

Railway Wins Temporary Reprieve from Order to Install Costly Light Towers



An MOL inspector investigating a railroad switch worker's death determined that lighting levels in the yard were out of compliance and ordered the railway to construct new light towers within 7 months. The railway took issue with the inspector's findings and claimed that his test methods were inaccurate and unfair. It also asked the federal OHS Tribunal to 'stay,' i.e., bar enforcement of the order until the appeal was decided. The Tribunal agreed, noting that the railway would have to spend at least \$600,000 to comply with the order and finding that its interim safety measures, including furnishing workers with and requiring them to use LED rather than incandescent lamps in the yard, would provide adequate protection to workers in the meantime [*Canadian Pacific Railway Company*, 2019 OHSTC 12, May 28, 2019].