



PACIFIC

FEBRUARY 2018

DANGER RULED AT KENT INSTITUTION

Following the discovery of an inmate who had overdosed on Fentanyl on February 3, 2018, Correctional Officers at Kent Institution had initiated a first work refusal over the failure of employer to order a search outside of the living units where the inmate was found and the lack of mitigation measures to put in place for the officers conducting the search.

After completion of the first joint investigation of the work refusal, management at Kent Institution agreed to extend the search under article 53 of the CCRA to the other living units, but did not budge on the preventive measures. This led to a second work refusal over the lack of inadequate protective measures to searching officers since the presence of fentanyl was confirmed in the institution. The refusing employees took issues with the application of the lower risk handling guidelines. Listing the number of officers required to be hospitalized because of exposure to fentanyl and media reports, the employee who conducted the joint investigation report found that the complaint was justified. The report questioned why CSC was using a threshold of 3 grams, as opposed to other law enforcement agencies, to move to moderate risk. It is worth repeating that UCCO-SACC-CSN challenged this

criterion since day 1 of the implementation of the protocol. The employer's representative found that the lower risk handling guidelines were adequate. As both investigators did not agree, EDSC was called in and had to determine if the employees were exposed to a danger.

In the night of Saturday, February 10, 2018, EDSC determined that the officers were exposed to a danger. EDSC ordered the employer to take action to correct the hazard or condition that constitutes the danger immediately. Management at Kent Institution proceeded with a new search plan without the consultation and involvement of the local OSH committee and without the approval of EDSC. This prompted EDSC to return to the institution and explained that as soon as fentanyl was found, the risk was moderate. Consequently, the N-95 mask is not sufficient protection. As a result, Kent Institution had to provide N-100 mask to the searching officers.

We had confirmation that CSC will appeal this decision. We will keep you updated on developments regarding this appeal. The employer has also submitted at the last NHSPC a new Highly Toxic Substances protocol for consultation. This file will remain on the agenda this spring.