**Introduction**

The right to a safe workplace is protected at all levels of government in Canada. Canadian occupational health and safety legislation is based on three fundamental workers’ rights:

- the right to be informed of known or foreseeable safety or health hazards in the workplace;
- the right to participate in the prevention of occupational accidents and diseases either as members of joint health and safety committees or as health and safety representatives; and
- the right to refuse dangerous work and to be protected against dismissal or disciplinary action following a legitimate refusal.

The World Health Organization and International Labour Organization Joint Commission on Occupational Health have also recognized the right of workers to a safe workplace, stating that

“Occupational health should aim at the promotion and maintenance of the highest degree of physical, social and mental well being of all workers in all occupations; the prevention amongst workers of departures from health caused by their working conditions; the protection of workers in their employment from risk resulting from factors adverse to health; the placing and maintenance of the worker in an occupational environment adapted to his physiological and psychological equipment and to summarize the adaptation of work to man and of each man to his job”

**Challenges and Considerations**

First Nations governments and organizations may fall within either federal or provincial/territorial jurisdiction. First Nations activities, however, generally fall within federal regulation. Many First Nations Governments have also developed their own occupational health policies or legislation. It is important, therefore, for employees to determine whether their employer is regulated federally, provincially or by band government.
For more information

To determine which level of government regulates your industry, check with the Labour Program at Human Resources Development Canada:

You may also obtain information regarding Occupational Health and Safety legislation from the relevant provincial, territorial or band government. In addition, Health Canada provides safety handbooks and information on workplace hazards to employers and employees. For more information, please consult the Health Canada website at http://www.hc-sc.gc.ca/ewh-semt/pubs/occup-travail/index-eng.php