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Parks, Recreation & Cultural Se

JUL 27 2017

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Commission Agenda  
Date ..... 2017 Sep 20  
Correspondence .....(a)

4780 Neville Street  
Burnaby, BC  
V5J 2H3

July 25, 2017

Burnaby Parks, Recreation and Culture Commission  
101 – 4946 Canada Way  
Burnaby, BC  
V5G 4H7  
Attention: Dave Ellenwood, Director

Dear Mr. Ellenwood and Members of the Commission:

Re: Central Park Pool

We, the undersigned, are among the "regulars" who swim at the lap swim Monday to Friday between 11:30 a.m. and 1 p.m. Most of us have been coming to the lap swims for many years. We come not only because the pool is a wonderful facility but because the staff have created such a welcoming atmosphere. The lifeguards know our names, we are planning our annual potluck lunch for mid-August and the lifeguards provide music to swim by.

You can imagine our surprise when we arrived on Monday July 24 and found there was no music. When we questioned the lifeguards we were told that they had been directed to cease playing music. The reasons are not completely clear but we understand there was a complaint by a staff member who works in the office (not on the pool deck where the music equipment is located) and possibly from one patron. We were told that tests were done and that the music was below occupational health and safety levels.

We are puzzled as to why this action was taken. If the staff member has a genuine medical problem caused by the music, we appreciate the employer is required to make reasonable efforts to accommodate the disability. However, accommodation can take many forms, including changing an employee's work duties or relocating an employee to another location. Given the size of the parks and recreation department and the City of Burnaby, we do not understand why the option of relocating the employee was not explored especially since the many patrons who would be affected by this change were never consulted before one of the pool's amenities was removed.

**Note**

The use of music at Central Park Pool is a long standing feature that creates a positive outdoor swimming environment, without compromising patron safety. Over the summer there were two concerns raised about the music. In a precautionary move, the music was temporarily suspended while a workplace safety analysis was conducted. Within a week's time, the concerns were resolved and the music was re-instated.

It has been suggested that there are "safety" concerns about the music at the pool. We have not been provided with any specifics of these concerns. We would note that many of us swim at indoor pools in the winter and many pools have music playing during swim sessions. We accept that the pool can sometimes be a noisy place. But the volume of music has never been such that a patron was unable to communicate with a lifeguard. Rather the noise level is caused by things other than the music. Yesterday a parks employee was mowing the lawn immediately south of the pool; his machine made noise which far exceeded any music played at the pool. In June of every year, classes of elementary school children arrive at the pool as the lap swimming is ending. The volume of yells and shrieks from these children is much, much louder than the music. The same occurs with the public swim which also follows the lap swimming in July and August and is attended mainly by families with children. We know of no occasion when a patron has had difficulty communicating with a lifeguard or when the music has distracted a lifeguard. On the contrary, we have found the lifeguards to be exceptionally attentive in ensuring that everyone in the pool is swimming safely and getting in and out of the pool safely.

We would ask that the Parks and Recreation department rescind the decision to direct that music not be played during our swimming sessions.

Thank you for your attention to this letter. We would be happy to meet with you. If you wish to speak with us, please contact Lorraine Shore at 604-438-9332 or [lshore@unionlawyers.com](mailto:lshore@unionlawyers.com).

A copy of this letter is being sent directly to the chair and deputy chair of the Parks, Recreation and Culture Commission. We would ask that copies of the letter be sent to the other members of the Commission.

Yours truly,

*Lorraine Shore*  
*Pam Mills*  
*Marvie MAB DAROSA*  
*Helmut & Lenja Tamani*  
*Gwa Mastahya*  
*E. POLSON*  
*Josra Hayen*  
*Pat Kwanugh*

*John McConnel*  
*Long Corrado*  
*ERIC LEE*  
*SA McCall*  
*Mark Adams*  
*Ry Hill*  
*Gill Lyn*  
*Refik Mujic*

Gjon Williams

Gerry Weeks

Net Spicer (monthly pass holder)

Ron Solomon (yearly pass)

Jayson Fuld

Natato Ceelle



Chris Lynum Season 12-15