

Rights and Responsibilities toolbox talk

A simple, 5 minute outline of what to cover in a toolbox talk on Rights and Responsibilities.

Health and Safety legislation may differ around the world regarding worker's Rights and their Responsibilities. The common purpose of health and safety legislation is to protect workers against harm to their health, safety and welfare at work as far as reasonably practicable.

Why run this toolbox:

- To gain an understanding of your Rights as a worker
- Understand your Responsibilities as an employee

Your Rights as a Worker

Each country's Health & Safety legislation will usually, as per its jurisdiction, specify the duties of the employer to the worker. Examples of what workers are to be provided from their employers are:

- Provision of a primary duty of care
- Safe systems for work
- Safe plant and structures
- Provision of training, instruction, supervision, and information necessary to protect workers from risks that potentially may arise from work
- Health monitoring
- Provision of personal protective equipment (PPE), devices and clothing

- Healthy food and safe accommodation
- Steps to address any hazardous workplace conditions
- Accessible health and safety policies and procedures
- The right to refuse work that is too dangerous
- The right to know about the workplace hazards
- Worker protections measures – this means that an employer must not discriminate or take negative steps because of involvement of workers in a work related health and safety project / program. For example assisting the enforcement agency in a workplace investigation.
- The right to representation – e.g. In New Zealand, workers have the right to elect Health and Safety Representatives – provided, certain criteria are met.

Your Responsibilities as an Employee

The health and safety legislation in your jurisdiction will likely also specify what the responsibilities of employees are. In New Zealand, Australia and Canada for example, there are expectations from employees regarding health and safety matters. Legally, employee responsibilities could include some of the following:

- Take reasonable care of your own health and safety
- Take reasonable care to act accordingly so that the actions they do or do not do (non-action) adversely affect the health and safety of other workers
- Cooperate with your employer – adhere to health and safety policies and procedures
- Wear personal protective equipment (PPE) and use relevant safety devices as required, to undertake a work task
- Report all incidents or accidents to your supervisor
- Observe and comply with the rules
- Report any hazards, potential hazards or dangerous situations immediately; including damaged or mislaid PPE, to your health and safety representative or supervisor
- Promote compliance to health and safety at all times, when dealing with visitors, contractor and other employees

Key takeaways:

- You have legal **right** under law
- You have **responsibilities** under law
- To achieve exceptional health and safety outcomes, employers and employees need to adhere to their responsibilities

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