



International
LONGSHORE & WAREHOUSE
UNION

June 3, 2011

LOCAL 500 - BULLETIN

Loading Grain Through Cement Holes

Health & Safety Officer Transport Canada Captain Philip D'Sa ruled April 25, 2007 that the employer could not load grain through cement holes unless they provided an engineering report evaluating the safety of grain-loading through cement holes and the procedures for the safe implementation of the loading process.

Captain Philip D'Sa wrote a letter January 29, 2010 that the employer had complied with his direction. The Union was directed to work with the employer to finalize the procedures. The Union appealed Captain D'Sa's decision.

However, we are under the order that requires the Union to load grain through cement holes following the Safe Operating Procedures (SOP) that the employer developed. To fail to abide by the Safety Officers direction, even though we have appealed that decision, could open the Union up to a charge of an illegal work stoppage.

There has been a letter circulated written by Captain Pierre Wong, Senior Marine Safety Inspector Maritime Occupational Health & Safety (MOHS), that questions the decision of Captain D'Sa.

President Keserich has contacted Captain Wong. President Keserich asked Captain Wong if his letter overruled the decision of Captain D'Sa. Captain Wong said that his letter was his opinion and is part of the evidence being gathered by the Safety Officer who will hear the appeal of Captain D'Sa's decision.

If you have read Captain Wong's letter he makes important points about Captain D'Sa's decision. We believe that there is strong evidence supporting our appeal.

At this time the appeal has not been scheduled.

ILWU Local 500 Officers