

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

Colin Schewaga

applicant

and

Correctional Service Canada

employer

Decision No. 02-030
December 10, 2002

- [1] On October 5, 2001, health and safety officer George Balas conducted an investigation on a refusal to work at the Correctional Service Canada's Saskatchewan Penitentiary in Prince Albert, Saskatchewan. The employee, Mr. Colin Schewaga, considered it dangerous to guard inmates by himself in the Intake Assessment Unit. He believed that two (2) correctional officers should be present in that Unit. On the same day, the health and safety officer rendered a decision of no danger pursuant to subsection 129(4) of the *Canada Labour Code*, Part II.
- [2] On October 14, 2001, Mr. Schewaga appealed the decision rendered on October 5, 2001. On December 02, 2002, Mr. Schewaga informed the Canada Appeals Office that he was withdrawing his appeal of the above-mentioned decision. He felt that the measures taken by the employer subsequent to her refusal to work would protect his health and safety at work.

[3] As the appeals officer seized of this case, I confirm that Mr. Schewaga withdrew his appeal of the decision of no danger rendered by health and safety officer George Balas. This case is closed.

Serge Cadieux
Appeals Officer

SUMMARY OF APPEALS OFFICER DECISION

Decision No.: **02-030**

Applicant: Mr. Colin Schewaga

Employer: Human Resources Development Canada

KEY WORDS: Refusal to work.

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

SUMMARY:

October 5, 2001, health and safety officer George Balas conducted an investigation on a refusal to work at the Correctional Service Canada's Saskatchewan Penitentiary in Prince Albert, Saskatchewan. The employee, Mr. Colin Schewaga, considered it dangerous to guard inmates by himself in the Intake Assessment Unit. On the same day, the health and safety officer rendered a decision of no danger pursuant to subsection 129(4) of the *Canada Labour Code*, Part II.

Mr. Schewaga appealed the decision rendered on October 5, 2002. On December 02, 2002, Mr. Schewaga informed the Canada Appeals Office that he was withdrawing his appeal of the above-mentioned decision. This case is closed