

March 8, 2018

Ms. Jennifer Fuchinsky
Fatality Inquiry Coordinator
Justice and Solicitor General
Legal Services Division
Civil Law - Litigation
9th Floor Peace Hills Trust Tower
10011 - 109 Street
Edmonton, AB T5J 3S8

Dear Ms. Fuchinsky:

Thank you for your February 21, 2018 letter regarding the public inquiry into the death of Mr. Cody Mason Demary in a workplace incident. Mr. Demary's death is tragic and I appreciate the opportunity to respond.

Alberta Labour is committed to the health and safety of workers. As such, in response to the inquiry's recommendation I can advise the following:

- Alberta Labour accepts Judge Rae's recommendation that Occupational Health and Safety work with its federal counterparts to establish a protocol to ensure that very early in any investigation, an accurate determination is made as to jurisdiction.
- At the time of the fatality in 2011 no agreement was in place between the Government of Alberta and the Government of Canada regarding occupational health and safety jurisdiction determination.
- In 2015, Alberta Labour proactively entered into an administrative agreement (the "Canada-Alberta Protocol on Collaboration on Occupational Health and Safety") with Employment and Social Development Canada to support work site investigations where it is unclear if jurisdiction is provincial or federal.
- Alberta Labour believes this protocol meets the intent of Judge Rae's recommendation.

Thank you again for the opportunity to respond. If you require anything further, please contact my office.

Sincerely,

Original signed


Jeff Poir
Deputy Minister

cc: Lori Sterling
Deputy Minister of Labour
Government of Canada