



National Occupational Health and Safety Policy Committee (NOHS PC) Minutes of Meeting, January 28, 2016

Held by Videoconference/Teleconference

Employee Members

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

Employer Members

- James Crawford (Co-Chair)
- Marc Sabourin
- Nancy Fahey
- Kathryn McElhone
- Chantal Seeton

Technical Advisor

- A. Craig Houghton

Secretariat

- Kerry Piccolotto
- Brodie Mousseau

Absent

- Terry Petrow
- Richard Arsenault

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

Welcome by Dr. Krista Puddester.

2. Review and approval of Agenda

No changes or additions to the agenda.

3. Review and approval of Minutes of October 23, 2015

No changes or additions to the minutes.

Minutes approved.

4. Review action items from Minutes of October 23, 2015

a) Hydrogen Sulfide (H₂S)

Craig Houghton – Will arrange a call with the committee by February 15, 2016, with the committee to move this issue forward. The Area OHS Advisors will be engaged to move the issue forward and provide feedback to the NOHS PC.

Action:

- **Craig Houghton** - Scheduler to be sent by February 15, 2016, for a meeting of the H₂S committee.

b) TB testing in Cattle – Brandon, Manitoba

Regional OHS Committee has resolved this issue and a HOIR has been completed and reviewed by the committee regarding the incident.

Action:

- **Closed**

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

The NOHS PC reviewed the information regarding shift work that was collected by the Area OHS Advisors to provide a baseline of what shift work is being done in the Agency. Some comments from the members of the NOHS PC is that statistical data would be helpful (I.e., number of employees working each shift) A discussion ensued that the NOHS PC should be conducting a yearly review of the health consequences of shift work on a national level and the AOAs would ensure that local OHS work place committees and representatives are engaged in monitoring, at a local level, where shift work is occurring that may have an impact on health and safety of employees.

Actions:

- **Area OHS Advisors** will ensure that on-going monitoring of sites where shift work is occurring is being conducted and that Committee representatives are clear on their role. The AOAs will then provide feedback/results including examples of how local committees are participation and monitoring, to the NOHS PC on a yearly basis.
- **NOHS PC** will ensure that a national yearly review/monitoring process will be undertaken by the committee
- **Closed**

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

The communique was re-distributed to the NOHS PC members and sent via OHS Governance on November 5, 2015. This revised communique revoked and replaced the communique originally sent on September 17, 2015.

Action:

- **Closed**

5. Standing Items

a) Employee and Family Assistance Program (EFAP)

Action:

- As noted in prior minutes, this item will appear on the agenda for the 2nd quarterly meeting of the NOSH PC scheduled for May 5, 2016 as a review of the EFAP usage statistics for the 2015 calendar year.

b) Health Services Program

A representative from WHCS (Workplace Health Cost Solutions) will provide a presentation at the next meeting of the NOHS PC on the services available.

Action:

- **NOHS PC Secretariat** will arrange to have WHCS provide a presentation to the NOHS PC on the services available under contract at the May 5, 2016, meeting.

c) CFIA Mandatory OHS Training

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

Action:

- **Closed**

d) Disability Management Initiative (DMI)

Consultation with the bargaining agents at UMC is currently occurring with regards to moving the DMI forward. As this proceeds, the NOHS PC will be consulted as appropriate.

Action:

- **Chantal Seeton** will ensure that consultation occurs with the NOHS PC.

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

Chantal advised that she met with the “Hope” steering committee to reinforce the attendance of the NOHS PC representative at steering committee meetings.

A discussion ensued regarding the recommendations on the Joint Task Force on Mental Health, a TB-PSAC initiative and the CSA Standard dealing with psychologically healthy work places. The committee decided to review the Joint Task Force recommendations and the CSA Standard.

Action:

- **NOHS PC Secretariat** will prepare a briefing note for a new agenda item to be added to May 5, 2016, meeting to examine the Mental Health Task Force report and recommendations and the CSA Standard entitled “Psychological Health and Safety in the Work Place.”

f) Violence Prevention in the Workplace – Training and Associated Tools

HRC has approved the development of the training module with the content recommended by the NOHS PC. The first mock-up module is completed and has been distributed to NOHS PC Members for their testing and review. **Deadline for input from the NOHS PC is February 19, 2016.** All comments received from the members of the NOHS PC will be compiled and sent to Learning Division for processing.

The NOHS PC Secretariat did consult with Marlene O’Neil who conducted research regarding working groups and committees that have historically been part of the NOSH PC. The Committee decided that a co-chairs call was warranted to decide what standing sub-committees/working groups should exist,

then bring that back to the committee for final decision and selection of members to work on the sub-committees and working groups.

Actions:

- **Kerry Piccolotto** to compile any feedback from the NOHS PC on the mock training module, continue work with Learning Division on the finalization and launch of the WVP training, ensuring the participation and consultation of the NOHS PC.
- **NOHS PC Secretariat** to set-up a co-chairs call to confirm what committees/working groups need to be established as a subset of the NOHS PC and bring that information back to the committee for the next meeting.

g) Labour Program Compliance

No Labour Program Compliance activities to report for this quarter.

6. New Business

a) NOHS PC Legislative Review

The Committee reviewed sections 124, 125, 125.1 and 126 of the *Canada Labour Code, Part II*.

These sections of the Code address the general (sec. 124) and specific duties of the employer (sec. 125 and 125.1) and duties of the employees (sec. 126) under the provisions of the Code.

Some key points of the discussion:

- Section 125 addresses the employer's obligation to protect the health and safety of employees that extends beyond the work place. There are many situations where employees are "at work" where the employer does not control the work place (I.e., third party establishments), but does control the activities of the employees.
- Where the code reads "as prescribed", there always exists, an associated regulation. The Code dictates what must be done (the obligation) and the regulation determines "how" the obligation is met.

Action:

- **OHS & Prevention** - will present Sections 127 (ICRP) and possibly 128 (Refusal to Work), depending on the extent of the agenda at the May 5, 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.

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.

Update: Nancy Fahey did follow-up with Fleet Procurement and Management (FPM) and the January 2016, Information Bulletin issued on January 20, 2016, addressed the requirements/actions that need to be taken with respect to this issue. This communique was also shared with the members of the NOHS PC for their information.

Action:

- **Closed.**

c) NOHS PC Work plan Development

Background: The Committee undertook a work plan development exercise. 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:

- **OHS & Prevention** 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 that will address the missing elements identified in the gap analysis

Update for this meeting: A First Aid Standard for the Agency was tabled for the review and input of the NOHS PC along with an OHS Glossary of terms document.

Actions:

- **OHS & Prevention** has commenced 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 which will be tabled in draft form at the May 5, 2016, meeting.
- **NOHS PC Members** will provide Comments/Feedback on First Aid Standard to the NOHS PC Secretariat no later than February 19th, 2016.

- **NOHS PC Members** will provide Comments/Feedback on Glossary of OHS terms to the NOHS PC Secretariat no later than March 18th, 2016.

d) AED Business Case – London District Office – SW Region

The NOHS PC received an AED Business case from the London District Office.

As per the AED business case process, noted on the Merlin OHS web page, the committee reviewed the business case to decide whether the committee would forward the business case to the attention of the VP of HR for final sign-off/approval.

After review, the committee decided to recommend that the business case be referred to the VP of HR for approval.

Action:

- **NOHS PC Secretariat** will prepare a briefing note to accompany the business case signed by the Co-Chairs of the NOHS PC for the final sign-off/approval of the VP of HR.

e) Work Place Violence Prevention – Risk Identification Factor Checklist/Tool

The employer is required under Part XX of the COHS regulations to assess the risk of work place violence occurring and identify the factors that could contribute or lead to a work place violence incident. The employer must establish preventative measures to control the identified factors that may lead to work place violence.

To assist in this regard, a risk/factor identification tool was drafted and tabled for the review and input of the NOHS PC.

Action:

- **NOHS PC Members** will provide comments/feedback to the NOHS PC Secretariat no later than April 1, 2016.

f) Work Place Violence Prevention – Appointment of Competent Person

The NOHS PC minutes of July 11, 2013, speak to the establishment of a two-person investigative pilot-project and detailed 3 requisite training courses available through CCOHS (Canadian Centre for Occupational Health and Safety) to be eligible to participate in a two-person investigation of workplace violence.

Bob Kingston provided the history of how the idea came into being and what the goal was of having a two-person investigation.

A discussion ensued regarding revisiting the compiled list of competent persons to ensure it was up-to-date so that the two person investigation concept could be attempted and the mechanics of how the process would occur.

It was decided that a validity exercise should be conducted of the list of names appearing on the proposed competent person list to ensure they are still with the Agency, and have taken and completed the requisite training courses.

Actions:

- **NOHS PC Secretariat** will coordinate a call with the NOHS PC Co-Chairs to conduct the validation exercise with the proposed competent persons list
- **NOHS PC Secretariat** will coordinate a call with the NOHS PC Members on February 16, 2016, to discuss any potential impact of the Federal Court of Appeal decision on the CFIA Work Place Violence Prevention Policy.

- **Round Table**

- Craig Houghton and Marlene O’Neil both thanked Owen Bale for his contribution to the OHS & Prevention unit and his contribution to the NOHS PC as Owen is leaving the Agency.
- A few members commented that the meeting held by video-conference/teleconference went well and thanked our Chair, Dr. Krista Puddester for being chair and keeping us on track.
- Due to a scheduling conflict, we have changed the 2nd, 3rd and 4th, quarter NOHS PC meetings to the following dates:

May 5, July 27 and October 26, 2016.

Date: March 14, 2016

Employee Co-Chair

Signature on file

Bob Kingston

Date: March 15, 2016

Employee Co-Chair

Signature on file

Dr. Krista Puddester

Date: March 8, 2016

Employer Co-Chair

Signature on file

James Crawford