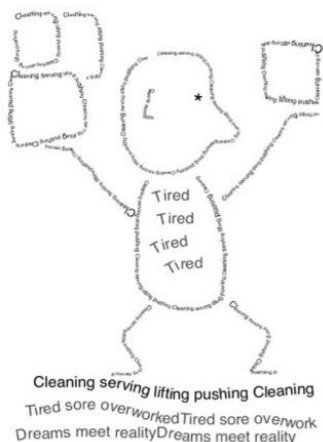


## Information for newcomers to Ontario about staying safe and healthy at work

Workers get hurt on the job every day. Both you and your employer (boss) have a role in making your job safe.

When you first come to Canada, you may not get a job in your field. You may end up in a job that you are not used to doing, or use tools or machines that you have never used before.



In Ontario, the law that protects people at work is called the **Occupational Health and Safety Act (OH&S Act)**.

The Act and its regulations help make workplaces safer, and give workers basic rights so that they can be safe at work.

### Who is covered by the Occupational Health and Safety Act

- The OH&S Act covers workers in ALL workplaces in Ontario, except for those who work in the homes of their employers (i.e. domestic workers and live-in caregivers). Workplaces under federal government control—such as post offices, airports, banks—are protected by federal laws.
- The Ontario Ministry of Labour makes sure that everyone obeys the OH&S Act. It can inspect workplaces and order employers to make changes if there are problems in the workplace.

Hours?  
Can I refuse unsafe work?  
Should I be trained?  
Is this work dangerous?  
What are my rights?

### What are some examples of things that can cause you to get sick or injured at work?

#### Hazard or danger → Possible injury

- Working with new tools or machines → cuts, loss of limbs
- Lifting heavy things (boxes, for example) → back pain
- Doing the same action over and over again → back, arm or neck pain
- Falling or slipping on a wet or dirty floor → spraining or breaking an arm or a leg
- Working with chemicals without gloves or a mask → skin or breathing problems, allergic reaction

## Duties of employers, supervisors and workers under the OH&S Act

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Employers, supervisors and workers each have their own specific duties in the workplace.

### Your employer or supervisor must:

- Give you the information, training and supervision that you need to protect your health and safety at work.
- Tell you about any dangers in the workplace, and take every reasonable precaution to protect you.
- Make sure that safe work procedures are in place and followed, and that tools, machinery and personal protective equipment are used properly.
- Ensure that safety equipment—both personal protective equipment and safety equipment on tools and machines—is in good condition.
- Cooperate and work with joint health and safety committees/representatives.

### As a worker, you must:

- Use the safety equipment—both personal protective equipment and safety equipment on tools and machines—that your employer says to use.
- Tell your employer if you see any broken equipment or spot any safety problems.
- Ensure you do not use any equipment or machinery that could harm you or another worker.
- Act responsibly in the workplace.
- Report any violations of the OH&S Act or its regulations to your employer.

## Your legal rights under the OH&S Act

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The OH&S Act gives workers three legal rights to help protect their health and safety.

### 1. The right to know about health and safety hazards on the job

Your employer must tell you about all known hazards in the workplace. This might include the types of work activities you do or potentially harmful materials or chemicals you use.

### 2. The right to participate in keeping the workplace safe and healthy

You have the right to help make your workplace safer by sharing your ideas or complaints about workplace health and safety with your employer or health and safety representative/committee. Every workplace in Ontario that employs more than five people (but fewer than 20) must have a health and safety representative. If a workplace employs 20 or more workers, it must have a joint health and safety committee.

Health and safety representatives and committees inspect the workplace for unsafe conditions and tell the employer and workers about these conditions.

Representatives are workers appointed by other workers; at least half the members of most joint health and safety committees are workers chosen by other workers. You should find out who your health and safety representatives and/or committee members are when you are hired into a workplace.

### 3. The right to refuse unsafe work

You can legally refuse to do work that you think might hurt you or another worker. This includes when you think the

equipment or machines you are using are unsafe or are being used in a way that might hurt you or someone else, or when you feel that the physical conditions of the workplace are dangerous. Your boss does not have the right to fire you for refusing unsafe work. However, there is a specific way to refuse work so that you are protected by the OH&S Act. See the Ministry of Labour website for details: [www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag\\_7.php](http://www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag_7.php).

## **Violence and harassment in the workplace**

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Everyone should be able to work without fear of violence or harassment, in a safe and healthy workplace. Violence and harassment in the workplace are not tolerated in Ontario.

- **Workplace violence** is when someone uses, attempts to use or threatens to use physical force that could cause injury to a worker in a workplace.

Accidents, such as when a worker trips over something and inadvertently pushes a co-worker, are not usually considered violence.

- **Workplace harassment** is when someone engages in distressing and unwelcome comments or conduct against a worker in a workplace. This may include bullying, intimidating, making offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or making offensive or intimidating phone calls.

Actions by an employer or supervisor that are part of normal work activities are not usually considered harassment. This is the case even if the actions result in unpleasant consequences for a worker. Examples of activities that would not normally be considered workplace harassment include work assignments, scheduling, job

assessments, performance evaluations, workplace inspections, implementation of dress codes and disciplinary action.

- Generally, differences of opinion and minor disagreements between co-workers would not be considered harassment.

All workplaces must have policies or programs to prevent violence and harassment. Your employer must tell you about these prevention policies and programs. This includes telling you about the process for reporting incidents of workplace violence and harassment, and how your employer will investigate and deal with incidents or complaints.

If you are facing violence or harassment at work, you should inform your employer, supervisor, health and safety representative or joint health and safety committee. If the problem cannot be solved internally (within your workplace), then you should call the Ministry of Labour. See the back page of this handout for contact information.

If you are in immediate danger or an emergency situation, you should contact the police.

For more information, including what is considered workplace violence or harassment under the OH&S Act, see: [www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php](http://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php).

## **Other important information**

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Tell your supervisor if you do not understand health and safety instructions or safety rules. If you cannot read rules and instructions on your own, have someone translate them for you. Ask your supervisor or co-workers for help if you are new to the job.

If your employer tries to punish you in any way for refusing work that you feel is

unsafe—for example, by cutting your hours or firing you—then you can report this to the Ministry of Labour. The Ministry can help, but note that these complaints can sometimes take considerable time to resolve.

All injuries at work should be reported to a supervisor. In Ontario, reporting injuries is the law. See the fact sheet about workers' compensation for more information.

## Helpful resources

You should be aware of a number of organizations that address health and safety in the workplace:

The **Ontario Ministry of Labour Health and Safety Contact Centre** is the government body to contact to report unsafe work practices, injuries or incidents, or if you have general occupational health and safety questions. You can call 24 hours a day/ 7 days a week. Call 1-877-202-0008 or visit the website at: [www.labour.gov.on.ca](http://www.labour.gov.on.ca).

The **Ontario Labour Relations Board** offers legal help if you are being punished for exercising your rights under the OH&S Act. It

is also the body to contact for appealing a Ministry of Labour inspection order. Call 416-326-7500 in Toronto or 1-877-339-3335 toll-free, or visit the website at: [www.olrb.gov.on.ca/english/homepage.htm](http://www.olrb.gov.on.ca/english/homepage.htm).

**Occupational Health Clinics for Ontario Workers (OHCOW)** has ergonomists, occupational hygienists, nurses and doctors who provide occupational health services, information and medical diagnoses for work-related injuries and diseases. Call 416-449-0009 in Toronto or 1-877-817-0336 toll-free, or visit the website at: [www.ohcow.on.ca](http://www.ohcow.on.ca).

The **Industrial Accident Victims' Group of Ontario (IAVGO)** is a community legal aid clinic serving injured workers in Ontario. It can offer free legal advice, legal representation and information. Call 416-924-6477 or 1-800-230-6311 toll-free, or visit the website at: [www.iavgo.org](http://www.iavgo.org).

The **Toronto Workers' Health & Safety Legal Clinic** can offer help if you are being punished at work for refusing unsafe work. Call 416-971-8832 in Toronto, or go to the website at: [www.workers-safety.ca](http://www.workers-safety.ca).

This document does not constitute legal advice or formal training. To determine your rights and obligations under the *Occupational Health and Safety Act* (OHSA), contact legal counsel or refer to the legislation at: [www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90o01\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm)

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- Injured Workers' Consultants
- Skills for Change
- Workers Health and Safety Centre
- Workplace Safety and Insurance Board
- Ontario Ministry of Labour
- Workplace Safety and Prevention Services
- Occupational Health Clinics for Ontario Workers



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The Institute for Work & Health is an independent, not-for-profit research organization. Its mission is to conduct and share research that protects and improves the health of working people and is valued by policy-makers, workers and workplaces, clinicians, and health and safety professionals.

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