



RIGHT TO REFUSE UNSAFE WORK

Potential Hazards

1. impalement
2. eye injury
3. puncture
4. respiratory illness
5. chemical exposure
6. fall from elevated heights

Personal Protective Equipment Required

- | | | |
|-----------------|--------------------|-----------------|
| Hard hat | CSA Boots | Eye protection |
| Hand protection | Hearing protection | Skin protection |
| | Face protection | (clothing) |

PRELIMINARY ACTIVITIES

Where multiple trade activity is scheduled, the general contractor is to review in advance the priority of work and schedule the appropriate time frame to allow each trade to complete their scope of work. Prior to any work commencing supervisors must conduct a hazard assessment of all applicable work areas. Any hazards that are found during the hazard assessment must be addressed prior to any work commencing.

SAFE WORK PROCEDURE

The refusal of unsafe work is both a fundamental right and a responsibility held by workers. A worker's refusal of unsafe work is an integral element in ensuring work is carried out safely. Workers who reasonably believe work is unsafe must refuse to perform that work and are entitled to have their employer investigate and, where necessary, correct the hazard.

A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person. In many situations, the "reasonable cause" and "undue hazard" can be straightforward. However, in some situations it can be more difficult to determine that the worker has reasonable cause to believe there is an undue hazard. In such cases, the following procedure is to be commenced:

1. A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.
2. A worker who refuses to carry out a work process or operate a tool, appliance or equipment pursuant to item (1) must immediately report the circumstances of the unsafe condition to his or her supervisor or employer.
3. A supervisor or employer receiving a report made under item (2) must immediately investigate the matter and
 - ensure that any unsafe condition is remedied without delay, or
 - if in his or her opinion the report is not valid, must so inform the person who made the report.
4. If the procedure under item (3) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, the supervisor or employer must investigate the matter in the presence of the worker who made the report and in the presence of
 - a worker member of the joint committee,
 - a worker who is selected by a trade union representing the worker, or
 - if there is no joint committee or the worker is not represented by a trade union, any other reasonably available worker selected by the worker.
5. If the investigation under item (4) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, both the supervisor, or the employer, and the worker must immediately notify an officer, who must investigate the matter without undue delay and issue whatever orders are deemed necessary.
6. A worker must not be subject to discriminatory action because the worker has acted upon his/her right and belief that there is a hazard.
7. The worker may be temporarily re-assigned to alternative work at no loss in pay until the matter is resolved.