

FEBRUARY *Safety Talk*

Topic: Rights and Responsibilities

In Canada, all workers have three basic rights and obligations when it comes to workplace safety: the right to know, the right to participate and the right to refuse. In BC, these rights are listed in the *Workers Compensation Act*. We believe every worker also has an obligation to know, participate and refuse.



The Right to Know

All employees have a right to know what hazards are present on the job, and how these hazards can affect them.

How do you know the hazards? Through education, training, and supervision.

The Right to Participate

All workers have the right to participate in health and safety activities in the workplace. This may include becoming a safety representative or a member of the Joint Occupational Health and Safety Committee. A worker also participates in health and safety activities in the workplace by correcting hazards, or reporting hazards to their supervisor if they are unable to correct them themselves.

The Right to Refuse

Workers have the right to refuse work where they have reasonable cause to believe that to do the work would create an undue hazard to the health or safety of any person.



This right and obligation is not to be taken lightly, nor used frivolously. Workers cannot be disciplined for evoking a bona fide claim under the right to refuse work, but if claims are made that turn out not to be safety issues, workers are not protected under the *Act*.

Here are the steps a "Right to Refuse" unsafe work would follow. At every step in the process, the supervisor and the worker need to discuss the safety issue. The worker must, in the end, be satisfied that the resulting work to be done will not create an undue hazard to themselves or others.

Worker notifies supervisor who investigates

If not resolved

Worker and supervisor investigate, with a member of JOHSC or Union

If not resolved

Employer and Worker notify WorkSafeBC who provides an Officer to review and possibly resolve