

MANITOBA

# **BUILDING OUR UNION**

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**UNIFOR**

Health and Safety  
Department, 2016

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HS-E-4096



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You have  
the right to  
**refuse  
unsafe  
work.**

**use it!**



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## **HOW THE RIGHT TO REFUSE WORKS**

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Under Section 43 of the Workplace Safety and Health Act, you have the right to refuse unsafe or unhealthy work. If you have reason to believe the work is dangerous to you or someone else, this is what you do.

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### **WORKER**

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Report the refusal to your supervisor or employer and to a union member of the safety and health committee. It is illegal for the employer to discipline workers for refusing unsafe work (S. 42).

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### **SUPERVISOR (EMPLOYER)**

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Investigates and takes remedial action in the presence of you and a worker member of the safety and health committee, union designate, or co-worker selected by you.

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### **WORKER**

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If you believe the work still presents a danger and you continue to refuse then you or your union safety and health representative notify a Workplace Safety and Health officer (inspector).

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### **SAFETY AND HEALTH OFFICER**

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Investigates the matter and orders remedial action which he or she reports to you, the employer and the safety and health committee.

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### **OTHER WORKER**

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No other worker may be assigned the work unless you or the employer explains the reasons for the refusal to the worker in writing.

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### **APEAL**

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You may appeal the officer's decision to the director within 14 days (S. 37). You challenge unfair discipline by putting in a grievance or filing a complaint with a safety and health officer (S. 42.1).