

Toronto District School Board

Policy P048

Title: **OCCUPATIONAL HEALTH AND SAFETY**

Adopted: August 26, 1998

Effectuated: August 26, 1998

Revised: February 7, 2018, March 20, 2019; February 5, 2020; May 26, 2021; February 2, 2022; **March 8, 2023**

Reviewed: January 26, 2016; February 7, 2018; March 20, 2019*; February 5, 2020*; May 26, 2021*; February 2, 2022*; **March 8, 2023***

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* and *Workplace Safety and Insurance 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

*Denotes annual simplified review

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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.

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 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, Modernization and Strategic Resource Alignment , 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;
 - 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 and members of the public.

Joint Health and Safety Committee

- 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*.
- 6.15. 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*.

Legislation Prevails

- 6.16. The TDSB will make every effort to ensure that this Policy is consistent and up-to-date with the most current legislative requirements. In circumstances where the Policy is found to be inconsistent with, or contradicts, the *Occupational Health and Safety Act* or any other legislative act or regulation, the statute will prevail.

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)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy (P034)
- Workplace Harassment Prevention for Non-Human-Rights-Code 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