Procedure for investigating a refusal to work

Start
Employee/student has reasonable grounds to believe job is unusually dangerous

Step 1: Involve the supervisor

Employee/Student satisfied

Step 2: Involve the OHC Co-Chairs committee

Employee/Student satisfied

Step 3: OHC Committee investigates

Employee/Student satisfied

Step 4: Involve the OH&S Division

Return to work

YES

NO

The refusing employee/student informs the supervisor that the job/task is being refused for health and safety reasons.

The supervisor and employee/student attempt to resolve the concern. The supervisor may reassign the employee/student during the investigation.

The employee/student does not leave the university without the permission of the supervisor.

The supervisor contacts Health, Safety & Wellness to assist in the resolution of the refusal. Health, Safety & Wellness contacts the appropriate committee representative (CUPE, APT or URFA).

Occupational Health and Safety Committee Co-Chairs interview the employee/student and supervisor.

Occupational Health and Safety Committee Co-Chairs refer to University policies, procedures and applicable legislation.

Health, Safety & Wellness and the Occupational Health and Safety Committee representative convene an emergency committee meeting. The committee investigates the refusal.

If required, a quorum of the committee votes to decide if the disputed work is unusually dangerous. Unanimity is required to vote against the refusal.

The committee sends its recommendations for corrective action to the supervisor and VP Admin. The VP Admin reports the University’s actions to the committee.

An occupational health and safety officer investigates and provides a written ruling to the parties.

Anyone directly affected by the officer’s decision may appeal under Part VIII of the Act.