

Canada Labour Code
Part II
Occupational Health and Safety

Edward Fortin
applicant

and

OC Transpo
employer

Decision No.: 04-010
March 16, 2004

This case was decided by Pierre Rousseau, appeals officer.

On May 29, 2003, Mr. Edward Fortin, a bus driver with OC Transpo refused to work because he determined that his seat was “bottoming out”, the seat descended causing him a problem.

- [1] Health and safety officer Serge Marion investigated into Mr. Fortin’s refusal to work and following his investigation decided that a danger did not exist for him. He advised Mr. Fortin of his decision on May 29, 2003. On June 2, 2003, Mr. Fortin, appealed the decision of health and safety officer Serge Marion pursuant to subsection 129.(7) of the *Canada Labour Code*.
- [2] On March 10, 2004, Mr. Fortin subsequently withdrew his appeal on. I therefore confirm the withdrawal and declare the matter to be closed.

Pierre Rousseau
Appeals Officer

Summary of Decision

Decision No.: 04-010

Applicant: Edward Fortin

Employer: OC Transpo

Key Words: Refusal, no danger

Provisions: *Code 129(7)*
Regulations:

Summary:

The applicant appealed a decision of no danger issued by a health and safety officer, following a refusal to work. The applicant further withdrew his appeal and the appeals officer closed the file.