

---

## **11.0 Corporate Discipline within a Safety Management Environment**

Mr. Richard Desmarais, Safety Manager  
Technical Operations, Air Canada,  
Dorval, Quebec, Canada

### **Corrective Action System to Support Safety**

#### **Step 1, Accident / Incident Investigation**

Before any corrective action is taken, a complete investigation of the Accident/Incident must be done using the Air Canada 10 step process and also taking into account the “Human Factor” part of the issue.

Accident / Incident investigation guide:

1. Take immediate measures
2. Decide who should investigate (severity assessment)
3. Fact Finding
4. Description, at the time of the accident/incident
5. Define the Standard Practice
6. Identify the Deviations
7. Determine the Causes of the Deviations
8. Verify
9. Corrective Measures
10. Take Follow-up Actions

The following must be considered :

- Lack of Communication
- Complacency
- Lack of Knowledge
- Distraction
- Lack of Teamwork
- Fatigue
- Lack of Resources
- Pressure
- Lack of Assertiveness
- Stress
- Lack of Awareness
- Norms

The standard Air Canada 10 step accident investigation must be reported on ACF32-6b.

The purpose of the investigation process is to use the event as a learning and prevention tool. The same philosophy should also apply to Discipline and its impact on our Safety Program.

**Step 2 , Culpability Assessment (Situations requiring discipline)**

*Under this system, we will not discipline an employee who causes a mishap to happen due to human error (honest mistake). In such a case, coaching and /or training might be in order as well as participating in the preventive measures put in place to prevent reoccurrence.*

**Purpose :**

The employee intended the mishap consequences to occur.

**Knowledge:**

The employee acted knowing that the mishap consequences would occur.

**Recklessness\*:**

The employee was reckless in causing the mishap consequences.  
(see rule violation)

Definition: Recklessness involves a determination after investigation that the employee consciously disregarded the fact that his/her conduct would significantly and unjustifiably increase the risk that the mishap consequences would occur.

The risk must be of such a nature and degree that, considering the circumstances known to the employee, its disregard involves a gross deviation from the standard of care that a reasonable employee would observe in his/her situation.

**Drugs and Alcohol:**

The employee was under the influence of illegal drugs or alcohol.

**Multiples Acts of Negligence:**

The employee was negligent in causing the mishap consequences more than once.

**Failure to Report:**

The employee failed to report the mishap.

**Failure to Participate:**

The employee failed to adequately participate in the human factor side of the investigation.

**Rule Violation\*: (see attached check list)**

The employee failed to comply with a rule/policy/S.O.P.

\* The following checklist must be used before Rule Violations or recklessness is considered just cause for discipline:

Did the employee violate a regulation or internal policy intended to prevent or reduce the likelihood of this mishap? ( If yes, continue) (if no, do not use rule violation as evidence of recklessness).

If so, what was the regulation or internal policy that was violated? (factual, taken from event record)

Describe how the employee violated the regulation or internal policy.

Was the employee aware of the relationship between the regulation or internal policy and the mishap? (If yes, continue) (If no, do not use rule violation as evidence of recklessness)

Is it a norm within the department or Business Unit to deviate from this regulation or internal policy? (If no , continue) (If yes, do not use rule violation as evidence of recklessness)

Were there other extenuating circumstances that justified deviation from the regulation or internal policy? (If yes, do not use rule violation as evidence of recklessness).

**Step 3, Attendant Circumstances**

Are there attendant circumstances that aggravate or mitigate the nature of the punitive sanction?

- Employee has always been a productive worker
- Employee always follow safety precautions
- Employee has never been before involved in a mishap
- Employee came forward to report the mishap
- Employee was encouraged by his superior to engage in risky behavior
- Employee was directed by his superior to engage in risky behavior
- Employee attempted to hide his mistake
- Employee participated in the investigation by truthfully describing his involvement
- During the investigation, the employee lied about his involvement in the mishap
- Employee refused to participate in the investigation
- Employee involved in games or horseplay when the mishap happened
- Employee continuously exhibited sloppy work habits
- Employee projected an attitude of work dissatisfaction wich disrupted the existing employee-employer relationship
- Disciplinary action has previously been taken in a mishap involvement

#### **Step 4, Appropriate Discipline**

**CONTACT LABOUR RELATIONS FOR ASSISTANCE/CONSULTATION IN INTERPRETING/APPLYING DISCIPLINARY SANCTIONS.**

This item refers to our Collective Agreement