

RIELITY CHECK *SPECIAL EDITION* WORKPLACE SAFETY AND HEALTH

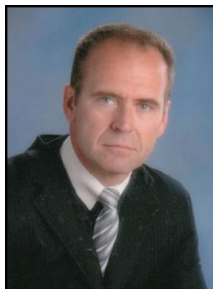


PUBLICATION OF THE LOUIS RIEL TEACHERS' ASSOCIATION (www.lrta.ca)

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President's Message Frank Restall

Whether you be a clinician, coordinator, principal or teacher (all LRTA members), you are holding an important document regarding your working conditions and the legislative regulations that apply to your position. This special Workplace Safety and Health edition of the Rielity Check is intended to be a handy reference and overview of Workplace Safety and Health (WSH) for LRTA members. Please keep this special edition close by as a source of information or a guide to seek further information.



For members' purposes, the WSH Act focuses on the duties of three groups: the employer (school division), workers (LRTA members) and LRTA members who are supervisors (principals/vice-principals). The duties of the three groups are clearly spelt out within the legislation and its regulations.

The Act outlines the school division's responsibilities. For example, the Act states that the "employer ensure, so far as is reasonably practicable, the safety, health and well being of all his workers (LRTA members) ...". The Act also states further duties of the division such as providing and maintaining a workplace that is safe and without risks to health, and to provide all LRTA members "with such information, instruction, training, supervision and facilities to ensure...the safety, health and welfare at work" of all LRTA members.

Principals are LRTA members and are protected by the WSH Act. However, in their positions as principals/vice-principals, the WSH Act identifies them as supervisors and outlines their specific duties. For example, the Act states that "every supervisor shall, so far as is reasonably practicable, take all precautions necessary to protect the safety and health of a worker (LRTA member) ...". The Act also states that principals/vice-principals will advise a worker of all known or foreseeable risks to safety and health.

All LRTA members are considered workers under the Act. As one would expect, there are also general duties or expectations of members. **A prominent duty for all LRTA members is to "take reasonable care to protect his safety and health and the safety and health of other persons..."**. As well, there is a clear expectation that LRTA members will comply with the WSH Act and the Regulations.

The Act applies to LRTA members every day. According to legislation it is a right to have a workplace that secures workers "from risks to their safety, health and welfare arising out of, or in connection with, activities in their workplaces". Every worker is protected by the Act and LRTA members are entitled to that protection.

Accompanying the rights of a safe workplace is the expectation that every LRTA member has a responsibility to ensure a safe workplace. As always, rights and responsibilities are inextricably connected.

As a member, you must expect a safe workplace and you must ensure a safe workplace for you and for others.

In our work settings, the simplest way to ensure safety is to report each and every time any incident or "near miss" that compromises a safe working environment occurs. When an incident or near miss occurs, report it immediately to your principal/vice-principal/supervisor. He/she will investigate the incident and implement control measures (what is being put in place to ensure the safety of the member), as far as is reasonably practicable, to immediately eliminate the threat of a similar incident from reoccurring.



President's Message

CONTINUED FROM PAGE 1

Following the report to your supervisor, please fill out the LRSD Incident Report Form, which can be found on this link: [WSH Incident Report](#) and at the end of this newsletter. Completing and submitting an Incident Report Form identifies the risk to members and will be another step in eliminating that risk. Many risks can be addressed at the worksite level but submission of the Incident Report Form will not only have the risk addressed at the school level but the form will be sent to the Workplace Safety and Health Committee for Louis Riel where the form will be recorded and the information shared with the Committee.

Recently, LRTA members have become more acutely aware of violence in the workplace. Violence in any form is not to be tolerated. If you are a victim of violence (or a near miss) in the workplace you should ensure that your principal/

vice-principal/supervisor is made aware of the incident and then fill out an Incident Report Form. If an act of violence (or near miss) is repeated throughout your workday, you should be filling out an Incident Report Form for each and every act. Your principal/vice-principal/supervisor will investigate each incident and put in place control measures to ensure that similar incidents do not occur.

As an individual, you can have a positive impact for other LRTA members and other employees by reporting these incidents. Problems cannot be addressed if problems aren't identified.

Members are compelled to report each incident so that action can be taken, supports can be established and protection of other members can occur.

Although reporting incidents and completing the Incident Report Form is an individual act, you are demonstrating your support of the entire membership who, in turn, is supporting you through the same procedure.

In no way can the submission of the form be used against a member for evaluation or disciplinary purposes. That guarantee is in legislation. Further, a member is also in contravention if he/she witnesses an incident that occurred to someone else and doesn't fill out the form. Therefore, support your colleagues (and future colleagues), the students and the Division by filling out the Incident Report Form each and every time an incident or near miss occurs.

As always, take care of yourself and take care of each other!

WORKPLACE HARASSMENT
it's NOT OK

Harassment is **NOT** acceptable at any time, to any teacher, from any one.

gossip exclusion
coercion intimidation
threats ridicule bullying
humiliation slurs % innuendos @

The Manitoba Teachers' Society

Stand up even if you stand alone.
Contact your local teachers' association for support and guidance.

Workplace Safety and Health: Duties Under the Act

The Workplace Safety and Health Act supports every worker's right to a safe and healthy workplace. It assigns responsibility to each person in the workplace for creating and maintaining a safe and healthy workplace. Everyone has a personal and shared responsibility to work together cooperatively to prevent workplace injuries and illness.

Employers (in our case, the School Division) have the greatest degree of authority and control over the operations of the workplace, and thus they have the greatest degree of responsibility for workplace safety and health. The legal safety and health responsibilities of the employers include:

- Taking necessary precautions to ensure the safety, health and welfare of all workers;
- Providing and maintaining a safe workplace, equipment, tools, and systems;
- Ensuring all workers and supervisors (Principals) are aware of hazards in the workplace;
- Providing workers with competent supervision;
- Providing necessary training to protect workers' safety and health before they begin a new job;
- Consulting and cooperating with the workplace safety and health committee or representative;
- Cooperating with other people on workplace safety and health matters.

Principals have the responsibility to oversee a group of workers (teachers, clinicians) within a workplace. The legal safety and health duties of principals include:

- Taking necessary precautions to protect the safety and health of workers under their supervision;
- Ensuring that workers comply with safety and health procedures and use safety equipment, clothing, and devices;
- Advising workers of safety and health hazards;

- Cooperating with the workplace safety and health committee or representative;
- Cooperating with other people on workplace safety and health matters.

Teachers, including clinicians, are responsible for their own actions or inactions. Teachers' legal safety and health responsibilities include:

- Taking reasonable care to protect themselves and others who may be affected by their actions or omissions;
- Proper use of safety equipment, clothing, and devices;
- Taking necessary precautions to ensure that activities and hazards within their control do not create a safety and health risk;
- Cooperating with the workplace safety and health committee or representative;
- Cooperating with other people on workplace safety and health matters.

A very basic responsibility that all members have are reporting any concerns regarding Workplace Safety and Health. The "Employee Incident Report" available through the LRSD and LRTA websites should be used anytime there is a workplace incident, whether it be hazards, improper equipment, or acts or threats of violence. Any person who experiences an incident or is a witness to an incident is compelled to report.

Each member plays an important role in maintaining the safety and health in our workplaces. By working together, we can provide a safer environment for everyone.



IN THIS ISSUE

- | | | |
|---------------------------------------|---|---|
| • P.1 President's Message | P.2 Presidents Message (continued) | P.3 WSH: Duties Under the Act |
| • P.4 WSH in the Collective Agreement | P.4 Violence in the Workplace | P.5 Serious Incidents/ WSH Incident Forms |
| • P. 6 Posters through MTS | P.7 and 8 LRSD Employee Incident Report Forms (2 pages) LINK HERE | |

WSH in our Collective Agreement

All members should be aware of provisions in our Collective Agreement that are directly connected to Workplace Safety and Health (WSH) Regulations. There are two sections that specifically are part of WSH—7.01 (Work Place Harassment) and 7.02 (Freedom from Violence).

Article 7.01 of our Collective Agreement recognizes the right of all individuals to be free of sexual or other harassment in the workplace. Any allegations or investigations must also be dealt with in confidence. This Article references WSH Regulation 10 (Harassment). In this regulation, employers are compelled to take action should there be incidences of harassment. To this end, LRSD has developed an Administrative Guideline on “Interpersonal Relations and Resolution of Concerns about Harassment/Discrimination” (ACF-G). This document outlines the Divisional response to any incidents of harassment in the workplace.

Article 7.02 provides a guarantee to members that our school environments should be free from physical or emotional abuse. Both of these terms are defined in the Collective Agreement. Workplace Safety and Health Regulation 11 (Violence in the Workplace) addresses the duties of the employer in regards to these issues. Internally, LRSD has Administrative Guideline GBGBA which lays out the steps to take should someone experience or witness an act of violence. It is very important that members complete the Employee Incident Report Form for all threats or acts of violence.

The Employee Incident Report Form is provided in this issue of the Rielity Check. The Form can also be found on the LRTA website under “Documentation”. Additionally, you can click here: [WSH Incident Report](#) if you are viewing this document online.

As with all Workplace Safety and Health issues, members should be calling the LRTA Office (204-929-5782) if they have any questions about Workplace harassment or violence.

Violence in the Workplace

According to WSH Regulation, violence is defined as “the attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person”.

The Louis Riel School Division’s duties include:

Identifying and assessing risk of violence in the workplace;

Developing a written policy;

Implementing and training LRTA members in the policy;

Ensuring that LRTA members comply with the policy;

Ensuring, as far as is reasonably possible, that no worker (LRTA member) is subjected to violence in the workplace;

Taking corrective action respecting any person under the Division’s direction who subjects a LRTA member to violence;

Informing LRTA members about the risk of violence.

VIOLENCE
It’s Not Part of the Job.

This is a summary of the requirements from the WSH Regulation, Part 11. For the entire text, please visit www.gov.mb.ca/labour/safety/pdf/1_2016_wsh_ar_oc.pdf

Serious Incidents Are Different!

All Workplace Safety and Health Incidents or near misses should be reported immediately to the LRTA member's principal/supervisor.

Any **SERIOUS incident**, in which a LRTA member suffers an injury resulting from:

- electrical contact;
- unconsciousness as the result of a concussion;
- a fracture of his or her skull, spine, pelvis, arm, leg, hand or foot;
- amputation of an arm, leg, hand foot finger or toe;
- third degree burns;
- permanent or temporary loss of sight;
- a cut or laceration that requires medical treatment at a hospital;
- asphyxiation or poisoning;

that is a result of:

- Student or teacher/employee violence toward LRTA members or other employees;
- Serious LRTA member injuries from playground equipment, on field trips or in gymnasiums;
- Serious LRTA member injuries from slips and falls (inside or anywhere on school grounds);

MUST be immediately reported to the Provincial Workplace Safety and Health Division.

All serious incidents will be investigated by the Provincial Workplace Safety and Health Division and/or will be assigned to be investigated by the local Workplace Safety and Health Committee.



Workplace Safety and Health Incident Report Forms

All Workplace Safety and Health Incidents or near misses should be reported immediately to the LRTA member's principal/supervisor. Reporting a "near miss" is very important. A near miss is usually without physical injury and is a positive way of improving the culture of safety.

Any **SERIOUS incident** must be immediately reported to the Provincial Workplace Safety and Health Division. All serious incidents will be investigated by the Provincial Workplace Safety and Health Division.

All other incidents that result in a LRTA member being exposed to a hazard (near miss, threat of violence, etc.) or which results in injury must be reported to and investigated by the member's principal/supervisor.

Following the principal's/supervisor's investigation, a LRTA member must be informed by the principal/supervisor of the control measures that are immediately being put in place following the incident/near miss, to try, as far as is reasonably practicable, to mitigate the risk of reoccurrence.

All LRTA members must complete the Incident Report Form each time an incident or near miss occurs. The Incident Report Form can be found on the Division's website or the LRTA website. *Click here if viewing this online: [WSH Incident Report](#).*

The individual LRTA member determines whether an incident or a near miss occurred. No one is to dissuade a member from completing an Incident Report Form.

LRTA members are compelled to report each incident or near miss and a failure to do so is a potential violation of legislation.

LRTA members should make a Xerox copy of the completed Incident Report Form and the principal/supervisor will send the original form to People Services. All Incident Report Forms will be returned to the LRTA member from People Services in about two weeks.

LRTA members who might not receive the form back from People Services should contact People Services and the Association.


A quarterly report to the local Workplace Safety and Health Committee will contain all incidents and near misses including the contents of each Incident Report Form.

For further information or to receive support, please contact the LRTA Office (204-929-5782) or MTS Teacher Welfare Staff Officer, WSH, Darren Hardy (204-888-7961).



La VIOLENCE verbale N'EST PAS correcte

La violence N'EST PAS acceptable à aucun moment, envers aucun membre du personnel enseignant, sous aucune forme.



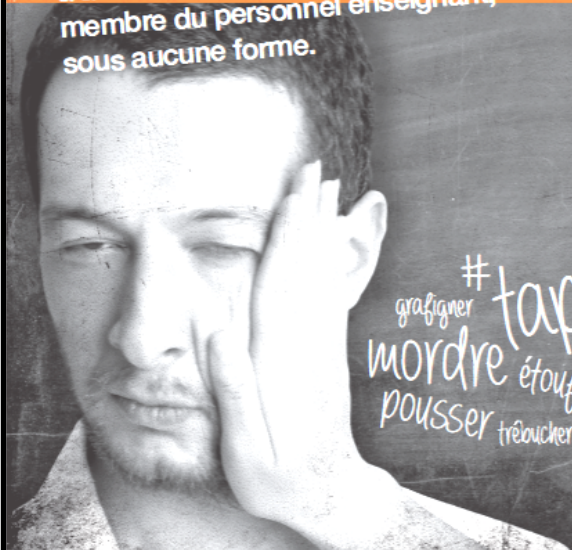
#inutile@laide
gros tas loser stupide vaux rien
achalant fou % dégoûtant

The Manitoba Teachers' Society

Rapportez un incident de violence à votre direction d'école ou à votre superviseur.
Pour en connaître plus, consultez le site web : mbteach.org

La VIOLENCE physique N'EST PAS correcte

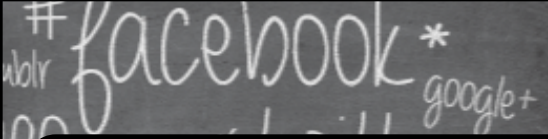
La violence N'EST PAS acceptable à aucun moment, envers aucun membre du personnel enseignant, sous aucune forme.



#tapper@coups de poing
mordre étouffer cracher
pousser trébucher % intimidation

The Manitoba Teachers' Society

Rapportez un incident de violence à votre direction d'école ou à votre superviseur.
Pour en connaître plus, consultez le site web : mbteach.org



Posters available in both French and English for schools.
Please contact MTS Teacher Welfare Staff Officer, WSH,
Darren Hardy (204-888-7961).

to your principal or supervisor.
earn more go to mbteach.org



Workplace Safety and Health EMPLOYEE INCIDENT REPORT

- This Form must be completed by any Louis Riel School Division employee who has been exposed to a Workplace Safety and Health (WSH) hazard, or has experienced a WSH incident resulting in injury. Please forward the completed form to the Human Resources Department at the Board Office **within 48 hours** following the incident.
- In addition, **WCB Claims** (For Non-teaching staff) Please refer to General Guidelines on the reverse of this form for further instructions.

Employee Name: _____	Employee Group (check one)
Work Location: _____	<input type="checkbox"/> Clerical/Technical – CUPE <input type="checkbox"/> Custodial/Maintenance – CUPE
Position: _____	<input type="checkbox"/> Educational Assistant – CUPE <input type="checkbox"/> LRTA
Date and Time of Incident: _____	<input type="checkbox"/> Non-Union <input type="checkbox"/> other: _____

DD-MM-YYYY Approximate Time

Incident details: (include incident location, any equipment, tools, or other employees involved and attach additional information as needed)	
Resulting Injury: 	Date reported and person reported to: Date: _____ Name: _____ Position: _____
Was First Aid administered? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, by whom? <div style="display: flex; justify-content: space-between; font-size: x-small;"> _____ Name _____ Position </div> Did injury require medical attention? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide details and date in the space below:	Did injury cause loss of time from work? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, a <i>Medical Note</i> may be required. What was the last day and hour worked following incident? <div style="display: flex; justify-content: space-between; font-size: x-small;"> _____ (DD-MM-YYYY) _____ (AM or PM) </div> Has employee returned to work? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, when? <div style="display: flex; justify-content: space-between; font-size: x-small;"> _____ (DD-MM-YYYY) _____ (AM or PM) </div>
Did incident cause property damage? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide details in the space below:	Witness(es) to incident: <div style="display: flex; justify-content: space-between; font-size: x-small;"> _____ Name _____ Position </div> <div style="display: flex; justify-content: space-between; font-size: x-small;"> _____ Name _____ Position </div>

Employee Signature _____	Date _____	Supervisor Signature (indicates awareness of incident) _____	Date _____
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Supervisor/Administrator's Follow-Up: Check all that apply.		Additional Information:
<input type="checkbox"/> Debriefed with employee <input type="checkbox"/> Parental Involvement <input type="checkbox"/> Alternative Learning Environment <input type="checkbox"/> School Student Support Team Involved <input type="checkbox"/> Divisional Student Support Team Involved <input type="checkbox"/> Review of strategies <input type="checkbox"/> Additional Training/PD* (specify)	<input type="checkbox"/> Review of: o BIP – Behavior Improvement Plan o IEP – Individualized Education Plan o Safety plan <input type="checkbox"/> Environmental Hazard - <i>slippery surface ...</i> , corrective actions taken – time, date,... Provide details in "Additional Information"	
Superintendent of Schools/Designate Signature _____ Date _____		

HR Use Only - ☐ Original to HR File ☐ Payroll ☐ Employee ☐ WSH ☐ Supervisor

Workplace Safety and Health

Employee Incident Report

General Guidelines

Employee's Responsibility:

- Always speak directly to your supervisor/administrator, without undue delay, in person or by telephone to inform them of your workplace injury or safety/health incident.
- Document the incident - complete the Incident Report form and forward to HR Department *within 48 hours*.
- Report future medical attention from a physician to Administrator/Supervisor as soon as possible
- Report future time loss from work due to injury to Administrator/Supervisor as soon as possible

Administrator's/Supervisor's Responsibility:

- Immediately contact the Louis Riel School Division Workplace Safety and Health Coordinator at: 204-257-7827 ext. 241, *if major injuries are involved* - refer to link below.
If the LRSD WSH Coordinator is not available, you must contact, without delay, Manitoba Workplace Safety and Health Division, (24 hr. line) 204-957-7233 – select 'Option 1'.
- http://www.gov.mb.ca/labour/safety/rep_serious_act.html
- Ensure completeness of documentation on Employee Incident Report
- Document follow-up as required
- Assist employee in forwarding completed Employee Incident Report to HR Department within 48 hours
- Immediately report any new information regarding medical attention or time loss from work due to injury to Gisèle Syrenne Mravec, Supervisor of Payroll

WCB Claim Guidelines for Non-Teaching Staff

Employee's Responsibility:

- Report incident to Administrator/Supervisor as soon as possible
- Complete Employee Incident Report and forward to HR Department within 48 hours
- Report incident to WCB by phone, fax or mail:
 - Phone (*recommended by WCB*), 8:00 am to 7:00 pm Monday – Friday, 204-954-4100 or 1-855-954-4321
 - Fax WCB Claim Application (application available online at: <https://www.wcb.mb.ca/worker-incident-report> 204-954-4999 or 1-877-872-3804
 - Mail WCB Claim Application. Application available online at <https://www.wcb.mb.ca/resources/worker-form#en>