

WELCOME TO YOUR

***VIRTUAL
INFORMATION SESSION***

Presentation to NBTF members

February 12, 2024



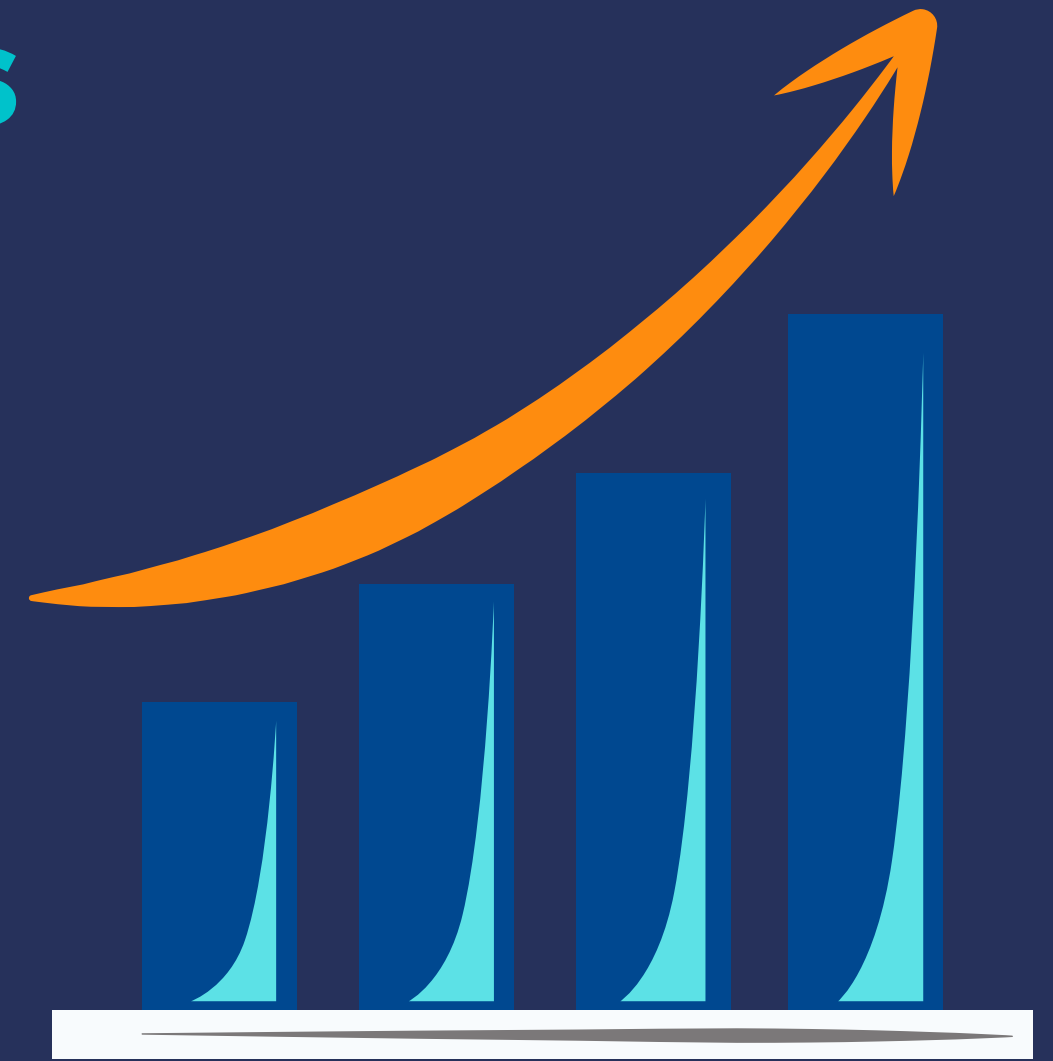
*Virtual
presentation to
members*

Teachers' Rights to Work in a Healthy and Safe Environment



Observations

- ▶ **Increase in violent incidents in schools**
- ▶ **There seems to be a tendency to normalize these behaviours**





Violence in Schools is part of the NBTF's Priorities





Your Rights and Steps to Take in Violent Situations



Various Laws and Policies Exist to Protect You



- ▶ **Collective Agreement**
- ▶ **Education Act**
- ▶ **Policy 703 :**
Positive Learning and Working Environment
- ▶ **Human Rights Act**
- ▶ **Occupational Health and Safety Act :**
Prevention of Workplace Violence (AD-2708)



Policy 703

Certain behaviours not tolerated in schools :

- ▶ Bullying, harassment, threats
- ▶ Physical violence
- ▶ Verbal Violence
- ▶ Vandalism



ARE THERE EXCEPTIONS?

Yes, Some students may behave in challenging ways that are beyond the student's control or understanding...

BUT any behaviour that puts your health and safety in danger shall NOT be tolerated.





- ▶ Policy 322 - Inclusive Education does not trump this Policy.
- ▶ Policy 703 Article 6.6.1: “A student whose conduct **poses an immediate threat to the safety of others or him/herself will be subject to immediate risk** reducing interventions and, if removed from school property, will be permitted to return when safety can reasonably be assured, following an assessment as per the Violent Threat and Risk Assessment Protocols or relevant procedures.”

- ▶ 6.6.4 When it has been determined at a case conference and approved by the Superintendent, that all available interventions (...) have been exhausted and that the behaviour-related needs of a student cannot be met in a classroom setting, **alternative educational arrangements will be made (...).**

WHAT TO DO WHEN MY HEALTH AND SAFETY ARE AT STAKE?

An employee may refuse to do any act where he has reasonable grounds for believing that the act is likely to endanger his health or safety or the health...

may invoke their right to refuse.





Steps to take when you invoke your right to refuse:

WORKSAFE
TRAVAIL SÉCURITAIRE NB

Sample Right to Refuse Form

Employees in New Brunswick have the right to refuse work if they believe it presents an unsafe situation. When this happens, employers need to consider the work refusal on a case-by-case basis, depending on the situation. The same principles apply for managing workplace health and safety and work refusals during a pandemic as they do during normal conditions. [More information on COVID-19 and right to refuse.](#)

Step 1: The employee reports the concern to their immediate supervisor

_____, refuse to do the act assigned by my supervisor. I believe that this act is likely to endanger my health and safety (or the health and safety of others) for the following reason(s):

<input type="checkbox"/> I am not properly trained for the job	<input type="checkbox"/> Physical or mechanical hazards
<input type="checkbox"/> I do not have enough experience for the job	<input type="checkbox"/> Chemical hazards
<input type="checkbox"/> I do not have the necessary skills for the job	<input type="checkbox"/> Biological hazards
<input type="checkbox"/> I do not have the necessary equipment for the job	<input type="checkbox"/> Other (specify)

Detailed explanation:

Date signed _____, by _____

Submitted to the supervisor _____ at (time) _____

Signed by supervisor upon receipt: _____

Answer from the supervisor:

I find that _____ has reasonable grounds for believing that the act is likely to endanger the health and safety of the employee or the health and safety of others. Therefore, I recommend the following remedial action(s) to be taken or I will take the following remedial action(s)

▶ **Report it to your supervisor (School Principal)**

▶ **Fill out the Right to Refuse Form**

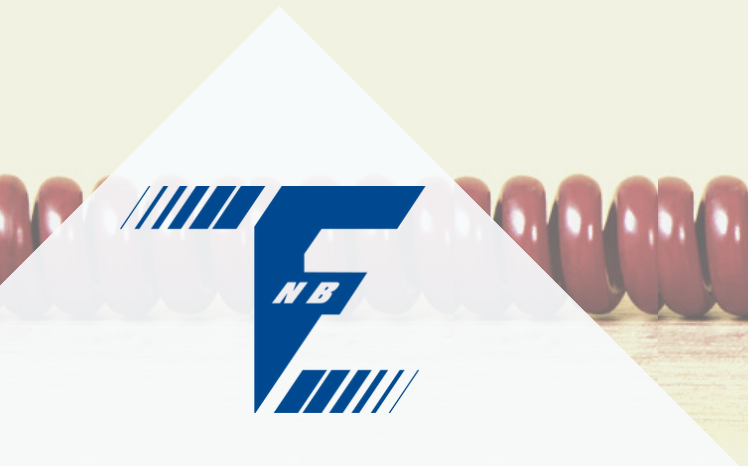
Example on the WorkSafe NB website
[:https://www.worksafenb.ca/media/60872/righttorefuseform_epd-2020.pdf](https://www.worksafenb.ca/media/60872/righttorefuseform_epd-2020.pdf)

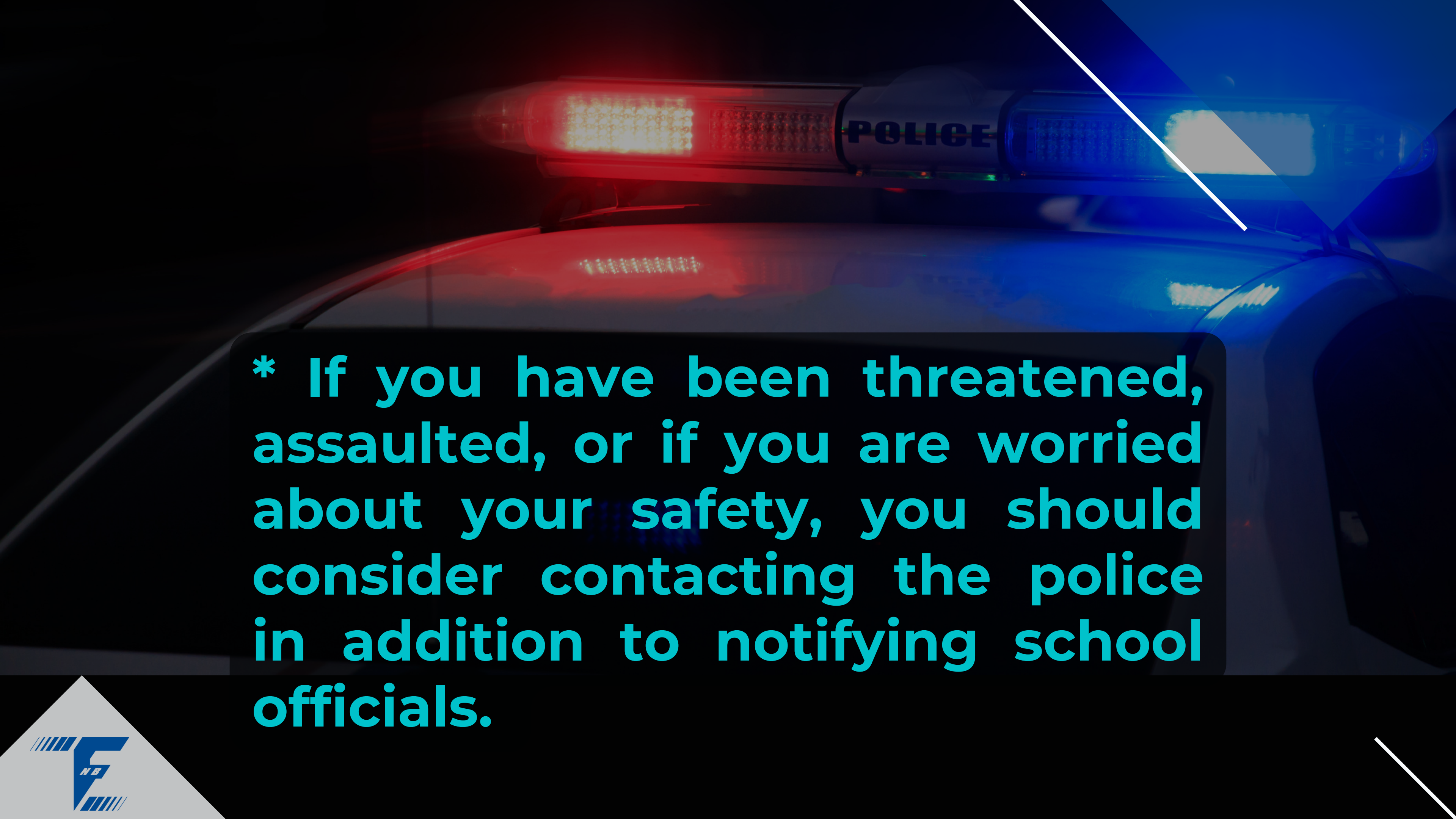
If the matter is not resolved

Bring the matter to the attention of the school's Joint Health and Safety Committee

If the matter is *STILL* not resolved

Contact WorkSafe NB who will send an officer to investigate : **1-800-999-9775**



A close-up photograph of a police car's emergency light bar. The lights are flashing, with red on the left and blue on the right. The word "POLICE" is visible on the light bar. The background is dark, and the car's body is visible in the foreground.

*** If you have been threatened, assaulted, or if you are worried about your safety, you should consider contacting the police in addition to notifying school officials.**





If you are Injured at Work



- ▶ **Report the accident to your School Principal**
- ▶ **Get medical treatment if required**
- ▶ **Complete the WorkSafe NB Form “Application for Workers’ Compensation Benefits” within 3 days of the incident.**

Other measures taken by the NBTF

- ▶ Ongoing grievance
- ▶ Education to members
- ▶ Committee on violence





You also have rights in cases:

- ▶ **of misconduct by a parent or visitor**
- ▶ **of cyber-harassment or defamation by a third party**
- ▶ **of harassment by other staff member**



For more details, please consult the document prepared by the NBTF which summarizes pertinent information. It is available on the NBTF website :

“Teachers’ Rights to Work in a Safe and Healthy Environment”






The Federation has its own form for members to fill out

NEW BRUNSWICK TEACHERS' FEDERATION

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// Forms

- 
Violent Incident Report
- 
Maternity and Parental Leaves
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Appeal Form
Johnson Insurance

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Questions?

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