



## SAFETY IS NO ACCIDENT

By Mary Kehoe  
Senior MSO Adviser

**A healthy and safe work place** is a goal everyone should share. Advocating for health and safety on the worksite is a key part of an AUPE Union Steward's role. Understanding your responsibilities as well as those of employers and other workers is critical to achieving a healthy and safe workplace.

Union Stewards and all workers have three key rights when it comes to understanding hazards and preventing injury: the right to know about the dangers of their job, the right to participate in the process of identifying and controlling the dangers of their job, and finally, the right to refuse unsafe work if it could place the worker or other workers in imminent danger.

### Right to Know

Every worker has the right to know what hazards they might face in the course of their day-to-day duties. Workplace hazards are defined as any thing or condition that could pose a danger to the health and safety of a worker.

Hazard assessments are used to identify hazards and control measures put in place to either eliminate or reduce the hazard before someone is injured on the job. Stewards should ensure they are familiar with the hazard identification assessments and control documents that are used by employers.

In the Occupational Health and Safety Code there are provisions that require all employers to assess places of work and identify potential and actual hazards their workers may face. Under Part 2, Section 7 of the Code, “an employer must assess a work site and identify existing and potential hazards before work begins at the worksite or prior to the construction of a new worksite.” The Code further stipulates that an employer “must prepare a report of the results of a hazard assessment and the methods used to control or eliminate the hazards identified.”



### Right to Participate

All workers, especially Union Stewards, have the right and obligation to be involved in the assessment of hazards and to be part of the decision-making process to eliminate or control the hazards. As Part 2, Section 8 of the Code states, “an employer must involve the affected workers in the hazard assessment and in the control or elimination of the hazards identified.” This section also states that “an employer must ensure that workers affected by the hazards identified in a hazard assessment report are informed of the hazards and the methods used to control or eliminate the hazards.”

### Right to Refuse

Section 35 of the Occupational Health and Safety Act provides for the right to refuse unsafe work. Under this section, no worker shall “carry out any work if, on reasonable and probable grounds, the worker believes that there exists an imminent danger to the health or safety of that worker,” or “carry out any work if, on reasonable and probable grounds, the worker believes that it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the work site.” Furthermore, this section states that no worker shall “operate any tool, appliance or equipment if, on reasonable and probable grounds, the worker believes it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the worksite.”

The section defines “imminent danger” of any job as “a danger that is not normal for that occupation,” or “a danger under which a person engaged in that occupation would not normally carry out the person’s work.”

What does “reasonable” mean in this case? The determination of whether there were reasonable grounds to believe that the work presented an imminent danger would be on the basis of a “reasonable person test” or how a typical person with ordinary caution would act in the same circumstance. However it is up to the worker facing the imminent danger to make that determination, and no one else.

If you are in an imminent danger situation while at work, you are obligated to immediately stop work and explain to your employer that you are refusing work under Section 35 of the OHS Act.

## Become a Union Steward

Learn new skills, support your co-workers and help strengthen your union by becoming a Union Steward. Start by enrolling in the prerequisite courses, including *Introduction to your Union*, *Contract Interpretation*, *Introduction to Occupational Health and Safety* and *Basic Conflict Management*. If you like what you have learned in those courses, you are ready to sign up for *Foundations for Union Stewards*.

Prerequisite courses and *Foundations for Union Stewards* are offered at various AUPE offices from September to June.

Check [www.aupe.org/training/](http://www.aupe.org/training/) for registration information.

For more information or to enrol, call the Member Resource Centre at 1-800-232-7284.



Citing this section of the Act protects you against disciplinary action. Your employer must then investigate the situation and take immediate action to eliminate the danger. Your employer can assign you to other work until the problem has been investigated and fixed. It is equally important that you notify AUPE as well as the Alberta Occupational Health and Safety Contact Centre.

Workers and Union Stewards should not be afraid to refuse to work in the face of imminent danger or to participate in the assessment and identification of health and safety issues on the worksite.

Section 36 of the OHS Act states: "No person shall dismiss or take any

other disciplinary action against a worker by reason of that worker acting in compliance with this Act, the regulations, the adopted code or an order given under this Act, the regulations or the adopted code."

### **Issue Reporting**

It is imperative to report any health and safety concerns as soon as possible to your employer. This allows for identification and correction of the issues to prevent further incidents.

Some employers have online issue reporting tools such as "My Safetynet" for Alberta Health Services, or you may be required to bring your concerns directly to your immediate supervisor, a designated safety officer or an OHS Workplace Committee.

AUPE also provides a confidential online OHS reporting system, which can be accessed from the main AUPE website. Once the Issues Reporting form is submitted electronically, it goes directly to an AUPE OHS Union Representative who will then follow up with the member and a Membership Services Officer, if required, to ensure faster resolution.

As a Union Steward, you can make health and safety a top priority by understanding workers' rights, helping to educate members and employers and modeling best practices. Be proud of the role you play in helping to ensure everyone comes home safe from work! ■

### **Contact: Alberta Occupational Health & Safety**

Workers can also contact the Alberta Occupational Health and Safety Contact Centre to report health and safety concerns. This is a 24/7 operation and calls are answered immediately. Response to online complaints will come within three business days and follow up depends on the nature of the complaint and the number of complaints being processed. Your name will be kept confidential upon request.

by phone  
**1-866-415-8690**

by email  
**whs@gov.ab.ca**

online  
**work.alberta/occupational-health-safety.html**



## **HAVE QUESTIONS?**

CONTACT YOUR MEMBER SERVICES OFFICER

**CALL 1-800-232-7284**

Have your local/chapter number and worksite location ready so your call can be directed quickly.



DID YOU  
KNOW  
?

A GENERAL OVERVIEW OF THE  
NEW ONLINE REGISTRATION PROCEDURE

AUPE strives to empower its members through knowledge, offering a full slate of courses to help achieve this goal. A new online registration system rolled out last year makes signing up for education courses easier than ever. Here's a quick look at some of the functions that make online registration a breeze.

THE NEW ONLINE REGISTRATION

Enables you to register yourself in AUPE courses through the AUPE website



Walks you through registering for courses and ensuring appropriate prerequisites



Counts down the number of spaces left in a course



Keeps track of your course registrations



Allows for automatic waitlists



Notifies you of new courses in your area



Contains your education history



Stores copies of all AUPE Education certificates

ONLINE REGISTRATION AT A GLANCE

Sign in to the online registration system available at [www.aupe.org/training/](http://www.aupe.org/training/) using your member number



Select a course and date (the system will ensure you meet the necessary prerequisites)



Receive an acceptance email a few weeks prior to the course



Confirm your attendance and attend the course

Steward Notes is published by the Alberta Union of Provincial Employees to provide information of interest to AUPE Union Stewards, worksite contacts and other members. Topics deal with training for union activists, worksite issues, disputes and arbitrations, health and safety, trends in labour law, bargaining and related material. For more information, contact the editor.

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The goal of Steward Notes is to help today's AUPE Union Stewards do their jobs effectively. To help us, we encourage readers to submit story ideas that deserve exposure.

Story suggestions for Steward Notes may be submitted for consideration to Merryn Edwards by e-mail at [m.edwards@aupe.org](mailto:m.edwards@aupe.org). Please include names and contact information for yourself and potential story sources.

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