

**DISCUSSION GUIDE**  
**Workers' Rights and Responsibilities**

**Workers' Rights**

**1. Right to a safe workplace**

**Consider: What makes a workplace safe?**

- Employers, owners, supervisors, workers who act in ways which keep themselves and others free of injury and disease.
- Work is planned, anticipating and taking steps to minimize hazards.
- Direct care workers are supervised so that issues can be addressed as they arise.
- Everyone is encouraged to report both negative (“I saw something that wasn’t right”) and positive (“I think I found a possible way of helping a client demonstrating response behaviours”) situations that they experience.
- Information about known hazards (including patient/resident/client) is given to the right people.
- Workers get the equipment needed to do their jobs properly.
- There are adequate numbers of workers with appropriate skills to provide required care.
- Provisions are made to respond when things go wrong to restore a safe situation.
- Lessons are learned from incidents and mistakes.
- Work is viewed to be “proper” vs. “improper” not “safe” vs. “unsafe.”

**2. Knowledge of the hazards they face**

**Consider: What types of hazards do HCAs face in their daily work?**

- Overexertion/musculoskeletal injuries (MSI) from mobilizing people and equipment.
- Falls resulting from slipping and tripping.
- Violence (could result from aggression, responsive, reactive, or challenging behaviours). Greater risk with people with cognitive impairment, some active mental health disorders (psychosis, delusions), alcohol/drug impairment or withdrawal.
- “Life” hazards, such as walking into objects, getting hit by doors, etc.
- Infectious diseases, such as norovirus, hepatitis, HIV.
- Other possible hazards (e.g., Hazardous chemicals, radiation, cytotoxic drugs).

**Consider: How might hazards look different between facility and community settings?**

- There may be more unknowns and fewer interventions in a home setting.
- Most homes were never built as places to provide care.
- There may be fewer people to talk to if you aren’t sure about a situation.
- Hazards related to care in the community that you aren’t as likely to be exposed to in a facility include driving, animals, hoarding, and exterior stairs.
- Hazards may also impact the people being cared for, such as unsafe handling, behavioural challenges, fall hazards, etc. The hazard may have greater impact on the resident (after a fall, a worker may be bruised, but a resident may have a broken bone (or worse).

### 3. Safe Equipment

**Consider: What types of equipment keep HCAs safe?**

- Lifting equipment
- Shoes
- Safety engineered needles and sharps containers
- Soap and hand sanitizer

### 4. Training (including orientation)

**Consider: What types of safety-related education or training might HCAs receive at work?**

- Orientation
- Safe resident handling (equipment specific training)
- Violence prevention, including expected action in the event of an incident
- Infectious disease prevention
- Bullying and harassment
- Safe driving

**Consider: What is typically included in an orientation?**

- The name and contact information for the new worker's supervisor.
- The employer's and worker's rights and responsibilities including the reporting of unsafe conditions and the right to refuse to perform unsafe work.
- Workplace health and safety rules.
- Hazards to which the new worker may be exposed, including risks from robbery, assault or confrontation.
- Working alone or in isolation.
- Violence in the workplace.
- Personal protective equipment.
- Location of first aid facilities and means of summoning first aid and reporting illnesses and injuries.
- Emergency procedures.
- Instruction and demonstration of the new worker's work task or work process.
- The employer's health and safety program.
- Workplace Hazardous Materials Information System (WHMIS).
- Contact information for the occupational health and safety committee.

### 5. Supervision

**Consider: Who are supervisors?**

- Anyone who instructs, directs, *and* controls workers in the performance of their duties.
- Not always obvious from their job title – it isn't a co-worker.

**Consider: What are supervisors' responsibilities?**

- Ensure the health and safety of all workers under their direct supervision.
- Be knowledgeable about the regulations applicable to the work being supervised.
- Ensure that the workers under his or her direct supervision are made aware of all known or reasonably foreseeable health or safety hazards in the area where they work.

**Consider: What traits would you like to see in an effective supervisor?**

- Takes a personal interest in my well-being.
- Gathers information before acting.
- Has good listening skills and empathy.
- Has a presence during the workday, without micromanaging.
- Provides feedback in private, in measures appropriate to the size of the issue.
- Creates an atmosphere in which people are willing to admit to mistakes.

**Workers' Responsibilities**

**Consider: What are the responsibilities of the worker?**

- To protect their own health and safety as well as others affected by the worker's acts or omissions.

**Consider: Who are these "others"**

- Coworkers
- Clients
- Families/members of the public

**Consider: As an HCA, how can you protect your own health and safety?**

- Follow instructions.
- Use lifting equipment.
- Back away from escalating situations.
- Take a flexible approach to care.
- Keep your vaccinations current.
- Wash your hands, follow infection control protocols.
- Stay within your role and parameters of practice.
- Ask for clarification or help when you aren't sure about the right thing to do.
- Report little issues to your supervisor, before they become big ones.
- Refuse work that you believe to be unsafe.
- Do not work while impaired (sources of impairment can include fatigue, drugs or alcohol, medical conditions, distractions from your life outside work).