



Rights and Obligations

1.7 RIGHTS AND OBLIGATIONS

Three Basic Rights

All employees and sub-contractors of Pidherney's, have three specific health and safety rights guaranteed by law. These rights are:

1. The Right to Know – Workers have the right to know about the hazards of their

Pidherney's supervisors and worker teams have compiled all the known hazards of your job and how to control them, using Standard Job Procedures, Safe Work Practices and Personal Protective Equipment (PPE).

In addition, you are protected by the Workplace Hazardous Materials Information System (WHMIS). WHMIS legislation and WHMIS training by Pidherney's provides the worker with:

- Labels on containers of hazardous materials.
- Material Safety Data Sheets (MSDSs) with additional information.
- Education and training so that you will understand the hazards of the substances you work with.

2. The Right to Participate – Workers are the key to identifying and correcting health and safety issues within Pidherney's. You will be encouraged to participate in Tool Box Meetings and other safety related processes. You are expected to tell your supervisor of any concerns you may have about your health and safety.

3. The Right to Refuse Work – Workers have the right, and **in fact an obligation** to refuse to undertake hazardous work. When you refuse work which you believe is likely to endanger you, report the problem to your supervisor to determine a satisfactory resolution of the problem. There will be no harmful repercussions for this action, when undertaken with good intentions.

All workers will be trained on work refusal procedures at time of new hire orientation.

This obligation is more fully defined in the OH&S Act, Section 35, which reads:

35(1) No Worker shall:

- a) 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,
- b) 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, or
- c) operate any tool, appliance or equipment 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.

(2) In this section, “imminent danger” means in relation to any occupation

- a) a danger that is not normal for that occupation, or
- b) a danger under which a person engaged in that occupation would not normally carry out the person's work.

In accordance with this act, the worker must report immediately to his/her supervisor, providing his reason for not carrying out the work. Upon notification related work must stop and will not resume until the supervisor investigates and takes immediate action to eliminate the imminent danger. The investigation and actions taken to resolve the issue shall be documented using **Pidherney's** Right to Refuse Form, with a copy given to the worker.

If, following the investigation and the actions taken by the supervisor to eliminate the danger, the worker still believes that imminent danger exists, he may pursue the matter in accordance with the legislation.