

Faye Campeau
65 Makynen Road
Sudbury, Ontario P3E 4N1
Cell Phone (705) 507 4121
fayecampeau@live.ca

Attention: Kevin Flynn, Minister of Labour
Sophie Dennis, Deputy Minister of Labour
Ministry of Labour
400 University Avenue, 14th, Floor
Toronto, ON M7A 1T7

FAX (416) 326 0507
Page 1 of ____

May 25, 2016

RE: WSIB CLAIM #*****5678

Open letter to Minister Kevin Flynn and Deputy Minister Sophie Dennis:

Ten years ago today, my husband Raymond Campeau, was killed on the job by a faulty, and improperly maintained winch system that should have never been put into use at the Podolsky mine site. In addition to this equipment being unsuitable for the wet environment at my husband's workplace, the winch system had also undergone unapproved material alterations that caused or contributed to this accident. A multitude of evidence indicates that charges should have been laid against the employer, engineer, supervisors and third parties involved in this fatality. **Had sections 231, 237, and all of regulation 854 of the Occupational Safety Act been enforced by the Ministry of Labour and its inspectors prior to May 25, 2006, this accident would not have happened.** In addition to failing to enforce the Occupational Health and Safety Act prior to my husband's accident, the Ministry of Labour and its inspectors half-heartedly investigated this matter and issued false reports to conceal their involvement in the cause of my husband's death..

In the spring of 2015, I addressed two letters to Minister Kevin Flynn asking him to explain why the Ministry of Labour failed to lay charges in relation to this fatality. To date, this question remains unanswered, despite the overwhelming evidence which points to the fact that charges should have been laid in this case. In response to my letters, two senior officials and their legal counsel agreed to meet with me in Sudbury, Ontario on August 25, 2015, to discuss my concerns. Unfortunately, no progress was made during this meeting because the legal counsel present advised the Ministry of Labour officials to refrain from discussing the issue of equipment with me. I am still waiting to receive the information that these officials promised to obtain following this meeting.

This is my final attempt to direct your attention to this matter, as I have repeatedly requested the cooperation and assistance of the Ministry of Labour over the past ten years with no advancement. **The objective of this letter is to obtain a comprehensive written response as**

to why charges were not laid in this case. In addition, I am also requesting that the Ministry of Labour to obtain and submit the following documents to me by June 10, 2016:

Documents Pertaining to Podolsky Mine

- 1) A copy of the material report from engineer Styliano Kontonikolas (S.K.) – Dynatec Corporation’s Structural Engineer – bearing his seal and signature detailing that the **workstage design** met the requirements of section 231(1)(1.1) specifically (2) and 237(9)(a)(b) specifically (10) of the Mines Regulation (*as requested by Dan Beaulieu FV. No. 5001969 page 2-3 for the Podolsky mine*)

- 2) A copy of Styliano Kontonikolas (SK) – Dynatec Corporation’s Structural Engineer – Workstage Design Report bearing his seal and signature stating that the **equipment, machine or device** was not likely to endanger a worker (*as requested by Dan Beaulieu FV. No. 5001997 page 4*) as required by section 54(1)(k) and 29(1)(a)(i)(ii)(iii)(iv)(b), (3)(a)(b)(4) of the OHS Act for the Podolsky mine site.

- 3) A copy of the commissioning report bearing the seal and signature of the individual who approved Wintech Winch Model CP16000-20, Serial No. 02126 (not Serial No. 02125), date of Manufacture 12/10/02, (*as requested by Dan Beaulieu FV. No. 5001997 page 4, 6, 7 & 8 for the Podolsky mine site*) as required section 205 and 206 of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants.

- 4) A copy of the “PERMIT TO OPERATE A MINING HOISTING PLANT” that should have been issued to Dynatec Corporation by the Ministry of Labour **before** this shaft sinking equipment that killed my husband, was put into operation at the **Podolsky mine site**, as required in Part X Mine Hoist Plant section 203 (1)(2)(3), and a copy of the Conveyance Permit as required by section 204 of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants.

- 5) A complete copy of Dynatec Corporation’s written policies and procedures for the Podolsky mine prior to May 25, 2006, that explain when and how to secure (tie off/**bring to zero energy**) the jumbo drill as required by section 26(k) of the Occupational Health and Safety Act and Regulations for Mines and Mining. (*See FV. No. 5001998 page 3- “Institute job procedures to ensure workers can perform their duties safely”*).

Documents Pertaining to Garson Mine

- 6) A copy of the material report **bearing the seal and signature of the engineer who** detailed that the workstage design at the Garson mine met the requirement of section 231(1)(1.1) specifically (2) and 237(9)(a)(b) specifically (10) of the OHS Act for Mines Regulation. (*See FV. No. 5001910*).
- 7) A copy of the workstage designer report for the **Garson mine, bearing the seal and signature of the engineer who stated** that the equipment, machines, and devices were not likely to endanger a worker as required by section 54(1)(k) and 29(1)(a)(i)(ii)(iii)(iv) (b), (3)(a)(b)(4) of the OHS Act.
- 8) A complete copy of the commissioning report for Wintech winch Model CP16000 – 20, Serial No. 02126 / (not Serial No. 02125). Date of Manufacture 12/10/02, for the **Garson mine site** as required in section 205 and 206 of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants.
- 9) A copy of the “PERMIT TO OPERATE A MINING HOISTING PLANT” that should have been issued to the Garson mine by the Ministry of Labour **before** this shaft sinking was put into operation at this mine site, as required in Part X Mine Hoist Plant section 203 (1)(2)(3), and a copy of the Conveyance Permit as required by section 204 of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants.

Documents Pertaining to the Investigation

- 10) A complete copy of the Notice of Death or Injury Report that Dynatec Corporation was required to submit to the Ministry of Labour within 48 hours of this accident. (This written report is required by section **Part VII Notices 51. (1) 21(1)(a)(b)(c)(d)(e)(f)(g) and 21(5)(a)(d)(f)(h)(i), and 22(1)(a) and 29 (1) (a)(i)(ii)(iii) (iv) (b), (2) (3)(a)(b)(4) and 53** of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants).
- 11) A copy of the qualification and official job titles of my husband’s direct supervisors Reginald Simon, and Charlie Laforge who directed his work up until the date of his accident.

- 12) A copy of the qualifications and official job titles for Terry Gibb and Chris Stewart
- 13) A copy of any/all witness statements given by Terry Gibb or Chris Stewart.
- 14) A copy of all witness reports obtained by the Ministry of Labour following this accident including the witness statement of Marc Delongchamp taken by Ministry of Labour inspector Dan Beaulieu on June 8, 2006.
- 15) A complete copy of the Log Books as per section 207 and 239(1)(a)(i) specifically (v)(vi) of the Occupational Health and Safety Act and Regulations for Mines and Mining Plants specifically the “Hoist operator’s Log Book” for both the Garson mine from 2001-2004 and the Podolsky mine for September 1, 2004 to May 25, 2006 (*See FV No. 5001997 page 3-4*).
- 16) The mechanic log book May 25, 2005 to May 25, 2006 from the Podolsky mine.
- 17) The mechanic log book 2001-2004 from the Garson mine.

WSIB Matters

- 18) I require a copy of a BLANK Election Form as requested in my letter dated February 29, 2016 to Minister Flynn. The Workplace Safety and Insurance Board has refused to provide me with a copy as continuously requested in writing.

According to M.P.P France Gilinas, the Minister of Labour, Kevin Flynn, has an obligation to respond to the questions and concerns I expressed in the previous letters addressed to him. In these correspondences, I have made serious claims against the integrity of the investigations, inspections and reports conducted by the Ministry of Labour in regards to this matter. There are serious consequences under Bill C-45 of the Criminal Code of Canada which applies to all parties, including government bodies, in cases where negligence causes the death of a worker. I have evidence which proves that charges should have been laid in this case and am adamant that the Ministry of Labour explain the false reports composed by its inspectors.

In the event that I do not receive a response to this letter by June 10, 2016, I will be arriving at Queens Park with a bus full of supporters to protest for answers, and to insist that this matter be addressed in the House of Commons. Then I will be requesting that the Royal Canadian Mounted Police investigate this matter since the Sudbury Regional Police declined to make reopening this case a priority when I spoke with them last month.

Ms. Dennis, I personally overheard you say that charges should have been laid in this this case when we met in 2009. I hope that you will take this letter seriously and that you will act immediately to come up with the answers and documentation requested, and a satisfactory resolution that will put this issue to rest. I would also welcome the opportunity to speak with you over the phone this week to address some of these issues more directly.

In the meantime, please see some of the sample evidence I have enclosed below:

- 1) Witness Statement of Peter Serre, 2007-03-24
- 2) Witness Statement of Marc Delongchamp, 2007-03-25

I am in the process of having these documents enlarged and mounted to picket signs in the event that my supporters and I are forced to gather at Queen's Park next month.

Respectfully yours,

Faye Campeau