



Refusal to Work Policy

SCOPE AND PURPOSE

About Staffing Ltd. is committed to providing a safe work environment and support any employee exercising their right to refuse dangerous or unsafe work, whether it impacts their own safety, safety of others, and/or the safety of equipment or property. About Staffing will not take or threaten disciplinary action for any employee exercising their rights under the Occupational Health and Safety Code.

APPLICABLE LEGISLATION

The *Occupational Health and Safety Act* illustrates one of the fundamental rights of workers is the “right to refuse dangerous work”.

Part 3 of the Act defines when a worker can exercise this right:

17(1) In this section, “undue hazard” in relation to any occupation includes a hazard that poses a serious and immediate threat to the health and safety of a person.

(2) Subject to this section and section 5, a worker may refuse to work or to do particular work at a work site if the worker believes on reasonable grounds that there is an undue hazard at the work site or that the work constitutes an undue hazard to the worker’s health and safety or to the health and safety of another worker or another person.

Addressing Dangerous Work

Employee’s Obligation

If an employee of About Staffing Ltd. believes that the work at hand presents an imminent and immediate threat to their safety and others:

1. Stop work immediately, don’t do the work.
2. Tell your employer (About Staffing Ltd.), site supervisor (client company), and/or any designated person as soon as possible what you’re refusing to do, and why.
3. About Staffing Ltd. and its Safety Representative will investigate immediately and take any action to eliminate the danger.
 - a. This could include replacing the candidate with a more qualified worker or proposing controls for the client’s worksite.
4. Perform other work that the client assigns you in the meantime providing:
 - a. You can reasonably do it,
 - b. It’s safe.
5. Cooperate with the Joint Health and Safety Committee (JHSC), participating in the investigation where it is deemed appropriate.
6. Review the written report your About Staffing’s Safety Representative gives you about their investigation into the danger, and the actions that were taken to fix it.

About Staffing's Obligation

About Staffing is required by law to investigate any refusals of work at any of its client's worksites and eliminate the danger with cooperation from its clients within twenty-four hours of the incident being reported.

1. Inspect the undue hazard and take action to eliminate it.
 - a. In some instances, About Staffing and its clients may be able to resolve the issue immediately and work can resume right away, for example:
 - i. Replacements are provided for tools or broken equipment.
 - ii. Assign a more competent and trained worker.
 - b. If the hazard cannot be remedied immediately the work must stop, discuss the matter with the refusing worker and conduct a hazard assessment with the client, assuming it is safe to do so.
2. Inform the Joint Health and Safety Committee (JHSC) or representative of the refusal as soon as possible. Even if the hazard was remedied immediately the JHSC must be informed.
3. Document the investigation in writing:
 - a. The circumstances surrounding the work refusal,
 - b. Details of the hazard inspection,
 - c. What actions you took to remedy the situation.
4. Give the refusing worker and JHSC a copy of the investigation report.
5. About Staffing will ensure client is following all obligations as the employer and specific obligations outlined within the Occupational Health and Safety Code and the agreement signed by said client.
6. For further details on JHSC obligations review the "About Staffing JHSC Terms of Reference."


Affiliate Client's Obligation

All About Staffing's clients are to uphold any obligation that the Occupational Health and Safety Code and Act depicts and fully cooperate with the About Staffing's Safety Representative on any matters with refusals of work.

1. Immediately stop the work being performed.
2. Contact About Staffing and inform us that our candidate has refused undue dangerous work.
3. Cooperate fully with the About Staffing's Safety Representative on addressing the refusal of work and perform an investigation and hazard assessment together.
4. Do not resume work or assign another worker to the task unless the inspection/hazard assessment is done or:
 - a. The hazard is eliminated or,
 - b. It is determined that there is no hazard with confirmation and agreement between About Staffing's Safety Representative & affiliate client.
5. You may temporarily assign the worker to another job and/or work with About Staffing at no loss of pay.
6. Act on any recommendations laid out by the JHSC for About Staffing Ltd.

Resources

- [Right to refuse dangerous work – OHS information for employers and workers](#)
- [About Staffing Terms of Reference: JHSC](#)


Signature

June 8, 2023
Date