Workplace Hazard Resolution and Work Refusal Outline

Internal Responsibility System

- Worker has duty to work safely and report hazards to their Supervisor.
- Supervisor has duty to investigate, advise workers of danger and take all reasonable precautions for the protection of the worker.
- Communication is the key to successfully solving problems.

RESOLVED → Healthy and Safe Workplace, equates to more productive work

UNRESOLVED ↓

Work Refusal Initiated

- If worker has reason to believe:
  - Any machine, equipment or tool that the worker is using or is told to use, the physical condition of the workplace or work station contravenes the Act and/or is likely to endanger himself or herself or another worker
- The Worker must immediately tell the Supervisor or Employer that the work is being refused and explain why.

Joint Health & Safety Committee (JHSC)

If hazard is not imminent, issue can be raised by worker to the JHSC for investigation, consider solutions and possible formal recommendation.

UNRESOLVED ↓

Investigation #1 "First Stage"

- Supervisor, Worker, appropriate JHSC Worker member and HR/EHS representative investigate the health & safety hazard and risk controls in place.

Worker remains in a safe place near the workstation.

RESOLVED → Parties agree on safety of work.

Worker returns back to work.

UNRESOLVED ↓

Investigation #2 "Second Stage"

- Ontario Ministry of Labour (MOL) Inspector, Supervisor, Worker, appropriateJHSC member and HR/EHS representative investigate the health & safety hazard and risk controls in place to address the concern. MOL decides on safety of work.

Worker can be re-assigned during normal shift or work can be re-allocated with JHSC witnessed disclosure of refusal.

RESOLVED → Parties agree on safety of work. Worker returns back to work.

UNRESOLVED → Written appeal of MOL decision is possible, but worker must return to work in meantime.