

Medicine Hat Cross - Functional Health & Safety Committee

July 13, 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: 9:00 Chris Gingras

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: Parking lot inspection closed in error. Outstanding items; East parking lot - signage & reposition security signs to face street side. West Parking Lot - Security signage too small, enlarge security signage, Garbage can lid is open (locks and chains broken), no lighting in west parking lot.

Motion to Accept Minutes as Submitted/Amended: Colton Moquin

Committee Members:

Name: Email: Phone Department: Committee # of H&S Present
Number: Position: Meetings: Trained: at
Meeting:

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	7	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	7	Yes	Yes
Darren Burzminski	darren_burzminski@cpr.ca	403-548-1212	T&E, Engrs	Member	2	Yes	Yes
Colin Sehn	colin_sehn@cpr.ca	403-866-1306	Mgr, T&E	Alternate	5	Yes	Yes
Evan Deadlock	evan_deadlock@cpr.ca	403-548-5587	Mgr, T&E	Alternate	4	Yes	Yes
Ryan Marshall	ryantcrc@icloud.com	403-580-6552	T&E, Engrs	Alternate	3	Yes	No
Liam Smith	liamtcrcc@icloud.com	403-581-0755	T&E, Trnm	Alternate	2	Yes	No
David Getz	david_getz@outlook.com	403-529-7724	T&E, Cndrs	Alternate	0	Yes	No
Jason E Ross	jasone_ross@cpr.ca	403-581-0752	Mechanical Union	Member	5	Yes	No

Miles Heit	miles_heit@cpr.ca	403-548-4970	Eng. Track Structure	Member	4	Yes	No
Geoff Tedrick	geoff_tedrick@cpr.ca	306-313-8244	Mgr, Eng. Track Structure	Alternate	1	Yes	Yes
Daniel Villeneuve	daniel_villeneuve@cpr.ca	705-698-4330	Mgr, S&C	Member	4	Yes	No
Clive Gray	clive_gray@cpr.ca	403-304-2141	S&C Tech	Member	6	Yes	Yes
Colton Moquin Brooks Sub	Colton_moquin@cpr.ca	306-713-3714	Mgr, Eng Track / Structure	Member	1	Yes	Yes
Willie Davis Maple Creek Sub	willie_davis@cpr.ca	403-866-9955	Mgr, Eng Track / Structure	Member	3	Yes	No
Kory Hill	kory_hill@cpr.ca	403-329-7794	Mechanical Mgr	Member	2	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	3	Yes	Yes
Vicki Martin	vicki_martin@cpr.ca	403-528-5000	Other	Secretary	7	Yes	Yes

Guests: CP Police Jason Van Mulligen, Project Manager Benjamin Shideler

Employees & Geographical Region WHSC Represents:

Craft Employees Represented Subdivision Miles Represented: Numbers Represented:
 Department WHSC member: (Include subdivision name and mileage range) Employees Buildings

T&E, Engrs / Cndrs	Patrick Nahmiash / Darren Burzminski	Medicine Hat Yard, Brooks and Maple Creek Sub - the number is the total for Engineers and Conductors	254	2
Mech, Car	Jason E Ross	Medicine Hat	2	1
Eng, Track Structure	Miles Heit, Nick Lepard	Medicine Hat, Maple Creek Sub, Brooks Sub	26	6
Eng, S&C	Daniel Villeneuve	Brooks, Maple Creek	14	4

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

Date of Last Local Incidents	T&E	Engineering	Mech.-Car
Number of Days Since:	Date (Days)	Date (Days)	Date (Days)
Personal Injury	8-Mar-23 (127)	31-Oct-22 (255)	01-Jan-17 (2384)
Train Accident	23-Jun-23 (20)	8-Jun-23 (35)	05-Jul-22 (373)

Rules Violation	16-Jun-23 (27)	24-Apr-21 (810)	01-Jan-17 (2384)
Motor Vehicle Accident	12-Jan-19 (1643)	29-Mar-21 (836)	07-Aug-19 (1436)

Previous Month's Last Incident / Injury Causes:

Personal Injuries:

Date: FRA Reviewed: Description:

			Nil
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Train Accidents:

Date: FRA Reviewed: Description:

23-Jun-23	No	Yes	<p>IM 1001920017 Derailment</p> <p>At ~14:50 MST June 23, 2023, the C01-23 derailed the riding platform at Brier Park Medicine Hat. Investigation revealed that the Brakeman on C01-23 placed the derail switch in the derailing position as the movement was still occupying the derail, subsequently causing 2 axles to derail at the Brier Park Road crossing.</p> <p>Action Taken: Escalated to Superintendent and AVP; Crew interviewed and initial incident reports filled out; Brakeman taken for post incident testing; T&E, Mechanical and ES responded.</p> <p>Preliminary Cause: H303 – Derail, Failure to Apply or Remove.</p>
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Rules Violations:

Date: Reviewed: Description:

16-Jun-23	Yes	<p>IM 1001915762 RTS Dunmore AB</p> <p>AT 1820 MST June 16, 2023 the 5C24-16 was switching at Dunmore and in the process of spotting the Pioneer Elevator. The conductor was in charge of the movement. He finished spotting the 1st cut of cars on the South track and pulled eastward to clear the cross overs to spot the next set of cars. The Conductor Lined the South Cross Over switch and sent the next 28 cars westward to spot them on the North Track. The conductor Failed to line the North cross over switch and did not realize he had done so until the 28 cars had been shove through the trailing point not lined in their favor. The Brakeman was at the west end of the elevator to protect the point of these shove moves.</p> <p>Action Taken: Movement Stopped. Crew Contacted ATM. ATM Called Superintendent.</p> <p>Preliminary Cause: Switch improperly lined.</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	15-Jun-23	T&E	Patrick Nahmiash and Liam Smith participated in committee work; safety meeting and required clerical tasks associated with the meeting.
Closed	21-Jun-23	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; Safety Walkabout.
Closed	22-Jun-23	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; site inspections identified in monthly minutes and Safety Walkabout.
Closed	11-Jul-23	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; site inspections identified in monthly minutes.
Closed	12-Jul-23	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; site inspections identified in monthly minutes and clerical work associated with inspections and review of monthly minutes.

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):

						Nil
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E-Testing (AB South):

Status Department Tests Performed Failed E-tests Description

Completed	T&E	CRT26.3 451 tests performed CRTPOINT 351 test performed	CRT26.3 5 non-compliances 1.11% fail rate CRTPOINT 3 non-compliances 0.85% fail rate	Switches and Point and Observe (CRT26.3 and CRTPOINT) <ul style="list-style-type: none"> - Employees check the switch points prior to and after operating a switch - Employee must replace the keeper or lock after operating a switch - Employees must use both hands to line a switch - Employees must not kick or use excessive force to operate a switch handle - Employees must communicate to the engineer that the points have been checked, the switch is locked and lined for the intended route
Completed	T&E	CR121 150 test performed CR123.2 307 test performed	CR121 13 non-compliances 8.67% fail rate CR123.2 6 non-compliances 1.95% fail rate	RADIO POSITIVE IDENTIFICATION AND RDIO COMMUNICATION-DISTANCE, DIRECTION, REPEAT (CR121 AND CR123.2) <ul style="list-style-type: none"> - Ensure that positive identification is established between employees. Where employees fail to properly address the position, employee or movement, properly identify themselves, fail to end initial radio communication with work "OVER" or fails to end the final transmission with the word "OUT" - Ensure that crews are using the radio to control a switching movement uses proper identification, direction in relation to the front of the controlling locomotive and a distance to travel. When employees fail to use proper initial radio identification, specify direction and distance to travel, repeat instructions of 2 cars or greater or stop at once if no further communication is received when the movement has travelled one-half the distance required by the last instruction - Radios and communication is our first lifeline to safe working behaviors.
Completed	T&E	CRT14R 144 tests performed	CRT14R 16 non-compliances 11.11% fail rate	RELEASING HAND BRAKES (CRT14R) <ul style="list-style-type: none"> - There have been far too many instances in 2023 where trains are stopped for inspection and there is applied handbrakes found on cars recently lifted by crews in AB South. - Handbrakes have the ability to provide far more brake shoe force than the air brakes: therefore to avoid damage to the wheels, hand brakes must be FULLY RELEASED before moving equipment. - Ensure that all appropriate safety rules are complied with and reinforced when employees are releasing hand brakes.

				<ul style="list-style-type: none"> - Employees must fully release all hand brakes prior to moving equipment, ensure that employees are releasing hand brakes fully by validating that the bell crank has dropped and that the vertical rod and chain are slack. - Employees must check back 2 cars beyond the last handbrake found and communicate to other employees working with them.
Completed	T&E	CRT11M 172 tests performed CRT11S 101 tests performed	CRT11M 18 non-compliances 10.47% fail rate CRT11S 6 non-compliances 5.94% fail rate	ENTRAINING AND DETRAINING EQUIPMENT (CRT11M / CRT11S) <ul style="list-style-type: none"> - We have had 2 FRA injuries this year already on getting off equipment. One may have been jumping off a car account it derailed account snow and ice buildup however there are 2 employees that are not going Homesafe the same they arrived and that will not be tolerated. - Ensure that employee uses 3 points of contact at all times with a firm grip on safety appliances (steps, ladders, railings, or handrails) when entraining or detrainning stationary equipment - Ensure employee does not entrain/detrain stationary equipment when movement is not clear of switch stands, bridge approaches, retaining walls, restricted/close clearances, debris and other fixed objects - Ensure employee faces the locomotive and uses both hands when entraining or detrainning from a locomotive stairwell - Do not jump from any piece of equipment or structure to ground level or onto another adjacent equipment or structure except in an Emergency situation - Employee does not communicate intent to entrain/detrain moving equipment to the locomotive engineer - Locomotive engineer doesn't ensure the movement is reduced to a walking speed (4MPH or less) or acknowledge the employees intent to entrain/detrain moving equipment - Employee entrains/detrains moving equipment without the full use of both hands or maintain 3 points of contact - Employee uses the wrong foot while entraining/detraining moving equipment - Employee doesn't communicate to the locomotive engineer once they have safely entrained/detrained moving equipment

Workplace Inspections:

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

Closed	12-Jul-23	T&E	N/A	Brier park industrial – Good clean site.
Closed	12-Jul-23	T&E	N/A	Larkhall – Good clean site.

Open	11-Jul-23	T&E	Class B	Dalemead BT447E (back track) - The 3 piles of rail fall within restricted clearance parameters and if left until winter, may be covered with snow creating a further hazard.
Open	22-Jun-23	T&E	Class B	Tilley B17 and BT 4298B <ol style="list-style-type: none"> 1. West switch (Tilley) could not line the switch. Needs to be adjusted and oiled. Timeline: June 29 completed 2. Derail sign east end of track. Unable to see sign from tack. Need a new post. Timeline: July 13 completed 3. West end of tracks. Weeds are a tripping hazard. Weeds to be sprayed and cut. Timeline: July 13 Colton Moquin to check.
Open	22-Jun-23	T&E	Class B	Bassano Yard <ol style="list-style-type: none"> 1. Bassano yard east and west end – No option but to use hands in pinch points. Provide brooms. completed 2. Bassano yard track 4 switch, west end – Can't line the switch. Adjust and oil switch. completed 3. Throughout the yard – Weeds are a tripping hazard. Spray and cut weeds. Need confirmation to be able to close <p>Timeline for all above items: July 13, 2023. Sent to Colton Moquin.</p>
Open	22-Jun-23	T&E	Class B	Cluny BT442E <ol style="list-style-type: none"> 1. Cluny middle of back track – Pile of equipment which is a tripping hazard in detraining/entraining/walking path. Clean up equipment. 2. Cluny both sides of track – Weeds are a tripping hazard in detraining/entraining/walking path. Spray and cut weeds. <p>Timeline for both: July 13, 2023. Sent to Colton Moquin.</p>
Completed	22-Jun-23	T&E	N/A	Lathom Back track (BT436a) Good clean site.
Completed	14-Jun-23	T&E	Class B	Antelope Back track – rail in detraining / entraining / walking path is a tripping hazard. As per Geoff Tedrick, rail has been removed.
Open	29-Mar-23	T&E	Class B	Alyth Bunkhouse <ol style="list-style-type: none"> 1. Emergency evacuation plan. Alarm expired in plan. Update yearly. Person responsible: Facilities/B&B Reply: Please provide more details regarding this request. Need confirmation of process for required monthly checks, lighting and fire extinguishers. <p>Update: All emergency lighting was replaced and stickers have been put in place. There is a plan put into place to have the monthly checks done monthly by B&B and/or Facilities. Local H&S members are to check the fire extinguishers. Timeline: June 8, 2023.</p> <p>Update (May 20): Review of Emergency Evacuation plan (email sent) outstanding items: Not all pages are numbered. - First item circled in green, need updated / current alarm inspection. Fire alarm inspections are required yearly. - Second item circled in green, page 5 of 10 - is Benjamin Mackay still employed with CPKC? -Third item underlined in green, when will training be provided for occupants so they may be the building coordinator as required? - Fourth item circled in green, training is required for occupants to act as building coordinator.</p>

				<ul style="list-style-type: none"> - Fifth item circled in green, page 9 of 8, occupants may not act building coordinator without training. - Sixth item circled in green, page 5 of 7, no fire extinguisher instruction classes are provided. - Seventh item circled in green, page 3 of 5, responsibility may not be placed on individuals that have no training to perform this requirement and places all occupants at risk. - Eighth item underlined in green, page 4 of 5, no on-line training has been provided.
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Customer / Industry Inspections:

Status:	Date:	Department:	Classification:	Description (include description, action taken by who and when to be completed by):
Open	12-Jul-23	T&E	Class B	Patterson elevator Larkhall – Weeds are overgrown and are a tripping hazard.
Open	11-Jul-23	T&E	Class B	Cargil Carseland – Weeds are overgrown, are a tripping hazard. Weeds need to be sprayed and cut.
Completed	11-Jul-23	T&E	N/A	Indus Viterra grain elevator – Good clean site.
Completed	22-June-23	T&E	N/A	Tilley Torque B17, BT and 429B Good clean site.

Safety Hazard / Unsafe Condition Reports:

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

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	Committee member	Medicine Hat station - Eaves trough leaks every winter and causes icy / tripping hazard – patch jobs have unsuccessfully been attempted, evidence is the recurring hazard.	Chris Gingras - Facilities	Open	10-Aug-23 14-Sept-23

		Update: Scott Welling will have B&B take a look at all the eaves trough. Update: Contractor was here to assess. July 13 - Sent to Ben MacKay			
2	Committee member	Maple Creek Subdivision time table 19.2. -Bellcot, Dunmore and Larkhall, switch names required for crossovers and switches names as previously provided in module 19.1 footnotes. -Signals 869 and 868 are missing. Update: Keith Hopper has updates on the signals and will update for next module. Daniel Villeneuve will be providing switch numbers to Keith Hopper for locations. Update (July 13): Chris Gingras spoke with Daniel Villeneuve-as per email "The issue is that there is a conflict in the numbers vs what is being input in the system and this needs to be ratified on which set of numbers needs to be used This has been escalated to Jamie Ruzycki—Assistant Director S+C.	Daniel Villeneuve Escalated to Jamie Ruzycki	Open	19-Jun-23 7-Sept-23
3	Committee member	Fire Extinguishers - No training is being provided. <i>On Board Trains Occupational Health and Safety Regulations Instructions and Training</i> <i>13.9 Every employee shall be instructed and trained in</i> <i>(b) the location, use and operation of fire extinguishers and emergency equipment provided by the employer.</i> Update June 13: This is being provided to all new hires. There are records shown since 1979 but not prior to 1996. Patrick Nahmiash will validate with Transport Canada. Update June 13: Part 2 of CLC 125 (q) provide, in the prescribed manner, each employee with the information, instruction, training and supervision necessary to ensure their health and safety at work: IPG 937-1-IPG-038 attached Update: Message will be sent to the training group to see if it can be coordinated with RQ. Update June 15: email sent to Tom Doherty to see if there are any plans from the Policy Committee to implement ongoing training? Chris Gingras added the below "To be completely clear however, every employee that has hired on have had training provided in all aspects of the fire extinguishers in the conductor training program. This is and has been documented by the training team as far back as 1996. " Labour Co-Chair recommends: Footboard to be completed with viewing of LMS course to employees that have not completed training in the past 3 years. IPG 937-1-IPG-038 identifies	Chris Gingras and Patrick Nahmiash	Open	8-Jun-23 13-Jul-23 12-Oct-23

		on-going instruction, shall participate {135.(7)(b)136(5)(d)}. 2 appointed members can start the footboard (coordinate with new Train & Engine safety rule book and fall footboard) with completion by end of October.			
4	Committee member	<p>Duty and Rest Period Rules for Railway Operating Employees, May 25, 2023 implementation – No information/ guidance has been provided for Part A, B, and C that are in effect May 25, 2023.</p> <p>Part B;</p> <ul style="list-style-type: none"> - 4 c. providing scheduled employees with their schedule in accordance with this Rule; switchers' schedules are as indicated, 0800 and 1800. closed - 4 d. providing employees with the training required under this Rule; no training to date as required by May 25, 2023. - 4 f. are employees required to record time data or is a system in place? When will training be provided? Update: CMC will be tracking hours as per system bulletin dated: May 17, 2023. Closed. <p>Part C;</p> <ul style="list-style-type: none"> - 7 d. when will a controlled napping protocol be released? - 7 e. when will a task rotation protocol be released? <p>Administrative duties; Will cessation by management of contacting members occur on May 25 or is a system in place to record and add time towards duty periods and to cumulate towards the reset break?</p> <p>No information / training on how to record time towards duty periods and towards the reset break in regards to union time, health and safety, online training (27.02 collective agreement), and minimum standards classes.</p> <p>9. Maximum cumulative duty period time. Are subdivision run times plus a turn away from home [Maple Creek sub 24 hours (7hrs each direction plus a turn), Brooks sub 27.5 hours (8.5hrs + 9hrs plus turn)] used for the determining to not exceeding the 60 hours in any consecutive 7 days. How will each individual be advised they are on the reset break?</p> <p>If a duty period consist of 4 hours, will the employee have 8 hours remaining (if fatigue status is green) to start and complete another duty period for a total of 12 hours in a 24 hour day, then be required to</p>	Chris Gingras	Open	25-May-23 13-Jul-23 12-Oct-23

		<p>use a minimum rest period depending on location (8.1 or 8.2)? Yes. Closed.</p> <p>Reset break notification will be provided to each individual at the completion of the duty period preceding the reset break?</p> <p>Further, 12 questions were sent on March 29 and April 13, 2023 to start the process – no clarification to date as required.</p> <p>Update June 13: DRPR Application document is not being adhered with. In specific the reset break page 29 section 10 - minimum time free from work, in part reads; The DRPR include provisions that provide a balance between work assignments and necessary periods away from work. Providing a reset break that is scheduled and at home provides employees with the ability to plan their time away from work, to balance work and personal responsibilities, and is supported by fatigue science. CMC 007-23 contravenes the DRPR, states in part, "This rest will normally be updated prior to 18:00 on the 2nd night of the 'undisturbed period', however the Company reserves the right to extend this period up to 2200 on a case by case basis if required."</p>			
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New Business Review:

Item Number: Item Origin: Business Description: Responsible Status: Due Date:

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Escalated Item:

Item Number: Item Origin: Escalated Item: Responsible Person(s): Status: Review Date:

1 Nov 15, 2022	T&E	<p>February 2021 Medicine Hat minutes escalation to policy committee response in part reads, "CP does not ever want a running trades employee to work when they have not had the proper rest and there are provisions that as a last resort can be exercised to ensure this doesn't happen".</p> <p>Update: T&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.</p> <p>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</p>	Chris Gingras Policy Committee	Escalated	<p>8-Dec-22 9-Feb-23 25-Feb-23 5-Apr-23 8-Jun-23 13-Jul-23 14-Sept-23</p>
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	<p>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: 2.1. FATIGUE MANAGEMENT POLICY STATEMENT 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>4. FATIGUE MANAGEMENT ROLES AND RESPONSIBILITIES 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. Individuals are using the tools as advised by the policy committee and outlined in the Canada Labour Code.</p> <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>Update January 5: Adam cancelled meeting, rescheduled for Jan 3-6. Restructuring at GM level, meeting did not happen.</p> <p>Contraventions of: 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.</p> <p>Specific duties of employer 125 (v) adopt and implement prescribed safety codes and safety standards;</p>			
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	<p>(z) 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>Corporate Safety Policy Meet or exceed all applicable safety laws and regulations Provide the leadership, training, tools and resources needed to maintain a safe work environment Maintain and continuously improve our safety culture, processes, technologies and management systems 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 Patrick Nahmiash. Meeting to be scheduled for January 20.</p> <p><u>Recommendation:</u> T&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; 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.</p> <p>125 (1) (v) adopt and implement prescribed safety codes and safety standards; - Psychological health and safety in the workplace, National Standard of Canada. The updates need to include provisions for The Fatigue Management Plan. 13 f.</p> <p>(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</p>			
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	<p>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>Update February 6: No response to GM meeting date or Jan 6 email. Escalation to GM as per escalation policy.</p> <p>Update (Feb 9): This will be escalated to the GM. Pat Nahmiash will send to GM John Bell.</p> <p>Update March 6: <i>First of all, I apologize for the response being over the 15 day response period. However, I would ask that you review my response and if you would like to discuss later this week or early next week I will make myself available. Either way, if we cannot find a resolution between you and I, this will still proceed as you requested to the Policy Committee.</i></p> <p><i>Reviewing the documentation provided, the concern that you raised is a matter of reporting unfit for duty and the resulting potential for disciplinary action. The TE Availability Standard is being cited as being in contravention to the Canada Labour Code, by not allowing employees to use leaves provided by regulation and provisions referenced by policy committee. The Workplace Health and Safety Committee is not the correct forum to determine if the discipline assessed to the employees in the examples provided was assessed correctly. These cases can be raised through the grievance process. A dispute about whether a policy is unlawful is also a matter that the Union would have to advance via the grievance process.</i></p> <p><i>Regarding the Fatigue Management Plan, developed pursuant to the Duty and Rest Period Rules for Operating Employees (2020) (DRPR), the DRPR allows for CP's attendance management policy to be used in conjunction with the Fatigue Management Plan: In Part D of the DRPR, Section 13.1(d) states:</i></p> <p><i>"13.1 Taking into consideration the requirements prescribed in Part B and C of these Rules, the FMP shall include or reference a process to:</i></p>			
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		<p><i>d. report by employees that they are not fit for duty prior to a duty period that takes into account attendance management;”</i></p> <p><i>There is also nothing in the DRPR that prohibits any absence from being reviewed.</i></p> <p><i>I do think it is important to discuss your concerns, and any potential opportunities to improve these processes.</i></p> <p><i>I look forward to discussing this, and again, I will set up a meeting if you wish to discuss further.</i></p> <p><i>Thank you,</i> <i>John Bell</i></p> <p>Update (Mar 9): Pat will give John Bell a call to discuss.</p>			
2 Nov 15, 2022	T&E	<p>Training for T&E members for Duty and Rest Period Rules section 5 part B, on October 17, 2022 labour co-chair requested T&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. 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. Confusion still persists due to contravention of;</p> <p>Specific duties of employer 125 (q) 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>(z.06) consult the work place committee or the health and safety</p>	Chris Gingras Policy Committee	Escalated	<p>8-Dec-22 27-Jan-23 Feb-27, 2023 8-Jun-23 13-Jul-23 14-Sept-23</p>

	<p>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 status even though the Duty and Rest Period rules part D:</p> <p>13 f. (1) 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 & 11;</p> <p>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</p>			
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	<p>the system will not allow 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. Fear of reprisal due to company discipline is leading to the opposite of what the plan is intended for.</p> <p>System Bulletin Dated January 9, 2023</p> <p>“Q: What happens if I book unfit for duty (RED) due to fatigue?</p> <p><i>A: Section 5.6 of the DRPR states: “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 provision(s) has been established, the employee may be subject to discipline. “</i></p> <p>Formal investigations for fatigue status reporting contravention: The purpose of the Duty and Rest Period Rules. The Fatigue Management Plan. 13 f.(I)measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent</p>			
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	<p>with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</p> <p>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.</p> <p>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.</p> <p>Corporate Safety Policy Corporate Commitment Provide the leadership, training, tools and resources needed to maintain a safe work environment Maintain and continuously improve our safety culture, processes, technologies and management systems</p> <p>Manager Accountability Ensure the safety of our workplace and our corporation is our first priority and personal responsibility Empower all employees to perform their work safely and to participate in safety processes</p> <p>Q: What do I do with my form after my shift? Members are not provided the tools to send emails, fax number is required.</p> <p><u>Recommendation:</u> Train and Engine personal (labour) from the Health and Safety committee to be trained in the FMP. To complete a T&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. Rescind and remove formal investigations – the intent by Transport Canada as indicated: 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. – create a sub-</p>			
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	<p>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> <p>Patrick to send escalation to the GM.</p> <p>Update Feb 6; no response from GM, escalated to policy committee on Jan. 28 as per escalation policy.</p> <p><i>Update March 6: First of all, I apologize for the response being over the 15 day response period. However, I would ask that you review my response and if you would like to discuss later this week or early next week I will make myself available. Either way, if we cannot find a resolution between you and I, this will still proceed as you requested to the Policy Committee.</i></p> <p><i>Reviewing the documentation provided, the concern that you raised is a matter of reporting unfit for duty and the resulting potential for disciplinary action. The TE Availability Standard is being cited as being in contravention to the Canada Labour Code, by not allowing employees to use leaves provided by regulation and provisions referenced by policy committee. The Workplace Health and Safety Committee is not the correct forum to determine if the discipline assessed to the employees in the examples provided was assessed correctly. These cases can be raised through the grievance process. A dispute about whether a policy is unlawful is also a matter that the Union would have to advance via the grievance process.</i></p>			
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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.	Scott Welling Jason Ross	On-going	12-Jan-23 Update: 9-Mar-23 13-Apr-23 8-Jun-23 10-Aug-23

		<p>Update (Feb 9): There is approval to build a ladies change room. Just waiting for a timeline to have completed.</p> <p>Update (April 13): Measurements and budget in plan.</p>			
2	Decision from the Head	<p>Locker shelving: process to obtain/install.</p> <p>Update (Mar 10) as per Darashpreet Singh - 'Per Terry Maser, it would take him 2-3 weeks to complete depending on how effectively we are able to give access to the guys'.</p> <p>Update (Apr 13): Locker shelving process to start on April 24. Bulletin has been issued.</p> <p>Update (July 13): Locker shelving will be completed by the end of next week.</p>	Facilities-Scott Welling	Closed	10-Aug-23
3	Committee member	<p>Lighting Dunmore and Medicine Hat yard. As per facilities August 11, 2022 response will replace lighting with LED bulb's in 2023. Timeline?</p> <p>Update (Feb 9): Scott Welling will provide update by next meeting.</p> <p>Update (Mar 9): The plan is to install light along the lead in Med Hat and Dunmore. The IFR has not yet been approved but we are pushing for it. Ben S from Facilities will be reaching out to you for approval.</p> <p>Update (July 13). Lights have been ordered. Once they arrive it will take one week to install.</p>	Chris Gingras	On-going	9-Mar-23 13-Apr-23 10-Aug-23 14-Sept-23
4	Workplace inspection	<p>Medicine Hat yard</p> <p>All switch stands in yard need to be repainted. To be discussed at meeting on who is responsible to have completed. Timeline: July 13.</p> <p>Update (email sent from Lucas Harding on May 26): When time is allowed we will work on replacing and numbering the switches.</p> <p>Update: Repainting has been started.</p> <p>Update: Switch stands have all been repainted.</p>	Colton Moquin	Closed	24-May-23 14-Sept-14

Miscellaneous / Comments:

1. All committee crafts; **(k)** shall inspect each month all or part of the work place, so that every part of the work place is inspected at least once each year; - no reports provided to date.
2. SHR# 700000005656 – Bed bugs at Super 8 in Swift Current on July 10th in room 114. Response: Called travel team to advise of complaint. Hotel is addressing the issue.
3. Review Harassment survey outstanding items and develop action plan.
4. Site inspections and SOFA for August, Labour Co-chair to Contact Chris Gingras and arrange time.
5. Leave H&S committee members on Company Business to complete footboards for the month of July.

Next Meeting:

Place	Date	Time
Medicine Hat Board room, 2 nd floor, 402 North Railway Street SE Medicine Hat AB	14-Sept-23	9:00 am
Meeting Adjourned At: 10:07 am	Approved by Management Co-Chair: Chris Gingras	Approved by Employee Co-Chair: Patrick Nahmiash
End of meeting recap completed? Yes		