

# **HEALTH AND SAFETY**

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# **SANTÉ ET SÉCURITÉ**

**Thrive, not Survive!**  
**Building and Supporting**  
**Stronger CUPE JHSC**  
**Members**

***CUPE·SCFP***

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# Overview

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## Acronyms

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OHS – Occupational Health and Safety

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OHSA – Occupational Health and Safety Act

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HSR – Health and Safety Representative (Section 8)

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JHSC – Joint Health and Safety Committee (section 9)

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MLITSD – Ministry of Labour, Immigration, Training and Skills Development

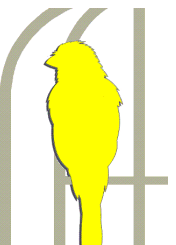
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IRS – Internal Responsibility System

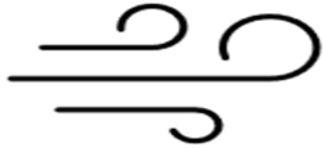
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P&P – Policies and Programs (aka measures and procedures, standard operating procedures, etc.)

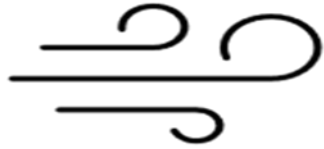
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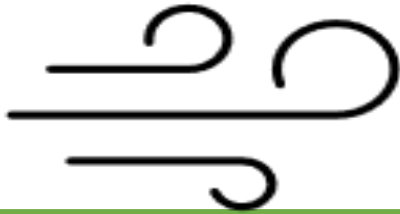
Anti –Union Sentiment



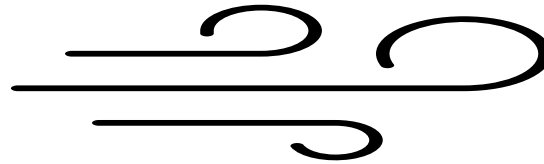
Poor workplace OHS management



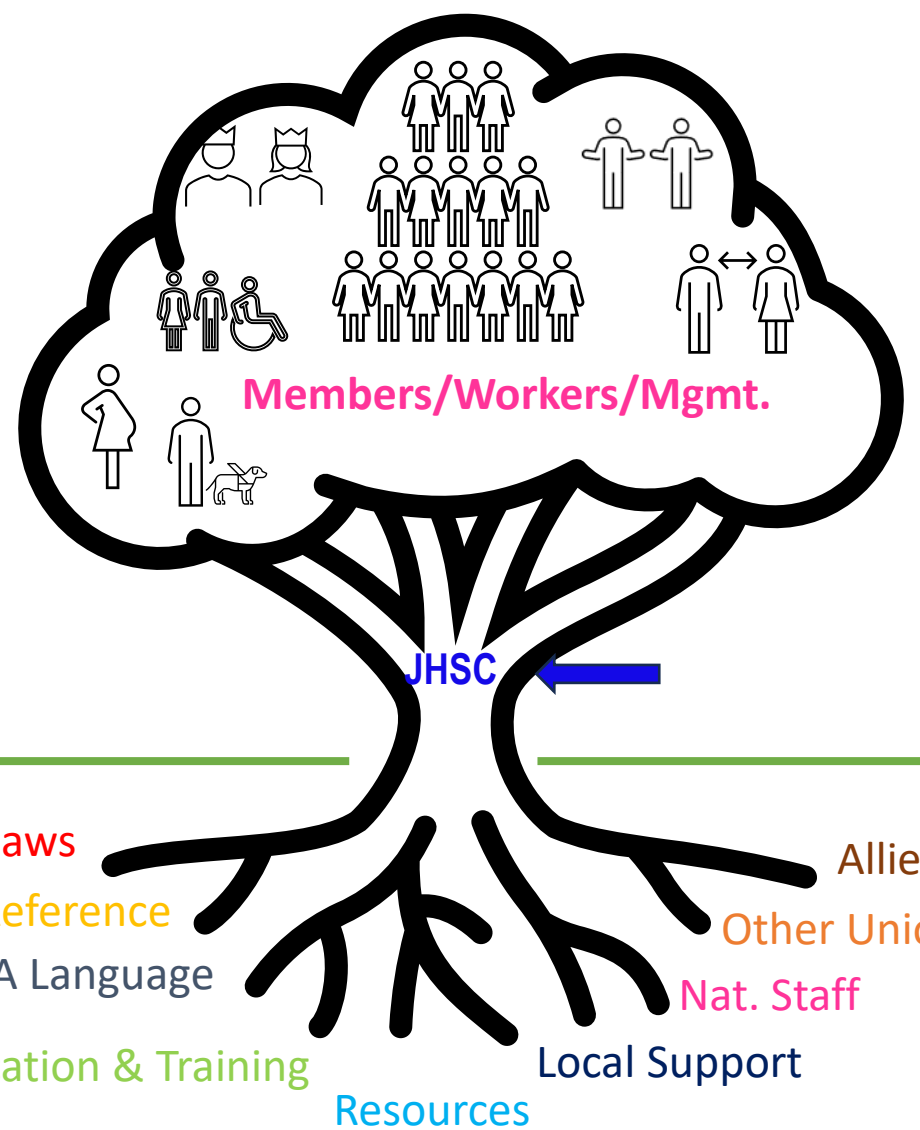
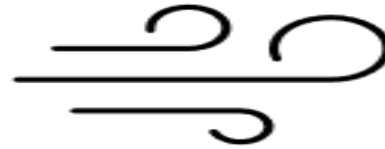
Intimidation, fear, apathy



Government/Funding



Weak OHS Legislation/Enforcement



The resilience of the OHS system at the workplace is associated with empowerment and the support CUPE members on the JHSC receive at the local (root) level.







# Keys to strengthen the JHSC

- Empowerment begins with Union support.
- Empowerment means:
  - Leadership and support at all Union levels – Executive or bargaining unit chair, stewards, other committees (e.g., bylaws, JJE) and members.
  - The JHSC is not just a box to check off and assume is working.
  - Understanding that CUPE JHSC members need strategies and resources to make changes.
  - Understanding that without training, JHSC members won't have the skills and knowledge to fully carry out the powers and functions of a committee member.
- Locals must invest in their JHSC members to achieve meaningful outcomes.



# Keys to strengthen the JHSC

It's important to remember:

- CUPE JHSC members don't have to be experts.
- It may take a CUPE JHSC member 3+ years to get comfortable on the committee.
- You can't be good at the game if you don't know how to play.
- The Executive/BU and National Staff play an important role in:
  - Diagnosing OHS deficiencies at the workplace
  - Identifying poor OHS structure at the Union level
  - Identifying H&S activists within the membership





# Local Support

Is the Local doing enough?

- Are the CUPE JHSC members supported at every level of the Union?
- Does the membership value the work of their H&S representation?
- Is there a contact person/H&S Lead when things go wrong?
- Is H&S seen as important?

Employers are less willing to effect change if the workers aren't raising issues in the workplace and are not aware of their rights.





# Local Support

- Make sure the Local consults the JHSC before going into bargaining
- Make sure the Local isn't usurping the functions and powers of the JHSC through bargaining or at LMM.
  - The JHSC has legislative functions and powers to make change and should be given the chance to use them.
- There's a checklist to evaluate the Local's support for CUPE JHSC members.



# Evaluating the OHS Structure

- The checklist considers the internal working of OHS representation within Local structures.
- Should be filled out by the OHS representative.



## Internal CUPE Local Occupational Health and Safety Evaluation – All Sectors



LOCAL \_\_\_\_\_ NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

This evaluation checklist considers the internal working of health and safety member representation within Local structures. It is intended to be filled out by the worker side of the Joint Health and Safety Committee (JHSC) or Health and Safety Representative (HSR), as applicable. Any answer that results in a "no" or "unsure" indicates that further action is needed and should be discussed with the Local Executive Committee (LEC).

For greater clarity, HSR and JHSC powers, rights, activities are described in Occupational Health and Safety Act under section 8 and section 9, respectively.

Evaluating the performance and relationship between the LEC and the CUPE JHSC members or HSR			
	YES	NO	Unsure
Is the LEC reasonably familiar with the legislative requirements of the employer/supervisor under the OHS/A?			
Have the members of the LEC completed the Introduction to Health and Safety Workshop (CUPE Education)?			
Have all the CUPE JHSC members or HSR completed the Introduction to Health and Safety workshop (CUPE Education)?			
Are the CUPE JHSC members/HSR and LEC familiar with the resources available at <a href="https://cupe.ca/health-and-safety/">https://cupe.ca/health-and-safety/</a> ?			
Do the HSR and all CUPE JHSC members have a copy of the Health and Safety Committee Resource Kit ( <a href="https://cupe.ca/health-and-safety-committee-resource-kit/">https://cupe.ca/health-and-safety-committee-resource-kit/</a> ) and the Violence Prevention Kit ( <a href="https://cupe.ca/violence-prevention-kit-0/">https://cupe.ca/violence-prevention-kit-0/</a> )?			
Is there an established link between the CUPE HSR/JHSC members and the LEC (e.g. ex-officio members, a Local health and safety committee)?			
Is there an OHS contact person identified on the LEC for when support is needed?			
Is Health and Safety a standing item at LEC meetings?			
Does a CUPE HSR/JHSC member(s) provide a report to the LEC before every executive committee?			
Is Health and Safety a standing item at general membership meetings?			
Does a CUPE HSR/JHSC member(s) provide a report to the executive committee before every general membership meeting?			
Do the local bylaws set out how the HSR/JHSC members are selected (elected)/appointed and their expected term limit?			
Are the expectations for HSR or JHSC member participation and representation clearly laid out in the bylaws?			
Comments:			

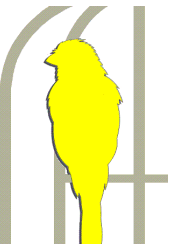
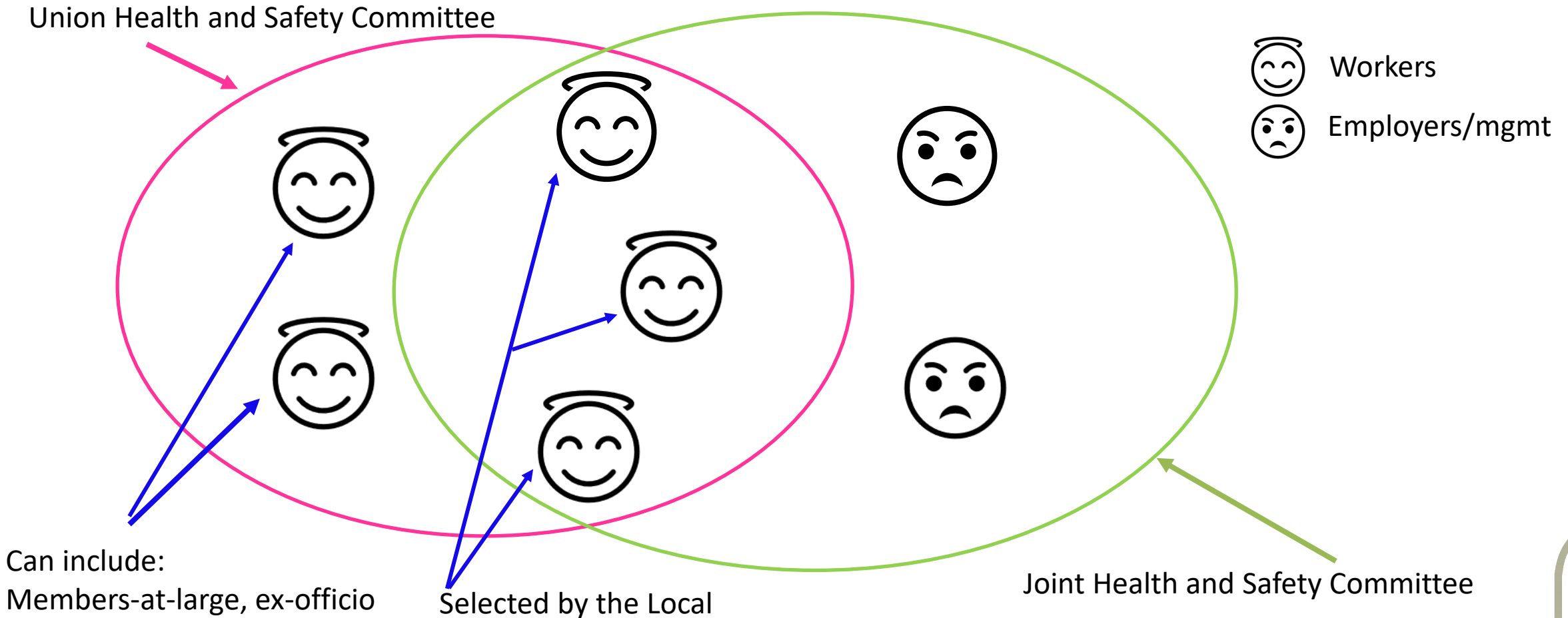


# What's a functioning JHSC?

- At its most basic, the function of the JHSC is to jointly promote and carry out activities to monitor and improve the health and safety of workers. At a minimum, this includes:
  - Assisting the employer in identifying hazards, hazardous conditions, sources of danger, and deficiencies in existing policies, programs, controls and training
  - Assist the workplace parties in achieving compliance with OHS legislation
  - Assist the employer in assessing the hazards and risks of exposure
  - Gather information about hazards, OHS experiences, and standards in similar workplaces.
  - Review accidents, incidents, events, injuries, near-misses, reports,
  - Make recommendations to make the work safe and healthy



# Different H&S Committees





# Bylaws

- Ensure bylaws have the following:
  - A Union Health and Safety Committee or Lead to support the JHSC/HSR
    - Committee can include CUPE JHSC members, Local Exec/BU chair, stewards, members-at-large
  - Process for selecting members to the JHSC
  - Terms for members
  - Education fund for training CUPE members (JHSC, activists)
  - Ensure a process exists to train members before taking a position on the JHSC



# Terms of Reference (H&S Agreement)

- The TOR is an opportunity to expand the functions and powers of the JHSC, its members, and co-chairs beyond the minimum of the OHSA. For example:
  - JHSC to review all OHS policies, programs and training
  - JHSC to investigate incidents of workplace violence, accidents, near-miss, occupational illness
  - JHSC to participate in workplace hazard and risk assessments
  - Training for all JHSC members

See CUPE Terms of Reference Kit



# Terms of Reference (H&S Agreement)

- Do the TOR set how the JHSC will measure its effectiveness?
- An evaluation of a JHSC's effectiveness can include the following:
  - How often are recommendations implemented?
  - If identified OHS concerns are addressed quickly and appropriately?
  - If workers and mgmt. support the JHSC and their activities?
  - If the JHSC perceived as a source of leadership in the workplace?
  - If management representation on the JHSC reflect its commitment under the OHS policy?



# Collective Agreement

- Bargain to expand the functions and powers of the JHSC, its members, and co-chairs beyond the minimum of the OHSA
  - JHSC to review all OHS policies, programs and training
  - JHSC to investigate incidents of workplace violence, accidents, near-miss, occupational illness
  - JHSC to participate in workplace hazard and risk assessments
  - Training for all JHSC members
  - Better reprisal protection
  - Deadlines to receive OHS reports





# Training and Education for CUPE JHSC Reps

Do the CUPE JHSC members have good training?

- Basic JHSC Certification (employer responsibility) – OK
- CUPE Intro to Health and Safety – Good
  - See all skills, perspectives and specific hazards workshops
- WHSC OHS Level 1 - Best
  - Level 2 Committees
  - Level 2 Law



Training for What Matters Most



# Resources – guidelines, materials, fact sheets

- Does the local provide the CUPE Health and Safety Committee Kit to their JHSC members? Violence Prevention Kit?
- Do members know where to find the Mental Health Toolkit?
- H&S Fact sheets

<https://cupe.ca/health-and-safety>



# Other Unions

- CUPE JHSC members must build and support relationships with other Unions/worker groups on the JHSC.
- Worker members must caucus before every meeting to make sure everyone is on the same page.
- CUPE doesn't have to agree with everyone else, but conflict at the table plays into the employer's hands.



# Allied groups and associations

- CUPE JHSC members must know and feel comfortable contacting to allied organizations.
  - Workers Health and Safety Centre (training, resources, advice)
  - Occupational Health Clinics for Ontario Workers (occ. illness prevention and diagnosis, hazard prevention programs, etc.)
  - Canadian Centre for Occupational Health and Safety (training, fact sheets, guidelines)
  - MSD Prevention (CRE-MSD)
  - CSA (voluntary standards, programs)
  - Institute for Work and Health (research)





# Staff Reps

## Supporting JHSC members

- Look out for red flags
- Staff can work with Locals to facilitate training
- Guide members towards resources
- Get information about bargaining language
- Review OHS policies
- Review OHSA compliance



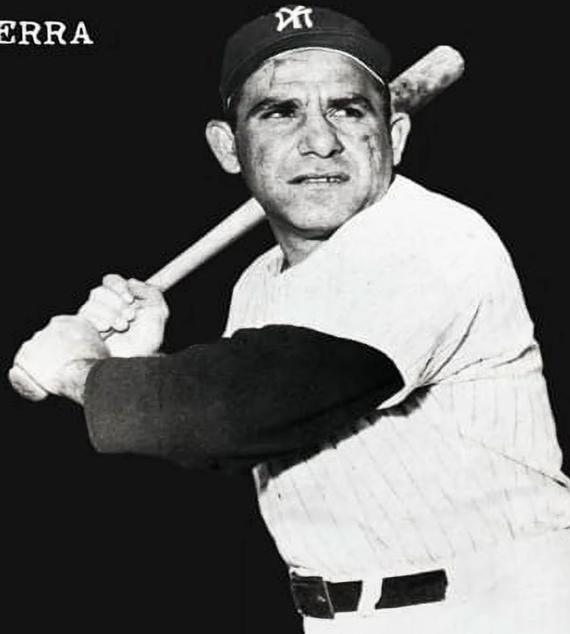
# How can members support CUPE JHSC members

- Help them realize and remind them:
  - They matter
  - They have legislative rights, powers and protections
  - They are making a difference
  - Things take time
  - They are gaining experience
  - OHS success is not measured in “wins”.
  - They need to stay on top of things. Be persistent.
  - Training is not a one-time thing



You've got to be very  
careful if you don't  
know where you are  
going, because you  
might not get there.

YOGI BERRA



THANKS  
FOR  
LISTENING

Merci  
pour  
l'écoute

Q&A

