

THE WORKPLACE HEALTH AND SAFETY COMMITTEE

Introduction

Workplace Safety and Health legislation in Manitoba requires that a Workplace Health and Safety Committee be established in each place of employment where twenty or more persons are employed. For the purposes of Turtle Mountain School Division, the "Division" is deemed to be one "place of employment" with one committee serving the whole Division. In complex workplaces, or very large schools, separate committees may be established at the request of the Workplace Health and Safety Division of the Provincial Government.

The main objective of the committee is to provide a means for employees and employers to work together in a reasonable and co-operative way to identify and resolve health and safety concerns in the workplace. The Committee further attempts to develop practices and procedures that will provide for the health and safety in the workplace. Development of education and training programs is also a priority of the Committee. To achieve this goal is a shared responsibility of employees and the employer.

The Division will have a single Workplace Safety & Health Committee. All locations will have at least one Workplace Health and Safety representative if there are not employees on the Committee.

The Workplace Health and Safety Committee will provide recommendations to the Division in view of making workplaces healthy and safe. Recommendations made by the committee will identify risks, and develop and promote safety and health initiatives. The committee or committee representatives will accomplish this by considering concerns and complaints, inspecting workplaces at regular intervals, reviewing accident summary reports and dangerous occurrences on Division property, and complying with the Division's Safety Program.

1. Duties:

The general duties are:

- The receipt, consideration, and disposition of concerns and complaints relative to safety and health in a workplace.
- Identification of risks to the safety and health of workers and/or other persons in the workplace

- Development and promotion of a safety program including co-operation with Safety and Health Officers and the development of the educational programs.
- Maintenance of a record of committee activities.
- Such other duties as may be specified in the Act.

2. Committee Structure

Employee Representatives: (no less than)

- Two (2) representatives from Turtle Mountain Teachers' Association
- Two (2) representatives from CUPE Local 1719
- One (1) representative from the Bus Drivers Association

Employer Representatives: (no less than)

- One (1) representative from the Board of Trustees
- One (1) Principal/Vice-Principal
- Three (3) Division Board Administration (appointed by the Board of Trustees)

Employee representation at the table can never be less than the employer representation.

Elections and/or appointments of new committee members are held annually and the new committee is declared as of September 30th. The names of committee members shall be posted on all Turtle Mountain Workplace Safety and Health bulletin boards. There is no limitation on the number of years a representative can serve.

3. Rules Governing Workplace Safety & Health Committee Meetings

- a) The committee shall meet a minimum of four times per year, once in each quarter. January to March, April to June, July to September, October to December. The next meeting date and time to be determined at each meeting.
- b) Co-chairpersons are chosen from each group and the committee meetings will be chaired alternately by the employee and employer representative.
- c) The minutes of the meeting shall be recorded under the direction of the Senior Management present, reviewed and signed by an employee and employer representative. Signed minutes will be circulated to the Division office, (posted on the Safety Bulletin Board) at all worksites, and to the Manitoba Department of Labour within one week of the meeting.
- d) All members of the Committee shall be reimbursed for their out of pocket expenses and shall not incur any loss of pay while carrying out their duties.

The meeting place shall be the Division Office when available. Committee members will be given due notice of any change in location.

The quorum for the meetings shall consist of one half of the worker members and one half of the employer members.

Special meetings may be called by either co-chairperson. Discussions at the meetings to be limited to the reason for calling the meeting.

4. Employee Representative Responsibilities

- a) Establish an effective means of communication between all employees in the facility. This could be accomplished by meeting with the facility's employee group representative on a monthly basis.
- b) The quarterly Supervisors Safety and Health Inspection forms shall be collected and reviewed. Representatives will be asked to report to the committee quarterly on these forms.
- c) Ensure that Workplace Health and Safety information is posted on the Safety Bulletin Board.
- d) To avail themselves to hear concerns from workers.
- e) To report any unsafe conditions to the principal, supervisor, and senior management.
- f) To attend meetings involving all staff in the facility to report on safety and health initiatives and answer questions.
- g) The Representative will attend all Workplace Health and Safety Meetings, reporting issues which have been reported to management and have not been satisfactorily resolved.
- h) Aid in the development and promotion of safety and health programs.
- i) Aid in the investigation of dangerous incidents, accidents, and work refusals as directed by the Workplace Health and Safety.

5. Employer Representative Responsibilities

- a) Provide Division policy and procedure information to the committee.
- b) Provide information to the committee on operation, maintenance, and inspection of school property.
- c) Research complaints and conditions that have been requested by the committee.

- d) Aid in the investigation of dangerous incidents, accidents and work refusals as directed by the Workplace Health and Safety Committee.
- e) Aid in the development and promotion of safety and health programs.

6. **Retention of Workplace Health and Safety Minutes of meetings.**

Minutes of meetings along with completed Supervisors Safety & Health Inspection forms shall be retained for ten years.

C. EMPLOYER/SUPERVISOR/EMPLOYEE RESPONSIBILITIES

Employers, supervisors and employees are legally responsible for safety and health in the workplace.

1. Division Responsibility

It is the responsibility of the Division and its senior management to establish and maintain an effective safety and health program. Enough resources are to be allocated to provide a safe and healthy workplace, maintain the safety program and support effective Workplace Health and Safety committees. An effective committee ensures supervisors and employees can effectively participate in safety and health discussions.

2. Supervisors Responsibility

School principals, teachers in higher safety risk areas, such as science rooms, shops, phys-ed and home economics etc., maintenance /transportation supervisors, and head custodians are to be considered supervisors. Supervisors are to understand and ensure compliance with the provincial workplace health and safety act and regulations and requirements outlined in this Workplace Health and Safety Program. Supervisors are to utilize other recognized safety documents and guidelines such as the support document for Industrial Arts teachers and Safety Guidelines for physical activities in schools. They will cooperate with the Workplace Health and Safety committee and site representatives by identifying hazards, inspecting their work areas, and correcting unsafe acts and conditions. The completion of the Supervisors Safety and Health Inspection Forms will help supervisors fulfill their responsibilities.

3. Employee Responsibility

Employees in higher risk areas are to understand and follow legislation and the requirements outlined in this Workplace Health and Safety program. Employees are to follow safe work procedures by using safety equipment, safety devices, and personal protective equipment. They are to report any unsafe acts, workplace hazards, incidents, near misses, injuries, and workplace illnesses immediately to their supervisor/school administration. Employees are to cooperate with the Workplace Health and Safety committee and site representative and with other employees helping them to work safely.

D. IDENTIFICATION AND CONTROL OF WORKPLACE HAZARDS

1. Supervisors Safety & Health Inspection Forms

Administration and supervisors will complete the Supervisors Safety and Health Inspection form quarterly two weeks prior to Workplace Health and Safety Committee meetings. Forms are available in the facility safety program binder or on the Division website.

2. Material Safety Data Sheets Binder and Chemical Inventories

Worksite supervisors are expected to maintain an inventory of chemicals and other hazardous materials found at the job site. Each of the chemicals must have a corresponding MSDS (material safety data sheet) that is not older than three years. MSDS forms are to be evaluated to ensure that adequate safety equipment is available for the safe use of the chemical or controlled product. Old MSDS must be maintained for 30 years. A master list of the MSDS sheets will be kept in the facility's central office. Copies of chemical inventories will be forwarded to the facility's central office and the Division Office. Inventories shall detail the maximum amount of chemical on site at any given time. New chemicals that arrive on site shall be added to the inventory list immediately and a current MSDS form obtained.

3. Job Hazard Analysis

The Division will assist committees in developing and maintaining job hazard analysis for jobs in the Division. Supervisors will review the job hazards associated with their worksites and ensure that the workers are aware of and follow safe working procedures. Job hazard analysis (JHA) will be reviewed every three years by the Risk Management Committee.

4. Working Alone

The Division has developed a policy (I-9) and procedure (5-L) for employees.

5. Hearing Conservation

The Division has developed a policy (I-10) and procedure for employees.

E. DANGEROUS CONDITIONS – REPORTING PROCEDURES

Committee members are encouraged to believe that all persons share a responsibility for the health and safety of fellow employees. Whenever a safety or health concern arises, an employee should follow the steps listed below:

1. If an employee of Turtle Mountain School Division has a safety or health concern, he/she is to notify his/her supervisor and school/building administrator.
2. The school/building administrator will investigate and if possible have the situation rectified.
3. If the situation is not satisfactorily resolved within a reasonable period of time, the employee should involve the local Workplace Health and Safety site representative to try to resolve the matter.
4. If the situation is still not resolved within a reasonable period of time, the Workplace Health and Safety site representative shall forward the concern in writing to the Workplace Health and Safety Committee or the Division Board Office.
5. The Workplace Health and Safety Committee or Division Board Office personnel will investigate and respond to the Workplace Health and Safety site representative within 30 days to outline the action to be taken.

If the concern is not resolve in committee, either the employee or employees or both jointly may request assistance from the Workplace Safety and Health Division of the Department of Labour.

Note: Persons are urged to follow the steps 1 to 5. However, under the Act any or all of the steps may be by-passed. If requested, confidentiality shall be assured.

6. A follow-up inspection may occur.

F. EMPLOYEE SAFETY TRAINING AND COMMITTEE MEMBER DEVELOPMENT OPPORTUNITIES

The Division believes that training is important to the success of the Workplace Health and Safety Committee. Members of the committee are entitled to take up to two days educational leave per year for the purpose of attending workplace safety & health training seminars. Training needs of the committee will be assessed and addressed on a yearly basis. Arrangements will be made for a training program for Committee Members. Regulation provide for this training to be considered as part of the working day so there is no loss of salary. Occasionally, the committee may designate certain persons to attend Provincial Workplace Safety and Health training seminars.

The Division will conduct the following training program for its employees.

- Staff will be kept informed at meetings of all staff in the facility of the Divisional Safety Program through the building representative.
- First aid training will be provided to staff as per Workplace Health and Safety regulation 140/98.

- Staff involved with the use of hazardous chemicals will receive WHMIS training every three years. Those staff not handling hazardous chemicals shall receive an annual awareness session on WHMIS.

The appropriate supervisors will orientate new staff hired and make them aware of potential hazards and the safety procedures. This will include a review of the emergency plan, fire exits, JHA's, WHMIS, and employee responsibilities under Workplace Health and Safety.

Staff working with students in higher risk areas such as shops will provide safety instruction for the students.

The Division will retain records of staff participating in Divisional or Provincial Workplace Safety and Health training for thirty years.

G. EMERGENCY RESPONSE AND FACILITY PLANS

On an annual basis each school will review and submit a copy of their emergency response plan to the Risk Management Committee. A crisis response team will be identified on a yearly basis. The plan must designate an evacuation site. The schools will ensure that information in the yearly plan is communicated to the local emergency measures organization or fire department.

At minimum the plan shall consist of procedures for:

- dealing with fire
- dealing with chemicals and hazardous materials
- severe weather environmental conditions
- bus accidents
- security concerns
- utility emergencies

H. FACILITY INSPECTION SCHEDULE

Each workplace representative, in cooperation with the building management, will conduct or ensure quarterly inspections of the facility are being completed. As well, they will ensure that the appropriate staff is conducting inspections of their work areas. The completed Supervisors Safety and Health Inspection forms for work areas shall be completed at least two weeks prior to the meeting, and tabled at each Workplace Health and Safety Committee meeting. Areas of concern identified through the inspection forms, will be addressed through the normal reporting procedure.

Periodic inspection tours are held by the committee representatives as deemed necessary.

A complete inspection tour may be held annually by the Workplace Safety and Health Committee.

I. INVESTIGATING DANGEROUS INCIDENTS AND ACCIDENTS:

Staff shall report dangerous incidents, accidents and work refusals to their supervisor. Divisional administration and an employee Workplace Health and Safety co-chair will investigate all dangerous incidents, serious accidents and refusals to work. The investigation team will prepare a report outlining the causes of the incident. The report will outline the corrective action necessary to prevent the same thing from happening again. Copies of the report will be made available to employees. The Workplace Safety and Health committee will audit the effectiveness of the corrective action taken. Manitoba Workplace Safety and Health officials will be notified if the incident could have resulted in death, major injury, or disability.

Employees have the right to appeal the findings of the report to Manitoba Workplace Safety officials.

The Division will utilize an investigation form as provided in the facility Workplace Health and Safety Binder.

All reports on accidents investigated within the Division shall be kept for thirty years.

J. WORK REPORTS:

Under the law, (Manitoba's Workplace Safety and Health Act), an employee can refuse any task that they have reasonable grounds to believe is dangerous to their safety and health or the safety and health of others. (The work refusal is initiated by the worker.)

Section 43(2) of the Act states: "A worker may refuse to work or do particular work at a workplace if he or she believes on reasonable grounds that the work constitutes a danger to his or her safety or health or to the safety or health of another worker or another person">

Step 1:

Report immediately to your supervisor, or to any other person in charge at the workplace, giving your reasons for refusing to work. At this point, the refusing worker and supervisor must attempt to resolve the concern.

Step 2:

If the supervisor and worker cannot resolve the refusal, the worker co-chairperson of the Health and Safety Committee, or a committee member who represents workers (or a worker representative, if there is no committee), must be asked to help for the purpose of inspecting the workplace.

If the dangerous condition is not remedied after the inspection ...

Any of the persons present during the inspection in STEP 2 may notify a safety and health officer of the refusal to work and the reasons for it. The safety and health officer will investigate the matter and decide whether the job situation or task the worker has refused constitutes a danger to the safety or health of the worker or any other worker or person at the workplace.

The office will provide a written decision to the refusing worker, each co-chairperson, or the representative, and the employer. Anyone directly affected by an officer's decision may appeal it to the Director of the Workplace Health and Safety Division. The Director will make a decision about the appeal, and provide written reasons. The decision of the Director may be appealed to the Manitoba Labour Board.

K. OUTSIDE CONTRACTORS

When construction contracts are signed by the Division a requirement of the contract will be that all safety requirements of the provincial workplace safety and health legislation are adhered to.

Outside contractors hired to do repairs that are not subject to a construction contract will meet with the appropriate Divisional personnel to review potential hazards in the facility and of the job, and any relevant safety policies. Contractors bringing controlled products and chemicals on division property are to have Material Safety Data Sheets (MSDS) available.

L. WORKPLACE SAFETY & HEALTH PROGRAM EVALUATION

The Risk Management Committee will formally review the Workplace Health and Safety Program at all locations every three years. The program will also be reviewed if there are changes in the workplace that may affect the health and safety of the employees. The following questions must be answered by the review:

- Are the responsibilities for reviewing and evaluating the safety and health program clear?
- Is the committee effectively involved?
- Are the checklists and written procedures in the Workplace Safety and Health program actually working as they are supposed to?

APPENDIX

Terms for clarification:

Workplace Health and Safety Division of the Provincial Environment and Workplace Health and Safety Act.

Safety and Health Officers: Employees of Workplace Health and Safety and Health Division of the Provincial Environment and Workplace Safety and Health Department, who are empowered to carry out workplace inspections and enforce regulations.

Workplace Health and Safety Committee: Turtle Mountain School Division's committee made up of elected/appointed representatives of the employer and employees of the Division who have general responsibility for making recommendations to the appropriate persons regarding the over-all safety and health of employees in the workplaces of the Division.

Safety or Health "Concerns": Any situation or condition that is deemed to be hazardous, or may become hazardous and adversely affect the safety or health of employees, students and/or the general public who may have access to school buildings or property which is under the jurisdiction of the Board of Trustees of the Turtle Mountain School Division.