

JOINT COMMITTEE ROLES AND RESPONSIBILITIES

The general duties of employers, workers, supervisors, owners, suppliers, and directors and officers of a corporation are established in the Workers Compensation Act Part 3, Division 3, sections 115 through 124.

Committee Mandate and Roles of Members

Although the employer and supervisors are responsible for health and safety in the workplace, the joint committee has the authority through the joint committee process to create and maintain a safe workplace.

Duties and activities of the OH&S Committee

Section 130 of the Workers Compensation Act lists the duties of the committee:

- advise the employer on programs and policies required under OH&SR and monitor their effectiveness
- advise the employer on proposed changes to the workplace or the work processes that may affect the health or safety of workers
- carry out any other duties and functions prescribed by OH&SR
- deal with complaints relating to the health and safety of workers
- consult with workers and the employer on occupational health and safety issues
- ensure that incident investigations and regular inspections are carried out as required
- identify unhealthy or unsafe conditions for workers and advise on corrective action
- make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers
- make recommendations to the employer on educational programs promoting the health and safety of workers
- participate in inspections, investigations, and inquiries.

Workers Compensation Act

Part 3 Division 3 - General Duties of Employers, Workers and Others

General duties of employers 115

(1) Every employer must

(a) ensure the health and safety of

(i) all workers working for that employer, and

(ii) any other workers present at a workplace at which that employer's work is being carried out, and

(b) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), an employer must

(a) remedy any workplace conditions that are hazardous to the health or safety of the employer's workers,

(b) ensure that the employer's workers

(i) are made aware of all known or reasonably foreseeable health or safety hazards to which they are likely to be exposed by their work,

(ii) comply with this Part, the regulations and any applicable orders, and

(iii) are made aware of their rights and duties under this Part and the regulations,

(c) establish occupational health and safety policies and programs in accordance with the regulations,

(d) provide and maintain in good condition protective equipment, devices and clothing as required by regulation and ensure that these are used by the employer's workers,

(e) provide to the employer's workers the information, instruction, training and supervision necessary to ensure the health and safety of those workers in carrying out their work and to ensure the health and safety of other workers at the workplace,

(f) make a copy of this Act and the regulations readily available for review by the employer's workers and, at each workplace where workers of the employer are regularly employed, post and keep posted a notice advising where the copy is available for review,

(g) consult and cooperate with the joint committees and worker health and safety representatives for workplaces of the employer, and

(h) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General duties of workers 116

(1) Every worker must

(a) take reasonable care to protect the worker's health and safety and the health and safety of other persons who may be affected by the worker's acts or omissions at work, and

(b) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), a worker must

(a) carry out his or her work in accordance with established safe work procedures as required by this Part and the regulations,

(b) use or wear protective equipment, devices and clothing as required by the regulations,

(c) not engage in horseplay or similar conduct that may endanger the worker or any other person,

(d) ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,

(e) report to the supervisor or employer

(i) any contravention of this Part, the regulations or an applicable order of which the worker is aware, and

(ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,

(f) cooperate with the joint committee or worker health and safety representative for the workplace, and

(g) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

General duties of supervisors 117

(1) Every supervisor must

(a) ensure the health and safety of all workers under the direct supervision of the supervisor,

(b) be knowledgeable about this Part and those regulations applicable to the work being supervised, and

(c) comply with this Part, the regulations and any applicable orders.

(2) Without limiting subsection (1), a supervisor must

(a) ensure that the workers under his or her direct supervision

(i) are made aware of all known or reasonably foreseeable health or safety hazards in the area where they work, and

(ii) comply with this Part, the regulations and any applicable orders,

(b) consult and cooperate with the joint committee or worker health and safety representative for the workplace, and

(c) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

Health and Safety Incident/Issue Reporting Process

Issue/incident occurs

Report to first aid attendant

Notify administrator and h and s rep verbally

Complete Incident Report Form 6A and give to administrator

Call WorkSafeBC Teleclaim 1 888 WORKERS

See your doctor

Investigation of incident by site-based committee

Recommendation for corrective action

Issue and recommendations go to employer in writing

21 days to respond

Site committee agrees:

- Timeline
- Target date
- Person(s) responsible

Site committee disagrees

Appeal with:

- 1) Union
- 2) WorkSafeBC

WORKER'S REPORT OF INJURY OR OCCUPATIONAL DISEASE TO EMPLOYER

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. **Submit directly to employer.**

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.

Worker information		WorkSafeBC claim number	Customer care number	
Worker last name		First name		Middle initial
Date of birth (yyyy-mm-dd)	Personal health number (from BC CareCard)		Social insurance number	
Address line 1		Address line 2		
City	Province/state	Country (if not Canada)		Postal code/zip
Home phone number (please include area code)		Business phone number (please include area code)		Business extension
Occupation				Gender M <input type="checkbox"/> F <input type="checkbox"/>

Employer information

Employer 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
Employer contact name		Employer phone number (please include area code)	Extension

Incident information

1. Date and time of incident (yyyy-mm-dd)		2. Period of exposure resulting in occupational disease (yyyy-mm-dd)	
a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> OR		From To	
3. My injury or disease was first reported to my employer on (yyyy-mm-dd) (please check one)			
at a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> TO: First aid <input type="checkbox"/> Supervisor <input type="checkbox"/> Office <input type="checkbox"/> Other <input type="checkbox"/> (please specify)			
4. Name of person reported to			
5. Did you receive first aid?		6. Date of first aid (yyyy-mm-dd)	
Yes <input type="checkbox"/> No <input type="checkbox"/>		7. Name of first aid attendant	
8. Did you go to the hospital, a medical clinic, or see a physician? Yes <input type="checkbox"/> No <input type="checkbox"/>		9. If yes, name of physician or provider (if known)	
10. Address of physician or provider (if known)			
11. Are you aware of any recent pain or disability in the area of your reported injury? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please explain			
12. Was protective equipment being used? Yes <input type="checkbox"/> No <input type="checkbox"/>		13. Were there any witnesses? Yes <input type="checkbox"/> No <input type="checkbox"/>	
14. The supervisor in charge at the time of my injury was		15. Describe how the incident happened	
16. Describe the injury in detail (what part of the body was injured)		17. Side of body injured Left <input type="checkbox"/> Right <input type="checkbox"/> Both <input type="checkbox"/> Not applicable <input type="checkbox"/>	

Worker's Report of Injury or Occupational Disease to Employer *(continued)*

Worker last name	First name	Middle initial	WorkSafeBC claim number
Social insurance number		Personal health number from BC CareCard	

Incident information *(continued)*

18. Describe the work incident location (*address, city, province*) and where incident occurred (*e.g. shop floor, lunchroom, parking lot*)

19. Contributing factors – select AT LEAST ONE, and as many as applicable

Lifting <input type="checkbox"/>	_____ lb <input type="checkbox"/> kg <input type="checkbox"/>	Animal bite <input type="checkbox"/>
Overexertion <input type="checkbox"/>	Struck <input type="checkbox"/>	Assault <input type="checkbox"/>
Repetitive (<i>activity repeated over and over again</i>) <input type="checkbox"/>	Crush <input type="checkbox"/>	Motor vehicle accident <input type="checkbox"/>
Slip or trip <input type="checkbox"/>	Sharp edge <input type="checkbox"/>	Unsure/other (<i>please explain below</i>) <input type="checkbox"/>
Twist <input type="checkbox"/>	Fire or explosion <input type="checkbox"/>	
Fall <input type="checkbox"/>	Harmful substance in the work environment <input type="checkbox"/>	

20. Did you or will you miss any time from work beyond the date of injury or exposure?
Yes No

Signature and report date

21. Worker signature	22. Date of report (<i>yyyy-mm-dd</i>)
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Additional information

The BC Legislature provides impartial advisers on all workers' compensation matters. The Workers' Advisers Office is independent and separate from WorkSafeBC and provides free advice and assistance to help injured workers with their claims. They have offices throughout the province and can be contacted at www.labour.gov.bc.ca/wab/ or by telephone: Richmond 604 713-0360, toll-free 1 800 663-4261; Victoria 250 952-4393, toll-free 1 800 661-4066; Kelowna 250 717-2096, toll-free 1 866 881-1188.

Personal information on this form is collected for the purposes of administering a worker's compensation claim by WorkSafeBC in accordance with the *Workers Compensation Act* and the *Freedom of Information and Protection of Privacy Act*. For further information about the collection of personal information, please contact WorkSafeBC's Freedom of Information Coordinator at PO Box 2310 Stn Terminal, Vancouver BC, V6B 3W5, or telephone 604 279-8171.

Form 6A FAQs

What is a 6A?

Section 53(3) of the *Workers Compensation Act* requires that, where a worker is fit, and on request of the employer, 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. The 6A form is available on the www.worksafebc.com website under forms.

Submit directly to employer. Keep a copy for yourself and send a copy to the local union office. Report to your health and safety representative.

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.

When do you file a 6A?

The 6A is completed and submitted to the employer, usually through the building administrator when a worker is injured either physically or emotionally as in cases of violent incidences. Remember an injury does not just have to be physical.

Why file a 6A?

The 6A is an alert to your employer that an incident has occurred for which there needs to be an investigation and subsequent recommendations to prevent further occurrences.

Our mantra is: *paper trail, paper trail, paper trail*. The more often we report, the more the employer has to pay attention to ensuring a healthy and safe work environment.

Why a 6A and not the locally developed form?

The 6A is the form prescribed by WorkSafeBC. Many locally developed forms ask questions which are not on the 6A form and could affect whether your claim is accepted or denied.

The Surrey local, through the BCTF won a provincial grievance stating the BCTF members only have to complete 6A forms when injured or exposed to an occupational disease.

Do I send the 6A to WorkSafeBC?

No, the 6A is a report to your employer.

Filing through WorkSafeBC teleclaim (1888 WORKERS) is the process in which workers open a claim.

What else should I do if I'm injured or exposed to an occupational disease?

1. See your site-based First Aid Attendant.
2. See your doctor as soon as you can.
3. Call the WorksafeBC teleclaim number to file a claim: 1888 WORKERS
4. Send a copy of the 6A to your site-based health and safety rep and local union office.
5. Contact the BCTF WCB advocate if your claim is denied.

What is the employer's responsibility?

The employer has 72 hours in which to file their report with Worksafe BC. There must be an investigation of the incident with subsequent recommendations to prevent further incidences.

The role of the employer is to ensure the health and safety of all workers working for the employer and any other workers at the workplace.

What is the role of the site-based health and safety committee?

The site-based health and safety committee should conduct the investigation.

Workers have the right to have a health and safety representative support them through the investigation of the incident.

The investigation is not an investigation of the worker but of the incident and the risks and factors associated with the incident.

Who do I contact for help?

Karen Langenmaier, Health and Safety Officer, BCTF
klangenmaier@bctf.ca

Patti McLaughlin, BCTF WCB Advocate
pmclaughlin@bctf.ca

BCTF OH and S Manual

- Accessed through the BCTF website under (h) from the A-Z contact list.

INCIDENT INVESTIGATION REPORT

Worker and Employer Services Division

This form is provided to employers for the purpose of documenting the employer's investigation into a workplace incident. Please attach a separate sheet if necessary.

Employer name	Employer number
Employer head office address	

Incident occurred *ref: s. 3.4(a) Occupational Health and Safety Regulation (OHS Regulation)*

Address where incident occurred <i>(including nearest city)</i>	
Date <small>yyyy-mm-dd</small>	Time a.m. <input type="checkbox"/> p.m. <input type="checkbox"/>

Injured person(s) *ref: s. 3.4(b) OHS Regulation*

Last name	First name	Job title	Age	Length of experience with this employer	Length of experience at this task/job
1)					
2)					

Nature of injury/injuries

1)	
2)	

Witnesses *ref: s. 174(4) WCA and s. 3.4(c) OHS Regulation*

Last name	First name	Address	Telephone
1)			()
2)			()
3)			()

Incident description *ref: s. 3.4(d)-(e) OHS Regulation*

Briefly describe what happened, including the sequence of events preceding the incident.

Statement of causes ref: s. 174(2)(a)-(b) WCA and s. 3.4(f) OHS Regulation

List any unsafe conditions, acts, or procedures that in any manner contributed to the incident.

Recommendations ref: s. 174(2)(c) WCA and s. 3.4(g) OHS Regulation

Identify any corrective actions that have been taken and any recommended actions to prevent similar incidents.

Recommended corrective action	Action by whom	Action by date
1)		
2)		
3)		
4)		

Persons conducting investigation ref: s. 3.4(h) OHS Regulation

Name	Signature	Type of representative			Date
		Employer <input type="checkbox"/>	Worker <input type="checkbox"/>	Other <input type="checkbox"/>	
		Employer <input type="checkbox"/>	Worker <input type="checkbox"/>	Other <input type="checkbox"/>	
		Employer <input type="checkbox"/>	Worker <input type="checkbox"/>	Other <input type="checkbox"/>	

For additional information on WorkSafeBC (Workers' Compensation Board of B.C.) and on the requirements for incident investigations, please refer to WorkSafeBC's web site: WorkSafeBC.com

Mailing address WorkSafeBC
PO Box 5350 Stn Terminal
Vancouver BC V6B 5L5

Fax number: 604 276-3247

Telephone information

Call centre: 604 276-3100 or toll free within B.C. 1 888 621-SAFE (7233)

After hours health and safety emergency: 604 273-7711 or toll free 1 866 922-4357 (WCB-HELP)

A GUIDE TO INCIDENT INVESTIGATION

Use this guide in conjunction with the requirements of the *Workers Compensation Act (WCA)*, Part 3 Division 10, and the Occupational Health and Safety Regulation (OHS Regulation), section 3.4.

When is an investigation required?

Employers are required to immediately undertake an investigation into any accident or other incident that:

- Is required to be reported under section 172 of the *Workers Compensation Act*, or
- Resulted in injury requiring medical treatment, or
- Did not involve injury to a worker or involve a minor injury that did not require medical treatment but had the potential for causing serious injury, or
- Was an incident required by regulation to be investigated.

Who should conduct the investigation?

- Incidents must be investigated by people knowledgeable about the type of work involved at the time of the incident.
- If reasonably available, investigations must be carried out with the participation of one employer representative and one worker representative.

What is the purpose of an investigation?

The purpose of an investigation is to determine the cause or causes of the incident, to identify any unsafe conditions, acts, or procedures that contributed to the incident, and to recommend corrective action to prevent similar incidents.

Who receives copies of the report?

Incident investigation reports required by the *WCA* must be provided to the joint health and safety committee or worker representative as applicable, and to WorkSafeBC.

What follow-up action is required after an incident investigation?

After an investigation, the employer must without undue delay undertake any corrective action required to prevent recurrence of similar incidents and must prepare a report of the action taken. The report must be provided to the joint health and safety committee or worker representative as applicable. The follow-up report does not have to be provided to WorkSafeBC unless requested by a WorkSafeBC officer.

What information should be included in the investigation report?

An incident investigation report should answer the **WHO, WHERE, WHEN, WHAT, WHY, and HOW** questions with regard to the incident.

- WHO** Employer, injured person(s), other person(s) involved in the incident, witnesses, and persons carrying out the investigation
- WHERE** Place, location where incident occurred
- WHEN** Date and time of the incident
- WHAT** A brief description of the incident, including the sequence of events that preceded the incident
- Before the incident occurred:*
- What were the events that led up to the incident?
 - What process(es) was/were occurring immediately prior to the incident?
 - What was/were the worker(s) doing immediately prior to the incident?
 - What was the last event before the incident occurred?
- At the time of the incident:*
- What happened at the time of the incident?
 - What process(es) was/were occurring at the time of the incident?
 - What was/were the worker(s) doing at the time of the incident?

- What hazard(s) was/were the worker(s) exposed to?
- What hazards may have contributed to the incident occurring?
- What hazards did the worker(s) encounter?
- What personal factors may have contributed to the incident occurring?

Other information:

- Other observations
- Other related information

WHY From the answers to “what,” identify any unsafe conditions, acts, or procedures that in any manner contributed to the incident. Why did the unsafe conditions, acts, or procedures occur? Why were the personal factors not identified and/or addressed before the incident occurred?

HOW An investigation report should recommend corrective actions to prevent similar incidents from occurring. Once it is known why an incident occurred, determine how to prevent recurrence. For example:

- Improve workplace inspection and maintenance programs
- Repair or replace equipment/building
- Install safeguards
- Establish or revise safe work procedures
- Train/retrain person(s)
- Improve supervision

Additional information for determining why an incident happened

To determine the most probable cause(s) of an incident, consider all details of the investigation, including witness statements and, where possible, the injured worker’s statement.

Determine if the incident was due to an unsafe act, an unsafe condition, unsafe or inadequate procedures, or a combination of these. Consider whether the accepted/current procedures adequately address safety concerns associated with the activity that was taking place when the incident happened. Consider training, supervision, equipment controls, safeguards, and lock-out.

Unsafe acts — An unsafe act is a specific action or lack of action by an individual that is under the individual’s control. Examples of unsafe acts include: knowingly not following established rules, knowingly not following established procedures, knowingly disregarding a hazard, willful misconduct, abusing equipment, knowingly using equipment incorrectly, choosing not to use personal protective equipment, and not locking out when required. Generally, violating a safety rule, not following a safe work procedure, or disregarding a hazard are considered unsafe acts.

Unsafe conditions — Examples include poor housekeeping, congested areas, deficient equipment, equipment lacking safeguarding or having ineffective safeguarding, lack of personal protective equipment, poor visibility, poor weather conditions, and lack of or inadequate training. Inadequate training should be considered an unsafe condition as opposed to a deficiency in skill or ability (personal factors).

Inadequate procedures — Indications that procedures are inadequate include:

- Procedures are not available in written form
- Procedures do not identify inherent hazards
- Procedures do not identify hazard control methods
- Procedures do not identify safeguards that must be in place
- Procedures do not address pre-operation inspection requirements
- Procedures do not address lock-out requirements
- Procedures direct improper use of equipment or tools

Personal factors — A personal factor is a deficiency in skill or ability, a physical condition, or a mental attitude. It is a factor inherent in an individual at the time of the incident. Examples include work fatigue due to manual exertion, distress due to emotional problems, the influence of alcohol or drugs, or illness. A condition causing an allergic reaction in some but not most workers should be considered a personal factor, not an unsafe condition.

Temporary File Copy
Action Copy

IAQ COMPLAINT REGISTRATION FORM # _____

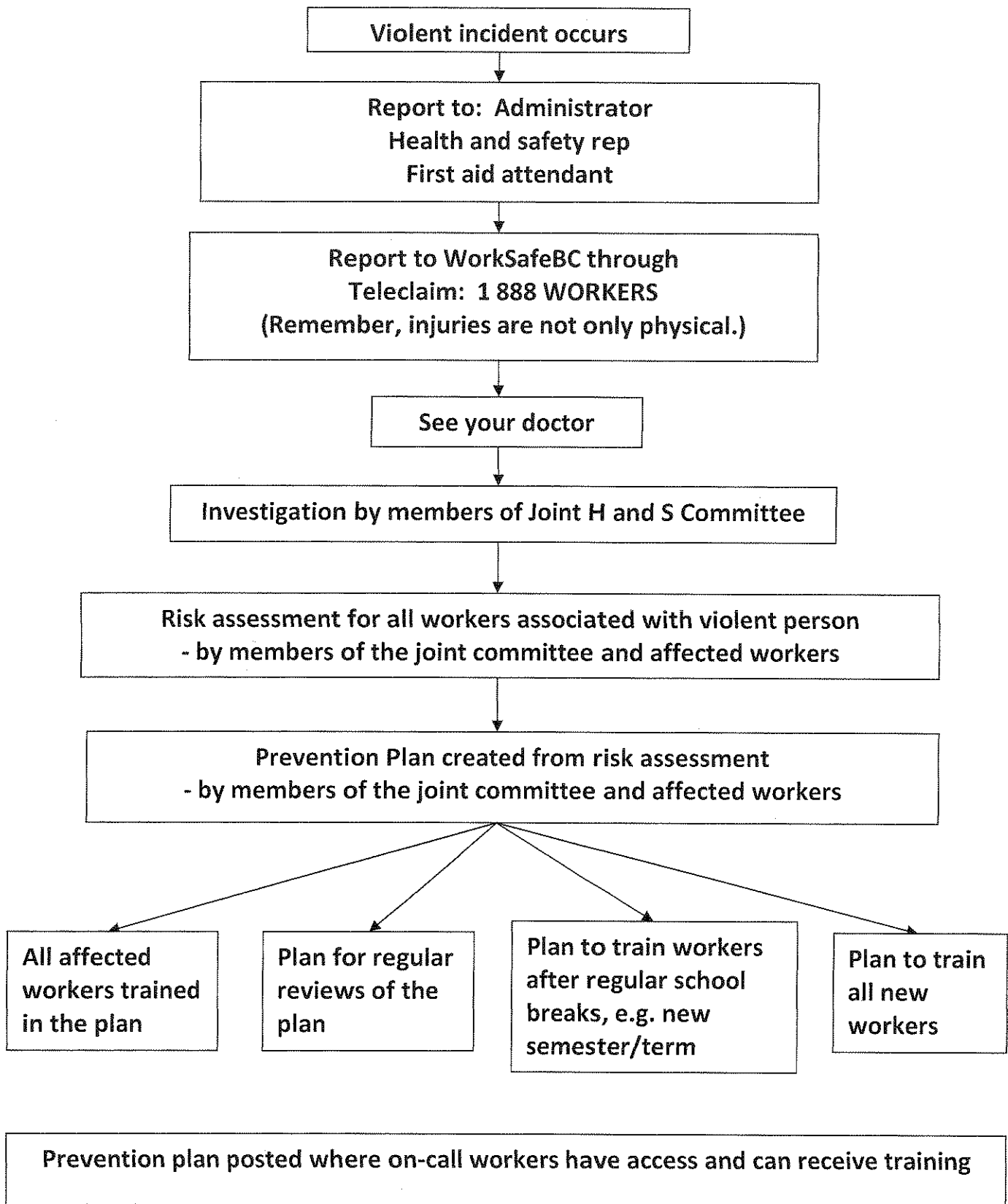
SCHOOL:	ROOM NUMBER/ AREA:	DATE:
CONTACT PERSON: (NAME AND TITLE)	PHONE:	
FORM COMPLETED BY: (NAME AND TITLE)		
INCIDENT/ CONDITION:		
<input type="checkbox"/> HEALTH <input type="checkbox"/> FACILITIES		
REFERRED TO: <input type="checkbox"/> WORKER HEALTH & SAFETY REPRESENTATIVE		
<input type="checkbox"/> PUBLIC HEALTH		

TO BE COMPLETED BY MAINTENANCE STAFF
DATE OF SITE VISIT: _____
BUILDING CONDITION: _____
ACTION: _____

TO BE COMPLETED BY WORKER HEALTH & SAFETY REPRESENTATIVE
FOLLOW-UP WITH CONTACT: YES <input type="checkbox"/> NO <input type="checkbox"/>
COMMENTS: _____
REVIEWED BY WORKER HEALTH & SAFETY COMMITTEE? YES <input type="checkbox"/> NO <input type="checkbox"/>
DATE OF REVIEW: _____
DATE CLOSED: _____

WHEN CLOSED, REPLACE FILE COPY WITH ACTION COPY.

Violent Incident Reporting Process



VIOLENT INCIDENT REPORTING PROCESS

- ▶ "*violence*" means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.

1. REPORT

- to administrator verbally and with a 6A form
- to first aid attendant
- to health and safety representative
- to WorkSafeBC via **Teleclaim 1 888 WORKERS** if injured. Remember not all injuries are physical.
- to your doctor

2. PAPER WORK

- 6A form if injured and filing a WorkSafeBC claim
- Violent Incident Reporting Form (if your district has one)

3. PROCESS

- Investigation to determine **who** was injured, **who** was violent, **what** happened, **when** it happened, **where** it happened, **who else** was involved and **how** to prevent further injury or a recurrence of violence.

4. RISK ASSESSMENT

- identifies the hazard, e.g. being kicked by a student
- names the offender(s)
- names all the workers who could be at risk of injury, e.g. music teacher, bus driver, secretary
- determines all the places these workers could be at risk, e.g. classroom, hallway, playground, library, parking lot, on the bus
- lists times when workers could be at risk, e.g. instructional time, lunch time, after work
- shows the frequency of the acts of violence
- lists all school and district discipline and behaviour policies in place.

5. PREVENTION PLAN

- Written from the risk assessment
- Plans to prevent the worker(s) from acts of violence
 - communications system if workers are alone
 - two adults with student at all times
 - increasing the number of lights in the parking lot
 - back up person if principal is away
 - plan for student suspension
 - criteria for student to return to class or school
- Plan to educate and train all workers who are at risk.
- Schedule to review safety plan

RISK ASSESSMENTS

The risk assessment should involve the joint health and safety committee or worker health and safety representative, management personnel in each area affected and the workers affected. Sources of information are first aid records, past injury reports, checklists and questionnaires completed by workers, reports of board officers, expert advice or relevant publications. A visual inspection of the place of employment and the work being done should be carried out.

RISK ASSESSMENT CHECKLIST

WHO:

1. List name(s) of the offending person(s).
 - include family members including siblings if appropriate
2. List names of the workers who would come into contact with the above person(s).
 - include staff, e.g. music teachers, librarian, special education teachers, principals, vice principals, district itinerant staff custodian, secretaries, lunch monitors, bus drivers, other education assistants, TTOCs and student teachers
3. List all family members of workers who could be at risk.

WHERE:

1. Identify all areas of the workplace and community where the person may offend for each person. This would include:
 - illumination – internal and external
 - physical layout of workplace
 - working alone situations such as annexes or portables
 - methods of access and egress to the building and classroom
 - existence of communications systems
 - traveling to and from work or within the community
2. Identify objects within each environment which could be used in a violent act.

WHEN: (remember violence prevention covers you 24 hours a day)

1. Describe the frequency of incidences.
2. Identify times of day in which workers would be vulnerable to a violent incident.

WHAT:

1. Describe the nature of the risk including whether weapons or substance abuse are at issue.
2. Research all district and school-based policies on violence prevention programs.
3. Identify the current work procedures in the school.
4. Identify current practices of student management. Include individual education plans, individual behaviour plans and individual medical plans.
5. Identify the issues which trigger violent behaviour and what can be done to avoid these triggers.
6. Identify what training has been provided to workers including how in-depth the training was and schedule of regular upgrading.

PREVENTION PLANS

Prevention plans should involve members of the joint health and safety committee or worker health and safety representative, management personnel in each area affected and the workers affected as per Workers Compensation Act Part 3 Division 4: Duties and functions of joint committee and Workers Compensation Act Part 3 Division 10: Accident Reporting and Investigation
Sources of information come from the investigation report, risk assessments, records of past incidents and school/district policies and procedures.

Hazard:

Definition OHS Regulation:

Hazard: a thing or condition that may expose a person to the risk of injury or occupational disease.

Risk: the chance of injury or occupational disease; the degree of exposure to harm.

Identify the hazard, e.g. being kicked, hit or threatened and the risk of being exposed or coming in contact with the hazard. Identifying the violent incident as a hazard depersonalizes the incident and the investigation and recommendations then are of the hazard control rather than the person.

Triggers:

Situations to be aware of that may result in a violent incident.

Policies and procedures:

What currently exists to protect workers from violent incidents?

Preventive Controls

1. **Elimination** – removal of hazard. If the hazard is a weapon such as pencils or scissors, removal of access to these items. The person may be removed from the classroom or school.
2. **Substitution** – providing an alternate program or place in the school, reducing the physical proximity to the person.
3. **Engineering**
"engineering controls" means the physical arrangement, design or alteration of workstations, equipment, materials, production facilities or other aspects of the physical work environment, for the purpose of controlling risk. Some examples would be escape routes, barriers (for secretaries), increased lighting, locked cupboards, emergency call buttons, placement of furniture, quiet room, adapting the environment.
4. **Administrative**
"administrative controls" means the provision, use and scheduling of work activities and resources in the workplace, including planning, organizing, staffing and coordinating, for the purpose of controlling risk. Some examples would be violence prevention policies and procedures, escorting worker to vehicle, providing additional adult support, identification system, student behaviour plans, and education and training programs.

Action plans if preventive controls fail – this may be a call home to family, suspension with re-entry contingent on a plan of support. Merely sending a student home does not provide the intervention the student needs to shape his behaviour.

Training – list all workers who would be at risk of a violent incident. There should be a list and a schedule. Training may include programs such as non-violent crisis intervention.

Review – there should be a review scheduled in a timely manner to determine if the plan is working then regularly scheduled reviews would be established to monitor the plan.

All new workers should be educated and trained on the plan. This is important for TTOCs and educational assistants on call and semester and term courses.

Any changes to the plan should be done by the joint committee members and affected workers. District staff who do not work on a regular basis at the school site or with the teacher, student and support staff should be consulted for their expertise but should not write or amend the plan.

Violence Prevention – The Right To Know

8.5 Access to Information

OH&SR 4.30 requires the employer to inform all workers of the nature and the extent of the risk of violence. The duty to inform includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work. This information must be provided to workers prior to their exposure to the risk. The employer must also instruct workers on:

- how to recognize the potential for violence
- the procedures, policies, and work environment arrangements which have been developed
- the appropriate responses to incidents of violence, including how to obtain assistance
- the procedures for reporting, investigating, and documenting incidents of violence.

Members are often told that they cannot be informed about a student's violent history as it would violate the *Freedom of Information and Protection of Privacy Act* (FOIPOP), the *School Act*, or the *Youth Criminal Justice Act*. **This is not correct.** Members are entitled to know the nature and the extent of any risk of violence to which they are exposed. The *Acts* and *OH&SR* work in concert with the other legislation, or parallel to it.

Freedom of Information and Protection of Privacy Act S.25

Section 25 of FOIPOP provides that whether or not a request for access has been made, the school board must without delay disclose to the public, to an affected group of people, or to an applicant, information about a risk of significant harm to the environment or to the health and safety of the public or a group of people or when disclosure is for any other reason clearly in the public interest. Note that prior to releasing the information, the school board, if practicable, must notify the party to whom the information pertains and the Privacy Commissioner. Anyone who receives information under this section is bound by the same privacy laws. Additionally, Section 22(4) states that a disclosure of personal information is not an unreasonable invasion of a third person's privacy if there are compelling circumstances affecting anyone's health and safety.

Privacy provisions under the *School Act* are superseded by the provisions of FOIPOP.

Youth Criminal Justice Act Section 125

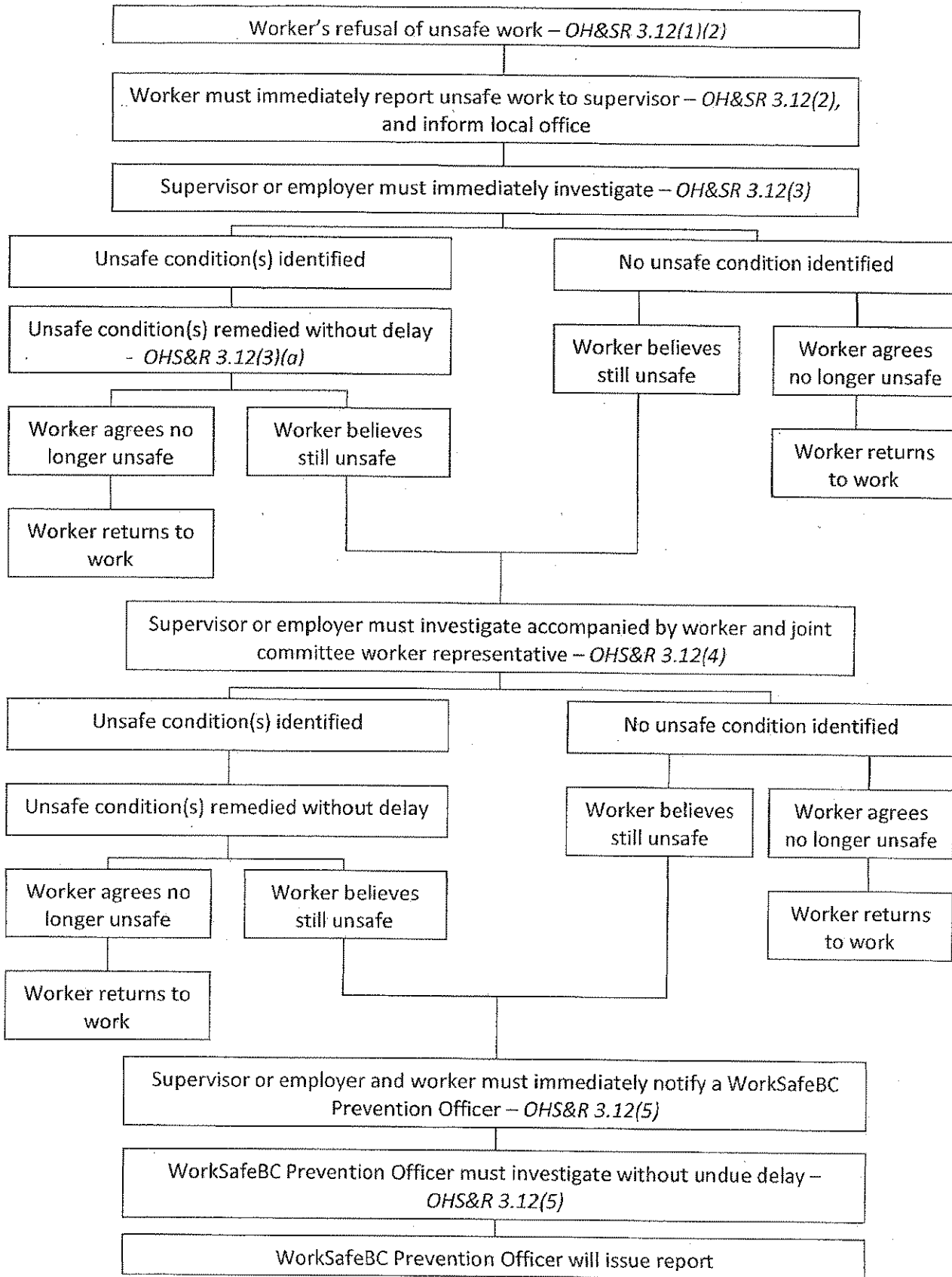
LEGISLATIVE AUTHORITY TO DISCLOSE INFORMATION TO SCHOOLS

Subsection 125(6) of the *Youth Criminal Justice Act* authorizes the limited disclosure of information respecting young persons dealt with under that *Act* to school "representatives". The provincial director, a youth worker, the Attorney General, a peace officer or any other person engaged in the provision of services to young persons may disclose to any professional or other person engaged in the supervision or care of a young person – including the representative of any school board or school or any other educational or training institution – any information contained in a record kept under sections 114 to 116 if the disclosure is necessary

- (a) to ensure compliance by the young person with an authorization under section 91[for reintegration leave or day release] or an order of the youth justice court;
- (b) to ensure the safety of staff, students or other persons; or
- (c) to facilitate the rehabilitation of the young person.

Members who are being denied information should involve a WorkSafeBC officer or file an application under FOIPOP for the information after seeking the advice of the local.

Refusal of Unsafe Work (OH&SR Sections 3.12 and 3.13)



Worker must not be subject to disciplinary action for acting in compliance with refusal to work requirements – OH&SR 3.13(1)

OH&S Regulation Section 3.12

Refusal of Unsafe Work

- “A person **must not** carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has **reasonable** cause to believe that to do so would create an **undue hazard** to the health and safety of **any person.**” *(emphasis added)*

WCB Occupational Health and Safety Regulation

Part 4 General Conditions

Working Alone or In Isolation

4.20.1 Definition

In sections 4.20.2 to 4.23, "to work alone or in isolation" means to work in circumstances where assistance would not be readily available to the worker

- (a) in case of an emergency, or
- (b) in case the worker is injured or in ill health.

4.20.2 Hazard identification, elimination and control

(1) Before a worker is assigned to work alone or in isolation, the employer must identify any hazards to that worker.

(2) Before a worker starts a work assignment with a hazard identified under subsection (1), the employer must take measures

- (a) to eliminate the hazard, and
- (b) if it is not practicable to eliminate the hazard, to minimize the risk from the hazard.

(3) For purposes of subsection (2) (b), the employer must minimize the risk from the hazard to the lowest level practicable using engineering controls, administrative controls or a combination of engineering and administrative controls.

4.21 Procedures for checking well-being of worker

(1) The employer must develop and implement a written procedure for checking the well-being of a worker assigned to work alone or in isolation.

(2) The procedure for checking a worker's well-being must include the time interval between checks and the procedure to follow in case the worker cannot be contacted, including provisions for emergency rescue.

(3) A person must be designated to establish contact with the worker at predetermined intervals and the results must be recorded by the person.

(4) In addition to checks at regular intervals, a check at the end of the work shift must be done.

(5) The procedure for checking a worker's well-being, including time intervals between the checks, must be developed in consultation with the joint committee or the worker health and safety representative, as applicable.

(6) Time intervals for checking a worker's well-being must be developed in consultation with the worker assigned to work alone or in isolation.

Working alone—Checklist for BCTF members and staff when travelling on BCTF business

When traveling on BCTF business, you are considered an employee of the BCTF and as such the BCTF must take steps to ensure your health and safety. In most situations you will be traveling alone. The following checklist is a guideline for you to follow when you are away from home and working alone:

Let people know where you are:

- Make sure someone knows to where and when you will be traveling.
- Make contact with someone either from home or your destination to say that you have arrived.
- If possible, have someone meet you.
- If you are going out for the evening, make sure someone knows.
- When meeting with members, meet in the local office or other public meeting room.

Traveling/Driving alone:

- Leave yourself plenty of time to travel and prepare for your meeting/session.
- If possible, travel during the daylight hours.
- When renting a car in the winter book one with winter tires (not all-season radials) and preferably four-wheel drive.
- Don't take chances. If the roads are bad, don't drive.
- Make sure the batteries to your cell phone are fully charged. (Remember there are many "dead" zones for cell phones. This is why it is important to let someone know where you are and to check in when you have arrived.)
- Carry emergency food supplies with you.
- Carry clothing to match the weather in case you are stranded somewhere.
- If traveling on small planes or ferries, be familiar with safety procedures.
- Avoid using the cell phone while driving
- Park in well lit areas and lock all your doors

Cell phone use while driving

As of January 1, 2010, drivers in BC can no longer use hand-held cell phones and other hand-held portable electronic devices. A person may use an electronic device in a hands-free telephone function while driving if:

- The electronic device, as well as any part or extension of it, is not held or operated by the hand.
- It is voice-activated or requires only one touch in order to initiate, accept or end a call.

- If the device includes an earpiece, that earpiece can be worn in one ear only and must be placed on the ear prior to driving.
- The electronic device is securely fixed to the vehicle or worn securely on the person's body, and is within easy reach of the driver's seat.
- The device must be installed in a manner that does not obstruct the driver's view of the front or sides of the motor vehicle or interfere with the safety or operating equipment of the motor vehicle.

When using hands-free technology, while driving, keep conversations short. If you need to have a long and/or complex conversation pull to the side of road.

Staying in hotels:

- Book rooms that are in the middle of a hallway. Avoid rooms that are at the end of a hallway or in secluded alcoves.
- If possible book rooms which are not on the ground level.
- You might want to book your room relatively close to the front desk.
- If you are going out alone, leave contact numbers with the reception desk in the event something happens to you.
- Ask the concierge or desk clerk about safe areas and areas to avoid.
- Become familiar with emergency and evacuation procedures.
- If parked in an underground lot, ask an attendant to escort you to your car.

If you are hurt or experience a near miss:

- If possible see a first aid attendant or if more serious, a doctor.
- File a claim with WorksafeBC using Teleclaim: **1 888-WORKERS**.
- Fill out a WorksafeBC 6A form and fax to the Executive Offices at the BCTF 604-871-2290.
- Inform your director or program co-ordinator.

WorksafeBC Regulation Part 4 General Conditions - Working Alone or in Isolation

4.21 Procedures for checking well-being of worker

- (1) The employer must develop and implement a written procedure for checking

the well-being of a worker assigned to work alone or in isolation.

(2) The procedure for checking a worker's well-being must include the time interval between checks and the procedure to follow in case the worker cannot be contacted, including provisions for emergency rescue.

(3) A person must be designated to establish contact with the worker at predetermined intervals and the results must be recorded by the person.

(4) In addition to checks at regular intervals, a check at the end of the work shift must be done.

(5) The procedure for checking a worker's well-being, including time intervals between the checks, must be developed in consultation with the joint committee or the worker health and safety representative, as applicable.

(6) Time intervals for checking a worker's well-being must be developed in consultation with the worker assigned to work **alone** or in isolation.

[Amended by B.C. Reg. 318/2007, effective February 1, 2008.]

Meeting room checklist

Whether you are in a meeting or facilitating a training session, do a quick inspection of the facility to ensure that all participants and yourself stay healthy and safe.

Floors/Aisles

- Are aisles clear of materials and/or equipment, allowing unobstructed visibility and movement?
- Are doorways clear of materials and/or equipment, allowing unobstructed visibility and movement?
- Are there areas of loose or lifting carpeting or tile?
- Are electrical or phone or computer cords in a traffic path taped down?
- Are floor surfaces clean and dry?

Stairs

- Are stairwells clear of materials and equipment?
- Are stairs and handrails in good repair?

Lighting Hazards

- Are all areas adequately lit?

Fire Safety

- Is there a fire evacuation plan?
- Is there an emergency placard describing the route for emergency evacuation visible?

Access and Egress

- Are emergency exits clear of materials and equipment?
- Are emergency exits functioning (i.e., not roped off or locked)?
- Are emergency exit signs working?

Facilities

- Are smoke/fire/ alarms in place?
- Are parking spots and walkways appropriately lit?
- Is the ventilation system turned on? (Often schools and public buildings turn their systems off after hours and on weekends and need to be manually turned on.)
- Do doors lock?
- Do you have to dial "9" to get an outside line?

Emergency contacts

- What are the emergency procedures for this building?
- Who do you contact in the case of an emergency?
- How do you contact the First Aid Attendant(s)?
- Have the participants been informed of the emergency procedures?

Reporting Injuries or Incidences

- Is there a first aid attendant?
- Do you have a copy of the WorksafeBC 6A form to inform the employer (either your local office or the BCTF) of an injury?

Educational leave worksheet—Sample For Joint Health and Safety Committee member

Member/Representative name: _____

Date completed: _____

1. List any health and safety experience you have:

Experience/Position held (e.g., safety rep, OH&S committee member)	Dates

2. List any courses that you have taken in health and safety education:

- Complete this section by considering health and safety education you have taken from your employer, previous employers, associations, schools/colleges, WorkSafeBC, consultants, BCTF, BC Federation of Labour, CUPE, other.
- Attach additional sheet, if necessary.

Presentation or course	Delivered by (e.g. college)	Date	Duration

3. Identify any courses that you think you need to take in health and safety education:

- Under the *Workers Compensation Act*, Division 4, section 135, committee members and worker representatives are entitled to a minimum of eight (8) hours educational leave per year.
- Consider the hazards in your workplace, and your duties and responsibilities as a committee member.
- List the health and safety education that you believe is required. Add an additional sheet, if necessary.
- Attach any course information (i.e., course outline) available.
- **Note that a worker health and safety representative has the same duties and functions as an advisory committee member.**

Topic area	Reason(s) you want education in this area	Your priority	
		High	Low
Basic occupational health and safety courses (five modules)			
Module 1: Occupational health and safety program			
Module 2: Joint health and safety committee/worker representatives			
Module 3: Safety inspections			
Module 4: Incident investigations and reports			
Module 5: Refusal of unsafe work			
Violence prevention			
Indoor air quality			
Ergonomics			
An in-depth look at the role of joint health and safety committees			
School construction/renovation			
Other topics related to health and safety			

BACKGROUND

1. Explanatory Notes

Section 135 provides for educational leave for members of joint committees. Section 135(3) requires the employer to provide the leave without loss of pay or other benefits.

2. The Act

Section 135:

(1) Each member of a joint committee is entitled to an annual educational leave totalling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.

(2) A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.

(3) The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

POLICY

Members of joint health and safety committees are entitled to take time off from work to attend occupational health and safety training courses conducted by or with the approval of the Board. Decisions as to when members will attend courses, what courses they will attend and at what time and place will normally be made as follows:

- An individual member will bring his or her request to the committee.
- If the committee agrees, the committee will forward the request to the employer.
- If the committee does not agree, or is unable to come to a decision within a reasonable time, the individual member may forward the request to the employer.
- Upon receiving a request from either the committee or the individual member, the employer will make its decision within a reasonable time. The employer will give reasons in writing where required by section 133. In making its decision, the employer must act in a manner consistent with the purpose and intent of section 135. Permission must not be unreasonably denied.
- If a member of the committee considers that the employer is not allowing the member the leave to which he or she is entitled under section 135, the member may, after following the above process, complain to the Board. The Board will investigate the matter. Depending upon its findings, the Board may:
 - decide that no further action is appropriate;
 - attempt to resolve the dispute; or
 - make an order under section 187 requiring the employer to comply with section 135.
- If the employer does not pay a worker's wages for leave taken under section 135, a complaint can be made to the Board under section 152.

This has been excerpted from the Workers' Compensation Board of British Columbia's *Prevention Manual* found at: worksafebc.ca/publications/policy_manuals/archived_policy_manuals/assets/pdf/pm_archives/prevmnl01april02.pdf

RESOURCES:

- ▶ www.worksafebc.com
- ▶ www.bctf.ca
- ▶ www.cupe.bc.ca
- ▶ www.bcpsea.bc.ca
- ▶ www.bcfed/ohs

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