

WORK-RELATED INJURIES/CNESST

The definition of a “work accident” from 5-10.36 (a) Provincial Entente is: *A sudden and unforeseen event, attributable to any cause, which happens to a teacher, arising out of or in the course of work and resulting in an employment injury to him or her.*

As an employee of the EMSB, if you have suffered a work related injury, you may be entitled to CNESST benefits. It is important that if something does happen to you during the performance of your duties as a teacher, that you have the incident documented right from the beginning. The EMSB and the MTA have placed accident report forms on the EMSB Portal (see the Human Resources folder) and also on MTA website. There are supposed to be copies of these forms in your school’s/centre’s main office but we have found that this is not always the case.

Completing a form is not enough to have a CNESST claim accepted. See a doctor on the same day the injury occurs. Don’t just wait for the pain to go away or put off an appointment for lack of time. If you do, it makes it more difficult for the doctor to establish the link between the accident and your work, and for the CNESST to accept your claim. Provide all the details of the event so that your doctor can establish the link with your work and begin the procedure with the CNESST by submitting a medical certificate indicating the diagnosis and the duration of any absence. Submit the medical certificate to the school board and send a copy to the CNESST office in your area. Even if the doctor feels you are capable of working, the clinical notes are entered in your file and could be useful should any other problems arise.

The two most commonly used forms are the Accidental Event Form and the Notice of a Dangerous Situation Form.

Accidental Event Form

Even the smallest injury can eventually lead to complications so be sure to complete the ***Incident or Accident Report Form (aka the HSI form)*** for any accident that you have suffered and, if possible, have a witness sign the completed form. A simple slip in the parking lot can eventually lead to long-term pain. If the accident has been documented early on, it may help you receive many benefits that would not usually be fully paid through your health insurance.

Notice of a Dangerous Situation Form

If you happen to notice something that is potentially dangerous for the people in your school or centre, you have the legal responsibility to notify your administration of the problem. Often a simple note to your administrator will solve the issue but for bigger cases, or for when you do not feel that a reasonable answer has been given, then we encourage you to complete a ***Notice of a Dangerous Situation Form*** (also on the Portal and MTA website), give it to your administrator and send a copy to the MTA office.

For issues related to air quality, a different form exists, the ***Indoor Air Quality Problem Reporting Form (aka the HS9 form)***.

Finally, it is very important that any teacher who is having difficulty with a work related injury or a health and safety issue in your school or centre call the MTA office. Dealing with the CNESST can be a daunting task so please use the MTA as a resource. We do represent teachers on the EMSB Health and Safety Committee so this is your way to make sure that your voice is heard when it comes to safety in the schools/centres. Remember, your employer has the obligation to ensure the safety of their employees and the students they serve.