

UNDERSTANDING YOUR RIGHT TO PARTICIPATE

The WHSC offers a variety of training programs and information services aimed at helping you to understand the legally mandated rights and responsibilities of all workplace parties. Connect with us.

Training for What Matters Most



www.whsc.on.ca

1.888.869.7950

WORKING TOWARDS PREVENTION

The Workers Health & Safety Centre (WHSC) is Ontario's foremost health and safety training and information service provider. We are **Ontario's legally designated** health and safety training centre.

We understand workers and their representatives must fully understand their legal rights if they are to fully exercise them, especially their right to participate.

For workplace representatives to carry out their significant prevention powers they require **comprehensive training** that gives them the knowledge and skills to identify, assess and control, or eliminate, hazards. Through essential programs like *Certification Part I and Certification Part II*, WHSC has trained thousands of joint health and safety committee members to prepare for their important prevention role. We also have a program to meet the needs of worker representatives in smaller workplaces. (Worker health and safety representatives are required by law in workplaces employing more than 5 people and fewer than 20.

The right to participate is meant to ensure workers are involved in identifying and resolving workplace health and safety concerns. The law requires individual workers to **report hazards** of which they are aware. But under the law, workers best exercise their right to participate collectively through representatives they choose to serve on joint health and safety committees (JHSCs). These workplace committees comprised of worker and management representatives are required in most workplaces employing 20 or more people.

Employers have many duties in law to ensure workers and their representatives have a meaningful right to participate. Here are some important employer obligations:

- ▶ Provide information, instruction and supervision to a worker to protect their health and safety and acquaint a worker or persons in authority over them about any workplace hazards
- ▶ Establish a JHSC (Again, workers select their own representatives to the JHSC. Employers cannot choose for them.)
- ▶ Ensure at least two designated members of the JHSC, one representing workers and one representing the employer, receive legally required training to become certified members of the JHSC
- ▶ Provide the JHSC or worker representative with copies of any reports concerning occupational health and safety including orders and reports from the Ministry of Labour, Immigration, Training and Skills Development
- ▶ Prepare, review and post a written occupational health and safety policy at least annually and develop and maintain a program to implement the policy
- ▶ Assist and cooperate with the JHSC in the carrying out of any JHSC functions.

Joint health and safety committee functions or powers establish their pivotal prevention role in the workplace. Here are some significant JHSC functions:

- ▶ Identify hazardous working conditions by carrying out at least monthly workplace inspections
- ▶ Obtain information from the employer about actual or potential workplace hazards including being consulted about and present for testing carried out for health and safety purposes
- ▶ Make recommendations to the employer to resolve health and safety concerns
- ▶ Investigate work refusals, critical injuries and fatalities.

Please complete the poster on the inside and post this

RIGHT TO PARTICIPATE RESOURCE

in Your Workplace

By placing this poster where it is most likely to come to workers' attention in the workplace, your employer will **meet their legal requirement** to keep posted the names and work locations of joint health and safety committee members.

Workplace hazard prevention Joint health and safety committee involvement

IT'S THE LAW IT'S YOUR RIGHT TO PARTICIPATE

To prevent hazards and safeguard workers health and safety, laws set out legal rights and responsibilities for workers, their representatives and employers. Here are but a few important requirements:

- ▶ As a worker, you have the right to know about hazards in your workplace. You also have the responsibility to report to your employer or supervisor any hazards of which you're aware. You further have the right to refuse unsafe work you believe could endanger you or another worker.
- ▶ In selecting worker members of the joint health and safety committee your right to participate in workplace health and safety is ensured. On your behalf, JHSC members carry out a number of functions including identifying workplace hazards through at least monthly inspections, investigating work refusals, critical injuries and deaths, and making recommendations to the employer to resolve health and safety concerns.
- ▶ Your employer must also respond to joint committee recommendations and take every reasonable precaution for the protection of workers.

Your Joint Health and Safety Committee

Worker Representative(s)

Name Location

Management Representative(s)

Name Location

The WHSC offers a wide range of training programs and resources to support workplace prevention efforts.

Want to learn more?



Training for What Matters Most