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RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

In attendance:

CPC

John Thomas (Acting chair)
Marnie Armstrong

RSMC / CUPW

Serge Champoux (Absent)
Louise Jarret
Jean Claude Girard

Advisors

Louise Chayer-Ayers
Peter Lennon

Guests

John Polak Denise Portugaise
Jeff Fraser Jennifer Huber

It was agreed at the outset of the meeting that the HRSDC position re: more than one policy committee would be delivered at the Urban NJHSC on September 30th. It was agreed that the HRSDC position could be reflected within both the RSMC and Urban NJHSC minutes.

Old NJH&SC Business

1. Safety Component of Right-Hand Drive (RHD) Pilot

A brief discussion took place regarding the RHD pilot. It was confirmed that CPC had consolidated the scope comments and provided to CUPW June 5th 2009. CPC added that this had also provided the rationale for location selection.

CPC informed the NJHSC that it would be providing the first RHD survey findings shortly to CUPW. CUPW stated that feedback regarding the RHD survey would be generated upon the receipt and review of the survey document.

CUPW enquired whether it had received copies of the questions posed within the survey. CPC confirmed that it had and that RSMC'S were responding to them on a quarterly basis.

CPC updated the NJHSC that the preliminary findings suggested that the Jeep Patriot and Dodge Caravan were favourable choices but that the Savannah seemed too big for its intended purpose. CPC added that it was conducting bi-weekly conference calls with the Local Area Managers (LAM's) and that feedback so far had been positive.

CPC confirmed that one RHD vehicle was off the road in Granby and that the RSMC was using his vehicle with proper payment until the RHD was repaired.

Action:

1.1 CPC to provide the 1st quarterly RHD survey report to CUPW.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

1.2 CUPW to review and provide CPC with feedback.

2. Spare Wheel / Roof Rack Lights and Signs

The NJHSC was advised that CUPW had reviewed the latest prototype. CUPW explained that its intention was to show the item at the upcoming CUPW National Health and Safety meeting on Oct 24th and 25th and obtain feedback from its members.

At the previous NJHSC it was noted that the lens of the new prototype was amber and that provincial restrictions applied in areas such as New Brunswick where an amber / red lens is utilised. CPC had reviewed how regional deviations could be overcome and had obtained a variation on the new light. It was explained that the unit was constructed from clear plastic and contained LED's. CPC confirmed that it was in dialogue with the New Brunswick representative and was in the process of determining costs.

It was explained that the exterior cover of the light uses three (3) screws to remove the cover. CPC will check on the possibility of having the exterior cover for the light screw on/off like a bottle cap.

CUPW wanted clarity on when the spare wheel/roof light should be turned on/off. CPC responded that the light should be turned off when the RSMCs leave to drive to the next point of call (POC). It was explained that the RSMC is to turn the light on when they are at the next POC. CPC confirmed however that the specific details around when to switch lights on and off were contained within the safe work procedures. These procedures were applicable across Canada.

Action:

- 2.1 CUPW to provide feedback on the new prototype following the National CUPW Health and Safety meeting
- 2.2 CPC to investigate the LED unit further and provide an update to the NJHSC.

3. Draft Turnaround Guidance

CUPW stated that it was keen to establish that it was working to the correct version of the Turnaround Guidance document and enquired whether the document as received July 3rd 2009 was in fact the final version. CPC confirmed this but gave a commitment to check and reissue to CUPW. CUPW stated that it would compare the final document to earlier drafts and confirm its satisfaction with the edits by e-mail.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

It was agreed that subject to receipt of confirmation from CUPW the item could be considered closed.

Action:

- 3.1 CPC to reissue the final document to CUPW.
- 3.2 CUPW to review against previous versions and confirm satisfaction and closure of the item.

Item considered closed.

4. Job Hazard Analysis

The NJHSC was advised that CPC had reviewed CUPW comments and compiled their ratings into a top 6 risks spreadsheet and that this along with the JHA would be circulated to CUPW shortly. It was agreed that this item would carry forward for a more detailed discussion at the next NJHSC.

Action:

- 4.1 Carried forward. The JHA is to be discussed in detail at the next NJHSC.

5. Ergonomic Assistant Working Committee Status

It was confirmed that CPC had provided a copy of RSMC Connection in April and August 2009. CUPW expressed concern however that circulation to the union had ceased in the intervening period. CPC gave a commitment to provide the October edition and further editions moving forward.

At the previous NJHSC CUPW had expressed concern that an employee was still using an RMB hook. CPC gave a commitment to make contact and stop this activity. CPC confirmed that the item had been dealt with and that e-mail confirmation had taken place. CUPW requested confirmation of this by e-mail.

It was explained that the mandate of the Ergonomic Assistant Committee had been extended and that the committee was continuing for the time being.

CUPW enquired; what rate of pay was used by CPC to pay for an ergonomic assistant. CPC replied that the rate was dictated by a Canada Post representative and this was

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

reflected in the July 2, 2008 minutes. A quick check indicated 60% refusal and 40% acceptance of requests for ergonomic assistants.

The parties agreed that subject to completion of these two actions the item was considered closed.

Action:

5.1 CPC to provide CUPW with subsequent copies of 'RSMC Connection'.

5.2 CPC to confirm closure of the CMB hook item.

Item considered closed.

6. Health and Safety Reporting Daily and Monthly

It was confirmed that CPC had reformatted the MVA reports as requested by CUPW and that the documents had been submitted in that format to CUPW on June 3rd 2009. It was confirmed that subsequent reports had been submitted in this format thereafter.

Item considered closed.

7. CMB Siting Guide (CPC 09.04.01)

It was confirmed that CPC had sent CUPW copies of the draft CMB siting guide for its consideration and feedback. It was also confirmed that CPC had also sent the draft ITRANS documents (Rural CMB Executive Summary Final Draft, 'Appendix A' Taper Field Test Memo, 'Appendix B' CMB Site Selection Data Sheet and 'Appendix C' Digital Level Smart Tool to CUPW on July 28th 2009.

The GM Addressing and Delivery provided the NJHSC with a CMB presentation and associated handouts (Rural CMB Site Selection Guidelines prepared by Addressing and Delivery / Operational Assets September 16th 2009) and (Rural CMB – Site Selection Data Sheet – draft).

It was explained that the site selection materials had been created to fill a void that existed in relation to rural site selection. It was explained that historically there had been ambiguous definitions of 'rural' and that this had compounded attempts to create a workable template for site selection requirements.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

The NJHSC was provided with an overview of the definition of Urban and Rural and the features that distinguish one from the other.

CUPW sought clarity around slide 1 and enquired why CPC had classified CMB (B) sites. CPC explained that the (B) classification illustrated that a mail box was installed on a sand filled base and was free standing.

CUPW enquired whether there was an Urban CMB specification in existence and if there was, whether they could receive a copy. CPC confirmed that it would establish whether the document exists and if confirmed, it would share with CUPW.

CUPW sought clarity around the statement within the presentation that the Rural CMB guidelines had been deployed to all DSO's in July and August 2009. CPC confirmed that the Road Priority Decision Matrix was currently in use.

CUPW drew the attention of the NJHSC to Priority #3 and the reference to using churches or shopping plaza's for installations. CUPW sought clarity regarding the maintenance of equipment at these locations. CPC advised the NJHSC that the responsibility for maintenance was reviewed on a case by case basis as part of the 'license to occupy'.

CUPW sought clarity regarding Priority # 4 and the reference to installations on provincial roads 'in accordance with enclosed lay-by selection tables'. CPC explained that in such circumstances the lay-by would be created in accordance with tables on page 12 and 13 of the Site Selection Guide. CPC added that if the relevant speed limit applied then the requirements would need to be met.

A discussion took place regarding the contents of the draft Rural CMB Siting Guide. CUPW requested that CPC review pages 8 and 9 and make the lines bolder as it was difficult to see. The absence of stop signs, traffic lights and yield signs was also highlighted. CUPW also stated that when most drivers approach a yield sign they look one way and not both. CPC acknowledged this but confirmed that it had made the approach longer to accommodate this.

CUPW drew the attention of the NJHSC to page 14 of the guide and sought clarity around the term 'safety spotter'. CPC provided an example and explained that if a DSO is measuring a road width then an additional person may be required to monitor the traffic.

CUPW requested that CPC insert figures into the formula used on page 16 of the document. It was felt that replacing X and Y with actual numbers would be an aide to interpretation and understanding in the field. CPC agreed. CUPW requested that CPC enlarge the Site Selection Data Sheet and resubmit to CUPW.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

CUPW also sought clarity regarding the reference on page 14 to finding 'the middle of the slope'. CPC explained that this is a process where a measurement is taken from the brow of the slope to its lowest point and the mid point between the two is established as the middle of the slope.

CUPW acknowledged receipt of the documents and the presentation but stated that they would be treating the documents as draft and would provide further comments.

Action:

- 7.1 CPC to establish whether an Urban CMB specifications document exists and if confirmed share with CUPW.
- 7.2 CPC to make changes to Pages 8 and 9 (bolder lines) and page 16 (formula figures) of the CMB Siting Guide.
- 7.3 CPC to enlarge the Site selection Data Sheet and reissue to CUPW.
- 7.4 CUPW to review the CMB documents and provide feedback to CPC.

8. Violence in the Workplace (CPC 09.06.01)

The NJHSC was provided with an update on the development of training for violence in the workplace. It was explained that CPC would be developing material with the co-operation of the Policy committees and it was acknowledged that there would be different approaches adopted across the organisation.

CPC informed the NJHSC that in the case of RSMC's one of the options for training was to develop a self directed approach that was reflective of the nature and role of a RSMC.

CPC explained that it had begun looking at the content of the training material and that the material would likely involve a training guide and associated handouts. This would equip employees with the appropriate tools to know what to do and who to call.

CUPW sought clarity as to how CPC intended to obtain information from RSMC's to assist in the development of the material. CPC advised the group that it would channel the material through the NJHSC so that information could then be shared with the RSMC community.

CUPW queried why CPC had chosen a self directed path if violence in the workplace was such an important issue for the organization. CPC explained that as many RSMC's work in

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

very rural locations it would be both impractical and cost prohibitive to bring all RSMC's in to defined locations.

CPC added that the associated legislation required that CPC track the details of those employees in receipt of the training. It was explained that the self directed questionnaire would help track the results from the RSMC training.

CUPW enquired what arrangements would apply to RSMC's in depots i.e would they be self directed or be part of the standard approach. CPC confirmed that the modular approach could potentially be opened up to RSMC's in depots provided that it was possible to track that the training had been delivered. CPC gave a commitment to establish how many RSMC's fall under this category. CUPW stated that from this it would be interesting to determine how the training is received by those that receive it self directed or by the standard modular approach.

CPC confirmed that the target roll out date for training was September 2010 but acknowledged that the sooner the parties could get going reviewing the material the better. CPC gave a commitment to provide CUPW with the titles of the proposed modules.

CUPW enquired whether they had the latest version of the policy. CPC confirmed that the version as circulated in August by Labour Relations was the latest version. CPC would nonetheless resend the document to CUPW for its records.

CUPW stated that the union position was that the Violence training should form part of Appendix DD.

Action:

- 8.1 CPC to provide CUPW with the titles of the training modules
- 8.2 CPC to establish how many RSMC's fall under the depot category.
- 8.3 CPC to re-send the updated policy to CUPW for its records.

9. Health and Safety Representatives (HRSDC 09.06.02)

At a previous NJHSC the HRSDC guest had enquired what progress had been made following the signing of the MOA for the selection of health and safety representatives in multi union worksites. The NJHSC was reminded that the MOA had come out in March 2009.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

CPC expressed concern that details from CUPW were still outstanding. CPC stated that it needed confirmation of the elected H&S representative by December 31st. CUPW agreed to see what could be done to expedite the process.

CUPW had stated previously that there were a number of offices (in the region of 100) missing from the listing provided by CPC with respect to H&S reps in shared CPAA and RSMC offices. CPC had given an undertaking to follow up on this item and had requested that CUPW provide sample locations where that was the case. CPC acknowledged receipt of this material and could confirm that it was currently reviewing the details by comparing the various versions of lists that were in circulation.

Action:

9.1 CUPW to provide names of the elected H&S representatives to CPC in multi union worksites by December 31st 2009.

10. Policy Committee Status (HRSDC 09.06.03)

It was confirmed that HRSDC were not available to attend the RSMC NJHSC meeting but would deliver its position at the September 30th Urban NJHSC.

The HRSDC position delivered September 30th was as follows:

Mr McKeigan informed the group that HRSDC had explored a number of channels in reaching its decision on the CUPW complaint re: more than one policy committee. Mr McKeigan stated that he had met with the CPC Labour Relations department who had provided the argument that there were two collective agreements and therefore two policy committees could be established. The HRSDC position was that this was not supported in law. Section 134.13 CLC states that an organisation can only have more than one policy committee with the agreement of the union. CPC did not have that agreement with CUPW.

Mr McKeigan added that the CPAA, PSAC and Urban Collective agreements all specify development with the policy committees. The RSMC collective agreement does not. He added that the intention was that RSMC employees would be integrated in to the existing structure of the organisation, therefore these were employee arrangements and this supported the argument for one policy committee. Mr McKeigan also drew attention to the existence of one Terms of Reference to cover both committees.

HRSDC had also looked at the RSMC Transition committee to establish whether there were any arrangements that existed at that forum that contained anything of significance. HRSDC had not found anything that supported CPC's position.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

Mr McKeigan summed up the HRSDC position. He stated that HRSDC supported the CUPW complaint that there should be one policy committee for the CUPW bargaining agent. As for the arrangements to follow, Mr Mckeigan stated that it was for the parties to work out among themselves i.e whether the committees stay separate for the remainder of 2009 and merge in 2010 etc. HRSDC were content for the parties to decide collectively what arrangements worked best.

HRSDC added that if voluntary compliance was not achieved the likely course of action would be the issuing of a Direction to that effect. CPC enquired whether HRSDC would be issuing an AVC. HRSDC advised the NJHSC that it did not intend to issue an AVC as it was hoped that the parties could reach some consensus on the way forward.

Mr McKeigan closed the discussion by adding that PSAC and CPAA were unaffected by this decision.

CPC thanked Mr McKeigan for his advice. CPC stated that it needed to caucus opinions internally, discuss with CUPW and consider the next steps.

Action:

10.1 CPC to caucus opinions and consider its next steps in relation to the HRSDC position.

New NJH&SC Business

11. New Brunswick PEI – Modified Alternative Duties Form (CUPW 09.09.01)

CUPW members provided the NJHSC with a Modified / Alternative Duties Information Form. CUPW expressed concern that this material had emerged through the regions.

CPC gave a commitment to investigate and provide an update to the NJHSC.

Action:

11.1 CPC to investigate and provide an update to the NJHSC.

12. RSMC Accident Temagami (CUPW 09.09.02)

CUPW highlighted the recent RSMC accident in Temagami and enquired whether CPC had any more information to share.

RSMC National Joint Health & Safety Committee Meeting Minutes

September 28th 2009

CPC gave a commitment to investigate further and to determine the passenger details. CPC to provide this information to CUPW.

Action:

12.1 CPC to investigate the accident further and provide the passenger details to CUPW.

13. Thunder Bay Seat Belt Concerns (CUPW 09.09.03)

CUPW informed the NJHSC of an issue in Thunder Bay where a RSMC sought permission not to wear the shoulder safety belt. CPC gave a commitment to follow up and reissue the seat belt guidance document.

Action:

13.1 CPC to reissue the seat belt guidance document nationally through RSMC Connections.

The meeting was adjourned. The date of the next meeting is to be determined.

Employer Co-Chair NJHSC

Employee Co-Chair NJHSC

Date

John Thomas (Acting)
Canada Post Corporation

Date

Serge Champoux
National Health & Safety Representative
Canadian Union of Postal Workers