



**MINUTES OF THE POLICY HEALTH AND
SAFETY COMMITTEE MEETING**
September 15, 2010 – 2:00 to 4:30 p.m.
100 Metcalfe Street, 9th Floor - Ottawa

Employee Members

Jason McMichael, Co-chair
4th National Vice-President
CIU

Leanne Hughes
CIU Branch President
Victoria and Island

Brett Evans
CIU Branch President
Nova Scotia

David DeRose
PAFSO

Jocelyn Roy
PIPSC
(alternate for Frances Day)

Frances Day
PIPSC

Employer Members

Camille Therriault-Power, Co-chair
Vice-President
Human Resources Branch

Sylvain St-Laurent, Vice President
Comptrollership Branch

Maureen Tracy, Director General,
Programs Branch
(alternate for David Vigneault)

Barry Desormeaux, Director,
Operations Branch
(alternate for Martin Bolduc)

Greta Hill, A/Director,
Human Resources Branch
(alternate for Patti Bordeleau)

Absent:

David Vigneault, Associate Vice-
President, Programs Branch

Martin Bolduc, A/Associate Vice-
President, Operations Branch

Patti Bordeleau, Director General
Human Resources Branch

Secretariat:

Tammy Edwards, Secretary/Note Taker

The Employer Co-chair, Camille Therriault-Power, chaired the meeting.

OPENING REMARKS

The Employer Co-chair welcomed the members to the meeting and thanked them for their cooperation in agreeing to a late start time, which was due to the launch of CBSA's 2010 Government of Canada Workplace Charitable Campaign (GCWCC). The Employee Co-Chair indicated that he was happy to oblige, given that it allowed him the opportunity to participate in this important event and, in particular, the chance to knock the Employer Co-chair in the "dunk tank".

The Employee Co-chair advised the Committee that Mike Matuzic had decided to step down as a member, and that Brett Evans would be his replacement. The Committee members acknowledged Mike's important contribution in addressing health and safety issues not only as a Committee member but also through his participation on several working groups. The Employee Co-chair also noted the departure of Christine Ormsby, a member of the OHS Division and Committee Secretariat, and wished to thank her for the assistance she provided to him in his role as Employee Co-chair, and her dedication to the work of the Committee as a whole.

1. Violence Prevention in the Work Place Regulation

The draft Violence Prevention in the Work Place training package was provided to Committee members for their review on September 13, 2010. **Comments on the product are to be provided to the Secretariat by September 30, 2010.** In addition to the review by the PHSC, a pilot will be taking place across the country beginning the week of September 20th, which will provide an opportunity for a number of employees to test the on-line training module and provide their feedback. The Violence Prevention in the Work Place Policy and accompanying training are on track for roll-out this Fall. Committee monitoring of this training will form part of the regular updates provided under the OHS Training agenda item.

2. Occupational Health and Safety Training

The Committee was provided with the following updates:

Employee Health and Safety Orientation

The Committee was advised that as of August 23, 2010 approximately 12,900 employees (80%) had completed the training. **The OHS Division continues to monitor participation and will provide an update to the Committee at the December meeting.** The Employee Co-chair asked whether there was any type of follow-up process/survey that could be used to gauge an employee's retention of information for on-line training. **The Human Resources Branch will look at what options are available to address this concern.**

Workplace Health and Safety Committee Training

Since the last meeting, training for work place committee members and representatives has taken place in the Windsor/St. Clair Region. Train-the-Trainer sessions are scheduled to take place in October and November in the Northern Ontario Region (NOR), which will create a sufficient pool of trainers to deliver Work Place Committee members training at the local level. The Quebec Region is also experiencing a shortage of trainers and have been advised that they may participate in the NOR sessions. The OHS Division will also be looking at delivering a French Train-the-Trainer session in the Quebec Region later this Fall.

The Human Resources Branch will continue to monitor the delivery of this training to ensure that sufficient trainers are available. The Employee Co-chair emphasized the union's commitment to participate in this joint training initiative and would assist in soliciting employee representatives to become trainers, as needed.

3. Job Hazard Analyses (JHA)

JHA-3

Migration Integrity Officers

This portion of the JHA-3 has been completed.

Inland Enforcement Officers/Hearings Officers/Hearing Advisors

The final Phase 3 Report is posted on the Operations Branch section of Atlas. The Action Plan to address the recommendations in the Report has been updated to reflect progress in implementing the recommendations and changes in responsibility that occurred as a result of the re-organization of CBSA headquarters. **The Employee Co-chair committed to providing comments back to the Working Group on the latest update by the end of September.** Once the Working Group has approved the Action Plan it will be forwarded to the Committee for review and subsequently posted on Atlas.

Legacy CIC/CFIA Port of Entry Officers

The JHA-3 Working Group has completed their review of the draft Border Services Officer (BSO) Report, which was shared with Committee members prior to the meeting. Development of an Action Plan to address the recommendations contained in the Report will be led by the Officer Safety Team, Operations Branch, in consultation with the JHA-3 Working Group. **It is expected that the draft Action Plan will be ready for consultation by the end of December.** The Employee Co-chair noted that he expects to have significant input for the Action Plan and requested that the draft document be provided to the Working Group as soon as possible. PAFSO representative, David Deroose,

noted that 140 questionnaires had been completed and asked whether, based on the number of employees in this group, this was a representative sample. **The Operations Branch will follow up and provide the Committee with a response.**

Radio Communications

The Vice-President, Comptrollership Branch, advised the Committee that the current E-COMM contract in the Pacific Region had been extended for two-years (to September 2012). **In the meantime, a hazard and risk assessment would be conducted for Inland Enforcement Officers working in the Pacific Region, and possibly two other regions, to determine the type of operations being carried out and the adequacy of the technology currently being used.** The Employee Co-chair suggested that GTA (GTEC) would be a good parallel region to examine.

4. Uniforms – Health and Safety Issues

Needs Analysis for Non-Uniformed Officers (NANU)

An update on the NANU will be provided to the Committee at the next meeting.

Protective Footwear Study

The consultant originally hired to complete the Footwear Study had not taken the opportunity to correct the deficiencies noted in his report, that were identified in May. As a result, CBSA's Contracting Assets and Telecommunications Division recommended that the contract be terminated. Notification of termination will be sent to the consultant, which will provide a period of ten days to respond to the outstanding items in his report. If no response is received from the consultant at the end of the ten day period, an option may be to hire a second consultant to review and analyze the findings in the initial report, and provide recommendations in a final report.

Brett Evans expressed his disappointment with the delay in the completion of this study as there continues to be an unresolved health and safety issue in the marine environment in the Atlantic Region. Pending the results of the study, employees are not permitted to purchase side-zippered protective footwear, which would allow quicker removal of heavy boots should an officer fall in the water. Leanne Hughes indicated that this issue has also been raised a number of times in the Pacific marine environment. **The Operations Branch will raise this concern with the Uniform Program.**

Protective Work Glove Study

The contracting process to hire a consultant to conduct the protective glove study is ongoing. The solicitation documents have been amended as recommended by

the Contracting, Assets & Telecommunications Division. Once approved and translated, the contract will be posted on MERX.

5. Hazardous Occurrence Reporting Internal Database – Lab 1070 Injury Report

Committee members were provided with a copy of the Injury Report covering the period April 1 to June 30, 2010. In summarizing the report, it was noted that 53% of all injuries (40 in total) were recorded as disabling. The most common cause of hazardous occurrences continues to be CDT training – with 11 injuries reported.

David Derosé raised a concern that Migration Integrity Officers (MIOs) are not provided with any form of defensive training and yet they are often working in areas where there is no immediate support. It was noted that the risks associated with the duties performed by these employees would have been assessed in the JHA-3. **The Operations Branch will review the MIO portion of the JHA-3 to determine if this issue was raised as a concern during the assessment process. The OHS Division will contact the MIO Support Unit to determine what type of training is currently provided to MIOs to deal with vulnerable situations.**

Employee members of the Committee noted that the number of reports with corrective measures has greatly improved as only 8 reports (10%) submitted had no corrective measures noted. The OHS Division has a number of initiatives underway including the development of an Accident Investigation Course for manager/supervisors and work place committee members, and a desk book for Regional OHS Advisors, which will assist those involved in the completion and review of LAB 1070 reports. In addition, the OHS Division will continue to monitor the completion of LAB 1070 reports and communicate with the regions, when necessary, to ensure that the results of the incident/accident investigations are conducted and recorded, including the identification of corrective measures, and follow-up action.

Employer's Annual Hazardous Occurrence Report for 2009

At the last meeting, the Committee was advised of a discrepancy in the number of minor injuries identified in the Employer's Annual Hazardous Occurrence Report submitted to HRSDC when compared to the number of minor injuries reported in our LAB 1070 Injury Report provided to Committee members at the March meeting. After consulting with the regions, the OHS Division determined that the difference stems from a number of factors, including different interpretations of the definition of "minor injury", and duplicate reporting of training injuries (i.e. at the training facility and at the employee's home work location). The OHS Division will continue to work with the regions to ensure that definitions are clearly understood, and that accurate data is maintained.

Security Incident Report & Security Trend Analysis for 2010/2011

There were 12 security incidents reported during the first quarter (April 1 to June 30, 2010) – 1 threat of bodily harm, and 11 suspicious packages.

The CBSA has been working with Canada Post Corporation for the purpose of discussing and reviewing protocols currently in place for dealing with suspicious packages at Toronto, Vancouver and Montreal postal facilities. The goal is to introduce more consistency in the way packages are assessed and intercepted, without compromising safety.

The number of security incidents reported in each quarter of this fiscal year will be reviewed and analyzed, and compared against the incidents reported for the same period last fiscal year. Any new trends identified will be brought to the attention of the Committee.

6. Work Refusals/Directions

Four work refusals were reported since the last meeting.

On June 13th, three BSOs refused to clear an international flight at Saint John's Airport, Newfoundland, on the grounds that they were not permitted to carry their duty firearm. The Employee Co-chair emphasized that the union is very concerned that BSOs are not permitted to carry their duty firearm at airports and that they would continue to lobby for changes to this policy. On July 21st, an employee in Saint John, New Brunswick, refused to work stating that his work station was poorly set up and not suited to his accommodation needs. On July 27th, employees refused to work at the International Mail Processing Centre (IMPC) in Mississauga, Ontario, when they were not provided with written information from management confirming that the work area was safe. The previous night, as a result of work on the roof of the building, a steel rod had become dislodged and penetrated the ceiling tile in the men's washroom. In each of these three work refusal situations, investigations by HRSDC-Labour Program resulted in decisions of "no danger".

On August 25th, employees at the IMPC refused to work after a suspicious package was received. Although the package was cleared by the Hazmat Team, two employees still had concerns until further information was provided by management and the work place health and safety committee. This matter was resolved internally.

7. Fumigant Study

At the last meeting the Committee was advised that the Science and Engineering Directorate had approved the use of the new FP30 detection tool. This tool detects the presence of formaldehyde with greater sensitivity and accuracy than Dräger tubes. The FP30 units will be purchased this Fall for the five major

marine operations as a back-up to the SYFT 200, and as the primary formaldehyde detection tool for Saint John, New Brunswick. **The Operations Branch will provide the Employee Co-chair with a definitive delivery date for the additional FP30 units as soon as it is known.**

The Programs Branch is working to find a solution to deal with “problem containers” (those that cannot be ventilated) as they are causing examination delays. The CBSA’s Science and Engineering Directorate would be conducting tests in Vancouver during the week of September 13th to determine how best to deal with these containers. **Test results will be shared with the Committee.**

8. Doubling-up Initiative

The Operations Branch reported that a shortfall in POERT seats had been identified for the Doubling-Up Initiative. However, after working closely with the regions the required seats were made available for the final intake of POERT this fiscal. The Employee Co-chair indicated that he appreciated the heads-up by CBSA management on this issue, and that he was pleased that it had been resolved.

The Comptrollership Branch reported that funding had been secured to commence construction at Beaver Creek in the spring of 2011. Unfortunately, due to the small window for construction, the project was not able to proceed this fiscal year.

9. Referrals from Local Workplace Committees

Pearson International Airport – Work Place Health and Safety Committee

The local work place committee recommended that, based on health and safety concerns related to the heat burden when wearing a protective vest, moisture wicking shirts should be provided nationally to officers as a uniform component.

The Committee was advised that there is no medical evidence that there is an increase in heat burden caused by the wearing of a protective vest that would create a health and safety risk. However, if at any time an employee has a medical condition caused or aggravated by temperature/humidity, he/she should immediately bring this concern to the attention of her/his supervisor to be addressed.

The Uniform Program supports the wearing of moisture wicking shirts and is open to evaluating and recommending the best type of wicking shirt to be worn and whether, based on “officer comfort”, consideration should be given to providing this clothing item nationally. However, to conduct a proper evaluation, the Uniform Program has requested that at locations where this has been raised as a concern, the local work place committee provide all relevant information (i.e. type of work being performed, work environment, temperature/humidity readings,

etc.) to the Regional Uniform Coordinator. This information will then be forwarded to the national Uniform Program.

The Employee Co-chair indicated that he had previously advised a member of a local work place committee to contact the Regional Uniform Coordinator but was advised that local management did not support that approach. He noted that the union considers this a health and safety issue and that a hazard exists due to the combination of the uniform shirt and vest which increases the employee's internal core temperature.

Based on the Committee's discussion, the Secretariat will draft a response to the local work place committee for review at the Co-chairs mid-point meeting.

Emergency Medical Response

At the March 24, 2010 meeting, in response to a referral from the Work Place Committee at Blue Water Bridge, Windsor/St. Clair, the Committee was advised that the Agency was not prepared to expand its first aid program to include the purchase of automated external defibrillators (AEDs). The decision was based on the cost of developing, implementing and maintaining a national program to support such an initiative. Brett Evans, who was present at the March meeting as an Observer, asked whether the Committee had considered delays in emergency response times to off site locations where marine teams worked. The Human Resources Branch agreed to conduct research to determine what options might be available to address those situations.

At the last meeting (June 4, 2010), the Committee was advised that officers who are required to perform confined space entry examinations in the marine mode receive a five-day Canadian Red Cross Course – Medical First Responder Training, which has a 3-year validity period. However, with the temporary suspension of the Confined Space Entry Program, this training is no longer being offered. All BSOs require a 2-day Standard First Aid Training course. **The OHS Division will be conducting further research in the regions to determine whether there are other CBSA work locations where emergency response time may be substantially delayed and, if so, what options are available to address those situations.**

The Employee Co-chair asked management to be proactive and provide mobile defibrillators for marine units. Based on management's earlier decision, the Employer representatives indicated that they were not prepared to re-visit the issue of defibrillators at this meeting. **It was agreed that the Co-chairs would further discuss this item at the mid-point meeting with a view to clearly defining the health and safety issue that the Committee is being asked to address.**

10. Hearing Conservation Program

As a result of studies that have been completed on noise and vessel rummaging, the Human Resources Branch is developing a Hearing Conservation Program in accordance with the *Canada Labour Code*. The Program will include guidelines for the selection, use, and care of hearing protectors, as well as the requirements for training and annual audiogram testing. To support the program, an E-learning product is also being developed. **As soon as the Program document has been translated it will be shared with Committee members for review and comment.** The Program is expected to be launched before the end of the calendar year.

The OHS Division is currently assisting the Pacific and Atlantic Regions in the selection of appropriate hearing protectors for vessel rummage teams. As part of the Hearing Conservation Program, all CBSA work locations where employees may be exposed to high levels of noise will be assessed to ensure that appropriate hearing protection measures are in place.

11. Occupational Health Assessment Guide (OHAG) – Separate Category For CBSA

The implementation of the Category III medical assessments for officers with enforcement duties is progressing well. Employees being scheduled for triennial duty firearms training recertification now require the Category III assessment. To date approximately 2096 medical assessments have been scheduled, with only nine employees having been identified as not meeting the medical standard.

The Employee Co-chair asked what kind of numbers other Government Departments experience in terms of “do not meet” results. The Human Resources Branch indicated that Health Canada had previously advised that based on their statistics, CBSA should expect a rate of 2% of employees that will not meet the standard. The CBSA current rate is well below that number.

As the implementation of this initiative is well underway, a decision will be made at the Co-chair’s mid-point meeting as to whether this item can now be removed from the agenda.

12. Internal OHS Audit

The Human Resources Branch reported that two items remain outstanding with respect to the recommendations contained in the OHS audit – the Management Accountability Framework and the OHS Policy. **A copy of the draft OHS Policy will be provided to Committee members for their review prior to the next meeting.**

As mentioned at the last meeting, due to other priorities for system upgrades, the OHS portal in CAS was delayed. However, the OHS Division has been working with the regions to develop a tool (i.e. Excel spreadsheets) for capturing and monitoring OHS activities until the OHS portal can be released.

13. Update on Arming Policies - Wearing of Empty Duty Firearm Holster

All arming policies, including the *Policy on the Wearing of Protective and Defensive Equipment*, are currently under review. In addition to the question of wearing an empty holster at airports, other items being looked at include the 25m vs. 15m qualifying distance; arming at airports; removal of the firearm for personal errands; completion of forms; off-duty practice sessions, etc.

The Programs Branch noted that a great deal of consultation had taken place over the summer with various stakeholders for the update to the arming suite of policies. Early this year, the Branch received over 200 responses to a survey conducted to obtain feedback. In addition, a mailbox was provided on Atlas for employees to submit comments. Since the end of June, conference calls have taken place with a number of stakeholders, including union representatives, to obtain input for the policy review. It was also noted that senior management would be making a presentation on the arming policy review to the CIU Board of Directors during their meetings the week of September 20, 2010.

Brett Evans noted that the suspension of off-duty practice sessions has had a detrimental effect on some employees as they have paid for a membership to a local firing range and cannot use the facility because they do not have access to their duty firearm.

An update on the status of the review will be provided at the Co-chair's mid-point meeting.

Round Table

Hydrogen Sulphide Hazards for Marine Officers (Update): The Operations Branch noted that the H₂S equipment is delayed until February due to the contracting process. Brett Evans noted that this will be disappointing to employees in his region.

The Human Resources Branch reported that Health Canada has indicated that this year's flu shot will be a combined seasonal and H1N1 vaccination. A message to all employees providing information on this year's flu vaccination and precautions to take to reduce the risk of infection would be sent out from the Human Resources Branch shortly.

The Employee Co-chair noted that the Committee meetings continue to be productive with good constructive discussion taking place.

Closing Remarks

The Employer Co-chair thanked the members for their participation and noted that the next meeting would take place on December 1, 2010 at 1:00 pm.

Original signed by
Jason McMichael

November 5, 2010

Original signed by
Camille Therriault-Power

November 5, 2010