



The Workers Compensation Act (Act) and its related Occupational Health and Safety Regulation (Regulation) outline the roles and responsibilities of employers, workers, supervisors, and the Joint Health and Safety Committee (JHSC). A worker has the following rights:

- The right to know about hazards in the workplace
- The right to participate in health and safety activities in the workplace
- The right to refuse unsafe work

A worker also has responsibilities (legal duties outlined in the Act and Regulation.) The Act outlines the general duties of workers. These are broad statements, i.e., “a worker must not engage in horseplay or similar conduct that may endanger the worker or any other person.”

### Why is it important?

One of the Act and Regulation’s purposes is to protect the worker. Understanding your responsibilities and rights and complying with them will help you be safe at work.

You are also legally responsible for complying with the Act Part 2 OHS Provision, the Regulation, and any orders issued by WorkSafeBC. Knowing your legal responsibilities is the first step towards compliance. Contravening the Act, the Regulation, or an order could lead to an offence under the Act.

### Key characteristics of worker responsibilities

Workers Compensation Act 22 (2) (d) requires that a worker must ensure that the worker’s ability to work without risk to workers health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs, or other causes. You should not come to work under the influence of drugs or alcohol, but other things could impair your ability to work without risk? Some other causes include fatigue or extreme mental stress.

To understand your legal responsibilities, you should read and understand the related Regulation. The Act 22 (2) (b) requires that a worker must use or wear protective equipment, devices and clothing as required by the regulations. What does it say about Personal Protective Equipment (PPE) in the various parts of the Regulation? A good start is to read the Occupational Health and Safety Regulations Part 8: Personal Protective Clothing and Equipment for answers.

### Preventive next steps

Your employer must make a copy of the Act and Regulations available in your workplace – either printed or electronically. Take the time to become familiar with Part 2, Division 4 – General Duties of Employers, Workers and Others. Learn your responsibilities and understand the responsibilities of your employer and supervisors.

The employer is responsible for providing workers with information, instruction, training, and supervision necessary to ensure the health and safety of those workers in carrying out their work. Your employer should help you to understand your responsibilities.

In addition to your legal responsibilities, learn the responsibilities that your employer requires of you. If your company has an Occupational Health and Safety Program, this would be an excellent place to start your research to learn these responsibilities.



### For additional resources visit:

Workers Compensation Act, Part 2, [OHS Provision](#)

Occupational Health and Safety [Regulations](#)

Roles, Rights and [Responsibilities](#)

Manufacturing Safety Alliance of BC course [Employee Safety Orientation](#)

# Toolbox Talk

Name of Facilitator: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Employee feedback/questions/recommendations

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### Workers who attended

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### Key Talking Points (Facilitator Notes)

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## Workers Compensation Act 2 Division 4, section 22 General duties of workers

(1) Every worker must

(a) take reasonable care to protect the worker's health and safety and the health and safety of other persons who may be affected by the worker's acts or omissions at work, and

(b) comply with the OHS provisions, the regulations and any applicable orders. (c) comply with the OHS provisions, the Regulations, and any applicable orders.

(2) Without limiting subsection (1), a worker must

(a) carry out the worker's work in accordance with established safe work procedures as required by the OHS provisions and the regulations,

(b) use or wear protective equipment, devices and clothing as required by the regulations,

(c) not engage in horseplay or similar conduct that may endanger the worker or any other person,

(d) ensure that the worker's ability to work without risk to that worker's health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,

(e) report to the supervisor or employer

(i) any contravention of the OHS provisions, the regulations or an applicable order of which the worker is aware, and

(ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,

(f) cooperate with the joint committee or worker health and safety representative for the workplace, and

(g) cooperate with the Board, officers of the Board and any other person carrying out a duty under the OHS provisions or the regulations.