



P048, Occupational Health and Safety Policy: Annual Review

To: Governance and Policy Committee

Date: 8 January, 2020

Report No.: 01-20-3801

Strategic Directions

- Create a Culture for Student and Staff 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”) was last reviewed on March 20, 2019 with no substantial changes, and last revised on February 7, 2018 to align with the amendments to the *Occupational Health and Safety Act* and Ontario Regulation 297/13 – Occupational Health and Safety Awareness and Training.

The *Occupational Health and Safety Act* 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. Appendix A outlines the housekeeping changes being recommended to the Policy.

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 February 5, 2020 for final approval.

Resource Implications

No additional resources will be required for the review of 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)

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

Appendices

- Appendix A: Occupational Health and Safety Policy (P048) –Track Changes

From

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Toronto District School Board

Policy P048

Title: **OCCUPATIONAL HEALTH AND SAFETY**

Adopted: August 26, 1998

Effected: August 26, 1998

Revised: February 7, 2018, March 20, 2019; **[new date]**

Reviewed: January 26, 2016; February 7, 2018; March 20, 2019; **[new date]**

Authorization: Board of Trustees

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* including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

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.

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 individuals perform work or work-related duties or functions. 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.

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 are provided with ongoing information and training on safe work practices;
 - 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,

APPENDIX A

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.
- 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.

Joint Health and Safety Committee

- 6.13. 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. 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)
- Regulations under the *Occupational Health and Safety Act*
- *Ontario Human Rights Code*

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