

Health and safety at work

Sample lesson plan on staying safe and healthy at work

About this guide

This guide provides tips to settlement services staff and workshop leaders in Ontario on delivering the information in the fact sheet for learners entitled, “Health and safety at work.” The purpose of the fact sheet is to introduce newcomers to occupational health and safety in Ontario, including the *Occupational Health and Safety Act* (OHSA).

Use of the fact sheet is recommended for:

- all newcomers enrolled in English-language classes of CLB 4 or above
- newcomers preparing to enter the labour market (e.g. in job-search and employment-preparation programs)
- newly employed immigrants.

Why introduce this topic

New workers (both newcomers and Canadian-born) face an increased risk of injury during their first month on the job.

Newcomers or new immigrants face special challenges. Sometimes they are unable to find the work that they hoped to find and, instead, take “survival jobs” that are not in their field. New immigrants to Canada are also more likely to work in manual jobs where the risk of injury is higher.

When to introduce this topic

This topic should be addressed when discussing labour market information, workers’ rights and job quality.

How to use this lesson plan

This lesson plan is designed for workshop leaders and settlement services staff in Ontario who have little knowledge or background in this field and want guidance. The sample lesson plan provides wording that essentially mirrors the information in the fact sheet handed out to learners. It also suggests some classroom exercises. The lesson plan ends with “Helpful resources” that workshop leaders can review with learners.

Introduction

Today, we are going to talk about health and safety at work. Workers get hurt on the job every day. Both you and your employer (boss) can make your job safer.

Your first job in Canada may be different than the work you are used to doing. You may use tools or machines that you have never used. You may do tasks you have never done. You may work in an environment that feels strange. These things may increase your chances of getting injured or sick at work.

Exercise #1

Ask students if they have heard the term “workplace/occupational health and safety” before. Ask what they already know about the topic. Ask about workplace health and safety in their countries of origin, and about ways that they have been taught to work safely (or not) in jobs in Canada or their countries of origin.

Canada has laws that help make workplaces safer. These laws give workers rights so that they can be safe at work.

In Ontario, the law that protects most people at work is the ***Occupational Health and Safety Act (OHSA)***. The Ontario Ministry of Labour, Training and Skills Development (MLTSD) enforces the OHSA. Ministry inspectors can inspect workplaces and order employers to make changes if there are problems.

Who is protected by the *Occupational Health and Safety Act*?

The OHSA protects most workers in Ontario. It does not apply to people who work in the homes of their employers—for example, domestic workers and live-in caregivers.

The OHSA does not apply to Ontario workplaces under federal government control—such as post offices, airports and banks—because these workers are protected by a federal law, the **Canada Labour Code**.

Exercise #2

Ask students for examples of things that might cause them to get ill or injured at work. Have the class “brainstorm” ideas about common workplace hazards. Every job has different kinds of hazards associated with it; some are more obvious than others.

Examples include:

- working with tools or machines (in restaurants or manufacturing) → cuts or amputations
- lifting heavy things (e.g. boxes) → back pain
- doing the same thing again and again → back, neck, arm or hand pain
- falling or slipping on a wet or dirty floor → sprains, broken bones
- working with wet hands all day or working with chemicals and no gloves or mask → skin or breathing problems, cancer
- bullying and harassment → depression, mental stress
- seeing or experiencing workplace violence → traumatic mental stress

Other health and safety risks for newcomers include working quickly, being tired (from working two jobs or doing shift work), and feeling that the work is too easy (potentially resulting in workers not giving enough attention to safety).

safety facts. You can get information about this training at the Ministry of Labour, Training and Skills Development website.

- Cooperate with health and safety representatives.
- Do everything they can to protect you.

Health and safety representatives

Every workplace in Ontario that employs 6 or more people must have a worker **health and safety representative**.

This is a worker chosen by other workers. A workplace that employs 20 or more people must have a **joint health and safety committee** that includes both worker and management health and safety representatives.

Representatives identify hazards in the workplace (for example, by doing workplace safety inspections) and make recommendations on health and safety.

As a worker you must:

- Follow instructions and rules to keep your workplace safe.
- Act responsibly in the workplace.
- Use the safety equipment your employer tells you to use. This includes personal protective equipment or clothes, and safety equipment on tools and machines.
- Use equipment or machinery properly so that you do not harm yourself or another worker.
- Tell your employer about equipment or machinery that is broken or missing a guard. Do not use it until it is fixed.
- Tell your employer about any health and safety problems or violations of the OHSA.

What duties do employers, supervisors and workers have under OHSA?

Under the OHSA, employers, supervisors and workers have duties to make the workplace safe.

Employers or supervisors must:

- Have occupational health and safety policies and programs to protect you as a worker. This includes preventing injuries, illnesses, violence and harassment.
- Give you information, train you and supervise you to protect your health and safety at work.
- Tell you about dangers (hazards) in the workplace.
- Make sure that there are safe work procedures that you follow.
- Make sure that the right tools, machinery and personal protective equipment (for example, hard hats, safety glasses, steel-toed boots, ear plugs, masks) are available and used properly.
- Make sure that equipment is in good condition. This includes materials and protective devices (for example, personal protective equipment and guards on tools and machines).
- Make sure that you take basic health and safety awareness training about important health and

What are your rights under OHSA?

The OHSA gives workers the right to:

Know about health and safety dangers on the job

- Your employer must tell you about all known dangers (hazards) in the workplace and what to do about them.
- If there are instructions or rules you don't understand, tell your supervisor. There may be a health and safety reason for the rule. If there are written rules or instructions that you cannot read, ask someone to help you.

Participate in keeping the workplace safe and healthy

- You have the right to help make your workplace safe. You can share your ideas or complaints about workplace health and safety with your employer or

your health and safety representatives (HSRs).

- HSRs must inspect the workplace once a month and tell the employer and workers about unsafe conditions. They may also recommend ways for the employer to help fix problems.
- You should meet your health and safety representative(s) when you start a job.

Refuse unsafe work

- You can refuse to do work that you think might hurt you or another worker. You can also refuse to work if you believe equipment or machines are unsafe or if they are being used in a way that might hurt you or another worker.
- There is a specific way to refuse unsafe work so that you are protected by the OHSA. Speak to your health and safety representative or see the Ministry of Labour, Training and Skills Development guide to the OHSA, on the Ministry website.

Exercise #3

Ask the members of the class if they have ever done something at work that they believed was unsafe. Discuss with the class why it might be scary or intimidating to refuse unsafe work. Role-play with students about how they might refuse unsafe work.

What is violence and harassment in the workplace?

The OHSA says employers must try to protect workers from workplace violence or harassment.

Workplace violence is when someone uses force, tries to use force or threatens to use force that could injure a worker in a workplace. It is also workplace violence when non-workers harm a worker. An example would be when a patient hurts a hospital worker.

It is **not** violence when someone uses force by accident.

Workplace harassment is when a person bullies, intimidates or offends a worker—by saying or doing something that the person knows, or should know, the worker does not like—and usually more than once. This includes making threats or rude jokes, showing offensive pictures, making intimidating phone calls, making inappropriate body contact and making fun of someone.

It is **not** usually harassment when people disagree or have an argument. It's also **not** usually harassment when an employer or supervisor says or does something as

part of normal work duties that a worker doesn't like. An example would be when a supervisor gives negative feedback about someone's work or gives workers shifts that they don't like.

Violence or harassment can be carried out by a co-worker, supervisor, employer, customer or client, friend, family member or other non-worker.

If you face violence or harassment at work, tell your employer, supervisor or health and safety representative. If the problem cannot be solved at your workplace, call the Ministry of Labour, Training and Skills Development.

If you or a co-worker are in immediate danger, contact the police at 911.

What else should you know?

All injuries at work should be reported to a supervisor. In Ontario, reporting injuries is the law. See the "Work injury and illness" fact sheet for more information.

Ontario also has laws about how employers must treat workers fairly (**employment standards**). For example, employers must pay a minimum hourly rate set by the government. Your employer cannot pay you less, even if you work part time or if you work through a temporary agency.

Learn about your rights on wages, sick leave, vacation, overtime and termination by asking your employer or union representative or visiting the Ministry of Labour, Training and Skills Development website: www.labour.gov.on.ca/english/es/

Workplace health and safety reprisals

A workplace health and safety reprisal is when a boss threatens or punishes a worker for following health and safety laws or exercising their rights.

Examples of reprisals are reducing a worker's hours or firing a worker. Reprisals are against the law.

If your boss threatens or punishes you for following the law, you can file a complaint with the Ontario Labour Relations Board or get help from other organizations listed in the "Helpful resources" section.

If your boss threatens or punishes you because you refused unsafe work you can report it to the Ministry of Labour, Training and Skills Development.

As you present and teach this material, students may have questions that are difficult to answer. For example, they may ask about specific safety issues they have encountered in their workplaces and express uncertainty about reporting hazards. They may relay stories about friends or co-workers who have refused unsafe work and then faced reprisals from co-workers or an employer. Students may worry about being fired for refusing unsafe work or for reporting safety issues in the workplace. They may ask if their jobs will be protected if they refuse to do work they feel to be unsafe.

While specific sections of the *Occupational Health and Safety Act* deal with these issues, sometimes what should be done according to the law is different from what actually occurs.

Reporting hazards

Workers can report work hazards they see in the workplace. In fact, they have a duty to report hazards—e.g. broken equipment or bullying—and safety problems or violations of the OHS to their employer or supervisor.

Workers who feel uncertain about reporting safety issues can discuss concerns with their co-workers first, especially a health and safety representative, before speaking with a supervisor or their employer. Workplaces with 6 or more workers should have a health and safety representative. Workplaces with 20 or more workers should have a joint health and safety committee that includes both worker and management representatives.

Workers should be encouraged to document any correspondence with their supervisor or employer about their work environment. This information may be useful if problems arise in future.

Sometimes employers or supervisors take positive action when workers demonstrate some knowledge of occupational health and safety laws. For example, if a worker asks who the health and safety representative is or asks about safety procedures, an employer may respond more actively to safety concerns.

Refusing unsafe work

With a few specific exceptions (e.g. police, firefighters), all workers can refuse work if they believe they might be in danger. Workers must follow a set procedure to refuse unsafe work, as indicated in this guide and the learner fact sheet.

Reprisals

An employer is not allowed to fire, discipline, suspend or penalize workers who have obeyed the law (or threaten to do any of these things). If workers feel they have been unfairly disciplined, they should speak to a health and safety representative at their workplace if they have one or file a grievance through their union, if there is one. If the issue cannot be resolved at work they should speak to a staff person at the Ministry of Labour, Training and Skills Development as soon as possible. They can also complain to the Ontario Labour Relations Board (OLRB). If the OLRB decides that an employer has broken the law, it can order the employer to pay the workers lost wages or give the worker their job back. Workers without union representation can also get help from the Office of the Worker Advisor, and other organizations listed in the “Helpful resources” section.

Essential tips for workshop leaders

- When questions arise, one approach is to engage students in a discussion or role-playing exercise about the challenges and decisions to be considered with respect to reporting hazards and refusing unsafe work.
- Acknowledge that speaking up about unsafe work conditions or refusing unsafe work can be difficult, especially for newcomers.
- Discuss steps that workers can take if they are initially worried about reporting to their supervisor or employer.
- Discuss what can be done if a worker is fired without just cause or subject to other reprisals, such as loss of overtime hours.
- Emphasize the importance of keeping detailed records of conversations and events (with dates).
- Acknowledge when you do not have the answers. The occupational health and safety system and its applicable legislation is complicated. The resources section points to websites with more information and organizations that provide assistance.
- Consider asking a health and safety consultant from one of Ontario’s health and safety associations (HSAs) to present to your class/workshop. They have expertise in workplace health and safety. A list of HSAs is found on the MLTSD website: www.labour.gov.on.ca/english/hs/websites.php
- Finally, when talking with participants about reporting hazards or unsafe work practices at work, or refusing unsafe work to the Ministry of Labour, Training and Skills Development, remind them that workers are killed and/or seriously hurt on the job every day in Canada. Sometimes the fear of reprisal from an employer is well founded, but workers need to be reminded of the importance of protecting their own lives and health.

HELPFUL RESOURCES

Ontario Ministry of Labour, Training and Skills Development. Report unsafe work practices, injuries or incidents, or get answers to occupational health and safety questions. You can call 24 hours a day, 7 days a week. Also get more information on basic health and safety awareness training, refusing unsafe work and workplace violence and harassment.

Call: 1-877-202-0008 (toll free). Website: www.labour.gov.on.ca/english/hs/

Ontario Labour Relations Board. Get legal help if you are being punished for doing something the *Occupational Health and Safety Act* says you have the right to do. You can also contact the Board if you disagree with a Ministry of Labour, Training and Skills Development inspection order.

Call: 416-326-7500 (in Toronto) or 1-877-339-3335 (toll free). Website: www.olrb.gov.on.ca

Occupational Health Clinics for Ontario Workers. Get 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). Website: www.ohcow.on.ca

Office of the Worker Advisor. Get free legal advice and representation if you are not a member of a union and you are threatened or punished for following health and safety laws or for getting injured or ill from work.

Call: 416-212-5335 (in Toronto) or 1-855-659-7744 (toll free). Website: www.owa.gov.on.ca

Workers' Action Centre. Get information about your rights at work if you are not in a union. The centre has legal information in many languages on many topics like temp agency work, workplace harassment and undocumented ("under the table") work.

Call: 416-531-0778 or 1-855-531-0778 (toll free). Website: www.workersactioncentre.org

Workers' Health & Safety Legal Clinic. Get help if you are being punished at work for refusing unsafe work.

Call: 416-971-8832 (in Toronto) or 1-877-832-6090 (toll free). Website: www.workers-safety.ca

Steps to Justice. Get legal information in simple language. Use the chat option on the organization's website to ask questions.

Website: www.stepstojustice.ca

Human Rights Legal Support Centre. Get help about discrimination at work.

Call: 416-597-4900 (in Toronto) or 1-866-625-5179 (toll free). Website: www.hrlsc.on.ca

This document does not constitute legal advice or formal training. To determine your rights and obligations, contact the organizations listed in the resources section.

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Immigration, Refugees and Citizenship Canada

Injured Workers' Consultants

KEYS Job Centre

Occupational Health Clinics for Ontario Workers

Ontario Ministry of Citizenship and Immigration
(now part of the Ministry of Children, Community
and Social Services)

Ontario Ministry of Labour (now called

Ontario Ministry of Labour, Training and Skills
Development)

Skills for Change

Workers Health and Safety Centre

Workplace Safety and Insurance Board

Workplace Safety & Prevention Services



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