

YOUR RIGHT TO REFUSE DANGEROUS WORK

AUPE members are on the front lines of the COVID-19 pandemic. From health care workers to social workers, members are doing everything they can to help Albertans during this difficult time.

But in order to keep doing so, members also need to protect themselves. One part of keeping yourself safe at work is understanding your **right to refuse dangerous work** and exercising that right if necessary.

Occupational Health and Safety is very serious. Members should know all the steps involved with reporting a hazard at work and, if necessary, refusing to work until the hazard has been addressed.

If you have reasonable grounds to believe there is a danger at your worksite that needs to be fixed, follow these three steps to exercise your right to refuse dangerous work.



If you believe you have been asked to do dangerous work or if there is a condition that would make the work dangerous, **report it to your supervisor** or to whoever is in charge.

You can also call the OHS Contact Centre any time if you feel you need to speak confidentially about OHS concerns.

- Edmonton: 780-415-8690
- Rest of Alberta: 1-866-415-8690
- For the deaf or hard-of-hearing:
1-800-232-7215

After reporting your concern to your supervisor, report your concern to AUPE with the **OHS Reporting Form**, which will send your report to AUPE's Occupational Health and Safety department for review. You should then contact the **AUPE Member Resource Centre at 1-800-232-7284** to advise your Membership Services Officer.

Your report helps AUPE bring OHS concerns forward during collective bargaining.

Once you have reported the dangerous work or condition to your employer, your employer **must** investigate your concern. If danger exists, your employer **must** take action to protect you and your co-workers.

If you believe the danger has been taken care of, then it is safe for you to get back to work. But if the danger is still there, move on to Step 2.



If your employer cannot immediately fix your concerns, then a formal investigation occurs.

Your employer must inspect the danger and allow you to join the inspection, once it is safe to do so.

Either a health and safety representative or a member of your health and safety committee must be involved in the inspection. If you do not have a representative, one of your fellow workers can join the inspection.

Your employer must also prepare a written report on your refusal, the investigation, and the action they've taken. You are entitled to a copy of this report.

However, if your employer does not think there is a danger, if you believe the hazard has not been addressed, or if you do not agree on how to fix the problem, move on to Step 3.



If there is still no fix for the danger, call the OHS Contact Centre:

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An Occupational Health and Safety officer will decide if there is in fact a dangerous condition. If there is, they will order the employer to fix it according to OHS legislation. If the OHS Officer determined there is not a danger, they will inform you and let you know you no longer have the right to refuse the work.

If you or your employer disagree with the OHS officer, you can ask for a Director of Inspection to review the situation further.

OHS and COVID-19

The pandemic has created a lot of uncertainty and even fear for those of us who are leaving home to go to work every day. You may feel scared to refuse unsafe work or to even report an unsafe working condition.

You cannot be disciplined, fired, or lose pay for refusing dangerous work. This is true so long as you are refusing dangerous work on reasonable grounds. Again, refusing dangerous work is serious, so be sure you have reasonable grounds to refuse.

If you have been disciplined for refusing dangerous work, contact your Membership Services Officer. If you don't know your Membership Services Officer, call the AUPE Member Resource Centre at 1-800-232-7284.

Remember to support each other. Be smart and be safe.

If you have any more questions, visit [AUPE.org/AlbertaCares](https://aupe.org/AlbertaCares) for the latest information on how COVID-19 is affecting AUPE members.