

January 18, 2006

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Kate Lamb
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Dear Mr. Teahen and Ms. Lamb:

RE: MEAL BREAKS FOR PARAMEDICS

Thank you meeting with us on November 7, 2005. We appreciate the frank exchange of concerns at this meeting, as it has helped us in our further discussions.

You indicated at the meeting that the employers are concerned that complying with the current legislation would put the public at risk, and that the current rules are too inflexible.

We would like to assure you that while we believe it is fundamentally necessary for paramedics to have a meal break, there should be no suggestion that paramedics would ever leave a patient in order to have one. It is difficult to contemplate a situation in which a paramedic would do this, and it would also fall into the category of "behaviour that is unacceptable to the practice of a paramedic", as detailed in the Regulation 257/00 of the Ambulance Act and in the Basic and Advanced Life Support Patient Care Standards, as follows:

PART V
STANDARD OF PATIENT CARE AND OF TRANSPORTATION

11. An operator of an ambulance service and every emergency medical attendant and paramedic employed or engaged as a volunteer by the operator shall ensure that,

(a) patient care is provided in accordance with the patient care standards and procedures set out in the document entitled "Basic Life Support Patient Care Standards (Version 1.0)", dated October 1995 and published by the Ministry, as that document may be amended from time to time;

(b) patient care provided by advanced care paramedics or critical care paramedics is provided in accordance with the standards and procedures set out in the document entitled "Advanced Life Support Patient Care Standards" published by the Ministry, as that document may be amended from time to time;

Patient Care Standards (Appendix 5)

B. Behaviour unacceptable to the practice of a paramedic includes but is not limited to:

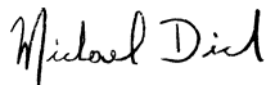
- a) Misrepresentation of his/her qualifications and credentials when performing Delegated Controlled Acts.
- b) Falsification of medical records.
- c) Sexual impropriety with a patient
- d) Refusal or neglecting to serve citizens requiring services which are part of the normal performance of his/her duties given their current certification

It is true that after the first five hours of a shift have passed, an operator would be in violation of the Employment Standards Act (ESA) if a paramedic had not had a meal break. Although we proposed a broader window, you informed us that there was "no appetite" for this proposal.

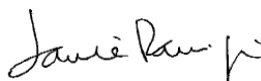
It appears to us that despite the employers' characterization of the ESA as "inflexible", the legislation does provide an avenue that most employers have not explored, that is Section 5(2), which allows the parties to establish a "greater benefit" in their collective agreement.

We would like to propose that the legislation and regulations remain unchanged with respect to this issue and that you advise the employers to meet with their bargaining agents to see what kind of arrangements can be worked out at the bargaining table. We believe that it makes sense for the parties to have dialogue on this issue, within the framework of the existing legislation.

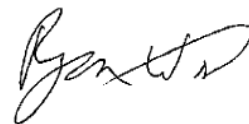
Yours truly,



Michael Dick
CUPE



Jamie Ramage
OPSEU



Ryan Wood
SEIU Local 1.ON