



RECOURSE OPTIONS FOR MEMBERS

HEALTH and SAFETY

ISSUE	You notice a violation of the Canadian Labour Code Part II Health and Safety.
1ST STEP	Report the violation to your immediate manager. 127.1(1) CLC
TIME LIMIT	No time limit.
HOW	File either verbally or in writing. 127.1(1.2) CLC
HUMAN RIGHTS	–
WHERE	<ul style="list-style-type: none">▪ If violation resolved: Complaint ends. 127.1(2) CLC▪ If complaint unresolved at first level (immediate manager) then the complaint is elevated to the local OSH committee. 127.1(3) CLC
WHO RESPONDS	Person who investigated the violation. 127.1(4)
HOW IS IT DEALT WITH	Immediate manager investigates, and if agrees, resolves violation at this level. If manager disagrees, elevate to the local OSH committee for investigation.
ANONIMITY	–
REPRISAL	Section 147 of the CLC prohibits an employer's reprisal for exercising rights conferred under the CLC Part II
REPORT / OUTCOME	Local OSH committee investigates, if the investigation concludes a violation occurred, the investigator will give the employer recommendations on how to rectify the situation.
APPEAL	While there is no "appeal" there are situations in which the complaint can be elevated to Labour. These are the two that an employee can elevate: (b) where the employer has failed to inform the persons who investigated the complaint of how and when the employer intends to resolve the matter or has failed to take action to resolve the matter; and (c) where the persons who investigated the complaint do not agree between themselves as to whether the complaint is justified This would be where the local committee cannot agree, not immediate manager and employee.
AUTHORITY	<i>Canada Labour Code Part II</i>
MORE INFO	–