

Canada Labour Code
Part II
Occupational Health and Safety

Group 4 Securicor Limited
applicant

and

Teamsters- Local 879
and G4S Cash Services
union

Decision No.: 06-033
October 5, 2006

This case was decided by Appeals Officer Richard Lafrance.

For the Applicant

Peter Brady, Counsel
Michael Collins, VP Operations Support

For the Respondent

Marisa Pollock, Counsel for Teamsters, Local 879 and G4S Cash Services

Health and Safety Officer

Rod J. Noel, Labour Program, Human Resources and Skills Development Canada,
Southwestern District – London, Ontario

- [1] This case concerns an appeal made on January 30, 2005 under the *Canada Labour Code*, Part II, subsection 146(1), by Peter Brady, Counsel for Group 4 Securicor, against a direction issued by Health and Safety Officer (HSO) Rod Noel following his investigation of the work refusal by 10 employees of Group 4 Securicor.
- [2] According to HSO Noel's investigation report, on January 23, 2006, a group of 10 employees of Group 4 Securicor refused to work on a "two-person all off-crew" where there was no driver to maintain a lookout for the safety of the off crew. They stated that the "two-person all-crew" procedure was a danger.

- [3] Further to his investigation, HSO Noel issued one direction to the employer under paragraphs 145.(2)(a) of the *Canada Labour Code* as follow:

“The said health and safety officer considers that the performance of an activity constitute **a danger to the employees while at work.**”

The employer has implemented a change in the work procedure which has reduced 3 person crews, where one employee remains with the delivery vehicle, to 2 person (two-person all-off) crews, where no employee remains in the vehicle at scheduled drop-off and pickup locations. The change in work procedure, including the absence of a driver staying with the vehicle, constitute an increased risk of danger to the two crew members performing their duties away from the unoccupied vehicle.

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

- [4] On October 4, 2006, Mr. Michael Collins, VP Operations Support, Group 4 Securicor Limited, sent a letter to this office indicating that Group 4 Securicor Limited was withdrawing its appeal of the instruction.
- [5] Considering the written request to withdraw the appeal and having reviewed the file, I accept this request for withdrawal and declare this case closed.

Richard Lafrance
Appeals Officer

Summary of Appeals Officer's Decision

Decision No.: 06-033

Appellant: Group 4 Securicor Limited

Respondent: Teamsters – Local 879 and G4S Cash Services

Key Words: Withdrawal, two-person all off-crew

Provisions: *Canada Labour Code:* 146(1)

Summary:

On January 30, 2005, Group 4 Securicor appealed a direction issued following the work refusal of 10 employees. On October 4, 2006, Group 4 Securicor Limited withdrew its appeal of the instruction.