



# HEALTH & SAFETY NEWSLETTER

JANUARY 19, 2017

## PRESENT:

MANAGEMENT: SHAYNE OLSEN, SHARLENE BOWERS, MICHELLE MARGINET.  
KTTA: DAVID KOMLJENOVIC, AMANDA JENSEN, GREGG HAFELI  
CUPE: MARILYN THOMPSON, CARLO SIA, KATHLEEN COCHRANE-HUNT  
PRINCIPALS: NONE PRESENT

## *Call to Order*

Chairperson Hafeli called the meeting to order at 8:35 a.m.

## *Adoption of the Minutes*

The minutes of the December 15, 2016 meeting were adopted as circulated.

## *Adoption of the Agenda*

The agenda was amended to show Air Quality—Aberdeen, WorkSafe Orders and Fentanyl added to Old Business, and Violence Prevention/Risk Assessment Training Follow-Up added to New Business.

## *Old Business*

### **3.12 Refusal of Unsafe Work**

Management advised that a refusal of unsafe work is a serious process and is intended for life safety issues. The intent of regulation 3.12 is not for the reporting of unsafe conditions unless there is a life safety component attached to that unsafe condition. Unsafe conditions fall under reg. 3.10 *Reporting Unsafe Conditions*. Employees must report an observed unsafe condition or act to their supervisor or employer as soon as possible. The condition /act must be investigated and corrective action put in place, as required. Discussion followed around a refusal of work being about personal perception of wellbeing and that an injury might happen. Prevention officers have advised that refusals of unsafe work cannot be based on "what ifs": there must be an undue hazard that could result in a serious injury or death. A union member expressed frustration around issues that are not addressed and employees feel the right to refuse unsafe work is their only resort.

Education and training around safety plans and reporting is being shared with staff throughout the district, and to date has been provided to administration, district staff, and CEAs at various worksites. The Safety Plan document was also provided at the District Safety training on January 9<sup>th</sup> for safety reps from all worksites. A CUPE representative suggested these themes be addressed in in-service sessions for CEAs.

### **Air Quality – Aberdeen / Lloyd George**

A KTTA representative requested a follow up. Management advised the air quality was generally within normal range. Results were shared with the school. Fresh air has been increased in the affected room. The KTTA representative advised an issue has also been raised around air quality when buses are idling near intake. Management clarified this issue is being addressed at the site.

### **WorkSafe Orders**

The KTTA representative advised they were looking for a

follow up. Management stated the orders have been complied with. The plan was shared with the prevention officer in terms of risk assessments and supervisor responsibility training and the prevention officer determined the plan was acceptable and the district is in compliance. The KTTA representative requested clarification around reporting incidents when site admin. is not available. Management advised that if there are issues they can be raised with the administrator's immediate supervisor, or the Manager of Health and Safety.

### **Fentanyl**

A KTTA representative advised there has been lots of discussion around fentanyl and inquired if administrators have requested naloxone kits. Management advised that at the last admin. meeting the District Drug and Alcohol Counsellor provided a presentation to all principals and vice principals. Kits are available and at this time it is in the hands of administrators to request the kits if it's felt they're needed. Staff are encouraged to check

## NEXT MEETING:

February 16, 2017 in the Boardroom at the School Board Office

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### *Old Business (Cont'd)*

with their admin. if they are concerned. The KTTA representative brought up addressing fentanyl within the workplace risk assessment, and suggested training be provided. Management advised that the October minutes contained a safety tip on fentanyl which could be shared with

staff. The KTTA representative advised they are trying to secure someone to do a workshop on the April in-service day, and support staff are invited to attend.

### *New Business*

#### **Monthly Reports:**

The following reports were reviewed:

- Custodial Safety Inspection Checklist
- Incident Report Summary
- Worksite Safety Committee Minutes
- Automotive Hoist Checklist
- Secondary Science Safety Checklist

Management will follow up with Rayleigh/Heffley/Sun Peaks and Kamloops School of the Arts on the submission of their worksite safety committee minutes. The KTTA representative suggested it would be helpful to know the safety committee members from each school, particularly for those worksites where someone had to be appointed by the employer. A management representative invited the KTTA to review minutes from those locations.

#### **Terms of Reference**

The management representative advised the terms of reference for the district committee are reviewed annually, and are available in the MySD73 Zimlet under All Staff/Health and Safety/District Terms of Reference.

#### **Violence Prevention/Risk Assessment Training Follow-Up – Jan. 9<sup>th</sup>**

A KTTA representative advised that as a member of the site safety committee the risk assessment document was completed. The training was useful and gave them a chance to get a good start on the document. There is a concern that there is not enough time set aside to complete the risk assessment. Management advised an e-mail was sent to all administrators

stating that if more time is required they are to make it available, as it's not possible to complete the risk assessment in the monthly meeting.

A KTTA representative advised there were site-based committees who thought they were meant to develop terms of reference for their committee that day. Management advised each committee has their own terms of reference, which has been shared. The only committee required under WorkSafe is the District committee. Contractually every site also has a committee and should have terms of reference. The templates have been shared, and can be sent again if required. The other concern was around quorum and elections to the committee. Incident investigations were also raised as individuals were unclear about how to conduct the investigation. The facilitator advised that the form is quite straight forward. It was stated that a lot of forms were mentioned in the training, and members are unclear on where to find the forms and which form to use when (including Worker's Report of Injury, Employers Incident Investigation report, and Student and Volunteer Report of Injury). All of these forms are available in the MySD73 Zimlet. There was also discussion around the right to know vs. keeping information confidential. Management stressed that only those who need to know and will be working closely with that individual have a right to know. There is a WorkSafe bulletin that clarifies who is entitled to the information and management will share the document. The

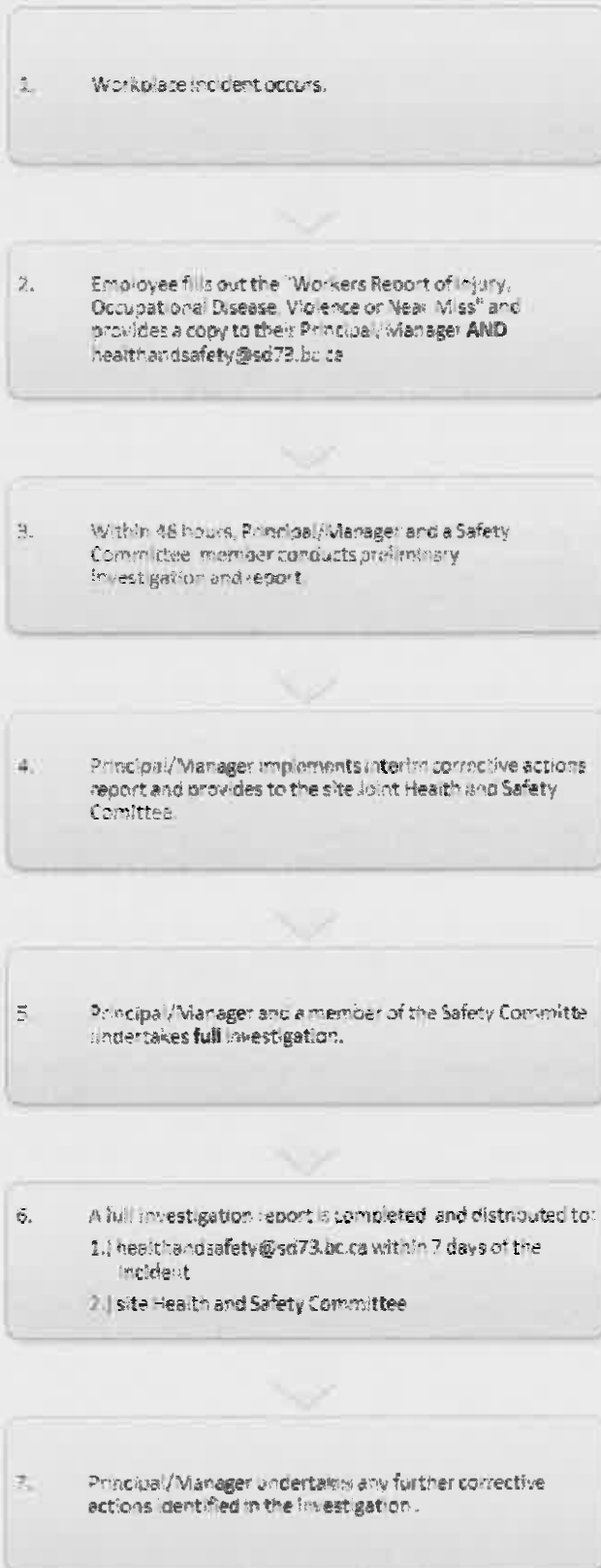
KTTA representative advised that Emergency Procedures and Protocols at schools was also a concern. This information is provided to worksites as a flipchart document. Management will be updating the document.

Adjourned 9:55 a.m.

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### Monthly Safety Tip

## Incident Reporting and Investigations Procedure



Principal/Manager uses *Employer Incident Investigation Report*. Report can be printed and filled in or filled in online.

**Note:** If the preliminary investigation provides all needed corrective actions within 48 hours the **full report** can be completed at this time. Don't forget to provide it to the Joint Health and Safety Committee at your site.

Determine cause, unsafe conditions, acts or procedures, and any further corrective action required

All forms can be found in the MySD73 Zimlet under All Staff/Health and Safety/Incident Report Forms

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### Monthly Safety Tip

#### **Disclosing Student Information as it Relates to the Threat of Violence**

##### ***The Need to Know vs. the Right to Know (found in the Freedom of Information and Protection of Privacy Act vs. the Workers Compensation Act)***

Identify students as having risk factors for violence and communicating the risk for violence to other workers is not considered an invasion of privacy if:

- The information describes the risk the student poses accurately, using factual and non-judgmental terms, and if
- The information is made available only to those who need to know. That would be those persons that have ongoing and consistent contact with the student, such as the teacher, LART, CEA, bus driver, relief workers. Just as the employer would not release confidential information regarding a staff member to all staff; the same standard of care and confidentiality applies to students in our care. For more information, please read the WSBC bulletin: "Communicate Student Information: Prevent violence-related injuries..." (an excerpt from which is included below)

#### **Communicate student information: Prevent violence-related injuries to workers in the education sector**

(source: WorkSafeBC WorkSafe Bulletin)

##### **WorkSafeBC requirements**

Section 115 of the Act requires that employers inform their workers about all known or reasonably foreseeable health and safety hazards, including workplace violence. Section 4.27 of the Occupational Health and Safety Regulation (the Regulation) defines violence as "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." These behaviours do not need to have intent to injure. Within the education sector, students who inflict physical force causing injury or engage in threats are sometimes referred to as "having behavioural challenges" or "acting out".

While educators and support staff regularly document student histories to facilitate educational objectives, they often don't share student information relating to known violence risks or triggers of violent behaviour. This is partly the result of confusion about privacy law, professional practice guidelines, and school district policy—confusion that puts educators and support staff at risk of injury.

##### **Privacy law requirements**

Privacy law supports the sharing of student information in a way that respects an individual's privacy and yet allows worker safety to be protected.

In B.C., FIPPA governs the collection, use, and disclosure of personal information by public bodies. Section 33.1(1)(f) and 33.2(e) of FIPPA allow for disclosure of personal information within an organization "if the information is immediately necessary for the protection of the health or safety of the...employee." Such disclosure is supported by the Office of the Information and Privacy Commissioner for B.C. (OIPC), which recommends using the "need to know" rule to ensure that "the right information reaches the right person at the right time for the right purposes" (OIPC Investigation Report P.96-006).

##### **Employer responsibilities**

Employers are encouraged to incorporate the "need to know" principle into their policies related to student information disclosure and to establish appropriate systems to communicate this information to protect their workers from the risk of violent behaviour.

*Can student information be used for incident investigations and the work of joint occupational health and safety committees?*

Yes. Employers are obligated to investigate incidents that caused or could have caused injury to their workers, in conjunction with a joint occupational health and safety committee. Investigators need access to all relevant information to determine the causes of the incident and to make recommendations to prevent recurrence. Certain types of information must be shared or posted at workplaces, including the results of incident investigations and inspection reports. If student information is used to develop these documents, personal identifiers must be removed so that readers will understand the issue but not be able to identify the students involved.

##### **Education professional responsibilities**

*What is an education professional's obligation to protect student privacy?*

Codes of conduct for all education professionals include a requirement to use student information appropriately and to follow all legislative requirements.

##### **Student rights**

*Is a student's consent required for organizations to share personal information related to worker safety?*

No. Consent is not required when information is being disclosed for worker safety. If a plan is developed to protect the health and safety of a worker, which also affects the health and safety of the student, there are requirements under the School Act to inform parents. However, parental approval is not required to develop and implement plans to keep workers safe.

*Does labelling a student (for example, "risk factors for violence are present") contravene the student's right to safety?*

No. Identifying students as having risk factors for violence and communicating the risk for violence is not unfair if the infor-

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information describes the risk the student poses accurately, using factual and non-judgmental terms, and if the information is made available only to those who need to know. While this is personal information and sensitive in nature, the purpose of identifying and communicating the potential risk for violence is to protect those interacting with the student, not to assign blame or judge the student. When a risk for violence is communicated it needs to be accompanied by details about the nature of the risk and the interventions that minimize the risk of injury to the worker.

Can a WorkSafeBC officer ask to see a student's records?

Yes. WorkSafeBC officers are only interested in seeing the part of the student's records that refer to issues that may put workers at risk. Information will continue to be treated as confidential while in the officer's possession. The employer should make a record of this disclosure.

*Incident Reports | January 2017 (Public Version)*

Incident Description	Injury Type	Recommendations
Student was extremely aggravated and needed to be removed from computer class. While in hallway student became aggressive. Student grabbed arms and was shaking and growling. Charged at worker with head down. Punched worker.	No injury reported	Get another person to assist. Worker must remove worker from hazard unless child is a risk to self or other children.
Student was trying to leave the building and worker was holding door to prevent student from doing so. Student punched worker in arm as worker was holding door shut.	Bruising/Contusion	Update Safety Plan for when student wants to leave the building.
Worker was walking down stairs and caught shoe on lip of last stair. Worker fell forwards and hit ground with right knee	Contusion	Hold handrail.
Student was being led to quiet room when student became physical and started hitting and scratching worker.	Abrasion	Ensure safety plan is developed for worker. Review IEP.
Worker slipped on plastic ruler in classroom.	Sprain/Strain	Watch for tripping/slipping hazards and pick up when present.
Worker noticed rash on forearms. Believes rash is related to old rubber gloves.	Dermatitis/Skin Condition	Change gloves.
Worker was carrying box down stairs while wearing high heels. Worker stopped part way down to address student. Once conversation was finished worker thought she was on bottom stair but was not and stumbled onto floor below.	Sprain/Strain	Pay better attention to surroundings. Wear appropriate footwear.
Student in wheelchair became ill while on change table. Worker tilted student on to side. Student is heavy - approximately 120 lbs.	Sprain/Strain	Further training on rolling. Adjust table height.
Student was playing in designated space and started running out the classroom door into the hallway. Student ran at high speed into worker, knocking worker down.	Sprain/Strain, Bruising/Contusion	Keep door to quiet room closed. Be aware of student energy level.
Worker was lifting heavy printer to get wheels over ramp lip and felt something "pop" in finger.	Sprain/Strain	Monitor lifting position
Worker entered rear of facility and slipped on a wet floor. There was heavy snowfall that morning.	Sprain/Strain	Wet floor signs should be set up when heavy snow fall happens.
Worker and student were shovelling snow. Student was scooping snow and tossing it up on the air. Student let shovel fall back to the ground and hit employee in head.	Bruising/Contusion	Reminder to pay greater attention to student and surroundings. Employee was focused on shovelling.
Worker was trying to assist upset student. Student threw small white board and struck worker in arm.	Bruising/Contusion	Review CPI/de-escalation strategies.
Worker was walking down hallway when student walked in front of him/her. Worker tripped over student's feet (boots) and fell.	Bruising/Contusion	Not to wear snowboots in school. Hallway traffic walk on the right. Pay attention when in the hallway.
Worker was standing on a desk on the stage as part of a staff skit. Desk fell off of stage. Worker was holding on to desk. Other staff members held worker as desk fell. Worker did not fall off stage, but fell to stage floor.	Sprain/Strain, Bruising/Contusion	Reminder of safety when using stage. Never stand on a desk.

