



Prairie Region

Prairie Action Update

News for CUPW Prairie Region Members

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SAY NO TO THE MULTI-INJURY PROGRAM!

Sisters, Brothers and Friends:

Canada Post has begun a new program to harass injured workers again. This time the program is an adaptation of the former Frequently Injured Employees Program (FIE), now called the Multi-Injury Program.

This is an initiative where the employer interviews workers who have had multiple work accidents, including some of which happened years before. They claim the goal is to try to assist these workers in becoming “safer”, which assumes workers are careless or inattentive and to blame. Workplace accidents are just that, “accidents” that can be caused by workplace hazards, other drivers on the road, poor labelling, miscommunication, lack of training, forced overtime, a dog, etc. The employer should be focusing on the making the workplace safe by eliminating as many hazards as possible and providing tools for the ones that cannot be eliminated.

The employer has a legal obligation to investigate every workplace accident in a timely manner, with the participation of a Union Representative, and to provide a report to the Local Joint Health and Safety Committee (LJHSC) or Health and Safety Representative. The LJHSC then analyzes the report and provides recommendations to the employer on making the workplace safer. This is the means available to the employer to determine the cause of an accident, and identify and eliminate hazards. It is important that this prescribed process be followed, so the parties can investigate at the time of the accident, obtain current information and eliminate hazards before other workers are injured.

Interviewing workers months/years after something happens serves no useful purpose, other than as a means of intimidation, with the goal of deterring workers from reporting work accidents and thereby reducing the number of workers’ compensation claims for the employer.

The Workers Compensation Law is grounded in the principle of being a “no-fault” system. Workers cannot be harassed, importuned or disciplined for having the misfortune of suffering a workplace injury; they are deemed not responsible for the accident due to the “no-fault” provision in the Act. The law also states it is illegal for the employer to engage in any activity that discourages or prevents a worker from filing a claim for a workplace accident.

Canada Post is threatening to discipline any worker who will not attend this type of interview. We believe that any discipline is illegal under Workers Compensation laws and a violation of the Collective Agreements.

If a member refuses to attend an interview then the employer can proceed unilaterally, but they cannot discipline the worker for not attending.

If you are attending an interview relating to an investigation on your most recent incident, and the employer attempts to expand on the discussion to include anything that may have occurred outside of the 10 days, then you should object to the question being asked. If they persist, you should end the interview/investigation as this matter has already been investigated.

The Region is advising all Locals, Stewards and workers not to participate in the interviews. The program is an attack on workers for reporting work accidents and filing legitimate workers' compensation claims. The locals should file grievances if workers are disciplined for not attending the interview.

The locals should also grieve if joint accident investigations are not being conducted at the time of the incident and if the LJHSC's are not provided with investigation reports. Important to note: It is NOT the job of the LJHSC to investigate individual workers' injuries years after the fact and help the employer blame the worker.

Furthermore, the information the employer is using for these interrogations was collected for the administration of Workers Compensation claims, which are closed. Without a release from the individual involved, the information should not be used for any other purpose. Workers should not agree to the use of this information for this purpose. Workers outside of Alberta should file complaints with [PIPEDA](#) and include this in the grievance. Workers in Alberta must file complaints under the [Alberta Personal Information Protection Act](#).

The Union vigorously opposes this "blame the worker" program; by asserting our rights, we can once again stop this regressive program of the employer and protect our members from intimidation and discipline when they are injured at work.

Always in Solidarity,



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