



April 2018

# RETTA *Record*

## A Message from Your President & Vice-President

Whether you are a clinician, a coordinator, a principal or a teacher (all RETTA members), you are holding an important document regarding your working conditions and the legislative regulations that apply to your position. This special Workplace Safety and Health Edition of the RETTA Record is intended to be a handy reference and overview of Workplace Safety and Health (WSH) for RETTA members. Please keep this special edition close by as a source of information or as a guide to seek further information.

For members' purposes, the WSH Act focuses on the duties of three groups: the employer (school division), workers (RETTA members) and RETTA members who are supervisors (principals/vice-principals). The duties of the three groups are clearly spelt out within the legislation and its regulations.

The Act outlines the school division's responsibilities. For example, the Act states that the "employer ensure, so far as is reasonably practicable, the safety, health and well being of all his workers (RETTA members)...". The Act also states further duties of the division, such as providing and maintaining a workplace that is safe and without risks to health, and to provide all RETTA members "with such information, instruction, training, supervision and facilities to ensure...the safety, health and welfare at work" of all RETTA members.

Principals are RETTA members and are protected by the WSH Act. However, in their positions as principals/vice-principals, the WSH Act identifies them as supervisors and outlines their specific duties. For example, the Act states that "every supervisor shall, so far as is reasonably practicable, take all precautions necessary to protect the safety and health of a worker (RETTA member)...". The Act also states that principals/vice-principals will advise a worker of all known or foreseeable risks to safety and health.

All RETTA members are considered workers under the Act. As one would expect, there are also general duties or expectations of members. A

*Continued on pg. 2*

## Special Workplace Safety & Health Edition

### Inside this issue

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President & Vice-President's Message	1
Workplace Safety & Health: Duties Under the Act	3
Violence in the Workplace	4
Serious Incidents	5
WSH Incident Report Forms	6

*prominent duty for all RETTA members is to "take reasonable care to protect their safety and health and the safety and health of other persons..."*. As well, there is a clear expectation that RETTA members will comply with the WSH Act and the Regulations.

The Act applies to RETTA members every day. According to legislation it is a right to have a workplace that secures workers "from risks to their safety, health and welfare arising out of, or in connection with, activities in their workplaces". Every worker is protected by the Act and RETTA members are entitled to that protection

Accompanying the rights of a safe workplace is the expectation that *every RETTA member has a responsibility to ensure a safe workplace*. As always, rights and responsibilities are inextricably connected.

**As a member, you must expect a safe workplace and you must ensure a safe workplace for you and for others.**

Following the report to your supervisor, please fill out the *RETSD Workplace Safety Concern or Incident Report Form*, which can be found on in the *Staff Portal* (Departments - Workplace Safety & Health) or on the RETTA website. Completing and submitting an

Incident Report Form identifies the risk to members and will be another step in eliminating that risk. Many risks can be addressed at the worksite level. However, submission of the Incident Report Form will not only have the risk addressed at the school level, but will also be sent to the RETSD Safety Officer, where the form will be recorded. As well, this information will be shared with the Joint WS&H Committee.

Recently, RETTA members have become more acutely aware of violence in the workplace. Violence in any form is not to be tolerated. If you are a victim of violence (or a near miss) in the workplace you should ensure that your principal / vice-principal / supervisor is made aware of the incident, and then fill out an Incident Report Form. If an act of violence (or near miss) is repeated throughout your workday, you should be filling out an Incident Report Form for each and every act. Your principal / vice-principal / supervisor will investigate each incident and put in place control measures to ensure that similar incidents do not occur.

**Please remember that an entry into My Referrals does not replace the WS&H form!**

As an individual, you can have a positive impact for other RETTA members and other employees by reporting these incidents. Problems cannot be addressed if problems aren't identified.

**Members are compelled to report each incident so that action can be taken, supports can be established and protection of other members can occur.**

Although reporting incidents and completing the Incident Report Form is an individual act, you are demonstrating your support of the entire membership who, in turn, is supporting you through the same procedure.

**In no way can the submission of the form be used against a member for evaluation or disciplinary purposes.**

This guarantee is in legislation. Furthermore, a member is also in contravention if he/she witnesses an incident that occurred to someone else and doesn't fill out the form.

Therefore, support your colleagues (and future colleagues), the students and the Division by filling out the Incident Report Form each and every time an incident or near miss occurs. As always, take care of yourself and take care of each other!

# Workplace Safety and Health: Duties Under the Act

The Workplace Safety and Health Act supports every worker's right to a safe and healthy workplace. It assigns responsibility to each person in the workplace for creating and maintaining a safe and healthy workplace. Everyone has a personal and a shared responsibility to work together cooperatively to prevent workplace injuries and illness.

Employers (in our case, the School Division) have the greatest degree of authority and control over the operations of the workplace, and thus they have the greatest degree of responsibility for workplace safety and health. The legal safety and health responsibilities of the employer include:

- Taking necessary precautions to ensure the safety, health and welfare of all workers;
- Providing and maintaining a safe workplace, equipment, tools, and systems;
- Ensuring all workers and supervisors (Principals) are aware of hazards in the workplace;
- Providing workers with competent supervision;
- Providing necessary training to protect workers' safety and health before they begin a new job;
- Consulting and cooperating with the workplace safety and health committee or representative;
- Cooperating with other people on workplace safety and health matters.

Principals have the responsibility to oversee a group of workers (teachers, clinicians) within a workplace. The legal safety and health duties of principals include:

- Taking necessary precautions to protect the safety and health of workers under their supervision;
- Ensuring that workers comply with safety and health procedures and use safety equipment, clothing, and devices;
- Advising workers of safety and health hazards;
- Cooperating with the Workplace Safety and Health committee or representative;
- Cooperating with other people on workplace safety and health matters.

Teachers, including clinicians, are responsible for their own actions or inactions. Teachers' legal safety and health responsibilities include:

- Taking reasonable care to protect themselves and others who may be affected by their actions or omissions;
- Proper use of safety equipment, clothing, and devices;
- Taking necessary precautions to ensure that activities and hazards within their control do not create a safety and health risk;
- Cooperating with the Workplace Safety and Health committee or representative;
- Cooperating with other people on workplace safety and health matters.

A very basic responsibility that all members have is to report any concerns regarding Workplace Safety and Health. The "Incident Report Form," available through the RETSD and RETTA websites, should be used anytime there is a workplace incident, whether it be a hazard, improper equipment, or acts or threats of violence. Any person who experiences an incident or is a witness to an incident is compelled to report.

Each member plays an important role in maintaining the safety and health in our workplaces. By working together, we can provide a safer environment for everyone.

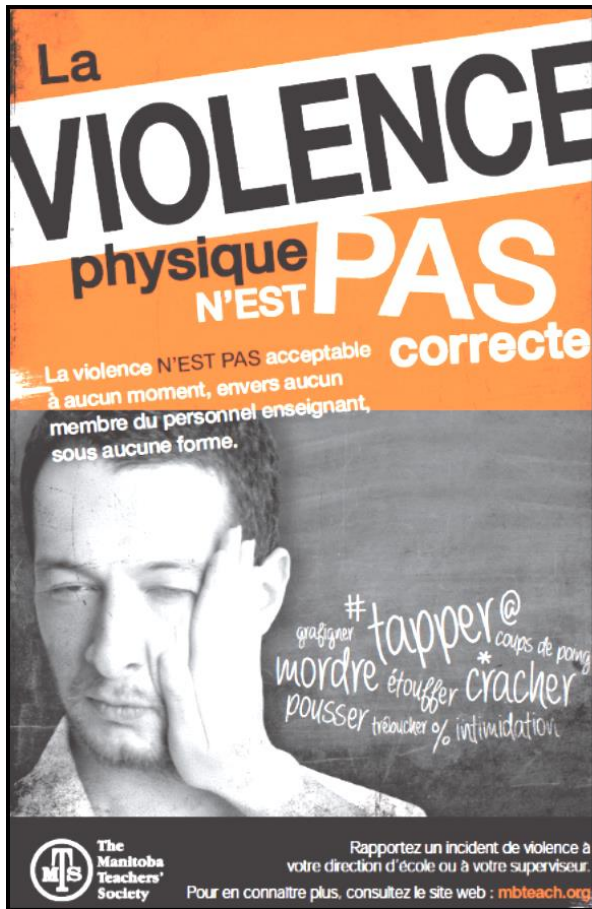
## Violence in the Workplace

According to WSH Regulation, violence is defined as “the attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person”.

The River East Transcona School Division’s duties include:

- Identifying and assessing risk of violence in the workplace;
- Developing a written policy;
- Implementing and training RETTA members in the policy;
- Ensuring that RETTA members comply with the policy;
- Ensuring, as far as is reasonably possible, that no worker (RETTA member) is subjected to violence in the workplace;
- Taking corrective action respecting any person under the Division’s direction who subjects a RETTA member to violence;
- Informing RETTA members about the risk of violence.

This is a summary of the requirements from the WSH Regulation, Part 11. For the entire text, please visit [www.gov.mb.ca/labour/safety/pdf/1\\_2016\\_wsh\\_ar\\_oc.pdf](http://www.gov.mb.ca/labour/safety/pdf/1_2016_wsh_ar_oc.pdf)



**VIOLENCE**  
**It's Not Part of the Job.**



## Serious Incidents Are Different

All Workplace Safety and Health Incidents or near misses should be reported immediately to the RETTA member's principal/supervisor.

Any **SERIOUS** incident, in which a RETTA member suffers an injury resulting from:

- electrical contact;
- unconsciousness as the result of a concussion;
- a fracture of his or her skull, spine, pelvis, arm, leg, hand or foot;
- amputation of an arm, leg, hand foot finger or toe;
- third degree burns;
- permanent or temporary loss of sight;
- a cut or laceration that requires medical treatment at a hospital;
- asphyxiation or poisoning;

that is a result of:

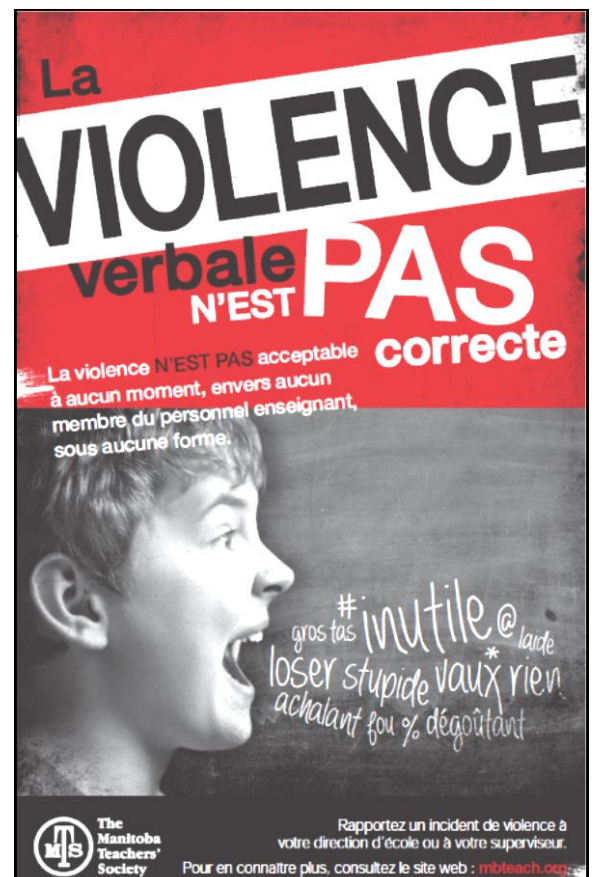
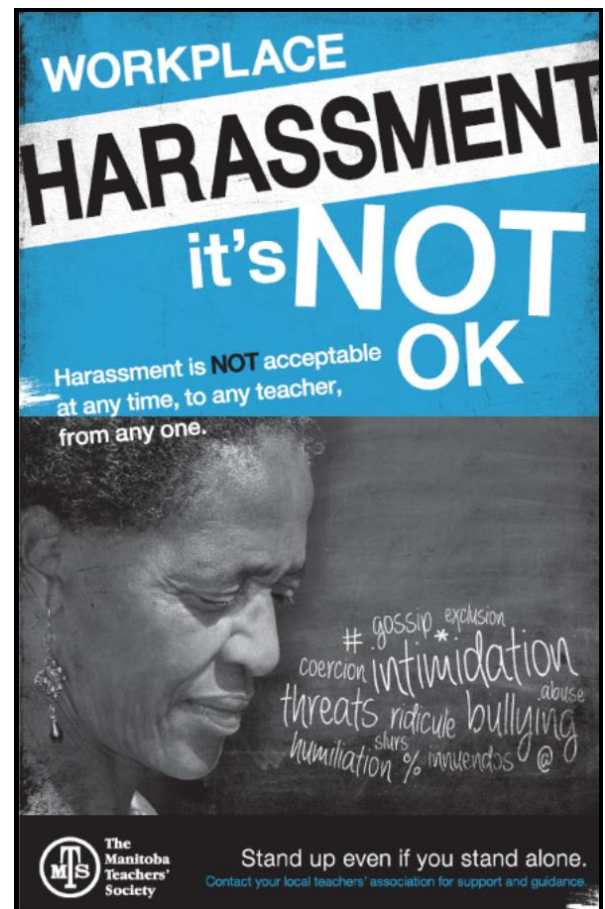
- Student or teacher/employee violence toward RETTA members or other employees;
- Serious RETTA member injuries from playground equipment, on field trips or in gymnasiums;
- Serious RETTA member injuries from slips and falls (inside or anywhere on school grounds);

**MUST** be immediately reported to the Provincial Workplace Safety and Health Division.

All serious incidents will be investigated by the Provincial Workplace Safety and Health Division and/or will be assigned to be investigated by the local Workplace Safety and Health Committee.



Posters available in both French and English for schools. Please contact the RETTA office to request copies for your building.



## River East Transcona Teachers' Association

We are the second largest of 38 teachers' associations in Manitoba. We represent over 1500 teachers who work in the River East Transcona School Division. We have two full time teachers and one full time administrative assistant in our office working on your behalf.

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# WSH Incident Report Forms

All Workplace Safety and Health Incidents or near misses should be reported immediately to the RETTA member's principal/supervisor. Reporting a "near miss" is very important. A near miss is usually without physical injury and is a positive way of improving the culture of safety.

Any SERIOUS incident must be immediately reported to the Provincial Workplace Safety and Health Division. All serious incidents will be investigated by the Provincial Workplace Safety and Health Division.

All other incidents that result in a RETTA member being exposed to a hazard (near miss, threat of violence, etc.) or which results in injury must be reported to and investigated by the member's principal/supervisor.

Following the principal's/supervisor's investigation, a RETTA member must be informed by the principal/supervisor of the control measures that are immediately being put in place following the incident/near miss, to try, as far as is reasonably practicable, to mitigate the risk of recurrence. RETTA members should feel free to follow up with their supervisor regarding any corrective action.

All RETTA members must complete the Incident Report Form each time an incident or near miss occurs. The Incident Report Form can be found on both the Division and RETTA websites.

The individual RETTA member determines whether an incident or a near miss occurred. No one is to dissuade a member from completing an Incident Report Form.

RETTA members are compelled to report each incident or near miss and a failure to do so is a potential violation of legislation.

For further information or to receive support, please contact the RETTA office (204-661-1823) or MTS Teacher Welfare Staff Officer, WSH, Darren Hardy (204-888-7961).

