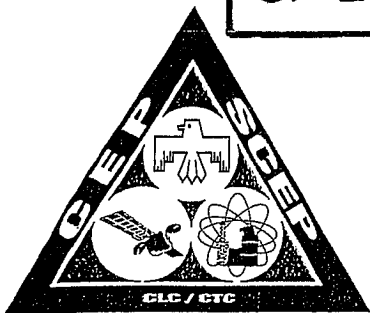
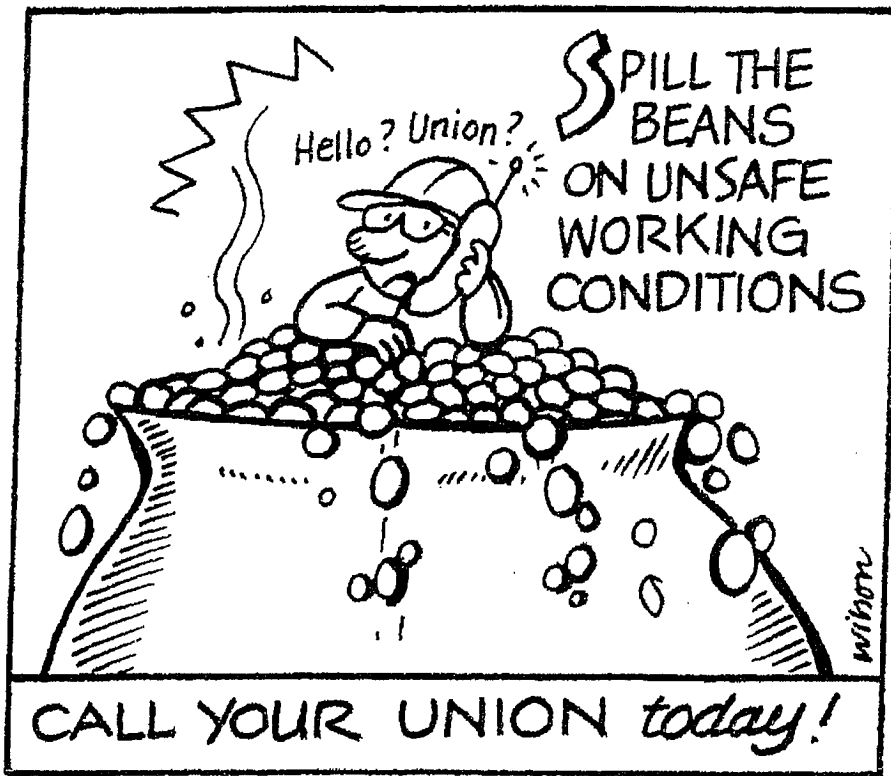


CEP Local 10-B's

Pulp *Friction*

Mill Safety Issues

April 2009



CEP Local 10B is now
a proud member of...



!! WARNING !!

This publication is rated:

U

As in **Union**

It may contain some material that some individuals may find offensive. Therefore, it is recommended that if you are one of the above individuals and feel you may be easily offended or harassed,

DO NOT READ THIS PUBLICATION

Pulp Friction will be published six times yearly by the Communications, Energy and Paperworkers Union of Canada, Local 10-B. It is an open forum in which members of Local 10-B are encouraged to express their views and opinions.

Articles and opinions appearing in *Pulp Friction* do not necessarily reflect the opinions of the C.E.P., Local 10-B Executive, the Editor, or other Officers of Local 10-B.
Editor: Tami Teshima

email: cep10-b@telus.net

OFFICE HOURS: MONDAY – THURSDAY 8:00 A.M. – 4:30 P.M.

2009 EXECUTIVE – COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA, LOCAL 10-B

<u>Position</u>	<u>Name</u>	<u>Home Phone #</u>	<u>Pager #</u>	<u>Local # - Crew</u>
President	Murray Matheson	579-9944 (cell: 319-9189)		77421
1st Vice – President	Pat Turgeon	374-4448 (cell: 318-6816)	851-3490	78793
2nd Vice – President	Charlie Fraser	579-8338 (cell: 778-220-4980)	314-8928	77420
3rd Vice – President	Dan Morneau	372-2610 (cell: 319-2851)		77685
Recording Secretary	Les Jenner	579-2235		
Financial Secretary	Bill Turley	374-4576	377-9285	
Apprenticeship Chair	Lindsay Seal	579-9765		
C.E.P. B.C. Provincial Council	Charlie Fraser	579-8338 (cell: 778-220-4980)	314-8928	77420
	Lynne Monteith	374-0072		77243
Chief Shop Steward	Dwight Blue	376-0180 (cell: 819-0885)		
Contracting Out Chair	Lindsay Seal	579-9765		
Contracting Out Alternate	Daryl Moen	578-7707		77685
Convention Delegates	Roy Connell	376-1166		
	Charlie Fraser	579-8338 (cell: 778-220-4980)	314-8928	77420
	Murray Matheson	579-9944 (cell: 319-9189)		77421
	Dave McDonnell	376-8426 (cell: 318-8754)		77685
	Lynne Monteith	374-0072		77243
Disability Management Coordinator	Jeff Pentney	320-1623 (cell)		77835
Environmental Committee	John Meyers	376-4431		77228
Forestry Officer	John Meyers	376-4431		77228
Guards	Sandra Donaldson	374-3559		
Health & Welfare Committee	Chris Austinson	434-5368 (cell: 320-1623)		
	Rob Bruno	374-2665 (cell: 320-1609)	851-3324	77292
	Lynne Monteith	374-0072		77243
I.H. & S.C.	Dan Moffat	374-4570		78865
	Jeff Pentney	320-1623 (cell)		77835
Job Evaluation Committee	John Meyers	376-4431		77228
K.D.L.C. Delegates	Terri Twamley	554-0280		
Pension Committee	Dave McDonnell	376-8426 (cell: 318-8754)		77685
<i>Pulp Friction</i> Editor	Tami Teshima	376-9674		
Safety Committee Chair	Rob Bruno	374-2665 (cell: 320-1609)	851-3324	77292
Standing Committee	Doug Cumming	376-3429		78791 – B
	Charlie Fraser	579-8338 (cell: 778-220-4980)	314-8928	77420
	Homer Hamm	374-5473		77223
	Daryl Moen	578-7707		77865
	Jeff Pentney	320-1623 (cell)		77835
	Pat Turgeon	374-4448 (cell: 318-6816)	851-3490	78793
Sunshine & Cheer Committee	Barry Salonen (Steam)	828-0195	N/A	78791
	Terry Paluck (Production)	376-1934		78799
	Dave McDonnell (Maint)	376-8426 (cell: 318-8754)		77685
Trustees	Doug Cumming	376-3429		78791- B
	Lynne Monteith	374-0072		77243
	Jerome Thorne	376-4607		77632
W.C.B. Appeals Officers	Chris Austinson	434-5368 (cell: 320-1623)		
	Rob Bruno	374-2665 (cell: 320-1609)	851-3324	77292
Wage Delegates	Lorne Christianson	376-4882	N/A	77224
	Dave McDonnell	376-8426 (cell: 318-8754)		77685
	Rob Regnier	579-5289 (cell: 319-9189)	851-3537	77243
	Bob Stephens	372-3724 (cell: 318-6816)	851-3378	77228 - D
Women's Committee	Lynne Monteith	374-0072		77243
	Terri Twamley	554-0280		
Women's Conference Delegates	Lynne Monteith	374-0072		77243
	Terri Twamley	554-0280		

EDITOR'S COMMENTS

By Tami Teshima/CEP Local 10B Editor

Welcome to a special edition of the Friction! This issue is dedicated to the friction we've run across lately with the mill at large. Nothing says gets the gears going like a good old rant, and that's exactly what you'll find spread through this issue.

It seems like the same old grind, that safety is important, and of course we all know this, but we also get complacent, get a little lax about the issue, and then get grumpy when we get reminded about it, because we've heard about it so many times before — someone mucks up and the rest of us have to listen to the whole shebang yet again, and suddenly there's corporate bulletins, people handing out PPE at the gates, random checks, punitive letters, and the dreaded PowerPoint presentations and endless meetings with staff. Sure, the younger workers could stand to hear it now and again, they haven't heard it yet maybe, or maybe only once, and sure the one who forgot last week or last month or last year, but the rest of us are good with it, already know it. Right? Right.

Wrong.

This edition of the Friction, buttercup, is a call to deal with it, and you need to get on board. The people who come and speak to us about safety, whether it's someone in a white hat, a green hat, or no hat whatsoever, are doing it for a multitude of reasons, chiefly that she or he doesn't want you to get hurt, plain and simple. Most assuredly not every person's *motive* for not wanting a worker to get hurt is vast, varied, and yes, often strictly as a means to please someone higher up than the one issuing the warning.

Regardless, while the reasons why are different—why I'm telling you to be safe differs from why any other member of the Executive will tell you so, and differs from why your supervisor tells you, and will absolutely differ from why a member of your family will tell to you take care of yourself. What you should take away from this is not that we're all self-serving jerks who are pushing our own agenda; instead, you should take away the information we give you, and here's the important part, *be safe for your own sake*. Don't do it for any reason other than the fact that you are the single person most qualified and enabled to keep you safe. Use the resources available to you, use them well, and be a better person at work for it.

Finally, brothers and sisters, if *you* have a rant you want to share, frustrations and situations that rub you the wrong way, don't wait for another special edition, submit it today!

PRESIDENT'S REPORT

by Murray Matheson/CEP Local 10B President

This newsletter is to promote better working conditions, provide answers to some questions, and provide insight into some of the issues that our Health and Safety representatives are dealing with.

Two of the fundamental topics that need to be addressed you have heard many times over.

- Use all of our safety systems consistently.
- Report all injuries and near misses.

The safety systems; Lock-Out, Confined Space, Safe Work Notifications, Fall Protection, to name a few, are the trunk of the safety program. These have been developed over decades from corrective actions relating to injuries and near misses, through investigations, to keep us safer. They are dynamic and upgraded from time to time usually because an accident or near miss has found a loophole in the system. If you have any questions on our systems, don't hesitate to ask, our safety representatives are here to help. Their numbers are on the phone lists posted around the mill. If they don't have the answer they will get it for you.

Use all the safety systems as they are there to come between you and an accident.

Reporting all injuries and near misses are the branches that feed the trunk. Without the branches the tree dies. Accidents and near misses do three main things.

- Attend to the injury or incident and guard against infection, aggravation or repetition.
- Provide a paper trail, that is all you have in the event the injury gets worse over time.
- Provides important information to help protect yourself and other workers from a similar or worse fate.

THE IMPORTANCE OF REPRESENTATION

By Pat Turgeon/CEP Local 10B First Vice

Every year we elect shop stewards and safety stewards and sometimes we forget what their primary role is. It is to represent the membership when either a safety or a performance issue is raised by the company.

The contract states that "the presence of a Union Shop Steward is mandatory at any meeting during which the employee is disciplined". With the company's direction to figure out what was going through your mind when you took an action that lead to an injury, the membership should always insist on either a safety rep or a shop steward present when these questions are being asked. The result of your discussion could possibly be used to enact some discipline or could be recorded in your personal file for future reference.

We are still working with the company to keep discipline out of safety, however they reserve the right to have a consistent penalty when mill standards are not followed. The constant theme throughout this publication is that your union representatives need to have the chance to be present at the beginning of a discussion so that we can deal with any issues as they arise.

Remember that you have the right to request representation and that the meeting or conversation cannot take place until your request has been satisfied. Make sure that you use this right that has been bargained for you.

REFUSAL OF UNSAFE WORK: THE 3.12

LOCAL 10B JSC REPS

Over the years we have had many 3.12's at our mill and over time have developed a procedure to handle them which ensures that all the right people are involved and the proper representation is afforded to our members. The ultimate goal is to work out a resolution that satisfies both the employee that brought the concern forward and the company. Most of the time the issue is resolved quickly at the employee / supervisor level and work goes on with little interruption. Sometimes, however, a solution is not so easily reached. At this point we will involve our safety stewards, our ASC and JSC reps, and finally an officer from the WCB if need be. The regulation covering the refusal of unsafe work is as follows:

3.12 Procedure for refusal

(1) A person must not carry out or cause to be carried out any work process or operate or cause to be operated any tool, appliance or equipment if that person has reasonable cause to believe that to do so would create an undue hazard to the health and safety of any person.

(2) A worker who refuses to carry out a work process or operate a tool, appliance or equipment pursuant to subsection (1) must immediately report the circumstances of the unsafe condition to his or her supervisor or employer.

(3) A supervisor or employer receiving a report made under subsection (2) must immediately investigate the matter and

(a) ensure that any unsafe condition is remedied without delay, or

(b) if in his or her opinion the report is not valid, must so inform the person who made the report.

(4) If the procedure under subsection (3) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, the supervisor or employer must investigate the matter in the presence of the worker who made the report and in the presence of

(a) a worker member of the joint committee,

(b) a worker who is selected by a trade union representing the worker, or

(c) if there is no joint committee or the worker is not represented by a trade union, any other reasonably available worker selected by the worker.

(5) If the investigation under subsection (4) does not resolve the matter and the worker continues to refuse to carry out the work process or operate the tool, appliance or equipment, both the supervisor, or the employer, and the worker must immediately notify an officer, who must investigate the matter without undue delay and issue whatever orders are deemed necessary.

instigate a 3.12 for it to actually be a 3.12. Any safety concern brought to a supervisor is actually the beginning of a 3.12. The WCB has advised us that supervisors need to recognize employee safety concerns and treat them seriously - as 3.12's where appropriate - even if the employee has not quoted the regulation. The company is obligated to provide 3.12 training to all supervisors and we are planning to include it at this year's safety steward training sessions.

It is important to note that not everybody has to agree that the work in question is unsafe. The fact that the concern was raised by one individual is enough to initiate the 3.12 and from that point on the work can not be performed until a solution that satisfies the concerned party and the company is reached. At this point the company can **NOT** ask another individual to carry out the work in question and the local is obligated to represent the member until a solution is reached. **This is a good thing!** It protects all of us from working in a potentially unsafe condition and prohibits the company from asking anyone else to do so until the concern is addressed.

It takes a lot of courage for individuals to speak up about a safety concern, especially if others do not think that it is as valid a concern as the originator does. Especially in these times of workplace change, we need to support our brothers and sisters that do speak up **regardless** of our own opinions on the situation. Each of us has the right and obligation under the act to question the level of safety regarding our work. As a JSC committee we commend anyone who has the mettle to speak up with a safety concern and would like to encourage others come forward as well if they have concerns.

Finally, there are provisions in the regulations to protect workers from any discrimination from the company due to bringing up a safety concern. Here is the regulation:

3.13 No discriminatory action

(1) A worker must not be subject to discriminatory action as defined in section 150 of Part 3 of the Workers Compensation Act because the worker has acted in compliance with section 3.12 or with an order made by an officer.

(2) Temporary assignment to alternative work at no loss in pay to the worker until the matter in section 3.12 is resolved is deemed not to constitute discriminatory action.

If you do not believe the work is safe please do not do it or allow anyone else to do it. Report the concern to your supervisor and use the process until the safety issue is resolved. We will help you through every step of the process. Our lives are worth any time it may take to ensure our safety!

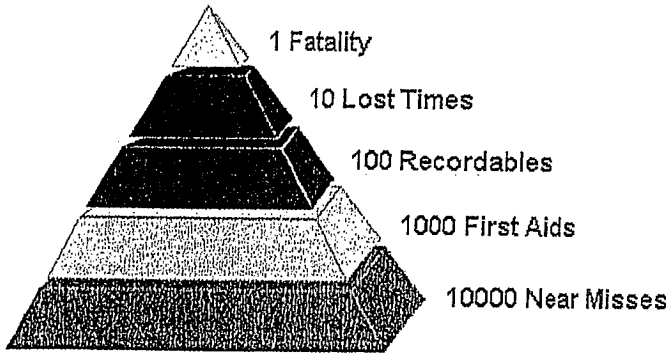
An employee does not have to actually state that he wishes to

NEAR MISS REPORTING

LOCAL 10B JSC REPS

A near miss is an unplanned event that did not result in injury, illness, or damage - but had the potential to do so. Only a fortunate break in the chain of events prevented an injury, fatality or damage.

If used properly, near misses are low cost zero injury learning tools: much cheaper than having to learn from actual injuries and no one got hurt! Moreover near misses are numerous and therefore provide many opportunities to learn and correct situations that have the potential to hurt people before they actually do! It has been estimated that for every first aid reported there are 10 near misses. The chart below shows the estimated ratio between near misses and other types of injuries:



Near miss pyramid — there is an estimated 10,000 near misses for every fatality.

To take advantage of these opportunities we need to have people report them. We strongly recommend that all near misses are reported and to make it easier to do so we have developed an electronic near miss submission program. This program can be found and accessed from the desktop of any computer on site by clicking on the big pencil icon.

Once the program is accessed it is simply a matter of filling in the blanks and hitting the "SUBMIT NEAR-MISHAP REPORT" button at the bottom of the form. If desired, just leave your name off the form and the report will be submitted anonymously. Although including your name would be helpful, it is much more important that we get the near miss reported, so we can do something about it as soon as possible, than who actually reported it.

Once submitted the form goes to the safety manager who will then, depending on the area identified on the form submitted, forward it to the appropriate department lead and safety steward. A corrective action to "schedule an investigation" is also generated and tied to the department lead so it can't "disappear" before it is dealt with. Once the investigation takes place the original corrective action can be marked complete and the new corrective actions originating from the investigation are added to the list until they are completed.

Not all near misses submitted will require an investigation but the decision to not have one needs to be unanimous between the department lead, the safety steward and, if not submitted anonymously, the originator of the near miss. At any



Weyerhaeuser		NEAR-MISHAP REPORT	
(PLEASE DISCUSS WITH YOUR SAFETY STEWARD)			
<small>THE INFORMATION PROVIDED HEREIN IS FOR YOUR INFORMATION ONLY. IT IS NOT TO BE USED AS EVIDENCE IN ANY COURT OF LAW. THE COMPANY WILL NOT BE RESPONSIBLE FOR ANY DAMAGES, INCLUDING ATTORNEY'S FEES, ARISING FROM THE USE OF THIS INFORMATION.</small>			
1	2	3	4
DATE	DEPARTMENT	DATE	WISH TO REPORT A NEAR-MISHAP OCCURRENCE
DATE TIME OF NEAR-MISHAP			
LOCATION OF NEAR-MISHAP (Please be as specific as possible)			
HERE'S WHAT HAPPENED			
RECOMMEND THE FOLLOWING ACTIONS TO ADDRESS THE ISSUE:			
I HAVE DISCLOSED THIS ISSUE WITH:	SAFETY STEWARD	MANAGER	OTHER PERSON
SUBMIT NEAR-MISHAP REPORT			

time any one of these 3 individuals can request an investigation and that will be the default.

Finally, we were just recently informed by our mill manager that any information discovered through the reporting of first aids or near misses will NOT be subject to discipline. For example, if the first aid or near miss report reveals that you were not wearing your seatbelt you will not be disciplined for not wearing your seatbelt. Our local position in working to get to this point was not to create a reason to not wear your seatbelt but rather to ensure an environment exists where people are not reluctant to report for fear of being disciplined. Although this commitment by Mr. Ashby is only verbal at this time, we believe that he is sincere and hope that he will put his words to paper very soon.

In summary, please immediately report all near misses so we can investigate them, learn from them, and put measures in place to prevent them from becoming real injuries affecting our selves or our brothers and sisters.

PPE CHECK

PPE is your last line of defense against injury. Take some time to ensure your PPE is in good working order. Respirators, hard hats, safety glasses, gloves, safety boots, and any other safety equipment should be checked for cracks, scratches, expiration dates and general wear and tear. Replace any equipment that does not pass inspection.

Each worker is responsible for keeping their PPE in good working order and treating other's PPE with respect.

SAFETY COMMITTEE REPORT

LOCAL 10B SAFETY COMMITTEE

Frustrations:

It is no secret that we have all been frustrated lately when it comes to safety on our Mill Site. Management talks about our poor performance, Union Reps talk about the lack of advancement of resolving the outstanding issues, Members are becoming confused about what 'direction' our whole Safety Program is taking (discipline for non compliance re: seatbelts).

For months both the Joint Safety Committee and the Safety Focus Group have been meeting and discussing the issues and initiatives, but discussions is where it all stopped. We seem unable to resolve the issues on the JSC agenda, the number of issues continue to grow, we seem unable to advance any initiatives to the floor from the Safety Focus Group.

In the most recent months, Management has brought to the JSC and Focus meetings their thoughts about moving ahead with a Behavior Based Safety Program. In fact, the normal agenda of issues has been set aside (by Management) the past two (2) months, ditto for the Focus meetings.

In each instance we have advised Management that we are not interested in such a Program here, in fact, we have a motion on the books that dictate that Local 10-b does not enter into such a Program.

Perhaps this point would be a good place to talk a bit about Behavior Based Safety Programs.

Behavior-based safety:

"Behavior-based safety" is a term used for programs focused on changing the behavior of workers in order to prevent occupational injuries and illnesses. These programs rely on the false claim that workplace injuries and illnesses are the result of "unsafe acts." Behavior-based programs target specific worker behaviors and solicit workers and management in monitoring these behaviors on the shop floor.

Depending on the program, such "observations" may be followed up with positive reinforcement (complimentary evaluations, prizes, rewards) or discipline (not necessarily overt).

What is wrong with behavior-based safety programs?

Behavior-based safety programs appeal to many companies because they make health and safety seem simple, do not require management change, focus on workers and seem cheaper than correcting health and safety hazards. By requiring workers to monitor each other, behavior based safety programs generate fear and conflict among members and undermine union solidarity.

By directing attention to the workers who in most cases had little or nothing to do with the selection of machinery, processes, and procedures and methods, such programs undermine legitimate health and safety activities and excuse management's shortcomings.

Companies selling behavior-based safety programs claim the number of lost workdays drops with these programs. Lost-time accidents are known to be the least reliable measures in determining the effectiveness of a health and safety program since lost workdays rates can depend on a company's ability to put injured workers on light duty or to discourage workers from report-

ing injuries.

This can drive safety and health problems underground. In some cases, companies threaten workers with drug tests, loss of over-time opportunities and/or days off if they report job-related injuries and illnesses. By knowing that if an injury or illness occurs they will be blamed, workers can be strongly discouraged from reporting injuries and illnesses.

Frustrations (continued):

Recently we were advised by Management that they want to change the structure of the different committee's addressing JSC and Focus issues and initiatives. This was a unilateral decision on their part; we were very surprised and disappointed when the latest Focus meeting was preempted to discuss this new structure. Although we do agree that there is some streamlining that can be done, we are disappointed that the decision to restructure wasn't made jointly.

Another occurrence that we see as being unilateral are the bullets of information that are key areas being presented at the daily safety meetings. Although these four (4) bullets were taken from the 2007 Safety Focus findings, by themselves, the context changes. The appearance is that the key areas (or focus) are on behaviors. Taken in context with the rest of the 2007 Focus findings they are but one part of the total picture which encompasses much more than behaviors.

It is fair to say that this week, collectively, our frustrations reached enormous proportions. In an effort to relay these frustrations to Management we sat with the Employer (Mill Manager and Safety Manager), on Friday, April 24, 2009.

Meeting with Employer April 24, 2009:

The following is a summary of that meeting:

As the meeting kicked off we took the opportunity to discuss Fire Watch and what the Employer feels is the definition of 'continuous monitoring'. The reason this was brought up is that the Safety Rovers ran into a situation where the Fire Watch was absent from the Hot Work area for twenty (20) minutes. The Contractor described that the Fire Watch would monitor more than one (1) Hot Work area at a time and would rove between them. We suggested that if a risk assessment is done and that was sufficient given the nature of the hazard, that it be noted on the Hot Work Permit. The Employer suggested that a practice of five (5) minutes would be reasonable but they would follow up with Factory Mutual.

We informed Management that we would be publishing a Newsletter as early as next week to inform the Membership of the current and ongoing frustrations.

We discussed with Management our frustrations regarding the seemingly unilateral efforts that are taking place and reminded them that we are a Joint Safety Committee. We used the example of the four (4) topics being highlighted from the 2007 Safety Focus. The Employer did agree that Safety is a joint process and that they are focusing on leading indicators. We stated that we believe that their focus is on behaviours and not on the whole picture. They replied that they are looking at people's states of mind but have decided to not attempt 'peer to peer'.

A situation arose during shutdown where a couple of the Union JSC Reps attended a Safety Investigation regarding a lock-out violation with a Contractor. Before the Investigation started

the Union Reps asked if any discipline might arise out of the findings of the Investigation. The answer was that they (Domtar Management) had no control over what the Contractor might do and that there was a possibility. Your Union JSC Reps declined to be a part of this Investigation.

We asked the following question at this meeting:

Will discipline come out of Safety Investigations of our Local workers?

Their answer was that they commit that no discipline will come out of our Safety Investigations. They further stated that if they are contemplating discipline arising out of an event they will inform us of that fact before any Safety Investigation is started.

We also asked if the Employer finds out that a Safety Standard is broken as a result of a First Aid Report, will they use that information for discipline?

Their answer was NO; they would not use that information to discipline an employee.

We then discussed the Company's unilateral decision to meld the JSC and Safety Focus Group. They indicated that the Focus items will be added to the JSC agenda and that they are willing to hold more than one (1) meeting a month to keep the process functional. The Mill Manager committed to sitting down with the Safety Manager and his Leadership Team prior to the May JSC meeting and that they would formulate a resolve to all the outstanding issues and bring them to that JSC meeting. We reminded him that any resolves would have to be discussed as part of a Joint Process. The Employer stated that we would sit down in May and jointly decide the direction we need to go in.

We informed the Company that we would be reminding our Members that they are entitled to Representation if and when a Supervisor wants to talk to them about a Safety Issue (example: concern about an incident or number of incidents) or performance issue, they agreed that the Contract speaks to the need for a Representative to be present.

Next Steps:

Where do we go from here?

We believe that we need to keep our focus on resolving the outstanding JSC agenda items, we need to be more diligent in insisting that all outstanding Corrective Actions are addressed, we need to look at what makes sense in progressing with the Focus Initiatives.

We remain guarded in our belief that we will get through all the JSC items that are outstanding in a short time period, but despite all the past disappointments and frustrations, we will work diligently to ensure the Employer follows through with the recent commitments they have made.

We will continue to base our advancement of issues from a 'global' aspect, not just focusing on behaviours. We will also continue in our vigil that we are a Joint Committee, as prescribed by the Workers' Compensation Regulations.

The JSC minutes provide a record of the issues that are currently on the go, please have a look at them when you have some free time.

If you have any questions or comments, please contact one of the JSC Reps or Pat Turgeon/Murray Matheson.

WCB TRIAL TIPS:

Ensuring your claim goes smoothly!

Report any and all incidents, no matter how minor, to first aid immediately.

This is the first thing that the company will look at in deciding whether or not to contest your claim – don't give them the opportunity.

Report all incidents to first aid as soon as possible.

If you wait to "see if it still feels sore tomorrow" you are allowing the company the chance to question whether or not the incident actually occurred at work. Once again, don't give them this opportunity - report immediately!

Gas inhalations are incidents - report them all!

Inhalations are cumulative and work over time. What may seem minor today may be a contributor to something major in the future and having a paper trail will be essential in increasing your odds of having your claim accepted. You're not required to submit to a lung function test administered by company personnel. If you require a lung function test, we strongly recommend that you visit your family physician where you can be assured that your personal medical information remains private.

See your doctor

And be sure to tell them that the incident was work related so they will know to forward the appropriate documents to the board. Continue to see them, ensure they are forwarding all relevant reports to the WCB, and follow their treatment plan throughout the course of your claim.

Utilize your union WCB reps when filling out your WCB paperwork.

They can ensure that the paperwork is filled out properly and that nothing has been missed. They can also work as a liaison between you and the board during this often stressful process.

Do NOT use the WCB "dial-a-claim" system to report your claim.

Your call will be taped and your spur of the minute answers, which may not come out the way you meant them to at the time, may be used against you. Utilize your union WCB reps when making a WCB claim.

Modified / Transitional Return To Work

If you would like to return to work while recovering from your injury, work with your union DMC to ensure that you will be placed in a job that is within any limits and restrictions that you may have.

If you do not wish to return to work during your recovery but the WCB is pushing you to anyway (and they most likely will be) work with your union WCB reps and DMC to help you through the process.

Rob Bruno	250.320.1609
Chris Austinson	250.319.5690
Charlie Fraser	778.220.4980
JeFF Pentney (DMC)	250.320.1623

FIRE WATCH

Local 10B Safety Committee

During this year's shut down we discovered a very serious "unsafe but accepted practice" that we would like to bring to your attention. Somehow our Fire Watch program has become a Fire Wander program.

For the most part our fire watch duties are dictated by our insurance company and it is therefore critical that we are in compliance with them. In this day and age there is no guarantee that our mill would be rebuilt even if it was covered by insurance and I think it's fair to say that there would be no chance in hell if we did not qualify for insurance.

The language on our hot work permits regarding fire watch is as follows: **Continuous fire watch provided during and for at least 30 minutes after hot work, including all breaks.**

This language is clear but what we discovered is that it is not being applied as written. Instead, the practice over the years has developed into "continuous" becoming, well, "sort of continuous". Companies have been assigning a (1) fire watch to monitor several jobs and expect them to "tour" them all. The feeling is that it is acceptable as long as they get back to each job in a short period of time. The "short period of time", of course, is subjective and was different depending on who we spoke to.

Not comfortable putting our people or mill at risk we immediately brought the matter to the attention of the company where they decided that it would be better to wait until after the shut down to deal with this issue since they are planning to make other changes to the policy soon anyway. In the meantime they decided that they would implement a 5 minute tour time for the fire watch and committed to inform the contractors of such.

Although we believe that we need to be in full compliance we were happy to have a "standard" that would make the situation at least better than it was as currently we were seeing fire watch absences from the hot work scene of up to 30 minutes! **During one particular audit one of our safety rovers actually witnessed a fire start, notified the appropriate people, and had it under control before the fire watch even showed up!!!** Unfortunately our audits to date show that the new 5 minute rule is rarely being followed with the majority of the contractors informing us that they never even heard about the change.

It is the local's position that we fully comply with the fire watch requirements needed to keep our people safe and ensure that our mill is protected / insured against any loss from fire. This place is our livelihood and it is grossly irresponsible to put it in a position of jeopardy. As always we are doing what we can to expedite a solution and will keep the membership informed of our progress.

EFFECTIVE INVESTIGATIONS

Local 10B Safety Committee

As we're sure you have heard, through articles in this paper, reports at union meetings, and through discussions on the floor, your safety reps are continually pushing management to increase the effectiveness of incident investigations. We push to get them done; we push for training so that when they are done they are done well; and then we push to ensure that the corrective actions arising from them get done. We do this because it is important to understand why the incident happened in the first place but, more importantly, to figure out what corrective actions we can put in place to prevent it from happening again. Ironically when we have this discussion with management they seem to agree with the above logic but for some reason we continue to run into the same old problem of actually getting anything done about it.

When shut downs roll around, because of the large number of people and amount of work going on in a short period of time, the importance of doing quality incident investigations grows substantially. In the past, as a matter of fact for as long as any JSC reps can recall, we have participated in *all incident investigations during shutdowns including those of contractors. The reasons for this are simple – there are many learning's that come out of contractor investigations that are applicable to our mill employees, and there are many times that we, because of our mill knowledge, history and experiences, can offer information during their investigations which can contribute to much higher quality findings and corrective actions. It's not rocket science – the more we can do to increase the quality of the investigation the better the chance that the results of it will prevent someone else from getting hurt – and that's what it's all about.

What you should know is that during this present shutdown, we (the local) have not been allowed the opportunity to participate in the contractor safety investigations. This is a first and when we asked the company about it we were simply told that it is a unilateral management decision. We expressed our concerns and shared all the advantages listed above but, although not in total disagreement with us, the management we were speaking with told us that they were not in a position to change the decision. They did however commit to bring the issue upstream and get back to us with an answer and for that we are grateful, but for the sake of making this a safer place we hope that it is done before it is too late for us to do anything about it. While we are waiting, and as usual, we will continue to push for management to do the right things because our safety is far too important not to. We will have an update for you as soon as we hear back from the company.

This just in... (an update to "Effective Investigations" on page 8)

...we have just been informed that the company will continue the practice of not allowing this local to participate in contractor incident investigations despite our request to do so. We were told that this decision comes after consultation amongst themselves, upper management and contractors – in short everyone but the local. This is very disappointing considering Mr. Ashby's recent commitment that he would work jointly and not unilaterally with our safety committee. We view this as a huge step backwards to any progress that we have made in our safety relationship with the company thus far and sincerely hope that they reconsider their decision in favor of one which promotes a safer workplace by allowing us to work with the company and contractors in the pursuit of high quality, injury preventing investigations. We will of course continue to pursue the issue and keep the local apprised.

HEALTH AND WELFARE REPORT

by CEP Local 10B Health & Welfare Committee

For a considerable amount of time, we have been experiencing many problems within the Health and Welfare arena. In an effort for all Local 10-B Members to be apprised of what the issues are and our position on these issues, we provide the following document. *[ED note: the document follows under the name of Health and Safety Issues]*

This document was shared with Management and we are awaiting their response.

Our goal is to meet with the Management side within two (2) weeks post shutdown to try and resolve these issues.

The issues noted in the document are not all encompassing; some of the sub issues that we still have to deal with will be handled once we meet with the Carrier, such as Claim Adjudication methods and criteria, mismanagement of Extended Health Claims etc.

Although the document is somewhat lengthy, please take the time to read and understand the issues, as they are of major importance.

If you have any questions or comments, contact one of the Health and Welfare Rep.

HEALTH AND WELFARE ISSUES

by CEP Local 10B Health & Welfare Committee

Preamble:

The following is a compilation of the agenda items that we need to discuss and resolve, the earlier the better, as some are of major importance.

In an attempt for all to fully understand the issue(s) and agenda items, we have used the following format: Issue (agenda item)/Discussion/Resolve. Due to the nature of the issues, there may be some blending between the topics.

Joint Committee:

Issue: We are not clear whether there has been acceptance on the Employer's part, that we are in fact, a Joint Committee and have a vested mutual interest in the administration and operation of the Plan.

Discussion: Page 81, subsection 5 of the 2003-2008 Labour Agreement clearly indicates that we are to meet collectively, Union and Management to deal with issues (the language states it as questions) concerning the operation of the Welfare Plan.

Resolve: Employer acceptance that we are a Joint Committee and need to meet on a regular basis to address any issues that arise out of the operation of the Plan.

Quarterly Reports:

Issue: We need to establish what information is helpful and pertinent and set quarterly meetings to review this information.

Discussion: There are some aspects of our Plan that we should be aware of on a regular basis (quarterly). These would include

such things as Plan usage, resolved problems that Members have encountered, resolving any outstanding issues, reviewing the Financials every second meeting. These are just some examples, we are sure that other information exists that should be shared; collectively we can decide what the ongoing and regular reporting should be.

Resolve: Establish a list of agenda items for a quarterly information sharing meeting and advance schedule these meetings for the year.

Revised Booklet:

Issue: The draft of a revised booklet that was shared with the Union has changes that impact the intent of the Plan and thus can't be agreed to.

Discussion: There were many changes to the language of the revised booklet, some that impact the intent of what benefits were negotiated. An example is the clause (we are paraphrasing) that states that if a Member does not participate in a Rehabilitation Program, their benefits can be severed. We have never had mandatory Rehab, although we encourage Rehab, in some instances, it is still voluntary. We cannot accept the changes that were unilaterally developed without discussion and reaching consensus.

Resolve: Discuss jointly the proposed changes and reach consensus on the language of any revised booklet.

Designation of Union Rep as Administrator:

Issue: At the present time, Union Reps don't have the ability to call the Carrier on a Members behalf in an attempt to resolve issue(s) as they arise. We have not been afforded the same Administrative rights as the Employer.

Discussion: First, we want to make it perfectly clear that we are more than satisfied with the care and attention that Sandi Sinclair has provided to Members when notified of problem(s).

However, we also know that the Staff person responsible for addressing these problems could change in the future. We want to ensure that we have equal standing when it comes to assisting Members with Claims problems, whether they are EHB related or WI/LTD related.

We have had no success whatsoever when it comes to addressing WI/LTD problems, Management has been less than cooperative when it comes to solving these types of problems.

Resolve: Establish the Health and Welfare Chair for the Union side (and a designate), Administrator status when contacting the Carrier on the Members behalf. We would continue to use Sandi as much as possible, barring an issue that requires immediate attention at a time when she is unavailable. Any issues and resolves would be brought to Sandi's attention, our desire to have Administrative rights is to assist, not keep information from Sandi or the rest of the Staff Reps on the Committee.

As we have not experienced any real assistance from Management with regards to WI Claims, it becomes of ultra importance that we have Administrative status so we can at least talk with the Adjudicator to understand what further evidence they are seeking to validate a Claim. The person with the disability has enough to deal with; they don't need the added frustration

of being denied and having to sort the situation out themselves.

Joint Committee's Responsibilities:

Issue: We are struggling with the Employer's contention that the Carrier be left to their own devices in adjudicating WI Claims.

Discussion: We, as a Joint Committee, have the right and the responsibility to address any WI Claim(s) problem(s) that are brought to our attention. We cannot take the tact that we have hired a Carrier as an Administrator and we will always abide by their decisions.

This goes against what is in the best interest of the Claimant, the Union and the Employer. Past experience has been that Carriers can make mistakes when they adjudicate Claims. Our Joint Committee has to have the ability and the responsibility to address problems when they are presented to us. We have to remember, the Carrier is only the Administrator of the WI, it is done on a cost plus basis (Administrative Services Only agreement).

LTD is a different animal in that the Carrier insures the benefits thus have the ultimate responsibility if there is a problem (Claimant has the ability to seek Legal recourse).

Resolve: Jointly accept that we have the responsibility to address WI Claim problems and reach joint decisions that can be conveyed to the Carrier. *In an effort to avoid the grievance process, we seek immediate resolution on this issue.*

Access to Financials:

Issue: At the present time we don't have access to the financials of our Plan.

Discussion:

We would like to have the ability to have at our disposal the financials related to our Plan. These would include, but not be limited to, current premium calculations for all aspects of the Plan, payments (benefits) paid out of the Plan, amounts in the various reserves etc. We can discuss at greater length what makes sense to have and review as a Committee, but any financial information that we feel we would like to see needs to be made available.

We do accept that this issue could have moved forward quicker, C. Fraser was to provide a list of what specific financials we were seeking but has been remiss in providing same. Our commitment is to provide a comprehensive list prior to our next joint meeting.

Resolve:

Discuss and decide on what financials are pertinent to discuss at quarterly meetings and request this information from Domtar Corporate or the Carrier. Agree that additional financial information is appropriate to obtain when requested (reserves etc).

Carrier not Responding to Members:

Issue: Members (Claimants) have been attempting to get in touch with the Carrier with regards to their WI Claims but there has been very limited response in some situations, with days going by with phone messages not being returned. This also applies to times when the Union DMC has attempted to contact

the Carrier.

Discussion: Clear direction needs to be provided to the Carrier with regards to expectations in returning phone inquiries and messages left. We need to agree that there is a room for vast improvement in this area.

Resolve: Without delay, file a formal complaint with the Carrier with the expectation that they will revise their practice and be open to suggestions on protocol when dealing with Members and their Claims problems.

Subrogation:

Issue: The Carrier has introduced a new Subrogation form that they would like have completed when a third party may be involved. We take exception to the sharing of information between the agencies.

Discussion: We have no problem with Members signing agreements that allow the Plan to recoup monies when they are paid by a third party, within the guidelines of our Plan. However, there is no rationale that would allow us to agree that a Member should sign a Subrogation Agreement that would allow the Carrier to have access to their personal information from the third party and vice versa.

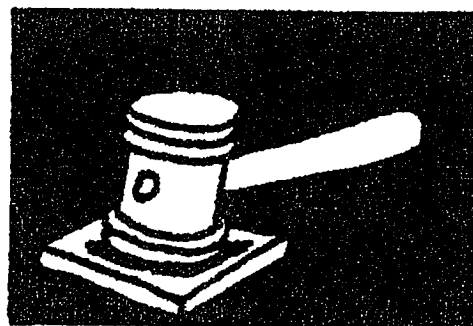
Resolve: Jointly instruct the Carrier to eliminate the language in their Subrogation agreement that request permission to receive and share information.

Current WI Rules out of Date:

Issue: The issue is that the current WI rules in effect do not allow Benefits to be paid.

Discussion: The current rules speak to an individual seeing their Physician by their fourth day of disability (non accidental), in order for their benefits to start. Gone are the days when we could call our Dr in the morning and see him/her in the afternoon. The reality of today is that an individual may have to wait a week to see their Physician. The way the forms are prepared, the date seen comes into play and many times Members are without benefits due to the above.

Resolve: Jointly discuss and develop a scheme where the Carrier receives confirmation that the Member was in fact disabled without the Member losing Benefits due to the current climate regarding Physicians.



SAFETY FIRST — OR SO THEY SAY BY LOCAL 10B JSC REPS

Well it's been a while now since the message from the "seniors" rang out loud and clear that safety needed to improve at Domtar's Kamloops Pulp Mill. Management took up the call with much vigor and enthusiasm spouting to all that would listen that we need to re focus our efforts on making safety a priority. To help "steer us in the right direction" a conference call was set up with Domtar's Espanola Mill. They had similar issues with their safety performance but had managed to turn it around from an RIR of 5.1 in 2007 to a record low 1.43 in 2008.

Interested to learn their secrets to success we agreed to listen to what they had to say. The information flowed from both their management and union reps on topics such as job planning, training, communications, recognition and employee involvement. They talked about things such as the need for well done incident investigations and accountability in ensuring corrective actions were completed in a timely manner, the importance of quality safety meetings, the need for a well functioning JSC, the benefits of a good hazardous condition reporting system (near misses), how essential it was to have quality training and, of top importance, the need for absolute commitment to safety from management. When asked if they use a behavior based safety program the answer was that their program is not behavior based but it does include a behavior component which they call *peer intervention*. Peer intervention is a program that was delivered to all employees instructing them how to approach and coach fellow employees if they witness them performing an unsafe act. If the individual confronted acknowledges his mistake and commits to correct it then the intervention stops there. If it is perceived that the individual confronted has not committed to change his behavior then the expectation is for the first employee (the confronter) to notify a supervisor.

With the conference call out of the way we were ready to start working on our own safety improvement plan. We (the local) filtered through the information and found a lot of common ground. In fact, most of the things that Espanola had done to improve their situation were the same things that we had been pushing management to do for years. More training, better safety investigations, accountability to get corrective actions done in a timely manner, quality safety meetings AND management commitment to safety - it's like they stole our play book! We anxiously awaited our first safety focus meeting to begin working on what would surely be a simple task now that we were all on the same page!

... or so we thought.

With all the good information presented to us, the most important being managements' commitment to safety as confirmed by Espanola's Mill manager, wouldn't you know that peer intervention was first on the company's list. When we suggested management commitment to safety as a starting point they brushed it off by telling us that they were already committed to it and went right back to the peer to peer. And that was that ... 4 hours later we found ourselves no further ahead than when we started. Oh well, surely we would make up the time at our next JSC meeting.

... or so we thought - again.

So there we sat at our JSC meeting while the agenda was ignored and again for 4 hours we were bombarded with all the reasons why a behavior based program was the way to go.

Over and over we heard how things like "personal choices", the right "mind set" and "courage to care" would save the day while real live safety concerns such as our 30 overdue corrective actions, lack of WCB mandated JSC housekeeping tours, unscheduled safety meetings, and many other real concerns expressed by members off the floor (where the work actually happens) took a back seat. But we persevered and fought back hard and in the end felt that we had made our points - that our membership was not interested in the latest mamby pamby safety program flavor of the month but instead wanted management to get off their butts and deal with the real issues that have for so long been ignored despite our efforts to have them heard.

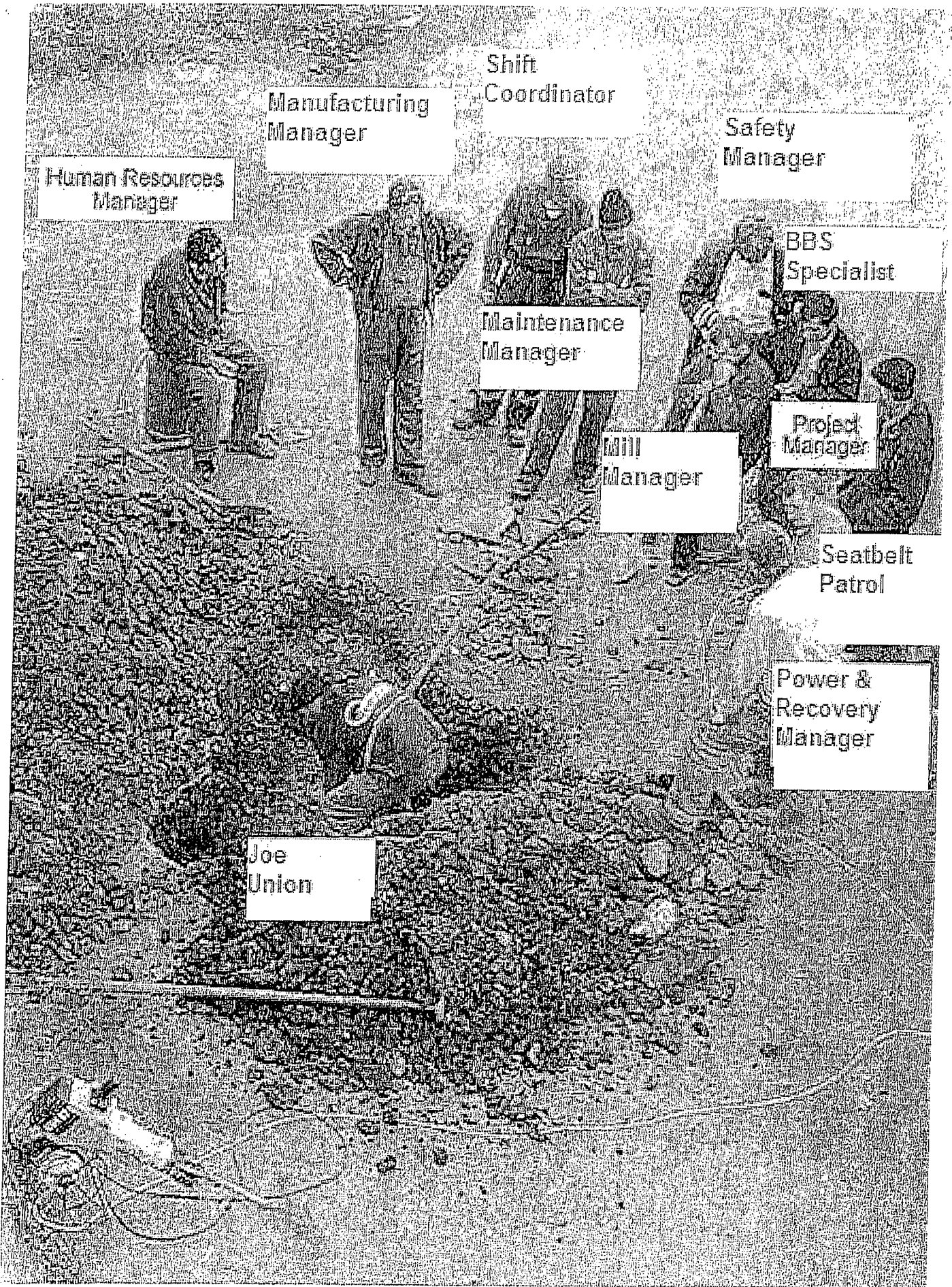
Feeling good about ourselves we approached the next day's safety focus meeting refreshed and ready to make some real strides forward. That is until we walked into the room which found the 4 of us face to face with not only the company safety focus reps but the entire leadership team as well! And guess what ... instead of working on our safety focus initiatives (which by the way were as overdue as our JSC issues) we spent the next 4 hours replaying the previous days meeting - short-handed to boot! Round and round they went, almost as if rehearsed, one by one proclaiming the magical powers of the exalted behavior based safety program. A valiant effort but in the end we stood fast again, made our points to which there were no valid rebuttals and left the room discouraged but with our heads held high.

This pattern continued to repeat itself, although in the form of smaller meetings, for quite some time, all with similar results, until one day, just recently, when we heard something that sparked a ray of hope. It was faint at first, almost incomprehensible, but we were sure it was there. Did he just say what we think he said we asked ourselves? And then we heard it again ... a bit clearer this time ... the words sent shivers down our spines as our hopes were renewed - "**we will not have a behavior based safety program at this mill**" said Mill Manager Eric Ashby.

We were stunned - we didn't know what to do next - so we did what any good unionists would do and promptly asked for more. We continued our rant on the importance of management's commitment to safety, better training, quality safety investigations, accountability to get corrective actions done in a timely manner, and our position to keep discipline out safety. When we were done we went on the defense ready for the onslaught of arguments that were sure to come ... but there were none. Instead our mill manager agreed to take the lead, or "drive the bus" as he says, in a joint safety endeavor without behavior based safety and no discipline in safety!

So there we have it ... or do we?

You see being committed to safety is much more than simply saying that you are committed to safety. We have been hearing the "C" word for a very long time now. Being committed not only means that you are willing to listen to worker concerns and make promises to deal with them but also that you actually **DO** something about them. It is this DO part that has been frustrating this local JSC for a very long time. We have been shouting long and hard and we have finally gotten an acknowledgment that we are being heard but unfortunately talk is cheap and we are still waiting for real actions to take place. I guess time will tell and in the meantime, with or without them, we will continue in our efforts to make safety a priority on this site and hopefully it will be sooner than later were "safety first" can be seen and not just heard!



he's lifting with his back not his legs & I'm not sure he did a risk assesment...once he's done we better discipline him for his poor personal choices.

PF Special Edition

Ingredients:

Commentary from the Prez and Vice
Safety Committee Issues and Proposed Resolutions

Next Issue: May/June 2009
Submissions due May 31/09

Take however many you need for safety!

