

## Information on OCCUPATIONAL HEALTH AND SAFETY

# 6A POLICY HEALTH AND SAFETY COMMITTEES

### Introduction

The *Canada Labour Code* protects the rights of employees and employers and establishes a framework for the resolution of disputes. The objective of Part II is to reduce, as much as is humanly possible, the number of employees who suffer casualties as a result of their work activities.

This booklet explains in detail the requirement for employers with 300 or more employees to establish a policy committee to address health and safety issues.

### 1. What is the purpose of the policy committee?

The concept of corporate-wide health and safety policy committees emerged because of the need to signal to managers and employees that the leaders of the organization and of the union were serious about health and safety issues.

The policy committee concept was given additional weight by the generally positive experiences of a number of corporations that had already established company-wide policy committees.

The policy committee addresses issues that, because of their nature, cannot be dealt with by the local health and safety committees. This strengthens the internal responsibility system, which is a major objective of the *Code*. A policy committee can also ensure consistency across work sites.

### 2. To whom does the requirement apply?

The requirement applies to employer organizations, in both the public sector and the private sector, that normally employ 300 or more employees.

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Because of the potential of these committees to create a health and safety culture within the organization, it is hoped that employers with fewer than 300 employees will also establish joint policy committees.

### **3. Who sits on the policy committee?**

The policy committee consists of at least two members. The employer appoints members in accordance with the following conditions.

Half of the members of the committee are to be employees who do not exercise managerial functions. These members are to be selected by the trade union representing the employees.

If the employees are not members of a union, then the employees at large will select their representatives on the policy committee.

If a collective agreement allows, the membership of a policy committee may include people who are not employees.

The policy committee will be led by two chairpersons. One will be selected by the employer members and the other by the employee members.

Terms of office for committee members are not to exceed two years.

### **4. Do members of the policy committee receive training?**

Yes. Under the *Code*, the employer is required to ensure that the members of a policy committee are adequately trained in health and safety.

In addition, the employer must ensure that the policy committee members are informed of their responsibilities under the *Code*.

### **5. What are the powers, duties and responsibilities of the policy committee?**

There are several. The policy committee will:

- participate in the development of health and safety policies and programs;
- deal with matters raised by members and those referred to it by a work place committee or health and safety representative;
- participate in the development and monitoring of a program for the prevention of work place hazards, according to regulations, that also provides for the health and safety education of employees;
- participate in inquiries, studies, investigations and inspections as it considers necessary;

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- monitor data on work accidents, injuries and health hazards;
  - participate in the development and monitoring of a program, if any, for the provision of personal protective equipment, clothing, devices or materials;
  - participate in the planning of the implementation, and in the actual implementation, of changes that may affect health and safety, including work processes and procedures.

The policy committee has access to all government and employer reports, studies and tests relating to the health and safety of employees. It can request from the employer any information it considers necessary to identify existing or potential hazards with respect to materials, processes, equipment or activities in any of the employer's work places.

## 6. Is the employer required to compensate the members?

Yes. The employer must pay committee members at their regular rates of pay or at a premium rate if specified in a collective agreement or in the stated policy of the employer. Payment must be made whether the members carry out their duties during or outside their regular working hours.

## 7. How often will the committee meet?

The legislation requires that a policy committee meet at least quarterly during regular working hours. If additional meetings are necessary, the committee can meet during or outside regular working hours.

## 8. What other administrative issues do I need to know about?

First, with respect to **rule-making**, the committee can establish its own rules of procedure pertaining to the administration and operation of the committee (e.g. meeting times and places).

Second, with respect to **record-keeping**, the committee must keep accurate records of all matters that come before it, as well as minutes of all meetings. They are to be made available to a health and safety officer if they are requested.

Third, with respect to **liability**, no committee member is personally liable for anything done, or not done, in good faith under the authority of the committee.

Finally, with respect to **regulations**, the Minister of Labour retains the right to make certain regulations that may apply to all policy committees, to a group of committees or to a single policy committee. For instance, the Minister may specify the method of selecting members of a committee if employees are not represented by a trade union. The Minister may establish any rules of procedure that are deemed advisable. And the Minister may specify the manner in which a committee may exercise its powers and perform its duties.

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