**Medicine Hat Cross - Functional Health & Safety Committee**

 September 14, 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 13:09

**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:** Colton Moquin

**Committee Members:**

Name: Email: Phone Department: Committee # of H&S Present

 Number: Position: Meetings: Trained: at

 Meeting:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Chris Gingras | chris\_gingras@cpr.ca | 250-272-6319 | Mgr, T&E  | Co-Chair  | 8 | 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 | 8 | Yes | Yes |
| Darren Burzminski | darren\_burzminski@cpr.ca | 403-548-1212 | T&E, Engrs  | Member | 2 | Yes  | No |
| Colin Sehn  | colin\_sehn@cpr.ca  | 403-866-1306  | Mgr, T&E  | Alternate | 5 | Yes  | No |
| Evan Deadlock | evan\_deadlock@cpr.ca | 403-548-5587 | Mgr, T&E | Alternate | 4 | Yes | No |
| Ryan Marshall | ryantcrc@icloud.com | 403-580-6552 | T&E, Engrs | Alternate | 4 | Yes | Yes |
| Liam Smith | liamtcrc@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  | 6 | Yes  | Yes |
| 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  | No |
| 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 | No |
| Colton MoquinBrooks Sub | Colton\_moquin@cpr.ca | 306-713-3714 | Mgr, Eng Track / Structure  | Member | 2 | 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  | 3 | Yes  | Yes |
| Jody Barron  | jody\_barron@cpr.ca  |   | Eng. Track Structure  | Alternate | 0 | Yes  | No |
| Nick LepardBrooks Sub | nick\_lepard@cpr.ca |  | Eng. Track Structure | Member | 4 | Yes | Yes |
| Vicki Martin  | vicki\_martin@cpr.ca  | 403-528-5000  | Other  | Secretary  | 8 | Yes  | Yes |

**Guests:** Project Mgr Benjamin Shideler, GM Scott McGraw

**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  | 239Updated on Aug 30 | 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 | 3 | 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 (189) | 31-Oct-22 (317) | 01-Jan-17 (2446)  |
| **Train Accident**  | 23-Jun-23 (82) | 13-Sep-23 (0) | 05-Jul-22 (435)  |
| **Rules Violation**  | 16-Jun-23 (89)  | 24-Apr-21 (872)  | 01-Jan-17 (2446)  |
| **Motor Vehicle Accident**  | 12-Jan-19 (1705) | 29-Mar-21 (898)  | 07-Aug-19 (1498) |

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

**Personal Injuries:**

Date: FRA Reviewed: Description:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Nil |

**Train Accidents:**

Date: FRA Reviewed: Description:

|  |  |  |  |
| --- | --- | --- | --- |
| 13-Sep-23 | No | Yes | IM 1001962050 Derailment (Medicine Hat - ES) On September 13th, 2023, at ~11:15 MT, train C22-13 was making a reverse movement shoving a cut of cars into the east end of track 13 in Medicine Hat yard when four cars derailed at the east end track 13 switch. Wheel caught the defective switch point causing the south wheel to climb the switch point and derail. . . Investigation revealed cause to be switch point opening under load. Remedial action is to install vertical switch rods in all the switches in the Medicine Hat yard.Action Taken: • ATM notified, escalated to TM, Assistant Supt. & Supt. • Crew interviewed & Incident reports filled out. • Event Recorder Download reviewed. • T&E, Engineering, Mechanical, CP police reported on scene.Preliminary Cause: Switch point opening under load. |
| 7-Aug-23 | No | Yes | IM 1001942040 Derailment (Brooks Sub - ES)Upon investigation it was found that the while making a switching move eastward the crew on C01-07 felt an unusual movement and stopped to inspect train. It was found that 2 loaded tanks derailed 2 wheels each. Investigation revealed worn frog components causing the wheel to blunt the point and lose gauge account of a worn Crowder wall.Action Taken: Escalated to Superintendent, and AVP. Employees interviewed. Incident reports filled out by entire crew. Engineering and Mechanical dispatched. Cars re-railed at 1800. Downloads retrieved and analyzed.Preliminary Cause: worn frog components--worn Crowder wall. |
| 27-Jul-23 | No | Yes | IM 1001937014 Derailment (Mechanical Car) – 3rd PartyAt approximately 2130 July 27th, 2023, two loaded grain hoppers were derailed at the west end of the Dunmore Paterson Elevator while the customer was in the process of loading 114 cars. The customer failed to line the west end stub track switch while shoving 36 cars and shoved over the west elevator derail, derailing 2 cars.Action Taken: Supt and TM Contacted. 3rd party contact information provided to the customer to line up crane to perform rerailing.Preliminary Cause: Customer failed to line switch and shoved over derail. |
| 23-Jul-23 | No | Yes | IM 1001934493 Derailment-Bennet AB (Mech)At Approximately 0620 July 23rd, 148-21 reported that the tail end car on their train had derailed at Bennett on the Brooks Subdivision. The crew from 2409-23 was stopped at Bennet, performing an inspection on 148-21’s train during their meet. While the tail end of the train neared the crew, they noted a large dust cloud following the movement. As the tail end cars and DP remote passed them, the tail end car veered off towards the North side of the North track, taking out a power switch and the crossing protection, narrowly missing 2409-23’s conductor standing on the North side of the crossing. As 148-21’s train cleared the crossing, the tail end car and tail end DP remote separated, placing the train into emergency, and bringing it to a stop. Upon investigation, it was determined that the point of derailment was at the crossing at Mile 157.5, the car travelled approximately 7 miles, prior to losing the trailing set of trucks at the crossing at mile 150.77, where 2409-23 was performing their inspection. Mechanical Car department’s investigation discovered a vertical split rim, causing the wheel to break. Mechanical reviewed the RSI site at Sicamous, which recorded this vertical split.Action Taken: T&E attended; Mechanical attended; ES Attended; Signals Attended; Escalation to VP & SVP; Crews interviewed; Locomotive Downloaded; RSI Site reviewed.Preliminary Cause: E61C Broken Rim |
| 30-Jun-23 | No | Yes | IM 1001922661 Derailment (Maple Creek-ES) 3rd PartyLoram grinding train was working a night shift (18:30 - 06:30) on the Maple Creek sub accompanied by a maintenance of way employee protecting the tail end of the consist. The employee in the back was working behind the water truck on the tail end of the consist looking out for smoldering ties, proceeding westward in a BTMF truck. At about 06:10, the maintenance of way employee nodded off for a few seconds while operating the truck on track. He woke up and realized that he was very close to the water truck ahead of him. He managed to apply the brakes but ended up bumping into the water truck. The impact resulted in minimal damage to both units. The employee was taken in for post-incident testing. No injuries resulted from the incident.Action Taken: Escalate incident to road-master; Escalate to director of track & assistant chief; Post-incident; D&A testing completed; Initial incident report completed; Drill down to be completed.Preliminary Cause: Human Factor |

**Rules Violations:**

Date: Reviewed: Description:

|  |  |  |
| --- | --- | --- |
|  |  | Nil |

**Motor Vehicle Accidents:**

Date: Reviewed: Description:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |   |  Nil |

**Safety Framework Activities Completed Last Month:**

 Description

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

|  |  |  |  |
| --- | --- | --- | --- |
| Completed  | July 16-20 | T&E | Patrick Nahmiash participated in committee work: T&E foot board; safety rule book roll out, review Taxi exemption forms, fatigue management sheet requirements, heat and hydration protocol, hand operated switches requirements and rules |
| Completed  | July 14 & 15 | T&E | Patrick Nahmiash and Darren Burzminski participated in committee work: T&E foot board; safety rule book roll out, review Taxi exemption forms, fatigue management sheet requirements, heat and hydration protocol, hand operated switches requirements and rules. |
| Completed  | July 13 | T&E | Patrick Nahmiash and Darren Burzminski participated in committee work; safety meeting and required clerical tasks associated with the meeting. |
| Completed | Aug 3 | Mech | Jason Ross / Kory Hill performed a site inspection at Larkhall Depot |
| Completed | August 24 & 25 | T&E | Patrick Nahmiash participated in committee work; peer observations and follow up with outstanding issues identified in the minutes. |
| Completed | September 13 | T&E | Ryan Marshall participated in committee work; SWA |
| Completed | September 13 | Mech | Jason Ross / Kory Hill performed a site inspection at Medicine Hat Mechanical Vehicles. |

**SOFA / Planned Peer Observations:**

 Employees Total At-risk Description (include description, action taken

Status: Date: Department: Observed Observed Observed by who and when to be completed by):

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Completed | 24-Aug-23 | T&E | 6 | 106 | 2 | Improper technique used while crossing between locomotives. |
| Completed | 25-Aug-23 | T&E | 4 | 55 | 1 | Good crew, crew experience should have been discussed more thoroughly |
| Completed | 25-Aug-23 | T&E | 3 | 15 | 0 | Good crew |

**E-Testing (AB South):**

Status Department Tests Performed Failed E-tests Description

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Completed | T&E | **CRT26.3**597 tests performed**CRTPOINT**470 tests performed | **CRT26.3**8 non-compliances1.34% fail rate**CRTPOINT**8 non-compliances1.70% fail rate | **1. Switches and Point and Observe (CRT26.3 and CRTPOINT)*** 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**194 tests performed**CR123.2**330 tests performed | **CR121**16 non-compliances 9.36% fail rate**CR123.2**9 non-compliances 2.73% fail rate | **2. RADIO POSITIVE IDENTIFICATION AND RADIO COMMUNICATION-DISTANCE, DIRECTION, REPEAT (CR121 AND CR123.2)*** 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 are our first lifeline to safe working behaviors.
 |
| Completed | T&E | **CRT14R**171 tests performed | **CRT14R**16 non-compliances 9.36% fail rate | **3.RELEASING HAND BRAKES (CRT14R)*** 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.
* 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**226 tests Performed**CR11S**126 tests performed | **CRT11M**22 non-compliances 9.73% fail rate**CR11S**7 non-compliances 5.56% fail rate | **4.ENTRAINING AND DETRAINING EQUIPMENT (CRT11M / CRT11S)*** 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 detraining 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 detraining 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:**

 Description

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Open  | 13-Sep-23 | Mech | Class C | Medicine Hat Mechanical VehiclesNo BC class fire extinguisher. Class A on board. Mount class BC spare extinguisher on truck.Timeline: Septe 29, 2023. |
| Completed  | 3-Aug-23 | Mech | Class C | Larkhall Depot Inspection ZoneInside permanent blue flags require paint due to fading. Repaint Blue flag.Reply: This was completed by Sept 13, 2023 |
| Completed  | 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.Update: 10 ton will be there Wednesday, Sept 13 |
| Completed | 23-Jun-23 | T&E | Class B | Tilley B17 and BT 4298BWest end of tracks. Weeds are a tripping hazard. Weeds to be sprayed and cut. Timeline: July 13 Colton Moquin to check.Reply: Weeds were cut/sprayed on June 26 and recut/sprayed on August 30 |
| Completed | 22-Jun-23 | T&E | Class B | Bassano YardThroughout the yard – Weeds are a tripping hazard. Spray and cut weeds. Need confirmation to be able to close.Timeline for all above items: July 13, 2023. Sent to Colton Moquin.Reply: this was completed on June 26 and cut again on August 26 |
| Completed  | 22-Jun-23 | T&E | Class B | Cluny BT442E1. Cluny middle of back track – Pile of equipment which is a tripping hazard in detraining/entraining/walking path. Clean up equipment. Reply: this has been completed.
2. Cluny both sides of track – Weeds are a tripping hazard in detraining/entraining/walking path. Spray and cut weeds. Reply: Cut on September 7

Timeline for both: July 13, 2023. Sent to Colton Moquin. |
| Open  | 29-Mar-23 | T&E | Class B | Alyth Bunkhouse1. 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.**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.Below responses (hi-lighted in green) were emailed from Scott Welling on July 17.Below responses (hi-lighted in blue) were emailed from Pat Nahmiash on July 19.**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.Yes Fire alarm is inspected yearly.  The FERP only needs to be updated when the system is updated.  The panel was replaced in 2019 that’s why the FERP states this. Email July 19: The plan states it was updated on March 10, 2023 therefor the newest inspection report should be included. ***(3)****An emergency evacuation plan referred to in subsection (1) shall be kept up-to-date and shall take into account any changes in the building or the nature of its occupancy*Second item circled in green, page 5 of 10 - is Benjamin Mackay still employed with CPKC?Ben is gone.  I will have it changed to Scott Welling.Email July 19: Please update the with the most recent fire inspection report at the same time.Third item underlined in green, when will training be provided for occupants so they may be the building coordinator as required?Training is reading the FERP as all instructions are in it. Email July 19: Prescribed in regulation, responsibility falls on employer to provide time and training.    CLC; Duties of employers 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;    COHS Instructions and Training 17.6  (1) Every employee shall be instructed and trained in(a) the procedures to be followed by him in the event of an emergency; and(b) the location, use and operation of fire protection equipment and emergency equipment provided by the employer.Fourth item circled in green, training is required for occupants to act as building coordinator.Hallcon is the building coordinator as they are onsite 24/7 Email July 19: The FERP states otherwise and needs to be updated to reflect 24/7 Hallcon onsite.Fifth item circled in green, page 9 of 8, occupants may not act building coordinator without training.Responsibilities of the building coordinator are stated above this. Email July 19: FERP needs to be updated with removal of occupants as building coordinator.Sixth item circled in green, page 5 of 7, no fire extinguisher instruction classes are provided.Classes are provided online by T&E during the new hire process Email July 19: IPG states on-going training. What about the employees who have not participated in the current version of the new hire training program 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.All occupants are required to read the FERP.  We were doing this and having the employees sign confirming they have read and understand the FERP.  Has this stopped? Email July 19: No record of completion in 2023.Eighth item underlined in green, page 4 of 5, no on-line training has been provided.Classes are provided online by T&E during the new hire process Email July 19: Prescribed in regulation, responsibility falls on employer to provide time and training.    CLC; Duties of employers 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;    COHS Instructions and Training   17.6  (1) Every employee shall be instructed and trained in(a) the procedures to be followed by him in the event of an emergency; and(b) the location, use and operation of fire protection equipment and emergency equipment provided by the employer.August 25, 2023; Labour co-chair sent email request action plan prior to September meeting.Email from Scott Welling on Sept. 7:  We are coming together as a group to provide answers to your concerns below.  We should have something early next week. Update: The updated FERP is in the bunkhouse. Copy to be emailed to H&S. |

**Customer / Industry Inspections:**

 Description

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Closed | 1-Aug-23 | T&E | Class B | Antelope Elevator SWT1. West Lead – Weeds need to be cut and sprayed.
2. West Lead between derail and unit lead switch – Fill in large hole.
3. Switch point derail east end – No broom holder. Add a broom holder.
4. Walking path beside bins – Clean up piles of dirt and rock.

Responsible party: Kendall RadikeTimeline: Aug 9Update (email dated Aug 24): “The weeds have been sprayed but will still be getting weed whipped this week.  The gravel piles are being moved further from the tracks. The hole is filled and the broom holder is being built asap.” Update (email dated Aug 29): All items have been completed.Update: Patrick Nahmiash will reach out and see when this will be completed. Completed August 29. |
| Completed  | 1-Aug-23 | T&E | Class B | Carmichael Richardson Pioneer Elevator (7307) Switch point derail – Cannot line derail. Adjust and oil derail.Responsible party: BJ Krywulak Timeline: Aug 9Reply: Switch has been repaired and is working as intended as of August 11, 2023. |
| Completed  | 1-Aug-23 | T&E | Class B | Cassils Viterra1. West B1502/01 switch – Hard to line by hand. Oil switch.
2. East B/O set off track switch - Hard to line by hand. Oil switch.

Responsible party: David Hunter Timeline: Aug 15Reply (email from Aug 24): All items have been completed as of Aug 15. |
| Closed | 1-Aug-23 | T&E | Class B | Dunmore Paterson Elevator1. Elevator by Spout –Weed whip and spray weeds.
2. Under spout – Clean up spilled product.
3. East of elevator spout – Clean up debris and relocate ties.

Responsible party: Elevator Timeline: Aug 9Update: Chris Gingras to check if this has been completed.Update: Patrick Nahmiash contacted costumer, items in question completed on August 8. |
| Open | 1-Aug-23 | T&E | Class B | Dunmore Pioneer Elevator1. Near tracks – Weed whip and spray weeds.
2. West crossover switch – Cannot line switch – adjust/oil switch.
3. West M01 M02 switch – Switch right & broom worn out – Adjust/oil switch and replace broom.

Responsible party: Elevator Timeline: Aug 9.Update Aug. 14: email sent to costumer for update? |
| Completed | 1-Aug-23 | T&E | Class B | Gleichen Long Plain1. Between elevator and main line – Cut and spray weeds. Cut down the trees and shrubs that are close to the detraining area.

Responsible party: Ryan Joyce Timeline: Aug 15Reply: Email dated August 11, 2023, from customer Andrew Sheane “Trees and brush have been cut, weeds have been mowed and sprayed as per inspection report request.First picture is prior to cutting.” |
| Open | 1-Aug-23 | T&E | Class B | Richardson Pioneer Maple Creek1. Track 3 ease end – No broom or shovel. Replace broom and shovel.
2. All walkways along tracks – cut and spray weeds.

Responsible party: Richardson Pioneer Timeline: Aug 9. Update Aug. 14: email sent to costumer for update? |
| Completed  | 1-Aug-23 | T&E | Class B | Swift Current ViterraTrk 1 Switch east end – Switch handle under tension. Adjust switch so there is not so much tension.Responsible party: Chad Hunter Timeline: Aug 9Reply (Aug 2): Switch has been adjusted. |
| Completed  | 1-Aug-23 | T&E | Class B | Viterra Gull Lake (Pronghorn)1. West/east switch point derails – Cannot line either switch. Adjust/oil switches.
2. W1 and W3 east switches – No brooms. Replace brooms at switches.
3. W4 west switch – Broom is worn out needs to be replaced before winter operations.
4. Under spot at elevator – Rubber mats. Lay mats more evenly and secure to the ground.

Responsible party: Nickolas March Timeline: Aug 9Reply (email from Aug 24): All items have been rectified. |
| Closed | 12-Jul-23 | T&E | Class B | Patterson elevator Larkhall – Weeds are overgrown and are a tripping hazard. Update Aug 8, items listed are completed. |
| Completed | 11-Jul-23 | T&E | Class B | Cargil Carseland – Weeds are overgrown, are a tripping hazard. Weeds need to be sprayed and cut. Reply email August 25th: weeds have been sprayed and cut. |

**Safety Hazard / Unsafe Condition Reports:**

 Description

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Open | 28-Aug-23Entered in app on 14-Sept-23 | T&E | Class B | * 700000005789 Medicine Hat
* Paper copy submitted to committee by email on August 28, 2023. submitted into system by Labour co-chair on September 14. When I checked the line up at approximately 1030 I was lined up as a conductor for Aug. 29 around 2000. after Supper (1930ish) I checked again and saw that although I was at the bottom of the east pool and 7-8 unrested turns out, Medicine Hat was out of engineers. I looked at the board for held ESB's which showed no results. I then called CMA to ask how many ESB's were held in currently but B>C> desk answered. He transferred me to Alberta desk where I was sent to voicemail. I then tried to nap before being called for 2330. As part of a proper Fatigue management plan, CP should: - Use the ESB held board to display these extra turns. - Call ESB's in order of LEEB seniority because lately they have been random and not calling to hold anyone in as ESB.

Action recommended and WHSC comments* DRPR, railway companies are responsible for: a. managing employees in a manner that provides them with adequate sleep opportunity in order to return to work fit for duty; Plan needs to be developed to adhere to requirements.
 |
| Completed | 31-Aug-23 | T&E | Class C | * 700000005761 Alyth Bunkhouse
* Room 8 in Alyth bunkhouse has a leaking window or non sealed AC. There was a rainstorm last night and below the window was multiple puddles of water. The window was shut tight, so it wasn't coming through an open window. bunkhouse staff notified also. repair leak so no water comes inside.
* Update: This has been sent to Facilities.
* Reply: Facilities validated that there are 4 rooms 5,8, 19,28 that all had the same issue when extreme wind and rain combined occur. these rooms will be rectified, contractor is called and arranging to repair next week. rooms are only an issue in these extreme weather circumstance and will remain open for voluntary use until repaired
 |
| Completed | 31-Aug-23 | T&E | Class B | * 700000005756 Shop Track 2
* Locomotives parked 10 feet away from Maintenance of Way building. The constant Idling and air dumping every day, Employees are complaining about the excessive noise and smell. Area Is marked on the floor to not park but keeps being ignored. do not park where the location is clearly marked to not park.
* Reply (email sent by Evan Deadlock on Aug 31): "INFO-AB-179-23 Locomotive Parking Medicine Hat Shops" Bulletin issued to ensure that locomotive are not left standing right beside the shops. Will be validated by Local Management for compliance going forward.
* Reply (email sent by Chris Gingras on Aug 31): Re-issued Bulletin on parking instructions east of the mechanical building at Medicine Hat for locomotives
 |
| Completed | 30-Aug-23Entered 31-Aug-23 | T&E | Class A | * 700000005755 Super 8 Motel Swift Current Saskatchewan
* Swift Current super 8 fire alarm went off twice in 14 hours, arrived at 1430 to check in and saw everyone evacuated outside in parking lot. called facilities to arrange other lodging but instructed to stay there when let back in. I overheard the hotel management talking with electrician about moisture problem in a certain room possibly shorting out wires and triggering alarm. 0345am fire alarm goes off again disrupting RTE's sleep, first safety hazard, possibility of shorting wires and moisture (fire hazard). secondly potentially unfit employees due to disturbed sleep. third hazard both times fire alarm was silenced by hotel, but fire department commented saying until it’s fixed by the alarm tech, if there is a real fire there will be no alarm as it is still going off but it is silenced. hotel employee is supposed to walk around every 20 mins to ensure everyone is safe, which is not acceptable as a fire alarm. cp should make other arrangements for RTE's until the fire alarm is fixed at the root of the problem. Find other lodging and investigate issues with fire alarm at hotel and the possibility of shorting wires due to moisture.

Reply: Repairs have been arranged and arrangements also made to ensure the safety of all the patrons in the hotel by increasing the surveillance. The hotel silenced the alarm to ensure not to awake any patrons any further |
| Completed  | 10-Aug-23Entered 11-Aug-23 | T&E | Class B | * 700000005714 Heritage Inn and Convention Centre. Moose Jaw, Sask.
* Bed Bug found in my bed in Moose Jaw while staying at the Heritage Inn. It was in Room #239. I was bit 3 times. Front desk was notified at time of checkout and given the dead bug as well. Colin Sehn was notified, and I sent pictures as well. Fumigate or switch hotels.
* Update (Sept 15): Copy of Pest control report has been sent to H&S Rep Patrick Nahmiash.
* Update: Email from CPTravel sent on Aug 17 – Room was treated by the pest control company.
* Reply: As per API rooms adjacent to room 239 and across have been taken out of service. Awaiting pest control results further update will be provided.
 |
| Completed  | 8-Aug-23Entered 9-Aug-23 | T&E | Class A | * 700000005711 Super 8 Swift Current
* Bed bugs in room 311 at the Super 8 in Swift Current. Have a health inspector go through the building.
* Update (Sept 15) Copy of Pest control report has been sent to H&S Rep Patrick Nahmiash.

Update (Aug 24-CPTravel email): “Please see pest control report attached: The hotel had the room inspected and live evidence was found on the headboard, but no infestation occurred in the room. The necessary treatment has been done and follow up will occur to prevent any infestation.” Update (Aug 17-CPTravel email): “Just an update on Swift Current-pest control is booked up and the soonest they can come in Aug 23rd. The room will continue to be out of service until pest control comes.”Reply: As per API rooms adjacent to room 311 and across have been taken out of service. Awaiting pest control results further update will be provided.  |
| Completed | 23-Jul-23 | T&E | Class B | * 700000005682 Bennet, Alberta Brooks Sub
* While watching 148 go by, trailing car derailed causing major damage and flying ballast. Conductor and I were lucky not to get injured/ killed. Got fortunate that a crossing at grade was accessible for both of us to be further from tracks then what the fence line would have allowed us to be. Unless a crossing is accessible for increased distance from tracks, allow for pull by’s to be performed from protection of inside unit/ engine.

Reply: Employee discussion was had day of and follow up the next day about pull by inspections It has been discussed that pull by inspections are a regulatory requirement and that locomotive engineer s being positioned behind a locomotive offer great protection. Other employees such as conductors and brakeman can position themselves at a safe distance in order to perform the pull bud in a safe manner |
| Completed | 19-Jul-23 | T&E | Class B | * 700000005675 North of the Alyth Bunkhouse
* Caltrax beside the bunkhouse has been flaring off gases from a flare stack located approx. 60m from the bunkhouse. It is unknown what gases these are and what we will be breathing in downwind of the flare. Please advise if we should be staying in the bunkhouse during Caltrax operating their flare.

Reply: At 1430 Officials came into the Bunkhouse to test for any harmful gasses which came back with ZERO readings and all clean. Caltrax is in position of a permit with the City of Calgary to perform the controlled burn off. Employee provided with the feedback at 19:50 July 19th, 2023, via phone call. Bunkhouse is not affected during this controlled burn off and validated safe to continue to use. |
| Completed  | 18-Jul-23 entered on 19-Jul-23 | T&E | Class C | * 700000005676 Dunmore Yard
* The light at the east end of Dunmore sometimes don't come on and when they do only 1 out of 4 of them turn on also just a few bulbs are burnt out on the west end. Replace bulbs make sure sensor to turn on at night is working properly.
* Reply: Facilities is in the process of replacing all the lights on both ends of Dunmore and adding additional lights in the Dunmore and Medicine Hat yards. Lights have been ordered and scheduling in place to have them replaced as soon as possible. Employee provided feedback while working C03-19 at Dunmore during conversation with Evan Deadlock.
 |

**Risk Assessments Completed:**

 Description

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

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Nil |

 **Work Refusals / Right to Challenge:**

 Description

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

|  |  |  |  |
| --- | --- | --- | --- |
|   |   |  | Nil |

**Taxi Exception Reports:**

 Description

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

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Nil |

**Old Business Review:**

Item Item Origin: Old Business Responsible Status: Due Date:

Number: Description: Person(s):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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. Update: Scott Welling will have B&B take a look at all the eaves troughs.**Update:** Contractor was here to assess. **July 13** - Sent to Ben Shielder.**Update (Sept 14):** Contractor will complete on September 18. | Chris Gingras - Facilities | Open | ~~10-Aug-23~~18-Sept-23 |
| 2 | Committee member | Maple Creek Subdivision timetable 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.Bulletin issued (OPER-AB-042-23) attached in miscellaneous. | Daniel VilleneuveEscalated to Jamie Ruzycki | Closed | ~~19-Jun-23~~7-Sept-23 |
| 3 | Committee member | Fire Extinguishers - No training is being provided.*On Board Trains Occupational Health and Safety Regulations**Instructions and Training**13.9 Every employee shall be instructed and trained in**(b) the location, use and operation of fire extinguishers and emergency equipment provided by the employer.***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 atwork: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 form 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 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.Update September 14: as per GM Scott McGraw, escalate to policy committee. Patrick Nahmiash to gather evidence and forward to GM for written response as per escalation procedure. | Chris Gingras and Patrick Nahmiash**Escalate to Policy Committee.****Escalation will be sent by end of day September 15, written response required by September 30, 2023** | Open | ~~8-Jun-23~~~~13-Jul-23~~30-Sept-23 |
| 4 | Committee member | 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.Part B;* 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.**Part C;* 7 d. when will a controlled napping protocol be released?
* 7 e. when will a task rotation protocol be released?

**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?**No information / training on how to record time towards **duty periods and towards the reset break in regard to union time, health and safety, online training (27.02 collective agreement), and minimum standards classes.****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?**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 use a minimum rest period depending on location (8.1 or 8.2)? **Yes. Closed.****Reset break notification will be provided to each individual at the completion of the duty period preceding the reset break?** **Further, 12 questions were sent on March 29 and April 13, 2023, to start the process – no clarification to date as required.****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.”Email provided to Committee on September 14, 2023, information provided by TC:clarification in the application of Part C, 9 and 10.*9. Maximum Cumulative Duty Period Time**9.1  A railway company shall not assign a duty period to an employee, if the duty period would result in the employee’s cumulative duty period exceeding 60 hours in any consecutive 7days.**9.2  A railway company shall not assign a duty period to an employee, if the employee's cumulative duty period would, as a result, exceed 192 hours in any consecutive 28 days.**10. Minimum Time Free from Work**10.1 Freight railway companies shall provide a reset break that begins within any consecutive 7 days.* Are the following to be considered time towards total hours / days and Is the carrier required to provide a mechanism to record and add time for each individual? For the following;- Union work initiated by the Carrier (ex; representing division members in carrier initiated statements, meeting with management).**Yes, this would be considered work as part of employment and as such, it would count towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days.** - Health and Safety work as required by the local terms of reference and part 2 of the Canada Labour Code.**Yes, as a health and safety committee member, any work performed in relation to the committee would count towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days.** - Courses outlined in the collective agreement that are required to be completed in off duty hours (attached snippet).**Yes, courses you are required to take as part of your employment would count towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days.** - Union work not initiated by the carrier but required as part of the union role (ex; writing grieves, writing appeals, writing complaints).**I will have to seek further guidance on this question. I do believe it would count as it is a part of your role being employed by an employer who has unionized employees. That said, it would have to be union work relating to your employment. \*I will seek further guidance and provide an official response to this\*** - When contacted by the carrier representative (management, CMC, etc.).**This would have to be looked at on each individual circumstance as to why the employee was contacted, what the discussion consisted of and how long this discussion took.****Some examples of contact that may not be considered as time that would be counted towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days:*** **a call to proactively inform an employee they are being put into a status – CMC called to inform you that you were put on a reset break**
* **a call to inform an employee that they are required to attend a meeting or training – you are called proactively to inform you that you are required to attend a meeting or training on a specific date and time**
* **a call to inform of a start time for an assignment with a floating window – an employee is on an assignment that can be called between a specific window of time each day and the employee receives a call the day ahead of the assignment in an interest to proactively inform them of the time they will be called the following day.**

**Some examples of contact that would count towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days:*** **A call requesting an employee to immediately attend a meeting, whether it be in person or virtual – the time of the meeting would count**
* **A call requesting an employee to provide information regarding a situation, incident or accident that occurred – an employee is required to give a detailed account that takes an excessive amount of time**
* **A call requesting an employee to provide witness statement, participate in an interview, provide feedback whether it be in person or virtually via the phone – the time required to perform these tasks would count**

**Please note the following:*** **An employee who is on a reset break must receive 2 periods of 8 hours undisturbed between 22:00 – 08:00 within a minimum 32 hour continuous period free from duty – any call that occurs during an 8 hour period between 22:00 – 08:00 would be considered a disruption.**
* **The examples above are only as reference and EVERY situation must be looked at separately to determine whether or not the contact would count towards an employee’s cumulative duty period times for the 60 hours in any consecutive 7 days and 192 hours in any consecutive 28 days**

Update (Sept 15): September 14, GM Scott McGraw to gather information and provided to CPKC DRPR group for guidance and procedures. | Chris Gingras to take this to Gurjit Singh Gill | Open | ~~25-May-23~~~~13-Jul-23~~12-Oct-23 |
| 5 | 8-Aug-23 Entered 9-Aug-23 SHR 700000005711 | * Request the pest control report from the Super 8 Swift Current
* Email sent on Aug 28 for copy of Orkin report.
* Update (Aug 15 @ 1316) As per API rooms adjacent to room 311 and across have been taken out of service. Awaiting pest control results further update will be provided.
* Update (Aug 15 @ 1317) As per API rooms adjacent to room 311 and across have been taken out of service. Awaiting pest control results further update will be provided.

Update (Aug 24 @ 0924) Employee was engaged with pest control report and was happy with feedback provided. | FacilitiesCorporate Contracts & Reservations | Closed  | 14-Sept-23 |
| 6 | 10-Aug-23Entered 11-Aug-23SHR 700000005714 | * Request the pest control report from Heritage Inn and Convention Centre. Moose Jaw, Sask.
* Email sent on Aug 28 for copy of Orkin report.

Update (Aug 15 @ 1316) As per API rooms adjacent to room 239 and across have been taken out of service. Awaiting pest control results further update will be provided.Update (Aug 17 @ 0915) Room 239 did test positive for bed bugs and has been treated by the pest control company. | FacilitiesCorporate Contracts & Reservations | Closed | 14-Sept-23 |

**New Business Review:**

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

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| --- | --- | --- | --- | --- | --- |
| 1  | Committee Member | Sofa sock west end Medicine Hat yard needs to be replaced. Update August 25: ordered and arrived waiting installation.Update (Sept 15): 2 more windsocks have been ordered and will arrive the week of Sept 18. Terry Maser will have them installed once he is able to have a fork lift here to install them. | Chris GingrasPatrick Nahmiash | Open | 12-Oct-23 |
| 2 | T&E | Shepard Hand Brake requirements. Are requirements / standard listed? Crews are instructed that a minimum of 4 brakes are required track 10, 11, and 12 but than that may change depending on the day. Could a bulletin be issued with parameters that meet the GOI. Reply: The GOI Section 4 is what is the requirement. Shepard has no requirements. | Chris Gingras | Closed | 13-Sep-23 |
| 3 | T&E | General health requirements. Duration of trips is regularly exceeding 36hours and keeping individuals up to 60hours away from home. It is not feasible to expect individuals to transport food requirements, locomotive fridges are not large enough for an entire crew’s needs and are poorly maintained regularly freezing / not cold enough. Ordering food is not an option or requirement of employment, many individuals have food sensitivities or allergies that require specific nutritional needs. Recommendation; provided transportation in locations like Alyth to grocery stores.Reply: As per GM Scott McGraw yard vans may be used as required to obtain food and groceries. | Chris GingrasPatrick Nahmiash | Closed  | 13-Sept-23 |
| 4 | T&E | Relocation to a new rest facility in Swift Current. The Super 8 has had approximately 20 reports of bed bugs in under 3 years. This facility has and is not addressing the bed bug problem. Individuals are bidding pools to stay away from this facility, when they are cross pooled they are staying in the station to obtain rest or paying for a rest facility. This is also affecting individuals home life, families are terrified that CPKC employees will bring the bed bugs home.Reply (Sept 14): Chris Gingras will check with CPTravel on different vendor till the bunkhouse is built. Bunkhouse is in procedural approval process. | Chris GingrasCP Travel | Open |  12-Oct-23 |
| 5 | Mech. | Maintenance away building. 4 tables and 6 chairs are required to accommodate employees requirements for pre departure safety meetings and lunch breaks.Reply: This was sent to Facilities on September 15 and have been ordered. | Jason RossFacilities | closed | 12-Oct-23 |
| 6 | Committee member | Medicine Hat station. Number of towels and soap provided are insufficient. Multiple bags of supplies are required.Reply (Sept 18): 2 towels have been placed in sealed bags and are located by the showers for employees to use. Pictures have been attached to the minutes. As well, General clerk will request soap dispensers for the shower rooms.  | Chris GingrasFacilities | Closed | 12-Oct-23 |

**Escalated Item:**

Item Number: Item Origin: Escalated Item: Responsible Status: Review

 Person(s): Date:

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| --- | --- | --- | --- | --- | --- |
| 1Nov 15, 2022 | T&E | 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”.*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. 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.**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. **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.Requirements in 4.7, Operating employees use of leaves is a requirement.To be reviewed between GM and co-chairs for escalation to policy committee?Update: A meeting will be done with Adam Smith during the week of December 12 with Pat Nahmiash.**Update January 5:** Adam cancelled meeting, rescheduled for Jan 3-6. Restructuring at GM level, meeting did not happen.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.**Specific duties of employer****125** **(v)** adopt and implement prescribed safety codes and safety standards.**(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.**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.Update Jan 12: Chris Gingras to arrange meeting with John Bell and Patrick Nahmiash. Meeting to be scheduled for January 20.Recommendation: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. 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.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. (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.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.**Update February 6:** No response to GM meeting date or Jan 6 email. Escalation to GM as per escalation policy.**Update (Feb 9):** This will be escalated to the GM. Pat Nahmiash will send to GM John Bell. ***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.**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.**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:**“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:**d. report by employees that they are not fit for duty prior to a duty period that takes into account attendance management;”**There is also nothing in the DRPR that prohibits any absence from being reviewed.**I do think it is important to discuss your concerns, and any potential opportunities to improve these processes.**I look forward to discussing this, and again, I will set up a meeting if you wish to discuss further.**Thank you,**John Bell*Update (Mar 9): Pat will give John Bell a call to discuss. | ~~Chris Gingras~~Policy Committee | Escalated  | ~~8-Dec-22~~~~9-Feb-23~~~~25-Feb-23~~~~5-Apr-23~~~~8-Jun-23~~~~13-Jul-23~~14-Sept-23 |
| 2Nov 15, 2022 | T&E | 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. 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.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.**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.**(z.06)** consult the workplace committee or the health and safety representative in the implementation of changes that might affect occupational health and safety, including work processes and procedures.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: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.Update: Pat Nahmiash, Darren Burzminski and Ryan Marshall will give Amy Shields a call today to discuss.Update Jan 5: list of questions sent on December 8 & 11.Do you have to advise all crew members of your fatigue status?2) Can fatigue status change from green to yellow enroute?3) Can fatigue status change from red to yellow?4) What is process to use if the RTC doesn’t respond in a timely manner when changing fatigue status?5) When called for duty, how long does an employee have to change status after accepting call?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?7) Different red status while working examples need to be provided. Example: red unfit – unfit to continue, red able to continue.8) Training has been inadequate, when will more training be provided?9) Will the FMP be revised to include tools to stay awake, such as; napping, music, other than company reading material, etc.?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 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]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?**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.**Jan 5:** Email sent by Chris Gingras for info to be provided by January 12.**Jan 12:** Question 4,5,6,8 and 10 were not posted. These will be resubmitted.**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.**System Bulletin Dated January 9, 2023** **“Q: What happens if I book unfit for duty (RED) due to fatigue?** *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”* *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. “*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 with the railway company’s safety management system Process for Reporting Contraventions and Safety Hazards.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.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.**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.  **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. **Q: What do I do with my form after my shift?** Members are not provided the tools to send emails, fax number is required.Recommendation: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-committee; the sub-committee will meet monthly, review, track and provide recommendations on alleviating fatigue relevant to local issues.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.Create and provide a Conductor/Train Person, Locomotive Engineer logbook with self-assessment information along with trip information. Forms are not accessible at all locations or in the conductor’s envelope. A logbook is the least wasteful process to have self-assessment forms available for each trip.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.***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.**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.**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:**“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:**d. report by employees that they are not fit for duty prior to a duty period that takes into account attendance management;”**There is also nothing in the DRPR that prohibits any absence from being reviewed.**I do think it is important to discuss your concerns, and any potential opportunities to improve these processes.**I look forward to discussing this, and again, I will set up a meeting if you wish to discuss further.**Thank you,**John Bell***Update (Mar 9):** Pat will give John Bell a call to discuss.**Update: March 29** call between Co-Chairs and GM.**April 13:** Updated CMA tie up system for reporting fatigue is not functional, will not allow report of fatigue, CMC advising employees to contact union representatives to get guidance. No training has been provided for union representatives or the members. Contravention of part 2 of the CLC, in part states, “*consult the workplace committee or the health and safety representative in the implementation of changes that might affect occupational health and safety, including work processes and procedures;” -* no consultation to date as required. | ~~Chris Gingras~~Policy Committee | Escalated  | ~~8-Dec-22~~~~27-Jan-23~~~~Feb 27, 2023~~~~8-Jun-23~~~~13-Jul-23~~14-Sept-23 |

**Tabled item:**

Item Number: Item Origin: Escalated Item: Responsible Status: Review

 Person(s): 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.**Update (April 13):** Measurements and budget in plan. | Scott WellingJason Ross | On-going | ~~12-Jan-23~~~~Update: 9-Mar-23~~~~13-Apr-23~~~~8-Jun-23~~~~10-Aug-23~~15-Nov-23 |
| 2 | Committee member | Lighting Dunmore and Medicine Hat yard.As per facilities August 11, 2022, response will replace lighting with LED bulbs in 2023. Timeline?**Update (Feb 9):** Scott Welling will provide update by next meeting.**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.Update (July 13). Lights have been ordered. Once they arrive it will take one week to install.Reply: This has been completed. | Chris Gingras | Closed  | ~~9-Mar-23~~~~13-Apr-23~~~~10-Aug-23~~14-Sept-23 |

**Miscellaneous / Comments:**

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| --- |
| Arrow targets to be installed. The east end has been installed. |
| Isopropyl alcohol spray bottles are out of stock and need to be reordered. Wipes and isopropyl refill are good. 50 bottles have been ordered on Sept.15 and are on back order till the end of October. |
| Review Harassment survey outstanding items and develop action plan. This has been in the minutes for multiple months the excel document was emailed to the manager co-chair on June 14th. Action recommended; both co-chairs, Colin Sehn and David Getz to arrange review and action plan prior to October safety meeting. |

**Next Meeting:**

|  |  |  |
| --- | --- | --- |
| Place | Date | Time |
| Medicine Hat Board room, 2nd floor, 402 North Railway Street SE Medicine Hat AB | 12-Oct-23 | 9:00 am |
| Meeting Adjourned At: 15:10 | Approved by Management Co-Chair:Chris Gingras | Approved by Employee Co-Chair:Patrick Nahmiash |
| End of meeting recap completed? Yes |

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| A screenshot of a computer  Description automatically generated |

New Business item 6

Towels have been provided and soap dispensers have been ordered for the men/women’s shower room.

