

VEAES Health and Safety + Fall 2022 SURT

Eric Proulx

Who is here?

Please share with someone near you whom you don't know:

- Your name
- Your school
- Number of years as H&S Rep
- One big concern or questions you have about your role as Health and Safety Rep
- One H&S Victory! (respecting confidentiality)



Workers Basic Health and Safety Rights

The Right to Know

- ▶ What physical and mental hazards exist
- ▶ Including violence

The Right to Participate

- ▶ In workplace Joint Occupational Health and Safety Committees
- ▶ Report hazard and injuries

The Right to Refuse

- ▶ Work that is hazardous to you or another person

The Right to No Discrimination

- ▶ Free from reprisal for refusing unsafe work or contacting Worksafe

The role of a site-based health and safety representative is:

- ▶ An Advocate
- ▶ An Advisor
- ▶ An Assistant

Advocacy

- ▶ Site-based Health and Safety rep performs a function similar to the school's staff rep but is tasked with functions specific to health and safety
- ▶ Advocacy takes two forms:
 - ▶ Prevention
 - ▶ Claims

Advocacy - Prevention

Potential Actions

- ▶ Reporting to supervisor
- ▶ Reporting to Joint Occupational Health and Safety Committee (JOHS)
- ▶ Refusal of unsafe work
- ▶ Referral to WCB Prevention Officer

- ▶ The site based health and safety rep can often be informed by workers of safety concerns and hazards
- ▶ The site based health and safety rep must investigate and discuss with the worker and can recommend an appropriate course of action.

Advocacy - Potential Actions

- ▶ Bring issues to management with, and on behalf of, the workers
- ▶ The *Occupational Health and Safety Regulation* dictates that ALL unsafe conditions must be reported
- ▶ This can be daunting or intimidating for some workers, as rep, you can assist
- ▶ JOHS plays an important role in giving workers a way to work together and find ideas and solutions to WorkSafe H&S issues

Advocacy - Potential Actions

- ▶ If actions have been ignored or dealt with in an unsatisfactory manner, and the worker / rep can ask a Workers' Compensation Board Prevention Officer to investigate. The H&S rep should notify the VEAES office
- ▶ The WCB Prevention Officer has the power to investigate, recommend, and order preventative and punitive actions that the employer must comply with

Advocacy - Follow Up

- ▶ Has the issue been corrected?
- ▶ Does the issue need a different action?
- ▶ Is the worker satisfied with the result?

Advocacy - Claims

Supporting members to:

- ▶ report to supervisors
- ▶ Completing forms
- ▶ Making a WCB claim
- ▶ Incident investigations
- ▶ Claim appeals

WorkSafe 6A form



Worker's Report of Injury or Occupational Disease to Employer

RESET



► **Submit directly to employer. Do NOT submit to WorkSafeBC.**

Section 53(3) of the **Workers Compensation Act** requires that, where a worker is fit, and on request of the employer, they must provide the employer with particulars of the injury or occupational disease on a report prescribed by WorkSafeBC and supplied to the worker by the employer. This is the report prescribed.

- If requested by employer, please complete this report as it appears.
- This report should be completed by the injured worker if fit to do so. It can be completed by another individual for signature by the injured worker.
- If you need assistance with completing this form, please call WorkSafeBC Claims Call Centre at 604.231.8888 or toll-free throughout Canada at 1.888.967.5377, Monday to Friday, 8 a.m. to 6 p.m. PST.

Worker's information

WorkSafeBC claim number (if known)		Customer care number (if known)	
X		X	
Worker's last name		First name	Middle initial
Date of birth (yyyy-mm-dd)	Personal health number (BC Services/CareCard)	Social insurance number	
- -			
Address line 1		Address line 2	
City	Province/State	Country (if not Canada)	Postal code/Zip
Home phone number (include area code)		Business phone number (include area code)	Business extension
Occupation			Gender <input type="checkbox"/> Male <input type="checkbox"/> Female

Employer's information

Employer's organization name			
Type of business (if known)		Operating location (if known)	
Address line 1		Address line 2	
City	Province/State	Country (if not Canada)	Postal code/Zip

Advocacy - Claims

All injuries and near misses must be reported to the supervisor

Initial reports may be oral, written or an email

The site-based H&S rep can assist by ensuring reporting is done accurately and in a timely fashion

The initial report can also be made to the First Aid Attendant

Reporting - Who Does What?

Workers:

- ▶ Complete 6A form - employer and JOHS
- ▶ Keep a copy, copy the VEAES Office
- ▶ Call 1-888-WORKERS to report injury to WorkSafeBC if accident or injury resulting in loss of time at work
- ▶ Make an appointment with doctor

Employers:

- ▶ Must file Form 7 within 3 days of the incident and submit to WorkSafeBC

Physicians:

- ▶ Must file Form 8/11

First Aid Attendant:

- ▶ Must file First Aid Record Form

Advisor

Site-based health and safety reps don't have to know it all!

However, we should:

- ▶ Understand how to access information
- ▶ Know who to contact for further information and clarification

Advisor

- ▶ Advise on the WCB Act
- ▶ Advise on Occupational Health and Safety Regulation
- ▶ Advise on Provincial Fire Code
- ▶ Advise on health and safety matters in local and provincial collective agreements
- ▶ Advises on personal and professional resources

Assistant

- ▶ Site based health and safety rep works in conjunction with the employer
- ▶ Reps can assist employers, workers and their unions in locating hazards, interpreting legislation and regulation, and creating a safety culture in the worksite



Joint Occupational Health and Safety Committee Meetings - Site Based

Joint Occupational Health and Safety Committee Key Functions

- ▶ Identify unhealthy or unsafe working conditions and advise on responding
- ▶ Consider and expeditiously deal with H&S complaints from workers
- ▶ To consult with workers on issues related to OHS
- ▶ To make recommendations to the employer on OHS
 - ▶ Educational programs
 - ▶ Improvement of Occupational H&S and Occupational environment
 - ▶ Effectiveness of programs and policies
 - ▶ Proposed changes that impact the H&S of workers
- ▶ Participate in, and ensure that investigations, inspections, inquiries are carried out as per OHS provisions (Sec 36)
- ▶ Remember, VEAES reps represent all members including TTOCs and Itinerant / District Teachers

Worker Representation on JOHS Committee

- ▶ One rep per union group at a school site, elected by members
- ▶ At least $\frac{1}{2}$ the JOHS committee members must be workers
- ▶ Two co-chairs, one selected by workers, one by employer

Committee Meetings

- ▶ Agenda prepared by co-chairs and distributed in advance
- ▶ Minutes must be taken and made available to employer
 - ▶ Record action items, target dates for completion and who is responsible
- ▶ Problem-solving and “looking beyond the statistics”
- ▶ Decisions made by consensus or majority vote

Writing effective recommendations

- ▶ Concise, clear and complete description of the issue
- ▶ Include background and reference to regulation as applicable
- ▶ Focus on practical solutions
- ▶ Offer more than one option if available and pros and cons of each
- ▶ Suggest a timeline for completion
- ▶ The employer must respond to written recommendations

Scenario 1

During an inspection, one of the committee members pulled the string on a projector screen

One of the screws holding the screen pulled out and the screen fell, almost hitting the member

An investigation found that the screws were too short for the weight of the screen.

Scenario 2

A crew consisting of a teacher, education assistant and students were preparing a set for a play.

They spilled some paint and used “goo-off” that the teacher had brought from home to clean up the spill

Within minutes, they felt dizzy and had headaches

Scenario 3

During a winter storm over the weekend, all walkways and entryways to the school were covered in a thick layer of slippery ice.

The building engineer began to clear the ice after arriving at school, but did not finish before other employees began arriving on site.

A VEAES member slipped on the ice and fell, breaking their ankle.

If meetings are not functioning and matters are not resolved

- ▶ Any member of the site based JOHS committee can contact WorkSafe BC prevention and they will intervene
- ▶ Meet at least once per month
- ▶ Employer must respond to written recommendations from the committee
- ▶ Committee must be provided with information, equipment, personnel and access to premises to carry out their duties

Don't reinvent the wheel

- ▶ Checklists and templates
- ▶ Sample minutes
- ▶ Online training sessions
- ▶ Leave admin work to admin
- ▶ Sample recommendations
- ▶ VESTA Health and Safety Committee
- ▶ Work with your School Union Rep Team

What enforcement exists?

- ▶ School based JOHS
- ▶ Worksafe
- ▶ 6A forms

COVID-19 specific WorkSafeBC Regulations

- ▶ “As of April 8, 2022, employers are no longer required to have a COVID-19 Safety Plan and must follow communicable disease guidance instead.”
- ▶ “If you are a worker who is submitting a claim for a COVID-19 infection contracted through a work-related exposure, you can submit a claim as you would with any other workplace injury or disease.”
 - ▶ There must evidence that the worker has contracted COVID-19
 - ▶ The nature of the worker’s employment created a risk of contracting the disease significantly greater than the ordinary exposure risk of the public at large
 - ▶ These cases are adjudicated on a case-by-case basis

VSB 2022 Communicable Disease Prevention Plan

- ▶ Students and staff should be doing daily “health checks”
 - ▶ Basically, don’t come to school if you’re feeling sick.
 - ▶ You can return to work when you are feeling well enough to do so.
 - ▶ For COVID-19, current BCCDC guidance is staying home for 5 days after your first symptoms, and continue to isolate if you still have a fever.
- ▶ If a student becomes sick at school, the school site should have a plan in place for the following
 - ▶ Give the student a medical grade mask
 - ▶ Have them picked up as soon as possible from school
 - ▶ Have a room ready where they can be separated from other students and staff until being picked up

VSB 2022 Communicable Disease Prevention Plan

- ▶ “Handwashing stations and/or hand sanitizer have been supplied to classrooms, offices, break areas, and certain common areas as determined by the school administrator with recommendations from the Site H&S Committee.”
- ▶ “Frequently touched surfaces” will continue to be cleaned 1x/day
- ▶ Desks will be cleaned 1x/week
- ▶ “Staff are continue to emphasize that food and beverages should not be shared.”
- ▶ “Schools will develop a plan that will make use of available space as they deemed appropriate (e.g., lunchrooms, classrooms, activity spaces, etc.) and that will allow for each student to be seated while eating.”

COVID-19 and Our Coworkers

- ▶ Many people are still at different comfort levels surrounding COVID-19, mask wearing etc.
- ▶ Treat staff and their concerns with kindness and through a trauma-informed lens.
- ▶ Some staff may be returning after long leaves, have severe illness or death have happened in their families etc.

Refusal of Unsafe Work

Workers have the right to refuse unsafe work

If you have reasonable cause to believe that performing a job or task puts you or someone else at risk, you must not perform the job or task

You must immediately notify your supervisor who will then take appropriate steps to determine if the work is unsafe and remedy the situation

- the investigation must take place immediately

- the investigation must take place in the presence of the worker and a union rep or H&S rep

Your employer may temporarily assign a new task to you

The supervisor must report the results of their investigation to the worker

The PHO has declared schools safe, within the approved provincial and district Restart Plans.

Refusal of Unsafe Work

Report the Unsafe Condition or Procedure

Employer must investigate and fix the situation

Employer must report back to worker

Worker still views work as unsafe

Investigation undertaken in presence of worker and JOHS committee

Worker still views work as unsafe

Worker and Employer contact WorkSafeBC

Worksafe Prevention Officer investigates and finds solution

Worksafe Officer issues report

Supports for Teachers

- ▶ BCTF livestream and Town Hall meetings
- ▶ VEAES General Meeting and Staff Rep Assembly
- ▶ BCTF Health and Wellness Program
- ▶ Starling Minds Online Cognitive Behavioural Therapy Program
- ▶ VSB Employee and Family Assistance Program
- ▶ BCTF Short Term Indemnity and Long Term Disability Plans
- ▶ School based Joint Occupational Health and Safety Committee
- ▶ School Union Rep Team

Teacher Wellness

- ▶ Trauma-informed approach - for ourselves too!
- ▶ Reduce our high expectations on selves and students
- ▶ Wellness is about more than physical health
- ▶ Protect yourself - don't take on things you don't need to
- ▶ Consider your “extra” activities
- ▶ Prioritize the essentials



Wellness
involves the balance of all
of these components
at once.

- ▶ COVID fatigue
- ▶ Unpredictability / uncertainty
- ▶ Personal trauma
- ▶ Personal illness

- ▶ Burnout
- ▶ Voice dysfunction
- ▶ Ergonomics



BCTF Supports

- ▶ Free “Well Teacher” groups for all members (many announced for Oct and Nov)
 - ▶ Group workshops based on Wade Repta’s book and resources
 - ▶ Replacing “living with balance” workshops
 - ▶ Covers General Wellness, Physical Health and Mental Health
 - ▶ 10-15 members and a facilitator
- ▶ Free Starling Minds Online Mental Health Toolkit
 - ▶ Online independent Cognitive Behavioural Therapy program
 - ▶ Go at your own pace, choose your priorities
- ▶ BCTF Health and Wellness Program
 - ▶ Referral to free one-on-one Occupational Therapist to work on wellness goals
 - ▶ Focused on members returning from medical leave or at risk of medical leave
 - ▶ Cost sharing of some services above benefit plan levels

VSB supports

- ▶ VSB Employee and Family Assistance Program - Lifeworks
 - ▶ Online programs on stress, anxiety, grief, coping etc.
 - ▶ Limited counselling, financial support, etc
- ▶ Webinars and wellness events (i.e. yoga, managing burnout, gratitude)
- ▶ Resources and hotline contact info

Supports in our Benefits Plan

- ▶ Sick leave - 15 days per year prorated for part time teachers
- ▶ Orthotics - 80% - 1 per lifetime (per prescription)
- ▶ Hearing aids - 80% - up to \$500 per ear per 60 months
- ▶ Acupuncture \$300
- ▶ Chiropractor
- ▶ Counselling \$100
- ▶ Online CBT \$100
- ▶ Massage Therapy
- ▶ Naturopath \$500
- ▶ Naturopathic testing \$500
- ▶ Physiotherapy
- ▶ Podiatry
- ▶ Speech Therapy \$300

Use of Sick Leave

- ▶ For use when you are ill
 - ▶ 1.5 days per month = 15 days total
 - ▶ Provided when employee reports to work in September
 - ▶ 5 days from sick bank for family illness
 - ▶ Appointments and other medical requirements
 - ▶ If you feel you aren't well enough to be at work
 - ▶ No such thing as “stress day” or “mental health day” please avoid these terms
 - ▶ Sick leave cannot be used for other purposes
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- ▶ BCTF Salary Indemnity Plan (SIP) provides additional benefits for members who run out of sick leave and still require medical leave

Attendance Management Program

- ▶ If your administrator asks you to attend a meeting, you cannot refuse. However, you can find a mutually agreeable time for the meeting
- ▶ Right to bring a Staff Representative, release time must be provided if meeting is scheduled during instructional time
- ▶ You need not speak or answer questions
- ▶ Take notes
- ▶ If district summons you to a meeting, contact VEAES in-house officers

- ▶ In general, no medical note required up to 10 days of leave. Some exceptions
- ▶ You **do not** have to provide diagnosis, prognosis or treatment to the employer to access sick leave.
- ▶ Requests for medical documentation come through HR and through you
 - ▶ School-based principals do not receive or have the right to medical information and do not grant leaves
 - ▶ The district cannot contact your doctor directly seeking medical information about you

THANK YOU FOR YOUR
PARTICIPATION AND
FEEDBACK

