

From:
To:
Cc:
Subject: East Coast Forensics Formal Complaint
Date: November 01, 2018 11:23:13 AM

Dear Information Specialist,

In accordance with section 17(2)c of the Occupational Health & Safety Act, I am contacting the Occupational Health & Safety Division of the Department of Labour and Advance Education (Division) to initiate a formal complaint. I would like to remind the Division of it's obligation to investigate and respond to this complaint:

<https://www.canlii.org/en/ns/nslb/doc/2017/2017nslb87/2017nslb87.html?searchUrlHash=AAAAAQAHZG93bmluZwAAAAAB&resultIndex=1>

My name is _____ and I work at the East Coast Forensic Hospital in the capacity of a Licensed Practical Nurse. I am available to discuss my formal complaint further if required; however, will provide the following background information to add some context to my complaint. On February 21, 2018, NSGEU servicing staff members _____ and _____ attended a meeting with Local 101 members who work at ECFH. I attended the same meeting. The purpose of this meeting was to discuss ongoing workplace labour management concerns; however, issues regarding violence in the workplace safety concerns were raised, which included, but were not limited to:

- Personal security alarms (PAL) do not appear to be working on a consistent basis;
- Screeching capabilities of the PAL have been modified as the retractable secondary alarm system has to be secured with tape;
- There appears to be areas at ECFH where camera coverage was not effective (Blind Spots, etc.);
- There does not appear to be a consistent hazard assessment process for patients admitted to the Mentally Ill Offender Unit (MIOU);

- Nurses are required to conduct pat searches on female patients who return from day passes, etc., but have not received adequate training on how to do so;
- There doesn't appear to be an effective process to assess patient personal effects that could be modified and/ or used as weapons against nursing staff; and,
- There appears to be an unreasonable delay in high-risk security responses by Correctional Officers posted at ECFH. This is due to the fact that the response equipment is stored in the Correctional Facility located adjacent to ECFH.

As none of the members in attendance were aware of the reporting process noted in section 17 of the Occupational Health & Safety Act and NSHA procedures, _____ provided an overview of the same. Following this overview, I forwarded my concerns to my immediate supervisor, _____, on February 23, 2018 in accordance with section 17(2)a of the Occupational Health & Safety Act. Based on the wide range of issues noted at the February 21, 2018 meeting, and in consultation with the NSGEU, I requested that the employer secure an independent qualified individual to conduct a violence in the workplace risk assessment of East Coast Forensic Hospital and Offender Health services of the Central Nova Scotia Correctional Facility.

On March 7, 2018, I met with _____ to discuss the concerns noted above. The meeting was productive; however, I was not satisfied with _____'s response. I then reported my concerns to the Joint Occupational Health & Safety Committee (JOHSC) on March 28, 2018 in accordance with section 17(2)b of the Occupational Health & Safety Act. On April 16, 2018, I attended the JOHSC meeting to discuss my concerns. During these discussions with the JOHSC, it appeared that the assigned NSHA Safety Officer, _____, dismissed my concerns without providing due consideration when she stated that my request for an independent qualified individual to conduct a violence in the workplace risk assessment would be a "waste of time". It should be noted that this opinion was also shared by _____. In conclusion, _____

_____ and _____ requested a list of names of staff who had raised concerns at the February 21, 2018 meeting noted above. In an effort to fully cooperate with the employer, I asked if _____ could accompany me as I could not recall which employees raised what concerns.

Shortly after this meeting on April 23, 2018 my co-worker, Register Nurse _____, was brutally attacked and almost lost her unborn child. I understand the Division investigated this workplace attack although it appears that the scope of the investigation did not include any wrongdoing and reckless behaviour of the manager and safety officer noted above.

In May of 2018, _____ and I attended a meeting with the ECFH JOHSC. At this time, the committee and management team agreed to request Mr. _____ from NSDOL, Manager of Training & Outreach for the Division. Mr. _____ was considered based on his recent successful support to a working group assigned to identify, access and control violence related hazards at the Halifax Infirmary site. More notably, _____ had gained extensive experience while working with the Public Services Health and Safety Association (PSHSA) where support tools were developed to adequately address violence in the health care sector. I understand that the PSHSA's involvement in the development of these tools was driven by the horrible death of a Registered Nurse, Ms. Lori Dupont, who was slain at Hôtel-Dieu Grace Hospital on Nov. 12, 2005. The investigation into her death concluded that over 80 opportunities were missed that could have prevented this tragedy. Unfortunately, after multiple requests, the Division advised that Mr. _____ was too busy to attend.

There has been some ongoing discussions between my union and the employer and from my perspective the internal steps of the reporting process of the OHS Act have been exhausted. I still maintain my position that securing a subject matter expert to assist the ECFH is the most reasonable way forward to ensure that they identify every reasonable safety control available. More importantly, I hope that this will identify the measures that should be implemented when control measures fail or

become unavailable when an emergency response is initiated. This has been and still is a clear gap that has not been considered by the ECFH when they developed the current violence in the workplace prevention plan. I hope the Division considers taking the appropriate action to ensure that the event that almost took the life of one of my colleagues never happens again.

Please formally respond by reply email with the Division's response to my formal complaint

Respectfully Submitted.

, LPN

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"How far you go in life depends on you being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong. Because someday in your life you will have been all of these." - George Washington Carver