

NEWS RELEASE

2014-10-30

POTABLE WATER CONTAMINATION THREAT Investigation Or Cover-up - Whistle Blower Fired

NORTH VANCOUVER – On July 26th 2014, the 'Morris For Mayor' campaign announced that it was investigating an allegation that the City of North Vancouver's drinking water supply had been put at risk as recently as April 14th 2014. An FOI request was pursued, and the follow-up investigation is now complete.

Facts:

On May 13th 2014, CUPE Local 389 filed a grievance with the City in which they alleged a long service employee had been bullied by City Management for refusing to remove potable water pipeline lockouts in relation to pipeline and valve replacement work performed to the City's water distribution system at 21st Street and Lonsdale.

<http://kerrymorris.ca/wp-content/uploads/2014/04/21st-Lonsdale-Intersection.pdf>
<http://kerrymorris.ca/wp-content/uploads/2014/04/CUPE-Union-Grievance-Bullying.pdf>

On July 18th 2014, following a Vancouver Coastal Health ('VCH') inquiry resulting from a 'Section 29 - Drinking Water Protection Act' request for investigation, filed by Mr. James Barnes, a 22 year employee of the City of North Vancouver, VCH wrote:

"...Section 1 of the Act defines "threat" as follows:

*"**threat**" means, in relation to drinking water, a condition or thing, or circumstances that may lead to a condition or thing, that may result in drinking water provided by a domestic water system not being potable water;..."*

"My response to your request considers your concerns with respect to the above definition of threat:

*With respect to the water main repair near Lonsdale and 21st Street that occurred on April 24th 2014, Vancouver Coastal Health has reviewed the documents you provided and the City's response. The City of North Vancouver had a procedure in place that was meant to ensure water potability following water main repairs. **Although it has not been possible to determine the degree to which this procedure was followed on the day in question, Vancouver Coastal Health has no evidence that this resulted in a significant risk to public health.** As a result of the investigation the City of North Vancouver has updated their water main disinfection procedures. In addition, training for staff involved in water main repair or replacement has been clarified."*

<http://kerrymorris.ca/wp-content/uploads/2014/04/Breach-of-the-Water-Act-Investigation.pdf>

With this communication VCH ended its investigation of the issue. The evidence provided to our office through the FOI process, includes screen shots of text messages between City managers and Mr. Barnes, clearly disclosing proof that Mr. Barnes was asked to do things that contravened the Act. The text messages as disclosed provide clear written evidence of a breach of the Act wherein they read:

Barnes:

"Text Message 604-999-5793 'Need Confirmation' that I refused to remove lockout of untested & approved water as we both observed"

(Authorized and approved by the candidate KerryMorris as financial agent for the campaign)

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Management:

"Text Message Xxxxxx Xxxxxx Xxxxx 604-999-5793 Message: **Yes I confirm that you refused to remove the lockout of untested and unapproved water, and did not approve of turning the water on** Received 9:14pm May 1, 14"

<http://kerrymorris.ca/wp-content/uploads/2014/04/Admission-of-Non-Compliance-with-Act.pdf>

The untested, unapproved water supply was turned back on, and any contaminants in the system were consumed by City of North Vancouver residents.

CUPE's request for an investigation of the 'Bullying' complaint brought by Mr. Barnes, which was filed with WCB, was turned over to the City to conduct. WCB relied upon the City of North Vancouver's investigation results, performing no work of its own. The individuals accused of Bullying were interviewed, no one else, not even Mr. Barnes was asked to provide input. The City's WCB investigation found no justification for the Bullying complaint, and the complaint was dismissed. Mr. Barnes was placed on medical leave, and refused the ability to return to work.

On July 30th 2014, the City terminated Mr. James Barnes, after 22 years of service to the community. In his final cheque, signed by CAO Ken Tollstam, Mr. Barnes received payment of \$24,230 titled "**Termination Pay Out**". Prior to receiving the cheque, Mr. Barnes was compelled to sign a release that gags him from disclosing any information about these events to anyone.

<http://kerrymorris.ca/wp-content/uploads/2014/04/Termination-Pay.pdf>

The documents released in this investigation disclose that City management told Mr. Barnes:

"We wish you didn't decide to contact Vancouver Coastal Health about this matter, this is all very embarrassing for the City"

The City lost a long service employee for the sole reason that he refused to breach inspection and testing standards for our potable water system. He put the safety of our community above all other things, and suffered the ultimate fate for his protection of our best interests. Mr. Barnes lost his job, and the system failed to protect him from redress.

When asked of his opinion on this issue, mayoral candidate Kerry Morris said this:

"The Management of a complex City system of utilities and staff can be no easy task. But terminating people who whistle blow about wrongful City conduct, conduct that puts City residents and all others in a potential health risk, is inexcusable. To terminate a long service employee for speaking out when told to do the wrong thing creates an environment of fear. Could this be why staff turnover at the City of North Vancouver is running at unprecedented levels."

For more information on this issue and the campaign to elect Kerry Morris Mayor, please go to our website at: www.kerrymorris.ca/videos

**VOTE: 'Morris for Mayor'
'For A Better Tomorrow'**

(Authorized and approved by the candidate KerryMorris as financial agent for the campaign)

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