

Canada Labour Code
Part II
Occupational Health and Safety

Michel Lacasse
Daniel Côté
Alain Gingras
Robert Mongrain
applicants

and

SECUR
employer

Decision No. 03-017
October 14, 2003

Representations

Jocelyn Tremblay and Suzanne Voisard, Canadian Union of Public Employees, for the employees

Erik Sabbatini, counsel, Lavery, De Billy, for the employer

- [1] On April 18, 2002, Messrs. Côté, Lacasse, Mongrain and Gingras informed their employer that an absence of safety equipment posed a danger to them, and that they had chosen to exercise their right of refusal to work. Health and safety officer Normand Aubry investigated the refusal to work by the SECUR employees and subsequently decided that there was no danger.
- [2] On May 1, 2002, Jocelyn Tremblay of the Canadian Union of Public Employees filed an appeal on behalf of the above-mentioned employees against the decision rendered by health and safety officer Normand Aubry on April 24, 2002. Nonetheless, on September 24, 2003, Suzanne Voisard of the Canadian Union of Public Employees informed the Canada Appeals Office on Occupational Health and Safety that they were withdrawing their appeal against the above-noted decision of no danger.

- [3] As the appeals officer reviewing this matter, I confirm that the Canadian Union of Public Employees representing the four employees has withdrawn the appeal of the decision of no danger rendered by health and safety officer Normand Aubry. This file is now closed.

Serge Cadieux
Appeals Officer

Summary of Appeals Officer's Decision

Decision No.: 03-017

Applicants: Michel Lacasse
Daniel Côté
Alain Gingras
Robert Mongrain

Employer: SECUR

Key Words: Refusal to work, safety equipment, armoured truck.

Provisions: *Code 129(7)*
Regulations

Summary:

On April 18, 2002, Messrs. Côté, Lacasse, Mongrain and Gingras informed their employer that an absence of safety equipment posed a danger to them in the performance of their work. They therefore chose to exercise their right of refusal. The health and safety officer decided that there was no danger to the employees.

On May 1, 2002, the Canadian Union of Public Employees appealed the decision by health and safety officer Normand Aubry rendered on April 24, 2002, and, on September 24, 2003 withdrew the appeal. This file is closed.