

CANADA LABOUR CODE
PART II
OCCUPATIONAL HEALTH AND SAFETY

Canadian Union of Public Employees
Air Canada Component

applicant

and

Air Canada

employer

and

Bryan Lloyd

health and safety officer

Decision No. 02-028
November 13, 2002

[1] On August 1st, 2002, health and safety officer Bryan Lloyd investigated a refusal to work at the Calgary International Airport, Flight # 122. The employee, Mr. Laurent Roy, complained that he would be pushed out of Airbus A321 aircraft while in the course of opening the emergency exit doors during an emergency. On August 1st, 2002, the health and safety officer rendered a verbal decision of no danger pursuant to subsection 129(4) of the *Canada Labour Code*, Part II.

[2] Ms. Charlene Elias appealed the decision rendered on August 1st, 2002 on behalf of the employee. On November 2nd, 2002, Ms. Elias informed the Canada Appeals Office that she was withdrawing her appeal of the above-mentioned decision.

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

Douglas Malanka
Appeals Officer

SUMMARY OF APPEALS OFFICER DECISION

Decision No.: **02-028**

Applicant: Canadian Union of Public Employees
Air Canada Component

Employer: Air Canada

KEY WORDS: Refusal to work, emergency exit doors, airbus aircraft.

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

SUMMARY:

On August 1st, 2002, health and safety officer Bryan Lloyd investigated a refusal to work at the Calgary International Airport, Flight # 122. The employee complained that he could be pushed out of Airbus A321 aircraft while opening the emergency exit doors during an emergency evacuation. On August 1st, 2002, the health and safety officer rendered a verbal decision of no danger pursuant to subsection 129(4) of the *Canada Labour Code*, Part II.

Ms. Charlene Elias appealed the decision rendered on August 1st, 2002. On November 2nd, 2002, Ms. Elias informed the Canada Appeals Office that she was withdrawing her appeal of the above-mentioned decision. This case is closed