Sample Right to Refuse Form

Step 1: The employee reports the concern to his immediate supervisor

I, _______________________, refuse to do the act assigned by my supervisor. I believe that this act is likely to endanger my health and safety (or the health and safety of others) for the following reason(s):

- [ ] I am not properly trained for the job
- [ ] I do not have enough experience for the job
- [ ] I do not have the necessary skills for the job
- [ ] I do not have the necessary equipment for the job
- [ ] Physical or mechanical hazards
- [ ] Chemical hazards
- [ ] Biological hazards
- [ ] Other (specify)

Detailed explanation:
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Date signed __________________________, by ________________________________________

Submitted to the supervisor___________________________________ at (time) _______________________

Signed by supervisor upon receipt: ___________________________________________________________

Answer from the supervisor:

- [ ] I find that __________________ has reasonable grounds for believing that the act is likely to endanger the health and safety of the employee or the health and safety of others. Therefore, I recommend the following remedial action(s) to be taken or I will take the following remedial action(s) so that the employee may resume work.

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

- [ ] I find that ______________ does not have reasonable grounds for believing that the act is likely to endanger his/her health and safety or the safety of any other employee. Therefore, I advise the employee to do that act.

________________________________________________________________________________________
________________________________________________________________________________________
________________________________________________________________________________________

Date signed __________________________, at (time) __________________________

Signature of supervisor: __________________________________________

Signature of worker: __________________________________________
Step 2: The employee refers the matter to the JHSC.

The worker submits this form to JHSC.

Received by: __________________________________, representing the workers, and
___________________________________, representing the employer

on (date)_____________________________ at (time)___________________________

Answer: We, the members of the JHSC, have studied the reasons for this right to refuse submitted by
___________________________________, and we make the following recommendation(s):

- The JHSC finds the employee has reasonable grounds and make the following recommendation(s) to
  the employer
    ____________________________________________________________
    ____________________________________________________________
    ____________________________________________________________
    ____________________________________________________________

- Employer accepts recommendation
  ____________________________________________________________
  (Employer)

- Employer refuses recommendation
  ____________________________________________________________
  (Employer)

The JHSC finds that the employee does not have reasonable grounds for the following reason(s)

- ____________________________________________________________
- ____________________________________________________________
- ____________________________________________________________

The JHSC cannot reach a decision and have the following positions:

- ____________________________________________________________
- ____________________________________________________________
- ____________________________________________________________

The JHSC advises ________________________ to refer the matter to an officer of the WorkSafeNB

___________________________ (Employee Representative)
___________________________ (Employer Representative)

Step 3: Referral to an officer at WorkSafeNB

- When the matter is not resolved to the satisfaction of the employee, the employee refers it
to an officer by calling WorkSafeNB at 1 800 222-9775.