

W.A.N.T.E. Liaison Minutes
Thursday, April 7, 2016
4:45pm – Administration Building #2 – Room 106

Present:

Sonya McWilliams	<i>Admin. Bldg. #2 – Information Systems</i>	Bruce Zilkowsky	<i>PC-ERC – A/V Dept./Executive</i>
Carrie Logan	<i>Admin. Bldg. #2 - Information Systems/Council</i>	Debra Glennie	<i>PC-ERC – Clinical Support Services</i>
Darlene Neal	<i>Adolescent Parent Centre</i>	Debra Kozeluh	<i>Rockwood</i>
Gail Barker	<i>Ashland DLC/Council</i>	Jessica Meurrens	<i>Sacre Coeur</i>
Maureen MacCoy	<i>Carpathia</i>	Maria Carreira	<i>Sacre Coeur/Executive</i>
Rosa Loconte	<i>Carpathia</i>	Carol Seburn	<i>Sargent Park</i>
Bev Gillies	<i>Cecil Rhodes</i>	Val Isfeld	<i>Shaughnessy Park</i>
Leslee Strauman	<i>Elmwood</i>	Alicia Nues	<i>Sister MacNamara</i>
Selma Bielby	<i>Faraday</i>	Irene Figueiredo	<i>Sister MacNamara</i>
Rhonda Plohman	<i>Garden Grove</i>	Scott Gollan	<i>St. John's</i>
Carla Paul	<i>General Wolfe/Executive</i>	Randy McMurray	<i>St. John's</i>
Marie-Colette Nolan	<i>George V</i>	Brittany Morrison	<i>Victoria-Albert</i>
Angie Preston	<i>Glenelm</i>	Rosa Messina	<i>Victoria-Albert</i>
Patti McLean	<i>Gordon Bell</i>	Kathi McCall	<i>Wolseley</i>
Lenore Carriere	<i>Grant Park</i>		
Rosina Gordon	<i>Isaac Newton - CTP</i>		
Patty Henderson	<i>John M. King</i>	Executive/Council:	
Nicole Lansard	<i>Laura Secord</i>	Kelly Bowen	<i>Council</i>
Venus Sta. Brigida	<i>Laura Secord</i>	Carol Gossel	<i>Executive</i>
Erika Kupchak	<i>Lord Roberts</i>	Gale Hladik	<i>Executive</i>
Frances Held	<i>Lord Roberts</i>	Mike Langtry	<i>Council</i>
Jackie Jefkins	<i>Lord Roberts</i>	Barb Morrison	<i>President</i>
Holly Tweed	<i>Machray</i>	Michelle Short	<i>Council</i>
Carrie Brown	<i>Montrose</i>	Luis Tome	<i>Vice-President</i>
Tami Forbister	<i>Mulvey</i>	Tricia Wiebe	<i>Council</i>

1. Call to Order – Luis Tome

- Meeting called to order at 4:45pm

2. Approval of February 3rd, 2016 Meeting Minutes

- Minutes were approved and placed on file.

3. Introduction of Candidates – Bruce Zilkowsky

- Candidates were presented for the 2016-17 upcoming election.
- Candidates elected by acclamation were presented.
- Amendment will be sent out to the work locations by next week. Jennifer Derrett had let her name stand for Elementary School Clerk position. Biographies will be sent to work locations in regards to Brittany Morrison and Jennifer Derrett.
- Annual Meeting will be held May 25th, 2016 – Admin. Bldg. #2

4. **Right to Refuse Work**

- It was asked if anyone had seen the write-up on the WSD website in regards to “Right to Refuse Work”.
- Quite a few Liaison Reps are Workplace Safety and Health Reps and have not seen or are aware of the Right to Refuse Work write-up that is on the WSD website.
- This should be up on the WPSH board at all work locations.
- President will attach the write-up on the W.A.N.T.E. website.
- Every situation is different... some situations need to be brought to the surface.
- Some examples are: EA being constantly kicked by student; bomb threat, lockdown, spitting...
- Members need to bring situations forward so the problems could be addressed.
- It is important to document incidents, complete proper reports and keep copies for your personal files.
- There are two different types of reports... incident and accident
 - Incident – spitting, falls...
 - Accident – outside in public with student, student slips, EA gets kicked and is injured
- WBC only starts paying after one (1) day of missed work.
- If possible take photographs of injuries, incidents or accidents.
- Comply first and then grieve.
- Other Presidents will be meeting in May with Safe Work Manitoba... if you have any questions that you would like asked / answered let the President know as she will be attending.
- Carol Gossel is the W.A.N.T.E. WPSH Rep and the WSD meetings... if you have any questions don't hesitate to call her at Churchill High School.

5. **Camp, Discretionary Day**

- If going to camp you get paid 14 hours per day... from the day you leave until you return.
- Administrators need to ask approval prior to sending (staff to camp).
- After the 14 hours, teachers are responsible for the students.
- After 12 hours of extra time/duties pay becomes double time.
- Discretionary day... if too many people are requesting the same day, Administrators can refuse the leave for that day.

6. **Banking Time – EA'S**

- June 1st – deadline
 - If you haven't taken your time off by the end of May then it will be paid out to you.
 - Make sure your supervising teacher or Administrator is aware of your banked time.
 - To take time off, fill out short leave and report it into AESOP (this documentation will cover you if a problem should arise). Check W.A.N.T.E. website for process and form.

7. **Collective Bargaining – contract expires July/2017**

- Request for input has been sent out to work locations.
- Please let the President know your thoughts and requests.
- Requests for bathing suit reimbursement if in a swimming program.
- A request has been made to request two (2) discretionary days to W.A.N.T.E. members.
- E-mail thought /requests to cbchair@wante.org
- There is no chair for the Collective Bargaining Committee at the moment.

8. Open Session – 15 minutes

Professional Development – Barb

Some members have been wondering about their work location PD time.

Administrators are encouraged to include PD's throughout the year that includes EA's (at least one or two). If your school does not include EA's on PD days then ask your Administrator to include you on the School PD Committee. You could also look for other schools that have PD's or outside PD and attend at those locations on the days provided (NOCL days).

President is willing to do a half-day workshop at work locations on W.A.N.T.E. matters.

A suggestion was made to have the W.A.N.T.E. present at SAGE.

- EAAD days are for PD and not to go in and clean lockers, classrooms, do filing, etc.
- EAAD days - not mandatory that you use them.
- If schools are not allowing you to attend an EAAD day, please let the President know ASAP.
- PD in schools should be offered to everyone.
- Mental Health PD is mandatory for all staff to take at some point.
- \$250.00 provided by WSD every year per employee for PD.
- \$250.00 provided by W.A.N.T.E.; W.A.N.T.E. also provides group funding up to \$500.00.

Special Leave – Barb

- Reminder to everyone... when someone is looking to take a day off and not sure what absence code to use, then you probably shouldn't be taking the day.
- Babysitting grandchild – no absence code... must use special leave, fill out short leave and send to HR Director for approval. Special Leave is not a paid leave and **MUST BE APPROVED BY HUMAN RESOURCES** prior to the day.
- Every situation is different... special leave is a "one time" request.
- Do not purchase airline tickets or make plans without approval.
- If something else comes up later on, one can ask, approval may or may not be granted.

Q – How many emergency days does one get per year?

A – WSD will pay up to 4 days in a year... not consecutive.

Not everything is considered an emergency (death of a pet).

HR has refused some requests of spouse having surgery. HR sees it as dropping off spouse at hospital and returning to pick up once procedure is complete.

Emergency leave cannot be added to bereavement leave to extend the leave.

Q – Can bereavement be taken at a later time if funeral will be at a later time?

A – You are entitled to five (5) day or three (3) depending on who passed away; any extra time required would be at no pay. The five (5) or three (3) days must include the funeral. If funeral is at a later date, you can save one (1) of the days for the funeral, or two (2) if travel is involved.

Q – 5 EA's have requested to attend NVCI all on the same day (same work location). Administrator approved and then realized that not all could attend and one was denied.

A – Administration made the mistake; Administrator could have called Inclusion Support Services and made special arrangements.

Mike Langtry

There's an opinion poll on the W.A.N.T.E. website as a trial. Please take the time and visit the W.A.N.T.E. website. W.A.N.T.E. is trying to be more interactive with the members and is looking at different ways to reach out to the members.

Q – How many PD days can EA's attend?

A – EAA / EAB – entitled to 2 days

EAC / EAD – entitled to 3 days.

If the school does not provide or offer enough PD for the EA's to meet their EAAD days entitlement, please let W.A.N.T.E. know ASAP so the issue can be addressed.

Q – Why do EAC's & EAD's get three days and EAA's & EAB's get two?

A – It is dependent on the work responsibilities of each group. Indicate on the W.A.N.T.E. website your concerns for the upcoming negotiations.

Staffing

Forms should be sent to Administrators this week. Administrators will start having conversations with staff. No one needs to take a reduction in hours, unless they want to stay at that work location. Do not agree to anything without contacting the W.A.N.T.E. President prior. No one should walk out June 30th (permanent employees) without knowing their hours for the fall. Permanent hours are permanent hours.

9. Reminder of Next Meeting: Thursday, June 2nd, 2016 (dinner – location TBA)

10. Meeting Adjourned - 6:06pm

Your right to refuse dangerous work

Workplace safety and health is everyone's concern and everyone's right

Hazards in the workplace

Have you ever come across work involving safety and health hazards that were not normal for the job? You must immediately report hazards and dangerous conditions to your supervisor in order to prevent workers from becoming injured or ill. In most cases, the situation is solved by removing the hazard. If the situation is not corrected, you can exercise your right to refuse work.

What is the right to refuse?

Under the law, (*The Workplace Safety and Health Act*), you have the right to refuse work for anything that you reasonably believe is a danger to your safety and health or the safety and health of others. This could be something you believe will cause immediate and serious, or long term effects on your safety and health or the safety and health of others.

Remember... you cannot be disciplined for exercising your right to refuse in good faith and you are entitled to the same wages and benefits that you would have received had the refusal not taken place. Your employer may re-assign you temporarily to alternate work while the situation is being remedied. Stay at your workplace for your normal working hours unless your employer gives you permission to leave.

What is dangerous work?

"Dangerous" work generally means: work involving safety and health risks that are not normal for the job.

What are the steps involved?

Step 1 – Report the dangerous condition

Report immediately to your employer, supervisor, or to any other person in charge at the workplace, giving your reasons for refusing to work. If the matter is solved to your satisfaction, go back to work. If the employer does not correct the dangerous condition, go to Step 2.

Step 2 – Involve the safety and health committee, representative or another worker

If the employer does not correct the dangerous condition immediately, the person who received the report of refusal to work (or a person designated by them) must inspect the dangerous condition in the presence of the refusing worker and one of the following persons:

- If there is a safety and health committee in the workplace, the worker co-chair, or if they are unavailable, a committee member who represents workers;
- The workplace safety and health representative; or
- If there is no safety and health committee member or representative available, another worker selected by the worker who is refusing to work.

If this inspection results in the matter being solved to your satisfaction, go back to work. If the dangerous condition is still not remedied, go to Step 3.

(see next page)

SAFE Work Manitoba contact information:

Winnipeg: 204-957-SAFE (7233)

Toll-Free: 1-855-957-SAFE (7233)

Publications and resources available at: safemanitoba.com



Step 3 – Contact the Workplace Safety and Health Branch

If, after the inspection in Step 2, the dangerous condition has not been removed, any of the persons present during the inspection may notify the Workplace Safety and Health Branch by calling 204-957-SAFE (7233) in Winnipeg or 1-855-957-SAFE (7233) outside of Winnipeg. The notification of the right to refuse is given high priority within the branch to resolve (a safety and health officer is available 24 hours a day, 7 days a week to respond to emergencies). A safety and health officer will investigate the matter promptly and decide whether the job situation or task the worker has refused is dangerous to the safety or health of the worker or any other worker or person at the workplace.

If the officer decides that the job situation or task the worker has refused is dangerous to the safety or health of the worker or any other worker or person at the workplace, they will provide the refusing worker, each committee co-chairperson, or the representative, and the employer with a written report stating their findings. They will also issue improvement orders or stop work orders to the employer as necessary to correct the dangerous condition.

If the officer decides that the work being refused is not dangerous, they will inform the employer and the refusing worker of that decision in writing, and inform the worker that he or she is no longer entitled to refuse the work.

Appealing an officer's decision

Anyone directly affected by an officer's decision may appeal it to the Director of Workplace Safety and Health. A notice of appeal must list any persons interested in the appeal, and the Director must give those listed in the appeal the opportunity to provide information on the appeal. The Director will then make a decision about the appeal, and provide written reasons for the decision to those affected. The decision of the Director may be appealed to the Manitoba Labour Board.

Re-assigning refused work

Employers must ensure the following have taken place before assigning work that has been refused for safety and health reasons to an alternate worker:

- The employer has provided the alternate worker with a written copy of the reasons for the first worker's refusal, information on the worker's right to refuse dangerous work and the reason why the task does not present a danger to the safety and health of the alternate worker, another worker or any person.
- In addition, where practicable, the worker who has refused work has advised the alternate worker of the work refusal and the reasons for it.
- An inspection of the dangerous condition has occurred and remedial action has been taken to correct the condition.

Reference to legal requirements under workplace safety and health legislation:

- Workers' Rights: Workplace Safety and Health Act W210 – Section 2
- Appeals: Workplace Safety and Health Act W210 – Section 37
- Right to Refuse Dangerous Work: Workplace Safety and Health Act W210 - Section 43

Additional workplace safety and health information available at: www.safemanitoba.com

- Bulletin 231: Worker rights and responsibilities
- Right to refuse template for employer
- FAQ: What work can I refuse?
- General responsibilities fact sheet

Revised: December 2014

Last Reviewed/Revised: January 2014

Right to Refuse Procedure

The Division acknowledges the right of each employee to refuse to do work if there is reason to believe that the task assigned or the physical condition of the work place is likely to endanger the employee's health or safety.

The Division further acknowledges its responsibility to investigate and implement a solution acceptable to both the worker and the Winnipeg School Division.

The Division further acknowledges the requirement to educate and train workers to carry out their tasks in a safe and healthy manner in order to reduce or eliminate a hazard in the workplace.

Where an employee feels there is reason the task assigned or the physical condition of the work place is likely to endanger the employee or another worker, the following must be followed:

- The employee shall immediately report the situation to his/her immediate supervisor;
- The supervisor shall immediately inform the Winnipeg School Division's Workplace Safety and Health Officer of the concern at 204-789-0408 or 204-789-0488;
- The Winnipeg School Division's Safety and Health Officer will immediately inform the Central Workplace Safety and Health Committee co-chairs;
- The Winnipeg School Division's Officer and the co-chair will investigate the concern.
- The supervisor and investigative group will attempt to resolve the concern and make recommendations, if applicable, to the appropriate department;
- During the investigation the employee shall remain on the job site and may be assigned alternative duties at the site or at another location;
- When the investigative group, supervisor and the employee agrees to a solution, it will be initiated prior to the worker returning to their regular tasks;
- If there is a discrepancy in the investigative group, supervisor or the employee continues to refuse the work, the Provincial Safety and Health Department will be requested to review the situation.
- Once a decision is rendered by the Provincial Officer, it will be carried out;
- If a stop work order is issued by the investigative group, only the investigative group can rescind the order;
- If a stop work order is issued by the Provincial Officer, only the Provincial Officer can rescind the order.