

**AVON MAITLAND DISTRICT SCHOOL BOARD
ADMINISTRATIVE PROCEDURE
NO. 411**

**SUBJECT: WORKPLACE HAZARD NOTIFICATION AND
INVESTIGATION**

Legal References: *Education Act: Section 8 (1) 9. Powers of Minister: Application of Workplace Safety and Insurance Act; Section 283 Chief Executive Officer: Maintain an Effective Organization; Ontario Occupational Health and Safety Act as amended June 15,2010; Environmental Protection Act; Health Protection and Promotion Act; Building Code Act; Dangerous Goods and Transportation Act; Emergency Management Act; Environmental Bill of Rights; Fire Protection and Prevention Act; Ontario Water Resources Act; Pesticides Act; Safe Drinking Water Act; Technical Standards and Safety Act; Workers Compensation Act; Workplace Safety and Insurance Act*

Related References: *Administrative Procedure 138 Positive Workplace Environment; AP 170 School Emergency Procedures; AP 175 Accidents, Incidents, and Occupational Illnesses; AP 351 Code of Conduct; AP 357 Violence-Free Schools; AP 404 Violence Prevention in the Workplace; AP 411 Workplace Hazard Notification and Investigation; AP 414 Refusing Unsafe Work; AP 540 Hazardous Materials Disposal; AP 541 Hot Work; AP 542 Indoor Environmental Quality; AP 543 Well Water Testing; AP 546 Pesticides: Use of.*

1. Reporting Workplace Health and Safety Hazards

The director of education has established this administrative procedure to:

- a) Provide a means for all staff members to report workplace health & safety hazards; and
- b) Allow staff members to participate in the process to ensure a safe workplace.

2. Administrative Procedures

2.1 All staff members are responsible for notifying their principal/supervisor of the absence of or defect in any equipment or protective devices, any contravention of the *Occupational Health and Safety Act* or regulations, and the existence of any hazard that he/she is aware of (see flow chart Appendix A).

2.2 The principal/supervisor, once notified, shall investigate the health and safety concern, as soon as possible with the staff member that raised the concern. Sample investigation forms are available as Form 411 *Incident/Accident Investigation* form and *Witness Interview* form. These forms are not required to be used.

2.3 Stage 1

2.3.1 The principal/supervisor shall take action to resolve the concern by doing one or more of the following:

- a) Take action on his/her own to resolve the concern;
- b) Provide instructions and direct other staff to resolve the concern; and/or
- c) Forward the concern to administration centre personnel or an outside source to further investigate and/or resolve the concern.

- 2.3.2 If the health and safety concern requires immediate attention, the principal or supervisor shall call:
 - a) Facilities Administrator - 519-440-6905
 - b) Environmental Health and Safety Officer – 519-525-2067
- 2.3.3 The principal/supervisor shall inform the staff member that raised the concern, as well as any other employees affected, of the action taken or to be taken to address the concern.
- 2.3.4 The principal/supervisor shall follow-up to ensure that action has been taken and that the staff member is satisfied with the outcome.

2.4 **Stage 2**

- 2.4.1 If no action is taken within a reasonable amount of time, or the concern is not resolved, the staff member should notify a Joint Health & Safety Committee member about the concern. The staff member should provide in writing a description of the hazard, how the issue developed, the present status, who is affected and any recommendations to resolve the issue.
- 2.4.2 The Joint Health & Safety Committee member shall investigate the employees concern with the environmental health and safety officer.
- 2.4.3 The Joint Health and Safety Committee member shall notify the staff member of the action taken or to be taken or recommendations made to the employer by the Joint Health and Safety Committee.
- 2.4.4 The employer has 21 days to give a response, in writing, to recommendations made by the Joint Health & Safety Committee. If in agreement with the recommendations, the employer must provide a time frame to implement the recommendations. If not in agreement, the employer must provide a reason(s) for disagreeing.
- 2.4.5 The Joint Health & Safety Committee member shall follow up with the employee with respect to the action taken.

2.5 **Stage 3**

- 2.5.1 If the employee is still not satisfied with the outcome of the health and safety concern, he/she may call the Ministry of Labour (1-800-265-1676). The employee should provide a description of the hazard, how the issue developed, the present status and who is affected.
- 2.5.2 A Ministry of Labour inspector will investigate the concern and render a decision. The employee that raised the concern and the Joint Health & Safety member may be asked to be present during the investigation.

2.6 **Important Notice**

Reporting unsafe conditions does not of itself amount to a work refusal. For a work refusal to be initiated, the employee must communicate his or her intention to refuse to work.

Workplace Hazard Notification and Investigation

HEALTH & SAFETY HAZARD

Notify Principal/Supervisor and Worksite Health & Safety Representative

Principal/Supervisor investigates concern with worker as soon as possible

**Stage 1
ACTION TAKEN**

Principal/Supervisor informs worker of action taken or to be taken

Principal/Supervisor follow-up with worker

CONCERN RESOLVED

If Stage 1 not resolved then proceed to Stage 2.

**Stage 2
NO ACTION TAKEN OR CONCERN NOT RESOLVED**

Worker Notifies Joint Health & Safety Committee (JHSC) Member

JHSC member investigates concern with Environmental Health & Safety Officer

JHSC member notifies worker of action taken or to be taken or recommendation made by the JHSC 21 days to respond

ACTION TAKEN

Follow-up by JHSC member

CONCERN RESOLVED

**Stage 3
CONCERN NOT RESOLVED**

Worker may call Ministry of Labour
1-800-265-1676

MOL inspector may investigate

M.O.L. DECISION Rendered