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# RSMC National Joint Health & Safety Committee Meeting Minutes

December 17th 2009

## In attendance:

### CPC

John Thomas (Acting chair)  
Lennox Sterling CPC (Absent)

### CUPW

Serge Champoux  
Louise Jarret  
Jean Claude Girard

### Advisors

Louise Chayer-Ayers  
Peter Lennon

### Guests

Bruce McKeigan (HRSDC)  
Jeff Fraser CPC  
Marnie Armstrong CPC

## 1. Policy Committee Status (HRSDC 09.06.03)

Mr McKeigan provided the NJHSC with the latest HRSDC position on the subject of the CUPW complaint re: more than one policy committee.

Mr McKeigan explained that he had observed the activity between the parties and that the respective positions were clear. He added that he had noted that the CPC letter to CUPW (October 22<sup>nd</sup> 2009) had indicated that CPC were not disposed to voluntary compliance and therefore he would be issuing the organisation with a Direction.

Copies of the Direction and associated cover letter were handed to both the employee and acting employer co-chair. It was agreed that copies would also be made available to the members of the Urban NJHSC.

Mr McKeigan stated that it was the opinion of the officer (him) that CPC was not in compliance with the requirements of the *Canada Labour Code*. He stated that he had set a date for January 15<sup>th</sup>, 2010 to allow the parties sufficient time to consider the next steps and to conclude the business of the RSMC committee.

Mr McKeigan requested a copy of the minutes once finalised and stated that he was open to receive any questions or hear any concerns. CUPW enquired whether CPC was obligated to reply to the Direction in writing. CUPW also sought clarity regarding the status of the Direction if CPC chose to appeal. Mr McKeigan explained that a reply was required in writing and that CPC were obligated to comply with the Direction unless the corporation was

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granted a stay, which was unlikely unless it could be shown that there were extenuating circumstances.

CUPW stated that it would await the CPC response and that its understanding was that the Urban and RSMC items would be discussed at the next Urban NJHSC March 24<sup>th</sup> 2010.

## **Action:**

1. CPC to ensure that copies of the Direction and Cover letter are made available to members of the Urban NJHSC.
2. CPC to respond to the Direction in writing by January 15<sup>th</sup> 2010.
3. A copy of the finalised minutes to be provided to HRSDC.

## **2. Quorum of the Committee (09.12.01)**

CUPW sought clarity regarding the status of the CPC NJHSC members.

CPC explained that Mr Thomas was providing cover as the acting chair for Mr Sterling. CPC also acknowledged that Mr Briggs was no longer a member of the committee.

## **Old NJH&SC Business**

## **3. Safety Component of Right-Hand Drive (RHD) Pilot**

CUPW acknowledged receipt of the QTR 1 survey results (En) for the RHD Pilot and handed CPC a copy of the survey questions as received April 1<sup>st</sup> 2009. CUPW enquired whether the question set was the same as that issued for the survey and whether the Quebec participants had received the questions in French. CPC stated that the questions were likely to be the same but that it would check and confirm to CUPW. CPC added that it would provide CUPW with a copy of the French questions.

CUPW expressed its concern and surprise that it was possible to provide survey questions in both official languages but not the survey findings. CUPW stated that it found it difficult to understand how TNS (a Canadian Company) with offices in Quebec could not provide a report in both English and French.

CPC explained that the survey results were provided by a third party company and in such circumstances CPC is not obligated to translate a document produced by a third party, as has been the case in the past with other third-party suppliers. CPC nonetheless agreed to

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review the issue and provide feedback to CUPW. CUPW added that CPC had in the past given translated version of documents from a third party (i.e. TSAT from iTRANS)

CUPW added that it would take all measures necessary if the document was not provided and added that it found the absence of the material particularly insulting as its provision could be charged to the financial cap. CPC agreed to look into this.

CPC stated that the corporation always strove to provide CUPW with documentation in both official languages and in a timely fashion. While CPC acknowledged that materials were sometimes provided unilingually to expedite circulation, in those circumstances the translated documents usually followed shortly thereafter.

CUPW provided the NJHSC with an excerpt from a Montreal Newspaper. In it Monsieur Laroche a spokesman from Canada Post had reported that a RHD vehicle was being tested in the Trois Rivieres Region. CUPW sought clarity why this location was not on the list of 36 as circulated for the study. CPC could confirm that it had not added any new locations to the list of 36 as supplied to CUPW. It would nonetheless investigate and get back to CUPW.

CUPW enquired whether CPC had received any feedback to the study. CPC confirmed that there was nothing to report at this time other than everything was going well. CPC could confirm that the Sept/Oct/Nov report would be available at the beginning of January. It was confirmed that the pilot study would conclude May 2010.

CUPW confirmed that it would provide feedback to the RHD survey results following receipt of the French version.

CUPW sought clarity around the Mail Management System and whether this was a direct reference to the Mail Tray as discussed at earlier NJHSC meetings. CPC confirmed that it was the same system and that it was currently installing the equipment. CUPW stated that it would like to review the photographs, specification and as much available information on this item such as the dimensions of the tray, possible interaction with air bags etc.

CPC could confirm that a member of the rural team was currently working on pulling information together on the equipment and how to use it, and that this would be provided to CUPW once complete.

CUPW enquired whether CPC intended to provide training in the use of the equipment and whether the CMS would be reviewed. CUPW stated that it was its understanding that there should be no mail visible at the front of the vehicle. CPC agreed that it would need to consider whether the CMS would need to be reviewed.

CUPW stated that it wished to have more details on the types of questions CPC intended to ask as part of the Mail Tray survey. CUPW added that it would like to see at least one

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participant from Quebec. CPC agreed and confirmed that the survey was currently being developed and that a draft version would be provided to CUPW.

CPC explained that Vanteriers Inc were overseeing the installation of trays and ensuring that the relevant protocols were being followed.

## **Action:**

1. CPC to confirm that the questions provided April 1<sup>st</sup> 2009 are the same as those contained within the pilot study.
2. CPC to provide CUPW with a copy of the survey questions (Fr).
3. CPC to review and respond to the CUPW's request for a translated version of the survey summary.
4. CPC to investigate the Trois Rivieres Montreal Newspaper article and provide feedback to CUPW.
5. CUPW to provide feedback to the RHD survey report.
6. CPC to provide Mail Tray details including photographs, specification sheets and other associated materials to CUPW.
7. CPC to share information and instructions on how to use the tray to CUPW.
8. Draft Mail Tray survey document to be provided to CUPW.

## **4. Spare Wheel / Roof Rack Lights and Signs**

CUPW provided feedback to the latest prototype. CUPW informed the NJHSC that it had tested the equipment and that the electric component was working well.

CUPW enquired whether CPC intended to trial the magnetic roof mounted prototype light on the RHD trial vehicles and whether this would be done during the winter. CPC confirmed that this was its intention and that it had compiled a list that it would share with CUPW.

## **New Brunswick LED**

CPC explained that New Brunswick personnel had met with the local registrar and HRSDC around the use of different coloured lights for the region. It was explained that it had been agreed that the clear lens with red LED's would be trialled in that region.

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CPC confirmed that the base unit was the same as that provided to CUPW. The only change was the absence of a coloured lens and the presence of coloured LED's. CPC gave a commitment to provide CUPW with a photograph of the unit.

CPC explained that the survey results on the LED component would be received on a monthly basis and would be provided to CUPW.

CUPW enquired whether it was CPC's intention to provide these units across the country. CPC explained that it would review the results from New Brunswick and would then look at the cost / benefits of a more general roll out.

CUPW sought clarity around the screw top and the mechanisms to be employed when lights became faulty. CPC explained that in such circumstances the units would be sent back and new units would be provided to the RSMC's.

## **Action:**

1. CPC to provide CUPW with the list of RHD's taking part in the trial of the new prototype light.
2. CPC to provide CUPW with a photograph of the New Brunswick LED unit.
3. CPC to provide CUPW with the LED monthly survey reports.

## **5. Draft Turnaround Guidance**

The NJHSC discussed the practical application of the turnaround guide in an operational setting. CUPW expressed concerns around the arrangements for RSMC's entering customer's locations to conduct turnarounds on their route.

CUPW enquired whether it would be the RSMC or CPC that would contact the customer in these circumstances. CUPW added that if it was CPC, what method was being employed. CUPW were curious to know whether it was by letter, by phone or in person. CPC explained that it should be CPC that makes contact and agreed to review the process that is being applied. CPC agreed to provide feedback to CUPW.

CUPW cited a case out of St Therese where a RSMC was having to enter customers drives throughout the day. CUPW stated further that while CPC is restructuring routes by adding 50 or 60 points of call, the RSMC often finds that in winter, they cannot find anywhere safe

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to conduct a turnaround. CUPW explained that RSMC's then find themselves travelling further in order to conduct a turnaround.

CUPW made a third point and expressed that it needed some clarity on the CPC position regarding the expectation that a RSMC might have to cross a continuous line to conduct a turnaround. CUPW were curious to know whether CPC considered this safe under provincial traffic safety rules.

CPC explained that the Turnaround Guide was for application on the last point of call on a particular road and that it should only be applied under those circumstances. CUPW acknowledged this position but expressed concern that in some cases the restructuring of routes was not leaving the last point of call in a straight line. CUPW stated that it believed that this was the case in St Therese. CPC agreed to investigate and provide feedback to CUPW. CUPW enquired whether CPC intended to restructure these routes. CPC responded that it will ensure that the process works properly.

CPC explained that while it was not legal for a RSMC to cross a double solid line it was acceptable to cross a single solid line in every province across Canada.

CUPW expressed concern that in Alberta, CPC was asking customers to remove CMB's from driveways and place them back on the road. CUPW cited cases in Sherwood Park and Stoney Grove, Wetaskawin.

The parties agreed that the Turnaround Document was Final. The concerns that remained existed around practical application.

## **Action:**

1. CPC to review the process of customer notifications and provide feedback to CUPW.
2. CPC to investigate the particulars of the St Therese case and provide feedback to CUPW.

## **6. Job Hazard Analysis**

The NJHSC was reminded that CPC had previously reviewed the CUPW comments and had compiled the ratings into a top 6 risks spreadsheet. It was explained that this along with the JHA had been circulated to CUPW.

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CPC explained the process that had been applied within the document and enquired whether CUPW had any other suggestions re: prevention techniques. CUPW agreed to review and get back to CPC.

CUPW drew the attention of the NJHSC to the reference made to the Safety Leadership Criteria and enquired whether CPC could provide a copy. CPC explained that the criteria ensures that management are held accountable through performance planning objectives for reducing risks in the workplace. CUPW acknowledged the CPC position but stated that it would be unable to provide feedback on something it was unfamiliar with. CPC agreed to take the item away and would consider what could be shared.

CUPW highlighted the reference to Animal Attacks within the JHA and cited an article in the latest Contact magazine titled 'Everything You Want To Know About Bears'. CUPW quoted an excerpt from the article that stated that if the reader wanted any further information they should visit the Parks Canada website. CUPW expressed concern as there was no mention of the CMS within the article. CPC acknowledged the CUPW position re: the magazine entry but nonetheless ensured CUPW that reference to the CMS would be contained within the JHA.

CUPW sought clarity around the reference to RDOG. CPC explained that RDOG was an acronym for the Responsible Dog Owners Group. It was explained that the group relates to dog awareness campaigns that focus on the involvement of responsible dog owners in reducing dog risks. CPC agreed to provide the RDOG details to CUPW.

CUPW agreed that it will review the top 6 following receipt of the information. The parties agreed that once the top 6 were reviewed the next 6 would be looked at and so on. It was suggested that once the process was complete a two year cycle of reviews would then take place.

## **Action:**

1. CPC to review the Safety Leadership Criteria and respond to CUPW.
2. CPC to ensure that reference to the CMS is contained within the JHA
3. CPC to provide the RDOG details to CUPW.
4. CUPW to review the JHA following receipt of the details as mentioned above.

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## 7. Ergonomic Assistant Working Committee Status

CPC confirmed that the working committee on Ergonomic Assistants continues to meet and provided the following as an update. It was explained that the mandate of the committee had been extended to January 31<sup>st</sup> 2010. CPC stated that a letter will be sent to the CIRB explaining that the mandate of the special committee has been extended until January 31<sup>st</sup> 2010.

CPC stated that the committee continued its discussions around the current notion of 50 RMB's per hour. It was also explained that the corporation proposed an additional variable of 185 or more RMB's and an average density equal to or greater than 50 per RMB's per hour.

It was explained that the committee had also looked at the process around second level reviews. It was also mentioned that the corporation informed the special committee that it would conduct a review of complaints prior to July 1<sup>st</sup> 2008 with a view to removing ergonomic assistants from routes that didn't meet the current criteria of 50 RMB's per hour.

CPC explained that it had identified 6 routes with Ergo assistants that have less than 50 RMB's and CPC's desire to review the requirement of the ergonomic assistant on those routes. It was explained that the information relating to the routes would be provided to the CUPW members of the special committee. It was also explained that the parties had discussed additional elements to be added to the criteria for obtaining an ergonomic assistant.

The NJHSC was reminded of the particulars (CMB locations) in the recently received Red Deer AVC. It was explained that the RSMC had registered a complaint and had then further complained to HRSDC. HRSDC ordered that a hazard assessment be conducted of in vehicle deliveries to RMB's. CPC expressed concern with this as it still needed to respond to HRSDC in a timely fashion while demonstrating compliance with the AVC.

CPC stated that it would prefer to issue some guidance to the local Red Deer operations on the measures to respond to the AVC. CPC would also like to state to HRSDC that the NJHSC is looking into a process and that discussions are taking place at the Policy committee regarding a second level review. CPC recommended the use of a draft second level review document to address this AVC as discussions continue with the working committee to finalize the second level process.

CUPW gave an undertaking to review the draft second level review document and get back to the corporation. CPC to provide information on the route number and number of RMB's.

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CPC confirmed that the actions around the CMB hook and RSMC Connection circulation had been dealt with and were closed.

## **Action:**

1. CPC to issue a letter to the CIRB indicating the Working Committee Extension to Jan 31<sup>st</sup> 2010.
2. CPC to provide CUPW with a list containing the 6 routes with ergo assistants with less than 50 RMB's.
3. CPC to provide information on the Red Deer route and number of RMB's.
4. CUPW to review the 2<sup>nd</sup> level investigation process document and provide feedback.
5. CPC to provide listing of all ergonomic assistants.

## **8. CMB Siting Guide (CPC 09.04.01)**

The NJHSC was advised that the CMB item and the associated actions would carry forward to the next NJHSC.

A brief discussion nonetheless followed. It was stated that a member of the LJHSC should be present when there is an evaluation of a CMB. It was explained that this would then provide an opportunity to deal with the complaints and refusals as they arise in a rural setting. CUPW stated that its understanding was that an assessment begins as soon as a complaint is received. It was also stated that the criteria should be used for new boxes.

CPC confirmed that it had created the CMB guides based upon the ITRANS document.

It was agreed that the discussion would be deferred to the next meeting where the GM Addressing and Delivery would be in attendance.

Item and Actions Carried forward. Update next meeting.

## **Action:**

1. CPC to establish whether an Urban CMB specifications document exists and if confirmed share with CUPW.

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2. CPC to make changes to Pages 8 and 9 (bolder lines) and page 16 (formula figures) of the CMB Siting Guide.
3. CPC to enlarge the Site selection Data Sheet and reissue to CUPW.
4. CUPW to review the CMB documents and provide feedback to CPC.

## 9. Violence in the Workplace (CPC 09.06.01)

CPC could confirm that it had provided CUPW with the titles of the training modules and had resent the updated Policy document. The NJHSC was informed that details had not yet been established for the number of RSMC's in depots but it was confirmed that this information would be shared shortly.

It was explained that the CPC subject matter experts were reviewing the content of the recently received CUPW letter and the associated cd. It was explained that CPC was unable to provide an update at this time but that one would follow at a later date.

A brief discussion took place where the parties were reminded that there would be different means for delivering the training message to different categories of employees.

CUPW stated that it had nothing more to add and that its feedback to the policy was contained on the cd.

A CPC Update on Violence in the Workplace to be carried forward.

### **Action:**

1. CPC to establish how many RSMC's fall under the depot category.

## 10. Health and Safety Representatives (HRSDC 09.06.02)

CUPW stated that it was still waiting for a response from CPAA on the next steps to be taken for elections for the selection of Health and Safety Representatives. CUPW stated that it had made its views known at the Urban NJHSC and that the CUPW position had been captured at that forum.

CPC reiterated its position as per the Urban meeting that it was still waiting for the listings from CUPW and that it needed to move forward with the process.

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**Item concluded with no deliverables assigned. Commentary and Actions exist within the Urban minutes.**

## **11. New Brunswick PEI – Modified Alternative Duties Form (09.10.01)**

It was explained that there was no update at this time apart from a point of clarity that the form in question represents a temporary modified duties form. It was also agreed that any reference to Article 54 in previous minutes was incorrect as there is no such Article under the RSMC Collective agreement.

The parties agreed that the update and associated action could carry forward to the next NJHSC.

**Action carried forward.**

**Action:**

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

## **12. RSMC Accident Temagami (09.10.02)**

It was confirmed that CPC had provided CUPW with the passenger details in relation to the RSMC motor vehicle accident in Temagami.

CUPW sought clarity whether the Ergo Assistant was covered under the auto insurance of the driver for any injuries sustained in a motor vehicle accident. CPC explained that the 'no fault rules' of auto insurance apply and that insurance coverage falls under the policy of the driver.

CPC brought the relevant section within the collective agreement to CUPW's attention.

It was agreed that the item could be closed.

**Item closed.**

## **13. Thunder Bay Seat Belt Concerns (09.10.03)**

It was confirmed that CPC had reissued the seat belt guidance document through the latest version of RSMC Connections.

**Item closed.**

## New NJH&SC Business

### 14. RSMC Health and Safety Statistics (09.12.02)

CUPW drew the attention of the NJHSC to discrepancies between the data sets of weeks 46, 47 and 48 and the reported reduction of 11 accidents. CUPW enquired whether this represented a true reduction or merely reflected a number of denied claims.

CPC explained the process around this and how data would have been gathered and reported during that period. CPC agreed that it could be a reflection of denied claims but that the YTD data was a truer reflection of performance year on year.

CUPW reminded the NJHSC that it had requested a copy of the RSMC report for up to and including weeks 44 but had been informed that this was not possible. CPC confirmed that while it has the information it does not have the resources available to provide the report in a timely fashion. CUPW confirmed that it was prepared to wait.

CUPW also requested a copy of the RSMC Frequency and Severity report. CPC confirmed that this information had not yet been developed but when it is, it will be shared with CUPW.

#### Action:

1. CPC to provide the RSMC report weeks 00 to 44 and the frequency and severity reports when available.

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

Employer Co-Chair NJHSC

Employee Co-Chair NJHSC

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

John Thomas (Acting)  
Canada Post Corporation

Serge Champoux  
National Health & Safety Representative  
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