

WORK REFUSALS TOOLKITS

Workers have the right to know, the right to participate, and the right to refuse unsafe work or to do particular work where the worker has a reason to believe that workplace violence is likely to endanger them (OHSA). For the initial refusal, the worker only has to believe the work to be unsafe such as the belief that workplace violence is likely to endanger the worker.

Work Refusal and Limitations

In many healthcare work settings, workers have a limited right to refuse work.

Two circumstances workers are not permitted to refuse work: a circumstance is inherent in the worker's work or is a normal condition of the worker's employment; or when the worker's refusal to work would directly endanger the life, health, or safety of another person.

Types of Workplace Violence

Type 1 External Perpetrator - the violent person has no relationship to the worker or workplace.

Type 2 Client/Customer/Care Recipient - the violent person is a care recipient at the workplace who becomes violent towards a worker or another care recipient.

Type 3 Employment Related - the violent person is a worker (co-worker, supervisor, manager) or has / had some type of job-related involvement.

Type 4 Domestic Violence - The violent person has a personal relationship with an employee or client.

Work Refusal and Limitations

1 Worker stops work, believes work is unsafe and reports to Supervisor.

The worker has stopped work and believes the work to be unsafe. Worker reports refusal to the employer or their supervisor who immediately investigates with the worker and a worker representative. Worker must remain in a safe place. Controls are put in place, as required and worker returns to work.

2 Issue not resolved and Worker still refuses on reasonable grounds.

The MLTSD has been contacted and investigates with involved parties, makes informed decisions, and creates orders if required. Controls are put in place as required at the workplace.

The worker returns to work. If not, Worker can appeal the decision.



For a work refusal process to be triggered, the worker must refuse and stop the work task.

**For more information visit
www.workplace-violence.ca**