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**INTERNATIONAL LONGSHORE & WAREHOUSE UNION CANADA**

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April 7, 2003

**ILWU Canada Submission  
to the  
Policy and Regulation Development Bureau  
Workers' Compensation Board of B.C.**

**Proposed Amendments to Health and Safety Regulations Requirements.**

**Introduction:**

ILWU Canada is a Union made up of the twelve autonomous Locals of the International Longshore and Warehouse Union and three affiliates, Retail Wholesale Union of British Columbia, Retail Wholesale Department Store Union of Saskatchewan, and Grain Services Union, which is also based in Saskatchewan.

ILWU Canada represents its members in numerous forums of interest on the Federal, Provincial and Municipal scenes. Although our longshore division Locals are under the Federal jurisdiction we have a MOU with the employers that adopts the WCB Regulations regarding First Aid Coverage. This MOU originated when the longshore work went from Provincial to Federal jurisdiction. The parties mutually agreed to this because of the superior First Aid requirements of B.C.'s WCB Regulations. We also represent a few employees at Marco Containers Ltd and Maple Ridge Recycling and the Retail Wholesale Union, an affiliate of the ILWU Canada, that are under the Provincial jurisdiction.

ILWU Canada wishes to make brief comments on the proposed changes regarding Process, OELS, Redundancy but mostly First Aid coverage.

**Process: The peoples regulations**

The ILWU has participated for many years in regulatory reviews mainly at the Federal level but also Provincially. The Process has always been a tri-partite system where all the stakeholders had an opportunity to get involved directly in the making of the regulations. The end result in such a process is a set of regulations that are based on consensus from the parties and a true sense of participation.

Of all the regulations legislated by governments in the land, Occupational Health and Safety Regulations have by far been the most affected by the involvement of the workers themselves. They came into existence from a history of carnage in the workplace due to the combination of the quest for bottom line profits, and an inherent heavy duty industrial base in Canada such as wood harvesting, mining, shipping, construction and steel fabrication and manufacturing.

These regulations are truly for the workers by the workers. The three basic tenets of Health and Safety Regulations regardless of jurisdiction are; the right to **Know**, the right to **Participate** and the right to **Refuse** to perform dangerous work.

The current method adopted by the government clearly curtails if not abolishes the right to participate. The proposed changes on OELS and Redundancy are also a direct attempt to impede on the right to know.

It is therefore absolutely appalling that the Government of British Columbia sees it acceptable to usurp these regulations from the workers by abolishing the time honored tri-partite process. These regulations belong to the people not the government. The democratic process does not end when the ballot boxes have been counted. Any changes to Health and Safety Regulations without the direct participation of worker's representation will have no credibility with the workforce.

### **Redundancy:**

As mentioned above, the intention of the government to delete sections of regulations that make references to other standards as being unnecessary, repetitive and redundant is not being responsive to the needs of the workplace environment. Health and Safety situations that arise at the workplace are deliberated on the spot in a timely fashion by having regulations that are clear and precise. References to standards, whether governmental or manufacturers', are quickly accessed by stakeholders when they are mentioned within each set of regulations. Having it repeated is not a cost factor and helps both the employer and employee reach a proper decision. The references to be made only in one section of the regulations runs the risk of being overlooked by the parties in their deliberations. This proposal gives the impression the government wishes to "camouflage" references to standards from the workers.

### **OELS:**

ILWU Canada supports the position put forward by the B.C. Federation on Occupational Exposure Limits proposed change of adopting only the ACGIH standards. In many areas the ACGIH is not up to date on Exposure Limits such as Carbon Monoxide and Sulphur Dioxide as compared to European standards. In many areas they set criteria based only on the eight hour day, forty hour week scheme. It does not take into account acute exposures for a shorter time period, or take into account for the increasing number of work schedules involving twelve hour days.

The proposed changes in the final analysis will not provide any financial relief to employers or society as a whole because of the increased subsequent costs in Health Care and WCB Claims.

Access to the ACGIH documentation is costly and awkward, and again will make it that much more difficult for the average Worker or Worker Representative to have immediate access to the pertinent data. As it is proposed, the government is willfully relinquishing its autonomy on establishing the best standards on exposure limits for a guideline that is developed by a foreign administration. The current OEL Policy is far superior because it is made up from a selection of standards from around the world, or made at home standards if deemed necessary. These standards are kept up to date by a tri-partite committee.

### **First Aid:**

It is the position of ILWU Canada that deregulating the entire Section 33 of the WCB Regulations pertaining to First Aid coverage is both a profound mistake, and a direct attack to working people in British Columbia. Given that the industrial base of this province is so laden with inherently dangerous work, it is hard to fathom a First Aid Policy that would be completely deprived of any formal regulation to govern employers.

As mentioned in our introduction a major component of our organization is comprised of longshore activity, loading and unloading vessels throughout the Province's Ports, the receiving, delivering and warehousing of the goods destined for, or discharged from these vessels. Some of the commodities we handle include logs, lumber and pulp, containers, large steel beams and plates, chemical liquids such as Styrene, Glycol and toxic soda. We also handle bulk cargoes of sulphur, coal, lead, zinc, copper and various grains.

As you can see from this list of different commodities, the longshore workforce is involved in quite a variety of methods of loading and material handling equipment.

One of the most dangerous endeavours is the process of loading logs. No matter how carefully the work is performed, the inherent danger of stepping on loose bark or of swinging slings and unpredictable rolling logs make the necessity of stringent First Aid coverage an absolute must. We understand it would be financially advantageous to employers to rely solely on paramedic services instead of sustaining a dedicated First Aid work force. However on the waterfront, some of the injuries sustained are of such a gravity, immediate attention is required. Almost in all cases of serious injury, therapeutic oxygen is needed within the first minutes after the accident has occur to avoid shock.

The waterfront is comprised of many employers. We find the prospect of having different levels of First Aid coverage instituted from one employer to another a recipe for disaster. How can a worker dispatched as a lasher at one terminal like Delta Port for example be protected by one level of quality and be dispatched the next day at the Fraser Surrey Docks, Centerm or Vanterm and receive a lesser or better coverage depending on the whim of the employer. The same applies for Bulk Sites or Forrest Products terminals. Waterfront terminals can also at anytime have their main access or egress gate blocked off by railroads.

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ILWU Canada also represents Towboat Workers and Seafarers. Should a worker in that industry sustain a serious injury, he would not have the immediate access to emergency response Shore Workers might enjoy.

**Conclusion:**

Section 33, of the WCB Regulations pertaining to First Aid requirements have been in place for decades with minor amendments made through the years. To suddenly delegate these regulations to mere guidelines to be simply ignored by individual employers would create a situation of unequal First Aid Coverage amongst workers in British Columbia.

The ILWU can only view such unjustified deregulation as total contempt by the current Provincial Government towards some of its citizens. It is a mean spirited anti social endeavour aimed only at pleasing a small segment of society at the ultimate detriment of less fortunate people, mainly the injured workers.

Respectfully submitted  
Albert Le Monnier,  
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ILWU Canada