



## OHS COMMITTEE CONSTITUTION

(Adopted 7 April 2005)

### 1. Title:

School of Medical Sciences Occupational Health and Safety Committee

### 2. Aim of OHS Committee:

To facilitate a safe work environment by developing and documenting OHS programs to coordinate training of staff and students and by overseeing the implementation of OHS procedures and policies in the School of Medical Sciences.

### 3. Scope of the Committee:

The following activities come within the OHS committee's jurisdiction:

- Making recommended actions regarding safe work systems, including safe practice, procedures, working environments and equipment;
- Making recommendations regarding safety and health education and training;
- Assisting with the promotion of health and safety throughout the workplace.

The following matters are not within the committee's jurisdiction:

- Pay negotiations, including allowances;
- Industrial relations matters;
- Employee services;
- School and University policies other than those relating to health and safety;
- Working conditions issues which do not involve health and safety;
- Day-to-day maintenance problems, such as blown light bulbs, broken windows etc. These should be reported to Facilities as soon as possible;
- Rehabilitation/workers' compensation issues;
- Health promotion.

### 4. Decision-Making Procedure

The OHS committee has the power to make recommendations to management relating to any matters listed under "Scope of Committee" above and any matters set out in the Occupational Health and Safety legislation in NSW specified for safety committees.

The committee does not, however, have the power to implement those recommendations. The person with the power to implement them is either the Head of School or a manager/person delegated by the Head of School to have responsibility for the matter referred to by the recommendation.

Should a committee recommendation be rejected by the person with decision-making power, the committee may elect to follow the procedure set out under "Dispute Resolution" below.

### 5. Membership

The committee is to consist of twelve (12) members: ten (10) employee representatives (including the School OHS Coordinator), one (1) employer representative and one (1) postgraduate representative.

Two employee representatives ideally should be elected from each of the following departments or areas. Departments incorporate both the research and teaching sectors. Additional employee representatives should be elected from the four departments/areas proportionally to their respective contribution to the overall School's staff number.

- (1) Anatomy
- (2) Pathology
- (3) Physiology and Pharmacology
- (4) Administration

The representative must be employed (full-time) in the work section.

The term of office for each elected committee member is two years.

Employees of Executive or Senior Officer status are not eligible for election as employee representatives, but may be appointed as employer representatives.

## **6. Election of Employee Representatives**

The procedure for election of employee representatives is as follows:

1. At least one month before the expiry date of the committee member's term of office, the Secretary is to call for nominations of a replacement member by School-wide correspondence;
2. An existing member may stand for re-election;
3. The names of employees wishing to stand for election shall be communicated to the School. The nomination must be accompanied by correspondence stating any special skills the nominator can bring to the committee. The employee nominated should then indicate agreement to the nomination.
4. If only one nomination for each position is received by the expiry date, those persons are declared to be elected to the committee. If more nominations are received than positions, the Secretary is to arrange a School meeting, in which all full and part-time employees (but not casual employees) vote. The employees who receive the highest number of votes will be declared elected to the committee.

## **7. Resignation from the Committee**

An employee representative may resign from the committee at any time. The Chair of the committee may appoint another employee from that work section for the balance of the term of office, unless a meeting of employees of that work section decides otherwise. In that case, the procedure outlined above under "Election of Employee Representatives" will apply.

## **8. Appointment of Employer Representative**

The employer representative is appointed by the Head of School. The Head of School is to appoint a replacement member should that become necessary.

As stated in the New South Wales Regulations governing safety committees, the employer's representative should include, as far as practicable, a person with authority to implement preventative measures and otherwise act on behalf of the employer in matters associated with occupational health and safety.

## **9. Office-Holders of the Committee**

The employee representatives on the committee are to elect one of their number as Chair of the committee. In the absence of the Chair, the Deputy Chair takes the role. In the absence of both, another employee representative is to be elected to the role.

The Chair's duties are to convene meetings, review and sign minutes of meetings, distribute other information as required, and refer recommendations made by the committee to management for consideration.

The School OHS Coordinator's duties are to organise meeting times and places, prepare meeting agendas and fulfill the role of secretary. This person records minutes of meetings and distributes agendas, minutes and other correspondence.

## **10. Meetings**

A meeting of the committee must be held at least once every six weeks.

An agenda must be circulated to all members at least three days before the meeting, except in the case of an extraordinary meeting.

A quorum comprises one employer representative and six employee or student representatives.

A person who is not a committee member may attend a meeting at the Chair's discretion.

Should a vote be necessary to resolve a particular issue, each member shall have one vote, with the issue being resolved according to a majority vote. Should the vote be tied, the Chair has the casting vote.

The format for conduct of the meeting will be that agreed upon by the majority of the members present.

Should an employee or student representative be unable to attend a meeting, he/she may delegate another employee of the same work section to attend in his/her absence.

## **11. Minutes**

Minutes of all committee meetings are to be prepared.

Draft minutes are to be circulated to the Chair for their confirmation within one week following the meeting.

The confirmed minutes are then circulated to all committee members and displayed on departmental safety notice boards and emailed to all staff and postgraduate and honours students. They are also placed on the School OHS website and forwarded to the Executive.

The agenda and signed minutes for each meeting are also to be placed in the custody of the committee secretary for safekeeping. Any member of the committee may have access to any of its records and minutes at any time.

## **12. Committee Members' Access to Information**

The New South Wales Regulation allows any member of the committee to have access to the following information:

1. All details (in advance) of proposed changes to the workplace which could affect the occupational health and safety of persons employed there;
2. All information kept by the employer of accidents and occupational diseases occurring at the workplace; and
3. All information kept by the employer on any research, testing or examination of any plant or substance for use at that place of work (being any research, testing or examination relating to the risk to health and safety to which the plant or substance may give rise at the workplace).

### **13. Rights of Employee Representatives**

The New South Wales Regulation makes the following provisions regarding the rights of employee representatives:

1. Committee work time. Committee members are entitled to time off from their usual work, without loss of pay, to exercise their functions as committee members. This includes travel, attendance at training courses, workplace inspections and discussion of relevant issues with the employees they represent.

2. Submission of agenda items. Any committee member may arrange to have a relevant item placed on a committee agenda by raising it with the Chair or OHS Coordinator in writing or email. This does not preclude the right of any member to raise relevant non-agenda items during the course of a meeting.

3. Workplace inspections. Committee members may make inspections of the workplace at the following times:

- Routine inspections at intervals agreed with the employer;
- Whenever an accident or possible hazardous situation is brought to the attention of the committee and failure to rectify the possible hazard could cause injury in the immediate future; and
- Any other time, with the approval of the employer.

### **14. Dispute Resolution**

If the committee is unable to satisfactorily resolve an occupational health or safety matter at the workplace that it is entitled to investigate, it may request an inspector from the New South Wales WorkCover Authority to inspect the workplace to resolve the matter.

Actual or potential health and safety hazards raised with or identified by committee members should be reported to the relevant line manager(s) in the first instance, or to another person authorised to deal with the matter.

### **15. Liability of Committee Members**

The committee is an advisory body which does not have the executive power required to enforce decisions, apart from the right to have the workplace inspected by a WorkCover inspector to resolve a matter.

The final responsibility for safety and health remains with management and employees.

### **16. Amendment of the Constitution**

A motion may be moved and seconded by any committee members to amend this Constitution, except where the amendment would contravene legislation or regulations.

The proposed amendments must be submitted in writing or by email to the Chair or OHS Coordinator for inclusion on the agenda for the following meeting.

The motion shall then be voted on, using the voting procedure described under "Meetings" above.