Attridge Health and Safety Policies

The Health and Safety section of the policy is posted on the Attridge Transportation website at https://attridge.com/driver-portal/. Alternatively, you may review a copy at your dispatch office.

Any reference to Attridge Transportation throughout this entire document also includes Attridge Coach Lines.
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Attridge Transportation Incorporated is committed to preventing occupational illness and injury in the workplace.

It is the responsibility of the company to implement policies and procedures that will create and maintain a safe and healthy workplace and work environment and to ensure that supervisors understand their role in the management of the policies and procedures within their assigned area of responsibility.

The company will actively participate in the Joint Health and Safety Committee. The company will ensure that one designated company representative and one designated worker representative are adequately trained to fulfill their role on this committee.

It is the responsibility of the supervisors to ensure that safe and healthy work conditions are maintained in their assigned work area.

It is the responsibility of the worker to work safely abiding by all workplace safety legislation and following the policies and procedures of Attridge Transportation Incorporated.

Every employee will be bound by the requirements of company policy including those relating to health and safety. Every employee will be required to read and then acknowledge, in the form of a signature page, that they have understood each policy and protocol.

This health and safety statement will be reviewed annually, and a copy will be posted in each depot.
Organization Chart

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

Jim Attridge, Founder
Glenn Attridge, President
James Attridge, Director of Operations
Arlene Young, Director of Safety, Training & Compliance
Shelley Toole, Manager of Payroll and Human Resources
Shawn Madley, Manager Fleet and Facilities
Anna-Marie Whaling, Operations Manager Halton
Christine Domingues, Manager Safety & Training Hamilton
Donna Tsecaris, Operations Manager Peel
Moira Thompson, Manager Safety & Training Peel
Mustakim Samji, Operations Manager Toronto
Bibiana Van Dyke, Manager Safety & Training Toronto
Greg Glasman, Operations Manager Dufferin
Linda Thorpe, Manager Safety & Training Dufferin
Management Responsibility for Health and Safety

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that all managers and supervisors as listed on the current organizational chart comply with the requirements of the health and safety program including all mandated legislation, not limited to the Occupational Health and Safety Act March 26, 2019, and as governed by the Policy and Procedure manual of Attridge Transportation Incorporated. All members of management need to understand that they are accountable for their actions, specifically, as it relates to health and safety of all employees and that each member of management understands their legal requirement to comply with all legislation. The safety section within each performance evaluation will evaluate the staff member based on their responsibilities as listed in the Health and Safety Policy.

The Employer, Supervisors and Workers all have responsibilities for Health and Safety as detailed in the OHSA Part III Duties of Employers and Other Persons Sections 23 through 32.

As listed in the Guide to the Occupational Health and Safety Act, the Employer and Supervisor responsibilities are as follows.

**General duties of employers:**

An Ontario employer, who is covered by the OHSA, has a range of legal obligations, including the obligation to:

- instruct, inform and supervise workers to protect their health and safety [clause 25(2)(a)]
- assist in a medical emergency by providing any information—including confidential business information—to a qualified medical practitioner and other prescribed persons for the purpose of diagnosis or treatment [clause 25(2)(b)]
- appoint competent persons as supervisors [clause 25(2)(c)]. “Competent person” is a defined term under the Act. A “competent person” is defined as one who must:
  - be qualified—through knowledge, training and experience—to organize the work and its performance
  - be familiar with the Act and the regulations that apply to the work being performed in the workplace
  - know about any actual or potential danger to health and safety in the workplace
  - be qualified through knowledge, training and experience to organize the work and its performance
- inform a worker, or a person in authority over a worker, about any hazard in the work and train that worker in the handling, storage, use, disposal and transport of any equipment, substances, tools, material, etc. [clause 25(2)(d)]
- help joint health and safety committees and health and safety representatives to carry out their functions [clause 25(2)(e)]
- not employ or permit persons, who are under the prescribed age for the employer’s workplace to be in or near the workplace [clauses 25(2)(f) and (g)]
- take every precaution reasonable in the circumstances for the protection of a worker [clause 25(2)(h)]
- post in the workplace a copy of the OHSA, as well as explanatory material prepared by the Ministry of Labour that outlines the rights, responsibilities and duties of workers. This material must be in English and the majority language in the workplace [clause 25(2)(i)]
• in workplaces in which more than five workers are regularly employed, prepare a written occupational health and safety policy, review that policy at least once a year and set up and maintain a program to implement it [clause 25(2)(j)]. For guidance on how to do this, see Appendix A of this guide
• post a copy of the occupational health and safety policy in the workplace, where workers will be most likely to see it [clause 25 (2)(k)]
• provide the joint health and safety committee or the health and safety representative with the results of any occupational health and safety report that the employer has. If the report is in writing, the employer must also provide a copy of the parts of the report that relate to occupational health and safety [clause 25(2)(l)]
• advise workers of the results of such a report. If the report is in writing, the employer must, on request, make available to workers copies of those portions that concern occupational health and safety [clause 25(2)(m)]
• ensure that every part of the physical structure of the workplace complies with load requirements prescribed in the applicable Building Code provisions, any prescribed standards and sound engineering practice [clause 25(1)(e)]
• prepare policies with respect to workplace violence and workplace harassment and review them at least once a year [subsection 32.0.1(1)]
• regardless of how many workers they employ, develop programs supporting workplace harassment and workplace violence policies and include measures and procedures for workers to report incidents of workplace harassment and workplace violence, and set out how the employer will investigate and deal with incidents or complaints.

Note: the version of the Occupational Health and Safety Act on the e-Laws website is an official version of the Act per the Legislation Act, 2006.

Prescribed duties of employers:

Please note that some employer duties make reference to prescribed requirements. For example, clause 25(1)(c) of the OHSA requires that employers carry out any measures and procedures that are prescribed for the workplace. “Prescribed” means specified in regulation. Where a regulation specifies measures and procedures for a specific type of workplace (e.g. an industrial establishment), the employer is required to carry out those measures and procedures.
A complete list of OHSA regulations can be viewed on the Government of Ontario website.

Duties of employers with respect to workplace violence and workplace harassment:

Employers have specific duties regarding workplace violence and workplace harassment. Please see Part III.0.1 of this guide for more information.

Duties of employers concerning toxic substances:

In workplaces where there are toxic or hazardous substances, the employer has many specific duties. These are described in detail in Part IV: Toxic substances.

Duties of supervisors:

The Act sets out certain specific duties for workplace supervisors. A supervisor must:
• ensure that a worker works in compliance with the Act and regulations [clause 27(1)(a)]
• ensure that any equipment, protective device or clothing required by the employer is used or worn by the worker [clause 27(1)(b)]
- advise a worker of any potential or actual health or safety dangers known by the supervisor [clause 27(2)(a)]
- if prescribed, provide a worker with written instructions about the measures and procedures to be taken for the worker’s protection [clause 27(2)(b)], and
- take every precaution reasonable in the circumstances for the protection of workers [clause 27(2)(c)].

Who is a supervisor?
A supervisor is a person appointed by the employer who has charge of a workplace or authority over a worker [subsection 1 (1)].
Workers are often asked to act as supervisors in the absence of persons hired in that capacity, particularly those identified by such terms as senior, charge, or lead hands. Despite the term used, it is very important to understand that if a worker or lead hand has been given “charge of a workplace or authority over a worker” this person has met the definition of a supervisor within the meaning of the OHSA and assumes the legal responsibilities of a supervisor under the Act.

Who is a competent person?
A competent person is defined in the OHSA as someone who is qualified because of knowledge, training and experience to organize the work and its performance, is familiar with this Act and the regulations that apply to the work, and has knowledge of any potential or actual danger to health or safety in the workplace.
The OHSA requires that employers appoint a competent person as a supervisor [clause 25(2)(c)].
Worker Responsibility for Health and Safety

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that all workers comply with the requirements of the health and safety program including all mandated legislation, not limited to the Occupational Health and Safety Act March 26, 2019, and as governed by the Policy and Procedure manual of Attridge Transportation Incorporated. All employees need to understand that they are accountable for their actions, as it relates to health and safety.

The Employer, Supervisors and Workers all have responsibilities for Health and Safety as detailed in the OHSA Part III Duties of Employers and Other Persons Sections 23 through 32.

As listed in the Guide to the Occupational Health and Safety Act, the Worker responsibilities are as follows.

Duties of workers:

Workers play a key role in health and safety at the workplace. Workers have various duties under the Act. Under the Act, a worker must:

- work in compliance with the Act and regulations [clause 28(1)(a)]
- use or wear any equipment, protective devices or clothing required by the employer [clause 28(1)(b)]
- report to the employer or supervisor any known missing or defective equipment or protective device that may endanger the worker or another worker [clause 28(1)(c)]
- report any hazard or contravention of the Act or regulations to the employer or supervisor [clause 28(1)(d)]
- not remove or make ineffective any protective device required by the employer or by the regulations other than in circumstances specified below [clause 28(2)(a)]. The only circumstance in which a worker may remove a protective device is where an adequate temporary protective device is provided in its stead. Once there is no longer a need to remove the required protective device or to make it ineffective, it must be replaced immediately.
- not use or operate any equipment or work in a way that may endanger any worker [clause 28(2)(b)], and
- not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct [clause 28(2)(c)]. Racing powered hand trucks in a warehouse or seeing who can pick up the most boxes are examples of unlawful conduct.
Visitor Responsibility for Health and Safety

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that the health and safety of any visitor is protected while on company property. All employees are required to enforce this policy.

Visitors will:

- Report to reception immediately upon arrival at the facility OR
- Report to Service Desk for visitors requiring access to the garage.
- Acknowledge that they have read this sheet by signing the visitor log book at reception or the service desk.
- Wait in the designated area.
- Wear the assigned visitor badge.
- Wear appropriate protective equipment.
- Be escorted throughout the facility at all times.
- Obey all posted signs and rules.
- Not touch any equipment or tool.
- Promptly report any injury or illness to your escort or host.
- Obey the instruction or direction of your escort or host.
- Sign out of the visitor log book where you signed in and return the visitor badge.

A copy of this document will be posted with/near the log book.
Contractor / Supplier Responsibility for Health and Safety

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

This policy establishes a minimum guideline for all contractors/suppliers with the objective of providing and maintaining a safe work environment for all workers. All external companies and their workers are subject to this section of the revised health and safety policy. This policy will be distributed annually to all contractors / suppliers.

Upon being approved to complete work or deliver supplies/orders on behalf of Attridge Transportation Incorporated, the contractor / supplier / delivery company will:

- Provide the following documentation to the Accounting Supervisor
  - WSIB clearance certificate, not more than 60 days old
  - Proof of minimum of $2,000,000 liability insurance with Attridge Transportation Incorporated as an insured party.
  - MSDS for all substances used by the contractor while on company property.
- Know that failure to follow appropriate legislation and meet both the performance and safety expectations of Attridge Transportation will result in action up to and including suspension of work or cancellation of the contract.

The safety expectations of Attridge Transportation are that contractors/suppliers will:

- Ensure that their employees or sub-contractors follow all applicable workplace legislation.
- Ensure that their employees or sub-contractors wear appropriate protective equipment at a minimum CSA approved footwear and eyewear.
- Ensure that their employees or sub-contractors are certified or adequately trained for their assigned work including specialized training not limited to lock out procedures, working at heights etc. where applicable.
- Sign in and out on the visitor log book.
- Report all on-site workplace injuries or illnesses to the area supervisor.
- Prior to work starting, notify the on site supervisor for Attridge Transportation of any special circumstance or risk that may occur as a result of work being performed.
- Provide proof of certifications upon request for any contractor / supplier worker eg. lift device certification.

A copy of this policy and the related Contractor Health and Safety Responsibility Agreement will be provided to each contractor or supplier with the requirement to sign, date and return it to Attridge Transportation Incorporated.

___________________________________________________________________________
Full Company Name, Address and Telephone Number

____________________________________  __________________________________
Date  Authorized Signature
Contractor Health and Safety Responsibility Agreement

1. The contractor shall employ trained, competent and skillful people to do the work and the Contractor’s employees shall be fully covered under the WSIB act by the Contractor.

2. The Contractor acknowledges and accepts all risk arising or pertaining to the ownership, possession, use or operation of its equipment in completing its services, whether in whole or in part, whether directly or indirectly, by an act or omission or negligence of the Contractor or for those whom it is responsible.

3. The Contractor shall indemnify and save harmless Attridge Transportation from any and all claims, demands, actions, losses or property damage arising directly or indirectly from the ownership, possession, use or operation of its equipment in completing its services, whether in whole or in part, whether directly or indirectly, by an act or omission or negligence of the Contractor, or for those whom it is in law responsible. Contractor shall protect and hold Attridge Transportation harmless and shall pay all costs, expenses and reasonable legal fees incurred or paid by Attridge Transportation in connection with such litigation. The indemnities contained in this Agreement shall not be prejudiced by and shall survive the termination of this Agreement.

4. Contractor shall, during any time in which it is providing services to Attridge Transportation, take out and keep in full force and effect property damage and public liability insurance in which the limits of public liability and property liability shall not be less than two million ($2,000,000) dollars per occurrence, the whole at the Contractor’s sole cost and expense. All policies shall be written with insurance companies qualified to do business in the Province of Ontario and shall name Attridge Transportation as an additional insured.

5. The Contractor shall abide by and shall ensure that each of the Contractor’s employees and sub-contractor’s employees abide by the Attridge Transportation Health and Safety rules and regulations. The Contractor must be willing and able to recommend to Attridge Transportation additional precautions as deemed necessary by Attridge Transportation for safe-guarding employees and equipment. The Contractor further acknowledges and agrees that any violation of safety rules or regulations is cause for the immediate termination of its contract with Attridge Transportation without any further obligation on the part of Attridge Transportation.

6. The Contractor shall, at its own expense, obtain and maintain in good standing all permits and licenses required by any authority having jurisdiction over the business of the Contractor. The Contractor shall also comply with all federal, provincial and municipal governmental laws and regulations which are applicable to its business, and in particular, those affecting health and safety, workers’ compensation and environmental matters.

7. This agreement shall be construed and enforced in accordance with the laws of the Province of Ontario and the parties agree to attorn to the jurisdiction of the Courts of that Province.

8. This agreement embodies the entire agreement of the parties with regard to the matter herein, and no other agreement shall be deemed to exist, except as entered into in writing by both parties to this agreement.

9. The Contractor shall not assign this agreement or any part of it and may not employ or retain anyone as a subcontractor or otherwise, to perform any part of its obligations under this agreement without the prior written consent of Attridge Transportation.
10. No contracted work offers will be granted by Attridge Transportation unless this agreement terms and conditions are fully accepted and agreed upon by the parties to the satisfaction of Attridge Transportation.

Attridge Transportation Rules and Regulations:

1. Everyone on the premises must follow applicable legislation and the policies and protocols listed in the Attridge manual.

2. Do not operate any piece of equipment without authorization and the appropriate certification.

3. Follow all directives as they apply to personal protective equipment.

4. Contractor must ensure the health and safety of all workers.

5. Guarantee that qualified and certified workers are assigned.

6. Provide MSDS for all chemicals brought onto this property.

7. Contractor must report directly to the on-site supervisor and be escorted to the work area.

8. Contractor must report all workplace illness or injury and follow posted emergency response procedures.

9. Maintain a safe working environment.
Job Hazard Analysis

Location: All facilities
Analyzed by: Joint Health and Safety Committee
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020 – Currently Under Review

All employees must immediately report to their supervisor any unsafe working condition.

<table>
<thead>
<tr>
<th>Task</th>
<th>Potential Hazard</th>
<th>Preventative Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office Worker:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Filing, photocopying, Faxing</td>
<td>Improper position.</td>
<td>Be aware of proper ergonomics when standing, bending.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td>Laceration.</td>
<td>Attention to task.</td>
</tr>
<tr>
<td></td>
<td>Lifting.</td>
<td>Use proper lifting techniques.</td>
</tr>
<tr>
<td></td>
<td>Slip, trip, fall</td>
<td>Wear appropriate footwear.</td>
</tr>
<tr>
<td>Working at desk</td>
<td>Repetitive strain.</td>
<td>Use ergonomic equipment.</td>
</tr>
<tr>
<td>Attending meeting</td>
<td></td>
<td>Headset for constant telephone use.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td></td>
<td>Regular breaks.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Change position.</td>
</tr>
<tr>
<td>Exposure to hazardous materials.</td>
<td>Illness or injury.</td>
<td>Use MSDS for safe handling.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td></td>
<td>Use required PPE.</td>
</tr>
<tr>
<td>Access to garage.</td>
<td>Exposure to maintenance activities.</td>
<td>Wear required PPE.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td>Vehicle traffic.</td>
<td>Stay in marked safe area.</td>
</tr>
<tr>
<td></td>
<td>Slip, trip, fall</td>
<td>Escort if needed into facility.</td>
</tr>
<tr>
<td>Access to parking area.</td>
<td>Weather.</td>
<td>Wear required PPE.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td></td>
<td>Wear appropriate footwear.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wear appropriate apparel.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advise Supervisor of any potential for an event; internal or external.</td>
</tr>
<tr>
<td><strong>Bus Driver:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre trip inspection</td>
<td>Slip, trip, fall</td>
<td>Wear appropriate footwear.</td>
</tr>
<tr>
<td>Risk: Low</td>
<td>Weather</td>
<td>Wear appropriate apparel.</td>
</tr>
<tr>
<td></td>
<td>Vehicle traffic</td>
<td>Wear PPE</td>
</tr>
<tr>
<td></td>
<td>Exposure to vehicle components/fluids</td>
<td>Constantly monitor traffic.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wear PPE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Engine off during under hood</td>
</tr>
<tr>
<td>Activity</td>
<td>Potential Hazards</td>
<td>Preventative Measures</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Driving</td>
<td>Collision</td>
<td>Walking speed within parking areas.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constantly monitor traffic, pedestrians and road users.</td>
</tr>
<tr>
<td></td>
<td>Repetitive strain</td>
<td>Change position, regular breaks.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ergonomic adjustments.</td>
</tr>
<tr>
<td>Interaction with public and staff</td>
<td>Violence and harassment</td>
<td>Report every incident.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advise Dispatch of any potential for an event; internal or external.</td>
</tr>
<tr>
<td>Fueling</td>
<td>Vapour, fuel</td>
<td>Turn ignition off.</td>
</tr>
<tr>
<td></td>
<td>Flammable</td>
<td>No smoking.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not overfill tank.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not leave nozzle unattended.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Replace fuel nozzle and tank cap.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wear appropriate PPE.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Report spills. Apply fuel absorbent to spill.</td>
</tr>
<tr>
<td></td>
<td>Vehicle traffic</td>
<td>Constantly monitor traffic.</td>
</tr>
<tr>
<td><strong>Bus Driver / Trainer:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre trip inspection</td>
<td>Slip, trip, fall</td>
<td>Wear appropriate footwear.</td>
</tr>
<tr>
<td></td>
<td>Weather</td>
<td>Wear appropriate apparel.</td>
</tr>
<tr>
<td></td>
<td>Vehicle traffic</td>
<td>Wear PPE.</td>
</tr>
<tr>
<td></td>
<td>Exposure to vehicle components/fluids</td>
<td>Constantly monitor traffic.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wear PPE.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Engine off during under hood inspection.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secure vehicle at all times.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restrict fluid contact to fuel and windshield washer fluid.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Use MSDS for safe handling.</td>
</tr>
<tr>
<td>Driving</td>
<td>Collision</td>
<td>Walking speed within parking areas.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Constantly monitor traffic, pedestrians and road users.</td>
</tr>
<tr>
<td>Activity</td>
<td>Risk</td>
<td>Description</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Following training protocols and all legislation.</td>
<td></td>
<td>Remaining seated and use seat belt as available when bus is in motion.</td>
</tr>
<tr>
<td>Repetitive strain</td>
<td></td>
<td>Change position, regular breaks.</td>
</tr>
<tr>
<td>Fueling</td>
<td>Low</td>
<td>Flammable Vapour, fuel Turn ignition off.</td>
</tr>
<tr>
<td>Vehicle traffic</td>
<td></td>
<td>No smoking. Do not overfill tank. Do not leave nozzle unattended. Replace fuel nozzle and tank cap.</td>
</tr>
<tr>
<td>Wear appropriate PPE Turn spills. Apply fuel absorbent to spill.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Classroom</td>
<td>Low</td>
<td>Wear appropriate footwear.</td>
</tr>
<tr>
<td>Interaction with trainees and staff</td>
<td>Low</td>
<td>Slip, trip, fall Wear appropriate footwear. Report every incident. Advise Manager of any potential for an event; internal or external.</td>
</tr>
<tr>
<td>Mechanic:</td>
<td></td>
<td>Wear appropriate footwear. Wear appropriate PPE Constantly monitor traffic.</td>
</tr>
<tr>
<td>Vehicle inspection</td>
<td>Medium</td>
<td>Slip, trip, fall Wear appropriate footwear.</td>
</tr>
<tr>
<td>Vehicle traffic</td>
<td></td>
<td>Vehicle traffic Wear appropriate PPE Constantly monitor traffic.</td>
</tr>
<tr>
<td>Weather</td>
<td></td>
<td>Vehicle traffic Wear appropriate PPE Constantly monitor traffic.</td>
</tr>
<tr>
<td>Exposure to vehicle components/fluids</td>
<td></td>
<td>Wear appropriate footwear. Use MSDS for safe handling. Use wheel chocks. Wear appropriate PPE.</td>
</tr>
<tr>
<td>Lifting</td>
<td></td>
<td>Wear appropriate PPE. Use hoist equipment and safe lifting techniques.</td>
</tr>
<tr>
<td>Welding</td>
<td>Medium</td>
<td>Flammable. Wear appropriate PPE; plus welding mask, jacket, apron, sleeves, gloves.</td>
</tr>
<tr>
<td>Welding</td>
<td>Low</td>
<td>Flammable. UV, infrared light Heat Noise Wear appropriate PPE.</td>
</tr>
<tr>
<td>Fueling</td>
<td>Low</td>
<td>Vapour, fuel Turn ignition off. No smoking. Do not overfill tank. Do not leave nozzle unattended. Replace fuel nozzle and tank cap. Wear appropriate PPE.</td>
</tr>
<tr>
<td>Activity</td>
<td>Risk</td>
<td>Hazards</td>
</tr>
<tr>
<td>--------------------------</td>
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<td>----------------------------------------------</td>
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<tr>
<td>Report spills. Apply fuel absorbent to spill.</td>
<td>Vehicle traffic</td>
<td>Constantly monitor traffic.</td>
</tr>
<tr>
<td>Grinders</td>
<td>Rotation.</td>
<td>Flying object</td>
</tr>
<tr>
<td>Risk: Medium</td>
<td></td>
<td>Noise</td>
</tr>
<tr>
<td>Lifting; manual</td>
<td>Slip, trip, fall</td>
<td>Body strain.</td>
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<td>Risk: Medium</td>
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<tr>
<td>Lifting; hoist</td>
<td>Slip, trip, fall</td>
<td>Moving vehicle or object.</td>
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<td>Falling object or fluid.</td>
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<tr>
<td>Driving / Service Call</td>
<td>Collision</td>
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<td>Risk: Medium</td>
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<tr>
<td>Battery</td>
<td>Lifting, see manual lifting.</td>
<td>Corrosive.</td>
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<tr>
<td>Compressor:</td>
<td>Air hose / pressure.</td>
<td>Noise.</td>
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<td>Tire Machine:</td>
<td>Rotation.</td>
<td>Noise.</td>
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<tr>
<td>Hand and Power Tools:</td>
<td>Rotation.</td>
<td>Noise.</td>
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<tr>
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<td>Sharp.</td>
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Injury or Illness or Near Miss Reporting/Investigation

Location: All facilities
Analyzed by: Joint Health and Safety Committee
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that any illness, injury, fatality or near miss is promptly reported, to supervisory staff and external agencies as legislated, and properly treated. Every illness, injury, fatality or near miss must be reported to a Supervisor, regardless of the nature or severity of the incident. Additionally, the Occupational Health and Safety Act (OHSA), may require notification to the Ministry of Labour when:

- someone is killed or critically injured
- one of your workers has an occupational illness
- there is an accident, explosion or fire, or there is an incident of workplace violence and someone is injured and can’t do their usual work or needs medical attention

OHSA Regulation 834 “critically injured” means an injury of a serious nature that,
(a) places life in jeopardy,
(b) produces unconsciousness,
(c) results in substantial loss of blood,
(d) involves the fracture of a leg or arm but not a finger or toe,
(e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
(f) consists of burns to a major portion of the body, or
(g) causes the loss of sight in an eye. R.R.O. 1990, Reg. 834, s. 1.

Illness: An incident that results in a deviation from the normal, healthy state of the employee. 

Near Miss: An event that under another circumstance could have resulted in harm to an individual or damage to property or the environment.

Fatality: Loss of life.

Lost time: Work related injury that results in an injured employee missing scheduled work time resulting in a wage loss.

Responsibilities:

Worker: A worker who sustains an injury or becomes ill as a result of a workplace condition or work activity must immediately report the incident to their direct supervisor or, in his/her absence, the next supervisor on-site. Should the injured or ill worker be unable to report the incident, a co-worker shall report the incident to the supervisor on his/her behalf. Report a near miss event to the direct supervisor.

Supervisor: The supervisor, upon being notified of the injury or illness, shall promptly ensure that first aid is administered and that additional medical care (emergency medical/paramedic etc) if necessary, is provided. The supervisor will arrange appropriate transportation to a medical facility if needed. All critical injuries or illnesses will be transported by ambulance as designated by the
emergency responders. Appropriate transportation for non-critical injuries or illnesses will be via an Attridge vehicle. The employee may refuse transportation and provide their own transportation service. This will be documented in the event report. The supervisor will document the event; including refusal of treatment or transportation to a medical facility, notify the company and file any necessary reports at the first available moment. Where possible, the Supervisor will take immediate corrective action to eliminate any identified hazard that could result in a similar event.

Manager: Immediately respond to a request for assistance from the Supervisor. Notify the JHSC worker representative co-chair of a death or critical injury event. Where possible, take immediate corrective action to eliminate any identified hazard that could result in a similar event. Start the investigation; including scene photos, interviewing witnesses etc. following first aid provision and immediate emergency assistance.

Given notice of a death or critical injury:

Employers must notify the ministry, by telephone and in writing, when any person is critically injured or killed at their workplace from any cause. This includes people who are not workers, for example visitors or customers.

If someone is critically injured or killed at your workplace:
1. Call 911 in an emergency (and get first aid if needed)
2. Call 1-877-202-0008 to report the incident to the Ministry of Labour’s Health and Safety Contact Centre. You can make a report to this number at any time of day.
3. Call or tell the joint health and safety committee or health and safety representative and the union (if there is one), about the incident
4. Notify the Ministry of Labour, in writing, within 48 hours of the incident. Make sure to:
   - address the notice to “Attention: Director”
   - mail or fax it, to the Ministry of Labour regional office closest to the workplace where the incident happened

What to put in the death or critical injury notice:

The information you need to include in the notice will depend on the type of workplace. Generally, the written notice should include:
- the name and address of the employer or, for a dive site, the name and address of the person writing the notice
- the name and address of the constructor if there is one, for example, on construction projects
- a description of what happened and the injuries to the person
- a description of the machinery, equipment or procedure involved
- the time and place of the incident
- the name and address of the person who was injured or killed
- names and addresses of all witnesses to the incident and, for mining workplaces, the names and addresses of all workers and supervisors involved
- name and address of the physician or surgeon or other medical practitioner, if any, who attended to the person who was injured or killed
- if the workplace is a construction project, health care or residential facility or dive site, the steps taken to prevent a recurrence
First Aid Provider: The qualified first aid provider will promptly respond to an injury or illness at the first aid station or location of the injured party should it be safe to do so. The first aid provider will document any assistance or advice given to the injured or ill party in the first aid log book. The first aid provider will assist in ensuring that appropriate medical care/assistance is provided.

JHSC: Participate upon notification from management in the investigation and report preparation of any critical injury or fatality. Will review each incident including the investigation results and prepare recommended actions for Management. The JHSC summary, without identifying information, will be included as part of the monthly minutes posted for employees.

Reporting: The report shall include (see attached report example):
- 911 call if immediate emergency response is required.
- Initial verbal notification to the immediate supervisor and manager.
- WSIB Form 7 should the worker be injured.
- Investigation report (attached with policy) OR Collision report and the follow up action/contact completed.
- Ministry of Labour (Critical and fatal injuries, fire or explosion with injury)
- Ministry of Environment (Chemical release or spill)

The following staff are Level 2 JHSC certified:
- Arlene Young, Director of Safety, Training and Compliance
- Bibiana Van Dyke, Manager of Safety and Training Toronto

The following staff are Collision Investigators:
- Arlene Young, Director of Safety, Training and Compliance
- Christine Domingues, Manager Safety and Training Hamilton
- Moira Thompson, Manager Safety and Training Peel
- Bibiana Van Dyke, Manager Safety and Training Toronto
- Linda Thorpe, Manager Safety and Training Dufferin
The purpose of this procedure is to ensure that any goods modified or purchased are assessed for potential hazards and that appropriate controls to protect safety are in place. It is expected that regulatory compliance and industry safety standards are met at every stage of the process (design by the manufacturer, purchase, installation and use).

The person responsible for the equipment will rate the hazard of the modified equipment or newly purchased equipment. Shop Foreman (garage equipment), Manager of Safety and Training (vehicles). All equipment modified or purchased will meet minimum industry regulations. Material Safety Data Sheets as required will be added to the documents available for immediate review by workers.

Major – high risk, immediate danger to life and health
Moderate – medium risk, potential for non-life-threatening injury
Minor – low risk, long term potential for slight injury or illness

Standard operating procedures will be developed for any new equipment or modification that is evaluated as a major risk.

The person responsible for the equipment will train or designate training for workers that will use the equipment. Training will be documented. The pre-start or initial use of the new or modified equipment will include the direct supervisor, manager and worker that will use the equipment. For vehicle purchases, the worker may not be available for the initial pre-start review. In this event, the Safety and Training Department will ensure that the driver receives training prior to first use.

It will be the responsibility of the Health and Safety Worker to review the new equipment and provide input on any additional identified hazard and/or further training requirements. The Health and Safety Worker will co-ordinate this review with either the Shop Foreman or Manager of Safety and Training.

All vehicles require a pre-trip inspection prior to use as directed by both legislation and company policy.
Hazard / Unsafe Working Condition Reporting

Location: All facilities
Analyzed by: Joint Health and Safety Committee
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that any hazard or unsafe working condition is promptly reported, to supervisory staff and external agencies as legislated. Every hazard of unsafe working condition will be reported, regardless of the nature or severity of the issue.

Hazard: Any circumstance that poses a risk of injury or illness.
Unsafe Condition: Any circumstance that has the potential to cause an accident or cause injury or illness.

Responsibilities:

Worker: A worker must immediately and verbally report any hazard or unsafe condition to their immediate supervisor. The hazard or unsafe condition must be properly specified without being general in nature. The hazard or unsafe condition must be defined (major, moderate or minor risk) in a way that can be easily understood by the supervisor.

➢ Location of the hazard or safety concern
➢ Describe the hazard or safety concern, be specific
➢ Rate the hazard
  o Major – high risk, immediate danger to life and health
  o Moderate – medium risk, potential for non-life threatening injury
  o Minor – low risk, long term potential for slight injury or illness

The worker may elect to contact their JHSC representative via telephone or email at jhsc@attridge.com for further assistance.

Supervisor: The supervisor, upon being notified of the hazard or unsafe condition, will immediately correct the situation and/or advise the worker(s) to cease that specific task. The supervisor will document the event, notify the company and file any necessary reports at the first available moment. An incident report shall be used to document the event. The supervisor shall immediately report to management any moderate or major risk.

Joint Health and Safety Committee: The JHSC will review the hazard or unsafe condition and provide recommendations to the company to resolve the issue should the task still be outstanding.
Emergency Evacuation Plan

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that all employees understand the emergency evacuation plan for each of the Hamilton, Halton, Toronto, Dufferin, and Peel depots.

In the event of an emergency (fire, fuel or chemical spill, violence in the workplace etc), all employees will immediately evacuate the depot.

1. Employee at the scene will notify all staff and visitors of the emergency. Reception staff will take the visitor log when evacuating the building.
2. Any available staff member will call for help using the posted emergency contact numbers OR
3. Call for help from an outside telephone as the situation dictates.
4. Evacuate safely and in an orderly manner from the nearest exit, regular or alternate as the situation dictates.
5. Meet at the designated grouping location(s).
6. On-site manager(s) (in their absence the senior staff member) are responsible for safely ensuring to the best of their ability that all employees have evacuated AND
7. Notifying emergency responders should any employee remain in the building.
8. Qualified first aid providers should treat victim(s) to the best of their ability and then document response.
9. Notify the President and Director of Safety, Training and Compliance that you have evacuated as soon as possible.
10. On-site manager(s)/supervisor(s) are responsible for ensuring, to the best of their ability, that no employee re-enters the building.
11. On-site manager(s)/supervisor(s) are responsible for meeting the emergency responders and describing the emergency.
12. No employee shall re-enter the building for any reason until it is safe to occupy. The responding emergency service provider (fire, police, paramedic) will determine if it is safe to re-occupy the facility.

Emergency evacuation grouping site:

Hamilton depot: South driveway at Mill Street.
Halton depot: East driveway at Harvester Road.
Mississauga: East driveway at Robin Drive.
Toronto: West driveway at Akron Road.
Dufferin: North east corner of property.
Off-site Vehicle: As determined by the driver.

This policy with a diagram of the facility and evacuation points shall be posted. All staff will be trained in the emergency use of a fire extinguisher.

An emergency evacuation drill will be practiced at each facility annually in July of every year. The on site Safety Trainer (as designated by the Manager of Safety and Training) that conducts the drill will submit a brief written summary of the drill, date and time completed.
Emergency Evacuation Plan – School Bus Evacuation

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

1. Assess the situation. Generally, the quickest method is to use both front and rear doors. If those exits expose people to other dangers such as fire or traffic, choose the safest exit.

2. Remain calm. Speak loudly, but slowly. Ask the passengers to move calmly to the exit you choose.

3. Assign a responsible leader to count the passengers as they leave and lead them to a safe area away from the bus. The leader should keep everyone together.

4. Assign some capable students to wait at the rear exit on the ground at either side of the door to help as the students swing down. Another student inside tells the exiting person to “watch your head, put your hands on the helper’s shoulders and swing down.”

5. While the other students remain in their seats, the students closest to danger should leave one seat at a time walking to the exit.

6. All articles such as lunches, books, and so on should be left behind.

7. As the last person leaves, walk the length of the bus to be sure everyone is out, and then exit yourself. Begin first-aid treatment if necessary. Assign two responsible students to go for help, if needed, and organize helpers to put out warning flares or reflectors as required.

Practice cannot eliminate all injury, but it will certainly reduce the possibility of unnecessary injury to yourself, your passengers and other motorists.

All mandatory* evacuations must be completed by the end of October. Please submit the completed information to your dispatcher once you have completed your mock evacuation.

Date of Evacuation: ________________________________

Driver Name: _________________________________________

School: ______________________________________________

Teacher Name: _________________________________________

If you need any assistance, please contact the Training Department.

*Manadatory evacuation drills may be required by your school/consortium. Please check with your dispatcher before conducting an evacuation drill.
Emergency Equipment Location

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

To ensure that all employees know the location of all emergency equipment and that emergency signs are adequately posted at each depot. The representative of the Joint Health and Safety Committee for EACH depot is required to review, as a minimum, each of the items contained in this list as part of the monthly safety inspection. The representative shall immediately notify their immediate supervisor of any emergency equipment item or signage that is missing or inoperative.

Type of Equipment or Signage

Exit signs
At each building exit door

Emergency exit signs
At each alternate emergency building evacuation door

Emergency telephone numbers
At/near each work/group station
(eg) dispatch training garage

Mandatory Posters/Publications
Occupational Health and Safety Act
Health and Safety at Work Poster
JHSC Membership List with Contact Info
Workplace Violence and Harassment Policies
Material Safety Data Sheets

First aid kit / station
Accessible to all employees and clearly marked.

It is the responsibility of the Joint Health and Safety Committee representative to check with the area supervisor every month (during the monthly hazard inspection) to determine if replacement supplies/items are required.

Fire extinguishers
Accessible to all employees and clearly marked.

Telephones at buildings.
Accessible to all employees

Emergency Equipment Location (continued)

Responsibility:

Worker: Will promptly notify their immediate supervisor of any deficiency.
Will promptly notify their supervisor if the emergency equipment has been used / depleted and must be replaced.
Will notify their supervisor if they do not understand how to properly use the emergency equipment.

Supervisor: Will promptly respond to any reported deficiency or used/depleted equipment.
Will promptly respond to any reported request for assistance.
Will take the necessary step(s) to repair or replace the deficient emergency equipment.

Joint Health  Will inspect the equipment on a minimum of a monthly basis and promptly report and
Safety       any deficiency to management.
Committee:   Will inspect the equipment or signage as requested by an employee and promptly
             report any deficiency to management.
             Will list the monthly inspection date on the workplace inspection report.

Annual certification reports for the fire extinguishers and emergency back up lighting at the Burlington
facility will be maintained in the Accounts Department.
Lock Out Procedure

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: July 2011
Review / Revise date: August 2020

Lockout procedures are required within the garage facility to neutralize all energy in a piece of equipment before starting maintenance or repair work and to identify defective equipment that must not be used prior to repair. This generally involves:

- stopping all energy flow
- locking switches or valves
- securing the machine, device or power transmission

Uncontrolled energy flow has the potential to cause life threatening injury.

The following equipment must be locked out prior to maintenance or repair:

**Equipment**
1. Compressor and air lines
2. Tire machine
3. Hoist
4. Portable hoist
5. Bus wash
6. Any equipment that has an energy source; including stored energy that may cause harm.

Responsibility:

Worker: Undertake a lockout procedure only after receiving lockout training.
Notify the Shop Foreman that a lockout procedure is required and undertake the lockout under his/her direct supervision.
Report any incident of unauthorized lock removal or tampering.
Ensure that all guarding, safety devices and equipment functions correctly after removal of lock and tag and that the equipment is ready for normal function(s).

Shop Foreman: Undertake a lockout procedure only after receiving lockout training.
Supervise all lockout procedures.
Co-ordinate lockout procedure that will extend beyond the end of a shift.
Investigate with the JHSC co-chair any incident of unauthorized lock removal or tampering.
Identify and report any piece of equipment not listed that will/should require inclusion on the lockout list. Report to: JHSC, Manager of Safety and Training and General Manager.

JHSC: Review and assess with the Shop Foreman and piece of equipment not listed that may require inclusion on the lockout list.
Co-chair will investigate with the Shop Foreman any incident of unauthorized lock removal or tampering.

Operations Manager: Upon request by the Shop Foreman and supported by the JHSC, add any piece of equipment to the lockout list.
Control Procedure:

Person responsible for lockout: Mechanic using Lockout – Tagout Kit

Person responsible for supervising lockout: Shop Foreman

PPE: As defined by the type of equipment.

Lockout procedure:
- Identify energy source(s).
- Shut down equipment.
- Ensure stored energy is released/eliminated.
- Lockout energy source(s).
- Attempt to start equipment following all safety protocols.
- Tagout equipment.

Lockout test:
- Attempt to start equipment following all safety protocols.

Removal of lockout procedure:
- Upon confirmation that the equipment can be safely restarted.
- Notify Shop Foreman.
- Remove lockout(s) at each energy source.
- Attempt to start equipment following all safety protocols.
- Remove tagout notice(s).
- Return lockout tagout equipment to the Tagout Kit.
First Aid Training

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

Attridge Transportation Incorporated will provide standard emergency first aid training to select staff members at each administrative and garage facility. These staff members will be the first responders to any injury or illness in the workplace. These staff members will also respond to treat injury or illness following the emergency evacuation of any facility. Every reasonable attempt will be made to ensure that a qualified first aid responder is available at all times.

Responsibility:

Worker: Immediately report any injury or illness to your supervisor.

Supervisor: Immediately summon emergency assistance from:
   a) on-site first aid provider and if necessary
   b) emergency response
      - police
      - fire
      - ambulance

First Aid Provider: Provide first aid in the event of an on-site injury or illness.
Record the event and the first aid provided following the incident including the name of the witnesses.
Provide first aid in the event of an emergency evacuation of the facility.

Joint Health and Safety Committee: Review the incident and make recommendations for change as warranted.
Right To Refuse Unsafe Work

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

Any employee has the right under the Occupational Health and Safety Act, March 26, 2019, to refuse work should that employee believe that an unsafe condition exists in that workplace.

PART V
RIGHT TO REFUSE OR TO STOP WORK WHERE HEALTH OR SAFETY IN DANGER

Refusal to work
Non-application to certain workers

43 (1) This section does not apply to a worker described in subsection (2),
(a) when a circumstance described in clause (3) (a), (b), (b.1) or (c) is inherent in the worker’s work or is a normal condition of the worker’s employment; or
(b) when the worker’s refusal to work would directly endanger the life, health or safety of another person. R.S.O. 1990, c. O.1, s. 43 (1); 2009, c. 23, s. 4 (1).

Idem

(2) The worker referred to in subsection (1) is,
(a) a person employed in, or a member of, a police force to which the Police Services Act applies;
(b) a firefighter as defined in subsection 1 (1) of the Fire Protection and Prevention Act, 1997;
(c) a person employed in the operation of,
(i) a correctional institution or facility,
(ii) a place of secure custody designated under section 24.1 of the Young Offenders Act (Canada), whether in accordance with section 88 of the Youth Criminal Justice Act (Canada) or otherwise,
(iii) a place of temporary detention under the Youth Criminal Justice Act (Canada), or
(iv) a similar institution, facility or place;
(d) a person employed in the operation of,
(i) a hospital, sanatorium, long-term care home, psychiatric institution, mental health centre or rehabilitation facility,
(ii) a residential group home or other facility for persons with behavioural or emotional problems or a physical, mental or developmental disability,
(iii) an ambulance service or a first aid clinic or station,
(iv) a laboratory operated by the Crown or licensed under the Laboratory and Specimen Collection Centre Licensing Act, or
(v) a laundry, food service, power plant or technical service or facility used in conjunction with an institution, facility or service described in subclause (i) to (iv). R.S.O. 1990, c. O.1, s. 43 (2); 1997, c. 4, s. 84; 2001, c. 13, s. 22; 2006, c. 19, Sched. D, s. 14; 2007, c. 8, s. 221.

Refusal to work

(3) A worker may refuse to work or do particular work where he or she has reason to believe that,
(a) any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
(b) the physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;
(b.1) workplace violence is likely to endanger himself or herself; or
(c) any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself or another worker. R.S.O. 1990, c. O.1, s. 43 (3); 2009, c. 23, s. 4 (2).

Report of refusal to work
(4) Upon refusing to work or do particular work, the worker shall promptly report the circumstances of the refusal to the worker’s employer or supervisor who shall forthwith investigate the report in the presence of the worker and, if there is such, in the presence of one of,
(a) a committee member who represents workers, if any;
(b) a health and safety representative, if any; or
(c) a worker who because of knowledge, experience and training is selected by a trade union that represents the worker, or if there is no trade union, is selected by the workers to represent them, who shall be made available and who shall attend without delay. R.S.O. 1990, c. O.1, s. 43 (4).

Worker to remain in safe place and available for investigation
(5) Until the investigation is completed, the worker shall remain,
(a) in a safe place that is as near as reasonably possible to his or her work station; and
(b) available to the employer or supervisor for the purposes of the investigation. 2009, c. 23, s. 4 (3).

Refusal to work following investigation
(6) Where, following the investigation or any steps taken to deal with the circumstances that caused the worker to refuse to work or do particular work, the worker has reasonable grounds to believe that,
(a) the equipment, machine, device or thing that was the cause of the refusal to work or do particular work continues to be likely to endanger himself, herself or another worker;
(b) the physical condition of the workplace or the part thereof in which he or she works continues to be likely to endanger himself or herself;
(b.1) workplace violence continues to be likely to endanger himself or herself; or
(c) any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention continues to be likely to endanger himself, herself or another worker,
the worker may refuse to work or do the particular work and the employer or the worker or a person on behalf of the employer or worker shall cause an inspector to be notified thereof. R.S.O. 1990, c. O.1, s. 43 (6); 2009, c. 23, s. 4 (4).

Investigation by inspector
(7) An inspector shall investigate the refusal to work in consultation with the employer or a person representing the employer, the worker, and if there is such, the person mentioned in clause (4) (a), (b) or (c). 2001, c. 9, Sched. I, s. 3 (11).

Decision of inspector
(8) The inspector shall, following the investigation referred to in subsection (7), decide whether a circumstance described in clause (6) (a), (b), (b.1) or (c) is likely to endanger the worker or another person. 2009, c. 23, s. 4 (5).

Idem
(9) The inspector shall give his or her decision, in writing, as soon as is practicable, to the employer, the worker, and, if there is such, the person mentioned in clause (4) (a), (b) or (c). R.S.O. 1990, c. O.1, s. 43 (9).

Worker to remain in safe place and available for investigation
(10) Pending the investigation and decision of the inspector, the worker shall remain, during the worker’s normal working hours, in a safe place that is as near as reasonably possible to his or her work station and available to the inspector for the purposes of the investigation. 2009, c. 23, s. 4 (6).

Exception
(10.1) Subsection (10) does not apply if the employer, subject to the provisions of a collective agreement, if any,
(a) assigns the worker reasonable alternative work during the worker’s normal working hours; or
(b) subject to section 50, where an assignment of reasonable alternative work is not practicable, gives other directions to the worker. 2009, c. 23, s. 4 (6).

Duty to advise other workers
(11) Pending the investigation and decision of the inspector, no worker shall be assigned to use or operate the equipment, machine, device or thing or to work in the workplace or in the part of the workplace being investigated unless, in the presence of a person described in subsection (12), the worker has been advised of the other worker’s refusal and of his or her reasons for the refusal. R.S.O. 1990, c. O.1, s. 43 (11).

Idem
(12) The person referred to in subsection (11) must be,
(a) a committee member who represents workers and, if possible, who is a certified member;
(b) a health and safety representative; or
(c) a worker who because of his or her knowledge, experience and training is selected by the trade union that represents the worker or, if there is no trade union, by the workers to represent them. R.S.O. 1990, c. O.1, s. 43 (12).

Entitlement to be paid
(13) A person shall be deemed to be at work and the person’s employer shall pay him or her at the regular or premium rate, as may be proper,
(a) for the time spent by the person carrying out the duties under subsections (4) and (7) of a person mentioned in clause (4) (a), (b) or (c); and
(b) for time spent by the person carrying out the duties under subsection (11) of a person described in subsection (12). R.S.O. 1990, c. O.1, s. 43 (13).

Section Amendments with date in force (d/m/y)
1997, c. 4, s. 84 - 29/10/1997
2001, c. 9, Sched. I, s. 3 (11) - 29/06/2001; 2001, c. 13, s. 22 - 30/11/2001
2007, c. 8, s. 221 - 1/07/2010
2009, c. 23, s. 4 - 15/06/2010
2018, c. 3, Sched. 5, s. 41 (1) - no effect - see 2019, c. 1, Sched. 3, s. 5 - 26/03/2019
2019, c. 1, Sched. 4, s. 39 (1) - not in force

Definition and non-application
Definition
44 (1) In sections 45 to 48, “dangerous circumstances” means a situation in which,
(a) a provision of this Act or the regulations is being contravened,
(b) the contravention poses a danger or a hazard to a worker, and
(c) the danger or hazard is such that any delay in controlling it may seriously endanger a worker.

Non-application
(2) Sections 45 to 49 do not apply to,
(a) a workplace at which workers described in clause 43 (2) (a), (b) or (c) are employed; or
(b) a workplace at which workers described in clause 43 (2) (d) are employed if a work stoppage would directly endanger the life, health or safety of another person.  R.S.O. 1990, c. O.1, s. 44.

Bilateral work stoppage
45 (1) A certified member who has reason to believe that dangerous circumstances exist at a workplace may request that a supervisor investigate the matter and the supervisor shall promptly do so in the presence of the certified member.

Investigation by second certified member
(2) The certified member may request that a second certified member representing the other workplace party investigate the matter if the first certified member has reason to believe that dangerous circumstances continue after the supervisor’s investigation and remedial actions, if any.

Idem
(3) The second certified member shall promptly investigate the matter in the presence of the first certified member.

Direction following investigation
(4) If both certified members find that the dangerous circumstances exist, the certified members may direct the constructor or employer to stop the work or to stop the use of any part of a workplace or of any equipment, machine, device, article or thing.

Constructor’s or employer’s duties
(5) The constructor or employer shall immediately comply with the direction and shall ensure that compliance is effected in a way that does not endanger a person.

Investigation by inspector
(6) If the certified members do not agree whether dangerous circumstances exist, either certified member may request that an inspector investigate the matter and the inspector shall do so and provide the certified members with a written decision.

Cancellation of direction
(7) After taking steps to remedy the dangerous circumstances, the constructor or employer may request the certified members or an inspector to cancel the direction.

Idem
(8) The certified members who issued a direction may jointly cancel it or an inspector may cancel it.

Delegation by certified member
(9) In such circumstances as may be prescribed, a certified member who represents the constructor or employer shall designate a person to act under this section in his or her stead when the certified member is not available at the workplace.  R.S.O. 1990, c. O.1, s. 45.
Declaration against constructor, etc.

46 (1) A certified member at a workplace or an inspector who has reason to believe that the procedure for stopping work set out in section 45 will not be sufficient to protect a constructor’s or employer’s workers at the workplace from serious risk to their health or safety may apply to the Board for a declaration or recommendation described in subsection (5), or both. R.S.O. 1990, c. O.1, s. 46 (1); 1998, c. 8, s. 53 (1).
(2) Repealed: 1998, c. 8, s. 53 (2).

Minister a party

(3) The Minister is entitled to be a party to a proceeding before the Board. R.S.O. 1990, c. O.1, s. 46 (3); 1998, c. 8, s. 53 (3).

Board procedure, etc.

(4) Subsections 61 (2) to (3.13) and subsection 61 (8) apply, with necessary modifications, with respect to applications under this section. 1998, c. 8, s. 53 (4).

Declaration and recommendation

(5) If the Board finds that the procedure for stopping work set out in section 45 will not be sufficient to protect the constructor’s or employer’s workers at the workplace from serious risk to their health or safety, the Board,
(a) may issue a declaration that the constructor or employer is subject to the procedure for stopping work set out in section 47 for the period specified; and
(b) may recommend to the Minister that an inspector be assigned to oversee the health and safety practices of the constructor or employer at the workplace on a full-time or part-time basis for a specified period. R.S.O. 1990, c. O.1, s. 46 (5); 1998, c. 8, s. 53 (5).

Criteria

(6) In making a finding under subsection (5), the Board shall determine, using the prescribed criteria, whether the constructor or employer has demonstrated a failure to protect the health and safety of workers and shall consider such other matters as may be prescribed. R.S.O. 1990, c. O.1, s. 46 (6); 1998, c. 8, s. 53 (6).

Decision final

(7) The decision of the Board on an application is final. R.S.O. 1990, c. O.1, s. 46 (7); 1998, c. 8, s. 53 (7).

Costs of inspector

(8) The employer shall reimburse the Province of Ontario for the wages, benefits and expenses of an inspector assigned to the employer as recommended by the Board. 1998, c. 8, s. 53 (8).

Section Amendments with date in force (d/m/y)

1998, c. 8, s. 53 - 29/06/1998

Unilateral work stoppage

47 (1) This section applies, and section 45 does not apply, to a constructor or an employer, (a) against whom the Board has issued a declaration under section 46; or
(b) who advises the committee at a workplace in writing that the constructor or employer adopts the procedures set out in this section respecting work stoppages. R.S.O. 1990, c. O.1, s. 47 (1); 1998, c. 8, s. 54.
Direction re work stoppage
(2) A certified member may direct the constructor or employer to stop specified work or to stop the use of any part of a workplace or of any equipment, machine, device, article or thing if the certified member finds that dangerous circumstances exist.

Constructor’s or employer’s duties
(3) The constructor or employer shall immediately comply with the direction and shall ensure that compliance is effected in a way that does not endanger a person.

Investigation by constructor, etc.
(4) After complying with the direction, the constructor or employer shall promptly investigate the matter in the presence of the certified member.

Investigation by inspector
(5) If the certified member and the constructor or employer do not agree whether dangerous circumstances exist, the constructor or employer or the certified member may request that an inspector investigate the matter and the inspector shall do so and provide them with a written decision.

Cancellation of direction
(6) After taking steps to remedy the dangerous circumstances, the constructor or employer may request the certified member or an inspector to cancel the direction.

Idem
(7) The certified member who made the direction or an inspector may cancel it. R.S.O. 1990, c. O.1, s. 47 (2-7).

Section Amendments with date in force (d/m/y)
1998, c. 8, s. 54 - 29/06/1998

Entitlement to investigate
48 (1) A certified member who receives a complaint that dangerous circumstances exist is entitled to investigate the complaint.

Entitlement to be paid
(2) The time spent by a certified member in exercising powers and carrying out duties under this section and sections 45 and 47 shall be deemed to be work time for which the member’s employer shall pay the member at the regular or premium rate as may be proper. R.S.O. 1990, c. O.1, s. 48.

Complaint re direction to stop work
49 (1) A constructor, an employer, a worker at the workplace or a representative of a trade union that represents workers at the workplace may file a complaint with the Board if he, she or it has reasonable grounds to believe that a certified member at the workplace recklessly or in bad faith exercised or failed to exercise a power under section 45 or 47. R.S.O. 1990, c. O.1, s. 49 (1); 1998, c. 8, s. 55 (1).

Limitation
(2) A complaint must be filed not later than 30 days after the event to which the complaint relates. R.S.O. 1990, c. O.1, s. 49 (2); 1998, c. 8, s. 55 (2).

Minister a party
(3) The Minister is entitled to be a party to a proceeding before the Board. R.S.O. 1990, c. O.1, s. 49 (3); 1998, c. 8, s. 55 (3).

Board procedure, etc.
(3.1) Subsections 61 (2) to (3.13) and subsection 61 (8) apply, with necessary modifications, with respect to complaints under this section. 1998, c. 8, s. 55 (4).

Determination of complaint
(4) The Board shall make a decision respecting the complaint and may make such order as it considers appropriate in the circumstances including an order decertifying a certified member. 1998, c. 8, s. 55 (5).

Decision final
(5) The decision of the Board is final. R.S.O. 1990, c. O.1, s. 49 (5); 1998, c. 8, s. 55 (6).

Please refer to the Occupational Health and Safety Act for the full guidelines.

Responsibility:

The worker, supervisor, Joint Health and Safety Committee and employer will follow the guidelines for work refusal as detailed in the Occupational Health and Safety Act. Every reasonable attempt will be taken to protect the safety of the employees.

Worker: Immediately report any unsafe working condition to their supervisor and wait in a designated safe area until advised that work may resume. The worker may request that a certified member of the Joint Health and Safety Committee respond to the report. The worker may request an external investigator pursuant to the legislation.

Supervisor: Immediately investigate the report and take corrective action as warranted. Promptly notify the employer of the reported unsafe working condition and the corrective action that has been taken.
If the worker continues to assert that an unsafe working condition exists OR the supervisor is unable to correct the situation, immediately contact your Manager for further direction and/or action.

Joint Health and Safety Committee: Review the reported unsafe working condition and ensure that corrective action was taken as warranted. Promptly respond to any request from an employee to review an unsafe working condition.
Required Certifications or Competencies

Location: All Facilities
Approved by: Glenn Attridge, President
Issue date: August 2010
Review / Revise date: August 2020

Attridge Transportation recognizes that core competencies are essential to the safety of all employees. To ensure success, the following positions will require proof of certification.

Mechanic: 310S or 310T or both

Apprentice: Proof of Level 1, 2, 3, 4 or 5

Safety Trainer: Professional Instructor of Driver Education (PRIDE) – Mandatory.
B license – Mandatory.
Z endorsement, within 3 months of PRIDE certification.
Instructor of School Bus Driver Improvement Course, at the request of the company.
Instructor of Air Brake, at the request of the company.
Signing Authority of the Ontario Ministry of Transportation.

Driver: E or B license at the discretion of the company.

Company: Registered Authority of the Ontario Ministry of Transportation.
Will authorize the signing authorities to upgrade driver licenses from a G to E or B.
Designate which signing authority will receive additional training/upgrade to instruct drivers in Z endorsement and School Bus Driver Improvement Course.
Designate which employee will receive additional training specific to the job function.
Review request(s)/suggestions from employees for additional training.
Personal Protective Equipment

Location: All
Approved by: Glenn Attridge, President
Issue date: August 2007
Review / Revise date: August 2020

Mechanics, Apprentices

Required Equipment:
- CSA Standard Z94.3.1-16 eyes or face protector.
  - Class 1 or 2 at an Attridge facility including the parking areas.
  - Class 3 on road.
- Hearing protection that meets (CSA) Standard Z94.2-14.

When:
- Safety footwear and safety glasses at all times. Safety face protector as the job dictates. Safety clothing of the appropriate type listed must be worn when on duty outside of the garage. Hearing protection must be worn when the level is known or believed to exceed 85 decibels (A-weighted) or db(A).

Supplied:
- By the employee. Safety vests may be purchased at cost from the company.

Responsibility:
- Of the worker to maintain the PPE in good working order and/or replace the PPE with new items that meet the minimum CSA standard.
- Of the worker to use PPE, that is not listed in this section, that is appropriate for the specific equipment within the garage eg. welding mask. It is the responsibility of the worker to check with the supervisor prior to working with any equipment that may require additional PPE.

Drivers and Administrative Staff

Required Equipment:
- CSA Standard Z96-15 High-Visibility Safety Apparel. Class 1 or Class 2 apparel is suitable. Examples:
Shop helpers must also wear CAN/CSA-Z195-14 standard, Green triangle approved footwear.

When: Safety apparel must be correctly (fully on and fastened as intended by the manufacturer) worn at all times when on duty and outside of the vehicle or building.
Drivers and administrative staff may be escorted into the garage by a mechanic when absolutely necessary and should no other option be available. The driver and administrative staff is not required to wear PPE other than the safety vest for this action.

Supplied: By the company at cost to the driver.

Responsibility: Of the worker to maintain the safety vest in good working order and/or replace the PPE.
Of the worker to supply any other PPE that may provide further protection. Example – leather gloves to protect against engine fluids during the pre-trip inspection.
Non-routine Work

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

It is the responsibility of the supervisor to ensure that work duties are assigned to adequately trained employees. The supervisor must know that the employee is competent to assume the duties of the job prior to assigning work to that employee.

Non-routine work is defined as any activity not normally performed on a regular basis as part of the job.

Responsibility:

Worker: Notify the supervisor of any work that would be considered non-routine or unfamiliar and that might pose a safety hazard. The worker will be adequately trained or certified prior to commencing any non-routine or unfamiliar work.

Supervisor: Immediately train the worker in regard to any non-routine work assignment and ensure that the employee is competent to safely complete the task.

Company: Will purchase equipment that meets all regulatory standards. Modifications to or inspections of equipment will be completed by certified competent professionals.
Joint Health and Safety Committee

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

The Joint Health and Safety Committee assists the employer and employees to:

- Recognize workplace hazards
- Evaluate the risk of accidents, injury or illness
- Recommend changes for improvement

The JHSC, at each Division: Hamilton, Halton, Peel, Toronto and Dufferin, will meet on a regular basis, usually monthly, during the period from September through June. The names and contact information for each member of the committees will be posted to be visible to employees. The minutes of each meeting will be posted at the local Division to be visible to employees. The minutes of past meetings will be kept in the Safety and Training Departments for review upon request. The JHSC will determine the structure of the committee following all applicable legislation. The JHSC will determine the written reporting method for committee minutes and evaluation/recommendation reports forwarded to management for review and action as warranted. The JHSC will solicit new members from all employee groups on an as required basis. The JHSC shall attempt membership at every location (Halton, Peel, Toronto, Dufferin, Hamilton) representing the workers as follows:

1 Co-Chair, Company Representative
1 Maintenance Representative
1 Co-Chair Driver Representative

It is acceptable for the JHSC to increase the worker complement from one depot/group (alternate) should a worker(s) not be available from a group. The JHSCs will advertise on an annual basis for new members as required. The JHSC will select the new members from the applicants. The co-chairs of the committee will be certified. The worker co-chair will be selected by the worker committee members.

Responsibility:

Worker: A minimum of one worker representative will be certified and as such will have the authority to stop dangerous work. The worker members will select the worker that will be certified. Report all unsafe work routines or the potential for unsafe work that have not been resolved by FIRST contacting your immediate supervisor or a member of the management team. All reports of unsafe work or suggestions for improvement should then be directed to the Joint Health and Safety Committee. These reports should be emailed to jhsc@attridge.com. The reports should include answers to the following questions:
- why are you submitting the report
- who is submitting the report
- what is unsafe or what can be improved (be specific)
- when does this occur (every day, sporadically, at certain times?)
- where does it happen

Supervisor: A minimum of one supervisory (company) representative will be certified and as such will have the authority to stop dangerous work. The company
representatives on the committee will choose which of their group will be certified. The company will designate which management staff will be represented on the committee.

Joint Health and Safety Committee: Recognize, evaluate and recommend changes to improve safety and health in the workplace. Record and post the activities of each meeting including a summary of collisions or incidents without identifying the employee. Respond to any request for evaluation of a potential safety issue. Will select all but the management representative to serve on the JHSC. Establish the protocol for all meetings.

Company: Will promote the role of the Joint Health and Safety Committee including distribution of JHSC material/letters to employees as requested by the JHSC. Will ensure that all employees are aware of the role of the Joint Health and Safety Committee. Will respond following all legislated requirements of a written report requesting safety improvements. Will provide an email address (jhsc@attridge.com) to submit issues for review by the committee. Will provide one management representative for the JHSC.
Early and Safe Return to Work

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

Attridge Transportation Incorporated, the employee and the WSIB all have certain roles, responsibilities, and obligations that support early and safe return to work. The company will work with the involved parties toward a shared goal of early and safe return to work and full productivity.

Responsibilities:

Worker: Report your injury to your supervisor.
Get proper medical treatments as required.
Keep your supervisor, or other designated company representative apprised of your condition.
Cooperate with all parties in your early and safe return to work.

Company: Report the injury to the WSIB.
Stay in contact with the employee throughout the recovery period.
Follow applicable regulations and offer re-employment with suitable work when the employee is medically fit.
Cooperate with all parties in the employee’s early and safe return to work.
Spill Clean-up and Reporting

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2010
Review / Revise date: August 2020

Attridge Transportation has regulated duties under the Environmental Protection Act to:

a) report as applicable  
b) mitigate damage  
c) be accountable and maintain records for all pollutant spills.

Responsibilities:

Worker: Prevent or reduce the risk of pollutant spills by following all safety protocols. 
Immediately report the spill(s) to your supervisor.  
Follow direction of dispatch/supervisor in regard to the spill.

Supervisor: Prevent or reduce the risk of pollutant spills by following all safety protocols.  
Immediately mitigate the impact of any spill. 
Notify company management of the spill.

Company: Provide appropriate equipment, material and workers/supervisors to respond to a spill. 
Notify the public (at risk by the spill), Ministry of the Environment and other public authorities of the spill. 
Record the event and maintain record.

Note: Ontario Spills Action Centre for spills greater than 100 litres. 
Toll Free: 1-800-268-6060 
Toronto area: 416-325-3000

Spills must also be reported to the local municipality.

Refer to the exemptions listed in the Ontario Ministry of the Environment Spills Reporting Guidelines.

Nature or type of discharge, and circumstances or activity where Part X-related exemptions apply

Class of spill: VI Motor Vehicles

Exemption:

Spills of 100 litres or less of fluid, other than fluids transported as cargo, from fuel or other operating systems of motor vehicles.

- Exempted from the requirement to notify the Ministry and from having to provide additional information to the Ministry.
- Police and other public servants need not notify the Ministry. The duty to notify the municipality in which the spill occurs as well as the owner and the person in control of the pollutant spilled remains.

Conditions that must be met:
- The spill does not enter and is not likely to enter directly or indirectly water or a watercourse.
- The spill does not cause and is not likely to cause any adverse effects other than those that are readily remediated.
- Through cleanup and restoration of surfaces prepared for vehicular traffic or adjacent paved, gravelled or sodded areas, and arrangements for remediation are made immediately.
Mandatory Compliance Training

a) Workplace Hazardous Materials Information System
b) Worker Safety
c) Workplace Violence and Harassment
d) AODA; Customer Service and Integrated Accessibility Standards

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

Attridge Transportation Incorporated will provide Compliance training, both general and site specific, to every employee.

Responsibilities:

Worker: Attend mandatory Compliance training.

Company: Provide Compliance training following the guidelines of the Act.

Safety and Training Trainers: Provide all Compliance training. Ensure new employees, both driver applicants and new staff, receive Compliance training. Driver applicants will receive Compliance information during the initial training. New staff will attend the first available Compliance course offered by the Safety and Training Department. Create a Compliance course training record for the employee file. Review and update the Compliance training as needed.
Posted Health and Safety Material

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: August 2008
Review / Revise date: August 2020

It is the responsibility of the JHSC to ensure the following material is posted in the workplace (each depot). Compliance will be checked during the monthly inspection.

Occupational Health and Safety Act
Material Safety Data Sheets
Form 82 – In Case of Injury
First Aid Regulation #1101
Emergency Services Telephone Numbers
Joint Health and Safety Committee Member
Joint Health and Safety Committee Minutes
Workplace Inspections / Incident Reports
Emergency Evacuation Plan
Health and Safety at Work – Prevention Starts Here
Attridge Health and Safety Policies
Workplace Violence and Harassment Policies

The Employment Standards will be distributed to every employee annually.
Dispatch Emergency Response Protocol

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: July 2009
Review / Revise date: August 2020

Responsibilities:

Bus Driver: Immediately report incident to dispatch.

Dispatcher: Follow the protocol.

Company: Immediately respond and assist dispatch. Follow up with appropriate staff, school representative, family/student, insurance company, legal etc.

Attridge Transportation is committed to the development of an emergency and crisis protocol to be used in response to an incident. These guidelines are designed to help ensure that all staff properly respond in a crisis. The need for detailed protocols reflect that incidents involving an emergency or crisis are often complex and require urgent, sensitive and potentially difficult interactions with many people or organizations. This protocol should:

1. Recognize that the organization should be proactive in reducing or eliminating risk of injury to people or damage to property.
2. Ensure staff is prepared through training to respond to an emergency or crisis.
3. Plan for staff to immediately and appropriately react in an emergency or crisis.
4. Understand that recovery after the emergency or crisis is critical to restoring confidence in the system.

Steps 1 through 4 are not independent of one another and may blend together, all or in part, during crisis resolution.

Collision With Passengers On Board:

1. Secure the bus in a safe location.
2. Stay on board with your passengers.
3. Remain calm and immediately radio dispatch with your location and type of event.
4. Assess the condition of your passenger(s).
5. Request First Responders and Emergency Medical Services – you may do this as part of step 2 if it is obvious that EMS is required.
6. Treat the injured passenger(s).
7. Reassure the other passengers, request assistance from the other passenger(s) if it is appropriate to do so.
8. Maintain regular radio contact with dispatch. Dispatch will guide your actions. Call the Attridge emergency numbers if this event takes place after hours.
9. EMS and the other First Responders will take control of the scene. Assist as needed. Police will share driver/insurance information.
10. Take notes as time permits to assist you with the preparation of the event report.
11. Prepare a list of all passengers and their seating location if possible.
12. Wait for EMS to assess all passengers.
13. Assist with the safe transfer of uninjured passengers to a 2nd bus if this is required.
14. Wait for a staff member from the school to come out to the bus if you are dropping the uninjured students at the school.
15. Prepare a detailed report of the event. Use your scene notes. Ask for assistance from the Safety and Training Department if help is needed.

Collision Without Passengers On Board:

1. Secure the bus in a safe location.
2. Place your emergency warning triangles if it is safe to do so.
3. Remain calm and immediately radio dispatch with your location and type of event.
4. Request emergency services if required.
5. Maintain regular radio contact with dispatch. Dispatch will guide your actions.

Call the Attridge emergency numbers if this event takes place after hours.
6. Police will take control of the scene if they were requested. Assist as needed. Police will share driver/vehicle/insurance information.
7. Exchange driver/vehicle/insurance information if police do not respond to the scene.
8. Take notes as time permits to assist you with the preparation of the event report.
9. Prepare a detailed report of the event. Use your scene notes. Ask for assistance from the Safety and Training Department if help is needed.

Missing Student:

a) Radio the driver and check the bus, on and under every seat.
b) Dispatch the closest available driver to the bus.
c) Notify school, unless the school has made the initial call. Co-ordinate 911 call with the school.
d) Notify management.
e) Notify the parents / guardians if telephone numbers are available, unless the school has made the initial call. *
f) Notify the Transportation Department.
g) Dispatch the closest available driver if the student was to be picked up or dropped off at a group stop. Broadcast the general description of the student to the responding driver(s).
h) Incident report to follow.

On Board Crisis (Weapon, Assault, Intruder etc.):

a) 911 if an injury has occurred or is imminent or possible.
b) Direct an evacuation if the threat of harm on the bus exceeds the potential harm of an evacuation.
c) Notify school. *
d) Notify management.
e) Notify the Transportation Department.
f) Notify the parents / guardians if telephone numbers are available. *
g) Dispatch a spare driver pending transfer of students.
h) Incident report to follow.
Report of Abuse, Sexual Misconduct or Sexual Assault:

All reports of abuse, sexual misconduct or sexual assault MUST be reported. Any driver who suspects a child is in need of protection is required to immediately report child abuse or neglect to their local Children’s Aid Society. If a child tells a driver that he or she is being abused or neglected, the driver is required to immediately report this information to the local Children’s Aid Society.

Not involving the bus driver or another student on the bus:
1. a) Dispatch will immediately contact the local Children’s Aid Society and relay the following information:
   - Driver name and telephone number
   - Student(s) name and school
   - Issue
2. b) Dispatch will advise the bus driver that an interview with a member of the local Children’s Aid Society will be scheduled.
3. c) Dispatch will remind the bus driver that all information is confidential.

Involving the bus driver:
4. a) Dispatch will immediately contact the local police service for direction.
5. b) Notify school and advise that police have been contacted. Co-ordinate contact with the parent / guardian. *
6. c) Notify management.
7. d) Notify the Transportation Department.
8. e) Remove bus driver from service pending the investigation.

Involving another student:
9. a) Notify school(s). Co-ordinate contact with the parent / guardian. *
10. b) Notify management.
11. c) Notify the Transportation Department.
12. d) Incident report to follow.

Incident not Listed:
13. a) 911 if an injury has occurred or is imminent or possible.
14. b) Direct an evacuation if the threat of harm on the bus exceeds the potential harm of an evacuation.
15. c) Notify school. *
16. d) Notify management.
17. e) Notify the Transportation Department.
18. f) Notify the parents / guardians if telephone numbers are available. *
19. g) Dispatch a spare driver pending transfer of students.
20. h) Incident report to follow.

* Please note that individual school boards, transportation consortiums or other clients may have specific instructions in regard to contact priorities. For example, a school board may instruct that all contact is directly to the Transportation Department and all subsequent contact (families, schools etc.) is made by the Transportation Department. Follow this direction. If no direction is available, follow the above protocol.
Cleaning Protocol and Pandemic Influenza Response

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: July 2009
Review / Revise date: August 2020

Responsibilities:

Bus Driver: Daily cleaning of the bus interior following described method in this protocol (Phase 5 and 6).
Must immediately self report to Dispatch any illness.

Dispatcher: As directed by management, radio daily messages in regard to the increased cleaning protocol to the drivers.

Operations Manager: Provide consortium(s) with pandemic absence reports.
Provide consortium(s) with KPI reports that reflect open/delayed routes as a direct result of the pandemic.
Assist the Consortium with route planning and scheduling as requested.
Review any report of driver illness and follow Consortium protocol for the temporary removal of the driver from all service.

Company: Supply all cleaning products not limited to: latex gloves, cleanser and/or disinfectant and hand sanitizer.
Post information received from the Health Department.
Educate staff about proper hygiene (eg. hand washing, sneezing) etiquette.

Pandemic Response:
The World Health Organization monitors infectious disease and the spread of disease. Influenza causes severe illness and death during every flu season. A “novel” strain of this virus is one in which the general population has no immunity. This type of novel virus emerges infrequently, spreads quickly and causes large scale outbreaks over vast geographic areas. This type of outbreak is referred to as a pandemic.

As the following diagram illustrates, a Phase 5-6 declaration indicates a widespread human to human infection. The determination by the WHO of a phase 5-6 pandemic does not necessarily mean that local transmission is at this same level. The local public health department or authority will issue regional directives to be used for the purpose of this Health and Safety topic.
Attridge Transportation will respond to a directive from the recognized local public health authority that a pandemic is widespread in the region by implementing the additional bus cleaning protocol. Every driver will be expected to (at a minimum):

1. Wipe down every seat and railing with cleanser and/or disinfectant at the conclusion of each trip.

Drivers will be informed through this document that it is the decision of the local school board in consultation with the health agencies to close a school and/or cancel transportation service. Attridge Transportation has a responsibility to provide transportation service as contractually directed by the client. This service will continue during a pandemic declaration unless cancelled by the client.

Cleaning the Bus:
The above protocol is in addition to the regular daily cleaning of the bus that includes at a minimum:
1. Keeping the floor and seats clean of dirt and litter by daily sweeping and removing litter.
2. Removing litter from the driver area on a daily basis.
3. Wiping the dash and driver area clean of dirt and litter on a weekly basis.
4. Washing the floors, windows, stairs frequently.
5. Bringing the vehicle to exterior bus wash, or doing it independently, on a bi-weekly basis.

It is the responsibility of the driver to ensure the bus is clean and sanitary at all times. Attridge Transportation will supply the drivers with the necessary supplies. This requirement also applies to vehicles used on a temporary basis (spare bus, charter bus).
Covid-19 Disinfecting Protocol – August 24, 2020

The novel coronavirus has raised a lot of questions about how to best clean common areas and high-touch surfaces such as those in school buses. Here are the steps required to take when you are to disinfect your school bus.

Proper Handwashing
How to Wear a Face Mask Properly

**How to Wear Face Mask**

1. Clean your hands with soap and water or hand sanitizer
2. Hold the mask by the ear loops and place a loop around each ear
3. Mold or pinch the stiff edge to the shape of your nose
4. Pull the bottom of the mask over your mouth and chin
5. Avoid touching the front of the mask when wearing

**How to Remove Face Mask**

1. Clean your hands with soap and water or hand sanitizer
2. Avoid touching the front of the mask. Only touch the ear loops
3. Hold both of the ear loops and gently lift and remove the mask
4. Throw the mask in the trash
5. Clean your hands with soap and water or hand sanitizer
How to Remove Gloves

To protect yourself, use the following steps to take off gloves:

1. Grasp the outside of one glove at the wrist. Do not touch your bare skin.
2. Peel the glove away from your body, pulling it inside out.
3. Hold the glove you just removed in your gloved hand.
4. Peel off the second glove by putting your fingers inside the glove at the top of your wrist.
5. Turn the second glove inside out while pulling it away from your body, leaving the first glove inside the second.
6. Dispose of the gloves safely. Do not reuse the gloves.
7. Clean your hands immediately after removing gloves.
Required Steps for Daily Routes

1. Driver follows proper hand washing procedure and wears face mask properly
2. Driver enters the vehicle, sanitizes hands with supplied sanitizer and puts on gloves
3. Driver lowers all windows within the vehicle before starting route
4. When onboarding and offloading students the driver will bring the face shield down and up
5. At the end of each school drop off the driver will spray down seat tops and high touch areas on the passenger side until they reach the child check alarm at the rear of the bus, and continue to spray seat tops and high touch areas on drivers side until they return to the drivers area
6. Driver will then spray a paper towel and sanitize the hand rail
7. Upon completion of disinfecting the vehicle the driver will sign off they have completed these steps.

8. Driver will repeat steps 3 > 7 for each school after unloading.

9. After fully completing the route the driver will spray the tops, backs, bottoms of each seat and high touch areas on the passengers side, hit the child check, and then continue to do the same for the drivers side.

10. Once all areas have been sanitized the driver will clean the drivers area and hand rails, then sign off on completion of these steps.

11. Properly remove and dispose of gloves after disinfecting the vehicle.

**Bus Cleaning Checklist**

Disinfect after each trip - meaning that you disinfect the bus each time after the bus is empty in a safe location. After each school in the morning (when the bus is empty) and at a safe spot each time the bus is unloaded in the afternoon.

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<th>The Week of:</th>
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<th>W</th>
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**Continuous Improvement Plan**

**Location:** All facilities  
**Approved by:** Glenn Attridge, President  
**Issue date:** July 2011  
**Review / Revise date:** August 2020

Attridge Transportation is committed to employee safety. As such, senior management staff will review safety trends/patterns and take either immediate corrective action or make a recommended action to the President for consideration.

**Responsibilities:**

**JHSC**
- Prepare recommended action(s) for review by the Director of Safety, Training and Compliance or Manager of Safety and Training that respond to trends/patterns identified during the monthly review of incidents or collisions.

**Director of Safety, Training & Compliance; Manager of Safety & Training**
- Review the recommended action(s) prepared by the JHSC. Take immediate action for any serious safety issue that will cause injury or illness.
- Review trends/patterns on an annual basis in July for implementation of changes in September that will improve safety. This review will include but is not limited to the following information reports:
  - WSIB
  - Insurance
  - Collision
  - Incident / near miss / hazard potential / illness
  - Workplace inspection
  - Work refusal
  - JHSC
- Prepare a summary based on the trends analysis for review.
- Forward to the President any recommended action that has the potential to reduce injury or illness in the workplace.
- Notify the JHSC of any action that will be taken to improve safety for all employees.
- Prepare a safety meeting agenda, topic and discussion points for instruction to the drivers.

**President**
- Review recommended actions that have the potential to reduce injury or illness in the workplace.
- Direct senior managers to implement some, all or none of the recommended actions.
- Participate in a general safety inspection of each workplace at least once per year accompanied by
Prevention of Workplace Violence and Harassment

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: July 2010
Review / Revise date: August 2020

Bill 168 amends the Occupational Health and Safety Act and has resulted in stronger protections for workers from workplace violence and harassment. This legislation applies to all workplaces and is completely supported by Attridge Transportation Incorporated.

Workplace violence is defined as:

a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.

b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace harassment is defined as:

a) Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace harassment may include bullying, teasing, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls.

Responsibilities:

All employees: Immediately report to dispatch or a member of the management team, any harassment or potential threat to the safety and well being of an employee. This potential threat includes the threat of domestic violence taking place at the workplace.

Manager: Contact 911 if the threat is immediate or actual violence has taken place.
Contact senior administrative staff if the threat is not an immediate danger to an employee.
Offer initial assistance to the employee including immediate removal from the area/situation to a safe location and/or duties.
Document the report and assist the employee to complete an incident report.

JHSC: Review every incident and prepare post incident recommended actions for the company.
Conduct the initial assessment of the potential for workplace violence or harassment and prepare recommended actions for review by the company.

Company: Review this policy on an annual basis.
Ensure all staff are thoroughly informed of this policy.
Take every reasonable precaution to protect the employees from workplace violence or known domestic violence that could occur at the workplace.
Summon immediate 911 assistance if the reported threat is immediate or actual violence has taken place.
Respond to all recommended actions/evaluations as presented by the JHSC. Notify any employee of the potential for workplace violence. Each substantiated report of workplace violence or harassment by an employee will result in progressive disciplinary action as detailed in the policy manual. The company reserves the right to immediately terminate the employment of any employee that willfully engages in workplace violence or harassment. The company is required to designate a workplace co-ordinator to assist employees with any incident of workplace violence or harassment. This responsibility will be shared by:
Shelley Toole, Manager of Payroll and Human Resources
Arlene Young, Director of Safety, Training and Compliance
Attridge Workplace Violence and Harassment Policy

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: July 2010
Review / Revise date: August 2020

Attridge Workplace Violence and Harassment Policy

1) Any behaviour from employees of Attridge Transportation Inc. that constitutes harassment, discrimination or violence, on any of the prohibited grounds as set out in the Ontario Human Rights Code shall not be tolerated by Attridge Transportation Inc.

2) Individuals who believe they have been harassed or discriminated against shall have the right to complain and receive due process under this Policy. All concerns should be forwarded to your supervisor, or a member of the Health and Safety Committee.

3) When complaints are initiated, the supervisor shall maintain confidentiality and will follow the procedures as laid out by Attridge Transportation Inc. It is also the responsibility of the supervisor, individual, or staff member to notify the Health and Safety Committee immediately of the nature of the complaint without naming the complainant and the alleged respondent and to consult with the Committee about any necessary action or documentation.

4) All complaints will be taken seriously by Attridge Transportation Inc., they will be fully investigated and documented. Any disciplinary action will be taken according to Attridge Transportation Inc. progressive discipline policy.

5) Each member of the Health and Safety Committee is responsible for helping to create an environment that is free from harassment and discrimination. It is Attridge Transportation Inc.’s management objective to make everyone employed by Attridge Transportation Inc. aware of what constitutes harassment and discrimination and the procedures that are in place for dealing with allegations of harassment and discrimination, and understands their responsibility to cooperate in the processing of complaints made under this procedure.

[Signature]
Attridge Transportation Inc. is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including customers, clients, other employers, supervisors, workers and members of public, as applicable.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or workplace sexual harassment. Workplace sexual harassment means:

1. Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

2. Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workers are encouraged to report any incidents of workplace harassment to the appropriate person. *Attridge Transportation requests any incidents to be submitted to their immediate supervisor. If the employee is not comfortable with that, they can report to the Safety and Training Department.*

Management will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.

*If a worker needs further assistance, they may contact the JHSC, Safety and Training Department, or Human Resources.*

Attridge Transportation Inc. is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including customers, clients, other employers, supervisors, workers and members of public, as applicable.

The workplace harassment program applies to all workers including managers, supervisors, temporary employees, students and subcontractors.

### 1. Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be unwelcome or workplace sexual harassment.

Workplace sexual harassment means:
1. Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

2. Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

2. Reporting Workplace Harassment

A. How To Report Workplace Harassment

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the workplace harassment complaint form (see attached). When reporting verbally, the reporting contact, along with the worker complaining of harassment will fill out the complaint form.

The report of the incident should include the following information:

1. Name(s) of the worker who has allegedly experienced workplace harassment and contact information
2. Name of the alleged harasser(s), position and contact information (if known)
3. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
4. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
   a. Any supporting documents the worker who complains of harassment may have in their possession that are relevant to the complaint.
   b. List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

B. Who To Report Workplace Harassment To

An incident or a complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

Report a workplace harassment incident or complaint to the immediate supervisor. If the worker’s supervisor or reporting contact is the person engaging in workplace harassment, contact JHSC or the Safety and Training Department. If the employer (e.g. owner, senior executive, director) is the person engaging in the workplace harassment, contact Human Resources.
Human Resources shall be notified of the workplace harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves the owner, or a senior executive, an external person qualified to conduct a workplace harassment investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise required by law.

3. Investigation

A. Commitment To Investigation

Attridge Transportation Inc. will ensure that an investigation appropriate in the circumstances is conducted when the employer, human resources, a manager or supervisor becomes aware of an incident of workplace harassment or received a complaint of workplace harassment.

B. Timing Of The Investigation

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

C. Investigation Process

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

1. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
2. The investigator must thoroughly interview the worker who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is a worker of the employer. If the alleged harasser is not a worker, the investigator should make reasonable efforts to interview the alleged harasser.
3. The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
4. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
5. The investigator must collect and review any relevant documents.
6. The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.

7. The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

D. Results Of The Investigation

Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if the individual is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace harassment.

E. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation process is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not to discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

F. Handling Complaints

[The employer must set out interim measures that may be taken after the complaint is received and during the investigation. The employer must also set out how they might deal with the complaint of harassment if harassment is found. This may include discipline up to and including termination.]

Any employee that feels unsafe due to a pending investigation of harassment shall be offered an alternative location for work, at the same rate of pay as their current position. If there is no grounds for determination of harassment the worker shall be offered their old position back or remain in the current one at the appropriate rate of pay for that position. If harassment is found to the true, the “harasser” will, depending on the outcome, be offered an alternative job at an alternate location, suspension or termination.

4. Record Keeping

The employer (human resources or designated person) will keep records of the investigation including:
1 A copy of the complaint or details about the incident;
2 A record of the investigation including notes;
3 A copy of the investigation report (if any);
4 A summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
5 A copy of any corrective action taken to address the complaint or incident or workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take correction action or otherwise as required by law.
Workplace Violence and Harassment Complaint Form

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: March 2019
Review / Revise date: August 2020

Name and contact information of worker who has allegedly experienced workplace harassment (your name):

Name of alleged harasser(s) and contact information, if available:

Details of the Complaint of Workplace Harassment:

Please describe in as much detail as possible the bullying and harassment incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behavior and/or words used); (e) any addition details. (Attach additional pages if required)
Workplace Violence and Harassment Investigation Template

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: March 2019
Review / Revise date: August 2020

Name of Investigator: __________________________________________________________

Date of Investigation: ________________________________________________________

A. Background information
Who are the people involved? Are they workers as defined by Occupational Health and Safety Act (OHSA)? Who reported and when?

1. Name of person who reported workplace harassment:
2. If not the same person as above, name of person who allegedly experienced workplace harassment:
3. Date complaint/concern raised and how:
4. Name of worker(s) (complaining or possibly exposed to workplace harassment):
   Position/Department:
5. Name of respondent(s) (alleged harasser); Position/ Department
   If not a worker – provide details

B. Investigation plan
Plan and conduct the investigation:

1. Obtain the worker(s) concerns of harassment in writing, if possible. Assistance should be provided in completing the form where necessary.
2. An investigator needs to interview the worker who allegedly experienced workplace harassment and the alleged harasser (if a worker of the employer). If the alleged harasser is not a worker of the employer, the investigator should make reasonable efforts to interview him or her.
3. Make a list of possible relevant witnesses. The worker who allegedly experienced workplace harassment and the alleged harasser should be asked for names of any relevant witnesses.
4. Interview relevant witnesses. Ask specific questions about what they have observed, are aware of or have personally experienced. If the witnesses are not workers of the employer, the investigator should make reasonable efforts to interview those witnesses.
5. Collect and review relevant documents from the worker, alleged harasser, witnesses and the employer.
6. Take detailed notes.
7. Keep the investigation confidential. Instruct the worker who allegedly experienced workplace harassment, the alleged harasser and witnesses not to talk to others about the investigation unless it is necessary, for instance, to obtain advice or counselling.

C. Worker(s) concerns/workplace harassment allegations
When did the incident(s) occur? Confirm date of first incident and any subsequent behaviours or conduct. Note that recalling events of harassment can be stressful for the complainant.

Date of first incident: __________________________________________________________

Date of last incident: __________________________________________________________

Date of other incident(s): _____________________________________________________

D. Alleged harasser(s) response
The alleged harasser(s) will likely need details of the allegation of harassment to be able to respond.

E. Interview relevant witnesses
List witnesses. Interview relevant witnesses and make notes.

F. Collected documentation
List the documents collected for the investigation and how or from whom they were obtained.

G. Investigation result(s)
The investigator’s summary report should set out who was interviewed, what evidence was obtained and an analysis of the evidence to determine whether workplace harassment occurred.

Summary of key evidence:
Recommended next steps:

Report provided to:
The management of ATTRIDGE TRANSPORTATION INC. is committed to the prevention of __Workplace Violence__ and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from __Workplace Violence__ from all sources.

ATTRIDGE TRANSPORTATION INC. is committed to building and preserving a safe work environment for its workers. ATTRIDGE TRANSPORTATION INC. does not condone and will **NOT** tolerate acts of violence against or perpetrated by any worker, manager, contractor, customer or other visitors including vendors, suppliers, and members of the general public. Everyone is expected to uphold this policy and to work together to prevent __Workplace Violence__. ATTRIDGE TRANSPORTATION INC. will comply with the Ontario Occupational Health & Safety Act, Human Rights Code and the Criminal Code.

ATTRIDGE TRANSPORTATION INC., as the employer, will ensure this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from __Violence in the Workplace__.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about __Workplace Violence__ and to report any violent incidents or threats. No worker will be subject to retaliation, intimidation or disciplinary action because of reporting a legitimate threat in good faith under this policy.

Management pledges to investigate and deal with all incidents and complaints of __Workplace Violence__ in a fair and timely manner, respecting the privacy of all concerned to every extent possible. ATTRIDGE TRANSPORTATION INC. firmly believes that by working together with our employees, the risk of __Workplace Violence__ can be eliminated.

Signed: ____________________________ Date: ____________________________
Workplace Harassment – Employee Sign Off Sheet

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: March 2019
Review / Revise date: August 2020

The management of ATTRIDGE TRANSPORTATION INC. is fully committed to providing a work environment in which all individuals are treated with respect and dignity. Workplace Harassment in the workplace will NOT be tolerated from any person. ATTRIDGE TRANSPORTATION INC. has developed a Workplace Harassment Program in collaboration with the Joint Health and Safety Committee. Managers, supervisors and workers are expected to adhere to this policy and program, and shall be held accountable by the employer.

Workplace Harassment means engaging in a course of vexations comment or conduct against a worker at work, or a comment or conduct that is known or ought reasonably to be known to be unwelcome.

It can also mean Workplace Sexual Harassment which means any course of vexatious comment or conduct against a worker in a workplace because of:
- sex, sexual orientation;
- gender identity or gender expression;
- where the course of comment or conduct is known or ought reasonably be known to be unwelcomed; or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Harassment may also relate to any form of discrimination as set out in the Ontario Human Rights Code. These legislated grounds include:
- race, citizenship, place of origin, ethnicity, colour, ancestry,
- disability, age, creed (religion), sex/pregnancy,
- gender identity, gender expression,
- family status, marital status, sexual orientation, receipt of public assistance, or
- having a record of offence.

A reasonable action by an employer or supervisor relating to the management and direction of workers or the workplace does not constitute Workplace Harassment!

Workers are encouraged to report any incidents of Workplace Harassment. Management will investigate and deal with concerns, complaints, or incidents of Workplace Harassment or Workplace Sexual Harassment in a fair and timely manner while respecting worker’s privacy as much as possible. No workers will be subject to retaliation, intimidation or disciplinary action for reporting an incident or for participating in an investigation involving Workplace Harassment.

Nothing in this policy or accompanying program prevents or discourages a worker from filing an application with the Human Rights Tribunal on a matter related to the Ontario Human Rights Code within one year of the alleged incident. A worker also retains the right to exercise any other legal avenues that may be available.

Signed: ______________________________ Date: __________________________
Accessibility for Ontarians with Disabilities Act

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

AODA Customer Service and Integrated Accessibility Standards Regulation

What is the Customer Service Standard?

Accessibility Barriers

The Customer Service Standard mandates that service providers must find ways to break down barriers that prevent customers with disabilities from accessing the services they need. Barriers may be due to:

- Physical obstacles
- Technology
- Information and communication
- An organization’s practices or procedures
- Attitudes of staff

Physical or architectural barriers

Physical or architectural barriers are features of buildings or spaces that limit people’s access to services. For example, buildings without ramps, automatic doors, or accessible washrooms are physical or architectural barriers.

Technological barriers

Technological barriers happen when service providers use technology that is not accessible to customers with disabilities. An example of a technological barrier is a website where customers can only submit information by clicking a mouse. This kind of website creates a barrier for customers who use computers in different ways, such as with keyboard commands or head-pointing devices, instead of mice.

Information or communication barriers

Information or communication barriers exist when information is not provided in formats all customers can access. An example of an information barrier is an audio announcement without visual display of the same information. This situation creates a barrier for customers who can process information visually but not audibly.

Organizational barriers

Organizational barriers are policies, practices or procedures that discriminate against people with disabilities. An example of an organizational barrier is a strict no refund policy in clothing stores. This policy discriminates against customers using mobility devices because they may be unable to use fitting rooms and try on clothing before purchasing.

Attitudinal barriers

Attitudinal barriers happen when service providers do not understand how certain disabilities affect customers’ lives. For example, a service provider may feel uncomfortable serving someone with a speech impairment and assume that the customer cannot understand speech or hold a conversation. In reality, this customer will likely have a way of communicating easily, such as speaking slowly, writing,
or using an alternative communication device that the customer can show the service provider how to operate.

Removing Barriers
Service providers can begin to remove such barriers by following the guidelines of the Standard. These guidelines mandate that providers must:
- Create, implement, and maintain customer service policies
- Welcome service animals and support persons
- Maintain accessibility when accessible services are disrupted
- Train their staff to interact appropriately with customers who have disabilities and use accessible equipment
- Implement processes for receiving and responding to feedback about their accessibility
- Provide information using accessible formats and communication supports upon request and in a timely manner

Why do we Need the Customer Service Standard?
All people deserve to access goods, services, and facilities in ways that respect their independence and their dignity. Just as people with disabilities deserve equal opportunities to serve their communities through equal employment, they should also have equal opportunities to be served in ways that respect their needs and wishes.

What is the Integrated Accessibility Standards Regulation (IASR)?

The IASR includes five standards in the areas of:
1. Information and communication
2. Employment
3. Transportation
4. Design of public spaces
5. Customer service

What is the Integrated Accessibility Standards Regulation? – Information and Communications Standard
The standard outlines requirements for organizations to create, provide, and receive information and communications that are accessible for people with disabilities. For example, organizations must provide information and communications in an accessible format to people with disabilities upon request and in a timely manner.

What is the Integrated Accessibility Standards Regulation? – Employment Standard
The standard requires that employers must make their workplace and employment practices accessible to potential or current employees with disabilities. For example, employers that make an offer of employment to a successful job applicant must inform the applicant of their organization’s policies for accommodating employees with disabilities.

**What is the Integrated Accessibility Standards Regulation? – Transportation Standard**
The transportation standard sets out the requirements for transportation service providers. Particularly, features and equipment on vehicles, routes, and services offered must be accessible to people with disabilities. For example, no conventional or specialized transportation service is permitted to charge a fare to a support person who is accompanying a person with a disability.

**What is the Integrated Accessibility Standards Regulation? – Design of Public Spaces Standard**
The design of public spaces standard outlines the need for newly constructed or redeveloped public spaces to be accessible for people with disabilities. For example, organizations must provide accessible parking for people with disabilities when building new or redeveloping existing parking spaces.

**What is the Integrated Accessibility Standards Regulation? – Customer Service Standard**
The standard outlines requirements for removing barriers for people with disabilities so they can access goods, services, and/or facilities. For example, a person who requires the use of a service animal must be permitted to enter the premises. They also must be allowed to keep the service animal with them, unless excluded by law.

Furthermore, the IASR includes general information and requirements that apply to all the standards. The IASR requirements are not a replacement for the Human Rights Code requirements and they do not limit obligations under any other legislation. Therefore, if two laws conflict with one another, the law that provides the higher level of accessibility is the law that must be followed.

**Who needs to comply with the IASR?**
Businesses and organizations that have at least one employee and that provide goods, services or facilities to the public, and other businesses and organizations, are subject to the regulation. These businesses and organizations include:

- Businesses or non-profits
- Public sector organizations
- Municipalities
- Educational institutions
- Producers of educational material
- Library boards
IV. Human rights issues at all stages in employment

The right to “equal treatment with respect to employment” protects persons in all aspects of employment, including applying for a job, recruitment, training, transfers, promotions, terms of apprenticeship, dismissals, layoffs and terminations. It also covers rate of pay, codes of conduct, overtime, hours of work, holidays, benefits, shift work, performance evaluations and discipline. A fundamental starting point for complying with the Code in relation to all of these is to have a workplace setting where human rights are respected and applied.

This part of Human Rights at Work sets out key principles and best practices relating to the human rights issues that most commonly arise in the employment cycle. Key areas to consider include:

1. Creating a workplace that complies with the Code
2. Setting job requirements
3. Advertising
4. Designing application forms
5. Interviewing and making hiring decisions
6. Requesting job-related sensitive information
7. Pay, benefits, dress codes and other issues
8. Meeting and accommodating the needs of employees
9. More about disability-related accommodation
10. Training, promotions and advancement
11. Managing performance and discipline
12. Resolving human rights issues in the workplace
13. Ending an employment relationship

1. Creating a workplace that complies with the Code

In Ontario, about three-quarters of all human rights complaints come from the workplace. The best defence against these complaints is for employers to be fully informed and aware of the responsibilities and protections the Code includes. Organizations should also be proactive in creating fair and equitable workplaces where human rights are respected.

Organizations, including employers, have a number of legal obligations under the Code. They have the ultimate responsibility for making sure the work environment is healthy and inclusive, and for preventing and addressing discrimination and harassment. They must make sure that their workplaces are free from discriminatory or harassing behaviour. Meeting these responsibilities may lead to the following types of benefits:

- attracting, recruiting, promoting and keeping the best employees
- maximizing the potential and performance of those employees
- minimizing employee frustration, stress, burnout and turnover
- reducing conflicts between employees
- increasing employee loyalty
- building or maintaining a reputation as a fair and progressive employer.
• Savvy employers will be planning ahead to make sure that their organizations are able to respond appropriately to changing demographics in the province and in the workplace. Based on government data and other research, the Conference Board of Canada makes the following predictions for the period between 2006 and 2030:[33]

• labour demand is predicted to exceed labour supply by 2014 with a shortfall of workers that increases year by year after that

• women make up 48% of the workforce, and the number of women in the workforce, including women over age 65, is expected to grow

• today, 12.9% of the population is 65 and over and by 2030, 20.6% of the population will be 65 and over

• Ontario has the highest proportion of people born outside the province
  o in 2005, 54% of Canada’s total number of new immigrants settled in Ontario
  o it is expected that immigration will account for approximately 84% of the total annual increase in Ontario’s population by 2030

• in 2001, Statistics Canada data showed that one in five Aboriginal Canadians lived in Ontario and estimates are that Ontario will continue to have the highest density of Aboriginal peoples of any province (with about 267,700 expected to live in Ontario in 2017)

• in 2001, there were 1.5 million people with disabilities in Ontario, or 13.5% of the province’s population, according to Statistics Canada. In 2026, most people with disabilities in Canada (and Ontario) will be 65 or older.

• While discriminatory barriers to access to the workforce continue to exist for persons identified by the Code, organizations such as the Conference Board of Canada note that the nation’s productivity and ability to compete require that such persons be included. It has called for action to tap into the population of youth, women, older persons, newcomers, Aboriginal people and people with disabilities that are underused in the provincial labour market.[34]

• Given the demographics described above, human rights in employment are not a minor concern, of interest only to some employers in relation to a small percentage of employees and prospective employees. Rather, human rights in employment are a significant concern affecting all employees, prospective employees and employers at one point or another. Implementing the measures outlined in this section will help employers on the path to an inclusive and diverse workplace.

a) Strategy to prevent and address human rights issues

A complete strategy to prevent and address human rights issues should include the following parts:

1. A plan for preventing, reviewing and removing barriers
2. Anti-harassment and anti-discrimination policies
3. An internal complaints procedure
4. An accommodation policy and procedure
5. An education and training program.
6. An effective strategy will combine all of these parts, and will be based on commitment from senior levels of the organization and consultation with employees or, in some cases, community organizations. Policies, plans and procedures must be appropriate for the size, complexity and culture of an organization, and must be communicated effectively to employees and other people in the work environment. Policies, plans and procedures should be reviewed and revised periodically so they remain up-to-date and effective. In some cases, specialized assistance from lawyers or other experts may be needed when developing policies, plans and procedures.
7. For more information, see the Commission’s newly revised policy statement, “Guidelines on Developing Human Rights Policies and Procedures.” This policy provides practical guidance to help organizations develop effective and fair ways to prevent and respond to human rights issues. In particular, employers and other organizations may find the sample wording to be of help when discussing and developing their own internal policies and procedures.

i) Preventing, reviewing and removing barriers: Inclusive design:

Workplaces should be designed to include everyone who works there, regardless of sex, race, creed, family status, disability or other Code grounds. When setting up new rules, policies and procedures, buying new equipment or designing work stations, etc., employers should make choices and decisions that do not create barriers for persons protected under the Code. For example, break policies should take into account, where possible, the needs of pregnant or breastfeeding women, persons whose religion may require them to take time to worship during the work day, and the needs of persons with disabilities. This means that employers should take a proactive approach, incorporating a human rights mindset into all that they do.

Example: The manager of a customer service department will be upgrading the department’s computer and phone systems in the new year. The new computer and/or phone systems should include enhanced options for large fonts, brighter lighting and volume. All such options would give all existing and future workers the ability to adjust for visual or hearing impairments that exist or might develop.

Reviewing barriers: The methods used and type of barrier review done will depend on the size, nature and complexity of the organization. When reviewing for barriers, employers should examine:

- Physical accessibility
  o look for barriers to equal access for persons with disabilities, including persons with sensory, environmental or intellectual disabilities
  o comply with the Code and not just minimum standards under the Building Code or applicable standards under the Accessibility for Ontarians with Disabilities Act (AODA). Compliance with the Building Code or AODA standards does not ensure that facilities are barrier-free, or meet the accessibility requirements of the Code. Compliance with the Building Code or AODA standards is not a defence to a human rights complaint under the Code. See also Appendix B for information about the Building Code and the AODA and related standards.

- Organizational policies, practices and decision-making processes:
  o look for barriers in policies and practices on recruitment, selection, compensation, training, promotion and termination, etc. Are there areas in which decisions are made based on subjective views rather than objective considerations?
  o consider both informal and formal practices and processes.

- Organizational culture:
  o think about the culture of the workplace. Consider how people interact, and what kinds of traits and characteristics are valued
  o how might this exclude people who are not from the dominant culture?

Removing and preventing barriers: Where systems and structures already exist, organizations should be aware of the possibility of systemic barriers, and actively seek to identify and remove them.

Systemic barriers are obstacles of any kind that can prevent employers from identifying the best people for jobs, promotions and training opportunities, and prevent employees protected by the Code from
maximizing the use of their abilities. A systemic barrier is often not just a single rule or policy, but a series of policies and/or procedures that, when combined, result in the exclusion of people identified by a Code ground.

Where barriers have been identified, employers must remove them rather than making “one-off” accommodations, unless to do so would cause undue hardship. Removing existing barriers maximizes integration with the environment, so that everyone is able to participate fully and with dignity. Identifying and removing systemic barriers in the workplace also makes good business sense. It may reduce and prevent human rights complaints from being filed, and can make facilities and procedures more comfortable for other groups such as seniors and for all people in general.

Plans for removing barriers should:

- set specific, measurable goals for the removal
- create clear timelines for achieving these goals
- allocate adequate resources towards meeting goals
- ensure accountability and responsibility for meeting goals
- include a way to regularly review and evaluate progress towards the identified goals.

**ii) Anti-harassment and anti-discrimination policies:**

Anti-harassment and anti-discrimination policies make it clear that harassment and discrimination will not be tolerated, and set standards and expectations for behaviour. Related complaint procedures set out how potential violations of these policies will be addressed in an employment context. Many organizations choose to combine their anti-harassment/anti-discrimination policies and procedures into a single document. The elements of each are discussed separately in this section and the one below.

While the primary focus of policy development may be on the organization as a workplace, it is also important to make sure that any human rights policies in place cover the organization’s other roles. For example, human rights policies developed by a school board would be expected to protect the human rights of the teachers and staff employed by the school board as well as those of the students. Visitors to the workplace, such as clients and contractors, need to be made aware of the employer’s anti-discrimination and anti-harassment policies and understand that they will be expected to respect such policies.

Employees also need to be made aware that although they have rights in the workplace as employees, they also have responsibilities to the public. Employers and employees share a responsibility to provide equal treatment, including accommodation to the point of undue hardship, and an environment that is not poisoned by comment and conduct that are contrary to the Code.

Anti-harassment and anti-discrimination policies should include the following parts:

- state clearly the organization’s commitment to creating and maintaining respect for human rights, and fostering equality and inclusion
- describe the objectives of the policy, such as promoting human rights within the organization, preventing harassment and discrimination, and setting out standards for appropriate workplace behaviour
- set out the activities and persons it applies to, noting that the protections for employees apply broadly (including probationary employees and volunteers) and in all contexts (such as when they are working off-site or outside of normal hours)
- list and explain the grounds protected in the Code
employers may choose to extend protection beyond that mandated by the Code. For example, they may choose to prohibit any form of psychological harassment, or prohibit discrimination and harassment based on political opinion

- define key elements of, and concepts relating to, harassment (for example, that it includes conduct that should be known to be unwelcome and that a finding of harassment could be made even if a victim has not overtly objected)
- define key elements of, and concepts relating to, discrimination (discrimination is not always overt – it may be systemic or subtle)
- introduce the concept of a poisoned environment (one comment may be enough)
- set out roles and responsibilities
  - all persons in the workplace are expected to uphold and abide by the policies
  - managers and supervisors must prevent or stop discrimination and harassment.

### iii) Procedures for resolving complaints:

Employers who do not have effective complaint mechanisms in place may be found to have failed in their duty to address discrimination and harassment. At minimum:

- complaints must be taken seriously
- they must be acted upon promptly when received
- appropriate resources must be applied to resolve complaints
- a viable complaint mechanism must be in place and have been communicated throughout the organization.
- the complaint procedure must ensure a healthy work environment is created and maintained for the complainant
- decisions/actions taken by the organization must be communicated to the parties.

It is open to an employer to tailor the approach that works best for them. Some organizations will adopt very formal mechanisms; others may opt for a simpler approach. There is no one perfect complaint mechanism; each organization must tailor its own approach, taking into account such factors as its mandate, size, resources, and culture. The following elements could be included in an organization’s complaint procedure and are discussed in more detail in the Commission’s Guidelines on Developing Human Rights Policies and Procedures.

- provide access to expert information and advice for persons who have witnessed or been subjected to harassment and discrimination
  - the person providing such advice should not act as mediator, investigator or advocate for the organization, and should not be pressured to suppress complaints
- make it clear to employees that using the internal complaint procedure does not affect their right to file a human rights complaint within the applicable time limit (effective July 1, 2008, extended to one year)
- set out a process for making an internal complaint (although complaints should be accepted any way they are filed)
  - an employee may be vulnerable or fear reprisal and should not be required to address the matter directly with the potential respondent before filing a complaint
• clearly state that it is wrong to penalize someone for asserting their human rights, helping someone do so or acting as a witness (this is called reprisal)
  o a person who is subject to reprisal should also be able to file a complaint under the complaint procedure
• provide for an objective investigation by a qualified person and a separate process of dispute resolution (for example, mediation, conciliation or arbitration)
  o the person should know human rights principles, the requirements in the Code, the complaint procedures and relevant techniques (for example, how to investigate or resolve conflict), and should not have direct authority over the people involved or be viewed as on one person’s side
  o the process should be impartial, timely, fair and address all relevant issues. It should include a report summarizing the outcome of the investigation based on witness interviews, steps taken and recommendations
• indicate that people involved in an internal complaint resolution process are allowed to have someone with them during a mediation or investigation, or when speaking to management. Representatives may include a union steward, a colleague, family member or lawyer
• ask people to keep written notes about what happened, when it happened, where it happened and who saw it happen or knows of it (including witness names) and gather relevant documents
• protect confidentiality and privacy of the person bringing forward the complaint and the person(s) the complaint has been made against. Share information only with the people who need to know
• describe potential outcomes
• if harassment or discrimination is found to exist, the employer must take all steps needed to remedy the effects of discrimination and to make sure it stops. Consider what a complainant needs to be “made whole” and any broader issues that should be addressed across the whole workforce
  o if a complaint is unfounded, a complainant should not normally be penalized
  o include disciplinary consequences for people who have violated the policy, such as education, suspensions, transfers or termination of employment
• commit to communicate the outcomes to the parties.

iv) Accommodation policy and procedure:

A clear and effective accommodation policy and procedure makes sure that people feel comfortable raising their accommodation needs relating to any Code ground, and that accommodation requests are effectively dealt with. The process is as important as the accommodation itself. It must be effective and must respect the dignity of accommodation seekers. Some accommodations are very simple and straightforward and no formal process is needed. In other cases, the process and the accommodations themselves are more complex. The principles of dignity, individualization, inclusion and full participation apply to both the process and the actual accommodation. For more information on the principles and process of accommodation, see Section IV-8 – “Meeting the accommodation needs of employees on the job” and Appendix E – “Accommodation template for employers.”

Content of the policy: An accommodation policy and procedure should include the following elements:
• a clear statement of the organization’s commitment to providing an environment that is inclusive and barrier-free, and to providing accommodation to the point of undue hardship
• a clear set of objectives – for example, tell employees their rights and responsibilities under the *Code* related to accommodation, and give information on the accommodation process and who is responsible
• describe the scope – the policy should apply to all employees (including people on probation or who volunteer) or, potential employees who may be applying for positions
• outline a process for accommodation requests to be made and dealt with (accommodation should be offered to persons who are clearly unwell, or who are perceived to have a disability)
• the request should identify the relevant *Code* ground, the reason why accommodation is needed (including enough information to confirm the existence of the need), and the specific needs related to the *Code* ground
• state that all accommodation requests will be taken seriously and that no employee or service user will be penalized for making a request.
• identify what information will be collected, under what circumstances, and how it will be kept. Make sure you keep this information private and confidential.
• refer to the shared responsibility for accommodation – must work together cooperatively, share information and avail themselves of potential accommodation solutions
• document the accommodation program and any accommodation plan including stating needs, expert assessments, goals, timelines and accountability
• highlight principles:
  o accommodation will be appropriate where it results in equal opportunity to attain the same level of performance or to
  o enjoy the same level of benefits and privileges as other workers
  o respects principles of dignity, inclusion and individualization
  o accommodation provided will be measured against a high standard (undue hardship) and the onus is on the employer to prove that undue hardship exists if a complaint is made
• if the most appropriate accommodation would result in undue hardship, the organization will consider other alternatives, such as phased-in or next-best accommodations
• the procedures for monitoring and improving the accommodation
• a statement explaining the right of employees to seek remedies under the *Code* by making a human rights claim within the applicable time limit.

v) Educate and train employees on policies and procedures:

Education and training are key parts of any organization’s human rights strategy. However, they do not instantly “cure” a workplace of human rights issues. For example, education and training alone will not remove systemic barriers. Education works best along with a strong proactive strategy to prevent and remove barriers to equal participation, and effective policies and procedures for addressing human rights issues that do arise.

An effective human rights education program will include training on:

• organizational policies and procedures relating to human rights
• the principles and specific provisions of the *Code*
• general human rights issues such as racism, ableism, sexism, homophobia or ageism.
Training must be provided regularly and geared to meet the specific needs of employees who are responsible for:

- complying with policies (everyone)
- implementing policies (managers, supervisors)
- providing expert advice, ensuring compliance (human resources)
- overall human rights strategy (the board, senior management, president or CEO).

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Using this guide

The Guide to your rights and responsibilities under the Human Rights Code gives a basic overview of Parts I and II of the Ontario Human Rights Code (the Code), and offers explanations about these parts of the Code.

The guide uses examples to show how the Code would apply in different situations. Many of these examples come from real cases or are based on facts from human rights claims that have been filed.

Introduction

The Ontario Human Rights Code is for everyone. It is a provincial law that gives everybody equal rights and opportunities without discrimination in areas such as jobs, housing and services. The Code’s goal is to prevent discrimination and harassment because of race, sex, disability and age, to name a few of the 17 grounds. All other Ontario laws must agree with the Code.

The Code was one of the first laws of its kind in Canada. Before 1962, various laws dealt with different kinds of discrimination. The Code brought them together into one law and added some new protections.

In June 2008, major changes designed to renew Ontario’s human rights system came into effect. Ontario’s human rights system now consists of three separate and independent parts:

- the Human Rights Tribunal of Ontario
- the Human Rights Legal Support Centre
- the Ontario Human Rights Commission.

The Human Rights Tribunal of Ontario (the Tribunal) decides if someone’s human rights have been violated. If you think your rights under the Code have been violated, you can file a complaint – called an application – directly with the Tribunal. The Tribunal will decide the best way to deal with your situation. It may also decide that your rights have not been violated or that it does not have the power to deal with your case.

The Human Rights Legal Support Centre (the Legal Support Centre) helps people who file applications with the Tribunal. Services may include advice, support and legal representation.

The Ontario Human Rights Commission (the OHRC) works to identify the root causes of discrimination, and to bring about broad, systemic change to remove them. It develops policies and provides public education, monitors human rights, does research and analysis, and conducts human rights public interest inquiries. While it does not deal with individual human rights complaints, the OHRC may take its own cases, or intervene in human rights cases before tribunals or courts on issues of broad public interest.

The Code is divided into an introductory section, or “preamble” followed by seven main parts. Part I sets out basic rights and responsibilities. Part II explains how the Code is interpreted and applied. Part
III explains the role and structure of the Commission. Part IV explains how the Tribunal works and how the Code is enforced. Part IV.1 explains the role of the Legal Support Centre. Part V deals with general matters, such as the power to make regulations. Finally, Part VI deals with transitional matters.

Preamble

Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world and is in accord with the Universal Declaration of Human Rights as proclaimed by the United Nations;

And Whereas it is public policy in Ontario to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination that is contrary to law, and having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province;

And Whereas these principles have been confirmed in Ontario by a number of enactments of the Legislature and it is desirable to revise and extend the protection of human rights in Ontario;

The Preamble to the Code was inspired by the 1948 Universal Declaration of Human Rights, an international statement of rights agreed to by many of the world’s nations. It is the basis for many of our human rights protections in Canada and around the world. The Preamble sets the tone and spirit for the Code’s basic aim: to create a climate of understanding and respect for all persons, without discrimination.

The courts have said that because of the importance of the principles set out in the Code, it should be given a broad and generous interpretation. When there is a difference or conflict between the Code and another Ontario law, the Code has priority unless the other law specifically states otherwise.

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Part I – Freedom from discrimination

The Code protects people from discrimination in specific situations. Under the Code, you have the right to be free from discrimination in five parts of society – called social areas – based on one or more grounds.

The five social areas are: employment, housing, services, unions and vocational associations and contracts.

Discrimination based on 17 different personal attributes – called grounds – is against the law under the Code. The grounds are: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity, gender expression, receipt of public assistance (in housing) and record of offences (in employment).

Your rights under the Code are not violated unless the discrimination occurs in one of the social areas based on one or more of the protected grounds. For example, the Code does not apply if a stranger on the street insults you by making a racist comment, because this did not happen in a specific social area, such as at your job or in a restaurant.[1] The Code will also not apply if you feel you were treated
differently in your job due to a personality conflict with your manager, because the treatment is not related to a ground such as your age, sex or race.

To establish discrimination under Ontario’s *Human Rights Code*, a claimant must show that:

1. they have a characteristic protected by the Code (e.g. race)
2. they experienced adverse treatment/impact within a social area (for example, in accessing a service, housing or employment)
3. the protected characteristic was a factor in the adverse treatment or impact.

A person discriminates “directly” when the action itself is discriminatory and when the person acts on his or her own behalf. For example, a building manager who refuses to rent an apartment because he prefers to rent to someone of his own ethnic background is discriminating directly.

“Indirect discrimination” is discrimination carried out through another person. For example, a building manager tells her superintendent not to rent to people of a certain ethnic group because their food “smells too much.” The manager can be named in the human rights claim because she used the superintendent indirectly to discriminate against people because of their ethnic origin.

Sometimes a rule or practice unintentionally singles out particular people and results in unequal treatment. This type of unintentional discrimination is called “constructive” or “adverse effect” discrimination. The *Code* also protects against this type of discrimination. For example, an employer has a rule that employees are not allowed to wear hats or head coverings. The rule is not intended to exclude people who wear head coverings for religious reasons, but it may have this effect. Unless an employer can show that a change or exception to the rule would be too costly or create a health and safety danger, the employer should agree to change the rule.

[1] For more information on racism and racial harassment, see the OHRC’s *Policy and guidelines on racism and racial discrimination* (2005).

**Services**

You have the right to be free from discrimination when you receive goods or services, or use facilities. For example, this right applies to:

- stores, restaurants and bars
- hospitals and health services
- schools, universities and colleges
- public places, amenities and utilities such as recreation centres, public washrooms, malls and parks
- services and programs provided by municipal and provincial governments, including social assistance and benefits, public transit and policing
- services provided by insurance companies
- classified ads in a newspaper.

This section also applies to businesses, government, community agencies and other organizations in Ontario.
Services and age

You must be at least 18 years old to file a human rights application based on age under this section. Parents or guardians can file applications on behalf of children and youth under 18.

The *Code* permits special discounts for older persons,[2] “golden age” passes and other benefits for persons over 65 years old. Limits on selling tobacco and alcohol to people under 19 are also allowed.

Services and religion

You have the right to education, community and other services that respect your sincerely held religious practices and beliefs.[3]

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[2] For more information, see the OHRC’s *Policy on discrimination against older persons because of age* (2007).


Housing [4]

Every person has the right to be free from discrimination in housing because of *Code*-protected grounds. You have the right to equal treatment when buying, selling, renting or being evicted from an apartment, house, condominium or commercial property. This right also covers renting or being evicted from a hotel room.

The *Code* applies to terms and conditions in contracts and leases such as the amount of rent, security deposits, the need for guarantors, occupants’ rules and regulations, ending a lease and eviction.

Your right to housing without discrimination also includes suitable access to doors, laundry rooms, swimming pools, other common areas, repairs and other aspects of housing.

Housing and age

You must be at least 18 years old to file a human rights application based on age, or 16 or 17 years old when you have legally withdrawn from your parents’ authority. If you claim this right when you are 16 or 17 years old, you have the same legal responsibilities you would if you were 18 years old.

Housing and public assistance

A landlord cannot discriminate because of a person’s income source, such as social assistance, family benefits, disability pension, or other forms of public assistance.

Shared housing

The right to be free from discrimination in housing does not apply if you share housing and a bathroom or kitchen facility with the owner or the owner’s family.

Same-sex residences
The right to be free from discrimination based on sex does not apply to residences that are male-only or female-only. An owner of a residence can restrict access to that residence to men only or women only. Trans people should be provided access to these residences in accordance with their lived gender identity.

Lease applications and tenant screening

Landlords can use income information, credit checks, credit references, rental history, guarantees or other similar business practices for selecting tenants, as long as they do so in a way that is consistent with the Code and its regulations.

Regulation 290/98 under the Code allows landlords to request income information from a prospective tenant only if the landlord also requests credit references, rental history, and credit checks. The landlord must consider income information together with all the other information obtained.

The Regulation specifically reaffirms that none of these assessment tools may be used in an unfair way to screen out prospective tenants based on Code grounds. The criteria must be used in a genuine and non-discriminatory way.

Adult-only buildings

It is discrimination, under the ground of family status, if you are denied housing because you have children.[5] Adult-only buildings are not permitted in Ontario except for specific situations such as subsidized seniors’ residences or care facilities.

Harassment in housing

Everyone has the right to be free from harassment in housing because of Code-protected grounds. “Harassment” means comments or actions that are unwelcome to you or should be known to be unwelcome. You have the right to be free from humiliating or offensive conduct that is based on one or more of the Code grounds. Harassment requires a “course of conduct,” which means that a pattern of behaviour or more than one incident is usually required. For example, a landlord’s repeated demeaning comments about how a tenant uses a wheelchair could be harassment in housing. However, one incident may be enough to support a finding of harassment where the incident creates a poisoned environment.

Poisoned environment

You might feel that your housing is hostile or unwelcoming to you because of insulting or degrading comments or actions that have been made about you or others based on a ground in the Code. When comments or actions of this kind have an influence on others and how they are treated, this is known as a “poisoned environment.” A poisoned environment cannot, however, be based only on your personal views. You must have facts to show that an objective person would see that the comments or conduct would make a person feel unwelcome based on Code grounds.

[4] For more information on your right to be free from discrimination in housing, see the OHRC’s Policy on human rights and rental housing (2009).

[5] For more information, see the OHRC’s Policy and guidelines on discrimination because of family status (2007).
Contracts

Every person having legal capacity has a right to contract on equal terms without discrimination because of any Code ground.

A contract is a legal agreement. It can be a written or verbal agreement.

The right to enter into a contract on equal terms covers all steps in the contract, including the offer, acceptance, price or even rejection of a contract. The Code covers all types of contracts, including contracts to buy a house, condominium or other type of residential accommodation, and contracts for buying a business, such as office or retail space.

For example, an automobile manufacturer cannot refuse to enter into a contract with the owner of a car dealership because the owner is gay.

Employment [6]

Every person has the right to equal treatment in employment without discrimination based on Code grounds. In Ontario, about three-quarters of all human rights claims come from the workplace.

Employment is used in a very general way in the Code. Employees, independent contractors[7] and volunteers are covered.

Human rights applications can be filed against employers – and also against contractors, unions or boards of directors. Employers and unions have a joint duty to make sure that workplaces are free of discrimination and harassment.

The right to “equal treatment with respect to employment” covers applying for a job, being recruited, training, transfers, promotions, terms of apprenticeship, dismissal and layoffs. It also covers rate of pay, overtime, hours of work, holidays, benefits, shift work, discipline and performance evaluations.

People with disabilities have the right to be provided with equipment, services or devices that will allow them to do their job.[8]

Employment and age

In employment, you must be at least 18 years old to file a claim stating that you were discriminated against because of your age. There is no age maximum on the right to freedom from discrimination in the workplace because of age. This means that older persons, who feel that they have discriminated against based on their age, may file a human rights claim.[9]

Employment and record of offences

When you apply for a job, you cannot be asked if you have any kind of criminal record. However, employers can ask whether you have been convicted of a federal offence for which you have not received a pardon. You may be asked during an interview whether you are bondable, if that is a requirement for the job.

Employment and unions
If you are a member of a union, you may have the right to file a grievance under your collective agreement. Check with your shop steward or representative.

Employers cannot come to an agreement with a union or an employee that some or all of the Code does not apply to them. Also, if a union does not support an employer’s efforts to meet its obligations under the Code, a human rights application may be filed against the union.

Employment and creed[10]

You have the right to employment that respects your sincerely held beliefs and practices. You may have religious or creed-based needs such as prayer breaks, religious or creed-based days off, and dress requirements. If you ask your employer to meet these needs, they should be met unless your employer can show that it would prevent you from doing the essential duties of your job, or would cause undue hardship based on costs or health or safety risks.

In Ontario, employers can meet their duty to accommodate time off for religious holy days by searching for solutions that allow time off without adverse employment consequences, including a loss of pay. However, forcing an employee to use vacation time instead of exploring other options would likely be found discriminatory.[11] Providing several alternatives and choices is always preferable.

Height and weight requirements

Minimum standards for height and weight sometimes unintentionally screen out certain job applicants, such as women and racialized persons. Such a standard is only allowed if it:

1. was adopted for a purpose or goal that is rationally connected to the function being performed
2. was adopted in good faith, in the belief that it is needed to fulfill the purpose or goal
3. is reasonably necessary to accomplish its purpose or goal, in the sense that the person cannot be accommodated without undue hardship.

The ultimate issue is whether the person responsible for accommodation has shown that accommodation has been provided up to the point of undue hardship.

Employment, language and accent[12]

If you believe you have been discriminated against because of your language or accent, you can make a human rights claim based on a number of grounds, such as ancestry, ethnic origin, place of origin and race.

An employer can require that you speak English fluently if it is a genuine job requirement. An employer cannot use language or accent as a way to screen out racialized people or people of particular ethnic origins where language fluency is not essential to the job.

For example, an employer refuses to hire a person from Spain as a school bus driver because he does not speak fluent English. However, being fluent in English is not essential to the job. This could be discrimination because of place of origin.

Employment, medical examinations and drug or alcohol testing[13]

Drug and alcohol dependencies, as well as perceived dependencies, may be considered a form of disability under the Code. While not all people with drug and alcohol dependencies see themselves as
having a disability, they are protected under the Code against discrimination in the workplace based on the ground of disability.

Testing for alcohol and drug use is a form of medical examination. Employment-related medical examinations or questions, as part of the job screening process, are prohibited. Medical examinations to determine the ability to do essential job duties should only be used after a conditional offer of employment has been made, preferably in writing.

If an employer cannot show that it has an effect on job safety and performance, drug and alcohol testing has been found to be a violation of employee rights.

Employment agencies

Employment agencies cannot discriminate. They also cannot discriminate at the request of a client. For example, an employer asks an agency to send them a young, attractive woman for a receptionist position. This would be discrimination based on age and sex.

Section 23 of the Code talks about other issues in employment, such as job applications, medical examinations or inquiries, and interviews.

Harassment in employment

“Harassment” means comments or actions that are unwelcome to you or should be known to be unwelcome. You have the right to be free from humiliating or annoying behaviour that is based on one or more Code grounds.

Harassment requires a “course of conduct,” which means that a pattern of behaviour or more than one incident is usually needed. It doesn’t matter what type of business or employment it is – harassing behaviour based on Code grounds in any employment setting is prohibited under the Code.[14] Harassment in the workplace is also prohibited under the Occupational Health and Safety Act.[15]

Poisoned environment

You might feel that your workplace is hostile or unwelcoming to you because of insulting or degrading comments or actions that have been made about you or others based on a Code ground. When comments or conduct of this kind have an influence on others and how they are treated, this is known as a “poisoned environment.” A poisoned environment cannot, however, be based only on your personal views. You must have facts to show that an objective person would see the comments or conduct resulting in unequal or unfair terms and conditions.

[6] For more detailed information, see the OHRC’s publication, Human Rights at Work (2008).


[12] Further information can be obtained in the Commission’s *Policy on discrimination and language* (1996). For a more complete discussion on racism and racial discrimination, please see the Commission’s *Policy and guidelines on racism and racial discrimination*, (2005).


**Vocational associations and unions**

This section deals with your right to join and be treated equally in a union, professional or other vocational association.

This applies to membership in trade unions and self-governing professions, including the terms and conditions of membership, rates of pay and work assignments. It would include employees’, employers’ and managers’ associations.

**Sexual harassment [16]**

Sexual harassment in housing and workplaces

“Harassment” in this section means comments or actions based on sex, sexual orientation, gender identity or gender expression that are unwelcome to you or should be known to be unwelcome. They may include humiliating or annoying conduct. Harassment requires a “course of conduct,” which means that a pattern of behaviour or more than one incident is usually required for a claim to be made to the Tribunal. However, a single significant incident may be offensive enough to be considered sexual harassment.

Women and men have the right to be free from sexual and gender-based harassment. Sexual harassment includes unwelcome sexual contact and remarks, leering, inappropriate staring, unwelcome demands for dates, requests for sexual favours, spreading sexual rumours (including on-line) and displays of sexually offensive pictures or graffiti. For example, an employer’s repeated and vulgar sexual comments to an employee could constitute sexual harassment.

The comments or conduct do not have to be sexual in nature. Someone may tease or bother you because of gender-based ideas about how men or women “should” look, dress or behave. If you are a trans person, you are protected from degrading comments, insults or unfair treatment because of your gender identity or gender expression.[17]
Poisoned environment

You might feel that your workplace is hostile or unwelcoming to you because of insulting or degrading comments or actions that have been made about you or others based on the ground of sex. When comments or conduct of this kind have an influence on others and how they are treated, this is known as a “poisoned environment.” A poisoned environment cannot, however, be based only on your personal views. You must have facts to show that an objective person would see the comments or conduct resulting in unequal or unfair terms and conditions.

Sexual solicitation

You have the right to be free from unwelcome advances or requests for sexual favours made by a boss, supervisor or other person in a position of authority.

Example: A supervisor makes unwanted sexual advances to an employee. In this situation, it may be implied, directly or indirectly, that a promotion is at risk of being denied if the person does not agree to accept the advances.

If the supervisorpunishes theperson because he or she rejected the advance, this is called a “reprisal”. This kind of “getting even” is not allowed under the Code.

Example: A female employee is fired or demoted because she refused a “sexual proposition” from her manager.

Harassment and your safety

If you are being harassed at work and have concerns about your safety, alert someone you believe can help you. This could be your employer, police, local community agencies and/or women’s shelters. You can also contact your local Ministry of Labour office to report incidents of workplace harassment or violence.[18]

[16] For more detailed information, see the OHRC’s Policy on preventing sexual and gender-based harassment (2011).

[17] For more information, see the OHRC’s Policy on discrimination and harassment because of gender identity (2000). Note that in 2012, “gender identity” and “gender expression” were added as grounds of discrimination in the Ontario Human Rights Code and the OHRC is currently updating this policy.


Punishment for exercising rights

If you believe that your rights under the Code have been violated, you can contact the Legal Support Centre, consult a lawyer of your own choosing, file a human rights application with the Tribunal, or file a grievance under your collective agreement to protect your rights. You may not be punished or threatened with punishment for trying to exercise these rights. Any attempt or threat to punish you is called a “reprisal.”
The following examples may be a form of punishment or “reprisal” and can result in another human rights claim:

- A tenant makes a claim under the Code against a landlord and tells the landlord of this. The landlord then refuses to make requested repairs to the tenant’s unit and increases the rent as a form of punishment.
- An employee believes that he was not promoted in his job because he is racialized. He tells his manager that he will contact the Human Rights Tribunal of Ontario to make a claim of discrimination. The next day, he is fired.
- An employee quits her job after making a sexual harassment claim under the Code against her employer and obtains new employment. She discovers that her previous employer contacted her present employer and made negative comments about her because of her human rights claim.

Poisoned environment

You might feel that your workplace or housing is hostile or unwelcoming to you because of insulting or degrading comments or actions that have been made about you or others based on a Code ground. When comments or conduct of this kind have an influence on others and how they are treated based on Code grounds, this is known as a “poisoned environment.”

A poisoned environment cannot, however, be based only on your personal views. There must be facts to show that an objective person would see that the comments or conduct would make a person feel unwelcome or uncomfortable at work.

Example

A restaurant owner makes negative remarks about African-Canadians. A co-worker of Chinese origin believes that that work environment is “poisoned” for all racialized people because of these comments.

Part II – Interpretation and application

Definitions

Age

You have the right to be free from discrimination based on age if you are at least 18 years old.[19]

In services, goods, facilities, contracts and membership in unions, you can file a claim as long as you are at least 18, except for services related to liquor and tobacco for which the minimum age is 19.

Parents or guardians can file for their minor children. For example, where a child with a disability is not receiving the support and assistance she needs to access education services, her parents can make a claim on her behalf.

“Golden age specials” or “seniors’ discounts” for persons over age 65 are permissible.

In housing, you must be 18 years old, unless you have formally withdrawn from the legal control of your parents. In that case, you are protected if you are 16 or 17 years old.

Refusing to sell or lease living accommodation to families with children under age 18 is not allowed.

Disability
The Code does not list all the conditions that may be considered a disability.[20] “Disability” should be interpreted in broad terms. It includes both present and past conditions, instances where a person is perceived or “seen” to have a disability, as well as a perception that a person may develop a disability in the future. For example, if an employer does not hire a job applicant because she thinks he has a mental disorder, the job applicant can make a human rights claim that he was discriminated against based on disability. It does not matter that the job applicant does not, in fact, have a mental disorder since the employer perceives or sees him to have a disability.

The Code clearly protects people against discrimination based on mental, developmental and learning disabilities. Students with disabilities have the right to be free from discrimination in school.[21]

A disability may be the result of a physical limitation, an ailment, a perceived limitation or a combination of all these factors. The focus is on the effects of the distinction, preference or exclusion experienced by the person and not on proof of physical limitations or the presence of an ailment. Discrimination may also be based on perceptions, myths and stereotypes about a disability. Even minor illnesses or infirmities can be “disabilities” if a person can show that they were treated unfairly because of the perception of a disability.

Disabilities that are not obvious to the average observer (also known as non-evident disabilities) are also protected. Examples of non-evident disabilities include chronic fatigue syndrome, back pain, and certain forms of mental illness. Other disabilities may remain hidden because they only flare up occasionally (such as epilepsy or environmental sensitivities).

If you have claimed or received benefits under the Workplace Safety and Insurance Act, this would be considered a disability. You do not have to prove that your condition is a disability.

If you have a disability that requires accommodation at work, you must provide enough information to allow your employer to help you. This should include information from a qualified professional confirming that you have a disability and stating the assistance you need. For example, you do not want to tell your employer about your heart condition, but you need certain parts of your job changed to accommodate this disability. When your employer asks for proof, you can ask your doctor for a letter saying that you have a medical condition (without being specific) that does not allow you to do certain things, such as climb stairs or lift heavy objects.

Equal

“Equal” means achieving equal outcomes and substantive equality. Sometimes this means treating people the same way, but it may also mean treating people differently. For example, building a ramp for a person with a disability is not “equal treatment” in the strict sense because a ramp is something built especially for persons with disabilities; but it is a requirement for a person who uses a wheelchair to have equal access to a building.

“Equal” means that when you have been discriminated against because of a ground in the Code, you are entitled to the Code’s protection. You do not actually have to prove that you are racialized or gay or that you have a disability, etc., as long as you can show that the treatment was because of a ground in the Code.

For example, two women are dancing together in a bar and the owner interrupts them and asks them to leave. This happens after one of the women overhears the owner say, “I don’t want people to think this is a gay bar.” Even if the women are not lesbians, they are able to make a human rights claim because they can show that they have been discriminated against because of their perceived sexual orientation.
Family status

This definition includes both biological and adoptive parents, as well as someone who acts in the position of a parent to a child, such as a legal guardian.[22]

Human rights protections for family status include protection against discrimination based on the particular identity of a family member.[23] For example, it would be discrimination for an employer to take negative actions towards an employee because of personal animosity towards that person’s child.

This ground is often raised in human rights claims involving housing, when landlords or property managers limit a housing development or apartment to adults only or show a preference for married couples over single parents. This is discrimination and is not allowed under the Code.

This may also be the ground of discrimination when a woman is refused housing or other services or facilities because she is a lone parent or because she is breastfeeding [24]

Group insurance

You are protected from discrimination in the terms of your group insurance plan. This is usually but not always in relation to employment.

However, an insurance company can make a reasonable preference, distinction or exclusion because of age, sex, marital status, family status or disability.[25] For example, auto insurance companies classify young males differently than other persons based on their age and sex. This differential treatment has been found to be reasonable and genuine because statistics show that young males are involved in proportionally more (and more serious) accidents than other drivers and because there is no other practical alternative to this type of classification.

Harassment

Harassment means statements or actions that are not welcome. The other person may know this because you told them that the behaviour is not welcome. Or the conduct may be so distressing that an objective person would agree that the behaviour was unwelcome.

Harassment requires a “course of conduct,” which means that a pattern of behaviour or more than one incident is usually required. However, one incident may be enough to support a finding of harassment where the incident creates a poisoned environment.

Marital status

Marital status includes being married or in a common-law relationship. Partnerships can be either same-sex or opposite sex. Marital status also includes being single, widowed, divorced or separated. For example, you cannot be refused employment because you may or may not be married.

Human rights protections for marital status include protection against discrimination based on the identity of a person’s spouse.[26] For example, it would be discrimination if an employer takes negative actions towards an employee because of personal animosity towards that person’s spouse.

Record of offences

This ground only applies to employment situations.
You cannot be discriminated against in your job because of:

- pardoned offences under federal law, such as the *Criminal Code*
- convictions under provincial law, such as the *Highway Traffic Act*.

This protection does not apply to offences where there has only been a charge. It only applies to convictions.

When you apply for a job, you cannot be asked whether you have any kind of criminal record. However, you can be asked if you have been convicted of a federal offence for which you have not received a pardon. You can also be asked during an interview whether you are bondable or have a driver’s licence, but only where it is an essential requirement for the job.

**Services**

Examples of services include:

- stores, restaurants and bars
- hospitals and health services
- schools, universities and colleges
- public places, amenities and utilities such as recreation centres, public washrooms, shopping malls and parks
- services and programs provided by municipal and provincial governments, including social assistance and benefits, and public transit
- services provided by insurance companies
- classified ads in a newspaper.

Under the *Code*, services do not include a levy, fee, tax or periodic payment imposed by law.

**Spouse**

“Spouse” is a person married to or in a common-law relationship with another person.

This definition includes both same-sex and opposite-sex partnerships.

[19] For more detailed information, see the OHRC’s *Policy on discrimination against older persons because of age* (2007).

[20] For more detailed information on discrimination on the basis of disability and the duty to accommodate the needs of people who have disabilities, please see the Commission’s *Policy and Guidelines on Disability and the Duty to Accommodate* (2001).

[21] For more detailed information, please see the Commission’s *Guidelines on Accessible Education* (2004).

[22] For more information on discrimination on the basis of family status, see the OHRC’s *Policy and guidelines on discrimination because of family status* (2007).


Pregnancy

The Code protects a woman because she is or was pregnant, may become pregnant, has just had a baby or other pregnancy-related situations.[27] Pregnancy includes the process of having a baby from conception up to the period following childbirth. It also includes the post-delivery period and breastfeeding.

The term “pregnancy” takes into account all the special needs and circumstances of a pregnant woman and recognizes that the experiences of women will differ. Special needs can be related to:

- miscarriage
- abortion
- complications because of pregnancy or childbirth
- conditions that result directly or indirectly from an abortion/miscarriage
- recovery from childbirth
- breastfeeding.

You have a right to be treated fairly at work. For example, during a job interview, an employer cannot ask:

- “Are you pregnant?”
- “Do you have a family?”
- “Do you plan to have a family?”

It is contrary to the Code to fire you, demote you or lay you off (even with notice) because you are or may become pregnant.

If you are or may become pregnant, you have the right to keep your job and not to be passed over for benefits and opportunities, such as:

- being hired or promoted
- training
- assignments to important or more challenging projects
- resuming your job after your pregnancy or parental leave.

You also have a right to request changes to your job duties or rules that affect you for the sake of your health when you are pregnant. Your employer should accommodate your needs, unless doing so would cause undue hardship.
The rules about pregnancy leave, parental leave and maternity benefits are set out by the Employment Standards Branch of the Ministry of Labour (Ontario)[28] and by Service Canada (formerly Human Resources Development Canada).[29]

You have the right to use services, such as restaurants, malls or other public areas, and to breastfeed your child in public without being disturbed or harassed or asked to move to a more “discreet” area. You are also protected from discrimination in the areas of housing, contracts and membership in trade unions.

[27] For more detailed information, see the OHRC’s Policy on discrimination because of pregnancy and breastfeeding (2008).

[28] See www.labour.gov.on.ca/english/es/

[29] See www.servicecanada.gc.ca/.

Constructive discrimination

Sometimes a rule or practice unintentionally singles out a group of people and results in unequal treatment. This type of unintentional discrimination is called “constructive” or “adverse effect” discrimination.

For example, an employer has a rule that male employees must be clean-shaven. Using this rule, the employer refuses to hire a Sikh man who, according to his religion, is not allowed to shave. The rule is not “intended” to exclude Sikh men from a job, but it has this effect. Unless an employer can show that a change or exception to the rule would be too costly or create a health and safety risk, the employer should agree to change the rule.

The Supreme Court of Canada has set out a framework for examining whether the person responsible for accommodation has met the duty to accommodate.[30] Where it is established that a standard, factor, requirement or rule results in discrimination, the person responsible for accommodation must show that the standard, factor, requirement or rule:

1. was adopted for a purpose that is rationally connected to the function being performed
2. was adopted in good faith
3. is reasonably necessary to accomplish its goal or purpose, in the sense that it is impossible to accommodate the claimant without undue hardship.

As a result of this test, the rule or standard itself must be inclusive and must accommodate individual differences up to the point of undue hardship. This approach is preferable to keeping discriminatory standards that need ongoing accommodation for people who cannot meet them.

[30] See British Columbia (Public Service Employee Relations Commission) v. BCGSEU (1999) 3 S.C.R. 3 (CanLII) [“Meiorin”]. Also, see Hydro-Québec v. Syndicat des employé-e-s de techniques professionnelles et de bureau d’Hydro-Québec, section locale 2000, (2008) SCC 43 (CanLII) for the Supreme Court of Canada’s recent comments on what the third part of this test means, in a practical sense, in the context of a disability accommodation in the workplace.
Discrimination because of association

You cannot be discriminated against because of your association, relationship or dealings with another person identified by a Code ground. You have this protection whether or not you are identified by a ground in the Code.

Example:

- A restaurant owner refuses to serve you because you are with someone who is a member of a racialized group.
- A landlord refuses to rent an apartment to you because your co-tenant is a woman with a young child.

Announced intention to discriminate

It is illegal to display or publish certain kinds of discriminatory material. For the Code to apply, the item must be a notice, sign, symbol, emblem or other similar representation (such as a cartoon). It must show intent to discriminate or harass, or an intent to provoke others to discriminate or harass in employment, services or housing.

For example, a landlord distributes a button that states “do not rent to immigrants” at a community meeting on housing issues. This would be a public display of a notice that intends to promote discrimination against people in housing because of their race, ancestry, colour, ethnic origin or place of origin.

Otherwise, section 13 of the Code is not intended to interfere with freedom of expression. Newspaper opinions and editorials, for example, are protected under freedom of expression. While some forms of expression may seem distasteful and offensive, this is not discrimination under the Code.

Special programs

This section allows organizations and employers to create temporary special measures on a voluntary basis. The purpose of a special program is to help create opportunities for people who experience discrimination, economic hardship and disadvantage.[31]

Landlords, service providers and other organizations may start their own special programs. No special or advance approval by the OHRC is needed. The OHRC encourages the development of special programs as an effective way to help reduce discrimination and address historical disadvantage. Organizations can learn more about how to develop special programs from the OHRC’s publication Special programs and the Ontario Human Rights Code – A self-help guide.

To be a special program, the program must meet one of the following conditions:

- it must relieve hardship or economic disadvantage, or
- help disadvantaged people achieve, or try to achieve, equal opportunity, or
- help eliminate discrimination.

If a special program does not meet one of these conditions, it may be deemed invalid by the OHRC, the Tribunal or another judicial body.

Examples of special programs include:
- programs designed to promote the hiring and advancement of women in a welding shop
- programs designed to encourage the enrolment of Aboriginal students in a university.

An organization may be required to create a special program as a result of a human rights claim made against them.

Special programs must be developed carefully and with clear reasons about why a particular group is chosen for special assistance.

[31] See the OHRC’s *Special programs and the Ontario Human Rights Code – A self-help guide (2010)*.

**Canadian citizenship**

You cannot be discriminated against because of your citizenship, except where Canadian citizenship is a legal requirement to get a job or get certain services. For example, since the law requires that you must be a Canadian citizen to vote in a municipal or provincial election, this requirement is not discrimination.

There is no discrimination if Canadian citizenship or permanent residency is required to take part in a cultural, educational, union or sporting activity. For example, certain competitive sports require that participants be either Canadian citizens or permanent residents.

The *Code* also allows organizations to require Chief Executive Officers (CEOs) or other senior executives to meet residence requirements.

**Disability** [32]

**Accommodation and undue hardship**

There is a test to decide if the *Code* requires an employer, service provider (such as the TTC), landlord or other person to accommodate a person with a disability. In this section, “accommodation” means meeting the needs of a person with a disability.

If you are a person with a disability, and you are able to do the job or meet the requirements once your needs are met, there is a duty to accommodate those needs unless they are unduly costly or would create real health or safety dangers. The employer, landlord or service provider should consider outside sources of funding to accommodate your needs if not otherwise affordable.

You are responsible for certain things, such as making your needs known, giving information about your restrictions or limitations, taking part in discussions about possible accommodation solutions, and working with the accommodation provider on an ongoing basis to manage the accommodation process.

Your employer (or housing provider, *etc.* ) is responsible for other things, including accepting your requests in good faith (unless there are legitimate reasons not to), getting expert opinions or advice where needed, asking for more information (if needed) to facilitate the accommodation process, taking an active role in arranging the accommodation, keeping your information confidential, and paying the cost of medical documentation (such as doctor’s notes) setting out accommodation needs, *etc*.

**Ability to perform essential duties and requirements**

Essential duties and requirements are those that are needed to use a service, have access to housing or to do a job. The requirement must be reasonable and genuine. For example, if a person applies for a job as a lawyer, it may not be essential that he or she can operate a photocopier. However, if that person is applying for a job in a copy shop, the ability to use a photocopier is likely essential.

If you cannot perform the essential duties or requirements of a job, you should identify any needs that may allow you to do these essential duties or requirements. Your employer then must try to meet your needs, to the point of undue hardship, which considers costs, any outside sources of funding, and any health or safety concerns. If needs simply cannot be met or you cannot do the job even after your needs are met, your employer’s duty to accommodate ends and there is no violation of the Code.

If your disability prevents access to housing or use of a service, you should identify any needs that may allow such access or use. A landlord or service provider must then try to meet these needs to the point of undue hardship, which considers cost, any outside sources of funding and any health or safety concerns. If your needs simply cannot be met or you still cannot access housing or use the service even after your needs have been met, the landlord’s or the service provider’s duty to accommodate ends, and there is no violation of the Code.

[32] For more detailed information on the duty to accommodate persons with disabilities, see the OHRC’s Policy and guidelines on disability and the duty to accommodate (2001).

Special interest organizations

There is an exception to the rule that services must be offered without discrimination. It only applies to organizations such as charities, schools, social clubs or fraternities that want to limit their right of membership and involvement. They are allowed to do this on the condition that they serve only or mostly a particular group of people identified by a Code ground. For example, a cultural club serving only persons with physical disabilities may limit membership to those persons, and a shelter for battered women is allowed to serve only people who identify as women.

Because this is an exception to the Code, it must be read narrowly. Only organizations that clearly qualify as religious, charitable, etc. can use this section.

Solemnization of marriage by religious officials

There is an exception to the rule that services and facilities must be offered without discrimination. It allows a religious official to refuse to perform a marriage ceremony, to refuse to make available a sacred place for performing a marriage ceremony or for an event related to a marriage ceremony, or to assist in the marriage ceremony where the ceremony would be against the person’s religious beliefs or the principles of their religion.

This section would apply to allow religious officials to refuse to perform same-sex marriages without violating the Code. Requiring a religious official to perform a marriage ceremony that goes against his or her religious beliefs about marriage may violate that person’s right to freedom of religion as protected by the Charter of Rights and Freedoms.

However, nothing in this section permits public officials who are licensed to perform marriage ceremonies to refuse to perform this service for same-sex couples. The section only applies to religious officials.[33]
Separate school rights preserved

Separate schools in Ontario have special rights guaranteed by the Constitution and by the Education Act. Section 19 means that the Code cannot affect those rights, which are mainly related to the existence and funding of Roman Catholic schools.

Otherwise, the right to be free from discrimination under the Code applies to Catholic schools. All schools have a legal duty to provide students with an education environment free from harassment and other forms of discrimination because of Code grounds.

This section does not deal with the rights or privileges of any religion-based schools other than Roman Catholic schools.

Restrictions of facilities by sex

This section allows separate washrooms, examination areas, change rooms and other services that are men-only or women-only. Trans people should be provided access to facilities that are consistent with their lived gender identity.[34]

Recreational clubs

Recreational clubs such as sports clubs may give different services or charge different fees to persons based on sex, marital status or family status. For example, special family rates in a community centre or women-only sections of a gym are permitted under the Code.

Restrictions for insurance contracts

There is an exception to the rule that services and contracts must be offered without discrimination. This section allows insurance providers to make distinctions based on age, sex, marital and family status or disability when they offer individual accident, sickness or disability insurance or group insurance (not part of an employment situation). However, these distinctions must be made on reasonable and genuine grounds.

Employment [35]
Job advertisements

Advertisements for jobs should not refer, directly or indirectly, to prohibited grounds of discrimination. For example, an ad that says “We prefer hiring younger people” is not allowed.[36]

Application forms
Application forms should not contain questions that ask, directly or indirectly, about race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, record of offences, age, marital status, family status or disability. Employment-related medical questions that are part of the applicant screening process are also not allowed under the Code.[37]

**Example**

An employer is looking for certified welders with “Canadian experience.” This ad may be discrimination because it could exclude welders who have qualified experience outside of Canada. To learn more about how the requirement for “Canadian experience” can be discrimination, see the OHRC’s *Policy on removing the “Canadian experience” barrier.*

Employment and driver’s licences

Employers should not request driver’s licences on job application forms because, first, it may screen out applicants with disabilities without first determining if someone can be accommodated, and second, it may allow the use of the licence to tell the person’s age.[38]

If operating a vehicle is an essential job duty (such as for a truck, bus or taxi driver or chauffeur), and if individual accommodation is not possible, the requirement for a valid driver’s licence may be stated in a job ad and discussed at an interview. A request for a driver’s licence number or a copy of the licence can be made following a conditional offer of employment.

Employment interviews

In job interviews, employers should only ask you questions needed to determine your qualifications or ability to do the job. For example, an employer can ask you about your physical abilities if the job is for a furniture mover. However, if you are being interviewed for a computer systems analyst position, it is not relevant for a potential employer to ask about your physical abilities.

If your disability becomes an issue at the interview (for example, if you choose to talk about your disability), an employer may ask about your ability to do the essential duties of the job and about how your needs can be met. Questions should not be out of curiosity, such as “How did you end up in a wheelchair?” or “Have you been blind all your life?”[39]

Employment agencies

An employer cannot use an employment agency to hire people based on preferences related to race, sex, disability or the other Code grounds. For example, a company cannot ask an agency to send only “persons of European background” to fill a receptionist position. However, an employer can express preference based on genuine job requirements, such as the requirement to speak French for a bilingual position.

Employment agencies cannot screen applicants based on discriminatory grounds and are not allowed to keep records of client “preferences” of this kind.

If a temporary employee is referred by an agency and then requires assistance to meet his or her disability-related needs, it would be the joint responsibility of the agency and the client to arrange accommodation.
[35] For more information, see the OHRC’s publication, Human Rights at Work (2008).

[36] For more information on age discrimination, see the OHRC’s Policy on discrimination against older persons because of age (2007).

[37] For more information, see the OHRC’s publication, Human Rights at Work (2008).

[38] For more information, see the OHRC’s Policy on requiring a driver’s licence as a condition of employment (1996), and the Policy and guidelines on disability and the duty to accommodate (2001).

[39] For more information, see the OHRC’s Policy and guidelines on disability and the duty to accommodate (2001).

Special employment

Organizations are generally not allowed to hire in a discriminatory way. However, there are some exceptions. The most common ones are:

1. A religious, philanthropic, educational, fraternal or social institution or organization may be allowed to give preference in hiring employees based on Code-protected grounds if the organization is focused on serving the interests of that group of people. For example, an organization that specializes in providing services to people with disabilities may give preference in hiring people with disabilities. This exception is only permitted if membership in a particular group is reasonable, genuine and linked to the duties of the job they are being hired for.

2. It is legal to make a hiring decision based on age, sex, record of offences or marital status only if an employer can show that the requirement is reasonable, genuine and based on the nature of the job.

3. The Code allows you to hire or not hire any medical or personal attendant for yourself or an ill member of your family. This section does not, however, allow agencies or health care services to send nurses or personal attendants to clients based on discriminatory preferences. You must be the “employer” to hire who you want to care for you or an ill family member.

Employee benefit and pension plans

Employment may not be denied or made conditional upon enrolment in a benefit or similar plan, which makes a distinction based on a Code ground. The general rule of non-discrimination in employment applies to pension plans, benefit plans and terms of group insurance except where reasonable and genuine distinctions or exclusions are based on age, marital status, family status or sex.

An employee with a disability can be treated differently in a life insurance or benefit plan where a pre-existing disability increases the risk to a high level. An employer must compensate an employee with a disability if the employee is excluded from an employee benefit, pension or superannuation plan or fund, or a contract of group insurance between an insurer and the employer. The payment should be the same as the amount contributed to the insurer for an employee without a disability.

As a rule, the right to receive benefits under disability plans ends when you are on pregnancy or parental leave. But if your employer offers disability benefits to employees who are off on other kinds of leaves,
such as education leaves or sabbaticals, they are required by law to pay the benefits to people on pregnancy leave and parental leave. Check with your employer for more information.

**Discrimination in employment under government contracts**

The right to freedom from discrimination in employment applies to government contracts or subcontracts. This right applies to government agency contracts also.

The right to be free from discrimination in employment applies to carrying out government grants, contributions, loans or guarantees. This right also applies to government agencies.

If a Tribunal finds that discrimination in employment did take place in the performance of a government contract, grant, contribution, loan or guarantee, the government contract, grant, contribution, loan or guarantee will be cancelled. No further contract with or grant, contribution, loan or guarantee will be made to the same person.

**Appendix A**

**Purpose of OHRC’s policies**

Section 30 of the Ontario *Human Rights Code* authorizes the OHRC to prepare, approve and publish human rights policies to provide guidance on interpreting provisions of the *Code*. The OHRC’s policies and guidelines set standards for how individuals, employers, service providers and policy-makers should act to ensure compliance with the *Code*. They are important because they represent the OHRC’s interpretation of the *Code* at the time of publication.[40] Also, they advance a progressive understanding of the rights set out in the *Code*.

Section 45.5 of the *Code* states that the Tribunal may consider policies approved by the OHRC in a human rights proceeding before it. Where a party or an intervenor in a proceeding requests it, the Tribunal shall consider an OHRC policy. Where an OHRC policy is relevant to the subject-matter of a human rights application, parties and intervenors are encouraged to bring the policy to the Tribunal’s attention for consideration.

Section 45.6 of the *Code* states that if a final decision or order of the Tribunal is not consistent with an OHRC policy, in a case where the OHRC was either a party or an intervenor, the OHRC may apply to have the HRTO state a case to the Divisional Court to address this inconsistency. OHRC policies are subject to decisions of the Superior Courts interpreting the *Code*. OHRC policies have been given great deference by the courts and the Tribunal.[41] applied to the facts of the case before the court or the Tribunal, and quoted in the decisions of these bodies.[42]

For more information on the human rights system in Ontario, visit: www.ontario.ca/humanrights

For policies, guides, brochures and other information on human rights in Ontario, visit the Ontario Human Rights Commission website at www.ohrc.on.ca.


To talk about your rights or if you need legal help with a human rights claim, contact the Human Rights Legal Support Centre at:
[40] Note that case law developments, legislative amendments, and/or changes in the OHRC’s own policy positions that took place after a document’s publication date may not be reflected in that document. The OHRC is working towards providing regular updates to its policies and providing up-to-date case law reviews on its website. For more information, check the OHRC website at www.ohrc.on.ca or contact the Ontario Human Rights Commission.

[41] In Quesnel v. London Educational Health Centre (1995), 28 C.H.R.R. D/474 at para. 53 (Ont. Bd. Inq.), the tribunal applied the United States Supreme Court’s decision in Griggs v. Duke Power Co., 401 U.S. 424 (4th Cir. 1971) to conclude that OHRC policy statements should be given “great deference” if they are consistent with Code values and are formed in a way that is consistent with the legislative history of the Code itself. This latter requirement was interpreted to mean that they were formed through a process of public consultation.

[42] The Ontario Superior Court of Justice has quoted at length excerpts from the OHRC’s published policy work in the area of mandatory retirement and stated that the OHRC’s efforts led to a “sea change” in the attitude to mandatory retirement in Ontario. The OHRC’s policy work on mandatory retirement heightened public awareness of this issue and was at least partially responsible for the Ontario government’s decision to pass legislation amending the Code to prohibit age discrimination in employment after age 65, subject to limited exceptions. This amendment, which became effective December 2006, made mandatory retirement policies illegal for most employers in Ontario: Assn. of Justices of the Peace of Ontario v. Ontario (Attorney General) (2008), 92 O.R. (3d) 16 at para. 45. See also Eagleson Co-operative Homes, Inc. v. Théberge, [2006] O.J. No. 4584 (Sup.Ct. (Div.Ct.)) in which the Court applied the OHRC’s Policy and Guidelines on Disability and the Duty to Accommodate, available at: www.ohrc.on.ca/en/resources/Policies/PolicyDisAccom2
The Bill requires that every school board establish and maintain an anaphylactic policy, which must include, among other things, strategies to reduce risk of exposure to anaphylactic causative agents, a communication plan for the dissemination of information on life-threatening allergies, regular training on dealing with life-threatening allergies, a requirement that every school principal develop an individual plan for each pupil who has an anaphylactic allergy and a requirement that every school principal maintain a file for each anaphylactic pupil.

The individual plan for a pupil with an anaphylactic allergy must include details on the type of allergy, monitoring and avoidance strategies and appropriate treatment, a readily accessible emergency procedure for the pupil and storage for epinephrine auto-injectors, where necessary.

Employees of a board may be preauthorized to administer medication or supervise a pupil while the pupil takes medication in response to an anaphylactic reaction, if the school has up-to-date treatment information and the consent of the parent, guardian or pupil. If an employee has reason to believe that a pupil is experiencing an anaphylactic reaction, the employee may administer an epinephrine auto-injector or other medication that is prescribed, even if there is no pre-authorization to do so.

The Bill provides that no actions for damages shall be instituted respecting any act done in good faith or for any neglect or default in good faith in response to an anaphylactic reaction, unless the damages are the result of an employee's gross negligence. The Bill preserves common law duties.
Ryan’s Law

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

Ryan’s Law requires every Ontario school board to introduce policies and procedures that:

- Allow a child to carry his/her asthma rescue inhalers (with parent/guardian approval).
- Reduce a child’s contact with asthma triggers such as pollen, dust, mould, pet allergens, cleaning products, scents and renovations/building repairs. Provide information about asthma.
- Provide for regular training on recognizing and managing asthma symptoms and attacks.
- Develop an individual plan for every student with asthma, including recommendations from their health-care providers and current emergency contacts. This will be kept on file at the school. All school staff and others who work with students must be informed about these individual plans.

**TAKE ACTION**

If any of the following occur:
- Continuous coughing
- Trouble breathing
- Chest tightness
- Wheezing (whistling sound in chest)

Student may also be restless, irritable and/or very tired.

Step 1: Immediately use fast-acting reliever inhaler (usually a blue inhaler). Use a spacer if provided.

Step 2: Check symptoms. Only return to normal activity when all symptoms are gone. If symptoms get worse or do not improve within 10 minutes, this is an emergency – follow steps below.

**EMERGENCY**

If any of the following occur:
- Breathing is difficult and fast
- Cannot speak in full sentences
- Lips or nail beds are blue or gray
- Skin on neck or chest sucked in with each breath

Student may also be anxious, restless and/or very tired.

Step 1: Immediately use fast-acting reliever inhaler (usually a blue inhaler). Use a spacer if provided.

Call 911 for an ambulance. Follow 911 communication protocol with emergency responders.

Step 2: If symptoms continue, use reliever inhaler every 5-15 minutes until medical help arrives.

While waiting for medical help to arrive:
- ✓ Have student sit up with arms resting on a table (do not have student lie down unless it is an anaphylactic reaction).
- ✓ Do not have student breathe into a bag.
- ✓ Stay calm, reassure the student, and stay by his/her side.
- ✓ Notify parent/guardian or emergency contact.

This publication is available in Accessibility for Ontarians with Disabilities Act (AODA) electronic format at www.on.lung.ca/resources.
Controlled Drugs and Alcohol Policy

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

Attridge Transportation is committed to and will enforce a work environment free from the influence of controlled drugs (substances) and alcohol. This will benefit bus drivers, staff, students and the public. All employees must be ready, competent and immediately available for duty as every employee is in a safety sensitive position.

Employees will not:

1. Report to duty with any concentration of alcohol or controlled substances in their system.
2. Be on duty or drive while in the possession of alcohol or controlled substances.
3. Consume alcohol or controlled substances while on duty or driving.
4. Be in possession of marked containers or other items used for the storage or consumption of alcohol or controlled substances.
5. Report for duty or remain on duty when the employee uses any controlled substance except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee’s ability to complete their assigned function(s).
6. Report to duty with any odour of alcohol or controlled drugs including marijuana.

Attridge Transportation:

Will immediately investigate a report of an employee being under the influence of controlled drugs (substances) or alcohol in the workplace and act using reasonable grounds. Reasonable grounds will be formed by objective evidence, such as specific observed behaviours or other indicators including but not limited to; seeing someone use alcohol or drugs at work, an employee appearing or acting in a way that is consistent with someone impaired by alcohol or drugs (such as a person smelling like alcohol or drugs), and/or substance(s) paraphernalia in the vicinity of the employee or the area where the employee works.

All Internal Staff:

1. Will immediately contact an Attridge Supervisor with Reasonable Suspicion Testing certification. This supervisor will direct the company response to the reported incident. Reasonable Suspicion Training Certification will be offered to:
   i) Safety Managers/Supervisors
   ii) Director of Safety and Training
   iii) Operations Managers
2. Will comply with all Canadian and Ontario legislation.
3. Will request that an employee consent to a voluntary controlled drug and/or alcohol test to prove the absence of either some or all in their system. Attridge Transportation understands that within Canada, any employee has the right of refusal, of the test portion of the investigation. An employee that refuses the test will be subject to the same progressive disciplinary action as a positive test. Attridge Transportation will pay for any requested test for which the employee has granted consent. Employees that test negative will be reinstated to employment upon receipt of the negative test result and will receive retroactive pay for all scheduled work at Attridge Transportation that was missed due to the testing.

4. Any report of a driver, while driving, of being under the influence of a controlled drug or alcohol will result in immediate 911 contact with the appropriate policy agency to report the allegation. Every attempt will be made to immediately contact the driver to stop the vehicle.

5. Has a zero-tolerance policy for the use or being under the influence of alcohol or controlled substances while on duty. Use of alcohol or controlled substances will result in immediate termination of employment with cause.
Impaired Driving

Location: All facilities
Approved by: Glenn Attridge, President
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How drugs and alcohol affect your driving

- Alcohol or drugs: Impaired is impaired

Many drugs, even those prescribed by a doctor or purchased over-the-counter, can impair your ability to drive safely. For example, smoking, vaping or eating cannabis can increase your risk of being involved in a motor vehicle collision. If you are unsure of whether it is safe for you to drive while taking your medication, talk to your doctor or pharmacist.

The Canadian Society of Forensic Science recently released a report stating that impairment from cannabis begins almost immediately and can last up to 6 hours or more, depending on factors such as THC levels and how it is consumed. Frequent high-dose THC users may experience even longer periods of impairment. However, since the effects of cannabis vary, there is no way to know exactly how long to wait before it is safe for you to drive. The best way to avoid impaired driving is to not take a chance. If you’re using cannabis, plan another way home.

Alcohol — even one drink — can reduce your ability to react to things that happen suddenly. The effects of alcohol also include blurred or double vision, impaired attention and slowed reflexes. Alcohol-impaired driving is one of the leading causes of death on Ontario’s roads.

What counts as impaired driving

Impaired driving means operating a vehicle (including cars, trucks, boats, snowmobiles and off-road vehicles) while your ability to do so has been compromised to any degree by consuming alcohol, drugs or a combination of the two.

Fully Licensed Drivers

Throughout Canada, the maximum legal blood alcohol concentration (BAC) for fully licensed drivers is to be under 80 milligrams of alcohol in 100 millilitres of blood, or 0.08. Driving with a BAC of 0.08 or over is a criminal offence and the penalties are severe.

In Ontario, you will also face serious consequences if your BAC is between 0.05 and 0.08. This is commonly referred to as the “warn range.”

If police determine that you are driving while impaired by any drug, including illegal drugs, cannabis, prescription and over-the-counter medications, you will face severe consequences and criminal charges.

Zero tolerance for young, novice and commercial drivers

Commercial Drivers
As of July 1, 2018 drivers of vehicles requiring an A-F class licence, vehicles requiring a Commercial Vehicle Operator's Registration (CVOR) and road building machines are prohibited from having any presence of alcohol in their blood when behind the wheel of these types of vehicles. These drivers are also prohibited from having any presence of cannabis in their system as well as other drugs that can be detected by an approved drug screening equipment.

If police determine that you have the presence of cannabis or alcohol in your system and/or that you are impaired by any substance including illegal drugs, prescription drugs or over-the-counter medications, you will face severe consequences and potential criminal charges.

**Medical Cannabis Users**

If a police officer is satisfied that you are legally authorized to use cannabis for medical purposes, you will not be subject to Ontario’s zero tolerance drug requirements for young, novice and commercial drivers. However, you can still face penalties and criminal charges if a police officer determines that your ability to drive has been impaired. **Even if you have been authorized to use cannabis or another drug by a health care professional, it is your responsibility to ensure you are not impaired while driving.**

**Penalties for impaired driving**

If police determine that you are driving while impaired you will face penalties immediately. You will also face additional consequences later if you are convicted in court. The penalties you face can vary depending on your age, licence type, the amount of alcohol or drugs in your system, and how many times you have been convicted.

*Source: Ontario Ministry of Transportation*
Special Needs Ability Awareness

Location: All facilities
Approved by: Glenn Attridge, President
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Ability Awareness – Transportation Challenges

The attitude of the bus driver will have a significant impact on the provision of transportation service. The driver must be sensitive and knowledgeable and demonstrate compassion to every passenger in a positive manner. Disability is not synonymous with illness and the driver must understand that each student is unique.

Student integration and participation is an integral part of the system. Transportation service is scheduled by the local consortium to meet the need of the student and may include a large, mini, wheelchair accessible bus or minivan. Some students may have an issue(s) such as limited balance, vision or lack muscle control and will rely on a smooth ride to and from school. Students may have a condition that impacts their ability to demonstrate self control or manage certain behaviours. Students may attend a program in a self contained classroom or be fully integrated into the school setting. Class programs may include Behaviour, Gifted, Learning Disabilities, Life Skills, Language, Communication, Intellectual, Physical or Multiple. Students in these program may:

- Be aggressive, loud and argumentative.
- Be withdrawn or active.
- Have a physical limitation(s) that impact movement or motor skills.
- Have limited or no vision or hearing.
- Be unable to communicate or communicate differently.
- Exhibit repetitive behaviours.
- Demonstrate anxiety or is unable to interact with others.
- Be slow to adapt to change or follow direction.
- Have multiple exceptionalities.
- Have a medical plan that identifies a condition(s) eg. epilepsy, asthma.

A student with a learning disability may appear the same as other students, yet is unlike the others due to a disability. The driver must accommodate the ability of every student and request assistance from dispatch when needed. Never leave a student unattended.
The driver should:

a) Set clear rules and apply each in a fair manner.
b) Demonstrate patient and consistent interaction with the students.
c) Read the student travel and/or medical plan.
d) Request assistance from dispatch.
e) Use the student conduct report to communicate.

The driver should never hesitate to ask for help from dispatch. Be resourceful and understand that student behaviour does not change overnight. A consistent approach will be helpful. Keep rules simple and easy to understand. It may be necessary to repeat the rule(s). Get to know your students in a professional and respectful manner. Body language and facial expressions can be helpful when transporting students with exceptionalities. Understand what is normal behaviour/expression for that passenger and it will become easier to identify a potential situation.

ASK for help. Staff are here to assist you. We will reach out to the local transportation consortium, school or family on your behalf.
Missing Student and Child Check

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
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Every driver;

- 72 Passenger - Minibus
- Wheelchair accessible - Activity Bus
- Minivan or car

Must:

1. Conduct a child check after every trip. This will require some drivers to conduct multiple checks on every route. Your bus may have an electronic child check system. Know how it works, ask if you need help.
   Look for both passengers and belongings.
   Get up – check on AND under every seat.
   * Children will fall asleep on the floor. You must check on and under each seat.
   Look as you walk from front to back and again look as you walk from back to front.
   Disengage the electronic child check system if your bus has this system.

2. Post your empty sign in the rear window of the bus. This should be done each time you park the bus.
   Look again on AND under every seat. Look as you walk from front to back and back to front.

3. The task of completing the child check and posting the empty sign is the sole responsibility of the bus driver. The task cannot be assigned to a student or other passenger.

4. A driver that fails to complete the child check and post the empty sign will be subject to the progressive disciplinary policy of Attridge Transportation.
How It Works:

The **Sleeping Child Check Monitor®** works in three simple steps:

1. Warning lights are activated when children enter the bus.
2. The Sleeping Child Check Monitor® is turned on and becomes engaged when the ignition of the bus is turned off.
3. In order to deactivate the monitor, the bus driver must move to the back of the bus and depress a button on the monitor.
4. If a driver fails to deactivate the monitor and exits a door, the horn will sound reminding him or her to check for any sleeping children on the bus.

The Sleeping Child Check Monitor® (Doran part # SCC-AM) by Doran Mfg. is easy to install and its heavy duty construction prevents breakage.
How It Works:

**Child Check-Mate System**

1. Safely stop the vehicle at the appropriate unloading location at the school.
2. Turn the vehicle’s engine OFF. (The system will start to beep.)
3. Turn the vehicle’s ignition back to ON.* (The system will sound a reminder tone/ if you have a speaker installed it will say “please conduct your child search now”.)

Tip: For most setups, you have 3.5 minutes before you need to act.

1. If students are still disembarking, no problem! Cycle the key to OFF and then back to ON to continue waiting (if you have a speaker, it will say “Please conduct your child search now, or, to continue waiting, cycle the key.”)
2. Once students have safely disembarked, it’s time to complete your post-trip inspection, and assure that no student has fallen asleep or is hiding behind one of the seats. To give yourself extra time, you can always cycle the key to OFF then back to ON to restart the timer.
3. Walk to the back of the bus, checking every seat (and under every seat).
4. Press and hold the stop sign deactivation button for 3 seconds.
5. The system will confirm that it has been deactivated with a beeping. If you have a speaker it will confirm deactivation by saying “Child Check-Mate has been deactivated”.
6. Give yourself a pat on the back: by thoroughly checking your vehicle for sleeping children, you’ve assured that ALL of your passengers have safely arrived.
Cold Weather Policy

Location: All facilities
Approved by: Glenn Attridge, President
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SCOPE:

It is the practice of Attridge Transportation to monitor for all types of inclement and extreme weather conditions in order for a safe and on time route performance. During the cold winter months all diesel school vehicles are equipped and use an engine block heater. All school vehicles are also equipped with the following equipment,

- Winter snow brush and ice scraper.
- Winter window washer fluid.
- Winter wiper blades.
- Extension cords for block heaters.
- High CCA batteries

All service Technicians are equipped with grab and go service kits which includes but not limited to,

- Parts.
- Fluids.
- Starting aids
- Heavy duty booster cables.

1.0 WEATHER MONITORING

IT IS THE DUTY OF THE Operations Manager to monitor weather forecasts and road conditions then as necessary announces the proper procedure alert status to all Dispatchers, Department Heads and Maintenance staff.

2.0 ALERT STATUS

STATUS LEVEL 1 (LOW LEVEL ALERT): -10 → -15 deg.C

During a level 1 alert, all Maintenance departments will report one half hour early to work and a service Technician will be dispatched to every parking location in order to prestart and address any mechanical vehicle failures. They will also assist drivers with any concerns or issues.

STATUS LEVEL 2 (MID.LEVEL ALERT): -16 → -21 deg.C

During a level 2 alert, all Maintenance staff will report one hour early to work and a service Technician will be dispatched to every parking location in order to prestart engines and address any mechanical vehicle failures. They will also assist drivers with any concerns or issues.
STATUS LEVEL 3 (HIGH LEVEL ALERT): \(-22 \rightarrow -31\) deg.C

During a level 3 alert, the night shift Maintenance staff will prestart all school vehicles late that night and allow them to run at high idle up to one hour. They will also address any maintenance issues and perform a general vehicle check. The day shift will report one and a half hours early to work and service Technicians will be dispatched to each yard to perform a vehicle prestart along with assisting drivers as needed. The Technicians will remain at the locations for the duration of the A.M and P.M School runs to assist in any vehicle mechanical failures.

STATUS LEVEL 4 (HIGHEST LEVEL ALERT) \(-32\) deg.C \(\rightarrow\) AND BELOW

During a level 4 alert, the night shift maintenance staff will prestart all school vehicles late that night and allow them to run at high idle under supervision until the commencement of the A.M School run. The day shift Maintenance staff will report two hours early to work and service Technicians will be dispatched to each yard to assist drivers as needed. The Technicians will remain at the yard locations for the duration of the A.M and retuning for the P.M school runs in order to assist in any vehicle mechanical failures.
Idling Policy

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

Statement of Purpose
Attridge Transportation Inc. has elected to enact a revision to our idling policy to decrease our carbon footprint and bring our policy in line with the by-laws of the areas in which we operate. Idling gets you nowhere and the idling of buses especially in school bus loading areas risk deteriorating the health of the students we transport.

Background
Air pollution, particularly ground-level ozone, is an immediate and ongoing concern in Ontario. It impacts citizen health, economic growth, and quality of life.

Statement of Policy
No Attridge employee shall cause or permit a vehicle to idle for more than one-minute (60 seconds)

Exemptions
The one-minute (60 second) limit does not apply to the following situations, except where idling is substantially for the convenience of the operator of the Vehicle:

1. A Vehicle that is stationary because of an emergency, traffic conditions, traffic control signals or mechanical difficulties over which the driver of the Vehicle has no control (e.g. Traffic)
2. A vehicle transporting a person who has a medical doctor’s certificate stating that for medical reasons, the person requires the temperature or humidity to be maintained within a certain range and the idling of the vehicle is necessary to achieve that temperature or humidity level;
3. Mobile Work Vehicles while they are in the course of being used for their basic function;
4. Vehicles where idling is required as part of the repair process or to prepare the Vehicle for service (e.g. Circle Check)
5. When Attridge cold weather procedure is enacted buses will be started early in the morning before runs.
6. When a vehicle is encountering a mechanical issue where it may not be able to be restarted.
7. When specific traffic, safety, or emergency situations arise.

Implementation
This policy shall be effective immediately.
School Vehicle Inspections and Maintenance Policy

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

Scope:

This policy applies to all management and staff employees of Attridge Transportation.

1.0 Purpose:
1.1 This policy establishes the requirements for the inspection and maintenance of school vehicles required under the National Code Standard 11.
1.2 To ensure the safe operations of all Attridge Transportation school purpose vehicles.

2.0 Definitions:
2.1 School Bus – means a school purpose vehicle that is a bus, is painted national school bus yellow, and is equipped with a warning system.
2.2 School Vehicle – means a motor vehicle operated under contract for the conveyance of students in the school system.
2.3 Vehicle Circle Check – a minimal daily circle check conducted at the beginning of each day working Attridge vehicles, performed by the individual utilizing the vehicle for that particular day.
2.4 Lead Hand / Mechanic – the individual designated by the department head who is responsible for ensuring that the maintenance is performed on the respective vehicle.
2.5 Work Order – A maintenance/parts work order that is to be filled out by the vehicle mechanic when maintenance work is required, or when parts or supplies are needed for use in the maintenance of vehicles.

3.0 Preventative Maintenance Program
The following outlines procedures and/or requirements deemed fundamental to the safe operation and/or upkeep of the Attridge fleet.
3.1 Required Equipment – all school purpose vehicles shall be equipped with the following:
   3.1.1 Seat Belt Cutter
   3.1.2 First Aid Kit
   3.1.3 Fire Extinguisher
   3.1.4 2-Way Radio
3.2 Requirements/Standards
   3.2.1 Basic daily inspection, all school vehicles
   3.2.2 Each driver must conduct a circle check inspection of his/her school vehicle each day the vehicle is used to convey students/passengers

4.0 Vehicle Inspections and Maintenance – School Buses
4.1 Driver Responsibilities
   4.1.1 The daily inspection for a school bus, to be carried out by the driver under section 3.2
5.0 Non-Routine Maintenance
When non-routine maintenance needs arise that are above and beyond that are required by the Preventative Maintenance Schedule, the follow process shall be

5.1 The vehicle maintenance mechanic will apprise the lead hand supervisor and with approval make the necessary arrangements for the repair
5.2 Upon completion of authorized repairs, the vehicle maintenance mechanic will execute the completion of the vehicle maintenance work order and submit it to the department head

6.0 Routine Preventative Maintenance
At a minimum, all maintenance departments must abide by the requirements covered in the Preventative Maintenance Schedule:

6.1 Oil changes, Lubrication, Wheel Torques and Brake Adjustments will be scheduled in at or above the recommended manufactures required intervals

7.0 Mandatory Preventative Maintenance / Inspection
It is mandatory that every six (6) months, all Attridge school purpose vehicles receive a full one (1) year Ministry Standard Inspection. Upon completion of inspections, the vehicle maintenance work order must be submitted to the department head
Winter Maintenance Policy

Location: All facilities
Approved by: Glenn Attridge, President
Issue date: September 2018
Review / Revise date: August 2020

It is the policy of Attridge Maintenance that throughout the year we maintain and inspect each vehicle for all extreme weather conditions at every service/inspection interval. In addition the Maintenance department will conduct an Attridge Winter Readiness Inspection’s check during each Safety Inspection. This Winter Readiness Inspection includes but not limited to,

- Testing of the high CCA battery and its cables
- Testing of the engine block heater
- Check vehicle coolant and related components
- Testing of all heaters and fans
- Testing of all heated mirrors and defrosters
- Inspection of the radiator and its hoses
- Inspection of all engine belts and attachments
- Inspection of wiper blades and related components
- Winter rated window washer fluid condition and level
- Inspection of tires for winter readiness
- Condition of snow brush and ice scraper

Note: Winter fuel conditioner is added directly into our fueling stations bulk tanks every winter season.
Inclement Weather – Snow/Ice Policy – Toronto Division

Location:  All facilities
Approved by:  Glenn Attridge, President
Issue date:  December 2019
Review / Revise date:  August 2020

It is the practice of Attridge Transportation Incorporated to monitor for all types of inclement and extreme weather conditions in-order for a safe and on time route performance. The following practices have been implemented for our Toronto Division (10 Akron Road, Etobicoke, ON):

In the event of a snowfall:
- The yard will be plowed prior to driver arrival in the morning.
- The sidewalk(s) will be cleared prior to driver arrival in the morning.
- The remainder of the yard that is inaccessible due to vehicle parking will be plowed after the majority of drivers have departed for the morning routes.

In the event of ice accumulation:
- The yard will be salted/sanded prior to driver arrival in the morning.
- The sidewalk(s) will be cleared prior to driver arrival in the morning.
- The remainder of the yard that is inaccessible due to vehicle parking will be salted/sanded after the majority of the drivers have departed for the morning routes.

Weather events that occur during the regular working day will result in the above noted action.

Requests for action should be immediately made to Management.
Smoke Free Ontario Act, 2017

Location: All facilities
Approved by: Glenn Attridge, President
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Where you can’t smoke or vape in Ontario

Learn where smoking tobacco or cannabis or vaping anything (e.g. with an e-cigarette) is banned in Ontario.

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Definitions of “smoking” and “vaping”

Under the Smoke-Free Ontario Act, 2017, you cannot smoke or vape in any enclosed workplace, any enclosed public place and other places designated as smoke-free and vape-free on this page.

If you smoke or vape where it is not allowed, you may be charged with an offence and subject to a fine ($1,000 for a first offence, $5,000 for any further offence) if convicted.

For the purposes of this page:

- “smoking” means smoking (inhaling and exhaling) or holding lighted tobacco or cannabis (medical or recreational)
- “vaping” means inhaling or exhaling vapour from an electronic cigarette (e-cigarette) or holding an activated e-cigarette, whether or not the vapour contains nicotine

Restaurant and bar patios
You cannot smoke or vape on a patio of any bar or restaurant, including the public areas within 9 metres of the patio.

The only exception is any branch of the Royal Canadian Legion or veterans’ organization that established an uncovered patio before November 18, 2013. There, you:

- can smoke tobacco and vape
- cannot smoke cannabis or vape cannabis or a controlled substance

Restaurant and bar owners, get the signs you need to post

Vehicles and boats

Drivers and their passengers cannot smoke tobacco or vape anything in a car or other motor vehicle if anyone inside is age 15 years or younger.

No one in a motor vehicle (including motorized snow vehicles such as snowmobiles) or boat that is being driven, or is at risk of being put into motion, can consume cannabis in any manner (smoking, vaping, eating). There are exceptions, including for:

- a passenger who is a medical cannabis user and consumes medical cannabis without smoking or vaping (edible medical cannabis is okay)
- certain residential vehicles and boats, specifically a:
  - motor vehicle that has permanent sleeping accommodations and permanent cooking facilities, is parked somewhere that is not a highway, road or driveway, and is being used as a residence
- a boat that has permanent sleeping accommodations and permanent cooking and sanitary facilities (other than a boat used to carry passengers for hire), is anchored or secured to a dock or land, and is being used as a residence

Child care facilities and related places

You cannot smoke or vape in the entire premise of any child care centre or place that provides an early years program or service.

Places providing home child care must be smoke-free and vape-free at all times, even if children are not present. This includes any outdoor spaces that children use.

Schools

You cannot smoke or vape in any public or private school’s:

- indoor space
- outdoor grounds, including playgrounds and sports fields
- public areas within 20 metres of the school’s grounds

Playgrounds and publicly owned sports areas
You cannot smoke or vape on children’s playgrounds or public areas within 20 metres of children’s playgrounds.

You also cannot smoke or vape on publicly owned sporting areas, their fan/viewing areas, and public areas within 20 metres of these places.

“Publicly owned” means that the sporting area is owned by a municipality, the province or a post-secondary education institution. Golf courses are excluded from this restriction.

**Reserved outdoor seating venues**

You cannot smoke or vape in the reserved seating area of outdoor sports arenas or entertainment venues. The legislation does not address general admission areas.

**Community recreational facilities**

You cannot smoke or vape on the outdoor grounds of a community recreational facility and any public areas within 20 metres of its grounds.

A community recreational facility is an enclosed public place or enclosed workplace that offers athletic and recreational programs to the local community and is owned or operated by:

- a not-for-profit corporation
- an organization registered as a charity
- the province
- a municipality

**Enclosed workplaces**

You cannot smoke or vape in an enclosed workplace, **even when the workplace is closed**.

An enclosed workplace means any part of a building, structure or vehicle with a roof that an employee works in or visits, even during off-hours, including:

- an office building
- a trailer office on a construction site
- a delivery truck

An employer may not fire, threaten to fire, discipline, suspend, penalize, intimidate or coerce an employee who follows the *Smoke-Free Ontario Act, 2017*.

If your employer does any of this, you can complain to the Ontario Labour Relations Board by calling toll-free: 1-877-339-3335.

Business owners, get the signs you need to post

**Enclosed public places**

You cannot smoke or vape in an enclosed public place.
An enclosed public place means any part of a building, structure or vehicle that is covered by a roof and where the public is invited or has access. It doesn’t matter if there is a fee to get in or not.

**Government office buildings**

You cannot smoke or vape on the outdoor grounds of specific office buildings owned by the province.

**Sheltered areas**

You cannot smoke or vape in an outdoor shelter that has more than two walls and a roof if the public or employees are invited to use it (for example, a bus shelter).

**Where health or long-term care services are provided**

**Hospitals and other health care facilities**

You cannot smoke or vape within 9 metres of any entrance or exit of a public or private hospital, psychiatric facility, long-term care home or independent health facility.

You cannot smoke or vape on any outdoor hospital grounds or psychiatric facility grounds.

**Exemption: Traditional or cultural smoking**

If you are an Indigenous person and live in a hospital, psychiatric facility, long-term care home, home for special care, community home for opportunity, or independent health facility, you may request an indoor area to use tobacco for traditional Indigenous cultural or spiritual purposes. This area must be separate from any controlled area.

**Where home health care workers work**

A home health care worker is a person who provides health care services in private homes that are provided or arranged by either:

- a Local Health Integration Network
- an entity that is funded by the Ministry of Health and Long-Term Care or a Local Health Integration Network

Home health care workers have the right to:

- ask someone not to smoke or vape around them when they are working
- leave the home if the person smokes or vapes anyway, as long as leaving will not put anyone’s health in immediate serious danger

If you are a home health care worker and need to leave the home, you must:

- tell your employer within 30 minutes, or as soon as reasonably possible:
  - that you have left
  - if someone is with the client who can take care of them
  - if the client needs care within the next 24 hours
  - the client’s situation when you left
if there are any unusual circumstances and, if so, what they are
  • follow any guidelines from your employer that aim to ensure that the client is kept safe and has a reasonable level of care

Residential care facilities

You cannot smoke or vape in enclosed workplaces, including:

  • residential care facilities, including:
    o long-term care homes
    o retirement homes that provide care
    o provincially funded supportive housing residences
  • certain veterans’ facilities
  • certain psychiatric facilities
  • residential hospices

Some of these facilities may choose to construct and operate a controlled area for residents to smoke or vape.

Special notes for residential hospices:

  • tobacco cannot be smoked in your controlled area
  • owners can download and print the signs they need to post

A controlled area must be approved by and registered with the Ministry of Health and Long-Term Care. If you are interested in constructing a controlled area in your facility, please submit a letter of intent to SFOApplications@ontario.ca.

Multi-unit residences

Common indoor areas

You cannot smoke or vape in any common indoor areas of condos, apartment buildings or college and university residences. Examples of indoor common areas include:

  • elevators
  • stairwells
  • hallways
  • parking garages
  • laundry facilities
  • lobbies
  • exercise areas
  • party or entertainment rooms

Second-hand smoke or vapour in rental units

Unless you have signed an agreement or lease or are in a condominium with bylaws that say otherwise, you are allowed to smoke or vape in your private home.

If you live in a building where smoking is allowed, and second-hand smoke or vapour from another unit is interfering with the reasonable enjoyment of your home, speak to your landlord. They may be able to fix the problem with a simple conversation or repair to your unit.
If your landlord does not resolve the issue, contact the Landlord and Tenant Board. You will be asked to show how the other tenant’s smoking or vaping is interfering with your reasonable enjoyment. Each application is determined by the Board on a case-by-case basis.

**Landlords**

Under the *Residential Tenancies Act, 2006* a landlord may apply to evict a tenant if their smoking:

- interferes with the reasonable enjoyment of other tenants
- seriously impairs safety

**Hotels, motels and inns**

The only places you can smoke or vape in hotels, motels and inns is in fully enclosed guest rooms that the management has designated for smoking and/or vaping. Only registered guests and their invited guests can smoke or vape in these rooms.

Smoking or vaping is not allowed on or around playgrounds at hotels, motels and inns.

Owners, get the signs you need to post

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