

# Alberta Workers' Health Centre

## Health and Safety Rights



## Guide for New Alberta Workers



[www.workershealthcentre.ca](http://www.workershealthcentre.ca)

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## Health and Safety Rights Guide for New Alberta Workers

This Guide for Workers provides you with information about Alberta's Occupational Health and Safety laws that protect most workers in the province. It tells you about your rights and responsibilities, and how you can use these rights at your workplace.

### The Guide includes information about:

- Occupational Health & Safety
- Workplace Dangers & Hazards
- Rights and Responsibilities - The Three Worker Rights
- Right to Refuse process
- Resources (where to get help)

**Our goal is to provide you with workplace health and safety information that will help you to know more about your rights and where to find help**

This guide is for information purposes only. It is not intended as legal advice.

### The Guide is produced by the Alberta Workers' Health Centre

This guide is the result of the hard work of the Alberta Workers' Health Centre staff and many other workers' experience and expertise including the Workers' Resource Centre, Ethno-Cultural Council of Calgary, and the Multicultural Health Brokers Cooperative Ltd.

Some material was adapted with permission from the Cross Cultural Community Development Program, a program of the Manitoba Federation of Labour's Occupational Health Centre.

### For more information, please contact:

**Alberta Workers' Health Centre**

**Call: 1-888-729-4879 (toll free)**

**email: [info@workershealthcentre.ca](mailto:info@workershealthcentre.ca)**

## Right to a safe workplace

### In Alberta, we have the right to a safe workplace

Alberta's *Occupational Health and Safety Act, Regulations and Code*, (OHS) is the law protecting most workers in Alberta.

- The Act gives workers & employers **rights and responsibilities**
- The Act is enforced by the Alberta Government, Occupational Health and Safety
- It does not matter if you have been in Alberta only a short time.
- It does not matter where you are from.

**As of January 2016**, paid non-family farm and ranch workers are covered by the Act.

**As of June 2018**, domestic workers (people hired directly by a person in a home, not through a company) are also covered by the Act.

### Some workers are covered by Federal OHS Law

- The Canada Labour Code covers Federal government workers, (e.g., Service Canada, Canada Post), inter-provincial and international transportation workers (e.g., truck drivers, airports, shipping), people who work for telephone and cable systems, and banks.

### Employers' responsibilities

Employers have responsibilities under Alberta's OHS law. For example:

- Employers have to ensure the health and safety of their workers.
- Employers have to make workers aware of their responsibilities and duties under the law.

### Workers' responsibilities

Workers also have responsibilities under Alberta's OHS law. For example:

- Workers have to follow the health and safety rules of their workplace.
- Workers have to take reasonable care to protect the health and safety of themselves and their co-workers.

### OHS Contact Centre

**1-866-415-8690 (toll-free),  
780-415-8690 (Edmonton).**

**Your call is confidential (secret)  
You can Call ANY TIME**

Occupational Health and Safety (OHS) is part of the Alberta government. OHS enforces the law. OHS Officers make sure that workplaces are safe.

- You can get information about workplace safety.
- You can report a danger at your workplace.

## Dangers = Hazards

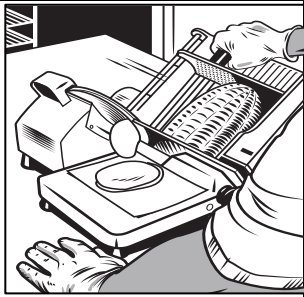





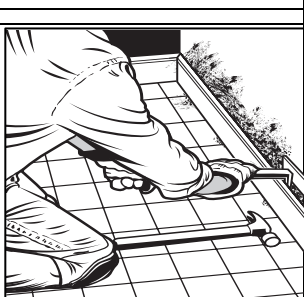

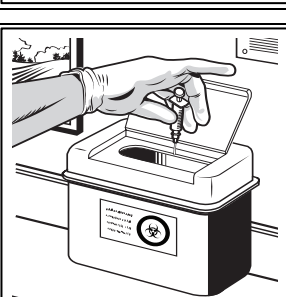



**Every workplace can be dangerous.**

### What does hazard mean?

- A hazard is something that can hurt your health.
- It can cause both illnesses and injuries.
- Some hazards are obvious, but others are not.
- Some hazards can injure or make you ill right away, with others, you may not know the impact until much later, e.g., cancer, repetitive strain injuries.

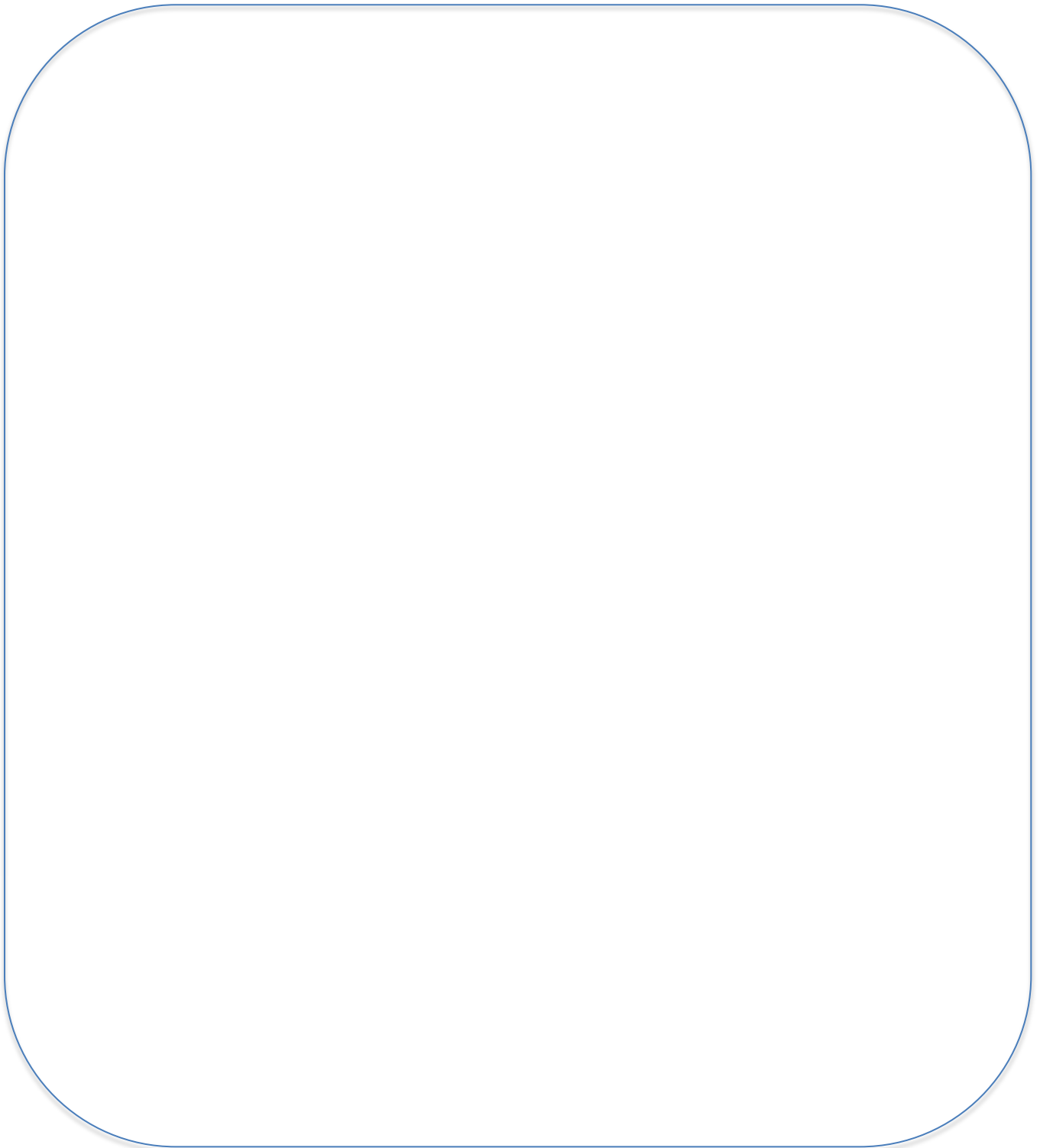
### Types of Hazard

We can put hazards into **4 categories (groups)**.

<p><b>Physical Hazards</b></p>			
<p><b>Chemical Hazards</b></p>			
<p><b>Biological Hazards</b></p>			
<p><b>Psychosocial Hazards</b></p>			

## My Workplace

- 1. Draw a very basic picture of your workplace.**
- 2. List the Physical, Chemical, Biological and Psychosocial Hazards.**





## Workers have 3 basic health and safety rights

Workers have many rights under Alberta's Occupational Health and Safety (OHS) law. The law protects both union and non-union workers.

We can put workers' rights into 3 groups:

- **Right to Know**
- **Right to Participate**
- **Right to Refuse**

Here are some examples of workers' rights under Alberta's OHS law.

### Right to Know

You have the right to know about the dangers (hazards) of your job.

You have the right to ask for and get information from your employer about health and safety hazards on the job.

- Employers must train workers on how to work safely.
- Employers must inform workers about hazards on the job.
- Employers must label all hazardous materials using WHMIS.
- Employers must provide workers with Safety Data Sheets (SDS) for hazardous materials.
- Employers must ensure that workers have proper safety equipment.

### Right to Participate

You have the right to be involved in your own health and safety, and your co-workers' health and safety.

- Employers must involve affected workers in hazard assessments.
- Employers must involve workers in the control or elimination of identified hazards.
- Workers may participate in joint worker/employer health and safety committees (HSCs) (employers with 20 or more workers)
- Workers may participate as a Health and Safety Representative (employers with 5-19 workers)

### Right to Refuse

You have the right to refuse a job if you believe it is dangerous to you or other workers.

- If a worker refuses dangerous work, the employer cannot lay off, suspend, penalize or terminate (fire) the worker.
- See the Right to Refuse process on page 10













**Stop.  
Refuse.  
Tell your supervisor.**

## Workplace Hazardous Materials Information System (WHMIS)

Canada uses a system to label hazardous materials called the Workplace Hazardous Materials Information System or WHMIS. The system includes:

- standardized labels - **WHMIS symbols** are used on many industrial-strength chemicals. The WHMIS symbols must be provided by the supplier.
- information sheets (Safety Data Sheets - SDS)
- education to ensure that workers know about the potential hazards of the materials and chemicals they use and how to use them safely at work.

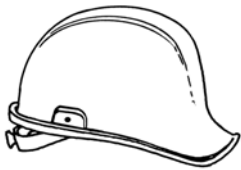
	<b>Explosion bomb</b> (for explosion or reactivity hazards)		<b>Flame</b> (for fire hazards)		<b>Flame over circle</b> (for oxidizing hazards)
	<b>Gas cylinder</b> (for gases under pressure)		<b>Corrosion</b> (for corrosive damage to metals, as well as skin, eyes)		<b>Skull and Crossbones</b> (can cause death or toxicity with short exposure to small amounts)
	<b>Health hazard</b> (may cause or suspected of causing serious health effects)		<b>Exclamation mark</b> (may cause less serious health effects or damage the ozone layer*)		<b>Environment*</b> (may cause damage to the aquatic environment)
	<b>Biohazardous Infectious Materials</b> (for organisms or toxins that can cause diseases in people or animals)				

\* The GHS system also defines an Environmental hazards group. This group (and its classes) was not adopted in WHMIS 2015. However, you may see the environmental classes listed on labels and Safety Data Sheets (SDSs). Including information about environmental hazards is allowed by WHMIS 2015.



## Personal Protective Equipment (PPE)

There are many types of safety equipment. Each job has different equipment. Some types are called personal protective equipment (PPE). Here are some examples.



Hardhat



Safety glasses



Earmuffs



Gloves



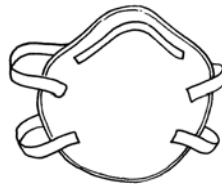
Steel-toed boots



Respirator



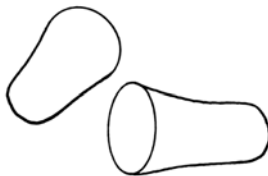
Non-slip shoes



Mask



Safety coveralls



Earplugs



Safety (fall) harness



Knee pads





## Canada Consumer Protection Act

In many workplaces, your employer may purchase products for the workplace that are made for consumer (household) use.

### **BE AWARE: Consumer products use different symbols than WHMIS.**

Consumer products include chemical products that have certain hazards (such as toxic, corrosive, flammable).

The following table lists the types of hazards identified on consumer products.

Symbol	Danger	Product Examples
<b>Explosive</b> 	This <b>container</b> can explode if it is heated or punctured. Flying pieces of metal or plastic can cause serious injuries, especially to the eyes.	Water repellent for shoes or boots in an aerosol container, spray paint in an aerosol container
<b>Corrosive</b> 	This <b>product</b> can burn skin or eyes on contact, or throat and stomach if swallowed.	Toilet bowl cleaner Oven cleaner
<b>Flammable</b> 	This <b>product</b> or its <b>vapour</b> , can catch fire easily if it is near heat, flames or sparks.	Contact adhesives Solvents
<b>Toxic</b> 	Licking, eating, drinking, or sometimes smelling, this <b>product</b> can cause illness or death.	Windshield washer fluid Furniture polish

Below the symbol will appear a signal word. The signal words and their meaning are:

- **CAUTION** means temporary injury may be frequent. Death may occur with extreme exposure.
- **DANGER** means may cause temporary or permanent injury or death.
- **EXTREME DANGER** means exposure to very low quantities may cause death or temporary or permanent injury.

## Your Right to Refuse Unsafe Work

Alberta's Occupational Health and Safety (OHS) law tells workers how to refuse unsafe work. It is very important to follow these steps. **(as of June 1, 2018)**



You may contact the OHS Contact Centre **at any time** during this process. Your call is confidential (secret).

**Step 1:** You have been asked to do a job you believe is dangerous.

**Step 2:** You refuse to do the job, **and** you report it to your supervisor. (Try to talk politely and be calm.)

- I refuse because I believe it is dangerous.
- It is not safe. I am using my Right to Refuse dangerous work.
- I have not been trained on how to do this job safely. Can you please show me, or I will have to use my Right to Refuse.
- I am using my Right to Refuse because I believe this is dangerous.

**Step 3:** If your supervisor cannot fix the danger immediately, then they must:

- a. **Inspect the danger** with **you** and the Health and Safety Committee worker co-chair (or member representing workers), or the Health and Safety Rep, or another worker you choose.
- b. **Take action** to fix the danger.
- c. Ensure that you and other workers are not exposed to the danger.
- d. Prepare a **written report**. It must include:
  - your refusal
  - the supervisor's investigation
  - the action they took
- e. Give you a copy of the report.

Your Supervisor may give you other duties, but you cannot lose pay.

### What to do if you believe you are still in danger

**Step 4:** Keep refusing.

**Step 5:** You can file a complaint with an Alberta OHS Officer by calling the **Occupational Health and Safety Contact Centre:**

**1-866-415-8690 (toll free)**

The OHS Officer can investigate the danger and prepare a report. They may order the employer to take additional actions. They may determine that no danger exists. A copy of the report goes to you and to your employer.

**NOTE:** The law says your employer **cannot** lay off, suspend or fire you if you use your Right to Refuse correctly.

If you feel you have been discriminated against for using your Health and Safety Rights, call the OHS Contact Centre

**TIP:** **Make notes for yourself** about everything that happened, including the date and time. You can use "My Health and Safety Issue Notes" on page 11.




## Workers' Compensation Board (WCB)

Workers' compensation benefits are payments for injuries or diseases that are related to the work you were doing.

Workers' compensation is paid by the **Workers' Compensation Board - Alberta (WCB)**.

Workers' compensation is a "no-fault" system. This means it does not matter whose fault the injury was.


# If you are injured at work...



**Tell Your Employer**  
*details of your injury*


After receiving notice, your employer must report your injury to WCB within 72 hours if:

- you need medical treatment beyond first aid, or
- you cannot do your job beyond the day of accident.



**Tell Your Health Care Provider**  
*you were injured at work*

Your doctor, chiropractor, or physiotherapist must report your injury to WCB within 48 hours.




**Tell WCB**  
*Send your Report of Injury form to WCB right away!*

You can get forms from your employer, any WCB office or report online at [www.wcb.ab.ca](http://www.wcb.ab.ca).

***Avoid delays. Report early!***

**Send forms:**  
**By mail:** PO Box 2415, Edmonton, AB T5J 2S5  
**By fax:** Edmonton 780-427-5863 or Toll-Free 1-800-661-1993

**For more information call:**  
**Edmonton:** 780-498-3999 or Toll-Free 1-866-922-9221  
**Website:** [www.wcb.ab.ca](http://www.wcb.ab.ca)



**Workers' Compensation Board**  
Alberta

Note: Employers are required under the Workers' Compensation Act, Section 145, to hang this poster in a place where employees can see it.



## Helpful Suggestions

**1. I was injured** at my job. Now, I cannot work.

I don't know if I am covered by the Workers' Compensation Board (WCB).

Where can I get help?

- Tell your supervisor/employer as soon as possible.
- Go to the hospital or see your doctor as soon as possible - **MAKE SURE YOU TELL THEM THE INJURY OR ILLNESS IS WORK-RELATED.**
- Call the WCB. They will tell you if you are covered.
- If you are covered, you can begin a claim by going on line at [www.wcb.ab.ca](http://www.wcb.ab.ca)

**2. I am using a chemical** at work.

I don't know if the chemical is **harmful** to my health. How can I find out?

- Tell your doctor about the chemicals you use at work.
- Call the OHS Contact Centre. Ask them about the product.
- Ask for information about the Safety Data Sheet (SDS) for that chemical.

**3. WCB refused** my claim. They say my injury was not from my job.

I have no income and I still cannot work.

What can I do?

- You can file an appeal with WCB. Call the Fair Practices Office – Worker Appeals Advisor Branch.
- Apply for Employment Insurance (EI) at Service Canada. You may qualify for medical benefits.
- You may have short- or long-term disability benefits at work. Call your workplace health insurance provider.

**4. I was asked to do work** on the job that I **believe** is unsafe.

I want to use my **Right to Refuse**.

Where can I go for help?

- Follow the steps in the Right to Refuse process.
- Call the OHS Contact Centre.
- Call your union for help (if appropriate).
- Check the community resources to see if there is someone in your community who can help.

**5. I think my employer is discriminating** against me because of my race.

What can I do?

- Call the Alberta Human Rights Commission. **Note:** Workers in some jobs or workplaces are under the Canadian Human Rights Commission. The Alberta Human Rights Commission will tell you if you are under the Alberta Human Rights Act.

## Resources: Where to get help and information

### Alberta Government

#### Alberta Human Rights Commission Northern Office

**Phone:** 780-427-7661 (Edmonton)

#### Southern Office

**Phone:** 403-297-6571 (Calgary)

You can call these numbers using the government's toll-free service. From a landline, dial 310-000, then the area code and phone number. From a cell phone, enter \*310 (Rogers) or #310 (Telus and Bell), then the area code and phone number.

**Website:** [www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)

The Commission can help you if you are dealing with discrimination. They can provide information about the Alberta Human Rights Act and help you file a complaint.

The Alberta Human Rights Commission is an independent commission of the Alberta government.

#### Employment Standards – Alberta Contact Centre

**Phone:** 1-877-427-3731 (toll-free)  
780-427-3731 (Edmonton)

**Website:** [www.work.alberta.ca/es](http://www.work.alberta.ca/es)

You can get information about *Alberta's Employment Standards Code*. For example, you can ask about wages, rest breaks, pay stubs, days off, overtime, vacations, and getting fired or laid off. You can also file a complaint.

Employment Standards is part of the Alberta government. It is in the Alberta Ministry of Labour and Immigration.

#### Occupational Health and Safety (OHS) Contact Centre

**Phone:** 1-866-415-8690 (toll-free)  
780-415-8690 (Edmonton)

**Website:** [www.work.alberta.ca/ohs](http://www.work.alberta.ca/ohs)

You can ask for general information about workplace health and safety rights. You can report an accident. You can file a complaint about an unsafe workplace.

OHS is part of the Alberta government. It is in the Alberta Ministry of Labour and Immigration.

#### Temporary Foreign Workers (TFW) Advisory Office

**Phone:** 1-877-944-9955 (toll-free)  
780-644-2584 (Edmonton)  
403-476-4540 (Calgary)

**Email:** [jstl.tfwo@gov.ab.ca](mailto:jstl.tfwo@gov.ab.ca)

**Website:** <https://www.alberta.ca/temporary-foreign-workers.aspx>

The TFW Advisory Office can give you information about your rights and responsibilities. They can help you fill out forms and file complaints.

The TFW Advisory Office is part of the Alberta Ministry of Labour and Immigration,

## If you are injured in the workplace

### Workers' Compensation Board (WCB) – Alberta

**Phone:** 1-866-922-9221 (toll free)  
780-498-3999 (Edmonton)  
403-517-6000 (Calgary)

**Website:** [www.wcb.ab.ca](http://www.wcb.ab.ca)

Many Alberta workers are covered by the Workers' Compensation Board (WCB). If you are injured at work, you must tell your employer, your health care provider, **and** the WCB. You may be eligible for benefits from the WCB. For example: disability benefits, medical expenses.

The WCB is an organization created by the Alberta government. The WCB administers a system of workplace insurance for workers and employers.

## Government of Canada Resources

### Employment Insurance (EI)

**Phone:** 1-800-206-7218 (toll-free)

**Website:** [www.servicecanada.gc.ca/ei](http://www.servicecanada.gc.ca/ei)

Employment Insurance (EI) provides temporary help to Canadians who lose their jobs. EI also helps Canadians who are sick, pregnant, caring for a baby, or caring for a sick child or family member.

### Canadian Human Rights Commission

**Phone:** 1-888-214-1090 (toll-free)

**Website:** [www.chrc-ccdp.ca/eng](http://www.chrc-ccdp.ca/eng)

The Canadian Human Rights Commission administers the *Canadian Human Rights Act*. The Commission protects workers in federally-regulated jobs. You can get information about your human rights and file a complaint.

The Canadian Human Rights Commission is an independent commission created by the Canadian government.

## Community Resources

### Alberta Workers' Health Centre

**Phone:** 1-888-729-4879 (toll free)  
780-486-9009 (Edmonton)

**Website:** [www.workershealthcentre.ca](http://www.workershealthcentre.ca)

The AWHC can give you information about your occupational health and safety rights. It offers programs, has resources, and gives referrals. It can help you with many types of employment-related problems.

### Centre for Public Legal Education

**Phone:** 780-451-8764 (Edmonton)

**Website:** [www.cplea.ca](http://www.cplea.ca)

CPLEA provides information about employment and other areas of law in readable and understandable language for Albertans. **They do not provide legal advice or advocacy.**

### Free Legal Clinics

The Legal Clinics are not for profit organizations that provide free and confidential legal help. Volunteer lawyers provide advice, and, depending on your issue, staff lawyers and advocates may be able to help you with your legal problem if: you cannot afford a lawyer, and you do not qualify for Legal Aid.

Calgary Legal Guidance ([www.clg.ab.ca](http://www.clg.ab.ca))  
 Central Alberta Community Legal Clinic  
 Red Deer  
 ([www.communitylegalclinic.net](http://www.communitylegalclinic.net))  
 Edmonton Community Legal Centre  
 ([www.eclc.ca](http://www.eclc.ca))  
 Grande Prairie Legal Guidance  
 ([www.gplg.ca](http://www.gplg.ca))  
 Lethbridge Legal Guidance  
 ([www.lethbridgelegalguidance.ca](http://www.lethbridgelegalguidance.ca))  
 Medicine Hat Legal Help Centre  
 ([www.facebook.com/Medicine-Hat-Legal-Help-Centre-416282775178600](https://www.facebook.com/Medicine-Hat-Legal-Help-Centre-416282775178600))

### Migrante Alberta

**Email:** [migrantealberta@gmail.com](mailto:migrantealberta@gmail.com)  
**Website:** [www.migrantealberta.ca](http://www.migrantealberta.ca)

Migrante is a non-profit advocacy and self help organization that helps Filipino and other migrants. They provide referrals and advocate and campaign on migrants' issues.

### Native Counselling Services of Alberta

**Phone:** 780-451-4002 (Edmonton, Head Office)  
**For Offices Across Alberta, see:**  
**Website:** [www.ncsa.ca](http://www.ncsa.ca)

Native Counselling works to ensure that Native people across the province receive fair and equitable treatment in the justice system. The Native Court Worker Program provides Indigenous people with information about court procedures, their rights and responsibilities under the law, and advocacy, support and referrals to Legal Aid and other legal resources.

### Workers' Resource Centre

**Phone:** 1-844-435-7972 (toll free)  
 403-264-8100 (Calgary)  
**Website:** [www.helpwrc.org](http://www.helpwrc.org)

The WRC helps workers who live or work in the Calgary area. They also provide support over the phone to workers across Alberta. The WRC provides referrals, resources, and education programs about workplace rights and benefits.

### If you are a union member

#### Alberta Federation of Labour (AFL)

**Phone:** 1-800-661-3995 (toll free)  
 780-483-3021 (Edmonton)  
**Website:** [www.afl.org](http://www.afl.org)

Workers who are unionized can call the Alberta Federation of Labour (AFL) for information about where to get help.

The AFL is a voluntary association of unions and employee organizations that speaks out on issues that affect workers.



**Do you know your rights?  
We can help.**

**Alberta Workers' Health Centre**

**[www.workershealthcentre.ca](http://www.workershealthcentre.ca)**

**CUPE-SCFP**