

## What happens if the work refusal is not resolved?

The principal and/or the Health and Safety representative must notify the Ministry of Labour and contact an inspector to review the situation.

## What is WHMIS?

The Workplace Hazardous Materials Information System, WHMIS, is a federal and provincial information system to inform all staff about hazardous materials such as chemicals in cleaning products, the contents of paint and/or other materials used in offices. A Material Safety Data Sheet that identifies each hazardous substance using a standard system of symbols must be provided. Schools are required to maintain an inventory of these materials, their location and provide this information to all employees.

## Are teachers required to know WHMIS?

The board must train all employees, including teachers, to understand WHMIS when they are hired. Additional training should be provided according to a schedule established by the Joint Health and Safety Committee.

## If there is an accident or workplace illnesses...

Report any injury or illness that is attributable to the workplace to the principal and to the Workplace Safety and Insurance Board representative at your school board, so that an Employer's Report of Injury/Disease can be filed. Call your unit for contact names.

You should know the name and phone number of your Health and Safety representative. You can

get additional information or answers to questions by contacting your local OECTA unit or through OECTA's provincial office.

## Contact OECTA at:

**416-925-2493 or 1-800-268-7230**

## Quick Quiz

Answer True or False

- 1. A Ministry of Labour Inspector can inspect a school without a principal's permission.
- 2. The Health and Safety Act is primarily intended to protect students.
- 3. Collective Bargaining can be used to improve upon teacher rights guaranteed under the Act.
- 4. The Health and Safety Act makes the formation of Joint Health and Safety Committees mandatory.
- 5. Enforcement of the Health and Safety Act is ultimately the responsibility of the school board.
- 6. Teachers have the right to know about hazards in the school.
- 7. For teachers, the workplace can include the playgrounds, football fields and swimming pools.
- 8. Teachers cannot refuse unsafe work because they are responsible for their students.

## Match the symbols with the meaning.



Flammable and combustible

Poisonous and infectious

Corrosive

Answers: 1.T; 2.F; 3.T; 4.T; 5.T; 6.T; 7.T; 8.F.



# Know

## your rights to safe work in schools

THE NAME AND PHONE NUMBER OF

YOUR HEALTH AND SAFETY REPRESENTATIVE



# your rights

Teachers have been deemed to be 'workers' under Ontario's Occupational Health and Safety Act, since 1984. All school boards are required to establish Joint Health and Safety Committees where there are 20 or more workers. The Health and Safety Act is primarily designed to protect workers, including teachers.

Your local OECTA unit should have either a Joint Health and Safety Committee for teachers only or have a representative on all employee Joint Health and Safety Committees.

## What are the main functions of the Joint Health and Safety Committee?

- inspect the workplace
- participate in development of assessment reports
- investigate accidents

## What are teachers' rights under the Occupational Health and Safety Act?

The Act guarantees teachers three rights:

1. the right to know about workplace hazards
2. the right to participate in the identification and resolution of hazards
3. the right to refuse unsafe work

These are minimum workplace health and safety standards. To maintain a healthy and safe environment, it is important for you to be observant in your school or workplace and report any unsafe conditions, equipment and hazards. It is your right to ask questions and seek information about your working environment.

## What does the right to know mean?

As a classroom teacher, you are entitled to know about the chemicals or airborne substances that are used in the school, in science laboratories, art rooms, shops and kitchens as well as for cleaning, other maintenance, construction or renovation.

You have the right to:

- know if there is asbestos in the school and if so, how it is contained for safety
- know that the ventilation and heating systems are cleaned regularly and are free from airborne pollutants
- know if your worksite is being tested, and the reasons the tests are being conducted
- know about all potential and actual health and safety hazards in the school where you work

- receive training about proper use of machinery, equipment, processes and hazardous substances

## What are the obligations of the employer

As the person in charge of the workplace, the principal must:

- ensure that all work is performed safely, using the proper techniques and safety equipment
- advise everyone in the school of potential or actual hazards
- take all reasonable precautions to protect teachers, students and others in the school from hazards
- provide written instructions about how to protect health and safety and prevent injury or harm
- investigate the reasons for any refusal to work

## Does a teacher have the right to refuse to do unsafe work?

Yes, without reprisal, if the teacher believes that there is a risk to his or her own health and safety or to another person. At no time is a teacher permitted to leave any students unsupervised or unattended when exercising a work refusal.

A teacher who believes there is a serious hazard to health and safety should inform the immediate supervisor, usually the principal, that he or she wishes to exercise a Work Refusal under Part V, Section 43(3) of the Occupational Health and Safety Act. The teacher must bring the students with him or her when informing the principal of the work refusal. The principal may then assign the students to another teacher, provide for alternate supervision of the students, or assign the teacher and the class to another area during the work refusal investigation.

The principal must investigate the work refusal in the presence of the person who refused to work and in the presence of the worker's health and safety representative.