



# Health & Safety Terms of Reference Agreement

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Between

Bell Technical Solutions

And



As of September 21, 2015

## DOCUMENT ACCEPTANCE

This document constitutes an agreement between Bell Technical Solutions (BTS) and UNIFOR (The Union) with regards to the Health & Safety Terms of Reference as per Article 11.01 of the Collective Agreement of May 6, 2011 to May 6, 2018 and the Canada Labour Code Part II.

All parties to the present Collective Bargaining Agreement, recognize the need to protect the health, and to ensure the safety of all employees covered by this agreement.

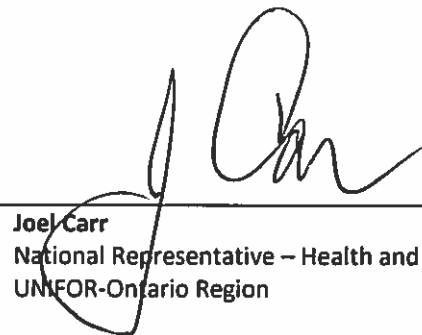
This agreement will be valid for a term of two (2) years; therefore this agreement will expire on September 21, 2017.

These rules and procedures are approved on September 21, 2015.



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**Karie McReavy**  
Director – HR, LR, Health & Safety, Communications  
Bell Technical Solutions Inc.



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**Joel Carr**  
National Representative – Health and Safety  
UNIFOR-Ontario Region

January, 2015

## *Health and Safety Policy*

Management of Bell Technical Solutions is vitally interested in the health and safety of its employees. Protection of employees from injury or occupational disease is a major continuing objective. Bell Technical Solutions will make every effort to provide a safe, healthy work environment. All employees and management must be dedicated to the continuing objective of reducing risk of injury.

Bell Technical Solutions, as employer, is ultimately responsible for worker health and safety. All levels of management must make Health and Safety a priority. As President, I give you my personal promise that every precaution will be taken for the protection of workers.

Operations Managers are responsible to ensure that all equipment and tools are safe and that employees work in compliance with established safe work practices and procedures. Employees must receive adequate training in their specific work tasks to protect their health and safety.

Every employee must protect his or her own health and safety by working in compliance with the law and with safe work practices established by the company.

The Joint Health and Safety Committee is responsible for planning, promoting and monitoring a safety program according to the requirements of the Canada Labour Code, Part II, as well as, Bell Technical Solutions procedures.

It is the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization at all levels.



Jean-Philippe  
President



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# 1. GENERAL

- 1.1 In a spirit of joint commitment and cooperation, all involved parties will respect and apply all directives outlined in the Canada Labour Code Part II when establishing Committees, their responsibilities, frequency of meetings as well as any other significant questions related to the establishment of efficient Health & Safety process and administration;
- 1.2 Meetings will normally be conducted face to face. However, conference calls or video conferencing, where available, will also be acceptable methods for conducting meetings when mutually agreed upon by the Co-chairs;
- 1.3 The Terms of Reference may be reviewed on periodic bases, as required. This agreement shall not exceed a period of two years as outlined in the Canada Labour Code Part II, and all parties will reconvene 3 months before the expiry date to review the terms of this agreement;
- 1.4 Negotiations regarding the “Terms of Reference” agreement shall be held in a separate time frame and apart from the Collective Agreement negotiations;
- 1.5 All committee members and H&S representatives shall be released from their regular duties to carry out their obligations, provided that each employee member has arranged with his or her immediate supervisor for all time off the job required for the above purpose;
- 1.6 All the time devoted by employee members and H&S representatives to perform duties requested by their committee shall be considered as working hours and charged against code “OSP”;
- 1.7 Either Co-chair of each committee, has the right to invite a guest provided both parties:
  - are advised in advance
  - are in agreement
  - ensure guest is invited to provide useful information/assistance in Health & Safety matters;
- 1.8 Either Co-chair of the Policy Committee has the right to invite the following:
  - employee Co-chair can invite the Unifor National H&S Representative
  - employer Co-chair can invite the Director Human Resources / Health and Safety(or equivalent)
- 1.9 Either Co-chair of the WHSC has the right to invite the following:
  - employee Co-chair can invite the Policy Employee Co-chair
  - employer Co-chair can invite the Policy Employer Co-chair
- 1.10 The Company agrees to reimburse the following expenses to the PHSC and WHSC members when they are required to exercise their obligations as members of the said committee and as authorized by it:
  - mileage when applicable
  - expenses while travelling in connection with meetings of said committees in accordance with the applicable provision of the Collective Agreement;
- 1.11 When an employee or management member of the committee is not available to fulfill his or her duties, he or she shall be replaced by alternate employee or manager represented by that Health & Safety Committee. An employee or manager cannot be on more than one WHSC.
- 1.12 Policy and Workplace Health and Safety Committee Co-chairs, if not assigned a laptop computer and cell phone, shall be provided with a laptop computer and cell phone for the purpose of Health and Safety. This equipment will not be assigned to “de facto” members as listed in Article 5.1.3. WHSC Co-chairs will also have access to the BTS network and printers. The hardware is the property of the department where the Co-chair is employed.
- 1.13 All communication between the union and company will be available in English

## 2. DEFINITIONS

The following definitions have been prepared to help all parties better understand the intent and meaning behind these words and their use throughout this agreement.

All parties agree that participation is the desired method to be used in Health & Safety activities at Bell Technical Solutions.

### 2.1 PARTICIPATION

Participation is defined as taking part or becoming actively involved in activities to improve health and safety in our organization.

2.1.1 *Informational Participation:* Employee members are provided with information regarding a health and safety issue.

2.1.2 *Consultative Participation:* Employee members are asked for comments or suggestions on various matters.

2.1.3 *Active Participation:* Employee members shall participate in related health and safety activities as outlined in the Canada Labour Code Part II.

The Company and the Union agree that active participation is the desired method to be utilized in health and safety activities at Bell Technical Solutions.

### 2.2 WORKPLACE

The term “*work place*” defines any place where an employee is engaged in work for the employee’s employer.

### 2.3 EMPLOYEE

The term “*employee*” used in this agreement, shall define those persons covered under the Collective Agreement between Unifor and Bell Technical Solutions Inc. (for Ontario).

### 2.4 MEETING

The term “*meeting*” defines a formally arranged gathering being convened by Co-chairs. If more than 4 employees are present then a H&S Representative is required

### 2.5 TEAM

The term “*team*” defines a group of employees reporting to a single manager within a designated Cost centre.

### 2.6 PHSC

The term “*Policy Health and Safety Committee (PHSC)*” defines a Policy Health and Safety Committee as outlined in the Canada Labour Code Part II for employees located within the Province of Ontario.

### 2.7 WHSC

The term “*Workplace Health and Safety Committee (WHSC)*” defines a Workplace Health and Safety Committee as outlined in the Canada Labour Code Part II for employees located within the Province of Ontario.

### 2.8 H&S Representative

The term “*Health & Safety Representative*” defines a person who is appointed as a Health & Safety representative for a single team.

### 3. POLICY HEALTH & SAFETY COMMITTEE

#### 3.1 RESPONSIBILITIES

The Policy Health and Safety Committee (PHSC) will follow the duties / responsibilities as outlined within the Canada Labour Code Part II - Section 134.

The PHSC should:

- take part in developing policies and programs regarding the implementation and improvement of Health & Safety prevention initiatives;
- be responsible for recommending solutions for Health & Safety issues that could not be resolved at the local level ;
- create work groups to manage specific projects upon agreement from Co-chairs;
- review any unresolved WHSC issues or issues beyond the WHSC scope.

#### 3.2 STRUCTURE

3.2.1 The PHSC will consist of five (5) employer representatives and five (5) union representatives

EMPLOYER	EMPLOYEE
Co-chair	Co-chair (5.06)
Health and Safety Advisor	Member
Health and Safety Advisor	Member
Senior manager (Central)	Member
Senior manager (Provincial)	Member

3.2.2 The PHSC committee shall have two (2) chairpersons selected from among the committee members.

- the Company will choose the employer Co-chair
- the Union will choose the employee Co-chair
  - The employee Co-chair will be the employee elected for the 5.06 position as per the Collective Agreement.

### **3.3 MEETINGS (Procedures / Scheduling)**

#### **3.3.1 Regular PHSC meetings:**

- shall be held during regular hours, nine (9) times per year face to face;
- other meetings may be scheduled if required;
- employee committee members will be allowed four (4) hours of preparation time before each of the nine (9) meetings;

#### **3.3.2 The length and location of the meetings:**

- will be predetermined and mutually agreed to in advance by the Co-chairs in a manner to effectively conduct the health and safety business at hand;
- shall not normally exceed a eight-hour day (regular worked day) unless mutually agreed by both Co-chairs;

#### **3.3.3 The scheduling of meetings shall take into account the PHSC members' work schedule.**

#### **3.3.4 The Co-chairpersons shall distribute the joint agenda to their members, five (5) calendar days prior to the meeting date.**

- PHSC members wishing to have an item placed on the agenda shall inform the relevant Co-chairperson in writing no later than ten (10) calendar days prior to the meeting date. (Refer to List of Appendices);
- consideration will be given to last minute topics and may be added to the agenda;
- the parties agree that the discussion or dispositions, at the Policy Committee, of issues which are the subject of grievances, are without prejudice to the rights of the parties in the resolution of such grievances.

#### **3.3.5 The parties agree to consider and expeditiously dispose of issues brought to or raised at the PHSC;**

#### **3.3.6 Minutes will not be distributed before being approved by the PHSC Co-chairs;**

- the Co-chairpersons are responsible for coordinating all comments relative to the draft minutes and providing these to the secretary with their comments within fifteen (15) calendar days;
- the Co-chairpersons shall sign the document upon approval. Electronic signatures are acceptable;
- approved minutes shall be distributed to all members;
- the Company shall designate a secretary/administrative support at each meeting who will be responsible for taking the minutes.

### **3.4 ADMINISTRATION**

#### **3.4.1 Each member of the Policy Committee will be allowed four (4) hours per month to complete administration activities associated with this position.**

### **3.5 ACCESS TO INFORMATION**

#### **3.5.1 The PHSC will have full access to information, as outlined in the Canada Labour Code Part II, Section 134 (1) (5) + (6).**

#### **3.5.2 It is understood by all parties that all accessed information will be considered as "Restricted and Confidential" unless otherwise agreed to by the Employer PHSC Co-chair.**

### **3.6 TRAINING**

#### **3.6.1 Training will be supplied by the Company, to committee members, as outlined in the Canada Labour Code Part II Section 125 (1) (z.01).**

The Company recognizes the importance of training and therefore may provide additional training to employees participating at the PHSC level.



## 4. WORKPLACE HEALTH & SAFETY COMMITTEES

### 4.1 RESPONSIBILITIES

The Workplace Health and Safety Committee (WHSC) will follow the duties / responsibilities as outlined in the Canada Labour Code Part II – Section 135 (7). Individual WHSC's may establish their individual Terms of Reference providing it does not contravene anything in this Terms of Reference and has been reviewed and approved by the Policy Co-chairs.

In addition to the duties outlined in the Canada Labour Code Part II – Section 135 (7), WHSCs will:

- Submit monthly minutes to the PHSC co-chairs and ensure they are posted in the workplace within 5 business days after the meeting
- Conduct meetings as per the Workplace Committee Minutes (Appendix B)
- Prepare LAB 1058 and submit to PHSC co-chairs by February 1 annually
- Communicate relevant information to H&S representatives on a monthly basis

### 4.2 STRUCTURE

4.2.1 Each Committee will be comprised of a minimum of three (3) Company and three (3) Employee representatives.

EMPLOYER	EMPLOYEE
Co-chair (Senior Operations Mgr)	Co-chair
Member (Operations Mgr.)	Member
Member (Ops. Mgr / H&S Advisor)	Member

4.2.2 A WHSC will be formed under each Senior Manager, Operations.

The employee members of each WHSC shall be selected by the Union from among the employees within the respective territory of the WHSC.

The Cabling group will be represented by a minimum of one (1) employer and one (1) employee member from the Western region, the Central region and the Eastern region of Ontario.

Logistics Attendants will be represented by the WHSC of their work centre.

At date of signing, the WHSC structure is as follows:

WHSC	EMPLOYER	EMPLOYEE
416W	3	3
416E	3	3
905C	3	3
905E	3	3
905W	3	3
905NE	3	3
Georgian Bay	3	3
Southwest	3	3
Ottawa	3	3
East	3	3
Cabling	3	3

### 4.3 MEETINGS (Procedures / Scheduling)

- 4.3.1 Regular WHSC meetings:
- shall be held monthly during regular hours a minimum of ten (10) times per year;
  - other meetings may be scheduled if required;
  - the co-chairs will determine the location of the meeting, which will be held “face-to-face” whenever possible
  - employee committee members will be allowed two (2) hours preparation time before each meeting.

- 4.3.2 The length of the meetings:
- will be predetermined and mutually agreed to in advance by the Co-chairs in a manner to effectively conduct the health and safety business at hand;
  - shall not exceed an eight-hour day (regular worked day).

- 4.3.3 The scheduling of meetings shall take into account the WHSC members’ work schedule.
- meetings must be pre-scheduled.
  - all attempts must be made to avoid changing the meeting date.

- 4.3.4 The Co-chair persons shall distribute the joint agenda to their members, five (5) calendar days prior to the meeting date.

- a WHSC member wishing to have an item placed on the agenda shall inform the relevant Co-chairperson in writing no later than ten (10) calendar days prior to the meeting date;
- consideration will be given to last minute topics and may be added to the agenda;
- the parties agree that the discussion or dispositions, at the Workplace Committee, of issues, which are the subject of grievances, are without prejudice to the rights of the parties in the resolution of such grievances.

- 4.3.5 The parties agree to consider and expeditiously dispose of issues brought to or raised at the WHSC;

- 4.3.6 Minutes will not be distributed before being approved by the WHSC Co-chairs.

- the Co-chairpersons are responsible for coordinating all comments relative to the draft minutes and providing these to the secretary with their comments within ten (10) calendar days;
- the Co-chairpersons shall sign the document upon approval. Electronic signatures are acceptable;
- approved minutes shall be distributed to all members;
- shall mutually designate a secretary at each meeting who will be responsible for taking the minutes;
- reasonable time will be allotted for the secretary to complete their duties;
- each WHSC will maintain their meeting minutes using the standard WHSC Meeting Minute Template. (Refer to List of Appendices).

- 4.3.7 Minutes of the meeting shall be posted in the related work centres, until next minutes are available.

#### 4.4 ADMINISTRATION

- 4.4.1 Each member of the Workplace H&S Committee will be allowed two (2) hours per month to complete administration activities associated with this position. Administration activities do not include duties outlined in the pertinent section of the Canadian Labour Code, including but not limited to CLC 135 (7).

#### 4.5 ACCESS TO INFORMATION

- 4.5.1 The WHSC will have full access to information, as outlined in the Canada Labour Code Part II, Section 135 (8) + (9).
- 4.5.2 It is understood by all parties that all accessed information will be considered as "Restricted and Confidential" unless otherwise agreed to by the Employer WHSC Co-chair.

#### **4.6 TRAINING**

Training will be supplied by the Company, to committee members, as outlined in the Canada Labour Code Part II Section 125 (1) (z.01).

The Company recognizes the importance of training and therefore may provide additional training to employees participating as Health and Safety Representatives

Managers who act on behalf of their employer and WHSC co-chairs should be adequately trained and informed of their responsibilities in safe work practices and procedures, including any procedures, plans, policies or programs that the employer is required to develop pursuant to the code of any regulations made pursuant to the code.

Training should include the duties of the employer, the duties of the employees, the 3 basic rights of the employees and procedures required by the code i.e. the proper steps to follow in cases of refusal to work, the internal complaint resolution procedure etc. Additionally those requirements prescribed by the code i.e. the obligation to report and investigate hazardous occurrences under part XV of the COHS

#### **4.7 REFERRAL PROCESS**

Relevant health and safety issues, which have implications that transcend workplace concerns or have not been resolved within three (3) months, shall be referred to the Policy Committee together with any notes dealing with that issue. (Refer to List of Appendices);

## 5. HEALTH & SAFETY REPRESENTATIVES

### 5.1 RESPONSIBILITIES

5.1.1 The Health & Safety Representatives will follow the duties / responsibilities as outlined within the Canada Labour Code Part II - Section 135 (7).

5.1.2 The H& S Representative will concern him / herself with all Health & Safety matters or concerns of the team for which he or she represents.

Their main responsibilities will be as follows:

- Vehicle inspections
- Workplace inspections
- MVA and ODI investigations
- Investigate H&S concerns
- Completion of Monthly Team H&S Report (Refer to List of Appendices)
- To actively participate with the Operation Manager to assist with H&S meetings and special H&S programs

5.1.3 The Health & Safety Representative will be a “de facto” member of the WHSC however; the H&S Representative will not participate in the structure / meetings as established in Article 4.2 and 4.3 respectively. They will not be allocated the administration time as established in article 4.4.1

### 5.2 STRUCTURE

5.2.1 Health and Safety Representatives will be selected for each team within each NPA;

5.2.2 The H&S Representative will be selected by the employees or designated by the Union based on the teams within the NPA.

### 5.3 ADMINISTRATION

5.3.1 Health and Safety Representatives will be allowed two (2) hours of administration time per month.

### 5.4 ACCESS TO INFORMATION

5.4.1 The Health & Safety Representatives will have full access to information, as outlined in the Canada Labour Code Part II, Section 135 (8) + (9).

5.4.2 It is understood by all parties that all accessed information will be considered as “Restricted and Confidential” unless otherwise agreed to by the Employer WHSC Co-chair.

### 5.5 TRAINING

Training will be supplied by the Company, to committee members, as outlined in the Canada Labour Code Part II Section 125 (1) (z.01).

The Company recognizes the importance of training and therefore may provide additional training to employees participating as Health and Safety Representatives.

### 5.6 REFERRAL PROCESS

Relevant health and safety issues, which have implications that transcend the workplace team or have not been resolved within three (3) months, shall be referred to the Workplace Committee together with any notes dealing with that issue.

## 6. WORKPLACE INSPECTION

Area	Prime	Activity to be conducted	Frequency	Misc Comments
Work Centres	Local Mgr and H&S Rep as selected	Full inspection of the inside of the building occupied and any outside area associated with that specific location	12 times per year	Refer to Workplace Inspection Template in Appendices
Lockers and off-site storage facilities	Local Mgr and H&S Rep	Full inspection of the inside of the building occupied and any outside area associated with that specific location	4 times per year	Refer to Locker Inspection Template in Appendices
BTS Training Locations at Bell CO	Local Mgr and H&S Rep	Inspection of area being used only	1 time per year	Refer to Workplace Inspection Template in Appendices
	Trainer	Inspection of area being used only	Trainers will conduct prior to the start of each class or monthly when being used	
Bell CO	Technician	Site inspection of area working in	During Visit	
Vehicles and contents	1. Trans Service	1. B+ Inspection	1. 11000 km or 172 hrs	Refer to Vehicle and Tool Inspection Template in Appendices
	2. Mgr and H&S Rep	2. Inspection of tools/ladders and vehicle contents.	2. 2 times per yr	
	3. Driver	3. Circle Check Inspection	3. Each time vehicle is driven	
Customer Premises	Technician	Inspect work location for any hazards. Report hazards to customer and manager. Follow PO14/R12 process for H&S issues that create a problem	During visit	
Bell Plant (e.g. Poles, Cable, Terminals, OPI, etc)	Technician	Inspection work location and identify hazards to mgr and H&S rep. Follow PO14/R12 9911 process	During visit	

**Note:**

Inspections can also be conducted by other employees who are not H&S Representatives providing the employee has been trained on the proper method to conduct those specific inspections and the Policy Co-chairs responsible for that location have been notified and mutually agreed upon.

## **7. LIST OF APPENDIXES**

- 7.01 H&S Referral Process**
- 7.02 Meeting Agenda**
- 7.03 Meeting Minutes - Template for the Policy Committee**
- 7.04 Meeting Minutes - Template for the WHSC**
- 7.05 Meeting Minutes - Template for the H&S Team**
- 7.06 Recommendations / Referral Concern Form**
- 7.07 Workplace Inspection Template**
- 7.08 Locker Inspection Template**
- 7.09 Vehicle Inspection Template**
- 7.010 Tool Inspection Template**
- 7.011 H&S Organization Chart**

## **8. LIST OF H&S POLICIES**

- 8.1 Employee Safety Practices**
- 8.2 Pre-Start H&S Review**
- 8.3 Violence / Harassment Policy**
- 8.4 Locker Inspection Policy**
- 8.5 Circle Check and Safety Cone Policy**