

THE RIGHT TO REFUSE. IT'S THE LAW, USE IT!

HOW THE RIGHT TO REFUSE WORKS

Under the Occupational Health and Safety Regulation Section 3.12 you have the right to refuse any work that creates an undue hazard to the health and safety of any person.

WORKER

If you have reason to believe the work is likely to endanger you or someone else, you must immediately report the unsafe condition to your supervisor or employer. Under section 3.13 an employer must not discipline a workers who has refused unsafe work under 3.12. You may be reassigned to reasonable alternate work at no loss of pay.

SUPERVISOR (EMPLOYER)

Must immediately investigate and correct the unsafe condition. If they do not believe there is an unsafe condition they must immediately report to the worker. If you continue to refuse the supervisor must investigate with you and worker representative of JHS committee.

WORKER

If this investigation does not resolve the matter and you believe the undue hazard continues to exist you can continue to refuse. You and the employer must immediately notify a Workers' Compensation Board prevention officer (inspector).

PREVENTION OFFICER (INSPECTOR)

Investigates the matter without undue delay and issues whatever orders he deems necessary.

WORKER

No other worker can be assigned to the work unless the matter is resolved or the employer must advise the other worker in writing of the refusal the unsafe condition and why the work is not unsafe they must also inform the other worker of their right to refuse the work.

REVIEW

Under Workers Compensation Act Part 6, Section 268 (1) a worker can request a review of an officers decision.

YOUR RIGHT TO KNOW: WHMIS

Workplace Hazardous Materials Information System



UNITED STEELWORKERS DISTRICT 3

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