

GUIDELINES FOR THE STRUCTURE AND FUNCTION OF

THE ELEMENTARY FACILITIES
JOINT HEALTH & SAFETY COMMITTEE

As agreed between:

The Lambton Kent District School Board

- and -

The Workers Employed At All Elementary Facilities
Within The Jurisdiction of
The Lambton Kent District School Board

as represented by:

Canadian Union Of Public Employees (CUPE)
Elementary Teachers Federation of Ontario (ETFO)
Non-Union Workers
Elementary Teachers Federation of Ontario - Occasional Teachers (ETFO/OT)

PREAMBLE

1. The Occupational Health and Safety Act requires the establishment and maintenance of Joint Health and Safety Committees where twenty or more employees are regularly employed.
2. The Lambton Kent District School Board is considered a multi-site workplace with each school or facility being considered as part of the total workplace. This Committee will represent all workers at each facility outlined in Appendix A. All appendices will be updated as needed.
3. It is acknowledged that staff and the Board share the responsibility for occupational health and safety through the internal responsibility system. The internal responsibility system is based on the principle that the workplace parties themselves are in the best position to identify health and safety problems and to develop solutions. Everyone must have a sincere wish to prevent accidents and illnesses and accept that accidents and illnesses have causes that can be eliminated or greatly reduced.
4. Everyone must understand the internal responsibility system process, believe in it, and take steps to make it effective at all levels in the organization and there will be no reprisals when using the internal responsibility system process.
5. The parties agree that where a dispute occurs relating to these Terms of Reference, the party to the dispute may serve thirty (30) days or longer written notice to the Board of their intent to withdraw from the guidelines if the dispute remains unresolved. If the dispute can still not be resolved, the Ontario Ministry of Labour will be notified as to the appropriate action.
6. The parties acknowledge that the proper functioning of the Joint Health and Safety Committee can only be carried out where the representatives of the Employer and of the Workers are committed to these responsibilities. The undersigned undertake to make decisions according to the Act that will be carried out by the Lambton Kent District School Board.
7. It is our firm belief that through joint education programs, joint investigation of problems, and joint resolution of those problems just rewards will be enhanced for all, and the workplace will be made healthy and safe for all employees.

Section One - Definitions

1.1 In this Guideline:

- 1.1.1 "The Act" shall mean the Occupational Health and Safety Act.
- 1.1.2 "Annual improvement audit" means a proactive process used to evaluate and monitor the progress and effectiveness of the LKDSB's Occupational Health & Safety Program.
- 1.1.3 "Certified Management Member" shall mean any management person selected by the Employer to become certified.
- 1.1.4 "Certified Worker Member" shall mean any worker selected by the workers from among their respective memberships to become certified.
- 1.1.5 "Certified Management Health and Safety Representative" shall mean any certified worksite Health and Safety Management Representative.
- 1.1.6 "Certified Worker Health and Safety Representative" shall mean any certified worksite Health and Safety Worker Representative.
- 1.1.7 "Committee" shall mean the Elementary Facilities Joint Health and Safety Committee.
- 1.1.8 "Consensus" shall mean a general agreement held by all or most.
- 1.1.9 "Critical Injury" for the purposes of the Act, Regulations and these Guidelines means "an injury of a serious nature that, places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm but not a finger or toe; involves the amputation of a leg, arm, hand or foot but not a finger or toe; consists of burns to a major portion of the body; or causes the loss of sight in an eye."
- 1.1.10 "Dangerous Circumstances" means "a situation in which, a provision of the Act or Regulations is being contravened, the contravention poses a danger or a hazard to a worker; and the danger or hazard is such that any delay in controlling it may seriously endanger a worker."
- 1.1.11 "Designated Certified Management Member" shall mean the Certified Management Member of the Committee who has been selected to carry out the powers and duties of a certified member.
- 1.1.12 "Designated Certified Worker Member" shall mean the Certified Worker Member of the Committee who has been selected to carry out the powers and duties of a certified member.
- 1.1.13 "Designated Substance" means a biological, chemical or physical agent or combination thereof prescribed as a designated substance to which the exposure of a worker is prohibited, regulated, restricted, limited or controlled.
- 1.1.14 "Emergency" shall mean a serious, unexpected and potentially dangerous situation needing immediate action.
- 1.1.15 The "Employer" shall mean the Lambton Kent District School Board (LKDSB).

- 1.1.16 "Management Health and Safety Representative" shall mean Management Representatives selected by the Employer for each of the worksites covered by these Terms of Reference."
- 1.1.17 "Management Member" shall mean any Management person selected by the Employer to be a member of the Elementary Facilities Joint Health and Safety Committee.
- 1.1.18 "Open Vote" shall mean a show of hands of the Committee.
- 1.1.19 "Regulations" shall mean the Revised Regulations of Ontario which are prescribed under the Occupational Health and Safety Act.
- 1.1.20 "Supervisor" shall mean the Director of Education, Superintendents, Principals, Vice Principals, Office Supervisors, Custodial/Maintenance Supervisors or any other supervisor who has authority over a worker or charge of a workplace.
- 1.1.21 "Worker Health and Safety Representative/Site Based Rep" shall mean Worker Representatives selected by the workers at the site for each of the worksites covered by these Guidelines.
- 1.1.22 "Worker member" shall mean any Worker elected by their respective memberships to be a member of the Elementary Facilities Joint Health and Safety Committee.
- 1.1.23 "Worksite" shall mean any of the facilities specified in Appendix A.

Section Two - Structure of the Committee

2.1 Composition and Duties

- 2.1.1 The Elementary Facilities Joint Health and Safety Committee for The Lambton Kent District School Board shall represent all employees, covered by this agreement, located at all elementary facilities outlined in Appendix A.
- 2.1.2 The Elementary Facilities Joint Health and Safety Committee, henceforth known as the "Committee," shall consist of Worker Representatives and Management Representatives as outlined in Appendix B. At least half of the Committee shall be workers who do not exercise managerial functions.
- 2.1.3 The worker members will be selected by the Union/Federation they are to represent as per Appendix B or in the case of non-union workers by the non-union workers they are to represent. All Management representatives will be selected by Management.
- 2.1.4 Vacancies will be filled as quickly as possible.
- 2.1.5 There shall be two Co-Chairs, one selected by the Worker Members and one selected by the Management Members. The respective groups will review the Co-chair position annually and the person holding each position will be identified at the September meeting.

- 2.1.6 Elementary facilities will be divided in such a manner that each location has a worker member of the committee assigned to it. Worker Members will be responsible for overseeing the health & safety process (i.e. inspections, etc.,) and for communicating as necessary to the Worker Representatives at their assigned locations. See Appendix E.
- 2.1.7 The Employer will assign a secretary to the Committee. The secretary is not a member of the Committee but shall attend all regularly scheduled meetings of the Committee.

2.2 Certified Members

- 2.2.1 The LKDSB commits to maintaining the certification of all six (6) worker members and five (5) management members of this committee. New Members will begin certification training within 6 months of becoming a member of the committee.

2.3 Health & Safety Representatives

- 2.3.1 Each worksite shall have a maximum of two Worker Site-Based Health & Safety Representatives, henceforth known as Worker Representatives. Where possible, one Worker Representative shall come from CUPE and one shall come from ETFO. These worker representatives shall be selected by the workers they are to represent at the site. In some instances, the bargaining unit may assist in the selection process. If there is a problem/concern with any individual worker representative's ability to carry out their duties it will be referred back to the whole committee at the next scheduled meeting for discussion.
- 2.3.2 The two Worker Representatives shall represent all workers covered by this agreement at their assigned worksites, regardless of union affiliation.
- 2.3.3 The Management Representative at each elementary school will be the school Principal, henceforth known as "Management Representative." The Management Representative at non-school facilities shall be selected by the Management they are to represent at the site. The Management Representative will represent all management personnel at that worksite or facility. An Acting Vice-Principal cannot take on this role.
- 2.3.4 The Worker Representatives, although not full members, are considered to be part of this Committee.

Section Three - Meetings Of The Committee

3.1 Meeting Agenda

- 3.1.1 The Co-Chairs shall jointly prepare the agenda for Committee meetings three (3) weeks prior to the meeting. The Committee meeting package and agenda will be emailed to the committee members at least one (1) week in advance of a meeting.
- 3.1.2 Members who wish to have items added to the agenda should give the Co-Chairs (2) weeks' notice prior to the meeting date.
- 3.1.3 Notwithstanding Clause 3.1.2, items of an emergency nature may be added to the agenda at the start of a meeting, with the approval of both co-chairs.

3.2 Meeting Quorum & Consensus

- 3.2.1 The committee shall have a quorum of 50% plus 1 member, at least two of whom shall represent the employer and at least one of whom is a co-chair, present in order to conduct business. At no time shall the number of members representing the employer exceed the number of members representing workers. If a Co-Chair is absent, the other Co-Chair will chair the meeting.
- 3.2.2 All items raised from the agenda in meetings will be dealt with on the basis of consensus. Formal motions will not be used. Where consensus cannot be reached, the item will be put over to the next meeting, at which time resolution will be re-attempted, unless the Committee deems the item to be in the nature of an emergency.
- 3.2.3 Where an item cannot be resolved at the second attempt, then consensus will be construed to be by an open vote of the members present. If it still cannot be resolved it will be sent to Senior Management for an attempt at resolution with a reply in 21 days from the meeting. Any members still in disagreement with the item can submit to Senior Management a minority report stating the reasons for their disagreement. Where the item cannot be resolved internally, the Ministry of Labour will be contacted for guidance.
- 3.2.4 Where an item raises policy issues, it shall be referred to the appropriate authorities (e.g. Superintendent or Manager, etc.) through the Potential Incident System, and/or through the H&S Officer to appropriate Manager for consideration and written responses filed with the Committee.
- 3.2.5 If the committee has failed to reach consensus about making a recommendation to Senior Administration, after attempting in good faith to do so, either co-chair of the committee has the power to make a written recommendation to the employer.

3.3 Frequency of Meetings

- 3.3.1 The Committee shall meet six (6) times a year in September, November, January, March, May and June. Unscheduled or Emergency meetings may be scheduled, as required, at the agreement of both Co-Chairs.
- 3.3.2 Worker Members of the Committee and the Health & Safety representatives are entitled to such time from work as is necessary to carry out their duties in accordance with these Guidelines and the Act. The time so spent shall be deemed to be work time for which the Worker shall be paid by the Employer at the regular or premium rate as may be proper. All other approved costs incurred will be covered according to LKDSB policy.
- 3.3.3 All committee members will have the morning of the day of the worker's meeting to prepare for the full committee meeting. It is expected that this preparation is done at a LKDSB worksite or other approved site. Additional release time shall be granted where necessary for members to carry out specific duties such as accident investigations, school meetings, attendance at the start of testing where required, etc. This additional release time needs to be approved in advance by the Health & Safety Officer or Management Co-chair.

3.4 Minutes of Meeting

3.4.1 The Committee Secretary shall be responsible for taking the minutes of all meetings and for having the minutes circulated by email within twenty (20) working days of the meeting or as the Co-Chairs instruct as follows to:

Committee Members
Health & Safety Representatives
Director of Education & Superintendents
Chair & Vice-Chair of the Board
School Principal/Building Supervisor
Presidents of Unions/Federations and Affiliates
Secondary JH&S Committee Co-Chairs

3.4.2 Minutes of the meeting will be reviewed and edited (where necessary) by the Co-Chairs before circulation. The names and affiliations of Committee Members will not be used except for recording attendance at the meetings.

3.4.3 One hard copy of the minutes will be sent to each elementary worksite for posting on the health & safety bulletin board. Schools shall maintain the current year's minutes plus one in a binder at the school. Additionally, the last 5 years' worth of minutes will be maintained on-line and accessible by all LKDSB staff.

3.4.4 Minutes will be approved at the next meeting of the Committee, at which time errors, omissions or additions will be noted and dealt with.

3.4.5 The committee secretary will be an employee of the LKDSB who is not management.

3.5 Meeting Attendance by Others

3.5.1 The Co-Chairs in consultation may invite additional persons to attend a Committee meeting to provide additional information or comment. These additional persons shall be deemed "guests" and therefore are not entitled to participate in regular meeting business.

3.5.2 Any Committee Member may request the attendance of a guest, and this request shall be submitted to a Co-Chair within three (3) weeks of the next meeting, or as circumstances permit. The Co-Chair shall consult with their counterpart prior to approving the request for guest attendance.

3.5.3 Worker and Management Representatives may attend formal Committee meetings as required to discuss concerns at their specific work location after first following the process laid out in the Health & Safety Concern Resolution Flowchart. Representatives must notify the Co-Chairs of any meeting they plan to attend and provide the Co-Chairs with a written outline of the concern they plan to discuss.

3.5.4 The Health & Safety Officer or designate is expected to attend all meetings as a technical advisor.

Section Four - Function and Operation of the Committee

4.1 Function of the Committee

4.1.1 In accordance with the Act and its Regulations and Amendments, it is the function of this Committee and it has the power:

4.1.1.1 to make recommendations to the Employer for the general improvement of health and safety of workers.

4.1.1.2 to identify situations that may be a source of danger or hazard to workers and make recommendations on how to resolve them.

4.1.1.3 to make recommendations to the Employer and the Workers for the establishment, maintenance and monitoring of programs, measures and procedures respecting the health and safety of workers;

4.1.1.4 to obtain information from the Employer respecting:

- i) the identification of potential or existing hazards of materials, processes or equipment, and
- ii) health and safety experience and work practices and standards in similar District Boards of which the Employer has knowledge,
- iii) other information such as WSIB summaries, Ministry of Labour orders, work-related accidents involving injury, death or occupational illness and the results of any reports relating to health & safety in the workplace,
- iv.) the conducting or taking of tests or any equipment, machine device, article, thing, material or biological, chemical or physical agent in or about a workplace for the purpose of occupational health & safety, and
- iv) provide any information required under the Designated Substances Regulation.

4.1.1.5 to provide consultation on the annual WHMIS review and the training provided to workers and the worker's familiarity with it and to obtain from the employer updated electronic copies of all material safety data sheets for materials used in the workplace.

4.2 Other duties of the Committee include:

4.2.1 To coordinate the activities of the Worker Representatives and provide assistance and consultation to Worker Representatives, where necessary, with regard to their health & safety duties.

4.2.2 To disseminate all pertinent health and safety information, instruction and assistance through the Worker Representatives to all employees at the worksites.

4.2.3 To review the health and safety policy and the program the Employer has for implementing the policy annually. This involves identifying up to three administrative procedures for review each year at the September meeting. Additionally, worker members will play a role in the annual improvement audit.

- 4.2.4 To post the names of Committee Members and site Representatives on the health and safety bulletin board located at each facility covered by this agreement.

4.3 Recommendations

- 4.3.1 All Committee recommendations, with appropriate rationale, shall be communicated in writing to appropriate management personnel for action. Recommendations received by the Committee will be discussed by the Committee, and a determination will be made whether a written recommendation will be forwarded to the Employer.
- 4.3.2 The time line of twenty one (21) days for a written response shall begin when management personnel receive the Committee's recommendation. The written response should include a timetable for the implementation of the recommendation, if accepted or reasons why the Employer disagrees with and therefore does not accept it.
- 4.3.3 See clause 3.2.5 whereby the committee has failed to reach a consensus on a recommendation.

4.4 Testing & Reports:

- 4.4.1 The Employer will notify the Worker Co-chair and the Site Representatives of its intent to carry out testing for the purpose of occupational health and safety. The Worker Co-Chair will consult with the worker representatives in regards to the testing. For the most part, the committee designates the worker representatives at the site where the testing is to occur the entitlement to be present at the beginning of such testing where it is felt their presence is required to ensure that valid testing procedures are used and to ensure that the test results are valid. However, in cases where the testing is of an unusual nature and or where it is felt that an actual worker committee member's presence may be beneficial, the Worker Co-chair will discuss the situation with the Health & Safety Officer or the Management Co-chair and a decision will be made as to whether the Worker Co-Chair or their designate should be released to be present at the start of the testing process instead of the worker representatives. Testing done for clearance purposes on major construction projects is not included with this clause as the workers on these projects are the responsibility of the Health & Safety Representative selected by them and the General Contractor of the project.
- 4.4.2 Results of reports respecting occupational health and safety and designated substances will be provided to the Co-Chairs within seven (7) working days of the LKDSB's receipt of these reports. A list of designated substances that can be found in elementary facilities will be maintained and updated as needed in Appendix H.

4.5 Training:

- 4.5.1 All Worker and Management Representatives will receive annual training developed in consultation with the Committee. The dates and locations will be decided at the May meeting. Representatives are expected to attend one of the two sessions each year. Representatives are entitled to such time from work as is necessary to attend this training. The time so spent shall be deemed as work time for which the worker shall be paid by the employer at the representative's regular or premium rate as may be proper. Any additional costs (i.e. registration materials, replacement staff, etc.) will be covered by the Employer after prior consultation with the Health & Safety Officer.

- 4.5.2 The committee members will provide input into the contents of this annual representative training and will be released to attend one session; except for the Co-Chairs who may attend both in order to represent the committee at the training.
- 4.5.3 Training for new representatives will be held in October of each year. All representatives new to the role will be released to attend this training.
- 4.5.4 The LKDB shall ensure that all Committee Members receive certification training required in order to effectively carry out their duties. All committee members will be trained annually on identified hazards within the LKDSB. At the September meeting the Committee shall determine the 2 hazards. The training on the two (2) hazards will be held during the months of November and March. The training will be reviewed at the May Meeting.
- 4.5.5 All other legislated health and safety training programs will be developed, where possible, in consultation with the Committee.
- 4.5.6 Any mileage incurred by the committee for training or meetings will be paid by the LKDSB in accordance with LKDSB Policy.

4.6 Inspections

- 4.6.1 Each workplace shall be inspected in its entirety once quarterly by a Worker Representative. The Worker Representative will be released for one day to do this inspection during school hours.
- 4.6.2 The quarterly inspections shall be divided equally between the Worker Representatives at the site. The Worker and Management Representatives at the site shall meet in September to review the facility's inspection requirements and schedule and shall share it electronically with the committee member assigned to their location.
- 4.6.3 High-risk areas will be inspected monthly. The LKDSB will maintain a list of what is considered to be a high risk area in Appendix F. The Worker Representative will be released to do this inspection during school hours in consultation with the School Principal or Site based Manager.
- 4.6.4 In addition to the above inspections, worker member of the committee shall complete on an annual basis at least one full workplace inspection at one of the schools assigned to them. These inspections shall be scheduled in such a manner that each of the schools in their assignment is inspected once every five years. An inspection conducted by a worker member of the committee will replace one of the normal quarterly inspections done at that workplace. At least one of the worker representatives shall accompany the worker member on this inspection.
- 4.6.5 Following the inspection, the Worker Representative will discuss the inspection report with the Management Representative. It is the responsibility of management at the facility to ensure that hazards are promptly dealt with.
- 4.6.6 Inspection results will be documented in the LKDSB's Electronic inspection system. Worker Representatives are responsible for inputting all hazards and the Management Representative is responsible for the responses to the hazards.

4.6.7 A copy of the site's most recent inspection report shall be printed and posted on the health and safety bulletin board at the site. The Board shall maintain a minimum of 5 years' worth of inspection reports electronically and the Worker and Management Representatives along with Committee Members shall have access.

4.7 MOL Inspections

4.7.1 The Management Representative shall immediately notify the Health & Safety Department that an MOL Inspector has arrived at the worksite to conduct an inspection. In turn, the Health & Safety Department will notify both Co-chairs of the committee.

4.8 Accident Investigations

4.8.1 It is the responsibility of the injured employee's direct supervisor to investigate employee accidents, regardless of whether the accident is a first aid, medical aid or lost time. However, if the accident involves a critical injury the School Principal/Management Representative will immediately contact the Health & Safety Department for further instruction. The Worker Co-chair shall designate the appropriate committee worker member that will be released to participate in any accidents investigations where a worker is critically injured or killed at a workplace from any cause as per the Act.

4.8.2 The Employer shall be responsible for ensuring that the requirements for notification of employee accidents and illnesses prescribed in the Act and Regulations and Board Policy and procedures are known to all staff.

4.9 Work Refusals & Work Stoppages

4.9.1 A Worker Representative shall be made available to represent workers involved in the initial stage of a work refusal at their respective facility.

4.9.2 Where the work refusal cannot be resolved at the site and the Ministry of Labour is notified, Worker Representative, as per the Board's Administrative Procedure for Work Refusals attached as Appendix I, can request that the Worker Co-Chair, or at the discretion of the Worker Chair the Committee Member assigned to the location, replace them in the investigation process. Please note that if the Co-chair does replace the site-based representative, the Ministry Inspector may still want to question the Worker Representative about their findings at the first stage of the work refusal.

4.9.3 In the event of a need to investigate dangerous circumstances, as defined by the Act and these guidelines, both a certified Management Member and the designated Certified Worker Committee Member will be notified. A staff member from the Board's Health & Safety Department will also be made available to assist in the investigation.

Section Five - General

5.1 In keeping with the internal responsibility system, all employees are instructed to discuss their health and safety related problems with their immediate supervisor. If the problem remains unresolved the employee should discuss the matter with the appropriate Worker Representative for an attempt at resolution and continue to follow the concern resolution flow chart. *(See Appendix G for Concern Resolution Flow Chart)*

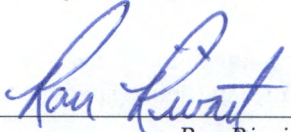
- 5.2 This document will be reviewed on an annual basis at the March meeting of the committee. Any amendments, deletions or additions to these guidelines must have the consensus of the full Committee. Amendments, deletions or additions must be set out in writing and signed by the all Committee Members and the Director of Education and attached as an appendix. Major changes will require the document to be resubmitted for approval by the Ontario Ministry of Labour.
- 5.3 A copy of this agreement along with a copy of the Minister's Order approving said agreement will be maintained electronically where is accessible to all workers covered by this agreement and where it can be easily made available to be viewed by a Ministry of Labour Inspector at any worksite covered by this agreement.

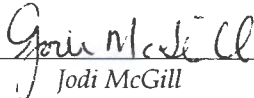
Section Six - Acceptance Agreement

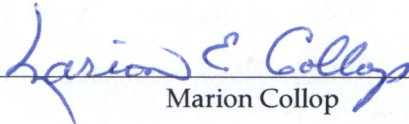
We hereby agree to accept these Guidelines for the Structure and Function of the Elementary Facilities Joint Health & Safety Committee as herein written.

Signed at [Sarnia], Ontario, [30] day of [June], 20[16].

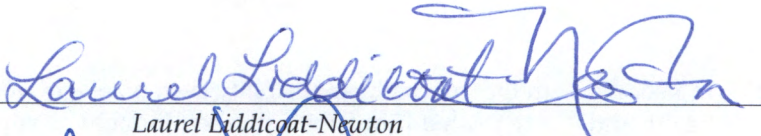
Director of Education 
Jim Costello

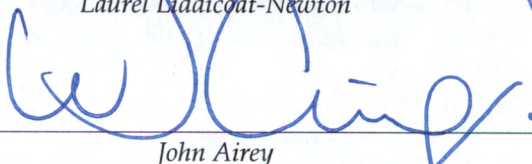
ETFO President 
Ron Rivait

CUPE 1238 President 
Jodi McGill

ETFO/OT President 
Marion Collop

Representative for Non-Union Worker 
Brian Pelletier

Worker Co-Chair 
Laurel Liddicoat-Newton

Management Co-chair 
John Airey

Facility	Distance (Kilometers - one way)		Facility	Distance (Kilometers - one way)	
	Sarnia Education Centre	Chatham Regional Education Centre		Sarnia Education Centre	Chatham Regional Education Centre
A.A. Wright Public School	50	30	Lansdowne Public School	3	83.5
Aberarder Central Public School	33	50	London Road Public School	1.5	81.5
Bosanquet Central Public School	64	103	McNaughton Avenue Public School	80	0
Bridgeview Public School	5	85	Merlin Area Public School	110	30
Brigden Public School	25	55	Mooretown-Courtright Public School	16	64
Bright's Grove Public School	17	92	Naahii Ridge Public School	100	40
Brooke Central Public School	60	60	P. E. McGibbon Public School	1	81
Cathcart Boulevard Public School	8	85	Queen Elizabeth II Public School - Chatham	85	5
Chatham Regional Education Centre	80	0	Queen Elizabeth II Public School - Petrolia	24.5	82.5
Colonel Cameron Public School	14	66	Queen Elizabeth II Public School - Sarnia	3	83.5
Confederation Central Public School	11	76	Riverview Central Public School	36	50
Dawn-Euphemia Public School	52	54	Rosedale Public School	5	82.5
Dresden Area Central Public School	73	28	Sarnia Education Centre	0	80
East Lambton Public School	50	83.5	Sir John Moore Public School	14	66
Errol Road Public School	6	100	South Plympton Public School	45	75
Errol Village Public School	27	100	Tecumseh Public School	75	4
Grand Bend Public School	76	123	Thamesville Area Public School	75	26
Gregory Drive Public School	75	5	Tilbury Area Public School	100	31
H.W. Burgess Public School	50	30	Victor Lauriston Public School	85	5
Hanna Memorial Public School	2	83	W.J. Baird Public School	105	25
Harwich-Raleigh Public School	105	25	Wheatley Area Public School	125	45
High Park Public School	4	82	Winston Churchill Public School	83	3
Hillcrest Public School	27	80	Wyoming Public School	45	75
Indian Creek Road Public School	88	8	Zone Township Central Public School	75	44
John N. Given Public School	75	4	Grades 7 & 8 - Ridgetown District High School	100	40
King George VI Public School - Chatham	80	2	Grades 7 & 8 - Wallaceburg District Secondary School	50	30
King George VI Public School - Sarnia	5	85			
Kinnwood Central Public School	48	94			
Lakeroad Public School	6.5	84.5			
Lambton Central Centennial Public School	32	75			

As of: June 2016
 Supersedes: None
 Last Reviewed: June 2016

Elementary Facilities Joint Health & Safety Committee Composition

APPENDIX B

Worker Members	Total	Management Members:	Total
C.U.P.E. Local 1238	2	Principals	2
L.K.E.T.F.O.	2	Manager of Plant & Maintenance	1
E.T.F.O. Occasional Teachers	1	Other Department Manager/Supervisor	2
Non-Union Workers	1		
Total Workers	6	Total Management	5

As of: June 2016
 Supersedes: None
 Last Reviewed: June 2016

Worker Group Composition

Group	Count
C.U.P.E. Local 1238	764 See Note Below
L.K.E.T.F.O	902
E.T.F.O. Occasional Teachers	424
Non-Union (non-management)	28

Note:

- The CU.P.E. count is a total of all C.U.P.E. workers employed by the Lambton Kent District School Board and not just workers employed in elementary facilities. It is estimated that 2/3 or approximately 510 are employed within elementary facilities and as such represented by this committee.

As of: June 2016
 Supersedes: None
 Last Reviewed: June 2016

1. To attend the scheduled meetings of the Elementary Facilities Joint Health & Safety Committee.
2. To carry out the work of the Elementary Facilities Joint Health & Safety Committee in keeping with the members, responsibilities under the Act as listed under Section 4 of the accompanying Committee guidelines.
3. To liaise with the Health & Safety Representatives at their assigned sites three times per school year, usually coinciding with facility inspections. See Appendix E for the schedule and frequency.
4. To report to the Joint Health & Safety Committee areas of concern regarding physical inspection reports (e.g. repeat items, etc.)

As of: June 2016
Supersedes: None
Last Reviewed: June 2016

1. To communicate to workers all information related to health and safety received from the Committee.
2. To respond to concerns using the internal responsibility system and concern resolution flow chart.
3. To conduct worksite inspections in accordance with these guidelines and Appendix E.
4. To participate in required training programs recommended by the Committee.
5. To assist the Certified Member of the Committee in the performance of Certified Member duties as required at the site.
6. To accompany a Ministry of Labour Inspector in the performance of their duties as outlined in these guidelines.
7. To make recommendations to Work Site Management for the improvement of health & safety at the site.
8. To conduct accident investigations as outlined in these guidelines of all accidents reported by workers.
9. To participate in the investigation of all work refusals at the site as outlined in these guidelines.
10. To perform other duties as may be assigned by the Committee.

As of: June 2016
Supersedes: None
Last Reviewed: June 2016

The school grouping will be reviewed on annual basis at the June meeting of the Committee.

<p style="text-align: center;"><u>Group 1</u></p> <p style="text-align: center;">Aberarder Bright’s Grove Bosanquet Cathcart Errol Road Errol Village Grand Bend Kinnwood Lakeroad</p> <p style="text-align: center;">Inspections Due: September, December, March & June</p>	<p style="text-align: center;"><u>Group 2</u></p> <p style="text-align: center;">Bridgeview Hanna High Park King George VI - Sarnia London Road Queen Elizabeth - Sarnia Rosedale Sarnia Education Centre</p> <p style="text-align: center;">Inspections Due: October, January, April & July</p>	<p style="text-align: center;"><u>Group 3</u></p> <p style="text-align: center;">A. A. Wright Confederation East Lambton H. W. Burgess Lansdowne P.E. McGibbon South Plympton Wyoming Wallaceburg 7 & 8</p> <p style="text-align: center;">Inspections Due: November, February, May & August</p>
<p style="text-align: center;"><u>Group 4</u></p> <p style="text-align: center;">Brigden Brooke Central Colonel Cameron Dawn Euphemia Hillcrest Lambton Centennial Mooretown Queen Elizabeth 11- Petrolia Riverview Sir John Moore</p> <p style="text-align: center;">Inspections Due: September, December, March & June</p>	<p style="text-align: center;"><u>Group 5</u></p> <p style="text-align: center;">Dresden Indian Creek Road John N. Given King George VI - Chatham McNaughton Naahii Ridge Tecumseh Thamesville Ridgetown 7 & 8 Zone</p> <p style="text-align: center;">Inspections Due: October, January, April & July</p>	<p style="text-align: center;"><u>Group 6</u></p> <p style="text-align: center;">Gregory Drive Harwich Raleigh Queen Elizabeth 11 - Chatham Merlin Tilbury Victor Lauriston Winston Churchill W. J. Baird Wheatley Chatham Regional Education Centre</p> <p style="text-align: center;">Inspections Due: November, February, May & August</p>

Please note that all high risk areas as noted in Appendix F must be inspected monthly.

As of: June 2016
Supersedes: None
Last Reviewed: June 2016

Elementary Facilities High Risk Areas

APPENDIX F

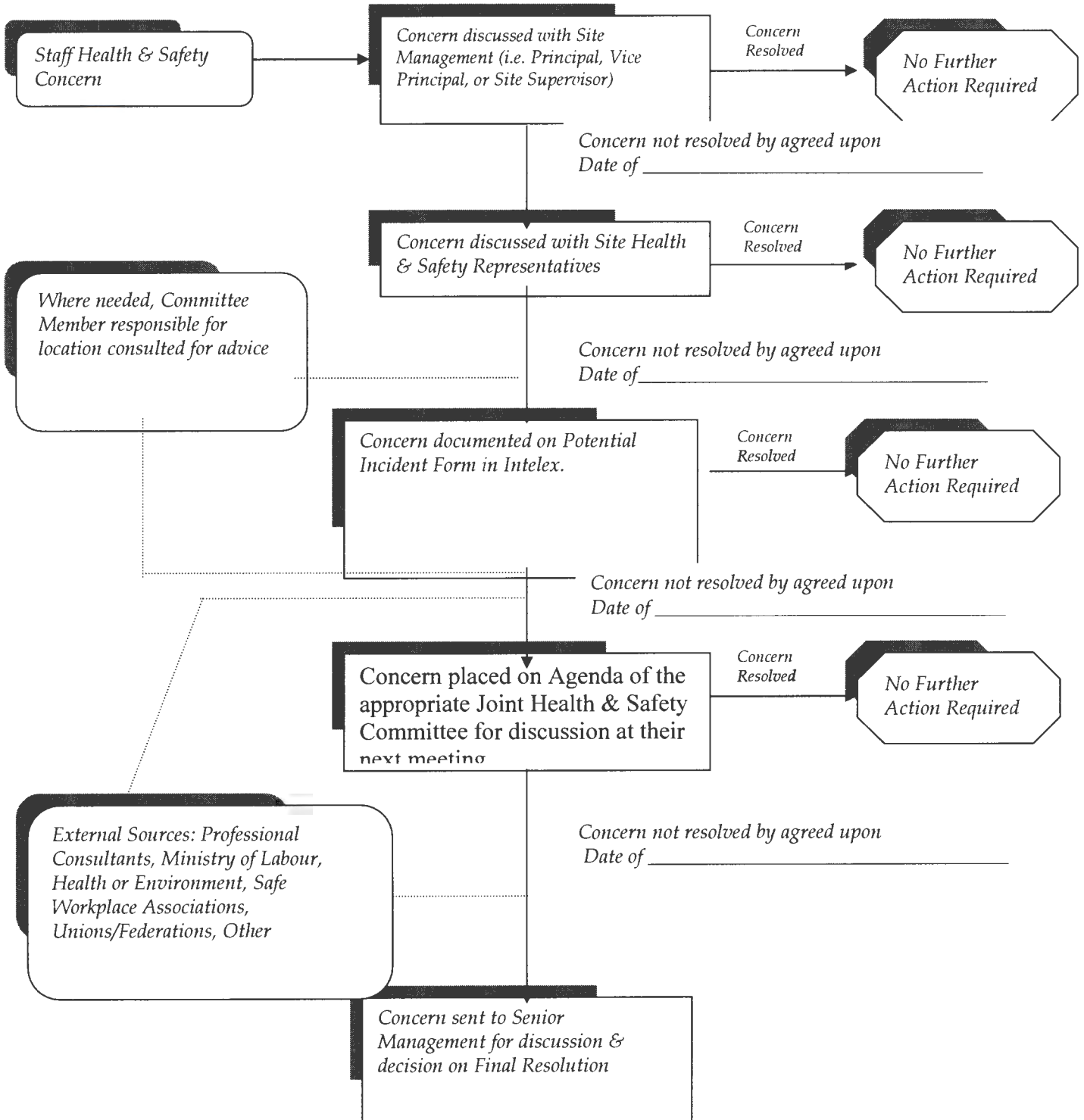
The following areas of an elementary facility are considered high risk and shall be inspected monthly:

Chemical/Science Storage Areas
Art Supply Storage Area
Gymnasium Equipment Rooms
Custodial Rooms
Boiler Rooms
Mechanical Rooms

As of: June 2016
Supersedes: None
Last Reviewed: June 2016

LAMBTON KENT DISTRICT SCHOOL BOARD

Health & Safety Concern Resolution Flow Chart



The following is a list of Designated Substances that can be found in some Elementary School.

Asbestos - Due to the time of building construction both friable and non-friable asbestos containing building products are present in most elementary facilities.

Lead - Due to the time of building construction lead containing materials may be present in some elementary facilities in the form of wall paint, solder on copper plumbing fixtures, and emergency back-up battery powered lighting system.

Mercury - Mercury is assumed to be present in fluorescent light tubes found throughout most elementary facilities. Mercury may also be found in glass ampoules within thermostats of some buildings.

Polychlorinated Biphenyls (PCBs) - Due to the time of building construction it is presumed that there are still some light ballasts in some elementary facilities that were installed prior to 1978 and that are presumed to contain PCBs in the insulating fluid.

Silica - Due to the time of building construction of most elementary facilities there may be some crystalline silica present in concrete blocks, mortar, brick, etc. used in the the construction of the building.

As of: June 2016
Supersedes: None
Last Reviewed: June 2016

ADMINISTRATIVE PROCEDURES

SUBJECT: Health & Safety Related Work Refusals.

The Lambton Kent District School Board recognizes that every employee has the right to refuse unsafe work under the Occupational Health & Safety Act. The following procedure was developed to identify the process regarding work refusals.

Criteria for a Work Refusal as defined in the Occupational Health & Safety Act

A worker may refuse to do particular work where he or she has reason to believe that,

- a) any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker.
- b) the physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself; or
- c) any equipment, machine device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of the Occupational Health & Safety Act or the regulations and such contravention is likely to endanger himself herself or another worker.

Application

The right to refuse work applies to all employees as long as the criteria for the refusal as per the Act is met. However, in some cases as per Section 43(1) (2) & (3) of the Occupational Health & Safety this right may be limited. **It is hoped that most health & safety concerns can be resolved and corrected through the Health & Safety Concern Resolution process prior to an Employee having the need to refuse work.**

Steps to be followed during a work refusal

Stage 1 Work Refusal

1. An employee who feels that the criteria for a work refusal has been met and has a genuine belief that continuing to do the work could result in harm to themselves or others should immediately report the circumstance of the refusal to their School Principal / Supervisor. The Employee should clearly state that they are refusing to work as per the Occupational Health & Safety Act.
2. The Principal / Supervisor should immediately notify the Worker Health & Safety Representatives at the site. The site based worker representatives should decide which one of them will represent the Employee in the investigation of the refusal and that Representative should be made available with no delay.

3. Together in the presence of the Employee, the School Principal / Supervisor and the site based Worker Health & Safety Representative should investigate the circumstance of the refusal. If necessary, the Health & Safety Department can be contacted to assist in this investigation.
4. Until the investigation is complete the refusing Employee is to remain in a safe area near their work area. Any affected students or other staff members should also be moved to a safe area while the investigation is completed.
5. If the School Principal / Supervisor agree with the Employee, action must be taken to correct the problem or isolate the problem (i.e. lockout, etc.) until the problem can be corrected. If the Employee is satisfied that the situation has been resolved and that they are no longer in harms way then the employee is to return to work and at this point the work refusal is over.
6. The Principal should document the circumstance of the worker refusal and the corrective actions taken and submit a report to the Health & Safety Department to be kept in the school/site's Health & Safety file at the Board Office. A copy of the report should be provided to the appropriate Joint Health & Safety Committee at their next scheduled meeting.

Stage 2 Work Refusal

1. If after the investigation in stage 1 or after implementing any corrective actions to deal with the circumstances that caused the refusal, the Employee still feels that they have reasonable grounds to believe that the criteria for a work refusal have been met and that they may still be in harms way as per that criteria the Employee shall clearly state to their School Principal / Supervisor that they are exercising their right to continue to refuse work under the Occupational Health & Safety Act.
2. As per the Occupational Health & Safety Act, the Ontario Ministry of Labour must be notified that an unresolved work refusal is in progress. It is the responsibility of the School Principal / Supervisor to immediately contact the Ontario Ministry of Labour at 1- 877-202-0008. The School Principal / Supervisor should also contact the Board's Health & Safety Department at the Sarnia Education Centre. Depending on the circumstances a representative of the Board's Health & Safety Department may be made available to assist with the investigation.
3. As per the Act, an inspector from the Ontario Ministry of Labour will investigate the refusal to work in consultation with the School Principal / Supervisor, the refusing Employee and the site-based Health & Safety Representative that represented the Employee in Stage 1. However, the Worker Site Based Representative can request at this point in the process that the Joint Health & Safety Committee Worker Co-Chair, or at the discretion of the Chair the Committee Member assigned to the location, replace them in the investigation process. Please note that if the Co-chair does replace the site based representative, the Ministry Inspector may still want to question the site-based representative about their findings of the first stage of the work refusal.
4. The refusing Employee must remain in a safe place at the workplace during their normal working hours pending the investigation and the decision by the inspector. However, subject to any provisions within a collective agreement the Employee can be assigned to do other reasonable alternative work during their normal working hours while waiting for this decision.
5. The School Principal / Supervisor can ask another Employee to do the work of the refusing Employee but must advise that Employee about the refusal and the circumstances for it in the presence of the site-base worker Health & Safety Representative or the Worker Co-chair or his designate.

6. As per the Occupational Health & Safety Act, the Ministry inspector will provide a written report outlining their decision to all parties. The report will specify whether the work refusal was justified, and, if it was, what measures the School Principal / Supervisor and /or Employer must take. If the refusal was justified, work cannot continue until the orders to remedy the problem have been carried out. However, the Employee can be assigned alternate work or depending on the issue moved to an alternate area within the work site as long as the work or movement within the building is reasonable. If the inspector determines the refusal was not justified, the Employee is expected to return to work.
7. Under no circumstances can the refusing Employee be reprimanded for exercising their right to refuse work even if the Ministry of Labour determines the refusal was not justified.
8. Copies of the Ontario Ministry of Labour's report will be made available to the appropriate Joint Health & Safety Committee. A copy should also be posted on the Health & Safety Bulletin Board at the site the work refusal occurred for a period of at least 14 days.
9. If either party is not satisfied with the decision of the inspector, the decision can be appealed to the Ontario Labour Relations Board.

Implementation Date: June 2, 2009

Reference: Occupational Health and Safety Act