

**CANADA LABOUR CODE**  
**PART II**  
**OCCUPATIONAL HEALTH AND SAFETY**

Air Canada

*applicant*

and

Canadian Union of Public Employees

*union*

and

Bryan Lloyd

*health and safety officer*

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Decision No. 02-021

October 18, 2002

- [1] On August 1, 2002, health and safety officer Bryan Lloyd conducted an investigation on a refusal to work in the work place operated by Air Canada at the Calgary International Airport. The refusing employee, Mr. Laurent Roy, a flight attendant, considered that certain emergency exit doors on the Airbus A321 aircraft posed a danger to him. On August 1, 2002, the health and safety officer rendered a decision of no danger pursuant to subsection 129(7) of the *Canada Labour Code*, Part II. However he nonetheless directed Air Canada under subsection 145(1) to conduct a hazard assessment and develop an employee education program for the hazards.
- [2] On August 30, 2002, Air Canada appealed the direction rendered on August 1, 2002. On September 13, 2002, Air Canada informed the Canada Appeals Office that it was withdrawing its appeal of the above-mentioned direction.

[3] As the appeals officer seized of this case, I confirm that Air Canada withdrew its appeal of the decision of no danger rendered by health and safety officer Bryan Lloyd. This case is closed.

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Serge Cadieux  
Appeals Officer

## **SUMMARY OF APPEALS OFFICER DECISION**

**Decision No.:**      **02-021**

**Applicant:**      Air Canada

**Union:**      C.U.P.E.

**KEY WORDS:**      Refusal to work, exit doors, hazard assessment, employee education program.

**PROVISIONS:**      C.L.C. 129(7), 145(1)

### **SUMMARY:**

On August 1, 2002, health and safety officer Bryan Lloyd conducted an investigation on a refusal to work in the work place operated by Air Canada at the Calgary International Airport. The refusing employee, Mr. Laurent Roy, a flight attendant, considered that certain emergency exit doors on the Airbus A321 aircraft posed a danger to him. On August 1, 2002, the health and safety officer rendered a decision of no danger pursuant to subsection 129(7) of the *Canada Labour Code*, Part II. However he nonetheless directed Air Canada under subsection 145(1) to conduct a hazard assessment and develop an employee education program for the hazards. On August 30, 2002, Air Canada appealed the direction rendered on August 1, 2002. On September 13, 2002, Air Canada informed the Canada Appeals Office that it was withdrawing its appeal of the above-mentioned direction.