



COUNTY OF NORTHERN LIGHTS

POLICY

RIGHT TO REFUSE UNSAFE WORK

CREATED: 2/9/2025

REVISED:

TOTAL PAGES: 4

County of Northern Lights is committed in providing all employees with a healthy and safe workplace that will protect the well-being of all staff and employees and prevent occupational illness and injury in our workplace.

County of Northern Lights will ensure that policies and procedures comply with all provincial and federal legislative requirements established by the Occupational Health and Safety Act, Provincial Compensation Boards, WHMIS Regulations and the Canadian Labour Code.

All County of Northern Lights employees are responsible for following safe work practices and safety procedures in all workplaces and circumstances

Safety is the responsibility of everyone who works for County of Northern Lights. Collectively, all employees are to work together to ensure the health and wellbeing of all employees is considered at all times.

County of Northern Lights acknowledges and encourages, a worker's right to refuse unsafe work recognising it is more than a right, it is a legal responsibility to which employees must adhere.

Should an employee of County of Northern Lights implement their right and refuse to perform unsafe work, the worker will not be intimidated or encounter any type of retribution from any staff member of County of Northern Lights resulting from the act of refusing to perform work they deem unsafe at that time. This employee must comply with the proper procedure in exercising a work refusal.

Section 35 of the Alberta Occupational Health and Safety Act begins:

"35(1) No worker shall

- (a) carry out any work if, on reasonable and probable grounds, the worker believes that there exists an imminent danger to the health or safety of that worker,
- (b) carry out any work if, on reasonable and probable grounds, the worker believes that it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the work site, or
- (c) operate any tool, appliance or equipment if, on reasonable and probable grounds, the worker believes that it will cause to exist an imminent danger to the health or safety of that worker or another worker present at the work site.

(2) In this section, "imminent danger" means in relation to any occupation

- (a) a danger that is not normal for that occupation, or
- (b) a danger under which a person engaged in that occupation would not normally carry out the person's work.

(3) A worker who

- (a) refuses to carry out work, or
- (b) refuses to operate a tool, appliance or equipment pursuant to subsection (1) shall, as soon as practicable, notify the worker's employer at the work site of the worker's refusal and the reason for the worker's refusal."

Training as to the correct procedure, when executing the Right to Refuse Unsafe Work, will be provided all employees of County of Northern Lights. The procedure also will be contained within the Drivers Handbook and initially introduced during the County of Northern Lights New Employee Orientation.

County of Northern Lights workers have numerous legal rights under the OHS Act, and foremost workers have the right to refuse unsafe work. The worker may refuse any work they reasonably believe is likely to endanger themselves or other workers. This also potential endangerment includes workplace violence.

Worker must advise County of Northern Lights Management of the issue immediately when the unsafe hazard is discovered and the worker's decision to not proceed with work is made.



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As records of previously undocumented potential hazards are of a major concern to County of Northern Lights, the worker must complete the County of Northern Lights Safety Concern Form immediately following their decision. Should the hazard concern arise due to an incident of close call, the appropriate County of Northern Lights Close Call Form must be filled out as soon as possible. All work refusal occurrences will be documented/recorded.

Worker is to remain on site and in a safe place near worksite to be available to assist the investigation. Worker can be reassigned other duties during investigation.

Another worker cannot be assigned work under investigation unless advised of refusal in presence of the County of Northern Lights Manager or County of Northern Lights Safety Manager or representative.

Workers are protected from employer reprisal for refusing unsafe work and when in compliance with the Act. A worker's right to refuse work is protected under the law. If a worker is asked to do something dangerous or unhealthy, that person has the right to refuse. Under the OHS Act, a worker cannot be fired or disciplined as a result of the refusal.

PROCEDURE

The worker must use the following procedure to ensure compliancy with the Act:

1. Report the concern immediately to County of Northern Lights Manager, Dispatcher or Safety Manager and if a hazard is present, go to a safe place.
2. As soon as the complainant discovers the hazard and determines the dangers and/or safety concern, that person is not to continue with the potentially dangerous task until the hazard is investigated and proven to be safe, free from any potential incident or contamination. Returning to the work must be under the guidance of County of Northern Lights Management.
3. It is important to remain at the workplace if practical in the vicinity of the reported hazard. If a worker leaves the workplace during normal working hours, that person will lose his or her rights under the OHS Act.
4. The complainant must fill out the County of Northern Lights Concern Form or Close Call Form as soon as reasonably practical.
5. Management of County of Northern Lights must promptly investigate the situation while the worker is present. If the Management agrees that there are grounds for refusing to work, then the worker is not required to do that task until the problem is resolved.

However, if the Management disagrees, they may ask someone else to do the work, but must inform the replacement person of the reasons for the refusal.

The employer may reassign the worker to another job. Some tasks may be safer for another worker to complete because of their age, ability or training.

6. If the worker still has concerns, that person should promptly report the situation to the Management in writing.
7. The County of Northern Lights Health and Safety Committee will investigate the situation. If they agree that there may be a risk, they will recommend that the Management find a solution. If they establish there is no risk, the worker will be advised to return to work.
8. If the worker and the Health and/or the Safety Committee still has concerns, they may report the concern to Workplace Health and Safety at 1-866-415-8690. An Officer will investigate and decide if the grounds for the refusal are reasonable. In some cases, the risks will require further investigation to ensure safety.
9. The Workplace Health and Safety Officer will order that this be done if it appears there may be unsafe working conditions. In the event that the Workplace Health and Safety Officer cannot find a hazard, the officer will advise the worker to return to work.



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At this point, further refusal is no longer protected under the OHS Act.

RIGHT TO KNOW

The Right to Know about potential hazards to which they may be exposed while in the employ of County of Northern Lights is of utmost importance. County of Northern Lights trains their employees on equipment and processes of the jobs asked of them. WHMIS plays an important role.

Workers have the right to know about hazards or possible hazards in the workplace. Hazards can be anything from toxic chemicals in cleaning products for janitorial tasks to harassment and violent crime to weather conditions.

Poor lighting in offices, cold weather for workers working outside, and the equipment they are to operate are also examples of hazards in the workplace. Knowing about hazards and training to avoid hazards let workers work more safely.

Workers get to know about workplace hazards when provincial health and safety law states that employers have to tell workers about a specific hazard. Similarly, employers instruct workers in the proper way of doing work when provincial health and safety law states that the employer has to give such instruction.

County of Northern Lights will tell workers about certain hazardous materials they may need to work with. These products are classified, or defined, under the Workplace Hazardous Material Information System (WHMIS).

Compressed gas, flammable and combustible materials, oxidizing materials, poisonous and infectious materials, corrosive materials and dangerously reactive materials each come with a Safety Data Sheet (SDS), which County of Northern Lights makes available to workers. These hazardous materials, classified under

WHMIS, are stored in containers with a WHMIS warning label.

Together, the WHMIS warning label and the SDS state:

1. what the hazardous material is,
2. how it is hazardous to humans,
3. how to work safely with it,
4. and what to do in an emergency.

The SDS sheets gives information in greater detail than the WHMIS warning label on the container. County of Northern Lights gives workers training in:

1. reading WHMIS labels so to be able to identify hazardous materials in the workplace and understand the hazardous effects of these materials,
2. getting ahold of the SDS and reading the data sheet,
3. safely using hazardous materials in the workplace, storing and disposing of hazardous materials,
4. knowing what to do if there's a spill, release, fire or poisoning involving a hazardous material,
5. and using protective equipment in emergencies.

Under health and safety laws in Alberta, County of Northern Lights will tell workers about specific work-related hazards. In addition, the majority of work sites visited by County of Northern Lights employees, they are required to participate in site and/or job specific orientation before performing work on that site.

By knowing about workplace hazards, workers can make sure employers make the work safer, provide protection to workers, and give training so that workers can work with the smallest possibility of injury or illness.

Besides classified hazardous materials training, training is required for workers in certain workplaces and for workers doing certain types of work. Training is necessary for avoiding injury and illness.



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In Alberta, health and safety training required by law are training for workers driving semi-trailer units in addition to employees working in the oil fields.

With many certain types of work, the employer has to have workers instructed in the proper way of working.

RIGHT TO PARTICIPATE

It is the right of each employee of County of Northern Lights to be part of the process in identifying and resolving health and safety concerns. This is expressed through participation during safety meetings and/or tailgate safety meetings.

Chief Elected Official

Chief Administrative Officer