

700.9 Workplace Health and Safety – Right to Refuse Dangerous Work

Policy

The Division and employees have obligations under the Alberta Occupational Health and Safety Act, Regulations and Code, to take reasonable care to protect the health and safety of themselves at or in the vicinity of the work site while working. Every worker shall, at all times, when the nature of the work requires, use all devices and wear all personal protective equipment designated and provided for their own protection or required by this Act, Regulations or Code.

An employee may refuse to work or to do particular work at a work site if the employee believes on reasonable grounds that there is a dangerous condition at the work site or that the work constitutes a danger to the employee's health and safety or to the health and safety of another employee or another person present on the worksite

Regulations

An employee who refuses to work or to do particular work, shall promptly report the refusal and the reasons for it to their immediate supervisor. The employer shall remedy the dangerous condition immediately or when it is reasonably practical to do so. Reasonably practical is taking precautions that are not only possible, but that are also suitable or rational, given the particular situation.

Work may be refused under four conditions:

1. The employee sincerely believes there is a danger: any worker can refuse work if they honestly believe that it would pose a danger to their own or another person's health and safety present on the worksite.
2. The employee's belief is reasonable: the health and safety concern must be reasonable. In other words, the hazard must be one that an average, everyday worker would consider dangerous.
3. The danger is unusual: Work refusals do not apply to dangers that are a normal part of the job.
4. The refusal does not endanger anyone else: refusals are not permitted if they endanger the health and safety of another person at the worksite

The Board delegates to the Superintendent the authority to develop the procedures necessary to implement this policy.

References

Other: Section 5, Section 31(1-10), Section 32(1-4) of the
Alberta Occupational Health and Safety Act, Regulations
and Code