

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: Mr. Allen Ryan
Regional Safety and Health Co-Chairman
International Association of Machinists and Autoworkers
St-Laurent, Quebec

Respondent: E. W. Clinch
General Manager, Aircraft Maintenance
Air Canada Base
Montreal International Airport

Mis en cause: Guy Lauzon
Safety Officer #1847
Human Resources Development Canada
LaSalle, Quebec

Before: Bertrand Southière
Regional Safety Officer
Human Resources Development Canada

Background

On April 4, 1995, safety officer Guy Lauzon issued a direction to Air Canada at Montreal International Airport (APPENDIX). The direction dealt with employees' safety while performing electrical maintenance work on aircrafts and was given as a result of an employee coming in contact with live, unguarded, electrical apparatus.

Mr. Pierre Bujold and Allen Ryan, members of the safety committee, requested a review of this direction on April 14, 1995, on the basis that the direction was incomplete and did not reference all the applicable provisions. Meanwhile, negotiations on this issue were ongoing between the employer and the union and eventually, at the beginning of May 1996, the employer agreed that subsections (1), (2) and (5) of section 8.5 were applicable to his operations. As a result, the applicant has withdrawn the request for a review of the direction by a regional safety officer.

Decision

As the regional safety officer responsible to review this direction, I HEREBY CONFIRM that Mr. Allen Ryan, Regional Co-Chairman Safety and Health, Local Lodge 1751, International Association of Machinists and Autoworkers, has withdrawn his request for review of the direction issued safety officer Guy Lauzon to Air Canada at Montreal International Airport, on the fourth day of April 1995. This file is closed.

Decision given on May 17, 1996.

Bertrand Southière
Regional Safety Officer

IN THE MATTER OF THE CANADA LABOUR CODE
PART II - OCCUPATIONAL SAFETY AND HEALTH

DIRECTION TO THE EMPLOYER UNDER SUBSECTION 145(1)

On March 22 and 30, 1995, the undersigned safety officer conducted an inquiry in the work place operated by Air Canada, being an employer subject to the Canada Labour Code, part II, at Air Canada Base, Montreal International Airport (Dorval) Quebec, H4Y 1C2, the said work place being sometimes known as Maintenance Base.

The said safety officer is of the opinion that the following provisions of the Canada Labour Code, Part II, are being contravened:

1 - Paragraph 125(s) of the Canada Labour Code, Part II

The employer shall make aware every employee of every known or foreseeable safety or health hazard during their work on airplanes.

2 - Paragraph 125(k)(iii) of the Canada Labour Code, Part II and subsection 8.5(2) Canada Occupational Safety and Health regulations.

The electrical equipment on airplanes shall be guarded while this equipment is live.

3 - Paragraph 125(s) of the Canada Labour Code, Part II and section 8.7 of the (Regulations).

The employer shall install a legible sign, indicating "DANGER HIGH VOLTAGE" in all places where there is electrical hazard or possibilities of having one on airplanes.

Therefore, you are **HEREBY DIRECTED**, pursuant to subsection 145(1) of the Canada Labour Code, Part II to terminate the contraventions no later than April 18, 1995.

Issued at LaSalle, this 4th day of April 1995.

Guy Lauzon
Safety Officer
#1847

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Mr. Allen Ryan
Regional Safety and Health Co-Chairman
International Association of Machinists and Autoworkers
St-Laurent, Quebec

KEYWORDS

Safety procedures for work on live electrical equipment;

PROVISIONS

Code: 125(s) and 125(k)(iii)
Canada Occupational Safety and Health Regulations: section 8.5 and 8.7

SUMMARY

A safety officer issued a direction to Air Canada at Montreal International Airport regarding safety precautions while working on live electrical equipment. The union appealed the direction but later, after discussions with the employer, the request for review was withdrawn. This file is closed.