

HWDSB

Policy Committee

Wednesday, May 8, 2019

Room 340-D

Hamilton-Wentworth District School Board

20 Education Court, P.O. Box 2558

Hamilton, ON L8N 3L1

AGENDA: 5:30 p.m.

1. Call to Order
2. Approval of the Agenda

Policy Review:

Human Resources:

3. Occupational Health & Safety – annual review
4. Workplace Violence & Harassment Prevention – annual review

Discussion item:

5. Fraud Prevention & Management policy – no copy

6. Adjournment – next policy meeting: TBD: September 2019

Subject: Human Resources Policies
Executive Council Member Responsible: Jamie Nunn
Superintendent, Human Resources



BACKGROUND

The following policies are being presented for review:

Policy 4.3 Occupational Health and Safety

Annual – Review

Policy outlining the obligations to providing and maintaining a safe and healthy work environment. Minor changes made to the purpose statement as well as to the intended outcomes (language clarification).

Policy 4.9 Workplace Violence and Harassment Prevention

Annual – Review

Policy outlining the obligation to the prevention of workplace violence and harassment under legislation. Minor changes made to the guiding principles and intended outcomes as well as language clarification for the assessment section of progress indicators.

RECOMMENDATION(S)

That the Human Resources policies be recommended for approval.



Occupational Health and Safety

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB), is committed to providing and maintaining a safe and healthy work environment for all employees and occupants of HWDSB sites.

GUIDING PRINCIPLES:

- Promote and encourage a safe and healthy work environment, in accordance with industry standards and in compliance with legislative requirements.
- Endeavour to eliminate any foreseeable hazards that may result in personal injury/illness, property damage and incidents.
- Value employees by respecting their concerns and responding to their needs.
- Commit to health and safety being an integral part of the Board's operations.

INTENDED OUTCOMES:

- Establish incident reduction goals.
- Implement strategies to reduce workplace injuries.
- Support the Internal Responsibility System by completing workplace inspections and eliminating hazards.

RESPONSIBILITY:

Director of Education- Annual review- per the *Occupational Health & Safety Act, S. 25(2)(j)*

Members of Executive Council

Central Joint Health and Safety Committee (annual review)

All Employees

TERMINOLOGY:

Central Joint Health and Safety Committee: A single Joint Health and Safety Committee established to cover multiple workplaces where the committees' structure has received approval by order of the Minister of Labour.

Internal Responsibility System: Refers to the underlying philosophy of occupational health and safety, based on the foundation that everyone in the workplace, including the employer, supervisors and employees are collectively responsible for creating and maintaining a safe and healthy workplace.



Occupational Health and Safety

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Workplace: Any land, premises, location or thing at, upon, in or near which a worker works.

Supervisor: The person who has charge of a workplace or authority over a worker. In the case of school sites, the supervisor shall be the principal or, in the principal's absence, the vice-principal or another designate.

Worker: Any of the following:

- A person who performs work or supplies services for monetary compensation.
- A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, private career college or other post-secondary institution.
- Such other persons as may be prescribed (by the Occupational Health and Safety Act) who perform work or supply services to an employer for no monetary compensation.

ACTION REQUIRED:

Every worker must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive information, training and competent supervision in their specific work tasks to protect their health and safety.

The Central Joint Health and Safety Committee shall assist in identifying situations that may be a source of danger or hazard to workers and make recommendations to the board on matters of occupational health and safety, which includes:

- a framework for setting and reviewing health and safety objectives and targets
- health and safety awareness and training programs
- supporting Site Joint Committees to assist with monthly inspections and support the functions of the Central Joint Health and Safety Committee
- hazard identification to eliminate any foreseeable hazards that may result in personal injury/illness, property damage and incidents.



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PROGRESS INDICATORS:

Intended Outcome	Assessment
Establish incident reduction goals.	A comparison, year over year, of notifiable accidents, explosion, fire or incident of workplace violence where a person is killed or critically injured, disabled from performing his or her usual work or requires medical attention.
Implement strategies to reduce workplace injuries.	Strategies will be evaluated by reviewing and comparing, year over year, incident reports in the identified categories.
Support the Internal Responsibility System by completing workplace inspections and eliminating hazards.	The successful completion of monthly and annual workplace inspections.

REFERENCES:

Government Documents

Education Act

Occupational Health and Safety Act

HWDSB Policies

Accommodation of Staff

Inclement Weather and Board Cancellations

Medical Health Supports

Recruitment and Selection

Use of Board Facilities

Workplace Violence and Harassment Prevention



Workplace Violence and Harassment Prevention

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) believes in the prevention of workplace violence and harassment while promoting a safe workplace in which all people respect one another and work together to achieve common goals.

GUIDING PRINCIPLES:

- Value employees by respecting their concerns and responding to their needs.
- Foster the development of trustful and respectful relationships in an environment free from discrimination, harassment and workplace violence.
- Fulfill our obligations under the Occupational Health and Safety Act, Employment Standards Act and Ontario Human Rights Code.

INTENDED OUTCOMES:

- Establish incident reduction goals.
- Implement strategies to reduce workplace violence and harassment.
- Raise awareness of all employees' direct responsibility to ensure a violence and harassment free working and learning environment.

RESPONSIBILITY:

Director of Education – Annual review – per the *Occupational Health and Safety Act, S.32*
Members of Executive Council

TERMINOLOGY:

Worker: Can be defined as

- A person who performs work or supplies services for monetary compensation.
- A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university private Career College or other post-secondary institution.



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- Such other persons as may be prescribed (by the Occupational Health and Safety Act) who perform work or supply services to an employer for no monetary compensation.

Workplace: Any land, premises, location or thing at, upon, in or near which a worker works.

Workplace Violence: As per the *Occupational Health and Safety Act*, workplace violence is defined as:

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker.
- c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace that could cause physical injury to a worker.

Workplace Harassment: Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

The Ontario Human Rights Code also protects workers from harassment in employment by the employer, agent of the employer or by another employee because of the following prohibited grounds: Race, Colour, Ancestry, Creed (religion), Place of Origin, Ethnic Origin, Citizenship, Sex (including pregnancy, gender identity), Sexual Orientation, Age, Marital Status, Family Status, and Disability.

Workplace Sexual Harassment: Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. This could also include making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

The Ontario Human Rights Code offers protection for workers against harassment because of sex or sexual solicitation by a person in a position to confer benefits. Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

ACTION REQUIRED:



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Staff will implement and maintain procedures to operationalize this policy under the requirements prescribed in the *Ontario Human Rights Code* and *Occupational Health and Safety Act*.

Staff will ensure:

- The policy is posted in all HWDSB workplaces on the Health and Safety Bulletin Board.
- All employees receive information and instruction annually about discrimination, harassment and violence in the workplace.
- Employees are not to be penalized or disciplined for in good faith reporting an incident or for participating in an investigation involving workplace violence or harassment
- Employees are aware of additional assistance through the Central Joint Health and Safety Committee (JHSC), the Human Rights Legal Support Centre or the board's employee assistance program.
- Management will investigate and act on all complaints or incidents of workplace harassment or violence in a fair, respectful and timely manner.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Establish incident reduction goals	A comparison, year over year, of notifiable incidents of workplace violence where a person is killed or critically injured, disabled from performing his or her usual work or requires medical attention.
Implement strategies to reduce workplace harassment and violence.	Strategies will be evaluated by reviewing and comparing, year over year, incident reports in the identified categories.
Raise awareness of all employees' direct responsibility to ensure a violence and harassment free working and learning environment.	Measured through feedback from online workplace violence and harassment training.



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REFERENCES:

Government Documents

Human Rights Code

Occupational Health and Safety Act, Section 32.0.1

Employment Standards Act

HWDSB Policies

Code of Conduct

Occupational Health and Safety

Student Behaviour and Discipline