



HOSPITAL EMPLOYEES' UNION

PROVINCIAL OFFICE:
5000 North Fraser Way, Burnaby, BC V5J 5M3 • TEL: 604-438-5000 • FAX: 604-739-1510 • WEB: www.heu.org

May 26, 2008
~~January 30, 2008~~

VIA FACSMILIE: 604-279-7599

Policy and Research Division
WorkSafe BC
PO Box 5350 Station Terminal
Vancouver, B.C. V6B 5L5

Dear Sir and/or Madam:

Re: Submission on Proposed Regulatory Amendments:

Part 5, Chemical and Biological Substances with consequential amendments to Part 1, Definitions relating to Designated substances.

The Hospital Employees Union is very concerned that the proposed amendments to Part 5, and to Part 1, only serve to maintain a flawed status quo. The continued sole reliance on ACGIH, a resource that acknowledges it will not review substances for the designation of reproductive toxins and/or sensitizers, unless those are the basis for the threshold limit value ("TVL") as the standard on which to base worker rights to protection is inherently wrong.

The Hospital Employees Union represents over 47,000 Health Care Workers. These workers work in a variety of sectors identified by the Board as being affected beyond the broad definition of Health Care. Our members work in Pharmacies, animal research labs and as Dental assistants in facility clinics. Additionally they maintain and repair hospitals, and other related buildings, our members paint, repair furniture and perform metal fabrication. The issue of regulating exposure to Chemical and Biological substances that have been/will be indentified as sensitizers or reproductive toxins is of significant importance to our members and therefore to the Hospital Employees Union.

The right to protection against agents that can cause sterility, fetal abnormalities, testicular damage or cancers of the reproductive organs is so fundamental a human right that it is difficult to quantify. No one should be expected to lose one's own reproductive health or risk the health of your unborn children in order to make a living.

Sensitizers can have devastating effects on individuals. It is well documented that even a small exposure to a known sensitizing agent can cause real and potentially fatal consequences on the affected individual. The affects on the some individuals can extend far beyond their ability to work in their chosen field. It can mean for some they are no

longer able to work in any capacity nor perhaps able to participate fully in family and community life.

The information provided by the Board in the "Overview" is that without the proposed changes 20 substances listed as reproductive toxins and 9 substances currently designated as sensitizers will have this designation removed. However, it is important to note that this can hardly be considered an exhaustive list as the ACGIH has not reviewed some reproductive toxins since 1994 and they do not have the resources to ensure up to date reviews. This is not information that brings any degree of comfort or surety in the accuracy and comprehensiveness of the information currently being relied on by the Board in determining the Employers responsibility to protect workers exposure to these agents.

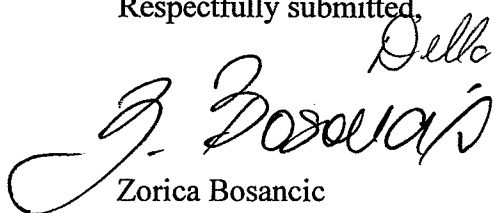
In a pre-consultation meeting October 5, 2007 with both Employer and Labour Stakeholders there was consensus, for reasons previously noted, that the most effective way to rectify the existing problems would be to add to OH&S Regulation 5.57(1) an item (e) that reads:

(e) classified under WHMIS CPR 53 or 55 as a developmental or reproductive toxin, subdivision A of Division 2 of Class D – Poisonous and Infections Material

This addition is a simple and thorough way to ensure the protection of BC workers is based on current, relevant and up to date scientific information. WHMIS is recognized through out Canada as a reliable, comprehensive and up to date source for information on hazardous substances. It seems an obvious addition to the proposed changes.

The Hospital Employees Union is urging the Board to change the proposed amendments to reflect the position agreed to by both Labour Representatives and Employer Representatives. The Workers of BC deserve the highest level of protection possible in order for them to be able to Work Safe.

Respectfully submitted,


Zorica Bosancic
Assistant Secretary-Business Manager

*Della McGaw
for*

H:\Administration Documents\BGergely\Z BOSANCIC\WCB Submission Part 5 - Jan. 30 '08.doc

cc: Della McGaw, HEU
Sheila Moore, BC Federation