

Minutes of the Joint Safety Committee Meeting
Held at the Maritime Labour Centre - 1880 Triumph Street, Vancouver, BC, V5L 4C3
1:00pm, Sept. 18, 2013

Attendees

BCMEA

David Moorhouse – (Co-Chair) BCMEA
Ryan McFarlane – Grieg Star
Jim Rushton – Maher Terminals
Peter Edwards – BCMEA
Clayton Smith – PCT
Rick Meyer – Kinder Morgan
Derek Razzell – TSI
Jerry Jennings – FSD
Daniel Howell – TSI
Carlos Rodrigues – Neptune
Randy Beatch – Western Stevedoring
Joe Webber – Squamish Terminals Inc.
Samantha Mincher – DP World

ILWU

Tom Doran – (Co-Chair) ILWU Canada
Eric Skowronek – Local 500
Chuck Zuckerman – Local 500
Ray Lavalee – Local 508
Romeo Bordignon – Local 502
George Sebastian – Local 505

Business arising from May 29, 2013 meeting

1. White Book Review and Formal Adoption of Standards of Operations
2. Hard Hat Risk Assessment Sub-committee Recommendations
 - a. union suggestion for logo for bump caps
 - b. report on implementation
3. Union response re. the COR Program
4. Quick card review – gangway, fall protection
5. Report on action items from June 10 extraordinary meeting re. Western fall protection procedures for lashing log deck loads.

New Business

None submitted

Minutes, Sept, 18, 2013

The meeting was called to order at 12:59

Attendance

Safety Briefing

Minutes of Previous Meeting

No report of errors or omissions in May 29, 2013 or June 10, 2013 Extraordinary Meeting minutes

Approval of the Agenda

The proposed agenda was approved.

Old Business

1. White Book Review and Formal Adoption of Standards of Operations

March 11, 2010: ALeMonnier – the union agrees on the adoption of the Standards of Operations. This needs to be formalised with both the union and employers signing it off. The idea is to have the white safety book and standards of operations - part a), and part b).

JBeckett – each company, except one, has gone ahead with their own standards of operation without the union's logo on it. At this point in time he is not willing to sign off the documents, nor get into discussion over it until after bargaining. He also added there are new regs coming up, and some of the items will become redundant.

The Union said that there is no evidence the SOPs are implemented by the employer. There is not even any evidence that Tool Box Talks are actually taking place. The Union stated that just a couple of meetings ago; it was the employer requesting to have the SOPs formalized. The Association restated that the Association will not sign or agree on anything until the collective agreement negotiations are finished.

June 10, 2010: No update

November 25, 2010: No update

February 24, 2011: No Update

September 29, 2011: Union would like to review and update Standards of Operation. The union asked to reopen the review of the White Safety Book, and stated it would need a committee to work on it. The employer suggested Info flip rather than a white book to cover standards of operation. Employers & Union agree the adoption of SOPS. Formatting and implementation still need to be determined.

February 9, 2012: Action: DMoorhouse will obtain SOPs and distribute to committee and report around implementation. There was mention that SOPs around containers also exists, and DM will obtain copies and distribute and report at next JSC meeting.

June 07, 2012: Discovered this issue has been on-going since 2008. Initiative to combine White Book (which deals primarily with ship safety) with stevedoring SOPs. Employer responded in 2008 and is awaiting review from union. D. Moorhouse sent email from 2008 to Al Lemonnier Feb. 21 including completed employer review and request for feedback. Sent to union committee members again today. Union suggested that foremen be included in review. Union suggested foremen are included in the development of the SOP's. T. Doran to arrange union feedback.

September 19, 2012: Two related issues: White Safety book review and formal adoption of Standard Operating Procedures (SOP). SOP's already in use by Western.

Union question re. past process led by Pam Fry re. container vessel SOP's. can we also adopt these? Container terminals now have SOP's that are very site-specific, and they are happy with. No desire to change. General SOP's incorporated into BCMEA lashing training.

Action: JBeckett to send SOP's for approval by the Labour Relations Committee. Union will send BCMEA electronic format of their White Book review by November 2012. This issue will require decision to incorporate the two documents or to keep them separate at the next meeting.

Dec. 12, 2012 Union would like to change title to White Book Review and Formal Adoption of Standards of Operations, recognising there will be two parts: White Book and SOP's.

Employer and union have exchanged suggestions. Many places where they agree to delete items. D. Moorhouse reviewed and identified areas where legislation has replaced White Book Rules. Union does not agree with deleting anything replaced by regulations as the regulations can change.

Action D. Moorhouse to further distill review document. deleting rules that both agree upon, and redistribute to all for comments. J. Beckett to send SOPs to LR committee.

March 12, 2013 J. Beckett did not send this to the LR committee, preferring to wait until the union endorses the hard hat recommendations and convey both at the same time. D. Moorhouse felt that the changes suggested were not significant enough to make any impact on safety. MOHS regulations now cover much of what's in the document. Therefore, no action. J. Beckett suggested that changes still be incorporated into a readable format, and the BCMEA colour-code any items that it has an issue with and propose solutions. E. Skowronek reminded that the Western SOP's should be appended.

May 29, 2013 – D. Moorhouse states that this initiative began with 3 objectives:

1. Amalgamate the White Book with Draft Stevedoring SOP's
2. Clean Up the White Book
3. Include recommendations from hard hat risk assessment sub-committee.

We are awaiting union endorsement of the hard hat risk assessment subcommittee. In the absence of approval of the recommendations, no update on this item.

Sept. 18, 2013 – *Hard hat recommendations have been implemented. D. Moorhouse to arrange integration of these recommendations into document and present next meeting.*

Open

2. Hard Hat Risk Assessment

November 25, 2010: It has been requested on behalf of shipping lines that hard hats be worn during shipping operations. BCMEA hired a Company to complete risk assessment, discussion on how to implement this in the industry. Al LeMonnier raised concerns with the risk assessment and the methodology used.

Action: JBeckett to provide data resulting from the risk assessment to Union so they can do their own analysis.

February 24, 2011: Data from EHS Partnership for the Hard Hat Risk Assessment was provided to ESkowronek in January.

ACTION: ESkowronek will contact SHaché to coordinate meeting in order that Glyn Jones from EHS can present on the data used for the hard hat risk assessment

September 29, 2011: Eric received the information from the consultant, but no meeting on the subject has yet taken place.

Hard hats are mandatory at Westwood, and implementation of the policy will commence October 1st. Westwood has a new owner, and it is a companywide policy. ILWU Canada expressed disapproval of the meeting having been conducted with Local 500 only when other locals are affected. The union indicated that there should be a risk assessment for any PPE that is required, in order to determine the reasoning behind a policy and show where a hazard exists. The union rejected the assessment submitted by the association. Employer stated that hard hats are an issue for our industry and requires both parties to participate fully in a solution. Union and employers agreed that they would work together on a process for an industry wide hard hat risk assessment for the Break Bulk sector. T Bertram will contact union for names of who will represent from the union.

February 9, 2012: Action: Union will offer personnel to form part of the committee.

June 07, 2012: A Hard hat risk assessment has been conducted and shows evidence hard hats would be beneficial to minimize head injuries in containers, break bulk and ship board work. Union did not agree with risk assessment report submitted, Sept. 2011
Have requested union representation twice, no response. Issue for break bulk and containers. Head injury risk present. Hard hat we supply can be safely turned around to position brim out of the way. T. Doran to provide name of union members to participate in further risk assessment.

September 19, 2012: A sub-committee has met twice to discuss Hard Hat Risk Register that evaluates head injury data from the past ten years. BCMEA has incorporated union's suggested changes, i.e., use IMO risk assessment matrix, rationalize the data to exclude foremen and injuries that do not have head as primary causes or that may be unrelated to overhead hazards. Number of records reduced from 1114 to 830. Has not made a significant change to risk levels. Union is meeting September 20, 2012 to discuss data. BCMEA feels the Risk Assessment tool is ready to be used as intended: focus on high risk areas, review current controls and provide recommendations. Note that different employers may have different levels of risk tolerance. One injury is too many, and may be enough for them to take action to prevent. All agree that this can become a powerful tool to help us focus on other high risk areas once populated with all injury data.

Action: Co-Chairs to determine next meeting date to conduct the Hard Hat Risk Assessment. Proposed date, Nov 14th.

Dec. 12, 2012 Subcommittee has met twice, and has made the following observations and recommendations:

- In log service, there is a large difference in head injuries between the boom and the ship. Committee recommends workers wear hard hats while working on the boom
- Ship injuries seem to be more struck against, rather than struck by, with the exception of steel (see below)
- There is an obvious pattern of head injuries working in the hold on steel ships. The Committee recommends hard hats be worn while working in the hold on steel ships.
- Recommendation for hard hats should be accompanied by a review of procedures and subsequent training (Foreman, Topside and boomman). Development of procedures is best left to the employer
- The group is comfortable recommending that all Longshore wear bump caps for work on ships (in breakbulk and log service) to reduce bumps and scrapes. Bump caps are not a substitute for hard hats where required (as detailed here, or required by the employer)
- BCMEA to provide bump cap samples for review. Once a particular style is agreed upon, committee discussed opportunity for all Longshore to be issued bump caps and expectation to use them in breakbulk service where hardhats are not otherwise required. Sub-committee will monitor injury data post-implementation to ensure effectiveness.

- Need better quality data for future risk assessments We need to increase awareness of 1st aiders re. purpose of reporting, and better familiarization with the work of the people they treat. Review forms to ensure it captures the appropriate information
- Meghan to send the union membership and dock risk assessment sorted by cargo (done).

Action – DM to forward recommendations to employers. Union to provide suggestion for logo for bump caps and color. BCMEA will source supplier and await response from union. Purchase and distribute widely. Monitor head injuries after implementation.

March 12, 2013 – Union provided a cap with example artwork. A. Talic will arrange to send artwork. J. Beckett is OK with providing caps with individual local names on a one-time basis to encourage use. One cap per member.

Union suggested a cap with shorter bill. BCMEA will investigate. DP World has been using these on car ships and they have been well received.

Union executive meeting was rescheduled until the end of March. Response regarding endorsement of recommendations will be provided by next meeting.

May 29, 2013 – Tom Doran indicates that this issue was not put as an item for a decision by the Longshore Contract Executive Board (LCEB), who meet next on June 19 & 20. J. Beckett indicates that the sub-committee was tasked with making recommendations on an issue that has been outstanding from the stevedoring SOP review in 2005. The employers accept the recommendations and are anxious to implement. Some employers are moving ahead with their own initiatives.

This committee needs to decide if they accept the recommendations, and then forward to the Labour Relations Committee.

Tom Doran will present the sub-committee's recommendations to the LCEB June 19 & 20, and provide an answer of endorsement or non-endorsement to the Co-chair, June 21. If negative, the issue will be referred to the labour relations committee with a report.

Sept. 18, 2013 – *the recommendations have been endorsed. Hard hats distributed. After consultation with the local 508 on Vancouver Island, Western determined that Type 2 (side impact) hard hats were most appropriate for logs. BCMEA sourced yellow Type 2's and sent some to Prince Rupert, then waited on delivery of more from supplier. The hard hats were delivered to the Vancouver office, but distribution to VI was delayed. BCMEA has since immediately arranged to send them and they should be at the union hall now.*

Western reports there has been great cooperation complying with the recommendations on for use of hard hats in the hold on steel vessels.

Still awaiting bump cap logos from union. Each local to get caps with their own logos on a one-time basis to encourage use. Locals to send DM logos by Oct. 1st. Tom Doran indicates the current ILWU Canada logo is acceptable for use.

Open

3. Discuss COR Program

12/12/12 John Beckett delivered WorkSafeBC presentation on their internal COR program review (attached) that was provided to all Certifying Partners on Dec. 6, 2012.

- Prevention Strategy: 3-pronged approach: Consultation/Education Penalty/Incentive , Enforcement.
- Health and Safety Assns. (HSAs) are a cornerstone in building a safety culture across B.C. (BCMEA is a WSBC unfunded HSA providing extensive safety training and education to waterfront employers).
- COR was one ‘tool’ to strengthen growth of HSAs and ensure industry buy-in for improving safety management systems.
- Started in 2003 with Roadbuilders. All BCMEA members are either COR certified or have indicated the desire to obtain the certification.
- COR requires employers to exceed regulations and develop Safety Management Systems that lead to continuous improvement
- Two types of audits – compliance and SMS – COR is SMS. Compliance audits are component of a SMS.
- Independent analysis by UBC confirms that COR is a component in injury reduction resulting in 10-15% less injuries than non-COR companies. This was determined by UBC’s Partnership for Work, Health and Safety (PWHS).
- BCMEA is confused on the ILWU opposition to COR according to the recent BC Federation of Labour resolution. ILWU Canada sits on the COR governance Board of Directors. BCMEA is asking for ILWU Canada level of commitment to the COR process.
- BCMEA strongly believes it would be better to find a solution together. This process is a legitimate business practice requiring participation.

ILWU Canada indicated that the ILWU did not censure COR at their convention. Each local is autonomous, and ILWU Canada cannot force them to participate. ILWU Canada is not bound by BC Fed resolutions as determined at their last Coastwise Bargaining Committee meeting. ILWU Canada was not in a position to say which locals support or don’t support COR. The executive will discuss the issue again at the next executive meeting.

ILWU committee members indicated that there is frustration amongst the membership who see companies pass COR audits but are not always in compliance with regulation. This is a big disconnect that generates concern. Also COR is a ‘nebulous’ process that members don’t fully understand. They need specifics they can grasp.

John Beckett responds that no company is in compliance 100% of the time. The SMS process ensures focus on the high risk activities that will hurt people. There is always risk, and given the right circumstances workers will still get hurt. However, there is lots of research and evidence that workers will get hurt less under a SMS system. BCMEA has also heard union rumours that employers use the COR rebate to fight claims. BCMEA gets no COR rebates but funds WSBC appeals. BCMEA has a large budget to manage claims and return employees to work which is funded under normal BCMEA sources. No employer WSBC money or rebates are used. Our training budget is also very large, and every program has a focus on safety. Waterfront safety has improved considerably over the past few years due to BCMEA and employer focuses. This has led to a significantly improved Health and Safety Committees engagement.

BCMEA is the only WSBC certifying partner of the nine who have invited unions to sit on the COR Board of Directors. BCMEA level of commitment to Union engagement and participation is greater than any of the certifying partners. BCMEA will be holding another internal auditor training session next week and has invited union executive to attend. BCMEA is awaiting response from ILWU Canada.

March 12, 2013 - Union executive meeting was rescheduled until the end of March. Response will be provided by next meeting.

May 29, 2013 – Tom Doran indicates that this issue was not put before the LCEB. ILWU Canada's position is to lobby for the end of the COR program in BC. Tom doesn't have the authority to do anything other than the position given to him by convention. Cannot compel the locals to do one thing or the other. Different locals are taking individual positions. Eric S. indicated that Local 500 is very supportive.

The committee discussed how the system is perceived by workers. Some organizations pass the audit, but still have high levels of accidents. There is a perception that the program is about money more than safety. If a company passes the audit, but is not in compliance, then it's a sham. J. Beckett agreed that it is a sham if a company says it's doing something but not doing it. That's why it's so important to have a dialogue with the workers during the audit.

There was a concern from the union that they had no opportunity to influence or shape the audit. J. Beckett replied that the union was fully involved in the audit's development through COR's Technical Advisory Committee and it was approved by its Board of Directors. Only the BCMEA and the BC Municipal Safety Assn. have union members on their boards. The BCMEA is willing to revisit the audit to deal with any negative perceptions. We want a program that works, but must stay within the WSBC standards and guidelines. Further, COR was part of a WSBC three prong strategy - incentive, education, compliance. The incentive piece for COR is an investment for the future. COR was seen to lead to continuous improvement. WSBC has committed to continuing the program.

Tom Doran will consult with the LCBE June 19 & 20, and provide a list of concerns as well as proposed solutions to the co-chair following the LCBE meeting.

Sept. 18, 2013 – *Tom Doran reports that the matter was discussed by the LCBE, who considers this issue closed at the Joint Safety Committee level. The LCBE feels this is not the forum to discuss with ILWU the merits or ills of the COR program. There was a suggestion that this issue be forwarded to the local safety committees. Some employers expressed interest in the BCMEA making a presentation regarding COR to their local committees. DM indicates that we have a presentation available and will attend if invited. Interested employers to follow up with M. Maclean.*

Closed

4. Quick Card Review

Sept. 18, 2013

Fall Protection

Distributed another fan-card style draft for review. Still a few edits required on the graphics.

Gangway

Another Gangway draft was distributed. Redone to ensure it is easily understood. Trying to be graphic in depiction of regulations. A net is not always required. Current draft reflects advice from Transport Canada

Graphics require more clarity. Include distance from dock face. Label Fig. 1 "Accommodation Ladder". Make netting stand out more in Fig. 2. Replace Fig. 3 with top picture from old card.

C. Zuckerman appointed as reviewer on behalf of the union. Edits to be sent to CZ for review.

Open

5. Western Stevedoring Log Operations Fall Protection Procedures

May 29, 2013 – Western to propose another site safety committee meeting on the island, if DP world cannot make it, they will do one alone. Review the procedures at the site safety meeting, then report to JSC.

R. Beatch invited all involved to please review the documentation. Provide feedback directly to Randy. Invited Romeo (502) to island meeting.

Sept. 18, 2013 – *Extraordinary meeting to deal with this issue was convened June 10, 2013 at Western's request. R. Beatch provided a report on action items from that meeting:*

1. *change language re. anchor selection on pg. 6 from "suitable mass" to "36 inches of mass, single or cumulative". – **complete***
2. *conduct a rescue drill – **complete***
3. *reconsider the exemption from fall protection for Hatchtenders and Foreman. Consider reexamining work procedures and positioning – **Considered a greater hazard. Couldn't get out of the way if tied off. Still merits some discussion. This will be brought up at next safety meeting on the Island***
4. *remove the option to climb down stanchion ladder without fall protection – **complete***
5. *develop procedural awareness to deliver practically on the ship, on the day the system is to be used, E.g, video, toolbox talk – **Video will be used. Video footage shot, but not yet edited***
6. *consult with Vancouver Island committee on June 21 – **complete***
7. *invite committee representatives to log jobs where this procedure will be used – **Invites had been forwarded to T. Doran and R. Bordignon***

The JSC will continue to monitor this issue. We expect the video will be ready to view at the next before next meeting. RB to present progress report at our next meeting.

Open

New Business

Sept. 18, 2013 – None

General Discussion

A union member asked what criteria is used to bring items before the JSC? Seems that issues are now pushed to local committees.

David Moorhouse said that as long as he is co-chair, he will resist entertaining issues that should, by legislation, go before local committees. It seems that, in spite of the JSC's best intentions, if an issue comes before the committee there tends to be a delay in process. We should strive to find issues to discuss as a committee to move the needle on safety, and avoid discussions that become positional. Avoid the politics and work to promote safety. E.g, NAOSH

*week, Need lots of awareness. Can the JSC get involved? Come up with a theme every month?
Discuss injuries and serious accidents to bring discussion and awareness?*

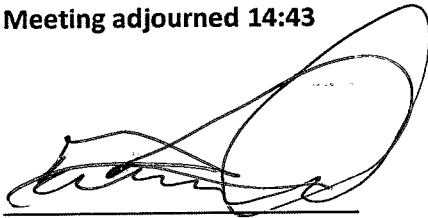
The sharing of information is key. Perhaps JSC is the conduit for this. The timing is right for this group to review its mandate. A member suggested bringing in a third party to share information in promoting safety. Set goals and objectives, review terms of reference, develop mission statement?

There was a consensus this should be a matter for discussion with next meeting.

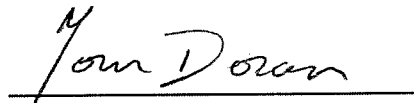
Next Meeting

The next JSC meeting will be held at the BCMEA, Dec 16, 2013 at BCMEA 1:00 PM.

Meeting adjourned 14:43



For the BCMEA
David Moorhouse – Co-Chair



For ILWU Canada
Tom Doran – Co-Chair

OCT 12, 2013

Date signed

OCT. 12 2013

Date signed