


<h1>Project Navigator</h1>				<b>Guideline</b>			
<b>TITLE</b>  <b>JOINT HEALTH AND SAFETY COMMITTEES &amp; WORKER REPRESENTATIVES FOR PROJECTS</b>				VALE # <b>NAV-GP-0404</b>		PAGE <b>1/7</b>	
				<b>DM # 1198540</b>		REV. <b>2</b>	
Effective Date:	June 20/16	Revisit Date:	June 20/18	Prepared By:	J.Mathiasen, T.Hirschfeld	Approved By:	T.Hirschfeld

## 1.0 PURPOSE

This guideline provides an overview of the requirements for Worker Representatives and Joint Health & Safety Committees (JHSC's) for projects.

## 2.0 REFERENCE DOCUMENTATION

The following documents were used in the development of this document or are related to it. The most recent revision shall be used.

[Occupational Health & Safety Act,](#)  
[MOL Constructor Guidelines](#)  
[MOL Joint Health and Safety Committees](#)  
[MOL Sample of JHSC Agenda](#)  
[MOL Sample of JHSC Minutes](#)

NAV GP-0307 Duties of the Constructor's Supervisor Guideline  
NAV-TP-0404 JHSC Meeting Agenda / Minutes Template

## 3.0 APPLICATION

This Guideline applies to all ERM Projects.

## 4.0 CONTEXT


The Occupational Health and Safety Act (OHSA) defines the requirements for Worker Representatives (Section 8) and JHSC's (section 9) for all workplaces.

Refer to the "**Legislative Requirements for Worker Representatives / JHSC**" table below, excerpted from the MOL website.

If a Notice of Project is filed with the Ministry of Labour, specific exemptions apply as per Sub-sections 9(1), (2) and (3) of the OHSA. Note that the Construction Regulations do not apply below the collar in an underground mine, so these exemptions do not apply to underground mining work.

Note: the title and scope of the Project as defined within Vale (PTS, IBS, and AFE / PSIR documents) are to correspond with the Notice of Project filed with the Ministry of Labour. This will define the requirements for a Worker Representative and/or a JHSC.

For ERM project work, the Worker Representatives and JHSC's represent the contractor employees on the project site(s). Accordingly, these individuals may be asked to participate in any MOL Inspections / Investigations or Work Refusals related to contractor employees on the project.

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Vale's own internal Worker Rep's and JHSC's would not generally be involved with those activities, but could also be requested to participate, at the discretion of the MOL.

## 5.0 PROJECT TEAM DUTIES

ERM Project Managers / designates have the following key responsibilities with respect to Worker Health & Safety Representatives / JHSC's:


- ensure that the Ministry of Labour is notified of a Project, when and as required
- ensure that every contractor or subcontractor receives a list of all designated substances present at the project before the prospective contractor or subcontractor enters into a binding contract for the supply of work on the project (additional requirements for JHSC's may apply in special cases)
- ensure that a Worker Representative or JHSC for the Project is selected or established, when and as required
- ensure that the Worker Representative for the Project participates in workplace audits or inspections when and as required (typically monthly)
- ensure that the meeting minutes for all JHSC meetings for the Project are posted in the workplace (and also file these as per local document management filing standards)
- ensure that the Ministry of Labour is notified of an accident or occurrence, when and as required (the Worker Representative for the Project may be required to participate in the investigation and / or follow-up)

Also refer to Duties of the Constructor's Supervisor Guideline (NAV GP-0307).

## 6.0 WORKER HEALTH AND SAFETY REPRESENTATIVES

A Worker Representative is required if there are more than 5 workers onsite on a regular basis, regardless of the duration of the Project. The Worker Health and Safety Representative must be nominated from the workers onsite, as outlined in section 8 of the OHSA.

These Worker Representatives have specific duties and authority as per the Act, and require specific training, as per 8 (5.1) of the Act.

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## 7.0 JOINT HEALTH AND SAFETY COMMITTEES

### 7.1 GENERAL

Section 9 of the OHS Act defines the requirements for JHSC's for all workplaces (this includes underground mining sites).

Where a JHSC is required, the members representing workers must be nominated from the workers onsite. JHSC's have specific duties and authority as per the Act. Where a JHSC is required, regular meetings must be conducted, and meeting minutes published.


### 7.2 CONSTRUCTION PROJECTS

If the duration of the Project (as per the Start and Finish dates listed on the Notice of Project) is less than three months, a JHSC is not required.

A JHSC is required if the duration of the Project is longer than three months and the number of workers regularly employed on the Project is more than 19.

Note: in the table below, the **Number of Workers** includes all workers employed at the same time on Vale site(s) for the Project. Include all General Contractors, all Sub-Contractors, and other employers e.g. Consultants, Technical Rep's, QA/QC Inspectors, etc... for that Notice of Project.

Number of Workers	OHS section reference	Legislative Requirements for Worker Representatives / JHSC
1 to 5	8	You are not required to have a worker health and safety representative; You are not required to have a JHSC
6 to 19	8	You are required to have one health and safety representative who is selected by the workers they represent or, where there is a trade union or trade unions representing such workers, by the trade union or trade unions.
20 to 49	9	You are required to have a JHSC. The committee must have at least two (2) members.
50 plus	9	You are required to have a JHSC. The committee must have at least four (4) members.
50 plus	10	You are required to have a Worker Trade Committee (worker representation of each of the trades at the workplace)

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### 7.3 JHSC MEETINGS

Each JHSC Meeting must be Co-Chaired by one member representing the Constructor and one member representing the workers. Both Co-chairs must be JHSC Certified. The names and work locations of members must be posted onsite.

The committee is required to meet at least once every three months or more frequently as directed by an MOL Inspector. For ERM projects it is recommended that this committee meets monthly.

JHSC members representing the employers / worker groups that are working on site around the time of the meeting are required to attend the meetings; members nominated from groups not currently onsite do not need to attend.

Meeting minutes must be posted at the Project worksite(s). Refer to the [MOL Sample of JHSC Agenda](#) and the [MOL Sample of JHSC Minutes](#).


A JHSC Meeting Agenda/Minutes Template is also available, refer to NAV-TP-0404.

JHSC Agenda Items / Topics Include:

- Terms of Reference (rules of conduct for the meetings)
- Review of Agenda and Minutes from Previous Meeting
- Review of Action Items / Recommendations lists
- Incident Summary
- Monthly Reports from Worker Members (Inspections & Audits)
- Policy or Program Updates
- New Business
- Annual Reviews (where applicable)
- Other
- Contact Information (Worker Co-Chair, Management Co-Chair, Scribe)

JHSC Minutes must:

- Be recorded and contain all matters discussed
- Include Actions / Recommendations
- Identify members by title
- Be signed by both Co-Chairs
- Be posted at onsite within one week

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## 7.4 TRAINING

The Constructor must ensure at least one member of the JHSC that represents the Constructor and one member that represents the Workers are certified members.

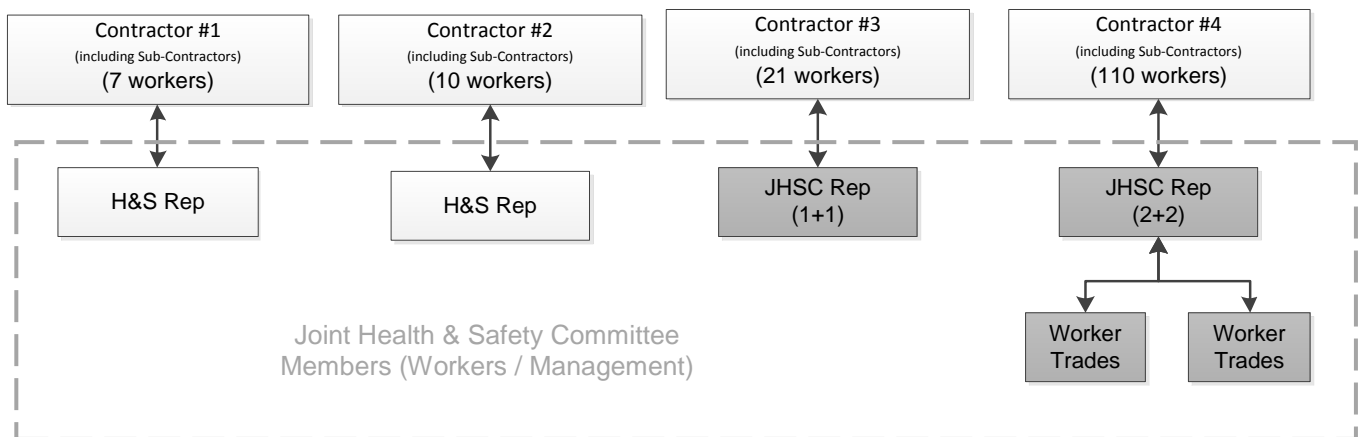
JHSC Training standards come into effect April 30, 2016. JHSC members trained under the 1996 standards and not already certified must submit confirmation of their Part 2 training by this date in order to be certified. Refer to the [MOL Website](#) for approved providers for Certification Training under the new standards.

## 7.5 COMMITTEE STRUCTURE


At least half of the members must be regularly employed workers who do not conduct managerial functions.

The JHSC must include the appropriate number of representatives from management and from workers. The make-up of the committee is determined by the number of employees on-site with each of the employers on the project.

One example is shown below.



Consult with the Vale GSO and the MOL as appropriate with respect to committee structures, Worker trades Sub-committees, etc...

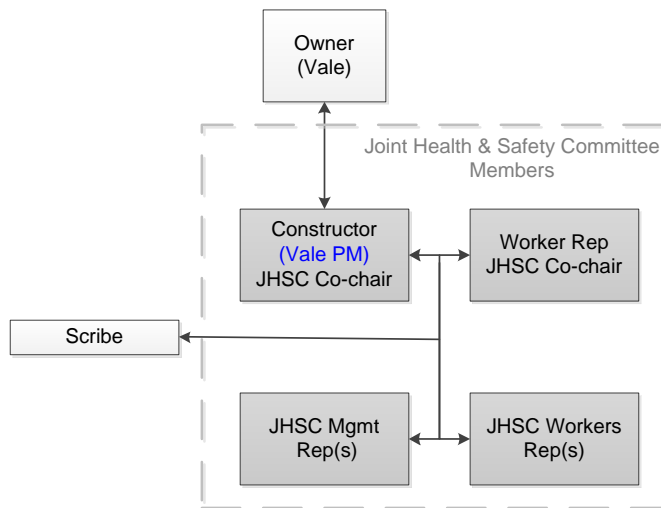
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## 7.6 CO-CHAIRS

A certified Worker Representative must be selected to Co-chair.

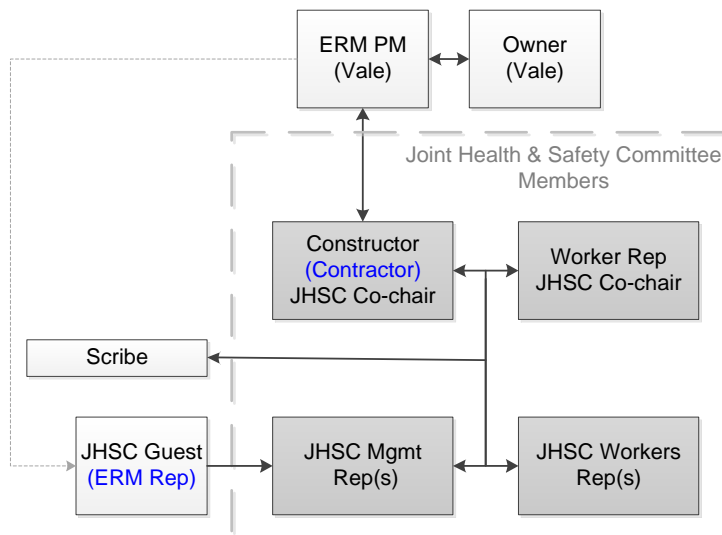
The Management Co-Chair can be a Vale Representative, or a Contracting Party representative. When Vale is the Constructor, it is recommended that a Vale Representative act as Co-Chair to ensure that all legal responsibilities are fulfilled.


### Scenario 1: Vale Project Manager is the Constructor and Co-Chairs the JHSC



### Scenario 2: Contractor is the Constructor and Co-Chairs the JHSC

Note: Vale ERM Representative is invited as a JHSC Guest



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## 8.0 APPENDICES

Appendix A: Revision and Transition Notes

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Revision notes describe: what was changed, why it was changed, and the plan to implement the change, including whether changes are retroactive)

#### Revision Control Information

Rev #	Date	Nature of Change	Page inserted, replaced, revised or cancelled	Approved by document owner
Draft	May 24/16	New	Development for Project Navigator	T.Hirschfeld
1	June 20/16	General Edits	General edits after reviews.	T.Hirschfeld
2	May 8/18	Minor	Aligned terminology from PMO to ERM	