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Spring  
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# tradetalk

The magazine of the B.C. and Yukon Territory Building and Construction Trades Council

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THE MAGAZINE OF THE B.C. AND YUKON TERRITORY BUILDING AND CONSTRUCTION TRADES COUNCIL

SPRING 2012

## FEATURES

- 6 **Union and contractors look after their industry together**  
*Sheet metal workers and roofers*
- 9 **Industry is a mess**  
*Undermined training and certification*
- 11 **Trades see 100% employment in the Yukon**  
*Northern Gold Rush*
- 13 **Impatient drivers the worst threat to flaggers**  
*Traffic control in Metro Vancouver*
- 16 **Spotlight turns on our shipbuilders**  
*Multi-billion dollar contracts*
- 18 **Our future and the union movement in good hands**  
*Young worker committees*
- 20 **A love letter to the overcommitted**  
*Advice for activists*
- 21 **Still trying to recover from a lost decade**  
*Liberals' deregulation*
- 22 **First attempt fails, second assault under way**  
*Harper's Bill C377*
- 24 **Wage rates tied to affordability**  
*Fair and living wage policies*
- 25 **The carnage must stop**  
*Bentall workers remembered*
- 30 **Yup, Heinz Ketchup is union made**  
*shopunion.ca*

**Cover: Villalobos, a member of the Sheet Metal Workers and Roofers Local 280, puts finishing touches to a torch-on roof on a building in downtown Vancouver.**  
**Photo: Joshua Berson**



**page 6** The Sheet Metal and Roofers Union isn't waiting for government help. It's working with its B.C. contractors to ensure steady work for its members and the health of the industry.

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# Starting Point

## PLAs are double-edged

Work is picking up in the north and central part of our province. With it, has come several Project Labour Agreements (PLAs).

The Allied Hydro Agreement, a PLA that covers construction of the province's dams, has been around since the '60s. It is the regular agreement, but with a no strike/no lock out clause added to ensure the work is done with a minimum of disruption.

The '90s saw the Vancouver Island Highway project, constructed under an NDP government and with PLAs negotiated through Highway Constructors Ltd. These were stand-alone agreements with specific hiring formulas, wages, benefits and terms.

Today, our PLAs are big projects in the province, but they're a double-edged sword.

These agreements are further removed from the standard agreement. They go beyond the promise of no strike/no lockout. Some of their weaknesses are a direct result of the multi-million dollar projects in the oil sands. Compensation for travel, hours of work, overtime, shift work and living in camp have been reduced and there are new rules

for living in camp and turnarounds as well.

The unfairness goes deeper. Only some of the building trades are included in these agreements. Some are not even allowed to participate. They aren't on site period!

The companies doing the construction don't care who does the work as long as it gets done. If they could achieve this without having to deal with unions, they would. If the employer-friendly associations could supply the numbers of qualified people they needed, they'd go to them. Anyone who says differently would fail the drug test that their PLAs require.

The other important consideration is our smaller and mid-size signatory contractors. You know, the guys we've worked for through all the crappy downturns in the economy. We must continue to supply these smaller outfits or they won't be around in the future.

When the boom of the big jobs is over and the multinational types pull up stakes and leave, as they always do, what will be left?

As the work situation expands, we need to continually grow our memberships with the skilled and quali-

fied people that our contractors need. If we don't, we run the risk of not being able to meet demand and this could put some of our union contractors out of business.

So, if you know people who are working non-union, or for one of those employer-dominated groups, and you know that they are skilled, qualified and safe, have them contact your local union.

*Wayne Mills*

*Operating Engineers Local 115*

## No right to call themselves Christian

Re. CLAC suspended!

The Christian Labour Association of Canada does not represent Christian principles or values. I am a practicing Christian and a retired member of the Operating Engineers. Using the label in their name makes me, and others, uncomfortable. It is not Christian to lower yourself to the level of opportunistic employers and abandon members when they need help. It is especially frustrating when the government looks to CLAC as a political supporter just to get campaign funds to carry out the government's political agenda.

The time to speak out is every time we have an opportunity to do so. The way we tackled the HST and the way we raised awareness of the "one per cent" should give everyone the courage to keep the ball rolling. When we stop allowing ourselves to be pushed around by unscrupulous people they will notice. This does not mean, "turning the other cheek." It means being your "brother's keeper."

*Gabe Siska*

*Operating Engineers Local 115*

*Vernon*



Shawn Luke graphic

## We welcome your comments...

*The opinions expressed in Starting Point are not necessarily those of the BC Building Trades Council or its affiliates.*

*Send letters (the shorter the better) to the editor at:*

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New Westminster, B.C. V3M 6H8 or  
bctybctc@bcbuildingtrades.org*

*Letters must include your name, address, phone number and, where relevant, union affiliation, trade or company.*



# Wicked attack on Canada's labour unions

"NEFARIOUS" IS DEFINED IN THE Oxford dictionary as "wicked or criminal." I would define the federal government's Bill C-377 as *nefarious*. (See article, Pg. 22)

Bill C-377 is politely entitled An Act to Amend the Income Tax Act (Labour Organizations). The bill was introduced by MP Russ Hiebert from South Surrey-White Rock-Cloverdale. Hiebert argues that unions need to be more transparent in all financial transactions in order to be more accountable. The reasoning is that union members receive tax benefits because their dues are tax deductible. So, the bill would allow anyone to see the detailed expenditures of every local union. Hiebert's proposed bill is similar to the legislation that requires charities to report their financial transactions, he said. And yet, this bill requires unions to disclose significantly more information than any charity or, for that matter, any corporation that gets a tax break.

Hiebert knows that seven provinces already have reporting requirements. B.C. is one of them. However, he seemingly ignores the fact that all union members are entitled to see the audited financial statements of their union local at any time. Many local unions affiliated to the BC Building Trades Council publish and distribute their audited statements to their members through their newsletters. Other local unions arrange mutually convenient times for members to come in and review the statements. There is already full disclosure—to members. And let's make it clear: union members, not the government, should direct their local union.

The anti-union merit shop contractors have long wanted access to union financial statements. They want to know:

- how much money there is in their pension funds
- what's in their training funds
- what have they budgeted for their health and welfare plans

- how much is in their strike funds
- what they donate to charities
- what they've set aside for political lobbying
- how much is allocated for market recovery funds
- how much is spent on union promotion

They want to know the finite details of our organizational operations so they can accelerate their attacks.

Bill C-377 is modeled on American disclosure legislation. Anti-union advocates have fundamentally changed workers' rights over the last three decades. Unions are required to file disclosure statements which number in the hundreds of pages—for each union! And the cost of filing those papers is in the hundreds of thousands of dollars.

The Canadian Building and Construction Trades Department, which does not administer pension,

health and welfare, training or strike funds, estimates it would cost \$175,000 to prepare its statements. What will it cost your local union?

Bill C-377 requires disclosure for all transactions and disbursements over the combined total amount of \$5,000 made to any member from any trust. That means any member (or family member) who has health and welfare claims of more than \$5,000 in a year will have his or her information publicly disclosed.

This bill is not about transparency, accountability and disclosure. It is about the continued downward spiral of skills, wages and benefits that the anti-union contractors started 30 years ago. We should be doing more to develop skills and bring about better wages and conditions. Instead we have a Member of Parliament assisting the anti-union contractors in an exercise that is both shameful and nefarious.

## The Building Trades—Who we are

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<b>Affiliated Unions</b>		
Bricklayers & Allied Craftworkers Local 2	604-584-2021	<a href="http://www.bac2bc.org">www.bac2bc.org</a>
Cement Masons & Plasterers Local 919 Construction & Specialized Workers Local 1611	604-585-9198	<a href="http://www.opcmia919.org">www.opcmia919.org</a>
Electrical Workers Local 213 (Vancouver)	604-432-9300	<a href="http://www.cswu1611.org">www.cswu1611.org</a>
Electrical Workers Local 230 (Victoria)	604-571-6500	<a href="http://www.ibew213.org">www.ibew213.org</a>
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Electrical Workers Local 1003 (Nelson)	250-376-8755	<a href="http://www.ibew993.org">www.ibew993.org</a>
Heat and Frost Insulators Local 118	250-354-4177	<a href="http://www.ibew1003.org">www.ibew1003.org</a>
Ironworkers Local 97	604-877-0909	<a href="http://www.insulators118.org">www.insulators118.org</a>
Operating Engineers Local 115	604-879-4191	<a href="http://www.ironworkerslocal97.com">www.ironworkerslocal97.com</a>
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Sheet Metal, Roofers and Production Workers Local 276 (Victoria)	604-430-3388	<a href="http://www.smw280.org">www.smw280.org</a>
Teamsters Local 213	250-727-3458	<a href="http://www.smwia276.ca">www.smwia276.ca</a>
UNITE HERE Local 40	604-876-5213	<a href="http://www.teamsters213.org">www.teamsters213.org</a>
	604-291-8211	<a href="http://www.local40union.com">www.local40union.com</a>

## SHEET METAL WORKERS AND ROOFERS



### Story Leslie Dyson Photos Joshua Berson

IN 2001, WHEN THE PROVINCIAL Liberals eliminated the need for tradespeople to be certified, “it took probably a year for them to realize there’d been a really bad mistake,” said Jim Paquette, business manager for the Sheet Metal Workers and Roofers Local 280, “and they’ve been working over the last 10 years to try to correct the problems of too few qualified tradespeople and a lack of training opportunities.”

However, Paquette said, “The vast majority of non-union companies never complied with the legislation anyway. Anyone with two hands and a heartbeat could work in construction.” Often jobs would be run by one or two journeymen with Red Seal

certification who had to supervise a dozen workers with no certification, he said.

The government then brought in the Industry Training Authority with a board of directors solely from non-union management. “The building trades have been lobbying to get a voice at the table, but no one from the construction trades is there.

“Did it destroy this local?” Paquette pauses. “No. Has it been frustrating? Yes.”

The union and unionized contractors, represented by the B.C. branch of Sheet Metal and Air Conditioning Contractors’ National Association (SMACNA), with 50% representation from each, decided they had no choice but to look after their own industry.

“It’s a matter of protecting your

trade,” said Bruce Sychuk, executive director of SMACNA, “and we’ve gone above and beyond.”

After the government announcement, “there were a lot of seven- and eight-hour meetings into the dark [of night] to come up with processes,” said Paquette. The solutions were increasing apprenticeship training opportunities and making sure there were work opportunities for all members. “It doesn’t help us to have people train and then go to work non-union,” Paquette said.

“It’s really quite simple,” added Sychuk. “We profess to have well-trained people and we put our money where our mouth is. We set the technical and manpower standards. If you have well-trained people you don’t go back as many times for errors and omissions. And we teach life skills

# Union and contractors look after their industry together



*Aaron Dunn and Ron Lacey, members of the Sheet Metal and Roofers Union Local 280, prepare to do torch-on roofing atop a 16-storey building in downtown Vancouver.*

and a work ethic of a day's pay for a day's work." Apprentices learn that "If you perform and you're conscientious and safe, you'll have a job for life."

With the cut in funding for training, the joint training association had to charge for tuition. In order to allow apprentices to deduct their training costs from their income tax, the association had to go through the process of becoming a registered society.

At peak, just a few years ago, the training school was running triple sets of classes to move 450 apprentices through.

A new training school, the Sheet Metal Workers' Training Centre, funded by the joint union and employer training association, opened last year.

It trains almost all the province's sheet metal workers and currently has 300 apprentices enrolled.

The union and contractor association have been spreading the message that if you take the full sheet metal training, you'll learn all aspects of the trade: residential heating and ventilation, institutional and commercial sheet metal work, architectural metal techniques, shop fabrication, construction of stainless steel kitchen equipment, cladding and decking. It makes members' more flexible and valuable, they said. If work dries up in one field, the full-scope training will support them in another.

"There is no union-only school providing roofing training. It is provided

by the Roofing Contractors' Association of BC for both union and non-union roofers," said Paquette. "In the past, many roofers received no formal training at all and it is very dangerous work. Roofing contractors have been fined many times by WorkSafeBC."

However, Paquette said the roofing industry and training is changing due to the complexity of new roofing materials and applications, more rigorous safety requirements of WorkSafeBC and the concerns of younger workers who don't want to put their lives on the line.

"If an employer wants to put someone to work, nothing says they have

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to be an apprentice or a journeyman. With a little informal training, you may get paid the journeyman rate," Paquette said, "but it won't be what an organized company pays. The rates are all over the map."

Sychuk has observed that, "on the non-union side, when companies hire just one journeyman foreman, he usually ends up coming back into the union. He gets overwhelmed having to babysit all the time," he said. "You usually want to surround yourself with good people."

"At some point, there will be a correction," Paquette predicted. "A lot of small companies, that started 25 years ago, have tradespeople who are getting long in the tooth. Young people won't work for \$15 an hour. They're looking for post-secondary opportunities and want to earn money, not collect student loans."

The only problem now is trying to convince those younger members to take the jobs up North away from home, said Paquette. "We didn't have social media when I started out. Now it's here, and they still don't want to work out of town away from their friends."

"But when you're working in a camp seven days a week there are limited opportunities to spend money. And if you're smart, you'll be amazed at how much money you can put away. You can put a down payment on a house or take six months off and travel. At that point, it's up to you."

The industry has also been quick to take advantage of opportunities when they came up.

Paquette said he appreciates the foresight of the NDP which laid the groundwork for hosting the 2010 Winter Olympics. That event coincided with the infrastructure construction boom and preceded northern projects like Rio Tinto, natural gas pipelines and mining. Along with all the work have come many opportunities for union organizing.

With the elimination of compulsory trade certification in



**Rofer Aaron Dunn is in a trade that is changing due to the complexity of new roofing materials and applications, more rigorous safety requirements of WorkSafeBC and the concerns of younger workers who don't want to put their lives on the line.**

2001, Sychuk said, "we were concerned that owners wouldn't be getting their money's worth because there were no real inspections anymore."

"We wrote to the government asking for reinstatement. It's not protectionism for the trade, it's for consumers who don't know what they're getting." Sometimes, there are critical safety issues at stake, he added. If a ventilation system in a muster station is improperly installed by untrained workers, it can end up feeding a fire rather than protecting the people who are gathered there, said Sychuk. If the government was so opposed to compulsory certification, it could have looked at contractor licensing, he said. "There's more than one way to skin a cat."

"I think going back to compulsory trades is the right thing to do," Paquette said. "We need to ensure that sheet metal workers and roofers have the same kind of training as the rest of Canada. We all need to be on the same page."

But, at the same time, Paquette acknowledged, "The [current] government does not want to even consider or address our issues."



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*PRODUCTION, ROOFING & SHEET METAL*

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## What was said



"Dante should have reserved a special level of hell for the charlatans and the fraudsters of the government-sponsored Asbestos Institute who knowingly and willingly conspired to hide the effects of asbestos exposure from the world."

—MP Pat Martin, Question Period in the House of Commons, Feb. 13, 2012



## Undermined training and certification

# Industry is a mess

By Marco Procaccini

POOR QUALITY CONSTRUCTION and working conditions, particularly in the residential and commercial sectors, has been a problem since the 1980s and not much has been done to correct it. Actually, governments have made things worse, said Lee Loftus, president of the Building Trades Council. Dismantling trades training and eliminating trades certification are to blame.

"The non-union contractor lobby pushed for this new voluntary compliance model which amounts to the deskilling of the work force," Loftus said. "Now there is no more mandatory trades certification; no more mandatory class time, and no more reporting of apprenticeship hours to the ministry (of labour). It's at the point where we have a whole new

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*Liberal government policies have led to a shortage of skilled tradespeople for the big projects that are coming on stream.*



Photo: Joshua Berson

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generation of people in the industry who basically can't do the work."

The Barrett Commission, set up by the previous NDP government to investigate the extent of the faulty construction problem in the residential sector in 1998, agreed. It found that over \$1 billion would be needed to repair the faulty construction in the residential condo sector. It recommended working with business and labour groups to come up with ways to:

- regulate and license the industry
- provide sufficient funding for training and apprenticeship programs
- provide access to dispute resolution
- undertake research and disseminate information to all stakeholders

The non-union construction lobby group, supported by some media outlets, went on an intense campaign against the commission and many of its findings, accusing it of being an agent of the NDP, pandering to construction unions and consumer groups and leading to increased housing prices. As a result, many of the recommendations were not adopted.

After the BC Liberals came to

power in 2001, they brought in modular training to replace full-scope training leading to mastery of all the skills of a trade.

"From a trades perspective, things are a lot worse now since they made a whole mess of the leaky condo situation," Loftus said. "They downgraded the industry to the level where a non-skilled or semi-skilled person is expected to do the job. They [non-union contractors] were saying, 'I don't want a carpenter. I want someone to hang doors.' Now they complain they can't find skilled workers."

Construction workers will say, "Every job is different." Construction is diverse so full knowledge of the trade is essential. "The industry goes through cycles," he explained. "There may be office towers, then residential work, then pulp and paper mills. Workers only trained in one aspect of a trade can't do all the work that's needed."

Not only does this hurt workers and consumers, it has ecological and health impacts as well.

"Over the last few years, we have been trying to address the global warming issue by developing cleaner building practices and more energy efficient buildings," Loftus said. "Green and LEEDS construction are [used on] high-end projects and

require workers with high skill sets to do them. The purchasers of condos and office towers are paying extra money but being ripped off because they're not getting the energy efficient buildings they're paying for."

Along with lowering the skill level of construction workers is the push to import more foreign construction workers who are easier to exploit. "They tried this on the Canada Line when they brought in workers from Central America and paid them \$3.18 an hour and later tried to kick them out [of the country] when they joined the union," he said. "It's their way of getting around human rights and employment standards. They undermined the apprenticeship program and undermined the B.C. economy."

Many changes are needed to address these problems: restoration of full apprenticeship and trades training, better project inspections, enforceable employment standards, mandatory contractor qualification and an open tendering process for bidding on jobs under a provincial ministry or secretariat dedicated exclusively to servicing the construction sector.

"Construction is a 20 billion-dollar-a-year industry," Loftus said. "Yet we have no government agency looking after it."



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## Northern Gold Rush

# Building trades see 100% employment in the Yukon

By Tom Sandborn

"I WOULD ENCOURAGE ANY FIRST Nations person I knew to give the building trades in the Yukon a try," said Colin Adamson, a fourth-year plumbing apprentice.

Adamson, born in the Yukon to a mother from the Ta'an Kwäch'än First Nation, was preparing to leave home for an eight-week classroom stint in December. He said he hoped to return to work on a Dawson City sewage plant or in residential construction.

"I'm looking forward to school," he said cheerfully, "and then getting back to work...What I love about plumbing is being an integral part of the building process. As a plumber, you are onsite from day one, and you are often the last one to leave the project after it's completed."

Adamson, a member of Plumbers and Pipefitters Local 310 based in Whitehorse, said, "What I hear at union meetings is that we are expecting at least five to ten years of good employment in the trades up here."

Don Austin, the local's business manager, confirmed what the optimistic young apprentice had to say about job prospects for unionized building trades workers in the Yukon.

Austin is also president of the Yukon branch of the BC and Yukon Territory Building Trades Council. He said he is anticipating full employment for members and apprentices over the next decade. There has been full employment for building trade workers over the last two or three years, and he predicted that the demand will grow to the point that unionized building trades workers will have to be called in from other parts of Canada and neighboring Alaska.

Austin has worked in the building trades for 27 years and has lived in the Yukon since 1999. Like many of the territory's 35,000 residents, he came from his native Ontario looking for work.

Capital expansion projects like government buildings, a new jail and mining operations, as well as residential construction startups, are creating a need for more construction workers.

"We would expect to call in B.C. workers first, then [others] from across Canada and then some American workers from Alaska," he said. "It is a great opportunity for building trades workers now. Things are really breaking open."

Union organizing is a priority for the building trades, he said.

Establishing and strengthening relations with first nations in the Yukon has also been very important for the unionized trades. The Umbrella Final Agreement signed by the territorial government and the Yukon's First Nations in 1990, included more flexible apprenticeship programs and training opportunities.

"In 2005, Local 310 created a partnership with all 14 first nations in the Yukon," he said. "We are working to identify



Photo: Joshua Berson

*Unionized journeymen and apprentices in the Yukon are enjoying full employment with all the construction under way.*

and reduce barriers to first nations hiring, conducting cross-cultural training and looking at ways we can work together."


Currently, Austin said, 35% of his local membership has first nations background, and 22 of the 38 apprentices are First Nations.

Mathew Magoffin, an Ontario-born certified Red Seal plumber now serving as vice president of Local 310, has been in the trades for 12 years. One of his reasons for coming to the Yukon was his desire to work in a union environment for the first time.

"If you work non-union, you're on your own," he said. "If you work union, you get paid appropriately and if someone is being mistreated, you can act together. The union is a way to negotiate together and to stand up for each other."

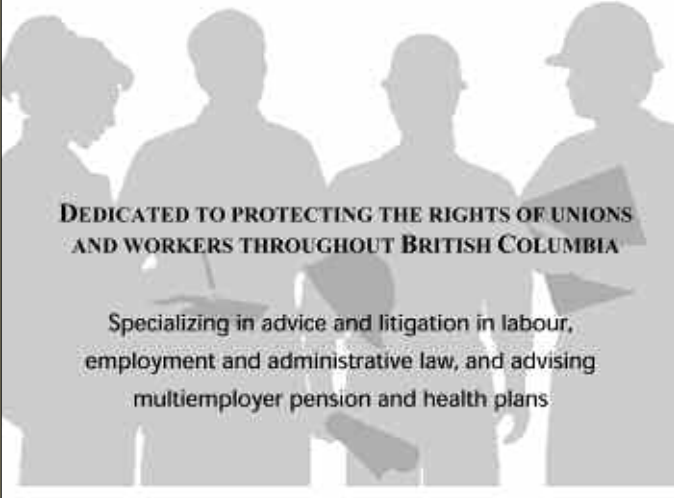
Like Adamson and Austin, Magoffin encourages building trades workers to consider coming to the Yukon. "It's different here," he said, "[there's] a different, friendlier attitude. I have never had trouble finding work up here, and the union makes it easier."

*Tom Sandborn welcomes your feedback and story tips at [tos@infinet.net](mailto:tos@infinet.net).*



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# Impatient drivers the worst threat to flaggers



## By Leslie Dyson

ON DEC. 5, 2011, A TRAFFIC CONTROL PERSON (TCP), in her 30s and working in Aldergrove, was struck by a 69-year-old woman. The flagger had to be air lifted to hospital. The driver received a \$196 fine and six points on her licence for driving without consideration.

On Nov. 22, less than two weeks earlier, a garbage truck driver, texting while driving on Highway 1, struck a pickup truck and injured the two flaggers inside.

On June 27, a 54-year-old flagger received head injuries while working at Horseshoe Bay.

Between 2008 and 2010, WorkSafeBC accepted 44 claims related to incidents involving traffic control personnel, including Donald Cain, 49, killed in July 2010 while working on a construction site on Lougheed Highway in Mission and Terry Mitchell, 52, killed in Fort Langley.

The only things protecting flaggers are plastic safety cones, high visibility clothing, an escape route and two days of training.

Some of the hazards they face if they're working in Metro Vancouver are increasing numbers of vehicles, construction projects in every part of the region and dangerous driving conditions due to weather and shorter hours of daylight. But their worst problem is the rise in angry and distracted drivers.

"It's unbelievable," said Shelley Gonzales, a flagger since 1987. "They scream, they yell, they throw coffee at you and call you filthy names."

She said that for her, "The number one rule is to never turn your back on traffic." Other strategies are, "always smile and keep eye-to-eye contact." Even so, she's had a driver try to nudge her out of the way. "Red lights, stop signs—they just don't stop."

A friend of hers was run over by a dump truck driver. She survived but has never returned to flagging and has been in pain ever since," she said. The driver in that incident received a fine of just \$75 and 3 points on his licence.

"I got lucky one day," she related. "I tried to stop somebody and he just drove around me. But three cars away there was a police officer who went after him and pulled him over."

Gonzales, a member of Construction and Specialized Workers Local 1611 who works for Ansan Industries,

*Shelley Gonzales, a member of the Construction and Specialized Workers Local 1611, has had angry drivers throw coffee at her and use their cars to try to nudge her out of the way.*

works in heavy traffic and intersection control. "As children, we're told never to play in the middle of the road but that's what we do."

According to the BC Construction Safety Alliance, there are over 16,700 qualified flaggers in the province. Several staged a rally near the Port Mann Bridge in October 2009 to try to educate drivers about the dangers they face.

As a native of Vancouver, Gonzales said she's seen a lot of changes. She recalls when drivers could cross the city in about 20 minutes. When she got her training, all she was handed was a vest, a hard hat and a paddle. There were no safety cones, signage or full body visibility gear. There were no cell phones either.

However, on her first few jobs, she was shadowed by a senior person for three days to a week and even longer if her mentor thought she needed it. "I was never put out there on my own until I was capable.

Now, TCPs receive one day of training in the classroom and one on the road.

Gonzales said the two days of training is good, "but your best training is on the road with a senior supervisor who can evaluate whether you're doing it correctly."

"You have to have a certain attitude," she said, "not aggressive, but you have to be assertive and alert. You have to be able to take control of the situation you're in. You have to get drivers to respect you.

"In any trade, you need time to see how to deal with all scenarios," she

said. "Every job is different and every driver is different. You can't take anything for granted."

Mike McKenna, from the BC Construction Safety Alliance, said he agreed with Gonzales that novice TCPs probably could benefit from mentorship. However, the low bid environment makes that option difficult to achieve, he said. "The added cost of having an experienced flagger and someone new on the job is not always included in a company's bid."

McKenna also knows about the mistreatment of TCPs. "There seems to be a higher level of impatience," he said. In one case a flagger was hit twice and spat on. "I don't know how training can help with these one-offs."

However, the association is working with the BC Road Builders Association to convince the provincial government to implement legislation that would require drivers to slow down and pull over in the presence of vehicles with flashing yellow lights. "There is nothing currently that says you have to do anything differently."

Some in the industry would like to see the province's driver training curriculum devote more time to explaining proper procedures for driving through construction zones.

Gonzales and McKenna also agree that heftier fines are needed. Doubling the fines for bad drivers in construction zones is not enough. "Hitting them in the pocketbook really works," McKenna said.

Gonzales now wears full-body high

*continued on next page*



continued from previous page

visibility gear. She overcame her reluctance to change to the new suit while passing a flagger on a road trip in the Okanagan. "I thought people could see me." She said there are still TCPs who use just arm bands and leg bands over jeans "but it isn't enough."

Gonzales said she wishes drivers would understand that while they're rushing to get to their jobs, flaggers are just trying to do theirs. "We're there to protect the construction crews and the drivers."

McKenna reiterated that message. "Flaggers are not out there to inconvenience you," he said, "and they have families to go home to," he said.

He said he thinks the billboards carrying photos of construction workers and family members along the Highway 1 construction and in other parts of the province are effective. "Any time you can connect a worker to someone you can relate to, it's helpful." But it's also a balancing act. "You have to grab drivers' attention but not so much that can't concentrate on the road."

He acknowledged that commuting in Metro Vancouver is "very, very frustrating. There's just a lot of work being done."

Gonzales put it simply: "You're going to get stuck."



Photos: Joshua Berson

*The volume of traffic and numerous construction projects in Metro Vancouver make the daily commute stressful for flaggers and drivers.*

In the U.S., roads are closed for repairs, said McKenna. "It's much more efficient. I'm a big fan of just shutting it down. This would be the best way to go but a lot of people aren't keen on that."

The BC Flagger Association for TCPs has a website with a forum and good information for flaggers and drivers. It is managed by Tammy Sampson who received some of her training from Gonzales.



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Insulators Local 118

## Project labour agreements have to cover everybody

AS THE BUSINESS MANAGER OF THE Insulators Local 118, it's my job to represent the best interests of Local 118 members. That's what I'm elected to do. As president of the Building Trades Council it's my job to represent and defend the rights of all construction workers from every trade. There shouldn't be a conflict, but lately it's becoming harder to reconcile the two offices.

Over the last year, an unprecedented number of project labour agreements have been signed by building trades unions. Employers are hunting for our skills. Even non-union employers are calling; they've got no problem paying a premium for our workers. A PLA provides employers on-time, on-budget, quality product and industry stability. At long last we're in the driver's seat and it feels good.

But there's a problem. The PLAs don't always include all trades. Business managers of the selected few are jumping to sign on the dotted line. There's little thought about the consequences for our industry as a whole.

PLAs are the best way to access the competitive building trades advantage. But we need to find a way to include non-signatory local unions. If we don't, there will be long-range impacts on union solidarity. Signatory unions need to consider future repercussions for their membership. What will happen when they need to count on the support of brothers and sisters who were excluded in the PLA? Memories are long.

Let's never fool ourselves. Employers are happiest when they find a crack in union solidarity. Employers purposefully set out to exclude some unions. It might appear that those who are included are benefiting, but every time a PLA undermines another union it weakens our overall power.

There have been at least 10 partial trade PLA agreements over the past year. It's becoming rampant. In each one, the unions that were left out

had a choice; pick up the scraps from the agreement or go pound salt.

In private discussions with other business managers I've made my case, now I'm making it to our collective conscience. In order for union solidarity to work we need to trust each other and we need to respect a process that involves every organization.

I respect the right of every union to make its own sovereign decisions. However, I draw the line when union-specific decisions force other organizations to sell their soul.

I'm a realist and I don't expect human nature to change. We're all motivated by survival, but I know one thing. We wouldn't have made it this far if those who came before us had been willing to sacrifice worker unity for short-term gains. Our movement is founded on the principle that "We hang together or we will surely hang separately." Our founding fathers stuck with the struggle, hung in there and built solidarity before signing off with employers.

We need to find a better way. The fact is, unless we change our ways, employers are going to keep chipping away at our unity and eroding our

strength. If we're going to survive through this century there's only one way forward—work together.



Photo: Joshua Berson

*Solidarity breaks down and employers seize the upper hand if some trades are excluded from PLAs.*



Jose Lam graphic



Photos courtesy of Seaspan International Ltd.

Workers at Seaspan Victoria Shipyard gathered last fall for the announcement of an \$8 billion contract to build several new ships.

## Multi-billion dollar contract

# Spotlight turns on our shipbuilders

By Michel Drouin

THE CANADIAN GOVERNMENT'S \$8 billion contract with Seaspan Marine Corporation to build non-combat vessels will have broad reaching effects across the province and is good news for all construction workers in B.C. including members of Labourers Local 1611 in Victoria, said Business Representative Mathew Lust.

"It is a very good thing and there is an awful lot of excitement about it," he said. "It is going to bolster the shipyard industry." Most members working in this industry have experience with ship repairs. The National Ship Procurement Strategy (NSPS) opens up a new field and will provide a lot of extra work.

"The economy in western Canada is going to be boosted by it. There will be a ripple effect beyond the border of B.C.," he said. "There is a lot coming up over the next several years."

The western Canada portion of the project is currently in the contract stage but once umbrella agreements have been reached and contracts are finalized, the shipbuilding program is expected to last for 20 years. The federal government announced on Jan.

12 that it had reached an agreement in principle with Seaspan.

The value of the 2012 to 2018 funded group of ships is about \$3 billion and includes three offshore fisheries science vessels, one offshore oceanographic science vessel, two joint support ships and one polar icebreaker.

Future potential projects from 2018 to 2040, costing about \$5 billion, include a 1000-ton coast guard ship, another polar icebreaker, four medium icebreakers, three high endurance multi-task vessels, eight medium endurance multi-task vessels, one offshore oceanographic service vessel and seven offshore patrol vessels.

The program also includes the necessary infrastructure to make it a success. An Industrial Marine Training & Applied Research Centre is being built at the Esquimalt Graving Dock.

The local union will assist in the training of new and experienced construction workers so that tradespeople are able to maintain the rigorous standards demanded of ocean-going vessels. The centre will "marinize" them, said Lust. It will work closely with B.C.'s Resource Training Organization to achieve this.

The RTO was established in 2007 to oversee the management and development of apprenticeship training for







Members of Local 1611 and other shipyard workers are currently working on submarines and navy frigates and are looking forward to the additional work that will come with the federal government contract.

the province's resource sector. It represents a cross-section of employers in the mining and smelting, oil and gas, pulp and paper, solid wood and heavy shipbuilding and repair sectors.

Before building any ships, Seaspan is spending up to \$200 million to upgrade its facilities. Most of that will be going to Vancouver Shipyards in North Vancouver but 20% (roughly \$30 million) of that is destined for Victoria.

"Some of our union contractors have done some of that work and are

[now] bidding on work in the NSPS," Lust said. "That ripple effect has already begun."

Lust said members in Victoria are currently busy with commercial work and other navy contracts. Several are working on submarines as part of the Victoria Class In-Service Support Contract. "We have an ongoing submarine program, and the mid-life refit program for the Halifax class navy frigates is about 50% completed," he said.

It will take a while for members to

get swept up in this new federal project but it will bring a lot of work.

Looking to the future, Lust said that he expects additional shipbuilding contracts will be tendered, beyond the \$8 billion.

"When you get into this work and prove what you can do, more work is going to follow in government contracts as well as in the global market," he predicted. "This is going to put a spotlight on us and on Seaspan [showing we are] able to produce superior products here."



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BC Building Trades Council

F2F-CFU 2040

## Young worker committees

# Our future and the union movement are in good hands

By Leslie Dyson

THERE ARE SOME OUT THERE WHO accuse the younger generation of being self-absorbed and living a life of entitlement.

That myth dissolves when you meet young union workers like Jeremy Carlson, 29, from Insulators Local 118; Stephen Von Sychowski, 27, from the Canadian Office and Professional Employees; Devin Gillan, age 25, from the plumbers' union and dozens of others involved with the young worker committees (YWCs) of the BC Federation of Labour and Vancouver and District Labour Council.

Their pluck, courage and quest for justice are being channeled into campaigns like the Employee Action and Rights Network (EARN), protecting Grant's Law, raising the \$8/hour server wage, strengthening the Employment Standards Act and assisting individual non-union workers who've been mistreated by their employers. Von Sychowski said they were involved in 120 cases last year. "We're always looking for more opportunities," he said.

Carlson, who was working for several weeks in Fraser Lake at the Endako Mine site, said that having to follow construction work out of town makes it difficult to keep up with his union advocacy work. He's been visiting high schools, mostly on Vancouver

Island and in Metro Vancouver, giving 30- to 90-minute presentations to Grade 10 students about their rights as workers. The students appreciate having someone who will listen to what their lives are like in the service industry. "They get taken advantage of all the time," Carlson said. If a story seems serious, he investigates it.

He tells students that if they're told, during the job interview, that they'll be working with a deep fat fryer, they can ask, "What happens if I get hurt?" and "Where is the first aid kit?"

Carlson and other YWC members have also conducted surveys of the general public to raise awareness about the minimum wage, workplace safety and employment standards.

Gillan, who serves on both committees, assisted with the polling. "A lot of people had misinformation or no idea," he said.

Gillan also appears and worked on a couple of humorous videos produced by members of the labour council committee. You can see them on YouTube: The Trickle Down Effect and Meet the Corporate Payday Mr & Mrs Canuck.

Von Sychowski said the BC Fed's committee has a core of 20 members who are appointed by their respective unions. But the network is much larger. The labour council's committee is open to any young worker. The

two groups often collaborate on initiatives.

Many members are involved with BC Fed's EARN which attempts to unite non-union workers and provide them with support.

A couple of years ago, YWC members jumped to action when they learned that the owner of a gelato shop on Commercial Drive had laid off the majority of his workers without notice and without severance because business was slow.

The only option available to the former employees was the Employment Standard Branch's multi-page and complicated self-help kit. "It's an awful process and puts workers at risk of intimidation," said Von Sychowski.

So the YWC members drew public attention to the problem by setting up information pickets at the owner's four other shops. The tactic worked. "A couple of days later the owner called and asked, 'What do I have to do to get rid of you.'" He agreed to pay the proper severance and the protest ended, said Von Sychowski.

The YWCs were also integral in the success of the push to raise the minimum wage to \$10 an hour. "Massive energy went into that campaign with rallies and petitions," he said. "We had partial victories. We got rid of the [\$6 an hour] training wage. But now we have the server's wage [still languishing at \$8 an hour]."



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*Stephen Von Sychowski (centre) chairs the BC Fed Young Worker Committee which is involved in a number of campaigns including providing support to unrepresented workers, raising the server wage from \$8 per hour and protecting workers on late night shifts.*

"We have a slew of things to campaign on, but this really resonates. Most people agree that it's unfair. There's public support for [raising] it."

The committees are also behind the campaign to improve safety for workers who are working alone at night.

Grant's Law was brought in after 24-year-old Grant DePatie, from Maple Ridge, was dragged to his death when a young driver raced off from the gas station without paying.

Steady and concerted pressure from the family, labour organizations and

community activists finally resulted in the government bringing in safety regulations to protect employees working by themselves. However, convenience store owners and private liquor stores are now asking for the regulations to be watered down. They want to remove the requirement of having a minimum of two workers on duty or a protective barrier. They're asking for a cheaper and less effective solution: panic buttons and surveillance cameras.

"It's really sad," said Von Sychowski, "but we don't consider the fight over."

The committee members develop their networks and learn about the issues at annual retreats at Camp Jubilee. Last year, they reached capacity with 120 participants, he said. Gillian said it's something he always looks forward to.

Carlson, said he's looking for a successor, not only because he's approaching 30, but because he and his wife are expecting a baby in April. But it won't stop his union activism. He said he never lets an opportunity for educating someone pass him by. "You do it in the name of your union. It makes you feel better, like you've given something back."

And he added, "If we had unity among all young [union and unorganized] workers, we'd be a force to be reckoned with."

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Photo-illustration: Joshua Berson

# A Love Letter to the Overcommitted

By Cheyenna Weber

IT USUALLY STARTS WITH LACK OF SLEEP. Then I notice I'm only eating carbohydrates and mostly things that require less than 10 minutes to prepare. I find myself waking in the middle of the night to check my BlackBerry, or worse, getting up to read and respond to emails at 3 a.m. Somehow my email will have strangely tripled in volume, seemingly without my noticing. I'll become nervous, kinda mean in meetings, prone to daydreaming and tingly when I think about the object of my affection and obsession. Usually about five weeks in, I wake up, joyful but tired, and realize I've done it all over again: in love with a campaign, I'm inevitably sliding into burnout.

Burnout is a risk in any field but it's especially prevalent in the social justice movement. There are lots of theories for this.

Some think it's because we give more than we're ever given back. Others argue it's the working conditions—long hours, a lack of institutional support for self-care or the tendency for nonprofits to take on more than they can accomplish. I think it's deeper than all that.

As activists and organizers our role is to study where our society has failed and then generate creative solutions to fix it. We are students of violence, oppression and harm. What most people spend their time tuning out, we actively work to tune in. This can get depressing, especially when our gains feel too minimal, or our efforts too small. Often we don't have a space to process our feelings about this, or we feel guilty for having them. Soon physical ailments appear and the stress gets the best of us. We no longer feel inspired and our work becomes stale, unoriginal and brittle. It's a common story.

It has been said we should be actively modeling the behaviours and structures of the world we want to achieve.

Do we want to live in chaos? Do we want people to over-work themselves?

People died for the eight-hour workday for a reason.

Let's just take a minute here. The revolution isn't going to be next Monday. That campaign you're feverishly working on is a great idea. It can help make some important changes. But burning yourself out on a single campaign isn't going to help anyone. We are in this for life. We will see change in our lifetimes but we won't see every aspect of that vision of a safe world we hold in our hearts. We have to commit to the long haul, folks, a lifetime of working on these concerns in one form or another.

What does that mean for you? It means you need to find a way to make it sustainable. It means you have to find balance daily. It is not enough to throw yourself into the abyss with the idea, "Well, I have a vacation coming." You have to find ways to play, to relax and to engage with the world every day. If you don't you're not going to make it in this movement, and dear overcommitted, we need you too much for that.

I've learned that leadership development and delegation support our individual well-being. I've also learned that what works for me is long walks, Hula-hooping (sometimes even on conference calls while on mute so no one knows), singing, dancing, biking, a moratorium on unnecessary media, writing and nurturing relationships.

This has been a long and slow process, so don't beat yourself up if it takes awhile. Integrating care for yourself and those around you is what will sustain our leadership for the greatest possible impact. That's the goal, right?

I love all of you, you know, and I just want you to be happy, healthy, kicking corporate ass, and taking back and building power for as long as you are given the opportunity.

—From *beyondthechoir.org* (A Forum for Grassroots Mobilization)

# Still trying to recover from a lost decade



Photo: Joshua Berson

By Claudia Ferris

WHEN THE BC LIBERALS SWEEPED into power in 2001, one of their first actions was to dismantle the Industry Training and Apprenticeship Commission. The ITAC act had been implemented by the previous BC NDP government to coordinate trades and technical training in all regions of the province. The legislative framework included a Fair Wage Policy, with regulations to guide public construction projects.

At that time, Wayne Peppard was working as an employment standards officer with the BC Ministry of Labour. He explains, "It was a very good system. We had the ability to enforce fair wage and certification standards on all publicly funded worksites. We were able to visit public construction sites, such as schools or sewage treatment plants, and check employee records to make sure tradespeople were properly certified and [that] their apprentices were registered."

He recalled, "The non-union contractors did not want a wage platform even though it was lower than standard building trades rates. We had effective policy in place to ensure workers had the right qualifications,

proper wage scales and payment. B.C. Liberal deregulation took that apart."

The Liberals dismantled the apprenticeship system, following up with cuts to worker compensation services and the elimination of employment standards officers. These cuts guaranteed that there was no regulatory way to ensure that registered apprentices were getting training on public projects. This led to a reduction in the number of apprentices in B.C.'s building and construction trades, which became evident during the pre-Olympic boom.

Peppard is now representing the Allied Hydro Council, servicing a labour agreement for hydro projects that is still intact from the 1990s. "There was a scramble for about six years to fill the apprenticeship void," he said. "It was a lost opportunity to create a better-trained workforce during high times in construction."

"Now in 2012, we're going back into busier times again and we see that we're not going to be able to meet the demand for qualified people. The stress of finding people qualified to do work is in direct relation to the failure of government to provide proper incentives to ensure people in the industry are getting the

*Exploitation of workers and the skilled trades shortage are among the outcomes of the BC Liberals' zeal to remove business regulations, according to Wayne Peppard, former executive director of the Building Trades Council and an employment standards officer before that.*

skilled training they need. We should have a ratio of three or four journeypersons to each apprentice on site to provide maximum exposure to different applications of the trade throughout their training."

However, for the past decade, the Liberal government continues to be short-sighted in its zeal to cut business regulations. Taking away the ability to check whether apprentices are properly registered has created the opportunity for misuse and abuse of the trades training system. Liberal government policies have helped to create the apprenticeship void that post-secondary institutions and union trade schools are scrambling to address.

A glacially slow phase out of the unpopular B.C. HST is doing nothing to help reputable companies and their employees in the housing and light construction sector, according to the many in the industry. Unlicensed businesses, with cutthroat pricing and under-the-table payment options, compete unfairly with business paying fair taxes and fair wages.

Filling the skills shortage with new Canadian workers has not solved the problem because foreign credential recognition is sloppy. According to Peppard, "Recent reports indicate that as many as 25% of the immigrants who have been granted work have submitted false qualifications which have not been followed up with and cleared. We need an appropriate qualification process so we're not undermining our existing skilled work force."

His long experience in the trades has led him to a sense of optimism that things can turn around. "We need to get legislation and people in place to ensure that policies and regulations are adhered to." His message to construction workers is: "It's important to be aware of what's happening on your worksite and to get politically involved."

## Harper's Bill C377

# First attempt fails, second assault under way

By Joe Barrett

YOU MAY RECALL THAT WE RAN an article in the last edition of Tradetalk about backbencher MP Russ Hiebert's private member's bill that would have added bureaucracy and cost to how unions conduct their affairs. It would have forced unions to hire a second set of auditors and allow detailed public scrutiny of their financial information.

Observers noted that unions are already required to hire independent auditors to provide impartial oversight of their internal finances and that all of these reports are made available to union members and tax officials at the Canada Revenue Agency.

Under the new law, the second audit and detailed financial information would be posted on government websites. This requirement would give employers and those campaigning against unions, access to private information about unions' negotiating and organizing strategies, political campaigns and other information that is critical to the daily operations of labour organizations. Unions failing to comply would be de-listed and members' dues would no longer be exempt from taxation.

On Nov. 4, after a complaint by Joe Comartin, NDP MP for Windsor, the House of Commons Speaker agreed that a private member could not initi-

ate a law that would change Income Tax Laws. Only government sponsored bills can introduce changes that impact income tax deductions.

However, unions didn't start celebrating. It was just the first battle. The attack is still under way.

On Dec. 5, only weeks later, the Harper government introduced a slightly revised bill, C-377. The timing and speed at which the government acted was no accident.

This initiative has its origins in the U.S. when George W. Bush imposed new regulations and complex rules on trade unions. It is well documented in the report *Beyond Justice: Bush Administration's Labor Department Abuses Labor Union Regulatory Authorities*, by Scott Lilly.

According to Lilly, there are two primary objectives: 1) to discredit the trade union movement through a massive misinformation campaign and 2) to greatly increase the time, effort and expense required of labour unions to comply with the onerous regulations.

Long-time Newt Gingrich ally and advisor, Grover Norquist, stated the intention was to "crush labor as

a political entity" and ultimately "to break unions."

Not to be outdone by their political friends in Ottawa, the same strategy has appeared in B.C. In November, backbench Liberal MLA John Rustad introduced Private Member's Bill M-210—Workers' Dues and Transparency Act. According to Rustad he wants to make sure that members' dues are not misused. So far, the Liberal MLA's bill has not received the backing of the rest of his government colleagues.



Shawn Luke graphic

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## Mobility tax credit would bring a five-fold return

IF YOU ARE A LAWYER, or any other professional, or a long-haul truck driver, and you had to travel, you can deduct the costs of accommodation, meals and other travel-related items from your income.

However, if you are a member of Canada's skilled trades, you can not get such a deduction no matter how much it costs you to travel or to live away from home. Hardly seems fair, right?

The construction business is by nature transitory—we go to work at locations where someone needs work performed or something built. In rare cases, it is across the street from our homes, but usually it is another city, another province or an out-of-the-way location. The occasional job lasts for a couple of years, but most last only a couple of months. It is unreasonable to move your family each and every time you move on to the next job.

The cost of meals and accommodation are prohibitive near many of the industrial sites in this country. True, if you are living in camp, it is tax-free. But if you have to dig into your own pocket to live away from home, you are losing in two ways. You are maintaining your home and family back at the ranch and you are subsidizing the project you are working on by funding

your own meals and accommodation. This does not even take into account the sacrifices tradespeople make by being away from their families for extended periods of time.

The engineers, sales staff and other professionals who go to the site can write off the costs but you can't. The truth is that Canada's construction workforce has subsidized projects all over this country and that is not fair.

For years, the Building Trades Department in Canada has been lobbying government to change the Income Tax Act to allow us to deduct travel costs or receive a tax credit for travel expenses. We made that plea again to the Federal Finance Committee last fall.

The demographics of the industry have caught up to us. Canada was built by the baby boom generation who are now beginning to retire. In the '80s, '90s and over the last decade, we did not put enough people through apprenticeships. This was no one's fault; there was not enough work to give them the hours of work that they needed. However, there is a massive amount of construction work coming up from coast to coast. No region of the country is going to lose out. Jobs will be connected to natural resource extraction and processing.



That means travel.

Our call for mobility assistance is supported by contractors and owners who clearly see that they will not be able to get enough skilled tradespeople to come to their work sites without some form of assistance from the federal government.

It is unreasonable to expect anyone to work away from home and to spend large portions of their hard-earned wages on maintaining themselves in temporary (and usually crummy) living quarters.

We're not asking for a hand out. We have commissioned a study on the effects of providing mobility assistance to get unemployed construction workers in one part of the country to another where their skills are in demand. The combination of coming off EI and paying taxes gives the Government of Canada a fivefold return on a mobility tax credit. Our argument made sense to government and opposition MPs on the finance committee. All that remains is to convince the Department of Finance of our case. Tax fairness should be about everyone paying a fair share and everyone receiving the same access to sensible deductions.

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## Fair and living wage policies

# Wage rates tied to affordability

By Marco Procaccini

IF YOU WORK FOR THE LOCAL government, as a staff member, as a contractor or on a local construction project, you should be paid wages that enable you to live there too. That philosophy is spreading to cities around the province.

Almost 70% of the respondents in a recent survey conducted by the BC Centre for Civic Governance at the Columbia Institute said they would favour their municipality adopting a bylaw to ensure that all directly employed city staff, as well as contracted staff such as construction workers, be paid a locally calculated living wage. A "living wage" is about \$18 an hour and often does not include benefits.

The BC Building Trades Council has been visiting municipalities to encourage them to adopt a plan that ensures fair working conditions and wages and ethical business practices when they put construction projects out to tender and when their own unionized staff is not equipped to do the work. A "fair wage" covers wages and benefits and is over \$30 an hour.

Burnaby and now North Vancouver have fair wage policies. Burnaby's poli-



Photo: Joshua Berson

*Joey Hartman, president of the Vancouver and District Labour Council, has joined the Building Trades Council in calling on municipalities to adopt a living wage policy so that people who work in those communities can afford to live there too.*

ty features two pay schedules. The salary scale for roads and infrastructure work is the median of the pay rates for the city's union workers and building trades rates. Construction workers doing new building construction and renovations in the city receive the rates negotiated by the building trades unions with the Construction Labour Relations Association.

New Westminster adopted, in principle, a living wage policy. The issue was prominent in the city's election campaign last November and the proponents swept into victory. It is currently developing a schedule and implementation strategy.

City of North Vancouver Mayor Darrell Mussatto said the council recently voted to consult with local businesses and community organizations to help determine a living wage rate, study the impact it could have on the city and come back with recommendations on how to implement it.

"North Vancouver is a great community for sure," he said, "but we all know it's expensive to live here, and

we want to make sure everyone who wants to live here can afford it."

He is encouraging council members to proceed with further exploration of the policy in spite of a recent staff report advising the policy not be adopted because of the lack of support from North Vancouver District and the City of West Vancouver; the other two municipalities on the North Shore.

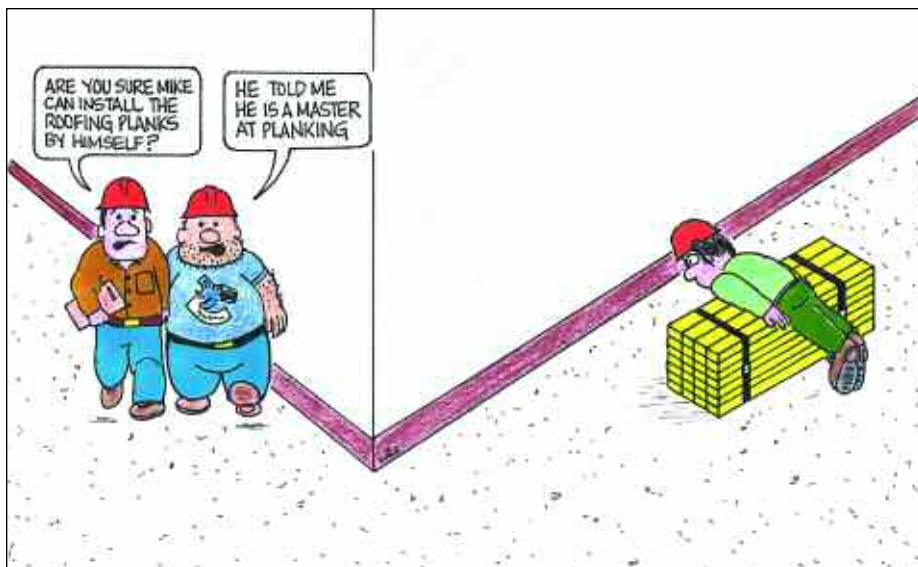
"I think there should be further study," Mussatto said. "If you're good enough to work in our community, you certainly should be able to live in the community. People shouldn't have to come in from Vancouver or Surrey to work in North Van because they can't afford to live here."

The city council of Esquimalt also voted to apply a living wage schedule to its contract tendering.

Vancouver and Victoria are studying the proposal and citizens' movements are promoting the idea in Surrey and Abbotsford.

According to Living Wage for Families (a group of union, charity and advocacy groups), a living wage means that the recipient can, as a minimum, afford basic necessities. These include food, clothing, shelter, transportation, childcare, healthcare and a small amount for emergencies. For contracted work, cities often use their union staff pay rates, which are usually above the living wage minimum standards. In addition, the policy encourages local procurement and purchasing from businesses within the community as much as possible.

The Canadian Center for Policy Alternatives reported last year that the basic minimum hourly rate for the average Lower Mainland household—which in general defines a family of four with two parents working full-time and two pre-teen children—is \$18.81 for each working parent. Any household earning less than this is living in poverty.



Jose Lam graphic



## BENTALL WORKERS REMEMBERED

# The carnage must stop



Photos: Joe Barrett

MEMBERS OF THE BUILDING TRADES, labour leaders, community activists, politicians and the families of workers killed on the job or from workplace disease gathered on Jan. 6 to remember the four workers who died after falling 36 floors on Jan. 7, 1981 at the Bentall Centre in Vancouver. Minister of Labour Margaret MacDiarmid was also there. They also commemorated the more than 800 construction workers in B.C. who died on the job or due to exposures since that day.

"Urgency, lack of proper safety training and fear of refusing unsafe work are key contributing factors in job site injuries and deaths," said Tom Sigurdson, executive director of the BC Building Trades Council. "Each of these are easy to change with leadership from the province and employers."

Thirty-one years may seem like a long time ago to many people, but to Michael Davis, who was 13 at the time of the incident, it was like yesterday. "I still miss my dad terribly." Donald Davis, just 34, fell to his death from the top of the Bentall Four tower at Melville and Thurlow streets after a wood and metal form he was standing on broke away from the building. Gunther Couvreur, 49, Yrjo Mitrunen, 46, and Brian Stevenson, 21, also lost their lives that day.

"I didn't realize that when I said goodbye to him in the morning that that would be the last time I talked to him," said Davis, his voice choking with grief. "I never got the chance to do those trips that we talked about...I wasn't able to ask his advice about life decisions [when I was] growing up, or share in things I've done over the years, introduce him to my wife, have him hold my sons. He deserved that, too," he said.

That tragic event is marked annually with the laying of wreaths and call for improved safety in what is still the most dangerous industry in the province. The B.C. construction industry has averaged a fatality rate of about 26 workers per year over the past 31 years.

Even though fatality rates have dropped in recent years due to increased safety awareness, education, inspections and enforcement, in the wake of 16 deaths from traumatic causes in 2010 and a further 17 deaths due to asbestos exposure, everyone agreed there was still room for improvement. "More inspectors and support for regulatory compliance is required," said Sigurdson.

"It's time for the carnage to stop," he said. "Every single fatality in the construction industry is preventable. Zero tolerance is the only way forward."

*(Top) This year's memorial was led by Tom Sigurdson, executive director of the Building Trades Council. (Middle) Michael Davis was just 13 at the time his father was killed but is still affected by the tragedy. (Bottom) B.C. Labour Critic Raj Chouhan and Michael Davis and his son, Jake, remember Donald Davis, Gunther Couvreur, Yrjo Mitrunen and Brian Stevenson.*

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# Stick to your game plan

By Don Schouten,  
WorkSafeBC Industry and Labour  
Services Manager – Construction

NOBODY LIKES TO BE BLINDSIDED or caught by surprise, especially when they're at work. That's why it's so important to be aware and cautious of being struck by hazards on a work site. They have a nasty tendency to throw you off your game plan and inflict serious injuries.

"Struck-bys" refer to injuries that are caused by something hitting or falling on workers. Between 2004 and

2009, more than 4,500 injuries were associated with struck-by incidents. On average, each of these claims resulted in the worker being off work for 28 days.

A large number of struck-by incidents involve building materials falling on workers, which can cause devastating injuries. We also see numerous injuries from the improper use of nail guns and power saws. Sadly, workers are not only injured; they've even been killed in these situations.

The good news is that struck-by

**DON SCHOUTEN**  
**JOB SAFETY**

incidents can be prevented. Planning for safety can prevent struck-bys and the injuries they cause. When planning for safety onsite, make sure you are provided with the proper information, training and equipment for each of the tasks you have to do. When it comes to power tools, check that each one is well maintained and that you are trained how to use them safely. If your employer isn't providing properly maintained, safe equipment, or doesn't provide training, make sure you ask for it. And remember: you have the right to refuse unsafe work.

Maintain good housekeeping habits on the worksite and encourage your coworkers to do the same. This can prevent loose material from falling and potentially injuring someone.

Struck-bys aren't like strike-outs. You don't always get three chances. Sometimes, all it takes is one and you're out—indefinitely. Planning for safety will help keep you and your co-workers in the game.

Please let me know what you think of this or any other construction safety issue. Call me at 604-214-6989 from the Lower Mainland, toll-free elsewhere at 1-888-621-7233. Or email [don.schouten@worksafebc.com](mailto:don.schouten@worksafebc.com). I'd like to hear from you.

**HAVE YOU HIT BOTTOM YET?**

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## Teleclaim centre open from 8 a.m. to 6 p.m.

Workers who've been injured on the job, can call WorkSafeBC's Teleclaim Centre between 8 a.m. and 6 p.m. to file a report. A representative will complete the injury report, explain the claims process and help direct the worker to other services if necessary. The worker's employer is then notified of the injury and both the worker and employer can follow the status of the claim online.

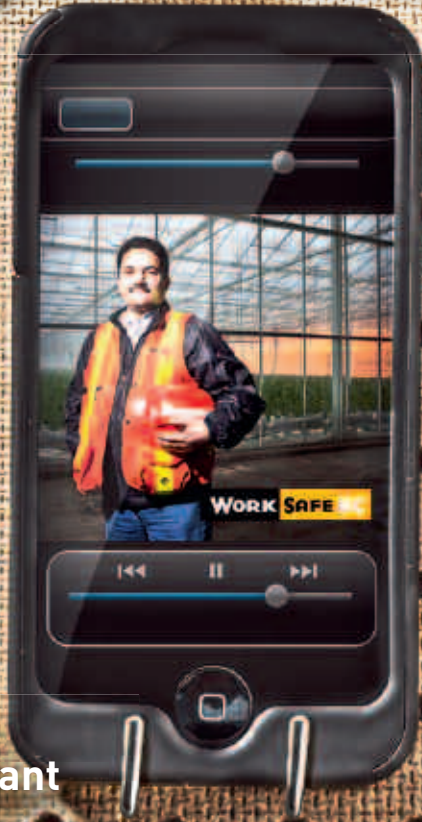
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# Put safety in your toolkit.

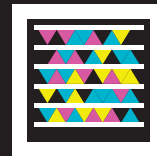
Safety knowledge is the most important tool you bring to the job. Now you can access industry-specific safety and ergonomics tips, instructional videos, downloadable safety booklets, and other information from your smartphone. Visit [worksafebc.com](http://worksafebc.com) and learn how to keep your workplace safe.



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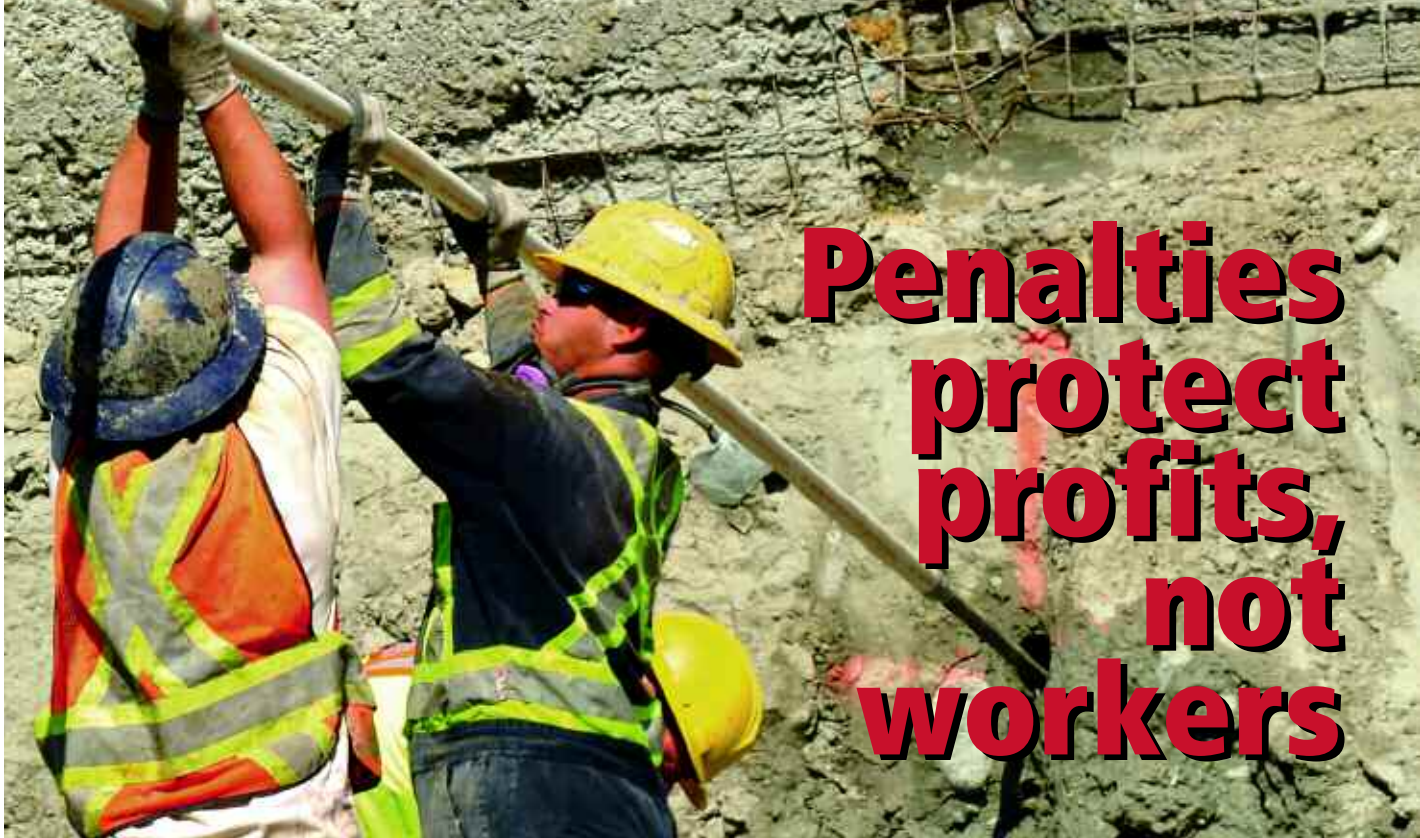


Photo: Joshua Berson

# Penalties protect profits, not workers

By Merrill O'Donnell, Workers' Advocate

ON JAN. 6, LABOUR LEADERS, CONSTRUCTION WORKER representatives, politicians and, most importantly, families and friends who have lost loved ones from workplace incidents or disease, gathered in downtown Vancouver.

This annual event was sparked by the four construction workers who died during construction of the Bentall Tower IV on Jan. 7, 1981, but its wider purpose is to highlight the number of workers killed on the job every year in B.C. The fatality rate in this province averages 26 per year, which translates to over 800 work-related deaths since Gunther Couvreur (49), Donald W. Davis (34), Yrjo Mitrunen (46) and Brian Stevenson (21) plunged 36 floors to their deaths.

Such a high fatality rate on construction sites in a modern society is unacceptable. It is clear to workers and those

who represent them that there are myriad ways our government could prevent such fatalities.

Last year, WorkSafeBC issued a discussion paper entitled Occupational Health and Safety Injunctions. The BC Building Trades Council, which represents 40,000 highly skilled construction workers throughout B.C. and the Yukon, responded to the paper with a 12-page submission of its own.

The WorkSafe board wanted feedback on new policy regarding applying for injunctions from the BC Supreme Court.

The council did not oppose the proposed policy, but it was critical of the board looking for legal solutions (i.e., injunctions) when it already possesses the legal power to demand compliance. If the regulations were enforced more effectively, there would be less need for injunctions.

The Workers Compensation Act allows the board to



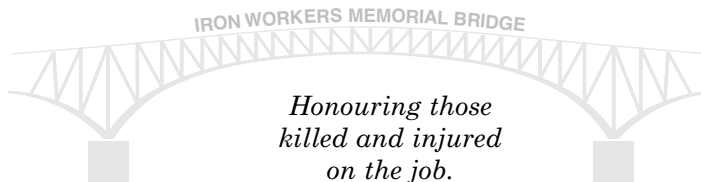
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impose penalties on employers who fail to protect the health and safety of vulnerable workers. Despite this, employers are repeatedly contravening the act because profits from getting away with it far outweigh the minor inconvenience of the penalties.

The council would like the board to use its powers more aggressively. It said the board needs to draft a new prevention policy empowering its officers to exercise their statutory powers.

Every year, WorkSafe publishes its Top 10 Enforcement Penalties showcasing the high penalties employers are paying for infringing on the act. In 2010, the top 10 penalties averaged \$86,673 and went as high as \$145,046. But these reports are the glossy merchandise in the store window, not the far less glamorous staples that line the shelves aisle after aisle. Giving significant penalties is the exception, not the rule.

Action speaks louder than words, and the board's actions reveal favouritism for business and a callous disregard for the safety of workers.

The average penalty is only \$12,254. This is not a lot of money for putting workers' lives at risk. Take, for example, the case of the construction company John Kenneth Sutton whose worker suffered fatal injuries by falling about six meters to the ground from the edge of an unguarded roof. Not only did the firm fail to ensure his fall protection system was used, it didn't provide him with safety information, training or supervision. For these multiple infractions (which cost this worker his life), the company was penalized \$3,250!

The rule is to set penalties as low as possible and it is set out in the notorious Prevention Policy D12-196-6. This table shows the penalties "where there is (i) a serious injury or illness or death; or (ii) high risk of serious injury or illness or death; or (iii) non-compliance with wilful or reckless disregard."

Did you notice that the formula doesn't even consider whether the contravention led to the death of a worker? It is based on the profitability of the firm.

Over 60% of the penalties issued in the construction sector—the most dangerous sector in the economy—were \$5,000 or less from 2000 to 2010.

When the Workers' Compensation Board fails to issue significant fines for significant offences, employers learn that they can continue to break the law and put workers' lives at risk. The board should exercise its existing statutory powers to compel compliance. Strong measures would tell employers that health and safety infractions will not be tolerated.

Assessable Payroll Range	Penalty Amount Range	Maximum Quantum
Up to \$500,000	2.5% of payroll, or \$2,500, whichever is greater.	\$2,500-\$12,500, whichever is greater.
\$500,001 – \$1,000,000	\$12,500 + 2.25% of payroll over \$500,000	\$23,750
\$1,000,001 - \$1,500,000	\$23,750 + 2.0% of payroll over \$1,000,000	\$33,750
\$1,500,001 - \$2,000,000	\$33,750 + 1.75% of payroll over \$1,500,000	\$42,500
\$2,000,001 - \$2,500,000	\$42,500 + 1.5% of payroll over \$2,000,000	\$50,000
\$2,500,001 - \$3,000,000	\$50,000 + 1.25% of payroll over \$2,500,000	\$56,250
\$3,000,001 - \$3,500,000	\$56,250 + 1.0% of payroll over \$3,000,000	\$61,250
\$3,500,001 - \$4,000,000	\$61,250 + .75% of payroll over \$3,500,000	\$65,000
\$4,000,001 - \$4,500,000	\$65,000 + .5% of payroll over \$4,000,000	\$67,500
\$4,500,001 - \$5,000,000	\$67,500 + .25% of payroll over \$4,500,000	\$68,750
Over \$5,000,000	\$68,750 + .125% of payroll over \$5,000,000, or \$75,000, whichever is less.	\$68,750 to \$75,000, whichever is greater.

Year Penalty Imposed	Total Penalties in Construction Sector	Penalties \$5,000 or Less
2000	135	105
2001	84	56
2002	63	39
2003	19	14
2004	44	26
2005	44	24
2006	40	27
2007	146	90
2008	93	45
2009	156	89
2010	195	117

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# Yup, Heinz Ketchup is union made



FINDING UNION GOODS AND SERVICES just got a whole lot easier thanks to a new website which launched on Jan. 1.

ShopUnion.ca is the brainchild of John and Foley Lynn, a father-son duo who have been collaborating on union communications for more than 25 years.

"ShopUnion.ca takes over from where the now-defunct union label print directory left off," said John. "We always felt this service was a natural for a web site which could also be accessed through smartphones. Today's busy consumers do their product research on the fly, so that's where we need to be."

Another plus for ShopUnion.ca is the addition of thousands of common household products not produced in B.C. but consumed here. "That includes breakfast cereals, shop tools, airline services, sports equipment and everything in between," he said.

They're adding new products every day, as quickly as they can identify where they're made and which union makes them.

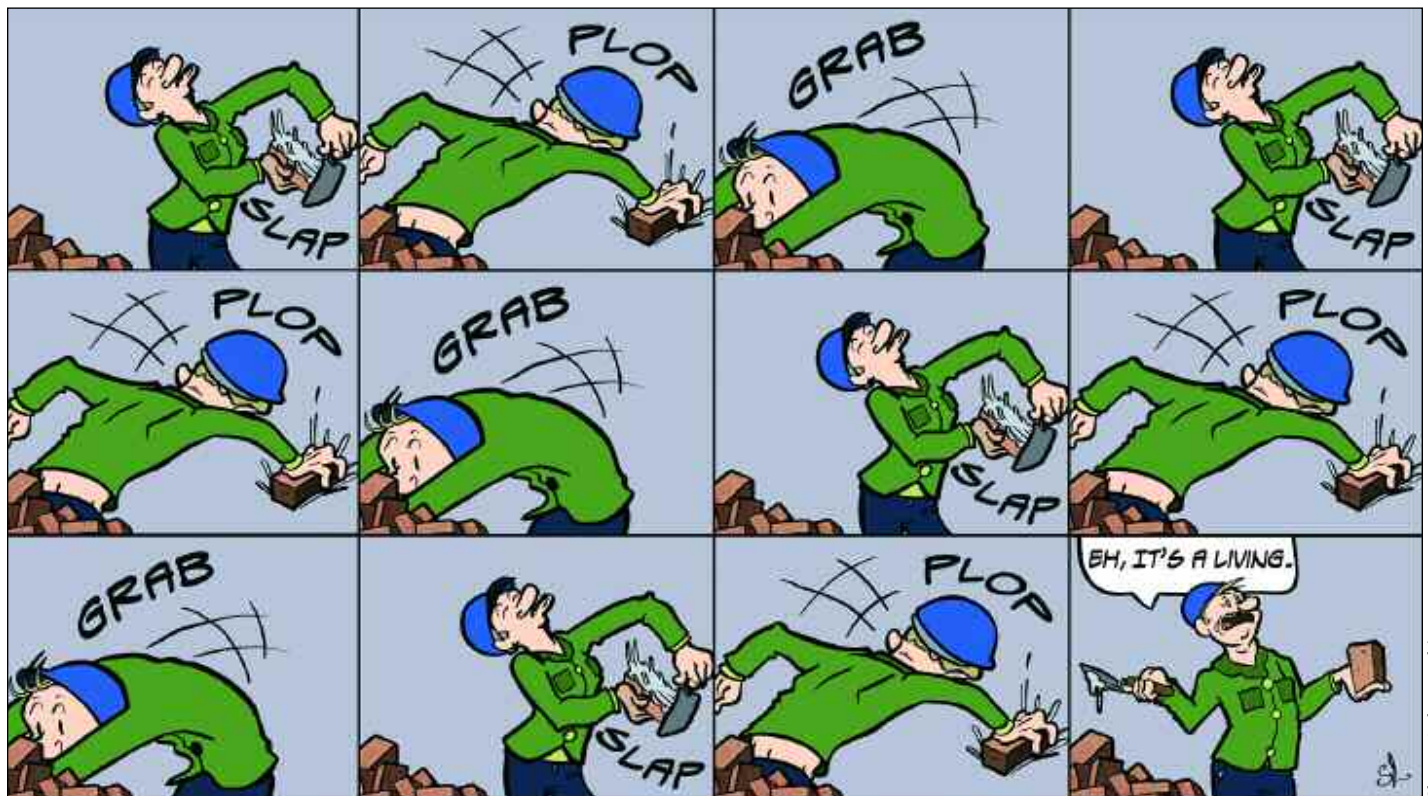
The search function also operates on a key words basis similar to Google searches, the standard in today's world.

And the best part is that it's free, supported by advertising.

ShopUnion.ca is endorsed by the BC Building Trades Council, BC Federation of Labour and Canadian Labour Congress.



Photo: Joshua Berson



Shawn Luke graphic



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