Health and Safety Policy

Work Refusal Conditions & Process Policy

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| Review Committees: Joint Health & Safety Committee | Delegates: CUSA Executive Director CUSA Director of Human Resources |

Policy
CUSA has implemented the application of an unsafe work refusal system. It is the responsibility of each and every employee to do their part in keeping themselves and their co-workers safe. It is the responsibility of the Joint Health and Safety Committee along with that of management to contribute and promote an effective health and safety environment. If any employee feels that their work presents an unsafe work condition (safety or health hazard) they have the right to refuse that work.

Safety Policy Overview
An employee may refuse to do a particular job where he/she has reason to believe that, any equipment, physical condition, or contravention of the Occupational Health and Safety Act, is likely to endanger oneself or any other employee. The work refusal does not apply when the danger is inherent in the work or is a normal condition. Any reprisal for a work refusal to the employee is prohibited.

Steps to Follow for a Work Refusal for Unsafe Work Conditions

- Upon refusing, the employee must notify the supervisor and complete an unsafe condition report (Form 4).
- The supervisor, the refusing employee and a Joint Health and Safety Committee representative shall investigate the situation.
- Until the investigation is complete, the employee shall remain in a safe location, away from the hazard or be given suitable work to perform while the investigation is being performed. If following the investigation, the employee still has reasonable grounds to
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believe that the job is unsafe he/she may still refuse to do that job or work in that location.

- If the refusal can not be solved, then a Ministry of Labour inspector must be notified.

Ministry of Labour Inspector Will

- Investigate the refusal to work in the presence of the employer and the employee.
- Decide if the job is safe or unsafe and shall give his/her decision in writing.
- Pending the investigation another employee may be assigned to do that particular job if he/she has been advised of the refusal, in the presence of the refusing employee and/or committee member and therefore agrees to do the job.

- The refusing employee may be asked to work from home depending on the circumstances or provided another work location

Unsafe Work Condition Work Refusal Process
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Employee reports
Unsafe condition to supervisor immediately

Investigation
By supervisor, employee and certified committee member or selected employee.

Agreement
Employee remains in safe area given alternate work or other directions pending investigation and decision.

Disagreement
Investigation by Ministry of Labour Inspector
- Employer informs inspector of work refusal.
- Employee still refuses.
- Employee has reasonable grounds to believe the work is still unsafe.
- Inspector gives decision in writing to employer in reasonable time.

Corrective Action Taken
The employer may request the stop work order to be taken off.

Situation Resolved

Resume Work
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