



OHCO

Occupational Health Clinics
for Ontario Workers Inc.

Centres de santé des
travailleurs (ses) de l'Ontario Inc.

Occupational Health & Safety Rights and Precarious Status Workers

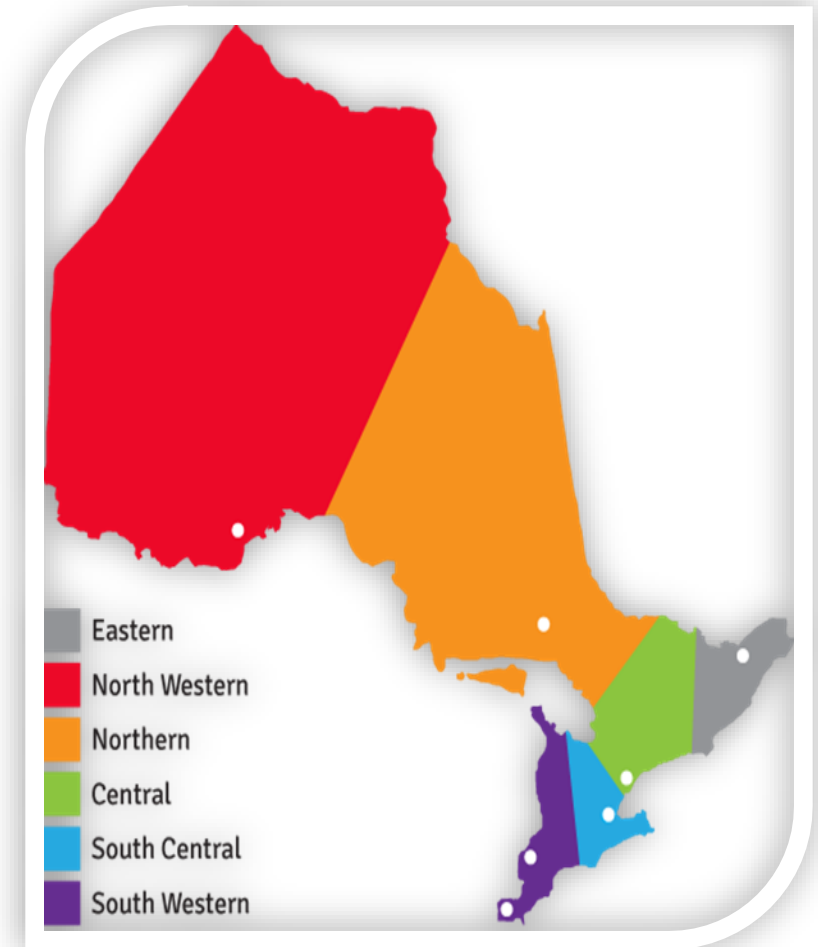


Eduardo Huesca- Project Manager, Migrant Worker Projects,
Occupational Health Clinics for Ontario Workers (OHCO)

Locations

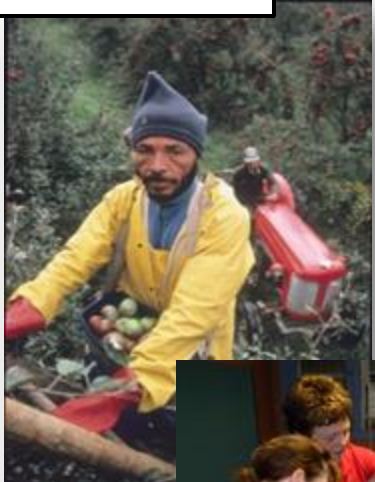
OHCOW Consists of Seven Clinics:

- Hamilton, South Central Region, 1989
- Toronto, Central Region, 1989
- Windsor, South Western Region 1991
- Sudbury, Northern Region, 1992
- Sarnia, South Western Region 1999
- Thunder Bay, North Western Region, 2010
- Ottawa, Eastern Region, 2016



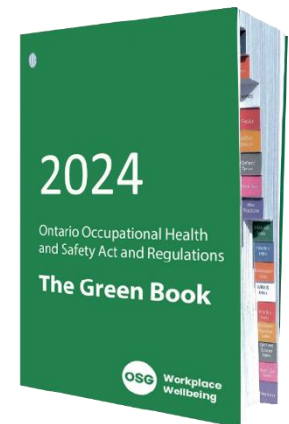


Migrant Agricultural Worker Program (2006)



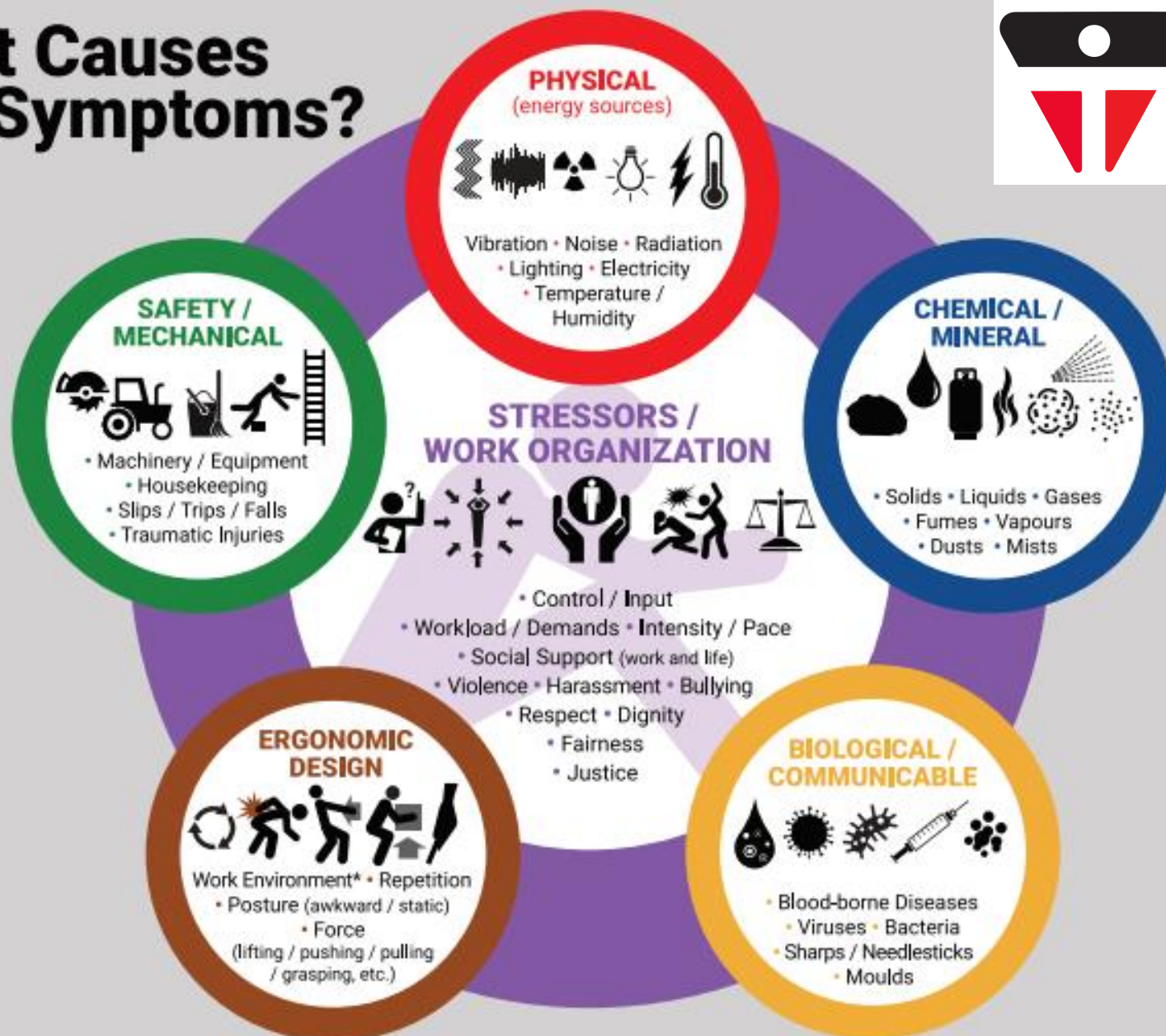
Occupational Health and Safety Act (OHSA)

- The Occupational Health and Safety Act (OHSA) is the legal framework of regulations focused on the health and safety of Ontario workplaces
- It sets out the responsibilities and rights of all parties in the workplace (employers, supervisors, workers)
- It sets out the procedures for dealing with workplace hazards and for the enforcement of regulations
- Rights, duties and protections under the OHSA **apply to all workers regardless of immigration status**
- The OHSA provides minimum standards
- The OHSA is enforced by the Ontario Ministry of Labour



What Causes Our Symptoms?

HAZARDS



*see PHYSICAL above

Vulnerable Workers

“Vulnerable Workers” refer to workers with an elevated risk of occupational injury or illness

Systemic or structural imposed vulnerability not inherent to the person or worker group

OHS vulnerability in four areas: hazard exposure; workplace policies and procedures; worker awareness of hazards and OHS rights and responsibilities; and worker empowerment to participate in injury and illness prevention

The OHS Vulnerability Measure, developed at the Institute for Work & Health (IWH), measures the extent to which a worker may be vulnerable to occupational health and safety (OHS) risks at work across the mentioned four areas

Using the measure, a worker is considered **most vulnerable to injury and illness when exposed to hazards in the workplace in combination with inadequate workplace policies and procedures, low OHS awareness and/or a workplace culture that discourages worker participation in injury and illness prevention.**

<https://www.iwh.on.ca/tools-and-guides/ohs-vulnerability-measure>

Migrant Workers and Occupational Health and Safety: Recognizing the need for an outreach program

- Employment in high hazard industries
 - 3-D jobs. *Dirty, Dangerous, Demanding/ Difficult*
- Social determinants of occupational injury and illness (experience poverty, limited opportunities in home country, literacy challenges, precarious immigration status, unionized workplaces, housing issues).
- Precarious character of employment and recognized fear of jeopardizing their work/ immigration status (reluctance/ fear to report OHS concerns, unsafe work conditions/ practices, injury or illness)
- Experience barriers accessing health care
- Lack of accessible occupational health and safety information, and support. Reporting systems (MLITSD/ WSIB) inaccessible.
- Occupational Health and Safety System slow to respond to the needs of these workers

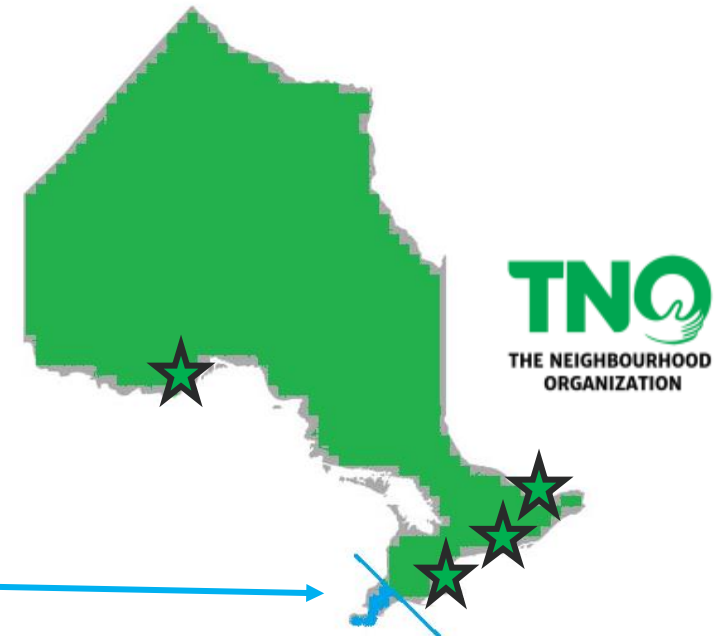
OHCOW's Migrant Worker Projects



This project is funded in part by the Government of Canada.



 **OHCOW-TNO** Worker Support Services (WSS) Project



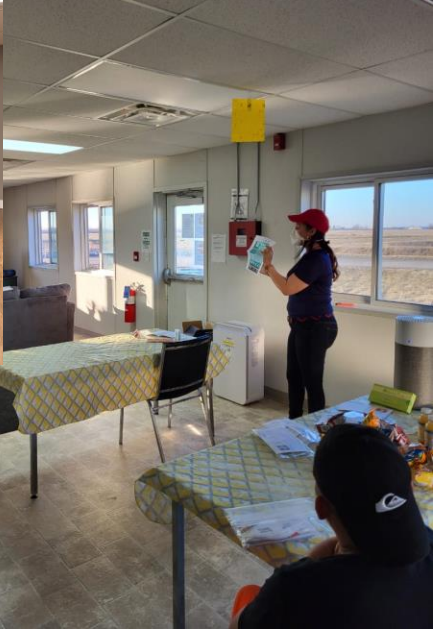
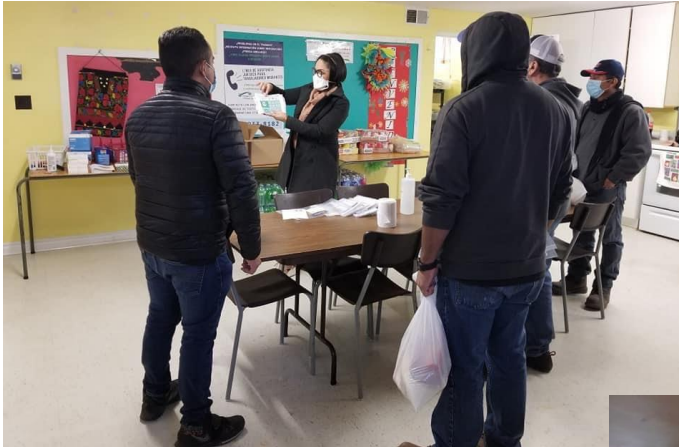
 **OHCOW-** 





OHCOW-TNO/WSS Project

Worker Support Services (WSS)



This project is funded in part by the Government of Canada.



The Importance of Sustained Outreach and Trust

- OHCOW-TNO WSS Project Outreach Team

Zohreh Ebrahimi OHCOW- TNO Project Coordinator and Outreach Workers

Anh Nguyen OHCOW –TNO Project Vietnamese Nail Salon Outreach Worker

Elvira Cruz OHCOW –TNO Project Coordinator and Latinx Community Outreach Worker

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The Importance of Accessible Information

Foundation in worker rights and employer responsibilities

OHCOW
Occupational Health Clinics
for Ontario Workers Inc.

Workers' Basic Health and Safety Rights Resources

Available in English, French, Spanish, Ukrainian, Vietnamese, Tigringna, Arabic and Dari

Workers' Basic Health and Safety Rights
View in > English | Spanish | French | Ukrainian | Vietnamese | Arabic | Dari | Tigringna

Refusing Dangerous Work
View in > English | Spanish | French | Ukrainian | Vietnamese | Arabic | Dari | Tigringna

Workers' Rights Against Retaliation
View in > English | Spanish | French | Ukrainian | Vietnamese | Arabic | Dari | Tigringna

Hurt or sick because of your job? Have COVID-19?
View in > English | Spanish | French | Ukrainian | Vietnamese | Arabic | Dari | Tigringna

These infographics and videos were created with project funding by the Ministry of Labour, Immigration, Training and Skills Development of Ontario (MLTSD)

FREE! OCCUPATIONAL HEALTH AND SAFETY RESOURCES and SUPPORTS for International Agricultural Workers

Stay Hydrated in the Heat | Heat Stress - A Serious Hazard for Outdoor Workers | Heat Stress - A Year Round Concern in Greenhouse | Wildfire Smoke - A Definite Concern for All [Ontario] Workers

COLOURFUL, ENGAGING, INFORMATIVE INFOGRAPHICS share important occupational health and safety information in a clear and easy-to-understand format. Use them to enhance your health and safety training. Available in English, Spanish, Thai, and Tagalog

HEAT STRESS Toolkit COMING SPRING 2024

ERGONOMIC ASSESSMENTS: A free service to help workplaces identify, evaluate and control ergonomic hazards that can lead to musculoskeletal disorders among workers. Contact us to schedule a visit:

WINDSOR Melissa Skotham melissaskotham@ohcow.on.ca 519-551-4557
SARNIA Andrew Flanagan afluangan@ohcow.on.ca 226-932-0122

OHCOW Occupational Health Clinics for Ontario Workers Inc.

Recognizing Heat Stress

Heat Stress Toolkit: Recognizing Heat ...

Watch on YouTube

Subtitled versions: [French](#) | [Spanish](#)

Infographic: Heat Stress - A Serious Hazard for Outdoor Workers

Signs and Symptoms

Heat Exhaustion

Heat Stroke

Heat Stress Can Kill

Additional Tools and Resources

AVAILABLE IN MULTIPLE LANGUAGES

- ENGLISH
- FRANÇAIS
- ESPAÑOL
- THAI
- TAGALOG

Information about exercising OHS rights

Infographic **Heat Stress** WORKER **EMPOWERMENT**

An Indoor and Outdoor Concern

Concerned about heat stress at work?



Talk to your co-workers about your concerns, ask them about theirs, and share what you have learned about heat stress.



Talk to your health and safety representative, joint health and safety committee and/or union if you have one.



Together talk to management,

- share what you have learned,
- provide ideas about solutions, and
- connect this to health and safety commitments at your workplace

Employers are expected to protect workers' health and safety by taking all reasonable precautions. This includes ensuring a process is in place to identify and deal with the factors contributing to heat stress

From the General Duty clause 25(2)(h) of the Occupational Health and Safety Act (OHSA)

KNOW your health and safety rights as well as employer responsibilities, and reference these if needed

If needed **SEEK additional advice or support** from health and safety, social and / or legal support agencies.

EXERCISE your rights If you are unable to convince your employer to address your heat stress concerns, or if further delay would put people at risk, consider exercising your right to call a health and safety inspector from the MLITSD*.

It is illegal for your employer to fire or retaliate against you in any way, for raising health and safety concerns, or refusing dangerous work.

Under Section 50 of the Occupational Health and Safety Act (OHSA)

However, in their research, King, A. & Lewchuk, W. (2022)* found that most Ontario workers who reported their employer for punishing them for raising health and safety issues, still ended up losing their job.

If you are worried you may face retaliation from your employer, be sure to speak to those helping you about that, and consider strategies that are available.

For example, you may want to consider an **anonymous complaint** to MLITSD about your health and safety concerns. This may trigger the Ministry to investigate your concern, without you having to provide your name or be identified.

*King, A. & Lewchuk, W. (2022). Occupation Health and Safety: A Failure to Protect the Right of Workers to Participate in Enforcement. Relations Industrielles / Industrial Relations, 77(1). <https://doi.org/10.7202/1088556ar>

***Ontario Ministry of Labour, Immigration, Training and Skills Development (MLITSD)**
Occupational Health and Safety Contact Centre:

Toll-free: **1-877-202-0008**

Press 1 to report an accident or work refusal
Press 2 to report a complaint
Press 3 if you have questions

Once you reach a telephone agent you can ask for service in other languages (say the language you need).



In a **medical emergency**, get help from someone trained in first aid, and **CALL 911**

The Challenge and Need for Case Work Support (wrap-around support)

CBC | MENU

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Nova Scotia

Migrant workers awarded more than \$23K from N.S. seafood company

Case highlights 'need to ensure the regulation of employment standards' for migrant workers: labour board



Danielle Edwards · CBC News · Posted: Jun 25, 2024 5:00 AM EDT | Last Updated: 4 hours ago



Workers are seen at Ocean Pride's sea cucumber harvesting and processing facility. The Nova Scotia Labour Board has ordered the Lower Wedgeport company to pay a group of migrant workers more than \$23,000.

Stacey Gomez, the executive director of the Centre for Migrant Worker Rights Nova Scotia, said in an interview the organization supported four of the workers in applying last year for what's known as an open work permit for vulnerable workers. The permit helps protect the rights of migrant workers by allowing them to leave an abusive workplace and find a new job.

Gomez said the labour board decision sends a message to the thousands of other migrant workers in Nova Scotia that they do have recourse when they have complaints.

"This case is very important because ... migrant workers face so many barriers to make complaints like this," she said. "They can be easily fired, sent back to their home country and not able to come back to Canada to work again. Current [migrant] workers are aware of those risks that they face when they have labour issues. And so that's a careful decision."

[Full Article](#)

Legal Clinic Support



Need legal help?

Call toll free at [1-800-668-8258](tel:1-800-668-8258) Monday to Friday from 8 a.m. to 5 p.m. (EST) for help in over 300 languages.

Wait times: Monday is their busiest day. For faster service, try calling Tuesday through Friday, 8 a.m. to 5 p.m.

<https://www.legalaid.on.ca/legal-clinics/>



Thank you

- Questions?