



**EXCELLENCE
AT WORK**

March 25, 2020

Sisters and Brothers,

With the Province deeming most “construction” as an essential service, we must also remember that the designation of essential does not mean that health and safety standards are to be ignored by employers or general contractors. We are working in a time that is unfamiliar and unsettling. With that brings apprehension and uncertainty.

We, however, are not required to work in a dangerous or hazardous environment. As we are all acutely aware the *Occupational Health & Safety Act* permits, where you question the safety of the work environment, the right to refuse work. For your information, I have captioned the relevant articles of the OHSA below and have attached the web address for the Ministry of Labour’s “Work Refusal Information Page”. I have also included the Ministry of Labour reporting line below for your information.

We always advocate that you work safely and be aware of all hazards in the workplace. Please be conscious of your surroundings and WORK SAFE!! Our Business Representatives and Organizers continue to attend sites to help ensure that members concerns are addressed.

If you have any questions about your rights or doubts about your workplace, please call the office or your business representative.

It is inherent upon each of us to protect ourselves and one another.

In Solidarity,

Steven Martin
Business Manager/Financial Secretary
I.B.E.W. Local 353

SM:edr
COPE 343

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

1377 Lawrence Avenue East, Toronto, Ontario, Canada M3A 3P8
416.510.3530 • Fax 416.510.3531 • www.ibew353.org • inquiries@ibew353.org

Serving Our Community Since 1903

Business Manager/ Financial Secretary

Steven Martin

President

Robert White

Vice-President

Jeff Irons

Recording Secretary

Bill Acorn

Treasurer

Jan de Jong

Business Representatives

Jeff Blackwell

Lee Caprio

Sal Maltese

Daryl McKinnon

Craig McLeod

John Mightis

Ken Nicholl

Ted Szwec

Joey Vandenbos

Brian Ware

Brian Wilkie

Chief Counsel

Michael O'Brien

Controller

Jane Clifford

Examining Board

Chris Borgia

Robert McGregor

Karen Pullen

Executive Board

James Belanger

Les Carbonaro

Jodi Hill

Joe Marcello

Howard McFadden

Jason Mitchell

Aaron Zboch-Alves

Organizers

Tony Chiappetta

William Finnerty

Jeff Hegarty

Rudy Lucchesi

Gord Nye

Derrick Smith

Andrew White

WSIB Consultant

Gary Majesky



PART V

RIGHT TO REFUSE OR TO STOP WORK WHERE HEALTH OR SAFETY IN DANGER

Refusal to work

Non-application to certain workers

- 43** (1) This section does not apply to a worker described in subsection (2),
- (a) when a circumstance described in clause (3) (a), (b), (b.1) or (c) is inherent in the worker's work or is a normal condition of the worker's employment; or
 - (b) when the worker's refusal to work would directly endanger the life, health or safety of another person. R.S.O. 1990, c. O.1, s. 43 (1); 2009, c. 23, s. 4 (1).

PART VI

REPRISALS BY EMPLOYER PROHIBITED

No discipline, dismissal, etc., by employer

- 50** (1) No employer or person acting on behalf of an employer shall,
- (a) dismiss or threaten to dismiss a worker;
 - (b) discipline or suspend or threaten to discipline or suspend a worker;
 - (c) impose any penalty upon a worker; or
 - (d) intimidate or coerce a worker,

because the worker has acted in compliance with this Act or the regulations or an order made thereunder, has sought the enforcement of this Act or the regulations or has given evidence in a proceeding in respect of the enforcement of this Act or the regulations or in an inquest under the *Coroners Act*. R.S.O. 1990, c. O.1, s. 50 (1).

Right to refuse or to stop work where health and safety in danger

<https://www.ontario.ca/document/guide-occupational-health-and-safety-act/part-v-right-refuse-or-stop-work-where-health-and-safety-danger>

The Ministry of Labour reporting line is 1-877-202-0008