Board Refuses to Suspend Safety Order Regarding Doors on Scoop Trams



During an investigation of a fatality at a different mine in which a worker was thrown from the open door of a scoop tram, an MOL inspector learned of an incident at the Copper Cliff Mine, in which the door of a scoop tram opened during its operation and caused minor injuries to the operator. So the inspector ordered the Copper Cliff Mine owner to take steps to protect workers from operating scoop trams when the doors haven't been properly latched. The owner appealed the order and asked for its suspension during the appeal. The Labour Relations Board refused to suspend the order, ruling that doing so would likely endanger worker safety. The measures to comply with the order were 'modest.' And it wasn't clear that the owner would win the appeal because there was an issue with scoop tram doors being open while in operation, either because the door wasn't properly closed or the latch needed adjustment. Combined with a concern that operators may not always wear seatbelts, the Board concluded that there were health and safety issues that needed to be addressed and that the order sought to resolve [*Vale Canada Ltd. v. USW Local 6500*, [2016] CanLII 1476 (ON LRB), Jan. 14, 2016].