



CUPW Prairie Region

Safety First—Solidarity News

Volume 3, Spring 2005

Medisys or Nemesis? Protect Your Rights!

Canada Post has contracted out your well being as their main concern. Canada Post's main concern is productivity and health care company that reducing absenteeism. Their provides nurses to Canada Post. bottom line is profit.

These nurses have a mandate to get you back to work whether you have pneumonia or a broken leg.

If you are off on sick leave for more than 5 days then you can expect a phone call from one of these corporate contractors to see if they can "help you manage your recovery".

Before you know it, they have you spilling your guts about all your health problems. They might ask you for permission to talk to your doctor "in order to provide their assistance". They will probably give you a form to have your doctor fill out with all sorts of invasive questions.

Beware! Beware! Beware!

Don't be misled into thinking that any agent of Canada Post has

Remember that as an agent of Canada Post, Medisys is subject to the collective agreement. You have the right to exercise your rights under Article 10 and Article 33.

The employer is only entitled to a limited amount of information relative to medical restrictions that affect your ability to do your job. If you get a form from your supervisor or Medisys that requires you to provide medical information - check it out with the Union first. Protect your privacy and protect your rights.

Your Rights!

Know them; use them!

Year ending 2003
CPC reported injuries
6715

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Psychological Harassment

There is new legislation to deal with psychological damages and payment for psychological support. Access to harassment in Quebec. Hopefully other provinces will get on board to deal with this problem that has become commonplace to many workplaces. workers compensation benefits will be based on evidence that meets the criteria for an employment injury.

The legislation defines psychological harassment both as a culmination of incidents and as any vexatious behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures that effect an employee's dignity or psychological or physical integrity that results in a harmful work environment for the employee. Or, it can be a single serious incident of such behavior that has a lasting, harmful effect on an employee which may also constitute psychological harassment.

The legislation recognizes the principles both through the legal remedies of the victim and the effect for workers compensation.

Remedies under the new legislation include reinstatement, indemnity for loss of employment, lost wages, punitive over psychological harassment worth fighting for?

In reviewing the legislation, they provided statistics on who is going through psychological harassment in the workplace by reviewing WCB claims. 83% of the reported harassment cases involved immediate supervisors or employers and in 64% they were the only harassers identified. In terms of who is being harassed, 50% of claims for stress are women, 57% of claims of psychological harassment and 74% of discriminatory harassment are women. 76% of the cases involved at least one male supervisor.

These are all minimum standards now in Quebec under the Labour Standards Act. Most other provinces exclude the right to compensation for disability arising from chronic stress.

ERGONOMICS

How our tools and workplaces are designed and how our work is organized are major determinants of our health and well being as workers

Our work is organized and tools and workplaces designed with one thing in mind- maximize productivity and reduce production costs. The related objective is to organize work in a manner that maximizes the employers control over the worker.

The science of ergonomics is designed to adapt the workplace, the tools and the work with special consideration for the physical, physiological and psychological wellbeing of the worker. It is the study of interaction between the worker and the work environment.

Workplaces that fail to adapt to ergonomic conditions can result in a number of serious injury and diseases such as musculo-skeletal injuries (MSI) this is acute and chronic injuries sustained by muscles, joints, nerves and tendons as a result of the physical stress of work. They result from the accumulated wear and tear caused by repetitive work, static/awkward postures, or forceful movements.

Ergonomic factors that must be integrated into the organization of work in order to prevent injuries such as MSI's are work environments being well lit and workstations designed to accommodate different sizes and shapes. Design tools to fit workers and design tools that reduce lifting and repetitive motion. In other words modify the work to the worker.

The only province with ergonomic legislation today is BC, but the Canada Labour Code calls for studies on equipment workers use. Unions are starting to use collective bargaining to achieve better standards for the membership. We need strong ergonomic regulations and strong regulatory enforcement built into the collective agreement to require the employer to do more for us on this issue.



Industrial Disease

Occupational and environmental exposure to indoor air contaminants when people today spend 90% of their time indoors. Chronic physical disorders that result from exposure to hazardous biological, chemical and physical agents both in the workplace and outside the workplace. The World Health Organization (WHO) estimates that 70 to 80% of all cancer is caused by environmental factors.

According to the International Agency for Research on Cancer (IARC) there are 24 known human lung carcinogens. 23 are the result of industrial processes, while the 24th is tobacco smoke.

Indoor air concentrations are 2 to 5 times greater than outdoor air. It is shocking that we do not have more enforceable standards relevant to

As well, people who are more susceptible to pollution spend more time indoors. Occupational and environmental disease is built into the technical design of our modern production process.

Most of our environmental and occupational health problems are a result of the sweeping changes in the production technologies that have transformed through our economic system since the second world war.

The question of disease causation are really questions about how production will be carried out and at what expense.

The first step towards halting environmental degradation is to adopt the precautionary principle as the

foundation for regulation and protecting health. Protective measures need to be taken such as shifting the burden of proof of harmlessness of a new technology or chemical on to it's producers. Require that a full range of alternatives be examined before using a new technology and decision making must be more democratic and inclusive of all affected parties.

These principles must replace the current "risk assessment" which is based on some guess work estimate of degree of harm verses the acceptable level of harm.

Of 50,000 chemicals in use commercially in the USA, 284 were tested on animals with about 1.2 of those tested shown to cause cancer.

What about the untested?

Letter to Physicians to Protect Your Privacy

This form letter can be cut out and provided to your doctor. The Union believes that the membership should take every step to protect their rights under the collective agreement and their medical privacy. Remember that you have the right to Union representation if the boss (or their agent, Medisys) wants to discuss your medical situation. You also have the right to receive notice that they wish to talk to you so that you can ensure you have proper representation. If they phone you and want to discuss your situation, tell them to call you back tomorrow when you have a representative present. Don't give away your rights!

Date:

Dear Doctor _____:

My employer, Canada Post has hired Medisys to enforce their corporate attendance program. As such, Medisys nurses may attempt to contact you to discuss my medical condition in direct conflict with my rights under my collective agreement.

Therefore, in order to protect my medical privacy, please do not speak with or release information to Canada Post including the corporation physician or their agents from Medisys **unless you have expressed written consent to do so.**

If Canada Post has legitimate requests for information regarding my ability to report to work or to perform my duties, then I will provide the appropriate documents to you, so that I am directly involved in all aspects of my return to work and medical recovery.

Please ensure that this letter is placed on my medical file so that other medical personnel in your office are aware of my instructions.

Sincerely,

signature

Print Name:

Address:

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**Health & Safety,
No Compromise**

**CUPW National Health & Safety Committee
Representatives for the Prairie Region**

**John Friesen, Prairie Region
Education & Organization Officer**

Mike Tarnawski, Edmonton Local

**Mary Lou Woodfield, Regina Local
(alternate)**

Article 4.12 of the CUPW National Constitution describes the work of the National Health & Safety Committee. It is comprised of one member elected from each region at convention and the Regional Education and Organization Officer. Their role is to study health & safety issues and make recommendations to the National Executive Board

Health and Safety is built around three rights:

The right to know (the hazards)

The right to participate (in investigations)

The right to refuse (unsafe work)

Health and Safety Bites

Last year Canada spent more than twice as much on debt reduction than on climate change . I wonder how coming generations will cope with that?

Health & Safety Committees must meet a minimum of 9 times a year with minutes being produced. These meetings are during regular working hours whenever possible. The minutes must be sent to the Regional Office.

The members of the health and safety committee are entitled to take the time required , during their regular working hours, to prepare for, travel to and attend meetings as authorized by both co-chairs of the committee.

Article 33.06

CPC/CUPW Urban Operations collective agreement
The corporation shall conduct such investigations as may be necessary to determine the circumstances surrounding work accidents and health hazards arising in the workplace.

Such investigations shall be conducted in the presence of a Union Representative.

Thanks to Sister Cindy McCallum and Sister Catherine Stearns for their contributions to this newsletter.