



College of Respiratory  
Therapists of Ontario

Ordre des thérapeutes  
respiratoires de l'Ontario

# DUTY TO CARE

Practice FAQs

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## QUESTION

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What happens if I refuse to come into work during a respiratory pandemic because I am afraid of bringing something home to my infant daughter? Doesn't the Occupational Health and Safety Act allow me to refuse to work if there is a risk to my safety?

## ANSWER

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The [\*Occupational Health and Safety Act\*](#) does include some provisions that permit an individual to refuse to work, such as unsafe equipment or work environment. However, the legislation goes on to explain that this "refusal to work" provision does not apply in the following circumstances:

- where the circumstances related to risk is inherent in the worker's job; or
- where the worker's refusal to work would directly endanger the life, health or safety of another person.

Respiratory Therapists care for patients with respiratory illness every day, and this is inherent in the work that they do. Additionally, an RT's refusal to provide their services could potentially endanger the life, health or safety of these patients.