

Ontario

As a CUPE member in Ontario YOU have the legal right to refuse unsafe work, according to the Occupational Health and Safety Act – Section 43(3), when YOU believe that any equipment, workplace condition or any contravention of the Act is likely to endanger YOUR or another person's health and safety. Please note however, this section does not apply to certain workers, as listed in Section 43(1) and (2).

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

1. If you believe that a dangerous situation is likely to exist at work, you have the right to refuse the work.
2. Notify your supervisor or employer about the circumstances for refusing to work. The supervisor or employer must investigate the situation with you and the worker-selected member from the joint health and safety committee or union.
3. If you believe the unsafe condition still exists, you may refuse to work. Either you or your employer must notify a government's inspector.
4. The inspector must investigate in consultation with you, the employer, and a worker-selected member of the joint health and safety committee or union. The inspector's decision must be in writing and provided to all those involved in the investigation.
5. You are required to remain in a safe place near your workstation until the investigation is completed. During this time, you might be assigned other reasonable alternative work or directions by your employer.

YOU cannot be threatened or dismissed, disciplined, intimidated or coerced for complying with the legislation, according to the Occupational Health and Safety Act – Section 50.

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 health and safety staff representative for your province at:

Canadian Union of Public Employees

Ontario Regional Office
800 – 305 Milner Avenue
Scarborough, Ontario M1B 3V4
Tel. (416) 292-3999
Fax (416) 292-2339

Or contact the CUPE National
Health and Safety Branch at:
Tel. (613) 237-1590
Fax (613) 237-5508
Email: Health_safety@cupe.ca