COMMUNITY COUNCIL

Legislation

The two main pieces of legislation governing the operations of the community council regarding safety and health are:

* The Workplace Safety and Health Act
* The Workplace Safety and Health Regulation

In accordance with Part 2.3 of the regulation, a copy of these documents will be kept in the council office and will be available to all workers for viewing. Copies of the documents will be provided to workers by the supervisor’s upon request.

Several parts of the act and the regulation are mentioned throughout this safety manual in the sections to which they apply.

Some other legislation that may apply to our safety and health program in specific situations are:

* The Dangerous Goods Handling and Transportation Act
* The Fire Prevention and Emergency Response Act
* The Hazards Products Act
* The Highways and Transportation Act
* Workplace Hazardous Materials Information System (WHMIS)

COMMUNITY COUNCIL

Right to Refuse Dangerous Work

An employee may refuse to work if they believe the work constitutes a danger to their safety or health or to the safety or health of another worker or another person.

A refusal of work must immediately be reported to the supervisor or the employer. An investigation must be done before the worker can or will return to their duties.

The dangerous condition must immediately be inspected in the presence of the worker and one of the following:

* the worker co-chair of the safety and health committee, if there is one
* a workplace safety and health representative
* if no committee or representative, another worker selected by the worker who is refusing to work

The person required to inspect the dangerous condition must take any action necessary to remedy any dangerous condition or ensure that such action is taken.

Until the dangerous condition is remedied, the worker who reported it may continue to work or do particular work.

When a worker has refused to work or do particular work, the employer must not request or assign another worker to do the work unless:

1. The employer has advised the other worker, in writing, of:
2. The first worker’s refusal.
3. The reasons for the refusal.
4. The other worker’s right to refuse dangerous work under this section.
5. The reason why in the opinion of the employer, the work does not constitute a danger to the safety or health of the other workers, another worker or any person.

*\*Please refer to the Manitoba Workplace Safety and Health Act section 43 for additional requirements and information.*