

## Indoor Temperatures During the Winter Months

Are your job duties normally indoors? Is the temperature in your workplace or classroom below 18 degrees Celsius (64 degrees Fahrenheit)?

If you answered yes to both of these questions, then inform your Principal/Supervisor that the room falls below the limits as set out in the *Occupational Health and Safety Act*.

### Industrial Regulations:

128. (1) Replacement air shall be provided to replace air exhausted.
- (2) The replacement air shall,
- (a) be heated, when necessary, to maintain at least the minimum temperature in the workplace specified in section 129;
  - (b) be free from contamination with any hazardous dust, vapour, smoke, fume, mist or gas; and
  - (c) enter in such a manner so as,
    - (i) to prevent blowing of settled dust into the workplace,
    - (ii) to prevent interference with any exhaust system, and
    - (iii) not to cause undue drafts.
- (3) The discharge of air from any exhaust system shall be in such a manner so as to prevent the return of contaminants to any workplace. R.R.O. 1990, Reg. 851, s. 128.
129. (1) Subject to subsection (2), an enclosed workplace shall be at a temperature,
- (a) suitable for the type of work performed; and
  - (b) not less than 18 degrees Celsius.
- (2) Clause (1) (b) does not apply to a workplace,
- (a) that is normally unheated;
  - (b) where the necessity of opening doors makes the heating of the area to the temperature specified in clause (1) (b) impracticable;
  - (c) where perishable goods requiring lower temperatures are processed or stored;
  - (d) where radiant heating is such that a worker working in the area has the degree of comfort that would result were the area heated to the temperature specified in clause (1) (b);
  - (e) where the process or activity is such that the temperature specified in clause (1) (b) could cause discomfort; or
  - (f) during the first hour of the main operating shift where process heat provides a substantial portion of building heat. R.R.O. 1990, Reg. 851, s. 129.

The Principal/Supervisor must then investigate the situation, have the problem rectified or relocate you to another work area such as the cafeteria, gym, library or another classroom. If the Principal/Supervisor does not act in a reasonable amount of time and you believe that the condition is injurious to your health and safety, you may exercise your **right to refuse unsafe work**, under section 43 of the OH&SA.

How do you know the temperature is below 18 degrees Celsius? Bring in a thermometer from home or borrow one from your science colleagues. Place the thermometer close to your work station or area.

Invoking your 'right to refuse' unsafe work (sec. 43) is a personal decision and only you can make it, no one can do it for you. Inform your Principal/Supervisor you are Refusing Unsafe Work under section 43 of the OH&SA and state your reasons why. There are restrictions to the 'right to refuse' for teachers. Teachers must ensure the safety of their students prior to refusing unsafe work. Support staff do not have this restriction.

Please note that while the Industrial Regulations made under the Occupational Health and Safety Act do specify a minimum temperature, the OH&SA does not have a maximum temperature. For this condition we must rely on Board policies and our Collective Agreements to protect us.