

OHS Tribunal Nixes Prison Guards? Fire Safety Work Refusal



A group of 85 prison guards at a maximum-security institution began an OHS work refusal after the prison eliminated the in-house fire brigade, contending that they'd be in mortal danger if a fire broke out. A government investigator found no danger and ordered the guards to return to work. The guards appealed to the federal OHS tribunal but to no avail. The evidence, namely the testimony of the expert witness, showed that disbanding the fire brigade didn't create a 'serious' or 'imminent' threat to the guards' safety required under the *Canada Labour Code* to justify a work refusal [*Bergeron v. Correctional Service Canada*, 2021 OHSTC 1, May 13, 2021].