Kelly Services (Canada), Ltd.
September 2026

Worker Rights



Safety Involves Everyone. Know your Rights.

Across Canada there are laws in place to protect workers on the job. This occupational health and safety legislation outlines three important rights all workers have that will ensure they have the knowledge they need to be safe on the job and the freedom to participate in health and safety activities in their workplace.

These rights are:

1. **The right to know what hazards are present in the workplace.**
2. **The right to participate in keeping your workplace healthy and safe.**
3. **The right to refuse work that you believe to be dangerous to yourself or your co-workers.**

Let's take a closer look...

Absolute Zero™

Absolute Zero is our goal

Our Absolute Zero program solidifies our commitment to:

- ✓ **Zero accidents**
- ✓ **Zero injuries**
- ✓ **Zero harm**

First workforce solutions company to create and maintain a zero-injury program.

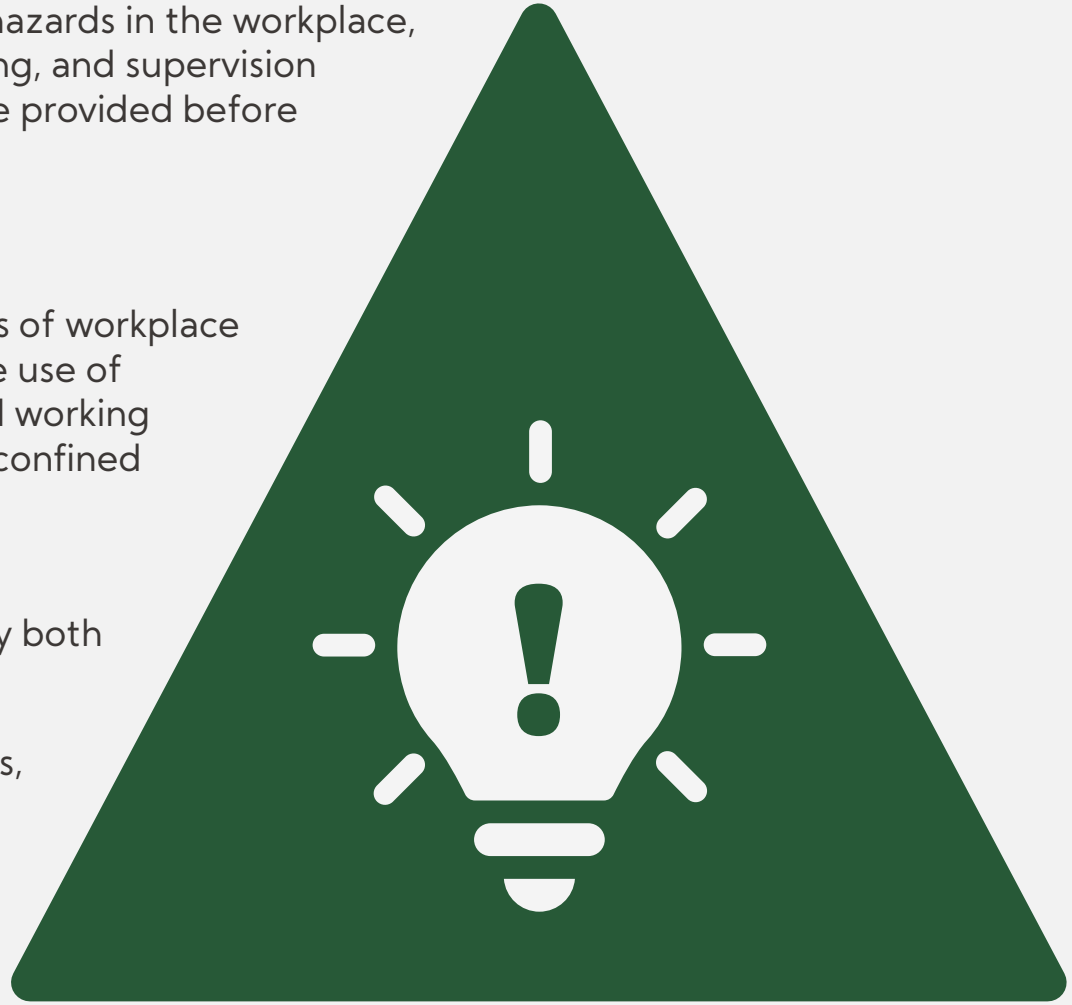
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The Right to Know

You have the right to be informed by the employer of known or likely hazards in the workplace, and to be provided with the information, instructions, education, training, and supervision necessary to protect your health and safety. This information should be provided before the work begins.

As examples, areas of information include (but not limited to):

- Workplace hazards identified during day-to-day operations, results of workplace inspections, steps to take for daily pre-use inspections of tools, safe use of equipment and machinery, reporting mechanisms for sub-standard working conditions, procedures for various types of work (e.g., working in a confined space, working alone, working at heights, etc.) and the process for reporting hazardous conditions.
- Safe work policies, procedures and codes or practice, as required by both the legislation and the workplace itself.
- Emergency procedures, emergency evacuation, first aid procedures, incident reporting, and investigation procedures.



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The Right to Participate

The right to participate allows workers to have input on the steps taken by the employer to ensure health and safety.

Workers can provide input on what would make the workplace safe by:

- Participating as a member of the health and safety committee (if the workplace requires one).
- Being a health and safety representative for the workplace when given the opportunity.
- Reporting any concerns whenever you encounter a health and safety matter that could cause harm to your health and safety or the health and safety of your co-workers.
- Making suggestions to the committee or employer on how to make your workplace safer.



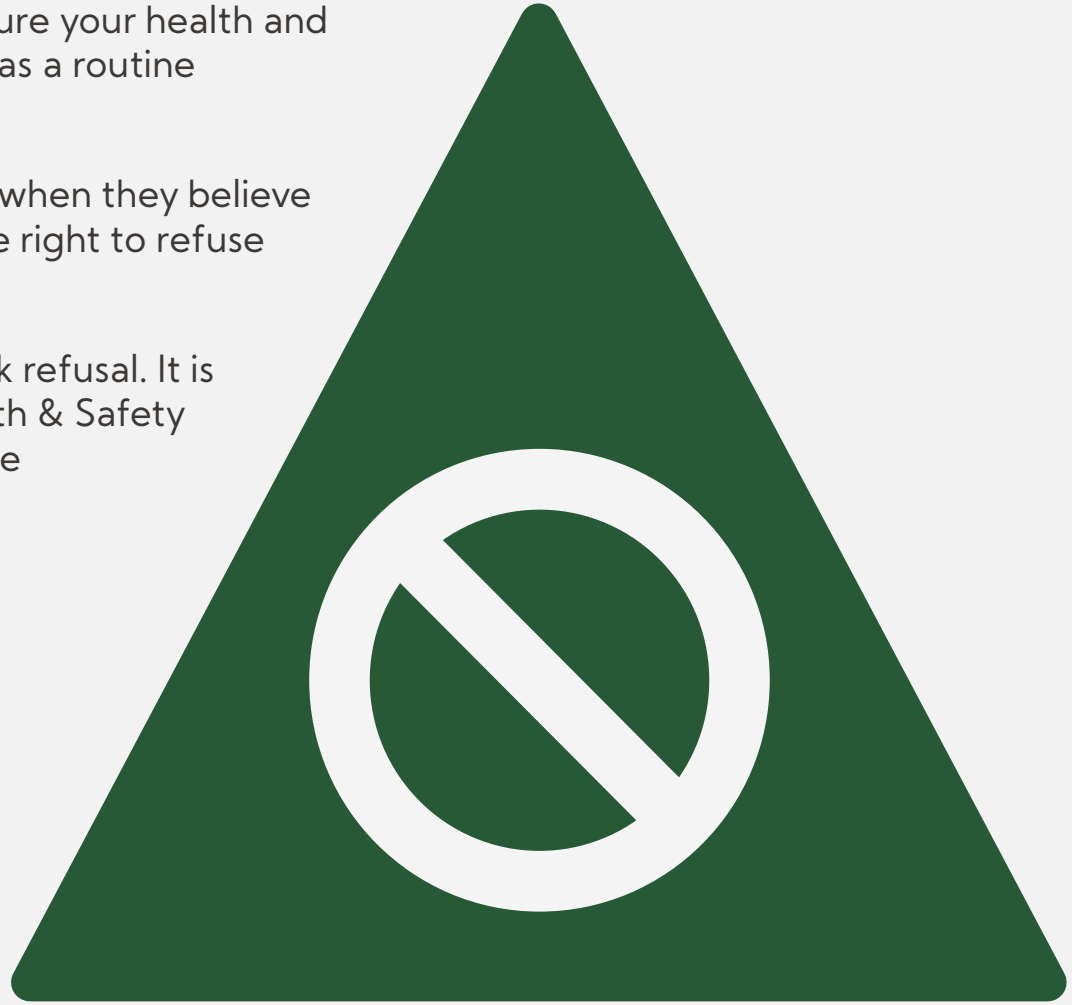
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The Right to Refuse

The right to refuse is typically used when the first two rights fail to ensure your health and safety. Exercising this right is serious and should not be done lightly or as a routine method of solving workplace problems.

However, workers should not be afraid to exercise their right to refuse when they believe that the work will endanger their health or safety, or that of others. The right to refuse process involves several steps.

The act sets out a specific procedure that must be followed in any work refusal. It is important that workers, employers, supervisors, members of Joint Health & Safety Committee (JHSC) and Health & Safety Representatives understand the procedure for a lawful work refusal.



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The Right to Stop Work

The *Occupational Health and Safety Act* permits specified persons to stop work in "dangerous circumstances".

In most cases, it takes worker and management certified joint health and safety committee members to direct an employer to stop dangerous work (joint stoppage).

Subsection 44(1) specifies that work can be stopped only in "dangerous circumstances" where all the following apply:

- The Act or the regulations are being contravened, and
- The contravention poses a danger or a hazard to a worker, and
- Any delay in controlling the danger or hazard may seriously endanger a worker.



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Refusing Unsafe Work

When a worker refuses unsafe work, they must immediately report the concern to their supervisor.

The employer must then investigate, take action to eliminate the danger, and potentially assign the worker to other duties while the situation is assessed.

The refusing worker must remain in a safe place that is as near as reasonably possible to his or her workstation and remain available to the employer or supervisor for the purposes of the investigation, until the investigation is completed [subsection 43(5)]. Although not stated as such in the Act, this interval is informally known as the "first stage" of a work refusal. If the situation is resolved at this point, the worker will return to work.



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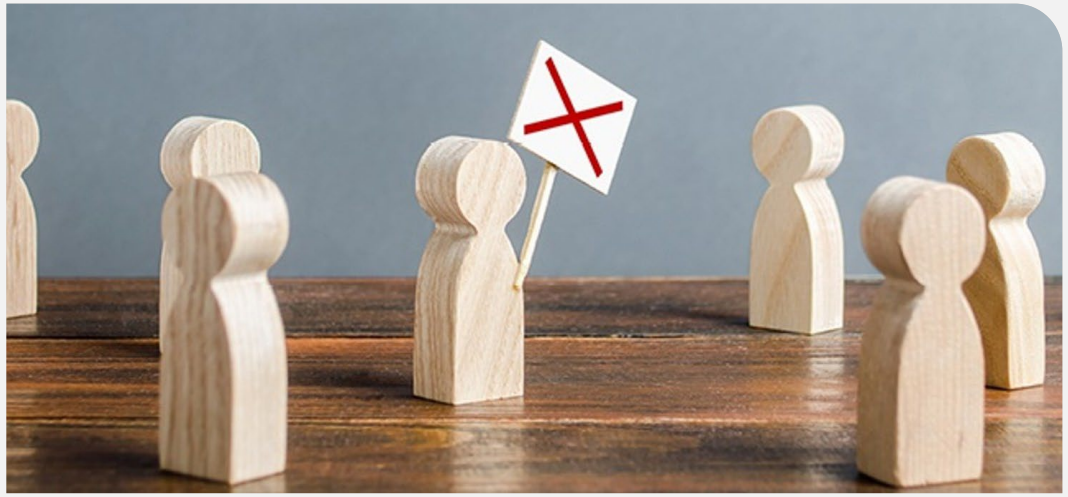
Work Stoppage Stages

First Stage

- Worker considers work unsafe and reports refusal to their supervisor or employer. Worker may also wish to advise the worker safety representative and/or management representative. Worker stays in safe place.
- Employer or supervisor investigates in the presence of the worker and the worker safety representative.
- The issue is either resolved, and the worker goes back to work, or it's not resolved, and the issue proceeds to the second stage.

Second Stage

- With reasonable grounds to believe work is still unsafe, worker continues to refuse and remains in safe place. Worker or employer or someone representing the worker or employer calls the provincial Ministry of Labour.
- Inspector investigates in the company of the worker, safety representative and supervisor or management representative.
- Inspector provides their decision, in writing, to the worker, management representative/supervisor and safety representative.
- Changes are made, if required or ordered, worker returns to work.





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Communicating Worker Rights

Transparency and Clarity: Information about worker rights should be readily available, easy to understand and presented in a way that is accessible to all employees, including those with special needs.

Multiple Channels: Use a variety of communication methods, such as employee handbooks, intranet pages, email, posters, and meetings, to ensure that all employees are aware of their rights.

Regular Communication: Regularly remind employees about their rights and any relevant policies or procedures, especially when changes occur.

Two-Way Communication: Foster an environment where employees feel comfortable asking questions, voicing concerns and participating in discussions about their rights and the workplace.

Active Listening: Encourage supervisors and managers to actively listen to employee concerns and address them promptly and fairly.

Respect and Inclusion: Create a workplace culture where all employees feel valued and respected, regardless of their background or position.

Legal Compliance: Ensure that all communication and practices related to worker rights comply with relevant laws and regulations.



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Roles and Responsibilities

Client manager or supervisor must:

- Ensure workers work in compliance with legislation.
- Ensure workers use prescribed protective equipment, clothing and devices.
- Inform workers of potential and actual hazards.
- Provide workers with written instructions on the measures and procedures to be followed for protection of the worker.
- Take every reasonable precaution in the circumstances for the protection of workers.
- Investigate reports of hazards, including work refusals.

Kelly's responsibilities include:

- Establish and maintain a Health & Safety Representative.
- Take every reasonable precaution to ensure the client workplace is safe.
- Ensure the client trains workers about any potential or actual hazards and how to work safely (e.g., hazardous substances and emergencies).
- Ensure the client communicates to workers know how to use and handle the equipment safely and properly.
- Ensure the client communicates to workers how to use necessary personal protective equipment, clothing and devices.
- Work with the client on reporting procedures for all workplace incidents, injuries and illnesses.

Worker responsibilities include:

- Work in compliance with applicable legislation.
- Use personal protective equipment, clothing and devices as directed by the employer.
- Report workplace hazards, incidents and occupational diseases to the supervisor or employer.
- Work in a safe manner as required by the employer and use the prescribed safety equipment.
- Tell the supervisor or employer about any missing or defective equipment or protective device that may be dangerous.

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Resources

Canadian Centre for Occupational Health and Safety (CCOHS) > Health and Safety Legislation in Canada – Introduction
www.ccohs.ca/oshanswers/legisl/legislation/three_rights.html

Canadian Centre for Occupational Health and Safety (CCOHS) > Health and Safety Legislation in Canada – Three Rights of Workers
www.ccohs.ca/oshanswers/legisl/legislation/three_rights.html

Government of Ontario > Guide to the Occupational Health and Safety Act > Part V: Right to Refuse or to Stop Work
www.ontario.ca/laws/statute/90o01



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Questions?

Contact your Kelly Representative.



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