

Influenza A (H1N1) – You have the right and obligation to refuse unsafe work!

Section 35 of the Alberta Occupational Health and Safety Act state “no worker shall carry out any work if, on reasonable and probable grounds, the worker believes that there exists an imminent danger to the health and safety of that worker”

What is Imminent Danger?

Imminent danger is defined as “a danger that is not normal for that occupation”. The risk to you health and safety does not have to be life threatening in order to be included in “imminent danger”.

What Does this Mean?

What this means is that refusing to perform unsafe work is not only a right it is a legal requirement in Alberta. As long as you believe that any duties or tasks that your employer is requiring you to perform puts your health and/or safety is at risk you can refuse to perform those duties.

You should refuse to carry out any work duties that create a risk of injury and illness and the employer has not implemented appropriate control measures

If Effective Protection is NOT in Place:

- ▶ Notify your employer as soon as possible
- ▶ Once notified the employer must investigate and take action to eliminate the imminent danger and they must prepare a written report.
- ▶ No worker is allowed to be assigned to do the work until the imminent danger is eliminated
- ▶ If your Employer does not take appropriate action, then you can file a complaint to Workplace Health and Safety. Contact your union local or your Labour Relations Officer before filing a complaint.
- ▶ If a worker's complaint is not supported then they may appeal the decision to the OH&S Council
- ▶ **Disciplinary action against a worker for refusing unsafe work is prohibited!**

Contact you Local representative, Labour Relations Officer or OH&S Officer for additional information and assistance.



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United Nurses of Alberta