

# Health and Safety Legislation in Canada

## Health and Safety Legislation in Canada - Three Rights of Workers

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### Do workers have rights?

Yes. Every person employed in Canada has the right to a safe work environment. In each jurisdiction, the *Occupational Health and Safety Act* (or equivalent) is based on the [internal responsibility system](#) (IRS). IRS requires that everyone at or associated with the workplace takes responsibility for their own health and safety and the health and safety of those around them. This responsibility includes employers, employees, owners, contractors, sub-contractors, contracting employers, and suppliers.

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### What are the three main rights of workers?

The *Occupational Health and Safety Act* or equivalent in your jurisdiction entitles all workers to three rights:

1. The right to know about health and safety matters.
2. The right to participate in decisions that could affect their health and safety.
3. The right to refuse work that could affect their health and safety and that of others.

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### What is meant by the "Right to Know"?

The right to know means that as a worker, you have the right to be informed by the employer of known or likely hazards in the workplace, and to be provided with the information, instructions, education, training, and supervision necessary to protect your health and safety. This information should be provided before the work begins.

For example, information can be in the form of product labels, safety data sheets, safe work procedures, or codes of practice. Instructions can be verbal or in writing, and be provided by a supervisor, another employee at the workplace, or external providers. Training can be workplace specific, delivered by someone in the workplace, online, or it can be provided by outside agencies as long as it meets the needs of the employer and worker for your workplace.

As examples, areas of information include (but are not limited to):

- Workplace hazards identified during day-to-day operations, results of workplace inspections, steps to take for daily pre-use inspections of tools, safe use of equipment and machinery, reporting mechanisms for sub-standard working conditions, procedures for various types of work (e.g., working in a confined space, working alone, working at heights, etc.) and the process for reporting hazardous conditions.
- Safe work policies, procedures and codes or practice, as required by both the legislation and the workplace itself.
- Emergency procedures, emergency evacuation, first aid procedures, incident reporting, and investigation procedures.

Meeting the requirements of [WHMIS](#), the Workplace Hazardous Materials Information System, is often cited as an example of how to meet a worker's right to know about the chemical and biological material hazards from the products they work with.

The right to know may also include the form of communication used, and include using methods that assist workers who may need instructions in a different language, Braille, large print, audiotapes, sign language, or oral communication.

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## What is meant by the "Right to Participate"?

This right allows workers to have input on the steps taken by the employer to ensure health and safety.

Workers can provide input on what would make the workplace safe by:

- participating as a member of the health and safety committee (if the workplace requires one).
- being a health and safety representative for the workplace when given the opportunity.

- reporting any concerns whenever you encounter a health and safety matter that could cause harm to your health and safety or the health and safety of your co-workers.
- making suggestions to the committee or employer on how to make your workplace safer.

Please see the various OSH Answers documents about [Health and Safety Committees](#) for more information about a committee's duties and responsibilities.

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## What is meant by the "Right to Refuse"?

The right to refuse is normally used when the first two rights fail to ensure your health and safety. Exercising this right is serious and should not be done lightly or as a routine method of solving workplace problems.

However, workers should not be afraid to exercise their right to refuse when they believe that the work will endanger their health or safety, or that of others. The right to refuse process involves several steps.

Please see the OSH Answers on the right to refuse for more details.

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## Is this information available in other languages?

This OSH Answers Fact Sheet is available in the following languages:

- [Hindi](#)
  - [Inuinnaqtun](#)
  - [Inuktitut](#)
  - [Simplified Chinese](#)
  - [Spanish](#)
  - [Ukrainian](#)
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