FLOW CHART - RIGHT TO REFUSE UNSAFE WORK

Worker refuses to work because he or she has reason to believe the task endangers health or safety.

The worker reports problem to the supervisor.

The occupational health and safety committee worker member comes to the scene.

The supervisor investigates in the presence of the worker and the occupational health and safety committee worker member.

Does the supervisor agree that the situation endangers health or safety?

YES

The supervisor takes corrective action.

NO

Does the worker still have reasonable grounds to believe that the work endangers health or safety?

YES

The Ministry of Labour, Immigration, Training and Skills Development must be called. To do so, the supervisor informs the Office of the Chief Risk Officer.

NO

The worker returns to work.

The Office of The Chief Risk Officer contacts the Ministry of Labour, Immigration, Training and Skills Development Inspector to notify them of the situation.

The inspector investigates in the presence of the worker, the supervisor (or employer representative), and the occupational health and safety committee worker member.

Written decision by the Inspector

Corrective action is taken, if ordered.

The worker remains in a safe place. The worker may be assigned reasonable alternative work.

The supervisor may assign the refused work to another worker, if deemed safe to do so, but must tell the second worker about the refusal and its reasons, in the presence of the occupational health and safety committee worker member.

The worker returns to work.

This is a right provided to the worker by the Ontario Occupational Health and Safety Act, Section 43. Consult it for more details and applicable restrictions. In case of personal threat or workplace violence, consult Policy 66 – Violence Prevention.

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