

WORKERS' COMPENSATION BOARD OF B.C.

PUBLIC HEARING

OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

Nelson, B.C.
March 30, 2004

TRANSCRIPT OF PROCEEDINGS

PANEL:

Margaret Eckenfelder
David Young
Ed Bates

Chair
Vice-Chair
Legal Counsel

INDEX OF PRESENTERS

	<u>PAGE</u>
CLIFF BAKER	3
CHUCK CHATTEN, Construction and Specialized Workers' Union Local 1611	8
MIKE CONCI, Pulp, Paper & Woodworkers of Canada Local 1	14
PAUL NEDELEC, Carpenters Union Local 2300	20
RAY KEEN, International Brotherhood of Electrical Workers Local 1003	23
SUSAN CRAWFORD	28
TOM WYNN, United Steelworkers of America Local 480	34
DAVID LIVINGSTONE	43
KAREN CAPPELLETTO	50
ROBERT WALTERS	58
BOB CRISTOFANETTI	64
ANDREW MEINING	65
MARCEL BRULOTTE	67

Nelson, B.C.
March 30, 2004

1 --- PROCEEDINGS COMMENCED

2 THE CHAIR: My name is Margaret Eckenfelder
3 and I will be chairing this Panel. This is the fifth in
4 our series of hearings into the Proposed Amendments to the
5 Occupational Health and Safety Regulation. We have been to
6 Prince George, Kelowna, Nanaimo, Richmond, and now we're
7 here in beautiful Nelson. This is the last in our series
8 of public hearings. On my left is David Young, if you
9 can't read the sign, he is my Co-Chair, and on the right is
10 Ed Bates, and he is Legal Counsel.

11 I would just like to run through the purpose
12 of the hearing. This is to give you an opportunity to
13 comment on the Proposed Amendments to the Occupational
14 Health and Safety Regulation, relating to a number of
15 areas: Occupational Environment Requirements; Workplace
16 Conduct and Violence in the Workplace; Noise, Vibration,
17 Radiation and Temperature; Fall Protection; Ladders,
18 Scaffolds and Temporary Work Platforms; Agriculture, and a
19 number of miscellaneous sections in the Occupational Health
20 and Safety Regulation. In addition, we're here to listen
21 to comments on proposed policy amendments relating to
22 Occupational Exposure Limits for Chemical Substances.

23 We are here to listen to your remarks and to
24 ensure that we proceed in a timely way we ask that you keep
25 your presentations within the time that you've been

THE CHAIR
(Introductory remarks)

1 assigned, and I'll give you a bit of a wave when you're
2 getting to the one-minute mark.

3 A transcript of your comments is being made.
4 If you have additional written material to leave with us,
5 please do so. Both oral and written submissions will form
6 part of the public hearing record. Our deadline for
7 written submissions is April 16th, 2004. And if you're
8 just watching today and you decide that you want to make a
9 written submission, please feel free to do so. Written
10 submissions aren't limited to those people who are making
11 oral presentations.

12 Prior to the commencement of the public
13 hearing this year the WCB hosted technical information
14 sessions in eight locations throughout the province. These
15 were intended to provide an opportunity for interested
16 people to meet with technical experts and talk about the
17 contents of what's in the proposed changes. I would like
18 to take this opportunity to thank those of you and your
19 organizations who attended the technical information
20 sessions.

21 This public hearing forms the formal
22 consultation process required under the legislation. Once
23 the hearing process is complete, written and oral
24 submissions will be examined. The Board of Directors of
25 the WCB is the decision-maker in this regard and the Board

1 will have access to all of the submissions prior to making
2 their final decision on each proposal.

3 Once again, this is your opportunity to be
4 heard on these issues. Thank you for your interest and
5 involvement.

6 We do have speakers scheduled throughout the
7 morning. There are some gaps in time, so if you're here
8 and you decide that you are interested in making an oral
9 statement on any of the parts of the Regulation that are
10 being proposed for changes, please check with Freda - Freda
11 over there - and we'll see if we can find a spot for you to
12 do so.

13 That said, I would like to turn the floor
14 over to Mr. Cliff Baker.

15 PRESENTATION BY MR. CLIFF BAKER:

16 MR. BAKER: Thank you. Good morning.

17 MR. YOUNG: Good morning.

18 THE CHAIR: Good morning.

19 MR. BAKER: My name is Cliff Baker. I am a
20 60-year-old crane operator.

21 I first started oiling in 1965. This was
22 the training program to become a crane operator. On many
23 jobs that I have worked on, whether pulp mills, hydro
24 projects, coal mines, I was fortunate enough to work with
25 well-qualified workers and, thank goodness, never witnessed

1 a fatality or serious injury on the job.

2 Also we did not have light duty on most of
3 my jobs. If you were injured you were off the job. You
4 came back when you could physically do the job and do it
5 safely.

6 Safety has always been the number one
7 priority. The men on the job were trained to work safe.

8 My first job as a crane operator I had four
9 years of training in crane procedure, rigging and
10 transporting the crane.

11 I have been on jobs where guys came on the
12 job as a loader operator and now were booking out as crane
13 operators. They did not have any training to be a crane
14 operator but thought they could do the job.

15 There is more to being a crane operator than
16 pulling levers. You have to know what is the reaction of
17 the boom up and swing area. You have to know the signals.
18 You have to know how to catch your load on the swing. You
19 need to know how to set up and tear down, load out and
20 transport boom sections correctly.

21 It is also important to know that a crane
22 operator does not just operate the crane. They are also
23 responsible for the servicing of the crane. Visual
24 inspections for safety are done every day. Not knowing how
25 to do the job correctly can damage the boom, cause

1 structural failure, but most importantly it can cause
2 serious injury or death to a worker. For these reasons I
3 am in favour of the T.Q., trade qualification, for crane
4 operators. The training program for crane operators is a
5 good program that teaches doing things I have listed in the
6 proper way.

7 In 1966 I fell off a boom truck and hurt my
8 neck. The Workers' Compensation Board didn't recognize
9 that you could develop a neck program from being a crane
10 operator. These neck problems are not just degenerative
11 disk disease but result from static positioning and
12 constant strain. The injury made it impossible for me to
13 continue working as a crane operator. I didn't feel safe
14 for me to operate a crane when I was getting dizzy.

15 Other things I'd like to raise is the WCB's
16 plan to cut Health and Safety Regulations by one-third and
17 giving the employers the flexibility in Health and Safety
18 Regulations that allows employees to regulate themselves.

19 The worksites I have been on are extremely
20 dangerous if the jobs are not done properly. I have worked
21 on many construction sites. It is a very competitive, even
22 cutthroat business, leaving Health and Safety Regulations
23 to the whims of employers. This is not a good idea. They
24 will simply do what they can get away with so they can have
25 a competitive advantage. Workers will pay the price for

1 the employees getting the decision that needs to be done
2 safety-wise and how they are going to do it.

3 It is better if all employers in one sector
4 have to abide by the same Health and Safety Regulations.
5 It levels the playing field.

6 The WCB is moving the specific details of
7 Health and Safety Regulations from the Regulations to
8 Guidelines. Guidelines cannot be enforced. Regulations
9 can. They are the law.

10 The proposed changes the Board is making to
11 the Fall Protection Regulations, Ladders, Scaffolds, and
12 even Lunchrooms and Washrooms, will make it very difficult
13 for the WCB to enforce safety on the worksite. Already
14 Fall Protection is one of the top ten issues the WCB write
15 orders on. Why would the Board then loosen the Fall
16 Protection Regulation and leave it up to the employer to
17 decide whether they would use fall protection or work
18 procedures to minimize the fall? My question would be what
19 do these work procedures include?

20 In my closing I say that in my working day
21 things were safe. We had strong Regulations and the
22 employers complied with the Regulations because I worked in
23 a strong union environment. Since the Liberal government
24 came in and have cut back the Regulations, things have got
25 worse. I hope that no injuries occur or lives are lost

THE CHAIR
(Introductory remarks)

1 because of it.

2 Thank you very much.

3 THE CHAIR: Thank you. Thank you very much.

4 We have nobody else here?

5 Good morning.

6 MR. CHATTEN: So, I missed your opening
7 remarks.

8 THE CHAIR: You did. I won't go through it
9 all again, but I am Margaret Eckenfelder, I am the Panel
10 Chair. This is David Young, he is Co-Chair, or...?

11 MR. YOUNG: Vice-Chair.

12 THE CHAIR: Vice-Chair. And Ed Bates is
13 Legal Counsel. The purpose of this hearing is the formal
14 public consultation part of the review of the Proposed
15 Amendments to the Occupational Health and Safety Regulation
16 and this is your opportunity to be heard.

17 A transcript of your remarks today is being
18 made. If you wish to submit anything further in writing
19 following the presentation today, you have until April
20 16th, 2004 to do that.

21 We are asking people to stay within their
22 assigned time and I give a one-minute sign that you are
23 nearing the end of your assigned time when that happens.

24 MR. CHATTEN: All right. When you say you
25 are the Vice-Chair and the Chair, you are talking about

CHUCK CHATTEN
(CSWU Local 1611)

1 this policy review chair, or...?

2 THE CHAIR: That's right. The Board of
3 Directors, when they passed the resolution saying that this
4 Regulation, the proposed changes to the Occupational Health
5 and Safety Regulation were going to be taken out for public
6 consultation, appointed a person in my position to be the
7 Chair of the Review Panel.

8 MR. CHATTEN: All right.

9 THE CHAIR: And that happens to be me. And
10 then I get to pick people to participate in the Panel along
11 with me.

12 MR. CHATTEN: All right, thank you.

13 THE CHAIR: Thank you.

14 PRESENTATION BY MR. CHUCK CHATTEN ON BEHALF OF CONSTRUCTION
15 AND SPECIALIZED WORKERS' UNION LOCAL 1611:

16 MR. CHATTEN: My name is Chuck Chatten. Am
17 I proceeding now?

18 THE CHAIR: Yes.

19 MR. CHATTEN: All right. I'll repeat that.

20 My name is Chuck Chatten. I am here as a
21 representative of Construction and Specialized Workers'
22 Union Local 1611, part of the Labourers International Union
23 in North America. We are affiliated with the B.C. and
24 Yukon Territory Building and Construction Trades Council,
25 with our head office in Vancouver, regional offices in

CHUCK CHATTEN
(CSWU Local 1611)

1 Kelowna, Kamloops, Victoria, Nanaimo, Campbell River,
2 Dawson Creek and Nelson. We represent approximately 5,000
3 men and women in construction, road building, mining,
4 diamond drilling, industrial plants, healthcare, parking
5 lot security and other service industries.

6 The proposed cuts to the Health and Safety
7 Regulations, referred to as Proposed Amendments, is what
8 brings me to this public hearing. The word "amendment" is
9 generally accepted to mean making an improvement and comes
10 from the French language verb "to remove a fault".

11 The amendments dealing with the construction
12 industry do not make an improvement or remove a fault.
13 Rather, they remove the guts of the Regulations that have
14 taken years of compromise and collaboration between the
15 Board, the worker and the employer to develop.

16 We are not lawyers and wordsmiths out in the
17 field doing the drilling and blasting of tunnels through
18 mountains. We are not lawyers and wordsmiths at building
19 the dams and powerhouses that harness the rivers and
20 provide electricity for industrial, commercial and
21 residential usage. We are not lawyers and wordsmiths
22 building the pulp mills and smelters and maintaining them
23 when they need repairs or expansion. In the construction
24 industry we are tradespersons who rely on the Occupational
25 Health and Safety Regulations as the commonsense rules to

CHUCK CHATTEN
(CSWU Local 1611)

1 determine how we perform our work safely.

2 When there is an employer in non-compliance,
3 there is an opportunity for common sense, and adequate time
4 is given by the WCB officer to the employer to take the
5 corrective action and thereby comply with the Regulations.
6 While the Regulations are specific, the Board is not heavy-
7 handed about the enforcement unless the employer is not
8 reasonably diligent or co-operative. There are some jerk
9 employers out there. While the Regulations are specific,
10 the Board is not heavy-handed.

11 Today there are many fewer Prevention
12 Officers visiting the worksites and lack of monitoring and
13 enforcement is creating a huge credibility problem.
14 Guidelines won't work. It's difficult enough to get
15 employers to comply with the Regulations that are specific.
16 What is going to happen when employers can determine
17 themselves whether they are going to follow the Guidelines?

18 In addition, in many multiple employer
19 worksites, joint health and safety committees are simply
20 not set up as required by the Regulations, and the WCB is
21 not enforcing this requirement, either. This makes the use
22 of performance-based Regulations and Guidelines even more
23 problematic.

24 Lack of communication and less specific
25 requirements mean things will fall between the cracks. The

CHUCK CHATTEN
(CSWU Local 1611)

1 Workers' Compensation Board Prevention Officer needs more
2 power and authority to deal with the problems they
3 encounter. Having to enforce the general Regulations and
4 Guidelines that are open to interpretation makes the job
5 more difficult for the officer.

6 I would like to ask you folks on the Panel
7 if you have ever visited a construction site. Could you
8 identify factors that affect the occupational exposure of
9 construction workers to common occupational contaminants?
10 Do you know what toxic substances B.C. construction workers
11 are exposed to on a regular basis: diesel exhaust, silica,
12 solvents, asbestos, lead, arsenic, cadmium, cobalt, indium,
13 nickel, thallium, mercury, fluorine, chlorine are all
14 readily available at a local smelter.

15 At a local tunnel hydroelectric project one
16 of the most frustrating problems for the employer and the
17 worker is ventilation or lack of it. While some
18 supervisory personnel demanded workers perform duties
19 without proper ventilation, the safety miner and the crew
20 refused until ventilation was adequate. The reason the
21 crew could refuse is because there are very clear and
22 specific ventilation regulations that the crew could point
23 to and say to their employer, "You are required to put this
24 in place. We are refusing to do the work until you do."
25 Guidelines would make this much more difficult or

CHUCK CHATTEN
(CSWU Local 1611)

1 impossible.

2 Also, the safety miner regularly monitors
3 the air quality. He is working underground. The
4 supervisory personnel and the WCB Prevention Officers are
5 not underground, and exposure to lack of oxygen is just
6 words to them.

7 Workers must be recognized as the experts.
8 I am truly disappointed in the Workers' Compensation Board
9 that they have abandoned the process of recognizing that
10 workers are experts and including them in the committee
11 process to determine what regulations should be reviewed or
12 amended. This should not be the first time that we get to
13 talk to the WCB about our concerns with these proposed
14 changes.

15 I would like to tell you about the thallium
16 exposure at Teck Cominco in July and August of 2001. The
17 WCB investigation report regarding the exposure clearly
18 states what the problems were:

19 (1) Failure to communicate and coordinate
20 between Cominco departments.

21 (2) Inadequate hazard assessment.

22 (3) Inadequate hazard controls.

23 (4) Inadequate training and supervision of
24 workers.

25 (5) Improper personal hygiene practices.

CHUCK CHATTEN
(CSWU Local 1611)

1 (6) Ineffective decontamination processes.

2 (7) Failure to provide ongoing monitoring.

3 (8) Ineffective work procedures to evaluate
4 the effectiveness of the health and safety system.

5 As the report states, these failures demonstrate non-
6 compliance with many regulatory requirements.

7 Regulations.

8 Even with specific regulations things can go
9 wrong, but at the end of the day, Cominco was held
10 accountable. They were required to get into compliance and
11 they were fined rather substantially.

12 My concern is that when the employer is left
13 to determine what needs to be done to make the workplace
14 safe, the employer may not be held accountable because they
15 were implementing their interpretation of the Guidelines.

16 In conclusion, my main concern is that all
17 workers have the opportunity to work in a healthy and safe
18 work environment. We know that this is not the case for
19 thousands of workers in British Columbia: 232 workers were
20 killed on the job in 2002 and 5,000 workers were
21 permanently injured. This situation must improve. We can
22 only do that by making sure that the Regulations that are
23 there are enforced. Guidelines won't work.

24 Thank you.

25 THE CHAIR: Thank you very much.

MIKE CONCI
(PPWC Local 1)

1 MR. CHATTEN: Am I off record here now?

2 THE CHAIR: The record is still on. If
3 you --

4 MR. CHATTEN: Okay.

5 THE CHAIR: -- want to have a chat
6 afterwards, we can do that.

7 MR. CHATTEN: I don't mind doing that. And
8 I don't mind, there's lots of things that aren't happening.
9 There's things dealing with claim suppression, there's
10 things like the public being notified about this. It's
11 poorly done, very poorly done. Everybody doesn't have
12 access to a computer. I mean, the poor guy's working all
13 day -- you want me out of here? I'm out.

14 THE CHAIR: No, it's okay. I just think
15 it's better that we have that conversation --

16 MR. CHATTEN: Yeah.

17 THE CHAIR: -- outside.

18 MR. CHATTEN: Thank you.

19 THE CHAIR: Thank you very much.

20 Mike Conci...? I understand you are
21 prepared to speak.

22 PRESENTATION BY MR. MIKE CONCI ON BEHALF OF PULP, PAPER &
23 WOODWORKERS OF CANADA, LOCAL 1:

24 MR. CONCI: I would like to thank you for
25 the opportunity to speak on these proposed amendments.

MIKE CONCI
(PPWC Local 1)

1 I have been the Union Safety Chairman for
2 PPWC Local 1, Pulp, Paper & Woodworkers of Canada, for the
3 past five years. I work for Celgar Pulp Company and have
4 been employed there for the last 13 years. I have been the
5 Occupational Health and Safety Chairman for the last five
6 years and have been extensively involved in the safety
7 program at Celgar Pulp Company. I have been instrumental
8 in developing core safety programs and have instructed
9 numerous safety-related courses at Celgar. I enjoy working
10 in the safety field and look forward to continuing on in
11 this area.

12 I would like to start off by saying the
13 present WCB Regulations that we now follow are the
14 necessary Guidelines that workers and supervision need to
15 follow. These took a number of years to develop with
16 employees, employers and the WCB. As a result of the
17 present Regulations I believe that we have reduced the
18 number of injuries and the severity of injuries in this
19 province.

20 I recently attended the technical
21 information session in Nelson regarding Proposed Amendments
22 to the WCB Regs. During the information session I was
23 pleased at some of the proposed changes, however I was
24 disappointed with many of the proposed changes.

25 I am glad to see the new proposed changes to

MIKE CONCI
(PPWC Local 1)

1 Violence in the Workplace. These changes, I believe, were
2 necessary to protect employees from this unwanted conduct
3 and behaviour. The proposed changes to Noise, Vibration,
4 Radiation and Temperature are warranted. Now the most
5 applicable CSA or ANSI standards would be referenced,
6 including the ACGIH standard. However, the areas of
7 concern that I have are as follows:

8 The Fall Protection section, I believe, will
9 lead to more falls and more fatalities. This is probably
10 one of the biggest areas where we kill people in this
11 province are from falls, and this is one area that we need
12 to really concentrate on in making sure there's proper
13 regulations to look after protecting our workers.

14 Removing specific definitions and specific
15 Fall Protection guidelines will only lead to tragedy, and I
16 quote from your proposed amendments:

17 By having work procedures that will minimize
18 the potential for a fall...

19 Will leave this statement open to interpretation. Before,
20 this was outlined as:

21 Procedures acceptable to the Board.

22 By having this statement, workers and employers have their
23 procedures criticized and approved by knowledgeable Board
24 officers. Now we won't have that.

25 Before the present Regulations were

MIKE CONCI
(PPWC Local 1)

1 introduced we had lots of interpretation, which led to
2 numerous injuries. And this is where I feel we're heading
3 now with these proposed changes. You're leaving lots open
4 to interpretation and nothing specific for Regulations as
5 the previous gentlemen have spoke on.

6 Falls are one of the major causes for injury
7 in this province. We need to have specific WCB Regulations
8 that everyone needs to follow. Removing safety nets,
9 control zones and safety monitors will only lead to more
10 fatalities.

11 Although the WCB personnel at the technical
12 information sessions stated the Guidelines would provide
13 the necessary information for workers and employers to
14 follow, I am not sure that this is the case. On page 5 in
15 the Fall Protection section this statement reads:

16 It is anticipated that additional
17 information would be in a practice
18 guideline.

19 When you use the term "anticipated" there is no guarantee.
20 If these Guidelines are not outlined as before, we will be
21 in a serious situation. Large employers will probably
22 follow the current Regulations, but that might not always
23 happen, either. Smaller contractors and employers, I
24 believe, will get by as cheaply as they can and not protect
25 their workers. It is imperative to leave this section

MIKE CONCI
(PPWC Local 1)

1 alone.

2 The proposed changes to Ladders, Scaffolds
3 and Work Platforms section is disgusting. Removing section
4 13.8, which outlines use restrictions on ladders is a
5 recipe for disaster.

6 Regulation 13.14 changed to:

7 ...regardless of who erected the scaffold.

8 Is another change that will lead to injuries.

9 The present 13.16 Regulation stated:

10 ...erected, dismantled or altered under the
11 direct supervision of a qualified worker.

12 I have constructed numerous scaffolds and you have to be
13 qualified. You've seen the number of incidents with
14 scaffolds within this province in the WCB alerts. I've
15 seen those alerts with scaffold falling down and you can
16 see what happens when you don't have qualified workers;
17 "regardless of who" and those situations were again an
18 accident waiting to happen. These changes will have
19 drastic results. Working from elevations needs specific
20 hard and fast regulations to follow.

21 Again, the proposed change on page 23:

22 It is anticipated that additional
23 information would be provided.

24 This is not good enough to protect the workers of this
25 province.

MIKE CONCI
(PPWC Local 1)

1 The proposed change to Regulation 14.34 is
2 not favourable, in my opinion. Who the employer has
3 determined to be a qualified operator is a step backward
4 from what we have now, and I'm speaking of a crane
5 operator. This particular job is no different than a
6 tradesman having trade certification. Operating a crane
7 requires a great deal of knowledge, skill and expertise.
8 And I heard in the technical information that we had
9 problems with that area. And I say to you the problems
10 outlined could be reviewed and modified, but at the same
11 time retain the certification process. We went one step
12 forward and now we're going to go ten steps backward.

13 Having Guidelines on the proposed changes
14 accessible by computer only creates another hazard.
15 Workers in the field, smaller employers and WCB officers on
16 the road don't have the luxury of computers at their
17 fingertips. By having a bare minimum hardcopy version copy
18 of the Regulations will only lead to more interpretation,
19 unsafe work practices, followed by more injuries.

20 I urge those concerned in reviewing my
21 submission and others to take our concerns seriously. We
22 are the people that have to deal with numerous concerns
23 regarding safety on a daily basis. We want to protect our
24 workers from being hurt. I believe that it is important to
25 realize that every Regulation came as a result of someone

PAUL NEDELEC
(Carpenters Union Local 2300)

1 getting injured or someone dying on the job. I believe our
2 current Regulations set a high standard, but also the right
3 standard. By deleting many of these Regulations and
4 leaving so much to interpretation will only lead to more
5 injuries and fatalities. Together, let us protect our
6 workers.

7 Thank you.

8 THE CHAIR: Thank you very much.

9 So we had a number of other speakers
10 scheduled this morning. They don't seem to be here, so
11 we're going to stand down now for ten minutes and see
12 whether anyone else arrives. So we'll be back in ten
13 minutes. Thank you.

14 --- PROCEEDINGS ADJOURNED

15 --- PROCEEDINGS RECONVENED

16 THE CHAIR: The Nelson hearing into the
17 proposed changes to the Health and Safety Regulation, and
18 Mr. Paul Nedelec.

19 PRESENTATION BY MR. PAUL NEDELEC ON BEHALF OF CARPENTERS
20 UNION LOCAL 2300:

21 MR. NEDELEC: Yes, bear with me. I never --

22 THE CHAIR: Mr. Nedelec, could you please
23 state your name clearly for the court reporter.

24 MR. NEDELEC: Oh.

25 THE CHAIR: Because we are making a

PAUL NEDELEC
(Carpenters Union Local 2300)

1 transcript of...

2 MR. NEDELEC: Paul Nedelec, Journeyman
3 Carpenter and Business Representative for the Carpenters
4 Union.

5 THE CHAIR: Thank you very much.

6 MR. NEDELEC: I never made a prepared
7 statement here, but I did make some notes as we started in
8 today. I was out of town for the technical information
9 session, so I didn't get the background information. But I
10 do have some serious concerns with the changes coming
11 forward, and in particular the ones under general
12 requirements for scaffolding and removing the entire
13 section. And the scaffolding has basically been eliminated
14 down to a couple of small sentences.

15 The section that reads under 13.16:

16 (2) A scaffold must be erected, altered and
17 dismantled by or under the direct
18 supervision of qualified workers.

19 Being entirely removed.

20 (3) A scaffold must inspected daily before
21 use and after any modification.

22 And:

23 (4) A damaged scaffold component must not
24 be used until it has been effectively
25 repaired.

PAUL NEDELEC
(Carpenters Union Local 2300)

1 I think some of the changes, when they took
2 all these scaffolding regulations and combined them into
3 small sections, they were looking at one type of scaffold
4 or a frame type or residential or commercial scaffold. I
5 don't think they really took into it all the types of
6 scaffolding. In particular, the differences between frame
7 scaffolding, tube and clamp scaffolding, all round
8 scaffolding, cuplock scaffolding, and the inter-
9 combinations of those.

10 We do a lot of scaffolding in the industrial
11 sector in boilers, precipitators, cone-shaped vessels, and
12 if we don't have proper trained people putting these
13 scaffolds together, I mean, you can't take a person off the
14 street and have them start a scaffold on a cone-shaped
15 vessel. It just won't work. And an employer who is
16 situated either in the Lower Mainland or some other big
17 city that is going to be held responsible for making sure
18 that those people are putting it up properly.

19 Now, we also do scaffolds that are hanging
20 scaffolds off of I-beams in industrial settings for other
21 people to work on. So when we put those scaffoldings on
22 there's a certain combination of check clamps that has to
23 be put on. If they're not put on or put on in reverse
24 direction, which can be easily done by an inexperienced
25 person, that scaffold will come down. It will fail. If

RAY KEEN
(IBEW Local 1003)

1 those people aren't properly trained on how to put those
2 components together, you will have scaffold failures.

3 I'll revert back to my statement. I think
4 this was really looked at when it was consolidated from a
5 commercial and residential sector solely. I don't think
6 you or the people that made the changes and omissions
7 looked at the industrial sector at all.

8 I'm trying to think what else I was going to
9 hit.

10 I think the lacklustre turnout at these
11 hearings, I think most people think these are already a
12 done deal. I read what was on the Internet was in Prince
13 George and, I believe, Nanaimo, and the turnout there
14 wasn't that great from what I read, and the turnout here
15 today certainly isn't that great. I hope there's some more
16 people come and make presentations tonight. But I think
17 most people feel that this is a done deal and that their
18 submissions aren't going to make any changes. But I really
19 hope you do have a look at the scaffolding and the
20 qualified workers.

21 That's about it. Thank you.

22 THE CHAIR: Thank you very much.

23 Mr. Ray Keen...?

24 PRESENTATION BY MR. RAY KEEN ON BEHALF OF INTERNATIONAL
25 BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1003:

RAY KEEN
(IBEW Local 1003)

1 MR. KEEN: Good morning.

2 THE CHAIR: Good morning.

3 MR. KEEN: My name is Ray Keen. I'm an
4 electrician, a member of Local 1003 of the IBEW. I have
5 worked in construction for over 30 years. During that time
6 I have been injured and have seen many accidents. I, along
7 with many other people, rely on the OH&S Regulations and
8 WCB to reduce the number and severity of the accidents that
9 do occur and minimize the damage that is inflicted on
10 workers and families. I have a very personal interest in
11 these proceedings.

12 Many of labour's spokesmen have spent time
13 and effort presenting submissions to these hearings, with
14 statistics and references that clearly indicate some of the
15 problems with some of the changes to Regulation. I hope
16 their voices, along with the rest of the working people who
17 need the protection and oversight of strong OH&S Regulation
18 will compel some true consultation and dialogue.

19 I would like to begin by stating that the
20 proposed changes to the Workers' Compensation Regulations
21 do very little to "help create a working environment that
22 protects and promotes the health, safety and well-being of
23 workers" which is stated as the purpose of the Board.

24 Most of the changes do nothing to improve
25 working conditions, and deleting clear and proven

RAY KEEN
(IBEW Local 1003)

1 Regulations will add to the toll of injuries and
2 fatalities. They are an attempt to reduce regulatory
3 control without recognizing the reason for the existence of
4 these rules. Workers have been injured and killed in the
5 absence of rules, and their presence is an attempt to
6 prevent recurrence of those incidents. Change is not
7 always progress.

8 No change to such important Regulations
9 occurs in a vacuum, free from political and economic
10 interference. It would be foolish to pretend that lobbying
11 efforts by the Independent Contractors, the Council of
12 Construction Associations, and Coalition of B.C. Business
13 have had no input in calling for or formulating these
14 revisions. We are asked to believe that the revised
15 standards called for by these organizations, which have no
16 history of advocacy for workers' benefit, are equivalent or
17 superior to those arrived at previously through extensive
18 consultation.

19 Many related factors must be addressed in
20 revising standards which prevent injury and death. Changes
21 to child labour regulations are encouraging placement of
22 younger, inexperienced workers in areas where they will be
23 exposed to a wider range of hazards. The loss of
24 compulsory certification in some trades and modularization
25 of training will mean less qualified, partially trained

RAY KEEN
(IBEW Local 1003)

1 workers will be entering unfamiliar work situations. This
2 situation demands clear, easily accessible safety
3 regulation.

4 Removing redundant and repetitive references
5 demonstrates a complete lack of understanding for the
6 process used in teaching safety and trade practice. The
7 object here is not a smaller book. It is fewer accidents
8 and injuries, and repetition and ease of understanding are
9 critical. General provisions invite the mistakes that
10 specific rules were designed to avoid. Far worse are
11 references to standards which haven't been developed, or
12 third-party manufacturer's standards.

13 Most construction workers enter industry
14 through the residential and commercial building and
15 renovation sector. Safety training, enforcement and
16 regulation are regarded by much of this industry as an
17 unwelcome constraint on productivity. My experience in
18 that field is that there is almost total disregard for many
19 safety practices, especially Fall Protection and Noise and
20 Vibration standards. This Commission and its proposals of
21 reducing easy access to clear and proven Regulations do not
22 address the need for increased inspection and timely
23 enforcement.

24 Only a blind optimist would believe that
25 decreases in inspection reports, warning letters and

RAY KEEN
(IBEW Local 1003)

1 penalties signal dramatic improvements in safety, when the
2 numbers of inspectors are being reduced. Unreported
3 incidents and claims suppression are a matter of course in
4 the construction industry. The short timelines of typical
5 projects, coupled with the extended review and appeal
6 process, renders enforcement ineffectual in correcting and
7 preventing recurrent bad practice and violation. That
8 means more accidents and injuries.

9 The intent and bias of the process has moved
10 from harm prevention to loss reduction. That's a very
11 significant philosophical change: we're trying to save
12 dollars, we're not trying to prevent accidents. This
13 change may well be good for industry and business in the
14 short term, but as with many other policies of this
15 government it is unsustainable and irresponsible. The
16 purpose of this Board must be protection of workers, not
17 ensuring the continuation of bad practice by industry
18 through reduction of penalty.

19 That's my presentation. Thanks very much.

20 THE CHAIR: Thank you. Questions...?

21 MR. BATES: I have, sir.

22 MR. KEEN: Sorry.

23 MR. BATES: Just the statement of harm
24 protection, the loss protection. The loss protection, you
25 were talking in a financial sense?

1 MR. KEEN: Exactly.

2 MR. BATES: Not as loss as in a loss of...

3 MR. KEEN: No. It's clearly a loss of
4 economic, a loss in the financial sense.

5 MR. BATES: Okay, thank you very much.

6 THE CHAIR: Ms. Susan Crawford...?

7 MS. CRAWFORD: Hi.

8 THE CHAIR: Good morning.

9 PRESENTATION BY MS. SUSAN CRAWFORD:

10 MS. CRAWFORD: Hello. Can you hear me?

11 MR. BATES: Good morning.

12 MS. CRAWFORD: Good morning. My name is
13 Susan Crawford and I'm a Registered Nurse, and I have come
14 here to make a presentation on Violence in the Workplace
15 and its impact on nurses.

16 It is my understanding that there will be
17 changes made to the Regulations governing Violence and
18 Threats of Violence to workers. I see that there are
19 changes being proposed for worker-to-worker violence.
20 While I think that this, of course, is needed and
21 important, the majority of violent acts and threats of
22 violence against nurses do not come from other workers.
23 They come from our patients, the public, visitors and even
24 strangers, as our places of work are often staffed 24 hours
25 a day with only one or two nurses.

1 statistic that in Canada nurses are more likely to be
2 assaulted at work than police or prison guards. The WCB
3 must see these risks as unacceptable and create strong
4 Regulations that reflect this.

5 Employers must be responsible for providing
6 a safe worksite and be accountable for identifying risk,
7 providing training and taking the necessary precautions to
8 prevent, diminish and eliminate situations where nurses
9 could be injured. WCB Regulations need to ensure that the
10 risk assessment, not just a Guideline, is a workable
11 effective tool for properly identifying risks and that it
12 is used by our employers. This Regulation needs to be
13 proactive. The Regulation must clearly communicate the
14 steps that must be followed. WCB officers should conduct
15 inspection and enforce our employers' compliance with the
16 Regulation.

17 One area which concerns me is the new
18 Confidentiality section. The Confidentiality section must
19 be revised so that the decision to keep information about
20 improper conduct and/or violence is not at the employer's
21 discretion. This could lead to OH&S committees not being
22 advised of violent episodes and not being able to ensure
23 corrective measures are implemented. The proposal, as it
24 is now, may in fact put nurses at risk. It could be used
25 to prevent nurses from being warned about patients with

1 violent histories. I know personally that in healthcare
2 some facilities and programs actually transfer problematic
3 patients to other facilities and programs, without proper
4 disclosure of information about previous violent history,
5 as a way of "solving" their problems.

6 For example, in a long-term care facility
7 where I worked, a man was brought to an Emergency room in
8 another community for sedative drugs against his will. He
9 was fighting two policemen. Then, when calmed by drugs,
10 transferred by ambulance to this long-term care home where,
11 without this knowledge, with no provisions: for example,
12 no extra staff, no sedative orders, no measures to prevent
13 risk to themselves, not even an awareness of the risks, no
14 restraining orders, and no training in restraint use, the
15 nurses were left with this patient with the drugs wearing
16 off by the hour. Luckily, this man was much weakened by
17 illness and the nurses were able to duck the flying objects
18 he managed to grab.

19 It was a deplorable situation and completely
20 preventable with proper communication. Please ensure the
21 language in the new regulations specifically directs that
22 the employers must disclose or, as we call it, "flag"
23 persons that pose a risk. And that developed strategies
24 must be in place prior to transfer and follow the high-risk
25 person from transfer to transfer, so that nurses are not

1 left without knowledge that could prevent injury to
2 themselves or their colleagues.

3 Another area of my concern is critical
4 incident stress management. Critical incident stress
5 management is an effective and crucial therapy to help
6 reduce the incidence, duration and severity of impairment
7 from traumatic stress. The need for this service must be
8 clearly laid out in the Regulations. Employers must know
9 that they are to provide these services, cover the cost,
10 ensure that defusing and debriefing is provided, and by
11 qualified professionals with specific training. It is
12 important critical incident stress defusing and debriefing
13 be available within the specified eight hours and 24 to 72
14 hours respectively, as immediacy is a cornerstone for
15 effective reduction of psychological impairment.

16 It is not good enough that employers can
17 provide a stressed and traumatized worker with a phone
18 number. I have seen this happen at my workplace where
19 management felt that they had met their obligation by
20 providing a business card. Unfortunately, casual workers
21 are not even included in the ability to access my
22 employer's Employee Assistance Plan.

23 The psychological impact of traumatic events
24 can't be underestimated. The language needs to be clear.
25 Employers should be required to have written policy and

1 procedures in place. Education around critical incident
2 stress management, effects of post-traumatic stress
3 disorder, and the importance of seeking help needs to be in
4 place prior to such traumatic events to help nurses to
5 remain healthy and productive workers. Unless the employer
6 is held accountable there will be little interest on their
7 part to comply.

8 In closing, I would like to thank the Board
9 for hearing me today and I ask that you give careful
10 consideration to these changes.

11 THE CHAIR: Thank you. I have one question
12 about the debriefing. When you say availability of
13 debriefing, are you saying that the debriefing should be
14 mandatory for everybody or that it just be available?
15 Because I have heard that for some people they may need to
16 know that there's someone to talk to, but they may not be
17 ready to talk immediately or within 72 hours. I have heard
18 this in a couple of other presentations, so I wanted to get
19 your view on that.

20 MS. CRAWFORD: I think it's when somebody is
21 in that state it's pretty difficult for them to know what
22 they need, actually, that just saying, you know, "Here's
23 the phone number" is not really good enough. You know,
24 people are stressed, they're not thinking clearly, and they
25 don't think, you know, maybe they don't realize that they

TOM WYNN
(United Steelworkers Of America Local 480)

1 need it. So I think it should be mandatory, or, you know,
2 because I think a lot of effects of trauma are, you know,
3 we see in long-term disability, actually, where people have
4 gone off with depression or stress illnesses that really
5 actually began through a traumatic incident.

6 THE CHAIR: I guess if you had something
7 more than a phone number, if you had a face-to-face and the
8 person said "I can't talk about it and I don't want to talk
9 about it," they could be...

10 MS. CRAWFORD: That seems pretty scary,
11 actually. If they're in that state, you know, I think they
12 need more and they need to be assessed by a professional,
13 not just management, if someone, you know...

14 THE CHAIR: Okay, thank you very much.

15 Mr. Tom Wynn...?

16 MR. WYNN: Good morning.

17 THE CHAIR: Good morning.

18 PRESENTATION BY MR. TOM WYNN ON BEHALF OF UNITED
19 STEELWORKERS OF AMERICA, LOCAL 480:

20 MR. WYNN: My name is Tom Wynn. I am the
21 Chair of the Health and Safety Committee for Local 480 of
22 the United Steelworkers Union in Trail and I represent
23 approximately 1,400 members who work at the Teck Cominco
24 Smelter in Trail. I have worked there 30 years this
25 September, so I've been in that business a long time.

TOM WYNN
(United Steelworkers Of America Local 480)

1 I want to thank you for giving me the
2 opportunity to make a presentation to you today. I
3 appreciate the fact that the WCB held more hearings this
4 year and there was a public hearing in my region. It is
5 important that workers have the opportunity to tell the WCB
6 how the proposed changes will impact workers in their
7 workplace.

8 I'd like to comment briefly on three of the
9 proposed changes. One is the Occupational Environment
10 Regulation, Fall Protection, and Occupational Exposure
11 Limits.

12 The WCB, it seems, has decided to follow
13 this government's directive to get rid of approximately
14 one-third of the Health and Safety Regulations. And one
15 way they have chosen to do this is moving a lot of the
16 specific detail into Guidelines. As we already know,
17 Guidelines are exactly that. They're just Guidelines.
18 They're not enforceable. There's already enough difficulty
19 getting the WCB inspectors to enforce the Regulations we
20 currently have. Moving specifics to Guidelines, in our
21 opinion, only makes matters worse.

22 Employers will argue they don't have to do
23 it because they're only Guidelines and the WCB officers
24 will have more difficulty being consistent and won't have
25 the authority to have to insist that the employer implement

TOM WYNN
(United Steelworkers Of America Local 480)

1 the Guidelines.

2 In our workplace our union has every
3 intention of ensuring that our employer follow the existing
4 regulations that are currently in place. For some time we
5 have been anticipating the government's going to be
6 changing a lot of the Regulations and we have put into our
7 collective agreement strong language, and health and
8 safety, and written letters of agreement for certain
9 practices in our smelter that are going to make sure that
10 the existing Regulations are going to be enforced. But not
11 all workplaces are unionized and we're concerned about
12 smaller employers and non-unionized workplaces that are
13 going to have a lot of difficulty figuring out what they're
14 required to do and how to implement these guidelines.

15 Another concern of ours is the whole issue
16 around Washrooms, Lunchrooms and Change rooms.

17 Take Lunchrooms, for example. In the
18 proposed Regulations the specific details of what a
19 lunchroom or a designated eating area should be are
20 eliminated from the Regulation and moved to a Guideline.
21 The employer is only required to provide a lunchroom if
22 there is a risk that food stored or consumed at the
23 workplace may be unwholesome because of workplace
24 contaminants. "Unwholesome" is not really defined in the
25 Regulations. We are told in the Board's explanatory notes

TOM WYNN
(United Steelworkers Of America Local 480)

1 that it will be defined in a Guideline.

2 In our plant it's very important that health
3 standards and cleanliness are implemented in lunchrooms.
4 In our smelter we have exposures to many toxic metals and
5 gases, and so on, and to weaken the lunchroom standards
6 would put workers' health at risk.

7 Another issue that's of concern is this
8 whole issue around Washrooms. The proposed changes to
9 specific details regarding washrooms in the workplace are
10 strange to us. They simply require the employer to ensure
11 there's a sufficient number of plumbed washrooms readily
12 available for workers, but it doesn't state how many
13 facilities must be made available.

14 We're also concerned that we're moving away
15 from the requirement to provide separate washrooms for men
16 and women. In my workplace this is a serious problem. We
17 have many women working in our plant and each deserves
18 their own privacy.

19 Another area that's a big concern with this
20 is change rooms. Many of our plants are lead hazard areas,
21 arsenic hazard areas, cadmium hazard areas. We have
22 separate clean side/dirty side systems that ensure your
23 street clothes do not become cross-contaminated with heavy
24 metals. And we have to make sure that the Regulations
25 stick to that. The chance of bringing contaminants home to

TOM WYNN
(United Steelworkers Of America Local 480)

1 our families is very significant, and we have to make sure
2 that these standards remain the same.

3 I'm also very concerned about Fall
4 Protection. The proposed changes for Fall Protection
5 Regulations remove much of the specific instruction of
6 what's required. For example, the definition of "fall
7 protection" or "full body harness with a protection system"
8 currently lists what's considered a fall protection system.
9 They include:

- 10 • Guard rails
- 11 • A safety belt or full body harness with
12 a lanyard and/or lifeline
- 13 • A safety net
- 14 • A control zone
- 15 • A safety monitor in a control zone, and
- 16 • Other procedures acceptable to the
17 Board.

18 The proposal is to remove the specification
19 and say that a fall protection system is:

- 20 • A fall restraint
- 21 • Fall arrest, or
- 22 • Work procedures that minimize the
23 potential for workers to fall.

24 It makes it much more difficult for a worker
25 to know what's required. They have to check the Guidelines

TOM WYNN
(United Steelworkers Of America Local 480)

1 and are open to the employers' desire to use work
2 procedures rather than a fall arrest system.

3 I should tell you that the construction
4 program in building the smelter some years ago, prior to
5 fall arrest systems and fall restraint systems, one of our
6 members was killed in a fall. He was a high-rigger, very
7 experienced in rigging and steel erection, and he fell to
8 his death. And we see that there is a Guideline that would
9 allow exemption of using fall protection, and we say that's
10 just unacceptable.

11 I'm also very concerned about where the
12 Board is going with Occupational Exposure Limits. The
13 changes to the Occupational Exposure Limits that were posed
14 this year are merely a continuation of what the Board
15 started last year.

16 First, the WCB's abandonment of the
17 tripartite occupational exposure limit subcommittee was, in
18 our opinion, a huge mistake, and one that the Board must
19 rectify. Tripartite committees offer workers the
20 opportunity to put forward our issues and concerns and lend
21 our firsthand, work-based experience. The previous
22 speciality committee had expert representation from labour
23 and the employer community and the WCB. The committee,
24 while not always in agreement, was able to discuss issues
25 and come together and reach consensus in many cases.

TOM WYNN
(United Steelworkers Of America Local 480)

1 As well, the committee considered exposure
2 limits and designations from several jurisdictions,
3 including Canada and Europe, not only just the United
4 States.

5 It's very important that when we're
6 developing and reviewing health and safety regulations that
7 the WCB adhere to a process that's transparent and
8 accountable to all its stakeholders. It's simply not
9 possible with the current internal process the Board is
10 utilizing now.

11 I should tell you that I was a member of
12 that tripartite committee. It wasn't perfect, but it
13 worked. In my opinion it worked well. And the part of my
14 colleagues from the labour side, we were able to at least
15 put forward a lot of issues that were of concern to labour
16 people, and it's really unfortunate that committee just
17 seemed to die. I would strongly urge the Board to
18 reconsider establishing that committee to make sure that
19 labour's voice is heard.

20 I am also concerned about an issue the Board
21 implemented last year, and that's the Table of Occupational
22 Exposure Limits for Excluded Substances. The table does
23 not provide the designations regarding the respiratory and
24 reproductive hazards that were present in Table 5-4, and
25 let me give you a couple of examples.

TOM WYNN
(United Steelworkers Of America Local 480)

1 Carbon disulfide and carbon monoxide. Both
2 of these chemicals have higher ACGIH TLVs, so it's
3 potential that they are listed in the table and continue to
4 have Table 5-4 exposure limits. However, both chemicals
5 are also reproductive hazards and designated as such in the
6 previous Table 5-4. Neither one of these chemicals are
7 designated as a reproductive toxin by the ACGIH and
8 therefore will no longer be designated in the Regulations.
9 This means that employers are no longer obligated to
10 replace the chemical with a less toxic chemical, or
11 implement an exposure plan to maintain workers' exposure as
12 low as reasonably achievable. This change will put workers
13 at a much greater risk of exposure to reproductive toxins
14 and reproductive damage to developing offspring.

15 Furthermore, the table excluded substances
16 that also were exempted in the TLVs for two other
17 chemicals, formaldehyde and styrene, where the ACGIH TLVs
18 are better for workers than Table 5-4 exposure limits.
19 Again, both of these chemicals are present in the pulp and
20 paper industry. This decision makes absolutely no sense
21 when it comes to workers' health and safety. In our
22 opinion, the Board is knowingly allowing workers in British
23 Columbia to be exposed to much higher levels of toxic
24 chemicals that are extremely hazardous to workers' health.

25 The ACGIH exposure limit for formaldehyde is

TOM WYNN
(United Steelworkers Of America Local 480)

1 .3 parts per million as a ceiling limit. The ceiling limit
2 in the table of exempted substances is three times as high,
3 set at 1 ppm. Furthermore, formaldehyde is also a
4 reproductive toxin, but it's not designated as such in the
5 table.

6 The ACGIH TLV for styrene is 20 parts per
7 million. We know that styrene is a carcinogen, it's a
8 sensitizer and it's a reproductive toxin, yet the Board has
9 made a decision to adopt Table 5-4 exposure limit of 50
10 parts per million.

11 Here are two chemicals where workers in
12 British Columbia could have benefited from the ACGIH TLVs
13 and the Board has chosen to expose workers to two-and-a-
14 half to three times higher levels. We question why the
15 Board would do that?

16 We say that your mandate is to protect
17 workers' health and safety. I strongly urge you to adopt
18 the lower TLVs for these two chemicals, formaldehyde and
19 styrene. As well, we believe it's critical that the Board
20 reinstate international designations regarding sensitizers
21 and reproductive hazards, rather than the outdated and much
22 less inclusive ACGIH reproductive designations.

23 That concludes my submission. Thank you.

24 THE CHAIR: Thank you. No questions, thank
25 you very much.

1 Mr. Livingstone, David...?

2 MR. LIVINGSTONE: Good day.

3 THE CHAIR: Good day.

4 PRESENTATION BY MR. DAVID LIVINGSTONE:

5 MR. LIVINGSTONE: Dave Livingston, I'm a
6 scaffold carpenter. I don't have any notes. I just had a
7 few questions and comments.

8 A couple of the members here did touch on
9 something that means a lot to me, it's the removal from the
10 Code of the scaffold "shall be built by qualified workers".
11 I am one of those workers. That affects me. I'm just a
12 working stiff.

13 In our sister province, Alberta, you're
14 required to have 5,000 hours before you can touch a
15 scaffold there. We don't qualify to go to Alberta and
16 work, because we don't have certification in British
17 Columbia. You have to document all your hours. Actually,
18 they dock your wages. I believe they work you at
19 apprentice rates until you have enough hours.

20 So I was really hoping this time around,
21 instead of going in the direction that WCB's going,
22 removing "shall be built by qualified workers", that we'd
23 really make an effort to qualify our scaffold builders
24 here. It's starting to look like anybody can come in off
25 the street and pump up a scaffold, and sometimes we go a

1 couple of hundred feet up. And you want to trust your
2 brothers and sisters that are working beside you, but
3 primarily my point is I don't build for me. I build for
4 the pipefitters and ironworkers and the electricians and
5 the subtrades that come along behind and use that scaffold.

6 It could be I have to modify the scaffold a
7 little bit, I've got a short, heavy pipefitter that is not
8 comfortable at the altitude that the scaffold is built at.
9 Systems scaffold is built at prearranged intervals and so
10 you go in and you modify it. But what we find, and we tag
11 out our scaffolding, we say, "Do not modify." But under
12 the new provision it looks like anybody off the street can
13 build and any supervisor or secretary or labourer coming
14 along can modify the scaffold, because we no longer have
15 the requirement "it shall be built by qualified builders."

16 Now, on modifications, occasionally this
17 happens. I built at Celgar back in '90, had to bang up a
18 frame scaffold for electricians. Late Friday they wanted
19 to do something on the weekend. It's about the size of
20 this room. It's a generating electrical thing, a barbed
21 wire around it. We just went up alongside, they had to run
22 some tracks. I got the word Monday morning, "Go tear it
23 down. They're done with it."

24 Well, this modification is a son-of-a-gun.
25 Here's a pipefitter wants to bring in a three-foot

1 stainless steam pipe and I've got scaffold in the way.
2 Well, it bangs together and it unbangs, so people do modify
3 it. I've gone back up and seen the results of a bored
4 welder sitting there with a hacksaw, just nothing to do and
5 saw through the scaffold components. You just, you've got
6 to love this stuff.

7 But I climbed up that scaffold on the Monday
8 morning to tear it down. We always worked under the
9 premise that it will be inspected daily. Well, if I'm
10 tearing it down, I didn't need to inspect it. I wasn't
11 thinking. It was a simple frame scaffold, you know, you
12 put the two pins in, set another section across, ya-da ya-
13 da ya-da. It wasn't even high, 20 feet. I climb it the
14 wrong way. I know you're supposed to use a ladder, but
15 some of us just sort of climb the scaffold to tear it down,
16 and an electrician must have found over the weekend that
17 some components were in his way. He removed a cross brace
18 on the one side and a pin. He took a pin out of one of the
19 frames.

20 So I climb it, and it's only got one pin and
21 one leg, and do this 180 degree thing, 20 feet in the air.
22 And I'm over the barbed wire, kind of shredded a bit,
23 hanging over like a zillion watts of this, that and the
24 other thing. Well, I wasn't too happy with that
25 electrician.

1 But nevertheless, anyway that's the point.
2 Things get modified. And I would really like to see
3 qualified builders build scaffolding so the subtrades, I've
4 built for some of these brothers here, they know that when
5 they climb on it, it's up to snuff. I would really like to
6 see British Columbia get on board with Alberta, for crying
7 out loud, and qualify our builders so we're at least as
8 good as somebody from Fort McMurray.

9 But anyway, the other comment or concern or
10 question was I notice that a fair bit of time was spent on
11 that 13.35, whatever it was, about the access elevators,
12 the man lifts, that any building over five stories, 60
13 feet, you're recommending that they put in a man lift. So
14 you wouldn't have to have the expense of the crane for
15 evacuating an injured worker. And quite a bit of time is
16 spent in there in the explanation notes saying that this
17 will save you money, your workers will get to coffee a lot
18 quicker, you can snoop on your workers so you don't have to
19 climb stairs, ya-da ya-da ya-da. But if you've ever tried
20 to get in an elevator in Cominco with 300 pounds of
21 scaffold gear, because it says you can move man and
22 materials and they'll get quicker to coffee, ya-da ya-da,
23 if this elevator - yeah, that comes under a whole new set
24 of Guidelines - is being used by someone who is moving half
25 a ton worth of gear in, and you've got 16 men trying to go

1 to coffee, and the elevator's only rated for six workers
2 without gear, and you only have to build within five
3 stories of where an injured worker could be built, and you
4 can chuck the crane now, and you don't need the man basket
5 and you don't need the stretcher board, ya-da ya-da, how
6 are you going to guarantee you can get that injured worker
7 down? If you're stopping five stories below the injury,
8 you've sent the crane off to some scab outfit across town,
9 you don't have anybody watching the store, and you've got
10 20 people jammed up trying to use this five-man, five-
11 person elevator and there's some electrician with 1,000
12 pounds worth of -- or welders or something, sitting in the
13 middle of it.

14 It looks to me like that whole explanation
15 note really should be scratched from there.

16 I know you're trying to sweet-talk the
17 employers into the advantages of being able to use it, but
18 that was the one thing that struck me as a little ironic
19 that you would spend that much time trying to talk the
20 employer into the reasons why he should have this new man
21 lift, when you reduce the scaffold to the point that the
22 only thing it says anymore "it shall be built level and
23 plumb".

24 And, you know, the biggest problem I've ever
25 had with the WCB was on the Nelson Bridge a few years ago.

1 I was trying to build something level and plumb. They had
2 some engineer out of Toronto designed for some Alberta
3 outfit that makes scaffolding. By the way, the first OSHA
4 lawsuit against the manufacturers of scaffolding was just
5 successfully completed last month. It did not meet the
6 rating. Never before had a scaffold manufacturer been sued
7 by OSHA, your equivalent stateside, for faulty, for not
8 living up to the specs required. So here you're saying
9 that all we need to know now is the manufacturer's specs to
10 build this scaffold. But we now have a citation where the
11 manufacturer was out to lunch.

12 But anyway, I think I lost my train of
13 thought. But I sure appreciate you listening to me a
14 little bit. There's a couple of things that really should
15 be rethink, just to protect people like me. I appreciate
16 it.

17 THE CHAIR: Thank you very much --

18 MR. LIVINGSTONE: Thank you.

19 THE CHAIR: -- for coming forward off-the-
20 cuff.

21 So with that we have no further speakers
22 registered for the morning, and so we will be adjourning
23 the hearing now until 2:00.

24 --- PROCEEDINGS ADJOURNED

25 --- PROCEEDINGS RECONVENED

THE CHAIR
(Introductory remarks)

1 THE CHAIR: Good afternoon. I'd rather talk
2 about snowboarding and gardening and sunshine, but we're
3 here and this is the afternoon session of the public
4 hearing in Nelson into the proposed amendments to the
5 Occupational Health and Safety Regulation.

6 I did a longer introduction in the morning
7 and I'll keep this one a little bit briefer. This is the
8 formal consultation process into the proposed changes to
9 the Regulation.

10 A transcript is being made of all oral
11 presentations. All oral and written submissions will form
12 part of the record that will be provided to the Board of
13 Directors, who are the decision-makers at the WCB. Written
14 submissions are being accepted until April 16th, 2004 at
15 4:30 in the afternoon and anyone is welcome to make a
16 written submission, whether or not they do an oral
17 submission here. So that if any of you who aren't making
18 an oral submission today wish to make one in writing,
19 that's available to you.

20 We do have some timeslots this afternoon and
21 if any of you are interested in actually making an oral
22 presentation in addition to the two individuals who have
23 registered for this afternoon's session, please talk to
24 Freda over there in the corner.

25 So there we have it. Our first speaker is

1 Karen Cappelletto.

2 MS. CAPPELLETTO: So are we using the mikes?

3 THE CHAIR: Yes, we're using the mike and if
4 you could just introduce yourself so that our recorder
5 can...

6 PRESENTATION BY MS. KAREN CAPPELLETTO:

7 MS. CAPPELLETTO: I am Karen Cappelletto. I
8 am a Registered Nurse. I work at the Kootenay Boundary
9 Regional Hospital in Trail and I wanted to express my
10 concern regarding proposed changes to the WCB Regulations
11 that relate to Violence. And just also I just wanted to
12 say thank you for allowing me to have this opportunity to
13 present.

14 So I have been involved in the Occupational
15 Health and Safety Committee at Kootenay Boundary Regional
16 Hospital for three years, and I have been a nurse since
17 1973. And I have worked in many areas, including
18 psychiatry, many acute areas and also long-term care.

19 I have concerns about what seems to be an
20 increase in violence in the workplace recently and, in my
21 mind, there seems to have been an increase that came with
22 healthcare changes in 2002 when healthcare was restructured
23 in B.C.

24 In my observation, workload issues are a
25 factor in the ability of nurses to act in proactive ways to

1 prevent violence, because the workload is so heavy that
2 nurses are often doing crisis management and just really
3 struggling to keep up with the workload. And so sometimes
4 when patients start to get restless or agitated that it's
5 difficult to be right there, then trying to implement or
6 trying to do some things to deescalate patients.

7 In the West Kootenays there are
8 inconsistencies in facilities as to training given to
9 healthcare workers in order for them to be able to respond
10 appropriately to prevent or deal with violent situations.
11 The current Regulations are not being enforced in all
12 facilities.

13 Due to healthcare restructuring, people from
14 within the area where services have been lost or cut are
15 coming into the regional hospital with a lot of anger, and
16 in this instance have been reported to the OH&S committee
17 in the sense that verbal aggression from patients from the
18 surrounding area has increased. The stress within the
19 workplace has increased significantly, related to workload
20 and staffing shortages, which creates a lot of tension.

21 Statistics reported by NIOSH state that 48
22 percent of all non-fatal assaults are committed by
23 healthcare patients. Another report stated that healthcare
24 workers face more aggressive incidents than either police
25 officers or prison guards. Within healthcare facilities in

1 the West Kootenays, nurses working in psychiatry are
2 exposed to paranoid delusional psychotic patients and
3 patients with personality disorders who are violent.

4 One year ago an incident occurred where two
5 nurses were injured and traumatized in a violent attack.
6 In Kootenay Boundary Regional Hospital the psychiatric
7 patients are often admitted through the Emergency Unit in
8 psychotic states and the nurses there, as well as being
9 exposed to this type of patients, are exposed to physically
10 ill and traumatized patients or patients with dementia who
11 may not understand what is happening to them and become
12 violent.

13 The nurses in intensive care often care for
14 patients ill from overdoses, septicemia or acutely ill
15 patients that also have dementia, and they become verbally
16 aggressive or physically strike out at them. One nurse
17 reported to me that they swear, slap, pinch, bite and spit
18 at staff.

19 On the medical and surgical units patients
20 in alcohol withdrawal, demented patients and patients
21 reacting to their anaesthetics become verbally and
22 physically aggressive. In the pre-admission clinics for
23 surgery, staff have reported verbal aggression from
24 patients. A lot of this is related to the healthcare
25 changes and people not being able to access services in

1 their own community, the pre-admission clinics, and just
2 the anger. They're coming into the facility angry.

3 The nurses in long-term care often face
4 residents with Alzheimer's disease or dementia, and these
5 people can become verbally aggressive with their
6 caregivers. Staff also have reported verbal aggression and
7 intimidation from family members of residents. And I feel
8 that environment can be quite a factor, which can feed into
9 the patient's aggression.

10 For instance, if you could imagine the
11 physical surroundings on a medical or surgical unit or in a
12 long-term care unit could contribute significantly to
13 preventing the escalation of violence, aggression or
14 violence. But unfortunately what happens because there's
15 such a push on beds, we get people that are in the hallway,
16 for instance, in some facilities, and often it might be
17 people who are on a medical or surgical floor, there's not
18 really a good place to have these people where the nurses
19 can keep a close eye on them. Sometimes they're stuck in
20 the hallway and just that fact can increase the agitation
21 of patients.

22 And also in long-term care, because they've
23 cut so many beds that they can have, for instance, someone
24 who is quite ill with Alzheimer's disease who really should
25 be on an Alzheimer's unit. In a regular long-term care

1 facility, for instance on extended care, just the
2 stimulation of the whole environment can increase the
3 agitation significantly.

4 So the current WCB Regulations address
5 environment, but this has not been enforced in Kootenay
6 Boundary Regional Hospital, and I am guessing in a lot of
7 other facilities, as well. Violence could be reduced or
8 prevented by having less stimulating environments for
9 patients who have a tendency to become violent and yet need
10 close monitoring.

11 Comments Specific to the Proposed
12 Amendments:

13 (1) The first one I have is that healthcare
14 workers have not been given the opportunity to give input
15 to the proposed WCB changes. The workers who are on the
16 front lines should be consulted regarding the changes to
17 Regulations and how they could best be protected.

18 (2) Secondly, risk assessment should be
19 addressed and part of each Regulation. The risk assessment
20 requirement should have specific criteria, which must be
21 considered in the assessment. Each Regulation should have
22 its own risk assessment, control and prevention plan, which
23 should be set out in the Regulation and not a practice
24 guideline. I think that practice guidelines are subject to
25 change and they're not enforceable. Because there is so

1 much violence which occurs in healthcare, nurses need to
2 know that they are going to be protected, that employers
3 have to, for instance, educate them and provide security
4 backup and aim, at least, having less stimulating
5 environments. So healthcare workers, as well, need to know
6 that their concerns will be addressed.

7 (3) Thirdly, worker-to-worker violence
8 should be part of the Regulation, which addresses improper
9 workplace conduct. To include it in the Violence section
10 suggests that worker-to-worker violence is more prevalent
11 than what it actually is. The Regulations should address
12 the fact that worker-to-worker misconduct and workplace
13 violence are different hazards with different causes and
14 different prevention methods, and this should be
15 demonstrated in the Regulations. I think from what I'm
16 aware there is a significant amount or a larger amount of
17 violence coming from patients than there are worker-to-
18 worker.

19 Some other comments which I have:

20 (1) I feel there is no excuse for
21 inconsistency in the enforcement of the Regulations. All
22 healthcare workers are exposed to violence and should be
23 able to access the proper training so that they can know
24 how to respond in the best way to aggression and violence.

25 Nurses and any frontline healthcare workers,

1 they have to do such invasive tasks and if a person is
2 really ill, they may not just understand how necessary
3 these tasks are. And it can sort of trigger aggression or
4 violence in patients that just don't understand what's
5 going on. So I really feel that all nurses need to be
6 trained in different methods of preventing violence and
7 dealing with violence, for instance, non-violent crisis
8 intervention.

9 Part of the situation which occurs in our
10 hospital is that they are only training certain people in
11 non-violent crisis intervention, and those are the people
12 that are on the Code 33 team. So registered nurses who are
13 in charge of whole units, often right after graduation,
14 they're left in charge of a floor. They may not even know
15 the techniques in non-violent crisis intervention or how
16 best to deal with aggressive or violent patients, what they
17 could be doing to deescalate. And I feel all nurses, all
18 registered nurses, all LPNs, care aides in long-term care,
19 that they should all get this type of training.

20 (2) Secondly, the Regulations should be
21 enforced to address environmental concerns that may
22 contribute to difficulty in addressing the needs of
23 patients who are prone to aggression and violence. This
24 must be done to protect nurses from increased aggression
25 and violence from their patients, nurses and other

1 healthcare workers.

2 (3) Thirdly, critical incident stress
3 debriefing must be a part of the Regulations and must be
4 immediately available to traumatized workers. We know that
5 critical incident stress debriefing is most effective if it
6 occurs within eight hours of the traumatic event. If it's
7 left or if it never happens, then a person can be
8 chronically traumatized and have difficulty coping in
9 certain aspects.

10 (4) Fourth, workload issues in healthcare
11 must be addressed to help improve the environmental factors
12 that contribute to aggression and violence, and so that
13 nurses can be available to act in a proactive way to
14 prevent aggression from escalating into violence.

15 (5) Fifth, I support the employer's
16 obligation to consult with the joint committees in
17 conducting risk assessments.

18 (6) The Confidentiality section must be
19 revised so that the decision to keep information about
20 improper conduct and/or violence is not at the discretion
21 of the employer.

22 So in conclusion I would like to urge the
23 WCB to implement the above recommendations. I think it's
24 just really important to have some input from the frontline
25 nurses and healthcare workers that are actually the ones

1 that are exposed to most of the violence in healthcare.

2 Thank you.

3 THE CHAIR: Thank you very much.

4 Robert Walters...?

5 PRESENTATION BY MR. ROBERT WALTERS:

6 MR. WALTERS: We'd better turn this because
7 I speak loudly.

8 First of all, I want to welcome you to the
9 Kootenays.

10 THE CHAIR: You're right.

11 MR. WALTERS: It's beautiful here. You
12 picked the best weather. You've got to get up to the hill
13 before you go back to the city.

14 My name is Bob Walters and I want to thank
15 the Panel for the opportunity to raise my concerns about
16 the changes the WCB has proposed to make to the Health and
17 Safety Regulations. It is important that you come to the
18 communities and let workers express their concerns.

19 I am an active and proud member of the
20 Ironworkers Local 97. I have over 30 years of experience
21 and I've never been injured. My main task as an ironworker
22 was to install machinery in all kinds of worksites: car
23 plants, mines, coalfields, automotive factories, hydro
24 dams, which we have lots of here as you see.

25 First of all, let me say that I do not at

1 all agree with the direction the WCB has taken to cut
2 health and safety regulations by one-third and make the
3 regulations more flexible for the employers. What this
4 really means is that the employers will do what they want
5 because they know that the WCB does not have enough
6 officers to inspect worksites regularly. This is the exact
7 opposite of what the construction sector needs.

8 Construction is a very competitive business.
9 An employer should not be given the opportunity to decide
10 how they are going to manipulate the Health and Safety
11 Regulations. In a competitive sector construction workers
12 are often intimidated to push the rules to the limit. And
13 what I mean is that they may be asked to do something for
14 one time only, or for a short duration that goes against
15 the Regulations.

16 For an example a worker may be asked to go
17 up a ladder and do a task off the ladder. As you know,
18 this is against the rules. Ladders are required to be tied
19 off. The worker is supposed to be tied off, and you're not
20 supposed to be carrying tools or materials up the ladder.
21 But in the industry it is not uncommon to be given a direct
22 order to work off the ladder. The worker knows it's
23 against the Regulations but is intimidated to tell the
24 foreman that he's not going to do so as directed. This is
25 making you unemployable, and more so in small communities,

1 as a limited number of local contractors will soon identify
2 you as a whiner, or troublemaker, squealer, and no one will
3 hire you. Consequently no worker refuses the foreman's
4 direction. For these reasons it is critical that the WCB
5 have very clear precise rules that all the employers are
6 required to follow.

7 Unfortunately, the WCB is doing the exact
8 opposite with the Fall Protection Regulations. Currently,
9 the Regulations tell an employer very specifically what a
10 fall protection system is and how to install it. The
11 proposed changes take out the specifics and add to the
12 definition:

13 ...work procedures that will minimize the
14 potential for a worker to fall.

15 Every employer will have a different determination of what
16 appropriate work procedures are and their determination
17 will be based on cost, whereas it should be based on the
18 safety.

19 The WCB officer can come along and witness
20 what an employer has done, but because the Regulation is
21 vague it is difficult for the officer to insist that the
22 employer used the wrong or inappropriate work procedure.

23 I want to also comment on section 11.2,
24 Obligation to use fall protection, subsection (5) says:

25 If the use of a fall arrest system is not

1 practicable, or will result in a hazard
2 greater than if the system was not used, the
3 employer must ensure that the work
4 procedures are followed that will minimize
5 the potential for a worker to fall.

6 If it was that critical that we use the fall protection in
7 the first place, why are throwing out this Regulation now?
8 We're going back 30 years. Who has the authority to decide
9 whether the fall arrest system is not practicable: the
10 employer, the worker, the WCB, and how is this going to be
11 enforced?

12 Also, subsection (6) requires the employer
13 to instruct the workers in the fall protection system for
14 the area and the procedures to be followed. My question is
15 what is meant by "the worker is instructed"? I would
16 interpret this to mean that the employer could instruct the
17 worker to not use fall protection and rely on work
18 procedures, which we already said are open to
19 interpretation.

20 The Ironworkers Union has advocated for
21 years that workers need proper training and fall protection
22 certification. This work is dangerous and workers need to
23 be trained how to do so properly. Employers know that
24 unionized ironworkers have been trained and to do the job
25 safely.

1 Even with proper training employers still
2 need precise rules governing the work where fall protection
3 is required. Having the details in the Guidelines is just
4 not good enough. They are not the law.

5 So in conclusion I would like to comment on
6 the employer assessment costs. An employer operating a
7 unionized worksite will have higher WCB assessment rate
8 than a non-union employer simply because the union employer
9 is paying higher wages. This gives the non-union employer
10 an unfair advantage. This coupled with giving employers
11 more power over the safety procedures used on the site give
12 the advantage to the lower paying companies.

13 This is also true for companies that have an
14 industrial fabrication shop and send their workers from the
15 shop into the field to do installation of the material. It
16 is highly unlikely that the shop fabricator/welder have any
17 safety training to do the installation or have any idea how
18 to do the risk assessment that would determine how to do
19 the job safely. According to the proposed changes the
20 worker could determine that fall arrest is not necessary
21 and that work procedures are sufficient. The only problem
22 is the worker is not trained to determine that fall arrest
23 is not necessary.

24 If the WCB has any questions regarding the
25 Ironworkers safety training, please contact Arnie

1 Johannason at the Ironworkers Hall in New Westminster. And
2 I supplied that with my thing there.

3 So I thank you for the time. I really wish
4 that my union had had the opportunity to discuss this with
5 the Board before you made the changes. While I recognize
6 that you say that you are proposing the changes, at this
7 point it feels like it is a done deal. A thorough
8 discussion with workers on this issue is very important and
9 should have been done beforehand.

10 Thank you.

11 THE CHAIR: Thank you very much.

12 So is there anyone else who wishes to say
13 anything, because we have no further scheduled speakers.

14 We are going to take a break for about ten
15 minutes and see whether anyone else arrives and then we'll
16 consider whether or not to adjourn until this evening.
17 Thank you.

18 --- PROCEEDINGS ADJOURNED

19 --- PROCEEDINGS RECONVENED

20 THE CHAIR: It's currently five to 3:00 and
21 in light of the fact that we have no further speakers for
22 the balance of the afternoon I'll adjourn this session
23 until 7:00 p.m. tonight.

24 --- PROCEEDINGS ADJOURNED

25 --- PROCEEDINGS RECONVENED

1 THE CHAIR: Good evening. This is the
2 resumption of the public hearing into Proposed Amendments
3 to the Occupational Health and Safety Regulations. We are
4 in Nelson. It's about 7:10 and I'll just give a very brief
5 introduction to what we're here for.

6 We are here to listen to submissions on the
7 proposed changes to the Occupational Health and Safety
8 Regulation. All written and oral submissions will become
9 part of the record and will be part of the material that
10 the Board of Directors of the WCB considers as it
11 determines what to do with the proposed Regulations.

12 A transcript of all comments is being made,
13 and written submissions are being accepted by the Board up
14 until August the 16th, 2004.

15 MR. YOUNG: April.

16 THE CHAIR: April. I do this; after dinner
17 it's August.

18 MR. YOUNG: She keeps giving deadline
19 extensions.

20 THE CHAIR: April 16th, 2004. We have a
21 couple of people who have expressed interest in speaking,
22 Bob Cristofanetti and Andrew Meining.

23 PRESENTATION BY MR. BOB CRISTOFANETTI:

24 MR. CRISTOFANETTI: I am Bob Cristofanetti
25 and I work for VSA Highway Maintenance in Nelson, a

1 privatized highways working. I was just, I would say I
2 guess, disappointed, that I thought labour would have been
3 involved earlier on in the discussions, especially because
4 it affects workers a lot. And I know that Regulations need
5 to be kept up with the times, and I think when labour
6 sometimes feels that they don't have input into what the
7 Board, how the Board administers the Regulations, it scares
8 workers. It makes workers think that maybe things are
9 changing and favouring employers. So I came to this
10 meeting to say that I have concerns and I would like to be
11 included as a labour representative in any future changes
12 to the Act.

13 THE CHAIR: Thank you very much.

14 MR. CRISTOFANETTI: Thank you.

15 PRESENTATION BY MR. ANDREW MEINING:

16 MR. MEINING: My name is Andrew Meining and
17 I am with the management at VSA Highway Maintenance. And I
18 suppose I have a submission, or maybe a request that you
19 could consider for future meetings of this nature, is I'm
20 sure in your database you have lots of employers listed and
21 any time you have a major -- we are one of the major
22 employers in the area. You know, you have the School Board
23 and you have the City and, like, you know, we're a large
24 corporate employer in the area.

25 I agree with what Bob has said. And further

1 to that we have to manage the risks, the exposure of risks
2 to our employees, and to ensure a productive worksite. An
3 employee can refuse work if it's illegal or unsafe. And
4 largely if something is considered unsafe we typically do
5 look at how the WCB Regs or our work procedures work in
6 relation to a specific job, whether it be working in a
7 rockfall area, working around cranes, confined spaces, and
8 so forth. So if there are changes, partly from an input
9 point of view, how it affects the productivity of the
10 staff, the safety of the staff, and in future just knowing
11 what the changes are.

12 So my recommendation is if you might maybe
13 want to consider not only working with the labour
14 component, but also the management component, because we
15 have to manage how our employees are exposed and what
16 they're exposed to. And as managers, if I get into an
17 accident in my vehicle I'm covered by WCB, too. It's not
18 just strictly union, I mean, I'm labouring for the company.

19 So maybe you want to think about make a cut-
20 off line what do you consider a major employer, over 20
21 employees, over 100 employees, whatever, and say, "Okay, in
22 that database we'll just do a direct mail campaign."

23 Then I'm going to be talking to our safety
24 coordinator at our head office in Armstrong, just seeing if
25 he had any heads-up as to whether this meeting was

1 occurring. Because we do have our OHS meetings every month
2 and this never did come up. So it looks like there's a
3 communication problem in the union and perhaps a
4 communication problem in the management, or maybe the
5 management was never notified.

6 So that's about it.

7 THE CHAIR: Thank you very, very much.

8 MR. YOUNG: Thank you.

9 MR. MEINING: Thanks a lot.

10 THE CHAIR: So is there anyone else who
11 would like to speak? Yes?

12 MR. BRULOTTE: Well, just from a worker's
13 point of view.

14 THE CHAIR: Do you want to come up and
15 introduce yourself, please.

16 PRESENTATION BY MR. MARCEL BRULOTTE:

17 MR. BRULOTTE: My name is Marcel Brulotte.
18 I am with the road maintenance crew for VSA Highway
19 Maintenance. My concern would be that if what we hear is
20 true that these amendments could affect up to one-third of
21 the regulations. My concern would be how are they going to
22 affect them? As far as the workers are concerned, is it
23 going to be a positive impact or a negative impact? And
24 the way things have been going with, you know, government-
25 run institutions lately, it's usually a negative impact.

1 So I would be concerned how this is going to
2 affect the workers as far as their coverage and as far as
3 their protection. Is it going to be weakened all the way
4 around, or is it going to be harder for people to submit
5 WCB claims because the rules are changing. You know,
6 there's going to be a lot of concerns.

7 You know, it would be nice if these things
8 are brought forward and, you know, expounded on before
9 these regulations are finalized to make sure that we're not
10 going to lose any strength in the protection for workers.

11 That would be my major concern.

12 THE CHAIR: Thank you very much.

13 MR. BRULOTTE: Thank you.

14 THE CHAIR: Freda...? No? Okay.

15 There being no further speakers here to make
16 a submission, I am going to adjourn this hearing in Nelson.
17 Thank you very, very much for coming out and we look
18 forward to hearing from you.

19 --- PROCEEDINGS CONCLUDED

20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I HEREBY CERTIFY the foregoing to be a true and accurate transcript of the proceedings herein, transcribed from taped proceedings, to the best of my skill and ability.

Pat Neumann