



## **ATTENTION ALL WVMEA MEMBERS**

*September 8, 2022*

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### **HEALTH AND SAFETY BULLETIN**

Effective August 22, 2022, WorkSafeBC has implemented amendments to the Right to Refuse Unsafe Work. Workers have the right to refuse unsafe work if they have reasonable cause to believe that performing it would create an undue hazard to the health and safety of any person. Changes will now require employers to provide written notice of an unresolved work refusal to any worker subsequently assigned or allowed to perform that work, and to provide written notice of the reassignment to the joint health and safety committee or a union representative.

These important changes strengthen workers' fundamental right to a safe workplace and their ability to make workplaces safer for everyone. The amendments include the addition of a [new section](#) under Part 3: Rights and Responsibilities in the [Occupational Health and Safety Regulation](#):

#### **3.12.1 (1) Reassignment of refused work**

If a worker refuses work under section 3.12, the employer **must not** require or permit another worker to do the refused work unless

- (a) the matter has been resolved under 3.12 (3), (4) or (5), or
- (b) the employer has, **in writing**, advised the other worker and a person referred to in section 3.12 (4)(a), (b) or (c) of all of the following:
  - (i) the refusal;
  - (ii) the unsafe condition reported under section 3.12 (2);
  - (iii) the reasons why the task would not create an undue hazard to the health and safety of the other worker or any other person;
  - (iv) the right of the other worker under section 3.12 to refuse unsafe work.

Visit [WorkSafeBC](#) for more information on the amendment.