



CUPE Ontario Universities Health and Safety Check-Up Report-2006



**CUPE RESEARCH
February 2007**



CUPE Ontario Universities Health and Safety Check-Up Report--2006

The CUPE university health and safety check-up wanted to hear first-hand experience from local activists their experience in dealing with health and safety issues like asbestos, continuing hazards due to deferred maintenance, ventilation, air quality and mould.

The check-ups provide a great forum for CUPE local unions and, in some cases, other unions to meet and discuss issues on their campuses. We were able to travel to eleven campuses during 2006. We used a checklist to guide our meetings with CUPE local executives and health and safety activists. It can be found in Appendix 'C'. Notes from each campus are found in Appendix 'B'.

We hope this report provides a useful tool for locals.

Asbestos

Ontario introduced a new regulation on asbestos in 2006. The regulation calls for increased inspection and monitoring of asbestos. It also provided for safe removal of asbestos. The regulation also provided increased training for workers that could be exposed to asbestos.

Many Ontario universities contain asbestos. Common sources of asbestos are found in products including condensation control, thermal insulation, and acoustical purposes. Asbestos is also often found in insulation on mechanical and thermal systems: boilers, tanks, ducts, boiler breeching, and pipes. Asbestos is also found in many sealants, vinyl floor tiles and ceiling tiles.

Despite the increased regulation around asbestos, most campuses we visited didn't appear to be well acquainted with the new regulations. Ryerson, Carleton, Lakehead, Trent, and Windsor reported that they had no awareness of the plans for a new survey and many locals weren't aware of the existence of the original survey.

Training is also an issue. Carleton, Western, and Windsor specifically identified the need for training. Knowledge of where the asbestos is located on campus remains anecdotal. Asbestos exposure can lead to a variety of cancers that often don't manifest until years after the exposure. The health and safety regime around asbestos concentrates on the protection of employees, yet there students also are at risk of exposure.

CUPE locals at Western, Waterloo and Windsor have a few members that do some removal but companies that specialize in asbestos removal do most of the work. Appendix 'D' contains the CUPE Ontario asbestos regulation fact sheet.

Hazards due to deferred maintenance

The problems identified in the last Campus check-up in 2004 persist. There is still a glaring gap in the funding to maintain and repair buildings so that working and learning conditions are healthy and safe. Touring through most campuses showed even on superficial inspection that these were not places that were safe for learning, working, or living.

Here are some examples of what members reported:

- Water fountains are being removed instead of repaired
- Flooding and leaks occur on some campuses regularly
- Poor lighting has resulted from lack of repairs to fixtures
- CUPE staff have to clean up after contractors
- Carpets get taped up if ripped instead of being replaced
- Window blinds at the library are in disrepair, causing headaches and eye strain
- Frequent elevator breakdowns

Preventative maintenance has been all but abandoned on many campuses. Most deferred maintenance is deferred until it becomes a crisis. Funds seem available for new buildings but not to maintain the old ones. The Ontario government funding framework for access, accountability, and access has plainly failed to correct the glaring problems of deferred maintenance. The Ontario University Council has condemned the inadequate funding for deferred maintenance:

Enrolment growth and quality considerations will also require the expansion of existing campus facilities such as laboratories, classroom and research space, library materials and student services. The university sector faces a major deferred maintenance problem, which impacts students and teaching on a regular basis through, for example, cancelled classes, ruined experiments, and studio closures.

There is a pressing need to ensure that existing facilities do not deteriorate further. The deferred maintenance bill stands at \$1.8 billion, and it is estimated that the annual infusion of funds to address this and prevent further erosion is \$260 million. Currently, \$27 million is provided annually by the province through the Facilities Renewal Program. It is crucial that the federal government and the Province of Ontario come to a resolution regarding their agreements with respect to fiscal transfers and funds identified for postsecondary infrastructure.

*University access accountability and quality in the Reaching Higher Plan, Council of Ontario Universities, 2006,
<http://www.cou.on.ca/content/objects/ProgressReport-Final-%20Dec406.pdf>*

Ventilation / air quality / mould

Moulds can be a hazard in workplaces where there is poor ventilation, excessive moisture, and cut-backs to maintenance. All these factors exist on our Ontario campuses. Old thinking on energy conservation measures have led to airtight buildings that trap moisture, promoting mould growth. The combination of high moisture and inadequate maintenance of heating, ventilation and air conditioning (HVAC) systems, contributes to mould growth. Mould is an emerging crisis on Ontario campuses affecting both students and workers.

Poor ventilation often results from cutbacks, overcrowding of workplaces and employer control and misuse of ventilation systems. Staffing cutbacks mean CUPE members suffer due to a lack of ventilation maintenance workers. Growing enrolments compounded by resource cutbacks causes overcrowding of university campuses. The shortage of workspace means there are more workers in less space, and members are not getting adequate amounts of fresh air.

Here are some of the issues raised during the check-up:

- Complaints identified sick buildings on campuses
- Mould is clearly visible on campuses
- Lack of health and safety training on mould issues
- Many inspection forms don't include moulds
- Air filters are not being changed, often due to cut-backs to positions that focus on preventative maintenance
- Air ventilation is cut-off during the evening and weekends when workers are still on campus often doing work that requires ventilation such as cleaning.
- Staff cuts and contracting out cleaning means not all the proper cleaning procedures are followed.
- Poor design on some campuses lead to exhaust being brought back through the intake.
- Some workplaces aren't air-conditioned leading to very uncomfortable conditions for CUPE members.
- The problems of leaks and flooding exacerbate mould problems
- Temperatures in buildings very uneven
- Many vents are not functioning
- Air quality testing will be done only if a complaint is registered

Other health and safety issues raised on the tour

Overcrowding on campus has only deteriorated since the last check-up. Enrolments have continued to climb during this decade even as the undergraduates of the "double cohort" are starting to graduate, and is predicted to increase well into 2010. The Council of Ontario Universities estimates that the total additional investment needed by 2009-10 to fund the enrolment increases is over \$800 million.

Space is a huge problem on campus. As one TA “I have an office on campus. I opened the door and screamed and I haven’t gone back. It was a little concrete block with a fluorescent light a steel desk and no windows”

These shortfalls are reflected throughout the CUPE health and safety check-up:

- Contract instructors are being asked to do H & S training for TA’s
- Workload issues increase with the enrolment increases without increases in staff.
- Ergonomic issues are not being addressed
- Outdated equipment
- Contractors not working safely creating hazards for students and staff (Health and safety is mentioned in their contracts but they are not monitored.)
- Cut-backs on training lead to health and safety issues
- Major variations in levels of cleanliness on campus
- Incidents of bullying have been reported
- Two campuses reported cancer clusters
- Reported muggings on campus
- Safe walk program exists but it takes too long for someone to show up
- No special bulletins or “Alerts” are posted when assaults have happened and there is no personal safety training on campus
- Overcrowding is an issue that isn’t going away in the near future
- Workers are fearful of being disciplined for safety concerns created from understaffing.

Health and safety committee issues & effectiveness

CUPE health and safety activists acknowledge that the establishment of health and safety Committees over the past 25 years hasn’t significantly increased workers’ influence over health and safety decisions. Joint committees haven’t been the panacea for improving occupational health and safety conditions. The committees are still advisory in nature. Joint committees often don’t recognize the imbalance of power in the workplace and papers over the real conflict between employer and workers’ interests. Health and Safety must remain on the agenda of the local union membership and executive and on the collective bargaining agenda, just like is like any other union issue.

Issues around effectiveness of our health and safety committees arose during the check-up. Here is some of what we heard.

- Where only one committee exists for the entire university, there is a problem for the local having its issues addressed in a predominately non-union institution
- It is a challenge to ensure good communication between H & S reps and the local union executive
- Members are reluctant to raise Health and Safety concerns during inspections if the manager or supervisor is present.

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- Getting the employer to act on Health and Safety committee recommendations is often stymied because of funding. The employer often argues that the problem identified is within the acceptable limits
 - It is a challenge to ensure good communication between Health and Safety representatives and the local union executive
 - Key challenges are making the committee effective and having the WHMIS training done annually
 - If an issue is raised at a joint H&S meeting it can fall off the agenda even if the problem has not been resolved or work completed.
 - It is too onerous to be on the H & S committee takes up too much time

We also heard positive stories from our tour on how some locals keep health and safety integrated in their workplaces. Here are some of the lessons we learned on this tour that can be useful for CUPE university locals:

- Establish a health and safety structure that is well-integrated with the local executive structure (see below for an example of one local's by-laws)
- Ensure you have strong health and safety provisions in your collective agreement (See appendix 'A' for examples)
- Keep health and safety on the bargaining table and involve health and safety representatives in bargaining
- A union-only health and safety committee should meet regularly and caucus in advance of joint committee meetings
- Maintain regular communication with the membership on health and safety issues and discuss it at general membership meetings
- Have readily available information on H & S issues in the union office and at membership meetings
- Don't allow the employer to delay acting on issues
- Organize collective action around health and safety issues and not leave it as an individual complaint
- Train new members on health and safety with a view to identifying new health and safety activists. For example, Local 2626 integrates health and safety training into the TA orientation schedule
- Provide safe place for members to report their health and safety concerns that don't require speaking in front of the management representatives
- Advocate for those not represented on university health and safety committees such as students and work in coalition to fight on health and safety issues

CUPE local 2626 bylaws

9.2 Occupational Health and Safety Committee of CUPE 2626 (OHSC 2626)

9.2.1 Mandate

9.2.1.1 The mandate of OHSC 2626 is to keep open lines of communication between the SOHSCs, the UOHSC, and the EC of CUPE 2626.

9.2.1.2 The OHSC 2626 members meet at least twice per academic year, or as often as the second Vice-President deems it necessary.

9.2.1.3 Meetings of the OHSC 2626 are not remunerated, but are nonetheless mandatory. If a delegate misses a meeting of the OHSC 2626 without having notified the second Vice-President beforehand and without a good reason, she could lose part of her honoraria as defined in article 14.4.

9.2.2 Composition

9.2.2.1 Subject to article 11.4, the second Vice-President is in charge of OHSC 2626.

9.2.2.2 The OHSC 2626 is made up of the following members:

- 2 Delegates to the University Occupational Health and Safety Committee (UOHSC), one of which must be the second Vice-President of CUPE 2626 and the other, the first Vice-President;
- 2 Delegates to the Sectoral Occupational Health and Safety Committee (SOHSC) - Centre;
- 2 Delegates to the SOHSC - Science and Engineering;
- 1 Delegate to the SOHSC - North
- 2 Delegates to the SOHSC - Smyth Road;
- 1 Delegate to the SOHSC – Protection and physical Resources.

9.2.3 Powers

9.2.3.1 Subject to article 10, the OHSC 2626 has the authority to create *Ad Hoc* committees in order to study issues that are deemed important.

9.2.3.2 The person in charge of the OHSC 2626 must advise members of the EC of the creation of such a committee and of its reason for being at the EC meeting following the creation of the committee.

9.2.3.3 The report of the *Ad Hoc* committee, once adopted, shall be given to the Administrative Secretary to be classified in the archives of CUPE 2626.

9.2.3.4 The OHSC 2626 shall have the power to give a Delegate a specific mandate that she must respect at the meeting of her SOHSC or UOHSC.

11.3.4 The first Vice-President holds one of the two seats on the University Occupational Health and Safety Committee (UOHSC).

APPENDIX "A"

CUPE Local 2626
The University of Ottawa
Expiry date: August 31, 2007

ARTICLE 22

HEALTH AND SAFETY

- *22.1 The Union and the Employer shall cooperate in developing and promoting rules and practices to maintain a safe and healthy workplace. The Employer shall make all reasonable provisions for the occupational safety and health of Employees.*
- *22.2 The Employer acknowledges its responsibility to provide a safe and healthy workplace, to provide facilities, supplies, services, procedures and training required by the Occupational Health and Safety Act to protect the health, safety, and security of Employees as they carry out their responsibilities of employment on the Employer's premises. The Parties agree that the Employer shall provide, and the member shall make use of, protective equipment whenever such equipment is required by the Act or Regulations pertaining to the Act for the safe performance of the Employee's responsibilities of employment.*
- *22.3 Union members of the University Occupational Health and Safety Committee and sectoral health and safety committees shall be entitled to time off to attend educational courses and seminars sponsored by any agencies or the Union for instruction and upgrading of health and safety matters. This time off will not be considered as time worked unless required under the terms of reference of the University Health and Safety Committee or under applicable legislation.*
- *22.4 Employees shall be made aware of the risk of occupational exposure to certain hazardous materials for the unborn child, in very clear terms, as part of all health and safety course materials. These courses include but are not limited to, Animal Care Handling Course, WHMIS, Biohazardous Materials Safety Course and Radiation Safety Course.*

Employees may seek all pertinent information related to exposure to hazardous materials, including those which are biohazardous in nature, from the appropriate MSDS information, the Radiation Safety Officer, and the Occupational Health and Safety Officer.

- *22.5 An Employee who becomes pregnant may request precautionary measures, including a modified work program, to protect herself and the fetus, provided that she report her pregnancy to the Radiation Safety Officer, where appropriate, and*

the Manager, Health, Disability and Leave. An appropriate modified work program will be implemented for the duration of the pregnancy, with no loss of pay or seniority during the period of modified work, it being understood that the modification does not reduce the number of hours worked. Where the Employee makes no such report and no such request, there is no obligation on the Employer to provide such precautionary measures.

- *22.6 Where an Employee is exposed to an infectious agent either by working directly with an infectious organism or by working with human or animal tissues or fluids, the Employer agrees to pay the cost of any required vaccination not covered by provincial or municipal health plans. It is understood that the cost of vaccination that is required as a prerequisite of registration in any program of study will not be paid pursuant to this provision. The University agrees not to modify existing policies regarding prerequisite vaccinations unless required to do so by any external agency.*
- *22.7 In order to satisfy the requirements of the Occupational Health and Safety Act (S.8(15) and S.9(34)) and article 4.8 of the Terms of reference of the Joint Occupational Health and Safety Committee: University and Sectoral Committees, with regards to considering time spent for committee work as work time, the Employer and CUPE Local 2626 agree to recognize 210 hours of work time for such activities for all CUPE representatives on the various sectoral and University health and safety committees (2 hours per meeting for five meetings per year and one hour of preparation for each meeting, and 6 hours of inspections per year, per representative).*

For every member nominated as a representative to the University Occupational Health and Safety Committee (UOHSC) by a sectoral committee, 15 additional hours per year will be added to the hours shown in the previous paragraph, upon the University being notified of this nomination.

An amount equivalent to the total hours, times the hourly rate for Teaching Assistants for each calendar period, will be paid directly to CUPE Local 2626 for this purpose, once a year. The distribution of this money will be at the full discretion of the Union, provided that the Union provides a record of spent money to the University upon request.

This money will be forwarded to the Union by the 30th of September of each year.

CUPE Local 1356
York University
Expiry date: August 31, 2008

ARTICLE 26
Health and Safety

26.01 *The University will continue to make adequate provisions for the occupational health and safety of Employees. The Union and the University undertake to consult with a view to adopting and carrying out adequate procedures and techniques intended to prevent or reduce the risk of employment injury.*

26.02 *Where the University deems it desirable in the interest of health or safety for Employees to wear protective clothing or equipment issued by the university, the wearing of same shall be a condition of employment.*

26.03 F/T

The University will provide suitable uniforms. The wearing of uniforms shall be a condition of employment. Upon entering the probationary period for a permanent full-time position, an Employee, will be issued uniforms to consist of ten (10) pieces. Uniforms for new Employees will only be issued once during the fiscal year. Employees may have the choice of pants, shorts, or shirts to a total of four (4) pieces when uniforms are being renewed. Grounds and Vehicles staff shall also be supplied with coveralls and Maintenance staff also shall be supplied with coveralls as required.

26.03 P/T

*The University shall provide Employees with four (4) pieces of uniform. The wearing of uniforms shall be a condition of employment. Upon being hired into a fulltime position, the Employee will be entitled to the remaining uniform allowance as stipulated in **Article 26.03 F/T**.*

26.04 *The University agrees that one (1) Employee shall not be required or allowed to work alone in a swimming pool room. The University agrees that an Employee, scheduled to work alone in a building, will be issued a two-way radio on a sign-in/sign-out basis for the applicable shift. Whenever possible, an escort shall be arranged, upon request, for a night Shift or evening Shift Employee who is required to move from building to building during the performance of that Employee's duties.*

York University, CUPE Local 1356
Expiry date: August 31, 2008

LETTER OF UNDERSTANDING
Health and Safety

York University is committed to the prevention of illness through the provision and maintenance of healthy and safe conditions on its premises. The University endeavours to provide a hazard free environment and minimize risks by adherence to all relevant legislation, and where appropriate, through development and implementation of additional internal standards, programmes and procedures.

York University requires that health and safety be the primary objective in every area of its operation and that all persons utilizing University premises comply with procedures, regulations and standards relating to health and safety.

The University shall acquaint its Employees with such components of legislation, regulations, standards, practices and procedures as pertain to the elimination, control and management of hazards in their work and work environment. Employees shall work safely and comply with the requirements of legislation, internal regulations, standards and programmes and shall report hazards to someone in authority, in the interests of the health and safety of all members of the community.

The University recognizes the right of workers to be informed about hazards in the workplace to be provided with appropriate training, to be consulted and have input, and the right to refuse unsafe work where there is an immediate danger to their health and safety or the health and safety of others.

To this end, York University has entered into agreement with CUPE Local 1356 and 1356-1 to establish a Joint Health and Safety Committee and guidelines for the composition, practice and procedures thereof, dated August 3, 1994. York University will continue to respect the functions and guidelines established for the Joint Health and Safety Committee for the duration of the Collective Agreement. It is, however, understood that should there be changes in the applicable legislation, the parties will meet to discuss the implications.

*It is further agreed that the Union may only submit a grievance should the University unilaterally amend or abrogate the terms of the Joint Health and Safety Committee agreement, and/or fail to provide adequate paid time off for worker members to carry out their Joint Health and Safety Committee duties as specified in this agreement. Such grievances will be submitted in accordance with the provisions specified in **Articles 6 and 7** of the Collective Agreement.*

APPENDIX "A"

**GUIDELINES FOR THE STRUCTURE AND FUNCTION OF
THE JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE AS
AGREED**

BETWEEN

**York University
4700 Keele St.,
North York, Ontario**

AND

**CUPE Local 1356 and 1356-1
Business Operations
Caretaking
Grounds and Vehicles
Maintenance
Security Services
Parking Services
Glendon Operations
June 28, 1994**

PREAMBLE

- 1. It is a requirement of the Occupational Health and Safety Act ("Act") to establish a policy, which should encourage the active participation of all Employees in the prevention of accidents and the promotion of health and safety in the workplace.*
- 2. York University and CUPE Local 1356 and 1356-1 have established a Joint Health and Safety Committee under the Occupational Health and Safety Act and have reached an understanding as to the guidelines for the composition, practice and procedure thereof.*
- 3. The parties acknowledge that a Joint Health and Safety Program can only be successful where everyone in the workplace is committed to these responsibilities. Therefore, the parties undertake to co-operate in ensuring that these guidelines and the full intent of the Occupational Health and Safety Act will be carried out by their respective organizations.*
- 4. The parties hereto adopt these GUIDELINES in good faith and agree to promote and assist the Joint Health and Safety Committee and committee members by providing such information, training, and assistance as may reasonably be required for the purpose of carrying out their responsibilities.*

STRUCTURE OF THE JOINT COMMITTEE

- 1.1. *The Joint Health and Safety Committee (referred to hereafter as "The Joint Committee"), shall consist of no more than sixteen (16) members, with up to eight (8) members selected by the Employer and eight (8) members selected by CUPE 1356 and 1356-1. It is agreed that these members shall as much as possible represent a cross section of the CUPE workplace. Alternates maybe allowed, however, they shall only be used as substitutes and with the approval of the Co-chairpersons. Each party will exchange a listing of their alternates.*
- 1.2. *The Joint Committee shall meet on a regularly established schedule as follows: the third Tuesday of every month at 9:00 am. Any changes will be approved by the Co-Chairpersons*
- 1.3. *There shall be two Co-chairpersons, one from the Employer and one from the workers; who shall alternate the chair at meetings.*
- 1.4. *A Co-chairperson may, with the consent and approval of his/her counterpart, invite any additional person(s) to attend the meeting to provide additional information and comment, but they shall not participate in the regular business of the meeting.*
- 1.5. *The Employer shall ensure that at least two members of the Joint Committee representing the Employer and at least two members representing CUPE (one from each of local 1356 and 1356-1) are certified members.*

FUNCTIONS OF THE JOINT COMMITTEE

- 2.1 *To attain the spirit of the Occupational Health and Safety Act, the functions of the Joint Committee shall be:*
 - (a) *to identify, evaluate and recommend a resolution of all matters pertaining to health and safety in the workplace to the Vice-President (Institutional Affairs) and appropriate designate(s).*
 - (b) *to recommend adequate education and training programs in order that all Employees are knowledgeable in their rights, restrictions, responsibilities and duties under the Act.*
 - (c) *to address matters related to all regulations, Designated Substances and WHMIS where applicable, and receive any reports and portions of reports related to health and safety.*
 - (d) *to deal with any health and safety matters that the Joint Committee deems appropriate.*

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- 2.2 *The Joint Committee members who represent workers shall designate one or more of the members representing workers to inspect the physical condition of the workplace. Where and when possible, a management person shall accompany the worker representative. The workplace shall be inspected once per month. Workplace inspection schedules shall be undertaken in accordance with a schedule established by the Joint Committee. The workplace inspections shall be conducted during the week following the Joint Committee meeting.*
- 2.3 *All health and safety concerns raised during the physical inspection will be recorded on an appropriate workplace inspection form and signed by the Joint Committee member(s) performing the inspection (sample attached).*
- 2.4 *The workplace inspection form will be forwarded to the Joint Committee and to the appropriate director within two days of the workplace inspection. The latter will inform the Joint Committee of the status of the outstanding items by the next Joint Committee meeting.*

Recommendations of the Joint Committee

- 2.5 *The Vice-President (Institutional Affairs) and appropriate designate(s) shall respond, within 21 days of receipt, with regard to written Joint Committee recommendations attached to the minutes (sample attached). The written response shall indicate the Employer's assessment of the Committee's recommendation and specify what action will, or will not (with explanations) be implemented as a result of the recommendation. Any proposed action by the Employer shall include details of who will be responsible for such action and a proposed time frame.*

Accidents and Accompaniment

- 2.6 *The Joint Committee will designate members and alternates if required, chosen by those they represent, to investigate all workplace accidents, and the Co-chairpersons will approve the investigations of incidents that have the potential for serious accidents. The inspection team will be responsible for overseeing that the requirements prescribed in Section 51 and 52 of the Act and Sections 5 and 6 of the Regulations for Industrial Establishments are carried out.*
- 2.7 *The Joint Committee will designate two members (one CUPE and one management) and/or alternates if required, chosen by those they represent, to accompany the Ministry of Labour Inspector while carrying out Ministry inspection of the workplace.*
- 2.8 *The members of the Joint Committee representing workers shall designate a member and/or alternate(s) if required, to be present during work refusal investigations.*

- 2.9 *A Joint Committee shall be consulted concerning proposed workplace testing strategies related to industrial hygiene. A worker member of the Joint Committee shall be entitled to be present at the beginning of such testing*

MINUTES OF MEETINGS

- 3.1 *The Employer will provide or designate a secretary with no voice and no vote for the meeting to take minutes and be responsible for having the minutes typed, circulated and filed, normally within two calendar weeks of the meeting, or as the Joint Committee may from time to time instruct. Minutes of meetings will be reviewed, and edited where necessary, by the Co-chairpersons, then approved and circulated to all Joint Committee members and copy forwarded to the Vice-President (Institutional Affairs) and designates before any broader circulation takes place. Agenda items will be identified by a reference number, and be readily available in a proper filing system. Names of Joint Committee members will not be used in the minutes except to record attendance.*

QUORUM

- 4.1 *The Joint Committee shall have a quorum of (50 + 1) members present in order to conduct business. One Co-chairperson must be present in order to conduct business. If a Co-chairperson is absent, the other Co-chairperson will chair the meeting. The number of Employer members shall not be greater than the number of worker members.*

PAYMENT FOR ATTENDANCE AT MEETINGS

- 5.1 *All time spent in attendance at Joint Committee meetings or in activities relating to the function of the Joint Committee will be paid for at the member's current rate of pay for performing work, and the time spent is to be considered as time at work.*
- 5.2 *Joint Committee members shall be allowed one hour of preparation time for each committee meeting, or longer as The Joint Committee determines is necessary.*

MEETING AGENDA

- 6.1 *The Co-chairpersons will prepare an agenda and forward a copy of the agenda to all Joint Committee members at least one week in advance of the meeting (sample attached).*
- 6.2 *The Joint Committee may accept any item as proper for discussion and resolution pertaining to health and safety, except to amend, alter, subtract from or add to, any terms of the Collective Bargaining Agreement. All items raised from the agenda in meetings will be dealt with on the basis of consensus rather than by voting. Formal motions will not be used.*

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- 6.3 *All items that are resolved or are not resolved will be reported in the minutes. Unresolved items will be minuted and placed on the agenda for the next meeting.*
- 6.4 *When an unresolved issue is still on the Committee agenda after two(2) meetings a committee comprised of the CUPE president, the two co-chairs of the Committee and the appropriate designate of the Vice-President (Institutional Affairs) - the Assistant Vice-president, Facilities and Business Operations or the Executive Director, Safety, Security and Parking Services - will meet to resolve the issue with a report back to the Committee at its next meeting.*

GENERAL

- 7.1 *All Employees will be encouraged to discuss their health and safety problems with their immediate Supervisor before bringing it to the attention of The Joint Committee.*
- 7.2 *Joint Committee members will thoroughly investigate all complaints to get all the facts and will exchange these facts when searching for a resolution to the problem. To assist in the investigation of a complaint, the committee member shall first obtain permission from the immediate supervisor. Such permission will not be unreasonably denied. All problem resolutions will be reported in the minutes.*
- 7.3 *Medical or trade secret information will be kept confidential by all the Joint Committee members.*
- 7.4 *Any amendments, deletions or additions to these Guidelines must have the consensus of the total Joint Committee and the approval of the president of CUPE 1356 and 1356-1 and the Vice- President (Institutional Affairs). The approved changes shall be set out in writing and attached as an Appendix to these Guidelines.*
- 7.5 *Please note: These Guidelines provide a framework for an effective functioning of Joint Health and Safety Committee.*

References can be made to the Occupational Health and Safety Act and its Guidebook- Employers must prepare and review at least annually a written Occupational Health and Safety policy, and must develop and maintain a program to implement that policy {Section 25(2)(j)}. This should be accomplished in consultation with the Joint Health and Safety Committee

IN WITNESS WHEREOF each of the Parties hereto has caused this Agreement to be signed by its duly authorized representatives.

***YORK UNIVERSITY CANADIAN
UNION OF PUBLIC EMPLOYEES***

LOCAL 1356

Vinnie Berman

Dorette Bramwell

Michael Graham

Luis Figueiredo

Shirley Hickman

Matt Graves

George High

Billy Gyamfi

Barry Miller

Jack McCann

Lynda Vecchiarelli

Roger Miller

Andy Wickens

Mohamed Nazir

Sam Salerno

Dated this 18th day in August, 2005, in Toronto, Ontario.

APPENDIX “B”
OUWCC Health & Safety Check-up 2006

I Feb 27, 2006 – Carleton University

Attendance: Locals 4600, 910, 2424, & 3778 (7 members; one staff)
OUWCC Rep Jessica Squires, Janice Folk-Dawson,
Jack McCann

CUPE Staff: M.C. McCarthy; Margot Young; Susan Arab

1. Asbestos

- Locals not receiving reports at the H & S committee
- Last survey done in 1992 by Pincheon company
- The survey has not been updated
- Likely exposures in boiler room
- Glengarry residence walls contain asbestos
- No offer of training re asbestos

2. Hazards due to Deferred Maintenance

- Has the University been investing in deferred maintenance since our last check-up?
 - ◆ Water fountains repaired?– CHECK FACT
(Some reports that water fountains being removed instead of being repaired. Increasing the sales of bottled water)
 - ◆ A number of washrooms have been repaired
 - ◆ \$400,000 for gate
- Washrooms with broken fixtures
 - ◆ Flooded out residences with rotted out pipes
- Poor Lighting - bulbs/ballasts not replaced
- Walkway hazards
- Ceiling tiles crumbling
 - ◆ b, c, d, & e above still a problem - Carleton still pleads poverty re fixing the above.
 - ◆ Smoke detectors in the residence are not being replaced – can't buy new ones
- How does the deferred maintenance affect your daily work life?
 - ◆ It is more problematic getting repairs done for staff
- How do you connect it with funding issues?
- Invisible deferred maintenance? E.g. HVAC systems in disrepair
- Are there faculties or buildings that suffer more than others from deferred maintenance?
 - ◆ Residences
- Elevator breakdowns
 - ◆ frequent elevator breakdowns – there have been a few free falls in the Arts Tower. A contractor does the work

3. Ventilation / Air Quality / Mould

- *Do members complain about air quality?*
 - ◆ *complaints about sick building at Loeb building*
- *Do H&S inspections include an assessment of fresh air intake? (e.i. filters checked?)*
 - ◆ *the custodial work is contracted out and Sodexo does not do the full range of cleaning required to keep*
 - ◆ *carpenters end up having to clean out grates*
 - ◆ *No member training on mould issues*
- *Are air temperatures maintained at a comfortable level?*
- *Has mould been discovered and what action has been taken?*
 - ◆ *yes in washrooms, on pipes, black dots on ceiling tiles*
- *Air Quality testing*
 - ◆ *inspection form does not include moulds turn off air*
 - ◆ *circulation on weekends and air exchange and*

4. Health and Safety Committee issues & effectiveness

- *If an issue is raised at a joint H&S meeting it falls off the agenda even if the problem has not been resolved or work completed.*
- *Each union needs to get reports of inspections and surveys*
- *Local 2424 has written up a protest letter regarding chemicals used for cleaning*
- *Members involved with H & S complain that there is no time to follow-up with the required paper work. There needs to be administrative support for the committee. It is too onerous to be on the H & S committee takes up too much time*
- *Members on the committee have difficulty getting floor plans “Why is it so hard?”*

5. Other issues

- *Contract Instructors are being asked to do H & S training for TA's*
- *Work clothing debate re flammability cotton vs polyester*
- *Overcrowding is worse than it was in 2004. Two TA's share each desk causing a big problem in the library*
- *More workload issues with the apparent lack of limitations on the number of students. Enrolment increases but there is no corresponding increase in staff (local 2424)*
- *Ergonomic issues are not being addressed*
- *Outdated equipment (e.g. six year old computers still in use)*
- *Contractors not working safely. H & S mentioned in their contracts but they are not monitored.*
- *Cut backs on training*
 - ◆ *NOISE*
 - ◆ *Creature on Campus in buildings (e.g. mice &, squirrels)*

6. Ideas for Report

- *Central communications committee for what worked*
- *How to get your admin to be more accountable e.g.using the ACT to shame them*
- *Need activist watch dogs*
- *Strengthen enforcement*

II February 28 – Ottawa University

Attendance: Local 2626 (2 members), Janice, Jack, MCMc, Margot

1. Asbestos

- *Process has started re taking samples*
- *Some training on different levels of exposure*
- *No incidents reported*
- *They have received a document re buildings with asbestos*
- *U has done a new survey*

2. Deferred Maintenance

- *Repairs have been done to the outside of buildings*
- *Need to report issues to have them act*
- *It has been raining in the uni-centre*
- *Will ask about deferred maintenance at the joint H & S committee*

3. Air Quality

- *Problem in older buildings*
- *Students are interested in air quality*
- *Poor temperature control*

4. Health and Safety Committee issues & effectiveness

- *Local 2626 has rep on the U's sector H & S committees*
- *Local meetings always include a H & S report*
- *Good relationship with employer*
- *Currently reviewing H & S policies*
- *They have good language in their CA*
- *Local gets \$6500 for H & S committee expenses*
- *TA H & S training is worked into TA orientation schedule*
- *Have a wall of info on H & S issues in their union office including Fact Sheets and guidelines*

5. Other Issues

- *Major variations in levels of cleanliness on campus*
- *Slips and falls*
- *Sexual assaults and international students*
- *Working alone*

6. Recommendations for Report

- *Include their bylaw and CA language*

III March 6, 2006 – Windsor University

Attendance: Locals 1001, 1393, 4580 (7 members), Jack McCann Jr.,
Janice Folk-Dawson, Mary C. McCarthy, Joel Bentley

1. Asbestos

- *Local 1001 has a person in the bargaining unit working on asbestos removal who has attended workshops.*
- *There is still a debate about who is going to do the asbestos work whether or not to use Pincheon*
- *Most trades people avoid any contact with asbestos*
- *A proper survey needs to be done*
- *The U policy should be reviewed.*
- *Exposures probably happened years ago*
- *More testing needs to be done around floor buffing and the dust that is kicked up*

2. Deferred Maintenance

- *A few ramps for people with disabilities have been put in*
- *U's response is still "We don't have the \$, what do you want us to do?"*
- *Trades people have to clean up after contractors*

3. Air Quality

- *Air filters are not being changed. They eliminated the engineer helper position who did that maintenance*
- *Some old residences have been condemned*

4. Health and Safety Committee issues & effectiveness

- *There is one committee for the whole campus. Five unions are represented*
- *The solidarity committee will address improving the committee terms of reference. This will include a demand to meet monthly instead of quarterly*
- *Will also check into "work well audit" to see if one has been completed*

5. Other Issues

- *GATARA Space a problem "I have an office on campus. I opened the door and screamed and I haven't gone back. It was a little concrete block with a fluorescent light a steel desk and no windows"*
- *The Admin does not respond to concerns re ergonomics*
- *Mouse shit, pigeons and cockroaches around. Sticky sheets are used to catch mice instead of traps*
- *Contractors on Campus not adhering to safe practices*

6. Recommendations for Report

IV March 13, 2006 – Waterloo University

Attendance: Local 793 (seven members), Jack McCann MCMc,

1. Asbestos

- *One CUPE worker does Asbestos removal. The rest of the asbestos removal work is contracted out*
- *A leak in the computer building resulted in the theatre being closed while the asbestos was cleaned up*
- *Vandalism has caused disturbance in the asbestos*
- *The local will demand an educational on asbestos for custodial staff*

2. Deferred maintenance

- *Many tiles are worn out carpets get taped up if ripped instead of being replaced*

3. Health and safety Committee issues and Effectiveness

- *At Waterloo only one committee exists for the entire university. This is a problem for the local having its issues addressed in a predominately non-union institution*
- *Local needs to put H & S on Bargaining agenda and demand to have their own committee*
- *Key challenges are making the committee effective and having the WHMIS training done annually*
- *Local starting to get an improved response at the Health and safety committee meetings*

4. Air Quality

- *Poor ventilation in the architecture building where students are using spray bombs*
- *HEPA filters are changed on a regular basis*
- *Fans are turned off at night – need to have the air tested then*
- *Temperatures can get pretty high in the summer*

5. Other issues

- *No personal safety training on campus*
- *Overcrowding still a problem for some lectures*
- *Class size in 1st and 2nd year can be over 200*

6. Recommendations for the report

V March 14, 2006 – Western University

Attendance: CUPE locals 2361, 2692 and the staff association (8 members),
Jack McCann & Mary Catherine McCarthy

1. Asbestos

- Local 3261 have members that do asbestos removal. Now they mostly just do repairs.
- Video cameras being installed in ceilings by people who are not aware that they may be coming in contact with asbestos
- Cable and ITS workers need to be trained to recognize asbestos

2. Deferred Maintenance

- The preventive maintenance program has been dropped
- Still approx. 130 to 140 Million in deferred maintenance
- The steam lines have been identified as a priority
- Some bathrooms have been repaired in the USC

3. Health and Safety Committee Issues & Effectiveness

- They have a physical plant H & S committee (2361) which is independent from the central joint Health and Safety Committee
- Both local 3261 and the Staff Association appoint their members to the committee
- There are concerns re the quality of the committee inspections

4. Air Quality/Moulds/Ventilation

- Lots of complaints from employees
- The physical plant are saving \$\$ by shutting off the ventilation at night even though the caretakers still are there working
- Food service workers (2692) have major issues re ventilation
- The loading dock at the USC exhaust is as a result of poor design
- The kitchen exhaust is only 15 feet from the air intake for the kitchen
- There is no air conditioning for the kitchen – not in budget
- No consideration for working in areas under construction with high levels of dust
- Mould in older buildings and laboratories because of leaks
- There is no system in place for dealing with mould

5. Other Issues

- exposure to body fluids etc. in labs. Lab workers are fearful of being disciplined for safety concerns.
- overcrowding is not as bad as it was two years ago for the residences
- faculty numbers are not keeping up with increased enrolment
- a few incidents of bullying
- work well audit to be done in Sept. 2006

6. Recommendations for report

- a. include ideas for recruiting new H & S activists

VI April 24, 2006 – University of Toronto

Attendance: Local 3261, 1230 and USW 1998 (12 members),
Jack McCann Jr., Janice Folk-Dawson, Mary C. McCarthy

1. Asbestos

- Rudy Won from local 3261 reported that he sits on the university's Asbestos Committee. There had been ministry orders in 2002 and that they meet quarterly. There had been problem between the contractor hired to remove asbestos and the property managers.
- The unions had demanded a task force on asbestos and eventually they got one
- There was one exposure reported in MSB (Med Sciences Building)
- Rudy will follow-up re the survey reports
- Asbestos floor tiles have been removed at the Athletic Centre
- (Removal of asbestos has now been in progress for some time).
The contractor is Enviro-safe.

2. Deferred Maintenance

- a. Window blinds at the library are in disrepair. This has been causing headaches and eye strain
 - The window are no longer being cleaned at a reasonable frequency
 - Money appears to be used for new construction but not for maintaining existing buildings
 - It appears that the new person hired by the employer for health and safety is interested in preventive maintenance

3. Health and Safety Committee Issues & Effectiveness

- Members are reluctant to raise H & S concerns during inspections if the manager or supervisor is present. Union reps on the H & S committee should have business cards to give members so that they can be contacted.
- Getting the employer to act on H & S committee recommendations is often stymied because of funding. The employer often argues that the problem identified is within the acceptable limits
- It is a challenge to ensure good communication between H & S reps and the local union executive

4. Air Quality/Moulds/Ventilation

- Air filters are being changed.
- At OISE-UT which was reported to have been one of the top ten sick buildings in Canada has had its ventilation upgraded
- A union rep is present for air quality testing
- Temperatures in buildings can be very uneven

5. Other Issues

- *Cancer cluster on seventh floor of Robarts library is being investigated*
- *Muggings on campus and members are asked to carry money bags*
- *Overcrowding is still a problem*
- *Contractors seen to be violating health and safety procedures*
- *Members afraid to report H & S concerns – we need to inform them about their rights under Health and Safety legislation*
- *A big success – OISE-UT has four new elevators*

6. Recommendations for report

- *All unions on the campus need to get together to be on the same page regarding hazards*
- *CA language for working alone*
- *Locals need a plan for addressing the concerns of night shift workers who are often working with powerful cleansers under poor ventilation.*
- *Right to refuse cards should be distributed to all members*

VII April 25, 2006 – Ryerson University

Attendance: Locals 233, 1281 and 3904 (5 members),
Jack McCann Jr., Janice Folk-Dawson, Mary C. McCarthy

1. Asbestos

- *There have been two incidents of asbestos exposure which were reported and forms filled out*
- *The survey has not been updated*

2. Deferred Maintenance

- *Many repairs have been made in the last two years, including washroom repairs, painting, fixing the elevator and replacing the escalator in Jorgenson Hall with a stair case.*
- *Feminine hygiene products often not available in washrooms*

3. Health and Safety Committee Issues & Effectiveness

- *One master joint H & S committee*
- *Committee does not meet regularly*
- *It was suggested that minutes of the committee meetings be posted on the web site, like at York. Individual confidentiality must be protected in that what gets posted does not contain individuals' names.*
- *Local 3904 H & S reps are elected and local 233 members are volunteers*

4. Air Quality/Moulds/Ventilation

- *Air is turned off on nights and weekends when floor stripping and waxing happens*
- *Image Arts building was called sick building. They have fixed the moulds problem there.*
- *In the new building (Students Centre) the air balance is off and the kitchen is not properly exhausted*
- *Also plumbing problem in new building giving off foul exhaust which smells like dead mice who were probably electrocuted because of improperly installed receptacle*

5. Other Issues

- *Key challenge is identifying and acting on cancer clusters. The contractors are not setting the classrooms up properly*
- *Overcrowding is still a problem*
- *Contractors work (e.g. electrician) not properly monitored*
- *Employer is more concerned about the wear and tear on their vehicle but not on the employee's back.*

6. Recommendations for report

- *H & S language for CA and include arguments*

VIII March 30, 2006 – Lakehead University

Attendance: Local 3905 (9 members), Janice Folk-Dawson
& Jack McCann Jr.

1. Asbestos

- *The removal of asbestos in the extension of the Centennial Building was done without notification to the occupants*
- *Sickness in Centennial Building rumoured to be asbestos related*
- *No survey is easily accessible*

2. Deferred Maintenance

- *Fume hoods & eye wash stations need repairs*
- *Tunnels are still bad seven are leaking*
- *Poor lighting on walkways and parking lots with no emergency back-up*

3. Health and Safety Committee Issues & Effectiveness

- *Two CUPE grad students on committee also represented are the staff association and CAW*
- *Local is involved in doing inspection*

4. Air Quality/Moulds/Ventilation

- *Air quality problems in the Braun and Nursing Buildings*

5. Other Issues

- *Safe walk program exists but it takes too long for someone to show up*
- *Some members don't feel safe. Only two security staff are on nights for entire campus. No special bulletins or "Alerts" are posted when assaults have happened but people are informed when bears are in the area.*
- *Still overcrowding. Courses are overbooked in expectation of drop-outs*
- *TA's not given keys to their office*

6. Recommendations for report

- *Something like the un-ranking we did in the CUPE Campus Check-up 2004*
- *What makes it good /bad/ugly*
- *Success stories*

IX May 2, 2006 – Trent University

Attendance: *One OPSEU member representing support staff-
Jack McCann Jr., Janice Folk-Dawson, Mary C. McCarthy*

*Note: We did stop by the local 3908 office and spoke with Pam Brown,
local's staff, and gave her the check-up materials.*

1. Asbestos

- *Asbestos awareness seminars have been conducted*
- *Members do not handle it a contractor is called in*
- *Not aware that a survey has been done – OPSEU has not been informed about it or received a copy*

2. Deferred Maintenance

- *Still a problem especially at Trail but is not addressed at the Health and Safety Committee meetings*
- *There is a new preventive maintenance program*

3. Health and Safety Committee Issues & Effectiveness

- *The employer's H & S advisor is connected to the HR dept*
- *CUPE has 2 reps from local 3908 – one from each unit*
- *The terms of reference are under review*
- *The minutes are not circulated to the locals*
- *Inspector reports are not acted on – blamed on busy, short-staffed etc excuses*

4. Air Quality/Moulds/Ventilation

- *Air quality an issue in Blackburn Hall and Champlain*
- *Moulds at downtown colleges. There is heightened awareness about moulds since the flood in July 2004*

5. Other Issues

- *Already the new Chemistry building is overcrowded*
- *Grad students have raised concerns about working alone in labs on off hours*

6. Recommendations for report

- a. *Make sure that H & S is raised at GMMs*

X May 11, 2006 – Guelph University

Attendance: *Locals 1281,1334 & 3913 (10 members),
Jack McCann Jr., Janice Folk-Dawson, Mary C. McCarthy*

1. Asbestos

- *U is just about completed the asbestos survey*
- *There is an eight hour course available*
- *Level 1 custodial staff, level 2 electricians and level 3 for contractors*
- *Students live in residences with asbestos*
- *Asbestos is in the acoustic board on the wall in the radio station.
Volunteers at the station can fill out exposure forms.*

2. Deferred Maintenance

- *Is at 60Million now*
- *Repairs have not been done on classrooms*
- *McKinnon has had renovations*

3. Health and Safety Committee Issues & Effectiveness

- *Have a new central committee*
- *Working on terms of reference USW is not in agreement with proposed terms*
- *PT faculty need to work with full time staff on these issues*
- *Chris White is the director of H & S*
- *Preventive maintenance program includes changing air filters and only what is needed to keep things running*

4. Air Quality/Moulds/Ventilation

- *New Science Complex has ventilation problems*
- *Water is leaking into the tunnel causing moulds*
- *University Centre considered a sick building*
- *Basement condemned at Trent building because of moulds*

5. Other Issues

- *Local 3913 staff mentioned that the H&S rules were developed fir an industrial setting and students are not really considered*
- *What about workers who are not university employees but work for other organizations located on campus?*
- *Security card entrance releases - scary if someone needs to get in to help*
- *Safety issues at night*
- *Manhole covers were welded shut. Now they have been opened but planters have been placed over them*
- *Challenge to make members especially contingent workers aware of working conditions hazards*
- *University is investigating miscarriages of workers in the library*

- *Flame retardant clothing*
- *Adequate protection not in place for employees in buildings that are being x-rayed*
- *Bullying incidents*

6. Recommendations for report

- *Locals need to get together to have a common approach to H & S issues*

XI May 18, 2006 – York University & Seneca College at York

Attendance: CUPE locals 1356 and 3903, OPSEU local 561,
York University Staff Association (YUSA, and York University
Faculty Association (YUFA) – (13 members),
Jack McCann Jr., Janice Folk-Dawson, Mary C. McCarthy

1. Asbestos

- Local 1356 has had training and the survey has been sent out for tender. They will ask for the report
- OPSEU members believe that exposures likely in the older buildings built prior to 1985. These buildings often have asbestos in the ceiling tiles, floor tiles, fume hoods and pipe wrapping
- What happens with the removed asbestos? – It is buried in land fill.

2. Deferred Maintenance

- Accountability agreements signed with government requires that \$\$ earmarked for deferred maintenance must be used for deferred maintenance.
- At Seneca Aramark does the repairs, At York the physical resource dept handles repairs.
- Takes a long time to fix office equipment and lighting

3. Health and Safety Committee Issues & Effectiveness

- YUSA H & S committee meets once a month and seems to work
- News bulletins includes H & S issues. They don't do inspections with the employer.
- 1356 has regular H & S reports at membership meetings
- OPSEU. They are doing a workplace stress survey and have brought in a wellness program. The joint committee meets twice per semester.

4. Air Quality/Moulds/Ventilation

- Some vents in washrooms don't work
- Air quality testing will be done if a complaint is registered.
- OPSEU member reported the connection of poor air quality to member complaints. An environmental cleanup in an area resulted in a drop in member complaints not related to air quality. For example harassment/discrimination and co-worker complaints.
- Parking lot fumes
- Printer toner smell
- Mould cases are treated individually – mould in coffee cup of nurse in H & S dept.

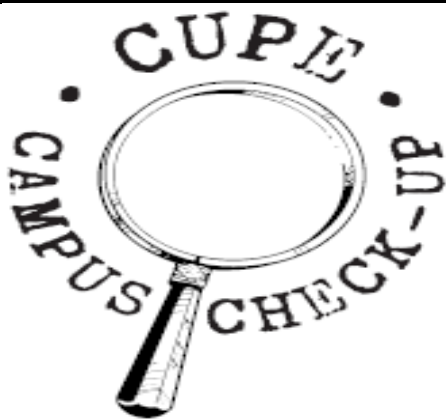
5. Other Issues

- *All union coalition needs to get going again*
- *Which employer York or Seneca owns the problem of slips and falls on campus? A clear answer is needed. Can Seneca workers sue York on their way to work if they fall on a York pathway that is not properly maintained?*
- *Overcrowding still a problem. A day time caretaker position was lost because the classrooms are always full. Parking lot always full.*

6. Recommendations for report

- *Offices should have windows for people working with computers so that their eyes get some exercise focusing long and short distances*

1. *Asbestos*
2. *Deferred Maintenance*
3. *Health and Safety Committee Issues & Effectiveness*
4. *Air Quality/Moulds/Ventilation*
5. *Other Issues*
6. *Recommendations for report*



APPENDIX "C" CUPE Campus Health and Safety Check-up

CHECKLIST

The OUWCC is conducting a CUPE Campus Health and Safety Check-up to implement resolutions adopted at the 2005 OUWCC Conference and the CUPE Ontario Convention. A cost share campaign was developed with funds from Locals, CUPE Ontario and CUPE National.

The Resolution adopted at CUPE Ontario 2005

Where asbestos is present in our workplaces and,

Where not all Universities are consistent in ensuring workers are properly informed as to this hazardous substance existing, providing proper policies and procedures, provide proper protective clothing, training and workplace testing results

Therefore, be it resolved; that CUPE Ontario lobby the provincial government for improvements in the OH&S Asbestos Regulation and,

Be it further resolved that the OUWCC develop a province wide campaign to educate and protect all workers in the sector and lastly,

Be it resolved that CUPE Ontario lobby CUPE National Health and Safety department to develop an audit of asbestos process, superior procedures and collective agreement language for CUPE members in Ontario.

CUPE Campus Check-up Campaign Objectives

- to hear first hand experience from local activists their experience in dealing with health and safety issues like asbestos, continuing hazards due to deferred maintenance, ventilation, air quality and mould
- to provide locals with an update on new asbestos regulations
- to provide locals with resources to improve their health and safety collective agreement language and the effectiveness of their health and safety committee
- to improve communication and support among university sector H&S activists (e.g. via email and OUWCC conference workshops)
- to produce a check-up report that is a useful resource for locals on an ongoing basis

Discussion Points

1. Asbestos
 - b. H & S Committee involvement in dealing with asbestos
 - c. Familiar with new regulations
 - d. Has the survey been completed
 - e. Have there been exposures
 - f. Have there been incident reports
 - g. Have members completed WSIB forms
 - h. Do you have members working directly with asbestos and if so what training have they received?

2. Hazards due to Deferred Maintenance
 - a. Has the University been investing in deferred maintenance since our last check-up?
 - b. Washrooms with broken fixtures
 - c. Poor Lighting - bulbs/ballasts not replaced
 - d. Walkway hazards
 - e. Ceiling tiles crumbling
 - f. How does the deferred maintenance affect your daily work life?
 - g. How do you connect it with funding issues?
 - h. Invisible deferred maintenance? E.g. HVAC systems in disrepair
 - i. Are there faculties or buildings that suffer more than others from deferred maintenance?
 - j. Elevator breakdowns

3. Ventilation / Air Quality / Mould
 - a. Do members complain about air quality?
 - b. Do H&S inspections include an assessment of fresh air intake? (e.i. filters checked?)
 - c. Are air temperatures maintained at a comfortable level?
 - d. Has mould been discovered and what action has been taken?
 - e. Air Quality testing

4. Health and Safety Collective Agreement Language
 - a. reference to maintaining committee
 - b. right to refuse unsafe work
 - c. right to be informed about hazards
 - d. right to training
 - e. right to grieve if employer fails to provide paid time for members to attend H&S committee meetings
 - f. right to grieve if employer unilaterally changes terms of reference of the committee

-
- g. terms of reference of H & S committee
 - h. specific language dealing with asbestos
 - i. extent of the responsibility of members to inform students about hazards

5. Health and Safety Committee effectiveness

- a. How would you assess the level of H&S awareness among your members?
- b. How are H&S activists and reports integrated into local union meetings?
- c. How are H&S reps selected or elected? Is there a reference to Health and Safety Rep in the local by-laws?
- d. How do you communicate H&S issues to members
- e. How do you integrate H&S issues into other political issues the union is involved in?
- f. Is there solidarity with other unions on campus in dealing with health and safety issues?
- g. If you represent student workers how are they trained re H&S?
- h. Are supervisors kept up to date re H&S issues?

6. Other

- a. Willing to participate in an OUWCC health and safety discussion group?
- b. Do you believe that your campus is a safe place to be? Are workers and students informed about hazards?
- c. Is overcrowding still the problem it was in 2004?
- d. Has the relationship between their working conditions and stress been a concern of members?
- e. Have there been reports of harassment or bullying incidents?
- f. Other issues the members raise?

APPENDIX “D”

Asbestos Fact Sheet - Ontario

What is asbestos?

Asbestos is a mineral based fibre that has been widely used in building materials due to its resistance to heat and corrosive chemicals. Although there are six different varieties of asbestos minerals, there are three main types: chrysotile, amosite and crocidolite. Typically, asbestos appears as a whitish, fibrous material. The fibres can range in texture from coarse to silky. Although they may be too small to see with the naked eye, airborne asbestos fibres can cause cancer and lung disease.

Where is asbestos used?

Because of its resistance to heat and corrosion, asbestos has been woven, moulded and sprayed. It has been used in at least 3000 products ranging from brake linings to ironing board covers to children's toys. Asbestos was widely used from the 1940s to the 1970s as fire-proofing on ceilings and beams, insulation on boilers and pipes, sprayed inside ventilation systems and cavities, on automobile and truck clutches and brake linings, and it was added to spray-on wall coatings. Asbestos has also been used in building materials like vinyl floor tiles and ceiling tiles. It has also been added to strengthen the cement used in pipes, asphalt and other construction materials.

Who is exposed?

The use of asbestos is so widespread that anyone who works in a building or area where asbestos was used and is now deteriorating or creating dust is in danger of contracting asbestos-related disease. This includes CUPE members working in universities, schools, hospitals and libraries, many of which were built when asbestos was extensively used.

The aging process causes many asbestos containing materials to flake and deteriorate, allowing the hazardous fibres to become airborne. In addition to aging, asbestos containing materials that are damaged by water, improper maintenance or removal can release fibres which cause cancer and lung disease when they are inhaled or swallowed.

When air contaminated with asbestos dust is inhaled, the small sharp, barbed-like asbestos fibres find their way deep into lung tissue and other internal organs where they remain for life. Over time, they can cause fatal diseases. Breathing even small, invisible quantities of asbestos is known to cause cancer 20 to 30 years after exposure.

What are the effects of exposure?

Breathing in asbestos fibres can cause asbestosis and cancer. Asbestosis is an irreversible disease of the lung that leads to scarring of the lung tissue. As the tissue scarring becomes more extensive, the lung loses its flexibility and breathing becomes more difficult. The loss of lung function often progresses to disability and to death.

Asbestos is also known to cause mesothelioma, a type of cancer almost exclusively associated with asbestos exposure. Mesothelioma develops in the thin membranes lining the lungs and abdomen. This type of cancer is inoperable and always fatal.

Exposure to asbestos can cause other cancers as well. Asbestos workers have increased rates of lung cancer and cancers of the esophagus, stomach, large intestine and rectum.

Exposure to asbestos combined with cigarette smoking is known to greatly increase the risk of developing lung cancer.

What is the cure?

There is no cure for asbestos-related diseases. If detected early, complications can be treated. Removal from exposure may prevent the condition from worsening. Workers should ensure that their family doctor knows they have been exposed to asbestos.

How is asbestos detected?

Wherever there is a fibrous material used in buildings, workers should automatically suspect that asbestos may be present. Demand that a sample be sent to a laboratory for testing and identification.

If asbestos is found, a trained expert must be brought in to determine what should be done. Accumulations of dust should be checked for asbestos. An air-sampling program must be conducted to determine if airborne fibres are present. An important point to keep in mind is that if asbestos containing material can be crushed with the bare hand ("friable" asbestos), dust can become airborne and therefore a hazard exists, no matter what the results of the air sampling shows.

Does legal mean safe? What are the safe levels?

Even though there is no evidence of a "safe" level of exposure to asbestos, most jurisdictions have established occupational exposure limits (OEL) for asbestos.

In Ontario, the *Occupational Health and Safety Regulations* set the OEL at 0.1 (f/cm³) for all forms of asbestos over an eight hour workday.

Although this may sound like a small number, an exposure of 0.1 fibre per cubic centimetre (or 100,000 fibres in each cubic metre of air) for an eight hour day means that a worker can easily breathe in up to a million fibres per day if the worker had no personal protective equipment.

Management may make the claim that because a workplace is in compliance with government regulations, workers have nothing to worry about. This is false. Government standards for asbestos exposure are inadequate and will not protect workers from getting cancer.

What does Ontario Regulation 278/05 mean for workers?

Ontario Regulation 278/05 (Designated Substance – Asbestos on Construction Projects and in Buildings and Repair Operations), which replaced Regulation 838, came into effect on November 1, 2005. It updates work measures and procedures for workers who may encounter asbestos in the course of their work.

Highlights of the regulation include:

- Procedures for removal and encapsulation (sealing) of asbestos containing material.
- Training requirements for workers exposed to asbestos containing material.
- Requirements for employers to monitor, manage and inspect asbestos containing material.
- Attempts to reduce worker exposure.
- Increase in number and type of sampling procedures to identify asbestos.
- More stringent remediation methods and record keeping.
- Safer removal of friable and non-friable asbestos containing material before demolition and renovation.
- Provisions to monitor and manage both friable and non-friable asbestos containing material.
- Establishing a training program for workers who could be exposed.

The regulation does not require the removal of asbestos in good condition (non-friable) but it does provide for an abatement process if the asbestos is removed or damaged.

For the full text of the regulation go to

http://www.e-laws.gov.on.ca/DBLaws/Regs/English/050278_e.htm

What can be done?

The regulation is headed in the right direction but more must be done. The only permanent solution to eliminate the hazard is the removal of asbestos. Sometimes the asbestos is covered up with other building materials. In other cases it is "encapsulated" or sealed with a coating. Encapsulation is not generally considered an adequate solution, as it requires constant monitoring and maintenance. The best method will depend on the condition of the asbestos, its location and what will likely disturb it in the future.

Whatever action is taken, the work must be done by properly trained workers following strict precautions to ensure that no one is exposed to asbestos. The work area must be enclosed and kept under negative pressure. Since there is no safe level of exposure, any asbestos that gets into the air will endanger the health of every worker in the area.

Who can help?

If you suspect that asbestos is present in your workplace, assistance can be obtained by informing your health and safety representative or joint health and safety committee and contacting the CUPE National Health and Safety Representative in your region.