

TEST ANSWERS: WORKER RIGHTS AND RESPONSIBILITIES

The *BSO Plus Safety Topic* is a review designed from the BSO Plus agenda. This safety topic is your way to stay current on the safety information over the 3 years between BSO Plus and BSR.

1. The Occupational Health & Safety Act defines the minimum requirements for health and safety standards in Ontario. Punishment for a person convicted of not complying with the OHSA could include:
- a. Fines for a company
 - b. Fines for a worker
 - c. Jail time
 - d. All of the above

RATIONALE: The maximum penalties for a contravention of OHSA or its regulations are set out in the OHSA Section 66. A successful prosecution could, for each conviction, result in:

- A fine of up to \$100,000 for an individual person and/or up to 12 months imprisonment;
- A fine of up to \$1,500,000 for a corporation.

2. Ontario's Health and Safety System is supported by a partnership between the Ministry of Labour, the Workplace Safety and Insurance Board, and various health and safety associations. Match the partner to the roles they perform.

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| a) Ministry of Labour | <u> a </u> | Legislation, enforcement, and prevention |
| b) Workplace Safety and Insurance Board | <u> c </u> | Training, consulting and clinical services for workers and employers |
| c) Health and Safety Associations | <u> b </u> | Workers' compensation and return to work supports |

RATIONALE: You can find more information about these organizations and what they do at their websites:

- Ministry of Labour (MOL): <http://www.labour.gov.on.ca>
- Health and Safety Ontario (HSO): www.healthandsafetyontario.ca
- Workplace Safety and Insurance Board (WSIB): www.wsib.on.ca
- Occupational Health Clinics for Ontario (OHCOW): www.ohcow.on.ca

3. Match the following worker rights to one example of how those rights may be exercised.

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| a) Right to Know | <u> c </u> | You report to your supervisor that a piece of equipment is not functioning properly and unsafe to use. |
| b) Right to Participate | <u> a </u> | You take WHMIS Training |
| c) Right to Refuse | <u> b </u> | You join your Joint Health and Safety Committee or become a Health and Safety Representative |

RATIONALE: The Occupational Health and Safety Act protects your right to know about health and safety hazards in the workplace; the right to participate in keeping your workplace safe, which can best be done by becoming a Joint Health and Safety Committee member or a Health & Safety Rep; and the right to refuse unsafe work.

4. The General Duty Clause (OHSA, 25.2(h)), states that it is the duty of your employer to:

- a. Provide you with a Policy and Procedure Manual
- b. Make sure you get your lunch break
- c. Take every precaution reasonable in the circumstances for the protection of the worker
- d. Conduct a training session on the Occupational Health and Safety Act

RATIONALE: In the Occupational Health and Safety Act, the responsibility for “taking every precaution reasonable in the circumstances for the protection of the worker” is known as the General Duty Clause. Even though employers’ legal responsibilities are for the overall health and safety of the workplace, and supervisors’ legal duties are more geared for day-to-day work, they both share this same general duty for the protection of workers.

5. Employers, supervisors, and workers all have responsibilities under the Occupational Health and Safety Act. Match the following duties to the responsible party.

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| a) Employer | <u> b </u> | Ensure that workers are wearing the required PPE and using the right equipment correctly |
| b) Supervisor | <u> c </u> | Report any workplace hazards or contravention of the Act or its regulations |
| c) Worker | <u> a </u> | Develop and maintain all policies and programs required under the OHSA |

RATIONALE: All workplace parties have duties under the Occupational Health and Safety Act. The amount of responsibility assigned to each party is directly related to the level of authority they have in the workplace. OHSA s.28 states that workers are responsible for their own safety and actions, as well as for others who may be affected by their actions. You should not endanger yourself or others. If you see something, say something. While it is your responsibility, as a worker, to always wear or use the protective equipment that your employer requires, it is the duty of your supervisor to ensure that you are given the correct equipment and that you know how to use it properly.