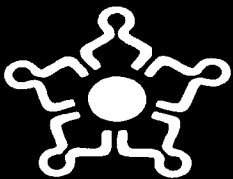


3.65

Submission to the Public Hearings WorkSafe BC

November 15, 2006



B.C. Government and Service Employees' Union
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The B.C. Government and Service Employees' Union (BCGEU) represents 60,000 workers in a broad range of occupations throughout British Columbia. Our members work for the provincial government, Crown corporations, colleges, private and publicly-funded health care, social service and home support agencies, child care centres, legal services, and highways maintenance contractors.

BCGEU commends the Workers' Compensation Board on the proposed amendments to Part 3: Rights and Responsibilities by including section 3.23 to 3.26. We as an organization support and endorse these changes and offer the following points for consideration:

Section 3.23 (d) should include training on mitigation of risk. We propose that the language be re written to state: Hazards and methods for reducing risks from robbery, assault or confrontation that young or new workers could be exposed to. Youth are at a higher risk of injury compared to all other age and gender of workers, as youth enter the labour force it is of utmost importance that they are targeted for prevention initiatives.

In the study conducted by WCB and ICBC one of the findings was that many work related injuries are not reported, so understanding rights and responsibilities is an important step in reducing injuries. One of the key findings related to an increase in accidents was employment experience - differences between work experience, hours worked and time of hours worked increased risk of injury. Workers who had two or more accidents were workers who worked between 7:p.m. and 7:a.m. and worked more hours per week .

The group that had two or more accidents were more likely to use ladders or scaffolding, drive a forklift or tractor, or riding mower, work around loud noises, were employed in fast food outlets, or were employed around chemicals and pesticides,. Workers who used drills or chainsaws, manufacturing equipment or were required to lift heavy objects also were found to be at higher risk.

Young workers are at a much higher risk of injury arising out of the workplace than other workers. More than 50% of young workers aged from 15 to 24 are injured in the first six months on the job. Twenty percent of these injuries occur in the first month. Karen Zukas, stated "these grim statistics underscore the need for better health and safety orientation and training for young workers." The BCGEU agrees. and we request that Worksafe BC look to developing

regulations that assess and confirm that all young workers (for under 18 years of age) are assigned appropriate non-hazardous jobs.

As we are all aware, children as young as 12 can work in any employment in the Province of BC with no restriction on the type of employment. In 2003, BC moved from a system where 12 to 14 year olds had to be pre-approved by employment standards, and the director of the employment standards branch had had the authority to set the conditions of employment for working children under the age of 15. British Columbia provides significantly less protection to children 12 to 19 years of age than other jurisdictions in Canada..

The Canadian Centre for Policy Alternatives reports that 48.1% of 12 to 14 year olds reported that their parents had not evaluated the health and safety of the workplace.

Although parents are required to give consent to 12 to 14 year olds to work, 58.3% reported that their employers did not receive written approval from their parents.

70.3 per cent of working students 12 to 14 year olds reported that they worked without supervision.

Restrictions and protection for young workers no longer exists, which places us in a very different context than other Canadian jurisdictions as the table below illustrates.

Minimum Work Age ¹		
Jurisdiction	Age	Details
Federal	17	May be employed only if not required to be at school under provincial legislation. Work must fall outside of excluded categories (e.g. mines). Work must be unlikely to endanger health or safety. Work may never be between 11 pm and 6 am.
Alberta	12-14	Cannot be employed without the written consent of one parent or guardian. A safety checklist must be completed and filed. Other regulations include hours of work allowed.
	15-17	No permit needed, but restrictions apply in some industries. General restrictions on times of day that may be worked and supervision required.
British Columbia	Under 12	Cannot be employed without the permission of the Director of Employment Standards. The Director may set conditions of employment.

¹ Excerpt from Canadian Centre for Policy Alternatives, *Child and Youth Employment Standards* September 2005

Minimum Work Age ¹

Jurisdiction	Age	Details
	12-14	Cannot be employed without the written consent of one parent guardian. Regulations include hours of work allowed.
	Under 15	Separate detailed regulations exist for children in the entertainment industry.
Manitoba	Under 16	Cannot be employed without a permit obtained from the Director of Employment Standards.
New Brunswick	Under 14	Cannot be employed without a permit obtained from the Director of Employment Standards.
	Under 16	Cannot do work that may be harmful. Cannot be employed for more than six hours in any day.
Newfoundland and Labrador	Under 14	Cannot be employed unless in work and undertakings specifically permitted by local regulation (allowable work varies by region, and consists of light work such as newspaper vending or shoe shining).
	Under 16	Cannot be employed without the written consent of the child's parent or guardian.
Nova Scotia	Under 14	Cannot do work that is likely to interfere with normal, healthy development, or schooling. Cannot work for more than eight hours a day or for more than three hours on school days, unless authorized by the local school board. Cannot work between 10 p.m. and 6 a.m. Cannot do work prohibited by regulation.
	Under 16	Cannot work in industrial undertakings, forestry, garages and car repair, hotels and restaurants, in theatres, bowling alleys and pool halls, or shooting galleries, unless working for a family member.
Ontario	14-16	Children under 14 cannot work in an industrial establishment of any kind. Children under 15 cannot work in a factory. Children under 16 cannot work in a logging operation, in a mine, or in construction.
Prince Edward Island	Under 16	Employers must take care when employing young persons to assign reasonable, age-appropriate tasks and to provide adequate training and supervision to ensure the safety of young employees.
Quebec	Under 14	Cannot work without the written consent of the holder of parental authority or the tutor.
	Under 18	Cannot perform work that is disproportionate to a child's capacity or that is likely to be detrimental to his/her education, health, physical or moral development.
Saskatchewan	Under 16	Cannot be employed in an educational institution, hospital, nursing home or restaurant. Cannot be employed in any of a series of specific hazardous industrial settings. Cannot work during school hours without permission from the principal.
Northwest Territories / Nunavut	17	Cannot be employed in occupations and subject to conditions as may be prescribed by regulation.
	Under 17	Must attend school. May be excused by the principal for one school term to work.
Yukon Territory	Under 16	Must attend school, unless excused by the director or superintendent.
	Under 17	Cannot be employed in occupations that may be specified by regulation or contrary to such conditions as may be prescribed by the regulation.

Many of the youth surveyed by the Canadian Centre for policy alternatives reported that more than one in five working children and youth had been injured on the job. Many of these injuries were burns. Of those injured 31.6% reported being treated in hospital or by a physician.

40.9% of respondents advised that they had not received health and safety training.

BCGEU recommends that the Workers' Compensation Board review the legislation and determine which laws would protect young workers from unsafe employment. The points we would like to have considered include:

- Section 3.25(2) focuses on the young worker's performance rather than addressing the effectiveness of the training program and health & safety program in ensuring young worker safety. We recommend that this section be re-written with the focus of protecting young workers.
- Section 4.23.1, which is included in Part 4 General Regulations includes a provision for mandatory prepayment at service stations. The BCGEU submits that the restriction on working time between 10:00 p.m. and 6:00 a.m. is insufficient to protect young workers who are employed at gas stations. The BCGEU supports the BC Federation of Labour's position that all gas stations have a mandatory prepayment.
- Should a minimum age of law apply to certain occupations?
- Should employers provide transportation home for workers between the ages of 12-14 if their shift ends when public transportation is unavailable?

Maclean(Gannon), Christine

From: Speed, Marlene [Marlene.Speed@bcgeu.ca]
Sent: Friday, December 01, 2006 11:34 AM
To: Regulation Review - External Queries (SM)
Subject: BCGEU Submission on Proposed 2006 Regulatory Amendments
Attachments: WCB Submission - Young Workers.doc

Please find attached the BCGEU's submission on the above topic

Thanks
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