

School Safety Committee Guidelines

The Workers' Compensation Reform Act (Act 44 of 1993) made sweeping changes affecting Pennsylvania employers and employees, effective Sept. 1, 1993. Two of those changes are:

- All insurance carriers in the commonwealth writing workers' compensation insurance must make available to their insured's specific accident and illness prevention services. These services must be provided by a qualified "Accident and Illness Service Provider", meeting the requirements of, and be recognized by the Department of Labor & Industry, Bureau of Workers' Compensation.
- Employers having a certified safety committee are entitled to a 5% workers compensation premium discount. Such employers shall receive this discount upon the renewal of their workers' compensation insurance following the date of department certification. Once the safety committee is certified, and continues to operate in accordance with all requirements, the 5% premium discount is available at each policy renewal.

An additional benefit of an "*effective*" safety committee, is that by controlling the frequency and severity of employee injuries, your experience modification factor can be reduced. This factor is determined by the Pennsylvania Compensation Rating Bureau based on an employer's workers' compensation losses for the first three of the past four policy years.

Your experience modification then is used by insurance carriers in calculating your workers' compensation premium for the next policy year. Your experience "mod", as it is known, can increase or reduce your district's workers' compensation premium significantly.

At the risk of stating the obvious, the state's application for certification form must be filled out completely and accurately for you to qualify for developing and maintaining a certified safety committee. There are two methods of completing the initial application: (1.) completing a "paper" [application](#) ; or (2.) completing an [on-line application](#) through the Health and Safety Division's HandS System. The [HandS System web site](#) contains information on how to complete the on-line application, and answers to frequently asked questions. New applications may also be requested by contacting the department's Health and Safety Division at (717)-772-1635, or by e-mailing ra-li-bwc-safety@state.pa.us.

A revised, initial Application for Safety Committee Certification, LIBC-372, Rev. 12-06, is now available and should be used. Beginning March 1, 2008, only the Initial Application for Committee Certification, with a revised date of 12-06, will be accepted. Initial applications with revision dates prior to 12-06 will be returned to employers for resubmission via the HandS system or on updated initial application forms.

The following section will provide you with the appropriate details and sample forms you will need to adequately complete the state's application for certification and help your committee to continue to operate effectively.

**Excerpts from Act 44 Operational Guidelines
Department of Labor and Industry
Certification of Workplace Safety Committees**

Section 1002 (a) of Act 44 mandates that the department develop certification criteria for the operation of the workplace safety committees. Pursuant to this section:

(a) The workplace safety committee should:

- (1) Be composed of an equal number of employer and employee representatives, unless each side agrees that the number of employees on the committee will be greater than the number of employer representatives, or vice versa.
- (2) Make all decisions by majority vote.
- (3) Meet at least monthly.
- (4) Develop a written agenda for each committee meeting.
- (5) Take and maintain minutes of each committee meeting.

(b) Employee representatives of the committee should:

- (1) Be permitted to take reasonable time from work to perform committee duties, without loss of pay or benefits.
- (2) Serve a continuous term of at least one year; membership should be rotated so that at least one experienced employee member always is serving on the committee.
- (3) Be reasonably representative of the major work activities of the employer.

(c) The committee should have, at a minimum, these responsibilities:

- (1) Where the employer has an existing accident and illness prevention program, to evaluate that program and make written recommendations.
- (2) To establish procedures for periodic workplace inspections by the safety committee for the purpose of locating and identifying safety and health hazards. The location and identity of hazards should be documented in writing, and the committee should make recommendations to the employer regarding corrections of the hazards.
- (3) Timely review of incidents resulting in work-related deaths, injuries and illness, near-miss incidents, and complaints regarding safety and health hazards by committee members or other employees.

- (4) Follow-up evaluations of any newly implemented safety equipment or health and safety procedures to review for effectiveness.

Procedures for certification of workplace safety committees

(a) An employer seeking certification of a workplace safety committee should submit an application form prepared by the bureau eliciting information concerning the requirements set forth in the Certification of Workplace Safety Committees, paragraphs (a) - (c). Committees in existence on or before Feb. 28, 1993, should submit documentation that they have operated effectively for at least six months prior to seeking certification. Such documentation may include, but is not limited to committee:

1. Meeting agendas and minutes.
2. Bylaws.
3. Membership lists.
4. Inspection reports.
5. Reports on specific hazards and measures taken to correct them.
6. Reports on workplace injuries or illnesses.
7. Management responses to committee reports.

(b) Committees formed on or after March 1, 1993, will, six months after the date of initial application, submit documentation that they have operated effectively during that period. Such documentation may include, but will not be limited to, that set forth in paragraph (a), subparagraph (1) - (7) of this section. Only upon submission and review of such documentation shall a committee formed on or after March 31, 1993, be certified.

(c) The term “renewal” as used in Section 1002(b) of Act 44 should include a new policy offered by an insurer and accepted by an employer, for the next policy year commencing after the committee has been certified by the department.

Training for committee members

The employer should itself or through its insurer provide adequate training for all committee members. Training programs should be made available at least annually and be conducted by an individual or individuals who qualify as accident and illness prevention personnel under Qualifications of Accident and Illness Prevention Personnel. Training programs should generally address accident and illness prevention and the health and safety concerns specific to the business of the employer.

Nonretaliation

The department considers the effective operation of health and safety committees to be an essential part of a workplace safety program. Employees cannot serve effectively if subject to employer retaliation for engaging in committee activities. Therefore:

(a) No employer shall discharge, threaten with discharge, demote, suspend or in any other manner discriminate against any employee because he or she has participated in any committee function, including but not limited to, serving as a committee member, making statements, complaints or recommendations to the committee or participating in a committee workplace inspection.

Commonly asked questions regarding school safety committee certification, functions and objectives:

1. Q: Considering that the state has developed guidelines specifying that a certified safety committee must consist of at least four members in total (with equal numbers of employer vs. employee representatives), who from our district should be a safety committee member?

A: Typical safety committee membership

Employer (Management)

- Superintendent or designee
- Business Manager
- Director of Food Services
- Director of Buildings and Grounds
- Director of Transportation
- Director of Human Resources

Employee (Unionized Personnel)

- Secretarial representative
- Teacher
- Teachers Aide
- Food service representative
- Custodian
- Bus driver

2. Q: How many votes are needed for a decision to be reached by our safety committee? Also, how often must we meet? What would a sample agenda and set of minutes look like as they relate to these meetings?

A: All decisions are made by majority vote. The committee must meet each month. A sample of agenda and minute requirements can be found in the [Workplace Safety Committees Technical Assistance Manual](#)

3. Q: On the state’s application for certification, how can a public school entity indicate that their committee’s membership “reflects the major job functions of the workplace(s) that it covers?”

A: In regard to selecting appropriate committee members, please refer to Question 1. If you choose to select different committee members, you should opt for a wide cross section of representatives.

Administrators could include:

- Superintendent
- Assistant Superintendent
- Business Manager
- Director of Human Resources
- Supervisors
- Building Principals

Administration building support staff:

- Secretaries
- Clerks/typists

Food service department:

- Director of Food Services
- Building Cafeteria Managers
- Head Cooks
- Other food service employees

Custodial/maintenance departments:

- Supervisor of Buildings & Grounds
- Maintenance workers
- Head custodians
- Custodians

Teaching and learning activities:

- Department Heads
- Head teachers
- Teachers
- School Nurses
- Guidance Counselors

4. **Q:** Where can we obtain some sample “documents which govern or prescribe committee duties” that we can attach to our application?

A: Some sample documents include:

- Bylaws
- Rules
- Duties
- Policy document
- Goal/mission statement
- Other

Note: The Bureau of PENNSAFE provides good resources and samples, many of which can be found in their [Workplace Safety Committees Technical Assistance Manual](#)

Sample

General Safety Rules

Abiding by the general safety rules listed below will help our school entity meet our overall safety goal. Our objective is to provide a safe environment for all employees, students and visitors. The protection of all school district buildings, equipment and other property is essential as well. To this end, the complete cooperation of everyone concerning accident prevention is expected.

1. Use good housekeeping practices. Keep all work areas clean and neat. Eliminate slipping and tripping hazards or report them to your supervisor at once.
2. When lifting, pushing or pulling objects, always use good body mechanics and proper lifting techniques. Minimize the use of your back muscles as much as possible by bending your knees when you lift.
3. Don't take chances. Follow all signs, rules and instructions. If you're still not sure about safe procedures, ask your supervisor.
4. Do not block or tie open any fire doors.
5. Be sure you're familiar with more than one exit from all of your work areas.
6. Do not obstruct emergency equipment (fire alarms, hoses and extinguishers, etc.) with any type of obstacle.
7. Immediately report all school-related injuries, no matter how minor, to your supervisor. Get first aid quickly.
8. Follow all safety rules regarding ladders. Always keep your belt buckle between the side rails. Hold on with both hands while climbing or descending. Haul tools/materials up with a line or use a tool belt.
9. Use appropriate personal protective equipment as necessary in order to safely complete the task at hand.
10. Handle and store flammable/combustible liquids according to National Fire Protection Association guidelines.
11. Use a step stool or ladder instead of a chair or table.

5. Q: How should we document the organizational structure of our safety committee as the state requests on their application? The application also asks for a description regarding our method for “communicating safety-related information.” Can you provide us with examples of what they might be looking for?

A: The hierarchy of a safety committee should be indicated as follows:

- **Top level** - safety committee chairman
- **Second level** - safety committee co-chairman
- **Third level** - recording secretary
- **Fourth level** - safety committee employer and employee representatives

Use the same format/structure as you would on any organizational chart. Be sure to date your chart. Job titles should suffice as long as it includes the date it was developed since the names of personnel occupying these positions should appear on the appropriate minutes from the committee’s meetings.

Promoting workplace safety is an essential function of safety committees. To communicate safety awareness information, schools should use:

- School newsletter
- Bulletin boards
- Memos
- Payroll stuffers
- In-service programs
- Building staff meetings

6. Q: What specific types of forms do we need to consider when we address the state’s request for a description of our committee’s procedures concerning inspections, investigations and so on?

A: School safety inspection checklist
Accident trend analysis
Accident investigation report
Reporting procedures - in writing

The school must also document any corrective actions taken through accident investigation and recommendations from hazard inspections.

7. Q: In Section VI of the state’s application that concerns the annual “training and educational activities” of all of our safety committee members, how should we go about describing the training program’s specific content as well as reporting the presenter’s credentials?

A: Ask the presenter for the appropriate details.

8. Q: The “management involvement” (Section VII) part of this application inquires about our safety committee’s limit of authority within our school district. Can you provide us with some direction concerning our committee’s authorization limits?

- A: Does committee have authorization to:
1. Recommend safety and health goals - committee is advisory. (recommended vs. set policy)
 2. Monitor implementation of safety & health goals?
 3. Monitor enforcement of safety and health goals/standards in workplace?

9. Q: What guidelines can you provide to us regarding the financial resources a committee should have allocated to them?

- A: Budget for committee
Building of school district budget:
Include safety committee budget
-Consider safety incentive program

10. Q: Section VIII of the same application asks for specific examples of our committee’s accomplishments during the previous six months. What are some possibilities for us to consider?

- A: Accomplishments - Past six months:
- Reduction of frequency/severity of injuries
 - Became eligible for state certification
 - Evaluated current safety program:
 - Reviewed policies/procedures
 - Recommended changes in writing
 - Performed follow-up evaluations
How effective are:
 - Newly implemented safety equipment or safety/health procedures?
 - Performed periodic physical inspections/job observations
 - Reviewed accident statistics - To cite trends
 - Followed up on - Safety records from insurance company
 - Provided or participated in safety training sessions
 - Developed general safety rules
 - Implemented required safety programs
 - Promoted safety awareness

11. Q: Despite their good intentions, many safety committees fail to operate efficiently and effectively. What potential pitfalls should we watch out for?

A: Why safety committees fail:

- Committee responsibilities unclear
- Minutes - not maintained or circulated
- Size of committee
- Irregular or unorganized meetings
- “Trivial pursuit”

12. Q: If our committee members have additional questions and require further direction, who (in addition to PSBA) can we turn to for appropriate answers?

A: Please refer to the information on the following page as it pertains to the bureau.

Attention
All Applicants for Safety Committee Certification

- I. Should you have further questions regarding appropriate committee membership, workplace inspections, committee responsibilities, or other concerns related to properly completing the state's application, it is strongly recommended that you contact:

Department of Labor & Industry
Bureau of Occupational & Industrial Safety
Workers' Compensation (Safety Committee) Certification Unit
P.O. Box 68570
Harrisburg, PA 17106-8570
Phone: (717) 772-1635

- II. Re: State Application - p. 5, #3 (Acknowledgements and Agreements):

If the employer disbands the committee for what they believe is a "valid business reason," they must explain their reason by writing to:

Director
Bureau of Workers' Compensation
1171 S. Cameron St., Room 103
Harrisburg, PA 17104-2501

The director will determine whether or not the employer's reason is valid, and respond in writing to the employer.

NOTE: The Bureau of PENNSAFE has [Technical Assistance Publications](#) which should be reviewed and used by your safety committee. Resource publications include: Technical Assistance Manual, Recruit Safety Committee Members, Sample Safety Committee Functions With Objectives and Duties, and Sample Safety Committee Record of Minutes.