

## CUPE LOCAL 4092

### Membership Meeting – June 6<sup>th</sup>, 2011

#### Health & Safety Report

##### **EMBRAER ARMING/DISARMING INJURIES**

The injuries stemming from the arming/disarming levers on the Embraer continue to come in. On average, we get 1-2 injury reports per week.

As a way to reduce injuries, Air Canada has suggested that we wear our winter gloves during arming/disarming. We have opposed this for a number of reasons, mainly our concern that this will not prevent injuries and the doors must be fixed (not to mention that we don't carry winter gloves all year around). Recently, we met with Air Canada's own ergonomist to have her assess a hook-type tool that we would like to proposed be stored onboard the aircraft and used during arming/disarming. (This would be an interim measure until the doors are fixed.) The ergonomist is in the process of assessing the tool to ensure that it is safe for introduction and use onboard. When she was advised that the winter glove has been suggested as a means of protection by the company, she was very concerned that this would in fact cause MORE injuries and it should not be used. While Air Canada has yet to remove their suggestion, we urge you NOT to use the winter glove to arm/disarm on the Embraer.

Please continue to log the levers if they are stiff. If you fear injury, please don't arm/disarm but advise the captain immediately as per inset #100 that you are unable to arm/disarm the door. There is a process in place whereby the captain will contact the ground to advise them of the situation.

##### **AIR QUALITY – CONTAMINATED CABIN AIR**

At the last local meeting in February 2011, we reported on ongoing Air Quality concerns and what needs to be done moving forwards to address the issue. We have seen an increase in the number of incidents with Air Quality/Contaminated Air, which is concerning as we know many of the reports don't even make it to CUPE Health & Safety. We though it is worth re-emphasizing the process for dealing with Air Quality issues and concerns.

If there is;-

1. an odor in the cabin (often a described as a "**dirty socks**" smell, but can also smell like an electrical/burning smell or acrid in nature or a "foul" smell) and
2. there are complaints from a crew member and/or passenger about feeling ill (symptoms may include headaches, nausea, lightheadedness, dizziness, disorientation, fatigue, etc.), and,
3. you have not been able to determine the cause,

it is important for the crew to log the issue and also advise the captain immediately so that it can be reported in the AIRCRAFT logbook. Once a snag is raised in the Captains logbook, it ensures that a thorough investigation can be conducted and the issue can be properly addressed.

If you are experiencing any symptoms as described above, it is also important that you fill out an ACF 34C Flight Report (Injury/Illness/Incident) and ACF 32-8 Injury Report describing your symptoms, the type of smell, exact location, was is constant, passenger sensation, and stage of flight.

While we have repeatedly asked the company to include this important information in our S.E.P. manuals for reference onboard, they have yet to agree to do so.

Be sure to talk to one another about any symptoms you may feel onboard (symptoms of contaminated air exposure are often similar to cold/flu symptoms) you may not realize that your entire crew is feeling the same way that you are. The company and aircraft manufacturers are relying on the fact that we will attribute these symptoms to other common ailments instead of finding a way to address the real problems.

Please keep reporting.

We have copies of a fantastic documentary about this issue ("**Welcome Aboard Toxic Airlines**") in the CUPE Health & safety office available for loan to anyone interested in learning more. And, as always, feel free to contact us if you have questions or want to discuss the issue.

We recently had 2 separate crews exercise their **Right to Refuse Unsafe Work** on the same fin for Air Quality Issue. Here is how these incidents have been recorded in our joint Company-Union meeting minutes (which are signed off by the company and can be found accessible to all in the Crew Support Centre)

**Issue YYZ/AP/11/55  
OPEN**

**Right to Refuse Unsafe Work - Air Quality Fin 284  
AC972/fin 284 – 09 March 2011 RTR #1**

Crew exercised right to refuse unsafe work on fin 284 due to strong smells ("dirty socks") on pushback citing concerns about air quality/contaminated air and exposure. Refusal was resolved when maintenance advised crew that aircraft would be grounded and new fin assigned to flight. WPC agreed to get maintenance report and follow up on fix. On 17 March AC1197, FA submitted a 34C report citing "strong smell in cabin & forward galley, "dirty socks" smell on fin 284. A second RTR took place on AC417 on 17 March. Very strong smells on bridge and onboard. Crew again concerned about air quality issues and exposure. RTR ended when maintenance advised aircraft would be grounded for an engine change. Maintenance reports received by WPC and reviewed. Some outstanding questions from ee reps include:-

- (1) Why wasn't engine changed earlier?
- (2) Has engine in fact been changed as of now? If so, which engine was changed?
- (3) Was engine in fact changed after second refusal?
- (4) If engine was not changed after second RTR, were all subsequent crews made aware of the RTR and the reason for it?
- (5) Have there been new reports since second RTR and was fin 284 taken offline on 27 April for engine change or other mechanical/potentially related issue?

EE reps concerned that this fin continued to operate while there was a potential for exposure to hazardous fumes for crew members and passengers and a fix should have been completed sooner. ER reps advised that this situation is beyond the scope of the WPC. EE reps understand this is a big issue but feel our role is to ensure that Air Canada has a process to identify these types of exposure and make employees aware of them when they occur so they can get appropriate medical attention if required. We have seen several similar occurrences of late and ee reps feels strongly a process must be put in place to make employees aware of the hazard.

Additional Issues: **AP/11/82 - ACFlt AC460/Fin 284 17 March 2011**  
**AP/11/91 - AC1197/fin 284 – 17 March 2011 (AP/11/91)**  
**AP/11/84 - AC417/fin284 – 17March 2011 RTR #2 (AP/11/82)**

**AC pilots AQ testimony**

There is a recent testimony from an Air Canada A330 captain outlining symptoms that he has experienced throughout his career that he attributes to "Aerotoxic Syndrome" (being continuously

exposed to contaminated air). Copies of this testimony are available at the CUPE Health & Safety Office (and at the local meeting) for anyone interested in reading them.

## **YYZ INCIDENTS, ACCIDENTS & INJURIES – WHAT YOUR HEALTH & SAFETY COMMITTEE DOES AND WHAT WE ARE UP AGAINST**

Your YYZ Health & Safety committee is a joint union/management committee that is mandated by law. Our legal duties and responsibilities are outlined in the Canada Labour Code II. The intent is that we are a joint committee with management and we meet to review all injuries, accidents and incidents, conduct joint investigations to determine the root causes and make recommendations to our employer as to how to fix the problems and prevent further injuries. The law states that all of our work must be “jointly” agreed to. But, what this really means is that the company has the veto to override any work that can be done. Air Canada’s interpretation of what is considered an injury, accident and incident and what requires an investigation differs greatly from ours. For example, if your CUPE health & safety reps go to the management health & safety reps advising them they have concerns about an incident where an engine was shut down, IC was called to the flight deck and the plane was diverted, the company can simply say “I don’t agree that this is a health & safety issue, we are not investigating” (true story!). This means that we do not jointly agree to the work so it cannot be done. When we can’t agree, the recourse is to go to Transport Canada for assistance. However, this has become a very lengthy and complicated process and Air Canada knows this.

Stemming from the results of our joint investigations, our joint committee is also supposed to make agreed to recommendations to Air Canada as to how to prevent further accidents and injuries. As you can imagine, this is also not an easy task. Coming up with a recommendation that both the union and management members agree to is often extremely difficult. Not to mention the fact that if and when we do agree on a recommendation, Air Canada has no obligation to accept it. This can be a frustrating process.

These complications make our job challenging. For years Air Canada has tried to minimize our role by their interpretation of the law. Another example, a depressurization incident that occurred a few weeks ago was interpreted by AC as something that has no health & safety significance and therefore they chose not to notify us about it. Their rationale for this is that this event “did not have the likelihood of causing injury” and therefore they had no obligation to let us know about it. For Air Canada, the definition of “likelihood of causing injury” usually means that an injury has already occurred AND there is lost time (book off) approved by W.S.I.B associated with it. They have stopped notifying us about most disruptive passenger reports that come in using the same rationale, for AC disruptive passengers have nothing to do with health & safety...

### ***What you can do to help.....***

Report, Report, Report. We need to continue to report our health & safety issues and concerns so that Air Canada is aware that there are issues out there. If in doubt, write it up! The best way to combat their tactics is to ensure that you keep a copy of your report and forward it to the CUPE Health & Safety committee members so we too are aware and can follow up.

We have to follow the process and we need your commitment and involvement to do so. For a “concern” this means first writing it up to management and then bringing their reply (if you are not satisfied with it) to your CUPE Health & safety reps. If this process isn’t followed then we can’t complain about it to Transport Canada. Let’s show Air Canada that Health & Safety matters.

## **RIGHT TO REFUSE UNSAFE WORK**

The Canada Labour Code part II ensures that we all have a legal right to refuse work that we feel puts our health or safety at risk. The steps to do so are outlined at the back of Chapter 2 in your S.E.P.

It has been reported to us on many occasions from crew members that they feel very intimidated by company representatives when they try to exercise their right to refuse unsafe work. We fully understand that this can be an intimidating process but it is your RIGHT and it is the LAW. You

cannot be disciplined for refusing to do work that you perceive as unsafe as long as you follow the process.

A full investigation may take place, up to and including (when necessary) bringing in a third party (Transport Canada or HRSDC ) to determine the outcome if we cannot reach an agreement with the company as to if your work refusal is “justified”. Even if the third party rules that your refusal was NOT justified, you cannot be disciplined for using your right.

If you begin the steps of refusing unsafe work, be sure to be very clear that you are exercising your right to refuse **unsafe** work. On many occasions, it is reported to us that company representatives are choosing to interpret that we are simply “refusing work”. There is a big difference. In most of these cases, it is when the refusal is made to crew scheduling that this “misunderstanding” occurs. Check your charts in the S.E.P. – at a crew base, you must report to a manager, not crew scheduling. If you don’t have a number or it is off hours and you can’t reach a manager, ask crew scheduling to give you the number for a manager as they have a 24/7 contact for a manager. Make it crystal clear that you are refusing to work because you feel your health and/or safety may be at risk.

A work refusal is an **individual** decision. All crew members must decide if and why they feel unsafe. It can often be the case where only some of the crew members do a work refusal while others continue to operate.

In the first stage of a work refusal, you try to resolve your concern with the company. AC’s solution is often to reassign you to another flight. This is the most common solution because there will be no work refusal on record and no investigation or corrective measures must take place. Our position is that reassignment is **not** an investigation. If you accept reassignment, please be sure to also let management then know that you want the actual danger investigated and **resolved**.

When possible, please contact us if you are exercising your right to refuse unsafe work so we can support you and help you with the process. (Note: If you are unable to resolve the work refusal at the first step with management, they **must** then call us as per the legal process.)

## **NEW AOSH REGULATIONS**

Transport Canada has come out with new amendments to the Aviation Occupational Health and Safety (AOSH) Regulations. These regulations cover the rules that must be followed onboard the aircraft. A few highlights are below.

- AOSH 4.19 **“Food Waste and Garbage shall be held in leak-proof, non-absorptive, easily-cleaned containers with tight-fitting covers, in a separate enclosed area or container, until removed for disposal; and removed as frequently as is necessary to prevent unsanitary conditions.”**
- AOSH 4.20 **Crew Eating Area** *“If meals are provided for employees, the employer shall ensure that a clean and sanitary eating area is provided.”*
- AOSH 7.1 **Temperature** *“If reasonable practicable, the air temperature onboard an aircraft shall be maintained at a level of not less than 18 degrees C and not more than 29 degrees C.”*

If you notice any contraventions to these regulations please report them to both the company and your CUPE Health & Safety reps.

**Did you know....?** That all of the areas covered in our SEP manuals that have a **Regulatory Reference** (a legal requirement) attached to them are listed in chapter 1 section 1.5 of our SEP’s along with the applicable regulations and/or standard number? If a subject is not listed here it is not attached to a legal requirement and is an Air Canada Policy.

## **ACCIDENT/INCIDENT ORANGE LABELS (ACF656-8)**

When **any** injury has occurred involving a piece of equipment (e.g. you cut yourself on a sharp corner of a carrier), it is important to **always** affix an orange Incident / Accident label and a red

US seal to the equipment involved. This allows for us to track the equipment and ensure that it has been properly looked at and fixed. You can find the labels in the flight satchel. The red US seal has a number on it which allows us to track the removable equipment and ensure that it has been received and isolated by Airbase (the company who do the US equipment inspections and fix or destroy the tagged US equipment).

Please forward us your US seal numbers and/or record them on your paperwork (incident or injury reports) so that we are able to track them. So far we are finding that MOST of the time where we have a red US seal number we are able to confirm that it has been received and fixed. The Orange Accident Incident labels notify Airbase that there has also been an injury associated with this US equipment and a more comprehensive review and inspection of the trolley is done. Airbase has advised us that they only received two of these orange accident/incident labels in 2010 – we receive that many injuries in 3-4 days from US equipment!! Please be sure to remember to use these labels as we find that they are not being used for all injuries stemming from removable US equipment. Using the labels will make sure that the equipment is thoroughly checked before being returning to circulation and could prevent injuries to fellow co-workers.

## **SEAT PADDING**

We have had some injuries come in attributed to poor quality/worn seat padding. We have followed up and been advised by cabin engineering that padding is only replaced when maintenance notices that it is worn. Padding is not inspected/checked on any regular checks. While there is currently a campaign going on to inspect the seat padding, this is not a regular occurrence. If you notice that the seat padding is worn, please log it for replacement.

## **LOG IT, LOG IT, LOG IT!!**

*Did you know.....*That according to the Canadian Aviation Regulations, whoever finds a defect on the aircraft MUST log it? This means that, legally, it is **everyone's** responsibility to log any item they find defective in the cabin defect logbook. (Or course you must then notify the In-charge who will notify the captain).

If you record your cabin defect log snag number and forward it to us, we are able to follow up and get the maintenance report and confirm the action and fix.

## **PINATAS**

As you may have noted, Air Canada is now accepting piñatas for carriage onboard their aircraft. They must be carried in a "sealed bag" and are only permitted onboard if they do not "smell like fuel"! While we oppose this change, Air Canada, in true form, is insisting that this is not an occupational health and safety issue. Please send in a report to Air Canada copying your CUPE Health & Safety committee if you share our concerns and help us have it once again be unacceptable to carry these potentially highly flammable items onboard our aircraft.

## **RECENT TRENDS**

**Air Quality Illness/Reports** (see Air Quality above)

**Turbulence Injuries** - While turbulence is a risk that comes along with our job, there are ways to minimize injuries. We have had some recent injuries that occurred where the crew advised us that they did not feel "supported" by the flight deck crew and the seat belt sign was not turned on. While we do not feel that this is the norm, we have confirmed that we are supposed to sit ANYTIME we feel concern for our safety during turbulence (as per S.E.P. procedures). If you are concerned about potential injury during any turbulence, you have the right to stop service, make an announcement and sit down until such time as the turbulence and your safety concern pass.

**Bed bugs** – The number of reports stemming from bed bugs both onboard and at hotels continues to be a trend. Please be sure to report it immediately to the hotel if you suspect

bedbugs and to the health & safety committee upon return home. If it is onboard, please be sure to log it in the log book.

**Injuries from Ground Staff Opening Doors without “thumbs up”** – we have seen an increase in these injuries lately. We have recommended to Air Canada that a process be in place to advise ground staff when NOT to open the door (such as a flag indicator over the window as we used to have on the DC-9 and B747) as the current process only advises them when they can open the door. We have had cabin crew try to wave/motion to ground crew NOT to open the door that has been interpreted as a “thumbs up” by ground staff and the door has been opened. This can cause serious injury to both cabin crew and ground crew.

**Injuries from Unserviceable Equipment** – This is always where a large portion of our injuries stem from. Please be sure to include the US seal number on your injury report for tracking and affix the orange accident/incident label to the equipment (removable only).

**Lockwire on water shut off valves in lavs** - as reported at the last meeting, we have found that on many mini airbus and some 767 the water shut off valve is behind “lockwire” (silver) and not “breakaway wire” (copper). This means you cannot access the water shut off in the event of a flood/leak. We tried AC’s suggestion of using the scissors found in the restraint kits to cut the lockwires but were not able to do so in many cases (depending on how tightly wound the wire is, the thickness of these scissors may prevent you from being able to cut through the wire). While a job card has been issued to maintenance to ensure that only the copper breakaway wire is used, our inspections found that this is not being adhered to. If you come across this onboard, please log it to ensure that the silver wire “lockwire” is replaced with copper “breakaway” wire so that in the event of a flood/water leak you are able to access the water shut off valve.

#### **CONTINUOUS DUTY DAYS/FATIGUE – COMPLAINT TO TRANSPORT CANADA**

We continue to get many complaints about fatigue due to continuous duty days. We filed a complaint with Transport Canada about this issue in August of 2010. Unfortunately, they have yet to respond to this issue. When we followed up recently, we were advised that they would look into the complaint this month (June 2011). Rather concerning that it has taken them this long to begin to address what we see as a huge health & safety issue.....

Should you have fatigue concerns, please contact us with your pairing details and we would be happy to advise you on how you can join us in the fight to have fatigue issues looked at and addressed.

#### **NAOSH WEEK**

May 1-7, 2011 was North American Occupational Safety and Health awareness week. CUPE Health & Safety representatives were in the crew support centre all week and were fortunate enough to speak to many of you and discuss your ongoing health & safety concerns. Thanks for taking the time to drop by.

*Thank you for taking the time to attend this local meeting. Please feel free to contact us at any time if you have any Health & Safety questions or concerns.*

**Your CUPE Local 4092 Health & Safety Committee**

Karen Galanyk [karen@local4092.ca](mailto:karen@local4092.ca)  
Vittoria Primavera [Vittoria@local4092.ca](mailto:Vittoria@local4092.ca)  
Angela Scott [angla@local4092.ca](mailto:angla@local4092.ca)

Ph (905) 676 4352

Fax (905) 676 4763

[osh@local4092.ca](mailto:osh@local4092.ca)