

Live Safe! Work Smart!

Health and safety e-news for Ontario teachers

? YOU ASKED US

Q: When is construction a construction project under the Occupational Health and Safety Act (OHSA)?

A: The Ministry of Labour (MOL) enforces compliance with the OHSA and its regulations for the protection of workers in Ontario.

Most teaching scenarios, such as a class doing construction in the school parking lot or apprentices doing construction in a local training centre would likely not be worker-supervisor-employer relationships under the OHSA, and would not trigger the OHSA definition of a construction project.

If a teacher is teaching a construction course on a construction project in a portable, as long as it stays inside the portable on the site, the teacher would not likely be a "supervisor" under the law. If a project is being constructed for monetary compensation, i.e., students are paid, as soon as the class goes outside into the site of the project, and the teacher then directs the students to work, the teacher could become a "supervisor" under the OHSA, and this could be a construction "project" as defined in the OHSA.

Section 27 of the OHSA outlines specific duties that a supervisor has under the law to protect workers. The law also requires employers to appoint competent supervisors, knowledgeable about the work and safety on the job.

The MOL recommends that teachers contact their local MOL office for information prior to beginning any work that seems similar to the above mentioned scenario.

TISH'S TIPS

MORE "BRIGHT IDEAS" CAN BE FOUND IN THE "RESOURCE FOR TEACHERS OF COOPERATIVE EDUCATION". IT'S YOUR ONE-STOP GUIDE TO HELP YOU DELIVER YOUR HEALTH AND SAFETY EXPECTATIONS! DON'T LEAVE HOME WITHOUT IT!!

Revisiting Certifications in Specialist High Skills Major (SHSM) Programs

BY TISH AMICO, Education Consultant for the Ministry of Labour

Back in 2007 in one of our newsletters, we spoke about SHSM programs and the compulsory and elective certifications that are required in all sectors, some of which involve health and safety.

In travelling the province, many teachers have asked me for some clarification on the role of the teacher in delivering health and safety "training" to prepare students for the workplace. What is the significance of "certification"? Are teachers qualified after a "Train-the-Trainer" course to deliver "training" to and certify students in health and safety? Can an outside trainer deliver the safety "training"? Does this "training" take the place of workplace safety training by the employer?

First and foremost, teachers and outside trainers deliver courses on various topics. One of these courses that may fulfill the requirements of an SHSM could deal with health and safety. But this is a **course** or **program** only, and is not training. These

courses deliver education and awareness only, and prepare students for workplace training. Job-specific and job site safety training are the SOLE responsibility of an employer as specified in Ontario's Occupational Health and Safety Act (OHSA).

The certifications that are issued by either the teacher or an outside agency are an indication of successful completion of a GENERIC course. These certifications tell the employer that the student is aware of the importance of health and safety and has some knowledge of the topic.

FYI: There is no provincially- recognized health and safety certification that is portable or transferable from one workplace or one job to another as the law is clear that safety training must be provided by the employer. In conclusion, workplace-specific safety training by the employer is ALWAYS required.



BRIGHT IDEA

FOR CO-OP TEACHERS WHO WANT TO HAVE A GUEST SPEAKER ON HEALTH AND SAFETY, WHY NOT HAVE THEM IN ON THE FIRST INTEGRATION DAY? THAT WAY, YOUR STUDENTS HAVE BEEN IN THEIR PLACEMENT AND HAVE BEEN TRAINED BY THEIR EMPLOYER IN THE HEALTH AND SAFETY PRACTICES OF THEIR PLACEMENT AND WILL BE PREPARED TO ASK QUESTIONS AND DISCUSS THE TOPIC.

We welcome your questions, comments and suggestions for future newsletters at info@livesafeworksmart.net

Links

www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm

www.e-laws.gov.on.ca/html/regs/english/elaws_regs_910213_e.htm

www.labour.gov.on.ca/english/atwork/youngworkers.php

Disclaimer: This newsletter has been prepared to help the workplace parties understand some of their obligations under the Occupational Health and Safety Act (OHSA) and regulations. It is not legal advice. It is not intended to replace the OHSA or the regulations. FOR FURTHER INFORMATION PLEASE SEE [FULL DISCLAIMER](#)