

**Dennis Malayko**

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AUPE headquarters

Interviewer: Winston Gereluk

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Q: Tell us about your background and early influences.

DM: I'd like to start with my parents first. They met in 1946. Dad worked as a presser at GWG and mom worked at Woolworth's in Edmonton at the cosmetics counter. So they both by chance met in a rooming house, they were staying in a rooming house; I don't know exactly which one. It had one washroom, so they kind of met there. So they got married in 1947 and I was born not long after, in fact I'm quite embarrassed at, I'm always the master of ceremonies at our family functions and I made a statement that that was one of the best weddings I ever attended, at mom's and dad's 25<sup>th</sup>. Mom, I could see her head go down and she says, Dennis, we didn't have much to do in those days. So I was born a little bit early, I was born five months after they got married. I was born in Vilna, Alberta, and I first started noticing, mom tells me this story, there was a Catholic hospital and she was orthodox and they treated her quite differently from the Catholics. She didn't get all the special meals and treatments that the Catholic women did that were delivering babies, so I think it started sending signals to me.

So we returned and I actually lived in the homestead log cabin, mud and white plaster, dirt floor for six months of my life. Took my kids there and they couldn't believe it. Dad couldn't really make it on the homestead. He had a tough life. His mom died at the age of six and his dad I think he was 16. So dad was kind of the glue that held, there was four brothers and two sisters together. That's one thing I noticed at any family gatherings, all the young ones were attracted to dad because of his history with them. So he was a real nurturer, but tough life on the farm. So he came to Thorhild, Alberta and worked on the NAR, Northern Alberta Railways. Mom worked in her brother's store, it was called A & K in Thorhild, A & K Store, it was two brothers. Then they purchased some land, a farm just north of Thorhild; it was a quarter section. I think dad traded a car for that piece of land; it was an old vet that owned that property. So I basically grew up on the farm, really poor. We were so poor we had to jack off the dog to feed the cat. I had to tell that story. But mom and dad were really involved in the community. So we were very involved with the community. Mom went to church and in fact she's been with the Women's League. She just got an honour, a Canadian Orthodox honour for 60 some years with the Women's League in Thorhild. It's mainly just cooking for funerals and weddings and that kind of thing, the women's group. Built the church and also very involved in the Egremont church and cemetery. In fact they just returned from a hundred year celebration of the cemetery out in Egremont. It was kind of neat because they actually had the minutes from 1913 that they read where they basically established the cemetery. Dad played with the Country Gentlemen, went

around the province and got to meet a lot of people. He was a drummer, really great drummer. In fact at the 60<sup>th</sup> anniversary when he was 90 years old he played live music with his old buddies, and the grand kids couldn't believe it that he still had that beat. Dad passed away three years ago; mom's still alive and coming 93. Still writing for Ukrainian News, she writes in Ukrainian and English. Just a great historian – we're pretty lucky to have that.

I was really involved in 4H – the beef club, the grain club, and the dairy club. My parents were leaders usually of those clubs and I became a junior leader. That's where I got a lot of, I won quite a few awards for public speaking and we had a lot of debates, etc. In fact I won a trip to CFCW Radio for a week. My topic was the hazards associated with herbicides, fungicides and pesticides, and I happened to win it. So I won a week tour; I forget the owner's name out there. But that was quite an achievement in my career in my young years. I went to Thorhild High School, graduated in 1963.

Dad had my suitcase ready the day I graduated and when I did graduate, when I did graduate the next week I had a relative, no my aunt's brother who worked at the old Charles Camsell, not the new one. Are you familiar with the old one? It was basically a barracks for the American army at one time. I worked in that one. It was converted to a TB hospital by the feds. So I was trained by the federal government to be a panhandler basically, a nursing orderly. They taught me anatomy, physiology, and you could pretty well do anything with the natives and Inuit, it was quite a unique experience. I really enjoyed the culture, that experience. Every Friday night the Inuit would receive their muktuk delivery from up north. There was booze all over that place; when they demolished it they found over a thousand bottles of booze. We'd quite often have to, there was a little bit of hanky-panky going on in the church quite often and we'd have to intervene occasionally. But I got a lot of training. I especially enjoyed the training I got from Mike Alkaway was his name, in inhalation therapy. He basically taught me how to take apart a respirator. TB affects the lungs and it was called the Intermittent Positive Pressure Breathing Apparatus. I learned how to dismantle it, put it together again, and apply it to patients. We were allowed a lot of latitude that you wouldn't have been allowed in acute care. So I learned a lot through the feds as a nursing orderly at that facility.

When the new facility was being built, that would be about '68, I moved to the Alec, Royal Alec Hospital, and I started in medicine and worked through orthopedics. Psychiatry was very interesting. But I ended up as an emergency medical technician in the emergency ward of the Alec. In those days it was quite calm, we'd only have about 250 patients per shift. But what a great learning experience in the Royal Alec emergency. I requested to go to the autopsy suite. I wanted to see basically what the heck. You see all these medical conditions externally and you hear about them. I wanted to actually see the asbestosis and the black lung and all that, so I actually got to see the lungs. I was interested because of my experience at the TB hospital what the heck happens to the lungs. So I actually saw them, and that really created kind of an attitude within me – we've got to start preventing this stuff rather than just discovering it through autopsies, the epidemiology.

Dr. Penny was an occupational health physician at the Alec and he said, Dennis, there's a vacancy. The gentleman who's got the first aid post and safety post at Celanese Canada is leaving. I'm the occupational health physician at that site. You'd be a great candidate to go to Celanese Canada. So I moved there I believe in it was in the early '70s. I have kind of a history of five years in each place. Celanese was a great experience – petrochemical industry, fibres, cigarette tow, all kinds of chemicals production. In fact they were so efficient that they were bought out because of their efficiencies that they could produce fibre and cigarette filters and chemicals, methane, all that, cheaper than anywhere else in the world. So they were bought out just basically to shut them down. But Celanese provided me with a lot of education. Dr. Penny, I basically took training when I was at Celanese. Well the main training was the University of Alberta extension OH&S course; before, it was a certificate course. So I took that course. I bowed out of the one course where it was basically the human resources end of it. I got into big fights with, I was probably the only one who took a labour perspective when I took that course, and I quite often had to back out of the room everyone was so angry at me, at my statements. So I didn't quite complete it, complete that course; I did two thirds of it. But I was quite honoured to be called to the curriculum committee. I forget the gentleman's name, he's a, we know him, I knew him but I forget his name, but he was with Occupational Health and Safety provincially. He included me there. Wayne Lamble was the professor responsible for that program.

Q: Was his name Len Sorochan?

DM: Yes, Len Sorochan. Wayne Lamble was the professor of that program. He was basically the lead on that program, and he was a good friend from 4H in Thorhild. So we still know each other to this day. So that was a great course. I was very interested, most people are interested in the safety side of it, I was very interested in the hygiene side, the occupational health side because I felt that that was being neglected, at least in what I saw in the autopsy suites and in the hospitals. That was a great learning experience for the health side of it, so my focus was mainly there.

Q: What were some of the major hazards at Celanese?

DM: Chemical exposures, a lot of physical hazards, but mostly chemical exposures; we had to do air sampling all the time. Confined spaces, pretty well all the hazards identified today. Repetitive strain injuries with a lot of the motions; a lot of it was assembly line work. Noise is a problem and heat extremes, etc. But I was taught all that. I'll just flesh that out a bit more. In fact that was my first fatal at Celanese Canada. One of the maintenance guys had a small thread on his coveralls that went into a metal lathe and just pulled him right through. So I had to dismantle it. I was first aid; I was first responder to that, so that was one of the first ones I ever witnessed. Celanese also gave me training in addition to that they gave me training as an audiologist, in other words an audiometric technician. So we used to do audiometric testing at Celanese and I was quite often called upon for my expertise to conferences on noise induced hearing loss and that kind of thing, so I would explain that. Also Dr. Penny put me through a program on pulmonary function testing so we could, because I'd do annual medicals for the doc

on all the employees at Celanese Canada prior to, I forget, about 600 employees there. I would also do ECGs and in fact I picked up some heart arrhythmias right at Celanese Canada where we immediately shipped people to the Alec emergency, and I'd be driving the ambulance too. We had an old '52 that you had to wind the siren, but I lobbied for a new one. So Dr. Penny's occupational health position and then Dr. Meldrum came and he was a lot younger. I really learned a lot from them because they'd come there weekly and have discussions about all the risks. Spike Brown, I have to note, he was an occupational health and safety officer. At that time WCB and OH&S were combined, they were together, and that's what we're lobbying for today. So in other words, if WCB saw high incidents of injuries out at our site – and there was usually a lot of cuts and stuff – they'd tell the officer, hey get out there, what's going on? So I'd be the one who accompanied the officer around the site. I really learned a lot from the officers. So mine wasn't as much book education as it was practical experience, most important, and speaking to the workers.

Q: You mentioned that when you were taking the course you were the only one with a labour perspective. Can you explain what the other perspective was?

DM: "Blame the victim". You know, Malayko, they'd say, why are you asking for all these programs to be in place? - because 80 percent of injuries are related to worker carelessness. In other words, they could care less. I stated that if you'd only take the time to look at the indirect causes of, because we had a lot of shift workers at that plant. A lot of them, working with chemicals, they they'd be suffering from chronic fatigue, and that's when the injuries were occurring. Slip-trip hazards, that kind of thing. So I became a lobbyist for looking beyond just the worker. You have to look at conditions, such as shift work, weather conditions, short staffing, all that. I'm pleased to say that we now have checklists in the government of Alberta and Alberta Health that reflect all that. In other words, a supervisor can't put in their bias and blame the victim; they now have to do checklists that identify the true causes. Real good mentors there: Neil Reimer, Reg Basken, he was the president of oil chemical energy workers. I was excluded but they still felt I was one of them. I treated the workers with a lot of respect. Human resources, I often used to catch them trying to sneak into my cabinets in the first aid room, and I'd slam the door right on their fingers. I actually took them home after a while because they were trying to use information. I thought they could use information against folks from their medicals, etc. But Baskin, Reimer and Rolf Nielsen, do you remember Rolf? They really taught me a lot about OH&S. In fact it was Neil and I assisted and helped get Dr. Tee Guidotti, the Chair at University of Alberta - basically it was a chair for occupational health and safety. I forget what year that was, but it was Neil Reimer who was really pushing for that, as well as Reg Basken.

Q: Explain that position.

DM: That position, the way I understand it, I don't have the university you know, the way I understand it is you require a chair for that program to be developed within the university of Alberta. Guidotti was from the States and he had all the tools and he got the position, then it really moved from there. One of his graduates was Dr. Phil Carpola, who is now the medical

director for the province. Phil actually interned through our workers health centre, that's how he got a lot of his experience. I know him quite well through that.

Q: Talk about getting hired by AUPE.

DM: In 1977 Celanese, somebody who was a union agitator was my boss, and he felt I should've been boss, that I had enough experience to really control the health safety and fire and rescue of that workplace. But that was a pretty typical way of getting rid of your union activists, is put them in management positions. So I said, it's time for a move. So one day I noticed two ads in the paper, one for personnel administration office OH&S officer and one for AUPE OH&S officer. I said, well that was a natural. I said, I'm not even going to look at PAO because I know what they'll be asking me there, and it could be basically what I learned through my experiences with the employer through my courses. So I applied for the AUPE job. Bill Finn and Len Jones interviewed me for half a day, four hours. They didn't care about my credentials, they wanted to find out my political stripe, where are you at politically. So I guess I must've, well obviously I succeeded. Val Johnson had also applied on that position, so I was competing against that beautiful woman. That would be October 17<sup>th</sup>, 1977, so I'll be 40 years next year with AUPE. Seventy years old and 40 years with AUPE. In fact I've put in 53 years of work, when I count it from '63.

Q: That was exactly the 60<sup>th</sup> anniversary of the Russian Revolution.

DM: Right. So I was basically hired as a consequence of Article 43 of the master collective agreement.

Q: When was that article negotiated?

DM: I give Ron Hodgins credit. He basically was the negotiator for this language along with others. And I can't remember who the government side person, Joe Perkins. Joe Perkins, he had a goddamn little bump on his head that I wanted to pound into him quite often. What PAO did was hired a lot of management people from the Herald postal service. Herald Gerling and all those were basically terminated from the post office, from the federal as employer relations, and they came here. That was a real issue for me at the start because we didn't have no OH&S officers, we had basically human resources people. They had biases like crazy so I had to fight through those all the time.

Q: But that was a brand new article?

DM: This was a new article, and I'd like to read it because it's very important. I'm giving Ron Hodgins, John Booth, Bill Broad credit. It's my understanding that Peter Loughheed asked for us to set an example of what a program should be like in the worksite. I think it was a lead-in to the joint worksite health and safety committee program flowing from the Gale Commission Report in 1975. In fact, at Celanese Canada, we already had a committee that was structured around

that type of model, I think that's why I was asked to participate in discussions on that. So I'm going to read that.

**Article 43** basically states at 43-01, that the employer and the union agree to participate in the government of Alberta occupational health and safety program and no procedure, rule, regulation or standard or any other provisions contained in that document limits an individual's rights under the Occupational Health and Safety Act and regulations thereto. 43-02 is an important one. The success of the Alberta government Occupational Health and Safety program depends on the active participation of everyone. If any concerns arise with respect to the Government of Alberta Health and Safety Program or the operation of this article, the matter shall be referred to the appropriate occupational health and safety committee for resolution and not by way of a grievance procedure.

This became a major issue, this Article 43-02 became a major issue for us on the heels of the wildcat strike, the correctional officers wildcat strike at the Edmonton Remand Centre a couple of years ago. We filed a policy grievance against the Government of Alberta basically stating that we had about five pages of issues associated with that new Remand centre that weren't being dealt with. We wanted the grievance procedure back, so we filed a policy grievance against them stating that the program's not effective to deal with the issues that we raise. This was kind of the watershed moment for the program, and I'll discuss that policy grievance later. I think that comes later in the program. It also required that the employer advise us of any statistical information regarding occupational injuries and illnesses, which they've been providing us. Without those statistics you really don't have anywhere to go.

I think a very important thing that AUPE did is they also made me responsible for Workers Compensation. That was very valuable. With my medical background I could really represent members, not only represent them at WCB appeals but I learned about what's going on in the worksite. I often used WCB as a tool. If the employer failed to deal with an issue, I'd ask all our members to file claims against them. Like for ergonomic workstations, I'd ask all our admin supports to file claims for repetitive strain injuries that they were suffering. So we'd get up to 100 or 200 claims and then they started putting in ergonomics in the workplace. So it was a very important tool. So I was assigned WCB and just did hundreds of claims. I learned a lot about the worksites rather than just traveling and not able to really get to the bottom of the issues. The other important thing that happened that the program contained is all committees have to provide me with minutes of their meetings. I don't have to come to worksites, I can review their minutes, I can see how long issues are outstanding. So in fact when we filed the policy grievance we're able to see right from the minutes as the record of issues that were outstanding for five to ten years, and why weren't they resolved? We want the grievance procedure back.

We had about 75 committees at that time and my role was to get work participation to that committee. I basically early '80s I believe I said, hey we got to educate these folks. I believe Winston Gereluk was involved at that time. We looked at the education of our members and said, "it's not just enough to appoint these members to committees, we've got to develop a program for them." So I kind of threw stuff together and traveled the province, dog and pony

show from '82 to the '90s, almost 2009, where we'd have the introduction to health and safety. It was one day basically spent in the morning half day on identifying hazards on our workplace, then the afternoon, that was my formula. Let's brainstorm, what's your hazards of work, afternoon is what resources are available to you to resolve these concerns, including legislation. Legislation was very thin at that time, it was just basically the Occupational Health and Safety Act and the regulations, the first aid and some chemical hazard stuff. Now we've come to 41 codes and I have to give Quin Dunford credit for that. Those 41 codes have dramatically changed the workplace. They're more specific to issues at your workplace. I don't think I've ever been stumped on being able to quote a section as a legislation that applies to a situation our member raises.

Q: Give us an example of one code and how it would apply.

DM: Part 27 is key: violence in the workplace. That's one that we're getting a lot of issues. So basically when a member calls the first thing it basically states is that you've got to do a hazard assessment. So every code requires that you do a hazard assessment for the purposes of basically section 2 of the OH&S code. It states you shall do a hazard assessment not only for, well where the Remand Centre failed is they didn't do a pre-occupancy hazard assessment, because the legislation calls for before you occupy that space you've got to do a hazard assessment. What they did is they threw a hazard assessment at us from the old Remand centre and they stated this is sufficient. We said, no you're going into a new structure. Our points have been proved. There's been over 4,000 incidents there of code 44s which are assault on workers in that site. Mainly because, and the issue we raised is competencies. The regulation calls for a worker to be competent to have sufficient education and experience to do the work safely. Our issue there was they hired 400 new folks, new officers, that were basically many of them living at home with mom and dad still, 18 and 19 year olds, expected to supervise 72 inmates in an open concept, many of the Hells Angels and stuff. So it's really proving itself now in that the attacks on those inexperienced officers, they can smell it, the inmates can smell it at the Remand. So we've had 4,000 incidents per year average there on assaults, whereas I experienced at the old Remand in a controlled environment maybe 100 within five years. So that move was nasty, nasty.

Q: How do the joint worksite health and safety committees work?

DM: I actually had the privilege of meeting Peter Lougheed with Harry Kostiuik at a caucus meeting. I wasn't part of AUPE then, but I was called upon because of our model that we had established at Celanese Canada where it was a joint committee; in other words there was co-chairmanship. Basically, the numbers of worker representatives, the employer reps couldn't outnumber the number of worker reps on a committee. You co-chaired, in other words you shared the chair, you were equal. We had established terms of reference that would include, almost mandatory was workplace inspections, reviewing incident reports, and making recommendations to the employer to correct those issues. So as a balance, everyone had to remove their hats, their employer hats and union hats at the door and speak objectively to the

issues on the floor. It's part 13 of the OH&S code now but it's basically called a joint worksite health and safety committee code.

At that time there's one proviso in there that really still haunts us to this day, and that basically states that the minister may establish a joint worksite committee. So in other words, part 13 of the OH&S code really doesn't apply to sites. We often use it as a spirit and intent for committees, as a framework. It basically sets out the guidelines where worker reps select their members and the employer can't appoint, and that's something very important to us; we have to appoint. But it states the minister may mandate this committee exist. We did have one site, and that was Alberta Hospital Edmonton, that was a designated site by the minister in the early '70s. The reason they were mandated was because of their injury frequency and severity rate.

Today they still, the violent incidents at that site are probably the highest in Canada. There's one unit there that the employer has deemed it acceptable for our members to be slapped around and beat up by the patients rather than control. So we're now lobbying the provincial government for mandatory OH&S committees which we have right from day one. When I was at a meeting with Harry Kostjuk meeting with Lougheed, that was a very important point to us, mandatory OH&S committees as we do have in the rest of Canada. We were asking for ten workers or more at a site. What we've done, we didn't get that basically through the legislation but we developed the program called Alberta Government AUPE Health and Safety Program, that's how it started, and we filled in all the gaps with that program. This program is unique in Canada, by the way. Other provinces are saying, how the heck did you folks sit together for almost 40 years at the same table and come up with this wonderful program? It's touched every base, it's enhanced every part of the legislation including inspections, etc. I'm very proud of it. But basically my line is collaboration, cooperation and consensus seeking. I had the right people at the other side of the table.

What we did, I suggested to the master bargaining committee that they sidebar OH&S, i.e., don't negotiate it at the table. How about we sidebar with folks who deal in OH&S, and that would be human resources people at that time, and we'll come back to you with our proposal and we're going to ask for your mandate. That's basically how it's evolved over the years. We've got the spirit and intent of joint worksite health and safety committee in that program and there's a government committee that oversees the whole of the program. I served on that. I'm the only surviving member that's still serving on that committee for almost 40 years, so I have the history there. But we meet quarterly and we report to the public service commissioner and the president of AUPE. It kind of works through our standing committee, so any recommendations we make thorough that committee go to the public service commissioner and the president of AUPE. We're really dealing, we're really focusing on violence in the workplace right now, because the incidence of violence is very high in this province. I've had 1,900 incidents reported to me from AHS in long term cares, and our members are really getting beat up in Alberta Health Services as well as corrections. Our field officers, including our OH&S officers, are now facing violence as a consequence of ticketing. They've become peace officers now and when you take a roofer off the roof who's doing piece work, and most of them have been trained at Drumheller or they're ex-cons a lot of them, you're taking someone off a roof



that's doing piece work and issuing them a \$500 ticket for not wearing fall arrest, we've had threats on our officers. I'm getting calls from every corner of our province on violence; it's really hitting the workplace. But our key focus is to ensure those committees are dealing, that they've got members who are not appointed by management. So I monitor minutes, I look at what issues their dealing with, and I'll pick up issues. I just recently picked up an issue that there's radon at Buffalo Head Smashed In, that there's radon gases there that I immediately jumped on. So I'm picking up all the issues that these committees are dealing with. If I see outstanding issues I can intervene at very high levels, corporate human resources, etc. So the program allows for that to occur.

Q: So if I'm a member who suspects there's a hazard in my workplace, what's the process?

DM: It's called the issues resolution algorithm, we've developed algorithms for that. So you do have to advise your supervisor or your committee. If you and your supervisor don't get along you can go to your health and safety committee to raise the issue. So the issues goes to committee and we've now developed what's called an issues resolution process with timelines. So when that issue hits the table at the joint worksite committee they have to validate it or not validate it. If it's not validated at committee we can grieve, the government has agreed to that. So if it's not a valid health and safety issue 43-02 doesn't apply, so we can grieve them. If it is validated the director of that site has 14 days to give a response. Oh first of all the committee has to achieve consensus and the co-chairs have to sign off that the valid issue of the committee has achieved consensus is valid. So if they do then it goes to the director of the site 14 days. If the director doesn't deal with it within 14 days it moves to the deputy minister. If the deputy doesn't deal with it, it comes to the government committee that we serve on. So there's timelines much like a grievance procedure; it's called an issues resolution process. That's just been put into place since 2009, so fairly new.

Q: What happens when we're not successful at the joint worksite committee level?

DM: What happened with Todd Ross, he refused to work, he refused to enter a maximum security unit because his backup was off the street and basically not experienced, not competent to enter that unit. So he was disciplined, he was terminated. That was a little different because it didn't go to committee, because as soon as you're terminated we filed a complaint under it would be section 28 of the Act at that time; it's now 36.

Q: It's called what?

DM: The employer shall not discipline, you can't take disciplinary action against a worker by reason of them acting in compliance with the act regulations or code. So we filed a complaint under that section of the legislation. Then basically the officer disagreed with us and then we filed a complaint to the council. Rachael helped me with that one, Rachael Notley. We won at the Health and Safety Council of Alberta; they agreed with us because we brought in witnesses and all that. Then the province appealed at the Supreme Court of Alberta and basically stated that Todd Ross did not provide objective evidence that there existed an imminent danger at that

site. So that was probably one of the best things that ever happened to us, because it went before the Supreme Court Justice Veit. She basically ruled that Mr. Ross had reasonable grounds to believe there existed an imminent danger.

I cite that quite often to our members when I'm advising them of their responsibility to refuse work when imminent danger exists. You don't necessarily have to present objective evidence, if you got, well I often tell them, you have certain tools to bring to that task to keep you safe. If they take away your tools you basically have grounds for imminent danger, like trenching not properly cut back or you don't have a backup, you don't have two people for a two person lift. I say that's grounds for refusal, because your hazard assessments are saying you shall have two people for that job. That's basically a legal document. If you only have one you tell your boss, boss, I'm refusing here because I don't have all the tools to do this work safely. It's being used quite often now. We've educated our members on appropriate supervisor response. We first of all advise our members, be sure to advise your employer that you're refusing under section 35 of the OH&S Act. We give them a card to show the employer. Because when we go to council they say, did you make it clear to your employer that you're refusing under OH&S Act? That's a very important point, because then you get out of the employer employee relationship under the collective agreement, we move it to OH&S realm. So we've had a lot of refusals around the province as last line of defense. I think it's through our education that that's really come about.

Q: And the employer hasn't challenged, in the way they did with Todd Ross?

DM: No. I had about five disciplines, firings, that we took to the Council and they weren't challenged. The ones we won in corrections were that they failed to do the procedure following the notification. In other words it states, when you received notification, Mr. Supervisor, you shall investigate, you shall prepare a written report, you shall provide the worker with that written report. He failed in those parts, he immediately fired them for insubordination rather than following procedure. So we won it on procedural. But the Todd Ross decision is very important.

Q: Your program covers a minority. What about all the others, like health service workers?

DM: Health service workers! I've been involved with Alberta Health Services prior to 2009. I was called to the table, to the provincial table. The minister of health and safety and the minister of health, after the Vegreville incident, you know that incident with the sterilizer and SARS? You know the incident in Ontario? They got together and said, our injury rate is four times higher than oil, gas and mining in this province, amongst health sector workers. What's going on here? So they called us to the table. I would be working with Health Sciences, UNA and myself at a table and we established what's called Health Sector Best Practices booklets; I don't know if you've ever seen them. They're excellent books. There's best practices for physical hazards, chemical hazards, biological hazards, and psychological hazards. So that basically started the ball rolling on a steering committee.

So we were invited to the table at Alberta Health Services, that would be Norma Wood, who's the executive director OH&S for the province and Gerda Rasmus is a VP for OH&S, invited UNA, Health Sciences and myself. We got two seats because we have auxiliary and GSS in health. So since 2011 we've established terms of reference and we've established we're basically mirroring the Alberta government safety program; we've used that as the model. So they're probably coming to the point where they're at where the Alberta government safety program is at. So we've identified all the committees around the province, we do teleconferencing with every committee across Alberta once every two months. So in other words, all committee members phone in and we listen as a steering committee and say, what are your issues in the field where you need support, all that other kind of good stuff. So I call it the end of the beginning, we're at the end of the beginning on that. It's still got to be implemented and somebody's got to make sure they carry that ball. But Alberta Health Services is a different creature. We've got a lot of folks who are English as a second language. TELUS used to be their provider for disability, they were contracted for disability management and reporting injuries. Those buggers would be gatekeepers. In other words somebody would phone in and they'd say, that's not a WCB claim, that's not a true injury related to work. So they'd be gatekeepers. So what we did is we fired them and now we have what's called My Safety Net where even folks who are illiterate on computer can basically, they've got kiosks and that at work, they can report an incident at work. That's something we're missing, the number of incidents at work. So we've heard that My Safety Net is probably just a year and a half old but reporting has increased by 30 percent.

Violent incidents are really coming in where they weren't in the past. You know why people don't report, a lot of times? it's because a manager says they don't have a claim. The other thing we did is we found out that many worksites were gatekeeping – when a worker filed claims they'd give their report to the employer and the employer would sit on it, and they weren't getting their benefits. Or they'd be taking money from WCB and only paying the worker for the .4 part-time they were working for AHS. They didn't include all the overtime and vacation pay and all that other kind of stuff, so they were being shorted by \$800 to \$1,000 a month. So my colleague Randy Corbett and I, we basically asked the board to, they did get a fine, they can get \$25,000 per day for gatekeeping. We had good evidence. So their attitude has kind of changed towards that now – they're going to be paying direct in terms of WCB. But injuries, they're looking more at the indirect causes. A lot of it is short staffing. I've developed what's called the issues reporting form that members can report to me electronically.

Q: Lift it up so the camera can see it.

DM: So I know the site now. When I go to an AHS table or a government site I can tell you what occurred and if it's a biological hazard, a chemical hazard, we have physical hazards here. A lot of violent incidents occur at the worksites. Psychological hazards, violence, etc., they're all listed on here. This is a very valuable tool now. They just go to our homepage, click health and safety issue reporting form, I receive it immediately and I can intervene immediately. What I've learned through my career is don't play with the small people, like human resources folk. So I've established a network of the top dogs, the executive directors. We've also formed a coalition with UNA and Health Sciences. So when I file a concern Duey Funk from Health Sciences and

myself, we all hit them together and they pay attention. We've had folks moved that have been there for years that are beating up on our staff moved to the right facility in psychiatric care, etc. So pretty effective. So we're moving in the right direction there. But short staffing is an issue. Ergonomics is an issue. We've got a lot of folks, Filipinos, coming to work here. The beds are designed for 5'8" – all ergonomics is for the 5'8" male, and these folks are having a lot of repetitive strain injury kind of problems, the shorter statures, as well as our kitchens. We don't ignore our GSS folks: our kitchens, our dietary, the pharmacies and housekeeping, because a lot of them are getting beat up when they go into a patient's room. The employer is now having to notify them through just a sticker. Code white is potential for violence, so they just put a sticker on the room so everyone knows before you enter that room you should be asking what's the potential here for a violent response.

Q: What about the nursing homes?

DM: That's where Carol Wodak and John Wodak and I have formed a coalition. Carol keeps me in the loop on where incidents are occurring, so we're really pushing hard. That's where we still, you know these private for profits and all that, we send officers there more often. What we'll do is we'll give an employer a chance to respond to us when I get an issue report. If they tell me where to go, I go to the province, I go to an OHS officer and basically say, they haven't fulfilled their obligations under Section 2 of the OH&S Act, which basically says the employer shall insure that all workers are made aware of their duties and responsibilities under the Act, the regulations and the code. I always tell our members, when you're filing a complaint always cite that section, because that's the general duty clause. Quite often they won't have hazard assessments under the codes. A lot of our sites, their funding formulas don't include housekeepers. So they're getting our nurses, LPNs and ACAs to do the housekeeping in addition to patient care. So that's something we're trying to overcome right now, to get that funding formula changed. Because these folks, they don't have a clue about infectious disease control, about some of the super bugs that are onsite. In fact I just returned from Barhead Shepherd's Care where they have these sophisticated machines that kind of mix the chemicals, a pump that mixes chemicals from pails. Our members didn't have a clue on what the heck that product was and WHMIS requirements. The right to know is very important.

Q: Talk about the introduction of WHMIS.

DM: Basically the rights, and I learned this from Bob Sass - the 3 Rs. Basically the right to know, the right to participate. The right to know the hazard you face, the right to participate in decision making as it relates to occupational health and safety, and the right to refuse. I have a Malayko one I added: the right to resolve. I basically say, you have a right to have your issues resolved. You can have those rights but you basically need that right to resolve. So WHMIS is a piece of right to know legislation. Joint worksite committees basically have a right to participate. But WHMIS is basically, there are a lot of issues around especially English as a second language in the healthcare system. We had an incident where one of our members misread 'cleaner' and poured it into her eye after she got some dirt in it, and it was industrial cleaner. So it's obvious that the education is lacking, is very superficial, etc. Now we're going to go to harmonization

where the labeling is going to be global, so everyone needs a retrain; the old labels no longer apply. As well, I go to a lot of sites where there's decanting from large vessels into small bottles, and they're not labeled properly. We jump on them and we train our committees to make sure you look at this kind of stuff as part of your inspections. Once you decanter you got to label what's in there and what the risks are, and then a material safety data sheet has to be provided.

Something that UNA and Health Sciences and AUPE have joined in on is medications. Cytotoxins right now are high on our list. We've got a lot of folks in long term care or out that get cytotoxins, which are basically chemotherapy that they swallow by pill. But we worry about, so the feces and urine and any body fluids, nobody's worried about our housekeepers that handle that, or our laundry workers. So we're really big on material safety data sheets for medications that come to the site and what impacts they can have upon the workplace. So that's another part that's really not included in WHMIS, they're excluded; the drug companies have done a great job of that. So we're at least asking for the medication, the pharmacists to assist us on some of the risks. But personal protective equipment is very important to us as well. So WHMIS has really changed dramatically but the education is really lacking.

Q: What does WHMIS stand for?

DM: Workplace Hazardous Materials Information System.

Q: And cytotoxin?

DM: It's basically radiation, you know chemotherapy by tablet.

Q: You must be miles away from having the same worksite safety for nursing homes since the government just recently got into them.

DM: Well there are committees at the workplace, the committees have been there. Alberta Health, I got to give them that. I've got a list of every worksite committee; there are probably around 200 committees around the province. But they're coffee clutches and they're dominated by management. At the Royal Alec right now there's 30 people show up to a committee meeting, and they're all mostly management. So we're in the process of dismantling that to the spirit and intent of the, once we got the issue report form we're dismantling that committee and bringing it into line with what the code requires but more so within the terms of reference we've established within the steering committee, the AHS steering committee. We've established terms of reference for committees, yes.

Q: Talk about some major incidents that you've encountered with sick buildings.

DM: Sick building, we did quite a campaign on that one. We actually have a cartoon that we developed in one of our Impacts, and I just can't find that at this time. It's basically a building with an icepack on its head and a thermometer out of its mouth, and people screaming to get

out of the building. So basically, the bottom line on sick buildings is that there's lack of refresh. It was done for energy conservation. So in other words, they're not bringing on fresh air into the building because they have to heat it, so they were recirculating used air. The best indicator of sick building is high carbon dioxide levels in the building. We did some measurements at the Edmonton Remand Centre in the drunk tank area. The carbon dioxide levels were 4,000 parts per million, action level is 800 parts per million, so it was a pretty sick place. So what we did – I wasn't getting any results from begging and pleading with the government through joint committee or infrastructure – we developed what was called the 'Sick Building of the Year Award'. We asked for nominations from members across the province to tell us why they think the building was sick, what symptoms they were suffering, and what remedy is required. So we must've got about 50 or 60 buildings around the province. Then we did much like David Letterman, the Top 10, at our convention. The Edmonton Remand Centre won first, they won first place. There was 700 smokers in there; all the inmates could smoke in that place. So what I did is I went out in front of the Remand Centre and I had a little trophy that I made, and it would cough and hack, and I made front page of the Journal. I was waiting for the director to come out and receive the award, and he wouldn't come out – Stu Banner at that time.

But it really brought focus on that, on the sick building of the year award. Not long after that I got a call from Barbara Frum and she said, we like that campaign, would you agree to serve on a panel with her and Buck Walters at the Citadel, and we'll do a session on sick building. So I participated on that panel and it was at the Citadel. I basically presented, your machines don't tell the story, it's the people in that building. Infrastructure is always worried about the building, they don't worry about the occupants. So basically after that I had been lobbying to get in that Remand centre, I'm the only guy that was kicked out of there; any time I went in they'd boot me out. They invited me to participate in a one-year study at the Edmonton Remand Centre each season – summer, fall, spring and winter – to do testing with a certified hygienist. I basically walked with him and saw the results. I can't remember the gentleman's name but he was AUPE friendly because they're our members. Dave Gibson I think was part of that team. He was weird but when he saw something that he didn't like he really went nuts on it. Those results came through and that's where we're getting that 4,000 parts per million of carbon dioxide. As well, I asked all our members to file WCB claims for asthma. We got 60 claims for asthma accepted due to exposure to cigarette smoke in that workplace. Following the WCB acceptance of claims and the study we got a \$10 million retrofit in that building. They started bringing on fresh air, they found that their systems were all out of whack. I also linked up with, I forget the lawyer's name. He's a shark, he basically, I knew him from lacrosse and he says, I'm going to file a complaint with you on the conditions in the Remand centre; give me all the information you can about indoor air quality, etc. So we worked behind the scenes together and he brought pressure from a legal perspective, I brought pressure from the corporate perspective. So I was lobbying for shutting down smoking. That's when I called upon Dr. Carpola, I asked for a meeting with him and all the HR folks, human resources responsible for sojan justice. I had myself and my team, Hal Griffiths and the president was there, and we effectively lobbied to have smoking cessation, shut the smoking down in that building. Their facility was designed for 250 inmates, they ended up with 800 at one point, and most of them smokers. So then they went to patches, nicotine patches. The inmates started melting that down and smoking it; it was even worse than

the smoke. So we got that banned. So it went total non-smoking in the workplace, and there was so much residual smoke in there that the officers couldn't, a lot of them were developing asthma and medical conditions.

That's when I think the wheels began in motion for building of the new centre, the new Remand Centre. But the problem with the new Remand is we had worker participation on that committee but they basically disbanded that committee because we were asking for too much, is what they basically stated. So they went their own way and we still have issues with that. The other key thing that happened there is Alberta Infrastructure and AUPE agreed on indoor air quality standards for the office environment. So carbon dioxide, if it's 800 parts per million that's an action level, so I can cite those to this day. Carbon monoxide is one tenth of what's in the OELs, the occupational exposure limits. We have mould in there, we have nuisance dust. At a lot of sites we have issues with nuisance dust; our provincial buildings are an issue right now, major issue with all the plants they've got in that building. We've got a lot of folks that the dust on those plants, and also the watering creating mould spores and the dust is creating some major issues for us. We've had people who basically can't work in those buildings because they've developed asthmas related to the exposures. As well, fertilizer basically exhausts off some particulate that can be harmful to your respiratory. In fact I went to the new federal building yesterday and they've got the living walls with plants. That's going to become a major issue for mould, and as well they're spraying pesticides on it that's going to migrate throughout that facility as well.

Q: Were you successful in moving any of this into the WCB at least to get some of the claims accepted, for air quality?

DM: Basically we got accepted. I had a number of asthmas accepted in my career, hundreds of them related to work related exposures. I think that's why things changed, that's why we got the new standard. I have a contact in infrastructure, Colin Wilgreby. He's the expert, so whenever I get a concern about indoor air quality I do what's called a subjective survey. Infrastructure has a rule that you have to have at least 10 percent of the occupants complaining before they'll act upon it. So what I immediately did is I just did the Leg. In fact the Leg has some major mould issues, the caucus room. I left it alone with the Tories but since Rachael's there I advised them, we'd better get that corrected. So they did a major cleanup of that dust. They did a major cleanup of dust, they've basically changed all the filters, etc., because it was nasty in there. For somebody who's very sick, moulds can create some major issues, and as well there's some asbestos in there, etc. . . .

When I first started with AUPE within my first year of being the health and safety representative with AUPE we had two fatals, and I have the list of our members' fatals. There's 66 to date. These two were employed with environment and they were basically doing water samples in Lac La Biche and their canoe capsized and they died of hypothermia. But this really educated me on how I got to handle fatals within the government of Alberta. I basically went after them to set the tone, went after them to say, hey when a fatal occurs I wanna be involved. I want all the details, because our Article 43 requires that you notify the president and/or his designate,

so I was the designate. I wanna know what happened, I wanna see the fatal reports, I want to see the recommendations and I want to see the implementation of recommendations. So I set the tone back in '77 with these two fatals, and it continues to this day. They report to me even if I'm at home on weekends, etc. But a number of these, there's 66 members have been killed. I began keeping records of our members since '77; 66 killed on the job since '77. We recently had one accepted for a suicide, a correctional officer suicide related to post-trauma stress disorder. So that's really going to, with all due respect to him and his family, his wife has formed a coalition with me to ensure that we get included in that Bill 1 presumptive clause which we think is coming in the near future. But the majority of these instances were in transportation. I investigated more incidents, 16 incidents of our members being backed over by a paving unit or coming to close to the paving unit. The youngest one was Nicole Royee; she was in university and this was just kind of a STEP job, summer job, and she was backed over. We really went after them. In fact I was at a conference in Lethbridge, a health and safety conference where it was the first time the public service commissioner had ever attended one of our conferences. He was fearful to attend, and I forget his name at this point in time.

Q: Was it James Dickson?

DM: Yes it was. He was so worried about attending that conference we almost needed to bring security guards in. He felt he would be slaughtered when he entered. But we treated him with courtesy and there were very respectful questions asked of our delegates from our members. As he's speaking we had a fatal occur in the Lethbridge area. A vehicle struck one of our fly persons. That really brought home to the government of Alberta. I forget the name of the person who was killed, but that really sent the message to Mr. Dickson on how important OH&S, and I found that OH&S was really enhanced then. That's why I really strongly lobbied to get HR persons removed from OH&S responsibilities and get some OH&S consultants involved in the field. Today we see OH&S consultants for every department, and that includes AHS. I can contact somebody from northern, southern, the whole province, and we have consultants in place rather than HR consultants who don't have a clue. I once saw a person measure for carbon monoxide with a carbon dioxide tube and a Dreger air sampler, and I embarrassed him in front of everybody there. But anyway, so we did have friends within each department, and Mr. Lansian was a good example of someone I could talk to with regards to, hey c'mon we've got to get some changes. Those rumble strips that they put on the side of the road for when you wander, that was our idea. We put on a major campaign for highway workers at that time: Our members are making highways safer for you, make it safe for them. We launched a major initiative. But it wasn't long after that they went to privatization.

Q: Why was that a bad thing for health and safety?

DM: Well basically our members really in terms of, they really knew their work. They knew their work and they knew how to work it safely. Many of them had equipment that may not have been up to date; they took a major hit on budgets and stuff. But they knew their jobs, and that was a major blow to a lot of grader operators and people that worked around the province when they privatized. But it's kind of come full circle now. We've now got the contracts. Curilian



has signed on with AUPE as joining AUPE. One of my first jobs was to shut down one of their trailers. The conditions were atrocious health and safety wise. It was full of black mould, it had squirrels running through it and mice droppings all over. So they sent me an issues reporting form and I basically got them moved to motels with single rooms, and we basically had public health and OH&S shut their camps down. So they're having the same issues our officers used to have working with defective equipment, long hours, fatigue, etc. So that's why every issue that we ever receive, it's very important to follow up on that and get back to the member on it. The government and OH&S know that I receive this information. We never share the member's name, we share the issue. I think it's really helped to enhance OH&S at the site. They're taking hazards much more seriously because they know, especially at an AHS site, that once AHS, UNA and AUPE form a coalition on that issue we're in trouble, we'd better deal with it.

Q: There's been movement in health almost like in the civil rights movement. There was a period of movement corresponding to the time you were hired. The situation before you were hired was pretty abysmal, not just in this union but in the whole province and around the world. In North America specifically, there was movement, and this movement was created by the public and by certain leaders. You knew many of these people and worked with them. Talk about some of them.

DM: That was quite a dramatic change in my career when I was put forth as a member of the Federation of Labour executive council. With that came my ability to serve as chair of the Alberta Federation of Labour Health and Safety Committee. Man I met the dream team, folks like Ray Sentes (may he rest in peace), Janet Bertinuson who was basically hired by the Alberta Federation of Labour for the health and safety program. I had met her, we had invited her to a conference to speak at an AUPE conference and I was just very impressed with her, so I actually put in a very strong recommendation for Janet to come. Colin Lambert was with CUPE. Then I get the likes of Rob McDougal on my committee, I'm talking my committee now, very strong OH&S committee. So we have people like Bob Zorniak from Steel, we have Rob McDougal from the Energy Chemical Workers. We had a number of postal worker employees: Beth Nielsen, Wendy Vandersteen, and another person there. Names are slipping me a bit. And Jack Hubbler from the Trades. Man, that was quite a team. So we basically through this group, we made some major moves in the province, and that was not only to do OH&S legislation, we made representations, but we also formed a, we got grant money from the Government of Alberta to host one month's training programs. I forgot to mention Robin Campbell and Alex Gallagher were also part of our OH&S committee, and a big supporter was Phil Oaks. Phil Oaks, I think he was from the mine workers. So we actually got grant money and Janet was lead on that and Felice Young was there, and Susan Ruffo always kicking me from behind with her agendas. We basically got that one month training. I know Robin Campbell attended that, Alec Gallagher. So it was one month of OH&S training for basically leaders throughout the province. That was a recipe that I found to this day is very important – train your members on OH&S so when they go back to the site the management's embarrassed by how little they know. We've noticed that since we've enhanced our training program – and I'll talk about our new OH&S training program – when our members go to the site and ask their manager about hazard assessments and audits and all the legislation, quite often they'll throw the employer employee relationship at them

because they're not knowledgeable. I raise this at the table and I'm saying, I'm getting tired of the ignorance that your management faces. They throw the collective agreement at someone rather than dealing with the OH&S issue at the worksite. So we've noticed a change in responsibility, and the Westray bill was very important. Basically we publicized that basically saying that, hey you deputy minister, you minister, you have some responsibility here and you have culpability. So that was a very important issue that we raised in this standing committee.

Q: What was the Westray incident?

DM: It was a mine explosion, where the methane gas was at very high levels and the company basically ignored it, and everyone there got off scot free. So Westray Bill C45 was basically a bill which said there's due diligence requirements at all levels - so it's a very important bill. Just not enough prosecutions at this time, yes. So that was very important for the education of the leaders across the province. We noticed a difference in the province once the leaders got back to their sites. I realized that that's very important we get it to our members to have province-wide training – high level, good quality training – to make sure when they go back to their sites they know which they speak, and use the legislation as their basic objective support to get issues resolved.

The other important thing that this committee did besides lobbying on every issue was the Alberta Workers Health Centre. That's how we started the Workers Health Centre, through this committee. We drafted the charter and Susan Ruffo was the first director there. It was built on a principle of dealing with health and safety issues but also WCB advocacy. We wanted to basically assist the unorganized sector in using that as kind of a tool to organize, bring them to that centre. So we had the likes of Fred and Ron Pike there, we had Bob Zorniak as an advocate, Jack Hubbler. I did stints, voluntary. The postal workers helped out quite extensively. That was a good, excellent place for workers, unorganized workers to come. WCB withdrew funding after a period of time because they felt there was a conflict of interest, that they were badmouthing WCB too much. So somehow that funding went away because I guess we were becoming too effective in the province, noticeably.

Q: Who was Ray Sentes and why was he so important?

DM: I call Ray Sentes a junkyard dog. When he had a health and safety issue I used to get calls from him saying, "what the hell are you doing" Your member has just raised a concern with me at a conference, and what did you do with it? How come you're not dealing with it? Ray Sentes was an asbestos worker who contracted asbestosis and he passed away. But he wrote a book on it, on the asbestos situation. He was very aggressive in terms of not only asbestos but helped me with the health side of it, to deal with asbestosis and silicosis, etc. He was a great mentor to me – Ray Sentes, Colin, as well my colleagues through NUPGE, I would attend NUPGE meetings where each province had representatives, and the Canadian Labour Congress as well eh.

Q: You people were instrumental in creating the CCOHS.

DM: The Canadian Centre for Occupational Health and Safety. We felt it was important that we have a centre that would be a clearing house for information. I still use it to this day as the authority – when I'm presenting issues on occupational health and safety I always cite it. What I like about the Canadian Centre for Occupational Health and Safety is it's a free service. I think there's some fees for certain, I'm still a member, I use that centre information quite frequently. But they're leading edge. They've got really good background research information and we don't have to do the research then, on shiftwork and the effects, and recommendations for mitigating some of the negative health impacts of shiftwork as well as fatigue and any other issues. So whenever I go to the table raising an issue I always use them as the authority. I forget the year they were in but it's a valuable tool. We always recommend that site to our members. In other words we educate our members it's not good enough to just verbalize. My line is, verbal's not worth the paper it's not written on – I always tell them that. You have to document and have research to support your position, as well as the legislation. So that's what we actually do at our labour schools now is we have a mock committee. They have to identify the hazards of their workplace and then give a presentation to the committee on their issue, what's needed to resolve it, and what backing they have to put it forth.

Q: You worked internationally with some people. Who were some of them?

DM: Geez I can't recall, Winston.

Q: Do you remember NIOSH?

DM: Oh NIOSH, the National Institute for Occupational Safety & Health.

Q: You mentioned Bob Sass.

DM: Oh Bob Sass. Bob Sass was my mentor. I brought him to about three or four conferences in Alberta.

Q: Who was he?

DM: He was the deputy minister of labour with responsibility for occupational health and safety in Saskatchewan. Yes Bob Sass was a leader, and I quite often contacted him as a mentor as well. Unfortunately, he can't attend conferences anymore or I'd have him here. But he basically introduced legislation in Saskatchewan that really went on insuring the right to know, the right to participate, right to refuse. It set a model for Canada and I always referred to that. As well, the worksite health and safety committees were mandatory in his province. So there was actually, that's what's missing in Alberta a bit, it's not coming from the top as much. So we're trying to create a groundswell from the bottom up, but I think with this new government they're paying more attention. Hopefully we can get something moving in that regard, especially with mandatory health and safety committees.

Q: Tony Mazocchi, you worked with him a bit too.

DM: Tony Mazocchi had the international experience. Most of these folks I brought to OH&S conferences to speak, so I know him and Bob worked closely together. There was another person in Saskatchewan that did the acid rain that I used, actually helped publish that book. So Tony Mazocchi I cannot recall his credentials at this time, but I recognize him as a leader from the States for sure.

Q: How has the culture changed?

DM: I think the culture has changed in that the employer is now recognizing their due diligence in terms of occupational health and safety. Our members are actually provided with a due diligence checklist in our courses, and they're taking those back to the worksite and basically presenting them to employer in committee. I ask them to present them in committee and just use it as a checklist of where are we at with occupational health and safety. A very important element we included in the government program and the Alberta Health Services program is program evaluation. If it doesn't get measured, it doesn't get done – is a theory I have. So they're required to measure, and we use what's called CASE – Certificate of Achievement in Safety Excellence. So we developed a questionnaire and it's a perceptive survey that our members can complete. Nobody's watching over them, they complete it and it basically comes back with computer results on what are deficiencies in terms of OH&S at the workplace. Like is the committee in existence, is it effective, are they posting their minutes, are you raising issues, are they following up? So basically every year the worksite has to do a CASE evaluation on where they're at, and that computer also spits out an action plan to shore up the weaknesses of their program. So we're finding that's happening a lot. That's the union's job to make sure that's occurring out in the field and our OH&S advocates.

We've developed a new advocate training program. I did the dog and pony show for a lot of years just one days and two days. Now, thanks to Lorraine Ellis, who pushed hard – she said, we need proper training for our members in the field. We called it the OH&S Advocate Training Program. Basically it's eight days total. Two days for first level gives you an introduction to health and safety. We got through a real history of OH&S, where it originated. We give examples of, we actually have an old film on silicosis from 1934 where the US recognized that silica could cause lung problems, and they started correcting their worksites. So that's just to demonstrate to our members asbestosis and silicosis have been there for a long time, and they just ignored it. You became the guinea pigs in the field. Like I say, you replaced the canary in the cage. We also talk about the steelworkers and the uranium, the issue in Eliot Lake, how they were getting the impact of radiation three times more than the general population. They were also bringing it home to their families as bystander's disease. We talk about bystander disease because a lot of asbestos workers, and that's something that Ray really pushed with me, a lot of workers are carrying the fibres home on their clothing. That would be coal, silica and asbestos. That's why we really pushed hard and we actually got a code that deals with you shall be able to decontaminate at toilets and washroom facilities, you're supposed to be able to decontaminate at your worksite and not carry bugs home. We educate our members on bystanders, a lot of them don't think of it. I've noticed a change in attitude there, because a lot of hospital workers

wear their scrubs home from work. When I worked as a nursing orderly we had to change out of our whites into street clothes, shower first and not spread it into the community kind of thing. So that kind of stuff members become aware of, ya. I lost my train.

Q: Were you involved with the SARS outbreak?

DM: We basically began lobbying; we used that as a tool to lobby AHS for improved workplace conditions. A lot of it, there was nothing in place. We were also involved with Ebola; we've got probably the best Ebola procedures, as a consequence of learning from SARS, in Canada, in Alberta right now. We've got teams that will respond immediately, that kind of thing. We've got a lot of good emergency preparedness and response, ya.

Q: As union rep, you belong to a rep's union. Can you talk about the need for such a union.

DM: I've often heard it said that the worst employers are natives and unions. I actually experienced that at the workplace. What we lobby for aggressively in the field in terms of health and safety, we still don't have in place in our own workplaces. So it's kind of almost like the Florence Nightingale philosophy in the hospitals, union people are expected to get out there and deal with the members and you're left to your own devices. So we're still lobbying for hazard assessments at this worksite as the consequences of a lot of working alone, travel, that sort of stuff. So a lot of the, it's a culture but it's changing here as well. We've changed it because we've formed a committee here and we're being very aggressive about getting everything in place that we expect workplaces to have. In 1986 I can't remember what the issue was, I went out on a six-week strike; it was a wildcat. For others it was a little bit of bullying from the employer, for me it was more I really preached the OH&S stuff to anyone who would listen: Hey, we don't have all these benefits that you might have in the field. So I was fired twice. John Booth and his group, by the way all of us that one morning, it was 1986, all staff went out on strike. At noon there was only nine of us left – all the rest had returned back to the employer. I think the employer, they had an office in a hotel, so we were left standing. We had a member donate a trailer to us here that we were able to use. It would've been Pam Kirkwood, myself, Rick Lamshire, who else was there?

Q: On what grounds were you fired?

DM: For an illegal strike, basically being involved in an illegal strike. They didn't have the balls to serve me the papers. They went home to Mary Lou, who was pregnant at that time with Mark, and served her the papers. They just wanted to create some extra pressure. But they made a mistake. When they fired me, I had about \$32,000 in vacation pay that they had to pay out to me. So I said, I'm going to sit on this for a while, sit on the line. So we kept picketing. The weather was horrendous, and Pam and her group basically began lobby efforts and actually we chipped in and paid her expenses to go to CLC. There were some real lobby efforts there to present our side of the story. What we were looking for is like with any union strike you want nobody to be disciplined when you come back. But this employer had other ways—they had Larry Pomateer, who was pretty nasty after. His attitude changed completely, so it was pretty

tense here for quite a while. But then things changed. I got Ed Mardell, who was very supportive of occupational health and safety. Bill Dechamp, very supportive of occupational health and safety. So the attitude really changed at the worksite. With all due respect, John was basically, John Booth was the guy who really got this OH&S going. Bill Broad really didn't have much to do with us, with OH&S. I don't think many people understood it. John did, because he basically was a firefighter I think, worked out of Beefry? Centre, so he took a lead on it. But that poisoned our relationship as well, that strike. But then I went on another one after that. I think that was legal at that time. It was basically bullying and harassment I think was the issue.

Q: How do you account for the rapid growth of this union?

DM: The health sector; we've really grown with health sector. We've got over 50,000 in the health sector. Every time we settle a contract, other groups want to join us because working conditions are horrendous out there for health sector folks, especially those in private for-profits. I'm really hitting private for-profits hard, real hard, because the contractor is always taking shortcuts. So what I do with private for-profits, I've always got the provincial OH&S looking in their back yard. I'm always demanding hazard assessments on everything, I'm demand objective evidence that you involve workers. Part 2 of the code states you shall involve workers in developing a hazard assessment. So if they present a hazards assessment to me I basically say, tell me the workers who were involved in developing that hazard assessment. I want their names, when you met with them, and I want to speak with them, so give me contact points. Quite often they're bullshitting me and I say, this hazard assessment is not worth the paper it's written on. So I throw it back at them and say, do it right and in accordance with the legislation. If they don't, then I call an officer in and I say, look, part 2 calls for hazard assessment.

Why I like hazard assessments, I tell the members, that becomes a legal document. Right now violence in the workplace in Alberta Health, whether they know it or not, is deemed a high risk, violence against our members is deemed a high risk as per hazard assessment. That's done in cooperation, the employers basically develop that. So we're saying if it's high risk we go to the table, Dooley, myself and Ray, and say, if it's high risk of violence mandatory training is, not voluntary, we want mandatory training. So now they've been caught in a corner because they've got the legal document that says it's a high risk. What are you doing to control it? The spirit and intent of the legislation is control at the source first, along the path second, at the worker last. When I first started it was noise in the workplace, put muffs on the worker – the worker's responsible for the problem, not us. So now the attitude is you control at the source. What I like about it was changed is even occupational health and safety provincially recognized that spirit and intent. I've got to thank Clint Dunford for the codes. Codes have really, that hazard assessment is worth its weight in gold. That's the first thing we ask for when a complaint is registered – where is it? If it's not there, why isn't it? If you're not going to produce it, the province will order it. We get a lot of orders around the province. The province now, I've established really good working relationships with Rob Fagan; he's the executive director. Him and I know each other through lacrosse. Every time an officer visits an AUPE site they send me a client contact report, what happened at the site. We've challenged officers quite often that they

weren't taking workers around, they were just taking the employer around on worksite tours. That's what happened at Remand a number of times. They blow smoke up their rear ends and they produce all these beautiful documents. I say, give me evidence that the workers understand what that policy and procedure is on the floor. Then I pull out CASE, the study. Workers say, we don't even know that OH&S exists at this workplace. So I can produce that objective evidence; that carries a lot of weight, ya.

Q: Is there anything else you wanted to say?

DM: I'm very pleased that our AUPE standing committee, with Erez Raz as the chair, is very active in occupational health and safety. We've got a number of excellent programs. One of the major victories that we recently got, it took us three years, but within our constitution we got a new position and it's called the Local Occupational Health and Safety Liaison. All of our locals across the province basically did not have much information related to, did not deal much with occupational health and safety. I make a point it's important to get to the employer but it's also important to get to your leaders within your union. I found a lot of weakness there. Whenever we raised issues to PE our people on PE didn't understand. So now we have what's called a Local Occupational Health and Safety Liaison. I'll just read what the constitution says. It basically says the local health and safety liaison shall attend meetings of the local occupational health and safety subcommittee, if such exists. So most of our locals, and we have 33 locals, have formed subcommittees for occupational health and safety within their local. They shall report in writing at least once per year to the occupational health and safety standing committee. That's also another very important evolvement. Soon after I started here our OH&S committee was ad hoc, and we successfully lobbied under Lorraine Ellis for a standing committee status. So they have to report to us at least once per year. They shall report in writing at least three times yearly to the members of the local council on the execution of their duties and represent the interests of all members of the union. So what we do is we bring these local liaisons in and we've educated them.

We're now preparing another seminar this fall to advise them on their duties. They don't have to have expertise in occupational health and safety, they basically have to identify who's involved in OH&S. We want them to report all their worksites to us, who's on the worksites, who's on health and safety committees, are they appointed as required, and what are the major issues facing your local. So then we get a feedback to the standing committee and we can develop resolutions and concerns. So that was a major development in our constitution. Took us a while to get there, but I'm very pleased about that position. So these liaisons are really helping us identify issues in the pockets across the province where there's problems, etc. We're really noticing a lot of issues down south. We raised the profile of occupational health and safety down south after one of our members drowned. He was working alone and he basically went down, because the basement was flooding and he somehow fell right into the sump and he drowned in it. So we took advantage of that. Unfortunately, I have to take advantage of every fatality that occurs and just really raise the flag.

As well, I did something unique with one of our councils. It was the Good Samaritan Society. I often attend council meetings and they have me present what the most recent issues are to the council and what information they should be disseminating. I take advantage of that. I get invited quite frequent. But Good Sam was having a lot of problems provincially and nobody was dealing with it. The Good Sam Society was bullshitting the officer responsible, Barry Burns; I had to file complaints with him. Everything's fine, look at our paperwork, we're just a wonderful employer here. So what I did is I said, no rather than me listen to you I'm going to bring your officer in to listen to you. So I brought Barry Burns in. Half a day they spent. They basically advised him of all the concerns, and they were trained so they understood. They raised concerns for half a day. He basically called for a meeting with the vice presidents of Good Sam Society. I brought Dooley in and not Ray Galbraith because Health Sciences doesn't really have members there. We basically got him to write orders. There was no education occurring. He brought the VP in and says, I'm giving you these orders, here they are, read them. You need to educate all your workers within one year and if you don't you're going to be fined, I'm going to file a complaint with the courts. You need to do all your hazard assessments and basically you have to have a different attitude towards health and safety. When somebody raises a concern, it has to fall on fertile ground and if it doesn't we will be filing charges. So that whole attitude changed and the OH&S in Good Sam is totally different from what it was at one time. So Barry and I really enjoyed working together, so Barry started taking me around to these sites like the veterans' home at Kinipsis, and we did joint presentations onsite, employer time. So basically he would present the OH&S the employer's responsibilities, I'd basically tell them on the worker's responsibility to cooperate with their employer. So that's something that right now I've been talking with OH&S. They wanna bring that back where we have joint presentations; they felt that was very important.

Q: Some of the earliest OH&S magazines used to list the prosecutions. What was the average penalty back then?

DM: It would be under \$100,000; I never saw one for \$100,000. The problem was that we didn't have prosecutors who specialized. So we lobbied aggressively for that, the occupational health and safety. Once we started getting prosecutors that specialize in that area, it improved. But more importantly is the administrative penalties now. That's a new development that is very important to us. Occupational health and safety officers have the ability now, they don't have to go to the courts, it's called an administrative penalty, they have the ability if somebody's ignoring OH&S and they're flagrant, to come back to the director and recommend an administrative penalty which is \$10,000 per day per violation. They have the ability to write that up rather than go through the courts, because the courts two or three years later, and I feel so sorry for a lot of these families of fatals, where basically OH&S had a great case but the prosecutor didn't know how to present the case, so it was just dropped. They also have the ability to ticket workers, and that's where they're meeting a lot of resistance in the field. But they can write a ticket for a worker up to \$500 for a violation. They're hitting the roofers right now because of flagrant violations, and basically the industry didn't wanna babysit the criminals that are working on the roofs, because most of these guys are from the institutions, that's where they were trained. But that administrative fine has really changed a lot of attitudes. The



employers bad actors list has also changed a lot. They now also have a program where if your injury frequency rate or lost times is above the industry average an officer is notified, they come to your site, and they work on you up to two years to develop a program. So that's a new development, much like the old days when I mentioned Spike Brown would go to a site and say, what the hell are you doing here? Improve this, this and this. But they work with you. What I'm worried about now is OH&S officers are seen as enforcers, not as educators anymore. They're wearing vests now, bullet proof vests to go to work, which is a change that's concerning me. I've met with them recently and that's very concerning. They're going to be like the States where if the employer hears an officer is coming they'll shut the plant down, tarp everything over, send everyone home. That's what it's coming to in Alberta and it causes concern.

Q: You've got to go to lunch. Thanks for a really good interview. . .

DM: Since about I'd say 2011 we're really noticing a lot of PTSD amongst our members. Children's Services, we actually did a study of our Children's Services because these are the folks that basically are apprehending children and they're meeting with a lot of, they're running into meth labs and all kinds of violence. My niece basically works in a NECU unit, that's basically newly born infants that are in trouble. I warned her I said, before you go there you got to make sure you're on solid ground spiritually, because this is going to tear it away from you. She quit at 29 years of age, she couldn't stand it anymore. So the turnover, especially amongst our Children's Services workers, was so horrendous we conducted a study in 2012 with the University of Calgary, Dr. John Graham and David Nicolls. We found out, and this is happening in a lot of worksites, the study indicated that 50 percent of bullying and harassment in the workplace, bullying and harassment was at the workplace, not amongst the clients as much. A lot of it was related to short staffing and a lot of it was related to social workers not being able to ply their trade when they go in the field. They're basically covering the minister's ass. They had to worry about documentation, much like correctional officers do nowadays. As soon as an incident occurs at the site they don't care that the code says you shall seek medical attention immediately, they want to get a report to cover the minister's rear end. But we conducted a study which was very interesting in 2012 and we're using it right now. Monday is PTSD awareness day at the Leg and we've been invited to participate in that. That would be the MLA Goehring, she's from Castle Downs, took over from that Thomas Lakasic, that waste of good intestine. Anyway, we were successful. I shouldn't laugh at my own lines. We've had about seven of our officers commit suicide related to PTSD within the last three years. Jeff Duncan, I just did a conference with the Canadian Health Institute and I read his last post that he posted on the web about PTSD, how he became such an asshole he couldn't even stand himself, how he looked at his dog and his dog pissed himself right on the floor, because his character changed so much. So he committed suicide. We represented a number and we're being successful. We know the formula for winning PTSD claims, and that's basically to get a DSM, a diagnostic. It's basically a diagnostic manual where you get questioned and it categorizes where you're at. So we're seeing a lot of PTSD, especially with veterans who are coming back to the corrections system and they've already got PTSD related to Afghanistan and other places. So they think, oh correctional facility, that's going to be easy compared to what I went into. A lot of them are getting triggered and they're suffering from it. There's 25 percent of correctional peace officers

are suffering from PTSD. Corrections Canada study has indicated more PTSD amongst correction officers than those returning from the Vietnam War, which was 20 percent. So I've got some good statistics on correctional peace officers, social workers and healthcare workers. I just presented it to the Canadian Health Institute. I guess that's another very important point. We've always been invited to some of these major conferences like Lancaster House and Canadian Institute and that to present. I guess we must've gained some stature in that area, so that's very important. But PTSD amongst our social workers, our corrections officers and our frontline workers, we're lobbying for them aggressively for Bill 1. But we don't want Bill 1 to name occupations, we'd rather see the Manitoba model where they say, if you experience an event at work and your DSM says that PTSD is related to that event, then you should be given, rather than specific occupations. But what we did is PTSD is so rampant amongst our members, I'll get suicide calls almost weekly now. So we contracted Solaray, which is a crisis intervention group. They specialize in trauma, basically work related trauma. So whenever we get a suicide call, etc., we can refer it to this group and EP pays for six sessions with this group. They're master psychologists that specialize in crises. One lesson that we've learned from crisis is if there's not an intervention or a debrief almost immediately by a professional, then you get PTSD. It's called an occupational stress injury, then it evolves into PTSD if you leave it. That's been the problem at a lot of sites. They try and blame you, so we're trying to change that attitude. So we tell our members, you have a right to get medical attention immediately rather than fill out reports for the employer when something happens. We get sexual assaults in hospitals where RCMP don't respond. Our protective services are hiring basically these contracts that can't touch patients, they won't protect you. They usually hide behind their members when there's a violent incident at the site. We got incidents with weapons, all kinds of stuff. So this is a very valuable service that I wanted to mention – our EAPs basically do not work for corrections and for critical incidents. We once had a psychologist from Chappell attend. Six officers who had witnessed a head stomping and stabbing and attempted murder of a correctional peace officer. We'd bring their wives in by the way every time we'd talk to them, because the wives tell the stories that the officers won't. This Chappell psychologist says, yoga and deep breathing. They told him where to go pretty quick. So these guys will get into depth on it. That's another problem with stress issues, there's no psychiatrist around, you can't get appointments for years, that kind of thing. So this has proven most invaluable. We're crowding 200 consults with them within a six month period.

[ END ]