

Medicine Hat Cross - Functional Health & Safety Committee

April 23, 2024



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: Kyle Leafloor 10:00 am

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

New Errors / Omissions Last Month's Minutes: Nil

Motion to Accept Minutes as Submitted/Amended: Patrick Nahmiash

Committee Members:

Name:	Email:	Phone Number:	Department:	Committee Position:	# of Meetings:	H&S Trained:	Present at Meeting:
Kyle Leafloor	kyle.leafloor@cpkcr.com	403-803-8849	Mgr, T&E	Co-Chair	2	Yes	Yes
Mark Ellis	mark.ellis@cpkcr.com	403-580-7199	Mgr, T&E	Member	1	Yes	No
Patrick Nahmiash	patrick.nahmiash@cpkcr.com	403-458-1825	T&E Engrs	Co-chair	3	Yes	Yes
David Getz	david_getz@outlook.com	403-529-7724	T&E, Cndrs	Member	3	Yes	Yes
Colin Sehn	colin.sehn@cpkcr.com	403-866-1306	Mgr, T&E	Alternate	1	Yes	No
Evan Deadlock	evan.deadlock@cpkcr.com	403-548-5587	Mgr, T&E	Alternate	2	Yes	Yes
Ryan Marshall	ryantcrc@icloud.com	403-580-6552	T&E, Engrs	Alternate	1	Yes	No
Darren Burzminski	darren.burzminski@cpkcr.com	403-548-1212	T&E, Trnm	Alternate	1	Yes	Yes
Jason E Ross	jasone.ross@cpkcr.com	403-581-0752	Mechanical Union	Member	3	Yes	Yes
Miles Heit	miles.heit@cpkcr.com	403-548-4970	Eng. Track Structure	Member	0	Yes	No
Geoff Tedrick	geoff.tedrick@cpkcr.com	306-313-8244	Mgr, Eng. Track Structure	Alternate	0	Yes	No
Daniel Villeneuve	daniel.villeneuve@cpkcr.com	705-698-4330	Mgr, S&C	Member	1	Yes	No
Kyle Bachmier	kyle.bachmier@cpkcr.com	403-866-9121	Maintainer, S&C	Member	2	Yes	Yes

Colton Moquin Brooks Sub	colton.moquin@cpkcr.com	306-713-3714	Mgr, Eng Track / Structure	Member	2	Yes	Yes
Willie Davis Maple Creek Sub	willie.davis@cpkcr.com	403-866-9955	Mgr, Eng Track / Structure	Member	1	Yes	Yes
Kory Hill	kory.hill@cpkcr.com	403-329-7794	Mechanical Mgr	Member	2	Yes	Yes
Jody Barron	jody.Barron@cpkcr.com		Eng. Track Structure	Alternate	0	Yes	No
Nick Lepard Brooks Sub	nick.lepla@cpkcr.com		Eng. Track Structure	Member	2	Yes	No
Vicki Martin	vicki.martin@cpkcr.com	403-528-5000	Other	Secretary	3	Yes	Yes

Guests: TC - James Moran, TC - Russ Phipps, ESDC Robert Hanson-Beaton, Facilities - 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 / David Getz	Medicine Hat Yard, Brooks and Maple Creek Sub - the number is the total for Engineers and Conductors	241 Updated on Feb 21/24	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	
	2024	2023	2024	2023	2024	2023
FRA Reportable Injuries	4	2	2	1	0	0
Non-FRA Reportable Injuries	0	0	0	0	0	0
FRA Train Accidents	1	0	0	3	0	0
Non-FRA Train Accidents	1	2	0	3	0	0
Rule Violations	0	3	0	0	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	25-Mar-24 (30)	14-Jan-24 (100)	01-Jan-17 (2668)
Train Accident	10-Feb-24 (74)	1-Oct-23 (205)	05-Jul-22 (657)
Rules Violation	16-Jun-23 (311)	24-Apr-21 (1094)	01-Jan-17 (2668)
Motor Vehicle Accident	12-Jan-19 (1927)	29-Mar-21 (1120)	07-Aug-19 (1720)

Previous Month's Last Incident / Injury Causes:

Personal Injuries:

Date: FRA Reviewed: Description:

26-Mar-24	Yes	Yes	<p>IM 1002070585 Personal Injury (T&E) Employee advised of twisted ankle while detraining car. Side ladder on car inspected and found to be defective.</p> <p>Action Taken: Initial incident report completed. Employees boots and cleats photographed. Reenactment completed along with video. Pictures and video taken of the defective car Repair history on car in question is being reviewed by mechanical. Immediate engagement with local union and WHSC.</p> <p>Preliminary Cause: 4: Equipment</p>
25-Mar-24	Yes	Yes	<p>IM 1002070065 Personal Injury (T&E) At approximately 2000 on March 25th locomotive engineer on C03 reported twisting his ankle while walking from his power in track 10 to the Medicine Hat station. Employee reported stepping a "hole covered in snow". Employee was immediately offered medical attention which he declined and said he wanted to finish his shift out and simply was advising the company in case it became worse. After finishing his tour of duty employee drove himself to the hospital where he received medical attention and was advised to be off work until April 1. All crew members were briefed utilizing the home safe message briefing document that was created in conjunction with the Medicine Hat Workplace H&S committee.</p> <p>Action Taken: Initial incident report completed. Employees boots and cleats photographed.. Reenactment completed. Pictures taken of the location employee was walking and where he rolled his ankle.</p> <p>Preliminary Cause: Winter walking conditions.</p>

Train Accidents:

Date: FRA Reviewed: Description:

			Nil
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Rules Violations:

Date: Reviewed: Description:

		Nil
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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):
Completed	19-Apr-24	T&E	Patrick Nahmiash and Darren Burzminski participated in committee work; Critical Tasks 1 with new conductor class and finish escalation for Swift Current bunkhouse and non-complaint locomotives.
Completed	18-Apr-24	T&E	Darren Burzminski participated in committee work; Peer observations and completed monthly checks.
Completed	16-Apr-24	T&E	Patrick Nahmiash participated in committee work; review Policy Committee escalation responses and debrief call, start escalation for Swift Current bunkhouse and non complaint locomotives.
Completed	27-Mar-24 26-Mar-24	T&E	David Getz and Patrick Nahmiash participated in committee work; SWA debrief call, Peer observations and start ICRP for Terms of reference.
Completed	25-Mar-24	T&E	Patrick Nahmiash participated in committee work; escalation for Swift Current Resthouse (Super 8).

Completed	22-Mar-24 21-Mar-24	T&E	Patrick Nahmiash participated in committee work; Start escalation reports and review safety flash.
Completed	15-Mar-24	T&E	David Getz and Patrick Nahmiash participated in committee work; Site inspection Alyth Bunkhouse.
Completed	14-Mar-24	T&E	David Getz and Patrick Nahmiash participated in committee work; safety meeting and meeting with AVP Trenton Anderson.

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):
Completed	18-Apr-24	T&E	3	153	2	Medicine Hat AM Local concerns -East end shop lead swt was tight. -Rest rules causing everyone anxiety. Risk Trends -Crossing within 15 feet of equipment without 3-point and opening knuckle, discussion was held with employee. -Applying handbrake without thumb on outside wheel rim.
Completed	March ??	T&E	3	191	3	Dunmore PM Confusion with new protecting the point rule change, lengthy discussion – all on the same page.
Completed	27-Mar-24	T&E	4	136	3	SOFA completed in the evening. Cut of cars deliberately left foul while switching, however cars were not left occupying switch points. Feedback on rules provided to employee.
Completed	27-Mar-24	T&E	3	43	0	SOFA completed in the morning. Good crew. Discussed with crew recent injuries that have occurred and the importance of wearing proper footwear and observing walking conditions.

E-Testing (AB South):

Top three

1. CRT9 – Derails
2. CRT26.3 – Switches
3. CRGRC – Verbal Confirmation Between Crew

Workplace Inspections:

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

Customer / Industry Inspections:

Status:	Date:	Department:	Description Classification: (include description, action taken by who and when to be completed by):
Completed	15-Mar-24	T&E	B Alyth Bunkhouse Exterior window and HVAC seals. Wore out seal, leaking water into building. Redo caulking on exterior of windows and HVAC . Timeline: April 23, 2024. Update from Benjamin Shideler email dated April 11. Window caulking is scheduled for Monday, April 22, 2024.
Completed	15-Mar-24	T&E	B & C Alyth Bunkhouse

				<ol style="list-style-type: none"> 1. Northeast of building adjacent to Resthouse entryway (door). Door gap, 2"wide by 1.5" high – rodents access. Seal access for rodents. 2. Building adjacent to Resthouse. Fire extinguisher and emergency lighting not checked as required. This issue was on the 2023 report – input monthly process. 3. Resthouse. Emergency lighting not checked as required. This issue was on the 2023 report – input monthly process.. 4. Resthouse in laundry area. Emergency lighting not operational. Replace. 5. Resthouse outdated for noise and room requirements. Facility regularly at capacity and employees need to be transferred to hotel. Monitor on going requirements and capacity restrictions- Closed <p>All above items to be completed by April 23, 2024.</p>
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Safety Hazard / Unsafe Condition Reports:

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

Status	Date	Department	Description
Transferred to WHSC new business #5 (Closed)	28-Mar-24 entered 16-Apr-24	T&E	<p>SHR 700000006161</p> <p>Contradictory to the intensions of transport Canada DRPR CPKC is applying reset breaks at the away from home terminal. The company gave me a reset break at the AFHT causing me and my family great stress and psychological injury in contravention of 122.1 Canada labour code. If I would've got called in my regular turn I would have been able to make it home and have my reset at home. therefor I wasn't expecting to be held for 2 extra days at the AFHT and did not have enough prescription medication or near the provisions to last me till I got home. Reset breaks at the home terminal.</p> <p>Reply: This is not a safety hazard, company is following the DRPR guidelines.</p> <p>Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.</p>
Transferred to WHSC business (Closed)	5-Apr-24 entered 11-Apr-24	T&E	<p>SHR 700000006154 Alyth Bunkhouse</p> <p>I was forced to take a DRPR reset recently at the away from terminal on April 3rd till April 5th @ 0600 in the Alyth bunkhouse. I was going to let it go and hope that the company would see the error in their ways, but that is not the case. The lingering Psychological effects it has on me and my family has to be addressed. This is in contradiction of the intent of Transport Canada's duty and rest rules. I was forced to stay in the AFHT bunkhouse against my will, with no pay, no warning, no scheduling, not enough food and or clothes to plan to be gone for three days. It not only effects me but my family as well causing additional stress, anxiety, sleep disturbances, and quite possibly leading to depression if it continues. Every time I or my fellow employees goes to work we are under extra stress not knowing if the next trip we be reset and be gone for three days from home. It isn't possible to properly reset at the AFHT rest facility with fellow employees/cleaning staff constantly coming and going out of the neighbouring rooms. The DRPR states providing a reset break that is scheduled and at home provides employees with the ability to plan their time, balance work and personal responsibilities and is supported through science research. The employer's disregard for their employee's mental health is creating a psychological injury, and is in contravention of the 122.1 of the CLC. top performing DRPR resets at the AWAY from home terminal and begin all resets at the HOME terminal as it was intended.</p>

				<p>Reply: This is not a safety hazard, company is following the DRPR guidelines.</p> <p>Update-Apr 22 (H&S rep) Response did not resolve the safety concern. Individual requested step 3 of the ICRP. email was sent to Committee on April 19.</p> <p>Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.</p>
Completed	8-Apr-24	T&E		<p>SHR 700000006151 Swift Current Station</p> <p>Halcon Yard Van #2295 rear tail gate hatch door slammed down onto the back of my head when loading my grip into trunk. Halcon employee who is responsible for maintenance chose not to get the tail gate door fixed (even not bringing van in for the appointment to have it inspected by mechanic). 1). Remove van from service till vehicle is fixed and operating as it should be. 2) Removal of maintenance responsibility from that employee and have a different employee given that roll who takes safety seriously.</p> <p>Reply: Halcon Regional Manager Suzann Schonberger has removed the van from service and van will be repaired properly at first available opportunity. Feedback given to employee at 0939 April 9th, 2024</p>
Completed	31-Mar-24 entered 1-Apr-24	T&E		<p>SHR 700000006138 Ogden, Southside. Right at the signal P1 side</p> <p>very common change off location for Laggan/Brooks sub crews. Large low spot that fills with water and creates large puddle that freezes creating ice rink in cold weather and water mud pit when weather is mild. fill low spot with ballast.</p> <p>Reply: Engineer dumped ballast and spread with loader to eliminate the safety hazard . Employee notified by Supt at 14:15 and advised .Thanked the employee for looking out for others good Home Safe talk .</p>
Completed	26-Mar-24	T&E		<p>SHR 700000006129 Away and Home Terminal</p> <p>From SWA, Brendan Fode. Regulatory Rest, not being aware of when it will be applied. This creates uncertainty on how to be prepared for work, difficult to get sleep away from home and uncertain if rest will be applied at home causing anxiety and requiring me to work fatigued regularly. Schedule Reset Break at home terminal - the intent of the DRPR.</p> <p>Reply: Company is following guidelines of DRPR for employees to ensure compliance.</p>
Completed	26-Mar-24	S&C		<p>SHR 700000006128 Walsh west going eastward on Maple Creek sub</p> <p>Identified during SWA from employee Joseph Paul. Signal cycles to stop signal when changing to more permissive signal and stays all red for many seconds. Update system to remove the stop signal from being displayed during transition.</p> <p>Reply: S&C manager Daniel Vileneuve was engaged in diagnosing the signal in question. Without proper time frames provided in the safety hazard it is very difficult to track down the exact issue. Feedback provided to the employee.</p>
Transferred to WHSC new business #5 (Closed)	26-Mar-24 entered 27-Mar-24	T&E		<p>SHR 700000006132 Alyth Bunkhouse</p> <p>I was forced to reset my clock in Alyth bunkhouse. It's supposed to be a restful place to reset and the bunkhouse is far from quiet with trains banging in the yard and people coming and going, slamming doors and stomping down the hallway. It is also quite difficult to access basic necessities if you do not have a car, which i do not. and also, where is the work/life balance when you are forced to stay at the away from home terminal without being paid held away because i was assigned personal rest which we are not allowed to have more than 8 hours which is a burden on the family because it forces added expenses. There have been other running trades employees that get deadheaded home when close to their reset time. when this occurred to me when i</p>

				<p>had 11 hours and 15 minute son my 60 hour clock which is more than enough to deadhead home and got deadheaded home anyways. I am curious as to the reasoning of why some go home, and some are forced to stay at the away from home.</p> <p>Reply: This is not a safety hazard; company is following the DRPR guidelines.</p> <p>Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.</p>
Transferred to WHSC new business #5 (Closed)	24-Mar-24	T&E		<p>SHR 7000000125 Super 8 Swift Current</p> <p>I am being held away from my home and family for an unjust amount of time. company is claiming it is for a regulatory reset. however, this was not previously planned leaving me without proper provisions; clothing, food, personal effects. this creates an unsafe condition and cannot be considered adequate rest. it should also be noted that as i work out of swift current and there is a commute to the hotel after tying up coupled with the fact that i was not informed i was on regulatory rest my first night's sleep commenced well into the night . in the 7 days leading up to my regulatory rest i worked 53hrs in five or six shifts i admit my confusion on your system as my hours appear to be inappropriately tracked (having left swift current one day showing over 40 hours i commenced to work a nearly ten hour day and arrived in medicine hat with 43 hours. thus was sent on another shift i was not truly expecting culminating in 53 hours worked with a minimum of 32 hours of headway for a total of 85 hours minimum away from home before starting this 32 hour stint you call a reset bringing us to 117 hours away from home in a 168 hour week. if this plays out and you deem me reset my next week starts on a train and i can expect to do a similar set of shifts. this will cause undue phycological harm in the form of difficulty maintaining relationships with friends and family. Deadhead home for reset.</p> <p>Reply: Resetting employees at the away from home terminal is not a violation of the DRPR regulations. Employee was advised as such.</p> <p>Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.</p>
Transferred to WHSC business (Closed)	24-Mar-24 entered 26-Mar-24	T&E		<p>SHR 700000006127 Swift Current</p> <p>Contradictory to the intentions of Transport Canadas Duty and Rest Period Rules, CPKC is applying reset breaks at the AFHT. The company gave me a reset break while I am at work in the AFHT causing me great stress and psychological injury in contravention of 122.1 of the Canada Labour Code. Holding me at the AFHT with no advanced notice or scheduling of said reset break with no wages is against my will and is causing me to become depressed and anxious. This is leading to problems at home with my family as my wife is left unexpectedly with the kids and she has a heart condition that required her to call an ambulance last time I was gone for an extended period of time and I am left in a place that is small and confined with rumors of bed bugs and not enough food, clothes, or contacts to last me the time that I am forced to be there. The company has become untrustworthy by manipulating my personal rest to match the reset break at the AFHT. This is all contradictory to the purpose of the reset break. Providing a reset break that is scheduled and at your home base would provide a more logical balance of work and home life. The employers actions have created a safety hazard and is in contravention of 122.1 of the CLC. Applied the DRPR at the Home Terminal.</p> <p>Reply: Resetting employees at the away from home terminal is not a violation of the DRPR regulations. Employee was advised as such.</p> <p>Update (April 1) from Patrick Nahmiash Individual requested</p>

				step 3 of the ICRP, within ICRP requirements - email will be forwarded to the committee. Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.
Transferred to WHSC business (Closed)	22-Mar-24	T&E		<p>SHR 70000006121 Away from Home Terminal CPKC is applying reset breaks at the AFHT, contradictory to the intentions of Transport Canada's Duty & Rest Period Rules. The company has assigned me a reset break while I am at work in the AFHT. By doing this, the employer is creating a psychological injury in contravention of 122.1 of the Canada Labour code. The employer is holding me at the AFHT for days with no wages, with no advanced notice or scheduling of reset break. They are holding me against my will and causing anxiety, a risk of depression, problems with my family at home as my wife is frustrated and left with our kids unexpectedly on her own, as well as causing myself sleep disturbances. It is quite unrealistic to be undisturbed in a communal railroader facility, where personal space is limited to 80 square feet. I have no access to sufficient food, no access to clean clothing, and am stuck on CPKC property in the middle of an active railyard. This is completely contradictory to the intent of the reset break in the DRPR, which was implemented to alleviate pervasive issues. The DRPR states 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. This is a safety hazard. The employer's actions are creating a psychological injury and are in contravention of 122.1 of the CLC. Consider this step 1 of a 127.1. Applied the DRPR at the Home Terminal.</p> <p>Reply: Resetting employees at the away from home terminal is not a violation of the DRPR regulations. Employee was advised as such. Kyle Leafloor and Patrick Nahmiash appointed to step 3 for joint investigation, to be completed prior to May 20, 2024.</p>
Completed	4-Mar-24 entered on 6-Mar-24	T&E		<p>SHR 70000006088 Brooks Sub Description – Pls see attached email. There was no attachment in the SHR. Removal/transfer.</p> <p>Reply: Trainmaster and or Asst Supt will ride with employee to determine their ability to work safely and efficiently. Follow up will be completed with committee. Update: Not Health and safety related. This has been completed.</p>

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):
Open	4-Mar-24	T&E	Company: Hallcon Swift Current to Medicine Hat @ 11:10 Train ID: DeadHead

			<p>Driver all over the road, falling asleep while driving, almost hit ditch at Maple Creek, crossing middle line multiple times, hit the rumble strip multiple times. Picture of trip available if needed.</p> <p>Kyle Leafloor will look into and provide update.</p> <p>Patrick emailed report to Kyle and Vicki</p>
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Old Business Review:

Item Number:	Item Origin:	Old Business Description:	Responsible Person(s):	Status:	Due Date:
1 9-Jan-24 entered 11-Jan-24	SHR	<p>SHR 70000006001 Heritage Inn – Moose Jaw</p> <p>Woken up multiple times during stay at Heritage inn Moose Jaw. Hotel staff/ front desk was notified by me and conductor Jarrit multiple times about excessive noise and banging in hallways account hockey team placement in our block of rooms. I was located in room 239 and conductor Jarrit was in room 241, rambunctious players were in Room 242. I was first woken up at 830am along with Cndr Jarrit. I decided to lay down at 1630 to get some sleep before my shift and was woken up at 1800 by the team. Cndr Jarrit also had a similar experience as myself and after texting him the final time I was woken up he said he had given up on trying to sleep account being directly next door and the banging and noise going on in his room account a shared wall. Front desk was notified and all we were told was she would let the coach know. Multiple times throughout the day, the team would bang on and run into walls and room doors. The noise level continued through out the day and was still going on when we left for our shift. The noise and lack of action by hotel contributed to unfavourable conditions in the hotel making it difficult to be properly rested for shift. New rest facility arrangements.</p> <p>Update (Jan 11): Escalated to the Hotel and Facilities. Waiting on a response.</p> <p>Reply: Email sent from Chris Gingras on January 18, 2024 “Hotel has been advised and when noise complaints are made and employees turn in, they can escalate to manager and arrangements will be made”.</p> <p>Update January 23, 2024. Violation of DRPR 4.2 Railway companies are responsible for:</p> <ul style="list-style-type: none"> a. managing employees in a manner that provides them with adequate sleep opportunity in order to return to work fit for duty; <p>Patrick Nahmiash will send a list of preferred hotels for Moose Jaw to Chris Gingras.</p> <p>Update (Jan 26-email from Patrick Nahmiash): During the January Medicine Hat safety meeting it was determined that relocation from the Heritage Inn in Moose Jaw is the best solution to ongoing identified issues. It was determined I would provide a list of suitable rest facilities (hotels); The best option is the <u>Quality Inn and Suites</u> - individuals have stayed at this location</p>	Patrick Nahmiash Kyle Leafloor	Open	15-Feb-24 9-May-24

		<p>multiple times, all feedback is positive and meets collective agreement kitchen requirements. Can not get a contract.</p> <p><u>Comfort Inn and Suites</u> - individuals have stayed at this location multiple times, all feedback is positive.</p> <p><u>Holiday Inn Express</u> - new hotel and has not been tested. The Quality Inn and Suites saves the meal allowance provided by CPKC of \$24-\$36 (2-3 meal allowances) per individual per stay.</p> <p>Update March 14: Scott McGraw will look into the Holiday Inn Express.</p> <p>Update: We will need to get a response from Scott McGraw.</p> <p>Update: Additional hotels in Moose Jaw were canvased include the ones previously mentioned and all of declined our business.</p>				
2	T&E 09-Jan-24	<p>Step 1 of 127.1. Contravention of Part 2 of CLC and terms of reference, notification of injury not within required parameters, notified on December 22nd of December 17th injury. Further, email dated October 22&23 identify requirements.</p> <p>Reply: There will be an email memorandum sent to all Dept managers that in light of any incidents or injuries that by email, phone call and or text message will be communicated to both co-chair members of the H&S committee in Medicine Hat. This will be closed once we receive a response for the managers.</p> <p>Update March 13: Labour Co-Chair will provided email with specifics of requirements, with goal of agreement.</p> <p>Reply email from Supt Kyle Leafloor on March 23, 2023 "You have my concurrence and I speak for any and all managers reporting to me. All incidents/injuries will be reported to the WHSC in a timely manner according to the Canadian labor code along with our current terms of reference."</p>	Kyle Leafloor	Completed	15-Feb-24	
3	14-Mar-24	Committee	<p>Alyth Bunkhouse: Comforters require updated cleaning schedule; reports of unwelcome smell, creating disturbance in rest requirements.</p> <p>Reply: Kyle will get an update from Mohammed (Facilities). Will try to do the same process as Sparwood. Will get lighter comforters for the cleaners to make it easier for them to clean them.</p>	Kyle Leafloor	Open	9-May-24
4	14-Mar-24	Committee	<p>Access to safety hazard app: Access to terminals in bullpen is problematic as they are continuously down or have persistent issues with logging in.</p> <p>Committee member will put in an e-request to have these checked today Mar 14.</p> <p>Update: Will do up a <u>sub-committee</u> to show how to use the SHR app.</p>	Kyle Leafloor Patrick Nahmiash	Open	9-May-24
5	14-Mar-24	Committee	<p>Restricted clearance sign Maple Creek west end on bridge. Mile 84.9.</p> <p>Kyle will engage engineering and review requirements.</p>	Willie Davis	Completed	23-Apr-24

		Colton Moquin will speak with Willie Davis and have a restricted sign put in place. A bulletin will be issued. Reply as per Willie Davis April 23: The restricted clearance sign is there. 2 required-1 for westward movement and 1 for eastward			
6 14-Mar-24	Committee	Need to review Terms of Reference. This has been updated as per CPKC template provided by company. Step 1 of the ICRP was enacted, no resolution was achieved. Step 3 joint investigation, Patrick Nahmiash and Kyle Leafloor are appointed. Reports to be completed by March 31, 2024. Labour Co-Chair has not signed off, as required, on the employer document. Update: Step 3 completed by labour, no employer report provided. Referred to the Head on April 4, 2024. Decision provided on April 24, attached in minutes. Committee to abide by CLC requirements, new business item #1 reflects action item.	Patrick Nahmiash Kyle Leafloor	Closed	9-May-24

New Business Review:

Item Number:	Item Origin:	Business Description:	Responsible	Status:	Due Date:
1 23-Apr-24	Committee	Posted Terms of Reference (TOR) are non-compliant – Canada Labour Code (CLC) 135.1 (14), a committee shall establish its own rules. Labour has not participated or agreed to the posted TOR. ESDC and TC directed, the last agreed terms of reference (signed January 26 and 31, 2024) are active until new terms of reference can be established.	Kyle Leafloor Patrick Nahmiash	Open	9-May-24
2 23-Apr-24	Committee	Safety Hazard Report response requirements. November 2022, January and February of 2023 and April of 2023 have business and tabled resolutions that are not being adhered with. Safety hazard reporting process and hazard is not closed until resolved; action items may be implemented working towards closure. The response this is not a safety hazard is unacceptable. ESDC provided guidance on requirements; employee needs to be contacted and the hazard is closed when resolved, more descriptions required in resolve.	Kyle Leafloor	Completed	23-Apr-24
3 23-Apr-24	Committee	Step 1 of the ICRP – Contravention of Part 2 of the CLC <u>employer</u> did not apply preventative measures for the prevention of accidents, injuries and illnesses. Request for risk assessment for 'Reset Break' at the away from home terminal was requested on April 1 (email from labour Co-Chair to employer Co-Chair) due to the change in operating practices affecting personnel.	Kyle Leafloor Mark Ellis	Open	9-May-24
4 23-Apr-24	Committee	DRPR Reset Break is not being provided. Employer applying reset break at away from home is not providing undisturbed by the company time for employees. Rule book for	Kyle Leafloor Mark Ellis	Open	9-May-24

		T&E employees 2.2 <i>While on Duty</i> , reads in part, <i>an occupant of facilities furnished by, or which will be paid for by the company</i> . The reset break applied away from home is creating fatigue and a psychological hazard. DRPR escalation response identifies “ <i>The Company will adhere to section 10 of the Duty and Rest Period Rules as required.</i> ”			
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Escalated Item:

Item Number:	Item Origin:	Escalated Item:	Responsible Person(s):	Status:	Review Date:
1 15-Nov-22	T&E	<p>T&E AVAILABILITY STANDARD CANADA</p> <p>View Tab 1 for information</p> <p>The Policy Committee reviewed the outstanding issue identified and escalated by the Medicine Hat Workplace Health and Safety Committee.</p> <p>The Medicine Hat Workplace Health and Safety Committee has asked the specific to be addressed:</p> <ol style="list-style-type: none"> 1. Adherence to Policy Committee February 2021 response to Medicine Hat Escalation. 2. Adherence to all leaves outlined in Canada Labour Code. 3. Adherence to 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. 4. Adherence to Canada Labour Code Specific duties of employer 125 (v) adopt and implement prescribed safety codes and safety standards; Psychological Health and Safety in the work place – National Standard of Canada 5. Adherence to Canada Labour Code Specific duties of employer 125 (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; 6. Adherence to The Fatigue Management Plan. 13 f.(i)measures to ensure that employees are 	Policy Committee	Resolved	8-Dec-22 9-Feb-23 25-Feb-23 5-Apr-23 8-Jun-23 13-Jul-23 14-Sept-23 14-Dec-23 11-Jan-24 14-Mar-24

	<p>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>7. Adherence to Corporate Safety Policy</p> <p>Following an open discussion and through consensus, the Cross Functional Policy Committee decided:</p> <p>1. The Psychological Health and Safety in the Work Place – National Standard in Canada is not a prescribed safety code or standard as it has not been codified; it has not been written into the Canada Labour Code. In the standard itself, it reads that the standard is voluntary.</p> <p>2. The Company will adhere to all leaves outlined in the Canada Labour Code as required.</p> <p>3. The Company will adhere to 122.1 of the Canada Labour Code as required.</p> <p>4. The Psychological Health and Safety in the Work Place – National Standard in Canada is not a prescribed safety code or standard as it has not been codified; it has not been written into the Canada Labour Code. In the standard itself, it reads that the standard is voluntary.</p> <p>5. The Company will adhere to 125 (z) of the Canada Labour Code as required. A review will be conducted of Manager Safety training, and Home Safe to confirm that there is awareness training and or/ look to include if not present.</p> <p>6. A) the items cited in the escalation pre-date the implementation section 13 f.(i) of the Duty and Rest Period Rules which came into effect on November 25, 2022. B) No employee will be subject to adverse actions that would discourage reporting, consistent with the CPKC's Process for Reporting Contraventions and Safety Hazards.</p> <p>7. The Company will adhere to the Corporate Safety Policy.</p> <p>Please show this item as resolved on the local committee minutes.</p>			
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<p>2 15-Nov -22</p>	<p>T&E</p>	<p>Training for T&E members for Duty and Rest Period Rules section 5-part B first on minutes November 15, 2022 escalated to policy committee on January 28, 2023 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</p>	<p>Policy Committee</p>	<p>Open</p>	<p>8-Dec-22 27-Jan-23 Feb-27, 2023 8-Jun-23 13-Jul-23 14-Sept-23 14-Dec-23 11-Jan-24 14-Mar-24 9-May-24</p>
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	<p>reprisal when reporting fatigue status even though the Duty and Rest Period rules part D:</p> <p>13 f. (I) measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards.</p> <p>Update: Pat Nahmiash, Darren Burzminski and Ryan Marshall will give Amy Shields a call today to discuss.</p> <p>Update Jan 5: list of questions sent on December 8 & 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 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</p>			
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	<p>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)</p>			
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	<p>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: <i>13 f.(i)measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company’s safety management system Process for Reporting Contraventions and Safety Hazards.</i> – create a subcommittee; 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</p>			
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	<p>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.</p> <p>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. <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. 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> <p><i>d. report by employees that they are not fit for duty prior to a duty</i></p>			
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		<p><i>period that takes into account attendance management;”</i> <i>There is also nothing in the DRPR that prohibits any absence from being reviewed.</i> <i>I do think it is important to discuss your concerns, and any potential opportunities to improve these processes.</i> <i>I look forward to discussing this, and again, I will set up a meeting if you wish to discuss further. Thank you,</i> <i>John Bell</i> 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, <i>“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;”</i> - no consultation to date as required. Response should have been sent from the Policy meeting from Q4 meeting in 2023.</p>			
3 18-May-23	Committee member	<p>Fire Extinguishers - No training is being provided. View Tab 1 for information This will be discussed at the Q1 Policy meeting in March</p> <p>Date Decision provided: March 15, 2024 POLICY COMMITTEE RESPONSE: The Policy Committee reviewed the outstanding issue identified and escalated by the Medicine Hat Workplace Health and Safety Committee. Following an open discussion and through consensus, the Cross Functional Policy Committee decided:</p> <ol style="list-style-type: none"> 1. All TE receive fire extinguisher training as part of their Conductor Training. 2. There is no requirement in the Canada Labour Code to have 	Policy Committee	Resolved	8-Jun-23 13-Jul-23 30-Sept-23 14-Dec-23 11-Jan-24 14-Mar-24

		recurring training for fire extinguisher use. 3. The current training meets the requirement in the Canada Labour Code. Please show this item as resolved on the WHSC meeting minutes.			
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<p>4 18-May-23</p>	<p>Committee member</p>	<p>Duty and Rest Period Rules for Railway Operating Employees, This will be discussed at the Q1 Policy meeting in March.</p> <p>The Policy Committee reviewed the outstanding issue identified and escalated by the Medicine Hat Workplace Health and Safety Committee.</p> <p>The Medicine Hat Workplace Health and Safety Committee has asked the specific to be addressed:</p> <ol style="list-style-type: none"> 1. Adherence with MO 18-01 2. Elimination of all-cause mortality and comorbidities from occupational factors. 3. Elimination of fatigue. 4. Adherence with 4.2 of the DRPR. 5. Adherence with 9 of the DRPR 6. Adherence with DRPR, 10 Minimum Time Free from Work - Additional Guidance. <p>Following an open discussion and through consensus, the Cross Functional Policy Committee decided:</p> <ol style="list-style-type: none"> 1. Ministerial Order 18-01 was issued to the Rail Industry to revise the Work Rest Rules by May 19, 2019. The railway industry in conjunction with RAC met the requirements of MO 18-01 in the development of the Duty and Rest Period Rules. These came into effect in 2020. 2. The Duty and Rest Period Rules were approved by Transport Canada and meet the requirements of MO-18. 3. There is no requirement in the Duty and Rest Period Rules to have a company eliminate fatigue. The DRPR requires that a company manage fatigue. The Company will adhere to the requirements of the DRPR. 4. The Company will adhere to section 4.2 of the Duty and Rest Period Rules as required. 5. The Company will adhere to section 9 of the Duty and Rest Period Rules as required. 6. The Company will adhere to section 10 of the Duty and Rest Period Rules as required. <p>Please show this item as resolved on the local committee minutes.</p>	<p>Policy Committee</p>	<p>Resolved</p>	<p>25-May-23 13-Jul-23 12-Oct-23 11-Jan-24 14-Mar-24</p>
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<p>5 9-Jan-24</p>	<p>Committee member</p>	<p>Re-enactment parameters not within required parameters.</p> <p>The Policy Committee reviewed the outstanding issue identified and escalated by the Medicine Hat Workplace Health and Safety Committee.</p> <p>The Medicine Hat Workplace Health and Safety Committee has asked the specific to be addressed:</p> <ol style="list-style-type: none"> 1. "Shall participate", terms of reference provide procedures. 2. No question exist: without Labour participation, with focus on providing every appropriate resource to help injured workers recover from physical and psychological - injury recovery will be prolonged. 3. If Labour isn't participating in re-enactments, how do they implement and develop programs related to the incident – requirement in the CLC. 4. Unfortunately, perception exists that discipline will always exist regardless of guilt. 5. To date; a work place specific procedure (workplace harassment and violence) has not been abided by the employer representatives of the Medicine Hat safety committee. First on minutes May 2023 with action plan emailed to committee on October 19, 2023. The perception of guilt after an injury / incident needs to be alleviated and is critical in being supportive and offering support – Labour participation is critical in this aspect (peer to peer). <p>Following an open discussion and through consensus, the Cross Functional Policy Committee decided:</p> <ol style="list-style-type: none"> 1. The Policy Committee has agreed that participation in reenactments will be outlined in committee terms of reference. 2. In addition, the Policy Committee notes that the Medicine Hat terms of reference have been significantly changed from the standard template that was approved by the Committee. The Policy Committee will require a reset of Medicine Hat's terms of reference to the standard 	<p>Policy Committee</p>	<p>Resolved</p>	<p>14-Mar-24</p>
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		<p>template to ensure compliance with the Canada Labour Code.</p> <p>3. The Policy Committee will review any material changes made to the terms of reference.</p> <p>4. The role of the WHSC in Workplace Harassment and Violence is to review the investigation report provided to the committee, and to recommend what corrective actions located in the report the employer should implement. There is no further participation required by this procedure.</p> <p>Please show this item as resolved on the local committee minutes.</p>			
6 16-Feb-24 entered 19- Feb-24	SHR	<p>SHR 70000006066 KCS 4824 KCS 4824 has no designated garbage container inside locomotive cab, nor inside toilet room or adjacent to it. KCS 4824 was used as lead engine on train 601-914 and is not in compliance with On Board Trains Occupational Health and Safety Regulations 6.5 (2)(a) garbage disposal facilities shall be provided to prevent the accumulation of garbage; 6.6 (1) Each garbage container that is used for solid or liquid waste in a work place shall (a) be equipped with a tight-fitting cover; (b) be so constructed that it can easily be cleaned and maintained in a sanitary condition; and (c) be leak-proof. Toilet Room: 6.15 (3) In or adjacent to every toilet room, a non-combustible container shall be provided for the disposal of hand cleaning and drying supplies. Reported to Alyth shops via voice mail left. Install garbage waste containers inside all KCS locomotive cabs and toilet rooms in order to comply with Canada's on Board Trains Occupational Health and Safety Regulations. Or do not use noncompliant Locomotives in lead position or for DH purposes.</p> <p>Reply: Email and Phone call made to Alyth Shops requiring Locomotive be booked as "Trail Only" and not used as a leader until Garbage Receptacles are provided. Feedback given to employee via text at 1222 Feb 19th, 2024.</p> <p>March 13: Labour Co-Chair will follow escalation procedures</p>	Escalated to Gm on April 19, 2024.	Committee is not equipped with resources to resolve requirements.	23-Apr-24
7 14-Sep-23	T&E	Relocation to a new rest facility in Swift Current. The Super 8 has had approximately 20 reports of bed	Kyle Leafloor CP Trave	Escalated Policy committee And Gm	9-May-24

	<p>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 bug's home.</p> <p>Reply (Sept 14): Chris Gingras will check with CPTravel on different vendor till the bunkhouse is built. Bunkhouse is in procedural approval process.</p> <hr/> <p>Email October 4, 2023; referencing SHR 5828, It is evident that this facility continues to disregard basic needs and has no measures in place do mitigate rest disruptions. Is an update available on relocation? What mechanism are in place to locate a new rest facility? Request for reports identified in SHR</p> <p>Update (Oct 12): Chris Gingras will contact CP Travel on all the issues that are at the Super 8. He will also check with the timeline for a new hotel. SHR 70000005828 added from Oct minutes.</p> <p>As per the terms of reference this issue has been outstanding with no progress and no mechanism requested have been provided.</p> <p>UPDATE - *Talk with Scott McGraw after meeting about bunkhouse solution, and potential interim lodgings in the meantime – to discuss with facilities.* Conversation did not occur.</p> <p>Update January 23, 2024, added SHR 70000005902 Super 8 hotel. Greg Squires to provide list of hotels Moose Jaw and Medicine Hat committee to review and choose new hotel.</p> <p>SHR 70000005970 Room 210, Super 8</p> <p>Juvenile bed bug found on employee, full of blood. 2 escalations to follow CPKC policy, relocation and new bunkhouse.</p> <p>Motel 6 approved (Medicine Hat and Moose Jaw Labour co-chairs and TM Kyle Robb) for relocation on February 2, 2024 March 13: Labour Co-Chair will follow escalation procedures</p>	<p><u>Relocation</u> Escalated to Policy Committee on April 9. No response From GM, escalation sent to him on March 22 and again as requested on April 10</p> <hr/> <p><u>Bunkhouse Build</u> No committee time provided, escalation sent to GM on April 19.</p>		
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		Update (April 23) Swift Current Bunkhouse to start being build on May 1, 2024. SHR 70000006076, SHR 70000006052, SHR 70000006101			
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Tabled item:

Item Number:	Item Origin:	Escalated Item:	Responsible Person(s):	Status:	Review Date
1	Moved from old business 10-Dec-23	Railway Locomotive Inspection and Safety Rules 13.2d have clear labeling in the cab of the locomotive identifying that the locomotive is equipped with roll away protection. Not all CP locomotives are identified. KCS units are not labeled. Evan Deadlock to follow up with shops to get roll away protection put in locomotives. Reply (Dec 17): Units will be validated as per Alyth or Shops. Labour Co-Chair: this is not a resolve to the Railway Locomotive Inspection requirements. All locomotives to be completed by June 1, 2024. Updates to be provided to Committee by Evan Deadlock. Bob Tully to contact locomotive manager and confirm June 1. Reply: Roll away protection is not required. If it does not have a sticker rule 112 applies, when it gets to the shop, one will be placed.	Evan Deadlock	Completed	1-Jun-24
2 12-Sept-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras David Getz	Closed	11-Jan-24 14-Mar-24
3 12-Sept-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras David Getz	Closed	11-Jan-24 14-Mar-24
4 12-Sept-23	T&E	Step 3 of a 127.1 - see tab for details. Filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras David Getz	Closed	11-Jan-24 14-Mar-24
5 12-Sept-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras David Getz	Closed	11-Jan-24 14-Mar-24
6 16-Nov-23	T&E	Step 3 of a 127.1 - see tab for details. Filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
7 16-Nov-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
8 16-Nov-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
9 16-Nov-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
10	T&E	Step 3 of a 127.1 - see tab for details.	Chris Gingras	Closed	11-Jan-24

10-Dec-23		Filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Patrick Nahmiash		14-Mar-24
11 10-Dec-23	T&E	Step 3 of a 127.1 - see tab for details. filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
12 09-Jan-24	T&E	Step 3 of a 127.1 - see tab for details. Filed with ESDC and TC on February 24. Decision provided on April 9, 24 and 26 - attached in minutes.	Chris Gingras Patrick Nahmiash	Closed	11-Jan-24 14-Mar-24
13 14-Mar-24	T&E	DRPR tracking of hours – Information Bulletin #034-23 requires tracking of hours, in compliance with DRPR requirements. Information Bulletin #LR003-24 requires courses to be completed. 'WT' claim needs to be submitted as per Information Bulletin #034-23. Managers are contacting individuals and having them remove the required submitted claims. Scott McGraw will get some clarification from LR. Reply: Section 3 of the DRPR; <i>duty period</i> means a period of time beginning when the employee reports for duty at the location and time designated by the railway company and ending when the employee is released by the railway company from all activity including operating, administrative duties, deadheading, time over 30 minutes spent commuting from the away from home terminal to the reporting location, waiting for re-crews or transportation, training, and meetings; you are required to put in the WT claim. Kyle Leafloor to follow up with his team on the requirements.	Scott McGraw	Closed	14-Mar-24

Miscellaneous / Comments:

Spring framework blitz should include information about Tick's, multiple on person have already been detected.
Tab document is closed.

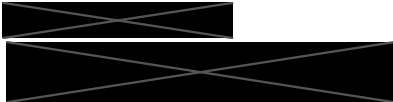
Next Meeting:

Place	Date	Time
Medicine Hat Board room, 2 nd floor, 402 North Railway Street SE Medicine Hat AB	9-May-24	10:00 am
Meeting Adjourned At: 13:00	Approved by Management Co-Chair: Kyle Leafloor	Approved by Employee Co-Chair: Patrick Nahmiash
End of meeting recap completed? Yes		



April 9, 2024

Case No.: 2024-OHS-SST-0007544
Work Place No.: 318027



Dear Patrick Nahmiash,

Subject: **Canada Labour Code, Part II – Employer in Compliance – File Closed**

This letter is in reference to your complaint of February 26, 2024.

Having investigated your complaint, in my opinion, the employer is now in compliance with the requirements of the Act. On March 13, 2024 the Canadian Pacific Kansas City Rail (CPKC) Cross-Functional Policy Committee met and discussed all the Internal Complaint Resolution Process (ICRP) complaints that had been brought forward from the Medicine Hat Workplace Committee. Labour Program of Employment and Social Development Canada and Transport Canada (Rail) attended as guests. Each item was addressed by the policy committee and assurances were provided by the employer and unions that all items will be addressed in a timely manner by the Workplace Committee and Policy Committee as set out by the Canada Labour Code moving forward.

The Labour Program of Employment and Social Development Canada can, therefore, take no further action on your behalf.

Yours sincerely,

A handwritten signature in black ink that reads "Robert Hansen-Beaton".

Robert Hansen-Beaton
Senior Investigator
Official Delegated by the Head of Compliance and Enforcement
Id. No.: ON1738
220 4th Ave South-East
Calgary, Alberta T2G 4X3



www.labour.gc.ca / www.travail.gc.ca

c.c. Robert Tully, Director, Safety
Canadian Pacific Kansas City Rail



Government of Canada
Gouvernement du Canada

April 24, 2024

Case No.: 2024-OHS-SST-0007925
Work Place No.: 318027



Dear David Getz,

Subject: **Canada Labour Code, Part II – Employer in Compliance – File Closed**

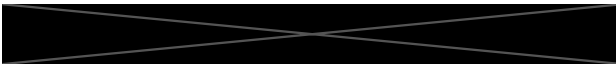
This letter is in reference to your complaint of April 4, 2024.

Having met with you and the Workplace Health and Safety Committee on April 23, 2024, in my opinion, your ICRP complaint has been addressed.

The Labour Program of Employment and Social Development Canada can, therefore, take no further action on your behalf.

Yours sincerely,

Robert Hansen Beaton
Senior Investigator
Official Delegated by the Head of Compliance and Enforcement
Id. No.: ON1738
220 4th Ave South-East
Calgary, Alberta T2G 4X3



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c.c. Bob Tully, Director, Safety
Canadian Pacific Railway Company

From: Phipps, Russ [REDACTED] 
Subject: RE: [External/Externe]: Canada Labour Code, Part II – Employer in Compliance – File Closed
Date: April 24, 2024 at 5:56 AM
To: Patrick Nahmiash <pntcrc@icloud.com>
Cc: [REDACTED]



Good Morning Patrick,

Thank you for taking the time to meet with Robert, James and myself after the Medicine Hat Health and Safety committee meeting yesterday. As committed, please find the information below that was discussed and confirmed:

- [REDACTED] complaints are being addressed with 122.1 answer below from Robert. Robert will be following up with Bob Tulley to ensure an individual or sub-committee has been assigned as per the discussion during the CPKC Policy Committee meeting on March 13, 2024.
- Guidance on 125 (1) (z.08) was provided. Specifically discussed that this is in regards to committees being allowed to perform their duties. [REDACTED] discipline can be addressed under the RSA and the collective agreement.
- [REDACTED] – James called Kyle Leafloor at 14:05 on April 23, 2024, discussed reviewing report provided by David Getz on January 28, 2024. Kyle, is going to confirm training and address issues in report.

We have reviewed the letter provided from Robert and are in agreement with all information pertained. I trust that this resolves all the complaints discussed at the meeting. If you have and questions and/or concerns, please contact me.

Russ Phipps
Delegated Health and Safety Officer – Rail
ON2212
Transport Canada / Government of Canada
[REDACTED]

Agent délégué à la santé et sécurité – Ferroviaire
ON2212
Transports Canada / Gouvernement du Canada
[REDACTED]



From: Hansen Beaton, Robert R [NC] [REDACTED]
Sent: Tuesday, April 9, 2024 8:16 AM
To: Patrick Nahmiash <pntcrc@icloud.com>
Cc: [REDACTED]
Subject: [External/Externe]: Canada Labour Code, Part II – Employer in Compliance – File Closed

Dear Patrick Nahmiash,

This Email and attached Letter is in reference to your complaint of February 26, 2024.

Having investigated your complaint, in my opinion, the employer is now in compliance with the requirements of the Act. On March 13, 2024 the Canadian Pacific Kansas City Rail (CPKC) Cross-Functional Policy Committee met and discussed all the Internal Complaint Resolution Process (ICRP) complaints that had been brought forward from the Medicine Hat Workplace Committee. Labour Program of Employment and Social Development Canada and Transport Canada (Rail) attended as guests. Each item was addressed by the policy committee and assurances were provided by the employer and unions that all items will be addressed in a timely manner by the Workplace Committee and Policy Committee as set out by the Canada Labour Code moving forward.

Each item brought forward has been discussed and Corrective actions provided:

125(1)(q), Trainmaster [REDACTED] was not trained in health & safety as a supervisor to understand his roles and responsibilities.

- Corrective Action: [REDACTED] was trained on his roles and responsibilities. (Standardized Training).

125(1)(z) Trainmaster [REDACTED] was not trained on being a member of the Medicine Hat Health & Safety Committee.

- Corrective Action: [REDACTED] was trained on being a member of the Medicine Hat Health & Safety Committee. (Standardized Training).

125(1)(z02), The employer did not respond as soon as possible to reports made by employees under Paragraph 126(1)(g).

- Corrective Action: This was addressed at the Policy Committee by Transport Canada (Rail) as well as the Labour Program, assurances were provided by the employer and unions that all items will be addressing in the timely manner set out by the Canada Labour Code.

136(1)(5)(a) The employer did not consider and expeditiously dispose if complaints related to health and safety of employees.

- Corrective Action: This was addressed at the Policy Committee by Transport Canada (Rail) as well as the Labour Program, assurances were provided by the employer and unions that all items will be addressing in the timely manner set out by the Canada Labour Code.

122.1 prevention of accidents, occurrences of harassment and violence and physical or psychological injuries and illnesses.

- Corrective Action: “psychological injuries and the referenced National Standard of Canada for Psychological Health & Safety in the Workplace” was brought forward to the Policy committee and it was agreed this will be looked at as reference material to address gaps in the current CPKC program. This is only being used as reference material as it can not be enforced under the Canada Labour Code and corresponding regulations.

DRPR 13.1 (e)(i) Measures to ensure that employees are protected from adverse actions that would discourage reporting, consistent with the railway company's

actions that would discourage reporting, consistent with the railway company's safety management system Process for Reporting Contraventions and Safety Hazards. The fatigue self assessment process is escalated to the policy committee with recommendations due to ongoing confusion and process.

- **Corrective Action: Transport Canada (Rail) has addressed the concerns through a written Program Interpretation of the Regulatory Requirements.**

The employer is not abiding by the DRPR legislation; consequently, not only creating a physical hazard, but also creating psychological injury as well.

- **Corrective Action: Transport Canada (Rail) has addressed the concerns through a written Program Interpretation of the Regulatory Requirements.**

The Labour Program of Employment and Social Development Canada can, therefore, take no further action on your behalf.

Yours sincerely,

Robert Hansen-Beaton 

Senior Investigator, Occupational Health and Safety | Enquêteur principal, Santé et sécurité au travail

Northwest Pacific Region | Région ou Nord-Ouest du Pacifique

Labour Program | Programme du travail

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General Inquiries and 24 hr Emergency Service: 1-800-641-4049

From: Hansen Beaton, Robert R [NC] [REDACTED] 
Subject: FW: Policy Committee Responses to 127.1 Escalations
Date: April 26, 2024 at 9:22 AM
To: pntcr@icloud.com
Cc: [REDACTED]



Good morning Patrick:

I have contacted CPKC and they provided me the response to the escalation, and the email sent to the committee. In the email there is a response to the 2 outstanding items you brought forward on April 23, 2024, Psychological Health and Safety in the Work Place and Duty and Rest Period Rules re-training. In the responses it is outlined that:

- A review will be conducted of Manager Safety training, and Home Safe to confirm that there is awareness training and or/ look to include if not present. (this will look at the report you provided to ensure that key elements are incorporated as per discussions in the Policy committee)
- The Company will adhere to the Corporate Safety Policy as per the Duty and Rest Period Rules, as to training I was informed that on April 4, 2024 employees and managers were provided correspondence outlining that if any employee feels they do not understand the Duty and Rest Period Rules that they can obtain further training through the employer.

I have included those parts from the report below.

-

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Following an open discussion and through consensus, the Cross Functional Policy Committee decided:

-

1. **The Psychological Health and Safety in the Work Place** – National Standard in Canada is not a prescribed safety code or standard as it has not been codified; it has not been written into the Canada Labour Code. In the standard itself, it reads that the standard is voluntary.

2. The Company will adhere to all leaves outlined in the Canada Labour Code as required.

3. The Company will adhere to 122.1 of the Canada Labour Code as required.

4. **The Psychological Health and Safety in the Work Place** – National Standard in Canada is not a prescribed safety code or standard as it has not been codified; it has not been written into the Canada Labour Code. In the standard itself, it reads that the standard is voluntary.

5. The Company will adhere to 125 (z) of the Canada Labour Code as required. **A review will be conducted of Manager Safety training, and Home Safe to confirm that there is awareness training and or/ look to include if not present.**

6. A) the items cited in the escalation pre-date the implementation section 13 f.(i) of the Duty and Rest Period Rules which came into effect on November 25, 2022.

B) No employee will be subject to adverse actions that would discourage reporting, consistent with the CPKC's Process for Reporting Contraventions and Safety Hazards.

7. The Company will adhere to the Corporate Safety Policy.

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.

On April 4, 2024 employees and managers were provided correspondence outlining that if any employee feels they do not understand the Duty and Rest Period Rules that they can obtain further training through the employer.

Thank you!

Robert Hansen-Beaton 

Senior Investigator, Occupational Health and Safety | Enquêteur principal, Santé et sécurité au travail

Northwest Pacific Region | Région ou Nord-Ouest du Pacifique

Labour Program | Programme du travail

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From: [Redacted]
Sent: Friday, April 26, 2024 8:42 AM
To: Hansen Beaton, Robert R [Redacted]
Subject: FW: Policy Committee Responses to 127.1 Escalations

As discussed, this is the response to the escalation, and the email sent to the committee.

Thanks,



Amy Shields
Specialist Fatigue Management
403-319-7216
403-880-9135
7550 Ogden Dale Road SE
Calgary AB T2C 4X9

From: Amy Shields
Sent: Thursday, April 4, 2024 1:30 PM
To: DL_Medicine Hat H&S Committee <Medicine_Hat_H&S_Committee@cpr.ca>
Cc: [Redacted]
Subject: Policy Committee Responses to 127.1 Escalations

Good afternoon,

On behalf of the co-chairs of the Policy Committee, please find attached the Policy Committee responses to the Medicine Hat WHSC escalations discussed at the Q1 meeting, held on March 13, 2024.

Thank you,



Amy Shields
Specialist Fatigue Management
403-319-7216
403-880-9135
7550 Ogden Dale Road SE
Calgary AB T2C 4X9

----- IMPORTANT NOTICE – AVIS IMPORTANT – AVISO IMPORTANTE
----- We are pleased to advise that CP, KCS and KCSM employee email