

The right to refuse unsafe work

In B.C., workers have the right to refuse unsafe work. You can refuse work if you have reasonable cause to believe it would create an undue hazard to anyone's health and safety. For example, if you think that performing a certain work task puts you or someone else at an unwarranted or excessive risk of injury or illness, you must not perform that task.

How the process works

If a worker refuses unsafe work, they must report the circumstances (i.e., why they believe the situation is unsafe) to a supervisor or the employer right away. Then the supervisor or the employer must investigate the matter immediately. During the investigation, the supervisor or employer may temporarily assign the worker to other tasks at no loss in pay. Workers must not be disciplined for refusing unsafe work.

At the end of the investigation, the employer must correct the unsafe situation immediately or notify the worker that they do not consider the worker's concern to be valid. If the worker agrees with the employer's explanation and reasoning, the worker returns to work.

What happens if the worker and the employer disagree

If the worker disagrees with the employer's decision, the employer must continue the investigation in the presence of:

- The worker



- A second worker (e.g., a representative from the joint committee, a worker chosen by the worker's trade union, or a worker chosen by the first worker)

What happens if there's still no agreement

If the issue remains unresolved, the worker and the employer or supervisor must contact WorkSafeBC. A WorkSafeBC officer will be assigned to investigate the matter and work to find a solution.

If the officer finds an undue hazard, they will issue an inspection report that addresses the violations. This could include compliance orders and a stop-use or stop-work order. If no undue hazard is found, the officer will notify the worker and the employer of this.

Reassigning refused work

The employer must not assign another worker to do the refused work without informing that worker in writing about the refusal and the reported unsafe situation.

OHS Regulation reference: Sections [3.12](#)–[3.13](#)

Project:

Address:

Employer:

Supervisor:

Date:

Time:

Shift:

Number in crew:

Number attending:

Other safety concerns or suggestions:

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Record of those attending:

Name: (please print)	Signature:	Company:
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Manager's remarks:

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Manager:

(Signature)

Supervisor:

(Signature)

For more information on health and safety requirements for crane operations in B.C., refer to the *Workers Compensation Act* and the OHS Regulation on worksafebc.com.