Worker Health and Safety Rights and Responsibilities

Under the Occupational Health and Safety Act [1] (OHSA) all workers have three basic rights:

1. **Right to Know:** Workers have the right to know about any potential hazard to which they may be exposed. This means the right to be trained and to have information on machinery, equipment, processes, environment, and hazardous substances.
2. **Right to Participate:** Workers have the right to participate in making their workplace a healthy and safe place and to be part of the process of identifying and resolving workplace health and safety issues. This participation can be informal – discussions with the supervisor and work team or more formal – through participation as a Health and Safety representative, as a Joint Health and Safety committee member or by asking questions through the committee).
3. **Right to Refuse:** Workers have the right to refuse work or to use anything that they believe is likely to endanger themselves or another.

Who is a Worker?

All University employees are workers, up to and including the President. In addition, where students are paid to perform work, for example teaching assistants, they become workers under the Act.

Graduate students who receive a stipend or grant monies, are workers while performing research related duties, and co-op students who are “working” at our workplaces, even if they are not paid as may be the case with high school students, also meet the definition of a worker.

Those who receive employment stipends or who are employed through grant funding, are workers under the Act, but may not qualify as workers under the Workplace Safety Insurance Board (WSIB) insurance compensation. Speak to your Supervisor or Human Resources contact.

Note: All workers must complete the mandatory EHS Worker Health and Safety Awareness Training [2] required by the Ministry of Labour, Immigration, Training & Skills Development (MLITSD).

Worker Responsibilities

As part of the Internal Responsibility System (IRS) [3] everyone in the workplace has a direct responsibility for health and safety.

Workers have the following specific duties:

1. Work in compliance with the provisions of the Act and the regulations and in accordance with University policies and procedures.
2. Participate in prescribed instruction and training.
3. Use or wear the equipment, protective devices, or clothing that the University requires to be used or worn.
4. Report to their Supervisor or Employer the absence of or defect in any equipment or protective device that may endanger themselves or someone else.
5. Report any contravention of the Act or any hazards of which they know.
6. Not remove or alter any protective device, without providing an adequate temporary protective device.
7. Not operate or use any equipment in such a manner as to endanger themselves or someone else.
8. Notify their Supervisor of any workplace incident or injury. All workplace injuries and incidents must be reported to Occupational Health and Wellness (OHW) within 24 hours by completing and submitting the Incident Report form [4], in accordance with the University’s Incident and Injury Reporting Process [5].

9. Not engage in any prank, contest, or rough or boisterous conduct.

Supervisors *[6] as defined under the Act, have additional responsibilities along with worker rights and responsibilities.*

Some workers may provide functional guidance, direction, and leadership at work, in laboratories or during fieldwork. In these cases, the task of supervision, direction or training may have been delegated, but the full responsibility as supervisor cannot be delegated.

Additional University Resources include:

Environmental Health and Safety (EHS) **[7]:** An EHS team of Safety Professionals as Resources [8] to the University community

1. Environmental Health & Safety Training [9]
2. Health and Safety Policies, Programs, Guidelines and Forms [10]

Occupational Health and Wellness (OHW) **[11]:**

1. Occupational Disability - A Workplace Injury or Illness - Employee's Responsibilities [12]

For more resources, please follow the links below:

- Workplace Safety and Prevention Services: Safety Tips: What are the responsibilities of a worker under the Occupational H &S Act in Ontario? [13] (Video)
- Workplace Safety and Prevention Services: Safety Tips: What rights do workers have in Ontario? [14] (Video)
- Government of Canada: Worker Health and Safety [15] (Article)
- Ministry of Labour, Immigration, Training and Skills Development: Worker Health and Safety Awareness in 4 Steps [16] (Article)
- Ministry of Labour, Immigration, Training and Skills Development: Worker Health and Safety Awareness in 4 Steps [17] (Course)
- Ministry of Labour, Immigration, Training and Skills Development: Prevention Starts Here: Worker Health and Safety Awareness in 4 Steps [18] (Workbook)

If you have further inquiries, please direct them to EHS at ehs@uoguelph.ca [19] or (519) 824-4120 ext. 53282 or to the appropriate member of the EHS team [8].

Source URL:https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/worker-health-and-safety-rights-and-responsibilities

Links
[1] https://www.ontario.ca/laws/statute/90o01 [2] https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/ehs-training/course-descriptions/worker-health-and-safety [3] https://www.ontario.ca/document/guide-occupational-health-and-safety-act/internal-responsibility-system#:~:text=Supervisors%20are%20responsible%20for%20making,the%20protection%20of%20a%20worker. [4] https://www.uoguelph.ca/hr/system/files/2024.03.18%20-Incident%20Report%20Form%20-%20CURRENT_1.pdf [5] https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/incident-and-injury-reporting/injury-reporting-process [6] https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/supervisor-health-and-safety-responsibilities [7] https://www.uoguelph.ca/hr/hr-services/welcome-environmental-health-safety [8]

https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/ehs-team [9]
https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/environmental-health-safety-training [10]
https://www.uoguelph.ca/hr/about-hr/environmental-health-safety-ehs/ehs-programs-policies-guidelines-and-forms [11] https://www.uoguelph.ca/hr/about-hr/occupational-health-and-wellness [12] https://www.uoguelph.ca/hr/about-hr/occupational-health-and-wellness-ohw/occupational-disability-workplace-injury-or-illness-employees-responsibilities [13] https://www.youtube.com/watch?v=vfoWP-nvVps [14]
https://www.youtube.com/watch?v=pVb4Zt-emDg [15] https://www.canada.ca/en/services/jobs/workplace/health-safety.html [16] https://www.ontario.ca/page/worker-health-and-safety-awareness-four-steps [17]
https://www.labour.gov.on.ca/english/hs/elearn/worker/foursteps.php [18] https://www.ontario.ca/document/worker-health-and-safety-awareness-workbook?_ga=2.73193430.411556099.1660054250-225180256.1651863976 [19]
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