

Refusal to Work on the Grounds of Safety (Work Safe) Policy

Introduction

1. The Health & Safety at Work Etc. Act 1974 requires Michael Lonsdale Group (inclusive of Michael Lonsdale Ltd, Michael J Lonsdale Ltd, Michael J Lonsdale (Electrical), E7 Building Services Ltd) 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 MLG 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 is as follows:

4. The Michael Lonsdale Group 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) and or Sub Contractor to MLG working in any location whether this be within the construction or any Network Rail managed infrastructure/sectors, believes that a task or condition will endanger either themselves or others, work should cease, and the situation be immediately reported to the



person in charge (Project Manager, line manager or Supervisor) on the site or premises concerned by the quickest possible means.

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 Michael Lonsdale Group 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 the Michael Lonsdale Group internal HSE Department (Health, Safety & Environment) and the customer will be informed as soon as practically possible.
11. The Health and Safety Manager/Advisor 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, Michael Lonsdale Group will provide independent arbitration from an external source. MLG will undertake to follow the arbitrator's advice.
15. Should the arbitrator uphold Michael Lonsdale Group safe system of work and the complainant still refuse to work, MLG will implement the company disciplinary procedure.
16. 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 continuous basis.



17. Where opportunities for improvement in safety standards or safety problems are identified they will be tackled promptly, with sufficient resources, to ensure that they are adequately dealt with, implemented and briefed to all employees.

18. Individuals, have the right to contact www.CIRAS.org 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**

Signed



For and on behalf of the
Michael J Lonsdale Group Board of Directors
(Michael J Lonsdale Limited/ Michael J
Lonsdale (Electrical) Limited
E7 Building Services Limited

Position: Managing Director

22nd September 2020

