

# READY FOR WORK



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**WorkSafe**<sup>TM</sup>  
SASKATCHEWAN

Work to live.

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## Module 1. Introduction



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# Introduction

## Table of Contents

<b>Why focus on young workers?</b> .....	3
Youth and the Workplace .....	3
<b>Workplace Practices</b> .....	4
Occupational Health and Safety .....	4
Employment Standards .....	6
Trade Unions.....	7
<b>Ready for Work Resources</b> .....	7
<b>Appendices</b>	
Appendix 1: Agencies and Legislation Governing Workplace Practices .....	8
Appendix 2: Training for New and Experienced Workers .....	10
Appendix 3: Employment of Young People .....	11
Appendix 4(a): Workplaces Required to Have an Occupational Health and Safety Program .....	13
Appendix 4(b): Workplaces Required to Have a Violence Policy .....	13



## Why focus on young workers?

### Youth and the Workplace

Getting a job or starting a career is a big step in a young person's life and young people are a very important part of our workforce.

#### First experiences

Unfortunately, all too often a young person's first work experiences are not as rewarding as they should be. Younger and/or new workers experience higher rates of injuries than other workers. One in five workplace injuries reported to the Saskatchewan Workers' Compensation Board involves a worker younger than 25 years of age. More than 3,500 young workers (14-24 years old) are injured each year in Saskatchewan. On average, three young people in Saskatchewan die on the job each year.<sup>1</sup>

Each year, employment standards staff members:

- Respond to approximately 32,000 inquiries from employers and employees
- Address over 2,000 formal complaints
- Collect approximately \$2.2 million in unpaid wages for employees and former employees

Several employers are prosecuted, convicted and fined each year. Charges often involve failing to properly pay wages or maintain records. Unpaid wages and annual holiday pay have consistently represented two-thirds of all employment standards complaints.

Young people are a very important part of Saskatchewan's workforce. Approximately one in every six workers here is under 25 years of age<sup>2</sup>. Almost one third of high school students work while attending school full time<sup>3</sup>. One in every two high school graduates enters the workforce instead of, or before, continuing their education or training.<sup>4</sup> Many continue working while attending university or technical school. Nearly half of all young employees work in the services sector – most frequently in sales, accommodation or food services<sup>5</sup>.

#### Transition to work

The reasons are varied as to why younger workers experience higher rates of injuries and unfair working conditions than older workers do. One important factor is that young

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<sup>1</sup> Saskatchewan Workers' Compensation Board Annual Reports. Statistical Supplements.

<sup>2</sup> Statistics Canada – Labour Force Survey, 2006, and data from the Saskatchewan Bureau of Statistics.

<sup>3</sup> Sauve, Roger. *Saskatchewan Youth 15-24. Changing Realities of School and Work*. People Patterns Consulting, Regina, Canada.

<sup>4</sup> Estimate based on the number of high school graduates and first year post-secondary enrolments.

<sup>5</sup> Statistics Canada, Labour Force Survey, 2006.

workers generally lack knowledge of what constitutes fair, safe and co-operative workplaces. They are not fully aware of their rights and responsibilities as workers and/or potential employers.

First experiences shape a person's attitudes and behaviour for the rest of his or her life. Proper preparation and awareness of rights and responsibilities in the workplace can help ensure young workers make a positive transition to the work world. Knowing where to get help will also prevent or reduce potential workplace problems. (See Appendix 1 for more information on public agencies responsible for regulating workplace practices.)

### **Workplace practices**

Most young workers will have work-based learning experiences and jobs in businesses and organizations that come under the jurisdiction of provincial laws. In the classroom, teachers can help young people become aware of their rights and responsibilities under these laws. They can also help students by ensuring that work-based training plans include safe and fair workplace practices.

The Ministry of Labour Relations and Workplace Safety is one of the provincial agencies that is involved in setting standards for safe, fair and co-operative workplace practices. The Ministry administers *The Saskatchewan Employment Act*.

### **Occupational Health and Safety**

*The Saskatchewan Employment Act* (the act) and *The Occupational Health and Safety Regulations, 1996* (the regulations) set minimum standards for health and safety in the workplace. This includes physical safety as well as protection from harassment and violence. All workers under provincial jurisdiction are covered by the act; there are no exceptions. Under the act, everyone in the workplace has a role to play in maintaining healthy and safe working conditions.

Employers, contractors, suppliers, and owners are required by law to protect the health and safety of workers. This expectation applies to work placement students as well as paid employees. For example, the requirement for employers to provide training and orientation for workers regarding potential hazards in the workplace applies to all workers, including work placement students.

Employers are responsible for knowing and following the regulations related to their business or industry.

Employers are also required to:

- Develop and implement a harassment policy in their workplaces
- Provide adequate training for all new workers and for existing workers who are assigned new tasks, or are moved to a different job (See Appendix 2 for required training topics)
- Ensure close and competent supervision is provided until the worker has sufficient experience to work safely
- Put first aid, a Workplace Hazardous Materials Information System (WHMIS) and emergency procedures in place
- Provide a copy of the act and the OHS Regulations for workers' reference;
- Establish procedures for reporting incidents and dangerous occurrences specified in the OHS Regulations
- Hire according to age restrictions (See Appendix 3 for restrictions)
- Develop a written health and safety program (See Appendix 4(a) for a list of workplaces where a program is required)
- Develop a violence policy (See Appendix 4(b) for a list of workplaces where this policy is required)
- Develop any other policies, plans, procedures required for the specific workplace
- Address and resolve health and safety issues and concerns in a timely manner

Workers have a responsibility to work and act safely on the job. They are expected to:

- Take reasonable care to protect their health and safety and the health and safety of others who may be affected by their acts or omissions
- Refrain from causing or participating in the harassment of another worker
- Follow safe work procedures in the workplace
- Participate in and use training provided by the employer
- Use equipment in a proper manner
- Wear and maintain any required safety gear (personal protective equipment);
- Report any unsafe equipment or other safety hazards
- Co-operate with the employer, Occupational Health Committee or health and safety representative

Workers also have three basic rights that are protected by the legislation:

1. The right to know a) about workplace hazards and how to deal with them, b) to know their rights provided under the act, and c) to know the legislation that applies to the workplace.
2. The right to a) participate in and be consulted on health and safety matters, b) raise health and safety concerns and have them addressed, and c) participate as a member of an Occupational Health Committee (in workplaces with 10 or more employees), as a safety representative (in higher-risk workplaces with five to nine employees), or directly with the employer (where neither a committee nor a representative is required).

3. The right to refuse work they believe to be unusually dangerous to themselves or others.

## Employment Standards

*The Saskatchewan Employment Act* sets basic standards for working conditions in Saskatchewan in areas such as hours of work, wages, termination and holiday pay. This act is particularly significant for young people as it defines the conditions under which many of them will begin their work lives. Union contracts and professional association agreements often build upon the minimum standards and rights provided to workers in the act.

The act applies to most Saskatchewan employers and workers **except** the self-employed, farm workers<sup>12</sup>, casual (“baby”) sitters, businesses in which only immediate family members of the employer are employed, and employees working in federally regulated industries. (See Appendix 1 for a list of federally regulated industries.) Outfitters are completely exempt, and fishers and trappers are partially exempt, from the act. The rules governing the payment and collection of wages, record keeping, and payroll administration continue to apply to fishers and trappers who employ workers.

The act applies equally to all workers covered by the legislation, including part-time, full-time, temporary, seasonal and permanent workers. There are some partial exemptions and special rules for some types of employees. For example, managers are exempt from overtime provisions. Teachers are exempt from the sections on annual and public holidays and hours of work. (Note: Occupational Health and Safety rules apply to all employers, employees, and self-employed persons not regulated by the federal government.)

Examples of the rights provided to Saskatchewan workers by the act include the right to receive:

- A minimum wage (Find up-to-date minimum wage at [www.saskatchewan.ca](http://www.saskatchewan.ca).)
- A minimum call-out pay of three times the employee’s hourly wage each time they report for work, even if there is no work for them that day. Students in the K-12 system in regular attendance during the school year, school janitors, noon-hour supervisors employed by a board of education, and school bus drivers are exempt
- Notice of when their work begins and ends over a period of one week
- Overtime pay (1½ times the employee’s regular wage) after working eight hours /day, 40 hours/week or 32 hours/week with a public holiday in workplaces that do not have averaging of hours permits

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<sup>12</sup> *The Saskatchewan Employment Act* does not apply to employees primarily employed in farming, ranching or market gardening. However, the operation of egg hatcheries, green houses and nurseries, bush clearing and commercial hog barn operations do not fall within the meaning of farming, ranching or market gardening and are covered by the act.

- A 30 minute unpaid meal break within the first five hours, when working six hours or more
- Paid public holiday pay for 10 public holidays (for most part-time and full time workers)
- Notice or pay in lieu of notice when discharged or laid-off after being employed for three months or more. Minimum notice depends upon the worker's length of service with the employer.

## ***Ready for Work Resources***

To assist young people in gaining practical knowledge and skills, WorkSafe Saskatchewan has developed a number of resources for use in high schools. A variety of formats are available, including brochures, videos, presentations, the internet and teaching modules.

The resources help young workers to:

- Understand their rights and responsibilities as potential workers, employers and/or supervisors
- Develop skills in exercising both rights and responsibilities
- Identify key questions, and how to ask them, to help make their workplace experiences safe, fair, and co-operative
- Know how to access information and agencies that can help them with workplace issues
- Obtain information on industry specific workplace hazards

For a complete list of available resources, refer to *Module 2: Curriculum Objectives & Resource Materials*.

## Appendix 1: Agencies and Legislation Governing Workplace Practices

### Provincial legislation

The law	Who is responsible for the law?	Who is affected?	What does it say?
<b><i>The Saskatchewan Employment Act</i></b>	The Ministry of Labour Relations and Workplace Safety  <a href="http://www.saskatchewan.ca">www.saskatchewan.ca</a> Employment Standards: 1.800.667.1783  Occupational Health and Safety: 1.800.567.7233	Saskatchewan employers and employees (some exemptions, see <a href="http://www.saskatchewan.ca">www.saskatchewan.ca</a> )	Sets the minimum standards for the workplace including employment standards, health and safety.
<b>The Human Rights Code</b>	The Saskatchewan Human Rights Commission <a href="http://saskatchewanhumanrights.ca/">http://saskatchewanhumanrights.ca/</a> or call 1.800.667.8577	Saskatchewan employers and employees except those covered by the <i>Canadian Human Rights Code</i> .	Addresses and discourages harassment and discrimination in the workplace on the basis of ancestry, nationality, creed, sex, age, sexual orientation, religion, disability, place of origin, family status, marital status or receipt of public assistance.
<b><i>The Workers' Compensation Act</i></b>	Workers' Compensation Board <a href="http://www.wcbask.com">www.wcbask.com</a> or call 1.800.667.7590	Most Saskatchewan employers and employees, except groups such as teachers belonging to the Saskatchewan Teachers' Federation or household servants working for the resident of a private home.	Provides work injury insurance and services to workers and employers.

## Federal legislation

The law	Who is responsible for the law?	Who is affected?	What does it say?
<b>Canada Labour Code (Occupational Safety and Health)</b>	Human Resources and Skills Development Canada or call your nearest HRSDC office	Federally regulated industries: air, inter-provincial rail, road and pipeline transportation, banking, broadcasting, uranium mining, shipping and related services, telecommunications, federal public service, Crown Corporations, and some employees involved with oil and gas exploration.	Administers programs and services that work towards preventing workplace incidents and exposure to hazards and hazardous substances that could adversely affect employees' health and safety.
<b>Canada Labour Code (Labour Standards)</b>	Human Resources and Skills Development Canada (as above)	Federally regulated industries as listed above.	Establishes and protects employers and workers' right to fair and equitable conditions of employment regarding holidays, overtime, lay-offs, wages, sick leave, etc.
<b>Government Employees' Compensation Act</b>	Human Resources and Skills Development Canada (as above)	Employees of the federal government.	Provides benefits to injured employees of the federal government.

## Appendix 2: Training for New and Experienced Workers

All employers have responsibilities for ensuring the health, safety and welfare of the employees in their workplaces. Employers must provide training to new workers about the safety policies, safe work procedures and hazards specific to that workplace. The following topics need to be included in the orientation:

- Safety procedures and practices that are specific to the industry or type of work conducted at the workplace (e.g., hospitals, auto-body shops, wholesale bakeries, food preparation, retail shops)
- Information about any hazards in the workplace and the procedures developed to address the hazard (may include policies about harassment and violence, as well as protection from physical, chemical or biological hazards)
- Use of the Workplace Hazardous Materials Information System (WHMIS) to identify hazardous materials in the workplace and the precautions to be taken when working with the materials
- Location of first aid supplies and/or facilities
- Procedures in the event of fire or other emergencies
- Identification of prohibited or restricted areas
- Personal Protective Equipment (training on how to use and maintain the equipment)
- Procedures for reporting hazards and accidents
- Employers have a duty to make a copy of the legislation (laws) available to workers

There is an *Orientation for Young and New Worker Safety Orientation Guide for Employers* resource available at [www.worksafesask.ca](http://www.worksafesask.ca).

“An employer shall ensure that no worker is permitted to perform work unless the worker:

- has been trained, and has sufficient experience, to perform the work safely; or
- is under close and competent supervision.”

*(The Occupational Health and Safety Regulations, 1996; Section 19)*

**The word ‘Train’** is defined as:

“means to give information and explanation to a worker with respect to a particular subject-matter and require a practical demonstration that the worker has acquired knowledge or skill related to the subject-matter.”

*(The Occupational Health and Safety Regulations, 1996; Section 2)*

**A Competent Supervisor** is a person that possesses the knowledge, training and experience to direct the work of others.

## Appendix 3: Employment of Young People

### Under *The Saskatchewan Employment Act*

#### Employment standards

In Saskatchewan, the minimum age at which young people can work is 16 years of age. There are no employment standards restrictions on 16-year-olds. Under Occupational Health and Safety, there are restrictions on where youth under the age of 16 and under the age of 18 are not permitted to work. (See link to section where this is noted)

Fourteen or 15-year olds who want to work:

1. Must have written consent from one of their parents.
2. Must complete the online *Young Worker Readiness Certificate Course* provided by the Ministry (<http://www.saskatchewan.ca/ywrcc>) and print a Certificate of Completion to provide to the employer.
3. Cannot work after 10 p.m. on a day before a school day or before the start of school the following day.
4. Cannot work more than 16 hours during a school week. During school holidays, 14 and 15-year-olds can work the same hours as other employees.

Young people under the age of 14 cannot work without a special permit from the Director of Employment Standards (<http://www.saskatchewan.ca/business/employment-standards/work-schedules-permits-and-modified-work-arrangements/permits-licenses-and-variances>).

The same employment standards rules that apply to other workers apply to young workers, including rules governing overtime, rest periods and the minimum wage.

#### *Exemptions*

Employment standards rules do not apply to family businesses employing only immediate family, to the self-employed or to traditional farming operations. They do not apply to babysitters or newspaper carriers. However, occupational health and safety rules do apply.

#### Occupational health and safety

An employer or contractor shall ensure that no person **under the age of 16 years** is employed or permitted to work:

- On a construction site
- In a production process at a pulp mill, sawmill, or woodworking establishment
- In a production process at a smelter, foundry, refinery or metal processing or fabricating operation
- In a confined space as defined in section 266
- In a production process in a meat, fish, or poultry processing plant

- In a forestry or logging operation
- On a drilling or servicing rig
- As an operator of powered mobile equipment, a crane, or a hoist
- Where exposure to a chemical or biological substance is likely to endanger the health or safety of the person
- In power line construction or maintenance

An employer or contractor shall ensure that no person **under the age of 18 years** is employed:

- Underground or in an open pit at a mine
- As a radiation worker
- In an asbestos process as defined in section 330
- In a silica process as defined in section 346
- In any activity which requires the use of an atmosphere-supplying respirator.  
(*The Occupational Health and Safety Regulations, 1996; Sections 14(1) and 14(2)*)

### **Under *The Education Act***

Students under the age of 16 must get written permission from the principal to work during school hours. While the law does not require it, students should inform their parents.

### **Under *The Alcohol and Gaming Regulation Act***

Part VII, Section 115 prohibits minors (under 19 years of age) from working in the sale, handling or serving of alcohol.

### **Under *The Highway Traffic Act***

Someone must be at least 16 years of age to operate a motor vehicle.

## Appendix 4(a): Workplaces Required to Have an Occupational Health and Safety Program

Although it is recommended that all workplaces have a written health and safety program, only employers in moderate to high-hazard industries with 10 or more workers are **required** to implement a health and safety program. Those industries include hospitals, nursing homes, home care, metal foundries and mills and workplaces at which the following types of work are performed:

<ul style="list-style-type: none"> <li>• Aerial crop spraying, operation of helicopters, water bombing</li> <li>• Autobody and automotive paint repairing, bumper electroplating, auto rust proofing, auto glass installation, auto vinyl roofing, fibreglassing boats and autos</li> <li>• Wholesale baking, dairy products, soft drinks and food preparation and packaging</li> <li>• Forwarding and warehousing as a business</li> <li>• Building construction</li> <li>• Camp catering</li> <li>• Forestry work other than pulp and paper production</li> <li>• Farming and ranching</li> </ul>	<ul style="list-style-type: none"> <li>• Metal manufacturing and machining, marble works, concrete block and ready mix manufacturing</li> <li>• Oil and gas drilling, well servicing with a rig, water well drilling</li> <li>• Trucking</li> <li>• Processing meat, poultry and fish</li> <li>• Oil well servicing</li> <li>• Road construction and earthwork, urban sewer and water construction, tunnelling</li> </ul>
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(*The Occupational Health and Safety Regulations*, 1996; Section 22 and Table 7)

## Appendix 4(b): Workplaces Required to Have a Violence Policy

Places of employment that provide the following services or activities are required to have a violence policy statement:

<ul style="list-style-type: none"> <li>• Services provided by health care facilities</li> <li>• Pharmaceutical-dispensing services</li> <li>• Education services</li> <li>• Financial services</li> <li>• Police, corrections, or other law enforcement services</li> <li>• Security services</li> </ul>	<ul style="list-style-type: none"> <li>• Crisis counselling and intervention services</li> <li>• Taxi and transit services</li> <li>• The sale of alcoholic beverages or the provision of premises for the consumption of alcoholic beverages</li> <li>• Late night retail businesses open to the public between 11:00 p.m. and 6:00 a.m.</li> </ul>
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(*The Occupational Health and Safety Regulations*, 1996; Sections 37 and 37.1)

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