



Right to Refuse Dangerous Work

Document Number: RHP00011	Procedure – Administrative	Applies To: Oil Sands, Fort Hills, ETF
Revision Date: 2018/06/25 Revision: 1 Review Cycle: 3 years	Document Owner (Title): GM EH&S RMWB	

Purpose/Scope

To ensure a process is in place and followed when an Employee believes on reasonable grounds that a dangerous condition exists which constitutes a credible danger to the Employee's health and safety or to the health and safety of another Employee or another person.

Region

This document applies to work performed at Suncor Energy operating sites in the Wood Buffalo Region that includes Oil Sands, Fort Hills and East Tank Farm. This procedure ensures compliance with Part 4 Section (31) of the Alberta OH&S Act pertaining to Dangerous Work.

Roles and Responsibilities

The following individuals and groups have the following roles and responsibilities:

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| Document Owner | <ul style="list-style-type: none"> Ensures this document is reviewed according to the required revision cycle. Ensures the document is updated to accommodate changes to Suncor, provincial, and federal regulation. Ensures the document is updated to mitigate risks found as the result of an incident. |
| Document Approver | <ul style="list-style-type: none"> Ensures this procedure is necessary and that it aligns with management and company direction. |
| GM, Environment, Health & Safety RMWB | <ul style="list-style-type: none"> Accountable for the evaluation, maintenance, and revision of this standard every three years Ensure all Employees are advised about their right to refuse any work (this is accomplished through the EHS learning unit) if they believe on reasonable grounds that a dangerous condition at the work site exists, or that the work constitutes a danger to the Employee's health and safety or to the health and safety of another Employee or another person, as defined in Section 31(1) of the Alberta Occupational Health and Safety Act. Establish a system for recording all instances of refusal to work, and maintaining such records. Ensure all Supervisors are aware of the requirement to ensure that Employees are never asked to perform dangerous work and are aware of the process to follow if an Employee refuses to perform work on the basis of a dangerous condition at the work site or that the work constitutes a danger to the Employee's health and safety or to the health and safety of another Employee or another person. |

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Continued - Roles and Responsibilities

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| Area Management | <ul style="list-style-type: none"> • Responsible for ensuring the implementation and adherence to this procedure. |
| Employee/Contractor | <ul style="list-style-type: none"> • Responsible for reporting the dangerous condition, as soon as reasonable practicable, to their Supervisor or to another person designated by their Employer or Supervisor. • Participate in the inspection of the dangerous condition with their Supervisor and the Employee Representative. |
| Employee Representative | <ul style="list-style-type: none"> • Responsible for participating in the inspection of the dangerous condition with the Employee, Supervisor and any other Employees required in determining if a dangerous condition exists. • An Employee Representative may include: <ul style="list-style-type: none"> a) a Joint Work Site Health & Safety Committee Worker member b) a Health & Safety Representative c) If neither (a) or (b) are available, another Employee selected by the Employee refusing to do the work. |
| Supervisor | <ul style="list-style-type: none"> • When an Employee refuses to work under Section 31(1) of the Alberta OH&S Act, the Supervisor shall not request or assign another Employee to do the work until it has been determined that a dangerous condition does not exist and does not constitute a danger to the health and safety of any person. • Responsible to ensure that the Employee has appropriate Employee Representation prior to inspecting the dangerous condition. • Responsible to ensure the Refusal to Work Form is completed • Responsible to remedy any dangerous work immediately (if applicable). |
| Site Wide Lead (Oil Sands) / Area Leadership/Health & Safety Manager | <ul style="list-style-type: none"> • Support the Supervisor in the interpretation of this procedure in accordance with Section 31 of the Alberta Occupational Health & Safety Act in the event that the Employee reporting the dangerous condition continues to refuse to work. |
| JWHSC Co-Chair | <ul style="list-style-type: none"> • Review all "Refusal to work" forms as part of the JWHSC meeting cadence. |

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Procedure

1. **If an Employee believes on reasonable grounds that a dangerous condition exists which constitutes a creditable danger to the Employee's health and safety or to the health and safety of another Employee or another person, the following steps should be followed:**

Responsibility**Step****Action**

Employee

1.1

Notify your Supervisor if you believe on reasonable grounds that a dangerous condition exists which constitutes a creditable danger to the Employee's health and safety or to the health and safety of another Employee or another person.

Supervisor /
Employee /
Employee
Representative

1.2

- **Investigate** the circumstance of the refusal to work.
- **Carry out** an inspection of the dangerous condition when it is reasonably practicable to do so
- **Take** any remedial action necessary to address the dangerous condition or ensure that such action is taken.
- The Supervisor can contact the Area EH&S Advisor for assistance (if required).

Supervisor /
Employee /
Employee
Representative

1.3

Use the following table to determine next action.

If the Employee and Supervisor ...	then ...
Agree a dangerous condition exists	<ul style="list-style-type: none"> • stop work • safe out the asset or situation to mitigate the dangerous condition • exit procedure
agree that the dangerous condition has been removed or mitigated	<ul style="list-style-type: none"> • return to work. • exit this procedure.
do not agree that the dangerous condition has been removed or mitigated	<ul style="list-style-type: none"> • complete Appendix 1 – Refusal to Work Form. • go to Step 1.4.

Supervisor

1.4

- **Provide** a copy of the Refusal to Work form to the Employee and Employee Representative and demonstrative the elimination of the dangerous condition or work.
- **Explain** to the Employee and Employee Representative and demonstrate the elimination of the dangerous work.
- **Advise** the Employee it is safe to return to work.

Supervisor

1.5

Assign Employee to another task that they are competent to perform which is not associated with the dangerous work.

Note: This temporary assignment will not result in a loss of pay to the Employee.

Supervisor

1.6

Contact the Site Wide Lead / Area Leadership for the Business Unit to inform them of the continued refusal to work.

Provide a copy of the Refusal to Work form to Site Wide Lead / Area Leadership and H&S Manager for review and discussion.

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Responsibility	Step	Action
Supervisor / Site Wide Lead (OS) / Area Leadership / Health & Safety Manager	1.7	If it is mutually agreed upon between the Site Wide Lead/Area Leadership and Site Supervisor, or through escalation with the Health & Safety Manager, Area Leadership and Site Supervisor, that the dangerous work does not exist or no longer exists, select a competent Employee to perform the work. The competent Employee shall be informed, in writing, of the first Employee's refusal, the reason for the refusal, the reason as to why the work does not constitute a danger to the health and safety of any person, or that a dangerous condition is not present, as well as the Employee's right to refuse dangerous work under Section 31(7) of the Alberta Occupational Health and Safety Act and this procedure.
Supervisor / Site Wide Lead / Department Manager / Area Leadership	1.8	<p>Complete the Refusal to Work for Appendix 1.</p> <p>Forward a completed copy of the Appendix 1 - Refusal to Work form, to:</p> <ul style="list-style-type: none"> • Site Wide Lead at Oil Sands • Area Leadership • Health & Safety Manager • Joint Work Site Health & Safety Committee Co-Chairs (cc' secretary) <p>All Refusal to Work forms will be reviewed at Joint Work Site Health and Safety Committee Meetings and stored for record keeping by the H&S Manager</p> <p>Communicate to original employee that refused the work the mitigation and outcome of the completed work.</p>
Health & Safety Manager	1.9	File a copy of the Refusal to Work form, Appendix 1 , for record keeping.

End of Procedure**WARNING! Printed and digital copies are uncontrolled. The current revision of this document is kept in ECMS.**

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Feedback: Please submit your feedback for this document to your Supervisor.	Comments on this document (Is this document up to date?): Suggested Improvements:
Sign: _____ Date: _____ yyyy/mm/dd	
Print: _____	

Summary of Changes

Rev No.	Section Changed	Revisions Made
1	Document number	Previously numbered LMP0018A.
1	Document Owner	Changed document owner to GM EHS RMWB; was previously Director H&S
1	Template	Converted to the current template
1	Purpose	<ul style="list-style-type: none"> • Included reference to Part 4, Section 31 Right to refuse Dangerous Work of the Alberta OH&S Act
1	Roles and Responsibilities	<ul style="list-style-type: none"> • Updated to align with Section 31(1) of the Alberta OH&S Act • Added responsibilities for Site Wide Lead
1	Entire document	Changed language from imminent danger to dangerous condition.
1	Step 1.2	Added Employee and Employee Representative to Responsibility section
1	Step 1.7, 1.8, 1.9	Added responsibilities for Site Wide Lead

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Appendix 1 – Refusal to Work Form

Department:	Date: <i>yyyy/mm/dd</i>
Description of Dangerous Work (Completed by Employee):	
Employee:	Badge No.:
Action Taken by Supervisor (Completed by Supervisor):	
Supervisor:	Date: <i>yyyy/mm/dd</i>
Employee Representative's Comments.	
Employee Representative:	Date: <i>yyyy/mm/dd</i>
Site Wide Lead (OS) or Area Leadership Comments, if required.	
Site Wide Lead (OS) or Area Leadership:	Date: <i>(yyyy/mm/dd)</i>

Note: Forward a copy of the completed form to the Site Wide Lead (OS), Area Leadership, Joint Work Site Health & Safety Committee Co-Chairs (cc Secretary and Health and Safety Manager for records).

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The following individuals have approved and signed this document.

UserName: Graham Ure (gure)
Title: Dir SCM - Operations Oil Sands
Date: Tuesday, 26 June 2018, 07:17 AM Mountain Time
Meaning: Approver 1 Signed

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UserName: Richard Davidson (rrdavidson)
Title: Dir EH&S Fort Hills Operations
Date: Tuesday, 26 June 2018, 07:27 AM Mountain Time
Meaning: Approver 2 Signed

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