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| 1. Helen is the HR manager for a food processing plant. Adam is the production manager. They are having a disagreement over who is responsible for promoting a new workplace bullying program. Adam believes it should be the sole responsibility of the HR manager. If the director of safety for the plant were told about this scenario, what might you reasonably expect them to say regarding who is responsible for promoting the program?

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|   | a.  | It is actually the employees’ responsibility given they are the primary cause of workplace bullying. |
|   | b.  | All parties have a responsibility to improve health and safety, consequently they are both responsible. |
|   | c.  | It is the responsibility of the production manager (Adam). |
|   | d.  | It is the responsibility of the HR manager (Helen). |

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| *ANSWER:* | b |

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| 2. Which of the following is NOT an employer general duty?

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|   | a.  | appoint a competent supervisor |
|   | b.  | prepare policies regarding workplace violence and workplace harassment |
|   | c.  | appoint a Board of Directors |
|   | d.  | inform supervisors and workers of possible hazards |

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| *ANSWER:* | c |

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| 3. Which of the following provides guidelines for the presentation of information on chemical hazards in the workplace?

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|   | a.  | the Chemical Recognition and Information System |
|   | b.  | the Workplace Hazardous Materials Information System |
|   | c.  | the Workers’ Compensation Act |
|   | d.  | the Dangerous Goods Act |

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| *ANSWER:* | b |

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| 4. What are the two essential limitations on the right to refuse unsafe work outlined in OH&S Acts across Canada?

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|   | a.  | There are no limits on the right to refuse unsafe work in Canadian jurisdictions. |
|   | b.  | The worker has previously performed the task, or the refusal would place another person’s safety in jeopardy. |
|   | c.  | The employee works in a declared profession such as policing, or the refusal would place another person’s safety in jeopardy. |
|   | d.  | The task in question is a normal condition of employment, or the refusal would place another person’s safety in jeopardy. |

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| *ANSWER:* | d |

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| 5. Edwin is the owner of a chain of autobody shops in New Brunswick. He has been charged with criminal negligence causing death following a fatal incident at one of his shops. These charges have been laid under which of the following pieces of legislation?

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| --- | --- | --- | --- | --- |
|   | a.  | the Criminal Code of Canada | b.  | the federal OH&S Act |
|   | c.  | the New Brunswick OH&S Act | d.  | the New Brunswick Crimes Act |

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| *ANSWER:* | a |

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| 6. Ella and Anwar are certified members of the JHSC at an Ontario-based cleaning products manufacturer. Ella represents the management side and Anwar the employee side. When they noticed that there was a problem with the ventilation at their main plant they agreed to halt operations. Which of the following have Ella and Anwar enacted?

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| --- | --- | --- | --- | --- |
|   | a.  | a bilateral work stoppage | b.  | a unilateral work stoppage |
|   | c.  | the right to refuse unsafe work | d.  | a safety inspection |

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| *ANSWER:* | a |

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| 7. Which of the following systems for the classification and labelling of chemicals is being adopted by countries around the world?

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| --- | --- | --- | --- | --- |
|   | a.  | OHSA | b.  | ISO |
|   | c.  | CSA | d.  | GHS |

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| *ANSWER:* | d |

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| 8. What is the term for the specific rules that are not legally enforceable unless referred to in a regulation or an act?

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| --- | --- | --- | --- | --- |
|   | a.  | codes | b.  | standards |
|   | c.  | enforcements | d.  | guidelines and policies |

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| *ANSWER:* | d |

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| 9. Karen works as a set builder for a local television company. The safety guard on a band saw she uses has come off and is broken. Karen reports the broken guard to her supervisor who tells her to “keep working but be careful.” Karen does not feel comfortable and believes she could be seriously injured. Karen has the right to

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| --- | --- | --- |
|   | a.  | call the police. |
|   | b.  | ask her coworkers to use the saw. |
|   | c.  | refuse to continue until the guard is fixed or replaced. |
|   | d.  | ask for danger pay or financial compensation for performing dangerous work. |

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| *ANSWER:* | c |

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| 10. You are the HR manager for a large clothing retailer in Prince Edward Island. An employee has asked you to clarify when a Joint Occupational Safety and Health Committee is required. In your response you indicate that the requirement largely depends on the size of the company and in PEI a committee is required when

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|   | a.  | the number of employees exceeds 10. | b.  | the number of employees exceeds 20. |
|   | c.  | the number of employees exceeds 30. | d.  | the number of employees exceeds 45. |

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| *ANSWER:* | a |

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| 11. An employee expressed her concerns to her supervisor that the scaffolding she was working on for a painting job had several loose bolts. She was concerned for her safety and requested the supervisor’s permission to stop working immediately. However, the supervisor insisted that she continue working. What employee right did the supervisor’s behaviour violate?

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| --- | --- | --- |
|   | a.  | the employee’s right to refuse unsafe work |
|   | b.  | the employee’s right to report unsafe conditions |
|   | c.  | the employee’s right to participate in health and safety programs |
|   | d.  | the employee’s right to a safe workplace |

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| *ANSWER:* | a |

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| 12. Which of the following statements is true?

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| --- | --- | --- |
|   | a.  | The right to know is included in federal legislation. |
|   | b.  | The right to know is included in provincial legislation. |
|   | c.  | The right to know is included in federal and provincial legislation. |
|   | d.  | The right to know is included in WCB legislation. |

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| *ANSWER:* | c |

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| 13. In which circumstances does a ministry inspector/officer get involved in a work refusal situation?

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| --- | --- | --- |
|   | a.  | when a worker identifies an unsafe work situation |
|   | b.  | when a worker refuses to return to work after a full internal investigation has deemed there is no  danger |
|   | c.  | when a worker is told by the certified worker that he or she is endangered |
|   | d.  | when a number of workers refuse to work |

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| *ANSWER:* | b |

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| 14. Which of the following is a primary duty that is directly articulated in an OH&S Act?

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|   | a.  | mandated duty | b.  | general duty |
|   | c.  | prescribed duty | d.  | safety duty |

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| *ANSWER:* | b |

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| 15. All Canadian OH&S legislation includes which of the following elements?

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| --- | --- | --- |
|   | a.  | Act, powers of enforcement, right to refuse, protection from reprisals, duties/responsibilities |
|   | b.  | Act, regulations, guidelines, standards/codes |
|   | c.  | Act, stakeholder enforcement, duties/responsibilities |
|   | d.  | Act, right for referral, protection from reprisals, standards/codes |

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| *ANSWER:* | a |

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| 16. D’Mari is a construction site supervisor on major commercial buildings. Part of his job is to follow provincial fire safety regulations. This is best described as which type of duty?

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| --- | --- | --- | --- | --- |
|   | a.  | mandated | b.  | general |
|   | c.  | safety | d.  | prescribed |

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| *ANSWER:* | d |

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| 17. What is the PRIMARY function of the joint health and safety committee?

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|   | a.  | to communicate with the Ministry of Labour |
|   | b.  | to provide a nonadversarial opportunity for labour and management to work together to create a safer workplace |
|   | c.  | to conduct OH&S meetings |
|   | d.  | to ensure that safety messages are communicated |

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| *ANSWER:* | b |

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| 18. What is the most commonly found provincial requirement regarding which workplaces require a Joint Health and Safety Committee?

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|   | a.  | workplaces with 10 or more employees | b.  | workplaces with 15 or more employees |
|   | c.  | workplaces with 20 or more employees | d.  | workplaces with 25 or more employees |

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| *ANSWER:* | c |

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| 19. Sharon Nelson is the bakery manager and is a certified member of the JHSC at the grocery store where she works. According to legislation, which of the following employees must also be certified as a member of the JHSC?

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| --- | --- | --- | --- | --- |
|   | a.  | Phillipe Gagnon, the store manager | b.  | Michelle Strickland, a full-time cashier |
|   | c.  | Asmin Zahid, the accounting manager | d.  | Brock Sutherland, the produce manager |

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| *ANSWER:* | b |

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| 20. If an employee refuses to perform a task they have deemed to be unsafe, which of the following is most likely to happen first if the worker’s rights are respected?

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|   | a.  | An investigation to determine whether there is reasonable danger to the employee. |
|   | b.  | The worker is sent home with pay. |
|   | c.  | There is a stop-work order issued by the ministry responsible for OH&S. |
|   | d.  | The employee is recognized and rewarded for identifying a danger. |

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| *ANSWER:* | a |

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| 21. Lenny has just been promoted into a supervisory role at his work. Which of the following will be a new OH&S responsibility for him?

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|   | a.  | advising workers about safety hazards |
|   | b.  | proper use of safety equipment |
|   | c.  | cooperating with health and safety policy |
|   | d.  | taking all reasonable precautions to ensure his own safety and the safety of those affected by his work activities |

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| *ANSWER:* | a |

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| 22. A cleaning firm worker carelessly mixes bleach and a cleaning product while cleaning office tower washrooms. The mix results in toxic fumes that cause throat irritation to other cleaners. Which authority has jurisdiction over this incident?

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| --- | --- | --- | --- | --- |
|   | a.  | Workplace Safety Board | b.  | Ministry of Environment |
|   | c.  | Ministry of Labour | d.  | Workers’ Compensation Board |

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| *ANSWER:* | c |

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| 23. In OH&S terminology, which of the following is a person or company that oversees the construction of a project and is ultimately responsible for the health and safety of all workers?

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|   | a.  | foreman | b.  | constructor |
|   | c.  | inspector | d.  | supervisor |

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| *ANSWER:* | b |

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| 24. In *R. v. Midland Transport Ltd*. (1991), the New Brunswick Provincial Court held that the Transportation of Dangerous Goods Act is primarily for the protection of whom?

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| --- | --- | --- | --- | --- |
|   | a.  | workers | b.  | shippers |
|   | c.  | the general public | d.  | carriers |

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| *ANSWER:* | c |

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| 25. The passing of Bill C-45 (Westray) legislation brought about changes to the Criminal Code introduced the notion of which of the following for the first time?

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|   | a.  | corporate negligence | b.  | corporate homicide |
|   | c.  | corporate incompetence | d.  | corporate manslaughter |

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| *ANSWER:* | b |

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| 26. The majority of Canadian workers are regulated by the federal Occupational Health and Safety Act.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | False |

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| 27. Regulations are more specific than guidelines when describing rules.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | False |

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| 28. Standards and codes provide practical guidance on the implementation of occupational health and safety practices.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 29. A firefighter can refuse to use a fire extinguisher that has been known to explode and cause injury.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 30. Duties of workers are covered in the majority of provincial statutes.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 31. Complying with standards, such as CSA Z1000-14, may help organizations demonstrate due diligence.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 32. Human resource professionals responsible for managing health and safety should be familiar with the administrative structure of OH&S enforcement.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 33. Charges of criminal negligence can be laid under the federal OH&S Act in Canada.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | False |

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| 34. A nurse does not have the right to refuse unsafe work if the lives of patients are put at risk as a result of the refusal.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 35. Critics of Bill C-45 have indicated that the bill is not effective in practice because the penalties do not reflect the seriousness of the charges.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |

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| 36. Compare and contrast the duties of employers/contractors with the duties of supervisors when it comes to occupational health and safety in their workplace.

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| *ANSWER:* | *Compare = similarities*Both share the general duty to take every reasonable precaution to ensure the protection of workers and both are responsible for informing workers of possible hazards and ensuring education, training, written instructions, and protective equipment are provided. Both are responsible for ensuring compliance with the OH&S Act and regulations. The involvement of supervisors in this general duty does not lessen the employer/contractor’s responsibility for worker safety.*Contrast = differences*In addition to the general duties, employers/contractors have the primary duty for establishing and regularly reviewing an occupational health and safety policy, posting OH&S information, ensuring that supervisors are competent, and contacting the appropriate authorities as necessary (medical emergency, commencement of a project).In addition to the general duty, supervisors have the duty to supervise workers to ensure compliance with the OH&S Act and regulations and ensuring that they use/wear the provided safety equipment, devices, and clothing. |

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| 37. Provide three examples of federal statutes that HR managers should be familiar with.

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| *ANSWER:* | There are a number of statutes that HR managers should be familiar with, examples include.*• Canadian Environmental Protection Act• Hazardous Products Act• Canadian Charter of Rights and Freedoms, Part I of the Constitution Act• Canada Labour Code, Part IV• Criminal Code of Canada• Pest Control Products Act• Transportation of Dangerous Goods Act• Radiation Emitting Devices Act• Canada Shipping Act*• Radiation Protection Regulations |

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| 38. Outline the elements included in all Canadian OH&S legislation.

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| *ANSWER:* | All Canadian legislation includes the following elements*• an act;• powers of enforcement;• the right of workers to refuse to do unsafe work;• protection of workers from reprisals; and• duties and responsibilities assigned to employers and others.* |

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| 39. What is an OH&S Act? How does an Act differ from a) OH&S regulations and b) OH&S guidelines/policies?

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| *ANSWER:* | An OH&S Act is a federal, provincial, or territorial law that constitutes the basic regulatory mechanism for occupational health and safety. Alternatively, OH&S regulations explain how the general intent of the Act will be applied in specific circumstances. For instance, an Act will outline the powers of enforcement, the rights of workers, and various stakeholder duties. Safety regulations pertain to certain areas of practice, for instance fire safety regulations, first aid regulations, and machine guarding regulations. Typically, regulations are legally enforceable. Guidelines and policies are more specific rules that are not legally enforceable unless referred to in a regulation or Act. |

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| 40. Seanne works for a chemical processing plant. She has not been given the necessary training to properly clean and maintain a new piece of equipment. Her manager is pushed her to “figure it out by asking someone”; however, she feels this is dangerous to both her and her coworkers. Outline the process Seanne should use to refuse this work.

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| *ANSWER:* | The approach to work refusals can vary slightly depending on the jurisdiction however the process generally includes the following.*a)* Seanne should alert her manager to the dangers associated with the work.*b)* Seanne should indicate her intention to refuse the work due to the reasonable assumption that performing this task is unsafe.*c)* Seanne must allow the employer to investigate and remedy the situation.*d)* The refusal, investigation, and remedy must be recorded and a report must be provided to Seanne. If the situation is not fixed to Seanne’s satisfaction, then Seanne should report it to the workplace health and safety committee or an individual responsible for health and safety within the company. If Seanne does not get a satisfactory response from her employer despite notifying the proper channels, then she should report it to the ministry responsible for OH&S in her province (e.g., in Nova Scotia this would be the Department of Labour and Advanced Education). The ministry would then investigate the complaint and document any actions that were taken. This report should be provided to Seanne. If Seanne is not satisfied with the ministry’s report, she may appeal within 30 days (NS standards) and request further review.It is important to note that under OH&S law Seanne cannot be threatened, intimidated, coerced, or discriminated against via a reprimand, dismissal, or wage penalty for complying with work refusal legislation. |

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| 41. You are required to give a presentation on the Global Harmonized System to new staff at your company. Outline what GHS is and why it was implemented in Canada.

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| *ANSWER:* | GHS is an international standard for classifying and labelling of chemicals that was developed by the United Nations. GHS also communicates health and safety information on labels and safety data sheets. The GHS was adopted in Canada because it is a standard being adopted around the world and therefore would better connect Canada with other countries (e.g. United States) when it comes to factors like global trade and business interactions as it relates to chemicals. Additionally, having international standards will facilitate standardized communication of pertinent chemical safety information with the goal that the same set of rules for classifying hazards, and the same format and content for labels and safety data sheets (SDS) will be adopted and used improving the dangers associated with the storage and use of chemicals. |

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