# Twitter Thread by Derik Chica



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## Yesterday I refused unsafe work. This is how it went.

## #onted #onpoli #osstf

1st, to the haters. Since when is it "normal" to go to work scared for your health, your life, and your family's lives? It is our right not be scared at work and our employer (in my case, the gov) needs to put measures in place so we aren't afraid. That is law, not just words.

There were 2 steps to the refusal. Refusing to work to my employer, and refusing to work to the Ministry. If my concerns were addressed in Step 1 - to my employer, there is not need to go to the Ministry. We went to the Ministry.

Involved in my refusal were my administration team, a Health and Safety Inspector from my employer, a Health and Safety Inspector from my union, and later in Step 2, a Ministry of Labour Inspector.

I first stated my specific concerns to my adm. They were so supportive in doing everything in their power to address my concerns. I want to thank them for that. They took my concerns seriously. My concerns were all tied to the increased contagiousness of the new variants:

1) Inadequate Personal Protective Equipment (PPE) for myself.

2) Inadequate PPE for my students given that we know the importance of everyone wearing a mask.

3) Lack of asymptotic testing which means we do not know if the virus is in the building or not.

4) Workplace conditions of my students, lack of safe working conditions for them and not having easy access to paid sick days, could bring the virus into the school.

After a conversation with my administration, I gave them a heads up that my concerns were still present and I intended to refuse work on Tuesday.

Tuesday morning, I went to school ready to work and parked in the parking lot. I called my admin and informed them I was refusing work and would like to have a video meet conversation to discuss so I wouldn't need to enter the building.

My union health and safety inspector was consulting with me the whole time, being very supportive, and was in the video meet conversation as well. Eventually, my employer health and safety inspector joined the conversation also.

We were able to move forward in that I would be able to wear as many Level 1 Medical Masks at a time to feel safe. However, without the other concerns met, I still did not feel my PPE was adequate because my safety was a totality of the other concerns too.

My employer's H&S inspector advised that this would not fall under the work refusal act because all guidelines were being followed. I continued to declare I felt unsafe and that guidelines have been changing throughout this pandemic. My employer called the Ministry of Labour.

Step 2 began after some hours of waiting. An inspector from the Ministry of Labour came and went through a checklist to ensure guidelines were being followed. Inspector specifically asked what part of Section 43 was being acted on and my union and I asked for a break to consult

We told the Ministry inspector part A, to which they responded the equipment was not directly a danger to me, and part B, to which they responded there is no COVID in the building so there is no physical danger.

We discussed that the lack of asymptotic tests meant we cannot be sure there COVID is not present so I had "reasonable grounds" to feel unsafe. We also discussed it would be reasonable to expect my employer to do asymptotic tests to better ensure there was no asymptotic cases.

Ministry stated that the screening process to determine if COVID is present is not their jurisdiction. Since screening guidelines were being followed, there is no COVID in the building. The Ministry said they would register it as a complaint but not a work refusal.

We discussed the new variant presents new concerns & guidelines have changed. For ex., there was a time where masks were not mandatory indoors. Ministry said they would try to get the Infectious Disease Specialist to weigh in. The specialist has not been available yet.

There was no disciplinary action for pursuing this right. I had a right to refuse work because I felt unsafe. While I still do not feel that my concerns were addressed, for now I have decided to follow the Ministry's order that this was not a valid work refusal.

I sincerely hope the Ministry takes my complaint around the lack of asymptotic testing and improved PPE with this new variant as being valid concerns but time will tell.

My personal analysis: This ended with my work refusal being unreasonable because "reason" is determined by public health. There are reports of officials claiming "other considerations" when issuing safety recommendations and the gov is not always following recommendations.

This colonial and capitalistic system was not made in a way to respond to an evolving virus and the lack of quick responses is costing people their health, and at times, their lives.

I recognize my multiple places of privilege in my workplace that may have come into play in allowing me to pursue my right to refuse, what I perceived as, unsafe work. Not everyone may have these privileges.

I maintain that it is our right, enshrined in law, to refuse what we genuinely perceive as unsafe work. We all deserve to feel safe and when we don't, we should speak up.

I genuinely felt unsafe. This law exists for a reason and people fought hard to get it into law. I hope that the system will recognize its limitations and complicities in outbreaks and people's health if it does not change.