

How to Refuse Unsafe Work

Section 3.12 & 3.13 of the Occupational Health & Safety Regulation says that you cannot be fired or disciplined for refusing unsafe work!

WORKER REFUSES UNSAFE WORK AND IMMEDIATELY TELLS SUPERVISOR: Be specific about the unsafe condition.

SUPERVISOR MUST INVESTIGATE IMMEDIATELY

SCENARIO 1

Supervisor remedies hazard and worker returns to work.

SCENARIO 2

Supervisor does not agree with worker and believes work is safe.

Worker accepts and returns to work.

WORKER STILL CONSIDERS WORK UNSAFE AND THEREFORE REFUSES THE WORK

Supervisor must continue investigation in the presence of worker and worker representative of the joint health and safety committee, or co-worker if not available.

Employers are now forbidden from requiring or permitting other workers to do work refused by another worker unless:

- The safety matter has been resolved, or
- Subsequent workers are advised in writing of any unresolved work refusal made in relation to assigned work.

MOST PROBLEMS ARE SOLVED AT THIS STAGE AND THE WORKER RETURNS TO WORK

IF ISSUE IS NOT RESOLVED AFTER THE ABOVE STEPS:

Supervisor and worker must notify WorkSafeBC. An officer will come and investigate and take necessary action.

You are required to refuse work that you believe may harm you or someone else...

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.

Occupational Health and Safety Regulation - 3.12

WorkSafeBC Emergency & Accident Reporting:

1-888-621-SAFE (7233) / 1-866-WCB-HELP (922-4357)

Actsafe: 1-888-229-1455 or 604-733-4682 (Mon–Fri, 9 am – 5 pm)

IATSE 891: non-emergency anonymous hotline 604-298-3450

Request union representation: 604-664-8928 or stewards@iatse.com

BCCFU Master Agreement

Section 1.22 Union Representation

Upon request of an Employee, the Employer shall allow a Union Representative to be present at any investigatory meeting between the Employee and a representative of the Employer which may lead to the discipline of the Employee. The foregoing shall not apply if the purpose of the meeting is to advise the Employee of any disciplinary action determined prior to the meeting. The Union Representative shall not obstruct the investigatory process.

SAFETY IS YOUR RIGHT!

Procedures for the Refusal of Unsafe Work



**You cannot be fired
or disciplined for
refusing unsafe work!**