

# Court Won't Order Minister of Labour to Prosecute Labour Code Violations



A union asked the court to order the Minister of Labour to prosecute Air Canada for allegedly violating the *Canada Labour Code* by, among other things, choosing someone to be the 'competent person' to investigate workplace violence who the union didn't consider impartial. But the court refused, ruling that the law doesn't permit a court to order the government to prosecute Code violations as such decisions are subject to prosecutorial discretion [[CUPE, Air Canada Component v. Canada \(Minister of Labour\)](#), [2012] FC 1484 (CanLII), Dec. 17, 2012].