



Foreign Workers Guide

For employee
and employer



Occupational Health and Safety
in the Restaurant Industry



ASSOCIATION
RESTAURATION
QUÉBEC

Table of Contents

04

Foreign Workers Guide – Employee Section

- 5 Occupational Health and Safety
- 5 Statistics
- 6 Rights and Obligations
- 7 Worker's Rights
(Sections 9 to 48)
- 7 Worker's Obligations (Section 49, AOHS)
- 8 Principle of Risk Identification
- 9 Specific Risks in the Food
Service Industry
 - 9 Hazardous Products (WHMIS)
 - 9 Equipment Storage
 - 9 Handling Loads
 - 9 Fire Protection
 - 9 Falls
 - 10 Kitchen and Dining Room
 - 11 Ergonomic Practices
- 12 General Measures – HR Section
 - 12 Accident Procedure
 - 12 Accident Report
 - 12 Policies
 - 12 Drugs and Alcohol
 - 12 Harassment and Violence
 - 13 Health and Safety Policy
 - 13 Health and Safety Committee
 - 13 Worker Participation Mechanisms

14

Foreign Workers Guide – Employer Section

- 15 Before the Worker's Arrival
- 16 During
- 17 Follow-Up
- 17 Employer's Rights (Section 50, AOHS)
- 17 Employer's Obligations (Section 51, AOHS)

19

Onboarding and Integration Grid

22

In Conclusion

01

Foreign Workers Guide —
Employee Section

OCCUPATIONAL HEALTH AND SAFETY

In the food service industry, risks of accidents are multiple and frequent. You are, therefore, responsible, along with your co-workers and supervisors, for performing your tasks safely.

To do so, you need to know your rights and obligations in terms of occupational health and safety, identify the risks to which you are exposed, and choose the appropriate means of protecting yourself.

It is important to note that, as foreign workers, you have the same labour rights and obligations as all workers in Quebec. An employer who hires foreign workers also has the same rights and obligations as toward the other members of their staff.

In Quebec, occupational health and safety falls within the jurisdiction of the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) <https://www.cnesst.gouv.qc.ca/en>. In addition to supporting employers in the training of their staff, this organization also serves as a resource for employees. The CNESST is financed via employer contributions, according to established scales. To learn more about your labour rights and obligations in Quebec, you can also consult [this page](#).

STATISTICS

Did you know that in Quebec, more than 50% of injuries happen within 6 months of hiring?

In the food service industry, the finding is very similar. Indeed, there is a high number of accidents among new workers.

Throughout Quebec's accommodation and food service sector, there were no deaths for the year 2022 and two accidental deaths in 2021.

On the other hand, the CNESST records between 2,000 and 3,000 accidents with injuries and approximately 15 occupational diseases annually.

2,000 to 3,000
accidents with injuries

0
deaths for
the year
2022

50%
of injuries
happen
within 6 months
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Every worker has a right to working conditions that have proper regard for their health, safety, and physical and mental well-being.

RIGHTS AND OBLIGATIONS

The law aims to eliminate dangers to the health, safety, and physical and mental well-being of workers at the very source.

However, it is not always possible to eliminate the risk at the source. If this is the case, it is necessary to implement the necessary measures to reduce this risk.

Therefore, employers have the obligation to take the necessary measures to protect the health and ensure the safety and physical and mental well-being of workers.

As one of the latter, you primarily have three rights: the right to training and information, the right of refusal, and the right to preventive withdrawal.

WORKER'S RIGHTS

Sections 9 to 48, Act Respecting Occupational Health and Safety, AOHS

Every worker has a right to:

- 1 Working conditions that have proper regard for their health, safety, and physical and mental well-being.
- 2 Training, information, and counselling services in matters of occupational health and safety, especially in relation to their work and work environment, and to receive appropriate instruction, training, and supervision.
- 3 Refuse to perform particular work if they have reasonable grounds to believe that the performance of that work would expose them to danger to their health, safety, or physical or mental well-being, or would expose another person to a similar danger.

Preventive withdrawal for pregnant workers

A pregnant worker who provides her employer with a certificate attesting that her working conditions may be physically dangerous to her unborn child, or to herself by reason of her pregnancy, may request to be re-assigned to other duties that involve no such danger that she is reasonably capable of performing.

In addition, a worker who provides her employer with a certificate attesting that her working conditions involve risks for the child she is breast-feeding may request to be re-assigned to other duties that involve no such risks and that she is reasonably capable of performing.

WORKER'S OBLIGATIONS

Section 49, AOHS

You also have a role to play in health and safety within your company.

Indeed, the law stipulates that workers must respect the following important obligations:

- 1 Become familiar with the prevention program applicable to them.
- 2 Take the necessary measures to ensure their health, safety, or physical or mental well-being.
- 3 Ensure that they do not endanger the health, safety, or physical or mental well-being of other persons at or near their workplace.
- 4 Undergo the medical examinations required by this Act and the regulations.
- 5 Participate in the identification and elimination of risks of work accidents or occupational diseases at their workplace.
- 6 Cooperate with the health and safety committee and, where such is the case, with any person responsible for the application of this Act and the regulations.

In short, you must remember that the main goal of occupational health and safety is the elimination of risks at the source.

To achieve this goal, you, your employer, and your co-workers have obligations to respect.

Knowing the basics of occupational health and safety legislation allows you to better protect yourself and know how to get involved in the process.

PRINCIPLE OF RISK IDENTIFICATION

By analysing your tasks, you can identify the risks to which you are exposed.

This analysis is carried out based on four components of work:

- The individual.
- The tasks.
- The environment.
- The equipment.

To identify the potential risks, here are some examples of questions that you can ask yourself:

- Have I received the necessary training to carry out my work safely?
- What are the tasks to be performed?
- What are the elements associated with these tasks that may pose a risk?
- Are the workplaces clear and in good condition?
- Are the equipment and hardware used in good condition?

When starting a new job, you should know that asking questions is totally normal! It could prevent injuries and even save your life!

Here are some good reflexes to adopt:

- Identify the people to whom you should refer.
- Know where the occupational health and safety documents are located so that you can refer to them if necessary.
- Participate in prevention activities.
- Report any dangerous situations that you observe.

Please note that knowing how to recognize risks in your workplace allows you to choose the right methods and adopt safe behaviours to protect yourself. Furthermore, some habits will also help you achieve this objective.

Key Contacts

- First aid officer
- OHS committee
- HR
- Liaison agent and representative

Support Documents

- Prevention program
- Procedure
- SDS
- OHS rules

Prevention Activities

- Inspection
- Accident investigation and analysis
- Risk identification

SPECIFIC RISKS IN THE FOOD SERVICE INDUSTRY

Hazardous Products (WHMIS)

Consult the labels and safety data sheets when using a controlled product to know the preventive measures to adopt, the storage requirements for each product, etc.

A product transferred into a container must be identified using a label indicating the characteristics of the product.

Equipment Storage

Store equipment on a flat, stable base.

Ensure that there is no risk of objects falling due to high storage.

Ensure that shelves are not overloaded and store the heaviest loads toward the bottom.

Make sure that the storage does not obstruct passageways, exits, high-traffic areas, sprinklers, and lighting.

Handling Loads

Use the means at your disposal to lift loads. If you have to do so manually, use a safe technique:

- Plan your trip.
- Place yourself in a comfortable position first.
- Lift the object gently, keeping the load close to the body.
- Avoid twisting your body while lifting the object.
- Ask for help if necessary.

Fire Protection

Leave electrical panels and rooms free for access and storage at all times.

Extinguishers must remain attached to the wall and accessible at all times.

Memorize the locations of emergency exits and extinguishers.

Falls

Falls can have serious consequences. A single incident can be far-reaching and result in considerable costs.

Main causes of falls from the same level:

- Slipping
- Tripping
- Losing balance

 THESE INCIDENTS REPRESENT

89% of all falls from the same level

Main causes of falls from heights:

- Falling from a stepladder
- Falling from a ladder

 THESE INCIDENTS REPRESENT

11% of all falls from heights

Kitchen and Dining Room

- Follow the safety procedures for appliances (meat slicer, grinder, food processor, mixer, etc.) before turning them on and always unplug them before cleaning and maintenance.
- All defects on appliances must be reported to your supervisor immediately.
- Ensure that safety devices are installed at all times on appliances; it is prohibited to remove or short-circuit a protector or safety device.
- Use the personal protective equipment and tools provided (mitts) to handle food and hot equipment.
- Properly adjust the water temperature for hot drinks (maximum temperature of 60°C).
- Pick up broken glass using a broom and dustpan, then empty it into the bins provided for this purpose. Then, empty the contents of these bins directly into the dumpster afterwards.
- Keep the floor in good condition, clean and clear.
- Immediately wipe or pick up any puddles of water or food on the floor.
- When cleaning the grill or oven with an acid-based degreaser, wear safety glasses, gloves, and a mask.
- Ensure that all gas tanks are in good condition, securely attached, and equipped with a valve protector, whether they are full or empty.
- Keep gas tanks away from any source of heat.
- Avoid friction on the ground when moving gas tanks.
- Use safe serving tray handling techniques.
- Determine a maximum number of plates (dishes) to be carried during service.
- Avoid wearing high-heeled shoes and promote the purchase of flat, closed-toed shoes.
- Use Kevlar® gloves when handling the manual mandolin.

Ergonomic Practices

- Use safe serving tray handling techniques.
- Determine a maximum number of plates (dishes) to be carried during service. Adopt an appropriate posture while performing each task to avoid muscle fatigue.
- If possible, adjust the work surfaces according to the tasks to be performed:
 - For a person who works standing up without exerting any physical effort, the height of a work surface should be 5 to 10 cm below the elbows.
 - For a person who must perform a task requiring a certain force, the work surface must be 15 to 30 cm below the level of the elbows.
- Avoid repetitive tasks and encourage workstation rotation.



Other risks are also present, so we invite you to check out the ARQ site, as the latter has developed tools to help you identify and manage these risks, particularly the following:

→ Inspection grid	https://sst.restauration.org/grilles-dinspection/
→ Safe working procedure	https://sst.restauration.org/procedure-de-travail-securitaire/fiches-de-procedures/
→ Webinar	https://sst.restauration.org/webinaires/
→ Prevention campaign	https://sst.restauration.org/campagnes-de-prevention/
→ Training	https://sst.restauration.org/formations/

GENERAL MEASURES – HR SECTION

Accident Procedure

According to regulations, it is important for the employer to inform you of the procedures to be followed in case of accidents:

- Receive first aid or contact 911.
- Report the incident to the supervisor.
- Complete the relevant forms, such as the accident report, register, etc.
- If necessary, consult a physician.
- Present the temporary assignment form to the physician.

Accident Report

Notify the person in charge as soon as the accident or incident occurs in order to receive first aid when necessary. If you are unable to do so, another person will take care of this for you. If you need to go to the hospital, a clinic, or even home after your accident, your employer must assume the transportation costs (ambulance, taxi, public transit, etc.).

- <https://sst.restauration.org/accident-du-travail/procedure-en-cas-daccident-ou-de-maladie-professionnelle/but/>
- <https://sst.restauration.org/accident-du-travail/declaration-daccident-et-dincident-employe/declarer-rapidement-levenement/>
- https://sst.restauration.org/wp-content/uploads/2023/08/14014_ARQ_Fiche_Declaration_situation_dangereuse.pdf

Policies

To comply with laws and ensure the smooth functioning of the company, your employer must implement policies concerning:

Drugs and alcohol, harassment and violence, as well as occupational health and safety rules.

You must be familiar with these policies and follow them at all times.

Drugs and Alcohol

It is strictly prohibited to report to work while impaired by alcohol or drugs, to consume or deal alcohol or drugs in the workplace, or to perform your work under the influence of drugs or while intoxicated.

Employees who do not follow these rules will be subject to disciplinary measures up to and including dismissal.

Harassment and Violence

The employer agrees to provide a working environment free from violence, harassment, bullying, and discrimination so that the safety and dignity of each employee are respected.

No behaviour going against this policy and applicable laws will therefore be tolerated. This policy applies to all hierarchical levels, suppliers, customers, and any other people with whom the company does business.

It is the responsibility of employees and management to maintain a safe and respectful work environment for everyone.

- <https://sst.restauration.org/campagnes-de-prevention/sante-psychosociale/>

Health and Safety Policy

All workers must comply with the company's occupational health and safety policy and rules. They must take the necessary measures to protect their health, safety, and physical and mental well-being, as well as those of other people who are at or near the workplace.

▶ <https://sst.restauration.org/regles-de-sante-et-de-securite-du-travail/>

Health and Safety Committee

A health and safety committee must also be in place in your establishment. You can consult the agendas or committee members as needed.

▶ <https://sst.restauration.org/comite-en-sante-et-securite-au-travail/capsule-informative/>

Worker Participation Mechanisms

For employees working in a company of fewer than 20 workers:

A liaison agent must be appointed by and among the workers of your establishment.

Their main duties are:

- To cooperate with the employer in health and safety matters.
- To make written recommendations.
- Refer to this agent, if necessary, on health and safety matters in your workplace.

For employees working in a company of 20 workers or more:

A health and safety representative must be appointed by and among the workers of your establishment.

Their main duties are:

- To inspect the workplace.
- To participate in the identification and analysis of risks.
- To make recommendations to the health and safety committee.
- To sit on the health and safety committee.
- Refer to this representative, if necessary, on health and safety matters in your workplace.

02

Foreign Workers Guide —
Employer Section



It is essential to clearly understand what international recruitment represents before embarking on the process.

More and more companies are considering hiring foreign workers as a solution to mitigate the labour crisis. As a result, more companies are looking internationally to fill their vacant positions.

BEFORE THE WORKER'S ARRIVAL

It is essential to clearly understand what international recruitment entails before embarking on the process. Recruiting and onboarding an international workforce requires a fairly significant investment for businesses, whether in terms of time, money, or effort! Depending on your business model and your needs, international recruitment could be one of the solutions to your labour shortage.

In Quebec, the recruitment of foreign workers is a regulated service. Employers who hire foreign workers must report this to the CNESST. Since 2020, agencies that offer this service to their clients must hold a valid permit issued by the CNESST and respect the obligations to which they are subject. The CNESST makes available to the public a [register of permit holders](#).

You should know that immigration services are also regulated. Indeed, only lawyers, notaries, and regulated Canadian immigration consultants can offer these services to their clients in exchange for compensation. It is therefore important to ensure that your service provider is duly authorized to offer these services. It is possible to consult the site of the Barreau du Québec, the Chambre des notaires, or the [Quebec register of immigration consultants](#).

Good preparation prevents many surprises. Before the foreign worker's arrival in the country, ensure that you fully understand the needs of the worker and their family and provide them with reliable and up-to-date information.

DURING

Integration and onboarding logistics are the last step, but not the least, in your international recruitment process. Companies that have a good integration process for new recruits have better employee retention, in addition to successfully achieving greater productivity.

Here are a few tips to follow to ensure that your foreign worker has a rewarding and reassuring experience:

- Transportation planning: place of arrival, transportation between the airport and home.
- Discuss Quebec's norms and values: language, behaviour to adopt, proposed onboarding program, etc.
- Announce the worker's arrival to staff.
- Organize accommodation and transportation to the workplace.
- Administrative formalities (explain pay, deductions, vacations, leave, and private health insurance).
- Start the process for the worker to recover their SIN, open a bank account, buy a SIM card. etc.
- Tour of the living and working environment.
- Introduce the worker and the work team.
- Training on:
 - health and safety standards.
 - the tasks to be performed.
 - the work equipment.
 - the intercultural aspect and way of life.
 - the linguistic aspect.
- The employer's expectations (productivity, quality, life in the company, behaviour, etc.).

FOLLOW-UP

As a manager, you have to make sure to conduct regular follow-up. That way, you will be able to validate that the position still meets the expectations of the new employee. In addition, you will be aware should any disappointments or difficulties be faced by the employee.

You must not assume that all is well simply because the employee is functional. Do not hesitate to take the pulse of the situation and follow up with the new employee. Readjust perceptions or simply adjust a few irritating elements, and you will thereby ensure that this experience is a positive one.

During the month following the employee's arrival, these follow-up meetings can take place at least once a week. After that, they can be spaced more and more apart, depending on the needs that you perceive. However, always demonstrate your availability so that the new employee is comfortable meeting with you if anything happens.

EMPLOYER'S RIGHTS

Section 50, AOHS

Training, information, and counselling services in matters of occupational health and safety

EMPLOYER'S OBLIGATIONS

Section 51, AOHS

Every employer must take the necessary measures to protect the health and ensure the safety and physical and mental well-being of the worker. They must, in particular:

- 1 See that the establishments under their authority are appropriately equipped and laid out as to ensure the protection of the worker.
- 2 Designate members of their personnel to be responsible for health and safety matters and post their names in a conspicuous place easily accessible to the worker.
- 3 Ensure that the organization of the work, as well as the working procedures and techniques do not adversely affect the safety or health of the worker.
- 4 Supervise the maintenance of the workplace, provide sanitary installations, drinking water, adequate lighting, ventilation, and heating, and see that meals are eaten in sanitary locations at the workplace.
- 5 Use methods and techniques intended for the identification, control, and elimination of risks to the safety or health of the worker.
- 6 Take the fire prevention measures prescribed by regulation.
- 7 Supply safety equipment and see that it is kept in good condition.

- 8 See that no contaminant emitted or dangerous substance used adversely affects the health or safety of any person at a workplace.
- 9 Give the worker adequate information as to the risks connected with their work and provide them with the appropriate training, assistance, or supervision to ensure that they possess the skill and knowledge required to safely perform the tasks assigned to them.
- 10 Post up in a conspicuous place easily accessible to the worker all information transmitted by the Commission, the agency, and the physician in charge, and put that information at the disposal of the workers, the health and safety committee, and the certified association.
- 11 Provide the worker, free of charge, with all the individual protective means and equipment selected by the health and safety committee in accordance with paragraph 4 of section 78 or, as the case may be, the individual or collective protective means and equipment determined by regulation, and require that the worker use these devices and equipment in the course of their work.
- 12 Allow workers to undergo the medical examinations during employment required under this Act and the regulations.
- 13 Give to the workers, the health and safety committee, the certified association, the public health director, and the Commission, the list of the dangerous substances used in the establishment and of the contaminants that may be emitted.
- 14 Cooperate with the health and safety committee, or as the case may be, the job-site committee and with any person responsible for the application of this Act and the regulation and provide them with all necessary information.
- 15 Put at the disposal of the health and safety committee the equipment, premises, and clerical personnel necessary for the carrying out of its functions.
- 16 Take the relevant measures to ensure the protection of a worker exposed to physical or psychological violence in the workplace, including spousal, family, or sexual violence.
- 17 For the purposes of subparagraph 16 of the first paragraph, in a situation of domestic violence, the employer is required to intervene by taking measures if they know or ought to reasonably know that the worker is exposed to such violence.

Onboarding and Integration Grid

To ensure that the onboarding and integration process is rigorous and that all relevant aspects have been covered, here is a grid that can be altered according to your needs:

Employee name	
Supervisor	
Integration date	
Date of hire	

Relevant information

Administrative	Done	N/A	Follow-up
Personal information SIN, date of birth, address and telephone no., signed hiring letter, voided cheque, photocopy of driver's licence, competency cards, and a work permit			
Emergency contact information for the employee			
Payroll information Frequency, method, and remittance			
Uniform, PPE, and work tools issued			
Company Mission, management policies, etc.	Done	N/A	Follow-up
Presentation of the company History, mission, values			
Roles and responsibilities			
Tour of the establishment and introduction			
Employee handbook Signature			

Company (cont'd)	Done	N/A	Follow-up
Work schedules and compilation of working hours			
Breaks and meals			
Punctuality and attendance			
Availability sheet and leave requests			
Probationary period			
Vacations Vacation procedure			
Group insurance, if applicable			
Group RRSP, if applicable			
Annual meeting with the employee			
Pay scales and salary review			
Career opportunities and continuing education			
Internal communication	Done	N/A	Follow-up
Employee/employer meeting			
Bulletin board Administrative, OHS, social, etc.			
Rules of conduct	Done	N/A	Follow-up
Employee language and respect for co-workers/supervisors			
Personal hygiene and uniform			
Alcohol and drugs			
Tobacco Allocated break/policy			
Teamwork Mutual assistance, respect, and courtesy			
Cell phone During working hours			
Social media policy			
Harassment prevention policy			
Penalties and disciplinary measures			

Health and safety	Done	N/A	Follow-up
Policies, safety rules, and employee/employer responsibility			
Mandatory safety equipment for the work-station			
Safety measures associated with the work-station			
Safe working procedure			
Emergency evacuation procedure			
First aid officer and first aid kit			
OHS committee, representative, liaison agent			
Employer expectations and training	Done	N/A	Follow-up
Presentation of the sponsor or trainer			
Description of the critical points associated with their position			
Expectations in terms of productivity, quality			
Job training and development plan			
Other	Done	N/A	Follow-up

Additional information:

A large, empty white rounded rectangle intended for providing additional information.

A white rectangular box for the supervisor's signature.

Supervisor signature

A white rectangular box for the supervisor's date.

Date

A white rectangular box for the employee's signature.

Employee signature

A white rectangular box for the employee's date.

Date



It is important
to follow up in order to
assess the integration
of the worker, as well
as the evolution of the
onboarding process.



In Conclusion

The new employee needs extra support during their first few weeks on the job, which requires more time and effort on the part of the entire team. This period ranges from one to three months on average. Over time, the new employee gains autonomy, and the time investment required by the other members of your team decreases. The manager must therefore rethink the divisions of tasks and responsibilities during this period to allow the support workers to carry out their role adequately, and for the onboarding to be successful.

During the months following the worker's arrival, you must conduct frequent follow-ups in order to assess the integration of the worker, as well as the evolution of the onboarding process and, if necessary, to answer their questions.

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