



YORK REGION DISTRICT SCHOOL BOARD

Policy and Procedure #540.0, Health and Safety – Employees

Executive Summary

Board Policy and Procedure #540.0, Health and Safety – Employees outlines the commitment of the York Region District School Board to providing and maintaining a safe and healthy working environment that supports the safety and well-being of employees.

Stakeholder Group with Responsibilities under this Policy and Procedure

- Board of Trustees
- Director of Education
- Supervisors
- Employees

Relationship to Board Priorities

Board Policy and Procedure #540.0, Health and Safety – Employees relates to the Environment and Well-Being goals that support both effective and sustainable education programs and student and staff well-being.

Timelines and Next Steps

This policy was scheduled for annual review at the February 7, 2023 Policy and By-Law Standing Committee meeting.

Providing Feedback

Questions about this policy and/or procedure should be raised with your principal, manager or supervisor. If additional clarification is required, principals, managers and supervisors may contact the lead superintendent and/or subject matter expert, and Trustee Services.

In accordance with [Board Policy 285.0, Board Policies, Procedures and Supporting Documents](#), the Board welcomes all comments and suggestions on Board policy.

Input is an important component of the review process. If you feel a policy and/or procedure needs to be revised, feedback may be submitted through the school council or by submitting the online form. In your response please:

- outline clearly the specific section(s) of the policy and/or procedure in which you are not comfortable,
- suggest specific alternate wording to reflect your position, and
- identify the reason(s) for your concern(s).

Specific recommendations or questions about the review process should be submitted using the online form or sent to the Policy Officers via email at policy.committee@yrdsb.ca, or via telephone at 905-727-0022 extension 2570 or in hard copy at [The Education Centre – Aurora](#).

Legislative Context

[Occupational Health and Safety Act](#)

It is the expectation of the York Region District School Board that all employees, students and persons invited to or visiting Board property, or partaking/volunteering in Board or school-sponsored events and activities, will respect the policies and procedures of the Board.



Board Policy #540.0

Health and Safety – Employees

1. Policy Statement

The York Region District School Board endeavours to provide and maintain a safe and healthy working environment that supports the well-being of employees.

2. Application

As workplace health and safety is a joint responsibility, the York Region District School Board and all of its employees are to act in compliance with the requirements of the [Occupational Health and Safety Act](#). Therefore, this policy applies to employees of the York Region District School Board.

3. Responsibilities

3.1 The Board of Trustees is responsible for:

- a) understanding and upholding the Health and Safety - Employees policy; and
- b) reviewing the Health and Safety – Employees policy on an annual basis, in accordance with the priorities in the Multi-Year Strategic Plan and the Occupational Health and Safety Act.

3.2 The Director of Education is responsible for:

- a) implementing and operationalizing the Health and Safety – Employees policy;
- b) ensuring every precaution reasonable in the circumstances is taken for the protection of an employee;
- c) ensuring all employees, through supervisors, principals and managers, are provided with ongoing information and training on safe work practices;
- d) ensuring information, procedures and required training for employees are developed in consultation with the multi-workplace Joint Occupational Health and Safety Committee; and
- e) ensuring the Health and Safety – Employees policy and procedure is posted in all workplaces.

3.3 Associate Directors, Coordinating Superintendents and Superintendents are responsible for:

- a) supporting the implementation of the Health and Safety – Employees policy and procedure.

3.4 Supervisors are responsible for:

- a) ensuring employees comply with the health and safety policy, procedures and programs;
- b) taking every precaution reasonable in the circumstances for the protection of an employee by informing employees of hazard(s) in the workplace and taking prompt corrective action should a hazard arise;
- c) ensuring employees are provided with ongoing information and training in safe work practices; and
- d) ensuring the Health and Safety – Employees policy and procedure is posted in their workplace.

3.5 Employees are responsible for:

- a) immediately reporting to their supervisor any safety hazards of which they become aware; and
- b) making health and safety a part of their daily activity and work routine.

4. Definitions

4.1 Critical Injury

“Critically injured” means an injury of a serious nature that,

- a) places life in jeopardy,
- b) produces unconsciousness,
- c) results in substantial loss of blood,
- d) involves the fracture of a leg or arm but not a finger or toe,
- e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
- f) consists of burns to a major portion of the body, or
- g) causes the loss of sight in an eye. R.R.O. 1990, Reg. 834, s. 1.

4.2 Employee

An employee of the York Region District School Board is defined as a worker under the Occupational Health and Safety Act and means any of the following:

- a) A person who performs work or supplies services for monetary compensation.
- b) A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates in the school in which the student is enrolled.
- c) A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.

- d) A person who receives training from an employer, but who, under the *Employment Standards Act, 2000*, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
- e) Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.

4.3 Hazard

Any source of potential damage, harm or adverse health effects on something or someone under certain conditions at work. Examples of hazards include toxic chemicals, moving machinery parts, high voltage electricity, working at heights, temperature extremes, workplace violence, infectious diseases, or slippery work surfaces.

4.4 Supervisor

Defined under the Occupational Health and Safety Act as a person who has charge of a workplace or authority over a worker. Examples of supervisors in the York Region District School Board include superintendents, principals, vice-principals, managers, as well as those with the specific title of supervisor.

4.5 Workplace Violence

Workplace violence is:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or
- c) a statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Workplace violence is also defined in the [Violence Prevention and Intervention](#) policy and [Equity and Inclusivity](#) policy.

5. Contact

Human Resource Services

6. History

Approved 1997

Reviewed 2008, July 2017, May 16, 2018

Working Document October 2012, June 2014, May 2018

Revised 2002, 2005, 2006, 2010, 2011, May 2013, March 2015, June 2016, July 2018, January 2020, April 2021, March 2022, December 2022



Board Procedure #540.1 Health and Safety – Employees

1. Procedure Statement

This procedure provides a guide to health and safety for Board employees which meets legislative requirements and ensures a safe, healthy work environment.

2. Responsibilities

2.1 The Director of Education shall:

- a) allocate staff and resources to support the Health and Safety – Employees procedure.

2.2 The Associate Directors, Coordinating Superintendents and Superintendents shall:

- a) ensure that the appropriate equipment, materials, protective devices and procedures, as required by law, are pre-determined, prescribed and provided, maintained in good condition, and used as prescribed;
- b) acquaint an employee or person in authority over an employee with any hazard in the workplace of which the employer is aware and related work procedures;
- c) ensure that the supervisor or employee is provided with the instruction and supervision necessary to protect the employee's health and safety; and
- d) ensure that the Health and Safety - Employees policy and procedure is distributed to all Board locations and this information is posted on the Health and Safety bulletin boards at each Board location.

2.3 Supervisors shall:

- a) ensure that an employee works in compliance with the prescribed measures and procedures, uses the prescribed equipment, protective devices and/or clothing;
- b) advise the employee of the existence of any potential or actual danger to the health or safety of the employee of which the supervisor is aware;
- c) provide written instructions and/or training to the employee on the measures and procedures to be taken for the employee's protection;
- d) participate in, or assign a designate to participate in, the health and safety inspection(s) and take corrective actions as appropriate;
- e) investigate health and safety concerns, accidents or incidents and take corrective actions as appropriate;
- f) complete health and safety awareness training for supervisors within one week of performing work as a supervisor;
- g) ensure that the Health and Safety - Employees policy and procedure is updated annually and the current version posted on the Health and Safety bulletin boards at their workplace; and
- h) ensure that employees complete basic health and safety awareness training for workers as soon as practicable after hire.

2.4 Employees shall:

- a) participate in and apply training;
- b) work in compliance with prescribed measures, plans and procedures;
- c) use or wear prescribed equipment, protective devices and/or clothing;
- d) not remove or make ineffective any prescribed protective device, or operate any equipment, machine or device in any manner that may endanger the employee or fellow employees; and
- e) report all accidents/incidents, hazards or workplace concerns to the supervisor.

2.4.1 Concern or Hazard Reporting

- a) Employee: The employee must report to the supervisor the absence of or defect in any equipment or protective device, or the existence of any hazard or contravention of the prescribed measures or procedures of which the employee becomes aware. Where an employee reports a hazard to the supervisor, the employee is discharging his or her legal responsibility, and in so doing is placing that responsibility with the supervisor.
- b) Supervisor: Where a supervisor becomes aware of a hazard in the workplace, or is made aware by an employee of a hazard or health and safety concern in the workplace, it becomes the legal responsibility of the supervisor to take the appropriate corrective action on that hazard or health and safety concern.
- c) Employee or Supervisor: If the hazard or health and safety concern reported by the employee cannot be resolved, then the appropriate Health and Safety Committee representative(s) must be notified. The committee representative(s), with the supervisor, will investigate the reported hazard or health and safety concern, and endeavour to resolve it. The Health and Safety Manager or designate may be requested to assist with the investigation. All investigations will be recorded on the Board's Concern or Work Refusal Report Form by the committee representative(s). If the reported hazard or concern remains unresolved, then the investigations shall be reported to the multi-workplace Joint Occupational Health and Safety Committee for review and recommendation (if any), to the Executive Council and the Board.

2.4.2 Employee Accident/Incident Reporting and Investigation

- a) The purpose of the Employee Accident/Incident Report Form is to provide a method of collecting data on accidents and incidents/near misses which can then be utilized by the York Region District School Board and the multi-workplace Joint Occupational Health and Safety Committee to prevent recurrences and, thereby, reduce the frequency and severity of accidents and incidents in the workplace.
- b) The Employee Accident/Incident Report Form is to be completed online when an employee;
 - is disabled from performing his or her usual work or requires medical attention as a result of a critical injury, accident, explosion or fire causing injury, or an occupational illness, the employer will notify the appropriate Health and Safety Committee representative(s) and respective trade union, using the Employee Accident/Incident Report Form;
 - is injured in a work-related accident/incident which results in missed time from the employee's regularly scheduled work day;
 - seeks medical attention because of a work-related accident/injury;
 - seeks first aid treatment because of a work-related accident/injury;

- is injured in a work-related accident which does not result in missed time from the employee's regularly scheduled work day;
 - is involved in an incident/near miss in the workplace; or
 - is involved in workplace violence as defined in this policy.
- c) Reporting and notification requirements are outlined on the Employee Accident/Incident Form.
- d) Under the Occupational Health and Safety Act, critical injuries and fatalities involving workers are reportable to the Ministry of Labour and, where the injury is reportable, accident scenes must be preserved.
- e) The same obligations may apply to critical injuries and fatalities involving non-workers where:
- a non-worker is killed or critically injured;
 - the death or critical injury occurs at a place where;
 - a worker is carrying out his or her employment duties at the time the incident occurs, or
 - a place where a worker might reasonably be expected to be carrying out such duties in the ordinary course of his or her work; and there is some reasonable link between the hazard giving rise to the death or critical injury and a realistic risk to worker safety at that workplace from any cause.
- f) If there is doubt as to whether the injury or fatality to a non-worker in the workplace is reportable, consult with Administrative Services or Health and Safety.

2.4.3 Refusal to Work where Health and Safety is in Danger

- a) An employee may refuse to work or do particular work where the employee has reason to believe that:
- any equipment, machine device or thing to be used is likely to endanger the employee or another employee;
 - the physical condition of the workplace or part thereof in which the employee works or is to work is likely to endanger the employee;
 - workplace violence is likely to endanger the employee; or
 - any equipment, machine, device or thing the employee is to use or operate, or the physical condition of the workplace or part thereof, is in contravention of the Occupational Health and Safety Act or Regulations and such contravention is likely to endanger the employee or another employee.
- b) When a supervisor is made aware of a work refusal by an employee the Health and Safety office must be contacted immediately. The Health and Safety office will immediately contact the appropriate Health and Safety Committee representative(s). The committee representative(s) are to thoroughly investigate the employee's work refusal and, with the supervisor, shall endeavour to resolve it. The employee shall remain at a safe place that is as near as reasonably possible to his or her workstation; and available to the employer or the supervisor during this initial investigation.
- c) All work refusals by the employee shall be recorded on the Board's Concern or Work Refusal Report Form. All parties investigating the work refusal will ensure that the requirements prescribed in Section 43 of the Act are applied and adhered to.
- d) Where the work refusal remains unresolved after the initial investigation, the Occupational Health and Safety Manager or designate must be contacted immediately in

order to arrange for a Ministry of Labour Inspector to attend. Until this investigation is completed, the employee shall perform reasonable alternative work under the direction of the supervisor or the person in charge. If no such alternative work exists, the employee shall remain in a safe place that is as near as reasonably possible to his or her workstation and available to the employer or the supervisor for purposes of the investigation.

Teachers have a limited right to refuse. [Ontario Regulation 857](#) states that a teacher, as defined in the Education Act, does not have a right to refuse unsafe work where the circumstances are such that the life, health or safety of a pupil is in imminent jeopardy. This means that teachers have an obligation to ensure that a student's life, health or safety is not in imminent jeopardy before exercising their right to refuse.

2.4.4 Health and Safety Committees

- a) The York Region District School Board has established a multi-workplace Joint Occupational Health and Safety Committee in accordance with the requirements of Section 9 (3.1) of the Occupational Health and Safety Act.
- b) The structure and functions of the Joint Occupational Health and Safety Committee are contained in the committee Terms of Reference as agreed between the respective federations and unions and the York Region District School Board. The Ontario Occupational Health and Safety Act requires the committee structure and names of the representatives to be posted in a prominent position in all Board facilities.
- c) Designated representatives from the Joint Occupational Health and Safety Committee (referred to hereafter as the inspecting representative) have the authority to inspect the workplace monthly, and have the power to identify situations that may be a source of danger or hazard to employees. The inspecting representative(s) can make observations and recommendations on the Workplace Inspection Report to the respective supervisor for the improvement of the health or safety of employees.
- d) The supervisor who receives the Workplace Inspection Report from the inspecting representative(s) shall respond, in writing to the observations or recommendations made in the report within 21 calendar days.

3. Definition

3.1 Employer

The York Region District School Board is defined as the employer under the Occupational Health and Safety Act. An employer means a person who employs one or more workers or contracts for the services of one or more workers.

3.2 Non-Worker

Is any person involved in an activity on Board property who is not an employee of the Board.

4. Contact

Human Resource Services

5. History

Revised 1998, 2006, 2010, 2011

Reviewed 2008

Working Document October 2012, June 2014, May 2018

Revised May 2013, March 2015, June 2016, July 2017, July 2018, January 2020, January 2021, February 2022, December 2022