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# Whose Responsibility is it to Ensure Student Safety in Co-op Programs?

ESAO Conference 2007

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# AGENDA

- What the laws say
- Co-op injury statistics
- What co-op teachers need to know
- Placement employer's perspective
- Co-op student's perspective
- Parents role
- Closing message





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# What the laws say

Several different laws impact co-op placements in Ontario

- Occupational Health & Safety Act (Ontario)
- Canada Labour Code (workplaces under federal jurisdiction)
- Trades Qualification and Apprenticeship Act (construction trades)





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# What the laws say

*continued*

- Apprenticeship and Certification Act (other trades and occupations)
- The Education Act
- Workplace Safety and Insurance Act





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# Occupational Health and Safety Act

- Applies to **nearly** all workers in Ontario
- Requires employers to ensure that the workplace is safe and provide competent supervision
- Attention to New workers so that they receive adequate training/orientation before starting a job or task
- Employers due diligence is key





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# Occupational Health and Safety Act

## Are co-op students workers?

- OHSA defines a worker as a person that is paid to perform work or supply services
- Actually, Co-op students do not fit the definition of a worker under the OHSA





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# Occupational Health and Safety Act

- However, the employer does have a responsibility for the safety of every person in the workplace





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# Education Act Responsibility

- Ultimate responsibility for student health and safety rests with the principal of a school or administrator of an education authority
- Teachers in organizational units such as technology, science or counseling and co-op also have responsibility for student safety





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# Education Act Duties

- Educators are required to have the “Duty of Care” and also requirement for a “Standard of Care”
- Responsibility is to ensure students are placed in a safe work environment and the standard of care owed to the child is that of the “reasonably prudent parent”
- This is the benchmark that educators and organizations are measured against should a child be injured or killed while in their care





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# Education Act and Policy Requirements

- School board educators remain aware of their responsibilities and potential liability for student safety
- Educators are responsible for assessing the H&S environment of the potential placements
- Educators only recommend placements with acceptable health and safety standards





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# Workplace Safety and Insurance Act

## **Who is covered?**

- All students are covered if registered as participants in a work education program (Ministry of Education pays)
- Includes participants in Ontario Youth Apprenticeship Program and Co-op placements

## **How is coverage obtained?**

- Work education agreement (WEA) signed between the Board of Education and placement employer





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# Workplace Safety Insurance Act continued

## **When are students covered?**

- During the time under the placement supervision
- Students are covered when placement is on school board property but only where they are not supervised by a qualified teacher i.e. maintenance staff, audio-visual staff





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# Workplace Safety Insurance Act continued

## **When are students not covered?**

- Time spent in classroom
- Traveling to and from placement
- During their compulsory volunteer community service





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# Workplace Safety Insurance Act continued

## **When are WSIB reports required?**

- All incidents, no matter how minor, should be reported to the placement supervisor and the school board representative, with full details
- First Aid incidents are not reported to WSIB but a report must be retained by school board





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# Workplace Safety Insurance Act continued

- Injury requiring treatment by a medical practitioner or ER department or resulting in lost time from the program must be reported to the WSIB
- Form 7 completed by school board representative within 3 days of the incident unless the WEA assigns this to the placement employer





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# Workplace Safety Insurance Act continued

- Original report together with a copy of the WEA must be received by WSIB within 7 working days of the incident





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# FACT

Workers in their first 4 weeks on a new job are up to 6 times more likely to be injured than at any other time on the job!

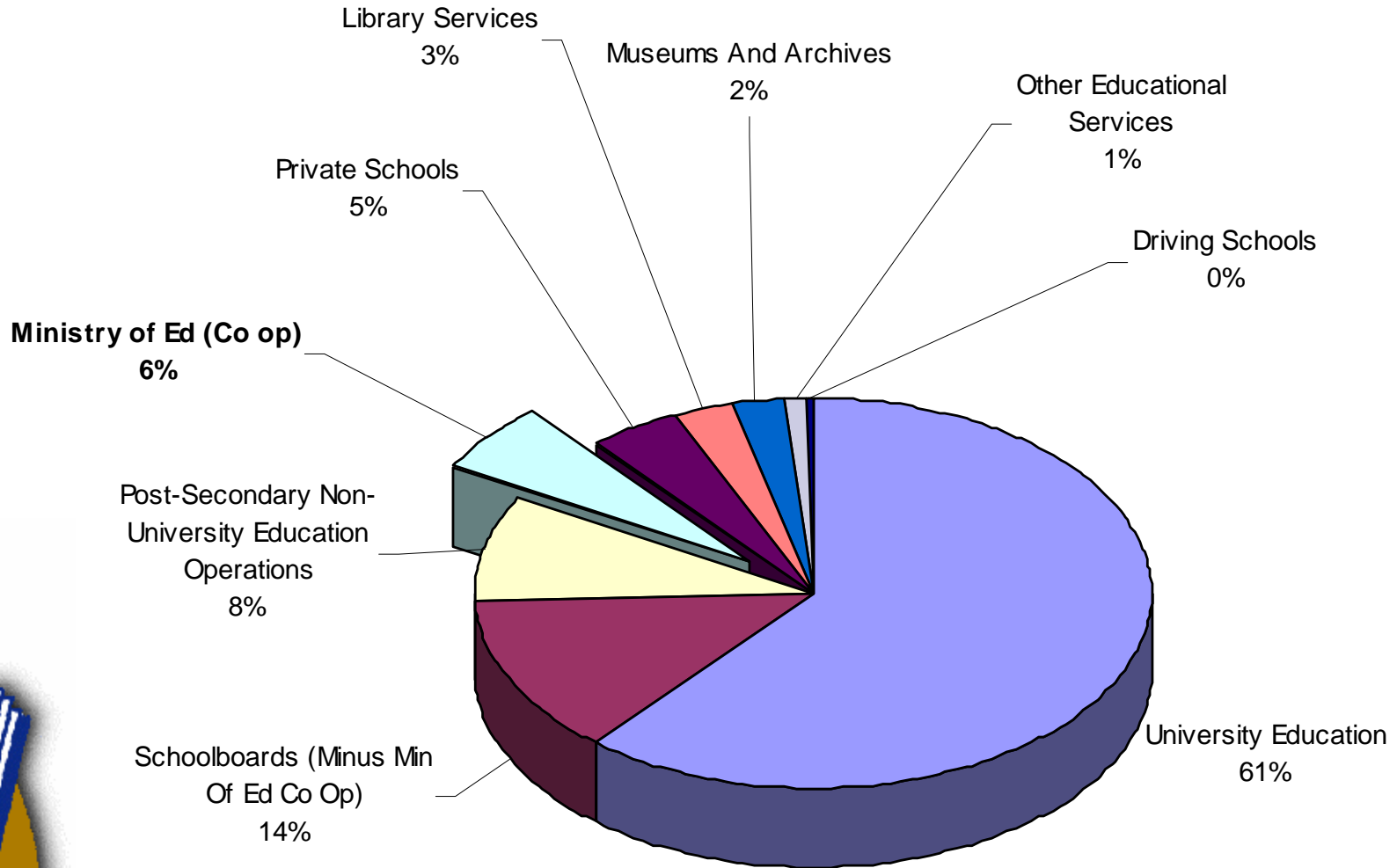




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# Lost Time Injuries cases in the Schedule 1 Education Sector in 2005



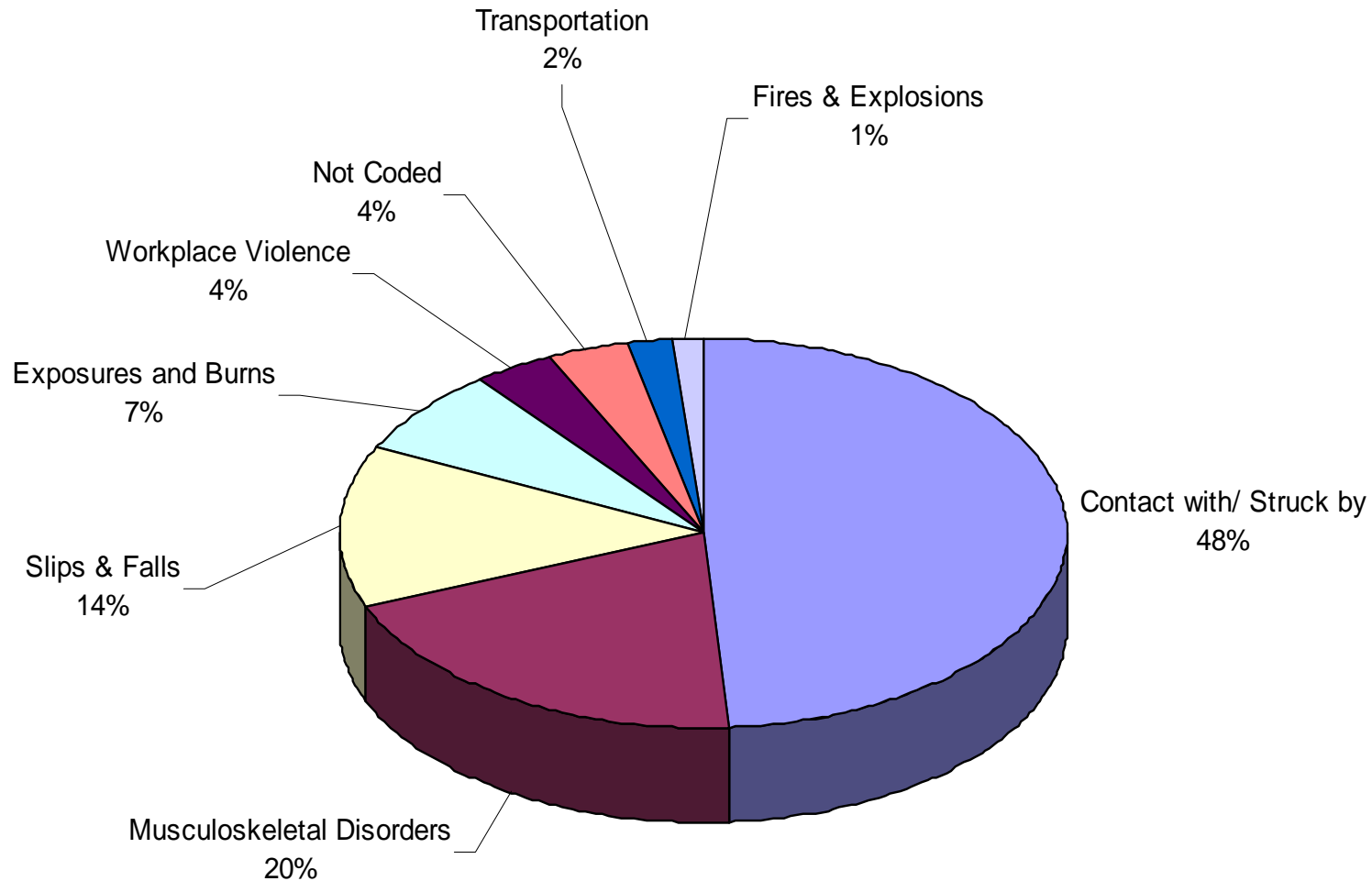
Data Source: WSIB Firm Experience  
Snapshot Period: September 2006



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



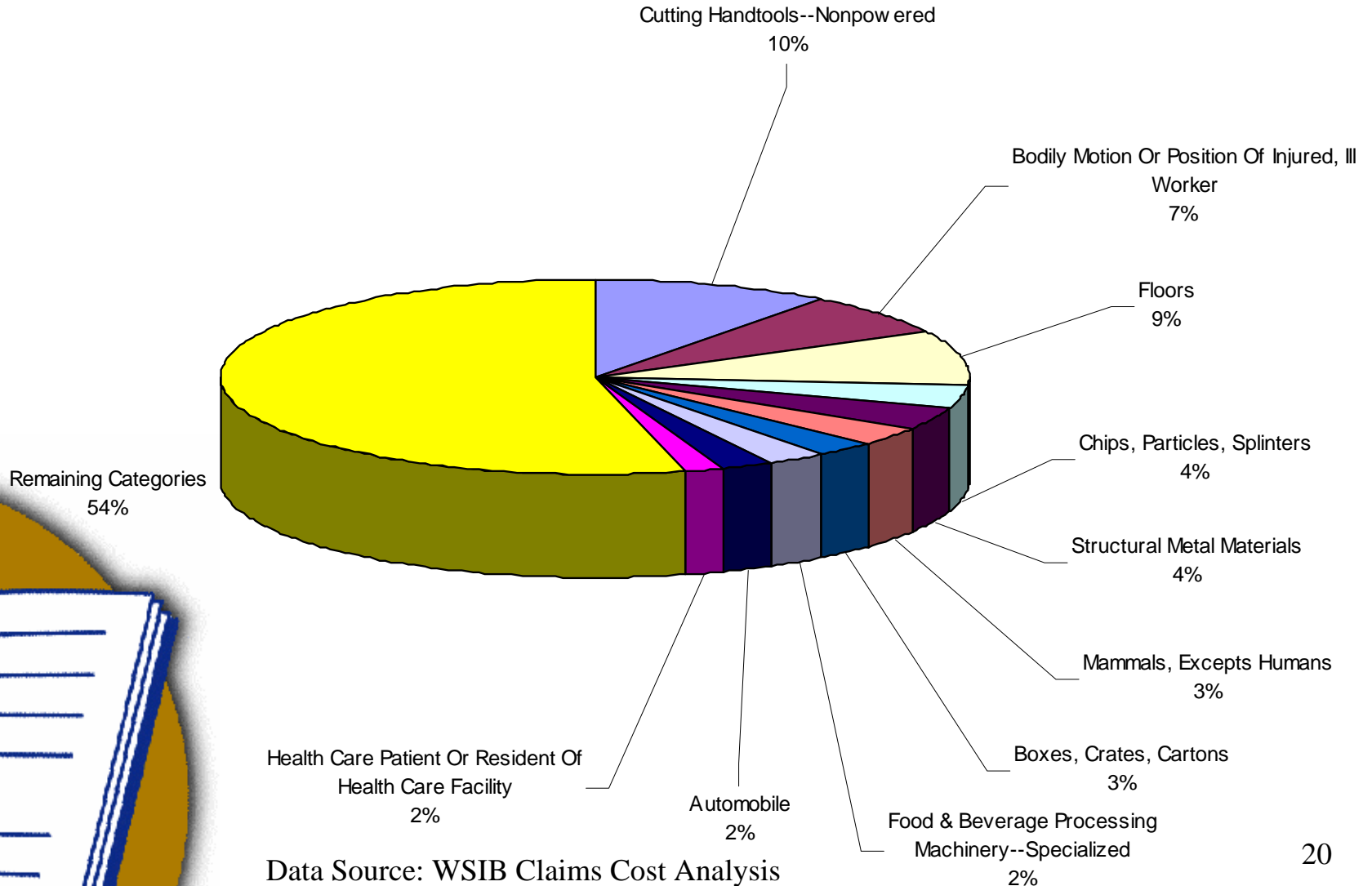
Data Source: WSIB Claims Cost Analysis  
Snapshot Period: September 2006



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# Top Ten Sources of Accidents for the Ministry of Education (Co-op Program) 2000 - 2005



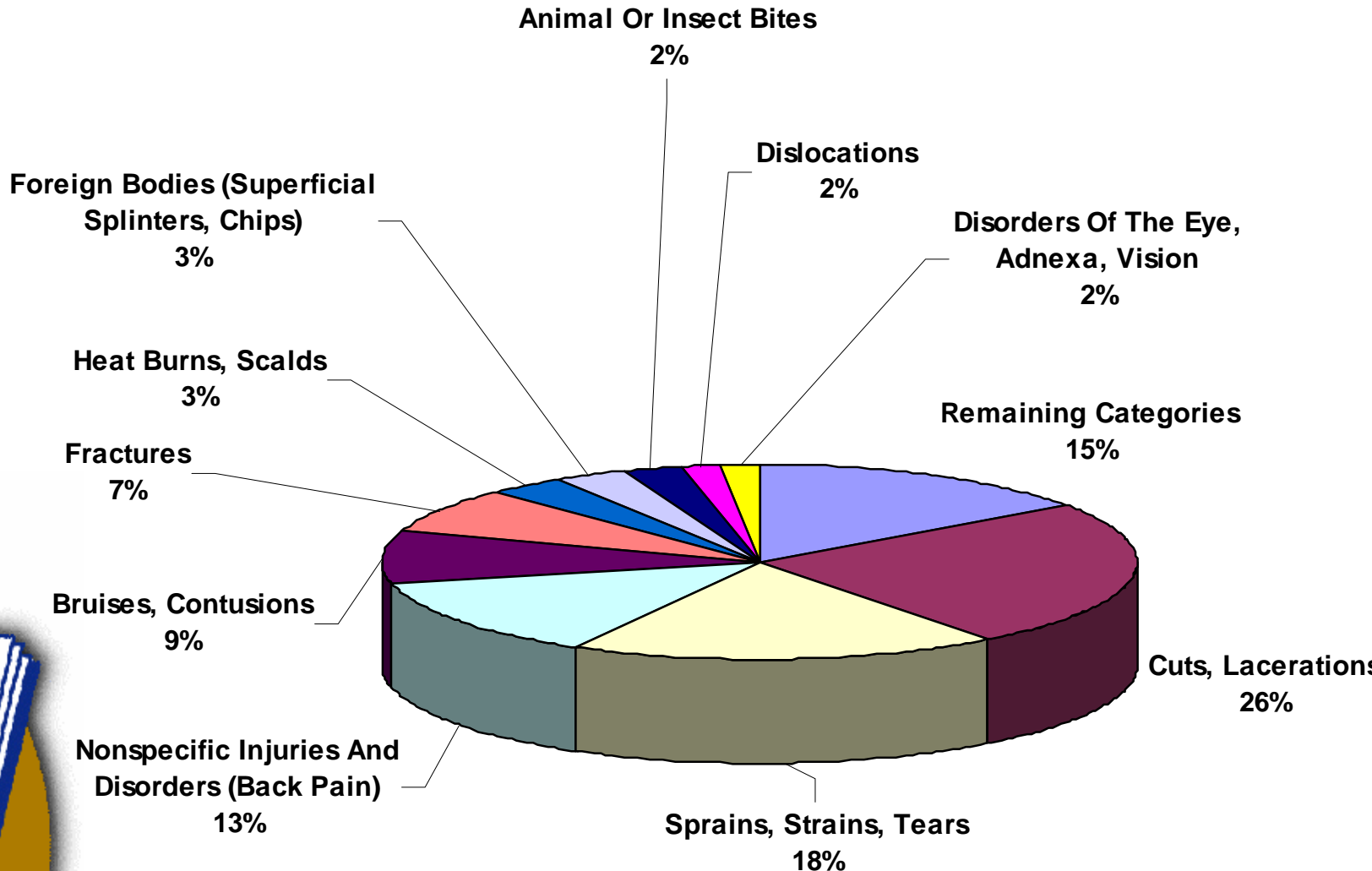
Data Source: WSIB Claims Cost Analysis  
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# Top Ten Natures of Injury for the Ministry of Education (Co-op Program) 2000 - 2005



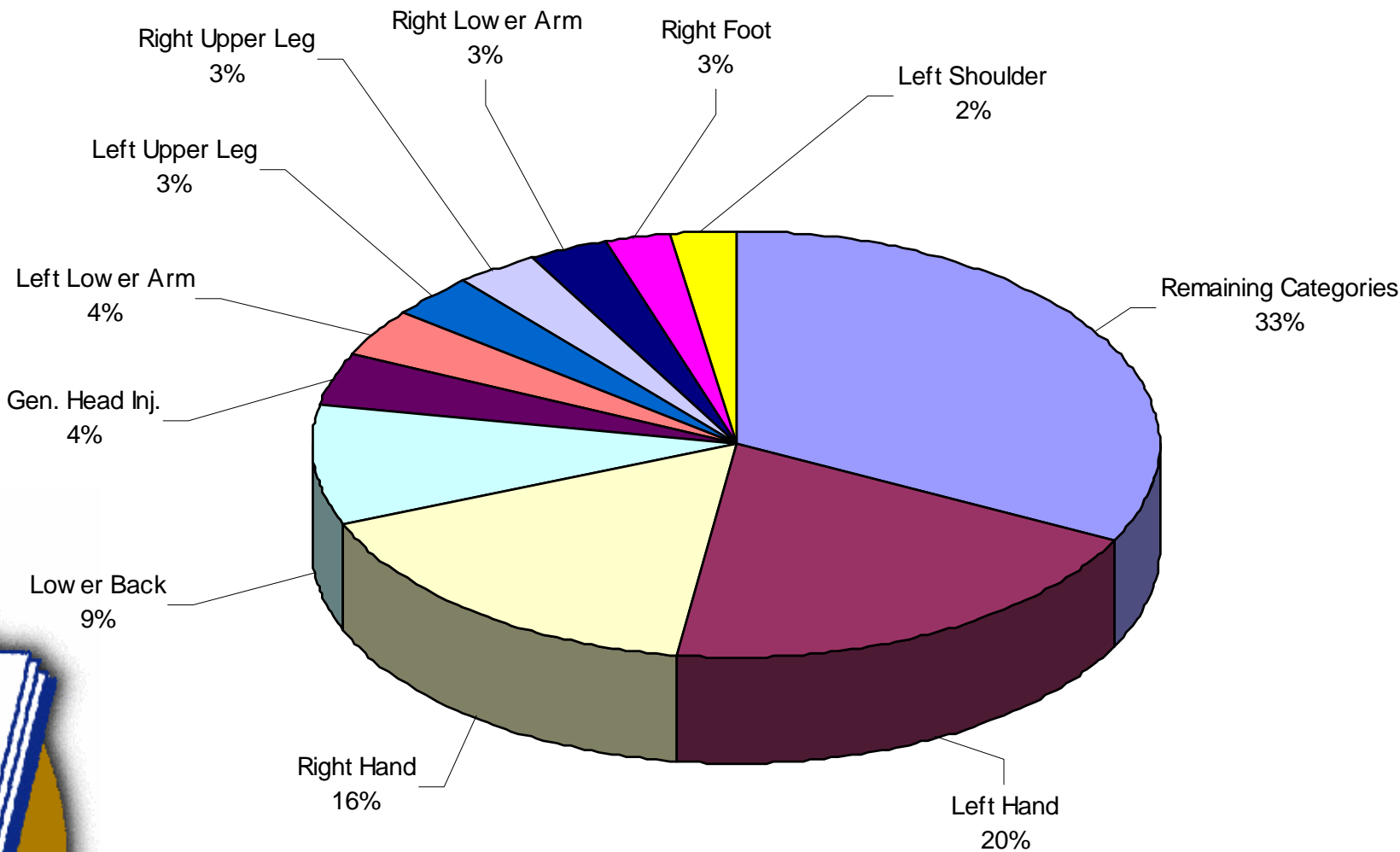
Data Source: WSIB Claims Cost Analysis  
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# Top Ten Part of Body Injured in the Ministry of Education (Co-op Program) 2000 - 2005



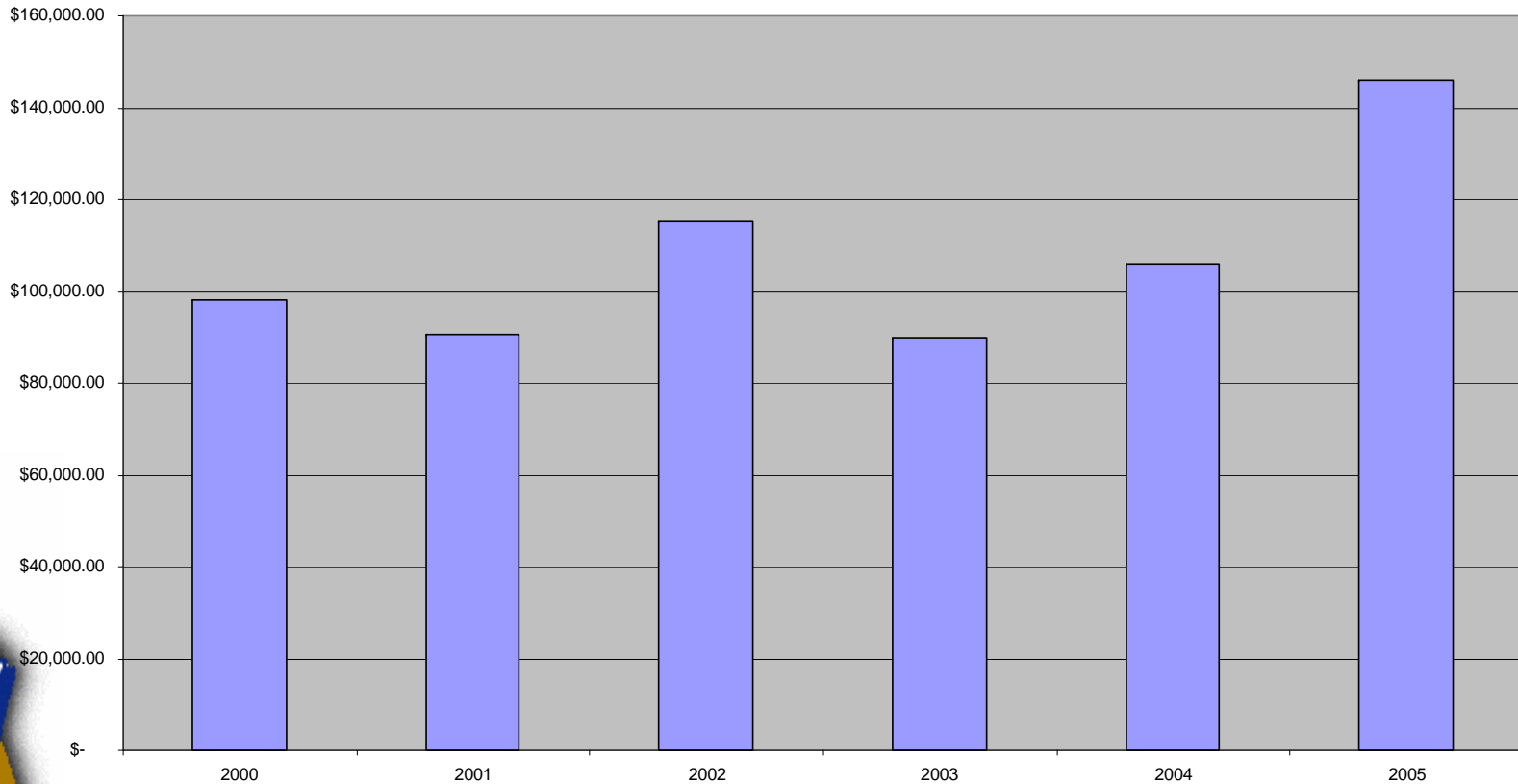
Data Source: WSIB Claims Cost Analysis  
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# Total Benefits for the Ministry of Education (Co-op Program)





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# What Co-op teachers need to know and why

- Are students really prepared to enter the workforce?
- Has classroom material on H&S been presented and understood?
- Have lessons been validated by appropriate methods?





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# What Co-op teachers need to know and why

- Is communication maintained with teachers where H&S is in the curriculum?
- Do co-op teachers ask questions of the students before and during placement and of the placement employer





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# Placement Assessment and Monitoring Visits

- Pre-placement information gathering gives required knowledge to make informed decisions about H&S training for students prior to entering placement
- Focus on skill sets required
- Use an assessment tool to determine if placement is acceptable from a H&S view





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# Seven-Step H&S Assessment Tool

1. What are the hazards? Ask employer/supervisor
2. What training will student receive regarding those hazards?
3. What kind of PPE does the student need?
4. What other training/orientation will the student receive?





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# Seven-Step H&S Assessment Tool

5. Who is the supervisor? Establish who will be the student's supervisor and type of supervision that will be provided.
6. What if the job/tasks change? Ensure process in place to address new hazards etc.
7. Decide if placement is appropriate.





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# Reasons To Say NO

- Employer is reluctant to show the type of work or equipment to be used
- Lack of commitment to training or do not believe they will live up to what they have said
- Tasks may be beyond capabilities of student





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# Reasons To Say “NO”

- Lack of PPE even though you recognize it is needed
- Culture that minimizes H&S issues
- Instinct tell you that the student will be at risk





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# Employer's Perspective

- MoL inspectors will be asking questions about safety for new and young workers
- Employers must ensure that all workers H&S is addressed including new workers
- Employer or supervisor must demonstrate that every reasonable precaution was taken to protect the H&S of workers should an incident occur





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# Co-op Student Perspective

- Co-op placements are valuable to gain insight and experience for a potential career
- Students need to take safety seriously and pay attention to H&S material taught in classroom
- Student require clear direction from co-op teacher about H&S at placement





# Parents Role

- Keep informed about placement with student and co-op teacher
- Reinforce importance about H&S and ask questions to see if student understands significance
- Do not assume all work environments are safe





# Closing Message

- Responsibility for student safety in co-op programs should be a multi player approach
- Co-op teachers need assistance from other groups such as H&S departments
- An organizations H&S staff can be a valuable partner





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# ARE YOU HELPING THE CO-OP EXPERIENCE?

Thank You

