

CANADA LABOUR CODE
PART II
OCCUPATIONAL SAFETY AND HEALTH

Review under section 146 of the Canada Labour Code, Part II
of a direction issued by a safety officer

Applicant: Air Canada
Montreal International Airport, Mirabel
Represented by: Counsel Louise HJIPne SJnJcal

Interested party: International Association of Machinists & Aerospace Workers
District Lodge 148, IAMAW
Represented by: G. Brosseau
General Chairman

Mis en Cause: Denis Caron
Safety Officer
Human Resources Development Canada

Before: Serge Cadieux
Regional Safety Officer
Human Resources Development Canada

On February 4, 1995 a direction was given, under paragraph 145(2)(a) of the Canada Labour Code, Part II to Air Canada by safety officer Denis Caron. This direction was given following an accident which resulted in the death of three employees working at deicing airplanes at the Montreal International Airport, located in Mirabel. Air Canada requested, in a timely fashion, a review of the direction.

Following discussions held between the safety officer, union representatives and safety and health coordinators of the IAMAW regarding safe deicing procedures, Air Canada withdrew its request for review of the direction. Ms. SJnJcal has advised the Regional Safety Officer that she fully understood the consequence of desisting herself from the appeal i.e. that the safety officer's direction remains in force.

As the Regional Safety Officer responsible to review this direction, I am confirming that Air Canada has withdrawn its request to have the direction, issued on February 4, 1995 by safety officer Denis Caron, reviewed. I therefore declare that I am no longer seized of this matter. This file is closed.

Decision rendered on March 2nd, 1995.

Serge Cadieux
Regional Safety Officer

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Air Canada, Montreal International Airport (Mirabel)

Respondent: International Association of Machinists & Aerospace Workers

KEYWORDS

Air Canada; deicing; fatal accident

PROVISIONS

Canada Labour Code, Part II, Paragraph 145(2)(a)

SUMMARY

On February 4, 1995, Air Canada was issued a direction by a safety officer as a result of fatal accidents which occurred during deicing of an aircraft. Air Canada requested a review of the direction but almost immediately withdrew its request following an agreement it reached with employee representatives and with the safety officer respecting safe deicing procedures.