



Policy Number:		Custodian (position)
HSE - WI 01.		HSE Coordinator
REFUSAL TO WORK		

Change History:

Rev No	Effective Date	Responsible Person	Change Description
00	14 th February 2012	General Manager	First Issue
01	01 st June 2013	General Manager	Modified to show change in policy numbering, document structure and content.
02	01 st June 2016	General Manager	Document was reviewed and no changes were made.
Revision Approved by: NATASHA FOURNILLIER			Signed: 

PURPOSE

To establish measures necessary to protect all ChagTerms (Trinidad) Ltd. employees from working in an unsafe environment that can be life threatening.

SCOPE


This work instruction applies to all activities undertaken by ChagTerms (Trinidad) Ltd. or contractor personnel in the performance of their duties.

DEFINITIONS

None.

RESPONSIBILITY

The General Manager or HSE Coordinator will provide assistance in resolving disputes. It is the responsibility of the Supervisor and/or HSE Committee Representative to investigate reports of unsafe


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conditions and inform employees and/or ChagTerms Management of the outcome of the investigation and take steps in accordance with the OSH Act to resolve the issue.

All Employees have the responsibility to “REFUSE WORK” when they perceive working conditions are threatening People, Property or the Environment and report the unsafe condition to their immediate supervisor.

PROCEDURE

- Upon refusing to work or do particular work the employee shall immediately report the circumstances of the intended refusal to his/her immediate supervisor or his/her representative of the HSE committee. They will be required to make the report on the company’s Incident Report Form.
- The employer shall ensure the HSE committee is called to investigate the report in the presence of the employee and in the presence of the following stakeholders:
 - An employee selected by the employees to represent them, where there is no trade union, or
 - The employer or his representative, who shall be made available by his employer and shall attend without delay.
 - The investigation shall take place as per guidance from the Chagterms (Trinidad) Limited’s Incident Reporting and Investigation Procedure.
- Following the investigation and corrective action, if the employee has grounds to believe that danger still exists, the employee may refuse to work and an OSH Inspector must be notified.
 - A person who is aggrieved by the decision of the inspector may apply to the Chief Inspector to review the decision of the inspector.
 - A person who is aggrieved by the decision of the inspector may apply to the Industrial Court to have the matter determined.
 - A person who fails to comply with the decision of an inspector in accordance with what the inspector has written or the decision of the Chief Inspector commits an offence.

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- Pending the investigation and decision of the Chief Inspector, no employee shall be assigned to use or operate the equipment, machine, device or article or to work in the industrial establishment or in the part of the industrial establishment being investigated as long as there is continuing imminent and serious danger to the life or health of any employee or person and until after the employer or his representative has taken remedial action, if necessary, to deal with the circumstances that caused the employee to refuse to do particular work.
- The employee shall, during normal working hours, be in a safe place in the industrial establishment and make himself or, as the case may require, be made available to assist, if necessary, in the carrying out of the investigation.

It is also the responsibility of the employer to:

- Assign the employee reasonable alternative work during his normal hours.
- Where the assignment of reasonable alternative work is not practicable, give other directions to the worker.

REFERENCES

Trinidad and Tobago OSH Act 2004 (as amended)

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