



Negotiations

Canadian Union of Postal Workers, urban operations

February 13, 2007

Bulletin n° 42

Tentative agreement: Gains in health and safety

We have made some real gains in health and safety with this tentative agreement. New or improved language on the duty to accommodate, safety watchers, Joint Health and Safety Committees, carts, compulsory overtime and stools will make the work floor healthier and safer for CUPW members.

Duty to accommodate

The process to accommodate employees who are permanently or temporarily disabled has been revamped to make it more simple and effective. The process recognizes that the corporation, the union and employees must respect the *Canadian Human Rights Act* on the duty to accommodate.

Employees who have a doctor's certificate can submit a written request for accommodation. The employer must first consider accommodation measures that allow employees to remain in their assignments or in any vacant positions or assignments based on their seniority. This is a major improvement. In the past, CUPW members have sometimes been accommodated without regard for their seniority or the seniority of other members.

The corporation must also consult with the union and make every effort to reach agreement on appropriate accommodation. If no agreement can be reached or the situation requires immediate action, the corporation may take appropriate accommodation measures in order to comply with the *Act*. The union reserves the right to file a grievance.

The parties may agree to designate certain assignments for employees requiring accommodation. Rehabilitation assignments that have already been identified will be maintained unless the parties agree otherwise.

All agreements arising from this article must be approved by the National Director and by local management.

Structure of the Joint Health and Safety Committees

The tentative agreement lays out a new structure for Joint Health and Safety Committees with a greater number of committees and representatives. The union has been in consultation on a new committee structure since receiving notification in November 2005 that Human Resources and Skills Development Canada (HRSDC) terminated the validation for our current health and safety umbrella committees. The union was not making any progress on developing a new structure through consultation. It was important to resolve this crucial issue in negotiations.

The new structure of Joint Health and Safety Committees will comply with Part II of the *Canada Labour Code*. Workplaces with:

- More than 149 employees shall have a Local Joint Health and Safety Committee made up of three union representatives and three management representatives.
- More than 19 but fewer than 150 employees must have a Local Joint Health and Safety Committee made up of two union representatives and two management representatives.
- Fewer than 20 employees shall have one health and safety representative appointed by management and one appointed by the union.

The parties may agree to establish other local committees.

Protecting our jobs and public postal service

377 Bank Street, Ottawa, Ontario K2P 1Y3 • tel. (613) 236-7238 • fax (613) 563-7861 • www.cupw-sttp.org

These changes mean an extra 200 Joint Health and Safety Committees must be created in installations with more than 19 but fewer than 150 employees. Management will pay for three days training for all new union-appointed health and safety representatives.

Joint Health and Safety Committees must hold meetings at least nine times a year and every part of the workplace must be inspected at least once a year. Where union health and safety representatives and management cannot resolve a problem, they may agree to bring in the services of an impartial and qualified outside safety expert. Where a committee is unable to resolve a problem, the matter will be sent to regional consultation before being sent to the National Joint Health and Safety Committee.

The structure we have negotiated is better than might have been imposed by HRSDC or agreed upon through consultation.

Safety Watchers

We now have protection for CUPW members doing high-risk maintenance work. Group 3 and 4 members have frequently performed dangerous maintenance work such as repairs or maintenance on machines which cannot reasonably be locked out or work around live electrical equipment without anyone looking out for them. These members will now have a qualified safety watcher making sure they are okay.

Stools

The corporation will provide up to \$100,000 for a third-party study under the National Joint Health and Safety Committee on the safe use of stools at oversized sortation cases. The study must begin within 120 days after the collective agreement is signed. The ergonomic study will review if the case design can be practically modified to accommodate the use of stools in a way that won't increase the risk of musculoskeletal injury.

Overburdening

Group 2 workers have the highest rate of injuries at Canada Post. The current deal includes many key improvements for letter

carrier health and safety. As part of the tentative agreement, letter carrier carts will be available for all. This is very important for overburdened letter carriers and will allow them to choose when and if they want to use a cart on any given day. The study in Appendix AA will help us select the best cart for letter carriers.

The improvements to Article 50 will force Canada Post to complete assessments of over assessed routes within three months of a request. If volume counts are required, July, August and December will be excluded from the calculation of three months.

Regarding compulsory overtime, letter carriers that work more than one-hour overtime on their own route at least three days per week over a period of 20 working days will receive assistance until the overtime situation is resolved. The amount of assistance given will equal the average amount of overtime letter carriers worked each day during the 20-day period.

Time values in the tentative agreement will reduce the length of letter carrier routes and create new full-time jobs. Letter carriers will receive relay stop values if a route averages more than 1,600 householder pieces per week and will receive an additional one-minute per day for each set if a route has 900 points of call or more. Letter carriers will also receive time values per piece for householders over 6" in width if a route has an average of two or more sets of these larger householders per week.

All these changes serve to make postal workers' jobs healthier and safer. Check for more information on the tentative agreement in the coming weeks on your workplace bulletin board and on our website at www.cupw-sttp.org. Be sure to exercise your right to vote on the tentative agreement at local ratification meetings.

Solidarity,



Pat Bertrand
CUPW Chief Negotiator
2005-2008 / Bulletin no. 216
dn cope 225