

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

HOW THE RIGHT TO REFUSE WORKS

Under Section 13 of the Nunavut Safety Act, you have the right to refuse to do any work, when the worker believes there exists an unusual danger to the health or safety of the worker or any person.

WORKER

Immediately report the circumstances of his or her refusal to the employer or supervisor. Section 22 (iv) of the Act employees cannot be disciplined for refusing unsafe work.

EMPLOYER

Without delay investigates the report and take steps to eliminate the unusual danger in the presence of the worker and a representative of the worker's union, or another worker selected by the worker who shall be made available and who shall attend without delay.

WORKER

Following the investigation and any steps taken to eliminate the unusual danger, if you still believe there is "reasonable grounds" to continue to refuse the employer shall notify the Committee, where there is no Committee, a delegate of the Chief Safety Officer.

COMMITTEE OR SAFETY OFFICER

Within 24 hours, investigates in presence of the worker and employer and decides whether an unusual danger exists. Where it is decided that an unusual danger exists or is likely to exist, as the case may be, no person shall perform the work until the unusual danger no longer exists.

WORKER

Pending an investigation and decision by the Committee or the Safety Officer you should remain in a safe place, or may be assigned to temporary alternative work at no loss in pay. The worker may appeal a decision of the Committee to the Chief Safety Officer who shall, as soon as is practicable, investigate and decide on the matter.

APPEALS

Section 16, Any person within 30 days after the date of the direction or decision of a Safety Officer, can appeal to the Chief Safety Officer. Section 17, Any person who is dissatisfied with a direction or decision of Chief Safety Officer can appeal within 10 days to a judge of the Supreme Court.

YOUR RIGHT TO KNOW: WHMIS

Workplace Hazardous Materials Information System



UNITED STEELWORKERS DISTRICT 3

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