

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: Harvard Developments Ltd.
Regina, Saskatchewan
Represented by: Deron A. Kuski

Mis-en-cause: Curtis Pidhorney
Safety Officer
Human Resources Development Canada

Before: Douglas Malanka
Regional Safety Officer
Human Resources Development Canada

On September 16th, 1998, safety Officer Curtis Pidhorney conducted an inspection in the work place operated by Harvard Developments Ltd.. The safety officer decided that the absence of a second means of egress constituted a danger to employees. On January 21st, 1999 he issued a direction (see annex) to the Company pursuant to paragraph 145(2)(a) of the Code and ordered the Company to install a second means of egress on the main floor.

On February 4th, 1999 Harvard Developments Ltd. requested a review of the direction pursuant to section 146 of the Code. A hearing was scheduled for March 2nd, 1999 but was postponed at the request of Harvard Developments Ltd.. They explained to the Office of the Regional Safety Officer that the City of Regina Fire Inspector's Office had become involved in the matter. On July 27, 1999, Harvard Developments Ltd. subsequently withdrew its request for review of the direction since it had already complied with it.

As a result, I hereby confirm that Harvard Developments Ltd. has withdrawn its request for review of the direction issued pursuant to paragraph 145(2)(a) of the Code by safety officer Curtis Pidhorney on January 21st, 1999. This file is closed.

Issued on October 14, 1999.

Douglas Malanka
Regional Safety Officer

IN THE MATTER OF THE CANADA LABOUR CODE
PART II - OCCUPATIONAL SAFETY AND HEALTH

DIRECTION TO THE EMPLOYER UNDER PARAGRAPH 145(2)(a)

On September 16th, 1998, the undersigned safety officer conducted an inspection in the work place operated by HARVARD DEVELOPMENTS LTD., being an employer subject to the Canada Labour Code, Part II, at 2060 HALIFAX ST. REGINA SK, the said work place being sometimes known as Harvard Broadcasting.

The said safety officer considers that a condition in any place constitutes a danger to an employee while at work:

1. Paragraph 125(a) of the Canada Labour Code, Part II, and subsection 2.1 of the Canada Occupational Safety and Health Regulations.

Second means of egress shall be installed on main floor.

Therefore, you are HEREBY DIRECTED, pursuant to paragraph 145(2)(a) of the Canada Labour Code, Part II, to protect any person from danger immediately.

Issued at Regina, SK, this 21st, day of January 1999.

Curtis Pidhorney
Safety Officer
3374

To: HARVARD DEVELOPMENTS LTD.
HARVARD BROADCASTING
2060 HALIFAX ST
REGINA SK
S4P 3J4

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Harvard Developments Ltd.
Regina, Saskatchewan

KEYWORDS

Egress, danger.

PROVISIONS

Code: 125(a), 145(2)(a)

Reg: 2.1

SUMMARY

A safety officer issued a direction to Harvard Developments Ltd. The Company requested a review of the direction but later withdrew its request since they had complied with the direction. The file was closed.