

JOINT HEALTH AND SAFETY COMMITTEE (WORKERS)

ANNUAL COMMITTEE REPORT

TSU Committee Members:

Angela Tersigni (TSU, Executive Liaison)
René Jansen in de Wal (Worker Co-Chair, SJPII/MCTLTD)
Piera O'Brien (St. Joseph Morrow Park)
Richard Bellafante (St. Patrick)
Gillian Vivona (TSU President, Ex Officio)

Designated Worker Member Health and Safety Inspectors: (JHSC)

Melissa Arduini
Marco Gagliardi
Avi Karunakar
Franco Santarossa
Lucia Taddio
Steve Watson

The current list of members (JHSC and DWM) should be posted on the Health and Safety board in accordance with the Occupational Health and Safety Act (OHSA). Members should feel free to contact any one from this list at any time, although hazards should be reported to the site supervisor (generally your Principal) under the Internal Responsibility System. Please make a copy of the report and provide it to the DWM. You should get a written response – please also provide a copy of the response to the DWM.

Violence: Legal obligation to report incidents as Hazards under OHSA

1/ Violence – **ALL** violence must be reported under OHSA. Managers and supervisors have an obligation to ensure proper reporting under OHSA for any risk they are aware of or ought to be aware of. Do not let supervisors discourage Health and Safety reporting for which Safe Schools and potentially Special Education reporting is also required. Policy, program and clear detailed procedures are not in place for OHSA and practices are highly inconsistent. This is compounded by the confusion of Safe Schools and Special Needs departments who maintain policies and practices that do not meet OHSA obligations to you as workers. JHSC does not have evidence that the employer has implemented an effective OHSA system to report and control violence based on clear training, follow up, monitoring and reporting as required by OHSA. If there is any issue related to violence please contact the DWM or TSU.

RECOMMENDATIONS:

- Continue to reinforce workers Right to Know, Right to Participate, and Right to Refuse unsafe work through proper training and education.
- Seek information and instruction at every worksite for all workers for all risks and potential hazards – the role of competent supervisors needs to be clear and proper training and support should be sought
- The (JHSC) committee is pleased to see more information sharing.
 - full and proper disclosure should continue to be pursued. Special emphasis needs to be maintained on proper reporting of violence. All violence must be reported under OHSA.

Overview:

Workers JHSC Priorities include:

- Continue to request evidence of:
 - An effective Health and Safety Management Program
 - Monitoring of effective safety practices to ensure consistency and reporting
 - Tracking of Hazard reporting
 - Tracking of Inspection reporting including SAP work orders
- Implementation of employers Health and Safety Policy HM 17
- Implementation of the JHSC Terms of Reference
- Implementation of the Violence Reporting as per central terms, Ministry SB Memo and Appendix A of the Terms of reference
- Worker and competent supervisor training program, planning, monitoring and reporting
- Internal responsibility System (IRS) and safety culture:
 - Reporting to workers and JHSC to support the IRS
 - Strong IRS with an effective and supportive culture around Health and Safety

- A backlog of agenda items remains a challenge. The employer has been requested to provide written responses for unresolved items.
- Health and Safety grievances and arbitrations continue and worker rights continue to be clarified for the employer. Orders have been issued to the employer and there continue to be challenges getting the employer to implement orders.
 - Implement Terms of Reference (TOR) have been ordered as per OHS
 - Definition and recognition of the Designated Worker Member (DWM) role has been developed in a Joint TCDSB/TSU DWM Handbook. This was part of the TOR development and was also ordered through arbitration.
 - The employer had refused to share this important document with workers and administrators/supervisors despite arbitration orders. This is being pursued.
- Collaboration and Support:
- Worker JHSC was very disappointed the employer did not partner with worker JHSC again after a successful jointly prepared and delivered Health and Safety PD in October of 2017. The employer did not agree to deliver PD collaboratively and the best practice of Joint writing proposals were discontinued. TSU is seeking to restart these best practices.
- To improve worksites psychological safety JHSC should align work with Joint Leadership Committee 3 year plan to build capacity for civility, complaint handling, conflict resolution.
- The employer agreed to Annual Policy Review based on OHS Safety Policy Review Meta Policy (5 year cycle) – this should include policy, program and procedures – Workers have provided reviews last year. The employer has not responded
- A PD plan (Matrix) to meet legislated obligations has gone without action by the employer at JHSC.
- Workers are reminded that the Employer has a policy that H&S be part of staff meetings. This would include H&S PD delivery when staff meet in PLC time if those are the only staff meetings. This policy should be included in the PD Matrix.
- Prepare a multiyear training plan for the JHSC including DWM
- Seek an effective safety management program with proper program elements
 - Seek greater support for employees reporting hazards as required under law (OHS)

- Seek effective tracking, follow up and monitoring of hazards reported by employees
- Seek clear written procedures and program for reporting
- Work towards implementation of an effective Health and Safety Management System together with the employer to improve the Internal Responsibility System (IRS) as defined in the OHSA – the gaps in training, recording and reporting undermine IRS.
- Seek a Training plan for workers, DWM and JHSC
- Seek clear and detailed GHS Policy and program including WHMIS training for ALL secondary teachers, who may be in proximity to chemicals especially in art, science and technical education classrooms during on calls.
- Continue to pursue notice and reporting of all testing as required under OHSA and the Collective Agreement.
- Continue to pursue notice of Ministry of Labour visits as per OHSA
- Continue to pursue proper completion and responses on Inspection Reporting forms through a policy and program that outline a system to train/instruct and follow up, communicate, track, monitor, enforce and report.
- Create a system to ensure a complete list of all TSU worksites (not just 'schools') as per OHSA
- Recommend all principals have Level 1 certification and GHS/WHMIS training.
- Operationalize DWM alternates

Activities / Meetings:

The committee is to meet on 5 calendar dates as per the collective agreement. A Policy Review date has not been set. As well a combined meeting with the TECT and the support worker JHSCs is required Annually.

It is clear that deteriorating conditions of many of our worksites/facilities presents a challenge, more frequent meetings are required to fully address issues and fulfill the OHSA statutory requirements. TSU is advancing grievances and is at arbitration on Health and Safety matters. There has been some areas of progress with the employer.

TSU has worked to organize DWM in the field. DWM were provided training required for Certification and GHS (WHMIS) as well as orientation. They have been set up for email and online access with a file sharing library to assist in research and reporting.

A review from Sept-Dec 2018 was created and provided to the employer that is still without response. Policy reviews by Worker JHSC are without acknowledgement or response.

DWM are working to develop good working relations with administrators. This includes better communication, support for information, follow up and site-specific information and instruction for workers. Training, proper reporting, and collaboration and support from the employer this will provide the foundation required for an effective IR system.

Summary:

Risk Assessment Surveys for workplaces continue to be reviewed and frequently are out of date, include pro forma language or did not offer workers proper input

The distinctions between **Bill 157 Safe Schools, Bill 168 Workplace Violence and Harassment**, and "Respectful Workplace Policies" (Board Policy HM 14) are poorly understood. Policy and programme are inconsistently applied and are often ineffective. Any manager/supervisor who is aware of a risk at a worksite is obligated to ensure all workers who may be exposed to the risk are provided information and instruction to control the risk. Workers have not been provided training for right to refuse unsafe work.

TSU MEMBERS ARE URGED to ALWAYS report hazards to their competent supervisor (usually the Principal). **Even** in the case of accidents/injuries and workplace violence threats/incidents, be sure to complete a **Hazard Reporting Form** (copied to TSU) and WSIB Form 6 (After receiving the WSIB Form 7 and consulting TSU) and EXPOSURE (WSIB PIER Form) reports for moulds, asbestos and similar substances. DWM are available to assist where you are unclear of process or worried about administrative responses.

Asbestos identification and remediation remain an issue in our aging infrastructure. All workers should receive a full asbestos in service annually at any school that has asbestos. Some schools have asbestos and the workers and supervisors are not aware.

Heating, ventilation and Air Conditioning (HVAC). If you have any suspected mould or other **Indoor Air Quality (IAQ)** concerns, contact TSU for assistance. CO2 levels can test for poor air flow volume and temperature extremes need to be documented. High temperatures require implementation of the Heat Stress protocol.

Please contact any committee member if you have questions or suggestions. Health and Safety is EVERYONE'S responsibility! **(and legal obligation)**

Prepared By: René Jansen in de Wal, Worker Co-Chair (SJPII/MCTLTD)