

# Court Upholds OHS Officer's Rejection of Worker's Confined Space Work Refusal



A millwright claimed she was the victim of reprisals because she refused to enter a confined space. After talking to witnesses and reviewing the records, the OHS officer concluded that the millwright didn't have a valid complaint. The Alberta court rejected the millwright's appeal. The officer didn't delve into the details of the company's confined spaces entry and rescue plan, the court acknowledged. But that was a reasonable call given his finding that the millwright never notified the employer that she was engaging in a work refusal and explained the reasons why, as the OHS laws require [*Fougere v Alberta (Labour Relations Board)*, 2021 ABQB 716 (CanLII), September 8, 2021].