



Canadian  
Environmental Law  
Association  
EQUITY. JUSTICE. HEALTH.



## **Workers' Environmental Rights in Canada**

A project with Adapting Canadian Work and Workplaces to Respond to Climate Change (ACW)

October 2019

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	Provision	Description	Notes (Law Reform or Further Reading)
CANADA			
<i>Canadian Environmental Protection Act, 1999, SC 1999, c 33</i>			
	<p><b>Declaration</b></p> <p>It is hereby declared that the protection of the environment is essential to the well-being of Canadians and that the primary purpose of this Act is to contribute to sustainable development through pollution prevention.</p> <p><b>Preamble</b></p> <p>Whereas the Government of Canada seeks to achieve sustainable development that is based on an ecologically efficient use of natural, social and economic resources and acknowledges the need to integrate environmental, economic and social factors in the making of all decisions by government and private entities; [...]</p> <p>Whereas the Government of Canada is committed to implementing the precautionary principle that, where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation;</p>	Prevention; Precaution	<p>CELA's proposed amendments, see <a href="https://www.cela.ca/sites/cela.ca/files/proposed%20amendments%20to%20CEPA%28Oct%2012%202018%29.pdf">https://www.cela.ca/sites/cela.ca/files/proposed%20amendments%20to%20CEPA%28Oct%2012%202018%29.pdf</a></p> <p>CELA proposes:</p> <p>Whereas the Government of Canada recognizes the right of every Canadian to a healthy environment; Whereas the Government of Canada recognizes that exposure to toxic substances can adversely affect the environment and health of people, including that of vulnerable populations and, therefore, is committed to applying environmental justice principles in its decision-making;</p>

	<p>[...] Whereas the Government of Canada recognizes the responsibility of users and producers in relation to toxic substances and pollutants and wastes, and has adopted the “polluter pays” principle;</p>		
	<p><b>2 (1)</b> In the administration of this Act, the Government of Canada shall, having regard to the Constitution and laws of Canada and subject to subsection (1.1), [...] <b>(k)</b> endeavour to act expeditiously and diligently to assess whether existing substances or those new to Canada are toxic or capable of becoming toxic and assess the risk that such substances pose to the environment and human life and health;</p>		<p>CELA proposes:</p> <p>2. Section 2(1) is amended by repealing and replacing subparagraph (a) with the following (a) exercise its powers in a manner that protects the environment and human health, applies the precautionary principle, and promotes and reinforces enforceable pollution prevention approaches;</p> <p>and by adding the following:</p> <p>(a.2) apply the polluter pays principle; (a.3) apply the substitution principle; (a.4) apply the environmental justice principle; (p) protect the right of every resident of Canada to a healthy environment;</p>
	<p><b>Establishment of Environmental Registry</b> <b>12</b> The Minister shall establish a registry, to be called the Environmental Registry, for the purpose of facilitating access to documents relating to matters under this Act.</p>	Right to know	

	<p><b>Circumstances when an individual may bring an action</b></p> <p><b>22 (1)</b> An individual who has applied for an investigation may bring an environmental protection action if</p> <ul style="list-style-type: none"> <li>(a) the Minister failed to conduct an investigation and report within a reasonable time; or</li> <li>(b) the Minister’s response to the investigation was unreasonable.</li> </ul> <p>Nature of the action</p> <p><b>(2)</b> The action may be brought in any court of competent jurisdiction against a person who committed an offence under this Act that</p> <ul style="list-style-type: none"> <li>(a) was alleged in the application for the investigation; and</li> <li>(b) caused significant harm to the environment.</li> </ul>		<p>CELA’s proposed amendment:</p> <p><b>Right</b></p> <p>22.(1) Every resident of Canada has a right to a healthy environment.</p> <p><b>Government duty (2)</b> In addition to the duties set out in subsection 2(1), the Government of Canada shall, within its jurisdiction and in its administration of this Act: (a) protect the right of every resident of Canada to a healthy environment; and (b) act as trustee of the environment for the benefit of present and future generations.</p> <p><b>Circumstances when a resident of Canada may bring an environmental protection action</b> 22.1(1) Any person may commence an environmental protection action in the Federal Court: (a) against the Government of Canada for: (i) violating the right to a healthy environment; (ii) failing to enforce this Act; (iii) failing to fulfill its duties as trustee of the environment; or (iv) authorizing or failing to prevent activity that may result in significant environmental harm; (b) against any person, organization, or government body violating or threatening to violate this Act, a regulation, or statutory instrument under this Act, or where significant environmental harm has resulted or may result.</p>
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	<p><b>National inventory</b>  <b>48</b> The Minister shall establish a national inventory of releases of pollutants using the information collected under section 46 and any other information to which the Minister has access, and may use any information to which the Minister has access to establish any other inventory of information.</p>	<p>Right to know</p>	<p>Not included: radionuclides.</p> <p>For further reading, see comments to Canadian Nuclear Safety Commission requesting radionuclides be included in the National Pollutant Registry Inventory data: <a href="https://www.cela.ca/Inclusion-of-NPRI-Data">https://www.cela.ca/Inclusion-of-NPRI-Data</a></p> <p>For further reading regarding the NPRI and radionuclides, see also CELA's recommendation that radionuclides be designated a chemical of mutual concern under the Great Lakes Water Quality Agreement:  <a href="https://www.cela.ca/sites/cela.ca/files/Radionuclides-CMC.pdf">https://www.cela.ca/sites/cela.ca/files/Radionuclides-CMC.pdf</a></p>
	<p><b>Voluntary reports</b>  <b>16</b> (1) Where a person has knowledge of the commission or reasonable likelihood of the commission of an offence under this Act, but is not required to report the matter under this Act, the person may report any information relating to the offence or likely offence to an enforcement officer or any person to whom a report may be made under this Act.</p> <p>[...]</p> <p>Employee protection  <b>(4)</b> Despite any other Act of Parliament, no employer shall dismiss, suspend, demote, discipline,</p>	<p>Right to know - voluntary</p>	

	<p>harass or otherwise disadvantage an employee, or deny an employee a benefit of employment, by reason that</p> <p>(a) the employee has made a report under subsection (1);</p> <p>(b) the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is an offence under this Act; or</p> <p>(c) the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done by or under this Act.</p>		
	<p><b>Voluntary report</b></p> <p><b>96 (1)</b> Where a person has knowledge of the occurrence or likelihood of a release into the environment of a substance specified on the List of Toxic Substances in Schedule 1, but the person is not required to report the matter under this Act, the person may report any information relating to the release or likely release to an enforcement officer or to any person to whom a report may be made under section 95.</p> <p>[...]</p> <p><b>Employee protection</b></p> <p>(4) Despite any other Act of Parliament, no employer shall</p>	<p>Voluntary reporting</p>	

	<p>dismiss, suspend, demote, discipline, harass or otherwise disadvantage an employee, or deny an employee a benefit of employment, by reason that</p> <ul style="list-style-type: none"> <li>(a) the employee has made a report under subsection (1);</li> <li>(b) the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is an offence under this Act; or</li> <li>(c) the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done by or under this Act.</li> </ul>		
	<p><b>Voluntary report</b>  <b>202 (1)</b> If a person knows about an environmental emergency but the person is not required to report the matter under this Act, the person may report any information about the environmental emergency to an enforcement officer or to a person designated by regulation or interim order.</p> <p>[...]</p> <p><b>Employee protection</b>  (4) Despite any other Act of Parliament, no employer shall dismiss, suspend, demote, discipline, harass or otherwise disadvantage an</p>	<p>Voluntary reporting</p>	

	<p>employee, or deny an employee a benefit of employment, by reason that</p> <ul style="list-style-type: none"> <li>(a) the employee has made a report under subsection (1);</li> <li>(b) the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is an offence under this Act; or</li> <li>(c) the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done by or under this Act.</li> </ul>		
	<p><b>Voluntary report</b>  213 (1) If a person knows about a release or likely release of a substance into the environment in contravention of a regulation but the person is not required to report the matter under this Act, the person may report any information about the release or likely release to an enforcement officer or to a person designated by the regulations.</p> <p>[...]</p> <p><b>Employee protection</b>  (4) Despite any other Act of Parliament, no employer shall dismiss, suspend, demote, discipline, harass or otherwise disadvantage an employee, or deny an employee a</p>	<p>Voluntary reporting</p>	

	<p>benefit of employment, by reason that</p> <p>(a) the employee has made a report under subsection (1);</p> <p>(b) the employee, acting in good faith and on the basis of reasonable belief, has refused or stated an intention of refusing to do anything that is an offence under this Act; or</p> <p>(c) the employee, acting in good faith and on the basis of reasonable belief, has done or stated an intention of doing anything that is required to be done by or under this Act.</p>		
<p><i>Hazardous Products Act, RSC, 1985, c H-3</i></p>			
	<p>Preamble: An Act to prohibit the sale and importation of hazardous products that are intended for use, handling or storage in a work place.</p>	<p>Despite the prohibitions on the sale of hazardous products certain products are <b>exempt</b> including nuclear substances, hazardous waste sold for recycling or recovery or intended for disposal, tobacco products, and manufactured articles (s. 12).</p> <p>Further, the prohibition is waived should the supplier meet the safety data sheet and labelling requirements (s. 13 below).</p>	

	<p><b>Restrictions on application</b></p> <p><b>12</b> This Part does not apply in respect of the sale or importation of any</p> <p><b>(a) to (c)</b> [Repealed, 2014, c. 20, s. 113]</p> <p><b>(d)</b> nuclear substance, within the meaning of the <a href="#">Nuclear Safety and Control Act</a>, that is radioactive;</p> <p><b>(e)</b> hazardous waste, being a hazardous product that is sold for recycling or recovery or is intended for disposal;</p> <p><b>(f) and (g)</b> [Repealed, 2014, c. 20, s. 113]</p> <p><b>(h)</b> tobacco or a tobacco product as defined in section 2 of the <a href="#">Tobacco and Vaping Products Act</a>;</p> <p><b>(i)</b> manufactured article; or</p> <p><b>(j)</b> anything listed in Schedule 1.</p> <p><b>SCHEDULE 1</b></p> <p><b>Non-Application of Part II</b></p> <p>1 Any pest control product as defined in subsection 2(1) of the <a href="#">Pest Control Products Act</a></p> <p>2 Any explosive as defined in section 2 of the <a href="#">Explosives Act</a></p> <p>3 Any cosmetic, device, drug or food, as defined in section 2 of the <a href="#">Food and Drugs Act</a></p> <p>4 Any consumer product as defined in section 2 of the <a href="#">Canada Consumer Product Safety Act</a></p> <p>5 Any wood or product made of wood</p>	Exemptions	
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	<p>13 (1) Subject to the <a href="#">Hazardous Materials Information Review Act</a>, no supplier shall sell a hazardous product that is intended for use, handling or storage in a work place in Canada unless</p> <p>(a) the supplier has in their possession a safety data sheet for the hazardous product that meets the requirements set out in the regulations made under subsection 15(1);</p> <p>(a.1) on the sale of the hazardous product to any person or government, the supplier provides to the person or government the safety data sheet referred to in paragraph (a), or causes it to be provided, if on that sale the person or government acquires possession or ownership of that hazardous product; and</p> <p>(b) the hazardous product or the container in which the hazardous product is packaged has a label that meets the requirements set out in the regulations made under subsection 15(1) affixed to it, printed on it or attached to it in a manner that meets the requirements set out in the regulations made under that subsection.</p>	<p>Right to know being used to overcome prohibition on sale of hazardous products</p>	
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	<p><b>14.3 (1)</b> Every supplier who sells or imports a hazardous product that is intended for use, handling or storage in a work place in Canada shall prepare and maintain</p> <p><b>(a)</b> a document containing a true copy of a label that represents the label that is affixed to, printed on or attached to the hazardous product or the container in which the hazardous product is packaged in order to meet the requirement set out in paragraph 13(1)(b) or 14(b), as the case may be, when they sell or import the hazardous product;</p> <p><b>(b)</b> a document containing a true copy of a safety data sheet for the hazardous product that represents the safety data sheet that is in their possession in order to meet the requirement set out in paragraph 13(1)(a) or that they obtain or prepare in order to meet the requirement set out in paragraph 14(a), as the case may be, when they sell or import the hazardous product;</p> <p><b>(c)</b> if the supplier obtained the hazardous product from another person, a document that indicates the person's name and address, the quantity of the hazardous product obtained by</p>	<p>Right to know</p>	
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	<p>the supplier and the month and year in which they obtained it;</p> <p><b>(d)</b> a document that indicates, for any sales of the hazardous product that result in a transfer of ownership or possession, the locations at which those sales took place, the period during which they took place, and, for each month in that period, the quantity sold during the month; and</p> <p><b>(e)</b> the prescribed documents.</p>		
<p><i>Hazardous Materials Information Review Act, RSC 1985, c 24 (3<sup>rd</sup> Supp) Part III</i></p>			
	<p><b>Claim for exemption by supplier</b></p> <p><b>11 (1)</b> Any supplier who is required, either directly or indirectly, because of the provisions of the <a href="#">Hazardous Products Act</a>, to disclose any of the following information may, if the supplier considers it to be confidential business information, claim an exemption from the requirement to disclose that information by filing with the Chief Screening Officer a claim for exemption in accordance with this section:</p> <p style="padding-left: 40px;"><b>(a)</b> in the case of a material or substance that is a hazardous product,</p> <p style="padding-left: 80px;"><b>(i)</b> the chemical name of the material or substance,</p>	<p><b>Exemption</b> to the requirement to disclose information (ie. propriety information or trade secret)</p>	

	<p>(ii) the CAS registry number, or any other unique identifier, of the material or substance, and (iii) the chemical name of any impurity, stabilizing solvent or stabilizing additive that is present in the material or substance, that is classified in a category or subcategory of a health hazard class under the <a href="#">Hazardous Products Act</a> and that contributes to the classification of the material or substance in the health hazard class under that Act;</p> <p>(b) in the case of an ingredient that is in a mixture that is a hazardous product,</p> <p>(i) the chemical name of the ingredient,</p> <p>(ii) the CAS registry number, or any other unique</p>		
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	<p>identifier, of the ingredient, and  <b>(iii)</b> the concentration or concentration range of the ingredient; and  <b>(c)</b> in the case of a material, substance or mixture that is a hazardous product, the name of any toxicological study that identifies the material or substance or any ingredient in the mixture.</p>		
	<p><b>Information privileged</b>  <b>46 (1)</b> Subject to this Act and any regulations made under it, all information obtained from a supplier or employer for the purposes of this Act is privileged and, despite the <a href="#">Access to Information Act</a> or any other Act or law, no person who has obtained information from a supplier or employer for the purposes of this Act shall knowingly, without the written consent of the person who provided the information,  <b>(a)</b> communicate the information, or allow it to be communicated, to any person; or  <b>(b)</b> allow any person to inspect or to have access to any book, record, writing or</p>	<p>Further <b>barrier</b> to access to information, <i>Access to Information Act</i> does not apply</p>	

	other document containing that information.		
<i>Radiation Protection Regulations, SOR/2000-203 pursuant to the Nuclear Safety and Control Act</i>			
	<p>Labelling of Containers and Devices</p> <p><b>20 (1)</b> No person shall possess a container or device that contains a radioactive nuclear substance unless the container or device is labelled with</p> <p style="padding-left: 40px;"><b>(a)</b> the radiation warning symbol set out in Schedule 3 and the words “RAYONNEMENT — DANGER — RADIATION”; and</p> <p style="padding-left: 40px;"><b>(b)</b> the name, quantity, date of measurement and form of the nuclear substance in the container or device.</p> <p><b>(2)</b> Subsection (1) does not apply in respect of a container or device</p> <p style="padding-left: 40px;"><b>(a)</b> that is an essential component for the operation of the nuclear facility at which it is located;</p> <p style="padding-left: 40px;"><b>(b)</b> that is used to hold radioactive nuclear substances for current or immediate use and is under the continuous direct observation of the licensee;</p> <p style="padding-left: 40px;"><b>(c)</b> in which the quantity of radioactive nuclear substances is less than or</p>	Right to know	<p>Further reading regarding limitations of labelling, see CELA’s submission to the CNSC regarding nuclear substances:</p> <p><a href="https://www.cela.ca/1131-publications/environmental-review-cnscs-2016-regulatory-oversight-report-use-nuclear-substances">https://www.cela.ca/1131-publications/environmental-review-cnscs-2016-regulatory-oversight-report-use-nuclear-substances</a></p>

	<p>equal to the exemption quantity; or  <b>(d)</b> that is used exclusively for transporting radioactive nuclear substances and labelled in accordance with the <a href="#">Packaging and Transport of Nuclear Substances Regulations, 2015</a></p>		
<p><i>Pest Control Products Act, SC 2002, c 28</i></p>			
	<p>Preamble: An Act to protect human health and safety and the environment by regulating products used for the control of pests</p>		
	<p><b>Primary objective</b>  <b>4 (1)</b> In the administration of this Act, the Minister's primary objective is to prevent unacceptable risks to individuals and the environment from the use of pest control products.</p> <p><b>Ancillary objectives</b>  <b>(2)</b> Consistent with, and in furtherance of, the primary objective, the Minister shall  <b>(a)</b> support sustainable development designed to enable the needs of the present to be met without compromising the ability of future generations to meet their own needs;</p>	<p>Prevention; right to know</p>	

	<p><b>(b)</b> seek to minimize health and environmental risks posed by pest control products and encourage the development and implementation of innovative, sustainable pest management strategies by facilitating access to pest control products that pose lower risks and by other appropriate measures;</p> <p><u>(c) encourage public awareness in relation to pest control products by informing the public, facilitating public access to relevant information and public participation in the decision-making process; and</u></p> <p><b>(d)</b> ensure that only those pest control products that are determined to be of acceptable value are approved for use in Canada.</p>		
	<p><b>Access to Information</b></p> <p>Register</p> <p>42 (1) The Minister shall establish and maintain a Register of Pest Control Products in accordance with the regulations, if any, that contains information about pest control products, including information about applications, registrations, re-evaluations and special reviews.</p> <p>Contents of Register</p>	<p>Right to know</p>	

	<p>(2) The Register shall contain the following information:</p> <ul style="list-style-type: none"><li>(a) for each application to register or amend the registration of a pest control product,<ul style="list-style-type: none"><li>(i) the active ingredient of the product, proposed new uses for it or any uses proposed to be withdrawn, and</li><li>(ii) how the application was disposed of or whether it was withdrawn;</li></ul></li><li>(b) the conditions of registration, registration number and registration validity period for each registered pest control product;</li><li>(c) information, in respect of each registered pest control product, that is provided by applicants and registrants<ul style="list-style-type: none"><li>(i) in support of an application for registration or for the amendment of a registration, or</li><li>(ii) for the purposes of a re-evaluation or special review;</li></ul></li></ul>		
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	<p>(d) information provided by applicants and registrants that is used to specify maximum residue limits;</p> <p>(e) information, in respect of each registered pest control product, that is considered by the Minister under paragraphs 7(6)(b) and 19(1)(c);</p> <p>(f) any reports of the evaluation of the health and environmental risks and the value of registered pest control products prepared by the Minister;</p> <p>(g) any advice from a person or body referred to in paragraph 44(1)(f), unless disclosure of the advice may be refused under section 23 or 23.1 of the <a href="#">Access to Information Act</a>;</p> <p>(h) the status, including cancelled status, of all registrations to which this Act applies;</p> <p>(i) information provided to the Minister pursuant to subsection 8(5);</p> <p>(j) notices delivered under subsections 12(1), 16(3) and 18(1) and paragraph 19(1)(a);</p> <p>(k) conclusions of the Minister that were made public under section 15;</p>		
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	<p>(l) consultation statements and decision statements made public under subsections 28(2) and (5), respectively;</p> <p>(m) notices of objection filed under subsections 35(1) and (2), public notices given under subsection 35(4) and the Minister's decisions and reasons under subsections 35(5) and 39(2);</p> <p>(n) authorizations under sections 33 and 41 and amendments and cancellations under sections 34 and 41; and</p> <p>(o) any other information required by this Act or the regulations to be included in the Register.</p> <p>[...]</p> <p><b>Public access to information in the Register</b></p> <p><b>(4)</b> The Minister shall allow the public to have access to, and copies of, any information in the Register that</p> <p style="padding-left: 20px;"><b>(a)</b> is not confidential test data or confidential business information; or</p> <p style="padding-left: 20px;"><b>(b)</b> is confidential test data that has been made subject to public disclosure in accordance with</p>		
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	the regulations made under paragraph 67(1)(m).		
<i>Aviation Occupational Health and Safety Regulations, SOR/2011-87 pursuant to Canada Labour Code</i>			
	<b>Reduction of Sound Exposure</b> 2.5 If it is reasonably practicable, every employer shall, by using controls or other physical means other than hearing protectors, reduce the exposure to sound of employees to a level that does not exceed the limits established by section 2.4.	Prevention: positive obligation on employer to take measures necessary to lessen sound exposure	
<i>Transportation of Dangerous Goods Act, 1992, SC 1992 c 34</i>			
	<b>8</b> No person shall sell, offer for sale, deliver, distribute, import or use a standardized means of containment unless it displays all applicable safety marks in accordance with the regulations.		
	<b>Notice for disclosure of information</b> <b>23 (1)</b> The Minister may, by registered mail, send a written notice to any manufacturer, producer, distributor or importer of any product, substance or organism requesting the disclosure of information relating to its formula, composition or chemical ingredients and any	<b>Barrier</b> to right to know not public due to proprietary information; trade secrets	

	<p>similar information that the Minister considers necessary for the administration or enforcement of this Act.</p>		
	<p><b>Privileged information</b>  <b>24 (1)</b> The following information is privileged:</p> <ul style="list-style-type: none"> <li><b>(a)</b> information disclosed under section 23 and information of a similar nature obtained by an inspector under section 15;</li> <li><b>(b)</b> information in a record of a communication between any person and the Canadian Transport Emergency Centre of the Department of Transport relating to an actual or anticipated release of dangerous goods; and</li> <li><b>(c)</b> information relating to security that is obtained under paragraph 15(2)(d).</li> </ul> <p><b>Exceptions</b>  <b>(2)</b> Information is not privileged to the extent that it</p> <ul style="list-style-type: none"> <li><b>(a)</b> relates only to the dangerous properties of a product, substance or organism without revealing its formula, composition or chemical ingredients; or</li> <li><b>(b)</b> is required to be disclosed or communicated for the purposes of an emergency involving public safety.</li> </ul>	<p><b>Barrier</b> to right to know not public due to proprietary information; trade secrets</p>	

<i>Canada Labour Code, RSC, 1984, c L-2</i>			
	<p><b>Purpose of Part</b>  <b>122.1</b> The purpose of this Part is to prevent accidents and injury to health arising out of, linked with or occurring in the course of employment to which this Part applies.</p>	Applies to federal work, undertaking or businesses, including but not limited to coal mines, ship or aircraft operations, banks, railways, ferries, radio broadcasting, etc. (see section 2)	
	<p><b>Preventive measures</b>  <b>122.2</b> Preventive measures should consist first of the elimination of hazards, then the reduction of hazards and finally, the provision of personal protective equipment, clothing, devices or materials, all with the goal of ensuring the health and safety of employees.</p>	Prevention	
	<p><b>Specific duties of employer</b>  <b>125 (1)</b> Without restricting the generality of section 124, every employer shall, in respect of every work place controlled by the employer and, in respect of every work activity carried out by an employee in a work place that is not controlled by the employer, to the extent that the employer controls the activity,  [...]  (s) ensure that each employee is made aware of every known or foreseeable health or safety hazard</p>	Right to know	

	<p>in the area where the employee works; [...] (y) ensure that the activities of every person granted access to the work place do not endanger the health and safety of employees;</p>		
	<p><b>Refusal to work if danger</b> 128 (1) Subject to this section, an employee may refuse to use or operate a machine or thing, to work in a place or to perform an activity, if the employee while at work has reasonable cause to believe that</p> <ul style="list-style-type: none"> <li>(a) the use or operation of the machine or thing constitutes a danger to the employee or to another employee;</li> <li>(b) a condition exists in the place that constitutes a danger to the employee; or</li> <li>(c) the performance of the activity constitutes a danger to the employee or to another employee.</li> </ul> <p>No refusal permitted in certain dangerous circumstances (2) An employee may not, under this section, refuse to use or operate a machine or thing, to work in a place or to perform an activity if</p> <ul style="list-style-type: none"> <li>(a) the refusal puts the life, health or safety of another person directly in danger;</li> </ul> <p>or</p>	<p>Right to refuse dangerous work – with exception</p>	

	<p>(b) the danger referred to in subsection (1) is a normal condition of employment.</p>		
	<p><b>Minister's investigation</b>  129 (1) If the Minister is informed of the employer's decision and the continued refusal under subsection 128(16), the Minister shall investigate the matter unless the Minister is of the opinion that</p> <ul style="list-style-type: none"> <li>(a) the matter is one that could more appropriately be dealt with, initially or completely, by means of a procedure provided for under Part I or III or under another Act of Parliament;</li> <li>(b) the matter is trivial, frivolous or vexatious; or</li> <li>(c) the continued refusal by the employee under 128(15) is in bad faith.</li> </ul> <p><b>Notices of decision not to investigate</b>  If the Minister does not proceed with an investigation, the Minister shall inform the employer and the employee in writing, as soon as feasible, of that decision. The employer shall then inform in writing, as the case may be, the members of the work place committee who were designated under subsection 128(10) or the health and safety representative and the person who is designated by the</p>		

	<p>employer under that subsection of the Minister's decision.</p> <p><b>Return to work</b> On being informed of the Minister's decision not to proceed with an investigation, the employee is no longer entitled to continue their refusal under subsection 128(15).</p> <p><b>Refusal of work during investigation</b> If the Minister proceeds with an investigation, the employee may continue to refuse, for the duration of the investigation, to use or operate the machine or thing, to work in the place or to perform the activity that may constitute a danger.</p>		
	<p><b>Cease to perform job</b> 132 (1) In addition to the rights conferred by section 128 and subject to this section, an employee who is <u>pregnant or nursing</u> may cease to perform her job if she believes that, by reason of the pregnancy or nursing, continuing any of her current job functions may pose a risk to her health or to that of the foetus or child. On being informed of the cessation, the employer, with the consent of the employee, shall notify the work place committee or the health and safety representative.</p> <p><b>Consult medical practitioner</b></p>	<p>Consideration of vulnerable person</p>	

	<p><b>(2)</b> The employee must consult with a qualified medical practitioner, as defined in section 166, of her choice as soon as possible to establish whether continuing any of her current job functions poses a risk to her health or to that of the foetus or child.</p> <p><b>Provision no longer applicable</b>  (3) Without prejudice to any other right conferred by this Act, by a collective agreement or other agreement or by any terms and conditions of employment, once the medical practitioner has established whether there is a risk as described in subsection (1), the employee may no longer cease to perform her job under subsection (1).</p> <p><b>Employer may reassign</b>  (4) For the period during which the employee does not perform her job under subsection (1), the employer may, in consultation with the employee, reassign her to another job that would not pose a risk to her health or to that of the foetus or child.</p> <p><b>Status of employee</b>  (5) The employee, whether or not she has been reassigned to another job, is deemed to continue to hold the job that she held at the time she ceased to perform her job functions and shall continue to receive the</p>		
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	wages and benefits that are attached to that job for the period during which she does not perform the job.		
BRITISH COLUMBIA			
<i>Workers Compensation Act, RSBC 1996 Ch 492</i>			
	<p><b>154 Posting of information</b></p> <p>(1) Where this Part, the regulations or an order requires an employer or other person to post information at a workplace, the person must</p> <p>(a) post the information at or near the workplace in one or more conspicuous places where it is most likely to come to the attention of the workers, or</p> <p>(b) otherwise bring it to the notice of and make it available to the workers at the workplace in accordance with the regulations.</p> <p>(2) If reasonably practicable, at least one place of posting under subsection (1) (a) must be at or near the equipment, works or area to which the information relates.</p> <p>(3) As an exception, if posting or notice referred to in subsection (1) is not reasonably practicable, the employer or other person must instead adopt other measures to ensure that the information is effectively brought to the attention of the workers.</p>	Right to know	

<i>Occupational Health and Safety Regulation, BC Reg 296/97</i>			
	<p><b>G3.12 Refusal of unsafe work</b>  Issued August 1, 1999; Revised September 21, 2011; Editorial Revision December 15, 2017</p> <p><b>Regulatory excerpt</b>  Section 3.12 of the <i>OHS Regulation</i> ("<i>Regulation</i>") states:  (1) A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.  (2) A worker who refuses to carry out a work process or operate a tool, appliance or equipment pursuant to subsection (1) must immediately report the circumstances of the unsafe condition to his or her supervisor or employer.  (3) A supervisor or employer receiving a report made under subsection (2) must immediately investigate the matter and  (a) ensure that any unsafe condition is remedied without delay, or  (b) if in his or her opinion the report is not valid, must so inform the person who made the report.</p>	<p>Right to refuse unsafe work</p> <p>As described by WorkSafeBC (see <a href="https://www.worksafebc.com/en/la-w-policy/occupational-health-safety/searchable-ohs-regulation/ohs-guidelines/guidelines-part-03#SectionNumber:G3.12">https://www.worksafebc.com/en/la-w-policy/occupational-health-safety/searchable-ohs-regulation/ohs-guidelines/guidelines-part-03#SectionNumber:G3.12</a>):</p> <p><b>The right to refuse unsafe work</b>  The refusal of unsafe work is both a fundamental right and a responsibility held by workers. A worker's refusal of unsafe work is an integral element in ensuring work is carried out safely. Workers who reasonably believe work is unsafe must refuse to perform that work and are entitled to have their employer investigate and, where necessary, correct the hazard.</p> <p><b>Elements of the right to refuse</b>  Section 3.12(1) states that "A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create</p>	

	<p>(4) If the procedure under subsection (3) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, the supervisor or employer must investigate the matter in the presence of the worker who made the report and in the presence of</p> <p>(a) a worker member of the joint committee,</p> <p>(b) a worker who is selected by a trade union representing the worker, or</p> <p>(c) if there is no joint committee or the worker is not represented by a trade union, any other reasonably available worker selected by the worker.</p> <p>(5) If the investigation under subsection (4) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, both the supervisor, or the employer, and the worker must immediately notify an officer, who must investigate the matter without undue delay and issue whatever orders are deemed necessary.</p>	<p>an undue hazard to the health and safety of any person." In many situations, the "reasonable cause" and "undue hazard" can be straightforward.</p> <p>However, in some situations it can be more difficult to determine that the worker has reasonable cause to believe there is an undue hazard. These terms are discussed below.</p> <p><i>"Undue hazard"</i></p> <p>A "hazard" is identified in Part 1 of the <i>Regulation</i> as "a thing or condition that may expose a person to a risk of injury or occupational disease." Further, "undue" is defined by the Oxford dictionary as "unwarranted, inappropriate, excessive or disproportionate." Therefore, a thing or condition that may expose a worker to an excessive or unwarranted risk of injury or occupational disease represents an undue hazard for the purposes of section 3.12 of the <i>Regulation</i>.</p> <p><i>"Reasonable cause to believe"</i></p> <p>The use of the term "reasonable" in "reasonable cause to believe" means that the worker must assess the situation as a reasonable person, taking into account relevant and available information and exercising good faith judgment with respect to the hazard with due regard to the worker's training and experience. For example, a worker is assigned to work in the shipping and receiving area, covering the duties of another</p>	
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		<p>worker who is absent due to illness. Some supplies are delivered that require the use of a forklift to unload the delivery truck. The worker normally works in the warehouse in an area other than shipping and receiving, and has no prior experience or training in forklift operation. The worker believes that his lack of training and experience in operating a forklift would expose him to an undue hazard. In this situation, this worker has reasonable cause to believe that undertaking this work, for which he has not been trained, would create an undue hazard for himself and possibly other workers.</p> <p>Ultimately there must be an objective basis for a continued refusal for unsafe work. The goal of the process set out in sections 3.12(2) through (5) is to establish whether there is an objective, or reasonable, basis for the refusal and if so, to determine how to remedy the situation.</p> <p>WorkSafeBC prevention officers investigating work refusals under s. 3.12(5) will deal with each refusal on a case by case basis, and will undertake a full assessment of the situation in order to conclude whether the worker had reasonable cause to believe an undue hazard existed.</p> <p><i>"Reasonable cause to believe" and the susceptible worker</i></p>	
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		<p>Some workers may have an underlying condition which would lead them to suffer an illness or sustain an injury, even though others would not be affected in the same way. In this so-called "susceptible worker" situation, the "objective " test of whether the worker has reasonable cause to believe the work presents an undue hazard is to be applied in the context of the person's specific health condition. To uphold a work refusal, there needs to be a clear connection between the undue hazard asserted by the susceptible worker, and his or her health condition. As part of the investigation into the refusal, the employer may ask for confirming evidence of the effect of the hazard on the person's condition. While the evidence is being obtained, the worker should be removed from the condition that the worker asserts is an undue hazard.</p> <p>As an example, an offensive odor is present and apparent to all the workers in an office. One of the workers refuses to continue to work, saying that he suffers from a respiratory ailment and the odor is exacerbating his condition. He reports to the supervisor that he is suffering ill health effects from the odor, including difficulty breathing. The worker is acting reasonably in refusing to continue working, and is reassigned pending the employer's</p>	
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		<p>investigation into the refusal. As part of the investigation into the refusal, the employer asks for documentation of the condition, and the worker provides a note from his doctor confirming that the exposure to odors can exacerbate the worker's medical condition.</p> <p><i>Application of procedure</i></p> <p>To facilitate a timely resolution to a work refusal and ensure that work activities can return to normal as soon as possible, it is important that each step described in the <i>Regulation</i> is followed in an expedited manner. If the process outlined in section 3.12(3) fails to bring resolution to the matter, the investigation would continue as described by section 3.12(4). A person identified by section 3.12(4) who is available to participate in the investigation would be chosen without delay, so the investigation can continue.</p>	
	<p>Section 3.13 of the <i>Regulation</i> states:</p> <p>(1) A worker must not be subject to discriminatory action as defined in <u>section 150 of Part 3 of the <i>Workers Compensation Act</i></u> because the worker has acted in compliance with section 3.12 or with an order made by an officer.</p> <p>(2) Temporary assignment to alternative work at no loss in pay to the worker until the matter in section 3.12 is resolved is deemed</p>	<p>Right to refuse and not be subject to discrimination</p>	

	not to constitute discriminatory action.		
ALBERTA			
<i>Occupational Health and Safety Act, SA 2017, c O-2.1</i>			
	<p><b>Purposes of this Act</b></p> <p><b>2 The purposes of this Act are</b></p> <p>(a) the promotion and maintenance of the highest degree of physical, psychological and social well-being of workers,</p> <p>(b) to prevent work site incidents, injuries, illnesses and diseases,</p> <p>(c) the protection of workers from factors and conditions adverse to their health and safety,</p> <p>(d) to ensure that all workers have</p> <p style="padding-left: 20px;">(i) the right to be informed of work site hazards and the means to eliminate or control those hazards,</p> <p style="padding-left: 20px;">(ii) the right to meaningful participation in health and safety activities pertaining to their work and work site, including the ability to express health and safety concerns,</p> <p style="padding-left: 20px;">(iii) the right to refuse dangerous work, and</p> <p style="padding-left: 20px;">(iv) the ability to work without being subject to discriminatory action for exercising a right or fulfilling a duty imposed by this Act, the regulations or the OHS code.</p>	Right to be informed, right to meaningful participation, right to refuse	
	<b>Posting orders and notices</b>	Right to know	

	<p>15(1) An employer, self-employed person, owner or prime contractor shall post a copy of the following at a work site:</p> <p>(a) an order made under this Act to that employer, self-employed person, owner or prime contractor that is relevant to the work site;</p> <p>(b) a health and safety notice prepared by or for a Director concerning conditions or procedures at the work site.</p> <p>(2) The employer, self-employed person, owner, or prime contractor referred to in subsection (1) shall post the copy in a conspicuous place at the work site as soon as the employer, self-employed person, owner or prime contractor receives it.</p> <p>(3) The employer, self-employed person, owner or prime contractor referred to in subsection (1) shall keep an order or notice issued under this Act posted until the conditions specified in the order or notice are met.</p> <p>(4) Despite subsections (1) to (3), the employer, self-employed person, owner or prime contractor referred to in subsection (1) may provide the orders and notices in electronic format providing workers, the joint work site health and safety committee or health and safety representative, if there is one, are</p>		
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	<p>informed of the orders and notices and have ready access to them.</p> <p>(5) Despite subsections (1) to (3), if the work site is mobile and posting is impracticable, the employer, self-employed person, owner or prime contractor referred to in subsection (1) shall ensure that the information in the order or the notice is brought to the attention of all affected workers at the work site.</p>		
	<p><b>Right to refuse dangerous work</b></p> <p><b>31(1)</b> Subject to this section and section 5, 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 a dangerous condition at the work site or that the work constitutes a danger to the worker's health and safety or to the health and safety of another worker or another person.</p> <p><b>(2)</b> A worker who refuses to work or to do particular work under subsection (1) shall promptly report the refusal and the reasons for it to the worker's employer or supervisor or to another person designated by the employer or supervisor.</p> <p><b>(3)</b> If the employer does not remedy the dangerous condition immediately, the employer shall immediately inspect the dangerous condition in the presence of the worker, when it is reasonably practicable to do so and when the presence of the worker does not</p>	<p>Right to refuse</p>	

	<p>create a danger to the health and safety of that worker or of any other person, and one of the following persons, when it is reasonably practicable to do so and when the presence of that person does not create a danger to the health and safety of that person or of any other person:</p> <p>(a) if there is a joint work site health and safety committee established under section 16, the co-chair or a committee member who represents workers;</p> <p>(b) if there is a health and safety representative designated under section 17, that representative;</p> <p>(c) if there is no committee or representative, or where no committee member or representative is available, another worker selected by the worker refusing to do the work.</p> <p><b>(4)</b> The employer required to inspect under subsection (3) shall take any action necessary to remedy any dangerous condition, or ensure that such action is taken.</p> <p><b>(5)</b> Until the dangerous condition is remedied, the worker who reported it may continue to refuse to work or to do particular work to which the dangerous condition may relate.</p> <p><b>(6)</b> When a worker has refused to work or to do particular work under subsection (1), the employer shall not request or assign another</p>		
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	<p>worker to do the work until the employer has determined that the work does not constitute a danger to the health and safety of any person or that a dangerous condition does not exist.</p> <p><b>(7)</b> Where the employer assigns another worker to do the work, the employer shall advise that worker, in writing, of</p> <ul style="list-style-type: none"> <li>(a) the first worker's refusal,</li> <li>(b) the reasons for the refusal,</li> <li>(c) the reason why, in the opinion of the employer, the work does not constitute a danger to the health and safety of any person or that a dangerous condition is not present, and</li> <li>(d) that worker's right to refuse to do dangerous work under this section.</li> </ul> <p><b>(8)</b> On completing an inspection under subsection (3), the employer shall prepare a written report of the refusal to work, the inspection and action taken, if any, under subsection (4).</p> <p><b>(9)</b> The employer shall give a copy of the report completed under subsection (8) to</p> <ul style="list-style-type: none"> <li>(a) the worker who refused work under subsection (1),</li> <li>(b) the joint work site health and safety committee, if one exists, and</li> </ul>		
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	<p>(c) the health and safety representative, if one exists.</p> <p><b>(10)</b> The employer shall ensure that a report given under subsection (9) does not contain any personal information related to the worker who refused to work under subsection (1).</p>		
	<p><b>Report of dangerous condition to an officer</b></p> <p><b>32(1)</b> If the dangerous condition or the danger to the worker's health and safety or to the health and safety of another worker or another person is not remedied after an inspection under section 31(3), the worker who refused to perform the work under section 31(1) or any person present during the inspection may file a complaint with an officer.</p> <p><b>(2)</b> On receiving a complaint under subsection (1), the officer shall investigate the matter and decide whether there is a dangerous condition or whether the work the worker has refused to do constitutes a danger to the health and safety of the worker or of any other worker or person at the work site.</p> <p><b>(3)</b> If the officer decides that there is a dangerous condition or a danger to the worker's health and safety or to the health and safety of any other worker or person at the work site, the officer shall</p> <p>(a) make a written report stating the officer's decision,</p>		

	<p>(b) make any order under this Act that the officer considers necessary, and</p> <p>(c) give a copy of the report and any order to</p> <p>(i) the worker who refused to do the work,</p> <p>(ii) the employer,</p> <p>(iii) the joint work site health and safety committee, if one exists,</p> <p>(iv) the health and safety representative, if one exists, and</p> <p>(v) any other person who filed a complaint.</p> <p><b>(4)</b> If the officer decides that a dangerous condition is not present, the officer shall, in writing,</p> <p>(a) inform the employer and the worker of that decision,</p> <p>(b) inform the joint work site health and safety committee, if one exists, or the health and safety representative, if one exists, of that decision, and</p> <p>(c) inform the worker that the worker is no longer entitled to refuse to do the work.</p>		
	<p><b>Worker entitled to be paid despite refusal</b></p> <p><b>33(1)</b> If a worker has refused to work or to do particular work under section 31(1),</p> <p>(a) the worker is entitled to the same wages and</p>		

	<p>benefits that the worker would have received had the worker continued to work, and</p> <p style="padding-left: 40px;">(b) the employer may reassign the worker temporarily to alternate work.</p> <p><b>(2)</b> A work reassignment under subsection (1)(b) is not considered discriminatory action for the purposes of section 35.</p>		
	<p><b>Employer not to make worker work in dangerous conditions</b></p> <p><b>34(1)</b> When the employer or supervisor at a work site knows or ought to know of a condition at the work site that is or is likely to be dangerous to the health and safety of a worker, the employer or supervisor shall not require or permit any worker to do that work until the dangerous condition is remedied.</p> <p><b>(2)</b> Subject to section 31, nothing in subsection (1) prevents the doing of any work or thing at a work site that may be necessary to remedy a condition that is or is likely to be dangerous to the health and safety of a worker.</p>		
	<p><b>Prohibition of discriminatory action</b></p> <p><b>35</b> No person shall take any discriminatory action against a worker, by reason of that worker</p> <p style="padding-left: 40px;">(a) acting in compliance with this Act, the regulations, the OHS code or an</p>		

	<p>order given under this Act, the regulations or the OHS code or the terms, conditions or requirements on an acceptance under section 55 or on an approval under section 56,</p> <p>(b) being called to testify, intending to testify or testifying in a proceeding under this Act,</p> <p>(c) giving relevant information about work site conditions affecting the health and safety of any worker engaged in work or any other person present at the work site to any of the following:</p> <p>(i) an employer or a person acting on behalf of an employer;</p> <p>(ii) an officer or another person concerned with the administration of this Act, the regulations or the OHS code;</p> <p>(iii) a joint work site health and safety committee or a health and safety representative,</p> <p>(d) performing duties or exercising rights as a member of a joint work site health and safety committee or as a health and safety representative,</p> <p>(e) assisting or having assisted with the activities of a joint work site health and safety committee or health and safety representative,</p> <p>(f) refusing to do work under section 31(1),</p>		
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	<p>(g) seeking to establish a joint work site health and safety committee or have a health and safety representative designated,</p> <p>(h) being prevented from working because of an order under this Act, the regulations or the OHS code, and</p> <p>(i) taking reasonable action to protect the health and safety of that worker or any other person.</p>		
	<p><b>Discriminatory action complaint</b></p> <p><b>36(1)</b> A worker who has reasonable cause to believe that the worker has been subjected to discriminatory action in respect of an alleged contravention of section 35 may file a complaint with an officer.</p> <p><b>(2)</b> An officer who receives a complaint under subsection (1) shall investigate, make a decision and prepare a written report of the worker's complaint, the investigation and the decision of the officer and shall give the worker and the employer a copy of the report.</p> <p><b>(3)</b> If, in the opinion of the officer, discriminatory action has occurred, the officer shall in writing order an employer to do one or more of the following:</p> <p>(a) cease the discriminatory action;</p> <p>(b) reinstate the worker to the worker's former</p>		

	<p>employment under the same terms and conditions under which the worker was formerly employed;</p> <p>(c) pay the worker not more than the equivalent of wages and benefits that the worker would have earned if the worker had not been subjected to discriminatory action;</p> <p>(d) remove any reprimand or other reference to the matter from the worker's employment records;</p> <p>(e) other measures to prevent recurrence.</p> <p><b>(4)</b> A worker or an employer who receives a report under subsection (2) may appeal the matter to the appeal body under section 71 by serving a notice of appeal on the appeal body within 30 days from the receipt of the report.</p> <p><b>(5)</b> If an officer determines that discriminatory action has been taken against a worker who has acted or participated in an activity described in section 35,</p> <p>(a) there is a presumption in favour of the worker that the discriminatory action was taken against the worker because the worker acted or participated in an activity described in section 35, and</p> <p>(b) the onus is on the employer to establish that the discriminatory action was taken against the worker for a reason</p>		
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	other than acting or participating in an activity described in section 35.		
<i>Occupational Health and Safety Regulation, Alta Reg 62/2003</i>			
	<p><b>Hazardous occupation</b>  <b>4</b> For the purposes of <u>section 1(t)</u> of the Act, the occupation of a person who works with asbestos, silica, coal dust or lead is designated as a hazardous occupation.</p> <p><b>Hazardous work site</b>  <b>5</b> For the purposes of <u>section 1(u)</u> of the Act, a blasting area and an area of a work site where there is a reasonable chance that the airborne concentration of asbestos, silica, coal dust or lead exceeds or may exceed the occupational exposure limit for one or more of the substances under an adopted code are each designated as a hazardous work site.</p>		
	<p><b>General protection of workers</b>  <b>13(1)</b> If work is to be done that may endanger a worker, the employer must ensure that the work is done</p> <ul style="list-style-type: none"> <li>(a) by a worker who is competent to do the work, or</li> <li>(b) by a worker who is working under the direct supervision of a worker who is competent to do the work.</li> </ul> <p><b>(2)</b> An employer who develops or implements a procedure or other measure respecting the work at a</p>		

	<p>work site must ensure that all workers who are affected by the procedure or measure are familiar with it before the work is begun.</p> <p><b>(3)</b> An employer must ensure that workers who may be required to use safety equipment or personal protective equipment are competent in the application, care, use, maintenance and limitations of that equipment.</p>		
	<p><b>Safety training</b></p> <p><b>15(1)</b> An employer must ensure that a worker is trained in the safe operation of the equipment the worker is required to operate.</p> <p><b>(2)</b> An employer must ensure that the training referred to in subsection (1) includes the following: [...]</p> <p>(h) the hazards specific to the operation of the equipment at the work site.</p> <p><b>(3)</b> If a worker may be exposed to a harmful substance at a work site, an employer must [...]</p> <p>(iii) is informed of the health hazards associated with exposure to the harmful substance.</p>	Positive obligation of employer and right to know	Next step or future research: how does this 'right to know' play out in the workplace
SASKATCHEWAN			
<i>The Occupational Health and Safety (Workplace Hazardous Materials Information System) Regulations, RRS c S-15 Reg 6</i>			
	<p><b>Certain products exempted</b></p> <p>3(1) Subject to subsections (2) to (6), these regulations apply to employers</p>		

	<p>and workers with respect to hazardous products used, stored and handled at a workplace. (2) A supplier label and a supplier safety data sheet are not required for the following hazardous products: (a) an explosive as defined in section 2 of the Explosives Act (Canada); (b) a cosmetic, device, drug or food, as defined in section 2 of the Food and Drugs Act (Canada); (c) a pest control product as defined in subsection 2(1) of the Pest Control Products Act (Canada); (d) a nuclear substance as defined in section 2 of the Nuclear Safety and Control Act (Canada) that is radioactive; (e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act. (3) These regulations do not apply to a hazardous product that is: (a) wood or a product made of wood; (b) tobacco or a product made of tobacco; (c) a manufactured article; or (d) being transported or handled pursuant to The Dangerous Goods Transportation Act and the Transportation of Dangerous Goods Act (Canada). (4) Subject to subsection (5), these regulations do not apply to hazardous waste. (5) An employer shall ensure the safe storage and handling of hazardous waste through a combination of identification of the hazardous waste and worker education and training. (6) The worker education and</p>		
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	training mentioned in subsection (5) must include all hazard information that the employer is, or ought reasonably to be, aware of concerning the hazardous waste.		
<i>The Occupational Health and Safety Act, 1993, SS 1993, c O-1.1</i>			
	3 Every employer shall: (a) ensure, insofar as is reasonably practicable, the health, safety and welfare at work of all of the employer's workers;	Limitation	
	<b>Duty to provide information</b> 9(1) In this section, Arequired information: (a) means any information that an employer, contractor, owner or supplier knows or may reasonably be expected to know, and that: (i) may affect the health or safety of any person who works at a place of employment; or (ii) is necessary to identify and control any existing or potential hazards with respect to any plant or any process, procedure, biological substance or chemical substance used at a place of employment; and  (b) includes any prescribed information.  (2) Subject to section 10 and Part VI, an employer shall provide all required information to the following at a place of employment: (a) the occupational health committee;	Exemption to right to know – trade secrets	

	<p>(b) the occupational health and safety representative; or  (c) the workers, where there is no occupational health committee and no occupational health and safety representative.</p> <p>(3) Subject to Part VI, a contractor shall provide all required information to:  (a) every employer and self-employed person with whom the contractor has a contract; and  b) any occupational health committee established by the contractor.</p> <p>(4) Subject to Part VI, an owner of a plant used as a place of employment shall provide all required information to every contractor, every employer who employs workers who work in or on the plant and every self-employed person who works in or on the plant.</p> <p>(5) Subject to Part VI, every supplier shall provide prescribed written instructions and any other prescribed information to every employer to whom the supplier supplies any prescribed biological substance, chemical substance or plant.</p> <p>Exemption 10(1) Subject to Part VI, an employer, owner, contractor or supplier may apply for an exemption</p>		
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	from the requirements of subsection 9(2), (3), (4) or (5), as the case may be, with respect to information that contains trade secrets of the applicant by submitting a written request to the director.		
MANITOBA			
<i>Manitoba Workplace Safety and Health Act and Regulation, 2016, C W210, 10/02</i>			
	<p><b>Availability of safety data sheets</b></p> <p>35.15(1) An employer must ensure that workers who work with or may be exposed to a hazardous product, and the committee or representative at the workplace can readily access the safety data sheet required for the product under sections 35.13 or 35.14 by having a physical copy of it that can be handled or an electronic copy of it that can be accessed present in an appropriate place at all times.</p> <p>35.15(2) An employer must keep a safety data sheet referred to in subsection (1) for at least 30 years after it was received from the supplier or prepared by the employer.</p>	Not analogous to Ontario Right to Know provision	
	<p><b>Right to refuse dangerous work</b></p> <p><b>43(1)</b> Subject to this section, a worker may refuse to work or do particular</p>		

	<p>work at a workplace if he or she believes on reasonable grounds that the work constitutes a danger to his or her safety or health or to the safety or health of another worker or another person.</p> <p><b>Reporting the refusal</b></p> <p><b>43(2)</b> A worker who refuses to work or do particular work under subsection (1) shall promptly report the refusal and the reasons for it to his or her employer or immediate supervisor, or to any other person in charge at the workplace.</p> <p><b>Inspecting dangerous conditions</b></p> <p><b>43(3)</b> If the employer does not remedy the dangerous condition immediately, the person who receives the report of refusal to work, or a person designated by that person, shall immediately inspect the dangerous condition in the presence of the worker and one of the following persons:</p> <p>(a) if there is a committee under section 40, the worker co-chairperson of the committee or, if that person is unavailable, a committee member who represents workers;</p> <p>(b) if there is a representative designated under section 41, that representative or, if he or she is unavailable, another worker selected</p>		
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	<p>by the worker refusing to do the work;  (c) if there is no committee or representative, another worker selected  by the worker who is refusing to work.  The Workplace Safety And Health Act 47  <b>Remedial action</b>  <b>43(4)</b> The person required to inspect the dangerous condition shall take any action necessary to remedy any dangerous condition, or ensure that such action is taken.  <b>Worker may continue to refuse</b>  <b>43(5)</b> Until the dangerous condition is remedied, the worker who reported  it may continue to refuse to work or do particular work.  <b>Other workers not to be assigned</b>  <b>43(6)</b> When a worker has refused to work or do particular work under subsection (1), the employer shall not request or assign another worker to do the work unless  (a) the employer has advised the other worker, in writing, of  (i) the first worker's refusal,  (ii) the reasons for the refusal,  (iii) the other worker's right to refuse dangerous work under this section, and  (iv) the reason why, in the opinion of the employer, the work does not constitute a danger to the safety or health of the other worker,</p>		
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	<p>another worker or any person;  (b) where practicable, the first worker has advised the other worker of  (i) the first worker's refusal, and  (ii) the reasons for the refusal; and  (c) the actions required by subsections (3) and (4) have been taken.  S.M. 2002, c. 33, s. 34; S.M. 2013, c. 9, s. 22.</p>		
	<p><b>Report of dangerous condition to an officer</b>  <b>43.1(1)</b> If the dangerous condition is not remedied after an inspection under subsection 43(3), any of the persons present during the inspection may notify a safety and health officer of the refusal to work and the reasons for it.  <b>Investigation by officer</b>  <b>43.1(2)</b> On receiving a notice under subsection (1), the officer shall investigate the matter and decide whether the work the worker has refused to do constitutes a danger to the safety or health of the worker or any other worker or person at the workplace.  48 The Workplace Safety And Health Act  <b>Order by officer</b>  <b>43.1(3)</b> If the officer decides that the work is dangerous, he or she shall  (a) make a written report stating the officer's findings;</p>		

	<p>(b) make any improvement order under section 26 or stop work order under section 36 that the officer considers necessary or advisable; and</p> <p>(c) give a copy of the report and any order to</p> <p>(i) the worker who refused to do the work,</p> <p>(ii) the employer, and</p> <p>(iii) the co-chairpersons of the committee, or the representative.</p> <p><b>Decision not to issue an order</b></p> <p><b>43.1(4)</b> If the officer decides that the work is not dangerous, he or she shall, in writing,</p> <p>(a) inform the employer and the worker of that decision; and</p> <p>(b) inform the worker that he or she is no longer entitled to refuse to do the work.</p> <p>S.M. 2002, c. 33, s. 34; S.M. 2013, c. 9, s. 23.</p>		
	<p><b>Worker entitled to be paid despite refusal</b></p> <p><b>43.2</b> If a worker has refused to work or do particular work under section 43,</p> <p>(a) the worker is entitled to the same wages and benefits that he or she would have received had the worker continued to work; and</p> <p>(b) the employer may re-assign the worker temporarily to alternate work.</p> <p>S.M. 2002, c. 33, s. 34.</p>		

	<p><b>Employer not to make worker work in unsafe conditions</b></p> <p><b>43.3(1)</b> When the employer at a workplace or his or her agent, or the supervisor or another person representing the employer at the workplace in a supervisory capacity, knows or ought to know of a condition at the workplace that is or is likely to be dangerous to the safety or health of a worker, he or she shall not require or permit any worker to do that work until the dangerous condition is remedied. Employer may remedy dangerous condition</p> <p><b>43.3(2)</b> Subject to subsection 43(5), nothing in subsection (1) prevents the doing of any work or thing at a workplace that may be necessary to remedy a condition that is or is likely to be dangerous to the safety or health of a worker.</p>		
ONTARIO			
<i>Occupational Health and Safety Act, RSO 1990, c O.1</i>			
	<p>Part IV Toxic Substances Section 37: Hazardous material identification and data sheets</p> <p><b>Hazardous material identification and data sheets</b></p> <p><b>37 (1)</b> An employer,</p>	Right to know	<p>See fact sheet: <a href="https://www.ihsa.ca/pdfs/safety_talks/workers_rights.pdf">https://www.ihsa.ca/pdfs/safety_talks/workers_rights.pdf</a></p> <p>See CELA comment: <a href="https://www.cela.ca/newsevents/media-release/new-products-law-will-">https://www.cela.ca/newsevents/media-release/new-products-law-will-</a></p>

	<p>(a) shall ensure that all hazardous materials present in the workplace are identified in the prescribed manner;</p> <p>(b) shall obtain or prepare, as may be prescribed, a current safety data sheet for all hazardous materials present in the workplace; and</p> <p>(c) shall ensure that the identification required by clause (a) and safety data sheets required by clause (b) are available in English and such other languages as may be prescribed.</p>		<p><u><a href="#">add-needed-powers-react-problems-improvements-needed-</a></u></p>
	<p>Part V Right to Refuse or Stop Work Where Health or Safety in Danger</p> <p>43 (3) A worker may refuse to work or do particular work where he or she has reason to believe that,</p> <p>(a) any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;</p> <p>(b) the physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself;</p> <p>(b.1) workplace violence is likely to endanger himself or herself; or</p> <p>(c) any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself</p>	<p>Right to refuse</p> <p>Certain professions are exempt from this right to refuse work (i.e. Ambulance service and first aid, correctional facilities, firefighters etc. see section 43(2)).</p>	<p>The Occupational Health and Safety Act should be amended to provide a right to refuse environmentally damaging work, similar to the existing right to refuse dangerous work.</p> <p>See:  <a href="https://www.cela.ca/sites/default/files/uploads/361democracy.pdf">https://www.cela.ca/sites/default/files/uploads/361democracy.pdf</a></p>

	or another worker. R.S.O. 1990, c. O.1, s. 43 (3); 2009, c. 23, s. 4 (2).		
<i>Health Protection &amp; Promotion Act, RSO 1990, c H 7</i>			
	<p><b>Asbestos abatement training programs</b></p> <p><b>20.</b> (1) The employer shall ensure that,</p> <p>(a) every worker involved in a Type 3 operation has successfully completed the Asbestos Abatement Worker Training Program approved by the Ministry of Advanced Education and Skills Development; and</p> <p>(b) every supervisor of a worker involved in a Type 3 operation has successfully completed the Asbestos Abatement Supervisor Training Program approved by the Ministry of Advanced Education and Skills Development. O. Reg. 278/05, s. 20 (1); O. Reg. 62/18, s. 2 (1).</p> <p>(2) The employer shall ensure that every worker and supervisor successfully completes the appropriate program required under subsection (1) before performing or supervising the work to which the program relates. O. Reg. 278/05, s. 20 (2).</p>	Section 20: Asbestos abatement training programs	

	<p>(3) A document issued by the Ministry of Advanced Education and Skills Development, showing that a worker has successfully completed a program mentioned in subsection (1), is conclusive proof, for the purposes of this section, of his or her successful completion of the program.</p>		
	<p><b>Asbestos Workers Register</b>  <b>22.</b> (1) The Provincial Physician, Ministry of Labour, shall establish and maintain an Asbestos Workers Register listing the name of each worker for whom an employer submits an asbestos work report under section 21. O. Reg. 278/05, s. 22 (1).  (2) On the recommendation of the Provincial Physician, a worker who is listed in the Register may volunteer to undergo the prescribed medical examination described in paragraph 1 of subsection (4). O. Reg. 278/05, s. 22 (2).  (3) A worker who has undergone the prescribed medical examination described in paragraph 1 of subsection (4) may volunteer to undergo subsequent examinations of the same type if they are recommended by his or her physician. O. Reg. 278/05, s. 22 (3).  (4) The following medical examinations are prescribed for the purposes of subsection 26 (3) of the Act:</p>	<p>Section 22 workers registry (mandatory), medical (voluntary)</p>	

	<p>1. An examination consisting of a medical questionnaire, chest x-rays and pulmonary function tests.</p> <p>2. A subsequent examination that consists of the components described in paragraph 1, is recommended by the worker's physician and takes place at least two years after the most recent examination. O. Reg. 278/05, s. 22 (4).</p> <p>(5) A worker who is removed from exposure to asbestos because an examination discloses that he or she may have or has a condition resulting from exposure to asbestos and suffers a loss of earnings as a result of the removal from exposure to asbestos is entitled to compensation for the loss in the manner and to the extent provided by the <i>Workplace Safety and Insurance Act, 1997</i>.</p>		
<p><i>O. Reg 490/09: Designated Substances pursuant to Occupational Health and Safety Act</i></p>			
	<p>Section 15-18 (Employer Duties): Duty to third party workers, duty to limit airborne exposure and when employer needs to provide respiratory equipment</p>		
<p><i>Mining and Mining Plants, RRO 1990, Reg 854 pursuant to Occupational Health and Safety Act</i></p>			

	<p>Section 1: definition of health hazard</p> <p>Section 11: Complaint re health hazard related to occupational or environmental health (medical officer of health shall investigate the complaint to determine whether the health hazard exists)</p>	Scope of application	
	<p><b>43.</b> Any dangerous, flammable or explosive material or substance in a solid, liquid or gaseous state, or any combination thereof, other than explosive, that is kept, stored or handled, in a mining plant shall, [...] (b) have labels on the container identifying the material or substance and warning of the hazards involved therewith;</p>	Labelling	
<p>QUEBEC</p>			
<p><i>Act Respecting Occupational Health and Safety, S-2.1</i></p>			
	<p><u>12.</u> A worker has a right to refuse to perform particular work if he has reasonable grounds to believe that the performance of that work would expose him to danger to his health, safety or physical well-being, or would expose another person to a similar danger.</p> <p><u>13.</u> No worker may, however, exercise his right under section 12 if his refusal to perform the work puts the life, health, safety or physical well-being of another person in</p>		

	<p>immediate danger or if the conditions under which the work is to be performed are ordinary conditions in his kind of work.</p> <p><u>14.</u> Until an executory decision is rendered ordering a worker to resume work, the employer shall not, subject to section 17 and the second paragraph of section 19, have the work performed by another worker or by a person who ordinarily works outside the establishment and a worker who is exercising his right of refusal is deemed to be at work.</p> <p><u>15.</u> Where a worker refuses to perform particular work, he must immediately inform his supervisor, his employer or an agent of his employer; if none of these persons is present at the workplace, the worker must take reasonable steps to ensure that one of them is informed as soon as possible.</p> <p><u>16.</u> On being informed, the supervisor or, as the case may be, the employer or his agent shall convoke the safety representative to examine the matter and the corrective measures he intends to apply. If there is no safety representative or if he is not available, the safety representative is replaced by a representative of the worker's certified association, if any, and if he</p>		
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	<p>is available, or if none is available, by any other worker designated by the worker who refuses to perform his work.</p> <p><u>17.</u> If the worker maintains his refusal to perform the work when his supervisor or, as the case may be, the employer or his agent and the safety representative or the person replacing him are of opinion that no danger exists to justify the worker's refusal to work or that his refusal to work is based on grounds that are acceptable in the particular case of that worker but do not justify another worker's refusing to perform the work, the employer may, notwithstanding section 14, have the work performed by another worker. That other worker may accept to perform the work after being informed that the right of refusal has been exercised, and of the reasons therefor.</p> <p><u>18.</u> After the situation has been examined, the intervention of an inspector may be required by</p> <ol style="list-style-type: none"><li>(1) the worker, if he maintains his refusal to perform the work;</li><li>(2) the safety representative or the person replacing him if he believes that the performance of the work exposes the worker to danger to his health, safety or physical well-being or exposes another person to similar danger; or</li></ol>		
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	<p>(3) the employer or his agent, if he believes that the performance of the work does not expose the worker to danger to his health, safety or physical well-being or does not expose another person to such danger, or that the corrective measures taken have dissipated the danger.</p> <p><u>19.</u> The inspector shall determine immediately whether or not a danger exists that would justify the worker's refusal to work. He may require the worker to resume his work. He may also prescribe temporary measures and require that corrective measures be taken within such time as he may determine.</p> <p>If, in the inspector's opinion, the refusal to work is based on grounds that are acceptable in the particular case of that worker but do not justify another worker's refusing to perform the work, the employer may, notwithstanding section 14, have the work performed by another worker, who may agree to perform it after being informed of the fact that the right of refusal has been exercised, and of the reasons therefor.</p> <p>The inspector's decision must be substantiated and recorded in writing. It is transmitted by registered mail to the worker, the safety representative or the person</p>		
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	<p>replacing him, and to the employer or his agent.</p> <p><u>20.</u> The inspector's decision may be the object of an application for review and a contestation before the Administrative Labour Tribunal in accordance with sections 191.1 to 193. The inspector's decision has effect immediately, notwithstanding any application for review.</p> <p><u>24.</u> A final decision applies as long as the circumstances remain unchanged.</p> <p><u>25.</u> An employer may require a worker who has exercised his right to refuse to work to remain at the workplace and assign him temporarily to other duties that he is reasonably capable of performing.</p> <p><u>26.</u> In cases where the exercise of the right to refuse to work prevents at least two other workers from working, the inspector must be present on the premises not later than six hours after his intervention has been required. If the inspector is not present within the prescribed time, the employer may, notwithstanding section 14, have the work performed by another worker who agrees to do the work after being informed that the right of refusal has been exercised, and of the reasons therefor.</p>		
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	<p><u>27.</u> Where several workers refuse to perform particular work by reason of the same danger, their cases are examined jointly and may be the subject of a decision concerning them jointly.</p> <p><u>28.</u> Where the exercise of the right of refusal results in depriving of work other workers in the undertaking, these other workers are deemed to be at work for the duration of the work stoppage. The employer may, however, assign the other workers to other duties that they are reasonably capable of performing or require that they remain available at the workplace during the whole period thus remunerated.</p> <p><u>29.</u> The employer must allow the safety representative or, as the case may be, the person replacing him, to exercise the functions vested in him by sections 16, 18, 21 and 23. The safety representative or the person replacing him is deemed to be working when he is exercising the functions vested in him referred to in this section.</p> <p><u>30.</u> No employer may dismiss, suspend or transfer a worker, practise discrimination or take reprisals against him or impose any other penalty on him on the ground</p>		
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	<p>that the worker exercised the right contemplated in section 12. However, the employer may, within the 10 days following a final decision, dismiss, suspend or transfer the worker or impose another penalty on him if the worker abused his right.</p> <p><u>31.</u> No employer may dismiss, suspend or transfer a safety representative or the person replacing him, practise discrimination or take reprisals against him or impose any other penalty on him on the ground that the safety representative or person replacing him exercised a function conferred on him by this Act. However, the employer, within the 10 days following a final decision respecting a worker's exercise of his right of refusal, may dismiss, suspend or transfer the safety representative or person replacing him or impose another penalty on him if the representative or person abused his function.</p>		
	<p><u>62.1.</u> Except in the cases provided for by regulation, no employer may allow a hazardous product to be used, handled or stored in a workplace unless the product has a label and a safety data sheet that comply with this subdivision and the regulations under it and unless a worker who is exposed or likely to</p>		

	<p>be exposed to the product has received the training and information required to safely carry out the work entrusted to him.</p> <p>An employer may, however, store a hazardous product that does not have such a label or safety data sheet in a workplace or allow it to be handled for storage purposes under conditions prescribed by regulation, if he takes, without delay, the steps necessary to ensure that the product has such a label and safety data sheet and if the worker is given, as soon as possible, the training and information regarding handling and storage that is included in the program required under section 62.5.</p> <p>Despite sections 10 and 11, the training obligation provided for in this section does not apply to the persons described in paragraph 2 of the definition of “worker” in section 1.</p> <p><u>62.4.</u> The label, sign and safety data sheet concerning a hazardous product must be in French. The French text may be accompanied with one or several translations.</p> <p><u>62.6.</u> Subject to the cases provided for by regulation, an employer must,</p>		
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	<p>in respect of every hazardous product present in a workplace,</p> <p>(1) transmit a copy of the safety data sheet concerning the controlled product to the health and safety committee, the prevention representative or, where there is no health and safety committee or prevention representative, to the certified association or, where there is no certified association, to the representative of the workers within the establishment;</p> <p>(2) keep and make readily available to every worker, in the workplace, the safety data sheet concerning the controlled product, in accordance with the regulations;</p> <p>(3) subject to section 62.7, disclose, on request, to any interested worker of the establishment, to the health and safety committee or to the prevention representative or, where there is no health and safety committee or prevention representative, to the certified association or, where there is no certified association, to the representative of the workers within the establishment, the sources of information in his possession relating to any toxicological data used in preparing the safety data sheet.</p> <p>For the purposes of subparagraph 2 of the first paragraph, an employer must consult the health and safety committee or, in the absence of such</p>		
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	a committee, the certified association or, if there is no certified association, the workers or their representative, as the case may be, on the best way to make safety data sheets available in the workplace		
	<p><b>268.</b> An annual survey of use by mass of potentially hazardous chemical reagents shall be made in a mining plant.</p> <p><b>269.</b> Where a potentially hazardous chemical reagent has caused a medical or compensable injury,</p> <p>(a) an annual record shall be maintained for the reagent,</p> <p>(i) specifying its trade name and chemical composition, and</p> <p>(ii) identifying all possible toxic chemical elements and compounds of the reagent;</p> <p>(b) a record of the injury caused by the reagent shall be kept.</p>	Availability of data to workers?	
NEW BRUNSWICK			
<i>Occupational Health and Safety Act, SNB 1983, c O-0.2</i>			
	<p>Posting of copy of Act and regulations and notices</p> <p>44(1) Every owner or employer shall keep posted in a prominent place or places at the place of employment where they are most likely to come to the attention of the employees</p>		

	<p>(a) a copy of this Act and the regulations;  (b) in addition to such notices and reports as are otherwise required by this Act or the regulations to be posted, any notice which an officer considers advisable to enable employees to become acquainted with their rights, liabilities and duties under this Act and the regulations.</p> <p>44(2) Subsection (1) does not apply to a vehicle.</p>		
	<p><b>RIGHT TO REFUSE</b>  <b>Employee's right to refuse to do any act</b>  <b>19</b> An employee may refuse to do any act where he has reasonable grounds for believing that the act is likely to endanger his health or safety or the health or safety of any other employee.  2001, c.35, s.8</p>	<p>Right to refuse</p>	
	<p><b>Duty to report and take or recommend remedial action</b>  <b>20(1)</b> Any employee who believes that an act is likely to endanger his or any other employee's health or safety shall immediately report his concern to his supervisor, who shall promptly investigate the situation in the presence of the employee.  <b>20(2)</b> Where a supervisor finds that the employee has</p>		

	<p>reasonable grounds for believing that an act is likely to endanger his health or safety or the health or safety of any other employee, he shall take appropriate remedial action or recommend appropriate remedial action to the employer.</p> <p><b>20(3)</b> Where a supervisor finds the employee does not have reasonable grounds for believing that an act is likely to endanger his health or safety or the health or safety of any other employee, he shall advise the employee to do that act.</p> <p><b>20(4)</b> Where an employee has made a report under subsection (1) and the matter has not been resolved to his satisfaction, he shall refer the matter to a committee or, where there is no committee, to an officer.</p> <p><b>20(5)</b> Upon receipt of a referral under subsection (4), the committee shall promptly investigate the situation.</p> <p><b>20(6)</b> Where a committee finds that the employee has reasonable grounds for believing that an act is likely to endanger his health or safety or the health or safety of any other employee, the committee shall recommend appropriate</p>		
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	<p>remedial action to the employer.</p> <p><b>20(7)</b> Where a committee finds that the employee does not have reasonable grounds for believing that an act is likely to endanger his health or safety or the health or safety of any other employee, the committee shall advise the employee to do that act.</p> <p><b>20(8)</b> Where a matter has been referred to a committee under subsection (4) and the matter is not resolved to the satisfaction of the employee, the employee shall refer the matter to an officer.</p> <p><b>20(9)</b> Upon receipt of a referral under subsection (4) or (8), the officer shall promptly investigate the situation and make his findings known in writing as soon as is practicable to the employer, the employee and the committee, if any, as to whether the employee has reasonable grounds for believing that an act is likely to endanger his health or safety or the health and safety of any other employee.</p> <p><b>20(10)</b> Where, on a referral to an officer under subsection (4) or (8), the officer finds that an employee has reasonable grounds for believing that an act is likely to endanger</p>		
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	<p>his health or safety or the health or safety of any other employee, the officer shall order appropriate remedial action to be taken by the employer.</p> <p><b>20(11)</b> Where, on a referral to an officer under subsection (4) or (8), the officer finds that an employee does not have reasonable grounds for believing that an act is likely to endanger his health or safety or the health or safety of any other employee, the officer shall advise the employee in writing to do that act.</p> <p><b>20(11.1)</b> Subsections 32(2) and (3) apply with the necessary modifications to advice given in writing by an officer under subsection (11).</p> <p><b>20(12)</b> Pending any investigation under this section or, if an appeal is taken by an employee against the advice of an officer given under subsection (11), pending the decision of the Chief Compliance Officer, the employee shall remain available at a safe place near his or her work station during his or her normal work hours.</p>		
	<p><b>Protection of employee's right</b></p> <p><b>21(1)</b> An employee's right under section 19 to refuse</p>		

	<p>to do any act is protected,</p> <p>(a) if he has reported his concern to his supervisor under section 20,</p> <p>(i) until remedial action recommended by the supervisor under section 20 is taken by the supervisor or employer to the employee's satisfaction, or</p> <p>(ii) until the supervisor has advised the employee under section 20 to do that act;</p> <p>(b) if the employee has referred the matter to a committee under section 20,</p> <p>(i) until remedial action recommended by the committee under section 20 is taken by the employer to the employee's satisfaction, or</p> <p>(ii) until the committee has advised the employee under section 20 to do that act;</p> <p>(c) if the employee has referred the matter to an officer under section 20,</p> <p>(i) until remedial action ordered by the officer under section 20 is taken by the employer to the officer's satisfaction, or</p> <p>(ii) until the officer has advised the employee under section 20 to do that act, and</p> <p>(d) if the employee has appealed the advice of an</p>		
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	<p>officer given under subsection 20(11) to the Chief Compliance Officer, until the decision of the Chief Compliance Officer is rendered.</p> <p><b>21(2)</b> Where an employee has refused to do an act pursuant to section 19, the employer shall not assign another employee to perform that act unless that other employee has been advised by the employer of such refusal and the reasons therefor and of his rights under this Act.</p>		
	<p><b>Protection of employee's right</b>  <b>Protection du droit du salarié</b></p> <p><b>22(1)</b> Subject to subsection (2), where an employee has refused to do an act pursuant to section 19 and his right to refuse is protected under section 21, his employer may reassign him temporarily to perform other acts or to other work that is reasonably equivalent to the acts or work he normally performs and the employer shall pay that employee the same wages and grant him the same benefits as he would have received if he had not refused to do the act.</p> <p><b>22(2)</b> Where a collective agreement is in force, any reassignment referred to in subsection (1) shall be made in accordance with the collective agreement.</p>		

	<p><b>Protection of employee's right</b>  <b>Protection du droit du salarié</b>  <b>23</b> Where an employee has reasonably refused to do an act pursuant to section 19, his right to refuse is protected under section 21 and he has not been reassigned to do other acts or work under section 22, the employer shall pay that employee the same wages and grant him the same benefits as he would have received if he had not refused to do the act.</p>		
	<p><b>DISCRIMINATORY ACTION</b></p> <p><b>Discriminatory action prohibited</b>  <b>24(1)</b> No employer or union shall  (a) take any discriminatory action against an employee,  or  (b) threaten to take any discriminatory action against an employee or intimidate or coerce any employee,  because the employee has sought the enforcement of this Act, the regulations or an order made in accordance with this Act or the regulations, or has acted in compliance with this Act, the regulations or an order made in accordance with this act or the regulations or has sought enforcement of the <i>Smoke-free Places Act</i> or the regulations</p>		

	<p>or an order made under that Act as that Act or the regulations or orders under that Act relate to a place of employment under this Act.</p> <p><b>24(2)</b> A reassignment under section 22 is not discriminatory action under this section.</p>		
	<p><b>Complaint of discriminatory action</b></p> <p><b>25(1)</b> Where an employee complains that an employer or union has violated section 24, the employee may either have the matter dealt with by final and binding settlement by arbitration under a collective agreement, if any, or file a complaint in writing with the Commission.</p> <p><b>25(1.1)</b> A complaint referred to in subsection (1) shall be filed with the Commission not later than one year after the violation of section 24 complained of.</p> <p><b>25(2)</b> Where the Commission receives a complaint referred to in subsection (1) within the time limit prescribed in subsection (1.1), the Commission shall refer the complaint to an arbitrator whom the Commission shall appoint.</p>		
NOVA SCOTIA			
<i>Occupational Health and Safety Act, SNS 1996, c 7</i>			
	<p>Duty of employer to post certain information</p> <p>37 The employer shall</p>	<p>Section 39 talks about Duty of employer to provide certain information like posting compliance</p>	

	<p>(a) post and maintain the current names of the committee members or the representative, if any, and the means of contacting them; and</p> <p>(b) post promptly, where there is a committee, the minutes of the most recent committee meeting and ensure they remain posted until superseded by minutes of the next committee meeting.</p>	<p>orders, but does not discuss hazardous materials</p>	
	<p>Right to refuse work and consequences of refusal</p> <p>43 (1) Any employee may refuse to do any act at the employee's place of employment where the employee has reasonable grounds for believing that the act is likely to endanger the employee's health or safety or the health or safety of any other person until</p> <p>(a) the employer has taken remedial action to the satisfaction of the employee; (b) the committee, if any, has investigated the matter and unanimously advised the employee to return to work; or</p> <p>(c) an officer has investigated the matter and has advised the employee to return to work.</p> <p>(2) Where an employee exercises the employee's right to refuse to work pursuant to subsection (1), the employee shall</p> <p>(a) immediately report it to a supervisor;</p>		

	<p>(b) where the matter is not remedied to the employee's satisfaction, report it to the committee or the representative, if any; and</p> <p>(c) where the matter is not remedied to the employee's satisfaction after the employee has reported pursuant to clauses (a) and (b), report it to the Division.</p> <p>(3) At the option of the employee, the employee who refuses to do any act pursuant to subsection (1) may accompany an officer or the committee or representative, if any, on a physical inspection of the workplace, or part thereof, being carried out for the purpose of ensuring others understand the reasons for the refusal.</p> <p>(4) Notwithstanding subsection 50(8), an employee who accompanies an officer, the committee or a representative, as provided in subsection (3), 28 occupational health and safety 1996, c. 7 JUNE 12, 2017 shall be compensated in accordance with subsection (7), but the compensation shall not exceed that which would otherwise have been payable for the employee's regular or scheduled working hours.</p> <p>(5) Subject to any applicable collective agreement, and</p>		
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	<p>subsection (3), where an employee refuses to do work pursuant to subsection (1), the employer may reassign the employee to other work and the employee shall accept the reassignment until the employee is able to return to work pursuant to subsection (1).</p> <p>(6) Where an employee is reassigned to other work pursuant to subsection (5), the employer shall pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued in the employee's normal work.</p> <p>(7) Where an employee has refused to work pursuant to subsection (1) and has not been reassigned to other work pursuant to subsection (5), the employer shall, until clause (1)(a), (b) or (c) is met, pay the employee the same wages or salary and grant the employee the same benefits as would have been received had the employee continued to work.</p> <p>(8) A reassignment of work pursuant to subsection (5) is not discriminatory action pursuant to Section 45.</p> <p>(9) An employee may not, pursuant to this Section, refuse to use or</p>		
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	<p>operate a machine or thing or to work in a place where</p> <p>(a) the refusal puts the life, health or safety of another person directly in danger; or</p> <p>(b) the danger referred to in subsection (1) is inherent in the work of the employee. 1996, c. 7, s. 43.</p> <p>Restriction on assignment of work where refusal 44 Where an employee exercises the employee’s right to refuse to work pursuant to subsection 43(1), no employee shall be assigned to do that work until the matter has been dealt with under that subsection, unless the employee to be so assigned has been advised of (a) the refusal by another employee; (b) the reason for the refusal; and (c) the employee’s rights pursuant to Section 43. 1996, c. 7, s. 44.</p>		
NEWFOUNDLAND			
<i>Occupational Health and Safety Act, RSNL 1990, C O-3</i>			
		Could not locate a “Right to Know”	
	<p><b>Right to refuse to work</b></p> <p><b>45.</b> (1) A worker may refuse to do work that the worker has reasonable grounds to believe is dangerous to his or her health or safety, or the health and safety of another person at the workplace</p>		

	<p>(a) until remedial action has been taken by the employer to the worker's satisfaction;</p> <p>(b) until the committee or worker health and safety representative has investigated the matter and advised the worker to return to work; or</p> <p>(c) until an officer has investigated the matter and has advised the worker to return to work.</p> <p>(2) Where a worker refuses to do work under subsection (1) his or her employer may reassign the worker to other work that is reasonably equivalent to the work he or she normally performs and the worker shall accept the reassignment until he or she is able to return to work under subsection (1).</p> <p>(3) Where a worker is reassigned to other work under subsection (2) the employer shall pay the worker the same wages or salary and grant him or her the same benefits the worker would have received had the worker continued in his or her normal work.</p> <p>(4) Where a worker has reasonably refused to work under subsection (1) and has not been reassigned to other work under subsection (2) the employer shall pay the worker the same wages or salary and grant the worker the same benefits the worker would</p>		
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	<p>have received had the worker continued to work, until he or she is able to return to work under subsection (1).</p> <p>(5) A reassignment of work under subsection (2) is not discriminatory action under section</p>		
	<p><b>Report to supervisor</b></p> <p><b>46.</b> Where a worker exercises his or her right to refuse to work under section 45, or where he or she believes that a tool, appliance or piece of equipment, or an aspect of the workplace is or may be dangerous to his or her health or that of other workers at the workplace or another person at the workplace, the worker shall immediately report it to his or her supervisor.</p>		
NUNAVUT			
<i>Safety Act, RSNWT 1998, c S-1</i>			
	<p>Posting notice of potential danger</p> <p>12.1. (1) Where a safety officer gives a direction under subsection 12(3), the safety officer shall affix to or near the source of potential danger a notice of the danger in the prescribed form.</p> <p>Removal of notice</p>		

	<p>(2) No person shall remove the notice referred to in subsection (1) unless authorized to do so by the safety officer or by the Chief Safety Officer.</p> <p>Posting notice of danger 15. (1) Where a safety officer gives a direction under section 14, the safety officer shall affix to or near the source of danger, a notice of danger in the prescribed form.</p> <p>Removal of notice (2) No person shall remove the notice referred to in subsection (1) unless authorized to do so by the safety officer or by the Chief Safety Officer</p>		
	<p>Definition of "unusual danger" 13. (1) In this section, "unusual danger" means, in relation to any work, (a) a danger that does not normally exist in that work; or (b) a danger under which a person engaged in that work would not normally carry out his or her work. 7 R.S.N.W.T. 1988,c.S-1</p> <p>Right to refuse work (2) A worker may refuse to do any work where the worker has reason to believe that (a) there exists an unusual danger to the health or safety of the worker;</p>		

	<p>(b) the carrying out of the work is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person; or</p> <p>(c) the operation of any tool, appliance, machine, device or thing is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person.</p> <p>Reporting refusal to work</p> <p>(3) On refusing to work, the worker shall promptly report the circumstances of his or her refusal to the employer or supervisor who shall without delay investigate the report and take steps to eliminate the unusual danger in the presence of the worker and a representative of the worker's union, if there is such, or another worker selected by the worker who shall be made available and who shall attend without delay.</p> <p>Refusal to work following investigation</p> <p>(4) Following the investigation and any steps taken to eliminate the unusual danger, the employer or supervisor, as the case may be, shall notify the worker of the investigation and the steps taken, and where the worker has reasonable grounds to believe that</p> <p>(a) there exists an unusual danger to the health or safety of the worker,</p> <p>(b) the carrying out of the work is likely to cause to exist an unusual</p>		
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	<p>danger to the health or safety of the worker or of any other person, or</p> <p>(c) the operation of any tool, appliance, machine, device or thing is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person, the worker may refuse to work and the employer, supervisor or worker shall without delay notify the Committee or, where there is no Committee, a delegate of the Chief Safety Officer of the refusal to work.</p>		
NORTHWEST TERRITORIES			
<i>Safety Act, SNWT 2003, c 25 s 9.</i>			
	<p>Posting notice of danger</p> <p>12.1. (1) Where a safety officer gives a direction under subsection 12(3), the safety officer shall affix to or near the source of potential danger, a notice of danger in the prescribed form.</p> <p>Removal of notice</p> <p>(2) No person shall remove the notice referred to in subsection (1) unless authorized to do so by the safety officer or by the Chief Safety Officer. S.N.W.T. 2003,s.25,s.8.</p> <p>Posting notice of danger</p> <p>15. (1) Where a safety officer gives a direction under section 14, the</p>	<p>Not fully a right to know - Section 15 deals with posting notice for imminent dangers</p>	

	<p>safety officer shall affix to or near the source of danger, a notice of danger in the prescribed form.</p> <p>Removal of notice  (2) No person shall remove the notice referred to in subsection (1) unless authorized to do so by the safety officer or by the Chief Safety Officer</p>		
	<p>Definition "unusual danger"  13. (1) In this section, "unusual danger" means, in relation to any work, (a) a danger that does not normally exist in that work; or (b) a danger under which a person engaged in that work would not normally carry out his or her work.</p> <p>Right to Refuse Work  (2) A worker may refuse to do any work where the worker has reason to believe that  (a) there exists an unusual danger to the health or safety of the worker;  (b) the carrying out of the work is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person; or  (c) the operation of any tool, appliance, machine, device or thing is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person.</p> <p>Reporting refusal to work  (3) On refusing to work, the worker shall promptly report the</p>		

	<p>circumstances of his or her refusal to the employer or supervisor who shall without delay investigate the report and take steps to eliminate the unusual danger in the presence of the worker and a representative of the worker's union, if there is such, or another worker selected by the worker who shall be made available and who shall attend without delay.</p> <p>Refusal to work following investigation</p> <p>(4) Following the investigation and any steps taken to eliminate the unusual danger, the employer or supervisor, as the case may be, shall notify the worker of the investigation and the steps taken, and where the worker has reasonable grounds to believe that</p> <p>(a) there exists an unusual danger to the health or safety of the worker,</p> <p>(b) the carrying out of the work is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person, or</p> <p>(c) the operation of any tool, appliance, machine, device or thing is likely to cause to exist an unusual danger to the health or safety of the worker or of any other person, the worker may refuse to work and the employer, supervisor or worker shall without delay notify the Committee or, where there is no Committee, a delegate of the Chief Safety Officer of the refusal to work.</p>		
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	<p>Decision of Committee or delegate  (5) The Committee or the delegate of the Chief Safety Officer, as the case may be, shall, within 24 hours after receiving notification, investigate the circumstances that caused the refusal to work in the presence of the employer, or a person representing the employer, and the worker, and decide whether an unusual danger exists or is likely to exist, as the case may be.</p> <p>Performing work if unusual danger exists  (6) Where it is decided under subsection (5) that an unusual danger exists or is likely to exist, as the case may be, no person shall perform the work until (a) the employer has taken steps to eliminate the unusual danger, and (b) the Committee or the delegate of the Chief Safety Officer, as the case may be, is satisfied that the unusual danger no longer exists or is no longer likely to exist, and the Committee or the delegate of the Chief Safety Officer, on being satisfied of that, shall without delay notify the worker that the unusual danger no longer exists or is no longer likely to exist, as the case may be.</p> <p>Where worker to remain pending decision or appeal</p>		
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	<p>(7) Pending the investigation and decision by the Committee or the delegate of the Chief Safety Officer under subsections (5) and (6) or pending an appeal under subsection (9), the worker shall remain in a safe place at or near the place of the investigation during his or her normal working hours unless the employer, subject to the provisions of a collective agreement, if any, assigns the worker to temporary alternative work that the worker is competent to perform.</p> <p>Pay  (8) The worker shall be paid at his or her regular rate of pay during the normal working hours the worker spends at the place of the investigation or in the performance of alternative work.</p> <p>Appeal  (9) The worker or the employer may appeal a decision of the Committee to the Chief Safety Officer who shall, as soon as is practicable, investigate and decide on the matter.</p> <p>Decision  (10) Notwithstanding section 17, the decision of the Chief Safety Officer under subsection (9) is final.</p>		
	<p>Imminent danger  14. Where a safety officer is satisfied that any place, matter or thing constitutes a source of imminent</p>		

	<p>danger to the health or safety of persons employed on or in connection with an establishment (a) the safety officer shall notify the employer or person in charge of the establishment of the danger and give directions in writing to the employer or person in charge directing him or her, within the period of time that the safety officer specifies, (i) to take measures for alleviating or reducing the danger, and (ii) to protect any person from the danger; and (b) the safety officer may, if the safety officer considers that the danger cannot otherwise be alleviated, reduced or protected against immediately, direct that the place, matter or thing shall not be used until the directions of the safety officer are complied with, but nothing in this paragraph prevents the doing of any work or thing necessary for the proper compliance with the direction.</p>		
<p>PRINCE EDWARD ISLAND</p>			
<p><i>Occupational Health and Safety Act, RSPEI 1988, c O-1.01</i></p>			
	<p>Orders where a worker is endangered</p> <p>8(4) Where an officer makes an order under subsection (1) and finds that the contravention determined under subsection (1) is a danger or hazard to the occupational health or</p>		

	<p>safety of a worker, the officer may, in addition to an order made under subsection (1),</p> <p>(a) order that the area, item, place, device, material, process, equipment or machinery shall not be used until the order made under subsection (1) is complied with;</p> <p>(b) order that work stop at the workplace named in the order until the order is cancelled by an officer; or</p> <p>(c) order that the workplace where the contravention exists be cleared of workers and isolated by barricades, fencing or any other means suitable to prevent access by a worker until the danger or hazard to the occupational health or safety of a worker is removed.</p> <p>Posting of order  (5) Where an officer issues an order under subsection (1) or (4), the officer shall post at the workplace or affix to the item, device, material, equipment or machinery in the workplace a copy of the order.</p>		
	<p>REFUSAL TO WORK  28. Right to refuse work  (1) A worker may refuse to do an act at the worker's workplace where the worker has reasonable grounds for believing that the act is likely to endanger the worker's occupational</p>	<p>Right to refuse</p>	

	<p>health or safety or the occupational health and safety of another worker.</p> <p>Report to and investigation by supervisor  (2) A worker who has reason to believe that an act is likely to endanger the worker's occupational health and safety or the occupational health or safety of another worker shall immediately report the concern to the worker's supervisor, who shall promptly investigate the situation in the presence of the worker.</p> <p>Remedial action  (3) Where a supervisor finds that the worker has reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the supervisor shall take appropriate remedial action or recommend appropriate remedial action to the employer.</p> <p>Refusal found groundless  (4) Where a supervisor finds the worker does not have reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the supervisor shall advise the worker to do that act.</p>		
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	<p>Referral to committee or representative  (5) Where a worker has made a report under subsection (2) and the matter has not been resolved to the worker's satisfaction, the worker shall refer the matter to a committee or representative or, where there is no committee or representative, to an officer.</p> <p>Investigation by committee, representative  (6) On receipt of a referral under subsection (5), the committee, representative or officer shall promptly investigate the situation.</p> <p>Remedial action  (7) Where a committee or representative finds that the worker has reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the committee or representative shall recommend appropriate remedial action to the employer.</p> <p>Advised to do act  (8) Where a committee or representative finds that the worker does not have reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker,</p>		
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	<p>the committee or representative shall advise the worker to do that act.</p> <p>Referral to officer  (9) Where a matter has been referred to a committee or representative under subsection (5), and the matter is not resolved to the satisfaction of the worker, the worker may refer the matter to an officer. Occupational Health and Safety Act</p> <p>Investigation by officer  (10) On receipt of a referral under subsection (5) or (9), an officer shall promptly investigate the situation and make the officer's findings known in writing, as soon as is practicable, to the employer, the worker and the committee or representative, if any, as to whether the worker has reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker.</p> <p>Order for remedial action  (11) Where, on a referral under subsection (5) or (9), an officer finds that a worker has reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the officer shall</p>		
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	<p>order remedial action to be taken by the employer.</p> <p>Refusal found groundless by officer  (12) Where, on a referral under subsection (5) or (9), an officer finds that a worker does not have reasonable grounds for believing that an act is likely to endanger the worker's occupational health or safety or the occupational health or safety of another worker, the officer shall advise the worker to do that act.</p> <p>Attendance at workplace  (13) Pending an investigation under this section, the worker shall remain available at the workplace during the worker's normal working hours.</p> <p>29. Protection of worker's right of refusal  (1) A worker's right under subsection 28(1) to refuse to do an act is protected (a) if the worker has reported the concern to the worker's supervisor under subsection 28(2),  (i) until remedial action recommended by the supervisor under subsection 28(3) is taken by the supervisor or employer to the worker's satisfaction, or  (ii) until the supervisor has advised the worker under subsection 28(4) to do that act;</p>		
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	<p>(b) if the worker has referred the matter to a committee or representative under subsection 28(5),</p> <p>(i) until remedial action recommended by the committee or representative under subsection 28(7) is taken by the employer to the worker's satisfaction, or</p> <p>(ii) until the committee or representative has advised the worker under subsection 28(8) to do that act; and</p> <p>(c) if the worker has referred the matter to an officer under section 28(5),</p> <p>(i) until remedial action ordered by the officer under subsection 28(11) is taken by the employer to the officer's satisfaction, or</p> <p>(ii) until the officer has advised the worker under subsection 28(12) to do that act.</p> <p>Duty to advise other workers</p> <p>(2) Where a worker has refused to do an act at the worker's workplace under subsection 28(1), the employer shall not assign another worker to perform that act unless that other worker has been advised by the employer of the refusal and the reasons therefor and of the worker's rights under this Act.</p> <p>Assignment to other work without loss of wages</p> <p>(3) Subject to subsection (4), where a worker has refused to do an act</p>		
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	<p>under subsection 28(1) and the worker's right to refuse is protected under subsection (1), the worker's employer may reassign the worker temporarily to perform other acts or to perform other work that is reasonably equivalent to the acts or work the worker normally performs and the employer shall pay the worker the same wages and grant the worker the same benefits as the worker would have received if he or she had not refused to do the act.</p> <p>Collective agreement applies  (4) Where a collective agreement is in force, a reassignment referred to in subsection (3) shall be made in accordance with the collective agreement.</p> <p>Wages and benefits not affected if refusal upheld  (5) Where a worker has reasonably refused to do an act under subsection 28(1), the worker's right to refuse is protected under subsection (1) and the worker has not been reassigned to perform other acts or to perform other work under subsection (3), the employer shall pay the worker the same wages and grant the worker the same benefits as the worker would have received if he or she had not refused to do the act, if the worker's refusal is upheld.</p>		
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	<p>Frivolous refusal  (6) Where it is determined that the worker's refusal was for frivolous reasons, the worker shall not be entitled to wages and benefits for the applicable time period.  2004,c.42,s.29.</p> <p>30. Discriminatory action  (1) No employer or union shall  (a) take discriminatory action against a worker;  (b) threaten to take discriminatory action against a worker;  (c) except as provided in subsection 29(6), impose a penalty on a worker;  or  (d) intimidate or coerce a worker because the worker has sought the enforcement of this Act, the regulations or an order made in accordance with this Act or the regulations, or has acted in compliance with this Act, the regulations or an order made in accordance with this Act or the regulations.</p> <p>Reassignment  (2) A reassignment under subsection 29(3) is not discriminatory action under this section.</p>		
YUKON			
<i>Occupational Health and Safety Act, RSY 2002, c 159</i>			

	<p><b>Refusal by employee</b></p> <p>15. (1) A worker may refuse to work or do particular work if the worker has reason to believe that</p> <p>(a) the use or operation of a machine, device, or thing constitutes an undue hazard to that worker or any other person; or</p> <p>(b) a condition exists in the workplace that constitutes an undue hazard.</p> <p>(2) A worker who refuses to work or do particular work shall immediately report the circumstances of the matter to their employer or supervisor who shall immediately investigate the situation reported in the presence of the worker and in the presence of</p> <p>(a) the committee, if any;</p> <p>(b) a health and safety representative, if any, who represents the worker; or</p> <p>(c) a worker selected by the employee, who shall be made available and shall attend without delay.</p> <p>(3) After the investigation referred to in subsection (2) and any action taken to remove the hazard, the worker may again refuse to work or do particular work because of that</p>	<p>Right to refuse - specific to hazardous work</p>	
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	<p>hazard if they have reasonable cause to believe that</p> <p>(a) the use or operation of the machine, device, or thing continues to constitute an undue hazard to them or to any other person; or</p> <p>(b) the condition of the workplace continues to constitute an undue hazard.</p> <p>(4) A worker who refuses under subsection (3) to work or do particular work shall immediately report the circumstances of the matter to their employer or supervisor and the employer or supervisor shall then immediately report the circumstances of the matter to a safety officer.</p> <p>(5) No worker may exercise their right under subsection (1) or (3) if their refusal to perform the work puts the life, health, safety, or physical well-being of another person in immediate danger or if the conditions under which the work is to be performed are ordinary conditions in that kind of work. S.Y. 2002, c.159, s.15</p>		
	<p>31 Posting of notices</p> <p>The director may require an employer to post and keep posted a notice relating to the administration</p>		

	<p>or enforcement of this Act or the regulations in a conspicuous place where it is most likely to come to the attention of employees, and the employer shall post and keep posted any such notice. S.Y. 2002, c.159, s.31</p> <p>32 (2)(k) Inspections and tests require an employer to produce material data safety sheets and any other records of information relating to any controlled products or combination of those products used or intended to be used in a workplace.</p> <p>41 Posting of orders and distribution of copies  If a safety officer gives an order in writing or issues a report of an inspection to an employer or person in charge of a workplace, the employer or person in charge shall immediately cause a copy or copies thereof to be posted in a conspicuous place or places in the workplace where it is likely to come to the attention of the workers and shall furnish a copy of the order or report to the health and safety representative and the committee, if any, and the safety officer shall cause a copy thereof to be furnished to the person who complained of the contravention of this Act or the regulations.</p>		
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*Toronto Municipal Code, Chapter 423, Environmental Reporting and Disclosure*

	<p><b>§ 423-1. Definitions</b></p> <p>ENVIRONMENT - The air, land or water of the City of Toronto.</p> <p>FACILITY - A building, equipment, structure, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned and are operated by the same person, or by a person who controls, is controlled by, or is under common control with such person, but does not include a dwelling unit.</p> <p><b>§ 423-2. Duty to report.</b></p> <p>A. A priority substance user for each facility shall submit a report in relation to a priority substance listed in Group A of Schedule A5 that is released, manufactured, processed or otherwise used at that facility: [...]</p> <p><b>§ 423-4. Content of report.</b></p> <p>In addition to information prescribed by the Medical Officer of Health, a report required under this chapter shall be true, accurate and complete, and shall include: A. The name and location of the facility; B. Contact information regarding the person at the facility responsible for the report; C. A statement of</p>	<p>As part of ChemTRAC, the Environmental Reporting and Disclosure Bylaw (<u><a href="#">Municipal Code Chapter 423</a></u>) requires facilities and businesses in the City of Toronto to annually report on the use, manufacture and release of any of the priority substances listed in the bylaw.</p> <p>A facility must report any amount equal to or above the threshold level for the chemicals as set out in the bylaw.</p> <p>ChemTRAC requires businesses to submit chemical data annually to Toronto Public Health by June 30th. To report chemical data, use the ChemTRAC Online Reporting System to submit information to the City.</p>	<p>For the first time in Canada not only large polluters but small and medium sized facilities have to report their use of these substances.</p> <p>See:  <a href="http://www.cela.ca/collections/justice/chemtrac-using-torontos-right-know-bylaw">http://www.cela.ca/collections/justice/chemtrac-using-torontos-right-know-bylaw</a></p>
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	certification in a form prescribed by the Medical Officer of Health; D. The quantity of each priority substance manufactured, processed or otherwise used; E. The quantity of each priority substance released to the environment; and F. The methods used to calculate the quantity of each priority substance		
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