

BULLETIN

Refusing unsafe work

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I work in a transition house in a very small community. One of our clients has a partner who was charged with assault with a deadly weapon. He is now out on bail. He followed my co-worker to the local grocery store and said that if the client did not drop the assault charges, he would take matters into his own hands. We immediately contacted the RCMP. Our occupational health and safety steward asked our employer to schedule extra staff for the night shifts, but they have refused. What should we do? Can the union help?



Yes. If you feel unsafe at work, contact the union right away. HSAs labour relations and workplace safety experts can help you establish an effective violence prevention strategy. A safe workplace is a fundamental right for all workers.

Further, the obligation to refuse unsafe work is a worker right which is fundamental to the successful prevention of occupational accidents, violent incidents, and disease.

BCs *Occupational Health and Safety Regulation 3.12* prohibits the -carrying out or causing to be carried out any work process or operate or cause to be operated any tool if that person has reasonable cause to believe doing so would create an undue hazard to the health and safety of any person."

This wording means the worker must avoid any work or the use of any equipment that would be a hazard to you, or to any person around you. There is also an obligation on the supervisor to not "cause any unsafe work to be carried out.

Even when all attempts at prevention and hazard control have failed, if a worker believes that she is at risk by continuing to perform the duties of the job, that worker is entitled to walk away from the hazardous or dangerous work without experiencing any kind of penalty, discrimination, or retaliation, as long as the worker follows the procedure for refusal of unsafe work as set out in the *Occupational Health and Safety Regulation 3.12*.

The theory behind giving this right to workers is that workers know better than anybody whether a particular set of factors or circumstances create a hazard.

Your labour relations officer will work with you and your steward to walk you through the process for refusing

unsafe work, including proper investigation procedures and notifying WCB / WorkSafeBC.

In many workplaces, unsafe working conditions do not just appear. Generally, workers know if something is unsafe yet may feel powerless to fix it. Contact your union ... were here to help. 

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