



TOOL REMOVAL

1. Prior to removal of tools

- Build a respectful relationship with management to avoid surprises.
- Ensure the member has representation if there is a possibility that tools will be removed.
- Assure the member that their union will support them. Tool removal happens in law enforcement, and we will guide them through the process to get their tools back if they are removed.
- Ensure the *CBSA Firearm Removal Policy* is being followed, including the 24-hour review by the director. Ensure the member has been provided with the CBSA *Demystifying the non-administrative removal of defensive equipment* policy document. Ensure management has read and is following this.
- Defend the member's right to be informed of the reasons for the tool removal.

2. Grieving the removal

- File a grievance following the tool removal if the member believes that the employer had insufficient grounds for removal.
- File a grievance if the process for returning the tools is delayed. For example, constant requests for more medical information, failure to liaise with Health Canada, delays in decision-making etc.
- Tool removal is an administrative measure. Grieve any action on the part of the employer that suggests the tool removal is disciplinary. For example, being given meaningless or inappropriate duties, constant shift changes, loss of overtime opportunities, being left out of assignments etc.

3. Getting tools reinstated

- Inform members that they can use their own doctor/psychologist to provide medical information (recommended). Grieve the mandate for a psychological assessment if there is not cogent evidence of a safety issue in the workplace.
- Inform members of the limits to the information the employer can ask for. This includes not being able to request a diagnosis or psychiatric notes. The employer can, however,

ask for specific limitations and a list of medications, as long as they are related to the member's ability to perform the duties of their position.

- Stay in communication with the member, the local manager who sits on the committee that deals with tool removals, and the member's manager. Check in regularly and keep the pressure on for the return of the tools.