

COVID-19 Update

How to Refuse Unsafe Work

Tell your supervisor immediately about the unsafe work and explain why you believe it to be unsafe. Explain that you do not believe that proper precautions have been taken to protect you from accidental exposure to COVID-19.

Be as specific as you can, for example this could include (but is not limited to):

- The employer is not enforcing physical distancing (2 metres)
- The employer is not providing proper PPE to prevent accidental transmission of the virus
- The employer is not providing proper training for the use of PPE

Steps to refuse unsafe work

STEP 1

Clearly inform your supervisor that you are exercising your right to refuse unsafe work under section 3.12 of the BC Occupational Health and Safety Regulations. (explain why).

STEP 2

Your supervisor must investigate the situation immediately. If your supervisor agrees the work is unsafe, the problem must be fixed without delay. If your supervisor disagrees, it is your right to proceed to the next step of the process.

STEP 3

Your supervisor and a Union member of the safety committee (or a worker of your choice if a committee member is unavailable), must investigate the reason for the work refusal and attempt to resolve it. If you do not agree with those solutions, it is solely your right/decision to advance to the next step!

STEP 4

If you are not in agreement with the proposed solutions it is your right to advance the refusal to the last step. The employer must involve a WorkSafeBC officer who will attend the site on an expedited basis. WorkSafeBC will investigate the reason for refusal and make a ruling. The prevention officer's decision is final and must be followed.

The Employer cannot discriminate or retaliate against you for asserting that work is unsafe.

There are "no discrimination" provisions in the Workers' Compensation Act (sections 150-153) to protect workers from any adverse treatment due to a work refusal. In addition, a worker cannot lose pay while asserting his or her rights under the refusal of unsafe work provisions in the Occupational Health and Safety Regulation.

IMPORTANT: If you are exercising this right in your workplace, please keep your JSHC members, steward and your Local Union informed. These resources and staff can assist you with your concerns and support you through this process.

How to Refuse Unsafe Work



Worker refuses unsafe work and immediately tells supervisor.
Should be specific about their concern.



Supervisor must investigate immediately



Supervisor fixes problem and worker goes back to work



Supervisor disagrees and worker continues to refuse



Investigation done again with a worker member of the Joint Occupational Health & Safety Committee (JOHSC)



Supervisor fixes problem and worker goes back to work



Supervisor disagrees and worker continues to refuse



Supervisor and worker must notify WorksafeBC for final determination.