



## **CEU Health & Safety Bulletin: Stewards Please Post October 2, 2009**

### **CEU Health & Safety representatives stand up for member safety *Union tells management to conduct a risk assessment citing mental exhaustion and risk of violence as call for action***

CEU health and safety representatives recently argued the implementation of CMS, current workloads, system problems, ongoing frequent system and process changes and a decline in customer service all result in identifiable hazards putting members at risk of:

- Mental exhaustion
- Reduced capacity
- Mental health and emotional injuries
- Threats of violence

According to CEU representatives, there is sufficient evidence to support that employees are already suffering from the effects of the CMS system changes and current working conditions. Citing a number of factors including a significant rise in EFAP usage and threats of violence, the CEU concluded these hazards require immediate action.

“The employer has a legal and moral requirement to identify risks arising from the roll-out of CMS and the current workload,” noted David Farrell, CEU Treasurer and Co-Chair, Corporate Joint Health and Safety Committee.

### **Internet issues and threats of violence**

Over the past year, CEU members were targeted in several internet postings and videos. Several months ago the CEU made two formal recommendations under the WCB Act and Regulations. One recommendation relates to internet usage and the other involves the use of pseudonyms.

In the first recommendation, the employer was asked to prepare an education program on the risks of internet usage. The CEU listed a number of points the education must address including raising an awareness that telephone conversations may be recorded, employees may be filmed during meetings, and personal information posted on social networking sites is a potential source of data for disgruntled customers.

The second recommendation focused on the use of pseudonyms so members can protect their privacy while conducting Board business. “It’s time our employer took action. The legislative timeframe for action is well overdue. We are very concerned about not only



the psychological implications of CMS, but we are also concerned our members may not realize that if their Facebook page says they work at the Board, that may put them at risk,” said Farrell.

**The full report from members of the CEU Corporate Joint Health & Safety Committee is below.**

On September 29, 2009, the Corporate Joint Health and Safety Committee met. There were two major issues we feel need to be communicated to our members.

**CMS/Workload Issues**

The CEU members of the committee raised the issue of health issues arising out of the CMS implementation. It is the position of the CEU that the implementation, current workloads, system problems, ongoing frequent changes and reductions in customer service all result in identifiable hazards that put members at risk of:

- Mental exhaustion
- Reduced capacity
- Mental health and emotional injuries
- Threats of violence

There is evidence to support that there are already effects from the changes and current working conditions. EFAP usage is significantly up. An EFAP counselor who has dealt with several work areas has identified problems. The CEU has been contacted by members seeking help. Members report increased angry and threatening contacts.

We believe the employer has a legal and moral requirement to identify risks arising from the roll out and current workload. Once those risks are identified, they are required to attempt to eliminate all that may be reasonably eliminated. If they are unable to eliminate risks, they are required to take steps to protect members from those risks. If they are unable to remove or protect members from the risk, they are required to take steps to mitigate those risks.

The management members of the committee expressed reluctance in dealing with these issues as safety issues for several reasons:

- They question whether these kinds of risks are covered by the legislation and regulation.
- They note they are taking some actions already noting they are limiting over time and taking steps to improve the CMS system, specialized call centres and management taking complaint calls.
- They state the issue is being dealt with in other labour relations forums.



Management did acknowledge that some members are having difficulties at this time and advised they would like to hear any suggestions we have. However, we pointed out:

- Workers are unable to complete their assigned work.
- Their work changes on a daily basis as the system changes.
- Workers are dealing daily with customers who are getting reduced service and are awaiting benefits.
- When management or a specialized call centre takes a call their solution is often to contact the officer and request they set other issues aside and deal with the issues in the call on a priority basis.
- When they take time to deal with issues on a priority basis, they are pressured by management to deal with phone message queues and other priorities.
- Workers have lost pride in their job noting they used to feel like experts that provided a valuable service and now they have lost that and this is affecting their well being.

We advised we were unaware of any mitigation of these issues. Even if they are able to improve the performance of the system in the coming months, we see nothing to help members cope with these and other issues now and until the system or workload changes improve.

The CEU remains convinced that there are health and safety issues arising from the changes and current work situation. We maintain our position that there is a requirement under the Act and regulations for the employer to do a risk assessment around these issues. These safety requirements are separate from any labour relations issues although the solutions will likely overlap. We maintain the safety committee must identify all risks and ensure the appropriate steps to eliminate, protect and mitigate are taken.

The CEU members of the Joint Health and Safety Committee intend to identify all risks to workers at the WCB from the system changes and ongoing work conditions. We will supply that list to the complete committee and will use the Act and regulation to press the employer to meet their requirement to protect the health and safety of their workers. We encourage you to keep the CEU advised of issues that affect your health and safety in the workplace.

### **Internet Issues/Threats of Violence**

Over one year ago, a customer started posting videos to an internet site threatening our members and publishing abusive comments about them. These postings included documents from claims files, recordings of conversations with board staff, and information members had posted on social networking sites.

This and other postings identified several risks to our members:

- The direct threats in videos.



- The abusive statements inciting others to threaten or assault board staff.
- Distress for our members.
- Damage to our members' reputation because untrue statements remain in the public forum (internet).

Investigation showed that the law is behind the times on this and legal remedies are few and difficult.

Each incident continues to be followed.

In an attempt to prevent further occurrence and mitigate the results, the CEU members of the committee made 2 formal recommendations under the Act and regulations.

First, prepare an education of the risks of the internet age. Make sure staff is aware that all conversations could be recorded, all documents are available by disclosure and they may be being filmed when meeting with customers in public places. Any of these could end up on the internet.

The education sessions should also point out that identifying yourself as a WCB employee on social network sites may result in a discontented customer searching the information and posting it elsewhere in an abusive way.

Second, we recommended that any member who wishes to may use a pseudonym while performing their board duties so that their privacy is protected if a customer does post details of the claim, records their conversations or searches for information on the internet.

It is well past the time the legislation requires the employer to respond to our recommendation. The employer has only said they are reviewing it.

The CEU members of the committee have requested involvement of a safety officer as required by the legislation. We have also requested consultation with senior board management as required by the collective agreement.

We will continue to keep you advised on this issue.

### **CEU committee members**

David Farrell, CEU Co-Chair  
Rachel Barbour  
Andrew Lim  
Chris Lundquist  
Brenda Matsala

