



## TIP SHEET

# Staying Safe at Work: What to Do When You See a Safety Hazard

### When you see a safety hazard at work:

1. Report the hazard to your immediate supervisor; under the *Occupational Health and Safety Act (OHS)*, it is a worker's duty to report hazards or potential hazards in the workplace.

If the hazard is not resolved, report it to the next senior supervisor and advise your ONA Joint Health and Safety Committee (JHSC) worker representative and/or your Bargaining Unit President of the issue. Your ONA representative on the JHSC will work with the JHSC to resolve the issue.

If the JHSC is unable to resolve the hazard, the ONA representative may call the Ministry of Labour, Training and Skills Development (MLTSD) to do an inspection. Should the MLTSD fail to issue an order to resolve the situation, ONA may consider filing an *OHS* appeal or a grievance. If the hazard is imminent, ONA will also raise the issue as high and as quickly as necessary for resolution (for example, calling an emergency JHSC meeting or sending a letter to the CEO).

If you do not know who your Bargaining Unit President is, you can contact them through ONA's website at the following link: <https://www.ona.org/find-my-bargaining-unit-president/>. To find the names of your JHSC members, look for a posting in your workplace. They are often found on the health and safety board. Section 9(32) of *OHS* requires your employer to post the names and work locations of JHSC members in a conspicuous location.

2. If you are directed to do work that is unsafe, you have the right to refuse under *OHS*. There are limitations on the right to refuse for health-care workers in hospitals and long-term care. To learn more about your right to refuse, see "My Right to Refuse Unsafe Work: A Guide for ONA Members" on the ONA Website: <https://www.ona.org/my-right-to-refuse-unsafe-work-guide/>.

**Important Notes:**

- Anyone (including a member of the public) can call the MLTSD if there is hazard or potential hazard in the workplace. (Please see ONA Document “Tips for Escalating Unresolved Health and Safety Concerns to the Ministry of Labour, Training and Skills Development” on the ONA website).
- If you call the MLTSD, notify your ONA Health and Safety Representative and/or Bargaining Unit President.
- Complaints to the MLTSD can be made by phone by calling the Health and Safety Contact Centre at 1-877-202-0008 or filing a complaint online at: <https://www.ontario.ca/page/filing-workplace-health-and-safety-complaint>.
- A benefit to on-line submissions is that it provides a record of the complaint and generates an email confirming the MLTSD’s receipt of the complaint. This confirmation includes a file number that can be referenced in future calls on that same issue. Note that the maximum number of characters for an online submission is 2,500 characters.
- Although it is possible to file an anonymous complaint, ONA encourages members to provide their contact information when contacting the MLTSD. Providing your name and contact information allows an inspector to advise you when they will inspect the workplace; it also entitles you to a copy of the inspector’s field visit report. A worker representative also has the right to attend the inspection [*OHS*A Section 9 (23)]. Following up with any concerns or questions is also more easily done if the complaint is not anonymous.
- Section 50 of the *OHS*A is intended to protect workers from reprisals (such as discipline) by the employer for obeying the law or exercising their rights. This includes reporting hazards, refusing unsafe work (as per the *OHS*A) and calling the MLTSD. If you experience reprisals for exercising your rights under *OHS*A, contact your Bargaining Unit President as soon as possible.

**Please see the attached flow chart indicating what a worker should do if they see a hazard in their workplace. If you have any questions, please contact your Bargaining Unit President and/or ONA Health and Safety representative.**

