IATSE 63 Workers Rights and Responsibilities

All IATSE Local 63 Officers, Employees, Members or employees represented by IATSE Local 63, are entitled to a safe work environment, which includes knowing who your supervisor is, what hazards you can expect on the job, safety tools and measures in place on the worksite, and knowing your right to refuse unsafe work.

The Workplace Safety and Health Act (WSH Act) supports every worker's right to a safe and healthy workplace. It assigns responsibility to each person for creating and maintaining a safe and healthy workplace to the extent they have the authority and ability to do so. Each worker has basic, legally protected rights when it comes to workplace safety and health. All workers have the following four basic rights:

1. The right to know
2. The right to participate
3. The right to refuse dangerous work
4. The right to protection from reprisal

More on Workers safety rights and responsibilities can be found here.

Workers are responsible for their own actions or inaction. Workers' legal safety and health responsibilities include:

- Taking reasonable care to protect themselves and others who may be affected by their actions or omissions
- Proper use of safety equipment, clothing and devices
- Cooperating with the workplace safety and health committee or representative and others on workplace safety and health matters
- Ensuring you are coming to work uninhibited by restricted or prohibited substances

To ensure all workers dispatched through IATSE Local 63 are informed, trained, and comfortable on a jobsite, it is recommended for everyone applying to be on our Casual Call List, or for Local Membership to take the following courses:

- Orientation on Safety and Health for Newcomers
- WHMIS for Workers

These courses are available for free on Work Safe Manitoba's Training Portal.

Proper Safety Equipment on the Jobsite

Workers should expect to be prepared to work at heights, handle carpentry equipment, audio, video, and lighting equipment, experience loud noises, load, carry, set up, maintain, strike, and unload heavy and/or sharp equipment, objects, stage decks, scenery, and props.

Employers, Union Members, and workers represented by or representing IATSE Local 63 are required to wear proper safety equipment on all jobsites. All employers are required to outline safety equipment, clothing, and devices needed to work to the employees, Union Members, and employees represented by or representing IATSE Local 63, as stated in their appropriate Collective Bargaining Agreement. The Call Dispatching Team will outline proper PPE required for each jobsite, who your onsite supervisor/contact is, and their phone number in the dispatching app Call Steward. Standard PPE for all calls includes but is not limited to:

- Steel-toed boots
- Hi-Vis safety vest
- Hard hat/protective headwear
- Gloves
- Safety glasses/eye and face protectors

Venues such as the Centennial Concert Hall, the Royal Manitoba Theatre Centre, The RBC Convention Centre, Manitoba Theatre for Young People, Prairie Theatre Exchange, and Pantages Playhouse Theatre are required to supply proper protective tools for employees in the event the employee does not have the proper equipment. All Employers requiring labour dispatched by IATSE Local 63 are required to provide proper equipment and protective gear for handling said equipment in accordance with Safe Work Manitoba Procedures, and/or must indicated if specialized skills, equipment, and/or training is required.

Workers can ask the employer to provide information on hazards in the workplace, experience of other workplaces, and WCB orders and penalties. Workers have the right to participate in the process of identifying and resolving workplace health and safety concerns and can report it to their supervisors or discuss their ideas or concerns with the Local 63 office staff, Executive Board, and/or the Health and Safety Committee when it is active. Workers also have the right to ask the employer, supervisor, or representative of the venue for safety discussions, emergency procedures, and the location of first aid supplies and means of summoning first aid should it be necessary.

Intoxicants

Any IATSE 63 Officer, employee, Member, workers on our Casual Call List, workers represented by or representing IATSE Local 63 will not work under the influence of any intoxicants. Members of IATSE Local 63 and Local 63 Officers will follow the intoxicants policy outlined in the IATSE Local 63 Constiution and By-Laws.
If a worker on our Casual Call List, worker represented by or representing IATSE Local 63 reports for work while under the influence of substances not provided by a medical professional, becomes intoxicated by previously stated substances while on a jobsite or between breaks on a job site, will be immediately removed from the call and will be removed entirely from our Casual Call List and from future referral.

Supervisors, Head Carps, Stage Managers, House Stewards, decided by the Local on call are required to report any IATSE 63 Officer, employee, Member, workers on our Casual Call List, workers represented by or representing IATSE Local 63 to the Dispatching Team and the Secretary of the Local.

Understanding Who Your Employer Is

IATSE Local 63 dispatches labour to a plethora of employers, including but not limited to venues, production companies, schools, festivals, and film productions. A detailed breakdown of knowing who your employer is can be found in our *Welcome Package* on pages 8-9. IATSE Local 63 is not the employer of its members, workers the Casual Call List, and workers represented by/representing IATSE Local 63 on calls.

Understanding who your employer is will help you with filing reports on dangerous work, and workplace incident reports. If you are injured at work, you must report it to your supervisor and, if applicable, Workers Compensation Board of Manitoba (WCB). If you are unsure of who your employer is in any given situation,

before filing with WCB, contact the Office Manager of the local, who will inform you of who your employer is and provide additional documentation as needed and contact information for the employer. Workers will receive a phone number and/or an email address as well as a contact name, the worker is then responsible for contacting the employer for any additional information they may need for their report. The worker is responsible for filing the finished report with WCB. Employer and contact information can also be found in *Call Steward*, our dispatching app under the notes section.

In the event of an emergency, follow the guidelines outlined by the employer, venue, or supervisor for the call.
Employers are responsible for providing first aid equipment and care while on the jobsite.

Procedures for Reporting and Refusing Dangerous Work

Under *The Workplace Safety and Health Act* (the Act), you have the right to refuse work for anything that you reasonably believe is a danger to your safety and health or the safety and health of others. Dangerous work generally means work involving safety and health risks that are not normal for the job. This could be something you believe will cause immediate and serious, or long-term effects to yours or someone else's safety and health.
It is important to immediately report hazards and dangerous conditions to your supervisor to help prevent workers from becoming injured or ill. In most cases, the situation is solved by removing the hazard. If the situation is not corrected, you can exercise your right to refuse work.

How to refuse dangerous work
Step 1 – Report the dangerous condition
Report immediately to your employer, supervisor, or to any other person in charge at the workplace, giving your reasons for refusing to work. This would be the Steward, the Head Carp, or the Stage Manager, who would then report it to the employer. If the matter is solved to your satisfaction, go back to work. If the employer does not correct the dangerous condition, go to step two.

Step 2 – Involve the safety and health committee, representative or another worker
In the case that the employer does not correct the dangerous condition immediately, the person who received the report of refusal to work (or a person designated by them) must inspect the dangerous condition. This must be done in the presence of the refusing worker and one of the following persons:

- A safety and health committee worker co-chair, or if they are unavailable, a committee member who represents workers.
- The workplace safety and health representative.
- If the above two options are unavailable, another worker that is selected by the worker refusing to work.

If this inspection results in the matter being solved to your satisfaction, go back to work. If the dangerous condition is still not remedied, go to step three.

Step 3 – Contact the Workplace Safety and Health Branch
If the dangerous condition has not been resolved, any of the persons present during the inspection may notify the Workplace Safety and Health Branch. A safety and health officer is available 24 hours a day, 7 days a week, to respond to emergencies.

Workplace Safety and Health will investigate the matter promptly and decide whether the refused job situation or task is dangerous to the worker's or others' safety or health. If deemed necessary, a written report stating their findings will be provided. An improvement or stop work order may also be issued to the employer to correct the dangerous condition.
If it is decided that the work being refused is not dangerous, the employer and the refusing worker will be informed in writing and the worker may no longer refuse the work.
You cannot be disciplined for exercising your right to refuse in good faith, and you are entitled to the same wages and benefits that you would have received had the refusal not taken place. Your employer may temporarily reassign you to alternate work while the situation is being remedied. Stay at your workplace for your normal working hours unless your employer gives you permission to leave.

Anyone directly affected by a decision may appeal it to the Director of Workplace Safety and Health. A notice of appeal must list the interested persons. The Director must give those listed in the appeal the opportunity to provide information. The Director will then decide on the appeal and provide written reasons for the decision to those affected. The decision of the Director may be appealed to the Manitoba Labour Board

The Secretary and President of the Local should be alerted to the incident by the supervisor and the employee who made the initial report of unsafe working conditions so a record may be filed internally with the Local. A detailed report must be filed by the supervisor of the call and given to the Call Dispatching Team, the Secretary, and the President of the Local to ensure protection of the worker from reprisal. IATSE Local 63 will discuss the report with the employer and, if necessary, the Manitoba Labour Board, or the Workplace Safety and Health Branch on the employee's behalf. This policy is not intended to discourage nor prevent the complainant from exercising any other legal rights, including filing a harassment claim with Workplace Safety and Health Branch.