



**CANADIAN
NUCLEAR
WORKERS' COUNCIL**

CANADIAN NUCLEAR WORKERS COUNCIL SUBMISSION

TO

THE CANADIAN NUCLEAR SAFETY COMMISSION

IN REGARDS TO

**DIS-12-03: Fitness for Duty: Proposals for Strengthening Alcohol and
Drug Policy, Programs and Testing, discussion paper.**

August 29, 2012

The Canadian Nuclear Workers Council (CNWC) is an organization that is comprised of Unions that represent workers in Canada's Nuclear Industry. Appendix 1 attached is a list of the Unions that are members. Several of our member Unions have also submitted comments on this issue.

The CNWC has reviewed the Fitness for Duty document. We have discussed the contents of this document with our member unions. Those in the Nuclear Power Plants as well as our member unions in the other licensed facilities. We must specify up front that all of our member Unions are opposed to Alcohol and Drug testing programs in the workplace.

We support and are in agreement with the definition of fitness for work as defined in your discussion document as follows:

“A condition in which workers are physically, physiologically, and psychologically capable of performing the tasks of their assigned jobs within the required standards of safety, attendance, quality, efficiency, and behavior.

We support your first line of approach that is:

1. The CNSC proposes that nuclear power plant licensees take measures to prevent, deter, detect, and remediate potential alcohol and drug use. Nuclear power plant licensees would be required to take steps to prevent workers from:
 - bringing, keeping, or consuming alcohol, illicit drugs, illegal drugs or drug paraphernalia within the premises or on the grounds of a nuclear power plant
 - working at a nuclear power plant while under the influence of alcohol or any drug that impairs, or could impair, a worker's ability to perform his or her duties safely

It is our opinion that these measures are already in place in licensed facilities. Most of the programs that employers have in place in this regard have the support of the workplace unions. Unions support these programs and in most cases play a role in administering them.

The second approach that is suggested:

1. The CNSC believes that nuclear power plant licensees should introduce supportive measures to address substance use. In particular, the CNSC's intent is to ensure that workers and supervisors understand their roles and responsibilities. To this end, the CNSC is considering requiring nuclear power plant licensees to have the following four program elements in place:
 - awareness and education programs for workers
 - access to assistance for workers
 - training for supervisors
 - investigative tools

We also support this approach and again suggest that many of these programs are already in place. We do question “investigative Tools”.

It is the third area of focus that we have great difficulty with:

1. The CNSC is proposing that every individual who is granted unescorted access to the protected areas of a nuclear power plant be subject to a comprehensive set of alcohol and drug tests, which would include random testing. Licensees would be required to develop and implement substance testing programs, and to report violations to the CNSC.

Random drug testing is not necessary and will result in a deterioration of safety culture.

The proposal talks about post accident/incident testing. What will this accomplish? Workers will be less inclined to report accidents, incidents, or near misses because they know that they or their co-workers will be automatically subject to D&A testing. Why is this? It is not that they are impaired it is because they do not trust the test. They do not want the hassle of submitting to this invasion of their privacy etc.

Straight random testing is naturally strongly opposed due to workers privacy issues as well as being seen as a waste of time as there are many workplace programs already in place that address this concern.

Workers in a nuclear power plant come into contact with many other workers prior to getting to their hands on work location. For example a worker will have contact with colleagues in the parking lot where he/she parks their vehicle. Many workers utilize a car pool program. In some incidences worker arrive at work in company buses. The point here is that any indication of impairment will be detected by co-workers who have received training in this regard.

The next step on the journey to work is the security process where workers are observed by a minimum of three Nuclear Security Officers. These Officers are trained to observe any inappropriate behaviors' in this regard.

Finally the next step is a pre job briefing with their supervisor or a face to face during shift turnover. Also there is a continuous face to face interaction with peers throughout the shift.

There is very little worker turnover at NPP. Most employees are there for their career. Workers work on crews. In many cases workers work together and also play together. That is after shift hockey games etc. The point here is that workers know each other and if one of them develops a problem their peers will quickly become aware of the situation. Having a conversation with coworkers about substance abuse can be difficult. That discussion takes place now because of the safety culture that has been cultivated over many years. If there is mandatory drug testing people might think it is easier to wait and let the system sort it out. What we have now is much more proactive.

The above presents many barriers. Workers believe that you are your brother's/sister's keeper. Workers do not want to have co-workers that are unfit for work due to substance abuse on the job. The above process and personal contact is a very good human barrier. If random drug testing were introduced the above barriers, we suggest,

will be weakened as workers will believe that they do not have to be as vigilant in this area as the random D&A test will look after the issue

In Canada over 90% of the workforces at NPP are unionized. Unions in Canada place health & safety very high on their agendas. This is a health & safety issue. Unions work closely with employers in regards to drug and alcohol issues. Union representatives will be made aware of these issues and are proactive in assisting members at time of need. Therefore the Union is another strong barrier in this regard. This environment is not the same in many other jurisdictions.

We are naturally aware that some jurisdictions do conduct random testing. However many other jurisdictions/countries do not. Some cultures are ok with this concept and others are opposed as we are in Canada. We have discussed this with our counterparts in other countries and believe that each jurisdiction must make up their own mind on this subject. That is, for example, if the USA imposes drug & alcohol testing on their workers at NPPs this does not mean that Canada must follow the USA.

NPPs have been operating in Canada for over 40 years why all of a sudden is this type of program required?

If the CNSC is concerned with “fitness for duty” they should place their emphasis on the following:

- Hours of work including excessive overtime
- Staffing & succession planning
- Support for mental health issues
- Company programs for drug and alcohol awareness
- Ensure that the workplace unions are involved with any new FD programs.

We strongly encourage the CNSC to not impose drug and alcohol testing on NPP licensees.

Respectfully submitted

David Shier

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Canadian Nuclear Workers' Council Member Unions

Canadian Union of Public Employees

Locals 1500, 957, & 4250

Communication, Energy & Paper Workers Union

Locals 599-O & 48-S

International Association of Firefighters

Lodge 160

International Association of Machinist & Aerospace Workers

Local 608

International Brotherhood of Electrical Workers

Local 37

Power Workers' Union

Professional Institute of the Public Service of Canada

CRPEG & WRPEG

United Steel Workers

Locals 8914, 8562, 7806, 4193, & 13173,

Chalk River Technicians and Technologist Union

Society of Professional Engineers & Associates (CANDU INC)

Hydro Quebec Professional Engineers Union

GREY-BRUCE LABOUR COUNCIL