

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

HOW THE RIGHT TO REFUSE WORKS

Under the Workplace, Safety and Health Act Section 43(1) you have the right to refuse unsafe, unhealthy work.

WORKER

If you have reason to believe the work constitutes a danger to you or someone else, promptly report the refusal to your supervisor or employer and to a union member of the health and safety committee. It is illegal for the employer to discipline workers for refusing unsafe work Section 42 (1) (e).

SUPERVISOR (EMPLOYER)

Remedy to dangerous condition immediately. If this is not done the supervisor investigates in the presence of you and a worker member of the health and safety committee, union designate or co-worker selected by you and takes action to remedy the dangerous condition.

WORKER

If you still believe the work to be unsafe, continue to refuse. Any of the persons present during the inspection may notify a safety and health officer of the work refusal.

SAFETY AND HEALTH OFFICER

Investigates the matter forthwith and issues a written report.

OTHER WORKER

No other worker may be assigned the work unless the employer advises the worker of the refusal and the reasons in writing. Where practical the first worker should explain the reason for the refusal to the worker.

APPEAL

After the Safety Officer's decision, an appeal can be filed with the Director under Section 37 (2). The written appeal must be submitted within 14 days.

YOUR RIGHT TO KNOW: WHMIS

Workplace Hazardous Materials Information System



UNITED STEELWORKERS DISTRICT 3

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