

REFUSAL OF UNSAFE WORK FLOWCHART

STEP 1

Is my Classroom Unsafe?

YES

Notify admin and DTA of the hazards and state to admin **VERY clearly** that the **situation** is unsafe, not that you **feel** unsafe.

Reference WS BC 3.12 – right to refuse unsafe work.

Does admin agree that classroom is unsafe?

NO

Employer informs worker

Do you agree with the admin's assessment?

YES

Matter is resolved – back to work

- Do you need to complete an employee incident report?
- Request safety plan?

YES

Unsafe condition is remedied – back to work

- Complete employee incident report
- Request safety plan if warranted

NO

STEP 2 – see * below

Do not agree to any resolution or safety plan that you do not feel resolves the unsafe situation.

Matter is investigated with the worker and a worker rep. (You are always encouraged to have a staff rep with you when you meet with admin. This would be in addition to the people required by WorkSafe).

Do workers and employer agree on how to correct the situation?

NO

But was there an incident, threat, or violence?

NO

- Report concerns to admin

- Take students to SBT
- Fill D2 form for more support request

YES

- Notify admin
- Complete employee incident report
- Request safety plan if warranted

YES

Unsafe condition is remedied
Matter is resolved – back to work

NO

STEP 3 – see * below

WorkSafeBC notified, the prevention officer investigates.

Officer may:

- Ensures 3.12 procedure is understood
- Facilitate resolution
- Issue orders

Does the officer issue orders?

YES

Employer must comply

Unsafe condition is remedied – back to work

NO

Officer finds no undue hazard

Matter is resolved – back to work

*

If a worker refuses work under section 3.12, the employer must not require or permit another worker to do the refused work unless:

- the matter has been resolved or
- the employer has, in writing, advised the other worker of all of the following:
 - the refusal;
 - the unsafe condition reported;
 - the reasons why the work would not create an undue hazard to the health and safety of the other worker or any other person;
 - the right of the other worker to refuse unsafe work.

Reporting physical or mental impairment under section 4.19

Some workers may have an underlying condition that would lead them to suffer an illness or sustain an injury, even though others would not be affected in the same way.

A worker is required by section 4.19 of the Regulation to inform their supervisor or employer of the impairment.

