

Why we need an education sector regulation

The problem

- Currently, under many circumstances, the Ministry of Labour (MOL) regards schools as being covered by the Industrial Establishment Regulation (Reg. 851) established under the *Occupational Health and Safety Act (OHS)*.
- This designation is outdated and does not address the unique scope of the Education Sector. Our sector deserves its own regulation to appropriately address issues of violence in the workplace.
- Education worksites are not just schools. The learning environment may be a regular classroom, a self-contained classroom for special education, a Section 23 classroom in a detention centre or a rented space in a strip mall for an adult day school program, to name a few.
- The issue of workplace violence has become an epidemic in our sector with countless members dealing with incidents on a daily, sometimes hourly, basis.

The solution

- Currently, under Section 21. (1) of OHS, the Minister may appoint committees or persons to advise the Minister on any matter arising under this Act or to inquire into and report to the Minister on any matter that the Minister considers advisable.
- The Section 21 Committee, will require all stakeholders (employers, unions, the Ministry of Education, the Ministry of Labour and others) to come to the table in order to address critical and systemic issues within our sector relating to workplace violence and other hazards.
- The Section 21 Committee can work together to develop the consistent application of definitions of “workplace violence” across ministries, create consistent reporting forms and procedures for the entire sector and provide direction to workplace parties through the Minister of Labour.
- This regulation and committee are urgently needed because workers are not only facing severe levels of workplace violence but are also increasingly being pressured to not report incidents.
- An Education Sector Regulation and Section 21 Committee will allow all stakeholders to advise the Minister directly on changes that need to occur to prevent workplace violence and injury.