

Refusal of Unsafe Work Procedure

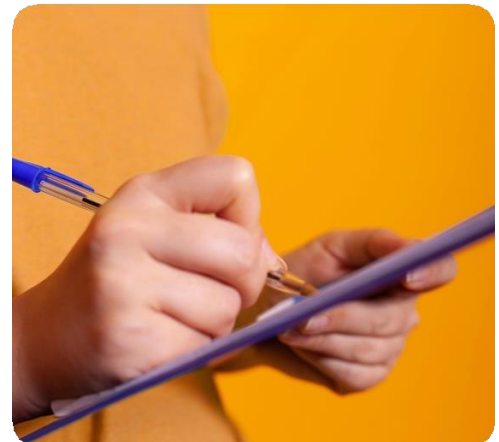
Purpose

To outline the process to be followed in the event a worker feels a task is unsafe to perform. Note that a worker exercising the Right to Refuse Unsafe Work may do so without fear of reprisal or discriminatory action as per [WorkSafeBC Occupational Health and Safety Regulation 3.13](#).

Process for reporting

Step 1

- Immediately report the circumstances of the unsafe condition to your supervisor/manager.
- A manager receiving a report of unsafe work must immediately investigate the matter and ensure that the unsafe condition is rectified without delay.
- If, in the managers opinion the report is not valid, they must inform the staff who made the report.
- If the worker continues to refuse to carry out the work, ensure step 1 of the Refusal of Unsafe Work Report form has been completed and proceed to step 2.



Step 2

The manager must not require or permit another worker to perform the refused work until they have provided that worker with written notice outlining:

- The initial refusal and reported unsafe condition.
- The reasons why the work has been deemed safe and not hazardous.
- The worker's right to refuse unsafe work.

Additionally, if step 1 does not resolve the matter and the worker continues the refusal, the manager must investigate with the refusing worker and:

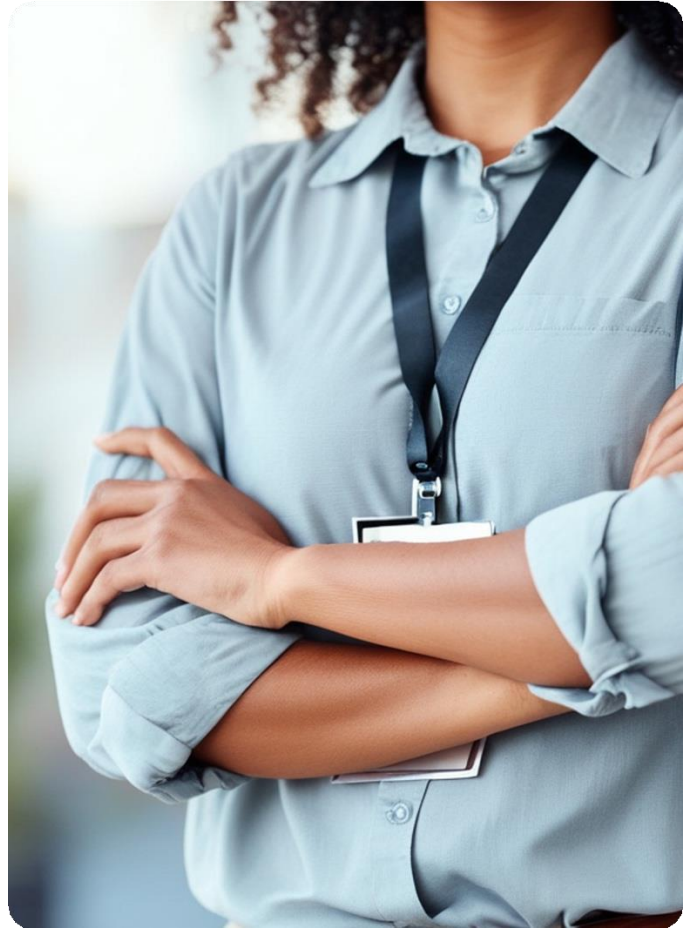
- A Joint Occupational Health and Safety Committee worker member or worker health and safety representative.
- A union representative.
- Any other reasonable worker selected by the refusing worker.



If the second investigation does not resolve the matter and the worker continues the refusal, ensure step 2 of the Refusal of Unsafe Worker Report form has been completed and proceed to step 3.

Step 3

- Immediately notify a WorkSafeBC prevention officer who must investigate the matter without undue delay.
[WorkSafeBC Prevention Line: 604-276-3100](tel:604-276-3100) or [1-888-621-7233](tel:1-888-621-7233)
- Reasonable alternative work should be assigned to the staff making the refusal until the WorkSafeBC officer concludes their investigation.
- The WorkSafeBC officer may issue an order which must be complied with.
- Either party has the right to appeal the order through the appropriate channels.
- In the event an officer with WorkSafeBC determines that there is no undue hazard, and a worker continues to refuse work claiming it is unsafe, the worker is no longer protected by the provisions of section 3.13 of the *Regulation*.



General Notes:

Please see the [Refusal of Unsafe Work flow chart](#).

All work refusals need to be documented and sent to the occupational health and safety representative. Documentation should include a record of all actions taken, and signed by all parties involved.

