

EMPLOYEES ON SHIPS AND AIRCRAFTS

1. Where an employee on a ship or an aircraft that is in operation has reasonable cause to believe that:
 - (a) the use or operation of a machine or thing on the ship or aircraft constitutes a danger to the employee or another employee;
 - (b) a condition exists in a place on the ship or aircraft that constitutes a danger to the employee; or
 - (c) the performance of the activity constitutes a danger to the employee or to another employee,

the employee shall forthwith notify the person in charge of the ship or aircraft of the circumstances of the danger and the person in charge shall, as soon as practicable thereafter, having regard to the safe operation of the ship or aircraft, decide whether or not the employee may discontinue the use or operation of the machine or thing or to cease working in that place or performing that activity and shall inform the employee accordingly.
2. An employee who, pursuant to section 1 of this Annex, is informed that he or she may not discontinue the use or operation of a machine or thing or cease to work in a place or perform that activity shall not, while the ship or aircraft on which he or she is employed is in operation, refuse, pursuant to this directive, to operate the machine or thing or to work in that place or perform that activity.
3. For the purposes of section 1 and 2:
 - (a) a ship is in operation from the time it casts off from a wharf in any Canadian or foreign port until it is next secured alongside a wharf in Canada; and
 - (b) an aircraft is in operation from the time it first moves under its own power for the purpose of taking off from any Canadian or foreign place of departure until it comes to rest at the end of its flight to its first destination in Canada.