Health & Safety Report

February 2014

**YTD 2013 # Time Lost due to Injuries**: 2297 days

**YTD 2013 Disabling Injuries resulting in Book-off**: 82

**Non-Lost Time Injuries 2013 (MINOR) as reported by crew members to OSH**: 52

**Non-Lost Time Injuries 2013 (MINOR) as reported by AC in graphs**: 588 (Jan – Nov 2013)

**Top Three Causes**: Situational Awareness 78, Catering Equipment 67, Aircraft Part 51

**Top Three Types**: Sprain/Strain 148, Bruise 103, Pain 69

**WHAT IS DONE WITH THESE FIGURES?**

The employer co-chairman must submit a report signed by both chairmen to the Regional Safety Office responsible for his/her sphere of activity, no later than March 1st of each year.

**ONGOING ISSUES:**

**REDUCTION IN CREW COMPLIMENT:**

CUPE filed Grievance CHQ-13-58 in response to the Reduction in Crew Complement.

NATURE OF THE GRIEVANCE*:* “The Union claims that Air Canada has and continues to violate the Collective Agreement in connection with the assignment of crew complement on certain aircraft and flights. Specifically, Air Canada has reduced the crew complement on A330, 777-200 and 777-300 flights under 11hr30 min by one crew member, effective July 1, 2013. We submit this grievance under Article 13, including but not limited to 13.03 and LOU 44. We submit that the Company has violated the collective agreement, including but not limited to Articles 1 (1.01); the Block Rules (including but not limited to B.11.01 and B. 7.04) and the Canada Labour Code, Part II generally (including but not limited to s.124, 125, 134 and 135). We submit that the Company has violated past practice. We submit that the Company’s decision to reduce the crew complement of the above aircraft and flights jeopardizes the safety, working conditions and quality of working life of our membership on the above-noted aircraft and flights”

SETTLEMENT REQUESTED:

1. Air Canada abide by the Collective Agreement

2. Air Canada reinstate the extra flight attendant/s removed on all flights

3. Cease and desist all violations immediately

4. Make all affected employees whole

5. Any other appropriate remedy

In response to this change in crew complement, Air Canada introduced SOP Insert 158 on December 9th 2013. Insert 158 instructs Cabin Crew to provide Additional Safety Briefings as such:

“On the A330 and 777-200/300, cabin crew must brief passengers seated by an unmanned exit on the following:

* When to use exit – only when advised by a crew member, and if no obvious danger, such as fire
* How to open exit

In the event of an evacuation, cabin crew must be mindful of the aircraft’s specific evacuation routes, as described in the aircraft chapters of Publication 356.”

Air Canada maintains that a risk assessment was conducted for the crew compliment reduction before it was implemented with many scenarios considered.

CUPE submits that the Company’s decision to reduce the crew complement of the above aircraft and flights jeopardizes the safety, working conditions and quality of working life of our membership on the above-noted aircraft and flights.

Under Part II of the Canadian Labour Code the Employer must ensure compliance with:

***Preventive measures***

122.2 Preventive measures should consist first of the elimination of hazards, then the reduction of hazards and finally, the provision of personal protective equipment, clothing, devices or materials, all with the goal of ensuring the health and safety of employees.

***Duties of Employers***

125.1 (z.11) provide to the policy committee, if any, and to the work place committee or the health and safety representative, a copy of any report on hazards in the work place, including an assessment of those hazards;

125.1 (z.14) take all reasonable care to ensure that all of the persons granted access to the work place, other than the employer’s employees, are informed of every known or foreseeable health or safety hazard to which they are likely to be exposed in the work place;

***Duties of committee***

135. **(7)** A work place committee, in respect of the work place for which it is established,

(*a*) Shall consider and expeditiously dispose of complaints relating to the health and safety of employees;

**(e)** shall participate in all of the inquiries, investigations, studies and inspections pertaining to the health and safety of employees, including any consultations that may be necessary with persons who are professionally or technically qualified to advise the committee on those matters;

***Information***

135. **(8)** A work place committee, in respect of the work place for which it is established, may request from an employer any information that the committee considers necessary to identify existing or potential hazards with respect to materials, processes, equipment or activities.

***Access***

135. **(9)** A work place committee, in respect of the work place for which it is established, shall have full access to all of the government and employer reports, studies and tests relating to the health and safety of the employees, or to the parts of those reports, studies and tests that relate to the health and safety of employees, but shall not have access to the medical records of any person except with the person’s consent.

***Appointment of members***

135.1 **(9)** A committee shall ensure that accurate records are kept of all of the matters that come before it and that minutes are kept of its meetings. The committee shall make the minutes and records available to a health and safety officer at the officer’s request.

**EMBRAER ARMING/DISARMING INJURIES**

This continues to be a lengthy, frustrating process as injuries continue to occur.  We have seen a spike in injuries during the month of January 2014 in part due to the cold weather.

Please continue to report injuries and concerns to management and copy Health and Safety.

**GLOBE AUGUST 2009**

**Part II In-Flight Service**

**EMBRAER door lever**

The Health & Safety Policy Committee has been closely monitoring the injuries related to the EMBRAER door, most notably regarding the arming/disarming lever. If you ﬁ nd the cabin door to be unusually hard to arm or disarm, please log it in the Cabin Defect Log and advise the Captain immediately for this to be reported in the aircraft log book. This will ensure that this issue is addressed in a prompt and proactive manner by Maintenance.

<http://acsayul00033.aircanada.ca/epub/pdf/EN/globe_Magazine/Globe_Aug09_portal.pdf>

**The SOP in Publication 356 states:**

**8.3.3.2 Disarming**

ATTENTION BOX:

* The mechanisms of the lock/vent flap and arming/disarming handles are unique to Embraer and their cavities vary from the left side of the aircraft to the right side. Although padding is found underneath all door covers, cabin crew are reminded to use caution while manipulating the handles. To prevent injuries:
	+ Use an open hand position (i.e. use the palm of the hand)
	+ Do not use excessive force when attempting to arm or disarm
* If the handles are stiff and difficult to manoeuvre, advise the Captain immediately and report it in the Cabin Defect Log

**WORKER’S COMPENSATION:**

It has come to our attention that crew members are being told that some injuries/ illnesses are not “work-related” and should not be reported as such.

The provincial Workers’ Compensation legislation states that every worker has the right to report an injury that has been incurred while either at work or performing a reasonable act within the scope of his/her employment. This includes certain activities while on layovers, including getting food away from the crew hotel.

Decisions regarding initial entitlement to loss of earnings and health care benefits are the sole responsibility and domain of professional Workers’ Compensation Board Adjudicators and Case Managers, NOT the employer or its managers.

Decisions may be appealed by either worker or employer, however, no one has the right to pre-judge a claim, or refuse your injury report.

We encourage any member whose Flight Attendant Injury/Accident Report (ACF32-8) has not been accepted, to exercise his/her right to file a report directly with their provincial Workers’ Compensation Board.

Advise your local CUPE Health & Safety representatives immediately and include the date that you attempted to submit your report to the Company, and the name of the manager who would not accept it.



You may also contact us by phone (905) 676-4352 or via email at osh@local4092.ca

**In Solidarity,**

**Your Health & Safety Team**

Tamara DiMaddalena tamara@local4092.ca

Bonnie Wong bonnie@local4092.ca