

# Worker Claims Machine Is Too Dangerous to Use but OHS Inspector Disagrees



An assistant press operator at a wet-process hardboard mill manufacturing plant filed a formal safety complaint contending that a 25-year-old lift platform was dangerously defective and should be taken out of service. After doing a complete inspection, a Nova Scotia OHS officer decided the lift was safe. The worker appealed but the Labour Board upheld the officer's decision not to issue an Order requiring the lift to be removed from service. The lift was old and had experienced a lot of wear and tear, the Board acknowledged. But the employer was on top of the problem and was showing due diligence to control it via frequent inspections and implementation of effective engineering and work controls [*Moore v Louisiana – Pacific Canada Ltd.*, 2019 NSLB 22 (CanLII), March 14, 2019].