

## 1. Introduce Yourself. Find out about the member

My name is \_\_\_\_\_.

I'm the OHS Liaison for Local \_\_\_\_\_ at AUPE.

Do you know much about AUPE?

How long have you worked here?

Do you have any concerns about your health and safety at work?

I'd like to invite you to do a health and safety orientation with me. It will take about ten to 20 minutes, depending on the questions you might have.

## 2. Overview of rights and the law

You have a right to feel safe at work and return home each day healthy.

Every year, more than a hundred workers in Alberta lose their life on the job, and more than a hundred thousand are injured or hurt. We want to stop that.

Alberta has a law that is meant to protect your health and safety at work. It's called the *Occupational Health and Safety Act*.

You have four safety rights that the government has acknowledged in this law. We call them the "Four Rs."

## 3. Right to know

The first one of the "Four Rs" is the Right To Know about hazards we face.

Hazards are the dangers of working in this workplace.

Some hazards are obvious. But there are also hidden hazards. Chemical and biological hazards are often not apparent.

The law says employers must train workers adequately to protect health and safety. Your supervisor must advise you about all the hazards in your work area.

Has your employer ever provided you a health and safety orientation, or OHS training?

[OHS Act, sections 2(d), 3(2) and 4(a).]

## 4. WHIMIS

There are also rules to help us know about dangers.

The Workplace Hazardous Materials Information System (WHIMIS) is a federal program that requires our employer to label dangerous materials.

The employer must provide us with safety data sheet (SDS) that outline the hazards of the substance, and instructions for their safe handling.

Do you know where to find the safety data sheets at your workplace?

Have you ever read one?

[OHS Code, Part 29]

<http://whmis.org>

<https://ohs-pubstore.labour.alberta.ca/download/sample/530>

[https://www.ccohs.ca/oshanswers/chemicals/whmis\\_ghs/sds.html](https://www.ccohs.ca/oshanswers/chemicals/whmis_ghs/sds.html)

## 5. Right to participate

The second of our “Four Rs” is the Right to Participate. You have a right to participate in OHS activities and in decisions that could affect your health and safety.

This right gives you a process for addressing safety issues and concerns you may have. You are allowed to speak up. Raising safety concerns helps keep everyone here safe.

[OHS Act, section 2(d)(ii)]

## 6. The collective agreement

Our collective agreement is the written contract between the employer and AUPE that outlines the terms and conditions of our employment.

The collective agreement includes health and safety rules.

The union helps keep us safe, because it negotiates for stronger safety standards than the minimum requirements. It makes union members aware of their rights and the obligations of the employer.

We can file grievances if the employer breaks a rule. We can request investigations by the joint health and safety committee (JHSC).

The employer meets its obligation to let us participate in health and safety by agreeing with AUPE to create a joint health and safety committee (JHSC).

[OHS Act, Part 3]

## 7. Joint Work Site Health and Safety Committee (JWHSC)

The Joint Work Site Health and Safety Committee (JWHSC) is a group of workers and managers who sit together at least every three months to deal with OHS concerns.

The worker representatives on the committee are chosen according to the rules of the union. We elect the committee members at our union meetings so they are independent of management and actually represent us.

The JWHSC:

- deals with the concerns you raise to them
- inspects the workplace
- promotes health and safety
- investigates injuries and serious incidents that could have led to injury

They post the minutes of their meetings for everyone to review and stay informed. Do you know where to find the latest minutes from your JWHSC?

You can raise a health and safety concern at any time with a member of the JWHSC. Do you know who the worker representatives are your JWHSC?

[OHS Act, section 19 duties, section 22(1) membership]

## 8. Right to refuse

So far, I mentioned the right to know and the right to participate. The third right in your “Four Rs” is the Right to Refuse dangerous work.

If you're asked to do work you think could present a danger to you or to any other person, these are the steps you take:

1. Don't do the work.
2. Tell your supervisor or other representative of the employer as soon as possible what you're refusing to do, and why.
3. The employer must investigate and take action to eliminate the danger. The employer is allowed to assign another qualified worker to do the work, but the employer must tell that worker about your refusal. If the danger was not immediately removed, the employer must provide you with a report once their investigation is complete that explains the actions they took to address the danger
4. If the employer does not stop the work, investigate, or take action to eliminate the danger, you should inform AUPE and the government. I'll explain how to do that in a minute.

You are to be paid regardless of refusing. You are to stay at the work site and do other safe work the employer assigns you. Do you understand how to refuse dangerous work?

[OHS Act 2(d)(iii) and Part 4]

<https://www.alberta.ca/refuse-dangerous-work.aspx>

<https://www.aupe.org/sites/default/files/2019-09/Dangerous%20Work%20Poster.pdf>

## 9. No discrimination / no retaliation

Your employer is not allowed to retaliate or take any “discriminatory action” against you because you refused dangerous work or were following your duties under the law. We call this the right to be free from reprisal and it is the “fourth R.”

Discriminatory action means any action or threat the employer makes that negatively affects your terms or conditions of employment. It includes withholding promotion, termination, layoff, suspension, demotion, transfer, eliminating your job, changing your job location, reducing pay, changing your work hours, reprimanding you, and coercion.

If you believe the employer is discriminating or retaliating because you refused dangerous work or were following the law, you can file a complaint.

The government can force your employer to make the situation right again.

[OHS Act section 35]

## 10. Lifting and handling

Let’s talk for a minute about common hazards AUPE members face, and what employers must do to prevent injuries because of these hazards.

Slips, trips and falls are a danger for everyone. Another common hazard is lifting and handling loads and patients.

It is important you protect your back and avoid musculoskeletal injuries. This is an especially common injury in healthcare.

Your employer must provide you with appropriate equipment and with training for lifting and handling heavy and awkward loads.

Health care employers must have a special program for helping workers lift or transfer patients, clients or residents.

[OHS Code Part 14]

<https://open.alberta.ca/publications/erg013-how-much-can-i-lift>  
<https://www.aupe.org/sites/default/files/2019-09/document-committeeohs-lifting-and-handling.pdf>

## 11. Violence and harassment

Violence and harassment are not part of your job.

Violence means threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm. That includes domestic violence and sexual violence.

Harassment means any incident or repeated incidents of unwelcome conduct, comment, bullying or action that causes offence or humiliation to a worker, or adversely affects that worker. It does not mean reasonable conduct of an employer or supervisor to manage the worker.

The law requires the employer to ensure none of the workers experience harassment or violence in the workplace.

The law also requires that you do not cause or participate in violence or harassment.

[OHS Act sections 3(1)(c) and 5(d)]

<https://www.aupe.org/sites/default/files/2019-09/Violence%20Poster.pdf>

## 12. Working short

AUPE members in all sectors have been reporting an increasing number of complaints about short staffing and unmanageable workloads.

Working short is when employers choose to place additional workloads on workers instead of calling in available replacement staff. Working faster and harder is stressful and harmful to workers’ health.

The union has started a sub-committee and campaign to help members deal with concerns. The union’s research department has created a survey and is doing focus groups.

<https://www.aupe.org/news-and-publications/campaigns/working-short>

In 2019, the BC Nurses’ Union won a ‘working short premium’ in their contract. The idea is that paying staff who are forced to work short more money is an incentive for employers to go ahead and ensure safe staffing levels are provided at all times.

Working short is not safe, and you should report it to AUPE. The more evidence we gather, the more we can bring the problem to employers to deal with.

### 13. WCB

Despite our best efforts to prevent injuries and occupational disease, sometimes they happen.

You should report any and all injuries to the Workers' Compensation Board. The Workers' Compensation system provides injured workers with income to replace lost wages, rehabilitation and medical benefits. It is paid for by all employers.

You have up to two years from the date of an injury to file a claim. It doesn't matter if you did not lose time and worked through the injury. You should file a claim even if you think the matter was insignificant. You need all your claims recorded to help show that your injury arose from and occurred in the course of your employment.

You never know when in the future, if you develop an occupational disease or chronic pain, you will need that claim as proof.

You can report online, go to  
[www.wcb.ab.ca](http://www.wcb.ab.ca) > Claims > Report an injury > Report online  
<https://www.wcb.ab.ca/resources/for-workers/>  
[https://www.wcb.ab.ca/assets/pdfs/workers/worker\\_handbook.pdf](https://www.wcb.ab.ca/assets/pdfs/workers/worker_handbook.pdf)  
<https://www.aupe.org/sites/default/files/2019-09/document-committeeohs-wcb.pdf>

### 14. File a complaint

At any time, you can file an OHS complaint to the government, and get an OHS officer involved. OHS officers are also AUPE members. Their job is to investigate and inspect workplaces to make sure the employer is meeting its obligations. They have the power to issue orders and ticket employers for violating the law.

To file a complaint, you call the OHS Contact Centre:

780-415-8690 (in Edmonton)

1-866-415-8690 (in Alberta)

1-800-232-7215 (TTY – Hearing Impaired)

<https://www.alberta.ca/file-complaint-online.aspx>

### 15. AUPE

AUPE helps members like us to stand up for our safety and rights.

AUPE offers OHS courses. You can take a course in the union education program for free, and get wage replacement during your time away from work.

<https://www.aupe.org/training>

The union has its own standing OHS committee. It's a group of eight members led by one of the union's Vice-Presidents. They focus on promoting OHS.

At any time, you can get help from an AUPE Membership Services Officer (MSO) or from one of the union's OHS specialists. Just call the union at the toll-free number, 1-800-232-7284.

Are you interested in taking an OHS course from AUPE?

Will you sign our petition to the employer about this OHS issue?

Will you come to our next Chapter meeting?