When can an employee refuse dangerous work on board an aircraft in operation?

An employee can refuse dangerous work on board an aircraft if they have reasonable cause to believe that:

• the work is or involves a machine or thing on the aircraft that constitutes a danger to themselves or to another employee;
• the work is or involves an aircraft that constitutes a danger to the employee or to another employee;
• the work is or involves an aircraft in operation on the aircraft by the employee constitutes a danger to the employee or to another employee.

Refer to ClC Part II, Subsection (2A2)

What action is required when an employee believes there is reasonable cause to refuse dangerous work when on board an aircraft in operation?

• The employee immediately notifies the person in charge of the aircraft of the circumstances.
• An appeal shall be made or demanded, as the case may be, within 48 hours after being notified or demanded, as the case may be, of the employee according to
• If the person in charge concludes that there is no reasonable cause to refuse, no reasonable cause to refuse, the employee shall not cease working, then the employee shall not cease working, the employee shall have the right to take any reasonable action that the employee considers appropriate.

Refer to ClC Part II, Subsection (12A1), (4) and (6)
When can an employee refuse dangerous work on board an aircraft in operation?

An employee can refuse dangerous work on board an aircraft in operation if they have reasonable cause to believe that:

• the use or operation of a machine or thing on the aircraft constitutes a danger to themselves or other employees;
• the use or operation of a machine or thing on the aircraft constitutes a danger to themselves or other employees;
• the use or operation of a machine or thing on the aircraft constitutes a danger to themselves or other employees;
• a person in charge of the aircraft of the circumstances that there is a danger;
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• an aircraft in operation if they have reasonable cause to believe that there is a danger;
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When can an employee refuse dangerous work on board an aircraft in operation?

An employee can refuse dangerous work on board an aircraft in operation if they have reasonable cause to believe that:

- the work or a machine or thing on the aircraft constitutes a danger to themselves or another employee;
- the employee is working on an aircraft that constitutes a danger to the employee;
- the employee is working on an aircraft the employee believes is damaged in a way that could cause a problem with the operation of the aircraft or could lead to loss of control.

Ref to CLC Part II, Subsection (243)

What happens if the employee refuses dangerous work when on board an aircraft in operation?

The employee must report the circumstances of the matter to the employer without delay. If the employee believes that:

- the employee has been subjected to or is about to be subjected to permitting or obligating the employer to perform dangerous work;
- they have reasonable cause to believe that:
  - the employee was injured or became ill as a result of, or contributed to, the dangerous work;
  - the employee was exposed to or is about to be exposed to the risk of injury or illness;
  - the employee was injured or became ill in connection with the dangerous work;
- the employee believes that the dangerous work caused or is likely to cause:
  - a condition exists on the aircraft that constitutes a danger to the employee or to another employee;
  - a condition exists on the aircraft that constitutes a danger to the employee or to another employee.

The employee's representative is to be consulted in the investigation of the circumstances referred to in subsection 244(1) and the work place committee or health and safety representative.

Ref to CLC Part II, Subsection (244)

Notes:

- An employee who refuses dangerous work who is subject to disciplinary action for refusing work under subsection 244(1) is entitled to receive notice of the action, including the reasons for the action, in writing before the action is taken.
- An employee who refuses to work under subsection 244(1) or is the subject of disciplinary action under subsection 244(1) is entitled to be given notice of the action, including the reasons for the action, in writing before the action is taken.
- The employee's representative is entitled to be consulted in the investigation of the circumstances referred to in subsection 244(1).