



# A GUIDE: **Teacher's Right to Refuse Unsafe Work**

## **s. 43 Occupational Health and Safety Act**

Section 43 of Nova Scotia's *Occupational Health and Safety Act* specifies your right to refuse unsafe work. This right is important in all workplaces at all times, but may be especially relevant during Covid-19/Omicron. As a teacher you are an employee with the right to a safe workplace. You have the right to refuse unsafe work if you have *reasonable grounds* to believe that your work is likely to endanger your health or safety or the health or safety of any other person. This is an individual right under section 43 of the *Occupational Health and Safety Act* and cannot be exercised by your union on your behalf. You cannot be subject to reprisal or disciplined for exercising your rights under the OHS Act in good faith.

Although you cannot refuse to work merely because of the Covid-19 pandemic, the pandemic may affect conditions in your workplace, school and classroom. To help you assess whether you have reasonable grounds to refuse unsafe work please refer to the Covid 19 Workplace Safety Checklist.

### **How do Teachers exercise this right?**

In order to exercise this right a Teacher must proceed according to the following steps:

