

Staying safe and healthy at work

Information for newcomers to Ontario



**Institute
for Work &
Health**

Research Excellence
Advancing Employee
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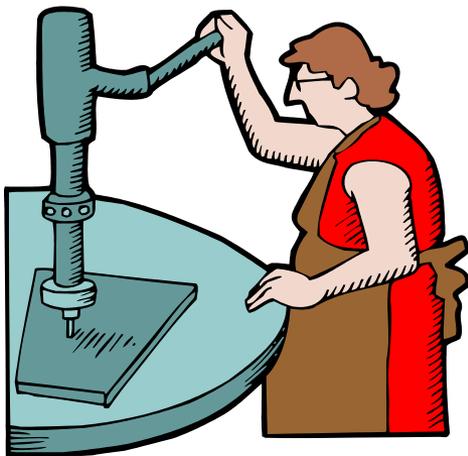
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Why is workplace safety important?

- New workers have **four times** the risk of injury during their first month in a new job.
- **40%** of all workplace injuries happen during the first six months on the job.
- **One in every 15** workers is injured every year in Canada.
- Three **workers are killed** each day on the job in Canada.



What are some common workplace health and safety hazards?



The Occupational Health and Safety Act (OH&S Act)

- In Ontario, the law that protects people at work is called the **Occupational Health and Safety Act (OH&S Act)**.
- The OH&S Act helps make workplaces safer and gives workers basic rights so that they can be safe at work.
- The OH&S Act gives workers and employers both **rights** and **duties/obligations**.

Workplace duties under the Occupational Health and Safety Act

Employer and supervisor duties

Your employer or supervisor must:

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

Employers must protect workers. It is the law!



Workplace duties under the Occupational Health and Safety Act

Worker duties

As a worker, you must:

- Use the safety equipment your employer says to use.
- Treat safety equipment with care and respect.
- Tell your employer if you see any broken equipment or 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 to your employer.
- Let your supervisor or employer know if you do not understand the safety training at work.



Scenario: Worker duties

Reena works at a food processing plant. Her job is to run a packaging machine on a cooking oil bottling line. Because of an awkward reach across the bottling line, she has to work dangerously close to the bottling machine.

One day, Reena gets the sleeve of her smock caught on a piece of the moving machinery. She has to rip her sleeve loose to prevent her arm from being pulled into the machine.

Reena has heard that the law in Ontario gave employees the right and the duty to speak up about unsafe work.

Reena tells her supervisor about the situation right away and shows him her torn smock. The company then installs guard shields on the machine and designs a special tool to eliminate the awkward reach across the packaging line. This makes Reena's job much safer.



Your rights under the OH&S Act

The OH&S Act gives workers **three legal rights** to help protect their health and safety on the job:

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 you do, or the materials or chemicals in the workplace that could hurt you or make you sick.



Your rights under the OH&S Act

2. The right to participate in keeping your 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 must have either a health and safety representative or a joint health and safety committee that includes worker representatives. Find out at work who your health and safety representative is or who your committee members are.
- Joint health and safety committee members and health and safety representatives have an important role in the workplace. They help to identify hazards, inspect the workplace and make written recommendations to the employer to improve the health and safety of workers.

Your rights under the OH&S Act

3. The right to refuse unsafe work

- You can legally refuse to do work that you think might hurt you or another worker on the job.
- Your boss does not have a right to fire you for doing this.
- **There is a specific way to refuse work so that you are protected by the OH&S Act.**

Legally refusing unsafe work

- Sometimes workers are worried about losing their jobs for refusing to do unsafe work. **There is a specific way to refuse work so that you are protected by the OH&S Act.** If you refuse work in the following way, your employer cannot punish you without breaking the law.
- First, tell your supervisor or employer right away that you feel that the work is unsafe and give your reasons.
- Your employer, in the presence of a worker member of the joint health and safety committee (or health and safety representative), must investigate the problem. You need to remain in a safe place and be available for the investigation.
- If the situation is resolved in a way that makes you feel safe, you return to work. If you have grounds for believing the work is still unsafe, tell your employer. You can continue to refuse the work. You, your employer or worker joint committee member (or representative) must call the Ministry of Labour so an inspector can investigate.
- While the Ministry inspector investigates, you may be given other work during normal working hours, or be given other directions.
- The inspector will provide a written decision.
- If your employer tries to punish you in any way for refusing work you feel is unsafe (for example, by cutting your hours or firing you), you can file a complaint with the Ontario Labour Relations Board, file a grievance through your union (if there is one), or contact the Ministry of Labour for information.

Violence and harassment in the workplace

- 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.
- 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), you should call the Ministry of Labour.
- You have the right to refuse work if you believe you are in danger due to workplace violence.
- If you are in immediate danger or an emergency situation, you should contact the police.

Scenario: Harassment at work

Omar is working on a construction site. He finds most of his co-workers friendly and pleasant. But one person on the job site is making his work difficult by laughing at Omar's clothes, making fun of the food he brings for lunch and making fun of his accent. Omar is worried that by saying something, he will make the behaviour worse, but he doesn't want to work with this person anymore.

What should Omar do?



Scenario: Harassment at work

If he feels safe, Omar should speak directly to the co-worker who is making fun of him, and ask him to stop.

If Omar cannot do this, or if speaking to the co-worker doesn't change the situation, Omar needs to report the situation clearly to his supervisor, noting what has been happening and that he tried to resolve the issue with the co-worker. (This is why keeping your own notes or records of things on the job can be useful.)

Omar's employer or supervisor must have a plan in place for dealing with harassing behaviour at work, and should help Omar resolve the issue.

If the employer does not help Omar, Omar should call the Ministry of Labour and tell it about the co-worker and about his attempts to get help from the supervisor or employer.



Your turn...

- Have you ever had to do something at work that you believed to be unsafe?
- Would it be hard to refuse to do unsafe work (to tell your employer “no”)? Why or why not?
- How would you go about refusing unsafe work?



Other important information

- Tell your supervisor if you don't understand the health and safety instructions or safety rules. If you can't read these on your own, have someone translate them for you. Ask a supervisor or co-workers for help if you are new.
- 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.



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