

President's Message: Data Driven Decisions

We hear a lot these days about data driven decision making and, being a numbers guy, there is merit to this approach. However, also being a statistics guy, I am wary of putting all of one's eggs in one basket. Making decisions using intuition, experience, professional judgment, *and* data is usually the best recipe. When deciding what to do about violent incidents in the workplace, this is the only recipe. I have written about violence reporting in these pages before, but here is another angle. Reporting violent incidents is the data collection part of the process; this data can be used at the school and/or the division level to mitigate circumstances and create a safe place for teachers to teach and students to learn. On Thursday, for the first time, the Workplace Safety and Health Committee will receive a report on violent incidents. However, just like the data we collect about achievement and the data we collect about attendance, collecting data cannot be the only thing we do about violent incidents. After a report is submitted, principals and teachers use their intuition, experience, and professional judgement to deal with the incident and move forward to reduce the risk of a repeat incident. The reporting structure lends a consistency to the process and can inform division level decisions when allocating resources. It is for all these reasons we must be conscientious in reporting violent incidents – besides, it's the law; the reporting form is on our website.

"workplace violence" means

(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, or

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

-- Workplace Safety and Health Act

Bargainers Wanted

Speaking of data driven decision making...the Interlake Teachers' Association is preparing for the upcoming round of bargaining. Our survey is done, and now it is time for us to analyze that data to prepare our opening package. For this we need you. It is the job of the Collective Bargaining Steering Committee to read the data from the workload survey and the bargaining survey and craft the Association's opening proposal for bargaining. This is not the group that does the actual negotiations with the board; that comes later. If you would like to join the Collective Bargaining Steering Committee, please respond to Maria Nickel indicating your interest. All are welcome.



Teachers Driving Students (adapted from mbteach.org)

The beginning of the school year, The Manitoba Teachers' Society is reminding teachers of the legal issues around transporting students in a teacher's own vehicle. According to legal opinions sought by MTS there are possible liability issues and consequences of which teachers should be aware:

Teachers are covered two ways when transporting students: through a division's liability insurance and through personal, regular insurance from MPIC. In the event of an accident, MPIC comes into play. As a no-fault province, no one, including a teacher can be sued for bodily injury arising from a motor vehicle accident. The MTS legal opinion points out, however, that accidents can occur that do not involve a vehicle, in which case the division coverage kicks in. In travel outside of Manitoba, teachers are open to liability in jurisdictions that do not have no-fault insurance. "The teacher may be sued in accordance with the law in the jurisdiction where the accident occurred," the report says. "MPI would be required to defend the case on behalf of the teacher up to the limits of liability under the MPI policy. Any amounts of liability, in excess of the policy limit, would (subject to coverage available under the division policy) be the personal responsibility of the teacher."

It's for those reasons that MTS recommends teachers ensure their coverage, through MPI and the division policy, is adequate. MTS lawyers recommend that teachers obtain permission from their principals for routine excursions and from the board for trips outside the province. Teachers should be aware of other employment issues associated with transportation of students in personal vehicles because having a vehicle is not a condition of employment. As is the case with any motor vehicle accident, the teacher, if at fault, would assume the financial penalty to their MPI rates as well as the surcharge on their licence.

Teachers put their welfare at risk when transporting students because the opportunity is greater for allegations of misconduct to be made. Depending on circumstances, it is possible for the employer to impose discipline, possibly up to termination, if, for example, serious injury was a direct result of negligence on the part of the teacher. A principal who authorizes a teacher to drive students without verifying the validity of a teacher's driver's licence and/or registration may be disciplined for a resulting accident if in fact the licence or registration were not valid.



Final Strategic Planning Session is This Week

Thank you also to the ITA members who, on October 11 at TCI, and on October 25 at WCI engaged the division in forming the next strategic plan. The next and final such opportunity is at Stonewall Collegiate on Wednesday, November 25, 4:30. I invite all of you to come and let the division know where you wish our next plan to go. It only takes an hour.