Frequently asked questions:

Miyo pimatisiwin Indigenous workers’ guide to workplace health and safety presentation

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| Do I follow federal or provincial OHS law if I live on-reserve? |  | It depends on whether you are employed in a provincially or federally regulated sector. Federal law applies to federally-regulated industries, such as Canadian chartered banks, interprovincial transportation companies, television and radio broadcasters. However, provincially regulated sectors are more common on reserves. If you’re not sure, call the OHS Contact Centre at 1-866-415-8690. |
| Who is responsible for keeping me safe at work, me or my employer? |  | Both employers and workers have responsibilities, according to their authority and level of control at the work site, For instance, an employer is responsible for ensuring the health, safety and welfare of workers and others at the work site, while worker responsibilities include protecting your own and others’ health and safety at the work site, and following health and safety rules. For more information on Occupational Health and Safety, please visit: [alberta.ca/ohs](http://www.alberta.ca/ohs) or call the OHS Contact Centre at 1-866-415-8690. The advisors at the contact centre can help you understand workplace responsibilities, and can recommend resources – including posters, bulletins and handbooks – that may help both you and your employer. |
| I feel that some of the work I am asked to do is not safe, what should I do?  |  | You must report unsafe or harmful acts or conditions to your employer or supervisor. Your employer must address your concern promptly. These are part of worker and employer general duties under the *OHS Act.* Often, work can continue while your employer addresses the concern and everyone cooperates to ensure no one is in harm’s way. Sometimes – for instance, due to sudden events such as a gas leak, broken equipment or a building collapse – there may be a serious and immediate threat to health and safety. This is an undue hazard. Don’t do work that is an undue hazard. Report your refusal and the reasons for it promptly. Report to your supervisor, employer or the employer’s designate. Tell them what you’re refusing to do and why. As much as possible, ensure your refusal does not endanger the health and safety of others. For example, if safe to do so, place barriers around the danger to prevent other people from being hurt.If your employer can fix the hazard right away, work can resume. If they can’t, they must take a number of steps. These include inspecting the hazard and writing a work refusal report. After they’ve completed all their obligations, your employer will have either fixed the problem or determined there is no hazard, and can require work to resume.If you’re not sure about how to respond to a health and safety concern, or you think your employer isn’t carrying out their obligations, call the OHS Contact Centre at 1-866-415-8690. You are not required to give the call centre your name if you have concerns about your employer finding out. The contact centre advisor can provide information on the legislation, your rights and potential next steps.  |
| What could happen if I don’t follow OHS legislation?  |  | When work site parties don’t comply with their responsibilities, OHS officers can take compliance actions such as issuing orders, writing tickets or issuing administrative penalties. Officers use the same form as traffic tickets to issue OHS tickets. Ticket amounts for workers are $100 to $500 per violation, plus a 20% victim surcharge. As well, if work site parties – including workers – break OHS laws or ignore what an OHS officer says, the officer can make a referral to prosecution. If charged and convicted, penalties can include fines, imprisonment or both. You can read more about this in the *Guide to OHS: Workers* bulletin, at [ohs-pubstore.labour.alberta.ca/li008](https://ohs-pubstore.labour.alberta.ca/li008).  |
| I am concerned about violence and harassment at work – is this an OHS issue? |  | Under the *OHS Act,* workplace parties share responsibility for preventing violence and harassment.* As much as possible, both employers and supervisors must ensure their workers are not subject to and don’t participate in harassment or violence at the work site.
* Workers must not cause or participate in harassment or violence.

Acts of discrimination, such as racism and unwelcome or offensive comments, are included in the *OHS Act* definition of harassment and are addressed as a workplace hazard. You can find out more in the *Harassment and violence in the workplace* bulletin at [ohs-pubstore.labour.alberta.ca/li045](https://ohs-pubstore.labour.alberta.ca/li045) or talk to an OHS Contact Centre advisor at 1-866-415-8690 to get confidential advice about your situation.In addition, the *Alberta Human Rights Act* protects all Albertans against acts of discrimination in the area of employment. For more information, you can visit [albertahumanrights.ab.ca](https://www.albertahumanrights.ab.ca/Pages/default.aspx).  |
| What is a hazard and how do I know it is dangerous?  |  | A hazard is a situation, condition or thing that may be dangerous to health and safety. Health hazards can effect your health either immediately or over time, while safety hazards cause injury or damage, usually immediately. There are hazards in every workplace, and they can be physical, chemical, biological or psychosocial. Employers have to ensure workplace hazards are identified and either eliminated or controlled. They also have to involve affected workers in the process, and make sure workers know the hazards of their job and what to do to stay healthy and safe. Workers can remain alert to hazards and hazardous conditions by grounding themselves on the work site. Paying attention to their work surroundings and using their five senses (sight, hearing, touch, smell and taste) can help workers identify dangers that could cause harm.Alberta employers and workers can find more information – including useful templates – in the *Hazard Assessment and Control* handbook at [ohs-pubstore.labour.alberta.ca/bp018](https://ohs-pubstore.labour.alberta.ca/bp018). |
| My boss threatened to fire me after I spoke with the work site health and safety committee about a health and safety concern. Can they do this? |  | You can’t be subjected to disciplinary action (including termination, layoff or suspension) for acting in ways that comply with the *OHS Act.* This includes giving information to a health and safety committee or a health and safety representative. You can learn more in the *Disciplinary Action Complaints* bulletin at [ohs-pubstore.labour.alberta.ca/li061](https://ohs-pubstore.labour.alberta.ca/li061). You can also call the OHS Contact Centre at 1-866-415-8690 to speak confidentially with an advisor. They can give you more information on the legislation, your rights and potential next steps.  |
| I handle dangerous chemicals daily for my job, can I refuse work?  |  | A work refusal is a last resort to address work site dangers. Use other processes available first under OHS legislation such as workers reporting and employers addressing concerns, and hazard assessment and control requirements. If the chemical hazard has been identified and can’t be eliminated but is properly controlled, and it’s part of your job, you probably don’t have grounds for a work refusal unless the handling of chemicals creates a serious and immediate danger to you or others You and your employer can find resources on chemical hazards, personal protective equipment (PPE) and WHMIS under ‘Health and safety topics’ in the OHS Resource Portal at [ohs-pubstore.labour.alberta.ca/](https://ohs-pubstore.labour.alberta.ca/). There is also a *Right to refuse dangerous work* bulletin at [ohs-pubstore.labour.alberta.ca/li049](https://ohs-pubstore.labour.alberta.ca/li049). |
| How do I know that my PPE is protecting me and that I am wearing it correctly? |  | Your employer is responsible for ensuring you know how to properly wear and use the PPE for your job. They must also train you on the correct use, care, limitations and maintenance of the equipment. Once you receive training and instruction on PPE, you have to use and wear the equipment as you’ve been taught. It is your responsibility to inspect the equipment before use. You can also find a whole section of PPE resources under ‘Health and safety topics’ in the OHS Resource Portal at [ohs-pubstore.labour.alberta.ca/](https://ohs-pubstore.labour.alberta.ca/).  |
| Does Alberta OHS have any resources that can help my community with emergency preparedness? |  | You can find information on emergency preparedness, plans and alerts at [alberta.ca/emergencies-public-safety.aspx](https://www.alberta.ca/emergencies-public-safety.aspx).Alberta OHS has a number of resources focused on first aid, as well as resources developed in response to floods and fires. You can find these in the ‘Emergency preparedness’ and ‘First aid’ sections of the OHS Resource Portal at [ohs-pubstore.labour.alberta.ca/](https://ohs-pubstore.labour.alberta.ca/). OHS also has an emergency preparedness tool kit for the hospitality industry, which comes with a package of templates that can be customized for other industries and can help businesses in your community be prepared. You can find these at [ohs-pubstore.labour.alberta.ca/hospitality](https://ohs-pubstore.labour.alberta.ca/hospitality). |
| I was injured at work, told my supervisor and they never did anything about it. Why should I report health and safety concerns if they aren’t taken seriously? |  | You did the right thing reporting the incident to your supervisor. They are responsible for ensuring your health and safety and should take your concern seriously. If you have a health and safety committee or a health and safety representative at your workplace, you can also bring your concerns to them. Incident reporting is a key part of illness and injury prevention. Prime contractors – or if there isn’t one, your employer – must report certain types of incidents to OHS as soon as possible. For example, they must call the OHS Contact Centre at 1-866-415-8690 if you were admitted to the hospital from a work place incident. They also must investigate these incidents and write investigation reports that they have to provide to OHS and worker representatives or workers. You can call the OHS Contact Centre at 1-866-415-8690 if you feel that your employer is ignoring your health and safety concerns. The Workers’ Compensation Board - Alberta (WCB) also has reporting requirements. You, your employer and your doctor or other health care provider (e.g. chiropractor, physiotherapist) must report your injury to WCB. Find out more at [wcb.ab.ca](https://www.wcb.ab.ca/). |
| My co-workers and I were in a work incident that could have hurt or killed someone. The employer told me to ‘chalk it up to experience’. Should my boss have done more? |  | The *OHS Act* says that employers or prime contractors must investigate potentially serious incidents. They also have to write an investigation report that outlines the circumstances of the incident and any corrective actions they took. They must share the report with the health and safety committee or representative or, if there is none, with workers. Your employer must also provide their investigation report online to OHS. You and your boss can find more information about reportable incidents – including potentially serious incidents - in the *Incident reporting and investigation* bulletin at [ohs-pubstore.labour.alberta.ca/li016](https://ohs-pubstore.labour.alberta.ca/li016).  |
| The information in the session doesn’t describe my workplace. Why should I participate if I can’t use the information at work?  |  | The *Miyo pimatisiwin Indigenous workers’ guide to workplace health and safety presentation* gives basic information that all workers need to know. It’s not industry or workplace specific, but can be applied to any work site. The additional resources provided at the end of the presentation include industry, hazard and topic-specific resources that you’ll be able to better understand having completed either the webinar or workshop.  |

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