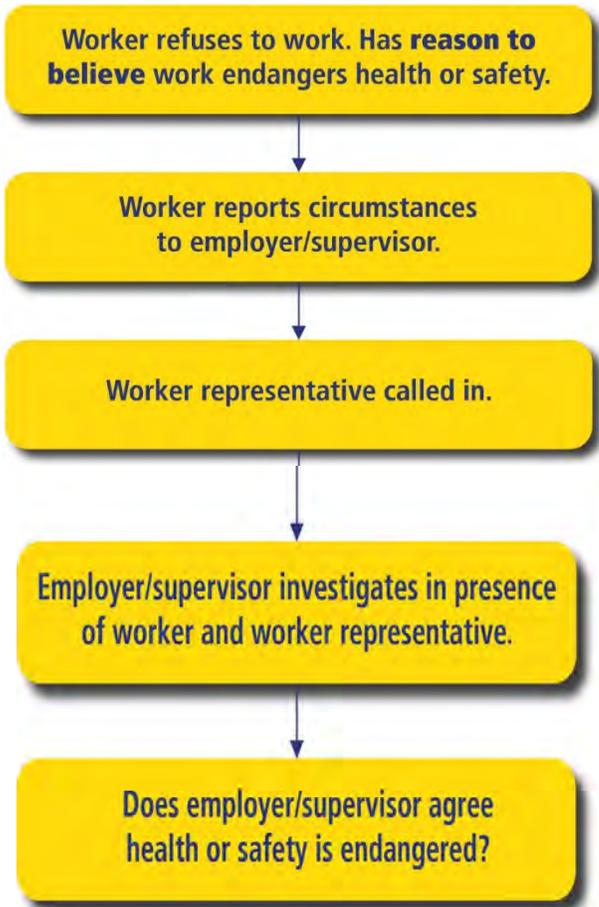


Right to refuse

- under *the Act* a worker may refuse if they have a reason to believe any of the following are likely to endanger themselves:
 - any equipment, machine, device or thing a worker is about to use or operate
 - the physical condition of the workplace
 - workplace violence
- at this stage, reason to believe can be a “gut feeling.”
- reprisals at any stage for exercising your right are unlawful [OHSA, 50].

**UNDERSTANDING
THE RIGHT
TO REFUSE
UNSAFE
WORK**

Steps in a work refusal: Stage 1



- worker refusing worker must make it clear this is a refusal according to Section 43 of *the Act*
- workplace parties must then follow the refusal process outlined in S. 43 of Act.

Steps in a work refusal: Stage 1 or 2

- Yes, employer agrees the worker is endangered

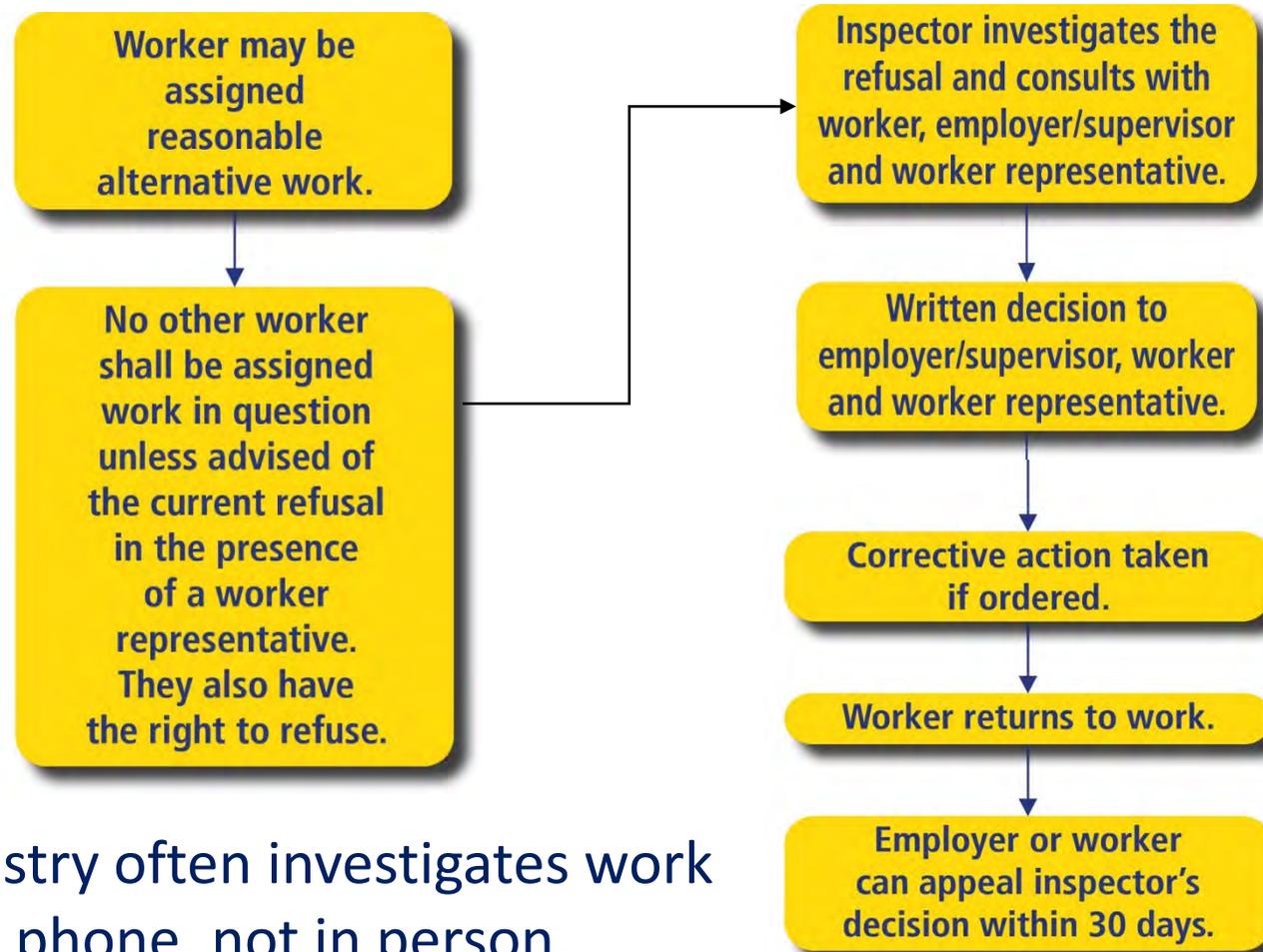


- No, employer disagrees and stage 2 begins.



Note: reasonable grounds must be supplied at this point (objective info – i.e. more than a gut feeling).

Steps in a work refusal: Stage 2



Note: Ministry often investigates work refusals by phone, not in person.