## RIGHT TO REFUSE UNSAFE WORK

[Organization Name] believes that an employee has the right, as an individual, to refuse to undertake any job or task that they have reasonable grounds to believe is unusually hazardous to their health or the health or safety of others in the workplace. Under the Manitoba *Workplace Safety and Health Act,* workers have the right to refuse work that they reasonably believe constitutes a danger to their safety and health, or that of another person should they perform the task.

[Organization Name] will not terminate or discipline an employee for refusing to perform work that is unsafe.

POLICY

Employees may refuse to work or do particular work at a workplace if they believe on reasonable grounds that the work constitutes a danger to their safety or health or to the safety or health of another worker or another person.

Workers should take the following steps if they believe their work is unsafe:

1. Promptly report their refusal and their reasons to their supervisor, or to another manager if the supervisor is unavailable.

1. If the supervisor or manager to whom the refusal was reported can immediately correct the work conditions, they must do so.

1. If the supervisor or manager cannot correct the conditions or disagrees concerning the unsafe nature of the work, an investigation must be initiated.
	1. This investigation must take place with either the worker member of the safety and health committee, the workplace representative if there is no safety and health committee, or another worker chosen by the refusing worker, along with the supervisor or manager who received the report of unsafe work.
2. The worker investigating the report may correct the unsafe conditions, or take any action necessary to ensure that the unsafe work is made safe.
3. Until the dangerous condition is eliminated, the refusing worker may continue to refuse the unsafe work. The supervisor or manager may reassign this employee to a different job or task

1. Only if another worker is informed of the following in writing may they be assigned to the task in question:
	1. the worker’s refusal,
	2. the reasons for the refusal,
	3. the substitute worker's right to refuse dangerous work,
	4. The reasons why the supervisor or manager believes that the work does not consist of danger to the safety and health of the worker or any other person,
	5. If possible, the refusing worker will inform the replacement worker of their refusal, their reasons, and that an investigation was initiated.
2. If the dangerous condition is not eliminated after the inspection, a safety and health officer from the Workplace Safety and Health Board may be contacted to be informed of the refusal to work and the reasons behind it.

1. Notes will be taken along every step of the work refusal process and will be retained along with other health and safety documents.