



FYI



| PLEASE POST |

Date: May 17, 2019
To: All BCGEU Members at MSDPR – Pandora Street, Victoria
Re: Right to Refuse Unsafe Work

Did you know that it is not only your Right to Refuse Unsafe Work but Also Your Responsibility?

WCB- OHS Regulations Part 3: 3.12 Refusing unsafe work

Workers have the both the right and responsibility to refuse unsafe work. If you have reasonable cause to believe that performing a job or task puts you or someone else at risk, you must not perform the job or task. You must immediately notify your supervisor or employer, who will then take the appropriate steps to determine if the work is unsafe and remedy the situation.

As a worker, you have the right to refuse to perform a specific job or task you believe is unsafe without being disciplined by your employer. This protection from discipline is not only in the WCB OHS Regulations but also in Article 22 of your collective agreement.

If you refuse unsafe work please note that your employer or supervisor may temporarily assign a new task to you, at no loss in pay.

Steps to follow when work might be unsafe

1. Report the unsafe condition or procedure:

- As a worker, you must immediately report the unsafe condition to a supervisor or employer.
- As a supervisor or employer, you must investigate the matter and fix it if possible. If you decide the worker's concern is not valid, report back to the worker.

2. If a worker still views work as unsafe after a supervisor or employer has said it is safe to perform a job or task:

- As a supervisor or employer, you must investigate the problem and ensure any unsafe condition is fixed.



- This investigation must take place in the presence of the worker and a worker representative of the joint health and safety committee or a worker chosen by the worker's trade union. If there is no safety committee or representing trade union at the workplace, the worker who first reported the unsafe condition can choose to have another worker present at the investigation.

3. If a worker still views work as unsafe, notify WorkSafeBC:

- If the matter is not resolved, the worker and the supervisor or employer must contact WorkSafeBC. A prevention officer will then investigate and take steps to find a workable solution.

If the Employer fails or refuses to support contacting WCB when a Refusal of Unsafe Work continues past the first 2 Steps, call your BCGEU Staff Representative or your BCGEU Local Chairperson to assist you.

MoveUP
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