

Health and safety at work

Workers get hurt on the job every day. You and your employer (boss) can make your job safer.

Your first job in Canada may be different from the work you are used to doing. You may use tools or machines that you have never used before. You may do tasks you have never done. Your new workplace may feel strange. For these reasons, you may be at higher risk of getting injured or sick at work.

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 enforces the OHSA. Ministry inspectors can visit workplaces. Inspectors can order employers to make changes in the workplace to follow the laws.

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

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**.

What can cause injuries and illness at work?

Danger	May cause
Working with tools or machines	Cuts, amputations (for example, fingers, arm)
Lifting heavy things (for example, boxes)	Back pain
Doing the same movements again and again	Back, neck, arm or hand pain
Falling from a ladder or slipping on a wet floor	Sprains, broken bones
Working with chemicals with no gloves or mask	Skin or breathing problems, cancer
Bullying and harassment	Depression, mental stress
Seeing or experiencing workplace violence	Traumatic mental stress



Institute
for Work &
Health

Research Excellence
Advancing Employee
Health

Safe Work Toolkit for Newcomers (Ontario)

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

According to the law (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 from injury, illness, 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, materials and protective devices are in good condition. This includes personal protective equipment and guards on tools and machines.
- Make sure that you take basic health and safety awareness training. 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.

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.



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.

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 you cannot read written rules or instructions, ask someone to help you. If you don't understand the reason for an instruction or a rule, tell your supervisor.

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, available on the Ministry website.

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 pay, 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 his and her 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.

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: <https://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.

This document is part of the Safe Work Toolkit for Newcomers, originally published in 2011 under the title, Prevention is the Best Medicine. The toolkit was developed by a research team at the Institute for Work & Health. Input was provided by:

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



Published by the Institute for Work & Health (IWH), 2011, 2019. This work is licensed under a Creative Commons Attribution-Non Commercial-No Derivatives 4.0 International License: <http://creativecommons.org/licenses/by-nc-nd/4.0/>. This document can be used and shared as long as

IWH is credited as the source, the document is not modified, and it is used for non-commercial purposes. If you wish to modify and/or use this document for commercial purposes, please contact ip@iwh.on.ca.



The Institute for Work & Health is an independent, not-for-profit organization whose mission is to promote, protect and improve the safety and health of working people by conducting actionable research that is valued by employers, workers and policy-makers.

The Institute for Work & Health operates with the support of the Province of Ontario. The views expressed in this publication are those of the Institute and do not necessarily reflect those of the Province of Ontario. For more information, please contact: info@iwh.on.ca

Institute for Work & Health
481 University Ave., Suite 800
Toronto, ON Canada M5G 2E9

© December 2019