



Health & Safety

know your rights

Special Bulletin – January 20, 2021

ADVICE FOR MEMBERS CURRENTLY REQUIRED TO WORK IN SCHOOL BUILDINGS

Employers and supervisors have an obligation to take every reasonable precaution in the circumstances to protect workers.

Members who are required to work in the school buildings should:

- a) Review classroom set up, processes, and protocols carefully. Report concerns and discuss potential solutions with the principal. For example, if it is impossible to avoid sitting at a table to work with a student, ask your principal if an impermeable barrier (“Plexiglas”) can be provided to place on the table between you and the student.
- b) Review student safety plans. Safety plans may need to be adjusted due to the current situation (e.g., response staff may not be working in the building, rooms used for evacuating the class may be closed, the need to increase distancing wherever possible, etc.)

REPORTING CONCERNS

Members have a duty to report health and safety hazards and concerns to their principal. If the principal does not address and resolve the concern adequately or in a timely manner, contact the local for support and advice to determine the most effective next steps.

Additionally, COVID-related health and safety concerns should be reported to your school’s Designated Worker during their monthly health and safety inspection. Please explicitly ask that the concern be recorded in the inspection report. These reports are instrumental in ensuring documentation for follow up and advocacy.

Further steps may include contacting the Ministry of Labour with a complaint. If you are considering making a complaint, please contact the local for additional information and support.

YOUR RIGHT TO REFUSE UNSAFE WORK

Teachers have an individual right to refuse unsafe work if they have a “reason to believe” their work is “likely to endanger” their health and safety.

It is important that members exercise the right to refuse unsafe work carefully, when necessary, and preferably after consulting with the local for advice.

A work refusal can be resolved at the school level with you, your principal, a health and safety representative, and the support of your PETL Vice-President, without having to involve the Ministry of Labour. In the event that the issue is still not resolved, then the Ministry of Labour would be involved for the next stage.

PROTECTION AGAINST REPRISAL

Workers have protection against reprisals while exercising their rights under the Occupational Health & Safety Act, including when raising concerns or engaging in a work refusal.