

# OCCUPATIONAL HEALTH AND SAFETY GUIDANCE FOR WORKERS: RESPIRATORY VIRUSES

This bulletin gives a brief overview of respiratory viruses and occupational health and safety (OHS) for workers. You can also find links to more information on specific OHS topics on page three.

## Key information

Alberta's *OHS Act* defines fundamental rights and responsibilities for work site parties. For workers, these include the:

- right to know,
- right to participate,
- right to refuse dangerous work, and
- responsibility to work safely and ensure the safety of themselves and others.

## Alberta's OHS legislation

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* 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 comes into the home to 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 legislation and make sure you have the skills and training to do your work safely. Your employer must also provide you information about hazards at the work site, controls used to eliminate or control the hazards, and any relevant work practices and procedures.

## Hazard controls at your workplace

As with any hazard, an employer must assess and control the hazard of respiratory viruses in the workplace. Employers must repeat the hazard assessment when there are changes to the working conditions or work process to ensure any new or potential hazards are considered and controlled. An employer must involve affected workers in the hazard assessment, and the control or elimination of the hazards identified.

OHS laws require employers to ensure workers have the training they need to work safely. This includes training on new policies, procedures and equipment related to respiratory viruses.

Practices that minimize the transmission of viral infection are workplace-specific. Depending on the type of work you do and your work site, you might see:

- Floor plans, workstations and/or physical barriers that allow for physical distancing.
- Rules (for visitors or customers) and safe work procedures (for workers) that support hand hygiene, enhanced cleaning and disinfection and physical distancing.
- Sick leave/absence policies that reduce infection risk.
- Staggered or adjusted shifts and breaks to reduce the number of workers in common areas at one time.

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- Action plans that include pre-screening and contact tracing procedures to prevent and control outbreaks at the work site.
- Workplace rules or guidelines about wearing masks.

## Participate in health and safety

You have the right to meaningful participation in health and safety activities related to your work and the work site. Your employer is required to respond to health and safety issues raised by workers. This includes concerns about respiratory virus control.

Your workplace may have a health and safety committee (HSC) or health and safety (HS) representative. They bring work site parties together to work on activities such as preventing, identifying and controlling hazards, investigating health and safety incidents, and responding to health and safety concerns at the work site.

If your workplace does not have an HSC or HS representative, your employer must still involve affected workers when assessing hazards at the workplace and implementing control measures.

## Refuse dangerous work

Workers have the right to refuse dangerous work if they reasonably believe there is an undue hazard at the work site or that particular work poses an undue hazard to themselves or others.

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.

General health and safety concerns are not dealt with under the work refusal process as they are not considered undue hazards.

Examples of undue hazards include:

- Sudden infrastructure collapses that result in an unsafe physical environment.
- A danger that would normally stop work, such as broken or damaged tools/equipment, or a gas leak.

Section 17 of the *OHS Act* describes the steps that workers and employers must follow in the work refusal process. These steps are obligations for both work site parties.

If your employer has implemented reasonable controls to address the risk of respiratory viruses, it's unlikely that there will be an undue hazard under OHS legislation.

If you still feel uncomfortable with those controls, you are encouraged to discuss your concerns with your employer.

Employers and workers working together can resolve most concerns without a work refusal. However, if you are in a situation where you feel it is necessary to refuse work, make sure you follow the work refusal steps set out in the law – including promptly reporting the refusal and the reasons for it to your employer, supervisor or another designated person. The steps of the work refusal process that both you and your employer must follow usually result in issue resolution. If this isn't the case, you can contact OHS for more information and/or notify OHS of your concerns.

## Your responsibilities

OHS legislation is based on the internal responsibility system, which says that everyone – including workers – is accountable for workplace health and safety, each according to their authority and level of control. As a worker, your obligations include:

- Cooperating with your employer or supervisor by following the health and safety rules.
- Reporting concerns about unsafe or harmful work sites or work site conditions to your employer or supervisor.
- Cooperating with any person following the OHS legislation and following the OHS legislation yourself.

## COVID-19 INFORMATION

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## Contact us

### OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton & 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)

### OHS website

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

## For more information

Guide to OHS: Workers (LI008)

[ohs-pubstore.labour.alberta.ca/li008](https://ohs-pubstore.labour.alberta.ca/li008)

Hazard Assessment and Control: a handbook for Alberta employers and workers (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)

Respiratory viruses and the workplace (BP022)

[ohs-pubstore.labour.alberta.ca/bh022](https://ohs-pubstore.labour.alberta.ca/bh022)

Right to refuse dangerous work (LI049)

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

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[alberta.ca/covid19](https://alberta.ca/covid19)

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