

CANADA LABOUR CODE
PART II
OCCUPATIONAL HEALTH AND SAFETY

International Longshore &
Warehouse Union, Local 500

applicant

and

Pacific Coast Terminals Co. Ltd

employer

and

Philip D' Sa

health and safety officer

Decision No. 02-010

June 11, 2002

- [1] On April 22, 2002, health and safety officer Philip D'Sa conducted an investigation on a refusal to work in the work place located on the M.V. Nordkap at Pacific Coast Terminal Co. Ltd.. The employee, Mr. Stohl, considered it dangerous to work a bunkering operation simultaneously with the loading of sulphur. On April 22, 2002, the health and safety officer rendered a decision of no danger pursuant to subsection 129(7) of the *Canada Labour Code*, Part II.
- [2] On May 3, 2002, the International Longshore & Warehouse Union, Local 500 appealed the decision rendered on April 22, 2002. On June 7, 2002, the union informed the Canada Appeals Office that it was withdrawing its appeal of the above-mentioned decision.

[3] As the appeals officer seized of this case, I confirm that the International Longshore & Warehouse Union, Local 500 withdrew its appeal of the decision of no danger rendered by health and safety officer Phillip D'Sa. This case is closed.

Serge Cadieux
Appeals Officer

SUMMARY OF APPEALS OFFICER DECISION

Decision No.: **02-010**

Applicant: International Longshore & Warehouse Union, Local 500

Employer: Pacific Coast Terminals Co. Ltd.

KEY WORDS: Refusal to work, bunkering operation.

PROVISIONS: C.L.C. 129(7)

SUMMARY:

On April 22, 2002, health and safety officer Philip D'Sa conducted an investigation on a refusal to work in the work place located at M.V. Nordkap at Pacific Coast Terminal Co. Ltd.. The employee, Mr. Stohl, considered it dangerous to work a bunkering operation simultaneously with the loading of sulphur. On April 22, 2002, the health and safety officer rendered a decision of no danger pursuant to subsection 129(7) of the *Canada Labour Code*, Part II. On May 3, 2002, the International Longshore & Warehouse Union, Local 500 appealed the decision rendered on April 22, 2002. On June 7, 2002, the union informed the Canada Appeals Office that it was withdrawing its appeal of the above-mentioned decision. The appeals officer closed the file.