

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: Correctional Service Canada
Dorchester Penitentiary
Dorchester, New Brunswick
Represented by: Charlene Sullivan

Respondent: Union of Solicitor General Employees (U.S.G.E.)
Local 60020
New Brunswick

Mis-en-cause: Luc Sarrazin
Safety Officer
Human Resources Development Canada

Before: Douglas Malanka
Regional Safety Officer
Human Resources Development Canada

On November 1st, 1999, safety officer Luc Sarrazin conducted an inquiry in the work place operated by Correctional Service Canada, Dorchester Penitentiary. He subsequently issued a direction (annex) to the employer pursuant to subsection 145(1) of the *Canada Labour Code*, Part II (hereafter the Code) on November 3rd, 1999. The safety officer considered that the employer had contravened paragraph 125(q) of the Code.

On November 17, 1999, Correctional Service Canada requested that this direction be reviewed by a Regional Safety Officer. On January 13, 2000 the Office of the Regional Safety Officer was officially informed that, following discussions by the parties, Correctional Service Canada was withdrawing its request for review of the above direction.

As the Regional Safety Officer in charge of reviewing this direction, I confirm that Correctional Service Canada has withdrawn its request for a review of the direction issued pursuant to subsection 145(1) of the *Code* by safety officer Luc Sarrazin on November 3rd, 1999. The case is closed.

Decision rendered on January 21st, 2000.

Douglas Malanka
Regional Safety Officer

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

DIRECTION TO THE EMPLOYER UNDER SUBSECTION 145(1)

On November 1st, 1999, the undersigned safety officer conducted an inquiry in the work place operated by CORRECTIONAL SERVICE CANADA, being an employer subject to the Canada Labour Code, Part II, at DORCHESTER PENITENTIARY, P.O. BOX A, DORCHESTER, N.B., the said work place being sometimes known as Dorchester Penitentiary.

Because, at the time of this inquiry, it was apparent that Corrections Officers and other staff working in the Treatment Centre had not had proper orientation and training, the said safety officer is of the opinion that the following provision of the Canada Labour Code, Part II, is being contravened:

1. 125(q)

...provide, in the prescribed manner, each employee with the information, instruction, training and supervision necessary to ensure the safety and health at work of that employee;

Correctional Officers and other staff working in the Treatment Centre must receive the necessary specialised workplace training to ensure the safety and health at work of these employees and others.

Therefore, you are HEREBY DIRECTED, pursuant to subsection 145(1) of the Canada Labour Code, Part II, to terminate the contravention no later than December 15th, 1999.

Issued at Dorchester, this 3rd day of November 1999.

Luc Sarrazin
Safety Officer

To: CORRECTIONAL SERVICE CANADA
CORRECTIONAL SERVICES OF CANADA
DORCHESTER PENITENTIARY
DORCHESTER, N.B.
E0A 1M0

SUMMARY OF REGIONAL SAFETY OFFICER DECISION

Applicant: Correctional Service Canada
Dorchester Penitentiary
Dorchester, New Brunswick

Respondent: Union of Solicitor General Employees (U.S.G.E.)
Local 60020
New Brunswick

KEYWORDS

Treatment Centre, training, orientation.

PROVISIONS

Code: 125(q), 145(1)

Regulations: n/a

SUMMARY

A safety officer issued a direction to Correctional Service Canada. The employer requested a review of the direction but subsequently withdrew its request. The case is closed.