

# A Quick Reference Guide for CUPE 5047 Members

## THE OCCUPATIONAL HEALTH AND SAFETY ACT IS THE LAW

The act is based on a principle called The Internal Responsibility System  
What this means is that EVERYONE is responsible for health and safety in the workplace- to the extent of their authority.  
SO- you are not responsible for something working, but you are responsible to tell your supervisor if it is not.

Under the Occupational Health and Safety Act every worker has three rights:

### **1. The Right to Refuse**

YOU MAY REFUSE, AT ANY TIME, TO PERFORM WORK THAT **A REASONABLE PERSON** WOULD FEEL IS A DANGER TO THEIR HEALTH AND SAFETY.

When an employee refuses to work, the board will reassign the employee to another school while the JOHSC is investigating. The employer has a right to assign someone else to do the job, however, they must inform the person taking the job that there has been a work refusal. That person then may decide if they wish to exercise their right to refuse.

### **The Right to Know**

You have the right to know about anything in your workplace that may be harmful to your health and or safety

### **The Right to Participate**

You have the right to participate on the workplace Joint Occupational Health and Safety Committee

Do you know who your rep is on your school's JOHSC?

If you do not have a rep please notify the OH&S committee at

[OHSCUPE5047@hotmail.com](mailto:OHSCUPE5047@hotmail.com)

## LEGAL RESPONSIBILITIES

You are responsible for your health and safety, and that of your co-workers

You are responsible to **report any and all** hazards in your workplace

You are responsible to use any and all protective equipment, training, etc provided to you by your employer.

## **REPORTING HAZARDS**

When an employee feels there is a hazard that may affect their health, and or safety at work they must report it **IN WRITING**

- 1- to your supervisor, for CUPE members this is your principal
- 2- if you are not satisfied with the outcome, you then report to your CUPE rep on your schools JOHSC committee.
- 3- if not resolved at the committee level the committee will file a Request For Action with the HRSB. The employer then has 21 days to report back.
- 4- if no resolution is found you may report to the Department of Labour

## **FORMS**

- IF YOU ARE INJURED, HAVE AN ACCIDENT, OR A NEAR MISS AT WORK YOU **MUST** FILL OUT THE APPROPRIATE FORMS.
- THIS PROTECTS YOU BY HAVING A RECORD OF YOUR INJURY SHOULD YOU REQUIRE FUTURE MEDICAL INTERVENTION ie PHYSIO MASSAGE

SIP and WCB must be filled out by someone in the office. Sip is usually filled out by the secretary, WCB by the Principal.

Incident Investigation Form. This form is filled out if you have been injured- or HAD A NEAR MISS.

Workplace Violent Incident Report This must be filled out for all injuries, from a student, causing harm to an employee.

CUPE Violent Incident Report. This is essential to the union for statistical purposes.

Your school may or may not take this form from you. The do not have to. Please fill one in for all injuries and have the CUPE Rep on your schools JOHSC send it to the union office.