

JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEES in NOVA SCOTIA SCHOOLS, SELECTED ISSUES:

Every workplace is required to have a Joint Occupational Health and Safety Committees (JOHSC) whose primary function is to protect the Health and Safety of the workers. Schools are no exception. These committees are answerable directly to the Department of Labour, not the Department of Education or the School Board. Because every workplace is different, the on-site committees have control over shaping their committee to best fit their particular worksite, but within Department of Labour Guidelines.

There is sometimes confusion over form & function of School Joint Occupational Health and Safety Committees.

Frequently asked questions:

Q: Are children protected by these committees?

A: Although the Education Act covers some protection of the children and the primary purpose of the JOHSC is to protect worker health and safety, Section 13 of the Act does provide reasonable protection for all those on or near the worksite.

Q: Are committee members liable if things go wrong?

A: Primary responsibility lies with the administration/employer representative. The JOHSC committee members would not be any more or less liable than any other staff member.

Q: Are parents allowed to serve as JOHSC members?

A: If the committee members feel that non-employee, non-employer members would benefit their committee, there is nothing to prevent parents or others from serving as long as both employer and employee sides agree. These members would technically occupy employer seats, and the 50% employee rule must be adhered to. There are no restrictions on voting rights imposed by the Department. Labour Department officials agree that parents on JOHSCs tend to make the committees very effective. Remember that it is a staff committee, but much that protects the staff also protects children.

Q: Are these committees responsible for developing, for example, the School Evacuation Plan?

A: Responsibility for such a plan rests with the administration, however, JOHSCs could provide advice and recommendations.

Q: If there is a health and safety incident in a school, who has the right to be told?

A: The Act does not impose a duty to report incidents to all involved. Each committee establishes its rules about notification and timeframes for notification. The seriousness of the incident is taken into account. In practice, making information available to all involved and in a timely fashion tends to prevent more communication-based problems than it creates.

There is much information available to JOHSCs from the Department of Labour Occupational Health & Safety Division. Articles on everything from how to develop committee guidelines to how to interpret *the Act*, to how to conduct a meeting, and how to do "walk-throughs" are available by contacting the Department of Labour, Occupational Health & Safety Division.

References

Letters between Mr. Jim LeBlanc, Executive Director, Occupational Health and Safety Division, N.S. Department of Labour, and Karen Robinson, President of Citizens for A Safe Learning Environment. Dated November 16, 1998, Nov. 30, 1998, January 18, 1999 and January 25, 1999, and accompanying documents from the Occupational Health and Safety Act and its appendices.