



TC LOCAL 1976 USW

2360 ave. de la Salle, # 202, Montréal, Québec H1V 2L1

TEL: 514-526-8280 FAX:514-526-0537 EMAIL: info@1976usw.ca

Canpar Health and Safety Meeting Minutes

Date: November 18, 2023

Location: Online via Zoom

The meeting was called to order at **11:04 Eastern Time**, by **Annie Daigneault**.

There was a total of 15 participants in attendance, including 2 French Translators and 1 Recording Secretary.

- | | |
|---------------------|---------------------------------------|
| 1. Annie Daigneault | 9. Peter Aligianis |
| 2. Erin Zuchotzki | 10. Robert Ramjohn |
| 3. Dave Smith | 11. Stephen Aubertin |
| 4. Todd Schulstad | 12. Frank De Napoli |
| 5. Susan Jonah | 13. Felix David (Interpreter) |
| 6. Jon Grdic | 14. Mercedes Amoretti (Interpreter) |
| 7. Cory Cutler | 15. Gabriel Amoretti (Interpreter) |
| 8. Sean Waddick | 16. Larry James (Recording Secretary) |

Annie Daigneault

- Announced that the minutes from the last meeting (August 26, 2023) were posted on the TC Local 1976 website.
- She has received the Canpar H&S Policy.
- Some H&S Representatives have not responded to her survey.
- She has sent out the minutes from the Last National H&S Meeting, and it should be posted in the terminals. If it is not, please let her know.

Susan Jonah

- Mentioned that she was confused because she was looking at the ICS policy.



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Annie Daigneault

- Announced that Larry James will be acting as secretary today for the Membership Meeting, Unit Chair Meeting, and the H&S Meeting. Larry retired in September, but he has been approved by Local 1976 to be with us as Secretary.
- Thanked Erin for reminding her to mute everyone, and announced that if anyone had a question or comment, just raise your hand or let her know in the chat, and that she would unmute everyone at the end of the meeting.

Erin Zuchotzki

- Reminded Annie that she would have to unmute the interpreters and herself.

Annie Daigneault

- She still has some H&S Representatives that have not responded to the survey yet.
- She will meet with the Unit Chairs to inform the H&S Representatives about the importance of working together, cooperating, and responding to our inquiries and concerns about their terminals.
- We want them to let us know if they need training, information, and guidance. If I don't have any answers, I may have to ask their Unit Chairs to try to find someone else to replace them. Without communication, we are not able to do our job as responsible H&S Representatives.
- I know that all of you who are here today, have responded to the survey, and that training has been provided to some of you.
- Went to some terminals to assist local H&S Meetings.
- Let her know if you have H&S issues that are still not resolved, or you are not sure the supervisor is doing the H&S meetings properly, she will try to attend as soon as possible.
- It could be me; it could be a Business Agent, Erin Zuchotzki, or Robert Ramjohn who are also part of the National H&S Committee.
- At the National H&S Meeting with the company we did address the issues that were brought to us at the previous meeting. If you notice we missed anything please let us know.



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- Unmuted the other and opened the floor for questions and comments.

Dave Smith

- We do not have the minutes from the February National H&S Meeting.
- The 5 Ton Freight liners do not have backup cameras. The Hino's have them but the Freightliners do not. I have asked the manager a couple of times but nothing has been done. Ask if this could be brought up at the National meeting.
- Can we get regular updates from the Union like H&S posters and flyers.
- Has an Owner Operator in his terminal who smelled of pot early in the morning. Asked for advice and feedback on how to approach the member to address the issue.

Annie Daigneault

- Said that you need to be careful because the smell of smoke does not necessarily mean that they smoked just prior to coming to work.

Frank De Napoli

- Has had a similar experience at his terminal where the supervisor asked him to smell the person and his truck.
- As a union member we do not rat out a fellow union member.
- We should bring them outside and speak with them and tell him not to do this before he comes to work.
- Told the supervisor that he was smoking Chinese cigarettes.
- Reiterate that we should not rat out our fellow members.

Annie Daigneault

- Agreed with Frank but mentioned that the only exception would be you if you felt that the person could put other members in danger.
- It could be addressed within your Unit to see what could be done to help, without going directly to the company to rat out the member.



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Stephen Aubertin

- Knows that marijuana will hang on the clothing fibres quite strongly. Same as cigarettes
- Has had issues in Sudbury where management would turn a blind eye to members smoking pot in their vehicles while on shift.
- Had an argument with Jody Marshall about it, who was unable to remediate it because management would tip off the employee, so they would not do it that day he was coming up.
- From a H&S perspective, ask the member if he had been smoking within 12 hours of his shift.
- If the member admitted to smoking, recommend that he contact management and tell them he was going home sick. If the member denied smoking, then would have to take his word for it unless his behaviour proved otherwise.
- Would never advise him to tell management that he had smoked or been drinking.
- Agreed with Frank that he would never rat him out to management.

Robert Ramjohn

- Communicate with the members. Let them know they stink and that he needs to take care of it. You follow up and check in with them. If they still smell, let them know that you are not going to report him, but others are talking and it could lead to you being disciplined by the company.
- If you are going to go to your manager you need to be absolutely 100% sure that the employee is smoking weed because they can say you are spreading false rumours about them.
- The company will have you testify against the member.

Dave Smith

- I did not talk with the member because he does not know him that well, but instead I asked the manager to review the policy for drinking and smoking with all the guys.



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Sean Waddick

- Had a similar incident, but it was regarding bullying.
- Approached management without naming names and said that he had heard rumours of bullying taking place and asked management to review the policy with all members.

Dave Smith

- Asked if the scanner holders were discussed at the National meeting.

Annie Daigneault

- Yes, we should follow up at the next meeting.

Frank De Napoli

- Concord terminal management is becoming very complacent regarding H&S.
- Meeting minutes not posted. I keep reminding them, but nothing is posted.
- Asked Peter to join the H&S meeting. Which he did, but still they are not doing anything.
- Lights not working.
- There is pigeon poop everywhere.
- Warehouse is a mess, dust, and yet they have a full time cleaner.
- Nothing is being fixed, everything is ongoing.
- There are rumours that the terminal is moving, so it seems that they do not want to fix anything or spend any money.

Annie Daigneault

- Asked Frank to send her a copy of the local H&S meeting minutes, and she would bring it up at the National meeting, telling them that you have been trying to resolve the issues for the last 8 months.

Robert Ramjohn

- Frank does not have the local minutes because the company has not posted them.



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Frank De Napoli

- Said he does not have the minutes and is still waiting for them.

Annie Daigneault

- OK, I have taken note and I will follow up with Robert and Erin.

Todd Schulstad

- Mention that there is a Freightliner in Ottawa which also does not have a backup camera.

Cory Cutler

- Comment that the Freightliners at his terminal do not have backup cameras.

Sean Waddick

- This is going to be a nationwide TFI issue. Canpar and Loomis have identical vehicles, so all the Freightliners will be the same, none of them will have a backup camera. It is something the fleet advisors will have to get involved in.

Dave Smith

- I asked our fleet manager who said he would get around to it. But it has been a year.

Sean Waddick

- I think the cameras cost somewhere between \$500 and \$700, so it is probably the cost.

Dave Smith

- Was told by the fleet manager that he cannot do it because of warranty problems.

Frank De Napoli

- They stopped putting them in. We have a 3-tonne truck, and they refuse to put a camera in. We are told "You are a professional, you should be able to drive".



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Robert Ramjohn

- I have spoken to Tom about this before, and they are not going to put the cameras in. According to him, you have to follow your proper backing rules.

Sean Waddick

- They have them in the tractors and the P&D's. You could argue that there are insurance breaks, or safety savings.

Dave Smith

- I drive downtown Montreal, and I need a backup camera.

Annie Daigneault

- It is weird because they invested in cameras for safety reasons, so why not have the backup cameras.

Frank De Napoli

- I think what is happening is that Alain Bedard wants his 10-million-dollar bonus. They are going to try to cut costs at every level.

Susan Jonah

- Commented that they didn't buy the cameras for safety, but they bought them the ones to look at people. So they have determined that the backup cameras are not worth the money.
- Asked if a senior owner operator can ask to change routes with a junior employee because of a health issue. Not sure of what his health issue is, but his route is out in the country and apparently there are no bathrooms.

Erin Zuchotzki

- Asked Susan if the other O/O was OK with the switch?



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Susan Jonah

- I have reached out to the other O/O with this question but have not yet heard back.
- My guess is no, or they would not have come to me, but I don't know for sure.

Erin Zuchotzki

- If both parties are ok with the switch, then it is only a matter of discussing it with the company.
- If the individual needs accommodation because of his health issues, he is not allowed to just barge in and take whatever he wants. It has to work for everybody.

Stephen Aubertin

- Not sure if the company has a duty to accommodate an owner operator.

Annie Daigneault

- We try to accommodate the owner operator, but it is not the same legally as an hourly driver. It is a case by case, but the company does not have the same responsibility to accommodate as they do an hourly driver.

Stephen Aubertin

- Asked Susan if the O/O bathroom issues were related to #1 or #2, because he has a country route and is on medication that requires the constant flushing of his kidneys.
- He consumes a lot of water, and needs to go #1 a lot. Being out in the country we play by different rules.
- If the accommodation is for #1, then the company would be more than willing to turn a blind eye if it is out in the sticks.

Susan Jonah

- I will get more information on this. I don't have all the details yet.
- I was in a Labour Board adjudicated meeting regarding the definition of an "employee".



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- There was someone who was elected who felt that they should be considered an employee.
- They said one of the indicators of an employee is how much control the company has over what you do.
- I think that there is room here where an O/O might be considered and employee.

Stephen Aubertin

- He tried this during the O/O conversion in the north to revert most of the changes.
- It boils down to how the company can control your time.
- If the company tells you, "you need to be here by 8 am", then that is considered an employee.
- However, if there is a stop on your route that requires you to be there at a certain time, then it is not the company telling you, it is an obligation you have with your customer.

Annie Daigneault

- The O/O chose to do business with Canpar, so their customer is Canpar.
- Anyway, this is not a H&S issue.

Cory Cutler

- When does the course schedule come out for 2024, because right now it is only up to December 2023? I would like to attend the Level 2 course.

Annie Daigneault

- Next week, I will send it to you by email as soon as I get it.
- Also I promised at the last meeting that I would send out a list of responsibilities of a H&S rep.
- It is not done yet, but I did send it to Peter Aligianis, Jonathan, Robert and Erin for them to look at it, after that I will send it out to you guys.
- If you have any comments or feedback, or if there is something you think should be added, please let us know, so we can include it.



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- You should receive it by the beginning of next week.

Erin Zuchotzki

- Said that she did not yet receive that email, and asked Annie to send it again.

The meeting was closed at *11:43 am Eastern Time* by **Annie Daigneault**.

Minutes submitted by Larry James on December 13, 2023.