



# NEW WORKER GUIDE

The Little Donut Bakery understands that a new job can be overwhelming. New workers with little or no experience may not be aware of employment rules, rights and responsibilities. To make things worse, some employers themselves do not always know the rules. This can lead to honest misunderstandings and worse.

We want to ensure our new workers are fully informed and understand how to succeed in the workplace. This quick guide will explain the rights and responsibilities of both workers and their employers; what kind of employment rules apply; how to understand their wages and deductions; advice to protect workers' interests; and where to find more information.

## Employee's Legal Rights & Responsibilities

- You have the right to be informed of workplace hazards and to refuse unsafe work, and to report unsafe conditions to authorities IF the employer has been informed of the situation and does not address it.
- You have the right to be paid and scheduled in accordance with employment standards (see provincial fact sheet below). This includes hours of rest/days off and overtime. Take note that some standards do not apply until you have worked for an employer continuously for one year.
- You must do the work assigned to you in a safe manner according to your training that does not harm or pose a risk to yourself or others. You cannot perform work or handle items that you have not been trained for.
- You must be respectful of others and not engage in any kind of illegal activity or horseplay, bullying, harassment or violence.
- You must obey your employer's rules and be fit for work at all times (for example, you cannot come to work sick or under the influence of drugs or alcohol).

## Employer's Rights & Responsibilities

- Your employer has the responsibility to train you properly for the work assigned to you, not assign you work you are not trained for, and to provide you with as safe a workplace as reasonably possible. This includes a duty to inform you of emergency procedures and any potential hazards or risks at work.
- For up to 90 days, you are a probationary worker under law and your employer has the right to terminate you without cause.
- Employers have the right to include other rules of conduct in their employment contract with you. Often the employer uses these rules to protect their business interests, including their property, equipment, knowledge, trade secrets, staff retention, and image branding. You may be required to agree to a "non-disclosure" clause that requires you to keep anything you learn or observe about the company to yourself.

[continued below]

## Employer Rights & Responsibilities (continued from previous page)

- Employers also have a right to defend their company's image and reputation in social media. You may not have the right to post images or other content of or in reference to your employer's property, equipment, workplaces, branding, logos, or other aspects of their business without their permission and should not do so without permission.
- Also bear in mind that employer conduct rules may also impact your own social media use. Some employers monitor personal pages and accounts to ensure you are not violating disclosure rules, or using their company image without permission. Other employers may go further and monitor personal content if their rules of conduct allow them to do so. Free speech rights do not apply to private companies, so your employer may have the right to terminate you for social media content even if it is not directly related to the employer.

## Wages & Compensation

- Your employer must pay you within a certain amount of time, in a legal currency, and provide you with a pay statement that includes your hours worked, rate of pay, the pay period, applicable deductions, and their payroll information. The employer chooses the method of payment but must document it. We do not recommend using apps like Venmo or cryptocurrencies.
- You must provide your employer with your SIN (Social Insurance Number, available from Service Canada) and valid contact information (such as mailing address, email, banking information) so they can pay you by cheque or money transfer.
- You are entitled to receive legal minimum wage, or any rate agreed by you and the employer in writing. Written agreements will usually outweigh verbal ones. Bonuses and wage premiums may be at your employer's discretion and subject to conditions. You are not entitled to keep cash tips from customers unless your employer allows it.
  - What is minimum wage?
    - Alberta: \$15.00 per hour, \$13.00 for students under 18 when not in school
    - Saskatchewan: \$11.81 per hour (\$13.00 per hour as of October 1 2022)
    - BC: \$15.65 per hour (as of June 1 2022)
- Your employer cannot charge you for business costs, uniforms, damaged or stolen property, or deduct till shortages from your wages. However, employers may still take legal action or press charges for theft or other illegal activity.
- Your employer must apply tax, CPP and EI to your wages whenever you work more than 7 days for a single employer. If you are under 18, you will not have CPP deducted.
- Your employer will send you a T4 by mail or email by February 28 of the following year so you can file a tax return. You will NOT receive a T4 and do not need to file a tax return if your pay statement does not include any tax, CPP or EI deductions.
- Generally, you are not entitled to be paid for your commuting time or costs (such as transit, parking, or vehicle costs), unless asked to purchase or transport an item or another worker.
- Always keep your own record of your hours worked – if you think your employer made an error, you can approach them with your copy to compare to their records. Also, keep your T4s and pay statements for 6 years for tax purposes and obtaining loans. Only the CRA will contact you if there is a tax issue, and they will only contact you by mail.

## Who Should I Contact?

- Various government departments handle different wage and employment issues. Below are the main agencies and responsibilities:
- **Service Canada** is responsible for Social Insurance Numbers (SINs) and Records of Employment (ROEs) for making EI (Employment Insurance) claims;
- **Canada Revenue Agency (CRA)** is responsible for income tax and payroll deductions (CPP Canada Pension Plan and EI), and receives your T4 and tax return;
- **Employment Standards** are departments within a province's Labour or Employment ministry. They determine the regulations around minimum wages, rates of pay, vacation time, paid leave, hours of rest, statutory holidays, rules around young workers, and specific industries.
  - **In Alberta:** Alberta Labour & Immigration
    - <https://www.alberta.ca/labour-and-immigration.aspx>
  - **In Saskatchewan:** Saskatchewan Labour Relations & Workplace Safety
    - <https://www.saskatchewan.ca/government/government-structure/ministries/labour-relations-and-workplace-safety>
  - **In BC:** BC Ministry of Labour
    - <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/labour>
- **Occupational Health & Safety (OHS)** departments are usually within a province's Labour ministry or Workers Compensation Board. OHS determines the regulations and codes employers and workers must follow regarding workplace safety, training, hazard assessment and controls, emergency procedures, and workers' rights to a safe work place. OHS also determine rules for young workers.
  - **In Alberta:** Alberta Labour & Immigration – Occupational Health & Safety
    - <https://www.alberta.ca/occupational-health-safety.aspx>
  - **In Saskatchewan:** SK Labour Relations & Workplace Safety - OHS
    - <https://www.saskatchewan.ca/business/safety-in-the-workplace>
  - **In BC:** BC Ministry of Labour – Occupational Health & Safety
    - <https://www2.gov.bc.ca/gov/content/employment-business/employers/employers-advisers-office/ohs>
- **Workers' Compensation Board** is a provincial agency that is usually a public insurance agency related to OHS but independent from the government ministry. WCB is intended to assist workers who are injured on the job and need to make a claim for lost income and/or medical expenses.
  - **In Alberta:** Worker's Compensation Board of Alberta
    - <https://www.wcb.ab.ca/>
  - **In Saskatchewan:** Saskatchewan WCB / Office of the Worker's Advocate
    - <https://www.saskatchewan.ca/business/safety-in-the-workplace/assistance-for-wcb-claims-and-appeals>
  - **In BC:** Worksafe BC
    - <https://www.worksafebc.com/>

## Other Tips – How Can I Stand Out and Succeed as a Worker?

- Start – and finish – with details. Make sure your application, resume, and other documents are error-proof and use proper grammar, punctuation and spelling. On the job, look over everything you do.
- Keep your public profile positive, “clean” and interesting. Keep not-so-nice things to yourself. Potential employers will judge the kind of character you are and what kind of fit you’d be with their team this way.
- Ask questions and show curiosity about your job and the business generally – you’ll learn a wealth of knowledge and will have a better understanding of your own career path.
- Be honest. If you try to fake skills or experience, your supervisors will know it and you could potentially put others at risk.
- Own your mistakes – and it’s okay to make them. No one needs to be perfect all the time – just admit it happened, apologize, ask how you can avoid it in the future if you don’t know, and make sure you don’t do it again.
- Be indispensable – observe your workplace and see what isn’t being done or could be done better, and figure out how you might fill that gap. If you see something that could be improved or have a helpful idea, bring it up with your supervisor.
- Show up in person as much as you can, be personable and able to make conversation – this will leave a much more lasting impression than an email, video chat or text.
- Never burn a bridge – it’s a small world and you never know who you might end up working with – or for – in the future.
- Understand that most jobs aren’t going to be 100% fun and exciting. It’s “work” for a reason – great jobs will have plenty of negatives, and no matter what job you have, there are things you can find to enjoy about it. This will make you a better worker through a company’s ups and downs, and more resilient and able to cope with life’s challenges generally.

Feel free to ask for help – mentorship is key to long-term success and most people are happy to help if you have a question or want to know more about something. Reach out to us if you ever have any questions or need advice.

# Employment Standards Guide for Employees

## Basic information on pay, time off, breaks, and more

### Minimum wage

Minimum wage is the lowest hourly rate an employer can pay. Current minimum wage is:

18 and over	\$15/hour
Under 18 and a student	\$13/hour (some exceptions apply)
Under 18 and not a student	\$15/hour

### Maximum hours per workday

Typically, no one should be working more than 12 hours in a row. Exceptions can be made if there is an accident or urgent work is required.

If you're working a split shift, your work hours need to remain within a 12-hour period. So, if you start work at 9 a.m., you shouldn't be expected to work past 9 p.m.

### Breaks

LENGTH OF SHIFT	BREAKS
5 hours or less	No break entitlement
More than 5 hours but less than 10 hours	At least one 30-minute break
10 hours or more	At least two 30-minute breaks

There are exceptions if:

- an accident occurs or urgent work is required,
- there are other unforeseeable or unpreventable circumstances, or
- you belong to a union and have different rules in your collective agreement.

You and your employer can decide if your break is taken all at once or is split up into two 15-minute periods.

Breaks can be paid or unpaid, at your employer's discretion.

### What if I can't take breaks?

If you cannot take breaks during your shift or your employer does not allow you to leave the premises during your break, you must be paid for that time.

### Pay periods and pay statements

Your employer must commit to regular pay periods. A pay period cannot be longer than one month. You must be paid within 10 days of the end of each pay period and provided with a statement of earnings and deductions.

For example, if your employer has defined a 2-week pay period, you should expect to receive your first payment within 24 days of your start date. From then on, you can expect an average of 2 payments per month.

### Days of rest

You are entitled to at least 1 day of rest each work week.

Work weeks can be combined so that you receive the following days of rest:

CONSECUTIVE WORK WEEKS	CONSECUTIVE DAYS OF REST
2 weeks	2 days
3 weeks	3 days
4 weeks	4 days

You must receive at least 4 consecutive days of rest after each period of 24 consecutive work days.

### 3 hour minimum

If you're called in for a meeting or to work a shift but then sent home, you must be paid whichever works out to be more:

- your hourly wage multiplied by the time actually worked, or
- 3 hours at a rate of at least minimum wage.

## General holiday pay

You are entitled to general holiday pay if you have worked for the same employer for at least 30 workdays in the 12 months prior to the holiday.

Whether you receive general holiday pay will also depend on whether you worked that day, and whether the day the general holiday falls on is a regular workday for you.

### IF GENERAL HOLIDAY IS A REGULAR DAY OF WORK

	Hours worked x hourly wage x 1.5 + average daily wage
If you worked	OR
	Hours worked x hourly wage + future day off at average daily wage
If you didn't work	Average daily wage

### IF GENERAL HOLIDAY IS NOT A REGULAR DAY OF WORK

If you worked	Hours worked x hourly wage x 1.5
If you didn't work	Not eligible for general holiday pay

## Regular day of work

A day of the week that an employee works consistently, or has worked at least 5 times in the 9 weeks prior to the holiday

## Average daily wage

Average daily wage is calculated by dividing total wages earned by the number of days worked in a 4 week period. The 4 week period is either:

- immediately preceding the general holiday, or
- ending on the last day of the pay period that immediately preceded the general holiday

For information on calculating average daily wage and more details on general holidays, see [alberta.ca/general-holidays-pay.aspx](http://alberta.ca/general-holidays-pay.aspx)

### ALBERTA GENERAL HOLIDAYS

New Year's Day	January 1
Alberta Family Day	Third Monday in February
Good Friday	Friday before Easter
Victoria Day	Monday before May 25
Canada Day	July 1, except when it falls on a Sunday, then it is July 2
Labour Day	First Monday in September

Thanksgiving Day	Second Monday in October
Remembrance Day	November 11
Christmas Day	December 25

There are additional days that your employer may choose to recognize as general holidays. If your employer recognizes a day as a general holiday, then all employment standards rules related to general holiday pay still apply for these additional holidays. You should confirm this and any pay entitlements with your employer.

### OPTIONAL ALBERTA GENERAL HOLIDAYS

Easter Monday	First Monday following Easter
Heritage Day	First Monday in August
Boxing Day	December 26

## Job-protected leaves

Job-protected leaves provide time off to deal with life events without losing your job. You are eligible for most job-protected leaves after 90 days of employment with the same employer.

Leaves are unpaid but in some cases income support may be available from Employment Insurance.

You must provide your employer with notice stating your intention of taking leave, preferably in writing. Some leaves require notice several weeks before starting the leave and some leaves have additional requirements.

TYPE OF LEAVE	MAXIMUM LENGTH
Maternity leave	16 weeks
Parental leave	62 weeks
Reservist leave	as needed
Compassionate care leave	27 weeks
Bereavement leave	3 days per year
Domestic violence leave	10 days per year
Citizenship ceremony leave	half day – once in a lifetime
Critical illness leave	36 weeks for a child 16 weeks for an adult
Long-term illness and injury leave	16 weeks per year
Personal and family responsibility leave	5 days per year
Death or disappearance of a child leave	52 weeks or 104 weeks

## Vacations and vacation pay

After 1 year on the job, you're entitled to 2 weeks' paid vacation. Vacation pay is 4% of your annual wages.

After 5 years on the job, you're entitled to 3 weeks' paid vacation. Vacation pay increases to 6% of your annual wages.

Vacation pay can be paid on each paycheque or when you take your vacation.

## Youth employment

There are additional rules if you're under 18 years of age. For all the details, see the [Employment Standards Guide for Youth](#) or [alberta.ca/youth-employment-laws.aspx](http://alberta.ca/youth-employment-laws.aspx)

## Overtime pay

Overtime pay is owed for all hours worked over 8 hours a day or 44 hours a week, whichever is greater. Your employer must calculate overtime on both a daily and weekly basis and pay out the larger amount.

Your employer must pay you at least 1.5 times your regular hourly rate for overtime worked, unless you have a written banked overtime agreement.

Written or verbal agreements between an employer and employee to not pay overtime are not allowed.

### Banked Overtime

If you have a written banked overtime agreement, you must be given time off at a rate of at least 1 hour for each overtime hour worked, paid at your regular wage rate.

The time limit to bank overtime is 6 months. After that, overtime that has not been used, must be paid out at a rate of 1.5 hours for every hour worked.

### Averaging arrangements

If you are covered by an averaging arrangement, the calculation of overtime will be different. Your employer must provide you a copy of the arrangement which explains how overtime will be calculated.

Some employees are not eligible for overtime hours and pay, including managers, supervisors and select salespersons. For a complete list of overtime exemptions and exceptions, see [alberta.ca/overtime-hours-overtime-pay.aspx](http://alberta.ca/overtime-hours-overtime-pay.aspx)

## Ending employment

### Notice if you quit

You'll need to provide written notice to your employer that varies based on your length of employment:

90 days or less	no notice
Between 91 days and < 2 years	1 week
2 years or more	2 weeks

### Notice if your employer lets you go

Your employer must give you written notice that varies based on the length of your employment:

Dismissal for just cause	no notice
90 days or less	no notice
Between 91 days and < 2 years	1 week
Between 2 years and < 4 years	2 weeks
Between 4 years and < 6 years	4 weeks
Between 6 years and < 8 years	5 weeks
Between 8 years and < 10 years	6 weeks
10 years or more	8 weeks

Your employer cannot require you to use banked overtime, banked general holidays, or vacation time during the notice period, unless otherwise agreed to.

If you are asked to leave immediately after receiving written notice, your employer must pay you what you would have earned for the full notice period.

## Deductions

By law, your employer must deduct money from your earnings to cover:

- income taxes,
- Canada Pension Plan (CPP),
- Employment Insurance (EI), and
- court-ordered garnishments or judgments.

Your employer can make deductions for vacation pay paid before it is earned or to correct payroll errors made in the last six months.

No other deductions are allowed without advance written permission or through a collective agreement.

Your employer is not allowed to deduct the following from your earnings:

- faulty work (e.g. errors in an estimate),
- uniforms,
- breakage (e.g. a broken tool),
- cash shortages if more than one individual has access, or
- loss of property (e.g. 'dine-and-dash').

## Exceptions to employment standards rules

Some industries and occupations have exceptions to the rules described here. For a full list of exceptions, see:

[alberta.ca/exceptions-for-specific-industries.aspx](http://alberta.ca/exceptions-for-specific-industries.aspx)

Your employer might have something called a variance. This is permission from the government for your employer to follow different rules. If a variance applies to you, your employer must provide you a copy of the variance.

## Filing a complaint

If you think your employer is not following the rules, talk with your employer first and show them this guide for reference. If your issue is not resolved, find more details on filing a complaint:

[alberta.ca/EScomplaints](http://alberta.ca/EScomplaints)

## Learn more

This guide provides basic information on important Employment Standards rules. More information on everything in this guide can be found online:

[alberta.ca/EmploymentStandards](http://alberta.ca/EmploymentStandards)

If you have questions about anything in this guide you can get answers from the Employment Standards Contact Centre:

Online: [alberta.ca/ESquestions](http://alberta.ca/ESquestions)

Toll-free: **1-877-427-3731**

Within Edmonton: **780-427-3731**

## Disclaimer

Information in this publication was accurate, to the best of our knowledge, at the time of publication. In the event of any discrepancy between this information and Alberta Employment Standards legislation, the legislation is considered correct. This guide is not a comprehensive list of Alberta's Employment Standards.

Learn more at [alberta.ca/EmploymentStandards](http://alberta.ca/EmploymentStandards)

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# Employment Standards Guide for Youth

## Basic information on types of work, hours of work, and pay

### Types of work

If you're 14 or under, there are restrictions on the types of work you can do. Below is a list of the types of work that are allowed for different age groups.

#### 12 year olds and under

- artistic endeavours with a permit

#### 13 - 14 year olds

- athletic club coach
- clerk or messenger in an office or retail store
- delivery person for small goods and merchandise for a retail store
- certain duties in the restaurant industry
- light janitorial work
- tutoring
- artistic endeavours with a permit
- work not listed above with a permit

#### 15 - 17 year olds

- any type of work, except selling or serving alcohol or cannabis
- no permits required

### Restaurant jobs

Adult supervision is required to do the following jobs in food services as a 13 -14 year old:

- host/hostess
- cashier
- dish washer
- bussing or cleaning tables
- server or waiter
- providing customer service
- assembling food orders
- sweeping and mopping in common areas

### Artistic endeavours

An artistic endeavour means work in:

- recorded entertainment

- film, radio, video or television
- television and radio commercials.

- voice recordings for video and computer gaming
- live performances/entertainment industry

- theatre plays
- musical performances.

### Farms and ranches

There are different rules for work on farms and ranches. For more details, see the [Employment Standards Guide for Farms and Ranches](#).

### Permits

Permits are required to work in:

- artistic endeavours, if you're 14 or under
- jobs not on the approved list, if you're 13 or 14.

Your employer will apply for the permit if needed. You can't start your job until your employer receives the permit.

### Hours of work

There are rules about hours youth can work on school days and at night.

#### 12 year olds and under

The hours you can work will be determined by the permit your employer receives.

#### 13-14 year olds

You can work with the following restrictions:

- you can't work between 9 p.m. and 6 a.m.
- you can't work during school hours, unless you're enrolled in an off-campus education program
- you can only work up to 2 hours outside of regular school hours, on school days
- you can work up to 8 hours on non-school days.

## 15-17 year olds

If you're 15, you can't work during school hours, unless you're enrolled in an off-campus education program.

### Work in retail or hospitality

If you work in retail or hospitality (as listed below), you can only work between 9 p.m. and 12 a.m. with adult supervision. You can't work between 12:01 a.m. and 6 a.m.

Retail includes selling any of the following:

- any food or beverages
- any other commodities, goods, wares or merchandise
- gasoline, diesel fuel, propane or any other product of petroleum or natural gas.

Hospitality includes hotels, motels or any place that provides overnight accommodation to the public.

### Work not in retail or hospitality

You can work between 12:01 a.m. and 6:00 a.m. However, you need:

- parental or guardian consent
- adult supervision.

## Parental permission

If you're 14 or under, you will need permission from a parent or guardian to work.

If you're 15 -17 you only require permission from a parent or guardian if you work during restricted hours at night.

## Minimum wage

Minimum wage is the lowest hourly rate an employer can pay.

Minimum wage is different for students under the age of 18. A "student" is someone who attends school up to grade 12, postsecondary, or vocational school.

### Student minimum wage - school in session

- For the first 28 hours per week, \$13/hour
- For hours 29 and up, \$15/hour

### Student minimum wage - school breaks

The minimum wage is \$13 for all hours worked. School break times vary from school to school. School breaks include summer vacation, Christmas or winter holidays, and spring break.

MINIMUM WAGE RATE	SCHOOL IN SESSION		SCHOOL BREAKS
	First 28 hours	Hour 29 and after	All hours
Students under 18	\$13	\$15	\$13
Non-students under 18	\$15	\$15	\$15
Students 18 and over	\$15	\$15	\$15

## 2 or 3 hour minimum

If you're called in for a meeting or to work a shift but then sent home, you must be paid whichever works out to be more:

- your hourly wage multiplied by the time actually worked, or
- 3 hours at a rate of at least minimum wage.

The exception is if you're a 13-14 year old working on a school day. In that case, you must be paid whichever works out to be more:

- your hourly wage multiplied by the time actually worked, or
- 2 hours at a rate of at least minimum wage.

## Other work rules

All employees in Alberta are covered by Employment Standards rules. Some examples are:

- Overtime Pay
- General Holiday Pay
- Vacation Pay
- Breaks
- Termination Notice.

The rules apply regardless of your age and employment status (full-time, part-time, casual or temporary).

## Learn more about employment standards

To learn more about employment standards that apply to all employees, see the [Employment Standards Guide for Employees](#) or [alberta.ca/employmentstandards](http://alberta.ca/employmentstandards)

## Volunteering and community activities

The rules in this guide only apply to paid employment. They do not apply to volunteering, work around the home, and community activities.

Examples of activities that aren't considered employment include:

- doing chores at home
- lending a hand to friends or family
- helping out on the farm
- participating in community groups like 4-H.

## Self-employment

The rules in this guide do not apply if you are self-employed or working as an independent contractor. This may include jobs like babysitting, snow shoveling and lawn cutting.

## Filing a complaint

If you think your employer is not following the rules, talk with your employer first and show them this guide for reference. If your issue is not resolved, find more details on filing a complaint:

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# Guide to OHS: Workers

This guide introduces you to Alberta's occupational health and safety (OHS) laws and your role – as a worker – in ensuring health and safety at the work site.

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## KEY INFORMATION

- Alberta's OHS laws assign health and safety responsibilities to employers, supervisors, workers and other regulated work site parties.
  - As a worker you have three fundamental rights under OHS law:
    - The right to know.
    - The right to participate.
    - The right to refuse dangerous work.
  - You must work in ways that ensure your own health and safety, and the health and safety of others.
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## Our shared goal – health and safety

OHS law is based on an internal responsibility system. Its main idea is that everyone in the workplace shares accountability for health and safety, according to the authority and level of control they have.

Alberta's *OHS Act* is an important law that affects you. Part 1 of the *OHS Act* sets out general duties of the regulated work site parties (employers, supervisors, workers, suppliers, service providers, owners, contracting employers, prime contractors and temporary staffing agencies).

While each work site party may have a different role, they all share responsibility for health and safety. The *OHS Act* reinforces this by placing a common duty to co-operate on each regulated work site party.

## The OHS Act and Code

Alberta's main OHS legislation is the *OHS Act* and OHS Code. These laws set out requirements to help keep your work site healthy and safe.

The *OHS Act* sets general rules to protect and promote the health and safety of Alberta workers. The act also gives the government authority to make workplace safety regulations and codes, and enforce the laws.

The OHS Code specifies detailed technical standards and health and safety rules. These technical requirements cover chemical hazards, equipment safety, first aid, harassment, violence and noise, to name a few.

## Does Alberta's OHS legislation apply to me?

You are a worker if you are engaged in an occupation – even if you perform services for an organization or employer without being paid. You are not a worker under OHS laws if you are:



- A student engaged in their studies, without any payment.
- The owner, their family member or an unwaged person working on certain farming and ranching operations.
- A person doing work for yourself around your home, as described below.

The *OHS Act* and OHS Code apply to all work activities, work sites and work site parties in Alberta, except:

- Where federal jurisdiction applies (for example, Canadian chartered banks, interprovincial transportation companies, television and radio broadcasters).
- Certain farming and ranching operations, if you are the owner, their family member or an unwaged person working at the farm or ranch.

- Private dwellings, if a person who lives there is doing tasks for their own business, or personal work – such as household chores or repairs – in, to or around the home. (If you are working from home for an outside employer, the *OHS Act* and OHS Code apply.)

In some cases, only limited sections of the OHS Code apply (as well as all of the *OHS Act*).

- Certain farming and ranching operations – if they employ waged, non-family workers – must comply with Part 13 of the OHS Code. (Part 13 contains technical requirements for health and safety committees (HSCs) and health and safety (HS) representatives.)
- When the occupant of a private dwelling (or someone on their behalf) directly employs a worker to do normal household duties, specific code provisions apply. This is true whether the domestic worker lives in the home, or not.

More information on these topics can be found in [Are students and volunteers workers](#), [Domestic workers](#) and [Health and safety on Alberta farms and ranches](#),

## Role of Alberta OHS

Alberta OHS is the part of the provincial government that administers and enforces Alberta's OHS laws. OHS has resources available to help you:

- Understand work site parties' rights and responsibilities.
- Meet your legal requirements.
- Prevent injuries, illnesses and fatalities.

If you have questions about OHS laws or workplace health and safety, call the OHS Contact Centre:

- 1-866-415-8690 anywhere in Alberta.
- 780-415-8690 in Edmonton and surrounding area.

### Alberta WCB

Sometimes people mistake Alberta OHS for the Workers' Compensation Board (WCB). While both report to the Minister of Labour and Immigration, Alberta OHS is separate from the WCB.

The WCB's role is to provide rehabilitation services and wage-loss support for workers with job-related injuries and illnesses. The WCB works with Alberta OHS, industry and labour to help reduce the impact of workplace injuries and illnesses on Albertans. The workers' compensation system is funded by employers; the WCB oversees the Accident Fund to ensure there are sufficient funds available for the payment of present and future compensation to injured workers.

### OHS officers

OHS officers have authority to:

- Conduct work site inspections.
- Investigate workplace injuries, illnesses or incidents.
- Require proof of identity from any person at a work site.
- Require employers to identify all worker and supervisors they employ.
- Take a range of actions to enforce compliance with OHS legislation.

When performing a work site inspection or investigation, OHS officers have a number of authorities. Some of these may involve you directly. For instance, an officer may ask you to explain a work site process or demonstrate how a piece of equipment works. If an officer asks you for information or a statement, you must provide it to them.

Section 37 of the *OHS Act* prohibits anyone from interfering with or hindering an OHS officer.

Read more in [Role and duties of Alberta OHS officers](#).

## Your employer

It is important to know who your employer is. This is because the *OHS Act* and OHS Code give employers a great deal of responsibility for health and safety.

The *OHS Act* defines an employer as anyone who employs or engages one or more workers (including workers from a temporary staffing agency). The definition also includes anyone who is a designated employer representative, responsible for overseeing workers' health and safety for a corporation or employer. A self-employed person is also considered an employer.

Your employer's general duties are set out in section 3 of the *OHS Act*. This section says that employers must do everything reasonably practicable to:

- Ensure the health, safety and welfare of workers and other persons at or in the vicinity of the work site.
- Make sure that you, the worker, know your rights and responsibilities under OHS legislation.
- Prevent workplace harassment and violence.
- Provide competent supervisors.
- Make sure that the joint health and safety committee (HSC) or health and safety representative (HS representative) – if your workplace has either – comply with their legislated requirements.
- Resolve health and safety concerns in a timely manner.

Section 3 of the *OHS Act* also states that employers must ensure:

- You are trained to do your job in a healthy and safe manner.
- You only carry out dangerous work if you're competent to do so, or supervised by a competent worker.
- Health and safety information and OHS legislation are readily available to you.
- They themselves cooperate with anyone carrying out a duty under OHS legislation.

[Guide to OHS: Employers](#) gives more information about employer responsibilities.

## Your supervisor

The *OHS Act* defines supervisors as persons who have charge of a work site or authority over workers. It's the authority of the position that defines a supervisor, not their job title – and depending on the organization and type of work site, a supervisor may go by another name. There are many examples; a few are charge nurse, director, foreman, lead hand, manager or team lead.

The general duties of supervisors are in section 4 of the *OHS Act*. Under this section, supervisors must do everything reasonably practicable to:

- Protect the health and safety of workers under their supervision.
- Prevent workplace harassment and violence.
- Tell workers under their supervision about all known or possible hazards in the work area.
- Ensure workers under their supervision follow legislated OHS responsibilities.
- Report health and safety concerns to the employer.
- Co-operate with any person carrying out a duty under OHS legislation.

## Your right to a safe and healthy workplace

As a worker, you need to be aware of your rights and responsibilities under the internal responsibility system. Under the *OHS Act*, workers have three fundamental rights:

- The right to know.
- The right to participate.
- The right to refuse dangerous work.

## Know about health and safety

You have the right to know about workplace hazards and have access to health and safety information at the work site.

Your employer has the responsibility to make you aware of your rights and duties under OHS laws. Your employer must also provide you with information about hazards at the work site, how to eliminate or control the hazards, and any relevant work practices and procedures. Your supervisor must do everything reasonably practicable to advise you of all known or possible hazards in the work area.

Your employer must make sure you have the skills and training needed to do your work in a healthy and safe manner. Playing your part in the internal responsibility system, you must participate in the training and apply your learning at the job.

### Participate in health and safety

You have the right to meaningful participation in health and safety matters at your work site, including the right to express any health and safety concerns. As much as reasonably practicable, your employer must resolve health and safety concerns raised by any worker in a timely manner.

If your workplace has an HSC or HS representative, they are in place so that worker representatives can work with the employer or their representatives to address health and safety concerns.

If your workplace does not have an HSC or HS representative, your employer must still resolve any health and safety concerns brought forward by workers. Under the OHS Code, there are also requirements to involve affected workers in hazard assessment and control, emergency response planning, violence and harassment prevention, and developing and implementing certain safe work practices.

For more information, read [Health and safety committees and representatives](#) and [Participation in health and safety for small business owners and workers](#).

### Refuse dangerous work

You have the right to refuse work if you reasonably believe that there is an undue hazard at the work site or that the work is an undue hazard to you or others.

In this section, “undue hazard” in relation to any occupation includes a hazard that poses a serious and immediate threat to the health and safety of a person.



-OHS Act s. 17(1)

An undue hazard is a serious and immediate threat to health and safety that the refusing worker actually observes or experiences at their work site.

Section 17 of the *OHS Act* describes the steps that workers and employers must follow in the work refusal process.

For more information, read [Right to refuse dangerous work](#).

### Disciplinary action complaints

You can't be disciplined for following the rules of the *OHS Act* or Code.

Disciplinary action is any action or threat of action that can negatively affect a worker's employment. A few examples of disciplinary action include termination, demotion, transfer, changed work hours, reprimands, coercion or intimidation.

If this does happen to you, you can [file a disciplinary action complaint](#) with Alberta OHS. Keep in mind, though, that OHS must follow specific rules to be able to follow up on the complaint:

- You must file your complaint with OHS within 180 days of the action taken against you.
- OHS officers may refuse to investigate complaints that they find to be without merit, or frivolous, trivial, vexatious, filed with improper motives or otherwise an abuse of process.
- OHS can only accept disciplinary action complaints from workers not bound by a collective agreement.
  - Workers bound by a collective agreement must use their grievance processes to pursue disciplinary action complaints.

To confirm that you experienced disciplinary action in violation of the *OHS Act*, an investigating officer will establish that:

- You were complying with a requirement in OHS legislation or an OHS officer's order.
- Disciplinary action was taken against you.
- The disciplinary action was not for a reason other than your health and safety compliance.

For more information, read [Disciplinary action complaints](#).

## Don't forget – you also have responsibilities

The law requires you to work in ways that ensure your health and safety, and the health and safety of others. You must follow the health and safety rules for your job. For example, when doing certain kinds of work, you may be required to use personal protective equipment.

You must also take part in any training provided by your employer.

You are responsible for reporting any concern about work site dangers to your employer or supervisor. Your employer and supervisor must address your concerns and make it healthy and safe for workers to work.

If your employer or supervisor fail to address your concern, you can take the problem to the HSC or HS representative, if there is one. If there is no HSC or HS representative, or if you are still not satisfied, you can call the OHS Contact Centre and ask Alberta OHS to look into the problem. Anyone has the right to call OHS, whether directly involved in the work or not.

You must not cause or participate in harassment or violence at the workplace.



You must not perform work that may endanger you or others unless you are either competent to do so or you are working under the direct supervision of a worker who is competent in that work.



As well as following the laws yourself, you must cooperate with anyone who is carrying out their duties under OHS legislation. This includes OHS officers who are conducting inspections or investigations.

## Incident reporting and investigation

The *OHS Act* requires that prime contractors report and investigate certain incidents. If there is no prime contractor, the responsibility falls to your employer.

Reportable incidents are described in section 33 of the *OHS Act*. These incidents are:

- Serious injuries, illnesses or incidents.
- Radiation overexposures.
- Incidents at a mine or mine site.
- Potentially serious incidents.

The prime contractor or your employer must report all of these – except potentially serious incidents – to OHS as soon as possible.

The prime contractor or your employer must investigate all reportable incidents – including potentially serious incidents – and prepare an investigation report. They must provide a copy of their investigation report to OHS and to the HSC or HS representative. If there is no HSC or HS representative, they must make their investigation report available to all workers.

For more information about prime contractor and employer incident obligations, read [Incident reporting and investigation](#).

## Non-compliance

It is in everyone's best interest to protect the health and safety of themselves and other persons. However, if you or other work site parties don't comply with the law, the *OHS Act* can be used to compel all parties to follow the rules.

### OHS orders

The *OHS Act* gives OHS officers authority to issue orders that require work site parties to comply with OHS legislation. Types of orders include:

- Compliance orders, which mandate work site parties to meet their legislated obligations, and require measures and timelines for compliance.

- Stop use orders, which require certain work site parties to stop using personal protective equipment, other equipment, harmful substances or explosives if they are unsafe or do not comply with OHS legislation.
- Stop work orders can be used if an officer believes there is a danger to worker health and safety. They can apply to certain activities or areas of a work site, an entire work site, or to multiple work sites controlled by a single employer. An OHS officer may also require any person to leave the work site if it is dangerous for that person to remain.

### Violation tickets

OHS officers have authority to write immediate, on-the-spot tickets against employers, supervisors and workers who violate certain provisions of the OHS Code. Ticket amounts range from \$100 to \$500 per violation, plus a 20% victim surcharge.

OHS tickets use the same form as Alberta traffic tickets. The form describes how to pay or contest the ticket, and gives a court date and location.

### Administrative penalties

An administrative penalty is a monetary penalty issued by OHS. Penalty amounts are a maximum of \$10,000 per day, per contravention. OHS officers can issue administrative penalties to any person who has done any of the following:

- Contravened OHS legislation.
- Not complied with an order, acceptance, allowance, approval, or inter-jurisdictional recognition.
- Made a false statement or given false or misleading information to an officer.

For more information on orders, tickets or administrative penalties, read [Role and duties of Alberta OHS officers](#).

### Prosecutions

A person who breaks the rules of the *OHS Act* or the OHS Code, or commits other offences listed in the act, can be charged. Conviction on a first offence can lead to a fine of up to \$500,000, plus \$30,000 each day an offence continues, and/or a jail term of up to six months per violation. A second offence can result in a fine of up to \$1,000,000 plus \$60,000 each day an offence continues, and/or a jail term of up to one year per violation. These penalties are set out in the *OHS Act*.

As well, charges can be laid for workplace incidents under federal criminal law, against anyone who directs another person's work, and whose actions or omissions "show a wanton and reckless disregard for the lives and safety of other persons". The Criminal Code of Canada imposes serious penalties for violations that result in bodily harm (serious injury or illness) or death. In such cases, the maximum jail penalties are 10 years for each person who suffered bodily harm (serious injury or illness) and life imprisonment in relation to each person killed. Companies and individuals can also be subject to fines and other criminal sanctions under the Criminal Code.

For more information on OHS prosecutions, see the [OHS investigations](#) web page.

## Appeal an OHS order, decision or action

The Alberta Labour Relations Board (ALRB) hears appeals of OHS orders, administrative penalties, licence cancellations or suspensions, work refusal investigations and disciplinary action complaint decisions. You can only appeal to the ALRB if you are specifically named as the recipient of the order or decision.

The ALRB can:

- Confirm, vary or revoke an order, or certain OHS decisions or actions.
- Remit orders, or certain decisions or actions back to OHS.
- Reject hearing an appeal if the ALRB determines it is without merit, or is frivolous, trivial, vexatious, filed without merit or an abuse of process.

For more information, see [Appeal an OHS action](#) on the [OHS Compliance and enforcement](#) web page.

## Contact us

### OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton and surrounding area

- 780-415-8690

Deaf or hard of hearing (TTY)

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

### Notify OHS of health and safety concerns

[alberta.ca/file-complaint-online.aspx](https://alberta.ca/file-complaint-online.aspx)

Call the OHS Contact Centre if you have concerns that involve immediate danger to a person on a work site.

### Report a workplace incident to OHS

[alberta.ca/ohs-complaints-incidents.aspx](https://alberta.ca/ohs-complaints-incidents.aspx)

### Website

[alberta.ca/ohs](https://alberta.ca/ohs)

## Get copies of the OHS Act, Regulation and Code

### Alberta Queen's Printer

[qp.gov.ab.ca](https://qp.gov.ab.ca)

### OHS

[alberta.ca/ohs-act-regulation-code.aspx](https://alberta.ca/ohs-act-regulation-code.aspx)

## For more information

Appeal an OHS action

[alberta.ca/appeal-ohs-action.aspx](https://alberta.ca/appeal-ohs-action.aspx)

Disciplinary action complaints (LI061)

[ohs-pubstore.labour.alberta.ca/li061](https://ohs-pubstore.labour.alberta.ca/li061)

Guide to OHS: Employers (LI009)

[ohs-pubstore.labour.alberta.ca/li009](https://ohs-pubstore.labour.alberta.ca/li009)

Guide to OHS: Supervisors (LI010)

[ohs-pubstore.labour.alberta.ca/li010](https://ohs-pubstore.labour.alberta.ca/li010)

Hazard assessment and control (BP018)

[ohs-pubstore.labour.alberta.ca/bp018](https://ohs-pubstore.labour.alberta.ca/bp018)

Health and safety committees and representatives (LI060)

[ohs-pubstore.labour.alberta.ca/li060](https://ohs-pubstore.labour.alberta.ca/li060)

Health and safety programs (LI042)

[ohs-pubstore.labour.alberta.ca/li042](https://ohs-pubstore.labour.alberta.ca/li042)

Incident reporting and investigation (LI016)

[ohs-pubstore.labour.alberta.ca/li016](https://ohs-pubstore.labour.alberta.ca/li016)

OHS Compliance and enforcement

[alberta.ca/ohs-compliance-enforcement.aspx](https://alberta.ca/ohs-compliance-enforcement.aspx)

OHS Investigations

<https://www.alberta.ca/ohs-investigations.aspx>

Participation in health and safety for small business owners and workers (LI055)

[ohs-pubstore.labour.alberta.ca/li055](https://ohs-pubstore.labour.alberta.ca/li055)

Right to refuse dangerous work (LI049)

[ohs-pubstore.labour.alberta.ca/li049](https://ohs-pubstore.labour.alberta.ca/li049)

Role and duties of government OHS officers (LI046)

[ohs-pubstore.labour.alberta.ca/li046](https://ohs-pubstore.labour.alberta.ca/li046)

Workers' Compensation Board

[wcb.ab.ca](https://wcb.ab.ca)

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# Do You Know How to Refuse Dangerous Work?

## **STEP 1** Speak up if you have health and safety concerns.

- Tell your supervisor, employer or the person in charge. Your employer has to address your concerns.
- Addressing issues early can prevent more serious problems later. Work together to keep everyone safe and healthy.

## **STEP 2** Serious and immediate threat to health and safety? Don't do it.

- Tell your supervisor, employer or the person in charge what you're refusing to do, and why. Tell them as soon as possible.
- Cooperate with your employer and do your part - as long as it's safe - to make sure no one gets hurt.
- Sometimes your employer can solve the problem right away.
- If not, they must take certain steps. These include inspecting the danger, fixing any problems and writing a work refusal report.
- Your employer can give you other work - as long as it's safe - while they carry out their obligations.
- When they're done, your employer must give you a copy of their report.

**If your employer fixes the hazard - or if they don't find any serious and immediate threat after carrying out all their obligations - they can tell you to go back to work. Or, they can assign someone else to do it.**

**You can't be fired or lose pay if you refuse work that is an undue hazard.**

**Undue hazards are serious and immediate threats to health and safety.**

**Some examples are:**

- **A structural collapse.**
- **A gas leak.**
- **Broken and unsafe tools.**

## **STEP 3** Notify Alberta Occupational Health and Safety (OHS) if the threat isn't resolved.

- An OHS officer will follow up.
- If the officer finds there is an undue hazard, they'll require your employer fix it.
- You and your employer must cooperate with the officer.
- If you or your employer disagree with the officer's decision, you may be able to appeal to the Alberta Labour Relations Board.

Questions, concerns, need more info?



## Call OHS.

Calls are confidential.

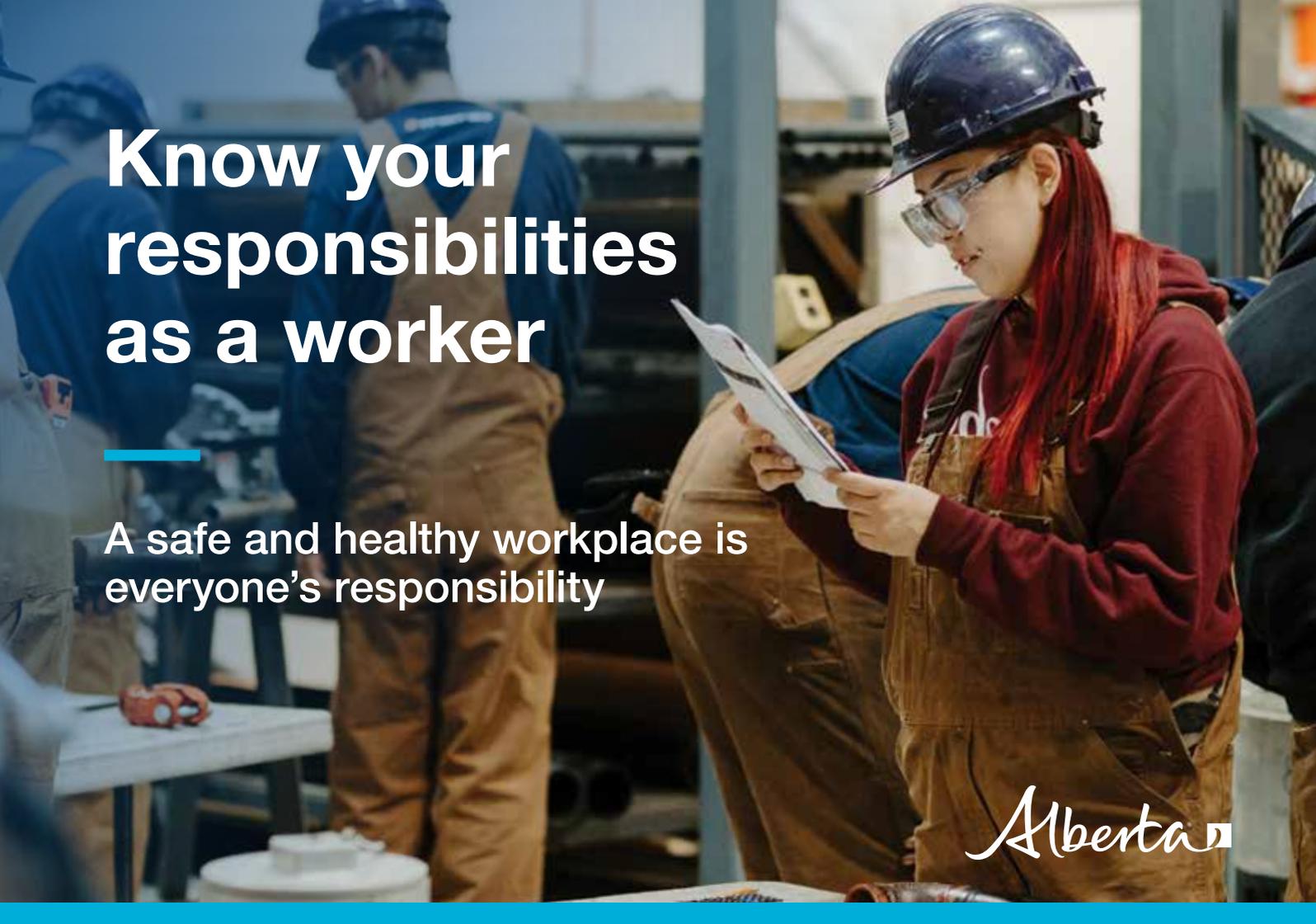
**1-866-415-8690** (Throughout Alberta)

**780-415-8690** (Edmonton)

For the deaf or hard of hearing (TTY)

**1-800-232-7215**

*Alberta*

A woman with long red hair, wearing a blue hard hat, safety glasses, a red hoodie, and brown overalls, is looking down at a document she is holding in a factory setting. In the background, other workers in blue shirts and brown overalls are visible, along with industrial equipment and a table with a red tool.

# Know your responsibilities as a worker

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A safe and healthy workplace is everyone's responsibility

Alberta 

# Know your legal responsibilities and what to expect from others.



## As a worker, your responsibilities include:

- protecting yourself, your coworkers and others.
- following the health and safety rules for your job.
- asking for training if you don't know how to do something.
- using all hazard controls and wearing the required personal protective equipment (PPE).
- not causing or participating in violence and harassment.
- immediately reporting danger (including violence and harassment) to your supervisor or employer.
- telling your supervisor or employer if you have a physical, mental or emotional issue that could affect your ability to work safely.
- only doing dangerous work if you are competent to do so, or are directly supervised by a worker who is.
- following other occupational health and safety (OHS) requirements.



## Your employer's responsibilities include:

- making sure you have the training, qualifications and experience needed to do your work safely.
- providing you with competent supervisors.
- preventing violence and harassment in your workplace.
- inspecting the space and informing you of, and protecting you from, all the hazards of your job.
- providing you with specific PPE to use.
- investigating all serious and potentially serious incidents.

### Supervisors' responsibilities include making sure you:

- work safely.
- follow health and safety rules.
- aren't subject to and don't participate in violence or harassment.
- know the hazards of your work area.

Have concerns or questions, need to talk or want more information? Phone the OHS Contact Centre. You don't have to give your name to OHS. Calls can be anonymous.

**1-866-415-8690** (Throughout Alberta) 780-415-8690 (Edmonton) 1-800-232-7215 (TTY)