



# BC INTERIOR BARGAINING Turning Points

*"Speaking up for forest workers in the BC Interior"*

VOLUME 1 ISSUE 1

NOVEMBER 29, 2010

## IFLRA CHALLENGES HEALTH AND SAFETY LANGUAGE

In 2003 the USW was instrumental in the passage of Bill C-45 Westray Bill, which amended Canada's Criminal Code to allow criminal charges against employers responsible for workers deaths or injuries.

Because the BC Government refused to prosecute, your Union launched a private prosecution against the employer.

In an effort to ensure that adequate investigations are conducted when serious incidents occur, with Union Investigative Expertise, your Union proposed the following language to the IFLRA:

*A Union Member of the Joint Occupational Health & Safety Committee (JOHSC) or their designate shall accompany a WorkSafe BC inspector during workplace visits.*

*In such cases (serious incidents) a representative of the Union shall have access for investigations which shall be arranged expeditiously if requested, and Company officials shall accompany the Union official.*

*If a workplace fatality occurs, the Company shall notify the Local Union in order that their representative may attend an inspection of the accident site and, at the same time, be provided with all available pertinent information concerning the fatality. Employees of the company so designated shall not lose regular pay for participation in this process.*

**TURNING POINT—Lyle Hewer was killed working in a sawmill as he was cleaning out a confined space in a manner his employer knew was hazardous.**

**WorkSafe BC fined his Employer the highest amount ever in the history of agency, saying management ignored safety concerns and condoned a culture where "complacency in the face of danger became the norm".**

**New Westminster's police service recommended criminal charges. However, the BC government decided not to prosecute Lyle's employer.**

The Union's only aim is to find the root cause of these incidents, with the goal to ensure such incidents never-ever happen again.

Your IFLRA Employers have refused, citing the fact that even though the New Westminster police recommended charges, they are upset that the Union has taken up the cause.

It is the view of your BC Interior Bargaining Committee that your Employers should be working with us to prevent future incidents, rather than punishing us, blaming us, and refusing to use all expertise available to ensure all workers return to their families in the same condition they went to work in.