



## **National Occupational Health and Safety Policy Committee (NOHS PC) Minutes of Meeting, October 23, 2015.**

59 Camelot Road, Ottawa, ON  
Boardroom 59-3E-102

### **Employee Members**

- Dr. Krista Puddester (Co-Chair)
- Bob Kingston (Co-Chair)
- Marlene O'Neil
- Rick Cormier
- Barbara Kristjansson
- Terry Petrow

### **Employer Members**

- James Crawford (Co-Chair)
- Marc Sabourin
- Nancy Fahey
- Kathryn McElhone
- Richard Arsenault

### **Technical Advisor**

- A. Craig Houghton

### **Secretariat**

- Kerry Piccolotto
- Brodie Mousseau

### **Absent**

- Chantal Seeton
- Zeljko Ruzicic

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1. Welcome by Chairperson
  2. Review and Approval of Agenda
  3. Review and Approval of Minutes of July 23, 2015
  4. Review of action items from minutes of July 23, 2015
  5. Standing Items
  6. New Business
  7. Round Table
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## 1. Welcome by Chairperson

Welcome by James Crawford.

## 2. Review and approval of Agenda

No changes or additions to the agenda.

## 3. Review and approval of Minutes of July 23, 2015

No changes or additions to the minutes.

Minutes approved.

## 4. Review action items from Minutes of July 23, 2015

### a) Hydrogen Sulfide (H<sub>2</sub>S)

**Craig Houghton** – Consulted with the Area OHS Advisors to determine HS levels in facilities. Change in membership of the committee (Liz Foster no longer on committee).

**Action:**

- **Craig Houghton** - Scheduler to be sent week of October 26, 2015, for a meeting of the H<sub>2</sub>S committee.

### b) TB testing in Cattle – Brandon, Manitoba

Regional OHS Committee is working on this issue. Will continue to monitor and bring back information to the NOSH PC.

**Action:**

- **OHS & Prevention** to continue to liase with the Western Area to ensure that the issue is discussed and closed at the Regional level.

### c) OHS Audit

Ongoing discussions to occur with the NOHS PC Co-Chairs, to discuss the audit and response to the Audit.

**Action: Craig Houghton** to continue work with the Co-chairs with respect to the Audit.

## d) Health consequences of Shift Work

Communique was sent to OHS governance regarding this topic along with resource materials stressing the importance of local OHS committee involvement/monitoring where shift work is occurring that may have an impact on health and safety of employees.

### Action:

- **Area OHS Advisors** will be sent communication from the National OHS Manager to ensure that committees are involved and are monitoring the consequences of shift work where it is occurring. The AOAs will then provide feedback/results including examples of how local committees are participation and monitoring, to the NOHS PC.

## e) Use of Electronic Means for meetings of the National, Area and Regional OHS Policy Committees

The communique was sent via OHS Governance on September 17, 2015, after changes made based on feedback received. This version will be revoked and replaced as final consultation on the amendments to the communique was not completed with the NOHS PC prior to its distribution.

### Action:

- **NOHS PC Secretariat** – to re-distribute the communique to the NOHS PC members for final consultation/comments, and re-send to OHS Governance.

## 5. Standing Items

### a) Employee and Family Assistance Program (EFAP)

A request was made that the wellness sub-committee would like to see EFAP stats quarterly to help guide their work.

### Action:

- NOSH PC would like to see the quarterly stats as information piece only, not as a standing item

**STATUS: CLOSED AS A STANDING ITEM – to be placed on the agenda for the 2<sup>nd</sup> quarter 2016 meeting of the NOHS PC as agreed at the July 23, 2015, meeting and every 2<sup>nd</sup> quarter meeting to follow.**

### b) Health Services Program

Due to the work planning exercise at this meeting, this item will be deferred to a later date.

**Action:** NOHS PC Secretariat will arrange to have WHCS via the Wellness Team, provide a presentation to the NOHS PC on the services available under the new contract.

### c) CFIA Mandatory OHS Training

This item will be addressed by and incorporated into the OHS Strategic Plan.

#### Action:

- **OHS & Prevention** will ensure that the members of the NOSH PC be provided formalized training on their roles and responsibilities.
- Current statistical information on progress per mandatory OHS training will be provided to the NOHS PC

### d) Disability Management Initiative (DMI)

A presentation on the DMI had been requested by the NOHS PC. The committee was advised that the DMI has currently been put on hold.

#### Action:

- **Chantal Seeton** will provide an update on the status of the initiative as an addendum to the minutes.

**Addendum:** A strategic pause has been taken with respect to the DM Service Provider Model.

At this time, the DM team is working to provide enablement options to Managers to ensure they are actively equipped with the knowledge and tools to effectively manage DM situations. For example how to identify and access options to help support early intervention approaches and enable employees to stay at work, how to help support employees when they are away from the workplace and how to plan and put into motion successful return to work strategies.

The DM Website on Merlin will house these tools alongside a communications strategy to ensure not only Managers are aware of their roles, but that also employees are aware of the available resources to them and also understand their responsibilities in the process.

### e) Mental Health Strategy – Peer-to-Peer Program – “Hope”

Frustrations have continued with “Hope” Steering committee meetings being planned where the NOHS PC representative or alternate has not been included in meeting requests or could not attend.

#### Action:

- **OHS and Prevention** - Will draft a memo for the VP of HR to send to the steering committee stressing the need for the NOHS PC representative to be involved in steering committee meetings.

### f) Violence Prevention in the Workplace – Training

The revised CFIA Work Place Violence Prevention Policy was signed off by the President on July 28, 2015, has been distributed via OHS Governance and is posted on Merlin on the OHS webpage.

The OHS & Prevention unit has received the first mock draft of the on-line WVP Training based on the storyboard content recommended by the NOHS PC. Some of the content did not reflect the content recommended by the Committee so it has been sent back to Learning Division for correction. As soon as those corrections are made, the mock on-line course link will be distributed to the members of the NOHS PC for their review and comment. It is anticipated that after consultation with the NOHS PC, the training will be rolled-out in January of 2016.

A request was made to have the NOHS PC training sub-committee be more involved in the development of training.

**Actions:**

- **Kerry Piccolotto** to continue work with Learning Division on the launch of the WVP training and continue consultations with the NOHS PC.
- **NOHS PC Secretariat** to confirm the membership of the NOHS PC training sub-committee as well as the number of sub-committees and the current status of membership of the various sub-committees of the NOHS PC
- **Kerry Piccolotto** once membership of the NOHS PC training sub-committee is confirmed, the sub-committee will be engaged in the process

## **g) Labour Program Compliance**

Since the last report, one complaint was filed in the West with respect to holding the required number of Area OHS Policy Committee meetings. ESDC- Labour Program after conducting an investigation, advised the complainant and the employer that the required number of meetings as stipulated in the *Canada Labour Code* (4 a year – one meeting quarterly) must be held to be in compliance with the *Code*.

NOSH PC would like to see and review any documentation that is issued by the regulator, especially if it contains recommendations and would like to receive this information in advance of meetings.

**Action:**

- **OHS & Prevention** will in future, provide documentation with respect to Labour Program Compliance in advance of the NOHS PC Meeting.

## **6. New Business**

### **a) NOHS PC Legislative Review**

The Committee reviewed section 135.1 and had a detailed discussion regarding the concepts of consultation and participation as they apply to Health and Safety Committees.

Section 135.1(1) reads: "Subject to this section, a policy committee or a work place committee shall consist of at least two persons and a least half of the members shall be employees who

- (a) do not exercise managerial functions; and
- (b) subject to any regulations made under 135.2(1), have been selected by
  - (i) the employees, if the employees are not represented by a trade union, or
  - (ii) the trade union representing employees, in consultation with any employees who are not so represented."

Health and Safety committees are established by the employer, and are an extension of the employer. The employer appoints their members and also appoints the employee members as selected by the trade union representing employees, in consultation with any employees who are not represented by the trade union.

There have been many committees that want to know "How" to accomplish their duties and not just the legal requirements of what they must do.

Committees need to be involved via consultation (participation and consultation) as soon as an issue arises that may have an impact on the health and safety of the employees that committee represents, not after the fact. The question that needs to be asked is, "Could this issue have an impact on the health and safety of employees?" The committee must then be advised so that they have the opportunity to decide in accordance with their Terms of Reference to what extent the committee will participate in any OHS-related issue.

There are distinct differences between the roles of local workplace OHS committees and policy committees in terms of what they are consulted on and what issues they participate in.

They should always strive for consensus but that does not necessarily mean that every committee member will agree.

The duty of the employer is to consult with committees on OHS matters and it's the committees responsibility to participate to the extent it deems appropriate.

The committee reviewed the Labour Program IPG (Interpretation Policy Guideline) document on consultation and participation. The consensus of the group was that the document provided good guidance on the concepts of consultation and participation.

#### **Actions:**

- **OHS & Prevention** to commence development of an OHS delegation of authorities/instrument which will demonstrate the various responsibilities for OHS in the management structure as delegated from the President of the Agency.
- **OHS & Prevention** will develop a guidance document on the concepts of consultation/participation to accompany the Labour Program IPG, to share with local/regional and area OHS committees via OHS Governance.
- **Local/Regional/Area OHS Committees** will be encouraged to table the guidance document with the IPG, to have a discussion regarding consultation and participation and what that looks like for their particular committee.
- **OHS & Prevention** - will present the Duties of the Employer (Sections 124 and 125 of the CLC) and the interpretation sections of the COHS Regs and the NJC Directive at the January 2016 NOHS PC meeting.

## **b) Atlantic Fleet Vehicle Recall Monitoring Procedure**

**Background:** As a result of a situation with a fleet vehicle, the Atlantic Area OSH Committee was concerned that the process in place to ensure fleet vehicle operators receive safety recall notifications was inadequate.

Nancy Fahey did some further research on this matter and updated the committee.

There is a distinction to be made between Technical Service Bulletins and Safety Recalls. Safety recalls are sent locally where the vehicle is registered. These are recalls that the manufacturer issues as they deal with the safe operation of the motor vehicle. All safety recalls are sent out by the manufacturers. Car owners,(ie. CFIA) have no control over this process. When recall notifications are received by the Fleet Service Centre, they are sent immediately by e-mail to the local fleet administrator with a cc to the back-up fleet administrator and the resource officer.

A TSB (Technical Service Bulletin) is a recommended inspection/repair by the manufacturer but is not a safety recall. TSB's are not sent to car owners but are only sent to the manufacturers dealerships where their mechanics are alerted to possible issues with a vehicle's components. These are never safety issues according to the manufacturers.

The National Fleet service center needs to be made aware when vehicles are moved to a different city/town/province (moved from CFIA site to site).

All vehicles that are moved must be registered, thorough the provincial DOT registry, to the new address where they are being kept to ensure that manufacturers recalls are received a the last known address of the owner.

Every time before getting into a fleet vehicle, a circle check needs to be conducted.

The administrator for fleet vehicles on a local level should be checking vehicles monthly (can google to see if any technical service bulletins have been released for that particular make and model of vehicle).

#### **Actions:**

- That a local check should be conducted for TSBs on fleet vehicles and local fleet administrators should ensure that National Fleet Services is informed whenever a vehicle is moved and is operating out of a different CFIA location.
- **Nancy Fahey** will conduct the follow-up in consultation with National Fleet Services.

### **c) NOHS PC Work plan Development**

The Committee undertook a work plan development exercise which was led by Mr. Kingston.

The group conducted a gap analysis from the National perspective with regards to the OHS program.

The two policies that are mentioned in the Canada Labour Code, the general OHS Policy and the Work Place Violence Prevention Policy, are already part of the OHS program.

However, it was determined via the gap analysis that many other components of the National OHS Program (directives, programs, guidance documents) need to be developed or reviewed.

The Committee also discussed the need for metrics to evaluate performance, monitoring and trend analysis, program evaluation, the need for senior management buy-in and establishing a communications plan for the OHS program.

As the NOHS PC workplan is directly tied to the goal of making the OHS Program a strategic priority in the Agency, the consensus was that the committee should develop a 3-year implementation/review plan.

**Actions:**

- **NOHS PC Secretariat** to create an implementation/workplan document which will be circulated to the NOHS PC members prior to the next meeting for their review and feedback
- **OHS & Prevention** to develop an overarching National OHS Program document
- **NOHS PC Secretariat** to ensure that for the April 2016 meeting the committee will review the First Aid Program and review the Employer’s Annual Hazardous Occurrence Report that is submitted to the Labour Program

**Round Table**

- Marlene O’Neil would like to see more “Green”/paperless meetings for the NOHS PC. Jim responded by saying the committee will endeavor to work towards green meetings.
- Tentative upcoming meeting dates to be scheduled in the 2016 calendar year are as follows:  
January 28, April 28, July 28 and October 27, 2016.
- The next meeting of the NOHS PC, January 28, 2016, will be held via Video Conference. Details to follow.

Date: \_\_\_\_\_  
Employee Co-Chair

Date: \_\_\_\_\_  
Employee Co-Chair

Date: \_\_\_\_\_  
Employer Co-Chair

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**Bob Kingston**

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**Dr. Krista Puddester**

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**James Crawford**

