

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

## HOW THE RIGHT TO REFUSE WORKS

Under the BC Health Safety and Reclamation Code Part 1.1 Section 1.10.1 a person shall not work or operate equipment they believe creates an undue hazard to the health or safety of any person.

### WORKER

If you have reason to believe the work would create an undue hazard to the health or safety of any person, you have the right to refuse the work. Immediately report the concern to your supervisor and to a union member of the health and safety committee. The mine must not discriminate against any person in any manner for complying with this Act, the regulations or the code. Section 14 Mines Act.

### SUPERVISOR

Shall investigate the matter and ensure that any hazardous condition is remedied without delay and shall inform the person who made the report. If you believe the undue hazard has not been resolved you can continue to refuse.

Supervisor shall immediately investigate with the person who made the report, and a person knowledgeable of the work, who is a worker representative of the OHSC or designated by the local union to represent the person refusing the work, or a co-worker selected by the person refusing to carry out the work.

### MANAGER

If you still believe the work presents an undue hazard and you continue to refuse, the manager must investigate. The manager must either devise a safe work plan acceptable to those doing the work or suspend the work, and in either case report to OHSC, local union and the district inspector.

### WORKER

You may be reassigned to reasonable alternate work at no loss of pay. No other worker can be assigned to do the work you refused unless advised of the reason for the refusal. The other worker may also refuse the work.

### APPEAL

If advised in writing of a case of discrimination against an employee for refusing unsafe work the chief inspector must investigate and report the findings to the manager, OHSC and the local union.

## YOUR RIGHT TO KNOW: WHMIS

### Workplace Hazardous Materials Information System



FLAMMABLE



CORROSIVE



EXPLOSIVE



COMPRESSED GAS



OXIDIZING



TOXIC



HEALTH HAZARD



HARMFUL IRRITANT



DANGEROUS FOR THE ENVIRONMENT

UNITED STEELWORKERS DISTRICT 3

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