

DIRECTIONS



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2007

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The Confined Space Regulation Ignore it at Your Peril



Inside

- The Co-op Experience: Make it Positively Safe
- Mandatory Retirement is Officially Retired
- Last Chance - One More Time
- Early and Safe Return to Work, Long-term Benefits, Not Long-term Disabilities



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Make Me, Show Me, Watch Me

We have all experienced the above three reactions whenever there is a paradigm shift in the way our world operates. As we become aware that things are changing, and that we must also change, we choose one of these responses.

Some resist change; they hang on, grip tighter and challenge the world: “Make me change.” They delay, challenge, and are often dragged, kicking and screaming, into the new reality. Inevitably, change occurs and carries them along.

Others recognize that change is taking place and want to know how to adjust. Their response is, “Show me what to do and how to make the change.” Often, their real desire is to minimize the impact on their world.

A few embrace change. They recognize and understand change, and when they see that a fundamental transformation is taking place, they don’t fight it and don’t seek to simply survive it. They lead the way, and foster a new understanding of how to live and operate in the new environment. They say, in effect, “Watch me.”

There is a paradigm shift currently underway in Ontario workplaces.

The Ministry of Labour is determining which workplaces have the worst health and safety performance and is making those workplaces improve. This is the case across all sectors – large and small, rural and urban – in the province. Unsafe workplaces are no longer acceptable. The Ministry of Labour has enlisted the help of Ontario’s Safe Workplace Associations, and Ontario is changing.

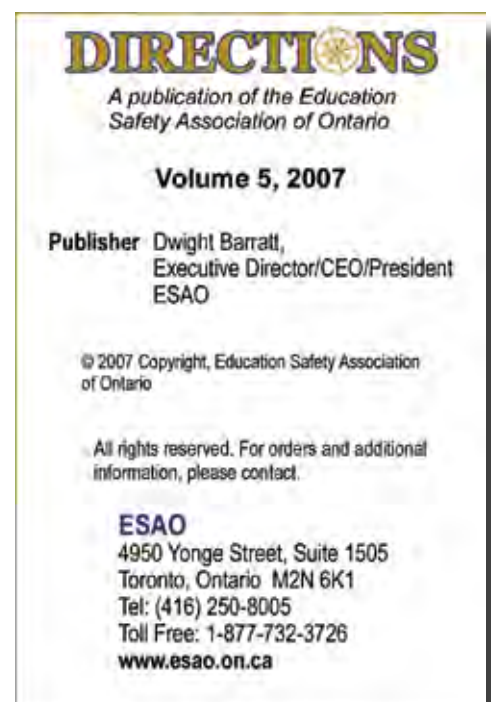
Readers of Directions know that this magazine is sent to senior decision makers in the education sector across the province. As you read this issue, please understand that there is a paradigm shift taking place in the province at this time. Workplace health and safety is now a part of how you are being measured.

“Make me”, “Show me”, “Watch me.” Which response will you choose for your workplace?

Dwight Barratt
Executive Director
Education Safety Association of Ontario

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The Confined Space Regulation – Ignore It at Your Peril

Stop! Answer two questions before you assume this article doesn't apply to your workplace, or this topic is too technical to interest you:

1. Does your workplace have any of the following: elevators, sewers, electrical or communication vaults, tunnels, walk-in freezers, culverts, manholes, vessels or tanks?
2. Do you have a complete inventory of these spaces, including an assessment of the hazards or potential hazards of each compiled by a competent person?

Every year in Ontario, workers die in confined spaces. Beyond that, 60% of all confined space fatalities occur among rescuers. And every year, some employers find themselves in court and the focus of media attention because these fatalities happened in their workplace.

The recent changes in legislation on this topic are aimed at changing these statistics. Good programs – and trained workers – can save lives, and they can save lives in your workplace.

Most workplaces have several of the confined spaces on the list above. If that includes you, you

need an inventory and a hazard assessment for each one. It's the law in Ontario. If you're the CEO or a member of the Board of Directors for an institution with confined spaces, you are responsible for ensuring that a program is in place.

The legislation that directs employers regarding entry into any of these confined spaces has been "harmonized" in Ontario, making it the same across many workplace sectors. For the Education sector, the focus is on section 119.1 to 119.20 of the Regulation for Industrial Establishments 851/90.

The complete requirements of Section 119 are complex and far



beyond the scope of this article. Briefly, however, requirements demand that workplace parties have a program which includes a complete Hazard Assessment for each confined space (repeated before each entry), training of confined space workers by a competent person, a Confined Space Entry Permit system in place, rescue procedures developed, and work procedures documented.

Your confined space program from ten years ago is no longer adequate, and if you're still relying on it, you're endangering your workers. Here are five simple steps CEOs and Directors can take to make sure they're being diligent in this area:

1. Ask your Safety Officer for a report showing how your current program meets the new standards.

According to regulation 119A, a confined space program must have the following elements:

- A method to identify confined spaces in the workplace;
- A method for assessing the hazards that may be present;
- A method for developing a plan or plans;
- A method for general training of workers;
- An entry permit system.

In other words, you're either in compliance or you are not, and it's fairly easy to tell if the elements exist.

The program must be developed in consultation with the Joint Health and Safety Committee or the Health and Safety Representative. When complete, it must be shared with the Committee or Representative.

2. Ask to see the Hazard Assessment Manual

A qualified person must conduct a hazard assessment of every confined space in your workplace. This calls

for a permanent record of both the assessments and the qualifications of the person doing the assessment.

Again, it will be obvious if this is in place.

3. Ask for some examples of Written Plans.

A Plan is a specific set of measures and procedures designed to control hazards identified by the assessment for a specific confined space. These will allow workers to enter and work in that space safely. The Plan must address on-site rescue procedures and equipment, communication, as well as personal protective equipment and ventilation requirements, etc. Thus, the Plan documents everything that must be done to ensure the safety of the worker in that specific space.

4. Ask to see the Training Records for your Confined Space workers.

Include hands-on, practical training, in accordance with the Plan, for every worker who enters a confined space. Section 119.7 includes a number of duties assigned specifically to the "employer" regarding training, training records and the person providing the training. If you're a person in authority over a workplace, make sure your



“Your confined space program from ten years ago is no longer adequate, and if you're still relying on it, you're endangering your workers.”

responsibilities have been met in this area.

5. Ask to see the last Entry Permits for three spaces selected from the Inventory.

This regulation specifically requires an Entry Permit system for confined spaces that outlines specific and detailed information. The system must be in place, and it must be used in all cases of confined space entry.

Even if your organization passes these five questions with flying colours, you may still not be in complete compliance. However, if the answers to the questions above are less than complete, or lacking altogether, you're in serious danger.

Workplaces with confined spaces must also address other requirements which are more exhaustive than can be reviewed in this article. For a complete discussion of the requirements and how they apply to your workplace, contact either the Ministry of Labour or your Safe Workplace Association. They can help you get your program into compliance.

Every year Ontario workers die in confined spaces, and additional workers die trying to rescue them. A Confined Space Entry Program – it's the law in Ontario.



The Co-op Experience: Make it Positively Safe

Co-op placements – now part of both high school and college curricula – are a wonderful way to experience life in a real workplace. They enable students to try out fields for future careers, to learn more about the work world, and to collect those last few credits. All in all, it's usually a very positive experience.

For some, however, it can be anything but positive. In the past few years, more than 400 students annually have been injured while on co-op placements. Fifty or more have been injured to the extent they were not able to return to work the next day, thus generating a lost time claim with WSIB. In 2005, the account handling compensation claims for co-op placements met the criteria for consideration as one of the Ministry of Labour's Last Chance firms.

We need to do a better job in preparing students for their venture into these workplaces. To do that, we first need to understand the kind of injuries co-op placement students are experiencing.

Co-op students most commonly suffer injuries like cuts or lacerations from a "struck by" or "contact with" kind of incident. More than one third of these involve hand injuries arising from, perhaps, putting their hands in the wrong places, not wearing the proper safety gloves, touching hazardous things, etc. In general, these would be considered "injuries of inexperience".

Seasoned workers have far fewer injuries of this type. In the general population of education sector employees, for example, the main kinds of injuries are

musculoskeletal, and the area most commonly affected is the lower back. This is not surprising, given that the average age of workers in this sector is the late 40's.

However, one thing is common to all these injuries – they can be prevented. But how?

Three workplace parties are involved, and all have a very important role in injury prevention.

First, **students** need to know that these are real workplaces: there are real hazards, and they can get hurt. This is a true, but not popular message, one that needs to be delivered to each and every student heading out on a co-op placement.

“Sometimes students feel they just have to “tough out” a difficult situation, worrying about losing the credit or having to repeat the term.”

They also need to know they have the right to;

1. expect competent supervision,
2. know about the hazards in the workplace, and
3. refuse unsafe work.

In short, they have the right to expect to get through their placement without injury.

Second, **placement employers** have some very specific responsibilities. They cannot avoid the need for appropriate supervision and for site-specific training.



They must provide a safe workplace for their placements, regardless of the fact that the student is not an employee. With no less a demand for safety on their part, employers need to provide:

- competent supervision to placements, including instruction about workplace hazards and the “how-to’s” of working safely, as well as
- workplace and site-specific training. For example, while students may have had generic WHMIS training, the workplace-specific component would include the list of hazardous substances in that workplace, the location of the MSDS (Material Safety Data Sheet) binders, the way to access the proper PPE (Personal Protective Equipment) if required, etc.

Third, and finally, **co-op teachers** need to be very clear in communicating that students can count on them if they encounter an unsafe workplace or an

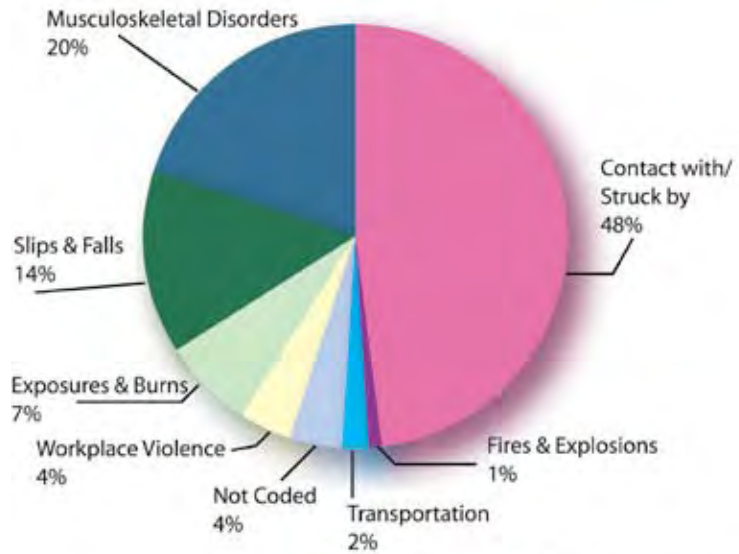
uncomfortable situation. The teacher, as a critical part of the team, must remind students these are real workplaces, and people who fail to work safely can and do get injured.

The teachers need to assess each workplace to determine if it is safe for placement students. And if a prospective employer should refuse to allow such an assessment, there is no way a placement should be permitted. Sometimes students feel they just have to “tough out” a difficult situation, worrying about losing the credit or having to repeat the term. The co-op teacher needs to be available to the student should there be a workplace issue – ranging from safety and training issues to harassment and violence – that requires intervention.

ESAO is committed to helping co-op teachers develop and collect the resources needed to help them inspect the diversity of placement workplaces they encounter. The ESAO website provides free downloadable inspection forms for a variety of placement situations, and that list is growing with input from our clients. More importantly, we have created a working group with OCEA to help OCEA members recognize workplace.

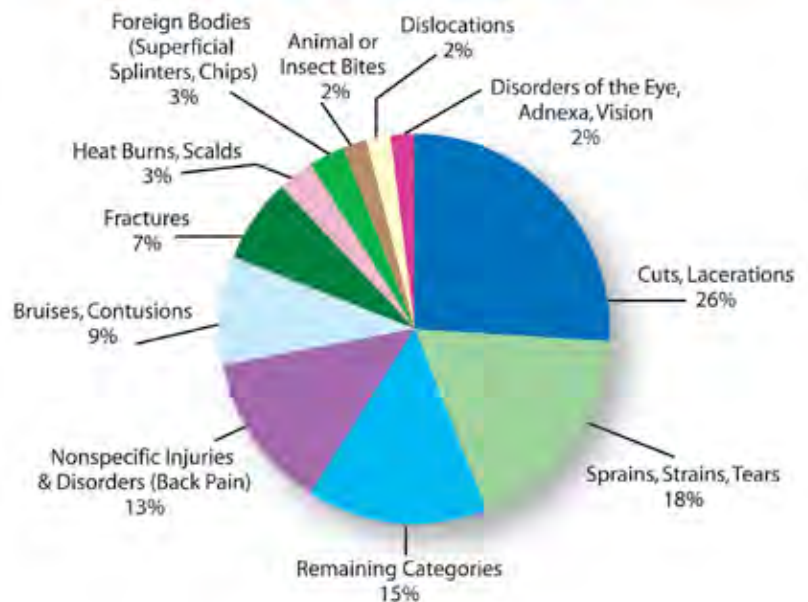
If we work together, we can make sure we send our co-op students out prepared for any eventuality in the workplace hazards.

Type of Lost Time Accidents in Ministry of Education (Co-op Program) 2000-2005



Data Source: WSIB Claims Cost Analysis
Snapshot Period: September 2006

Top Ten Natures of Injury for the Ministry of Education (Co-op Program) 2000-2005



Data Source: WSIB Claims Cost Analysis
Snapshot Period: September 2006



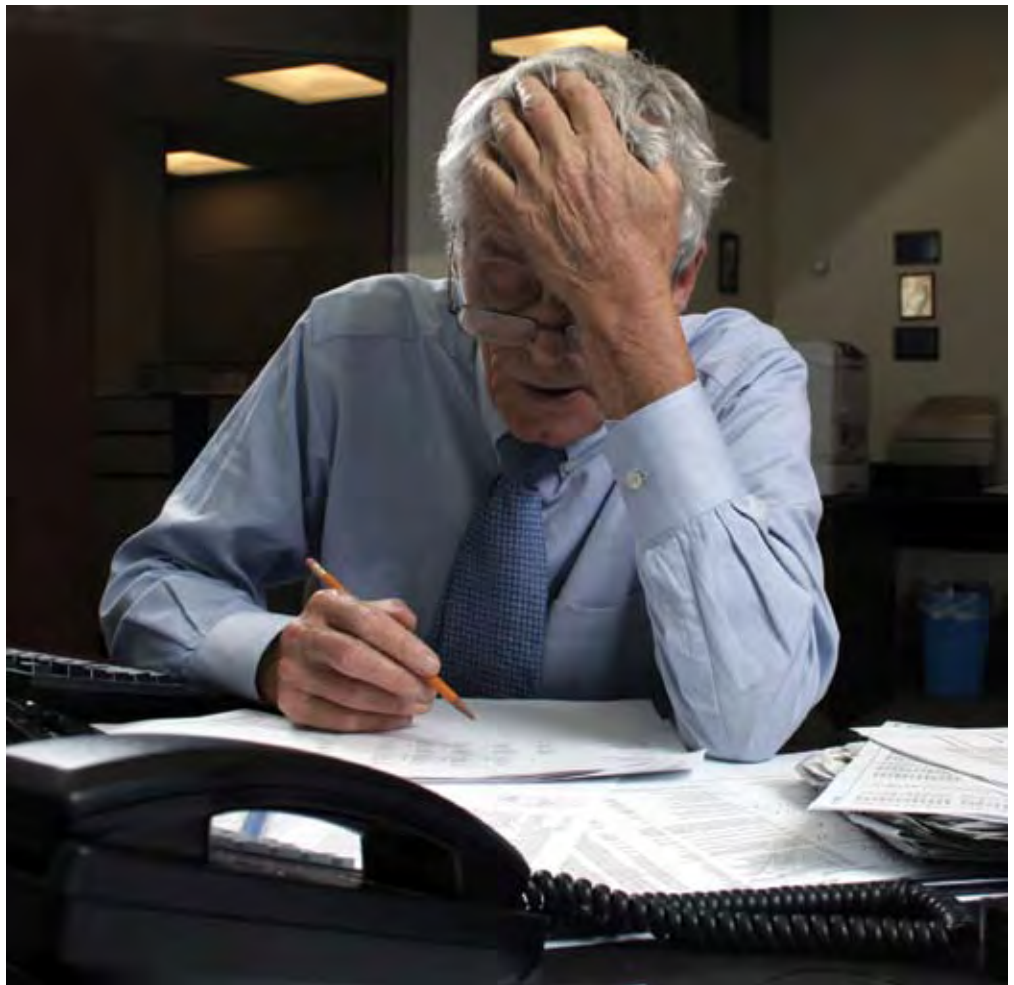
Mandatory Retirement is Officially Retired

A hhhh....mandatory retirement: fishing, golfing, long walks on the beach, travel and sleeping until noon. Sound great? Well, not to everyone and not for very much longer, because once again “the times they are a-changin’”, as the power of the demographic known as the baby boom arrives.

As if the times hadn’t changed enough, the pace increased as of December 12, 2006, when The Ending Mandatory Retirement Statute Law Amendment Act, 2005, became the law of the land in Ontario. “This is another step to modernize working conditions for the people of Ontario,” says Ontario Labour Minister **Steve Peters**. “People are healthier and living longer, so it is unfair to insist that they stop working simply because they turn 65. Ending mandatory retirement allows workers to decide when to retire based on lifestyle, circumstance and priorities.” (1)

The legislation – originally passed in December of 2005 – provides for a one-year transition period to ensure everyone is ready for the new law to take effect. The legislation also amends a long list of other statutes with provisions related to mandatory retirement:

- Collective agreements will no longer be permitted to include provisions requiring mandatory retirement.
- Employees can continue membership in pension plans and accrue benefits past age 65, subject to service or contribution caps.
- The legislation does not affect Ontarians’ eligibility to receive Canada Pension Plan (CPP) at age 65.
- Nothing in the legislation prevents employers from providing benefits to employees aged 65 or over.



- Individuals aged 65 and over continue to be eligible for such government benefits as the Ontario Drug Benefit Plan.
- An employee dismissed at age 65 or over for a reason unrelated to age will have the same entitlement as a younger employee to notice of termination or pay-in-lieu, unless the employee is forced to retire under a mandatory retirement policy that could be justified on “bona fide occupational requirement” grounds.
- Entitlements under the Workplace Safety and Insurance Act, 1997, remain unchanged, and injured workers aged 63 or over at the time of injury will continue to be able to

receive loss-of-earning benefits for up to two years.

A number of provinces are already pioneers in this area. New Brunswick, Manitoba, Quebec, Alberta, Prince Edward Island, Nova Scotia, the Yukon, Nunavut, The Northwest Territories and the Federal Government have banned mandatory retirement earlier.

The history of retirement and pensions in Canada goes back to 1927 when they became a reality for Canadians 70 years of age or older, who received a pension of \$20 per month, for a total of \$240 per year. This first, rather lean pension was not universal; Canadians had to pass a means test to prove eligibility.

“Ending mandatory retirement allows workers to decide when to retire based on lifestyle, circumstance and priorities.”

Nearly 40 years later in 1966, the Canadian pension became universal and the age of eligibility was lowered from 70 to 65. Employers and unions then hooked their mandatory retirement age to that magical number of 65 in contracts. Today, like the original \$20 per month, 65 just “ain’t what it used to be”, with average Canadians living 20 years longer than their 1927 counterparts.

The end of mandatory retirement is, in part, a reaction to a new demographic reality. As a society, we cannot afford – either financially or in terms of loss of expertise – to allow a large chunk of the workforce to retire.

Older workers often don’t want to retire, for reasons as diverse as the individual, ranging from financial reasons to fulfillment and satisfaction with the contributions they make to their field of work. As of December 12, 2006, the choice of whether to retire or not belongs to the employee. It’s estimated that as many as 4,000 of the almost 100,000 people reaching 65 each year would choose to continue to work. This number increases if employees are offered increased salaries and a reduced work schedule.

Statistics Canada estimates that “...by 2006, almost 40% of Canada’s working age population will be between 45 and 65...” (2) By 2031, those over the age of 65 will account for over 20% of Ontario’s population.

This will impact the demographic set-up of the office, creating a need for change in health and safety training and the ergonomic layout of the workplace. The approximate cost of tweaking the office to accommodate older workers is \$500 per employee.

Here are some concrete steps you can take to ensure the work environment changes to accommodate the older worker:

Vision and Lighting

- Avoid sharp contrasts in lighting, taking particular care with lighting in and around steps, walkways, entryways and parking lots.
- Reduce or eliminate glare by providing low-glare computer screens, using several lighting sources rather than one big light, and installing blinds and awnings.
- Provide clear control and displays, making sure control screens are well lit and have good contrast. Avoid screen clutter.
- Provide proper lighting, such as individually adjustable lighting.
- Print material clearly, using large enough clear fonts (at least 12-point) and avoiding glossy or laminated paper. Black lettering on a white background is usually easier to read than coloured text, or text on a patterned background. Place signs at eye level for easier reading with bifocals.

Hearing and Sound

Workers may be affected by gradual age-related hearing loss, particularly with regard to high-pitched sounds.

- Reduce general noise levels and eliminate unwanted noise. Install sound-absorbing material and shield machine noises. Minimize air-conditioning noise and provide hearing protection.

- Ensure that wanted sounds and signals can be heard: use backup warning systems, such as lights and vibration systems, along with audible alarms. Encourage the use of hearing aids and protection if required.

Grip and Handling

Provide appropriate tools and equipment, including easy-to-hold and lighter tools. (3)

It’s important for employers in the education sector to examine different ways of retaining workers past their 65th birthday. Some options include flexible hours, job sharing, part-time work and employment in the capacity of mentors or consultants.

Yes, the times they are a-changin’, and the smart employer will actively take advantage of this change by appealing to workers 65 years old and older to stay on, through flexibility in the working arrangement and investment in ensuring that the workplace meets older workers’ changing physical needs.

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Major Effort Needed to Reach Minorities

The workforce in Ontario is on the cusp of significant change. This has been coming for some time, but the inescapable numbers will have a profound effect upon how we will manage our labour forces in the years ahead.

One of these areas relates to the “mother tongue” of workers coming into our workplaces.

Twenty-five years ago, English was still the mother tongue of the vast majority of immigrants to Canada. However, the proportion of new immigrants whose first language is English has declined steadily over the past 25 years. By 2005, the most common first languages among new immigrants were, in order of proportion: Mandarin, English, Arabic, Spanish and Punjabi. (1)

During 2005, Ontario was the destination for approximately 141,600 immigrants, or 54% of all immigrants to Canada. Almost 40% of immigrants to Canada, and 80% of immigrants to Ontario, settle in the Greater Toronto Area (GTA). Every year, about 50,000 new immigrants settle in the GTA. (2)

Also in that year, 56% of those granted permanent resident status in Ontario arrived from Asia and the Pacific. Another 18% came from Africa and the Middle East. Those from Europe and the United Kingdom, once the source of the majority of immigrants, accounted for only 13% of new arrivals in 2005. South and Central America were source areas for 9% of permanent arrivals, and represent the areas with the fastest rate of increase as a source of permanent residents for Ontario. (3)

In 2006, the number of immigrant applications processed at Canada’s mission in Beijing dropped, compared with numbers from two years ago. Hong Kong applications are also down over a similar period. In contrast, the number of applications processed at the New Delhi mission has gone up over 50%. (4)

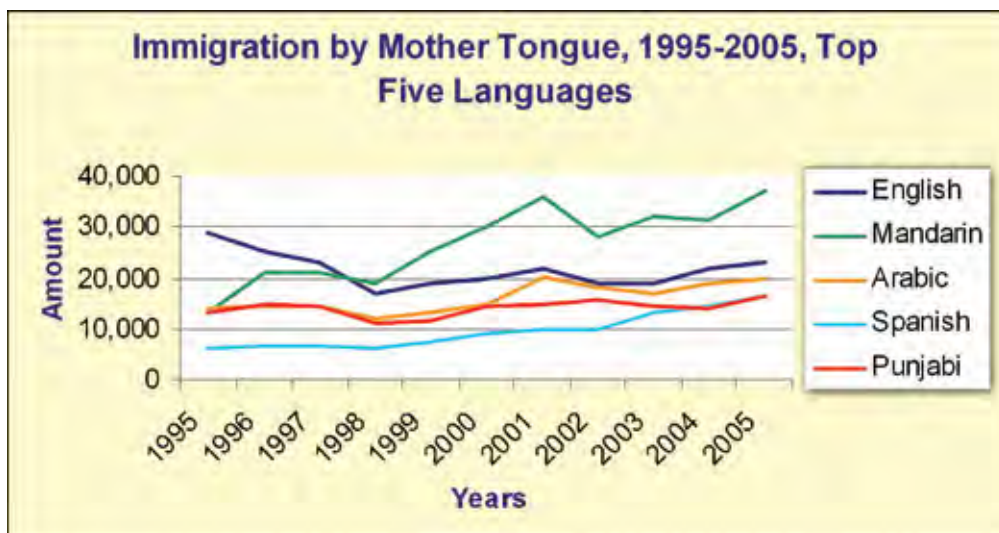
“Studies have found that immigrant workers are less likely than others to admit they do not understand instructions or warnings in the workplace.”

By 2011, immigrants are expected to account for all net labour force growth in Canada and for all net population growth by 2031. As recently as 2002, immigration accounted for only 70% of net growth in the labour force. (5)

These data suggest some problems Ontario workplaces will have to deal with in the future.

First, the Occupational Health and Safety Act requires that the Act be posted both in English and in the majority language of the workplace (OSHA 25 (2) (i)). Furthermore, the Workplace Hazardous Materials Information System (WHMIS) Regulation made under the Occupational Health and Safety Act in Section 7(3) specifies that “An employer shall ensure, so far as it is reasonably practicable, that the program of worker instruction required ... results in the workers being able to use the information to protect their health and safety” (RRO 1990, Reg. 860, s 7). This implies workers have enough understanding of the WHMIS training to protect themselves, which, in turn, suggests that employers provide this training in a language workers can understand.

Employers will clearly have increasing responsibilities to ensure workers are trained in health and safety in the language they can understand. In 2005, WSIB’s Multilingual Services Branch had 42,000 contacts with workers and employers requiring third language services. (6)



It is also clear that immigrant workers unfamiliar with Ontario's workplace culture and unable to speak or understand English are, perhaps, a special category of "new worker". Their risk of injury may be several times higher than that of a Canadian-born, English-speaking new worker. Studies have found that immigrant workers are less likely than others to admit they do not understand instructions or warnings in the workplace. (7)

Compare these trends to one additional item:

Almost 40% of working age immigrant men who arrive in Canada as either business-investment or skilled-worker immigrants will leave within 10 years. They are a highly skilled, highly mobile class of immigrants who do not stay here (8).

One thing is sure, we need these immigrants to settle in Canada and become productive members of our workplaces. If we can encourage them to stay by providing health and safety training in their mother tongue, it is a small price to pay. These immigrants are the workers of the future. We not only need them; we need them to work safely and productively in Ontario workplaces.

The successful employers of the future will find a way to attract the skilled workers we need from around the world, train them to work safely in Ontario workplaces, and create a diverse and productive workplace that will mirror the Ontario of the future.

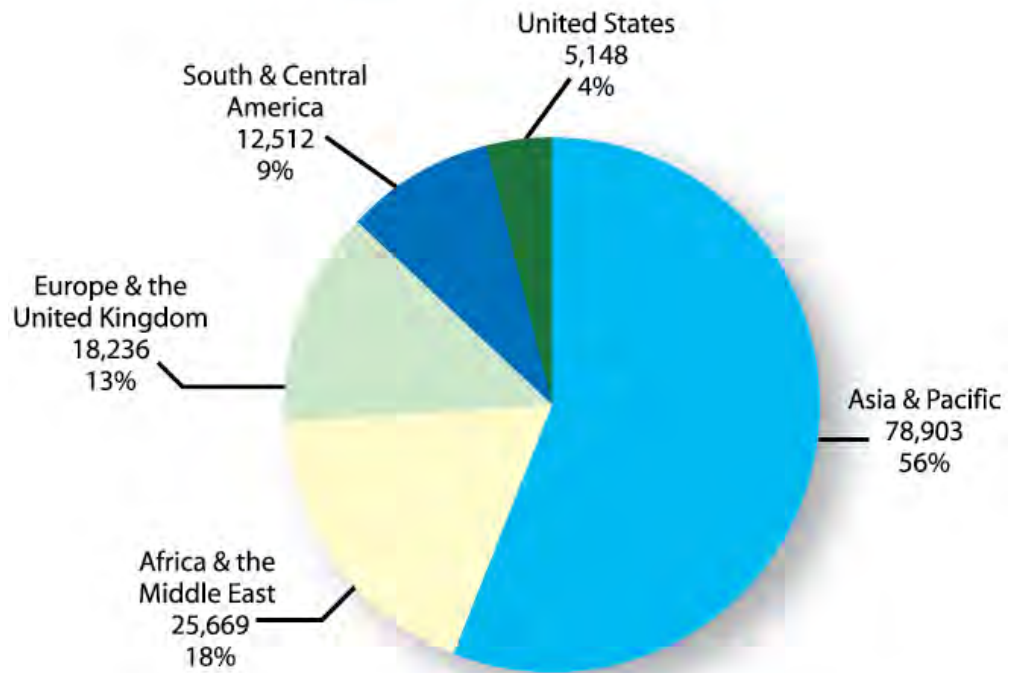
Resources

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Source Areas of Permanent Residents Entering Ontario in 2005



Data Source: *Facts & Figures 2005, Immigration Overview: Citizenship and Immigration Canada, 2006*

New Message Needed to Ensure Senior Safety

It's amazing how many times we find ourselves giving contradictory directions or conflicting messages when we think we're being perfectly clear: "Go ahead, back up!", or "Turn left? That's right!"

While these examples may be humorous, others can have a significant effect on worker health and safety. We must consider how the age of the employee group requires a change in messaging, and how we do that is not yet clear. Here are three areas particularly affected by age vs. expectation.

1. Consider safe lifting and aging knees.

For years, the standard message has been, "Lift with your legs, not your back." Chances are this message is one of the basic injury prevention points, if you have any literature on this topic. And you probably do have some, with the current emphasis on musculoskeletal injury prevention in Ontario. There are most likely drawings, or little stick figures, showing workers facing a box, squatting down to get a grip – back straight, knees bent, then standing with the box held in front of them, centred, balanced, safe.

These have been the safe lifting instructions for so long that we don't even question them anymore. Lift with your legs.

If you've ever watched people approaching retirement as they go about their daily chores, have you noticed that the "part" that often "goes" first is, in many cases, their knees.

Think of three stages of life, say early childhood, young adulthood, and pre-retirement. You can see this play out in the way people tie their shoes:

- Kids simply sit on the floor, for two reasons. First, tying shoes

is something that takes some time until they get it down pat, but even more important, getting up and down is no problem. They can do it pretty much as often as they want.

- Young adults often squat. Sitting on the floor is something most adults don't do, especially since dropping into a squat and popping back up is no big deal.

“Are we encouraging injuries by insisting that they “lift with their legs”? This good advice for young workers may be totally inappropriate for many older workers.”

- However, by the time the knees of these young adults have 30 or 40 more years on them, they don't sit on the floor, and the adults don't squat. They either bend from the waist, or sit on a chair or step. Their knees don't get them up and down as reliably, or as easily, as they used to.

Yet we continue to advise older workers to lift with their legs. Chances are, they can't, or they won't. We keep telling them to do something they know is painful, or that their bodies just refuse to do.

So, what's the new safe lifting advice as we approach a time when many of us will have more senior workers in our workplaces? What will the new safe lifting diagrams look like for those over 60? Are we encouraging injuries by insisting that they “lift with their legs”? This good advice for young workers may be totally inappropriate for many older workers. We need to think now about

developing better messages for the seniors in our workplaces.

Here's another example:

2. Energy conservation and aging eyesight.

Many buildings and firms are winning awards for using much less energy, and some of these energy reductions come from cutting back on lighting. Halls have fewer lights, some of those lights are shut off, and there's an increased reliance on natural light in many workplaces.

Reduced lighting and increased dependence upon natural light does two things. First, it produces a wide variation in the light levels throughout workplaces. As workers move throughout the office, the plant or the worksite, they can move from areas that are well lit through those where the lighting may be dim, at best. In addition, dependence on natural light creates periods during the day when the light levels increase with sunshine or decrease with each cloud passing overhead.

As the workforce ages, the eyes lose their ability to adjust rapidly to changes in lighting. Moving between two areas of different lighting becomes hazardous, especially when the change is near steps, in storage areas or where there are trip or slip hazards. Add bifocal eyeglasses to the mix, and you have a situation where we may be deliberately adding hazards to our workplaces in the name of energy conservation.

The number of slips and falls and the severity of injuries arising from falls increase as we age. If we simultaneously cut back on lighting to save money on the energy bill, we may be setting ourselves up for more frequent – and more serious – workplace injuries. Energy conservation is an important part of our business, except when it makes our workplaces more dangerous for older workers.

10

3. The length of the workday and aging energies

Finally, let's think about those workers who are approaching retirement age, but who really don't want to move suddenly and totally into retirement. Many will ask to move into retirement gradually, by working part-time. And any number of us will be pleased to find a way to keep their experience in the workplace for a few more years.

Many retirees want to work a few hours a day each week, as opposed to those firms that want their employees to work a fewer number of full days. The thinking is that if you come in for, say, two or three full days a week, the work can be better scheduled.

The problem is that many older workers simply get tired half-way

through the day. The concept of an afternoon nap becomes more a necessity than a great idea for many. Their preferred solution is likely to be to work every day, say from 9 a.m. to 1 p.m., before heading home for that nap. They know that, for a good part of the day, they're as productive as ever. But after that, they need a rest. As employers, we need to be sensitive to this and understand that our preference for full days would fail to address their very real needs.

Our workplaces are aging, and our messaging about health and safety needs to keep up. We'll be seeing far more pre- and post-retirement workers in our workplaces over the next decade.

If we continue to deliver safety messages designed for those 30 years younger ("Lift with your legs") or if

we continue to save energy costs as though everyone has the vision of a 20-year-old, or if we try to fit older workers into the standard 8-hour day, we're going to be delivering conflicting messages. We'll be voicing the words: "Yes, we value you and want you to continue to work with us", but our actions will be communicating: "This workplace is for youngsters – and we're not particularly interested in making it safe for you."

We need to start thinking our way through these issues now. Education sector workplaces already have a significant proportion of workers in their pre-retirement years. Unless we make an effort to create supportive workplaces, all that experience will walk out the door – or leave through injury even earlier than we had anticipated.

The Young and the Vulnerable

A significant investment made by the WSIB, the Ministry of Labour and the entire prevention system in Ontario to reduce the numbers of young worker injuries and fatalities is paying off.

According to the WSIB, the lost time injury rate for teenagers 19 and under decreased by 27% from 2000 to 2004. (See discussions of the problem of young worker safety and efforts to prevent young workers from becoming young victims in two previous editions of Directions: Volumes 1 and 3.)

The group collectively known as "young workers" is a difficult group to characterize. For most purposes, this group includes all workers between 16 and 25 years of age. Many of these workers are full time, many are part-time and also going to school, and an increasing number are juggling several part-time jobs with part-time attendance at either secondary or post-secondary schools.

In general, young workers want to impress and do well. This – combined with the fact that it may be their first "real job" – is a double-edged sword. They work hard and enthusiastically, but they're also reluctant to ask for help or advice. They will go the extra mile and get the job done, but they also have a tendency to lift things that are too heavy, rely on their muscles rather than the proper tools or equipment and, perhaps, work too quickly.

According to the Ministry of Education Information Management Branch,

- approximately 32% of students drop out of the secondary school system before graduation,
- about 35% graduate but do not pursue post-secondary education, and
- 33% enter a post-secondary education program.

This means that, by the time they're 18 years old, almost 120,000 Ontario youth are out of the

education system and looking for full-time work. With only a high-school diploma and little experience, full-time jobs are hard to find. Many young workers move from temporary job to temporary job, and many hold one or more part-time jobs. The bottom line: this age group is almost always new on the job. According to the Institute for Work and Health, new workers are at least four times as likely to be injured during their first four weeks than at any other time.

While the education sector is not a major source of jobs for this age group, there are seasonal jobs available in many of our firms. The data clearly shows that they will be the "new workers" in any workplace and, therefore, they need extra workplace health and safety orientation, as well as job-specific training. They also need



The Young and the Vulnerable (continued)

extra supervision by a competent supervisor.

In 1999, there were fifteen young worker fatalities in Ontario; in 2005, there were four.

There is much to be learned by looking at some of the data surrounding these fatalities:

- Over 50% of the fatalities between 1999 and 2004 occurred in firms with fewer than 20 workers. These are “small businesses” and, while they rely on young workers to meet temporary and part-time staffing needs, they may not have adequate workplace safety training programs.
- Almost 75% of the fatalities involved young workers between the ages of 20 and 24. However, the two youngest workers killed on the job were 16.
- 95% of the fatalities were male.
- The top three incidents responsible for the fatalities during this period
 - Were motor vehicle traffic accidents (31.3%, but leading for the 20-24 age group)

- Involved machinery (46.7%, but leading for 19 and under)
 - Were from falls (18.8%)
- Considering lost-time injuries between 1999 and 2003:
- 71.2% were male, 28.8% female.
 - The top three workplace events leading to injury were from:

“Young workers need a complete workplace health and safety orientation, competent supervision and on-the-job training and mentoring - especially during those critical first weeks.”

- Contact with objects and equipment (39.9%)
 - Body reaction and exertion (34.1%)
 - Falls (13.4%)
- In terms of industries involved in lost time injuries to young

workers, it will come as no surprise that the Service industry was the workplace for 44.6% of lost-time injuries for young workers, followed by Manufacturing, Transportation and Construction.

Overall, lost time injuries are down 27% when 2004 is compared to 1999. However, over the same period, lost time injuries in construction are up 50%, and in health care the injuries are up 40% for workers 19 to 24.

Young workers need a complete workplace health and safety orientation, competent supervision and on-the-job training and mentoring – especially during those critical first weeks. Take the time now to review your new worker health and safety orientation program. The better job we all do in their first few weeks on the job, the safer our young workers will be throughout their entire working careers.

Source for this article: Vulnerable Workers: Out of School, Youth Under the Age of 25, prepared by the Ontario Ministry of Labour, Occupational Health and Safety Branch, February 2006

Last Chance – One More Time

Few government initiatives have sparked more controversy among education sector workplaces than the High Risk and Last Chance Initiative of the Ministry of Labour.

And yet, few initiatives have as much potential to spur real improvements in health and safety performance in our workplaces.

In many sectors, the program was created as it was implemented, and the messaging from the Ministry, the WSIB and the Safe Workplace

Associations was not always consistent. One senior staff member characterized this program as “painting an aircraft while it was in flight”.

Three years after the announcement by Minister Bentley, the HR/LC Initiative, also known as “Intervention Strategy to reduce workplace injuries” within the Ministry, is a permanent and successful part of the prevention system’s commitment to making Ontario workplaces safer (1).

The selection process for firms has been improved each year. The

current model uses three years of data to identify firms whose record of workplace injuries suggests that they may benefit from proactive prevention support. Such firms have a higher-than-average claims experience, which can involve higher claims costs as well as higher claims frequencies. Firms in the worst 2% of all sector firms – according to the criteria – become the High Risk group, and are visited by Ministry of Labour health and safety inspectors. The list of these firms is not made public, nor is it shared with the Safe Workplace Associations.



Firms in the next worst 8%, as determined by the selection process, make up the Last Chance group. The list of these firms is sent by the WSIB to the appropriate Safe Workplace Association, and we are asked to offer our services to these firms, under the theory that this is their last chance to avoid being on the High Risk group in the following year. Under this initiative, ESAO is currently working with well over 100 firms.

The Ministry has re-organized its structure and added additional resources to support this initiative. There is an understanding that targeting their attention on those firms with the poorest health and safety records in each sector is an appropriate and effective use of resources. It is also an approach most likely to have the greatest possible impact on the overall safety performance of the province.

In the education sector, this impact will be significant, with targets almost certain to include the same firms year after year. Of the 1,400 firms in the education sector in Ontario, more than 1,100 do not register a single worker's

compensation claim over the course of a year. Another 100 firms may have an approved claim once every two or three years, if that.

That leaves just over 200 firms with an appreciable number of annual claims. They are the universities, colleges, school boards, and the large urban libraries, museums and art galleries. These firms have an annual number of from five to several hundred approved claims.

“Chances are, if you’re a Last Chance or High Risk firm in the education sector this year, you will be again.”

Each year, the Ministry selection process will identify 10% of 1,400 firms to be involved with this initiative – that adds up to 140 firms out of about 200 with an appreciable number of approved claims. So if you are employed in a firm in the education sector that has more than several claims each year, chances are pretty good that, every year, yours

will be selected as either a High Risk or a Last Chance firm.

What does this mean to you?

It means that, from now on, the Ministry of Labour will pay increased attention to your health and safety performance. If you drift onto the 2% list, you’ll be visited by Ministry inspectors four times over the course of a year. If you’re on the 8% list, you will be offered the chance to work with ESAO to improve some of the areas causing a high number of workplace injuries.

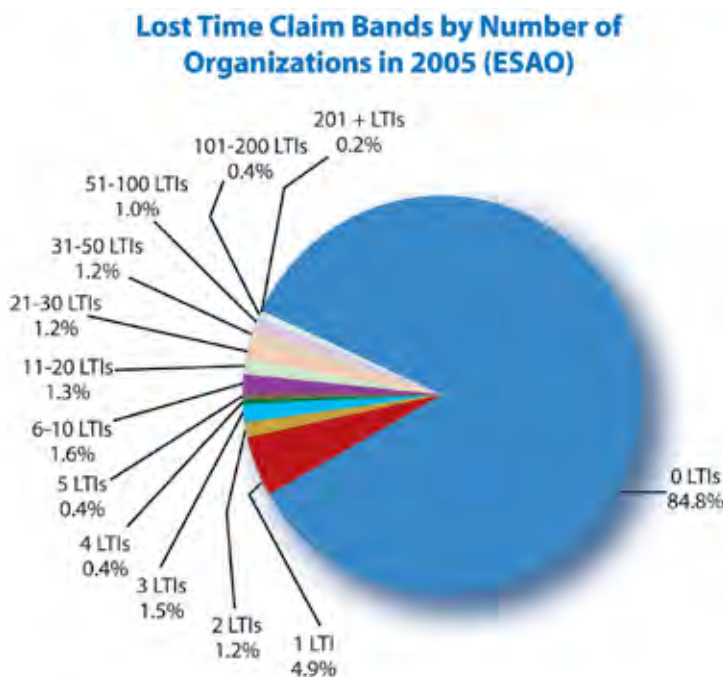
Given the way the selection process works and the distribution of firms in our sector, it will be difficult for large firms to move out of the 10% of firms selected for having a number of approved claims every year. Chances are, if you’re a Last Chance or High Risk firm in the education sector this year, you will be again.

Looking at safety as a long term commitment should change the way firms approach and view their health and safety program. It makes sense to take a long term approach to this initiative and move away from quick fixes.

Since you’ll be part of it indefinitely, why not adopt a continuous improvement approach to health and safety in your workplace? Select those areas generating the highest number of workplace injuries and develop solid, long term solutions. Create multi-year plans and adopt multi-year budgets for training, for improvements to your workplace, for equipment and for maintenance.

This initiative will be with us for the foreseeable future. ESAO, and many of our partners in the prevention system and in private enterprise, can help – we can help you prioritize, we can help you plan, and we can help you improve.

(1) <http://www.labour.gov.on.ca/english/hs/highrisk.html>



The Education Sector – Injury Overview

In 2005 there were almost 8,500 approved WSIB claims involving education sector workers.

If we were to look at all of those claims, what kind of injury would you typically find most frequently in our sector? Is there such a thing as “the typical injury”?

During 2005, the most frequent injuries in the entire sector were musculoskeletal: the lift, move, push-and-pull kind of injuries that used to be called sprains and strains. They accounted for 43% of all injuries that year, based upon data pulled from the database in September of 2006.

Second on the list were slips and falls, which totaled 28% of all injuries. This included falls on the same level, falls between levels and both indoor and outdoor falls.

Musculoskeletal injuries and those arising from slips and falls account for almost three quarters of all approved claims in education sector workplaces, and this is the same for each of the sub-sectors.

The most frequently injured body part is the lower back (23% of all claims). Leg injuries account for a total of 21% of injuries.

Those in occupations suffering the most frequent injuries are secondary and elementary school teachers, accounting for 29% of all approved claims. Cleaners and custodians account for 27% of all claims, the most injuries in every sub-sector other than schools.

If there’s a “typical injury” in education sector workplaces, it would most likely be a lower back, musculoskeletal injury to a school teacher or a custodian.



With the data indicating that this is so, it serves as an interesting indication of where prevention investments should be made. If education sector firms are investing health and safety dollars in programs other than

musculoskeletal injury prevention for teachers and custodians, it raises interesting questions.

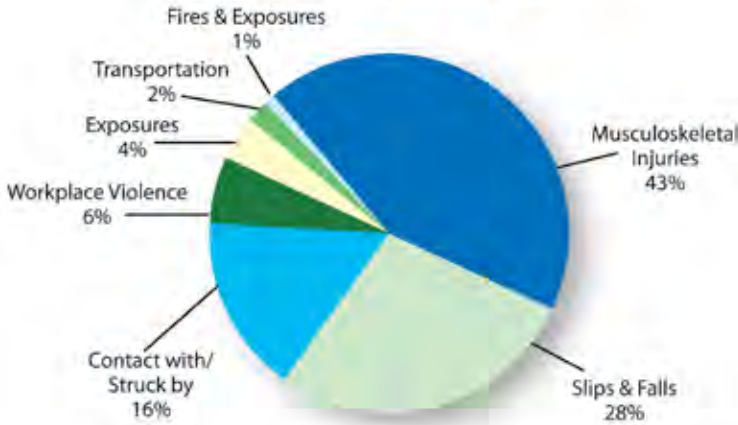
If you aren’t spending your money on your biggest problems, chances are you could improve your performance if you did.

Have a look at the numbers and kinds of claims in your workplace – they’re probably very similar to the sector data. See where you’re investing your safety dollars, as well.

The best return on a safety investment will be made by addressing the biggest problem first. The data suggests that making a significant effort in the area of musculoskeletal injuries involving lower backs would reduce the total cost of education sector injuries by as much as one-eighth – a reduction of over \$ 1 million in costs.

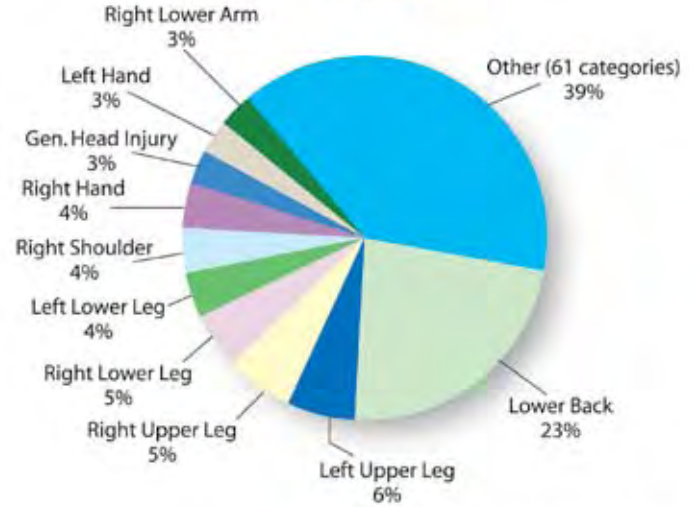
“If there’s a “typical injury” in education sector workplaces, it would most likely be a lower back, musculoskeletal injury to a school teacher or a custodian.”

Type of Lost Time Injuries in the Education Sector in 2005



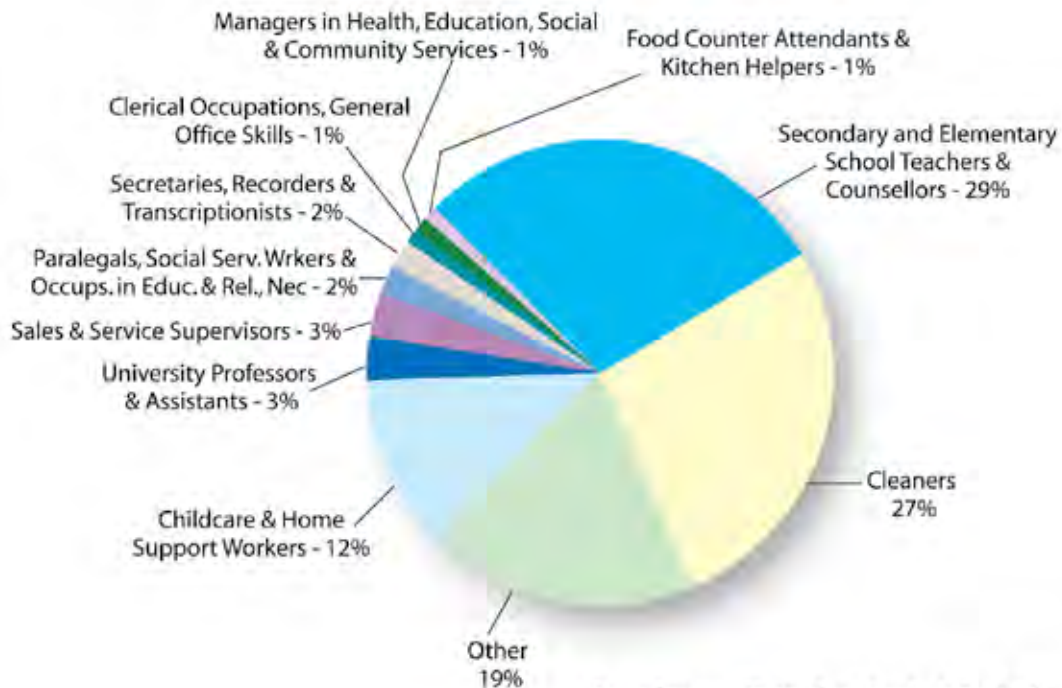
Data Source: Claim Cost Analysis by SWA
Snapshot Period: September 2006

Top Ten Injured Parts of the Body for the Education Sector in 2005



Data Source: Claim Cost Analysis by SWA
Snapshot Period: September 2006

Top Ten Occupations Affected by Lost Time Injuries in the Education Sector in 2005



Data Source: Claim Cost Analysis by SWS
Snapshot Period: September 2006

Early and Safe Return to Work – Long-term Benefits, Not Long-term Disabilities

The early drivers for selection as a High Risk, or Last Chance firm, seemed to be all about injury frequency. Many of us had the impression that the calculation of LTI frequency, and the comparison of that frequency for the firm vs. the sector, was the bottom line in the selection process.

Now, we know better. Thanks to the Ministry of Labour, which has been very clear about both the issues and the process, we find that claims cost is perhaps even more important than frequency.

Costs are influenced by a number of issues. Chief among them are the severity of the injury or illness and its influence on the speed of recovery to the pre-injury activity level. Increasingly, however, we note that some firms are being selected as Last Chance firms -- not because they have a high frequency or because the injuries or illnesses are more or less severe than those of another firm -- but because they don't bring workers back to the workplace in a timely manner.

In the education sector, we need to do a better job at ensuring an early and safe return to work. Studies have shown that the likelihood of returning to active work decreases as the length of time off increases

Section 40 of the Workplace Safety and Insurance Act is pretty clear on the fact that both employers and workers "... shall co-operate in the early and safe return to work..." The goal of the process is also the same for each: to obtain or provide "... suitable employment that is available and consistent with the worker's functional abilities, and that, when possible, restores ... pre-injury earnings..."

The WSI Act deals with all of the other concerns that may be a part of individual cases, but the broad intent of the Act in this area is clear – an

early return to safe and appropriate employment.

In general terms, the work is appropriate if it:

- is suitable - the worker has, or can acquire, the skills necessary to perform the work, without it being a health or safety risk to the worker or to others;
- is available - the job exists, either at the original workplace or another, also appropriate, workplace;
- is within the functional abilities of the worker; and
- restores earnings, if possible, to the pre-injury level.

“Studies have shown that the likelihood of returning to active work decreases as the length of time off increases.”

In most cases, people who suffer a workplace injury or illness can return to work even while they are still recovering, as long as their regular work is modified to be medically suitable for their unique medical condition. This early return to work can aid recovery and reduce the chance of long-term disability.

Returning to appropriate work, under medical supervision, is a positive and proactive step in the healing process. It's also a complex process involving the worker, the employer, the medical team, other workplace parties, the family and others. It can be stressful and demanding for all those participating. There may be days where both the worker and the employer wonder if it's worth all the effort. However, unsuccessful return to work can have a profound and permanent effect on everyone involved. It's costly for all

parties, placing an increasing burden on both the WSIB and the firms that fund it.

Employers have the following responsibilities in this area:

- report all work-related injuries and illnesses to the WSIB;
- contact workers as soon as possible after they leave the workplace due to injury or illness, and maintain communication during the recovery process;
- offer a return to work as soon as the worker is able to do the essential duties of the pre-injury job, or provide other suitable work; and
- remain in contact with the WSIB with regard to the worker's return.

As a society, we cannot afford to let skilled workers disappear into permanent disability, when we have the ability, as well as the responsibility, to help them return to meaningful employment. As employers, we cannot continue to let these costs mount without attempting to control them.

Here are three questions each education sector firm needs to consider – and answer – in 2007:

- Do you have an active Early and Safe Return to Work Program in your workplace?
- Have you reviewed your program with your WSIB account manager recently to make sure it is still in compliance with the WSIA?
- Have you reviewed your program with your workplace parties, so that everyone is working toward the same goal?

Ultimately, we all hope to eliminate workplace injuries and illnesses entirely. Until we do, we need to make sure that we're doing everything we can to bring workers back to the workplace in a timely and safe manner after an injury or an illness.

WHMIS Review DVD



Made Especially for:

- WHMIS Trainers
- Supervisors
- JHSC Members
- Educators

This DVD meets the requirements of WHMIS Review and may be used to enhance WHMIS in-house training.

The DVD is divided into the following chapters:

Introduction
Four Key Elements of WHMIS
Classification
Labels
MSDs

Exemptions
Consumer Products
Hazardous Materials
Hazard Control
Laboratories & Conclusions

Links to the following online downloadable resources may be used to supplement the DVD content.

WHMIS Symbols
Transportation Symbols
Labeling Chart
Instructors Quiz and Answer Sheet
WHMIS Glossary
Site Specific WHMIS Requirements

Consumer Symbols
Blank MSDS
Sample MSDS (Methanol)
Blank WHMIS Quiz
WHMIS Wallet Cards
WHMIS Training Attendance Record



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