



Health & Safety

December 2020

Protections for teachers in K-12

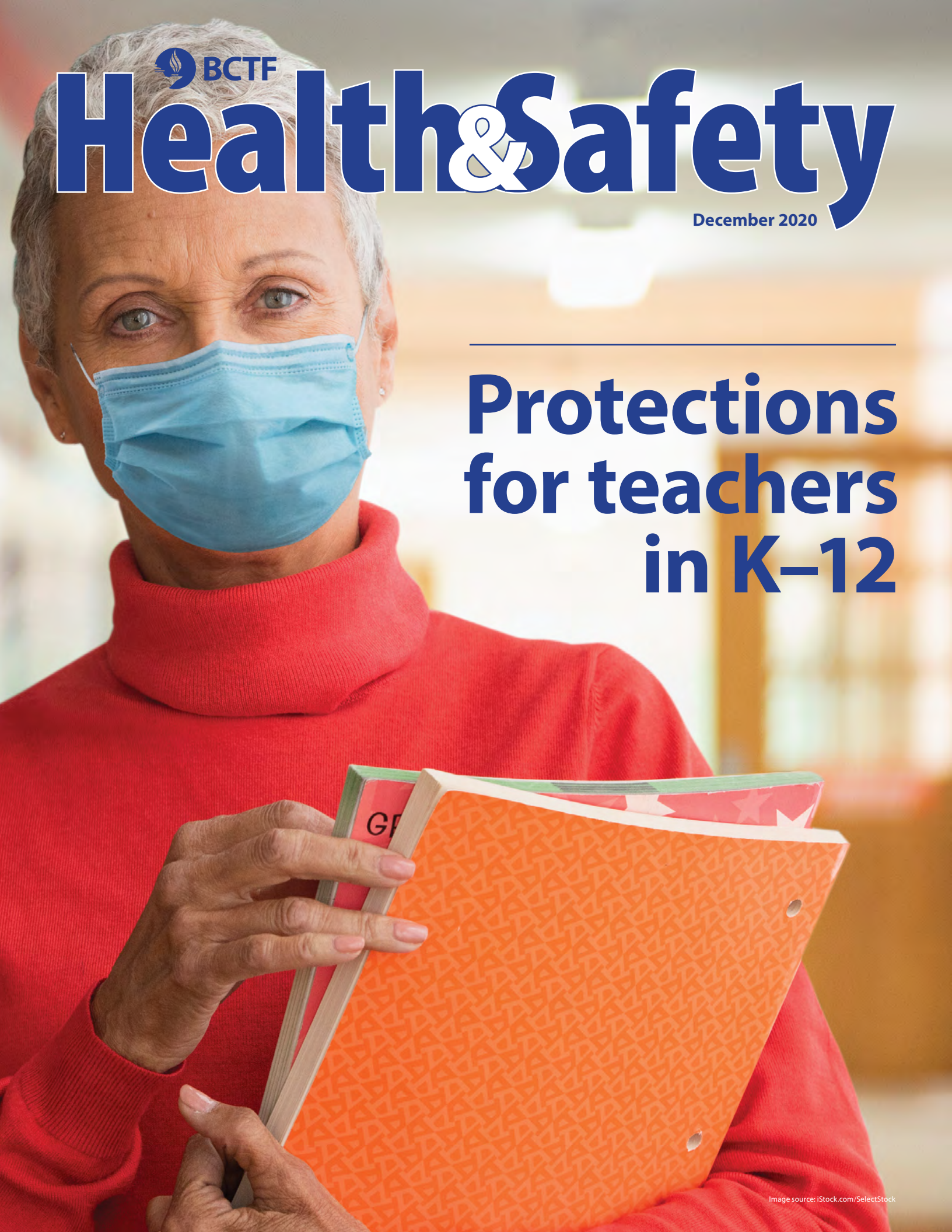


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WorkSafeBC Prevention Hotline

Any member can contact WorkSafeBC Prevention Hotline to report health and safety concerns at their workplace. The Prevention Information Line can be reached in the Lower Mainland at 604-276-3100 or toll-free at 1-888-621 SAFE. The line is available 24 hours a day, seven days a week, and prevention officers are directly available Monday to Friday from 8:05 a.m. to 4:30 p.m.

However, the WorkSafeBC prevention officer will ask the member if they have followed their workplace health and safety processes. This means that the member should have informed their principal and the health and safety rep about the concern. If the member has not done so, then the member will be referred back to their local process by WorkSafeBC.

K–12 Covid 19 health and safety guidelines

www2.gov.bc.ca/assets/gov/education/administration/kindergarten-to-grade-12/safe-caring-orderly/k-12-covid-19-health-safety-guidelines.pdf

Barriers

WorkSafeBC recommends that employers consider installing barriers made of transparent material in places where physical distance cannot be regularly maintained, and a person is interacting with numerous individuals outside of a learning group. This may include a front reception desk where visitors check in, a library check out desk, or where food is distributed in a cafeteria.

Where a local believes that barriers would be of assistance, they can raise the issue with the employer, either through the local site based health and safety committee or else through regular union-management meetings.

www.worksafebc.com/en/resources/health-safety/information-sheets/covid-19-health-safety-designing-effective-barriers?lang=en

Local Context

Cleaning and disinfecting

The following frequency guidelines must be adhered to when cleaning and disinfecting:

- General cleaning and disinfecting of the premises at least **once in a 24-hour period**. This includes items that only a single student uses, like an individual desk.
- Cleaning and disinfecting of frequently touched surfaces at least **twice in 24 hours, including at least once during regular school hours**.
- Clean and disinfect any surface that is visibly dirty.
- Empty garbage containers daily.

Local Context

Communication and Training/Orientation

School districts and schools must clearly and consistently communicate guidelines from the Provincial Health Officer (PHO) and other resources available for information on COVID-19 as needed. They must also ensure communication of infection prevention and exposure control measures is relayed in multiple formats for ease of understanding.

Finally, school districts and schools should consider providing early and ongoing health and safety orientation for staff, parents/caregivers and students to ensure employees, families and the school community are well informed of their responsibilities and resources available.

Local Context

Learning Groups and Physical Distancing

Reducing the number of close, in-person interactions an individual has in a day continues to be a key component of B.C.'s strategy to prevent the spread of COVID-19. This can be accomplished in K-12 school settings through two different but complementary approaches: learning groups (cohorts) and physical distancing. A learning group is a group of students and staff who remain together throughout a school term (e.g. a school quarter, semester or year) and who primarily interact with each other. A learning group could be made up of a single class of students with their teacher, multiple classes that sometimes join for additional learning activities, or a group of secondary school students with the same courses.

In Stages 3 and 4, staff, as well as middle and secondary school students, will have to maintain physical distancing (2m) at all times (even if they are part of the same learning group). Physical distancing (2m) for elementary students when interacting outside of their learning groups while indoors.

If a member has concerns about physical distancing protocols not being followed, they must inform their principal. They should also report to their health and safety rep. The health and safety rep will inform both the site-based health and safety committee and their local union president.

Local Context

Masks

Students in Middle and Secondary school are required to wear non-medical masks in high traffic areas such as buses and in common areas such as hallways, or anytime outside of their learning group whenever physical distancing cannot be maintained. Exceptions will be made for students who cannot wear masks for medical and/or disability-related reasons. For these exceptions, schools/districts should implement other environmental and administrative measures to ensure student and staff safety.

Staff are required to wear a non-medical mask, a face covering or a face shield (in which case a non-medical mask should be worn in addition to the face shield) in high traffic areas such as buses and in common areas such as hallways, or anytime outside of their learning group whenever physical distancing cannot be maintained (e.g., itinerant teachers/specialists/educational assistants interacting with multiple learning groups). Exceptions will be made for staff who cannot wear masks for medical and/or disability-related reasons. Any staff who cannot wear masks for medical and/or disability-related reasons but does not receive an exception should contact their health and safety rep. The health and safety rep will inform both the site-based health and safety committee and their local union president.

Local Context

School Gathering and Events

School gatherings should be kept to a minimum and where possible schools should seek virtual alternatives for larger gatherings and assemblies to continue to support these events in a different format. When it is necessary to gather in larger groups: school gatherings should occur within a learning group. Gatherings should not exceed the maximum learning group size in the setting (which includes students and staff who are part of the learning group), plus the minimum number of additional people required (e.g. additional school staff, visitors, etc.) to meet the gathering's purpose and intended outcome, additional people should be minimized as much as is practical to do so, and they must maintain physical distance

Staff meetings involving staff from different learning groups should preferably occur through virtual means. Where a virtual alternative is not possible, staff meetings can happen in person if participants maintain physical distance. In-person inter-school events (including competitions, tournaments and festivals) should not occur at this time. This will be re-evaluated throughout the school year.

Ventilation and circulation

School districts are required to ensure that heating, ventilation and air conditioning (HVAC) systems are designed, operated, and maintained as per standards and specifications for ongoing comfort for workers (Part 4 of the OHS regulation).

www.worksafebc.com/en/law-policy/occupational-health-safety/searchable-ohs-regulation/ohs-regulation/part-04-general-conditions#SectionNumber:4.70

School districts and independent school authorities should regularly maintain HVAC systems for proper operation and ensure that: schools with recycled/recirculated air systems upgrade their current filters to a minimum MERV 13 filter or higher if possible; and schools with fresh air intake systems increase their average air exchanges.

www.ashrae.org/file%20library/technical%20resources/covid-19/ashrae-reopening-schools-and-universities-c19-guidance.pdf

rpeng.ca/School-ReOpenGuidelineSummaryMay2020.pdf

Local Context

Visitor access

Visitors during school hours should be prioritized to those supporting activities that benefit student learning and well-being. Schools must ensure that visitors are aware of health and safety protocols and requirements prior to entering the school whenever physical distancing cannot be maintained. Schools are responsible for ensuring that all visitors confirm they have completed the requirements of a daily health check before entering. Schools should keep a list of the date, names and contact information for any visitors who entered the school.

Local Context

The Duty to Accommodate (General Overview)

As part of its duty not to discriminate against an employee on the basis of a protected ground, such as physical or mental disability or family status, an employer must make efforts to accommodate an employee's disability. Accommodation is a tripartite process and requires the cooperation of the member, union and employer. The employer has a duty to accommodate employees' functional limitations, provided that the accommodation required does not cause the employer undue hardship.

Union's duties

If the employee has a disability, the union should ask for the employee's consent to raise this issue with the employer. The employee needs to be made aware that once the disability issue is raised, the union may need to establish the disability through medical evidence and the employee will need to cooperate in providing medical information within the boundaries discussed above.

The union's role in the accommodation process includes the union's cooperation in facilitating the accommodation itself. This can include providing its approval for variations from the collective agreement when the need for accommodation has been established and doing so will not create a "significant interference" with the rights of other employees. As the Supreme Court of Canada has explained, "Any significant interference with the rights of others will ordinarily justify the union in refusing to consent to a measure which would have this effect". However, the union must be wary of becoming a co-discriminator and must be prepared to accept that the most sensible accommodation may be one which requires a change or exception to the parties' collective agreement and ordinary procedures.

It is helpful for the union to establish the roles of the union and the member early in the accommodation process and to explain this in clear terms to the member. Providing an explanation in writing, including an explanation of what the grievor is expected to do and the consequences of not cooperating in the accommodation process, can avert difficulties at the outset of the process.

Local Context

Local Collective Agreement Health and Safety Language

Local Collective Agreements contain health and safety language. Click on the link below to access your collective agreement language. These are large PDF documents. The most efficient way to find your local language is to search 'health' to find the appropriate clause. Note that some locals do not have their collective agreement publicly posted. In these cases, the link to the BCTF portal has been posted. To access your collective agreement on the portal, sign into the portal and then click on the link. Also note that in many cases the newest collective agreement is still undergoing melding, so most of these links will take you to the 2013-2019 collective agreement language.

Local	Website where local collective agreement can be found
1 Fernie	0901.nccdn.net/4_2/000/000/048/0a6/Collective-Agreement-2013-2019.pdf
2 Cranbrook	pdf
3 Kimberley	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
4 Windermere	
18 Golden	
7 Nelson	crestonvalleyteachers.weebly.com/collective-agreement.html
86-1 Creston	
86-2 Kootenay Lake	
10 Arrow Lakes	arrowlakesteachers.files.wordpress.com/2018/11/alta-ca-2013-2019.pdf
19 Revelstoke	revelstoketeachers.ca/wp-content/uploads/2016/09/19-LSB-2013-2019-Working-Document-FINAL-Nov-14-2016.pdf
20 Kootenay Columbia	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
22 Vernon	vernonta.com/wordpress/wp-content/uploads/2020/08/CANovember2016.pdf
23 Central Okanagan	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
27 Cariboo-Chilcotin	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480

Local	Website where local collective agreement can be found
28 Quesnel	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
33 Chilliwack	chilliwackteachers.com/wp-content/uploads/2016/09/New-Collective-Agreement.pdf
34 Abbotsford	www.abbotsfordteachers.ca/2013-2019-local-collective-agreement.html
35 Langley	langleyteachers.com/wp-content/uploads/2020/06/2013-2019-CA-1.pdf
36 Surrey	www.surreyteachers.org/wp-content/uploads/2018/07/CollectiveAgreement.pdf
37 Delta	www.deltateachers.org/wp-content/uploads/2020/05/CA_2013-2019_Delta.pdf
38 Richmond	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
39-1 Vancouver Elementary 39-2 Vancouver Secondary	vsta.ca/wp-content/uploads/2016/02/2013-2019-Final.pdf
40 New Westminister	nebula.wsimg.com/c48950843dbf83c3543625b3a6b4735?AccessKeyId=53BB4692F112B48DFE57&disposition=0&alloworigin=1
41 Burnaby	www.burnabyteachers.com/wp-content/uploads/2017/11/2013-2019-Prov.-Collective-Agreement.pdf
42 Maple Ridge	www.mrtaoffice.com/uploads/4/1/4/5/41452777/collective_agreement_2013-2019.pdf
43 Coquitlam	www.coquitlamteachers.com/wp-content/uploads/2016/02/2013-2019-Collective-Agreement-Nov-9-2016-version.pdf
44 North Vancouver	nvta.ca/wp-content/uploads/2019/09/Collective-Agreement-2013-2019.pdf

Local	Website where local collective agreement can be found
45 West Vancouver	www.wvta.ca/uploads/5/1/2/9/51294731/wvta_2013-2019_collective_agreement.pdf
46 Sunshine Coast	static1.squarespace.com/static/5df2b2550d6bf521e605a5f3/t/5e0beb96a5b0832cb7863f3c/1577839519243/Collective-Agreement-2013-2019.pdf
47 Powell River	www.sd47.bc.ca/career/Documents/PRDTA%20July%201,%202013%20to%20June%2030,%202019.pdf
48 Sea to Sky	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
49 Central Coast	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
50 Haida Gwaii	www.haidagwaiiteachers.com/wp-content/uploads/2017/06/CA-2013-19-signed.pdf
51 Boundary	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
52 Prince Rupert	www.rupertschools.ca/wp-content/uploads/2017/03/prdtu-prsd-collective-agreement.pdf
53 S Okanagan Similkameen	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
54 Bulkley Valley	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
57-1 Prince George 57-2 Mackenzie 57-3 McBride-Valemount	www.pgdta.ca/uploads/2/4/1/7/24178565/pgdta_2013-2019_collective_agreement_2.pdf
17 Princeton 31 Nicola Valley	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
59-1 Peace River South 59-2 Chetwynd 59-3 Tumbler Ridge	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480

Local	Website where local collective agreement can be found
60 Peace River North	drive.google.com/file/d/1Pq5aJeTjKS3mAzbOUmwj4EJ-xyTkKZva/view?usp=sharing
61 Greater Victoria	gvta.net/images/Collective_Agreement_/2013-2019_CA_Part_1.pdf
62 Sooke	sooketeachers.org/wp-content/uploads/2018/12/COLLECTIVE-AGREEMENT-2013-2019.pdf
63 Saanich	www.sd63.bc.ca/sites/default/files/TeacherCollectiveAgreement201319.pdf
64 Gulf Islands	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
67 Okanagan Skaha	www.ostu.ca/files/Docs%20-%20OSTU%20-%20LCA%20-%20July%201,%202013%20to%20June%2030,%202019.pdf
68 Nanaimo	www.ndta68.ca/index.php/download_file/view/1023/100/
69 Mount Arrowsmith	matalocal69.weebly.com/uploads/3/1/3/6/31363165/collective_agreement_2013_-_2019.pdf
70-1 Alberni 70-2 Ucluelet-Tofino	adtu.ca/sites/default/files/pdf/2013-2019%20Local%20Collective%20Agreement%20Feb%2017%202016.pdf
71 Comox	www.cdta71.org/web_documents/2013-2019_71_ca_final_signed.pdf
72 Campbell River	crdta.ca/collective-agreement-new/file.html
73 Kamloops Thompson	www.ktta.ca/images/KTTA_SD73_2013_2019.pdf
74 Gold Trail	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
75 Mission	bctf.ca/local75/mtucollectiveagreement.pdf
78 Fraser-Cascade	fcta78.com/wp-content/uploads/2017/12/SD78-2013-CollectiveAgreement.pdf
65 Cowichan 66 Lake Cowichan	cowichanteachers.ca/wp-content/uploads/2019/01/CVTF-2013-2019-final-PDF.pdf

Local	Website where local collective agreement can be found
81 Fort Nelson	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
80 Kitimat 88-1 Terrace 88-2 Upper Skeena	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
83 North Okanagan-Shuswap	www.nosta83.com/wp-content/uploads/2017/10/2013-2019-Contract.pdf
84 Vancouver Island West	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
85 Vancouver Island North	www.vinta-bctf.ca/wordpress/wp-content/uploads/2012/08/85-LK-2013-2019-Final-CA-For-Signature-Nov-20-2015.pdf
87 Stikine	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
92 Nisga'a	www.nisgaa.bc.ca/links/Nisgaa-Teachers-Union-Collective-Agreement-July-1-2013-to-June-30-2019.pdf
55 Burns Lake 56 Nechako	BCTF Portal - Member Login Required bctf.ca/myBCTF/content.aspx?id=46480
93 SEPF	acd463ff-f85a-4fd4-bd40-5326d8be14ba.filesusr.com/ugd/66ad41_ff199b14ea404d1285ff70ba8dcbe4b9.pdf

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