

Toronto District School Board

Policy P048

Title: **OCCUPATIONAL HEALTH AND SAFETY**

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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 (OHSA)*, and affirms the Toronto District School Board’s (“TDSB”) commitment to maintaining safe and healthy working environments.

This Policy also supports the Board’s commitment to the Truth and Reconciliation Commission of Canada: Calls to Actions and the United Nations Declaration on the Rights of Indigenous Peoples as a framework for reconciliation.

2.0 OBJECTIVE

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

3.0 DEFINITIONS

Board is the Toronto District School Board, which is also referred to as the “TDSB”. TDSB is an Employer, as defined by the OHSA.

Employer under the OHSA 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.

*Denotes annual simplified review

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, slippery work surfaces or any other occupational health Hazard in the Workplace that is capable of making a Worker sick.

Internal Responsibility System is a system recognized by the Ministry of Labour, Immigration, Training and Skills Development and fundamental to the successful working of the OHSa, whereby Employers and Workers 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 OHSa.

Parent/Caregiver refers to parent, guardian or any other caregiver legally recognized as acting in place of the parent, including an individual with customary care of an Indigenous student.

Supervisor under the OHSa is a person who has charge of a Workplace or authority over a Worker.

TDSB is the Toronto District School Board, which is also referred to as the "Board." TDSB is an Employer, as defined by the OHSa.

Worker is any person included in the definition of "Worker" under the OHSa and *Workplace Safety and Insurance Act*, including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

Workplace under the OHSa is any land, premises, location or thing at, upon, in or near which a Worker works. For the purposes of this Policy, it also includes any place where workers 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 Workers at the TDSB.

The Policy also covers students, Parents Caregivers, 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 Worker 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 Workers, and as such, encourages the active participation of all Workers 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, Workers, Joint Health and Safety Committee members as well as Ministry of Labour, Immigration, Training and Skills Development inspectors and/or other health and safety representatives in the monitoring of Workplace safety and overall well-being of Workers.
- 6.5. The Board and all Workers at the TDSB will comply with the legislative requirements as outlined in the OHSA.
- 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 Workers, 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 Workers 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 a Worker.
- 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 OHSA 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 OHSA and regulations as well as any actual or potential Hazards at the Workplace.
- 6.10. All Workers are required to complete mandatory occupational health and safety training required by the Board and Ontario Regulation 297/13 under the OHSA.
- 6.11. Workers 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. Workers 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. Workers have the right to participate in identifying and solving Workplace health and safety problems through either a health and safety representative or a Worker member of the Joint Health and Safety Committee.

In accordance with the OHSA and related regulations, Workers have the right to refuse work in situations they believe would be dangerous to their

health and safety or to that of any other Worker in the Workplace, subject to the conditions and limitations prescribed by legislation.

- 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 Workers 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 OHSA.
- 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 OHSA.

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 *OHSA* 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 annually in accordance with the OHSA.

9.0 APPENDICES

N/A

10.0 REFERENCE DOCUMENTS

Policies and Operational Procedures:

- Employee Accident or Injury Procedure (PR659)
- Equity Policy (P037)
- Human Rights (P031)
- Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy (P034)

- Workplace Harassment Prevention and Human Rights Procedure (PR515)
- Workplace Violence Prevention Policy (P072)

Legislative Acts and Regulations:

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