

Tribunal Blocks Enforcement of OHS Inspector's Face Shields Order



While refueling an aircraft, a worker accidentally sprayed aviation fuel into his face. The govt. inspector found that the Class 1A protective eyewear the victim was wearing didn't prevent the fuel from getting into his face, nose and mouth and ordered the employer to provide workers face shields. The employer denied any PPE violation and contested the order, which is usually a tough row to hoe. But this time the OHS Tribunal set the order aside noting that: i. enforcing it would require the employer to provide face shields to over 500 employees before the appeal was heard on the merits and it was determined that the equipment was truly necessary; and ii. the employer's willingness to upgrade to upgrade to Class 2B protective eyewear would be enough to protect workers in the interim [*Menzies Aviation Fuelling Canada Ltd.*, 2018 OHSTC 6 (CanLII), June 26, 2018].