Right to Refuse Unsafe Work Flow Chart
(WorkSafeBC Section 3.12)

Step 1

Worker
- Believes work creates undue hazard — *s.3.12(1)*
- Reports unsafe condition to employer or supervisor
- Refuses work — *s.3.12(2)*

Employer or Supervisor
- Investigates — *5.3.12(3)*

Does employer/supervisor agree there is an undue hazard? — *s.3. 12(3)(b)*

YES → Unsafe condition is remedied. Matter is resolved — *s.3.12(3)(a)*

NO → Employer/supervisor informs the worker — *s.3. 12(3)(b)*

→ Does the worker agree with the employer/supervisor?

YES → Matter is resolved — *s.3.12(3)(a)*

NO → Step 2

Step 2

Matter is investigated with the worker and a worker representative — *s. 3. 12(4)*

Do workers and employer agree on how to correct the unsafe condition?

YES → Unsafe condition is remedied. Matter is resolved — *s.3.12(4)*

NO → Will another worker be permitted or required to do the refused work?

→ Employer provides written notice — *s.3.12. 1(b)*

YES → Matter is not resolved. Must proceed to Step 3.

NO → Step 3

Step 3

WorkSafeBC is notified, and prevention officer investigates — *s. 3. 12(5)*

If the matter is still not resolved, notify WorkSafeBC:
- Both the worker and the supervisor or employer must contact WorkSafeBC by calling **604-276-3100**, or toll-free **1-888-621-7233**, press 1.
- Have your worksite WorkSafeBC number available.
- The employer or supervisor may reassign the worker to alternate work while an investigation is ongoing, there must be no loss of pay to the worker during this time.

Officer will investigate.
Officer may:
- Ensure s. 3. 12 procedure is understood
- Facilitate response
- Issue orders

Does the officer issue orders?

NO → Officer finds no undue hazard Matter is resolved — *s.3.12(5)*

YES → Employer must comply with orders.

→ Unsafe condition is remedied. Matter is resolved — *s.3.12(5)*

Resources: WorkSafeBC – OHS Regulation, Part 3, Section 3.12

SWITCH BC