



Refusal of Unsafe Work

Workers have the right to refuse work they believe is unsafe. This is a fundamental right protected under the Workers Compensation Act.

What to Do If You Encounter Unsafe Work

1. If you have reasonable cause to believe that performing a job or task puts you or someone else at risk:
 - Do not perform the job or task.
 - Immediately notify your supervisor or employer.
2. Your supervisor or employer must:
 - Investigate the situation promptly.
 - Determine whether the work is unsafe and take appropriate action to resolve the issue.
3. You cannot be disciplined for refusing to perform a task you believe is unsafe.
4. Your employer or supervisor may assign you a temporary task, ensuring no loss of pay, while the issue is resolved.

Procedure for Refusal of Unsafe Work (Secon 3.12)

1. **Stop Work:**
 - Do not carry out any work or operate tools, appliances, or equipment if you have reasonable cause to believe it creates an undue hazard to health or safety.
2. **Report the Hazard:**
 - Immediately inform your supervisor or employer about the unsafe condition.
3. **Initial Investigation:**
 - The supervisor or employer must investigate the report and either:
 - Remedy the unsafe condition without delay, or
 - Inform the worker if the report is deemed invalid.



4. Further Investigation (if unresolved):

- If the worker continues to refuse the work, the supervisor or employer must investigate again in the presence of:
 - A worker member of the Joint Health and Safety Committee, OR
 - A worker selected by the union representing the worker, OR
 - Another available worker chosen by the worker, if no union or committee exists.

5. Involvement of an Officer:

- If the matter remains unresolved, both the worker and the employer must immediately notify a WorkSafeBC officer.
- The officer will investigate without undue delay and issue necessary orders.

Prohibition of Discrimination (Section 3.13)

1. Workers must not face disciplinary action (prohibited action) for:

- Refusing unsafe work as outlined in Section 3.12.
- Complying with an order from a WorkSafeBC officer.

2. Temporary Assignment:

- Assigning a worker to alternative tasks at no loss of pay while the issue is resolved does not constitute prohibited action.

Note: The prohibition of prohibited actions is detailed in the Workers Compensation Act, Part 2, Division 6, Sections 47–50.