

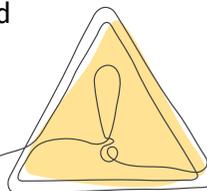
Responsibilities and duties

Employers must take every reasonable precaution to:

- ensure the health and safety of persons at or near the workplace
- provide and maintain equipment, machines, materials, or things that are properly equipped with safety devices
- provide information, instruction, training, supervision and facilities necessary for the health or safety of the employees
- ensure employees are familiar with any health or safety hazards in their workplace
- ensure that employees are familiar with the proper use of all devices, equipment and clothing required for their protection
- ensure that employees are not exposed to health or safety hazards
- consult and co-operate with the JOHSC or Health and Safety Representative
- ensure all workplace parties comply with the OHS Act and Regulations
- establish an OHS policy and program, where applicable

Employee

- co-operate with the employer and other employees to protect their health and safety at the workplace
- use or wear protective devices, equipment, or clothing required by the employer
- consult and co-operate with the JOHSC or Health and Safety representative
- follow safe work procedures and the OHS Act and Regulations



For more information

Occupational Health and Safety Division
Department of Labour, Skills and
Immigration

Telephone: 902-424-5400 or

Toll-free: 1-800-9-LABOUR
(1-800-952-2687)

Fax: 902-424-5640

safetybranch@novascotia.ca

novascotia.ca/lae/healthandsafety/

Safety Information Made Simple



NovaScotia.ca/NovaSAFE

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for workplace and public
space safety issues,
concerns and regulations.

*Safety
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Business.*

Learn more




NOVA SCOTIA

Occupational
Health and Safety

**RIGHTS &
RESPONSIBILITIES**

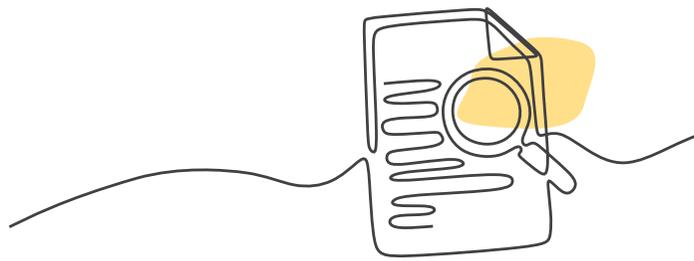


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NOVA SCOTIA

DEPARTMENT OF LABOUR, SKILLS AND IMMIGRATION

The right to refuse work that could affect their health and safety and that of others.



You have the right to PARTICIPATE

- as a JOHSC member or Health and Safety Representative
- by providing input on matters that affect your health and safety
- by reporting unsafe conditions or any matter related to your health and safety
- by accompanying an OHS Officer on an inspection in the workplace

You have the right to REFUSE unsafe or unhealthy work when you:

- have reasonable grounds to believe that the work is likely to endanger the health or safety of yourself or any other person at or near the workplace

When an employee exercises their right to refuse, the refusal process must be followed:

- immediately report the issue to a supervisor (the employer)
- if the employer does not remedy the matter to your satisfaction, report it to the JOHSC or Health and Safety Representative
- if the issue is still not remedied; report it to the Occupational Health and Safety Division of the Government of Nova Scotia



Refusal Process – Next Steps

The employee has the right to accompany an OHS Officer, the JOHSC or Health and Safety Representative, to physically inspect all or part of the workplace, for the purpose of ensuring that others understand the reason for the work refusal.

The employee may not refuse to use or operate a machine or thing or to work in a place where the refusal puts the life, health or safety of another person directly in danger; or the danger is inherent in the work of the employee.

The employer may reassign the employee to other work and the employee must accept the reassignment until they are able to return to work.

The employer may not assign another employee to do that work until the resolution conditions are met, unless the employee has been advised of the following:

- the work was refused by another employee
- the reason for the work refusal
- their right to refuse unsafe or unhealthy work

Refusal – Compensation

The employer will continue to pay the employee the same wages/salary and grant the employee the same benefits as would have been received had the employee continued to work while:

- they accompany an OHS officer, the JOHSC or Health and Safety Representative on physical inspection of the workplace
- they may be reassigned to other work

Discriminatory action:

Employees have protections from discriminatory action under the OHS Act and Regulations.

Discriminatory action means an action that adversely affects an employee with respect to terms or conditions of employment.

The employer and union cannot take any action against the employee for fulfilling these responsibilities under the OHS Act.