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**BRITISH COLUMBIA
PUBLIC SCHOOL EMPLOYERS'
ASSOCIATION**

November 30, 2006

By Fax: 02 Pages

Ms Anne Burch
Director, Prevention Policy & Regulation Review Department
Policy and Research Division
WorkSafeBC
P.O. Box 5350 Station Terminal
Vancouver BC V6B 5L5

Dear Ms Burch,

Re: Employer's Submission on Proposed Amendments for Part 3 of the *Occupational Health and Safety Regulation*

This submission has been prepared by the BC Public School Employers' Association (BCPSEA) with assistance and support from the 60 public school districts in British Columbia.

Background on the public education sector

BCPSEA was established as an employers' association in 1994 and was constituted as the accredited bargaining agent in the K-12 sector under the *Public School Employers' Act*. BCPSEA is governed by a Board of Directors with elected representation from school districts and appointed representation from government. As required by the *Public Service Employers Act*, BCPSEA, is mandated to foster consultation between the association and school districts on human resources practices, including occupational health and safety.

Currently, the 60 school districts in BC employ approximately 40,000 teachers, 25,000 support staff and 3100 exempt employees. Education programs and services to approximately 565,000 students are offered from about 2,000 worksites. Assessments paid by the sector on \$2.8 billion dollars of assessable payroll are \$23.5 million. The rate group is one of the largest in the province. The injury rate for 2005 was 2.3.

Part 3: Rights and Responsibilities – Young or New Workers

The public K-12 education sector does not support the proposed amendments to this Part. The amendments proposed will be difficult to comply with for Teachers On Call (TOC). TOCs are certified teachers who temporarily replace absent teachers for the purposes of continuing the education of students. The replacement assignment could last anywhere from a few hours to a few months or even a year.

For a mid-sized school district, there is an average of 98 call-outs per day. This potentially equates to 98 TOCs going to 98 different locations. Many of these locations would be a "new" workplace for the TOC. As the proposed regulation reads, it appears that each time a TOC is assigned a placement at a "new" location they would be required to undergo health and safety orientation.

November 24, 2006
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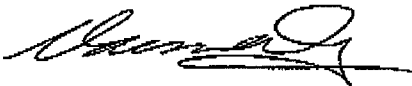
It should also be noted that TOCs occasionally work in different (neighbouring) school districts to ensure they have enough work for the year. The proposal to assess the worker's safety performance every two months for the first six months would be onerous for the employer. In most cases, the TOC may not be at the same location for as long as two months.

Workers under the age of 25 in our sub-sector do not have a significant effect on our classification unit's provincial injury rate. For the years 2001-2005, 91 workers' compensation claims were filed by workers under the age of 25 in the public school sector. For the same period, a total of 235,480 claims were filed by workers of all ages in the public school sector. Workers under the age of 25 comprise less than one percent of the total claims.

The proposed regulation is "prescriptive" in nature. BCPSEA would recommend that a substantial amount of the information in the proposed regulation be presented as a guideline to a more performance-based regulation. BCPSEA recognizes the importance of new and/or young worker orientation, but believes the proposed regulation would not enhance occupational health and safety for the K-12 public education sector.

Thank you for the opportunity to participate in the process of revising the *Occupational Health and Safety Regulation*.

Yours truly,



Vanessa Wong
Senior Research & Policy Analyst, OH&S

