

## **Federal Sector**

As a CUPE member working in the Federal Sector YOU have the legal right to refuse unsafe work, according to the Canada Labour Code – Part II, Section 128, when there is reasonable grounds to believe that a machine or thing, or work in a place, or performance of an activity is dangerous to YOU or another person's health and safety. Exceptions exist for workers on ships and aircraft. Please see the Canada Labour Code – Part II, Section 128(3) – (5) for details.

Here's how YOU can refuse unsafe work...

1. If you believe that a dangerous situation may exist at work, you have the right to refuse the work.
2. Notify your employer. If your employer agrees that a danger exists, they must, without delay, take action to protect you and notify the work place committee of the matter and the action taken to resolve it.
3. If you are not satisfied with the remedy, continue to refuse work and report the circumstances of your refusal to the employer and the work place committee.
4. The employer must immediately after being informed of your continued refusal investigate the matter with you, a work place committee member of the health and safety representative.
5. If the matter is still not resolved, and you still have reasonable cause to believe a danger exists, a government health and safety officer must be contacted.
6. The officer must investigate your concerns with you, your employer, a worker member of the work place committee, the health and safety representative or another worker from the work place chosen by you, and notify you of any recommendations in writing.
7. If you are not satisfied with the officer's decision you cannot continue to refuse the work but you have ten days after receiving the decision to appeal in writing to an appeals officer.

YOU cannot be dismissed, suspended, or penalized for complying with the legislation, according to the Canada Labour Code – Part II, Section 147.

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

For more information or assistance, contact your local union health and safety representative, your union executive, your CUPE representative or the CUPE National Health and Safety Branch at:

### **Canadian Union of Public Employees**

National Health and Safety Branch

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