



Committee Name and Mailing Address:

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| LCBO Provincial Safety Committee LCBO 55 Lake Shore Blvd East Toronto M5E 1A4 | OPSEU 100 Lesmill Road Toronto M3B 3P8 |
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Minutes of Meeting
 Held May 15, 2008, at 2:00 pm, in Room 201, OPSEU Head office 100 Lesmill Road

| Worker Members In Attendance: | Committee Status | OPSEU Local | Position - Department |
|---|--------------------|--|---------------------------------------|
| Tracy Vyfschaft Rob Mithrush | Co-chair Member | 377 741 | Store 432 Store 616 |
| Management Members In Attendance: | Committee Status | Department | Position |
| Alkarim Kanji | Co-chair | | Manager, Corporate Health Services |
| Darrell Hamlyn | Member | | Employment Relations |
| Paul Mancini | Member | | Manager Logistics Safety LCBO |
| | | | Acting Director, Central Region, LCBO |
| Guests: Name, Position and Employer | | Regrets: Name, Position and Employer | |
| Terri Aversa, Health and Safety Officer OPSEU | | Kelly McInnes, Local 499, Ottawa Warehouse | |
| Meeting Hosted By: OPSEU | | Recording Secretary: OPSEU | |

THE ATTACHED MINUTES ARE AN ACCURATE RECORD OF THIS MEETING:

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|--|--|---------------------------------|--|
| SIGNED: Worker Co-Chair: | | SIGNED: Management Co-Chair: | |
| DATE OF NEXT MEETING | | | |
| Sept 30, 2008, 10:00 am, at LCBO Head Office, 55 Lakeshore Blvd, Toronto. | | | |

DISTRIBUTION: Copies Committee Members, OPSEU Health and Safety Unit

A copy of these minutes will be posted on the OPSEU website www.opseu.org

1.0 ADMINISTRATIVE ISSUES

| DATE OF MEETING | REF # | ISSUE | DESCRIPTION OF ACTION(S) TO BE TAKEN RESPONSIBILITY TO COMPLETE ACTION(S) | STATUS |
|-----------------|-------|---|--|--|
| 09-06 | 1.0 | <p><u>Old Minutes</u></p> <p>The employer indicated that given the change in members of the committee, issues raised in previous minutes could be raised based on relevance and importance at future meetings as opposed to signing off on old minutes that they were not present for. The employer provided comments on the Nov 07 minutes. The union will make the changes and send a final draft to the employer for finalization. In regards to the March 08 minutes- the employer hasn't had a chance to review and will respond by email.</p> <p><u>Role of Committee</u></p> <p>The employer stated its position that until the Terms of Reference are finalized, that both parties shall comply with Collective Agreement language that allows for the presence of three (3) union representatives at Committee meetings. Specifically, it is the employer's interpretation that such language did not allow for any guests to be present to provide special expertise.</p> | <p>Union to make changes in Nov 07 minutes and send new draft to employer. Employer to review and send comments on March 08 minutes by email.</p> <p>PLMC for finalization</p> | <p>Item remains open.</p> <p>Item remains open at PLMC</p> |

2.0 HEALTH AND SAFETY ITEMS

| DATE OF MEETING | REF # | ISSUE | DESCRIPTION OF ACTION(S) TO BE TAKEN RESPONSIBILITY TO COMPLETE ACTION(S) | STATUS |
|-----------------|-------|---|--|--------|
| 09-06 | 2.0 | <p><u>Training</u></p> <p><u>Supervisor competency issue-Booklets</u></p> | | |

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| | | The employer communicated that they viewed the union's feedback on the booklets to be too authoritative and did not feel the approach was helpful. The union explained that there was no intent to offend—that this memo style was the same way that feedback is given in all other sectors and ministries and nobody else had ever reacted that way. In terms of the booklets, the employer reported that the shift leaders just received copies of the booklets, that there would be time allotted during "Safety Week" to take time for the tasks. | | Open |
| 09-06 | 3.0 | <u>Training</u> <u>Certification Training</u> The employer confirmed that OSSA has been engaged to deliver local certification training for the LCBO organization. LCBO is in discussions with them about a regional approach and they are trying to customize the program for the LCBO operation. The employer predicts that their next certification training might be ready by September 2008. | | Open |
| 09-06 | 4.0 | <u>Pilot Project Updates</u> <u>Cash registers</u> —The employer reports that one (1) store per region will have a new cash desk for a trial period to see if the design works. The new cash system has a "well design" that can incorporate paper bags. <u>Lift Tables</u> —The employer reports that they are trying a new piece of hydraulic equipment at Store 1 (was at Store 355). This lift is in a fixed position compared to the older style that could be moved around. They are monitoring feedback | | Open for updates |
| 09-06 | 5.0 | <u>Asbestos</u> The employer reports that they have received many surveys that outline the locations of asbestos in the LCBO operation. Currently they are currently considering locations to get small amounts of asbestos removed, and plan to include other locations with significant amounts of | | Open |

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| | | asbestos into the LCBO asbestos management plan. The employer reported that asbestos removals will be conducted by appropriate contractors and in compliance with existing legislation. | | |
| 09-06 | 6.0 | <p><u>Other safety booklets not received</u></p> <p>There are still booklets that were promised (JHSCs and H&S representatives) but that have not been received by the union. The employer responded that the others are still in development. The LCBO said that the committee is welcome provide feedback and looks forward to starting this process.</p> | | Open |

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| 09-06 | 7.0 | <p><u>Notice Provisions in the OHSA</u></p> <p>The union advised the employer that for the purposes of Section 51 and 52 reporting, that the worker members of this committee represent “the union” for the purposes of these sections of the Occupational Health and Safety Act. Of further note—in addition to providing to the “union,” the Act also mandates that Section 51 and 52 notices be provided to the workplace health and safety representatives or worker joint health and safety committee members. At the workplace level, the union advised that the notices should be handed to the appropriate individual within four days of the occurrence, and that workers should have a secure place to retain them. The information to be provided is contained in the Industrial Regulations Section 5. Any additional information (ie, “what corrective action was taken.”) will be provided in other formats as appropriate.</p> | | Open |
| 09-06 | 8.0 | <p><u>Decision-making structure</u>—The employer explained the LCBO’s decision making structure. The LCBO has Managers for Health and Safety in Corporate, Retail and Warehouses</p> | | Closed |

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| 09-06 | 9.0 | Forklifts —The union asked why forklift procedures vary for each warehouse, ie, in London all fork-lift operators are trained to change batteries, while in Ottawa a specific team is trained to change batteries, and Durham is currently in activity regarding this issue. The employer responded that the resources and structures are different in each warehouse and therefore the procedures vary. For example, in Ottawa they say a team works best where they have the ability to “free-up” people to change batteries, while other warehouses are different. | | Closed |
| 09-06 | 10.0 | <u>The existence of Joint Health and Safety Committees where number of term employees bring numbers above 20</u> The union stated its position that where the number of “Term Employees” bring the total number of people employed above 20, that the LCBO has a duty to form a JHSC pursuant to Section 9 of the Act, and provided the employer with a copy of the “Brewer’s Retail” case that in their view supported their position. The union asked the employer for their view on the issue. | Employer to review “Brewer’s Retail” case and respond | Open |
| 09-06 | 11.0 | <u>Working Alone</u> —The employer reported that they formed an internal committee to examine this issue. The committee includes a retail focus employee, property services, resource protection, corporate safety, retail safety, corporate training, retail training. The committee will be examining many instances where workers may work alone other than just in retail, ie, bank deposits, managers driving alone from one store to another, etc. The employer stated that there will be a policy developed regarding working alone that will be brought back to the committee for comments. | Further discussion, opportunity for union to comment on draft policy and get committee updates | Open |

3.0 STANDING ISSUES

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| 09-06 | 12.0 | <p><u>Report on any MOL orders, work refusals, or critical injuries since last meeting</u></p> <p><u>Criticals</u></p> <ul style="list-style-type: none"> • <u>Durham Warehouse</u>—the employer reports that one visit here having to do with a possible critical injury. • <u>Kingston</u>—the employer reports a hand injury from power lifting equipment was treated as a critical injury as a precaution <p><u>Work refusals</u></p> <ul style="list-style-type: none"> • <u>Durham Warehouse</u>—One reported work refusal at Durham warehouse about forklift battery changing • <u>London warehouse</u>—a work refusal regarding a “Stand-up” forklift. The MOL recommended a change to training programs. <p><u>MOL visits</u>—The union asked for copies of Mol premise reports to be provided along with the discussion.</p> <ul style="list-style-type: none"> • <u>Store 310</u>—employer reports a selection representative issue and a conveyor nip hazard • <u>Store 20</u>—a visit, no other details provided • <u>Store 409</u>—a routine visit, no other details provided | | Open |

4.0 NEW BUSINESS

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| 05-08 | 13.0 | <u>Security Guards</u> —The union asked if the employer had entered into a contract for provincial coverage of security guards and if so, if there was going to be a set of guidelines for how employees should interact with them or assist them. The employer said that they are developing a training package for managers on the security and what employees should do. | Employer to provide guidelines on security coverage | Open |

