



*Worth Knowing #50 (2021 04 14)*

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## WORTH KNOWING

### COVID-19 and School Safety

Alberta's third wave of the COVID-19 pandemic is being driven by highly contagious variants of the coronavirus. Last November, secondary schools moved online with 1,700 cases in schools. Currently we have 2,400 cases in schools—many of them variants of concern—and nearly one in five schools have alerts or outbreaks.

School leaders and support staff are spending hours calling students and staff to instruct them to isolate after families report a positive test result for COVID-19. A concerning number of Alberta teachers and their students have tested positive for COVID-19, and thousands more have been required to isolate. An interactive map of COVID-19 school status can be accessed [here](#).

Public health measures are in place to support the safe operation of schools, which includes mandatory masking, physical distancing when possible, enhanced cleaning and daily symptom screening. Further, President Schilling and the Alberta Teachers' Association tirelessly advocate for school workers and for increased protective measures to help prevent spread in schools. However, because of various factors, working in schools may not be possible for all teachers, specifically those who have certain health concerns.

Some teachers may have a compromised immune system or other medical condition that necessitates special accommodations to ensure their health. In that case, the teacher must have medical documentation showing that they require the employer to make changes to certain rules, standards, policies, workplace cultures or physical environments to ensure that school conditions do not have a negative effect on the teacher. This may mean extra PPE, barrier protection or, in more complex situations, a teacher not being able to work in a regular school setting. Medical documentation that supports substantive accommodations requires the teacher to work closely with their health care provider, Teacher Employment Services (TES) and their employer.

It is the duty of the employer to make accommodations for medical disability to the point of undue hardship. This will require working with the employer to establish the medical limitations of the teacher's disability and ensure that the employer best accommodates the teacher's

disability. Teachers must bear in mind that employers have the ability to direct them to attend a medical examination under section 226 of the *Education Act*.

Further, teachers also have the obligation to enforce public health directives to ensure the safety of their school communities. If students refuse to comply with public health orders, teachers have the authority to address the noncompliant behaviour. Under section 36 of the *Education Act*, a teacher may suspend a student from one class period if “the student’s conduct, whether or not the conduct occurs within the school building or during the school day, is injurious to the physical or mental well-being of others in the school.” This would require that the teacher direct the noncomplying student to the school office. While out-of-school suspensions are often reluctantly considered, under the act, principals may suspend a student for up to five days, without a recommendation for expulsion, to ensure the safety of students and staff.

As workers in a school, teachers have an obligation to ensure the safety of their workplace. Teachers must report unsafe conditions to their site supervisor (usually their principal). Moreover, teachers can contact [Alberta Health Services](#), Environmental Public Health or the medical officer of health with respect to COVID restrictions and enforcement of compliance with public health orders. Occupational Health and Safety and Alberta Health can coordinate efforts to ensure safety and compliance, dependent on the concern raised.

## WORTH SHARING

Teachers should have a work environment that is safe for themselves and for their students. Although working from home is not a right, if a medical accommodation to work in isolation is necessary, the employer must accommodate to the point of undue hardship. Teachers requiring accommodation should call Catherine LeBlanc in the Local’s office at 780-454-3481 or the provincial Association at 1-800-232-7208 and request the assistance of Teacher Employment Services. **#WEAREATA**