

1 mine, including unsafe work practices, excessive dust and  
2 methane, poor ventilation, and unqualified mine  
3 officials.

4 But before anything was done, Claude White went to  
5 Gerald Phillips, told him about the complaints and  
6 identified Mr. Guptill as the complainant. The  
7 Department's investigation was compromised before it  
8 began.

9 Then Mr. Guptill was interviewed by inspectors  
10 McLean and Smith. For some reason, they each took  
11 separate statements about the injury, but recorded  
12 nothing about the other complaints even though they were  
13 much more serious.

14 Mr. McLean closed his investigation after meeting  
15 briefly with three of the men on Mr. Guptill's crew and  
16 gathering statements about the accident that had been  
17 taken by the company. He produced three versions of a  
18 report on the incident dealing with the injury, but  
19 nothing about the other complaints. And in the meantime,  
20 Westray terminated Carl Guptill's employment.

21 We submit, Mr. Commissioner, the evidence points  
22 strongly to collusion between the Department of Labour  
23 and Westray over the Guptill case. How else are we to  
24 explain the immediate disclosure of the complaints to  
25 Gerald Phillips, the failure to investigate serious