

Limits on Right to Refuse Unsafe Work



KNOW THE LAWS OF YOUR PROVINCE

LIMITS ON RIGHT TO REFUSE UNSAFE WORK		
Under the OHS laws in each jurisdiction, workers may NOT refuse unsafe work:		
		RELEVANT LAW
FED	1) If the refusal puts the life, health or safety of another person directly in danger; or2) The danger is a normal condition of employment [Sec. 128(2)].	Canada Labour Code
AB	If the danger is normal for that occupation [Sec. 35(2)(a)].	OHS Act
BC	No specified limits on refusal right.	OHS Reg.
MB	No specified limits on refusal right.	Workplace Safety and Health Act
NB	No specified limits on refusal right.	OHS Act
NL	No specified limits on refusal right.	OHS Act
NT/NU	If the danger normally exists in that work [Sec. 13(1)(a)].	Safety Act
NS	1) If the refusal puts the life, health or safety of another person directly in danger; or2) The danger is inherent in the employee's work [Sec. 43(9)].	OHS Act
ON	1) When the danger is inherent in the worker's work or is a normal condition of the worker's employment; or2) When the worker's refusal to work would directly endanger the life, health or safety of another person [Sec. 43(1)]. <i>Note: The above limits apply only to workers designated in Sec. 43(2).</i>	OHS Act
PE	No specified limits on refusal right.	OHS Act
QC	1) If the refusal to perform the work puts the life, health, safety or physical well-being of another person in immediate danger; or2) if the conditions under which the work is to be performed are ordinary conditions in this kind of work [Sec. 13].	OHS Act
SK	No specified limits on refusal right.	OHS Act
YT	1) If the refusal to perform the work puts the life, health, safety or physical well-being of another person in immediate danger; or2) If the conditions under which the work is to be performed are ordinary conditions in that kind of work [Sec. 15(5)].	OHS Act