

# Medicine Hat Cross - Functional Health & Safety Committee

February 9, 2023





**Agenda:**

- Call to Order
- Review minutes of previous meeting/errors/omissions
- Safety Briefing
- Attendance/Confirm Quorum
- Introduction of Guests
- Motion to accept previous minutes
- Local Stats
- Safety Performance/Incident Review
- Safety Framework Activity Review
- SOFA/Planned Peer Observation Review
- Review E-Testing discussing results
- Workplace/Customer Inspection Review
- Safety Hazard Report Review
- Risk Assessments Review
- Work Refusals
- Taxi Exception Reports
- Old Business
- New Business
- Escalated items
- Confirm minutes and closing comments

**Meeting Called to Order by:** Chris Gingras 9:09 am

**Quorum:** A quorum of a committee consists of the majority of members, at least half of which are employee members and at least one of which is an employer member.

**New Errors / Omissions Last Month's Minutes:** Nil

**Motion to Accept Minutes as Submitted/Amended:** Patrick Nahmiash

**Committee Members:**

Name:	Email:	Phone Number:	Department:	Committee Position:	# of Meetings:	H&S Trained:	Present at Meeting:
Chris Gingras	chris_gingras@cpr.ca	250-272-6319	Mgr, T&E	Co-Chair	2	Yes	Yes
Ashley Reid	ashley_reid@cpr.ca	250-814-3979	Mgr, T&E	Member	0	Yes	No
Patrick Nahmiash	patrick_nahmiash@cpr.ca	403-458-1825	T&E Engrs	Co-chair	2	Yes	Yes
Darren Burzminski	darren_burzminski@cpr.ca	403-548-1212	T&E, Engrs	Member	1	Yes	Yes
Colin Sehn	colin_sehn@cpr.ca	403-866-1306	Mgr, T&E	Alternate	1	Yes	Yes
Evan Deadlock	evan_deadlock@cpr.ca	403-548-5587	Mgr, T&E	Alternate	2	Yes	Yes
Ryan Marshall	ryantcrc@icloud.com	403-580-6552	T&E, Cndrs	Alternate	0	Yes	No
Liam Smith	liamtcr@icloud.com	403-581-0755	T&E, Cndrs	Alternate	1	Yes	No
Zack Hartley	tcr322zh@gmail.com	613-601-1655	T&E, Engrs	Alternate	2	Yes	Yes
Jason E Ross	jasone_ross@cpr.ca	403-581-0752	Mechanical Union	Member	2	Yes	Yes
Miles Heit	miles_heit@cpr.ca	403-548-4970	Eng. Track Structure	Member	2	Yes	Yes



Geoff Tedrick	geoff_tedrick@cpr.ca	306-313-8244	Mgr, Eng. Track Structure	Alternate	0	Yes	No
Daniel Villeneuve	daniel_villeneuve@cpr.ca	705-698-4330	Mgr, S&C	Member	1	Yes	Yes
Clive Gray	clive_gray@cpr.ca	403-304-2141	S&C Tech	Member	2	Yes	Yes
Lucas Harding Brooks Sub	Lucas_harding@cpr.ca	403-863-8219	Mgr, Eng Track / Structure	Member	1	Yes	No
Willie Davis Maple Creek Sub	willie_davis@cpr.ca	403-866-9955	Mgr, Eng Track / Structure	Member	2	Yes	Yes
Kory Hill	kory_hill@cpr.ca	403-329-7794	Mechanical Mgr	Member	1	Yes	No
Jody Barron	jody_barron@cpr.ca		Eng. Track Structure	Alternate	0	Yes	No
Nick Lepard Brooks Sub	nick_lepard@cpr.ca		Eng. Track Structure	Member	1	Yes	No
Vicki Martin	vicki_martin@cpr.ca	403-528-5000	Other	Secretary	2	Yes	Yes

**Guests:** Scott Welling, Mgr Facilities

**Employees & Geographical Region WHSC Represents:**

Department	WHSC member:	Subdivision Miles Represented: (Include subdivision name and mileage range)	Numbers Represented: Employees	Buildings
<b>T&amp;E, Engrs / Cndrs</b>	Patrick Nahmiash / Darren Burzminski	Medicine Hat Yard, Brooks and Maple Creek Sub - the number is the total for Engineers and Conductors	240	2
<b>Mech, Car</b>	Jason E Ross	Medicine Hat	2	1
<b>Eng, Track Structure</b>	Miles Heit, Nick Lepard	Medicine Hat, Maple Creek Sub, Brooks Sub	26	6
<b>Eng, S&amp;C</b>	Daniel Villeneuve	Brooks, Maple Creek	14	4

	T&E		Engineering		Mech.-Car	
	2023	2022	2023	2022	2023	2022
<b>FRA Reportable Injuries</b>	0	4	1	2	0	0
<b>Non FRA Reportable Injuries</b>	0	5	0	2	0	0
<b>FRA Train Accidents</b>	0	0	0	1	0	0
<b>Non FRA Train Accidents</b>	1	2	0	3	0	0
<b>Rule Violations</b>	2	5	0	2	0	0
<b>Motor Vehicle Accidents</b>	0	0	0	0	0	0

Date of Last Local Incidents	T&E	Engineering	Mech.-Car
<b>Number of Days Since:</b>	Date (Days)	Date (Days)	Date (Days)
<b>Personal Injury</b>	22-Dec-22 (49)	08-Feb-8 (1)	01-Jan-17 (2230)
<b>Train Accident</b>	7-Jan-23 (33)	23-Sept-22 (139)	05-Jul-22 (219)
<b>Rules Violation</b>	13-Jan-23 (27)	24-Apr-21 (656)	01-Jan-17 (2230)
<b>Motor Vehicle Accident</b>	12-Jan-19 (1489)	29-Mar-21 (682)	07-Aug-19 (1282)



## Previous Month's Last Incident / Injury Causes:

### Personal Injuries:

Date: FRA Reviewed: Description:

8-Feb-23	No	Yes	<p>IM 1001843980 Carseland (Track-Brooks)</p> <p>At approximately 8:30 MST employee was not feeling well and had some numbness/tingling in his face. Section foreman called 911 and the employee was transported to hospital via ambulance to seek medical attention.</p> <p>Action Taken: 911 called and ambulance dispatched - Escalated to RM, Director.</p> <p>Preliminary Cause: Unknown (non-occ)</p>
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### Train Accidents:

Date: FRA Reviewed: Description:

			Nil
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### Rules Violations:

Date: Reviewed: Description:

13-Jan-23	Yes	<p>IM 1001829362 Swift Current</p> <p>At ~ 13:34 MST January 13, 2023 train 119-10 that was stopped at signal 17N Lister, Maple Creek Sub triggered a 439 prompt behind their train at signal 1098N, Swift Current. Investigation revealed that the outgoing Medicine Hat crew had changed off with the incoming crew at the Swift Current station and pulled the train westward to signal 17N Lister, that was indicating stop. After coming to a stop at signal 17N Lister, the tail end of their train that had just cleared signal 1098N Swift Current, ended up rolling eastward passing signal 1098N Swift Current that was indicating stop. Crew was removed from the train and taken for post incident testing (Negative for both crew members).</p> <p>Action Taken: Escalated to Superintendent &amp; GM • Locomotive downloads retrieved and reviewed • CTC replays retrieved • Crew interviewed and initial incident reports filled out.</p> <p>Preliminary Cause: H204 Fixed Signal, Failure to comply.</p>
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### Motor Vehicle Accidents:

Date: Reviewed: Description:

		Nil
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## Safety Framework Activities Completed Last Month:

Status:	Date:	Department:	Description (include description, action taken by who and when to be completed by):
Closed	January 12, 2023	T&E	Patrick Nahmiash and Liam Smith participated in committee work; safety meeting and framework for 2023.
Closed	January 13, 2023	T&E	Patrick Nahmiash and Liam Smith participated in committee work; site inspections.
Closed	January 14, 2023	T&E	Patrick Nahmiash and Liam Smith participated in committee work; job aid Richardson Carmicheal and update terms of reference
Closed	January 20, 2023	T&E	Patrick Nahmiash and Liam Smith participated in committee work; critical tasks new hires part 1.
Closed	January 27, 2023	T&E	Patrick Nahmiash and Liam Smith participated in committee work; critical tasks new hires part 2.
Closed	February 6, 2023	T&E	Patrick Nahmiash participated in committee work; SOFA's.

Closed	February 7, 2023	T&E	Patrick Nahmiash participated in committee work; Pre meeting and Schedule 10.
Closed	February 8, 2023	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; Carmicheal Richardson and Carmicheal back track.

### SOFA / Planned Peer Observations:

Status:      Date:      Department:      Employees Observed      Total Observed      At-risk Observed      Description (include description, action taken by who and when to be completed by):

Closed	February	T&E	2	50	3	Good safe crew.
Closed	February	T&E	4	88	6	Shoving equipment; Discussion regarding protecting the point, crew stated they knew it was clear.

### E-Testing (AB South):

Status      Department      Tests Performed      Failed E-tests      Description

Completed	T&E	<b>CRT26.3</b> 91 tests  <b>CRTPOINT</b> 41 test	<b>CRT26.3</b> 1 non-compliances = 1.10% fail rate.  <b>CRTPOINT</b> 1 non-compliances = 2.44% fail rate	<b>Switches and Point and Observe (CRT26.3 and CRTPOINT)</b> <ul style="list-style-type: none"> <li>- Employees check the switch points prior to and after operating a switch</li> <li>- Employee must replace the keeper or lock after operating a switch</li> <li>- Employees must use both hands to line a switch</li> <li>- Employees must not kick or use excessive force to operate a switch handle</li> <li>- Employees must communicate to the engineer that the points have been checked, the switch is locked and lined for the intended route</li> </ul>
Completed	T&E	<b>CRT115A</b> 67 tests	<b>CRT115A</b> 0 non-compliances = 0.00% fail rate  With a train accident as a result of shoving equipment already this year and with 15 in 2022 a 0% fail rate is NOT reality. We MUST get out in front of this and observe and test our crews and hold them accountable. Need to ensure they are adhering to the rules when shoving equipment in order to prevent these types of incidents.	<b>SHOVING ON NON-MAIN TRACK AND OPERATING ON NON MAIN TRACK –PROTECTING THE POINT</b> <ul style="list-style-type: none"> <li>- This year alone there have been <b>2 train accidents</b> where the switch was run thru, or a shoving movement went over a through the other end of a track with no one on the point.</li> <li>- It's imperative that employees are protecting their points when making a shoving movement and ensure that it is completed safely.</li> </ul>





## Workplace Inspections:

Status:	Date:	Department:	Classification:	Description (include description, action taken by who and when to be completed by):
Completed	13-Jan-23	T&E	N/A	Cassils BT433A, B14 Good clean site. No issues.
Open	23-Nov-22	T&E	Class B	Women /men's change room shower & east restroom shower No clean towel and soap has been provided <b>Under review with the CP H&amp;S Dept. Scott Welling to check with Bob Tully for an update.</b> <b>Forward to Facilities. Timeline: Dec 7</b> <b>Update (Jan 12): Scott Welling has a call with Legal tomorrow morning for an update. He will provide the info to Chris Gingras by January 31 which will be discussed at the February H&amp;S meeting.</b>  <b>Update (Feb 9): Will be providing towels and place them in a large Ziploc. Soap dispensers will be place in the showers. Scott Welling will provide update by next month's meeting.</b>
Completed	8-Feb-23	T&E	N/A	Carmichael back track – good clean site.

## Customer / Industry Inspections:

Status:	Date:	Department:	Classification:	Description (include description, action taken by who and when to be completed by):
Completed	13-Jan-23	T&E	N/A	Cassils Viterra Good clean site.
Open	8-Feb-23	T&E	Class B	Carmichael Richardson: Switch 1-bad order/engine storage track hard to line by hand. Timeline for adjustment Feb. 24. Elevator has switch brooms in all locations, walking conditions are good, no debris or other issues prevalent. Job aid finalized and provided to costumer.

## Safety Hazard / Unsafe Condition Reports:

Status:	Date:	Department:	Classification:	Description (include description, action taken by who and when to be completed by):
Completed	14-Jan-23	T&E	Class A	SHR 70000005318 Medicine Hat Terminal/Station Ice buildup in medicine hat parking lot and around building. Extreme dangerous conditions. No attempt to remove or to lay down rock/gravel to prevent falling. Use proper equipment example - Bobcat or frontend loader to remove ice and snow buildup. Then apply rock/gravel after scraping lot. Do not bother trying to use the deere tractor or sweeper, it will not be sufficient for the job. We have large equipment on site.  <b>Reply: The ice has been scraped and the area has been sanded. Employee was given the feedback on January 14 that remedial actions were taken, and employee was satisfied.</b>

## Risk Assessments Completed:

Status:	Date:	Department:	Description (include description, action taken by who and when to be completed by):
			Nil



### Work Refusals / Right to Challenge:

Status:	Date:	Department:	Description (include description, action taken by who and when to be completed by):
			Nil

### Taxi Exception Reports:

Status:	Date:	Department:	Description (include description, action taken by who and when to be completed by):
			Nil

### Old Business Review:

Item Number:	Item Origin:	Old Business Description:	Responsible Person(s):	Status:	Due Date:
1 Jan 12, 2023	T&E	<p>Heavy grade signage at Dunmore: 1 sign is present on north side but is difficult to see when equipment is on the north and south main from the crow extension. Install second side on south side.</p> <p>Update (Jan 6-email from Willie Davis) – “We will get a sign up we are not sure if we have a BEGIN HEAVY GRADE sign in our inventory we are looking now, if not we will have to order one.”</p> <p>Update: January 12, 2023 Sign has been ordered. There is a sign in Medicine Hat Mechanical building to loan for installation by January 20<sup>th</sup> by Willie Davis-confirmation when complete to send to Pat, Chris and Vicki.</p> <p>Reply: This has been completed. Sign is up.</p>	Willie Davis	Closed	20-Jan-23
2 23-Nov-22	Site Inspection	<p>Medicine Hat Station</p> <p>1. Men &amp; Woman’s change rooms Work Boots not stored in provided lockers- Tripping falling hazard – On going facilities issue. Validation today. Bulletin will be posted today to have boots/supplies to be removed by Jan 15, 2023.</p> <p>Update Jan 5, boots not stored correctly.</p> <p>Update: Jan 12 – Scott Welling looking into options for storing boots. First need to have a count of lockers.</p> <p>Accountable: Evan Deadlock Timeline: March H&amp;S meeting.</p> <p>Reply: Hazard has been resolved.</p>	Chris Gingras	Closed	March 9



## New Business Review:

Item Number:	Item Origin:	Business Description:	Responsible	Status:	Due Date:
1 9-Feb-23	Committee Member	Individuals are not receiving written copy of Safety Hazard Response resolution. <b>Reply: Employee can go back into the SHR app and check to see when item was completed.</b>	Chris Gingras Patrick Nahmiash	Closed	March 9, 2023
2 9-Feb-23	Committee Member	Bulletin NO: INFO-AB-012-23 dated January 20, 2023. Subject Cab Heaters. Heaters working as intended, high setting is a necessity, not a luxury. Locomotives with issues should be reported removed from crew occupancy until issues are resolved. <b>On Board Trains Occupational Health and Safety Regulations Repairs</b> <b>10.14</b> Any repair, modification or replacement of a part of any rolling stock shall not decrease the safety of the rolling stock or part.  Canada Occupational Health and Safety Regulations Section 9.9: personal service room and food preparation area: 18°C minimum/29°C maximum NOTE: personal service room means a change room, toilet room, shower room, lunch room, living space, sleeping quarters or a combination thereof Section 14.9(2): motorized materials handling equipment, operators' compartment: 26°C maximum Section 16.10(2)(b) First aid room: 21°C to 24°C.  <b>Update (Feb 9): Chris will identify the locomotives and update the bulletin.</b>	Chris Gingras	Open	9-Feb-23
3 9-Feb-23	Committee Member	Lighting Dunmore and Medicine Hat yard. As per facilities August 11, 2022 response will replace lighting with LED bulb's in 2023. Timeline? <b>Update (Feb 9): Scott Welling will provide update by next meeting.</b>	Chris Gingras	Open	9-Mar-23
4 9-Feb-23	Committee Member	Parking lot at the Medicine Hat Yard It is very slippery. Can we have it cleaned-putting sand on it?	Lucas Harding	Open	15-Feb-23

## Escalated Item:

Item Number:	Item Origin:	Escalated Item:	Responsible Person(s):	Status:	Review Date:
1 Nov 15, 2022	T&E	February 2021 Medicine Hat minutes escalation to policy committee response in part reads, " <i>CP does not ever want a running trades employee to work when they have not had the proper rest and there are</i>	Chris Gingras	Open	<del>8-Dec-22</del> <del>9-Feb-23</del> 25-Feb-23



	<p><i>provisions that as a last resort can be exercised to ensure this doesn't happen".</i></p> <p>Update: T&amp;E AVAILABILITY STANDARD CANADA is a contravention of the Psychological Health and Safety Standard of Canada, contravenes all leave parameters provided in the Code, and may create a contravention of Canada Labour Code 124. Employees are being assessed discipline for using leaves provided by regulation and provisions referenced by the policy committee. This is creating a fear of using provisions to be away from work as required and determined by each individual. Individuals may be at work when they should be off due to fear of reprisal.</p> <p>Update December 8: <b>2.1. FATIGUE MANAGEMENT POLICY STATEMENT</b></p> <p>CP will enable employees to perform their duties as safely and effectively as possible by mitigating risks associated with fatigue. To this end, CP is committed to develop and maintain a Fatigue Management Program. The objective of the Fatigue Management Program is to prevent, mitigate and manage the risks related to fatigue during CP operations, and to promote health and wellbeing for employees and contractors and for the provision of quality services.</p> <p><b>4. FATIGUE MANAGEMENT ROLES AND RESPONSIBILITIES</b></p> <p>Managing fatigue involves a shared responsibility between CP and its employees. Duties and responsibilities of personnel who have a role in managing fatigue are described in this section.</p> <p>Individuals are using the tools as advised by the policy committee and outlined in the Canada Labour Code.</p>			
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	<p>Requirements in 4.7, Operating employees use of leaves is a requirement.</p> <p>To be reviewed between GM and co-chairs for escalation to policy committee?</p> <p>Update: A meeting will be done with Adam Smith during the week of December 12 with Pat Nahmiash.</p> <p><b>Update January 5:</b> Adam cancelled meeting, rescheduled for Jan 3-6. Restructuring at GM level, meeting did not happen.</p> <p>Contraventions of:  <b>Canada Labour Code</b>  <b>122.1</b> The purpose of this Part is to prevent accidents, occurrences of harassment and violence and physical or psychological injuries and illnesses arising out of, linked with or occurring in the course of employment to which this Part applies.  <b>Specific duties of employer</b></p> <p><b>125 (v)</b> adopt and implement prescribed safety codes and safety standards;</p> <p><b>(z)</b> ensure that employees who have supervisory or managerial responsibilities are adequately trained in health and safety and are informed of the responsibilities they have under this Part where they act on behalf of their employer;</p> <p><b>Corporate Safety Policy</b></p> <p>Meet or exceed all applicable safety laws and regulations</p> <p>Provide the leadership, training, tools and resources needed to maintain a safe work environment</p> <p>Maintain and continuously improve our safety culture, processes, technologies and management systems</p> <p>Empower all employees to perform their work safely and to participate in safety processes.</p> <p>Update Jan 12: Chris Gingras to arrange meeting with John Bell and</p>			
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	<p>Patrick Nahmiash. Meeting to be scheduled for January 20.</p> <p><u>Recommendation:</u></p> <p>T&amp;E availability standard needs to be revised to meet the leaves identified in the Canada Labour Code and approved by the Policy Committee. No Canada Labour Code contraventions may be present.</p> <p>Current contraventions part 2 of the Canada Labour Code;</p> <ul style="list-style-type: none"> <li>- 122.1 The purpose of this Part is to prevent accidents, occurrences of harassment and violence and physical or psychological injuries and illnesses arising out of, linked with or occurring in the course of employment to which this Part applies.</li> <li>- 125 (1) (v) adopt and implement prescribed safety codes and safety standards; - Psychological health and safety in the workplace, National Standard of Canada.</li> </ul> <p>The updates need to include provisions for The Fatigue Management Plan. 13 f. (i) measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</p> <p>The February 2021 response states the expectation for Medicine Hat employee's attendance. Assed discipline from February 2021 to date should be reviewed by co-chairs, GM and labour policy committee co-chair. If determination that the Code was contravened, discipline to be expunged.</p> <p><b>Update February 6: No response to GM meeting date or Jan 6 email. Escalation to GM as per escalation policy.</b></p> <p><b>Update (Feb 9): This will be escalated to the GM. Pat Nahmiash will send to GM John Bell.</b></p>			
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<p>2 Nov 15, 2022</p>	<p>T&amp;E</p>	<p>Training for T&amp;E members for Duty and Rest Period Rules section 5 part B, on October 17, 2022 labour co-chair requested T&amp;E committee members participate and provided peer to peer training. And requested timelines for the training. Individuals are being texted, contacted while on vacation, and approached in the station and being signed off as completed, with no training. Confusion continues to be ongoing, the June minutes identify that no Fatigue Management plan has been provided as outlined and required in the Duty and Rest Period Rules. Contacting individuals that are away and off work is a contravention of the Psychological Health and Safety Standard of Canada.</p> <p>TC James Moran did respond that the Fatigue management is to be rolled out by CP Rail by November 25, 2022. The Company is rolling this out presently to all employees.</p> <p>Update December 8: Email sent to Paul Jorundson, Brian Gornik on December 5;</p> <p>Individuals logging on to CP employee station to complete the required training are already shown as completed without having completed the training.</p> <p>Confusion still persists due to contravention of;</p> <p><b>Specific duties of employer 125</b></p> <p><b>(q)</b> provide, in the prescribed manner, each employee with the information, instruction, training and supervision necessary to ensure their health and safety at work;</p> <p><b>(z.06)</b> consult the work place committee or the health and safety representative in the implementation of changes that might affect occupational health and safety, including work processes and procedures;</p> <p>Fatigue management plan ongoing issues; when crews get swapped trains status of fatigue disappears, individuals are confused when reporting red why are they still working, individuals are fearful of reprisal when reporting fatigue</p>	<p><del>Chris Gingras</del> Policy Committee</p>	<p>Escalated</p>	<p><del>8-Dec-22</del> <del>27-Jan-23</del> Feb 27,-2023</p>
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	<p>status even though the Duty and Rest Period rules part D:</p> <p>13 f. ( i ) measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</p> <p>Update: Pat Nahmiash, Darren Burzminski and Ryan Marshall will give Amy Shields a call today to discuss.</p> <p>Update Jan 5: list of questions sent on December 8 &amp; 11;</p> <p>1) Do you have to advise all crew members of your fatigue status?</p> <p>2) Can fatigue status change from green to yellow enroute?</p> <p>3) Can fatigue status change from red to yellow?</p> <p>4) What is process to use if the RTC doesn't respond in a timely manner when changing fatigue status?</p> <p>5) When called for duty, how long does an employee have to change status after accepting call?</p> <p>6) Sleeping when called for work, individuals are not provide the time, nor are they alert enough to determine KSS. How is this reported once awake and assessment is completed?</p> <p>7) Different red status while working examples need to be provided. Example: red unfit - unfit to continue, red able to continue.</p> <p>8) Training has been inadequate, when will more training be provided?</p> <p>9) Will the FMP be revised to include tools to stay awake, such as; napping, music, other than company reading material, etc.</p> <p>10) When tying up at facilities without CP terminals with no access to fax (ex: hotels), and when outages in access to CMA. Individuals are unable to tie up as the system will not allow</p>			
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	<p>progression until fatigue status is reported? [another example; using smart phone to tie up, but not all individuals have smart phone to log in and update fatigue status]</p> <p>11) When an individual accepts a call with the caveat that they are yellow for fatigue, is the requirement to report to the RTC all fatigue changes while implementing fatigue measures while staying in the yellow?</p> <p>Update Jan 5: Confusion persists with use of the plan. Members are being assessed discipline for use of the plan; 13 f. (i) measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</p> <p>Jan 5: Email sent by Chris Gingras for info to be provided by January 12.</p> <p>Jan 12: Question 4,5,6,8 and 10 were not posted. These will be resubmitted.</p> <p>Update January 12: Conductor envelopes are not equipped with FMP self- assessment forms and the forms are not always available.</p> <p>Fear of reprisal due to company discipline is leading to the opposite of what the plan is intended for.</p> <p><b>System Bulletin Dated January 9, 2023</b></p> <p><b>“Q: What happens if I book unfit for duty (RED) due to fatigue?”</b></p> <p><i>A: Section 5.6 of the DRPR states:</i></p> <p><i>“Every employee shall be permitted to report in accordance with sections 5.2, 5.4 and 5.5 without fear of reprisal”</i></p> <p><i>However, a formal investigation may take place to establish the facts and if, after a fair and impartial investigation abuse of the</i></p>			
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	<p><i>provision(s) has been established, the employee may be subject to discipline. “</i></p> <p>Formal investigations for fatigue status reporting contravention:</p> <ul style="list-style-type: none"> <li>- The purpose of the Duty and Rest Period Rules.</li> <li>- The Fatigue Management Plan. 13 f.( i )measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</li> <li>- Canada Labour Code 122.1 The purpose of this Part is to prevent accidents, occurrences of harassment and violence and physical or psychological injuries and illnesses arising out of, linked with or occurring in the course of employment to which this Part applies.</li> <li>- Canada Labour Code 125 (1) (v) adopt and implement prescribed safety codes and safety standards; - Psychological health and safety in the workplace, National Standard of Canada.</li> <li>- <b>Corporate Safety Policy</b> <b>Corporate Commitment</b> <ul style="list-style-type: none"> <li>• Provide the leadership, training, tools and resources needed to maintain a safe work environment</li> <li>• Maintain and continuously improve our safety culture, processes, technologies and management systems</li> </ul> </li> </ul> <p><b>Manager Accountability</b></p> <ul style="list-style-type: none"> <li>• Ensure the safety of our workplace and our</li> </ul>			
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		<p>corporation is our first priority and personal responsibility</p> <ul style="list-style-type: none"> <li>• Empower all employees to perform their work safely and to participate in safety processes</li> </ul> <p><b>Q: What do I do with my form after my shift?</b> Members are not provided the tools to send emails, fax number is required.</p> <p><u>Recommendation:</u></p> <p>Train and Engine personal (labour) from the Health and Safety committee to be trained in the FMP. To complete a T&amp;E Footboard with 100% of active employees. Reasoning; peer to peer is non-judgemental with no fear of reprisal, leading to open and honest conversations, resulting in thorough understand of the plan and the requirements.</p> <p>Rescind and remove formal investigations – the intent by Transport Canada as indicated: <i>13 f.(i)measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</i> – create a sub-committee; the sub-committee will meet monthly, review, track and provide recommendations on alleviating fatigue relevant to local issues.</p> <p>Create an auto prompt system on CMC, members to call back within 10 minutes of call time to report Fatigue status; correct self-assessment is not possible when asleep and taking a call for work.</p> <p>Create and provide a Conductor/Train Person, Locomotive Engineer log book with self-assessment information along with trip information. Forms are not accessible at all locations or in the conductor's envelope. A log book is the least wasteful process to have self-assessment forms available for each trip.</p>			
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		Patrick to send escalation to the GM.  Update Feb 6; no response from GM, escalated to policy committee on Jan. 28 as per escalation policy.			
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**Tabled item:**

Item Number:	Item Origin:	Escalated Item:	Responsible Person(s):	Status:	Review Date
1	Old Business November 15, 2022	There is in need of a women's Change room/locker room at the Maintenance of Way Building.  Update: Scott Welling looking into options and provide inform by the end of the month.  Update (Feb 9): There is approval to build a ladies change room. Just waiting for a timeline to have completed.	Scott Welling Jason Ross	Open	<del>12-Jan-23</del> Update: 9-Mar-23
2	Old Business June 19, 2022	Item closed without committee review. A request for an AED to be placed in the Maintenance of Way Building was sent in. Update: Waiting for approval on AED. Reply: AED does not meet the requirements to have at the Maintenance Way Building. Update September 8: committee concerns with access to AED that is located in station when trains are present, distance required to travel even with no trains is concerning. Update: A sub-committee has formed and outcome/update will be reported at next H&S meeting.  Nov 11, 2022-subcommittee put letter together to submit to Scott Welling, Kevin Scholes and Robert Tully to request a site assessment and report of such on reasoning behind declination of AED supply. Terry Maser to email the letter.  Update Nov 21 email sent. December 6 – Email sent from Kevin Scholes "it makes sense to me to provide another AED based on what Terry lay's out below. I ran it through Bob Tully and I have not gotten his response. I will review with him tomorrow as I know your meeting is on Thursday. I will then advise Facilities that Safety supports an additional AED for MH as they pay for them ~\$1800.00. The last piece in all of this is whether we can get a new one from our supplier – Action First Aid - quickly...there has been a real problem getting AED's in the last 6-8 months.	Kory Hill Terry Maser Jason E Ross	Closed	<del>10-Nov-22</del>  New timeline: 8-Dec-22  New timeline: 13-Apr-23

		<p>Reply: Email (Dec 7) from Kevin Sholes “The request for a new AED to be implemented in Medicine Hat has been approved. Please reach out to Superintendent, Chris Gingras (<a href="mailto:chris_gingras@cpr.ca">chris_gingras@cpr.ca</a> (250) 272-6319 to initiate the implementation process. Please arrange to ship a new Stryker Wi-Fi enabled AED to this location subject to Mr. Gingras’ instructions.”</p> <p>Update: AED is on its way once it arrives, Terry Maser will install it. Terry Maser will call us when this has been completed.</p> <p>Reply: AED has arrived and installed.</p>			
3	H&S Member	<p>This is step 3 of 127.1 for contravention Clothing Storage, 2 lockers are required for secure storage and to prevent contamination of clothing.</p> <p>9.43 Clothing storage facilities shall be provided by the employer for the storage of overcoats and outer clothes not worn by employees while they are working.</p> <p>9.44(1) A change room shall be provided by the employer where</p> <ul style="list-style-type: none"> <li>(a) the nature of the work engaged in by an employee makes it necessary for that employee to change from street clothes to work clothes for health or safety reasons; or</li> <li>(b) an employee is regularly engaged in work in which his work clothing becomes wet or contaminated by a hazardous substance.</li> </ul> <p>(2) Where wet or contaminated work clothing referred to in paragraph (1)(b) is changed, it shall be stored in such a manner that it does not come in contact with clothing that is not wet or contaminated.</p> <p>Timeline;  September 8<sup>th</sup> Muhamad A Pasha stated update on lockers will be provided, this was first time lockers were brought forward and placed on minutes.  October 13 the ICRP was enacted  October 14<sup>th</sup> Chris Gingras provided Collective agreement requirements.</p> <p>October 17 co-chair Patrick Nahmiash provided a few examples:  -During locomotive power moves boots get creosol on them from the ties. - Locomotives that are required to perform work with are covered in coal and other unknown chemicals.  -While connecting locomotives hoses and jumper cables, clothes get covered in oil and grease.</p>	Ryan Marshall Colin Sehn	Open Referred to the Head	To be completed the week of Nov 21. Response required within 30 days

		<p>- Platforms on locomotives regularly have oil, grease, and other mechanical contaminants on the side panels and floor - these get on work clothes. - Locomotives are cleaned when it rains, the inside only when crews clean them and crews are not provided the means to steam clean seats.</p> <p>- October 19<sup>th</sup> Patrick Nahmiash advised Chris Gingras at no time was the collective agreement referenced and this is CLC and CCOHS requirements.</p> <p>Update: Ryan Marshall and Colin Sehn assigned to complete joint investigation. Dates to be determined and be completed the week of November 21<sup>st</sup>.</p> <p>Dec 2 update: written report provided employer response to be provided by Jan 1. Forward to Scott Welling.</p> <p>Update: Scott Welling will provide in writing by Monday, January 16.</p> <p>Update February 9, referred to the Head on January 17, 2023.</p> <p>Update (Feb 9): A 18 inch shelf from the bottom of the locker will be placed to separate boot and clothing.</p>			
<p>4 Nov 15 - 22</p>	<p>T&amp;E</p>	<p>Safety Hazard App referenced by Paul Jorundson during October meeting. Closures of many hazards contravene legislation and do not close out hazard.</p> <p>Examples; SHR # 70000005003 Closed same day as submitted with sign has been ordered and will be installed, and closed prior to committee review. East End of Patterson Elevator at Larkhall: East derail sign and switch point derail target are facing westward and should be facing or also facing eastward toward the mainline switch. Adjust or add derail / switch targets to face eastward on east end Reply: Signs have been ordered by ES Braden Mclean and will be installed as soon as arrived. Employee given feedback and thanked for her escalation. Briefings provided to crews to work in this area.</p> <p>SHR 70000004833 Submitted May 1<sup>st</sup>, use of ICRP outlined in submission, closed by management May 2<sup>nd</sup>. ICRP was actually closed in safety minutes October 13, response provided with closure on May 2<sup>nd</sup> has changed but not been updated in the app.</p> <p>Update: Chris Gingras to action with all department heads with reflective learning, review legislative and safety requirements for steps to be followed to close out SHR.</p>	<p>Chris Gingras</p>	<p>Closed</p>	<p><del>8-Dec-22</del> 9-Feb-23</p>

		The corrective actions are in place, this item to be tabled and monitored for 3 months.			
5 26-Nov-22	Moved from Safety Hazard Report	<p>SHR 700000005213 Shepard Intermodal Facility track U7</p> <p>While working 113-20 at Shepard at approximately 1430 I was riding the tail end car into a track and was updating my engineer of car lengths. While coming to 2 cars to a joint we lost radio contact while working on the Shepard repeater channel. My engineer came to a stop before the joint was made and I contacted the Shepard coordinator to let him know that we couldn't hear each other and asked him to go to channel 1. Something needs to happen to fix the repeater channel at Shepard. Not only does it sound like you're under water, it's delayed and recently there has been multiple times when the radios have failed and you can't hear anything. This has resulted in some incidents and FORTUNATELY nobody has been injured or killed. A possible solution could be a radio channel like hump 2 in Alyth.</p> <p>Reply: S&amp;C/IT engaged to find cause of radio communication failure (intermittent) while working at CIF. S&amp;C found no issues in the comm bunker with loose connections. Radio channel has been in use since 2016 with no issue prior to summer 2022. Radios in Medicine Hat have been reprogrammed and issues are increasing in frequency as reported by the crews. Trevor Smith/Cory Wogrinc have been engaged on the problem. I provided Kyle with the update on progress made and next steps to resolve.</p> <p>Update (Dec 6): Chris sent email requesting more information, follow up will be provided in miscellaneous comments. Chris Gingras will follow up with Kory.</p> <p>Update: FPC (Medicine Hat) Zachary Hartley to keep track of issues with radios.</p> <p>Update Jan 12 --Clive ordered multiple chargers for Medicine hat and Rest house Alyth to installation</p> <p>Bulletin to issue with radio pointers and information with Zach's contact Email and phone to forward issues for tracking.</p> <p>Update (Feb 9): Once bulletin is issued we will keep this opened until April's meeting unless other issues arise.</p>	Chris Gingras	On-going	<del>12-Jan-23</del> <del>9-Mar-23</del> 13-Apr-23





**Miscellaneous / Comments:**

17-Jan-23 - IM 1001836250 3<sup>rd</sup> Party Highway-Rail Crossing-Public Gleichen AB  
On January 17, 2023 at 06:00 (third party tractor trailer ran crossing at mile 123.09 Brooks Sub and took out the crossing gates and allegedly made contact with train 601-805. Action Taken: full inspection of train ES engaged S&C engaged CPPS responded.  
Preliminary Cause: Third Party fail to stop short of a crossing.

**Next Meeting:**

Place	Date	Time
Medicine Hat Board room, 2 <sup>nd</sup> floor, 402 North Railway Street SE Medicine Hat AB	09-Mar-23	9:00 am
Meeting Adjourned At: 10:35	Approved by Management Co-Chair: Chris Gingras	Approved by Union Co-Chair: Patrick Nahmiash
End of meeting recap completed? Yes		