

National Occupational Health and Safety Policy Committee (NOSH PC) Minutes of Meeting, February 25, 2015.

59 Camelot Drive, Ottawa, ON
Boardroom 1W - 108

Employee Members

- Dr. Ayman Soryal (Co-Chair)
- Zeljko Ruzicic
- Terry Petrow
- Bob Kingston (Co-Chair)
- Marlene O'Neil (via teleconference)
- Rick Cormier
- Barbara Kristjansson

Employer Members

- Chantal Seeton
- Marc Sabourin
- Nancy Fahey
- Richard Arsenault
- Kathryn McElhone

Technical Advisor

- A. Craig Houghton

Secretariat

- Kerry Piccolotto
- Sharon Drolet

Absent

- Gérard Étienne

Guests

- Janet Sewell-McPherson and Denis Chatelain – Access To Information Presentation
- Owen Bale – OHS & Prevention
- Michelle Martin – OHS & Prevention
- Jacqueline Dallaire – OHS Coordinator – Atlantic
- Alina Verendyakina – OHS Coordinator – Quebec
- Kristen Lewis – OHS Coordinator – Ontario
- Tara Garratt – OHS Coordinator – West
- Paul Langan – National Lab Safety Coordinator

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1. Welcome by Chairperson
 2. Review and Approval of Agenda
 3. Review and Approval of Minutes of November 5th, 2014
 4. Review of action items from minutes of November 5th, 2014
 5. Standing Items
 6. New Business
 7. Round Table
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1. Welcome by Chairperson

Welcome by Dr. Ayman Soryal. Dr. Soryal welcomed all the OHS & Prevention Team to the meeting.

2. Review and approval of Agenda

Changes to the Agenda –

- Chantal Seeton will be providing the update on the Peer-to-Peer Project instead of Nici Sullivan.
- The Chair wanted to ensure that everyone had received the Agenda Item submitted by Barb Kristjansson re: Importance of Face to Face meetings for OHS Committees.

Agenda accepted.

3. Review and approval of Minutes of November 5th, 2014

One change to the minutes of November 5th, 2015 – the next meeting scheduled for April 23rd, 2015 will have to be postponed due to PSAC convention. A suitable date will be confirmed and shared with the members.

Minutes approved.

4. Review action items from Minutes of November 5th, 2014

a) Employee Well-Being & Organizational Change

Chantal Seeton has replaced Brenda Dagenais on the National OHS PC. Marlene O'Neil will bring Chantal Seeton up to speed on this file.

Action:

- **Marlene O'Neil and Chantal Seeton** to meet and discuss.
- **Item deferred until the July 2015 meeting.**

b) Hydrogen Sulfide (H₂S)

Due to the AI Outbreak, this item has been deferred to the next meeting.

Action:

- **Craig Houghton** to become the lead on this file and set up a meeting with all appropriate parties.
- **Craig Houghton** to update at the July 2015 meeting.

c) Scents in the Workplace

The final draft was sent to the National OHS PC. The Committee recommended the document be forwarded to OHS Governance and posted to Merlin.

STATUS: CLOSED

d) Sick Leave Notes requested by Employer may put employees and patients at risk for illness and are tying up doctor's valuable time

Craig Houghton has confirmed that Labour Relations is developing the document and will be sending to the National OHS PC for review and comment. Chantal Seeton to follow-up with Brenda Dagenais to confirm the involvement of the Committee in the development of this document.

Action:

- **Chantal Seeton** to follow up with Brenda Dagenais to confirm agreed upon involvement with the National OHS PC in regards to this document.

e) Revision of the CFIA OHS Website

This Agenda item is to be removed from the Agenda. OHS & Prevention will provide the Committee with updates as appropriate.

STATUS: CLOSED

f) Radon in Federal Buildings

Clarification was received from the Co-chairs regarding the purpose and content of the draft letter to be sent to PWGSC regarding OHS Committee involvement during all types of testing. Craig Houghton advised that a draft letter has been prepared and will be sent to the Co-Chairs for review and signature.

Action:

- **Kerry Piccolotto** to send draft to Co-chairs for review and signature.

STATUS: CLOSED

g) Removal of employee identifiers from release of Access to Information and Privacy requests that may pose a security risk to employees.

This is an ongoing issue for the committee and concerns continue to be expressed by employees as animal rights groups continue to request information through the ATIP process.

Janet Sewell-McPherson and Denis Chatelain from the Access to Information and Privacy Office clarified some of the issues surrounding this topic. They confirmed that an employee's name is not considered for exemption without specific cause under Section 17 of the *Access to Information Act – Safety of Individuals*.

Excerpt from the Access to Information Act – Section 17

'Safety of individuals

17. *The head of a government institution may refuse to disclose any record requested under this Act that contains information the disclosure of which could reasonably be expected to threaten the safety of individuals.*

1980-81-82-83, c. 111, Sch. I “17”.

They also stressed the importance of reporting all incidents involving CFIA employees via Corporate Security by completing a Security Incident Report – CFIA Form #5442. This is extremely important should an exemption be requested to an Access to Information Request in order to justify by providing the history that has been documented. These types of exemptions must be approved by the Office of Information Commissionaire (OIC). Section 17 is very difficult to apply.

It was also noted that it is the responsibility of management responsible for the gathering and releasing of information in response to an ATI Request to ensure employees names included in their response does not put them at any risk.

Action:

- **OHS & Prevention** to draft a communiqué regarding Section 17 of the Access to Information Act and stress the importance of reporting any security incidents via the Security Incident Report

h) Application of the Atlantic Area Storm Policy

Labour Relations sent a communication concerning this topic: LR Bulletin No. 2014-03 dated December 22nd, 2014 that was distributed to the Policy Committee.

Rick Cormier asked why we do not follow the Treasury Board Directives?

Bob Kingston indicated that this should have come out as a guide. The problem was how the bulletin was communicated.

The Treasury Board policy has not yet been posted.

The application of this guide does not seem to be applied consistently in the Atlantic Area. It is recommended that the Atlantic Area develop internal communications to ensure management applies this policy.

STATUS: CLOSED

i) Ruggedized Tablets – Ergonomic Guide

An update from the Barb Kristjansson, National OHS Representative on the National Technical Working Group. The Working Group is working on cleaning and disinfecting solutions.

The final draft was sent to the National OHS PC for review and comment. The Committee has recommended this document be distributed via OHS Governance and posted to Merlin.

STATUS: CLOSED

j) Lockdown

Dr. Soryal raised the issue that during the recent security incident and attacks on Parliament Hill, October 22nd, 2014, there was a 'shelter in place' / 'Lockdown' instituted for all CFIA employees in the NCR. Several people were unaware of what a 'lockdown' meant. Communications were initially distributed in English only. Multiple people signed themselves out of the buildings prior to the shelter in place being officially lifted.

Nancy Fahey indicated that CMB is in the process of conducting lessons learned, and from the lessons learned will be updating the role and responsibilities of the Senior Officer to include lock down/shelter in place. Protocols will be established based upon direction from Treasury Board Secretariat who is currently updating its guidance material for building emergencies.

CMB will present draft material to NOSH for comment prior to rolling out to the Senior Officers across the country.

Communications with Senior Officers regarding their role and responsibilities will be more regular, developing a community of SOs.

Dr. Soryal stated that employees are not sure what to do in these situations and that further direction is required.

Nancy Fahey indicated that communications will be the big issue and that CMB will be meeting with Agriculture where co-location is involved to determine who will be the emergency lead employer.

A representative from Corporate Security will present at the next meeting.

Action:

- **Nancy Fahey** to arrange for a representative to speak to the National OHS Policy Committee at the next meeting.

STATUS: CLOSED

k) Ship Inspections – Churchill Manitoba

Background: Up until recently, the Canadian Grain Commission took responsibility for ship inspections in Churchill Manitoba. As the CFIA has now taken back this responsibility, new ship inspectors were selected and trained and were also sent to Vancouver for further training.

The Vancouver Office expressed concerns that these new inspectors did not have enough training and experience to be inspecting the ships in Churchill.

Communication was received from the Western Area. Please see Addendum #1 for the full communication.

Bob Kingston indicated that ship inspectors should perform, on average, 40 ships before they are on their own.

This issue is to be referred back to the Western Area OHS Committee for their review.

STATUS: CLOSED

I) TB testing in Cattle – Brandon, Manitoba

Background: Barbara Kristjansson raised an issue concerning TB testing in cattle at a location in Brandon Manitoba. This particular cattle farmer has a history of violent behaviour and the concern was that proper OHS protocols were not followed and staff was put at risk.

Barb confirmed that the Western Area OHS is still working on this issue indicating that they are complicating factors. Recommendation is to have the Veterinarians perform these tasks.

Bob Kingston brought up that asking employees if they are "up" for the task is not acceptable or safe. Need to do a "Root Cause" analysis.

Please refer to Addendum #2 for the complete communication received from the Western Area.

Action:

- **OHS & Prevention** to follow-up concerning the "Root Cause" with the Western Area.

5. Standing Items

a) Employee and Family Assistance Program (EFAP)

No items to report this meeting

b) Health Services Program

Sharon Drolet provided an update of the status of the Request for Proposal. National OHS Sub-Committee (Rick Cormier, Zeljko Ruzicic) have been advised of evaluation dates and of the process.

Bid Closing Date: March 6, 2015

Team Evaluation Date: March 18, 2015

To Procurement for financial evaluation once they have received the Team Evaluation. Contract awarded (by March 31, 2015).

Action:

- **OHS & Prevention** will update the committee at the next meeting.

c) CFIA Mandatory OHS Training

Craig Houghton was asked to take the lead on this topic to ensure discussions between the Co-Chairs concerning CFIA Training.

Bob Kingston brought up the subject of training for the National OHS PC. It was discussed that since the National OHS PC Quarterly meetings have been running very efficiently that we should take the additional time remaining for training of the Committee Members.

Action:

- **Craig Houghton** to ensure the CFIA Mandatory OHS Training is discussed at the next Co-Chair call to devise a plan to be presented to SMC to emphasize that training requirements must be met to ensure compliance with the CLC and the health and safety of Agency employees.
- **OHS & Prevention** to follow-up with PC Members to determine training required.

d) Disability Management Initiative (DMI)

Chantal Seeton provided an update on the DMI. She indicated that the DMI Team is preparing to review the initiative with Senior Management through the Governance Structure for renewed commitment and funding.

A rough draft is almost completed concerning the DMI Program and the justifications/logistics of engaging a third party to manage the 'Case Management' side of this program. This will be shared with the National OHS Sub Committee shortly.

Action:

- **DMI Team** to make a full presentation at the next National OHS PC meeting.

e) NOSH PC Five Priorities–Follow Up to Presentation to SMC July 2012

No action has been taken on this item. The PC has asked Craig Houghton to take the lead on this file and to make it a priority.

Action:

- **Craig Houghton to ensure to discuss with Co-Chairs** the presentation to SMC along with presentations at the monthly EX Town Halls and schedule a date for the presentation.

f) Mental Health Strategy – Peer-to-Peer Pilot

Chantal Seeton provided an update. She indicated that a National Bulletin went out looking for Volunteer Supporters. There were 63 applications, 60 were interviewed and 48 of them will be sent on training. Twenty-one are scheduled to be trained in March 2015 with the balance in early April 2015.

Barb Kristjansson indicated that there were no volunteers from Operations Branch being trained in March. Chantal confirmed that Operations Branch has agreed to fund the travel in the Areas and the funds should be available in the new fiscal year.

With a target launch date of April/May 2015, Chantal assured that there would be representation in all Areas in support of the roll-out.

Dr. Soryal expressed concerns that there would be enough supports particularly in the Western Area. Chantal indicated that they are hoping to have adequate representation in each Region.

Barb Kristjansson expressed concerns re liability when meeting after working hours. This situation would be reviewed on a case by case basis.

Feedback from Bob Kingston indicating that often PSAC members on the Steering Committee are not available for the meetings and has asked that there be more flexibility on the dates and times.

Action:

- **Steering Committee** be advised to be more flexible with dates and times when scheduling meetings.

g) Violence Prevention in the Workplace – Training

Kerry Piccolotto presented the updated Storyboard re Training on Prevention of Violence in the Workplace.

All comments received from the National OHS PC members were incorporated in the storyboard as well as comments received from Security Services. The training is behaviour-based training with respect to workplace violence.

Kerry Piccolotto also advised the Committee that the Co-Chairs have commenced a review of the CFIA Workplace Violence Prevention Policy.

Action:

- **Bob Kingston** to send his comments to Kerry sometime the week of March 2nd, 2015.
- **Kerry Piccolotto** to recirculate the Storyboard once comments have been received from Mr. Kingston.

h) Domestic Violence Prevention

Nothing to report. It has been suggested that Marlene O'Neil have the opportunity to discuss with Chantal Seeton.

This item is to be removed from the Agenda and will be resubmitted when the draft document is ready for discussion.

Action:

- **Marlene O'Neil and Chantal Seeton** to meet to review and discuss the draft document.
- **Marlene O'Neil** to submit a briefing note and supporting documentation when the draft is ready for discussion.

STATUS: CLOSED

i) Labour Program Compliance

OHS & Prevention indicated that there were no new directions received.

Bob Kingston indicated that there was a decision from the Occupational Health and Safety Tribunal on a case between the CFIA and PSAC on the request to rescind directions issued by ESDC.

Craig Houghton advised that it was an oversight that the decision was not shared with the Committee.

Bob Kingston asked for an update on the status of the CFIA decision.

Kerry Piccolotto has commenced work with respect to compliance with the Appeals Officer's decision.

Action:

- **Craig Houghton** to share the decision with the Policy Committee.

6. New Business

a) OHS Audit

Bob Kingston raised the point that management promised to keep the National OHS PC in the loop during this Audit process and that never happened.

The National OHS PC has recommended that Craig Houghton take the lead to ensure this issue is discussed by the Co-Chairs.

On a side note, Dr. Soryal indicated that:

- the National OHS Co-Chairs must return to their regular monthly calls and
- the National OHS Co-Chairs started meeting with the Area OHS Co-Chairs on a quarterly basis and found these calls to be very productive and should continue.

Actions:

- **Craig Houghton** to ensure the Co-Chairs discuss the audit.
- **National OHS Secretariat** to schedule monthly National OHS Co-Chair calls
- **National OHS Secretariat** to schedule quarterly calls with the Co-Chairs of the National OHS PC and the Area OHS Committees.

b) Health consequences of Shift Work

Discussions were held concerning the changes being made to "shifts". Consultation should happen at an OHS table to assist in ways to monitor the effects new shifts have on our employees and to also allow for recommendations on what shift times might be more conducive to the health and safety of these employees.

The Fatigue Institute has recognized that the effects of working on shifts is equal to being impaired.

OHS should be looking at rotations and what shifts would be most appropriate.

It was decided that:

- a communication through OHS Governance to remind everyone of their responsibilities
- a message via the VP Human Resources to all Senior Management to reminding them to involve OHS Committees concerning shift work
- include web-based tools in these messages.

Action:

- **Bob Kingston** to provide links to the National OHS Secretariat related to this matter.
- **OHS & Prevention** to draft communications as per above.

c) Replacing land lines with cell phones

Rick Cormier raised concerns from Atlantic and Quebec about the use of cell phones and head set and using them all of the time.

Craig Houghton advised the Committee that not all employees will be converting to cell phones. There are processes in place to evaluate the need for a landline and ensure that appropriate tools are provided.

Mr. Houghton reviewed the current research from the International Agency for Research on Cancer (IARC) and the Canadian Cancer Society that show there are currently no health risks associated with the use of cell phones.

STATUS: CLOSED

d) Membership for 2015

A reminder to all National OHS PC members (including alternates) that they are to complete and have signed the Notice of Selection and Appointment form.

Action:

- **National OHS PC Members** are to return their completed and signed Notice of Selection and Appointment form to the Secretariat (Nosh-Secretariat@inspection.gc.ca) **no later than March 31, 2015.**

e) Importance of Face to Face meetings for OHS Committees

Barb Kristjansson indicated that the Western Area OHS Committee wanted to convert to video conferencing for their meetings. Kristjansson advised the Committee that the decision was made without consultation with the Area OHS Committee. She also stated that the employee members of the Committee do not consent. The ESDC Interpretation Policy and Guideline distributed by Bob Kingston indicated that all parties must consent to the use of electronic meetings.

Bob Kingston stated that it was not the idea rather how it was approached / dictated.

Craig Houghton indicated that he has had discussions with the employer with respect to this issue.

With budget constraints it was suggested that perhaps a pilot be set up and to use the National OHS PC as the pilot committee with one quarterly meeting via video conferencing.

It was also suggested that this be written in the Terms of Reference going forward.

Bob Kingston also indicated that this could be a forum for training opportunities.

It was agreed by all that there is value to Face to Face but that video conferencing could be a tool for some of the meetings.

Action:

- **OHS & Prevention** to draft a communication discussing the use of video conferencing as a tool that may be considered for Regional and Area OHS Committees meetings.

7. Round Table

- Positive feedback was received from the guests in attendance on the progress that this committee has made.
- Craig Houghton mentioned that it is time to review the Terms of Reference (ToR) and that members have until March 31, 2015 to provide any comments / feedback.
- Bob Kingston indicated that the next meeting on April 23rd, 2015 would have to be changed due to the PSAC conference. A suitable time will be communicated to the members.

Date:
Employee Co-Chair

Date:
Employee Co-Chair

Date:
Employer Co-Chair

Bob Kingston (PSAC)

Dr. Ayman Soryal (PIPSC)

G rard  tienne (CFIA)

Addendum #1

MEMORANDUM TO THE AREA DIRECTOR GENERAL

SUBJECT

Port of Churchill – Safety Training
(For Information)

PURPOSE

To provide you with an update on the safety training activities which have been delivered to the CFIA Manitoba ship inspection staff.

SUMMARY

- Fall arrest training and practical ship inspection training activities have been delivered to Manitoba CFIA staff.
- A procedure manual, as well as, alternate delivery options have been developed to guide and support the ship inspection staff.

BACKGROUND

- CFIA staff in the Manitoba Region have been tasked with assuming the delivery of grain ship inspection activities at the Northern Port of Churchill, beginning with the 2014 shipping season.
- CFIA has not delivered these activities prior to this year, as a Memorandum of Understanding (MOU) with the Canadian Grain Commission provided for the delivery of these inspections.

ISSUES

- Concerns were raised by the Regional OSH committee, regarding safety for the inspection staff who participate in these potentially dangerous ship inspection activities.

CURRENT STATUS

- The designated inspector for ship inspection at the Port of Churchill is a certified ship inspector who previously worked in Thunder Bay and has inspected approximately 1500 vessels in their career.
- A Work at Height and Rescue Course (fall arrest training) was provided to inspection staff by a recommended third-party training company.
- Two lead inspectors also participated in practical ship inspection training exercises with trained CFIA staff in British Columbia.
- In consultation with the Western Area Grains and Oilseeds Specialist, BC Coastal, Ontario NE and the Western Area Training Unit, a reference binder for ship inspection at the Port of Churchill was compiled.
- Further details of these activities can be found in Appendix I.

OPTIONS

- The Region consulted Ontario NE Regional Management (Thunder Bay) for instances where operational back up is required. They have agreed to assist in shortages and or policy guidance if required.

NEXT STEPS

- CFIA Regional Management will continue to provide oversight and support to our staff.

Kerry MacDonald
Regional Operations Coordinator
Manitoba Region
204-259-1319
2014-10-17

Reviewed by:
Stacy Stibbard
Inspection Manager – Food and Plant Programs
Manitoba Region
204-259-1321
2014-10-23

Approved by:
Dr. Aman Bath
Regional Chief Inspector
Manitoba Region
204-259-1322
2014-10-23

Appendix I

MaxGear Inc., a company that provides training in the principles and equipment involved in fall protection, was referred to the Manitoba Regional Management by Area OSH Coordinator Craig Houghton. Manitoba inspection staff attended the 2 day training program and successfully completed the Work at Height and Rescue Course, a program designed to meet the Provincial and Canadian Health and Safety Act.

After successful completion of the Work at Height and Rescue Course, two Manitoba inspectors attended a week of practical training for ship inspection by CFIA ship inspectors in Vancouver. The designated inspector received refresher training and accompanied BC ship inspectors on 7 vessels. The second inspector received training and accompanied BC ship inspectors on 12 vessels.

A 'Sign-Off Sheet for Grain Ship Inspector' is used to sign off an inspector from a health and safety perspective. This Health and Safety document was adapted for ship inspection at the Port of Churchill from BC Coastal.

Part I of the sign off sheet is the inspectors' acknowledgment of:

- 1) Reading/discussing the Job Hazard Analysis (JHAs) associated with ship inspection (Generic Ship Inspection (National), Ship Inspection – Boarding, Ship Inspection – Hold Inspection and Grain Elevator Inspection).
- 2) Receiving safety training (Competent Fall Protection, Standard for Industry First Aid, Cold Water Immersion and Working Safely around Fumigants).
- 3) Receiving program training (PI-008)

Part II of the sign off sheet is the supervisors' or designates' on-board review of the inspectors':

- 1) Ability to climb safely
- 2) Demonstration of safe work practices
- 3) Demonstration of ability to inspect and complete paperwork/communicate to vessel
- 4) Describes commonly infested/contaminated areas
- 5) Demonstration of safe boarding techniques
- 6) Overall assessment

Once the criteria in both Part I and Part II have been met, the supervisor or designate will sign off acknowledging the inspector meets the minimum requirement to perform grain ship inspection as a member of a two-person team.

The Manitoba Region has ensured our inspection staff is up to date on policy and procedure as well as OSH policies. In consultation with the Western Area Grains and Oilseeds Specialist, BC Coastal, Ontario NE and the Western Area training unit, a reference binder for ship inspection at the Port of Churchill was compiled. This binder contains JHAs, ship inspection OSH, safe work practices for ship inspection, cold water immersion and fumigants information and ship inspection policy and procedures.

The Region consulted Ontario NE Regional Management (Thunder Bay) for instances where operational back up is required. They have agreed to assist in shortages and or policy guidance if required.

To recap we have identified inspectors with experience and have provided OSH and operational training. We will continue to provide oversight and support to our staff.

Addendum #2

Management Action Plan Riding Mountain Bovine Tuberculosis Eradication Program

Back Ground

On September 19th 2014, CFIA attended the premise of a cattle producer by way of court order to conduct and complete TB herd testing. The producer was ordered by the courts to cooperate with the CFIA in completing testing as required. CFIA requested Prairie Farm Rehabilitation Administration (PFRA) to help with mustering of animals. CFIA staff were assisting with herding animals and provided additional support due to the lack of cooperation of the producer and inadequate equipment on site. During the testing process, the producer assaulted one CFIA staff member. The RCMP was notified and charges were laid against the producer. On September 22nd 2014, the RCMP removed the producer from the farm and the CFIA team went back to complete the reading of the results. PFRA informed CFIA on the morning of September 22nd that due to operational requirements they would not be able to send their staff to assist. Due to the time sensitivity of recording the TB testing results, CFIA staff assisted with herding animals and provided additional support due to the lack of cooperation/presence of the producer and inadequate equipment on site.

Issue:

- Difficult producers within the Riding Mountain TB Eradication Area (RMEA): Lack of adequate equipment on site.

Corrective Action Plan:

- The Regional Management Team has met with local OSH and explained the management review process. In addition, an urgent Regional OSH meeting was held on October 23rd, 2014 including both Manitoba East and West OSH committees to discuss the management action plan.

Action Items:

- Local OSH committees and staff will review current Job Hazard Analysis (JHA's) to ensure they are up to date and contain guidance as per health and safety requirements. This will be presented at the next local OSH meeting for discussion and to address any concerns.
- CFIA will notify and ensure onsite presence of the RCMP when testing is being conducted at farms with difficult producers.
- CFIA will make additional efforts to inform producers prior to the required testing date that they are responsible for presenting the animals for testing. This task is the responsibility of the producers and they are to make arrangements for presenting the animals for testing. CFIA will not assist with herding animals.
- The Regional Management Team is requesting guidance from the Operations Specialists Team (OST) to obtain function guidance in dealing with difficult producers when they are not in compliance with the requirements of presenting or making arrangements to present animals for testing.
- The Regional management Team is working with WA Enforcement and Investigation Service (EIS) and CFIA Legal Counsel to develop guidelines to assist CFIA staff while dealing with difficult producers.
- The Regional Management Team is exploring available options for telecommunications support when conducting testing in remote areas with poor or no cellular service.

The Regional Management team will continue to seek clarification and provide support to staff to ensure we are meeting Occupational Health and Safety requirements. In addition, they will provide support and guidance in the delivery of these tasks within the TB testing program.

Next steps:

This will be a standing item at the Regional OSH committee meetings until the issue is resolved.