

Toronto Swing-Stage Tragedy Drives Safety Into Construction

Just over a year ago on Christmas Eve of 2009 a swing stage platform in Toronto with six men on it gave way killing four of them and seriously injuring another. The platform collapsed on the 13th floor when a seventh man attempted to step onto it. Most of the workers were in Canada under a migrant workers program, because of their status they may have likely been unaware of their rights to refuse unsafe work or just too afraid to speak up. The Employer Metron Construction and several of their managers have each been charged for criminal negligence causing bodily harm and death of those workers.

Ontario Labour Minister Peter Fonseca commissioned an expert Advisory Panel chaired by Tony Dean to conduct a comprehensive review of Ontario's occupational health and safety system.

The Dean Report made 46 recommendations to the Ontario government to move towards minimizing workplace incidents and fatalities. Most recommendations employed a general approach such as an increase to marketing products, to move social awareness towards a safe worksite and create outreach for vulnerable and migrant workers; however recommendation 16 in particular is interesting in creating mandatory safety training for construction workers. When Alberta and Saskatchewan have their Construction Safety Training System (CSTS), and Ontario is "recommending" it, a legislated safety training system is not too far away for BC.

These charges are the most significant to be levied in Ontario since Bill C-45 which allows corporations and individuals to be held criminally responsible for workplace fatalities and injuries which

came into effect in 2004, in response to 1992 Westray mine disaster that killed 26 workers in Nova Scotia.

There is no maximum financial penalty under the Criminal Code and individuals can face life sentences of up to 20 years. To avoid the risk of criminal negligence charges, employers need to invest in an effective health and safety risk management program intended to prevent serious injuries to their workforce. Foremen and Charge-hands need to really consider how they are directing their Journeymen and Apprentices.



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News/Notes:

- Nanaimo Unit Meeting has moved to the Coast Hotel at 11 Bastion Street, Nanaimo.

Business Manager's Report



Philip M. Venoit
Business Manager/Financial Secretary

We have Local Union Elections this coming spring and at the end of each administrative term I like to reflect back at our accomplishments, and how we managed our challenges.

I thought I would highlight just some of those accomplishments and challenges for you.

We took on the Federal Government on the way it handled the Columbian Free Trade Deal, their unbelievable track record on subsidizing the Asbestos Industry exporting death around the world, we took them on over their decision to allow Kone Cranes to erect and wire Esquimalt graving dock cranes with 25 Temporary Foreign Workers from China, Canadian inspectors recorded numerous breaches to the CEC and CSA which resulted in getting our construction members to work to fix the substandard work and impressing Kone enough to finish the rest of the contract with Local 230 members, and of course the one line sentence in Bill C-10 which stole the 5.2% market increase Arbitrator Ken Norman gave our Dockyard members which became Local 230's second Canadian Charter of Rights challenge since its adoption, this court action will be heard in late April as Local 230 along with the other 10 Unions Affiliated to the Dockyard Trades and

Labour Council will get our day in BC Supreme Court. At the same time, we worked with the Federal Government and Victoria Shipyard to facilitate the FELEX program bringing well over 100 more marine jobs to our Local Union for the next 6-7 years, and we spent a great deal of time and energy lobbying the Federal Government on making the west coast a Centre of Excellence in Shipbuilding, we lobbied to bring better changes to the Employment Insurance Program and the Canadian Pension Plan, and to introduce an Apprenticeship Completion Grant implemented two years ago.

The Provincial Government wasn't much different! We took them on over the way they implemented the Harmonized Sales Tax (HST) and its impact on working families, on their attempt to bring together the BC Labour Relations Board, the Employment Standards Branch and the Human Rights Commission all under one roof which would make all three services less effective for British Columbians, lobbying for a Light Rail Transit system for the Victoria area, and for the Labour Minister to get rid of the Employment Standards "Self Help Kit" as another useless program, and to raise the minimum wage.

As a Local Union, we created a separate stand alone Society and purchased our own Building after ten years of throwing our money away on rent, we participated in the International's NexGen project preparing for the future of our Brotherhood, we were able to grow our membership to 1250 (from just over 800 nine years ago), over the past three years capturing 64% of all construction work on Vancouver Island, keeping most members working through the worst economic recession North America has seen in over 80 years. At the same time bringing up the construction

wage package another \$3.75 on the Journeyman rate.

Our finances have improved with over \$2.5 million in the bank at the end of 2010.

We altered our Newsletter format so when reading the electronic version on our website you can click on any underlined portion and see the letter or document being referred to in the Newsletter.

I made some promises to the membership over 9 years ago, generally to make our Local Union more pertinent in the Labour movement, and at times I consider old proverbs to live by, one you may likely have heard, "May you live in interesting times." I don't think there are many of us, who would say these past few years have been boring.

What many of you likely don't know was there was two other parts to that particular proverb, "May you come to the attention of those in authority (government), and May your wishes be granted." I believe our constant meetings with our elected politicians along with our correspondence to the Legislative Buildings in Victoria and Parliament in Ottawa has certainly brought us to the attention of the authorities, as for our wishes for good meaningful work for our membership, proper respect for our trade, the good things we bring to our communities, and our continuing pursuit for a solid Brotherhood through organizing those that need a union, we still have some hard work to do, and if it's the membership's will, I will be honoured to carry on this work throughout the next few years.

In Solidarity,

*Phil Venoit
Business Manager/
Financial Secretary*

Construction Bargaining Update

Construction Bargaining has dragged on long enough and I figured it's time for an update;

I know there are likely new members receiving their first Local 230 Newsletter so I'll begin with a couple of facts and a brief description of how provincial construction bargaining works.

The IBEW is one of 15 construction craft unions who bargain collectively on behalf of the 35,000 union construction workers in B.C., in two distinct ways;

At the Main Table where all 15 unions bargain together issues we have in common like grievance procedures, coffee and lunch breaks, and

At the Trade Table where we (Local 230) sit with the other IBEW Locals 213 in Vancouver, 993 from Kamloops north, and 1003 from the Kootenays, to discuss issues that affect only the IBEW.

This is the same format as the other 14 construction unions.

Early last year we provided notice to the Construction Labour Relations Association (The CLRA is the construction union employers bargaining authority) that our Collective Agreement was up at the end April 2010 and that we should be sitting down to negotiate a renewal to that Agreement.

Our Bargaining Council formulated Main Table Demands and held two sessions of Bargaining with the construction employers on April 20th and June 16th. Unfortunately, we agreed on nothing, the CLRA placed procedural hurdles in front of us and essentially barred us from sitting since. That left us no choice but to file an application at the Labour Relations

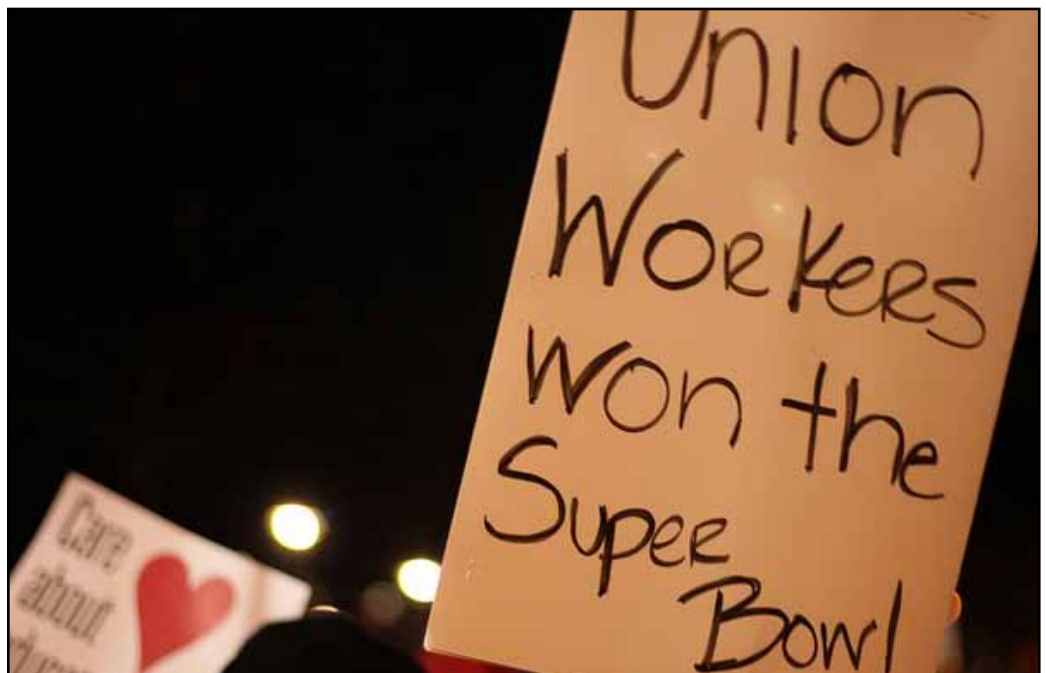
Board to attempt to force the employers back to the bargaining table, and the Board directed us both to reach a settlement on format and protocol so trade table talks can begin. We are down to two last obstacles being a review of the Jurisdictional Assignment Plan process which is the Plan that determines what work belongs to each union, and this issue is currently being considered by the Labour Relations Board.

The other issue is both the Boilermakers and the Insulators have applied to the BC Labour Relations Board to have the ability to negotiate directly with their employers or employers association and opt out of the legislated confines of CLRA; these

applications should be dealt with rather quickly.

This stalling behavior is not new; frankly the CLRA have done it the last two rounds of bargaining that is why in the last round of bargaining the IBEW Business Managers demanded a raise on April 1st of 2010, one month before the end of the Collective Agreement, so we didn't have to go two years to see a raise.

We have sent off **numerous letters for the IBEW and our employers to begin bargaining**. I am hoping we are near the end of the beginning and we can finally get to the Negotiating Table on behalf of our construction members.



Wisconsin is being battered with anti-union legislation and people are starting to respond by the thousands, taking over the Legislative Buildings, due to State Governor Scott Walker who is considering bringing in the National Guard to dispense some military force on union workers who just want to carve out a living.

Legal Fund Motion

I would like to thank the members who showed up to the Unit Meetings to discuss, debate and vote on the Legal Fund Motion, it passed with a very good majority of the members understanding, that today's Labour Relations world is populated by Labour Relations Board cases (and with them lawyers) whether we are talking about our ongoing construction negotiations which have racked up several Labour Board Decisions last year, or protecting our members interests against their employer like our members

in Dockyard and their Canadian Charter challenge which will be fought in the BC Supreme Court this Spring. There are dry years we go without any legal costs at all, but when we need legal protection this is our legal rainy day fund for our costs and the change in revenue of two dollars per member per month is the umbrella the local needs to be prepared. To be clear this is/was not a dues increase but simply dues redirected for the purpose to fight legal matters on behalf of the Local Union.

IBEW CANADA IN CONJUNCTION WITH LOCAL 230 ARE PROUD TO ANNOUNCE THE AVAILABILITY OF 20 ONLINE HEALTH & SAFETY TRAINING COURSES THAT ARE AVAILABLE TO YOU AT HOME

The Health & Safety courses cover:

- Asbestos Awareness;
- Confined Spaces: The Basics (CCOHS);
- Electrical Hazards (CCOHS);
- Contractor Health and Safety (CCOHS);
- Emergency Preparedness for Workers (CCOHS);
- Fall Prevention and Fall Arrest;
- Fire Safety: The Basics (CCOHS);
- Ladder Safety (CCOHS);
- Health and Safety Committees (CCOHS);
- Manual Material Handling and Back Safety;
- Mould Awareness;
- Office Health and Safety (CCOHS);
- Pandemic Planning (CCOHS);
- Preventing Hearing Loss from Workplace Noise (CCOHS);
- Return to Work: The Basics (CCOHS);
- Violence in the Workplace: Recognize the Risk and Take Action (CCOHS);
- Lockout (CCOHS);
- WHMIS for Workers (CCOHS);
- Working at Heights (CCOHS);
- Young Worker Safety Orientation;

The courses are available to you 24 hours a day, 7 days a week until December 31, 2011. Be sure to take advantage of as many courses as possible. To start your learning experiences go to:

<http://www.vubiz.com/ChAccess/IBEW6/>

Every time that you sign on, you will need to enter:

The IBEW Password which is: **IBEWHS**

Your Membership Card Number: That is the number on your IBEW Membership Card and dues receipt. If you can't find your Membership Card Number, call Jen in our office (250) 388-7374.

The First time that you sign on, you will need to enter a little extra information so that we can set you up.

Membership Card Number (confirmation): This is to confirm the information that you keyed in.

Local Number: Please enter local 230.

First Name: So that we can identify you properly in the system when you return.

Last Name: So that we can identify you properly in the system when you return.



DRAW FOR **\$100**
Per Ticket

**2011 Harley-Davidson
FLHRC-103 Road King® Classic**

Early Bird Draw

\$5000.00

May 19th, 2011
at the
23rd Annual IBEW/MS
Charity Golf Tournament in
Mississauga, Ontario



Main Draw



2011 Harley-Davidson FLHRC-103 Road King® Classic

Draw for the Bike will take place as soon as all tickets are sold, or
at the IBEW All Canada Progress Meeting in Quebec City, QC on July 13, 2011

Must be an I.B.E.W. Member to Purchase and Win

Tickets \$100.00 each • Only 500 tickets to be sold
Winning Tickets go back in for the next draw.

**A second \$5000.00 cash prize will be drawn at the
All Canada Progress Meeting on July 13, 2011**

Proceeds to assist in funding of the reception at the
IBEW International Convention in Vancouver in 2011.



From the Officers, Staff and General Membership we wish all the best to our 2010 Retirees.

Terrance Orr

Foster Dixon

Harold Buker

Wayne Kennedy

James Caudwell

Jim Schellenberg

Bernard Gunster

Lyle Campbell