

## **REFUSAL TO WORK ON THE GROUNDS OF SAFETY (WORK SAFE) POLICY**

This Refusal to work on the Grounds of Health and Safety (Work safe) Policy has been established by the MJL Group. The Policy shall be communicated to new starters as part of the mandatory company Induction and any changes shall be briefed to all staff and a record of this briefing maintained as documented information.

Individuals who choose to invoke the right to refuse to work on the grounds of health and safety are required to put their concerns in writing and submit this form to their Supervisor or Line Manager. If the individual believes that their Supervisor or Line Manager has not acted fairly in responses to their refusal to work or in the event of conflict /disagreement, the Health and Safety Director should be informed immediately.

Staff who invokes the work safe policy shall not be subjected to unfair treatment, discrimination or dismissal. Those who fail to comply with this requirement may be subjected to disciplinary action. All instances where individuals have invoked the Work safe process shall be recorded as a corrective action in accordance with the corrective action process.

Where an employee of the company, or any Sub Contractor(s) working in any location on Network Rail Managed Infrastructure ceases work, because he/she feel they are being requested to undertake work where the risk to him/herself or others is unacceptable, he/she must report the situation to their immediate Line Manager/Supervisor immediately, using the quickest means of communication available.

All actions/alterations to the safe system of work must be documented as soon as practicable on a Refusal to Work Form.

If the person in charge and the individual can agree that the situation has been resolved and a safe system of work is in place, work should re-commence immediately. If the individual is still not comfortable with the safe system, then the Line Manager/Supervisor must call their supervisor. The supervisor shall review the situation considering all the systems are in place and may recommend some changes to the safe system that will enable the work to continue. If the supervisor is not confident that a safe system of work can be set up they will agree a method of making the site safe and stop any planned work that was taking place.

Employees that have invoked the refusal to work process will be free from any disciplinary action. Employees found to be abusing or miss using this process may be subject to disciplinary action.

Individuals have the right to contact [www.CIRAS.org.uk](http://www.CIRAS.org.uk) or Freephone 0800 4101 101 if they feel that work practices are unsafe, and they wish to do this in a confidential manner

**Name:** Gary Herbert

**Signature:**



**Position:** Managing Director

**Signed on behalf of** Michael J Lonsdale Ltd

**Date:** 05.07.2019