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Response to the questionnaire from the UCCO-SACC

1. Blood Samples Act

Will your party adopt legislation that was introduced in the last Parliament that grants the right to correctional officers to request a blood sample when the officer is attacked with or exposed to an inmate's bodily fluids?

Response:

Correctional officers are regularly involved in emergency situations and faced with circumstances that endanger their health or life. These situations include attacks by inmates that use bodily fluids and exposure to such fluids.

According to the Public Health Agency of Canada, the prevalence of infectious diseases among inmates is higher than in the general population. For example, the hepatitis C infection rate is 20 to 50 times higher in prison, while the rate for HIV is 5 to 40 times higher.

Correctional officers face real biohazards, and the NDP is committed to focusing on mitigating these risks, including by working to reduce infection rates among inmates and the general population.

In 2011, the NDP supported the provision of the Safe Streets and Communities Act that made it an offense to “throw a bodily substance towards another person”.

We are also aware of the weaknesses in the current protocols to reassure correctional officers who are victims of an attack involving bodily fluids or who are exposed to such fluids. That is why we will carefully study the full range of possible improvements.

2. Post-Traumatic Stress Disorder

What specific steps will your government take to address the issue of post-traumatic stress disorder among correctional officers?

Response:

Post-traumatic stress syndrome (PTSS) is a major risk to the health and wellbeing of correctional officers. It can also have a devastating impact on their families and loved ones.

The NDP has been a leader in Canada in raising awareness about the potential impact of PTSS on those it affects directly and indirectly. For example, in the winter of 2014, we launched an awareness campaign about the problems veterans were experiencing, which included an unprecedented wave of suicides.

Correctional officers work in an extremely challenging environment, as they frequently face potentially traumatizing situations. According to the available statistics, 17% of them have suffered or will suffer from PTSS during their career—twice the rate among the rest of the population.

The Correctional Service of Canada (CSC) needs to tackle this problem head on. The NDP is committed to ensuring that correctional officers receive the mental health support they need, when they need it.

3. Occupational Health and Safety

Will your party repeal the changes made to the definition of danger in the Canada Labour Code contained in the Economic Action Plan 2013 Act, No. 2, to ensure correctional officers have a vehicle, mechanism or process to resolve health and safety issues in their workplace?

Response:

New Democrats believe that no one should be forced to work in dangerous conditions. That is why we fought hard against the regressive measures in Bill C-4 (2013 bill, no 2).

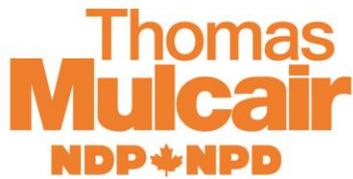
None of these changes were announced in the budget speech, but the Conservatives still chose to bury these dramatic changes to occupational health and safety regulations in the 322 pages of non-budgetary measures contained in this omnibus bill.

New Democrats called on the government to rescind these draconian measures in a motion to remove the articles relating to occupational health and safety from the bill. Unfortunately, the Conservative majority responded to our initiative by cutting off debate and pushing the bill through Parliament.

The most serious changes contained in Bill C-4 make it more difficult for an employee to exercise the right to refuse work that he or she believes is unsafe. The new law requires the threat to be “imminent” or “serious”, rather than a potential danger that could reasonably cause injury or illness to the employee exposed to it.

Bill C-4 removes the right to refuse based on a potential threat, which means that a worker would have to be exposed to a threat before they could claim that their working conditions were dangerous. The bill also removes the idea that workers deserve protection from activities or conditions that could cause them danger in the future. Workers will likely not be able to claim protection from potential chronic or slow developing illnesses based on exposure to carcinogens or teratogenic substances.

Finally, Bill C-4 would politicize the enforcement of the law by placing health and safety officials under the authority of the Labour Minister. As a result, the Minister or her appointee could refuse to look into a matter if the Minister deems the worker’s health and safety concern to be trivial, frivolous, vexatious or in bad faith.



It is astounding that these changes were made at the same time that the Conservatives' lack of political vision created an unsafe work environment in Canadian prisons.

Overcrowding in our prisons is a growing problem and this situation continues to worsen even with the Conservatives' new prisons. The auditor general found that in 2012-2013, 26% of prisoners had to share their prison cells in Ontario and in the Prairies. In the same year, double bunking was also a reality in segregation cells and cells with an area less than five square metres. This is contrary to Correctional Service of Canada guidelines. We already know that prison overcrowding can lead to increased violence among inmates, a situation that raises fears for the safety and security of staff. However, the Conservatives dismissed out of hand the auditor general's warnings.

Bill C-4 is much more than an attack against the union movement. The Conservatives' ideological agenda makes them forget that safety standards can mean the difference between life and death for Canadian workers. You can always count on the NDP team to defend your rights and fight for comprehensive safety standards. We will not turn our backs while the Conservatives move backwards on occupational health and safety and we intend to reverse these dangerous changes.

4. Sick Leave

Correctional officers have specific sick leave provisions recognized by Treasury Board since 1999 that take into consideration the often dangerous and unique conditions we work in. Will your party ensure these provisions are respected in recognizing that the nature of our work is different from other public servants?

Response:

Correctional officers operate in a particularly difficult workplace, where the level of danger has unfortunately been exacerbated by the Conservatives' ill-advised policies. The NDP has always recognized the working conditions ratified by the Treasury Board in 1999. While the Conservative have been playing politics with the sick leave issue, the NDP has called repeatedly to respect the collective bargaining process.