

Section 19 of the *Occupational Health and Safety Act* states:

“An employee may refuse to do any act where he has reasonable grounds for believing that the act is likely to endanger his health or safety or the health or safety of any other employee.”

If you refuse to continue to work in accordance with section 19, you must:

STEP
1

Report immediately to your supervisor giving your reasons for refusing to work. Stay at your workplace for your normal working hours.

If the employer resolves the matter to your satisfaction, go back to work. If you still believe the work is unsafe –

STEP
2

Bring the matter to the attention of the joint health and safety committee, if it exists, as soon as possible, giving the reasons for refusing to work.

If the committee resolves the matter to your satisfaction, go back to work. If the matter is not resolved to your satisfaction after the committee intervention, or when there is no committee –

STEP
3

Call WorkSafeNB at 1 800 222-9775 and explain your situation. An officer will investigate.

From the finding of the investigation, the officer may advise you to go back to work. If the officer believes the work is unsafe, an order will be issued to the employer to improve the working conditions. When the officer finds that the order has been carried out and the working conditions that led to the right to refuse are no longer unsafe, go back to work.

An officer's decision can be appealed to the chief compliance officer and then to the Appeals Tribunal.

While the refusal is being investigated, the employer may assign the worker to other work.

The employer must not assign someone else to do the work that has been refused unless the second worker is informed of the first refusal, the reasons for the refusal, and the right to refuse unsafe work.

If you are discriminated against for exercising your right under the Act, you may file a complaint with WorkSafeNB. They will appoint an arbitrator to hear the matter.

1 800 222-9775

www.worksafenb.ca



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