

Work Refusal Notification Form



Workers aren't allowed to exercise their OHS work refusal rights unless they notify their employer, supervisor or other person in charge of the workplace that they're engaging in a refusal and explain the dangers prompting them to refuse. In addition to documenting the refusal, this template notification form enables you to gather the crucial details you'll need to investigate the refusal, determine whether a danger really exists and, if so, how to correct the problem. Adapt this template for your own use and the circumstances of the particular work refusal.

OHS Refusal Rights

Under [*insert Section*] of the [*insert jurisdiction*] OHS Act, a worker may refuse to work or to do particular work at a work site if the worker believes on reasonable grounds that there is an undue hazard at the work site or that the work constitutes an undue hazard to the worker's health and safety or to the health and safety of another worker or person.

Notification of Current Work Refusal

We want to let you know that another worker (whom we will refer to as the "refusing worker") has exercised their [*insert Section*] work refusal rights to refuse to perform the work that ABC Company has assigned you to perform. The purpose of this notification is to remind you of your own work refusal rights and provide you the information you to make an informed decision about whether you want to perform the assigned work.

Reasons for Refusing Worker's Refusal

The refusing worker has refused to perform the assigned work [*list the work and reason(s) for refusal*] [**example:** operate the forklift in Area B of the Shipping Department because they contend that the brakes do not work properly].

Reasons ABC Company Believes the Work Is Safe

ABC Company believes that the work refusal is unjustified and that the refused work will pose no danger to the health or safety of any person because [*describe the basis for concluding the work is safe*] [**example:** i. ABC Company staff has inspected the brakes of the forklift according to the manufacturer's instructions and maintenance schedule and identified no problems with the braking system or any of its component parts; ii. A technician has also inspected the brakes and found no problems or

defects; iii. There have been no reported problems, complaints or incidents involving the forklift or its braking system; and iv. Other workers who operate the forklift report that they believe it to be safe and have experienced no problems with the brakes.]

Please sign below to acknowledge having received, read and fully understood this notice of work refusal:

Worker name:

Signature:

Date:

(If applicable) JHSC worker member name:

Signature:

Date: