

Ch. 1.0
Pol...
I. Daniels

November 24, 1980

Cop

Mr. John H. Parker
Commissioner of the
Northwest Territories
Government of the N.W.T.
YELLOWKNIFE, N.W.T.

Dear Mr. Parker:

This is a formal request for your office to investigate the removal of Section 12 of the Northwest Territories Mining Safety Ordinance.

Section 12 reads:

*Hours of work

12. (1) Except as otherwise provided in this section, no person shall

- (a) remain or be permitted to remain underground in any mine, or
- (b) operate or be permitted to operate, either on the surface or underground, any hoisting engine in a shaft,

for more than eight hours in any consecutive twenty-four hours, which eight hours shall be computed from the time he arrives at his place of work in the mine to the time he leaves that place.

Exemptions in cases of emergency, etc.

(2) Subsection (1) does not apply

- (a) to a foreman, pumpman, caretender or any person engaged solely in surveying or measuring;

- (b) in cases of emergency where life or property is in danger; or
- (c) in cases where repair work is necessary.

Exemption for Saturday shift

(3) A Saturday shift may work longer hours for the purpose of avoiding work on Sunday or changing shift at the end of the week or giving other employees a part holiday.

Exemption for hoistmen where one absent

(4) Where one of the regular hoistmen is absent from duty and no competent substitute is available, the remaining hoistmen may work extra time not exceeding

- (a) four hours each in any consecutive twenty-four hours, or
- (b) with the approval of an inspector, eight hours each in any consecutive forty-eight hours,

for a period not exceeding ten consecutive days.

Exemption for hoistmen where non-continuous shifts

(5) Where work at a mine or in any particular shaft is not carried out continuously on a three shift daily basis, a hoistman may work the extra time necessary for hoisting or lowering, at the beginning and end of each shift, the workmen employed on a shift.

R.O., c.70, s.11; 1967 (1st), c.16, s.9."

We feel this provision in the Act does not meet the needs of mining operations for our Polaris Mine, or for any mine in a remote area.

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As you are aware, the Government of the N.W.T. discourages the establishment of new townsites in remote areas, and as a result we can expect future mining developments to follow the pattern of Polaris, i.e. single status operations which rotate workers whose place of residence is elsewhere in Canada. Workers are cut off from their families and the lifestyle associated with the "normal community".

The motivation for workers to work in this environment is the ability to earn substantially more than they can in a southern setting. The present working in the N.W.T. Mining Safety Ordinance does not allow this to happen. Also, such restrictions will make it difficult to recruit underground personnel.

Another consideration which must be born in mind in operating in isolated areas is that excessive leisure time is not wanted by the employees and becomes counterproductive. When an employee is moved from his family and normal social life he needs to be kept busy.

We recognize that the intent of the Mines Safety Ordinance is to ensure that mines are operated with a concern for the safety of the worker and we are convinced that the removal of Section 12 from the Ordinance would have no effect upon the safe operation of the mine.

Perhaps our position on Mines Safety could be elaborated:

We recognize that fatigue caused by long hours of work is a contributing factor in worker safety; however, in an isolated area this factor is mitigated by the following:

- 1) Workers are in an isolated situation, access to alcohol is restricted and a "normal" social life is not possible. Therefore, employees are more likely to get proper rest in the camp atmosphere than otherwise.
- 2) At Polaris we will have recreational facilities which will reduce tension and provide a break from fatigue. These facilities include:

swimming pool
gymnasium
jogging track
lounge areas
music room
crafts room

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- 3) The rotation system allows employees a substantial break. We plan to operate Polaris on a 10 weeks in, two weeks out rotation with a two week Christmas shut-down.
- 4) Even with the recreation facilities we have available 16 hours per day of leisure time is excessive, and depression and other counter-productive results of excessive leisure will reflect on the job.

At Polaris we would like to operate the underground operation as follows:

The hours of work for an underground miner would be 11 hours per day. This day would be worked as follows:

- 1) A 5 hour work period with a 15 minute personal break midway in this period.
- 2) One hour for lunch. Employees would be taken from the work place to surface for this lunch break.
- 3) A second 5 hour period with a 15 minute break.
- 4) An organized recreational programme will be available in the off hours.
- 5) All rooms will be single rooms with private bath to ensure workers get a good rest.
- 6) The mine will operate six days per week with Sunday off. A recreational programme will be available on the day off.

We recognize that the purpose of the Mining Safety Ordinance is to protect the workers. We do not feel that limiting the hours of work in a mine is the approach to take to achieve this objective. It is our opinion that the way to do this is to maintain the conditions in the work place at an acceptable level and Cominco fully intends to strive towards this end. Nevertheless we accept that there must be regulations pertaining to health hazards, but we submit that such regulations should be contained in the Mining Safety Rules rather than in the Ordinance itself.

Accordingly we would suggest that the Mines Safety Ordinance be amended, by dropping Section 12, and that length of time spent underground be included in the regulations under Section 6 g. In this way the safety of the worker could be protected by legislation and at the same time under Section 6 (c) (d) and (e), and Section 7(1) the mines inspectorate and the Commissioner would be empowered to adapt these rules to individual mines.

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In closing I would like to make the point that a restriction on hours of work very much works against the interests of northerners who are working on a shortened rotation. In the case of Polaris where we are running a 10 week in 2 week out rotation for southern employees and a 6 week in 4 week out rotation for northerners, the severe restriction on overtime serves as a detriment to those northerners working in the short schedule.

This has been a lengthy letter and I thank you for bearing with me. If you require more information or would like to discuss this in detail, please contact me.

Yours very truly,


C. F. Lambert
Manager, Personnel and Administration

CFL/cr

cc: SML.