

NOTIFICATION OF REASSIGNMENT OF REFUSED WORK

DATE: _____
(YYYY/MM/DD)

We have received a report of an unsafe condition on our worksite, and a worker has exercised their right to refuse that work on the basis that it is unsafe.

[WorkSafeBC's Occupational Health and Safety Guideline 3.12](#) states:

“A worker who reasonably believes that work creates an undue hazard must refuse to do that work. This includes any work process, or the use or operation of a tool, machine, or piece of equipment”.

The details of the refusal of unsafe work (work process, tool, appliance, or equipment) that was reported to create an undue hazard is as follows:

As required in [Occupational Health & Safety Regulation 3.12](#), an investigation into the unsafe work refusal has or is in the process of being completed. Additionally, the employer must not require or permit another worker to do the refused work unless the matter has been resolved under [OHS-R 3.12\(3\), \(4\), or \(5\)](#). Resolution of unsafe conditions is always the first option. Written notice of refused work is not required when the matter has been resolved.

Currently the employer feels that the work **does not create an undue hazard to the health and safety of another worker or any other person**. In this case, as outlined in [OHS-G 3.12](#), the employer may ask another worker to do the work while the investigation into the refusal is ongoing.

To be in compliance with [WorkSafeBC Occupational Health & Safety Regulation 3.12.1 – Reassignment of refused work](#), this **written notice*** is being distributed to you as we feel you are able and permitted to do this work. As required in the regulation, the reasons that the work would not create an undue hazard to your health and safety, or any other person are as follows:

Additionally, if you have reasonable cause to believe that performing this reassigned work puts you or someone else at risk, you also have the right to refuse unsafe work. If this is the case, immediately stop the work and report the unsafe condition to your supervisor or employer.

As required in [OHS-R 3.12 \(4\)](#), a copy of this notice has been provided to _____ as

- the worker representative of the worksite's Joint Health and Safety Committee (JHSC),
- a union representative (if applicable)
- a reasonably available worker selected by the worker (in the event there is no JHSC or union representation)

No Prohibited Actions

As outlined in [OHS-R 3.13 \(1\)](#):

A worker must not be subject to prohibited action as defined in section 47 of the Workers Compensation Act because the worker has acted in compliance with section 3.12 or with an order made by an officer.

Written notice can include electronic communication, such as email, text message, or electronic communication system, paper records, such as forms or a logbook and worker communication boards or collaboration forum, such as a white board or notice board. A combination of these methods can be used.