

EASTERN REGIONAL SERVICE BOARD

Minutes of Meeting #41

March 30, 2016

7:00 p.m.

Fairfield Inn & Suites by Marriott

199 Kenmount Road, St. John's

In Attendance:

Ed Grant, Chairperson
Dave Aker, Mount Pearl
Bill Bailey, Clarenville & Isthmus
Danny Breen, St. John's
Ron Ellsworth, St. John's
Wally Collins, St. John's
Jonathan Galgay, St. John's
Tom Hann, St. John's
Dave Lane, St. John's
Dennis O'Keefe, St. John's (left early-7:50 p.m.)
Art Puddister, St. John's
Peggy Roche, Small Metro
Gordon Stone, Trinity Conception North
Gerard Tilley, Conception Bay South (left early-7:40 p.m.)
Sam Whalen, Bay Roberts
Sterling Willis, Paradise

Regrets:

Joy Dobbie, Trinity Bay South & Isthmus East
Sandy Hickman, St. John's
Harold Mallowney, Vice Chair/Southern Shore
Bruce Tilley, St. John's
Vacant, Southwest Avalon

Other Attendees:

Ken Kelly, Chief Administrative Officer
Lynn Tucker, Manager Corporate Services
Christie Dean, Manager Waste Operations
Stephen Colford, Manager, Waste and Recycling Division, Dept. of Public Works, City of St. John's

1. Call to Order

Mr. Grant, Chairperson, called the meeting to order at 7:00 p.m.

He noted that Mr. Mallowney, Vice Chairperson, is not available this evening as his brother passed away suddenly on March 25, 2016. Mr. Grant informed members that he visited the funeral home and that flowers was sent on behalf of the Board.

2. Adoption of Agenda

Mr. Grant requested one item be added to New Business – Regional Service Boards Meeting with Municipal Affairs.

It was moved and seconded (D O’Keefe/T Hann) to adopt the agenda with the addition of Regional Service Boards Meeting with Municipal Affairs under Other Business.

MOTION 2016-019: Carried (unanimously)

3. Review of Minutes – February 24, 2016

It was moved and seconded (B Bailey/S Willis) that the minutes of the February 24, 2016 meeting of the Eastern Regional Service Board be adopted as tabled.

MOTION 2016-020: Carried (unanimously)

4. Committee Reports

a) Strategy & Policy Committee – D O’Keefe, Director – Meeting held March 10, 2016

- i. Annual Reporting to Province Has Changed** – Mr. O’Keefe directed members to an email from the Province that is included in tonight’s meeting package (Appendix A) with regards to the annual process of submitting reports on our progress against our three (3) year business plan.

While we still have to report to the Province the significance of the change is important – the Board no longer falls under the *Accountability and Transparency Act* of the Province. This came into effect last summer when the Province amended our legislation so that the Province no longer makes appointments to the Board.

There are several important points for us:

- 1) The Province no longer appoints and the Board will have to design a new process for Chairperson selection following the next municipal election;
- 2) We no longer report to the Province in the same way and it will not be so restrictive; and,
- 3) We will not be consolidated with the Province for financial statements.

The last item is probably the most significant in that we were concerned that the Province would be interested in our financial position, especially any surpluses and limit our ability to use those surpluses.

- ii. **Letter to Minister of Municipal Affairs** – Mr. Grant stated that recently a letter was sent to the Minister of Municipal Affairs highlighting three (3) items important to the Board: (1) Review of the *Provincial Waste Management Strategy* (PWMS); (2) Review of Regional Service Board legislation; and, (3) Expansion of Services. A copy of the letter has been included in tonight's meeting package (Appendix B).

Discussions regarding updating the PWMS are not new and the Province is aware that it may need updating. Regarding the request for legislative change, it has been identified that the current legislation lacks the appropriate administrative tools to allow the Boards to carry out the mandate that they have been given. For expansion of services, the Boards now have an organizational capacity upon which other initiatives can be built. This conversation is ongoing and we continue to await the Province's decision regarding allowing us to collect fire fees on behalf of the Town of Holyrood from those who live in unincorporated areas outside the town. We have been told that a recommendation has gone to Cabinet; however, we must await Cabinet's decision.

In addition to these three items, regional governance was also discussed in the letter. Apparently the Province is moving ahead with the regional governance committee that was previously struck. Mr. Grant noted that he remains a member and will continue to report back to the Board on any activity. There seems to be quite an interest in regionalization at this time.

Mr. Grant stated that several other items also mentioned in his letter included setting up a meeting with MHAs representing ridings in the Eastern region to discuss strategy and operations; process changes by the Department of Advanced Education and Skills (AE&S) and its impact on revenue collection; and, the timeframe and process for the closure of the Bell Island landfill. He noted that it seems Bell Island is looking for a facility such as a transfer station for their waste. They have studied Central Newfoundland's system as well as looking at the Clarenville Transfer Station. However, it has already been determined that there is no reason to construct a transfer station on Bell Island as they can easily direct haul waste to the regional landfill at Robin Hood Bay similar to all communities in this area. The ferry is not an issue.

Mr. Grant concluded that he would report back to the Board once the Minister's response is received.

- iii. **Study Waste to Energy at the Regional Waste Management Facility located at Robin Hood Bay (RHB)** – Mr. O'Keefe reminded members that in the fall of 2015 a presentation by Mr. Colford of the City of St. John's informed members of proposals they had received with regards to alternatives to landfilling waste at RHB – specifically waste to energy. In addition, as Mr. Grant noted just a few moments ago when reporting on writing to the Minister, we have asked the Minister to 'renew' the current waste management strategy especially in the areas dealing with organics.

We feel there is a potential in the development of RHB as an energy source and this will also allow us to extend the life of the landfill thereby reducing future capital expenditures.

The Federation of Canadian Municipalities (FCM) has a Green Fund for capital projects and the development of feasibility studies for these green projects. We would like to thank Mr. Sterling Willis for bringing this to our attention.

We would like to apply for funding from FCM with the City of St. John's to determine the feasibility of waste to energy and the various approaches that can be taken to develop capital funding, public-private partnerships, etc.

It was moved and seconded (D O'Keefe/G Tilley) that Eastern Regional Service Board and the City of St. John's partner on a feasibility study to determine the ability to develop a waste to energy facility for the eastern region and the most appropriate method of development.

MOTION 2016-021: Carried (unanimously)

Mr. Colford stated that he has looked at the qualifications for funding for waste diversion projects from FCM's Green Fund and he feels that an application from the Board and the City of St. John's would not meet the criteria for a diversion project.

Mr. Kelly responded that he has spoken to officials at FCM and they are aware of the perspective for the proposed feasibility study and it seems it may qualify as an energy project rather than a waste diversion project. If the study displaces the use of fossil fuel it would qualify. The Board needs to have an option to composting.

Mr. Grant stated that the Board and the City will apply and if the funding is approved, that would be great. If it's not approved, then we simply look at other alternatives. He continued that he cannot grasp why waste used to produce energy would not be considered diversion when in fact the waste is being diverted from a landfill. If funding is not available through FCM, then we would have to look for other funding sources.

Mr. Breen asked for the deadline for applications to FCM for this type of project.

Mr. Kelly responded that FCM accepts the applications for its Green Fund throughout the year. It also funds pilot projects.

Mr. Breen requested a deferral of the funding application for one month as the City of St. John's has other issues at this time.

It was moved and seconded (D Breen/R Ellsworth) that Eastern Regional Service Board and the City of St. John's will defer for one month its joint application to the Federation of Canadian Municipalities for funding of a feasibility study to determine the ability to develop a waste to energy facility for the eastern region and the most appropriate method of development.

MOTION 2016-022: Carried (unanimously)

iv. Federation of Canadian Municipalities – Tax Incentive to Prevent Food Waste in Canada – Mr. O’Keefe directed members to the Issues Brief provided in tonight’s meeting package (Appendix C) from the Federation of Canadian Municipalities (FCM) on an initiative that has been adopted by many large municipalities across the country. FCM is advocating that we lobby the federal government to develop a tax incentive for businesses to encourage them to divert waste from the landfill by donating that waste. There has been a great deal of research done on the amount of food waste that is discarded annually – it’s about 170,000 tonnes in Canada.

They have also researched the barriers to businesses donating their food waste and one of those is the cost of donating versus disposal. The tax incentive would help tip this balance towards donating.

The material is provided in tonight’s meeting package and we will send it out to all members electronically in case members want to table it at their Councils for discussion about supporting this initiative. He concluded that there is no need for a motion from ERSB on this matter.

Mr. Lane stated that analysis has been completed by other groups on this issue and there is information coming out that this initiative may not necessarily be a good incentive.

Mr. Hann noted that there is always issues when trying to determine how to distribute unneeded food as there are many regulations around food distribution.

Mr. Grant stated that this issue is a community matter and should go back to communities for consideration. This is not an issue for ERSB.

Mr. Ellsworth noted that he would not support a motion on this issue if the Board were voting. He has been involved with community food banks for many years and this incentive is simply about large companies seeking tax incentives for their own benefit.

Mr. Aker said that he sees this incentive as waste diversion – food waste would not be going to the landfill.

Mr. Grant reiterated that no motion is necessary from the Board and he sees this item being relevant for discussion at the community level.

b) Finance & Audit Committee – D Breen, Chairperson – Meeting held March 9, 2016

i. Board Expenditures and Payroll – Mr. Breen noted that the Board’s cheque register as well as the Board’s payroll expense report for the month of February 2016 is included in tonight’s meeting package (Appendix D). No issues have been noted.

It was moved and seconded (D Breen/B Bailey) to accept the Board expenditures (cheque register and payroll summary) for February 2016 as tabled.

MOTION 2016-023: Carried (unanimously)

- ii. **Contract to Operate the Old Perlican Waste Recovery Facility** – Mr. Breen directed members to the briefing note included in tonight’s meeting package (Appendix E). He continued that this item has a few linkages to other issues happening in the Old Perlican and Trinity Conception North area.

First issue is the contract to operate the waste recovery facility has been held by Coish’s Trucking & Excavation Ltd. for the past five (5) years. There are no major issues or outstanding items with the operation. The contract expires on April 4, 2016 and the Board has not gone to tender on this service.

Secondly, the contract with Ridge G&P Services Ltd. for the curbside waste collection service is expiring effective April 4, 2016 in this area and we have awarded the new contract to T2 Ventures Inc. Similar to what has happened before, Ridge G&P Services Ltd. is marketing to communities that they can provide the service cheaper. We have heard that communities will look to go on their own in 2017.

Thirdly, we have been negotiating with the Town of Old Perlican with regards to the agreement for use of the former incinerator site as a waste recovery facility. The Town and the former committee that ran the site had an agreement in place for the use of the site. Nothing has changed with regards to the operation of the site but the Town is reluctant to sign a similar agreement with the Board. They have come back with some changes that limits the Board’s future ability to use the site and potentially increase the Board’s liability. Until the land use agreement is settled, it does not seem appropriate to go to tender.

Mr. Grant stated that he has recently been informed verbally that the Town of Old Perlican will sign the land use agreement with ERSB. It is a standard land use agreement that has been signed by other communities in which the Board operates a waste recovery facility.

It was moved and seconded (D Breen/D Aker) that Eastern Regional Service Board extend the current contract for operations at the Old Perlican Waste Recovery Facility on a month-to-month basis for no longer than six (6) months. If an agreement is not secured with the Town of Old Perlican for the use of the site, the Board will consider closing the facility. If an agreement is secured with the Town of Old Perlican for the use of the site before the end of the six (6) month period, the Board will go to tender for another multi-year contract.

MOTION 2016-024: Carried (unanimously)

- iii. **Standard for Waste Collection** – Mr. Breen noted that this item follows up on the previous item and has been discussed on several occasions before. The fact that communities can opt out of the regional service and provide a ‘black bag only’ service at a cheaper cost undermines the concept of diversion as well as the entire *Provincial Waste Management Strategy* (PWMS).

The committee recommends that we put this issue in writing to the Minister and ask the Chairperson to write government asking the Province to establish a mandatory standard for waste collection services that supports the PWMS. If they are not concerned about it, then neither should the Board.

It was moved and seconded (D Breen/R Ellsworth) that Mr. Ed Grant, Chairperson, Eastern Regional Service Board will seek the Minister of Municipal Affairs and government's support on setting of a waste management standard for the Eastern Region.

MOTION 2016-025: Carried (unanimously)

Mr. Grant noted that Central Newfoundland Waste Management does not have this issue as they do not allow any black bags. They can set that standard as they own and operate the regional landfill.

- iv. Changes to the Human Resources Policy and Procedure Manual to Address Smoking** – Mr. Breen directed members to the briefing note provided in tonight's meeting package (Appendix F). The Province recently amended its human resource policies to address the use of electronic cigarettes in the work environment.

There are some issues with regards to general cigarette use and we have had issues with use of electronic cigarettes in the office environment. The current policy of the Board is very basic and does not address the newest trend in electronic cigarettes.

Taking the Provincial amendments as an example, the Committee is recommending that the Board adopt the definitions as included in your meeting package.

It was moved and seconded (D Breen/D Lane) that Eastern Regional Service Board add the following two definitions to its *Human Resources Policy and Procedure Manual* effective immediately: Smoking – to have control over an ignited article or substance from tobacco or the use of an e-cigarette or like device that mimics and/or substitutes for smoking, including inhaling and exhaling smoke or similar vapour. Workplace – All enclosed spaces controlled by the employer including, but not limited to, private offices, open office areas, laboratories, classrooms, libraries, vehicles and all types of work rooms and workshops. Also included are rest areas and facilities such as stairways, lobbies, hallways, entrances, reception areas, elevators, lounges, lunch rooms, cafeterias, washrooms, et cetera. In addition, effective immediately Section 2.14 (e) will be changed to: Eastern Regional Service Board provides a smoke-free workplace for its employees and guests. Smoking is prohibited within the Eastern Regional Service Board workplace. Employees may smoke only in designated areas on the grounds and should not leave litter behind.

MOTION 2016-026: Carried (unanimously)

c) Governance Committee – S Whalen, Director – Meeting held March 15, 2016

- i. Occupational Health and Safety (OH&S) Policies and Statement for Senior Management to Endorse Annually** – Mr. Whalen directed members to the briefing note included in tonight's meeting package (Appendix G). In reviewing the Board's occupational health and safety materials it was noted that the policies that had been developed had not been presented to the Board and adopted.

The OH&S policy manual or framework was developed by Atlantic Safety Centre which is a private company. Atlantic Safety Centre also provided staff with first aid training and OH&S committee member training.

The Board does have an active Occupational Health and Safety Committee that meets quarterly as per requirements and submits reports to the Province. The Committee does review the OH&S policies regularly and they have not recommended any changes.

The Board needs to take action on the following items:

1. Adopt the Occupational Health and Safety Policy Manual;
2. The policy needs to be signed by the Chief Administrative Officer; and,
3. The policy needs to be dated, reviewed annually and updated as required.

With regards to the annual review and update this item has been placed on the Calendar of Events for the Governance Committee. This calendar is an oversight document that guides the Governance Committee in the critical items that the Board needs to consider, review or take action on each year.

It was moved and seconded (S Whalen/P Roche) that Eastern Regional Service Board adopt the occupational health and safety (OH&S) policies developed by the Atlantic Safety Centre for the Board and the accompanying statement for senior management to endorse.

MOTION 2016-027: Carried (unanimously)

- ii. Southern Shore Municipal Collaboration Workshop, April 14, 2016** – Mr. Whalen noted that this is an information item only. The Southern Shore Joint Councils is partnering with a local economic development group to hold a municipal collaboration workshop on April 14th in Ferryland. This is something that we have participated in before to better understand issues and challenges that these groups are trying to address on a regional level. We will be attending this workshop. In future the Board's outreach person may be more involved in setting these up in other regions.

Mr. Whalen asked for an update on the number of applicants for the newly created position of Board Clerk and Outreach Support Coordinator.

Ms. Tucker responded that 109 applications was received for the position.

5. New Business

a. Regional Service Boards Meeting with Municipal Affairs

Mr. Grant informed members that he along with the Chairpersons of the Central and Western regional service boards met with Mr. Graham Letto, Parliamentary Secretary to the Minister of Municipal Affairs and Mr. Jamie Chippett, Deputy Minister of Municipal Affairs regarding the

issues of the regional service boards. It was a good discussion. The regional service boards clearly outlined what they could provide to communities by way of municipal services. The regionalization of services was discussed. Municipal Affairs seemed interested in the information they were provided.

Mr. Kelly stated that they seemed most interested in the cost savings component of service delivery that the Boards could provide. It was a good discussion and he felt that the Province may look at regional service boards as a way to save money in the provision of services.

- b. Government Renewal Initiative – What We Are Hearing, March 2016** – Mr. Kelly circulated copies of the *Government Renewal Initiative – What We Are Hearing, March 2016* for members' information. He noted that this is a synopsis of the materials collected through the Province's "Our FISCAL Future – Starting the Conversation" public consultations held this winter.

Mr. Kelly noted that regionalization is listed as the first emerging theme from the public engagement process.

c. In Camera Session

It was moved and seconded (S Whalen/S Willis) that the following portion of the meeting will be held as a privileged session and members of the public are asked to leave the meeting room.

MOTION 2016-028: Carried (unanimously)

It was moved and seconded (S Whalen/P Roche) that the privileged meeting be adjourned.

MOTION 2016-029: Carried (unanimously)

It was moved and seconded (E Grant/S Whalen) that Eastern Regional Service Board adopt the pay scales as prepared by AEM Human Resources Consulting for its management positions effective April 1, 2016.

MOTION 2016-030: Carried (unanimously)

6. Next ERSB Meeting – May 4, 2016

The next meeting of the Eastern Regional Service Board will take place on **Wednesday, May 4, 2016 at 7:00 p.m. at The Fairfield Inn & Suites by Marriott**, Kenmount Road, St. John's.

The following committee meetings are scheduled for April 2016:

- Finance & Audit Committee – Wednesday, April 13, 2016 at 12:00 noon, EWM Boardroom
- Strategy & Policy Committee – Thursday, April 7, 2016 at 10:00 a.m., EWM Boardroom
- Governance Committee – Tuesday, April 5, 2016 at 10:00 a.m., EWM Boardroom

7. Adjournment

It was moved by B Bailey to adjourn the meeting at 8:15 p.m.

*Prepared by:
Lynn Tucker
April 6, 2016*

APPENDIX

'A'

From: [Ken Kelly](#)
To: [Ed Grant](#); [Harold Mullooney](#); [Lynn Tucker](#)
Subject: Fw: Annual Business Plan Report
Date: Tuesday, March 1, 2016 7:01:55 PM

The annual reporting requirements to the Province have changed. This should be noted at the Governance Cttee and at Strategy. However, we still have to do something but from email below what that is, is not entirely crystal clear.

Cheers.

Ken Kelly, CPA
Chief Administrative Officer
Eastern Regional Service Board
Tel: 709-579-7960
Email: kkelly@easternwaste.ca
255 Majors Path
St. John's, NL

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Kelly, Tara <tarakelly@gov.nl.ca>
Sent: Tuesday, March 1, 2016 4:55 PM
To: Ken Kelly
Subject: RE: Annual Business Plan Report

Hi Ken,

Last summer the *Regional Service Boards Act, 2012* was amended such that the Minister no longer appoints members to the boards. This change means that the boards are no longer government entities under the *Transparency and Accountability Act* and are not required to submit annual reports in the format and through the process that was previously required. The boards are still required under the RSB Act to submit an annual report to the Minister. The requirements are outlined below:

Annual report

- 33.1** (1) The board shall prepare and submit to the minister before June 30 each year
- (a) a report on the activities of the board in the previous year; and
 - (b) the board's audited financial statements for the previous year.
- (2) The board shall publish the annual report and its audited financial statements in a manner that they may be accessed by a member of the public.

Essentially, this means that your report can be more concise and does not need to include the planning aspect that it used to include. You won't be required to submit three year plans any longer under the *Transparency and Accountability Act* either. If you would like to continue with the same format as before for consistency sake, that is fine as well.

We would still appreciate a draft of the report to review in advance of the deadline for submission to the Minister. I would think end of May would be fine for this review. Let me know if that works for you.

Feel free to give me a call if you would like to discuss this.

Tara Kelly
Director of Policy and Strategic Planning (A)
Municipal Affairs
709.729.2787

From: Ken Kelly [mailto:kkelly@easternwaste.ca]
Sent: Tuesday, March 01, 2016 4:24 PM
To: Squires, Rosalind; Kelly, Tara
Subject: Annual Business Plan Report

Rosalind/ Tara,

Who is heading up the Annual Business Plan Report process this year? Any changes that we should know about?

Kindest regards,

Ken T. Kelly, CPA
Chief Administrative Officer
Eastern Regional Service Board
255 Majors Path, Suite 3
St. John's, NL, A1A 0L5
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APPENDIX 'B'

March 10, 2016

Hon. Eddie Joyce, MHA
Minister of Municipal Affairs
Government of Newfoundland & Labrador
P.O. Box 8700
St. John's NL A1B 4J6

Dear Minister Joyce,

The Eastern Regional Service Board (ERSB) has been actively engaged in implementing the Provincial Waste Management Strategy since 2011. In the past year the role of the ERSB in regional governance and municipal service delivery has come to the forefront. While the Board continues to advance the goals of the Provincial Waste Management Strategy (PWMS) we have found that the conversations that we are having with our municipal partners are often focused on how we can assist them deliver their current services more effectively and efficiently.

To better advance the goals of the PWMS and take full advantage of the regional service board model we recommend the following areas for review, investigation and revision;

Review of Provincial Waste Management Strategy – During the Provincial Election of 2016 the ERSB wrote the provincial parties and asked their respective positions on revisiting the Provincial Waste Management Strategy. The response and position of the Liberal Party has been attached to this letter as supporting documentation. The Board believes that the current strategy was developed without the benefit of current technological advancements. In particular the strategy focuses on the development of an organics processing capacity in the Province that we believe will be expensive and produce a product that has no market or value. We believe that there is sufficient interest in the private sector to explore public-private partnerships for the development of infrastructure that can reduce the financial burden on the Province and produce valuable and useful products. We cannot peg the success of the Province with regards to waste management on the current strategy without doing some additional research into areas such as waste to energy, anaerobic digestion etc... with the view to allowing the private sector to provide viable and fiscally appropriate solutions.

Review of Regional Service Board legislation – On December 13, 2013 myself and the other two regional service board Chairs wrote the previous administration to request a review of our governing legislation. The current legislation lacks the appropriate administrative tools to allow the Boards to carry out the mandate that they have been given. Included with this letter is supporting documentation to this request in 2013 that provided examples of the administrative tools authorized in other Provincial legislation for municipalities and cities that should be considered for the regional service boards.

Expansion of services - The RSB's now have an organizational capacity upon which other initiatives can be built. As the conversation continues there are various options on the table. We would like to discuss expansion of regional service delivery for services such as fire protection, building inspection, water system

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operation, municipal enforcement, and others. In addition, we believe the RSB model offers the Province a means in which it can recover the cost of service provision to local service districts and unincorporated areas for such things as road maintenance and snow clearing. This can be an additional revenue stream for the province to cover some of its operational costs.

Regional Governance – The issue of regional governance has been studied in the Province since the 90’s. The development of the regional service boards as a means of efficient and effective municipal service delivery has been the biggest and most effective step forward in regionalization since the start of this conversation. The ERSB has recently implemented an initiative to support local joint councils by providing administrative and strategic support. This will allow the joint councils to take action and develop many of the regionalization initiatives that they have been discussing. The RSB model is a natural support for building municipal capacity without impacting the autonomy of the municipalities.

In addition to the strategic items noted above there are several shorter term items that we would like to have a general discussion. These include the following;

- Expansion of regional service delivery into other areas that are not currently serviced;
- Meeting with Eastern Region Members of the House of Assembly to discuss strategy and operations;
- Process changes by the Department of Advanced Education and Skills (AE&S) and its impact on revenue collection; and
- Timeframe and process for the closure of Bell Island landfill.

On behalf of the ERSB, comprised of 20 local government representatives, covering a population in excess of 270,000 people I would like to request a meeting to further discuss these issues.

Yours truly,



Ed Grant
Chairperson
Eastern Regional Service Board

APPENDIX

'C'

Issues Brief – February 29, 2016

Tax Incentive to Prevent Food Waste in Canada

National Zero Waste Council

Founded by Metro Vancouver in collaboration with the Federation of Canadian Municipalities (FCM), the National Zero Waste Council (NZWC) is a national leadership collaborative that brings together governments, businesses and non-government organizations to advance waste prevention in Canada. The Council has united, among others, five of Canada's largest metropolitan regions – Metro Vancouver, Toronto, Montreal, Halifax and Edmonton – with key business and government leaders, academia and non-profit organizations in a call for national action and systems change to address waste generation.

Issue

The National Zero Waste Council has recommended that the federal government offer a tax incentive to encourage businesses to donate more edible food to charities. This would divert food from the waste stream, and provide a range of economic and environmental benefits.

Food Waste in Canada

About 170,000 tonnes of good, edible food—equivalent to 300 million meals—wind up in Canadian landfills every year.

Local Government Costs

This waste carries with it local government management costs – from maintaining infrastructure to delivering contract services – that could better be allocated elsewhere. With better waste reduction strategies, cities could cut food waste management costs by an estimated \$40 million per year.

Producer and Supplier Costs

Producers and suppliers account for half of the wasted food. Production, shipping and lost market value tied to this wasted food costs an estimated \$31 billion, annually. Businesses often pay more to donate food than to throw it out, resulting in edible food dumped into the waste stream instead of going to people.

Environmental Costs

Organic waste, largely food, produces 3% of Canada's greenhouse gas emissions—half that of the oil, gas and mining sector. Improved land, air and water quality would result from reductions in leachate and greenhouse gas emissions, as more unnecessarily wasted food is diverted from landfills. Canada's broader economy would benefit from lower consumption of water and other resources, used in production and storage of wasted food.

Proposed Tax Incentive

Leading agencies around the world are calling for the use of donations, and fiscal incentives, as one way to reduce wasted food. This call is based both on research and experience, particularly in the US context.

The motion being advanced by the National Zero Waste Council and local governments is singularly aimed at reducing the amount of healthy and edible food that is currently being treated as waste and disposed of at landfills. It does not attempt to address the pros or cons with Canada's existing charitable

structure, but rather works with existing charitable legislation that allows businesses to donate, in good faith, to communities in need. The tax incentive, in conjunction with the BC Center for Disease Control food donation guidelines (*see details below*), has the opportunity to better inform businesses about appropriate foods to donate. All receiving agencies have the right to refuse a donation.

For some charitable receiving agencies, a successful tax incentive would give them the leverage they would need to develop more and better receiving infrastructure. For many in the business of providing donated food to communities, they have expressed that having more, and potentially better quality donations, is a problem they would like to have.

For local governments, the tax incentive, along with the environmental benefits, would reduce direct costs of approximately \$31 million per year and about \$40 million factoring in the indirect costs of managing pests, odour, illegal dumping, etc.

The tax incentive that the NZWC is currently pursuing is one that is linked to the cost of manufactured goods, and relies on only one measure of food donation (fair market value), making it appeal to a wide range of stakeholders. In 2016, the Council is conducting research with KPMG that will further refine the mechanics of the tax incentive proposed – and looks forward to working with interested parties at the federal level to finesse the fiscal tool for businesses to donate, rather than dump, edible food.

Some have been critical that the tax incentive does not address systemic issues of food security and poverty. However, the NZWC has always been clear that the tax incentive is a reduction strategy for wasted food, with important economic and environmental benefits. While there are also accompanying social benefits, this incentive is not a food security or poverty reduction strategy.

Draft Members Motion

The draft members' motion in support of the tax incentive is as stated:

Councillor X,

Seconded by Councillor Y,

Recommends that:

- 1. Mayor and Council support the National Zero Waste Council's food waste reduction federal tax incentive proposal and urge the Government of Canada to implement tax incentives for food producers, suppliers and retailers to donate unsold edible food, thereby, reducing unnecessary food waste, decreasing disposal cost to municipalities and reducing the environmental impact of food waste.*
- 2. Mayor and Council forward this resolution to the Federation of Canadian Municipalities (FCM), requesting that FCM urge the Government of Canada to implement tax incentives for food producers, suppliers and retailers to donate unsold edible food and that this resolution be considered at FCM's upcoming Annual General Meeting.*

Tax Incentive Supporters

In recent months, cities across Canada have begun passing motions in support of the proposed tax incentive. Food Banks Canada and other community organizations such as Second Harvest and Moisson, select businesses (Metro Inc.), and academics such as Professor Kate Parizeau, University of Guelph also support the incentive. Building support amongst the public, private and community sectors remains

ongoing work of the Council. As of February 29, 2016, 14 Canadian local governments had adopted resolutions in support of the NZWC proposal:

<ul style="list-style-type: none"> • Metro Vancouver • Halifax Regional Municipality • Ville de Gatineau • Ville de Montreal 	<ul style="list-style-type: none"> • Ville de Laval • Town of Tecumseh • City of Ottawa • City of Edmonton • City of Calgary • City of Burnaby 	<ul style="list-style-type: none"> • Township of Langley • City of North Vancouver • City of Richmond • City of Kamloops
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The City of Toronto is considering the motion, and the cities of Vancouver, Winnipeg, and Nelson are reviewing it.

National Zero Waste Council Food Working Group Members

1. Mike Layton, Councillor, City of Toronto (Co-lead)
2. Shawn Pegg, Senior Policy Advisor, Food Banks Canada
3. Philippe Ozga, Senior Manager of Government Relations Food Banks Canada
4. Marie-Claude Bacon, Senior Director, Corporate Affairs Department Metro Richelieu Inc.
5. Matthew Keliher, Manager of Solid Waste Resources (Acting), Halifax Regional Municipality.
6. Michael Goeres, Executive Director, Canada Council of Ministers of the Environment.
7. Rebecca Freedman, Senior Policy Analyst, Clean Communities, BC Ministry of Environment.
8. Sonya Sundberg, A/Manager, Clean Communities, Environmental Standards Branch, BC Ministry of Environment.
9. Aurea Siemens, Waste Reduction Programs Supervisor, Waste Management Services, City of Edmonton.
10. Andrew Marr, Director of Solid Waste Planning, Solid Waste Services, Metro Vancouver
11. Annette Synowiec, Waste Management Planning, Solid Waste Management Services, City of Toronto

Background - Canadian and Global Context

Canadian Context

The National Zero Waste Council looked at a number of strategies that would address food waste in Canada. A tax incentive was pursued for a number of reasons, including the recognition that a number of complementary strategies all along the supply chain were already underway in Canada, and that the use of fiscal measures and food donations was being advanced globally.

In Canada, there was already significant movement afoot to secure tax incentives for farmers that would help address food waste happening in the field. Ontario passed a tax credit for farmers, for food bank donations, in 2014, with Quebec following suit. British Columbia was being asked to do the same – and just confirmed its own version of a farmer’s tax incentive in February 2016.

With respect to other parts of the supply chain, from processors to retailers including restaurants, a number of initiatives were being led by other stakeholders. Organic disposal bans were in place, or being proposed or launched at a provincial or local government level, in Nova Scotia, Quebec, and British Columbia. The Canadian Food and Inspection Agency (CFIA) was leading a review of “best before” dates labelling to see how these could be improved – “best before” dates are a significant contributor to

wasted food as they confuse both the retailer and the consumers about the actual shelf life of a product. The Council provided feedback to CFIA as a stakeholder, instead of running a parallel process/strategy.

The BC Centre for Disease Control (BC CDC) was producing a provincial guidelines document that would assist businesses make better decisions around food donations. The Council acted as a reviewer for these guidelines – and the tax incentive proposal was advanced anticipating that the guidelines document would be an essential companion piece. Discussions are ongoing with BC CDC to determine how to turn the provincial guidelines into a national document.

Value Chain Management (VCM) is a consulting firm focused on improving the profitability and competitiveness of commercial businesses through promoting and enabling the management of closely aligned value chains. They have conducted research and pilot projects with businesses that help address revenue lost due to food waste <http://vcm-international.com/food-waste/>. NZWC continues to use the work of VCM to inform its strategies and how it communicates with businesses. Similarly, Provision Coalition has established a Food Waste Stakeholders Collaborative that is focused on reducing food waste amongst food and beverage manufacturers (<http://provisioncoalition.com/Resources/FoodWaste>). Connecting industry leaders, sharing information and leveraging resources, as well as education and communication – around issues ranging from best before dates to harmonized messaging on food waste - are core activities for the Collaborative. NZWC sits on the Collaborative. The tax incentive, and complementary strategies to be pursued by the Council, continue to be assessed alongside the work of this industry group and ensure that activities are complementary.

With respect to working with consumers, the NZWC was aware that 'ugly produce' campaigns were in development. Loblaws was the first to launch, in March 2015, with their Naturally Imperfect Program. IGA Quebec (through Sobeys' Quebec, the supplier) has followed suit, launching their program in September 2015. Metro Vancouver launched its Love Food Hate Waste campaign in the spring of 2015. The Council is working with Metro Vancouver to assess how this regional campaign has worked, in order to assess if a national version might be successful.

Working with consumers on waste prevention can be time-and resource-intensive. With other initiatives underway that targeted consumers, as well as farmers, it was determined that developing a strategy that worked with businesses in-between would be most appropriate, timely, and complimentary.

Global Context

Globally, there is a significant increased interest in food waste reduction. This includes announcements coming out of the World Economic Forum in Davos speaking to new investments by Rockefeller Foundation <https://www.rockefellerfoundation.org/our-work/initiatives/yieldwise/>; new work undertaken by Champions 12.3 <http://champions123.org/> that focuses on food waste prevention with respect to delivering on Sustainable Development Goals. France as banned the disposal of edible food, and like the United States and Spain, provides financial incentives to boost businesses' donations in food.

In 2015, the US also announced a first national food-waste reduction goal, calling for a 50% reduction in food waste by 2030. Changes to the US' Tax Relief Act and the Food Recovery Act reflect the value of tax incentives to food recovery activities <https://pingree.house.gov/foodwaste>. The US EPA's Food Recovery Challenge lists food donations as amongst its key strategies to successfully reduce food waste <https://www.epa.gov/sustainable-management-food/food-recovery-challenge-frc>. The EU has tabled a

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strategic proposal targeting food waste. A recent report by Deloitte provides a review of legislation and practices on food donation that brings with it important considerations for our own proposed tax incentive http://www.eesc.europa.eu/resources/docs/executive-summary_comparative-study-on-eu-member-states-legislation-and-practices-on-food-donation.pdf. A House of Lords Report identifies a range of valuable strategies to prevent food waste, including food donations. <http://www.parliament.uk/documents/lords-committees/eu-sub-com-d/food-waste-prevention/154.pdf>.

APPENDIX

'D'

Eastern Regional Service Board
 BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 004678 dated between 02-01-2016 and 02-29-2016

CHEQUE REGISTER

Printed: 8:40:42AM 03/03/2016

Page 1 of 2

Number	Issued	Amount	SC	Status	Status Date
004592	02/10/2016 Hogan, Joseph	180.00	A/R	CLEARED	02/17/2016
004593	02/10/2016 March, Hubert	128.25	A/R	QUT-STD	02/10/2016
004594	02/10/2016 Warren, Annie F.	14.57	A/R	CLEARED	02/24/2016
004595	02/10/2016 Encon Group Inc.	4,842.12	G/L	CLEARED	02/17/2016
004596	02/10/2016 Director of Support Enforcement	222.00	G/L	CLEARED	02/17/2016
004597	02/10/2016 Blaketown Service Station	468.85	A/P	CLEARED	02/24/2016
004598	02/10/2016 D&L Russell Limited	127.35	A/P	QUT-STD	02/10/2016
004599	02/10/2016 Dodd's Diesel Repair Ltd.	7,543.95	A/P	CLEARED	02/24/2016
004600	02/10/2016 NATIONAL Public Relations	17,264.86	A/P	CLEARED	02/24/2016
004601	02/10/2016 North Atlantic	24,381.85	A/P	CLEARED	02/17/2016
004602	02/10/2016 OMB Parts & Industrial Ltd. 1	660.58	A/P	CLEARED	02/24/2016
004603	02/10/2016 T2 Ventures Inc.	143,394.77	A/P	CLEARED	02/17/2016
004604	02/10/2016 Tulk Tire & Service Ltd.	2,934.94	A/P	CLEARED	02/17/2016
004605	02/10/2016 A1 Glass	75.50	A/P	CLEARED	02/24/2016
004606	02/10/2016 AMEC Foster Wheeler Environment & Infrastructure	885.92	A/P	CLEARED	02/24/2016
004607	02/10/2016 Around The Bay Disposals Inc.	39,860.49	A/P	CLEARED	02/17/2016
004608	02/10/2016 Bell Aliant	1,431.29	A/P	CLEARED	02/17/2016
004609	02/10/2016 Bernice Hickey	207.95	A/P	CLEARED	02/24/2016
004610	02/10/2016 Big Eric's Inc.	112.40	A/P	CLEARED	02/17/2016
004611	02/10/2016 Cansel	423.75	A/P	CLEARED	02/24/2016
004612	02/10/2016 Christie Dean	2,813.24	A/P	CLEARED	02/17/2016
004613	02/10/2016 Dynamex Canada Limited	8.00	A/P	CLEARED	02/24/2016
004614	02/10/2016 Ed Grant	561.13	A/P	CLEARED	02/17/2016
004615	02/10/2016 Edward Collins Contracting Ltd.	10,961.00	A/P	CLEARED	02/24/2016
004616	02/10/2016 E K Lomond Auto Solutions Inc	43.69	A/P	CLEARED	02/17/2016
004617	02/10/2016 Harold Mullooney	297.49	A/P	CLEARED	02/10/2016
004618	02/10/2016 Hazmasters	81.36	A/P	CLEARED	02/17/2016
004619	02/10/2016 Jacqueline Crocker	40.67	A/P	CLEARED	02/17/2016
004620	02/10/2016 Jonathan Miller	395.50	A/P	CLEARED	02/17/2016
004621	02/10/2016 Ken Kelly	3,002.10	A/P	CLEARED	02/17/2016
004622	02/10/2016 Kenneth Rollings	1,671.13	A/P	CLEARED	02/17/2016
004623	02/10/2016 Kevin Butt	258.71	A/P	CLEARED	02/24/2016
004624	02/10/2016 Kevin Fahey	33.99	A/P	CLEARED	02/17/2016
004625	02/10/2016 Leslie Squires	440.00	A/P	CLEARED	02/17/2016
004626	02/10/2016 Newfoundland Exchequer - MVR	205.00	A/P	CLEARED	02/24/2016
004627	02/10/2016 Nexgen Municipal Inc.	815.26	A/P	CLEARED	02/17/2016
004628	02/10/2016 Northern Business Intelligence	3,446.30	A/P	CLEARED	02/17/2016
004629	02/10/2016 ORKIN Canada Corporation	2,192.20	A/P	CLEARED	02/24/2016
004630	02/10/2016 Pinnacle Office Solutions Ltd.	203.32	A/P	CLEARED	02/24/2016
004631	02/10/2016 Quikprint Services Ltd.	89.27	A/P	CLEARED	02/17/2016
004632	02/10/2016 Randy Reid	390.21	A/P	CLEARED	02/17/2016
004633	02/10/2016 Redline Automotive 0765	289.46	A/P	CLEARED	02/17/2016
004634	02/10/2016 Ridge G&P Services Ltd.	33,592.56	A/P	CLEARED	02/17/2016
004635	02/10/2016 Sam Whalen	282.14	A/P	CLEARED	02/17/2016
004636	02/10/2016 Town of Clarendville	804.00	A/P	CLEARED	02/24/2016
004637	02/10/2016 Waste Resource Association of Nova Scotia	1,322.50	A/P	QUT-STD	02/10/2016

** - Name on Check was modified

Eastern Regional Service Board
 BNK2 - Bank of Montreal - EW
 Cheques from 000001 to 004678 dated between 02-01-2016 and 02-29-2016

CHEQUE REGISTER

Printed: 8:40:43AM 03/03/2016

Page 2 of 2

Number	Issued	Amount	SC	Status	Status Date
004638	02/10/2016 William Blunden	144.55	A/P	*VOID*	02/10/2016
004639	02/10/2016 Newfoundland Power Inc.	1,498.95	A/P	CLEARED	02/17/2016
004640	02/24/2016 61366 Newfoundland and Labrador Inc.	5,621.75	A/P	OUT-STD	02/24/2016
004641	02/24/2016 A1 Glass	616.90	A/P	OUT-STD	02/24/2016
004642	02/24/2016 Dodd's Diesel Repair Ltd.	5,652.01	A/P	OUT-STD	02/24/2016
004643	02/24/2016 AMEC Foster Wheeler Environment & Infrastructure	18,510.73	A/P	OUT-STD	02/24/2016
004644	02/24/2016 Bell Mobility Inc.	1,590.46	A/P	OUT-STD	02/24/2016
004645	02/24/2016 Christie Dean	1,191.15	A/P	OUT-STD	02/24/2016
004646	02/24/2016 City of St. John's	52,222.48	A/P	OUT-STD	02/24/2016
004647	02/24/2016 Coish's Trucking & Excavating Ltd.	9,004.01	A/P	OUT-STD	02/24/2016
004648	02/24/2016 Conception Bay Auto & Tire Centre	4,381.91	A/P	OUT-STD	02/24/2016
004649	02/24/2016 D&L Russell Limited	196.26	A/P	OUT-STD	02/24/2016
004650	02/24/2016 De Lage Landen Financial Services Canada Ltd.	286.42	A/P	OUT-STD	02/24/2016
004651	02/24/2016 Dicks and Company Limited	415.04	A/P	OUT-STD	02/24/2016
004652	02/24/2016 E K Lomond Auto Solutions Inc	155.44	A/P	OUT-STD	02/24/2016
004653	02/24/2016 Harbour Construction Limited	5,542.65	A/P	OUT-STD	02/24/2016
004654	02/24/2016 Harbour ELECTRIC Ltd.	110.18	A/P	OUT-STD	02/24/2016
004655	02/24/2016 Harvey & Company Ltd.	32.86	A/P	OUT-STD	02/24/2016
004656	02/24/2016 Hazmasters	196.28	A/P	OUT-STD	02/24/2016
004657	02/24/2016 Hi Tech Scales Ltd.	254.25	A/P	OUT-STD	02/24/2016
004658	02/24/2016 Imperial Oil	341.63	A/P	OUT-STD	02/24/2016
004659	02/24/2016 Kevin Butt	952.01	A/P	OUT-STD	02/24/2016
004660	02/24/2016 Lynn Tucker	5,208.26	A/P	OUT-STD	02/24/2016
004661	02/24/2016 M J Hickey Construction Ltd.	3,928.00	A/P	OUT-STD	02/24/2016
004662	02/24/2016 Newfoundland Exchequer - MVR	160.00	A/P	OUT-STD	02/24/2016
004663	02/24/2016 North Atlantic	203.36	A/P	OUT-STD	02/24/2016
004664	02/24/2016 Northern Business Intelligence	1,862.13	A/P	OUT-STD	02/24/2016
004665	02/24/2016 ORKIN Canada Corporation	337.87	A/P	OUT-STD	02/24/2016
004666	02/24/2016 Pitney Bowes	462.57	A/P	OUT-STD	02/24/2016
004667	02/24/2016 Pro-Tech Construction Ltd.	7,700.49	A/P	OUT-STD	02/24/2016
004668	02/24/2016 Quikprint Services Ltd.	475.66	A/P	OUT-STD	02/24/2016
004669	02/24/2016 Redline Automotive 0765	25.70	A/P	OUT-STD	02/24/2016
004670	02/24/2016 Richard Warford	2,176.12	A/P	OUT-STD	02/24/2016
004671	02/24/2016 Royal Garage Ltd.	293.57	A/P	OUT-STD	02/24/2016
004672	02/24/2016 Tulk Tire & Service Ltd.	1,416.40	A/P	OUT-STD	02/24/2016
004673	02/24/2016 Vardy Villa Limited	34,438.29	A/P	OUT-STD	02/24/2016
004674	02/24/2016 Wedgwood Insurance Limited	1,621.00	A/P	OUT-STD	02/24/2016
004675	02/24/2016 William Woodman	144.55	A/P	OUT-STD	02/24/2016
004676	02/24/2016 Receiver General of Canada	42,066.43	G/L	OUT-STD	02/24/2016
004677	02/24/2016 Thomas, Fred & Theresa	222.94	A/R	OUT-STD	02/24/2016
Cheque Totals Issued:		520,918.33			
Void:		144.55			
Total Cheques Generated:		521,062.88			
Total # of Cheques Listed:		86			

** - Name on Check was modified

**EASTERN REGIONAL SERVICE BOARD
EASTERN WASTE MANAGEMENT**

**PAYROLL EXPENSE
FEBRUARY 2016**

Payroll – Staff (<i>2 pay periods – 32 employees</i>).....	\$122,839.91
Payroll – Board (<i>20 members</i>)	\$ 0.00
Total Payroll (<i>32 employees</i>)	\$122,839.91
Payroll CRA Remittance (<i>Chq#4676</i>)	\$ 42,066.43
TOTAL GROSS PAYROLL	<u>\$164,906.34</u>

PREVIOUS MONTH

JANUARY 2016

Payroll – Staff (<i>2 pay periods – 32 employees</i>)	\$115,057.41
Payroll – Board (<i>20 members</i>)	\$ 0.00
Total Payroll (<i>49 employees</i>)	\$115,057.41
Payroll CRA Remittance (<i>Chq#4529</i>)	\$39,160.54
TOTAL GROSS PAYROLL	<u>\$154,217.95</u>



Canada Revenue Agency / Agence du revenu du Canada

STATEMENT OF ACCOUNT FOR CURRENT SOURCE DEDUCTIONS

RECEIVED FEB 17 2016 Page 1 of 3

Statement of account as of February 4, 2016 Account number 86109 6600 RP0001 Employer name Eastern Regional Service Board 0000769

Balances on last statement		Current balances	
Amount paid for 2016	Assessed amount owing	Amount paid for 2016	Assessed amount owing
Not Available	Not Available	39,160.54Cr	0.00

EXPLANATION OF CHANGES

Date	Description	Amount
Feb 3	Payment Jan 2016	Received Feb 2 2016 39,160.54Cr

We will be changing the layout of the information on your Statement of Account for Current Source Deductions to make it easier to understand. The new format will be adopted on all statements issued after May 2016.

If you received a small business job credit, please remember that when determining your taxable income for the year, you can either:

- subtract the credit from your employment insurance premium expense; or
- include it as income in the year you received it.

You can learn more about the credit at www.cra.gc.ca/sbjc.

Have you signed up for direct deposit yet? If not, simply fill out Form RC366, "Direct Deposit for Businesses", available at www.cra.gc.ca/directdeposit and mail it to your tax centre. Enroll now, because the Government of Canada is phasing out federal government cheques by April 2016.

Thank you for your payment.

Please use the remittance voucher to make your next remittance or explain on the last page why you will not be remitting.

Andrew Treusch
Commissioner of Revenue

CPP contributions	EI premiums	Tax deductions	Current payment	Gross payroll	Number of employees in last pay period
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PD7A E (15)X Tear off here and return lower portion with your payment.

Canada Revenue Agency / Agence du revenu du Canada

CURRENT SOURCE DEDUCTIONS REMITTANCE VOUCHER

PD7A E(15)X Protected B when completed

ST. JOHN'S NL A1B 3Z1

Account Number **06** 86109 6600 RP0001

Do not use this area

Number of month(s) being paid End of remitting period for which deductions were withheld Year Month

Gross payroll in remitting period (dollars only) 00 Number of employees in last pay period

Amount Paid

Eastern Regional Service Board
3-255 MAJORS PATH
ST JOHN'S NL A1A 0L5

0610020006000000861096600RP00010000000000000000000610027

1 2 2016 1 1 7 1

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APPENDIX

'E'

Briefing Note – Old Perlican Waste Recovery Facility

The Board has been in negotiations with the Town of Old Perlican with regards to the agreement for use of the former incinerator site as the Waste Recovery Facility. The Town and the former Committee that ran the site had an agreement in place for use of the site as a Waste Recovery Facility.

A draft agreement has been given to the Town for review based on the former agreement.

They have come back with some changes that limit the Board's future ability to use the site and potentially increase the Board's liability.

These are simple agreements that capture the understanding upon which the facilities and programs have been put established.

The contract for the operation of the Waste Recovery Facility expires April 4, 2016.

Until the land use agreement is settled it does not seem appropriate to go to tender and potentially result in a situation that the Board has a multi-year contract in place for a facility that it does not have an agreement to operate.

There is also potential that communities in the regional curbside collection service may be opting to develop their own service. This could result in the Board not having any curbside operations in the area. This will likely unfold at the end of the year. We have sent all of these Towns invoices for the full 2016 service.

Recommendation:

Extend the current contract for operations of the Waste Recovery Facility on a month to month basis for no more than 6 months. If agreement for the use of the site has not been secured then consider closing the facility. If agreement is secured before the end of 6 months then go to tender for another multi-year contract (3 years with options to renew/extend for additional 2 years).

APPENDIX

'F'

Briefing Note – Addition to Human Resource Manual

Current working in Human Resource Policy Manual

2.14 Appearance and Conduct

e) ERSB provides a smoke –free environment for its Employees and guests. Smoking is prohibited within ERSB facilities and vehicles. Employees may smoke only in designated areas on the grounds and should not leave litter behind.

Proposed Additions to list of definitions and Section e):

Smoking to have control over an ignited article or substance from tobacco, or the use of an e-cigarette or like device that mimics and/or substitutes for smoking, including inhaling and exhaling smoke or similar vapour

Workplace all enclosed spaces controlled by the employer including, but not limited to, private offices, open office areas, laboratories, classrooms, libraries, vehicles and all types of workrooms and workshops also included are areas and facilities such as stairways, lobbies, hallways, entrances, reception areas, elevators, lounges, lunch rooms, cafeterias, washrooms, et cetera

e) ERSB provides a smoke –free workplace for its Employees and guests. Smoking is prohibited within the ERSB workplace. Employees may smoke only in designated areas on the grounds and should not leave litter behind.

APPENDIX

'G'

Briefing Note – Occupational Health & Safety Policy Review and Adoption

As an employer, Eastern Regional Service Board (ERSB) is required to have policies in the workplace governing occupational health & safety and early and safe return to work. Employers are responsible for their employees and have a legal and moral obligation to provide for their safety and well-being. An occupational health & safety policy will help the employer meet this responsibility.

An occupational health & safety policy is required under Provincial OH&S legislation (Section 36.2 of the *OH&S Act*, Section 4.1 of the OH&S Regulations and under federal OH&S legislation [Section 125.1(ii)] of the *Canada Labour Code*, Part II.

The policy must:

1. Be written in consultation with the health and safety representative/designate or committee;
2. State your health and safety related goals;
3. State the activities required to support these goals and the roles and responsibilities necessary to ensure the activities are implemented;
4. Be posted in a prominent area (physically and/or electronically);
5. Be signed by the highest level of management; and
6. Be dated, reviewed every year and updated as required.

In April 2013, Atlantic Safety Centre was contracted to develop the Board's occupational health & safety policy as well as an early and safe return to work policy. In addition, they provided first aid training, committee training, etc. at that time to staff.

Recently, it was noted that the Board's OH&S policies:

1. Have not been adopted by the Board;
2. have not been signed by the highest level of management – the Chief Administrative Officer; and
3. Have not been dated, reviewed annually and updated as required.

The Board does have an active Occupational Health & Safety Committee that meets quarterly. The committee does review the OH&S policies regularly and they have not recommended any changes.

Recommendation: Staff is recommending adoption of the Corporate Health & Safety Policy statement as well as the Occupational Health & Safety Policy and the Early and Safe Return-to-Work that is included in the *Employee Safety Handbook*.

1.1 Corporate Health & Safety Policy

Eastern Regional Service Board is committed to a strong health, safety and environment program which will protect its employees, its property, and the public from fire and accidents, which can cause injuries, damage to property or the environment and prevent industrial disease.

To ensure the workplace maintains the highest safety standards a formal and informal workplace safety inspection(s) will be held on a regular basis by management and the OH&S Committee to detect substandard acts and conditions. These inspections will be documented.

The organization will have an OH&S Committee as per the OH&S Act. The organization is committed to cooperation with the OH&S Committee in carrying out his/her collective responsibility for occupational health and safety.

Supervisors will be held accountable for the health and safety of workers under their supervision. Responsibility includes ensuring that machinery and equipment are safe and that workplace practices are in compliance with established legislation, work practices and procedures. To protect their health and safety, workers must receive adequate specific work task training.

Every worker must protect his/her health and safety and the health and safety of other workers by working in compliance with legislation and established workplace practices and procedures.

Contractors will be expected to operate accordingly to legislative requirements using best practices and following the organization's policies and procedures regarding health and safety.

All employees are oriented to the organization's general safety rules upon hire and will abide by these rules. Disciplinary action will be implemented for failure to obey these rules.

As part of ensuring a safe and healthy workplace for all its employees the organization has a policy of zero tolerance toward any employee harassment.

All employees will work in accordance with established safe work practices, procedures, applicable government legislation and will take all reasonable care to protect their own health and safety, the safety and health of their co-workers and other persons at or near the workplace.

Safety must be a way of life!

Signature of Chief Administrative Officer

Date

Signature of Manager Waste Operations

Date

Signature of OH&S Committee Member

Date

To be reviewed: Annually

DRAFT