



INFORMATION UPDATE

December
2010

Signed, sealed and delivered

No more seals on OC spray canisters

Correctional officers at Pacific Institution have won a major victory that will help make CSC institutions across Canada safer after a HRDC health and safety officer ruled that the controversial seals on OC spray canisters constitute a danger and must be removed.

Two members at Pacific Institution called a Section 128 refusal to work on December 6 because of the seals, which can dangerously delay response times in an emergency situation and lead to malfunction of the canisters.

The employer maintained the seals posed no danger the next day. But after a health and safety officer conducted an investigation on December 8, he delivered an immediate decision that "the application of adhesive seals across the safety flap and actuator of personal OC spray units constitutes a danger to an employee while at work."

The health and safety officer ordered the employer to immediately remove the seals. And, while he indicated verbally to the union that his decision applies to all CSC institutions, UCCO-SACC-CSN believes it will still take efforts by members in each region before a uniform policy on OC spray seals exists across Canada. In any case, CSC has made it clear it will fight the decision, and notably, failed in an attempt to obtain an immediate stay of the decision.



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at Pacific Institution did their
homework on the file***

As at other institutions, the issue is particularly serious for Pacific Institution officers since the seal caused a failure of an OC spray canister during an incident at the prison. The seals cause frequent malfunctions of the canisters, which are easily affected by the tape adhesive and temperature fluctuation. The health and safety officer also heard evidence that cleaning the adhesive is difficult and can cause damage to the unit.

Members of the local union at Pacific Institution did their homework on the file, contacting correctional services in Oregon and Florida to inquire

about local practices and experience with the OC spray device. In Oregon, for example, they discovered that the state prison system initially devised a seal system but decided to remove the seals after numerous problems. The lack of seals in Oregon since that decision has not been a problem there.

A member even called the manufacturer of the tape used for the seal, and was told that the tape should not be used for this purpose.

According to Pacific Regional President Gord Robertson, the issue is one of trust. "The question is whether CSC trusts its correctional officers to do their job," he observed. "The way CSC has managed the subject of OC spray from the beginning pretty much answers that question."