



## **P048, Occupational Health and Safety Policy: Annual Review**

**To:** Governance and Policy Committee

**Date:** 28 April, 2021

**Report No.:** 04-28-4083

### **Strategic Directions**

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

### **Recommendation**

It is recommended that the Occupational Health and Safety Policy (P048), as presented in this report, be approved.

### **Context**

The Occupational Health and Safety Policy (P048) (the “Policy”) is being reviewed in accordance with the Policy Review Schedule and the Occupational Health and Safety Act which requires school boards to review their policies related to occupational health and safety annually.

In accordance with the Board’s Policy Development and Management Procedure (PR501), section 6.17: “policies that are mandated by legislation to be reviewed on an annual basis may undergo a simplified review process annually and a complete process every four years (e.g., Occupational Health and Safety Policy, Workplace Violence Prevention Policy, etc.). Under the simplified process, the policy may be exempted from consultation requirement if no substantive changes to the policy are being proposed”.

Upon reviewing the governing legislation and other school board policies, no substantial changes are being recommended to the current Policy. It is therefore proposed that the simplified review process be applied.

In compliance with the *Occupational Health and Safety Act*, the Occupational Health and Safety Policy (P048) is being provided for the Committee's review and approval.

## **Action Plan and Associated Timeline**

Subject to the Governance and Policy Committee's approval, the Policy will be presented to the Board of Trustees on May 26, 2021 for final approval.

## **Resource Implications**

No additional resources will be required for revisions to this Policy.

## **Communications Considerations**

Following Board approval, the Policy will be posted on the Board's public website. In addition, a message will be circulated to the System Leaders' Bulletin instructing site management and school principals throughout the TDSB system to post the Policy in a conspicuous location within their workplace.

## **Board Policy and Procedure Reference(s)**

- Equity Policy (P037)
- Employee Accident or Injury Procedure (PR659)
- Workplace Harassment Prevention Policy (P034)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)
- Workplace Violence Prevention Policy (P072)

## **Appendices**

- Appendix A: Occupational Health and Safety Policy (P048) – Revised with Track Changes
- Appendix B: Occupational Health and Safety Policy (P048) – Revised Clean

## **From**

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# Toronto District School Board

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Policy P048

Title: **OCCUPATIONAL HEALTH AND SAFETY**

Adopted: August 26, 1998

Effected: August 26, 1998

Revised: February 7, 2018, March 20, 2019; February 5, 2020

Reviewed: January 26, 2016; February 7, 2018; March 20, 2019; February 5, 2020; new date

Authorization: Board of Trustees

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## 1.0 RATIONALE

The Occupational Health and Safety Policy (the “Policy”) supports the legislative requirements of the *Occupational Health and Safety Act*, and affirms the Toronto District School Board’s (“TDSB”) commitment to maintaining safe and healthy working environments.

## 2.0 OBJECTIVE

To establish the Board’s commitment to the well-being of its employees through the promotion of health and safety in the workplace and active participation of all employees in the prevention of accidents.

## 3.0 DEFINITIONS

*Board* is the Toronto District School Board, which is also referred to as the “TDSB”.

*Employer* under the *Occupational Health and Safety Act* is a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.

*Employee* is any person included in the definition of “worker” under the *Occupational Health and Safety Act* and Workplace Safety and Insurance Act, including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

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*Hazard* is any source of potential damage, harm or adverse health effects on something or someone under certain conditions at work. Examples include workplace violence and

harassment, toxic chemicals, moving machinery parts, working at heights, high voltage electricity, temperature extremes ~~or~~, slippery work surfaces or any other occupational health hazard in the workplace that is capable of making an employee sick.

*Internal Responsibility System* is a system recognized by the Ministry of Labour and fundamental to the successful working of the *Occupational Health and Safety Act*, whereby employers and employees are mutually responsible for health and safety in the workplace through the identification and elimination of hazards and development of strategies for the protection of workers.

*Joint Health and Safety Committee* (JHSC) is a committee established by the employer in accordance with the requirements of Section 9 of the *Occupational Health and Safety Act*.

*Supervisor* under the *Occupational Health and Safety Act* is a person who has charge of a workplace or authority over an employee.

*TDSB* is the Toronto District School Board, which is also referred to as the "Board."

*Workplace* under the *Occupational Health and Safety Act* is any land, premises, location or thing at, upon, in or near which an employee works. For the purpose of this Policy, it also includes any place where ~~individual employees~~ perform work or work-related duties, activities or functions, but does not include a private residence and its related lands. Schools and school-related activities, such as extra-curricular activities and excursions comprise the workplace, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (e.g., staff parties, retirement celebrations) also fall within the scope of this Policy.

#### **4.0 RESPONSIBILITY**

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the responsibility for the coordination and day-to-day management of the Policy is assigned to the Associate Director, Business Operations and Service Excellence, and the Executive Officer, Facilities and Planning

## 5.0 APPLICATION AND SCOPE

This Policy applies to all employees of the TDSB.

The Policy also covers students, parents/guardians, volunteers, permit holders, contractors, customers of the Board and other members of organizations and includes all activities that occur in Board workplaces or while engaging in Board related functions or social events.

## 6.0 POLICY

### General

- 6.1. The TDSB values learning and working environments that are safe, nurturing, positive and respectful.
- 6.2. The TDSB is committed to providing and maintaining a healthy and safe working environment through the development, promotion and implementation of programs designed to improve employee well-being and prevent occupational illness and injury, workplace violence and harassment.
- 6.3. The TDSB endorses the Internal Responsibility System which recognizes health and safety as a shared responsibility of both the employer and its employees, and as such, encourages the active participation of all employees in the prevention of accidents and the promotion of health and safety in the workplace.

### Roles and Responsibilities

- 6.4. The TDSB recognizes the role of all parties, including designated staff who represent the employer, TDSB employees, Joint Health and Safety Committee members as well as Ministry of Labour inspectors and/or other health and safety representatives in the monitoring of workplace safety and overall well-being of employees.
- 6.5. The Board and its employees will comply with the legislative requirements as outlined in the *Occupational Health and Safety Act*.
- 6.6. The Director of Education will assign responsibility for Occupational Health and Safety and will ensure that the Board's program is implemented and maintained, through:
  - implementing and operationalizing applicable policy and/or procedure;
  - ensuring all employees, supervisors and the Joint Health and Safety Committee members are provided with ongoing information and training programs on safe work practices where required by legislation;

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- ensuring information, policies, procedures and training for employees are developed in consultation with the Joint Health and Safety Committee(s); and
  - ensuring every precaution reasonable in the circumstances is taken for the protection of an employee.
- 6.7. The employer is responsible for establishment and promotion of the Internal Responsibility System to ensure that it can function successfully. The Internal Responsibility System is an important element of a strong health and safety culture in a workplace. Senior management and supervisors (including Associate Directors, Executive Officers, Supervisory Officers, Principals and Managers) will actively model and promote efforts that lead to healthy and safe learning and working environments.
- 6.8. The employer, through senior management and supervisors, will implement applicable Board health and safety policies and programs; comply with the *Occupational Health and Safety Act* and regulations; and will ensure that workplaces under their direct control are kept in a healthy and safe condition.
- 6.9. Supervisors will be held accountable for the health and safety of workers under their supervision, including but not limited to responsibility for receiving and investigating health and safety concerns, responding to findings, and taking corrective actions in consultation with other parties as appropriate. The Board will ensure that all supervisors have a working knowledge of the *Occupational Health and Safety Act* and regulations as well as any actual or potential hazards at the workplace.
- 6.10. All employees are required to complete the mandatory training required by the Board and Ontario Regulation 297/13 under the *Occupational Health and Safety Act* and its regulations.
- 6.11. Employees have a common responsibility for their own health and safety and that of others and are required to adhere to safe work practices and to report to their supervisor any unsafe or unhealthy conditions or practices.
- 6.12. Employees have the right to know about hazards in their workplace and to receive information, instruction and supervision to protect their health and safety on the job. Employees have the right to participate in identifying and solving workplace health and safety problems through either a health and safety representative or an employee member of the Joint Health and Safety Committee. In accordance with the *Occupational Health and Safety Act* and related regulations, employees have the right to refuse work in situations they believe would be dangerous to their health and safety or to that of any other employee in the workplace.

6.13. The Board will ensure that this Policy is posted in conspicuous workplace

locations and made available on the TDSB's website for all employees.

### Joint Health and Safety Committee

~~6.13~~6.14. The TDSB will maintain a Joint Health and Safety Committee(s) in accordance with Section 9 of the *Occupational Health and Safety Act*.

~~6.14~~6.15. The TDSB acknowledges the integral role of the Joint Health and Safety Committee(s) in bringing the Internal Responsibility System into practice and will support and/or cooperate with its functions and authority under the *Occupational Health and Safety Act*.

## 7.0 SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

## 8.0 EVALUATION

This Policy will be reviewed every year in accordance with the *Occupational Health and Safety Act*.

## 9.0 APPENDICES

N/A

## 10.0 REFERENCE DOCUMENTS

Policies and Operational Procedures:

- Employee Accident or Injury Procedure (PR659)
- Equity Policy (P037)
- ~~Respectful Learning and Working Environment (P073)~~
- Workplace Harassment Prevention Policy (P034)
- Workplace Harassment Procedure (PR515)
- Workplace Violence Prevention Policy (P072)

Legislative Acts and Regulations:

- *Occupational Health and Safety Act (OHSA)*, R.S.O. 1990, c. O.1
- Regulations under the *Occupational Health and Safety Act*
- *Ontario Human Rights Code*
- *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*

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workplace violence and harassment, toxic chemicals, moving machinery parts, working at heights, high voltage electricity, temperature extremes, slippery work surfaces or any other occupational health hazard in the workplace that is capable of making an employee sick.

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**Roles and Responsibilities**

- 6.4. The TDSB recognizes the role of all parties, including designated staff who represent the employer, TDSB employees, Joint Health and Safety Committee members as well as Ministry of Labour inspectors and/or other health and safety representatives in the monitoring of workplace safety and overall well-being of employees.
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**APPENDIX B**

- ensuring every precaution reasonable in the circumstances is taken for the protection of an employee.
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## 7.0 SPECIFIC DIRECTIVES

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## 8.0 EVALUATION

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Legislative Acts and Regulations:

- *Occupational Health and Safety Act* (OHSA), R.S.O. 1990, c. O.1
- Regulations under the *Occupational Health and Safety Act*
- *Ontario Human Rights Code*
- *Workplace Safety and Insurance Act*, 1997, S.O. 1997, c. 16, Sched. A