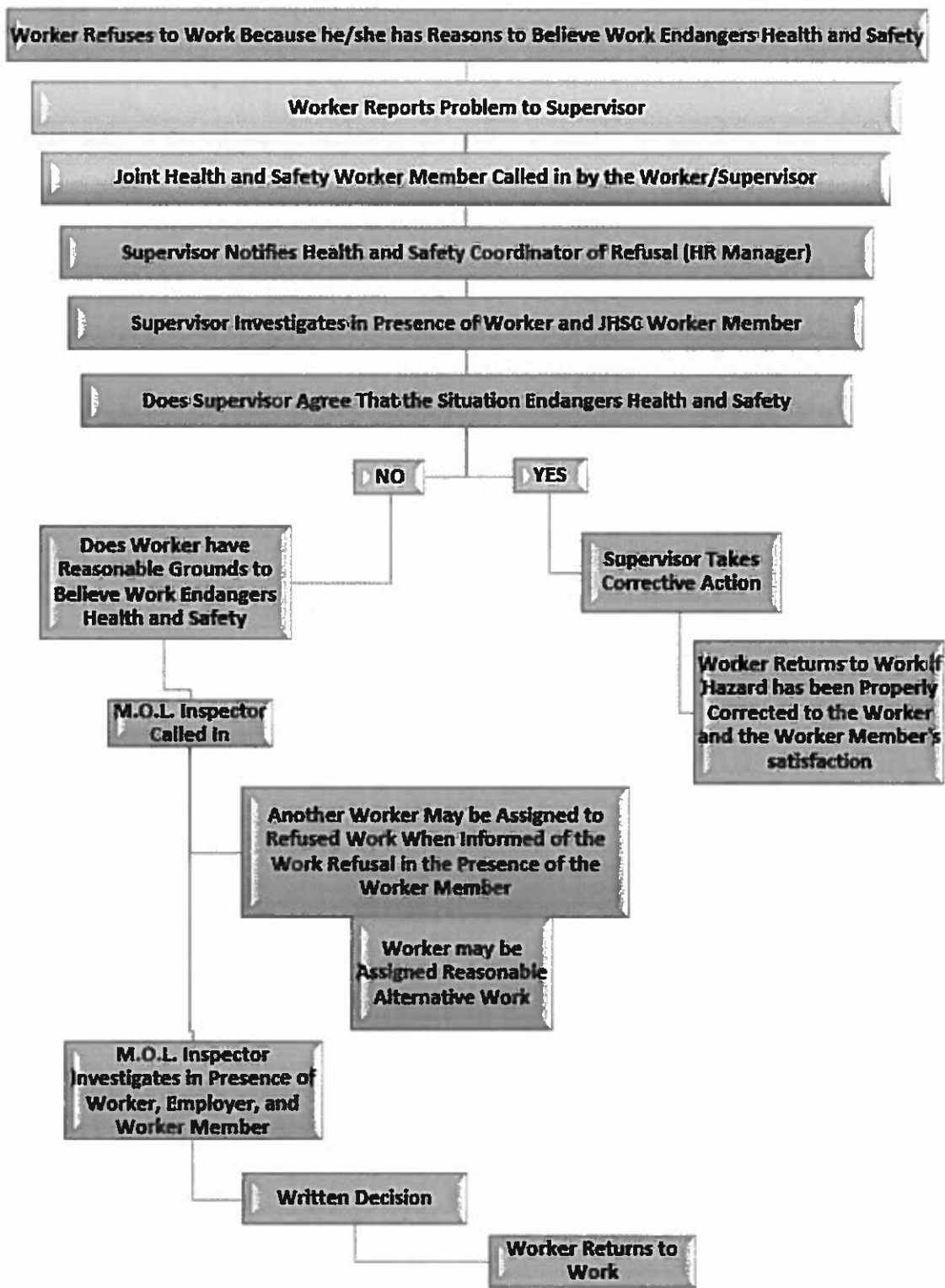
Action taken:

Supervisor signature: _____ Date: _____

Employee → Principal/Supervisor Principal/Supervisor → HR (705) 266-9139
HR → Employee, Principal/Supervisor, JH&SC Chair, Plant Manager within two (2) working days

Appendix "F"

WORK REFUSAL PROCESS



Appendix "G"

WORK STOPPAGE PROCESS

