

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: N. Yanke Transfer Ltd.
2431 Stanfiel Road
Mississauga, Ont., L4Y 1R6

Mis en cause: Darlene Tunney, Safety Officer
Human Resources Development Canada
Mississauga, Ont.

Before: Bertrand Southière
Regional Safety Officer
Human Resources Development Canada

On February 9, 1995, safety officer Darlene Tunney issued a direction to N. Yanke Transfer Ltd. of Mississauga, Ontario. The safety officer had conducted an inquiry at the work place operated by the employer and as a result, she directed the employer to establish a safety and health committee in accordance with section 135 of the Canada Labour Code. The employer appealed the direction on February 10, 1995.

A hearing was scheduled for July 21, 1995, however, on July 19, 1995, Charlotte Rochon, on behalf of N. Yanke Transfer Ltd., withdrew the request for revision. As the regional safety officer responsible to review this direction, I confirm hereby that N. Yanke Transfer Ltd. has withdrawn its request for review of the direction issued by safety officer Darlene Tunney on February 9, 1995. This file is closed.

Decision given on February 27, 1996.

Bertrand Southière
Regional Safety Officer

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

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Applicant: N. Yanke Transfer Ltd.
Mississauga, Ontario

KEYWORDS

Safety and health committee

PROVISIONS

Code: sections 135 and 137

SUMMARY

A safety officer issued a direction to N. Yanke Transfer Ltd, of Mississauga, Ontario, to establish a safety and health committee for a work place situated in Mississauga. This work place had nine office staff and forty truck drivers who reported to this particular office. The employer appealed the direction because in his view, only nine persons worked regularly in this office; the truck drivers' work place was their ruck.

A hearing was scheduled for July 21, 1995, however, two days before the hearing, a FAX was received from the company's head office human resources manager withdrawing the request for revision.