

CANADA LABOUR CODE
PART II
OCCUPATIONAL SAFETY AND HEALTH

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

Applicant: Vince Smith
Human Resources Development Canada
Surrey, B.C.

Respondent: Communications, Energy and Paper Workers Union of Canada
Represented by: Mr. Daniel J. Rogers

Mis-en-cause: Dan Strickland
Safety Officer
Human Resources Development Canada

Before: Serge Cadieux
Regional Safety Officer
Human Resources Development Canada

On May 7, 1999, safety officer Dan Strickland issued a direction (see Annex) pursuant to section 143 of the Canada Labour Code, Part II (the Code) to Mr. Vince Smith, A/Manager at Human Resources Development Canada. The direction orders Mr. Smith to terminate his interference with the safety officer's investigation into the fatality of a BCTV employee.

On May 13, 1999, Mr. Vince Smith requested that this direction be reviewed. On November 24, 1999, the Office of the Regional Safety Officer was officially informed that Mr. Vince Smith was withdrawing his request for review of the above direction.

As the regional safety officer in charge of reviewing this direction, I confirm that Mr. Vince Smith has withdrawn his request for a review of the direction issued under section 143 of the Code by safety officer Dan Strickland on May 7, 1999. The case is closed.

Decision rendered on November 25, 1999.

Serge Cadieux
Regional Safety Officer

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

DIRECTION TO VINCENT SMITH UNDER SUBSECTION 143

1 Subsection 143 of the Canada Labour Code, Part II requires you to cease and desist from all obstructions and false statement(s) or similar activities on this matter.

“No person shall obstruct or hinder, or make a false or misleading statement either orally or in writing to, a safety officer engaged in carrying out his duties under this Part.”

Dan Strickland - Canada Safety Officer #0533
HRDC - Labour Program, - B.C. & Yukon Region
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SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Vince Smith
Human Resources Development Canada

Respondent: Communications, Energy and Paper Workers Union of Canada
Represented by: Mr. Daniel J. Rogers

KEYWORDS

Obstruct, mislead, investigation, fatality, electrocution.

PROVISIONS

Code: 143, 145(5), 146(1)

Regulations: n/a

SUMMARY

A safety officer issued a direction to Mr. Vincent Smith an A/Manager at Human Resources Development Canada respecting his interference with the safety officer's investigation into the fatality of a BCTV employee. Mr. Smith requested a review of the direction but subsequently withdrew his request. The case is closed.