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## Personal Protective Equipment



that none of these masks are on the list. Please send individual concerns to [cupelocal4186@gmail.com](mailto:cupelocal4186@gmail.com).

If you have concerns about the PPE that has been distributed to your school location it is important to reach out to the CUPE office along with seeking information in writing from your supervisor. We are hearing concerns from some locations about the smell, fit and distribution of masks to staff in certain locations. An example of this is having a staff member count out masks and put them in a bag.

### Masks Re: Graphene

As you know Personal Protective Equipment for schools is centrally procured by the provincial government for all school boards. We have had our Health and Safety team review the local procurement list to see if these masks were distributed to our school board. On our initial scan, it appears

### Shields and Goggles

Every manufacturer has different directions for storage and cleaning of personal protective equipment. There is no one standard that applies to all shields. *Continued on page 2*

## National Day of Mourning

In 1984, the Canadian Labour Congress established April 28<sup>th</sup> as the National Day of Mourning in Canada to remember and honour those who have died, been injured or suffered illness in the workplace.

The Day of Mourning is recognized in about 100 countries worldwide. Canadian flags on Parliament Hill and at Queen's Park fly at half-mast on April 28<sup>th</sup>. The day is traditionally acknowledged through public ceremonies, wearing black and yellow ribbons, lighting candles, observing a moment of silence at 11:00 a.m. and sharing stories.

The date was chosen in 1984, when the CLC proclaimed the Day to coincide with the 70<sup>th</sup> anniversary of the day the first Ontario Worker's Compensation Act was approved by the government (1914). The Day of Mourning was enshrined in national legislation by an Act of Parliament on Feb 1, 1991.

"A healthy and safe workplace is the right of each and every worker under the sun, and this is why we fight for the living" - CUPE National President, Mark Hancock.

[Video](#)

Nevertheless, wearing PPE should not create a new hazard such as impaired vision, heat or discomfort. It should never be damaged. You can request information for cleaning and storage of shields or goggles from your supervisor and contact the union.

Next Steps:

1. Request risk assessments, especially in schools where variants have been identified.
2. Work refusals - many members that have reached out have not expressed their concerns to their supervisors - this must happen.
3. Writing to trustees, school boards and public health with your non board email - asking for support to prioritize education worker vaccination, and real sustainable plans to keep workers and students safe.

We want to hear from you!



## Your Right to Refuse Unsafe Work



### The Right to Refuse Unsafe Work

#### Information Summary as per the Ontario Health and Safety Act.

We must preface this section with the information that the Ministry of Labour has not been entertaining work refusals based on the potential for COVID in the workplace. You can address issues around:

1. Appropriate PPE.
2. Safety plans and protocols.
3. Knowledge of risks and violence in the workplace.

The idea that there may be the potential for contracting COVID in the workplace has not been a successful basis for work refusal.

#### Rights and Responsibility

It is the right and responsibility of every worker in Ontario to participate in the health and safety system at your workplace. Workers can participate by:

- Raising issues with your supervisor with respect to dangers or hazards in the workplace (one reason we encourage completion of the Occupational Health and Safety Incident Reports).
- Identifying hazards so that recommendations can be made by workers on the Health and Safety Committee.

If these avenues have been exhausted and the danger, imminent to the health and safety of the worker

continues to exist, the worker has

#### The right to refuse unsafe work

#### The Process is as follows:

- There needs to be communication to the supervisor that you are refusing unsafe work and the reason for the refusal (why you feel unsafe). This can be done only at the work site in the presence of the work that is making you feel unsafe (imminent danger).
- Make sure to list all the reasons why you feel unsafe (wrong PPE, safety plans and protocols, knowledge of violence etc.).
- One you signal to the supervisor that you are refusing to work due to feeling unsafe, the supervisor must investigate the circumstances in the presence of a worker member of the Joint Occupational Health and Safety Committee. The JOHSC member must be present for the investigation.
- At this stage of the process, no other worker is permitted to perform the task for which you initiated the work refusal.
- If, after the investigation, you are unsatisfied with the decision, an inspector from the Ministry of Labour must be called in to investigate. While awaiting the inspector from the MOL, the refusing worker can be reassigned to alternate work as long as it is not punitive.
- The employer can proceed to assign another worker to the task you refused, but only if the reasons for the refusal are explained to the other employee with the worker member of the JOHSC present. **The worker being assigned under these circumstances, also has the right to refuse unsafe work.**
- Upon Completion of the MOL investigation, the inspector will issue a decision. The decision can be appealed to the Ontario Labour Relations Board within 30 Days.

## President's Message



Welcome to the first issue of our Health and Safety Bulletin. We hope it becomes a regular publication where workers can easily access occupational health and safety information in a convenient format.

I would like to acknowledge that this past year has placed a new perspective on health and safety in our workplaces. We have learned about the ASTM of medical grade masks, sanitizing has become a way of life, and gathering has become the forbidden foe. Even though we have been focused on the pandemic and efforts to keep the spread down and members safe and healthy, the other aspects of occupational health and safety have not disappeared from our radar.

It is important to continue identifying and reporting all workplace hazards. Whether a loose tile in a hallway, a missing tread on the stairs or the violence that members face in the course of their daily assignments, all workers share the responsibility of reporting the hazards and ensuring the supervisors investigate and make attempts to eliminate those hazards - whether it is replacing a tile or revisiting and making changes to a safety and behaviour plan.

We must continue to hold the employer accountable for their role in creating and maintaining a safe and healthy workplace. CUPE education workers must support one another in this important initiative. It is quite challenging for one or two workers to report when others who are also well aware of the hazards let the incidents go unreported. Now is the time to provide our employer with an accurate picture of what is happening in our schools - an accurate picture that they cannot ignore.

Workers are not a part of the problem when it comes to violence in our workplaces, but workers can definitely be part of the solution.

Please Report

In solidarity,  
Irene

**IT'S NOT PART OF THE JOB**

## Important Links

- **Re: Occupational Violence**

[Workplace Violence in School Boards: A guide to the law.](#)

The Ministry of Labour has developed this guide with assistance from the Provincial Working Group on Health and Safety. The guide provides leading practices for developing violence policies and procedures, assessing and re-assessing risks of workplace violence, developing student safety plans, reporting violent incidents, and sharing of information with workers so they may recognize and be protected from workplace violence.

- **Health and Safety Guide**

[A COVID-19 Health and Safety Rights Guide for Education Workers.](#)

This guide was prepared in consultation with the labour caucus of the Provincial Working Group for Health and Safety which includes the unions representing Ontario's education workers. This guide is primarily intended for the use of education workers in Ontario, working in Kindergarten through Grade 12.

- **Injured Worker Handbook**

[CUPE Ontario Injured Worker Handbook](#)

Everything you need to know if you have suffered an injury at work.

- **Checklist**

[Response to a Violent Incident.](#)

Helpful information from CUPE National



## Q & A

Have you ever experienced violence in the workplace? Have you ever witnessed your co-workers as targets of violence? Please read the following statements and scenarios and decide whether you are up to date on the correct information.

- #1. The Collective Agreement states that the employer must provide paid work time for workers to complete Occupational Health and Safety Incident Reports.
- #2. A student is angry (escalated) and throws a pen at an EA. The worker reports this as “Struck by” on the incident report.
- #3. A student continues to attempt to hit and kick an EA, but the EA moves out of the way to avoid contact. No incident report is needed.
- #4. A student continuously demeans and threatens an EA over the course of the day, often using offensive language. This constitutes workplace violence and needs to be reported.
- #5. Students are playing soccer in the yard and an EA on yard supervision is accidentally hit by a ball kicked astray. This needs to be reported. The category would be “struck by”.
- #6. If you are already tracking behaviours, there is no need to complete incident report forms for workplace violence.
- #7. Violence is not part of the job. “Able to take a punch” does not appear in any of our role outlines.
- #8. You have the right to know all safety risks present at your workplace, including the potential for student to staff violence.
- #9. You are in the hallway and observe a student hitting and punching a worker. You have witnessed workplace violence and you need to report it so it can be reflected in any risk assessment for that site.
- #10. Your principal tells you it is not necessary to report each and every incident of violence (is it really violence when the student is spec ed?). Just report any new violent behaviours.

### Verification:

- #1. True (in Article 35)
- #2. False (this is reported as occupational violence)
- #3. False (violence is violence whether or not someone is hurt)
- #4. True (Report and call [EFAP](#) if you need support)
- #5. True (Report as Struck; there was no anger or intent to injure)
- #6. False (Tracking is for the school; Incident reporting is for the worker and establishes a paper trail for potential future work refusal)
- #7. True (We need to eliminate workplace violence)
- #8. True (ask for safety plans, risk assessments and report to the union if the employer does not provide safety information)
- #9. True (All workers have a responsibility to report workplace hazards)
- #10. False (It is absolutely necessary. In fact, it is the LAW!)

## CUPE ON Action

National Day of Mourning Continued.

Mourn for the dead,  
Fight for the living

On April 28, all CUPE members across the province are being asked to **observe a moment of silence** in recognition of workers who have been killed or injured on the job and in protest of the government’s failure to protect workers from COVID-19.

**Wear black** (as much as you can).

**Call** your MPP and Premier Ford’s office at **1-416-745-2859** and let your demands be known.

Download and print the [poster](#) so you can send a photo of you with it to 1-866-821-7273 and post it to social media with the hashtag **#PaidSickDays**.

**Take action** to demand paid sick days for all workers, vaccinations for all frontline workers, paid time off from work for vaccination, an immediate end to any enhanced police powers, and appropriate personal protective equipment (PPE).

Click here to learn more and join the e-action:

[Day of Mourning Action](#)

