

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: Buckham Transport Ltd.
Peterborough, Ontario
Represented by: Ms. Catherine Buckham

Mis-en-cause: Karen Malcolm & Greg Garron
Safety Officers
Human Resources Development Canada

Before: Douglas Malanka
Regional Safety Officer
Human Resources Development Canada

On October 27, 1999, safety officers Karen Malcolm and Greg Garron conducted an inspection in the work place operated by Buckham Transport Limited. They then issued a direction (annex) to the employer pursuant to paragraphs 145(2)(a) and (b) of the Canada Labour Code, Part II (hereafter the Code) on October 27, 1999, for having failed to ensure that controlled products are stored in accordance with the National Fire Code, 1990.

On October 28, 1999 Buckham Transport Limited requested that this direction be reviewed but later indicated that they may withdraw their request. On March 10, 2000, the Office of the Regional Safety Officer was formally informed that Buckham Transport Limited was withdrawing its request for review of the above direction.

I hereby confirm that Buckham Transport Limited has withdrawn its request for a review of the direction issued pursuant to paragraphs 145(2)(a) and (b) of the Code by safety officers Karen Malcolm and Greg Garron on October 27, 1999 and that this case is closed.

Decision rendered on March 30, 2000

Douglas Malanka
Regional Safety Officer

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

DIRECTION TO EMPLOYER UNDER PARAGRAPHS 145(2)(a) & (b)

On October 27, 1999, the undersigned safety officers conducted an inspection in the work place operated by Buckham Transport Ltd., being an employer subject to the Canada Labour Code, Part II, at Lot 1, Concession 3, South Monaghan, Highway 28, South, Bailieboro, Ontario.

The said safety officers consider that a condition exists at the above noted workplace that constitutes a danger to employees while at work:

- 1) Canada Labour Code, Part II, Paragraph 125.1(b)
Canada Occupational Safety and Health Regulations, Section 10.46

The employer has failed to ensure that controlled products are stored in accordance with articles 3.3.6.1 to 3.3.6.12 of the National Fire Code 1990.

Therefore, you are HEREBY DIRECTED pursuant to paragraph 145(2)(a) of the Canada Labour Code, Part II, not to use or operate the place in respect of which the notice of danger no. 0225 has been affixed pursuant to subsection 145(3), until this direction has been complied with.

Issued at County of Peterborough, this 27 day of October 1999.

Karen Malcolm
Safety Officer
Id No. 3293

Greg Garron
Safety Officer
Id No. 1956

To: Buckham Transport Ltd.
Lot 1, Concession 3, South Monaghan
Highway 28 South
Bailieboro, Ontario

