

1. IMPORTANCE OF A SAFETY AND HEALTH PROGRAM

Why Have a Safety and Health Program?

- A good industrial arts safety and health program can reduce incidents, injuries, and illness.
- A good program demonstrates the school's commitment to leadership and to protecting the safety and health of staff and students.
- A good program provides both an internal and external motivation to continuously improve.
- A good program allows you to determine the roles and responsibilities for the components of your school's safety and health program.

In Manitoba

- More than 50 percent of work-related incidents happen during a young worker's first six months on the job.
- Males under 25 years of age are much more likely to be injured on the job than any other group of workers.
- People aged 14–24 make up over 15 percent of the population. Many of them have jobs, whether they are full- or part-time.
- In 2001, 54 percent of Manitoba students aged 15–24 were employed, compared to 44 percent of Canadian students. This was the highest student employment rate among provinces.
- Young workers run a greater risk of being injured in the workplace than other age groups. Workers aged 20–24 experienced 14 percent of time-loss injuries from 1993–2000 although they only made up 10 percent of the workforce.



In 2001 in Manitoba:

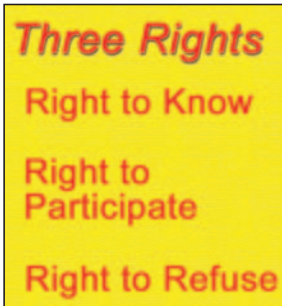
- Two young workers were killed on the job (they were 16 and 19 years old).
- Every hour, at least one young worker was injured in a workplace incident.
- Almost 7000 young workers had an injury serious enough to file a claim with the Workers Compensation Board.

What is the Internal Responsibility System for Safety and Health?

The Workplace Safety and Health Act supports every worker's right to a safe and healthy workplace. The duty for creating and maintaining a safe and healthy workplace falls on every person in the workplace to the degree that they have the authority and ability to do so. Whether they are the Superintendent or the newest teacher hired, everyone has a personal and shared responsibility for working together co-operatively to prevent workplace injuries and illness.

Because employers have the greatest degree of control over the workplace, they also have the greatest degree of legal responsibility for safety and health. This, however, does not relieve principals and teachers from their duty to participate and co-operate in controlling workplace hazards and to take the necessary precautions to protect themselves and others from hazards.

The Act also recognizes that only workers who are adequately informed and empowered can effectively fulfill their responsibilities. It grants three important rights to workers:



- **The Right to Know** about workplace hazards including how to identify hazards and protect themselves from those hazards, and about the rights afforded to workers under the Act.
- **The Right to Participate** in decisions related to workplace safety and health, free of reprisal for their participation. Participation, in part, is achieved through the committee or workers' representative.
- **The Right to Refuse** work that the worker believes to be dangerous to him/herself or the safety of others.

The Act protects the rights by prohibiting employers from imposing discipline or other sanctions on workers for fulfilling their responsibilities or exercising their rights. This helps workers participate with employers and supervisors in preventing workplace injuries and illness.

Taken together, these components are often called the internal responsibility system (IRS) for workplace safety and health, but good safety and health cannot rely on the internal responsibility system alone. Ongoing monitoring and enforcement by the Workplace Safety and Health Division are also required.

The combination of internal monitoring by Workplace Safety and Health Committees and external monitoring and enforcement by the Workplace Safety and Health Division ensure better legislative compliance and a more effective internal responsibility system in the workplace.

What is Due Diligence?

Sections 5, 6, and 7 of the Act set out due diligence responsibilities. The Act is available at: <<http://www.gov.mb.ca/labour/safety>>.

Due diligence means everyone with responsibility for safety and health must "...take every precaution reasonable in the circumstances to avoid a work related injury or illness." This concept of "reasonable care" holds individuals accountable for their acts (what they do) and omissions (what they fail to do). It goes beyond simple "regulatory compliance."

Due diligence contains these concepts:

- **Reasonably practicable:** What is “reasonably practicable” is determined by asking what a reasonable person, in the same position and circumstance, would have done to prevent the incident. When making that determination, three main factors need to be taken into account:
 - foreseeability
 - preventability
 - control
- **Degree of risk:** The approach selected to carry out a task depends on the degree of risk. The higher the risk the greater the safety measures that must be taken.

In the case of a workplace safety and health program, the criteria for due diligence requires employers to:

- **Establish a program:** The program should systematically identify hazards and assess their risks. It must include plans within the program to manage those risks. The plans should reduce the likelihood of the identified hazards causing harm.
- **Ensure the program is adequate:** The program must meet the needs of the workplace and the workers. It is a good idea to compare your program with industry standards.
- **Monitor and evaluate the program’s effectiveness:** Competent staff must be able to regularly check the effectiveness of the program and judge how well it meets legislative requirements.

Understanding Negligence and Liability

Below is a segment from the *Administration Handbook* (March 2000), which includes a three-page section of reference on negligence and liability.

It is generally assumed, in law, that teachers and others placed in charge of students have a duty to be responsible for the safety and welfare of those students during school hours and also after school hours during any school-sponsored activities on or off school premises. Failure to act reasonably under the circumstances, if this failure causes injury or death to a student, can result in a possible action in negligence.

It is generally recognized that four conditions must exist for a negligence suit to be successful:

1. The person alleged to be negligent must have a legal duty to maintain a standard of conduct that will protect others against hazards.
2. This person must fail to conform to a reasonable standard of conduct in connection with this duty. (The accepted standard is that of a prudent parent of a large family. However at least one recent court decision made a clear departure from that standard, and adopted a higher “professional” standard of care where a teacher needs specialized knowledge, training and/or experience in order to carry out his/her duties, such as gymnastics instruction in a high school setting).

(continued)

3. The person or persons to whom this obligation is owed must suffer a genuine loss or injury (which could be property loss or damage, or physical or psychological injury, or death).
4. There must be a definite casual connection between the first person's failure to maintain a proper standard of conduct and the loss or injury suffered by the second person.

Where teachers and other school officials are concerned, there is little difficulty in proving that a duty of care is owed to students. In any school activity, school personnel are generally assumed to be responsible, within responsible limits, for the welfare of students.

The fact that a mishap takes place does not automatically mean that there has been negligence. Genuine accidents do take place, and while they are unfortunate, no one can be blamed for them. Only if a court decides that a reasonably prudent person in the teacher's situation would have anticipated the mishap and would have acted to prevent it might the teacher be found negligent.

If students are to be placed in situations where the potential for injury exists, appropriate skill training and safety briefing must take place, and safety regulations conscientiously enforced. In addition, school officials are legally obligated to see that any facilities and equipment used are in safe condition.

General Outcomes

The purpose of this safety and health document is to help teachers develop and operate a program that will prevent and control incidents. Such a program will protect students and increase the effectiveness of instructional methods and facility operations.

It is also the goal of this document to provide our students and future workers with the skills, knowledge, and attitudes needed to keep them free and safe from injury now and later on the job.

The skills acquired through an effective program can be transferred to their daily activities and personal choices. Positive attitudes must be developed through education beginning at a young age and reinforced throughout daily activities and teachings. For safety and health education to be effective it is important that it be viewed as an ongoing partnership among the school, home, community, and workplace, focussing on the following:

- lessen the risk of injuries.
- evaluate potentially dangerous situations and be innovative in safely dealing with such concerns.
- understand safety and health as an integral part of life.
- practise sound decision-making and preventative techniques.

**Safety awareness
must occur at:**

- school
- home
- social setting
- workplace

- demonstrate critical thinking and problem-solving skills that will allow them to solve health and safety problems.
- recognize risks and hazards.
- recognize and respond appropriately to emergency situations.
- possess the knowledge, confidence, and initiative that will enable them to recognize and change behaviours and practices in their work environment.
- ability to influence and communicate effectively with colleagues and employers in working together to maintain a healthy and injury-free work environment.
- recognize safety and health warning signs and symbols (e.g., WHMIS).

The elimination or reduction of incidents should be of primary concern to everyone in the school. A formal safety and health program will provide a means for teachers and students to accomplish safety and health objectives.

Establishing Program Outcomes

Establishing outcomes and policy to guide the program's development is critical to the design and organization of a safety and health program. The first step is to establish the following:

1. gaining and maintaining support for the program.
2. motivating, educating, and training those involved in the program to recognize and correct or report hazards located in the labs/facilities.
3. incorporating hazard control into the design.
4. providing a program of inspection and maintenance for machinery, equipment, tools, and facilities.
5. incorporating hazard control into school teaching and educational techniques and methods.
6. complying with established safety and health standards.

Policy Statement

Once the objectives have been formulated, the second step is establishing the policy statement with the active participation of all those involved in the program's operation. The policy statement should reflect:

1. The importance the teacher places on the health and well being of his/her students.
2. The emphasis the school places on efficient operations with a minimum of incidents and losses.
3. The intention of integrating hazard control.
4. The necessity for active leadership, direct participation, and support of the entire school organization.
5. The intent of the school administration to bring its facilities, operations, machinery, equipment, tools, et cetera, within the compliance of health and safety standards and regulations.

The Need for Adequate Budget

There can be no compromise when it comes to the safety of our children. School administrators, in collaboration with their teachers and Safety and Health Committees, should define their safety and health program needs and allocate a sufficient level of resources to meet those needs, along with those allocations traditionally associated with the training and education process.

Responsibilities for the Safety and Health Program

Responsibility for the safety and health program can be established at the following levels:

1. School administration
2. Safety and Health Committees
3. Teachers
4. Students
5. Parents

Responsibilities of School Administration

Before any safety and health program gets underway, it is essential that such a program receive support and commitment from school administration. The school board, superintendent, principal, and others concerned with administration and supervision must accept full responsibility for the safety and health program as it is established, furnish the drive to get the program started, and oversee its operations. Their responsibility is the continuing obligation to carry out an effective safety and health program.

Furthermore, principals and supervisors must invite discussion with teachers and others in the program during pre-planning meetings and periodically throughout the school year. Such discussions may deal with program progress, specific needs, and a review of school safety and health procedures and alternatives for handling emergencies in the event of an incident.

Specifically, responsibility at this level is to:

- set objectives and policy.
- ensure that the necessary information, facilities, tools, and equipment are available to conduct a safe program.
- ensure sufficient funds are available for an effective safety budget.
- promote and support professional development regarding safety initiatives in industrial arts.

In consultation with the Safety and Health Committee, school administration must provide meaningful criteria to measure the success of the safety and health program and to provide information upon which to base future decisions.

Responsibilities of Teachers

Teachers have a professional responsibility to safeguard and educate those who have been placed under their supervision. Jointly with school administration, teachers are responsible for creating a safe and healthy instructional setting integrating hazard identification, assessing the risks, and controlling the situation in all aspects of the facility.

For all practical purposes, the teachers are the eyes and ears of the facility control system. On a day-to-day basis, teachers must be aware of what is happening in their facilities, who is doing it, how various tasks are being performed, and under what conditions. They must be ready to change part of an operation or the entire operation if they perceive the immediate need for corrective action.



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Responsibilities of Students

The primary safety and health responsibilities of teachers are:

- To demonstrate and model safe work procedures.
- To train and educate students in safe work methods and practices.
- To demonstrate an active interest and comply with school safety and health policies and regulations.
- To actively participate in and support the School Safety and Health Committees.
- To supervise and evaluate student performance with consideration given to safe behaviour and work methods.
- To monitor the facility on a daily basis for human, situational, and environmental factors capable of causing incidents.
- To correct hazards detected while monitoring or to report such hazards to the persons who can take corrective action.
- To investigate all incidents occurring within their labs/facilities to determine the cause.
- To ensure that hazard recognition and control information is included in each instructional module and administration session.
- To develop a positive student safety attitude for school, home, social settings, and workplace activities.

The students constitute the largest segment of the school population and are responsible for making good safety and health decisions. Students who actively participate in the safety program help in preventing injury and equipment damage.

Student responsibilities are:

- To follow school safety and health rules and regulations and work according to standard facility practices.
- To interpret and demonstrate to the satisfaction of the teacher all safe operating procedures regarding materials, tools, mechanical, and personal safety.
- To practise safe work procedures through modelling.
- To recognize and report to the teacher, hazardous conditions, or work practices.
- To use PPE and safety equipment, tools, and machinery as they were designed.
- To report all injuries or exposure to toxic material to the teacher.

Responsibilities of Maintenance

Those involved with maintenance of equipment, machinery, and facilities play an important role in reducing incidents in the school lab/facility. Some of their responsibilities are:

- To provide planned preventative maintenance on electric systems, machinery, and equipment to prevent abnormal deterioration, loss of services, or safety and health hazards.
- To provide for the timely collection and disposal of scrap materials and waste.

The Role of the Workplace Safety and Health Committee

The role of the committee must not be confused with the responsibilities of principals or teachers. The committee brings together workers' in-depth practical knowledge of specific jobs and administrator knowledge of the organization's 'big picture' to provide input and advice on safety and health matters. The committee should also monitor the workplace safety system (as determined by the safety and health program) to ensure that it is working properly. The school division remains ultimately accountable for the final decision.



The committee should be used to assess the effectiveness of the workplace safety and health program. The committee may conduct a safety and health inspection.

Responsibilities of Parents

Parents are thought of as an important part of an effective industrial arts/technology education safety and health program, as their support and understanding will help strengthen such a program. Parents complement the school effort by placing a strong value on safety and health while their children are at home, at work, involved in recreation, or being transported.



Their responsibilities include:

- To inform the school of health concerns that may affect their child's daily activities within the facility.
- To be aware of the potential illness and injury their children are exposed to during their education and training.
- To support the teacher and the school administration when penalties must be assigned for violations of safety and health rules.

If the child has a part-time job, parents should:

- Ask their children about the kind of work they do, and the health and safety training and supervision provided by the employer.
- Have an open discussion with their children about the possible dangers at their workplace, and special precautions they should take.
- Discuss their children's role in protecting themselves (e.g., do they wear the protective equipment provided for them?).
- Encourage their children to ask their supervisor and/or a safety and health committee member for help and to ask questions when they feel uncertain about safe work practices or activities. If they feel unsafe doing a job, they shouldn't do it.
- Discuss reporting requirements, should they have an injury at work (even a minor one). They should report all injuries to their supervisor and, if under the Workers Compensation Board, they must file an incident report. A copy should be given to their Workplace Safety and Health Committee.

