

# OHSA Work Refusal Process Checklist

WORK REFUSAL STAGE 1				
Question	Yes	No	N/A	Comment(s)
1. Did worker report the work refusal to the supervisor or employer?				
2. Did the supervisor respond and clarify the worker was refusing unsafe work?				
3. Did the supervisor request the worker safety representative (JHSC worker member, HSR or worker representative) to attend the investigation without delay?				
4. Did the supervisor or employer make available a worker safety representative (JHSC worker member, HSR or worker representative) to attend the investigation without delay?				
5. Did the supervisor or employer investigate the refused work immediately in the presence of the worker and JHSC worker member, HSR, or worker safety representative?				
6. Did the worker remain near their workstation and in a safe place until the investigation was completed?				
7. Did the investigation result in the worker returning to work after the investigation or any steps to deal with the circumstances that caused the worker to refuse or do particular work?				
8. For a workplace violence work refusal, did the supervisor or employer update the workplace violence risk assessment and advise the JHSC/HSR of the results and, if in writing, provide them a copy?				
9. Where controls, measures, and corrective actions were put in place, were those affected informed?				
10. Was the Work Refusal report shared in writing with the JHSC/HSR?				
11. Workers were not disciplined or punished (fear of reprisal) for exercising their right to refuse.				

# OHSA Work Refusal Process Checklist

## WORK REFUSAL STAGE 2

Is Stage 2 applicable?

- Yes → Answer the questions below.  
 No

Question	Yes	No	N/A	Comment(s)
1. Where a worker continued to refuse work based on reasonable grounds and following the investigation or any steps to deal with the circumstances, did the worker, worker representative, or employer notify a Ministry of Labour, Training, and Skills Development (MLTSD) inspector?				
2. Did the employer ensure that the employer, supervisor, worker, and worker safety representative (JHSC/HSR or another worker representative) were made available for the MLTSD inspection?				
3. Pending the investigation by the inspector, did the worker remain, during their normal working hours, in a safe place near or as reasonably near to their work station and made available to the inspector; OR, based on the collective agreement, were assigned reasonable alternative work or other directions during the worker's normal working hours?				
4. Workers were not disciplined or punished (fear of reprisal) for exercising their right to refuse.				
5. If other worker(s) were assigned to use or operate equipment, machine, device or thing or to work in the workplace or in the part of the workplace being investigated, were they advised of the other worker's refusal and of their reasons for the refusal, in the presence of the JHSC worker member, HSR or worker representing workers (selected by the union or selected by workers if there is no union)?				
6. Were workers and JHSC worker, HSR or other worker representatives, paid and deemed to be at work during the work refusal process?				
7. Where orders were provided to the employer by the MLTSD inspector, the orders were posted and copies provided to the JHSC and/or HSR?				
8. Where MLTSD orders were issued to protect worker health and safety, did the employer and/or other parties named in the order, comply with the order?				

Question	Yes	No	N/A	Comment(s)
9. For a workplace violence work refusal, did the supervisor or employer update the workplace violence risk assessment, advise the JHSC/HSR of the results, and provide a copy of the report as per section?				
10. Was the MLTSD Work Refusal written decision (report) shared in writing with the JHSC/HSR?				
11. Where control measures and corrective actions were implemented, have those affected been informed?				

Additional Comments: