

Workers have the Right to Participate

IN THEIR OWN HEALTH AND SAFETY

Updated April 2022

The Right to Participate – being involved and having a say in your own health and safety – is important because workers are the ones doing the job and are the ones who will be affected if exposed to hazards.

1 Health and Safety Committees (HSCs)

A joint Health and Safety Committee (HSC) is required by employers who have 20 or more regularly employed workers. A site-specific HSC is required for work sites with multiple employers that have 20 or more regularly employed workers.

An HSC is made up of a worker and an employer co-chair, and other worker and employer members. At least half of the committee must be made up of workers. Worker members should be selected by workers, and/or by the union (in unionized workplaces).

An HSC should meet regularly to discuss health and safety issues of the workplace, respond to health and safety concerns and suggestions from workers, participate in the Hazard Assessment, review the employer's work site inspection documentation and make recommendations to the employer to make things safer.

The committee is required to develop written Terms of Reference that may also include specific timelines and additional duties such as:

- participation in the development, implementation and evaluation of programs
- conducting and monitoring workplace inspections
- participating in incident investigations
- follow-up on progress made and monitoring program effectiveness

2 Health and Safety Representatives (HS Reps)

A Health and Safety Representative (HS Rep) is required by employers who have between 5-19 regularly employed workers. A site-specific HS Rep is required for work sites with multiple employers that have 5-19 regularly employed workers.

The HS Rep is a worker not associated with management. However, the HS Rep is designated by the employer (after consulting with the union in unionized workplaces). An HS Rep carries out some of the same duties as a committee.

Work sites with Prime Contractors do **not require an HSC or HS Rep. This includes Construction work sites, Oil and Gas work sites or other class of work sites designated by a Director. However, Prime Contractors **must** ensure a system of OHS compliance, including how workers and employers will cooperate on health and safety, and designate a person for the purposes of ensuring cooperation between workers and employers.*

Both HSCs and HS Reps have important responsibilities in supporting workers who use their Right to Refuse Dangerous Work.

(see our Right to Refuse fact sheet)

HSC and HS Rep Training

HSC members and HS Reps must be trained in the following:

- the duties and responsibilities of co-chairs and members on the HSC and of the HS Rep
- the obligations of work site parties
- the rights of workers

HSC members and HS Reps are considered to be at work while performing their duties or participating in required training.

(section 199.3 of the OHS Code)

*The Alberta Occupational Health and Safety Act, Regulation and Code sets out the **minimum** legal requirements for HSCs and HS Reps. Some workplaces adopt practices that go above these minimum requirements, and workers in unionized workplaces may have additional requirements set out in their Collective Bargaining Agreement.*

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ALBERTA WORKERS'
HEALTH CENTRE

Information, Education and Empowerment for Workers

Phone: 780-486-9009
Toll-Free: 1-888-729-4879

www.workershealthcentre.ca



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3 Worker participation in Hazard Assessment, Elimination and Control

Hazard Assessments are required by employers. A Hazard Assessment identifies the potential dangers of your job and how you are protected from those dangers.

Workers should be involved in a Hazard Assessment when you first start a job or when the work changes. Some workers whose job tasks or locations change frequently may need more regular Hazard Assessments.

Once a hazard has been identified, it should be eliminated or properly controlled to protect the worker. Getting rid of the hazard or making sure that it can never reach the worker is the most effective way of protecting people, rather than relying only on Personal Protective Equipment (PPE) or training a worker to “be safe.” [These kinds of solutions do nothing to deal with the actual hazard.] A useful tool is called the Hierarchy of Controls.

4 Workers can participate in Health and Safety in many ways:

- asking supervisors questions like: What are the dangers of my job? How can I do this job safely?
- raising Health and Safety concerns, suggesting solutions
- being involved on the HSC or as an HS Rep
- thinking about the most effective way to protect workers from hazards (using the Hierarchy of Controls)
- being involved in choosing the worker HSC members or HS Rep
- using the Right to Refuse dangerous work
- getting involved in union health and safety activities (in unionized workplaces)
- talking about health and safety with family, friends, co-workers and others
- contacting the Occupational Health and Safety Contact Centre with any questions

For more information on HSCs and HS Reps, and to report dangerous work:

Contact the Alberta Government's
**Occupational Health and Safety
(OHS) Contact Centre.**

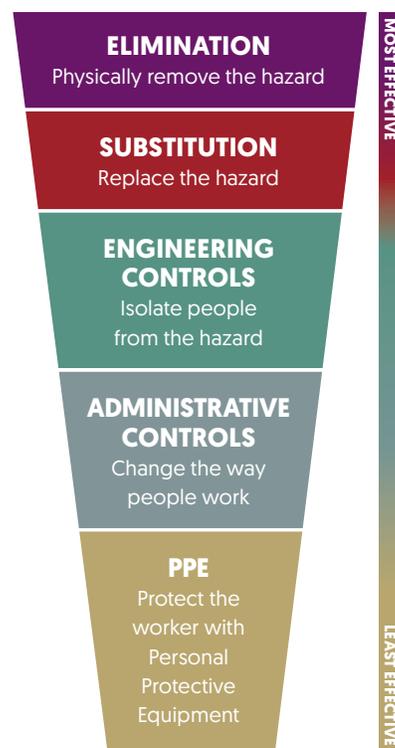
Tel. 780-415-8690 (Edmonton) or Toll Free 1-866-415-8690

You may phone the OHS Contact Centre at any time. Your call can be confidential.

“An employer must involve affected workers in the hazard assessment and in the control or elimination of the hazards identified.”

Section 8(1) of the OHS Code

Hierarchy of Controls



SOURCE: NIOSH



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