

## **Submission to the Ministry of Labour Consultation: Prevention Starts Here – Health & Safety at Work**

The Ontario Secondary School Teachers' Federation (OSSTF/FEESO), founded in 1919, has 60,000 members across Ontario. They include public high school teachers, occasional teachers, educational assistants, continuing education teachers and instructors, early childhood educators, psychologists, secretaries, speech-language pathologists, social workers, plant support personnel, university support staff, and many others in education.

**Q1. Does the work clearly outline the roles of employers, supervisors, workers, health and safety representatives and joint health and safety committee members?**

A1: The definition of supervisor under The *Occupational Health and Safety Act* (OHSA) is not universally understood. The degree to which worker members have authority over a worker or have charge over a worker often could be broadly interpreted. For OSSTF/FEESO members, the interpretation of the role of the department heads and consultants is clearly of concern. OSSTF/FEESO members who perform these roles do so in a resource capacity, as a curriculum leader. They do not direct the autonomous work of other teachers nor do they have any jurisdiction over the work of other educational support staff. Within the school system, it is the role of the principal or vice principal to assume the duties of a supervisor as defined in the OHSA.

Workers who are department heads are considered to be knowledgeable in their subject areas but they have no real operational responsibilities for other workers. They do not hire, fire, demote, discipline or evaluate other workers. Their duties are to co-ordinate the implementation of the curriculum as is determined under The *Education Act*. In fact, The *Education Act* does define their duties with respect to health and safety as “assist the principal”. It is clear that the principal is the supervisor, as defined by The *Education Act*.

**Q2. Does the workbook clearly outline the roles of the Ministry of Labour, Health and Safety Associations and the Workplace Safety and Insurance Board?**

A2: The roles of the Health and Safety Associations should be more flushed out. The roles of other system partners such as the Occupational Health Clinic should be clearly defined.

**Q3. Does the workbook clearly outline the recognition, assessment, and control of hazards in the workplace, and the evaluation of controls?**

A3: The issue of competency for a supervisor is not fully addressed. The awareness training is not intended to fulfill the requirements for meeting this threshold. It should be clearly articulated in all the documents that completion of this training does not constitute competency.

**Q4. Does the workbook clearly identify various resources and assistance that are available to the supervisor?**

A4: The workbook is deficient in its explanation of work stoppages. On page 11, it states “Supervisors should also be familiar with the requirement of the OHSA regarding work stoppage”. The workbook assumes that the only work stoppage envisioned would be a work refusal. There is no explanation of the bilateral or unilateral work stoppage in dangerous circumstances as defined by sec. 47(2).

**Q5. Is there information that you would recommend adding or deleting?**

A5: The workbook should include more visual images that can underscore the learning for poorer readers.

**Q6. Did you find the workbook easy to use and understand?**

A6: The readability of the workbook is appropriate. Some of the exercises do not match the material covered in the text. The exercises should be a tool to verify that the curriculum has been absorbed. Exercises 4 and 6 should be changed to reflect the reality of the text covered.

**Q7. Did you like the length of this workbook?**

A7: It is sufficient.

**Q8. Would it be helpful if this workbook were in a more portable (i.e. smaller) format for a supervisor to keep on-hand?**

A8: It would be preferable to have a smaller, bound copy.

**Q9. Do you think this guide helps to explain to employers how to use the awareness program?**

A9: OSSTF/FEESO continues to have concerns about the use of e-learning when dealing with health and safety training. Workers should have the opportunity to engage with an instructor or with other learners. The evidence is clear that for adults to learn properly, they need to have active participation. The Ontario Federation of Labour has already provided you with a copy of the Burke Study and we hope that you will review the evidence provided to ensure that the pedagogy used in training, is reflected in your materials.

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