

Refusal to Work Policy

MJL IMS 043



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Introduction

1. The Health & Safety at Work Etc. Act 1974 requires Michael J Lonsdale Ltd (MJL) to ensure, so far as is reasonably practicable, the health and safety of our employees and anyone else who may be affected by our acts or omissions.
2. The purpose of this Policy is to ensure that all employees are aware of the way MJL Ltd give the opportunity to stop working, should employees consider the working environment or the working practice to be unsafe.
3. In order to carry out this policy, responsibilities for health and safety have been clearly defined, allocated and accepted at all levels. All employees must play their part in implementing this policy if safety standards are to constantly improve.

The Refusal to Work process

4. MJL will not penalise or discipline employees in the event of refusal to work on the grounds of Health and Safety. The employee will continue to be paid in line with their contract for the duration of the refusal to work.
5. If an employee (individual) believes that a task or condition will endanger either themselves or others, work should stop, and the situation be immediately reported to the person in charge (Project Manager or similar) on the site or premises concerned.
6. The situation will then be reviewed by the person in charge and consideration will be given to the safety impact on the individual and others. Wherever possible, immediate and appropriate action must be taken to resolve the situation.
7. As a result of the review, the system of work will either be confirmed as safe or amended. If the individual is satisfied with this outcome, they will resume work.
8. If the individual remains dissatisfied, then they can contact MJL Ltd QHSE Director providing all the relevant details/background to the situation.
9. If the situation cannot be resolved at this stage, a review will be undertaken by the Group QHSE Director against all legislative standards and industry best practice to determine the safety impact of the task or condition.
10. If the review fails to produce a satisfactory outcome, the disputed system of work will cease and MJL Ltd.'s internal HSE Department (Health, Safety & Environment) and the customer will be informed as soon as practically possible.



11. MJL Ltd QHSE Director will liaise with the customer and consider the disputed working arrangements, making any necessary changes and advise the Project / Managing Director accordingly.
12. Changes to working arrangements will be documented and implemented by the Project / Managing Director. This may include amendments to internal Procedures, Work Instructions, Processes, Risk / COSHH Assessments. Additional levels of training and competence may be required by individuals or further briefings as appropriate.
13. Full details of the eventual, agreed outcome will be forwarded to the complainant and the customer where appropriate. Suitable records will be maintained.
14. Should the complainant still be dissatisfied with the system of work, MJL Ltd will provide independent arbitration from an external source. MJL Ltd will undertake to follow the arbitrator's advice. If the arbitrator upholds MJL Ltd.'s safe system of work and the complainant still refuse to work, MJL will implement the company disciplinary procedure.
15. The arrangement in place to implement this policy forms part of the company's day to day operational procedures and as such are reviewed on a regular basis.
16. Where opportunities for improvement in safety standards or safety problems are identified they will be tackled promptly, with enough resources, to ensure that they are adequately dealt with, implemented and briefed to all employees

Gary Herbert

Managing Director

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