

Jun-13-08 12:14

From-CUPE BC



SUBMISSION TO:

**WORKSAFEBC
POLICY AND RESEARCH DIVISION**

RE:

**CHANGES TO THE OCCUPATIONAL
HEALTH AND SAFETY REGULATION**

**VANCOUVER, BC
JUNE 2008**

INTRODUCTION

On behalf of 70,000 workers, represented by the Provincial Division of the Canadian Union of Public Employees (CUPE BC), we offer our comments to the proposed changes to the Occupational Health and Safety Regulation Part 1, Part 4, Part 5, Part 14, Part 17, Part 20, Part 22 and Part 23.

Our members work in diverse environments, from Municipalities to Education. We work in Schools, College's and Universities, Libraries and Social Services. Our members also work as Ambulance Paramedics, Dispatchers and By-Law Officers. Workers in each of these sectors face a wide range of issues that have to be addressed under the Occupational Health and Safety Regulation.

Although some of the proposed changes to the Occupational Health and Safety Regulation do not apply to our sectors, we feel the need to ensure that amendments to the Regulation be sound in judgement and offer a safe environment for all.

CUPE BC congratulates the WorkSafeBC Board for ensuring that these changes have widened participation through public hearings, which have proven to be effective in the past.

REVIEW OF THE PROPOSED AMENDMENTS

PART 1: DEFINITIONS

Section 1.1 – Professional Geoscientist

Section 4.1 – Qualified Registered Professional

CUPE BC agrees with these definitions.

Section 4.1.1 – Safe Workplace

CUPE BC agrees with the requirement for a safe workplace.

PART 4: ENVIRONMENTAL TOBACCO SMOKE

CUPE BC agrees with the Regulation on Environmental Tobacco Smoke.

PART 5: CHEMICAL & BIOLOGICAL SUBSTANCES

Amendments to Part 1 Definitions Relating to Designated Substances

Section 5.57(1)

CUPE BC is in full support of the submissions from both the BC Federation of Labour and the Hospital Employees' Union on the above noted part that deals with the effects of reproductive toxins and sensitizers.

Reproductive toxins affect the reproductive health of men and women. Exposures to these chemicals can result in sterility, testicular damage, fetal abnormalities, miscarriages and cancers of the reproductive organs. These exposures particularly affect young workers of reproductive age and an estimated 20 percent of the workforce of British Columbia.

Workers are not aware that their health has been compromised until they discover that they are unable to conceive or they have a child with birth defects. The affects may be multi-generational.

Sensitizers are chemicals which may not cause immediate health effects, but after repeated exposures, workers may develop allergic reactions. The range of hypersensitivity is broad and includes skin rashes, occupational asthma, lung diseases and compromised immune systems.

Sensitizers usually have a life-long effect and have the potential to be fatal. These chemicals are found in many products including wood dust, solders, latex, cleaning products and paints.

Noting all the serious effects of these designated substances, you would certainly expect that WorkSafeBC would be more vigorous in its advocacy to have these substances properly referenced. Are we not in the business of protecting workers from exposures, instead of exposing them to a risk to their unborn children in order for them to make a living? Currently under the Regulation we use the American Conference for Governmental Industrial Hygienists (ACGIH) list as the only reference available to both workers and employers for the designation of chemicals as reproductive toxins.

We also know that this list is not kept up to date and provides inadequate protection for our members. The ACGIH will also no longer reference reproductive toxins and sensitizers in their list unless they are the basis for the Threshold Limit Value (TLV).

With the ACGIH not reviewing some of their reproductive toxins since 1994, would it not provide greater protection for workers if as suggested, you would classify and incorporate the reproductive toxins and sensitizers into the Workplace Hazardous Materials Information System (WHMIS).

WHMIS is the recognized system in Canada and establishes the legal requirements for the identification of hazardous substances at workplaces. Due to the requirements of the Material Safety Data Sheets (MSDS) the WHMIS list must be kept up to date. Employers are required to update their MSDS every three years and suppliers must provide every new product with an MSDS.

The WHMIS list is more reliable and a more available source of information on reproductive toxins and sensitizers. Adopting the WHMIS list of reproductive toxins and sensitizers would provide consistency to both workers and employers.

PART 14: CRANES AND HOISTS

CUPE BC agrees with the submission from the BC Federation of Labour on this part and the recommendations concerning Operator's Duties.

PART 17: TRANSPORTATION OF WORKERS

CUPE BC agrees with the submission provided by the BC Federation of Labour.

PART 20: CONSTRUCTION, EXCAVATION AND DEMOLITION

CUPE BC is in agreement with the proposed amendments.

PART 22: UNDERGROUND WORKINGS

CUPE BC agrees with the submission put forward by the BC Federation of Labour on this proposed amendment.

PART 23: OIL and GAS

CUPE BC is in agreement with the submission put forward by the BC Federation of Labour.

CUPE BC wants to thank WorkSafeBC for the opportunity of our members to be able to participate in the public hearings across the Province.

RESPECTFULLY SUBMITTED ON BEHALF OF CUPE BC.



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