

*Procès-Verbal / Minutes*

Meeting of January 20, 2021

<b>Committee members</b>	<b>Names</b>	<b>Attendance</b>
Vice-President, Resources	Karina Adam	x
Vice-President, Research	Terry Campbell (del.)	x
Vice-President, Academic & Provost	No nominee	-
APUO	Evan Sterling	x
APUO	Alexandra Gregory	x
APTPUO	Esther Senneville	x
APTPUO	Omer Livvarcin	-
IUOE, 772A	No nominee	-
IUOE, 772B	Marcel Gagnon	x
OSSTF	Scott Dick	x
OSSTF	Gabriel Ramsay	x
CUPE, 2626	Seema Shafei	-
CUPE, 2626	Agnes Bezerra	-
CUPE, lifeguards	No nominee	
PIPSC	Alain Le Hénaff	x
Non-unionized group	Lorraine Devanthey	-
JOHSC Inspector (non-voting)	No nominee	-
<b>Resource People</b>		
Rep. Deans	Silvana Gandolfini	x
Rep. Deans	Nada Nagy	-
Rep. Directors	No nominee	
Rep. Directors	No nominee	
Health & Wellness	Lise Griffith	x
Office of Human Rights	Noël Badiou	x
Office of Risk Management	Michael Histed	x
Office of Risk Management	Céline Clément	x
<b>Invitee</b>	Brianne Carlson	x
<b>Functions</b>		
Worker certified members	Scott Dick & Alexandra Gregory	
Management certified member	Nada Nagy (certification in progress)	
Chairperson	Gabriel Ramsay	
Secretary	Céline Clément	

**1. Agenda/Ordre du jour**

The agenda was unanimously approved.

**2. Prevention of Harassment Policy 67a**

A worker member indicated that his/her union observed that several instances where complaints of harassment have been kind of dismissed at the preliminary stage before the process was fully started. The union felt that the dismissal was not following the Policy 67a, the procedure 36 and various other places in terms of allowing the respondents to provide a response. In the union judgment the complaints were potentially credible and were serious issues. The member indicated that this was already discussed with the Office of Human Rights but it doesn't seem that the issue was resolved. This is the reason why it was brought to this committee.

N. Badiou indicated that there were some clarifications provided very recently and those complaints are taken very seriously. There are assessments conducted to determine if the complaints meet the threshold of the definition of discrimination under the harassment policy. The definition is from the Occupational Health and Safety Act as well as from the Ontario Rights Code. The Human Rights Office verifies if the complaints meet the definition. Methods to assess complaints with respect to the policy and procedure have also been discussed with the Faculty Affairs to allow for more flexibility and review for opportunities for people to come forward and meet with the HRO prior to an assessment being done. HRO was conducting an assessment without necessarily meeting people, partly because of the pandemic. N. Badiou indicated that they are now making spaces to meet with the members ahead of the assessment being conducted. N. Badiou indicated that in many cases when HRO conducts an assessment to determine whether it meets the threshold of the definition, the file is always kept open in case new information is provided or if there is another incident that happens some of those can bring it to the threshold level.

It was indicated that one of the concerns is that there is a very narrow view taken of what meets the definition. In light of the changes happening in the society such as cyber bullying on the rise and situations like this, it is felt that the member of the union/association has nowhere to turn for support which is leaving the union/association with questions of what can be done next.

N. Badiou indicated that they are in the process of reviewing Policy 67a. In the recent couple of years or year and a half, there has been a lot of concerns not just by employees but also by some students about what is happening online. It is unclear if the current policy captures effectively situations arising from the virtual world. One other thing that is being assessed is whether or not the uO will be creating a Charter of Rights and Responsibilities for the students. This would be another tool that the uO would have to address those online behaviours. Other universities are using this and are helping to address those kinds of situations. Charter Rights from other universities such as York will be assessed to determine if they can be adapted for the uO. Consultation will take place, if the uO decides to move forward with creating a Charter Rights and the Policy 67a will also be revised.

N. Badiou indicated that the timeline to implement a Code of Conduct or Charter Rights “due yesterday”. Therefore, efforts will be made to look for best practices, most effective and efficient policies from other universities and they will determine what would be the most appropriate to implement at the uO. The timeline will depend on the consultation process. At other universities, student associations were very much against the code of conducts. This will require consultation with various groups such as associations, unions, faculty, students, etc. This is not the first time the uO is reviewing the possibility of implementing the Code of Conduct but there were lots of resistance. The proposed timeline to initiate this would be within the next year. The policy 67a is not the most efficient way to address all online or virtual issues. A Code of Conduct on rights and responsibilities will be more efficient to address those kinds of online conduct. The uO doesn't have jurisdiction to what is happening externally to the university, situations that are happening online or anywhere else in the world, unless it can be tied to the work environment, the teaching, the research of the living environment (residence) or it could render the workplace unsafe. It has to have some connectivity with the uO, mission mandate and work environment.

It was indicated that it has to have some nexus to the HRO role and to the uO community. A member also requested to see what has been done and proposed in other universities.

A member asked about the type of process that will be considered which could convince students to adopt the proposed Charter.

N. Badiou indicated that the document should be developed in such a way to allow the student to view the benefits for them and to see that it can be used by the students themselves to address issues with a progressive discipline as appropriate. The goal is to show the student how this will help them, where this will include the student rights such as discrimination and harassment-free education and other rights they might have.

A member asked if the training will be tied to a mark or to allow for registration to a course or other activities.

M. Badiou indicated that there will be a process review to ensure that the on-boarding process is such to make students are aware of the Code of Conduct at the uO. There is a process in place for sexual violence prevention and this option will be explored to ensure it is included in the orientation to students.

In conclusion, if there is any recommendation or comments, they should be placed in writing and review at the next meeting.

### **3. Approval of the minutes of November 18, 2020**

The minutes were unanimously approved.

### **4. COVID-19 and Recovery Plan**

M. Histed indicated that, since the last meeting in November, there was a lot of activities that took place on the COVID-19 front. As of last week, the province announced the new stay at home order as well as the new order in Québec with the curfew. The principal impact will be for those

who are coming from Québec to work or study during the period of 8 pm to 5 am. It will be limited since this does not impact many people. Letters were produced for those impacted or that could be impacted to allow anyone required to be on campus during that period of time. Students were excluded from the curfew but they should carry on their student card to prove to the authority that they are a student, if required.

The main difference between Ontario and Québec is the school opening or closure. In Ontario, the colour changed from a red zone last fall to an orange zone, then back to a red zone. Then, we went to a gray zone and to the shutdown, this over a period of 3 months. The Ottawa positive case numbers were relatively low compared to Toronto, Peels, Windsor and York. At some point during the holiday seasons it was decided that the province will do a lockdown to the entire province rather than the more problematic regional zones.

The main difference seems to be the mostly related to the outdoor gathering where it has reduced from 10 people to 5 individuals. From the perspective of indoor classroom capacity and courses allowed to take place in class, that has not changed. There are a number of courses related to health care (Physiology, nursing, medicine, nursing, etc.) that are designated essential courses, where the capacity can be up to 50 people in a class, as long as the 2 m distance can be maintained as well as the masking inside the classroom. For any other courses that have to take place on campus (ex. Chemistry lab) the limit is 10 people. This has created challenges since, in normal circumstances, those type of class would have up to 120 students or more. The faculty has adapted to this current situation.

In terms of the University approach to plan and adapt to the COVID-19 situation and requirements set by the Province, there is still the Return to Campus Task Force Committee who is meeting regularly. The tasks force is currently meeting every 3 days to monitor and plan for the campus during the current phase but will be shortly returning to weekly meetings once it stabilized again.

There is a document that was produced to assist and to provide guidance with the return to campus that is currently being revised to ensure it is aligned with the new program requirements that are coming up. The document will be provided to this committee for their review of the health and safety components. It will be provided most likely this week for comments to be sent within a week. The situation is moving fairly fast, so it is important to keep up with the province requirements and this is why this short delay allowed to provide comments.

The other important development is about the vaccination. In Canada it has been underway since December. The news this week for Canada was not good because the reduced volume of vaccines that will be received starting from now. The program required to be cut by 50% because of the change that the PFIZER BioNTech company is doing to the manufacturing plant in Belgium. The intent is to increase the volume they can produce but for now they must reduce their shipment to Canada to allow the company to proceed.

The uO is in planning phase to having a vaccination clinic on campus in partnership with the Ottawa Public Health group. This will be a little different than the regular flu clinic since it requires two doses, refrigeration to minus 70 degrees (which we have capacity on campus). Currently there are two vaccines approved in Canada, Moderna and Pfizer. Health Canada is currently reviewing

the AstraZeneca vaccine and it is expected that it might get approved within the next week as well. The effectiveness of each vaccine varies from 60-70 % for AstraZeneca and to 90-95% for the other two. The Moderna vaccine has been distributed more to the northern region and remote communities where the capacity to have -70 degree storage is not really available. On the other hand, there is some storage capacity for -20 degree storage capacity as required for Moderna. The Pfizer vaccine was distributed in Ottawa because there is the storage capacity availability as required for the vaccine. Ottawa has implemented the first phase of the vaccination program which has initiated vaccination with Long-term care and front-line workers, they are looking at a 3-week period before receiving the second dose of the vaccine. Reports from the UK indicate that this could be longer before receiving the second dose because of the shortage of vaccines, some country has decided to provide the first dose to a majority of people and waiting for the second dose to be administered later than the 3-week period recommended.

The priority group currently are long-term care and front-line workers. A lot of people are interested in the phase 2 and phase 3 priority group, questions were raised from professors to find out if they were going to be included in the priority groups. Phase 2 seems to be for educational workers and teachers, it is suspected that this is mostly because the schools are a key to the return-to-work strategy for allowing kids to go back to school and parents to return to work. There is not much more to this for now, except for some program which will allow you to enter your age and provide you with some information of your priority group. It is the province that will set the priority group and the municipalities and the public health unit will be implementing the strategy.

The uO is ready to roll out the strategy and planning to have the vaccination clinic on campus. The uO is currently looking at options for appropriate locations. Today the province has promised an announcement about opening school in Ontario. Those are the main news on that front for now and the uO will continue to monitor and implement measures from the Province.

L. Griffith would like to remind the committee that as an employer, we will not have the choice of which vaccine we will receive for our vaccination clinic. Ottawa Public Health will determine what gets distributed and the uO will have to use those provided. It is not for this committee to decide which vaccine to choose but for Ottawa Public Health to decide.

M. Histed indicated that he would like to mention that the vaccine will not provide immunity. The vaccine will prevent you getting sick or very sick but, it will still be possible to carry on or transmit the virus to somebody else. This is an important aspect of the capacity of the vaccine and this will be until a large number of the population is vaccinated and start observing a significant decrease of people getting the virus. We will still require to wear a mask, self distancing, washing hands, etc., until most likely the end of the year.

M. Histed indicated that the decision for the summer semester will be most likely like it is now. The progression of the research has been put on hold because of the lockdown and this will be until the situation changed. There are a lot of announcements made by universities in North American about the fall, but no announcements were made for the uO. There is hope that we will have more people on campus than there is now.

## **5. The new UOJHS Committee Implementation Structure and Nomination**

M. Histed indicated that the new structure has been implemented and those on this committee have been nominated or elected on this committee. There are also some nominations on other committees, but we are still having vacancies. The unions and associations are invited to provide their nominees for all committee. The Psychosocial Committee is one of the committees which has the most number of vacancies currently and the uO would really like to have that one up and running. As the subcommittees is gradually being implemented with the new structure, their minutes will be reviewed at this committee and will be fully incorporated within this committee. There will not be much change for the lab, office and protection and facilities committees. On the other hand, the two new committees, such as the Alta Vista one and the Psychological will receive more support to assist with their first implementation. There is an online training available for the new members or for anyone who would like to refresh their knowledge about the committee mandate and functions.

## **6. Policy 66 - Prevention of workplace violence.**

M. Histed indicated that the policy was reviewed by this Committee and there was also sent to the Legal Counsel for their review in case there were some changes in the legislation. Since the review process is completed and there is no change, the policy will be sent to the Administration Committee for their annual review. The review is annual so this committee will be provided an opportunity to review in the upcoming year.

M. Histed indicated there have been a lot of discussions over the last couple of months by the Ministry of Labour Training Skill and Development (MLTSD) about the migration of the work force working from home. It was about how the Occupational Health and Safety Act and all its regulation applies at home. With particular to Policy 66 and the violence in the workplace, the MLTSD will not be coming to your home to investigate. If there is a situation with the spouse who is coming to campus and it becomes a threat for the partner or others, the employer would have a responsibility to protect the worker when on campus. It is a very different scenario when it comes to a threat that is taking place at home. The MLTSD has not really come down with any solid decision whether they will consider those for further actions. On the Occupational Health and Safety front, the Ministry has indicted that they encourage organization to provide guidelines to the workers on how to set up their offices, but from an enforcement perspective the MLTSD will not be doing that. This is all new for the Ministry and they are working on making the Act clearer on how this would apply at home. Once they do, we will be coming back to the committee for their guidance and recommendations on how this would be implemented. The Chief Provincial Officer indicated that employer should provide guidelines to ensure their safety but they will not come to investigate if a critical injury takes place. If this is a critical injury, the uO will be required to report to the MLSTD but they will not be coming to your home to investigate. This is very different than if it takes place at an employer location. The MLSTD will come to investigate. The MLSTD is still adapting to the new world we are experiencing currently.

L. Griffith indicated that the Workplace Safety Insurance Act will apply at home. If a worker gets injured during their work day and arising out of work, they should be covered.

A member was thankful for the clarifications provided but would like to find out if a worker can

expect to have support from his employer on domestic violence situations. Western University had information posted on their website on the topic and the worker member would like to have a further clarification about the situation of domestic violence when the worker is working from home, whether the employer can offer support with the matter.

M. Histed indicated this is a challenging issue, in the situation where a worker is being threatened by an individual coming to the uO, measures can be implemented to protect the worker. In the situation that the threat is happening at home, Protection will not be going there and it most likely be the community police. Further discussions have to take place internally with various groups to determine how those type of situations can be addressed.

L. Griffith indicated that some resources can be placed on the Office of Risk Management website, such as information and resources that can be found in the community setting, reference to the employee assistance program, reference to the Ottawa Police resources would also be helpful and beneficial.

A committee member indicated that the Western University has information for the supervisor to assist in what he should be looking for and how they can assess if someone might be at risk of violence.

On that note, L. Griffith indicated that Health and wellness developed a resource to assist on how to do a wellness check and assist supervisor on how to check on employees to ensure that things are going well while they are doing telework.

M. Histed indicated that this needs to be further developed and he will be looking at what Western has developed to see how this can be applied at the uO.

## **7. Matters arising from the minutes of November 18, 2020.**

*-Policy 77 (Occupational Health and Safety) and Policy 66 (Prevention of Violence)*

C. Clément indicated that the policy 77 was reviewed and members were invited to provide comment in 2020. No comments were received and the policy was then sent to Legal Service for their review in case of legislative changes. As there were no changes, the policy 77 and policy 66 will be sent to the Administrative Committee for their review and approval. As indicated by M. Histed earlier, both policies will be reviewed in the upcoming year, as part of their annual review.

*-Policy 18 – Worker Compensation.*

L. Griffith indicated that they have completed the document to have the policy abolished and it will be sent to Ann Bauer for her consideration to have this policy abolished. L. Griffith indicted the committee will be informed when this is done. a request to have it abolished.

## **8. Critical Injury/ Occupational Illness Report & Ministry of Labour Training and Skills Development (MLTSD) Inspector**

C. Clément indicated that no critical injuries or occupational illness were reported to the MLTSD since the last meeting in November.

However, an inspector from the Ministry of Labour came on site on December 18, 2020, to investigate a workplace violence, sexual harassment and harassment complaint. The complaint received by the Call Center of the Ministry of Labour was about a situation where it was deemed that the uO didn't follow up with their internal policies and procedure for investigating a complaint of workplace violence, sexual harassment and harassment complaint.

N. Badiou as well as Managers from Protection Service provided information on the situation to the Inspector of the MLSTD, about the investigation that was conducted and measures implemented. As a reminder, the MLSTD has a limited mandate when it comes to the investigation of a workplace violence or harassment. The MLSTD will not investigate the situation itself but will review if the employer has followed their internal procedures, if there is policy and a procedure to address issues and complaints, etc.

The Inspector of the MLSTD following the investigation with the uO, followed up with the complainer to provide an update and it was determined that the Inspector did not find a contravention of the Occupational Health and Safety Act related to this complaint. That was the conclusion of the Inspector of the MLSTD for now. Unless the complainer provides additional information, this will not be pursued further.

N. Badiou indicated that the external authority will verify that the process is in accordance with the internal policy and procedures, and in this instance here, with the uO internal Policy 67a,b and 66. The Inspector from the MLSTD has not found that any contravention with our internal process. The complainer has not yet come back to provide additional information or has not request for a further review of information.

## **9. Inspection**

S. Dick indicated that one of the attachments provided with the minutes of the committee is a summary of inspections that has been done on campus in 2020. As mentioned before, since the beginning of the pandemic it was recognized by the committee that inspections conducted by Facility Managers/ Building Management Agent or the Health Safety and Risk Management Lead were to be considered part of the committee's inspection. Since there are no people in all buildings at all time, the priority was to actually walk through the building and make sure the facilities are safe and to observe deficiencies or situations that could cause problems. Those tours are conducted on a weekly basis but for some areas which are more occupied and where there is more activities they can be done on a daily basis.

Those tours are not as detailed as those from the JOHSC inspector and they may not include the room numbers of all areas inspected unless a situation was observed. Between the various parties conducting inspections, there is a coverage of around 90% of all areas. For areas that we lease, there is no records of inspections from the uO. This is the same for non-public areas in Facilities such as tunnels or the Power Plant. On the other hand, there are people who are working 24/7 in the Power Plant. Therefore there is an assumption made that those areas are getting reviewed on a daily basis.

The research labs with heavy activities were done by the Health Safety and Risk Management Lead regularly and were completed in a weekly basis. S. Dick also indicated that this practice is extending where activities are taking place perhaps on one and one such as theatre, music, etc. These areas are or will continue to be also inspected. Depending on the access provided to the Facility Managers, they may also have inspected electrical rooms or communication rooms, etc.

In conclusion, inspections are getting done and areas getting looked at and situations observed addressed.

M. Histed indicated that the Ontario Chief Prevention Officer provided an overview on how the MLSTD is considering the workplace inspections during the pandemic. This was also brought up by other universities in Ontario considering that many buildings are not occupied or have fewer activities taking place. The CPO indicated that they will be looking to assess if we are doing our best to accommodate ways or options to inspect during the pandemic s. As S. Dick indicated, we are doing our best to achieve a review of the workplace and we are using the tools available to us to make this the best way possible and inspected all of our spaces and prioritized those that are occupied. The CPO indicated that the universities are not on their priority list for the MLSTD inspector to come and investigate to find out if workplace inspections are being conducted. The number of accidents and incidents from universities do not warrant them to conduct investigation on that matter. As well, in terms of workplace transmission of COVID-19, this is not on their radar.

As for residences, there is active monitoring that are taking place related to COVID-19 and there were some students that have self-isolated themselves. They have not necessarily done this because they tested positive but because they identified themselves as potential for COVID-19. The uO regularly publishes the positive case number on campus on the uO website. In terms of cases in the past weeks, there were 5 positive cases or less. This means that measures in places are effective and most likely respected. The student ambassadors are providing positive feedback on people respecting the measures in place, except in a few cases.

A member requested clarifications on the type of mask that should be worn in the workplace considering new recommendations. M. Histed indicated the type of masks that should be required to wear is under review to ensure it meets the Ottawa Public Health guidelines.

M. Histed indicated that, before the Holidays Seasons, there was a commitment to hire a JHSC Inspector in the New Year. They are currently looking at the process and the position should be posted soon.

#### **10. Review of the Functional Committees Minutes (documents provided)**

No issues to report at any of the committees considering that everything was closed-up other than many water leaks.

- *The Office Committee (September 14, 2020,\*)*  
Last reviewed were those of *May 25, 2020.*
- *The Facilities and Protection Services Health and Safety Committee (June 18, 2020, and September 24, 2020,\*)*  
Last reviewed were *November 21, 2019, January 30, 2020, and April 16, 2020.*

- *The Laboratory Committee (September 2, 2020,\*)*  
*Last reviewed were those of March 4, 2020, and April 29, 2020.*

A worker members indicated no injuries other than those taking place in the hospitals.

## **11. New business**

A committee member was concerned that information was not provided to him related to setting a proper ergonomic station at home during the pandemic and is suggesting that a reminder is sent to the supervisor.

L. Griffith indicated that guidelines were developed to assist workers on how to properly set up their working station. Obviously this was not available for the beginning of the pandemic but efforts were made to expedite the matter and to address this. Those guidelines were developed in collaboration with finances which assisted to determine how much and what will be paid to properly set a work station at home. In addition, the ergonomist did an amazing job to develop an online training which was placed on LADO. The supervisors were informed and were invited to inform their workers about it. The ergonomist does also virtual ergonomic assessments for those who develop issues and the report is sent to the employee supervisor and manager. The supervisor is responsible for ensuring their employees are well installed. In addition, there were changes in the on-boarding process and this will be included.

S. Gandolfini indicated that the Faculty of Engineering has held two sessions. All staff, and professors were invited. Those who participated appreciated the training and she received very positive comments on the information provided. S. Gandolfini thanked Lise's group for implementing such a great training. The Faculty of Engineering was one of the first faculties to organize this for their staff. In addition, all the managers were informed to equip their staff with available equipment. The Faculty was not buying office furniture, but workers could have brought their office chairs home and use equipment available to assist with setting up an ergonomic station. There were many efforts made to ensure staff was properly set up to work from home and the information was communicated.

M. Histed indicated that the First-Aid program will be moving from the WSIB to the MLSTD. In addition, there is a new program proposed for First-Aid and the commentary period are up to mid February. Most of provinces except the Ontario have moved towards the CSA standard in terms of the first-aid program and the intent is for the Ontario to move this way as well.

## **12. New business**

- *Next meeting dates*

- March 10, 2021
- May 12, 2021
- July 7, 2021.

**Signature**



Appointed Co-Chairperson, Karina Adam

2021-04-27

Date



Elected Co-Chairperson, Gabriel Ramsay

17.03.2021

Date