

Work Refusal Flow Chart

Exhibit 700.9.A

START HERE

Employee believes on the reasonable grounds that there is a dangerous condition at the work site or work is dangerous to the employee or other persons, and complete the Work Refusal Investigation Form A (Form 700.9.1) S 31(1)

The direct supervisor must review and discuss Section A of the "Work Refusal Investigation Form" (Form A 700.9.1)

If Work Refusal is related to the employee's personal health concern, send form to Human Resources.

The direct supervisor finds ground for remedial action and ensures such action is taken. If the safety concern from Section A has been addressed, the direct supervisor will submit the "Work Refusal Investigation Form" to OHS Management Committee at OHS@lethsd.ab.ca. The work refusal is considered resolved.

Employee can return to work

If the dangerous condition or the danger to the employee's health and safety or to the health and safety of another employee or another person is not remedied after the above investigation and actions taken by the direct supervisor, the employee who refused to perform the work, may proceed to **Section B** of "Work Refusal Investigation Form" (Form A 700.9.1) and file a complaint with the OHS Management Committee at OHS@lethsd.ab.ca

On receiving the Section B complaint, the OHS Management Committee shall assign an OHS Investigative Team. The OHS Investigation Team will decide whether there is a dangerous condition or whether the work the employee has refused to do constitutes a danger of the health and safety of the employee or of any other employee or person at the work site.

If the OHS Investigative Team determines there is a dangerous condition they shall:

- make a written report stating the OHS Investigative Team's determination
- make any order under the Alberta Occupational Health and Safety Act that the OHS Investigative Team considers necessary; and
- give a copy of the report and order to the employee, direct supervisor and the Division Joint Health and Safety Committee.

If the OHS Investigative Team determines there is not a dangerous condition they shall:

- inform the direct supervisor and the employee of the determination
- inform the Division Joint Work Site Health and Safety Committee of the determination; and
- inform the employee that they no longer are entitled to refuse to do the work.

Every reasonable effort shall be made to resolve any dangerous work conditions that may exist as soon as reasonably practical however, if the dangerous condition is not considered remedied by the employee after the above, the employee or any person present during the inspection may file a complaint with Alberta Occupational Health and Safety who will assign an Officer to investigate (www.alberta.ca).