

For more information or assistance, contact your local union health and safety representative, your union executive, your CUPE representative or the CUPE health and safety representative for your province at:

Canadian Union of Public Employees

Ontario Regional Office
80 Commerce Valley Drive East
Markham, ON L3T 0B2
Tel: (905) 739-3999

Or contact CUPE's Health and Safety Branch at:

Tel: (844) 237-1590 (toll free)
Email: health_safety@cupe.ca

For additional health and safety resources, visit cupe.ca/health-and-safety

CUPE | Canadian Union
of Public Employees



YOU CAN REFUSE UNSAFE WORK



ONTARIO

As a worker in Ontario, you have the legal right to refuse unsafe work when you believe that any equipment, workplace condition or contravention of the OHS act is likely to endanger you or another person's health and safety (Section 43(3), *Occupational Health and Safety Act*). Please note this section does not apply to certain workers and some circumstances which are listed in Section 43(1) and (2) of the OHS act.

Here's how you can refuse unsafe work:

- 1) Notify your supervisor or employer about the circumstances for refusing to work. The supervisor or employer must investigate the situation with you and the worker-selected member from the joint health and safety committee, or a union representative.
- 2) If, following this investigation, you believe the unsafe condition still exists, you may refuse to work.

Either you or your employer must notify a government inspector.

3) The inspector must investigate in consultation with you, the employer, and a worker-selected member of the joint health and safety committee, or a union representative. The inspector's decision must be provided in writing to all those involved in the investigation.

4) You are required to remain in a safe place near your workstation until the investigation is completed. During this time, you may be assigned other reasonable alternative work or directions by your employer.

You cannot be threatened, dismissed, disciplined, intimidated or coerced for complying with the legislation, according to Section 50 of the OHS act.

You have the legal right to a healthy and safe workplace.