

***Canada Labour Code***  
**Part II**  
**Occupational Health and Safety**

Sylvain Gauthier  
Longshoremen's Union  
CUPE, Local 375  
*applicant*

and

Logistec Corporation and  
Maritime Employers Association  
*employers*

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Decision No.: 06-024  
August 2, 2006

This appeal was heard by Richard Lafrance, appeals officer.

- [1] The present case concerns an appeal submitted on July 21, 2006 by Sylvain Gauthier, President of Local 376, Longshoremen's Union, CUPE, under subsection 129(7) of the *Canada Labour Code*, Part II (the *Code*).
- [2] The appeal was submitted following a decision of absence of danger issued on July 11, 2006 by health and safety officer Denis Briffaud, as a result of the refusal to work made by 25 employees on July 8, 2006.
- [3] On August 1, 2006, Sylvain Gauthier, President of Local 376 of the Longshoremen's Union, CUPE, wrote that after consultations, the union wished to withdraw its appeal of health and safety officer Denis Briffaud's decision.
- [4] Consequently, I hereby accept the withdrawal made by Sylvain Gauthier and I confirm that the file is closed.

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Richard Lafrance  
Appeals Officer

## Summary of Appeals Officer's Decision

**Decision No.:** 06-024

**Applicant:** Sylvain Gauthier

**Employer:** Logistec Corporation

**Keywords:** Decision, refusal to work, absence of danger, withdrawal

**Provisions:** *Code:* 129(7)

*Regulations:*

### **Summary:**

The applicant appealed a decision of absence of danger issued by a health and safety officer following a refusal to work. The applicant later withdrew his appeal and the appeals officer closed the file.