

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Transport Guilbault Inc.
Ste-Foy, Quebec

Respondent: Teamsters, Local 69

KEYWORDS

Driver, truck, trailer, accident, injury, dock, ship's crane, loading and unloading of weight, signaler training, danger.

PROVISIONS

Code: 145.(2)(a)

SUMMARY

The driver of a tractor trailer truck was injured when he mounted the trailer and attempted to direct the movement of the ship's crane in the process of transferring weights from the ship to his trailer. On his directions, the first weight was directed towards the front of the trailer near the transom. Thinking that the weight was immobilized, the driver turned his attention elsewhere. He was injured when the weight shifted and struck him.

On April 8, 1997, a safety officer conducted an inquiry at the work place. He found that the driver had no experience in loading and unloading weights by crane; nor any signaler training for directing cranes in the loading and unloading of ships manoeuvres. On May 23, 1997, the safety officer directed Transport Guilbault Inc. to take measures immediately for guarding the source of danger.

On December 1, 1997, Transport Guilbault Inc. withdrew its request for a review dated June 9, 1997. The regional safety officer closed the file.

CANADA LABOUR CODE
PART II
OCCUPATIONAL SAFETY AND HEALTH

Review under section 146 of the Canada Labour Code, Part II,
of a direction given by a safety officer

Applicant: Transport Guilbault Inc.
Ste-Foy, Quebec
Represented by François Bouchard, Counsel

Respondent: Teamsters, Local 69
Represented by Denis Valiquette

Mise en cause: Gilles Marcotte
Safety Officer
Transport Canada

Before: Doug Malanka
Regional Safety Officer
Human Resources Development Canada

On April 4, 1997, a tractor-trailer driver was directed to section 51 at the Port of Quebec City to transport weights from dock 51 to the Industrie Davie dockyard. The ship, the Western, had used the weights to conduct load tests for its cranes.

The tractor-trailer arrived at dock 51 to pick up the said weights, and the first weight was placed in the center of the trailer. The driver, wanting the weight to be placed closer to the front by the transom, climbed on the trailer and attempted to guide the ship's crane. The weight was moved to the front, and the driver, thinking that the weight was immobilized, did not pay attention to the weight which moved and injured him.

On April 8, 1997, a safety officer conducted an inquiry at the work place. He found that the driver had no experience in loading and unloading weights by crane. Moreover, the employee did not have any signaller training for ship's loading and unloading manoeuvres. The safety officer felt that the situations covered by the direction constituted a danger to the employee and, on May 23, 1997, directed Transport Guilbault Inc. to take measures immediately for guarding the source of danger.

On June 9, 1997, Transport Guilbault Inc. asked the regional safety officer to review the direction. On December 1, 1997, the request for a review was withdrawn.

As the regional safety officer responsible for this matter, I **HEREBY CONFIRM** that, on December 1, 1997, Transport Guilbault Inc. withdrew the request for a review of the direction that had been given in writing by safety officer Gilles Marcotte on May 23, 1997. The matter is closed.

Issued on December 22, 1997.

Doug Malanka
Regional Safety Officer