

13.2 School Inspections

This Information Package is designed to present basic health and safety information for school health and safety inspections. The material contained in the package will aid Joint Occupational Health and Safety Committees with the tools necessary to identify potential hazards in the workplace and report the concerns to the principal/supervisor and to the Joint Occupational Health and Safety Committee.

The Nova Scotia Occupational Health and Safety Act is the minimum standard for health and safety in the workplace. The Tri County Regional School Board requires that part of the workplace be inspected once per month, with the entire workplace inspected once a year.

HEALTH, SAFETY AND THE LAW

The Occupational Health and Safety Act gives provisions for the administration of occupational health and safety in the workplace. The Act is the foundation of the legislation; the Regulations are the framework that outlines how to comply with the requirements for specific circumstances.

Some of the sections of the Act provide instruction on:

- The duties of the employer, supervisor and worker
- The right to participate, Joint Occupational Health and Safety Committee (JOHSC)
- The right to refuse unsafe work
- The right to know, Workplace Hazardous Material Information System (WHMIS)
- Control of toxic substances (WHMIS)
- Duty to provide information to workers on hazardous products or agents in the workplace.

The Act is built on the principle of internal responsibility, which means that:

- Employers and workers each have responsibilities for health and safety in the workplace
- The Joint Occupational Health and Safety Committee is a key player to ensure a worker's right to participate, right to know, and right to refuse unsafe work.

The Act and applicable regulations must be available to all workers in each workplace. In schools, the Act is usually posted on the Health and Safety bulletin board. Other legislation that applies to schools includes, but is not limited to;

- Education Act
- First Aid Regulation
- WHMIS regulation
- Building Code
- Safety Policy
- Occupational General regulations
- First Aid regulation
- Appeal regulation

DUTIES OF EMPLOYERS

The following are some of the general duties and responsibilities for the Tri-County Regional School Board:

- Ensure that the Act and regulations are complied with
- Ensure that measures and procedures, where ‘prescribed’ are complied with in the workplace
- Provide protective equipment, where ‘prescribed by Regulation’
- Provide information, instruction and supervision to a worker to protect the health and safety of the worker
- Only appoint a ‘competent’ person as a supervisor
- Inform a worker, or supervisor, about any hazard in the work and ensure that training is provided in the handling, storage, use, disposal and transport of any equipment, hazardous substances, tools, material, etc.
- Help the Joint Occupational Health and Safety Committee to carry out the prescribed duties

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- Prepare a written occupational health and safety policy, review the policy at least once a year and develop a program for implementation
 - Take every precaution reasonable in the circumstances for the protection of a worker.

DUTIES OF A SUPERVISOR

A supervisor shall:

- Ensure that a worker complies with the Act and regulations
- Ensure that any equipment, protective devices or clothing required by the Act, a regulation or employer are used or worn by a worker
- Advise a worker of any potential or actual danger to the health or safety of the worker of which the supervisor is aware
- Take every precaution reasonable in the circumstances for the protection of a worker.

DUTIES OF A WORKER

A worker shall:

- Work in compliance with the Act and regulations
- Use or wear any equipment, protective devices or clothing required by the employer
- Report any known missing or defective equipment or protective device to the supervisor or employer
- Report any known hazards to the supervisor or employer
- Report any known violation of the Act or regulations to the supervisor or employer
- Not remove or make ineffective any protective device required by the regulations or the employer
- Not use or operate any equipment or work in a way that may endanger any worker
- Not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

- A committee shall consist of at least two persons, for a workplace where fewer than twenty workers are regularly employed

At least half the members of the JOHSC shall be workers who do not exercise managerial functions.

- The worker members of the committee are to be selected by the workers or trade union(s)
- The management members are to be selected by the employer, i.e. Principal and/or Vice Principal, Supervisor

WORKERS' RIGHTS

The Act gives three basic rights;

1. **The Right to Participate**
Workers have the right to be part of the process of identifying and resolving workplace health and safety concerns. This right is formally expressed through worker membership on the Joint Occupational Health and Safety Committee and informally through fulfilling their duties to report unsafe conditions, making suggestions, etc.
2. **The Right to Know**
Workers have the right to know about any potential hazard to which they may be exposed. This means the right to receive training and information on machinery, equipment, working conditions and potentially hazardous substances. The Act and WHMIS Regulation play an important role in giving workers the right to know.
3. **The Right to Refuse Unsafe Work**
A worker has the right to refuse unsafe work that he/she has reason to believe may endanger him/herself or another worker. Teachers have a limited right to refuse unsafe work as they are bound to ensure the safety of their students under the Education Act. The teacher may refuse if the student(s) are not put in imminent jeopardy by the refusal.

Support staff including Program Support Assistants, have the unrestricted right to refuse unsafe work.

The Act describes the exact process for refusing dangerous work and the responsibilities of the supervisor, JOHSC member designated to handle work refusals and the refusing worker.

KEY DEFINITIONS

"Competent" as defined by the Act means a person who; is qualified because of his/her knowledge, training and experience to organize the work; is familiar with the Act and the regulations that apply; and has knowledge of any potential or actual danger to health and safety in the workplace.

"Critical Injury": an injury of a serious nature that is placing life in jeopardy

- Producing 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.

"Supervisor": A person who has charge of the workplace or authority over a worker. In schools the supervisor includes the principal, vice-principal, department head, superintendent etc. all the way up to the Director of Education who has ultimate responsibility.

"Health and Safety Inspector": A person who is a member of the JOHSC chosen by the committee worker members to conduct inspections of schools and school facilities.

SAFETY HAZARDS IN THE EDUCATION SECTOR

The following types of hazards are among those found in educational environments:

Physical hazards in the workplace can include equipment, machinery, electricity, noise, heat and cold. Equipment may be as common as the furniture in an office that may present a hazard. For example, a bookcase or filing cabinet may be overloaded and collapse injuring a worker. Equipment is usually considered to be something without moving parts, that is part of the general work environment, which may suddenly fail and become hazardous.

Machinery can range from woodworking tools to paper cutters. Serious injuries, such as the loss of a hand or finger can result from working with machinery. The Act requires an adequate guard to prevent any access to a moving part of a machine. The word adequate is taken to mean that if the worker can put any part of the body or clothing into the machine's moving part(s), the guard is not adequate.

Electricity should be treated with a healthy respect. Only qualified electricians should perform electrical maintenance or connections. Electrical powered equipment, tools, cords and plugs must be maintained in a safe condition.

Noise is unwanted sound. Excessive or prolonged noise can damage the nerves in the ear causing temporary or permanent hearing loss. Noisy environments in school settings often involve students at play, during instrumental music or shop settings. The administration is responsible for putting procedures in place to ensure that excessive noise is controlled.

Extreme temperatures, either hot or cold, can be hazardous unless the appropriate precautions are taken. Procedures should be in place with respect to work outdoors both in summer and winter conditions.

ERGONOMIC HAZARDS

Ergonomics is the science of adapting the workplace to the worker, instead of trying to adapt the worker to the workplace. If workstations, tools and equipment, physical environment and the general organization of the work are not correctly designed, undue stresses and strains can be placed on the body. Injuries that cause disorders to the muscles, tendons and nerves may happen when the same muscles and tendons are used over and over again. The most frequent loss time injuries to workers in the education sector are soft tissue injuries caused by repetitive strain, lifting, twisting, carrying, pushing, pulling and shoveling.

CHEMICAL HAZARDS

Hazardous chemicals are present in most workplaces. These chemicals are present in solvents, cleaning products, oil mists, paints and laboratory chemicals, etc. Hazardous chemicals, whether created naturally or synthetically, can only damage workers if they enter the body and change or damage a cell. Chemicals enter the body in several ways: by breathing (inhalation), swallowing (ingestion), puncture (injection) or by soaking in through the skin (absorption).

The risk of toxic chemical exposure and damage occurs when the hazard is not known or recognized and the correct precautions and training have not been used for the handling/storage of hazardous substances. The WHMIS Regulation requires labeling (Supplier or Workplace),

material safety data (no older than 3 years) and training of all workers using, handling or storing any product containing a potentially hazardous chemical.

BIOLOGICAL HAZARDS

Biological agents are organisms or toxic substances produced by living organisms that can cause illness or disease in humans. Biological agents include bacteria, viruses, fungi, parasites and insects. Biological hazards can be transmitted by contact, inhalation or ingestion. Good hygiene practices such as frequent hand washing are one means of control. Not all biological agents are harmful but precautions are always the best defense.

WORKPLACE INSPECTIONS

The TCRSB requires that a workplace, or part of a workplace be inspected once per month. The objectives of inspections by a school workplace health and safety inspector are:

- To identify and record potential or actual hazards in the work or workplace
- To identify any hazards which require immediate attention and correction
- To ensure that existing procedures are adequate
- To recommend corrective action where necessary.

The role of the Joint Occupational Health and Safety Committee, is to examine the workplace in order:

- To listen to the concerns of workers
- To gain further understanding of the different jobs or tasks
- To observe the use of existing procedures and personal protective equipment
- To recommend corrective action where necessary.

In order to accomplish these goals, the JOHSC should plan the inspection in consultation with the Principal. It is the expectation of the legislation that workers and supervisors conduct all workplace inspections cooperatively. If concerns are dealt with and the administrator corrects hazards promptly, the workplace parties have greater confidence that the system works.

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- Be objective and maintain an attitude that is firm, friendly and fair.
 - Inspections are fact finding, not fault finding.
 - Worker concerns should be accurately documented.
 - When inspecting an activity that is unfamiliar, ask the supervisor, teacher or department head to review the safety procedures for that activity.
 - If concerned that the safety procedures may be inadequate, make a note on the inspection report that a potential hazard may exist and outline the activity.

When the report is completed it must be delivered to the Principal with copies to the Joint Occupational Health and Safety Committee members and a copy posted on the Health and Safety Bulletin Board. Some concerns may require immediate action on the part of the Principal, other recommendations may allow for long-term action plans.

There are at least 5 important steps to effective workplace inspections:

1. Consult with the Principal in order to ensure his/her participation in the inspection. The Principal will be able to provide additional information and can take immediate action to correct a problem.
2. As the Joint Occupational Health and Safety Committee, you will need to be familiar with the school and the activities that take place. You will also need to know and understand the potential hazards in the workplace.
3. Plan a schedule with the Principal so that all areas of the school are inspected at least once per year, and a portion of the school inspected once per month. Certain areas containing shops, labs, darkrooms and other classrooms specializing in potentially hazardous activities may require more frequent inspections than the standard classrooms. The frequency should be determined jointly with the Principal.
4. Prepare a checklist of all the potential hazards; use the checklist as a guide in your inspection.

HINTS for Inspections

- Pause after entering a room and observe the entire space. Note the organization of the furniture and equipment, clear fire exits and aisles, ceiling tiles and combustible artwork displayed on walls etc.
- Stand in the approximate centre of the room and slowly turn while observing the outside walls at the highest level. Look for heavy or unstable storage on top of cupboards, shelves, etc. Observe ventilation and exhaust grilles for signs of blockage and cleanliness.
- Repeat the observation of the room; focus on everything at eye level.
- Next, lower the view and repeat the inspection concentrating on electrical receptacles, tripping hazards, extension cords etc.

Finally, complete a detailed observation of all the equipment that is in or used in the room. Ask questions from the checklist and about written health and safety procedures that the worker(s) or students may use. If you are unfamiliar with any of the equipment request an explanation. Particular emphasis should be paid to guarding on any part of the machine that is capable of moving, rotating or cutting.

SAMPLE INSPECTION PLAN, ROUTE AND FORM

The inspection of the workplace by a worker member of the Joint Occupational Health and Safety Committee is mandated under the Occupational Health and Safety Act. The inspection should be conducted in a manner that does not disturb the classroom or students; therefore a plan and schedule is essential.

1. The JOHSC should consult with the Principal to set an inspection schedule, ideally for the school year.
2. The school health and safety inspector accompanied by the Principal or delegate conducts the inspection.
3. The health and safety inspector completes the report.
4. The completed report is presented to the Principal for action.

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5. (a) The principal/supervisor takes the appropriate action; completes the response.
(b) Where no action is to be taken, the Principal must state the reasons why, which may include the opinion that the concern is not a health or safety issue.
 6. The Principal returns the completed, signed report to the school health and safety inspector and to the Chair(s) of the Joint Occupational Health and Safety Committee.

It is the responsibility of the TCRSB, under the Occupational Health and Safety Act, to respond to a written recommendation from the JOHSC within 21 days. The TCDSB must respond to the JOHSC within the time limit; and, where no action is contemplated, must state in writing, the reasons why. The responses must include time frames for completion. Some concerns can be dealt with immediately; others requiring capital expenditure take some time for approval etc. A follow up is determined by the JOHSC during the next and subsequent inspection.

The school health and safety inspector has no duty or responsibility, under the Act, to assess whether or not the Principal has responded appropriately. If the worker members of the JOHSC are not satisfied, recommendations will be made at that level, and may include the senior administration.