



# YOU HAVE THE RIGHT TO REFUSE

# UNSAFE WORK

## What are my rights?

- 1 **Right to Know** about hazards in your workplace.
- 2 **Right to Participate** in workplace safety.
- 3 **Right to Refuse** unsafe work.

The process for a work refusal is outlined in Section 43 of the *Occupational Health and Safety Act* (OHSA).

## How can health and safety issues be addressed besides a work refusal?

If you have any concerns about your health and safety, you can:

- Speak to your supervisor.
- Speak to your health and safety representative.
- Speak to your ETFO local.
- Make a complaint to the Ministry of Labour.

## What if my concerns are not addressed or the concern must be addressed quickly?

- **Stage 1:** If you have a reason to believe your work is likely to endanger you or another worker, you can tell your supervisor you are refusing (or intend to refuse) unsafe work under Section 43 of OHSA.

Note: Teachers must first ensure that students are not in imminent jeopardy.

- You must be at, or come to, the workplace.
- Your worker health and safety representative will be called to participate.
- The supervisor investigates and may be able to resolve your concerns.

## What if I still have reasonable grounds to believe it's unsafe?

- **Stage 2:** A Ministry of Labour inspector will be contacted for an investigation.
- You may be temporarily assigned alternative work.
- Anyone doing the refused work must be informed of the refusal.

## What are the possible outcomes?

- The inspector will provide a written decision that will be posted.
- They may order the employer to take actions or make recommendations.
- If they deem the work to be safe, you will return to work.
- Appeals can be made to the Ontario Labour Relations Board within 30 days.

## Can I get in trouble?

It is against the law for a worker to be punished for exercising their right to refuse work they believe is unsafe.

