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# tradetalk

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**WE BUILD BC**



**Helping the planet,  
one brick at a time**

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# tradetalk

SUMMER 2010  
THE MAGAZINE OF THE B.C. AND YUKON TERRITORY BUILDING AND CONSTRUCTION TRADES COUNCIL

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*Brickies find themselves at  
the forefront of the green  
building movement*



Cover: John Gumustas, a  
member of the Bricklayers  
and Allied Craftworkers, is in  
a trade that fits well with the  
growing demand for green  
construction.  
Photo by Joshua Berson

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*Employer's attempt to sign workers  
up with CLAC backfires*



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## From the editor: Wayne Peppard

# National conference takes up our concerns

**On May 12**, building trades representatives from across the country marched behind a piper to the Parliament Buildings carrying coffins representing the lives of our fellow workers who have been ravaged by exposure to asbestos at work and for the 90,000 workers who die each year around the world. We were joined by family members of victims, tradespeople from India and the U.S., Canadian Affairs for the Building Trades, the Canadian Labour Congress and politicians.

We called for the end of the mining and export of asbestos from Canada, a just transition for the communities and workers affected by the closure of the mines in Quebec and fair compensation for victims.

I urge you to call your MP to express your support for the end to this national disgrace.

The march took place during the 2010 Taking it Back Policy Conference of the Canadian Building Trades Department. More than 300 delegates from construction unions across Canada attended.

The B.C. Building Trades Council submitted three resolutions.

### End asbestos mining

Our resolution called on Canadian building trade affiliates to mount a national campaign to convince the federal Conservative government to:

- stop its financial support of the Chrysotile Institute which promotes the asbestos industry
- sign on to the protocol listing chrysotile asbestos as a hazardous substance at the next UN Environmental Convention
- introduce legislation to ban the mining, processing, manufacturing, sale and export of asbestos within and from Canada
- financially support a just transition strategy for the communities and workers employed in the mining of asbestos
- establish a leadership role with the provinces to institute a national asbestos disease and cancer tumor registry
- establish a leadership role with the provinces to institute a national contaminated building registry

The resolution passed unanimously.

### Compulsory safety training

We also presented a resolution calling for the federal and provincial governments to develop certified construction safety training programs and mandate that all workers, regardless of their status in Canada or the size of the jobsite, be safety certified before working in the industry. This also passed unanimously.

This resolution evolved from a Construction Industry Advisory Council recommendation following the death of four workers on the Bentall Building on Jan. 7, 1981. On Christmas Eve, 2009, four

foreign workers fell to their death off a swing stage in Toronto, an eerily similar disaster. Both of these incidents were completely preventable.

In fact, 233 workers died on the job as a result of exposures at work in the construction industry in 2008 and 34,000 workers suffered lost-time injuries.

### Unity in the building trades

Our third resolution called for unity in the building trades. As long as any of our unions remain unaffiliated to either the Canadian executive board or the provincial councils, we are in a weaker position. This resolution also passed.



CUPE/Marilyn Mikkelsen photo

## The Building Trades—Who we are

	Phone	Web address
B.C. Building and Construction Trades Council	604-291-9020	www.bcbuildingtrades.org
<b>Affiliated Unions</b>		
Bricklayers & Allied Craftworkers Local 2	604-584-2021	www.bac2bc.org
Cement Masons & Plasterers Local 919 Construction & Specialized Workers Local 1611	604-585-9198	www.opcmia919.org
Electrical Workers Local 213 (Vancouver)	604-432-9300	www.cswu1611.org
Electrical Workers Local 230 (Victoria)	604-571-6500	www.ibew213.org
Electrical Workers Local 993 (Kamloops)	250-388-7374	www.ibew230.org
Electrical Workers Local 1003 (Nelson)	250-376-8755	www.ibew993.org
Heat and Frost Insulators Local 118	250-354-4177	www.ibew1003.org
Ironworkers Local 97	604-877-0909	www.hnf118.com
Operating Engineers Local 115	604-879-4191	www.ironworkerslocal 97.com
Sheet Metal, Roofers and Production Workers Local 280 (Vancouver)	604-291-8831	www.iuoe115.org
Sheet Metal, Roofers and Production Workers Local 276 (Victoria)	604-430-3388	www.smw280.org
Teamsters Local 213	250-727-3458	www.smwia276.ca
UNITE HERE Local 40	604-876-5213	www.teamsters213.org
	604-291-8211	www.local40union.com

# Starting Point

## People! Wear your safety glasses!

In regards to the last issue of *Tradetalk*, I couldn't help but notice the absence of safety glasses in at least nine of your pictures, starting with the front cover. I only counted the photos that depict workers with other PPE on and was quite surprised that they were not wearing safety glasses, considering that some of the shots were taken while they were working.

*Trevor Coad  
Welder, metal fabricating, millwright journey person  
Victoria*

## The answer to all the country's woes

Dear Mr. Harper,

Please find below my suggestion for fixing Canada's economy. Instead of giving billions of dollars to banks and car companies, that will squander the money on lavish parties and unearned bonuses, use the following plan:

There are about 20 million people over 50 in the work force. Pay them \$1 million apiece severance for early retirement with the following stipulations:

- 1) They MUST retire. Twenty million job openings—unemployment fixed.
- 2) They MUST buy a new Canadian car. Twenty million cars ordered—auto industry fixed.
- 3) They MUST either buy a house or pay off their mortgage—housing crisis fixed.
- 4) They must send their kids to training institute, college or university—crime rate fixed.
- 5) Buy \$50 of alcohol, tobacco or gas a week—there's your money back in taxes.

It can't get any easier than that!

If more money is needed, have all members of parliament pay back their falsely claimed expenses and second home allowances.

*From the Internet*

## Tradetalk is brought to you by...

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**Jose Lam** has been a steamfitter for 34 years and a *Tradetalk* cartoonist since responding to the magazine's call for cartoonists in 2006. He can be reached c/o *Tradetalk* magazine.

**Shawn Luke**, a plumber/cartoonist hybrid, is fuel efficient and environmentally friendly. He thought he had been writing the editorial for three years, but has since learned he's just a cartoonist.

**Marco Procaccini** is a freelance journalist, labour organizer, co-op movement activist and urban ecologist who can be reached c/o *Tradetalk* magazine.

**Tom Sandborn** is a pronoun, pro-woman, pro-gay, pro-peace and anti-war activist who writes for the Tyeen online, the Vancouver Courier, the Columbia Journal, the Vancouver Review and the Globe and Mail, and serves on the board of directors of the BC Civil Liberties Association. Tom Sandborn welcomes story tips and feedback at [tos@infinet.net](mailto:tos@infinet.net)



Shawn Luke cartoon

## We welcome your comments...

Send letters (the shorter the better) to the editor at:

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[bcytbctc@bcbuildingtrades.org](mailto:bcytbctc@bcbuildingtrades.org)

Letters must include your name, address, phone number and, where relevant, union affiliation, trade or company.

# WorkSafeBC loses \$37 million annually to cheating



Joshua Berson photo

By Joe Barrett

**WORKSAFEBC IS LOSING** over \$37 million every year in unpaid premiums, underreporting or misclassification of hours. The findings are among the highlights of a new study by Tiffinie Hammerer, a BCIT student at the Centre for Forensic and Security Technology.

Hammerer's study modeled estimates of the underground economy on a study by the Ontario Construction Secretariat in 2008, titled "Underground Economy in Construction—It Affects us All." Using the combined 'Micro Analytical/Discrepancy Measure' used by the OCS, Hammerer relied on Statistics Canada data that compared incomes to expenditures. The study's findings estimate that in 2006 to 2007, 31,000 B.C. construction workers were working in the underground economy (24,800 in residential and 6,200 in non-residential construction) with salaries totaling \$922 million.

Hammerer, a former employee in the banking industry, was surprised at the size of the underground economy. "When I found that underground activity was so prevalent in B.C., it was

a shock." She also noted the lack of resources that are available to combat the problem but said she understands why. "From my business background, I know it's easy to invest money in sales—there's a concrete number in payback—but when countering fraud, the return isn't as obvious."

Hammerer's findings were presented to WorkSafe, the B.C. Ministry of Finance, B.C. Safety Authority and several construction unions in January.

B.C. has the highest number of "self-employed" workers in the country. Human Resources and Skills Development Canada estimates the figure at 36%. Undocumented migrant workers are a natural fit for the construction industry and make up a large proportion of the black-market workforce.

Most self-employed workers (70%) are in residential construction. Some of these workers do buy their own workers compensation coverage (Personal Option Protection). The minimum POP coverage can be based on a salary as little as \$1,500 per month. However, the average wage in the industry is \$2,940. Hammerer

recommended that WorkSafe require the POP premium minimum be based on a worker's average monthly wage.

The problems of under reporting payroll and misclassifying work (so that employers pay smaller premiums) were also identified. Currently WorkSafe accesses employer premiums based on the total payroll reported by the employer. When an accident happens, the employer can say that the individual was covered under the premiums they submit. But under the current system it's impossible to prove that the injured worker was covered. Hammerer gave the following example. "ABC Ltd. has 20 employees and its monthly payroll is \$20,000, but it submits premiums based on a payroll of \$10,000. This only covers 10 employees; the question is which ones?" Hammerer recommended that WorkSafe require employers to name each employee covered by the premiums submitted.

The BCIT Centre for Forensic and Security Technology Studies is now running a service that provides regular updates about economic crimes and legislative changes throughout North America.



*Alex Cheloliyan and Chris Cummings (foreground) work on their skills at creating arches at the Trowel Trades training school in Surrey. Masonry and brickwork use sustainable materials that improve energy efficiency.*





# The Brickyard Greens



## Environmental concerns lead to renewed interest in bricks and masonry

Article by Michel Drouin  
Photos by Joshua Berson

**MANY THINGS COME TO MIND** when you look at a brick building, but are sustainable building materials and methods among them? Well, they should be.

"We are totally green because we use clay from the earth," said Wayne Bransfield, a veteran career mason and instructor at the Trowel Trades Training Association. "There are no byproducts using a clay brick." Even the mortar is composed of natural substances.

"The mortar is a lime/sand Portland mix," he said. Lime is ground up limestone and the sand is a renewable substance. Portland is ground up earth originally found on the limestone Isle of Portland, on the south coast of England.

Clay is one of the most abundant and interesting building materials in the world, Bransfield explained. "You couldn't use up all the clay in the world [and] you get different colours from different parts of the country." An added benefit is that once bricks are fired, they are, of course, fireproof.

Bransfield noted that there is a resurgence of interest in including brickwork in buildings. "Artistic designs are becoming more common in B.C. and all over," he said. "You are seeing arches and spiral columns. They are unique building styles [and] they are coming back." He isn't surprised that architects are using more brick in their designs. "It is pleasing to the eye in its natural form."

Masons also work with natural stone, and granite in particular.

Ground and polished granite is used in floors, on fireplace hearths and as cladding on sides of buildings. "It is thin wall construction dimensional stone," he explained. "It is facing material that attaches to the solid wall. We do buildings from the bottom up to 19 or 20 storeys."

Geoff Higginson, organizer for the International Union of Bricklayers and Allied Craftworkers, explained that masonry and bricks not only last almost forever, they act as heaters and coolers and are reusable.

"When you build a home or institution out of blocks, stone or concrete, the masonry material is a heat sink," he said. "It actually collects the heat and releases it back into the building because of the nature of the density of the material."

The air space of up to several inches between the different masonry walls also

continued following page



continued from previous page

provides energy efficiency.

“With wood frame construction, they put up the two by fours that may be wet and then they put sheathing on the outside and cover it in plastic or building wrap. Then they put plastic on the inside and seal the water in there,” he said. “With masonry you can insulate between the walls and have clear air space so no water migrates.”

It might cost more to build with brick, but in the long run it is more economical,” Higginson added.

There has been considerable news coverage about earthquake concerns related to brick school buildings in Vancouver. Many of the schools have to be seismically reinforced.

Higginson explained that the work involves cutting into the existing masonry work and installing reinforcing steel. The cuts around the holes are then filled in with concrete grout to bring them up to standard.

Higginson admitted that there are cases of brick buildings being too unstable to reinforce. But even that news isn't all bad. If a brick building must come down, it is recyclable, he said. Clay brick and concrete brick can be crushed, recycled, and reused.

The International Masonry Institute (IMI), an alliance between the International Union of Bricklayers and Allied Craftworkers and their contractors, is working on a strategy to make builders, owners and the public aware of masonry's sustainability.

The IMI says masonry's sustainable virtues address concerns about durability, thermal resistance/energy performance, and indoor air quality.

These traits are recognized by the U.S. Green Building Council, the nonprofit building industry group that oversees the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, and other organizations that set guidelines for green design.

*George Berry, a Local 2 member, works in a trade that fits well with green construction practices.*

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BCYT-BCTC President, Business Manager  
Operating Engineers Local 115

## Our governments are giving away our jobs

### WHERE IS THE BALANCE

between private markets and public benefits? We can all agree that free markets allow consumers (government or private) to find the lowest bid for their construction and maintenance needs. But balancing public interest becomes trickier when we include factors like training, local hiring, job safety and quality product. Low bids are easy to measure—best bids take a bit more time.

Take for example the recent federal government purchase of a new crane for the Esquimalt Graving Docks. The \$5.5 million crane was awarded to KoneCranes Pic of Finland. The crane was manufactured in China. When 25 Chinese workers showed up to assemble the crane the alarm bells went off. Konecrane said that the Chinese workers were needed because the crane was so complex that the same workers involved in the manufacture were needed to assemble the crane. According to Konecrane, warranty issues required the Chinese workers.

First of all, there is no building job too complex for journey level Canadian workers. Ironworkers are fully qualified and experienced in crane assembly. If the warranty is the stumbling block, then the government shouldn't have opted for the Chinese crane. Did the federal government even ask about the cost of not employing Canadians when over 50% of Canadian ironworkers are currently unemployed? What is the loss to the local economy when wages are shipped offshore? What about the loss of training opportunities for Canadian apprentices?

Unfortunately, the Esquimalt Graving Dock crane is only the latest in a series of offshore, out-of-province purchases by the federal and provincial government. The \$365 million for the BC Place Stadium roof bid has short listed bidders from Quebec and Ontario.

B.C. taxpayers spent \$300 million for

Super C Class ferries built in Germany. Yet there was no investment in the province's future because not a single B.C. worker received training on the project.

It doesn't stop here.

The federal government recently capitulated to demands by the U.S. to resolve our difference over that U.S. government's Buy American law. U.S. based companies will be able to bid on local and municipal government infrastructure projects over \$8.5 million.

There is concern that these American companies will be exempted from fair wage requirements put in place by local governments like Burnaby. The Canadian government is selling local governments' ability to set their own tendering policies just so that we can ask the U.S. to abide by the terms of the Canada/US Free Trade Agreement.

We're also witnessing the sell-off our rivers. U.S.-based power giant General Electric has now become a major partner in independent power projects. GE is the major backer of Plutonic Power which is developing run-of-the-river hydro projects. It's a gradual sellout of our rivers to foreign private interests.

What's so disturbing about all this is the indifference of our provincial and federal governments. On April 9, the province and federal government signed an agreement that will do away with labour market surveys prior to issuing temporary worker permits. Now employers will be able to exploit cheap offshore labour without any concern

for the availability of Canadian workers.

It's outrageous. Building trades workers are experiencing the highest unemployment in over a decade. There are over 600 B.C. workers out of the province on work permits (mostly in Alberta and Saskatchewan). Many B.C. building trades local unions are suffering unemployment ranging from 30 to 60%.

A federal election is on the horizon. The next provincial election is three years away. They can't come soon enough. It's time for all construction workers, union and non-union alike, to take a stand. We need an end to governments that go offshore to build public infrastructure projects. We need elected representatives who will make sure that unemployed Canadians are the first to be offered employment on those jobs.



Jose Lam cartoon



Photo by Wayne Peppard

## B.C. Ironworkers lose crane assembly jobs Which trade is next?

By Tom Sandborn

**IN THE FIRST SALVO OF WHAT** promises to be a huge campaign, over 100 members of Ironworkers Local 97 and their supporters rallied at the federally owned Esquimalt Graving Dock outside Victoria late in March to denounce a deal which bypasses the over 30% of ironworker members who are unemployed, according to Business Manager James Leland. The work is being given to workers from China who are employed by Konecranes PLC, a Finnish multinational construction firm.

Scott Gilbey, from Konecranes, told the *Victoria Times Colonist* that the new crane is so complex that it requires the same people to erect it who were part of its construction from the start.

Leland doesn't agree. "Our members put up the last crane that went in at the docks and we could assemble this crane too. Ironworkers have been building and erecting cranes in B.C. for 106 years. Erecting cranes is what we do and we do it well."

On March 31, a freighter arrived in Victoria harbour delivering an enormous \$5.5 million crane built in China for the graving dock. (A graving dock is a type of dry dock. A ship is floated into the structure and water is pumped out which allows repairs and maintenance work to be done below the waterline.)

"We got caught in the middle of this," said Graving Dock Director James Milne. "We're not allowed to specify Canadian content in a deal like this."

Ruslan Tracz, a media spokesman for Public Works and Government Services Canada, told the *Times Colonist*, "Konecranes had the lowest bid and the Government of Canada could not stipulate local content in the contract with Konecranes as per our international trade commitments." In an email to *Tradetalk*, Tracz said the project is covered by the North American Free Trade Agreement and the World Trade Organization.

Leland is skeptical. "It isn't true that international trade agreements allow them to bring these workers in. If they were supervisors or if they had special proprietary knowledge, it might be legitimate for the company to bring them in. But we have no evidence the workers coming are the same ones who built the crane or that they have special proprietary knowledge. They certainly aren't all supervisors!"

According to Johanne Nadeau, who speaks for Citizenship and Immigration Canada, the Chinese workers were brought in as "business visitors," under the Immigration and Refugee Protection Act, not as temporary workers.

In an email to *Tradetalk*, Nadeau explained: "A business visitor to Canada is a foreign national who seeks to engage in international business activities in Canada without directly entering the Canadian labour market. They do not require a work permit. Now, a business visitor is different



from a temporary foreign worker. A temporary foreign worker is selected to meet a Canadian employers' needs when there are not a sufficient number of Canadian workers. In most cases, employers must demonstrate that they are unable to find suitable Canadians or permanent residents to fill the jobs, and that the entry of these workers will not have a negative impact on the Canadian labour market. A business visitor is considered to not be directly entering the Canadian labour market if the principle place of business and actual place of profits remain predominantly outside Canada."

Leland said, "We're asking all building trades workers who read *Tradetalk* to send an email or a letter to their MPs protesting this [job] give-away... The way this loophole is allowing a foreign company to do work with foreign workers here in Canada hurts Canadian business and all Canadian workers. Canadian tax dollars shouldn't go for a Chinese stimulus package."

He said the ramifications of his local union's dispute with the federal government go far beyond the 25 jobs currently at stake. If foreign workers can be brought in to assemble or install any machinery bought outside Canada, it could have immense implications for Canadian workers in the future.

"Who's going to put in the turbines at the Site C dam?" he asked. "This threatens everyone in Canada who works in the building trades. No other modern nation allows this. I hope everyone who reads this story speaks out and lets the government know this isn't acceptable. It is very important that everyone in the trades understands this could come around and bite them too. Look at the upcoming Kitimat liquid natural gas plant. Will that be built by offshore workers?"

The Esquimalt Graving Dock is the largest civilian graving dock on the west coast of North America, measuring 357.5 metres by 38.4 metres (1,200 feet long by 135 feet wide). The north landing jetty is 305 metres long (1,000 feet) and contains 10 metres of water (30 feet) at low tide.

According to Graving Dock director Milne, local workers will be used in a planned "mid-life refit" of another crane at the docks and in disassembling another crane that has already provided 55 years of service. He could not say how many local jobs would be created by these two projects.

## Employers looking for loopholes

The B.C. Building Trades Council provides advocacy for its local union affiliates on many fronts. Three times a year, the council gathers reports from every local on the number of members available for work. The reports are primarily for the benefit of the Temporary Foreign Worker Unit of Human Resources and Skills Development Canada office in Vancouver. The latest report, gathered in April, showed that up to 50% of members are out of work in some trades.

However, savvy employers are finding loopholes to get around the policies put in place to ensure employment for Canadian workers. They are bringing in cheap temporary workers using "business visitor" classifications and "inter-corporate transfers of employees."

These escape clauses are found in free trade agreements that Canada has signed with the U.S., Mexico, Chile, Costa Rica, Peru, European countries and Panama. Colombia will soon be added to the list.

The inter-corporate transfer was supposed to be for senior managers of corporations that have established legal entities in both countries. This exemption was intended to protect intellectual property and enable companies to carry out their unique business practices. But the exemption enabled a loophole for companies to import lower wage-earning foreign workers without interference from governments and local communities.

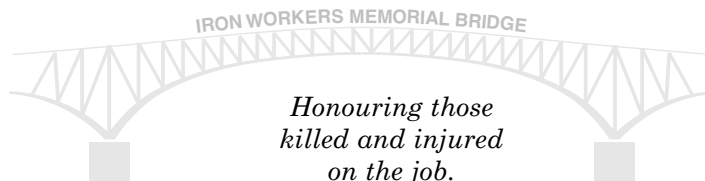


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*Doug Fisher, 47 and a mixer truck operator for Rempel Bros. Concrete Ltd. since 1987, said, "If someone doesn't stand up, you're stuck with it."*

## **“Fiercely non-union” Rempel Bros. now a union company**

*By Leslie Dyson*

Fear gripped Doug Fisher's heart. "I looked around the room and thought, these people are going to buy it...It scared the hell out of me. In a few days we were going to be CLAC! We had to do something fast—very fast."

Doug Fisher, 47 and a mixer truck operator for Rempel Bros. Concrete Ltd. since 1987, said, "this is a great company to work for. It's been steady and very diverse. There's lots of variety and opportunities to advance. It's worked out very well for me and allowed my wife to stay home and raise our kids. And there's not a lot of stress."

These aren't the usual preconditions of a union organizing drive. So, what happened?

Doug Blender, general manager of Rempel Bros., a "fiercely non-union company" by his own account, decided to take union organizing into his own hands to try to stave off any more organizing drives by the Teamsters Local 213 and Operating Engineers Local 115. He decided the Christian Labour Association of Canada (CLAC) was a

much better fit for the employees and the company. But his plan completely backfired.

When asked to comment on the situation for this article, Blender said, "Nope. Not interested in it at all."

No one else from the company returned our calls.

Rempel, with 132 employees in 8 locations in Metro Vancouver, is a subsidiary of the Lehigh Group of Companies. It employs mixer truck drivers, pump operators, maintenance staff, plant operators and mechanics, according to Local 115 organizer Rob Duff.

Fisher acknowledged that there had been previous union organizing drives and that he was "partially responsible" for some of them. "I could see the corporate changes and I knew this was coming. I wanted to prevent it and to protect ourselves. We have a great package and we want to keep it."

An attempt by the Operating Engineers, in 2005, failed in the final vote. "And the reason it failed," said

Fisher, "is because people thought it [Rempel] was a still family. And it was a family business until it was sold" several years ago. "The general manager [Bob Fairbank at that time] played that [we're a family] card and won. I didn't like the methodology, but he played the emotional card and he won."

The Teamsters made another attempt in 2008. It was around the time that the economy collapsed. "We backed away because a lot of people were going to be hurt [by the declining economy]," said Lyle Kent, organizer for Local 213. "But we built great relationships with people there."

William Rolleman, a concrete pump operator with the company since 1994, said he was also involved in recent organizing drives and thought the results would have been better. "I call it the Rempel bubble," he said. "They [the employees] have been molded for many years" to accept that what's best for the company is also best for its workers.

Some time earlier this year, Blender met with CLAC. Even other company



staff had no idea about the arrangements being discussed until a few hours before the meeting with employees, according to mixer truck driver Peter Trueman. Trueman, 42, started working for the company in 1984 and grew up with the original owner's son.

On March 23, Blender called all the workers to a meeting to break the news. A CLAC representative was introduced.

Tony vanHengel, regional director of CLAC, told *Tradetalk* there were a number of representatives at the meeting. Then, strangely, his cell phone went dead and he would not return further phone calls.

Rolleman said Blender announced that a five-year agreement had been reached with a 5% increase in each of the first two years.

It was Fisher's birthday. He'd given up a family dinner to come to the meeting. "You can't imagine the surprise in that room," he said. "I couldn't believe what was happening."

"Our mouths dropped to the floor," recounted Trueman. "I'm not sure why they did it," he said. "There was probably an agenda we were not privy to. Maybe it was to go after work they haven't been able to bid on."

Trueman said that Blender told them that having a CLAC agreement would be "a great change and direction for the company."

Local I 15 organizer Duff said Blender also told the employees that if they didn't vote in favour of CLAC and the agreement, they wouldn't get the promised raises.

Blender then informed the workers that a vote to ratify the CLAC agreement would be held in two days.

Fisher said, "The company did a good job of building trust. [Now] that trust was being leveraged against the workers. I couldn't accept it. Somebody had to do something and I did. If someone doesn't stand up, you're stuck with it. And that's the position I found myself in on my birthday... A couple of us stood up and challenged them and asked for a few more days to consider the offer.

"What bothered me the most and what was most distressing," Fisher said, "was that the company said, 'If you don't like the CLAC, you can get rid of them after a year.' I've done the research. It's not difficult; it's damn near impossible!"

Rolleman knew a fair amount about CLAC as well. He went up to the CLAC rep at the meeting to offer advice. "I told him, 'You might get a little respect if you organized from the bottom up like other unions do.'"

Fisher was astounded to think that the day before the meeting he would have told anyone that there was "zero

chance" of success that his company would ever be unionized.

"Problems come when things are changed on a whim," Rolleman surmised.

Now the company had given the pro-union employees the catalyst they needed to launch their own union drive.

Rolleman noted that the company always said it was "on-side, but... I'm not naive. I'm always looking forward." He said he also felt some indebtedness to the work of the traditional unions. "We have good packages because of the unions and even the company has said this. Maybe it was time to pay the piper."

As soon as the meeting ended, Fisher and Rolleman called the Operating Engineers. A day or two later, a member from the Coquitlam plant called Lyle Kent from the Teamsters. Recognizing interest in representation from both unions, staff from the Teamsters and Operating Engineers decided to work together to assist the employees' organizing drive.

Trueman said he'd heard the name CLAC before but he decided he needed to do some homework.

"I have friends who are affiliated with them and I called them and they said, 'Stay away from them.'"

"I went to the computer and found out a lot about it... It's known as 'the management union' and the company [Rempel, rather than the employees] approached it and there must have been a reason. It was looking out for its best interests. I knew it wasn't the way to go."

Fisher, Rolleman and Trueman also looked over the contract.

"It was garbage," Fisher said.

He takes further umbrage with CLAC's name. "It's such a discredit that Christian is even in the name... It's always bothered me that they don't watch out for the worker," he said. "They say they'll represent us, but they'd been working for months with the company beforehand to work out a deal."

The three called an emergency meeting. "We ended up meeting the next night," Fisher said. "With just four hours notice, we had 12 guys from 4 [company] locations." Staff from the Operating Engineers was also able to attend.

Rolleman said the Rempel employees stressed that they knew their fellow employees best and wanted to lead the campaign and make the key decisions. Nonetheless, they greatly appreciated the assistance from union staff. Organizing drives often take months. These workers had just four days to get enough cards (45%-- plus 1) signed to

file an application with the LRB to be represented by the unions of their choice. The work had to be completed before March 30 when the CLAC vote would be held.

As that first organizing meeting drew to a close, Fisher said, "we all signed cards and took another handful each."

During the card-signing blitz, Trueman said he discovered that Blender's actions offended some employees who didn't want any union representation—Operating Engineers, Teamsters or CLAC. "Some people didn't want change. They feared any unions, even CLAC."

GM Doug Blender, surprised at the reaction from his employees, dashed off a memo on March 26 to explain his actions:

*Rempel and Challenge [a company division] have always been fiercely non-union companies. There have been eight attempts by unions over the last 20 years to unionize Rempel...*

*My concern is that one of these times you and I will not be successful in spite of our best efforts and end up with our employees being represented by a union that I don't believe may share [sic] our mutual values... Rempel needs a union that can fairly represent the employees without a confrontational style... We desire a union that does not force an employee to join their union...*

*Had we opened up this process to the employees within days of announcing our plans, any number of complications could have arisen. To avoid this, I made a decision to negotiate a first collective agreement...*

*Once again, let me sincerely apologize to all those employees who felt their trust in me had been misguided. I firmly believe this path I have taken is the right one and I encourage you to carefully consider my comments when you vote next Tuesday morning.*

In another desperate attempt on March 29, Blender wrote:

*As you all know, the company and CLAC have signed a 'voluntary recognition' collective agreement...*

*This vote is going ahead as scheduled and it will not be cancelled or 'blocked'...*

*Some of you may be confused by what is going on, so I am writing to clarify some things.*

*If you do not want CLAC or if you do not want to ratify the collective agreement, you do not have to sign an OE card... Of course, the company and CLAC would like you to vote 'yes' so we can implement a new collective agreement and get on with business...*

*In the company's opinion, the best option is to vote 'yes' on Tuesday morning...*

*Many large companies such as Kiewit, PCL, Ledcor and others have gone this*

**continued on following page**

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route and it has been very successful for the employers and employees.

On March 30, the vote on the CLAC agreement went ahead; 126 voted, with 61 in favour of joining CLAC and 65 against. It was a squeaker.

Blender reported the results to the employees that day and offered a little editorial comment. He noted that, "This means the company cannot legally implement the collective agreement," which everyone interpreted as meaning that the April 1st raise of 5% would not be forthcoming. They were right.

Blender also provided a glimmer of hope (from his perspective).

*The LRB will hold a vote next week to see if a majority of Rempel employees support those two unions [the Operating Engineers and Teamsters]. There is also a possibility that CLAC could be added to the LRB ballot in what is called a 'run off vote' but we do not know that yet.*

*I will keep you informed of developments.*

With so much at stake, the company filed a challenge with the B.C. Labour Relations Board on April 1 stating that the union cards being used by the poly party unions were not legitimate because they didn't carry the joint names of the Operating Engineer and Teamster unions.

On April 6, Bender again wrote to the employees:

*Traditional unions tear away at company-worker relationships, new age unions encourage strong relationships between employees, the union and the company.*

*Think carefully about what is currently happening, but more importantly think about your future at Rempel.*

That same day, the poly party unions filed an Unfair Labour Practices (ULP) complaint with the LRB saying that the company was trying to prevent employees from selecting a union of

their choice and refusing to provide the promised April 1 wage increase.

On April 8, employees voted on whether they wanted to become members of the poly party unions. A decision on whether an individual chose Local 213 or Local 115, specifically, would be decided later.

However, the ballots couldn't be counted immediately. The ballot box was sealed and sent to the LRB until the company's April 1 challenge was dealt with.

On April 12, the company filed its own ULP against the poly party saying the unions were using coercion and intimidation. The unions were flabbergasted. True, they had representatives sitting in cars in the parking lot keeping a close eye on the company's work yards. But that was because of the pressure tactics that the company had used in previous organizing drives. Remarks from a union official wishing good luck to two company mechanics was provided as evidence of coercion.

The company "was grasping at straws," Duff said.

On April 22, LRB registrar Allison Mateshkie dismissed the company's April 1 ULP complaint. The company's ULP of April 12 is still outstanding.

As a result of the LRB decision, the ballot box was opened that same day and the poly party certification vote was counted. This time, two more people voted (128) but the results showed little change in opinions—67 were in favour of poly party union representation and 61 opposed it.

There was no victory dance. The results were sobering and sent a clear message that there was still a lot of work to be done.

Rolleman showed up to work the following morning and was met by a fellow employee (who did not vote in favour of union representation) who

said, "I was expecting picket signs today." Rolleman was shocked and explained that unions don't call strikes at will and for no reason. "We crossed one hurdle but now we have to turn management and a good part of the workforce," he said. "There are a lot who don't support this,"

admitted Duff, "and we have to mend fences. They [those who voted against] had a perception that we were going to kick in the door. But that's not what unions are about. It's about representation. We have to prove ourselves to the non-supporters. But we stand behind what we do and time heals all wounds."

"On the very first day back, it was a very divided workplace," Fisher agreed. "But democracy has spoken. It's a done deal. Let's just do the best we can and get on with it."

He also predicted that "it won't be as dark as people think... People will still be doing what they do. I think they'll look back and say 'That wasn't so bad.'"

Rolleman said he is also trying to rebuild relationships with company managers. "It's still a good company and I've tried to get management to understand that you don't have 30-plus year employees if there aren't good things" being done.

Trueman attributed the anxiety immediately after the announcement of the vote to "just a big fear of the unknown." He emphasized, "We're all here to do a job and for our company to make a profit." Not yet finished a 14-hour shift, he added that union representation will be "a great change for this company... If my boys [aged 11 and 14] go into this trade, it will be better for them."

"The underdogs triumphed here," Fisher said. "It was workers standing together."

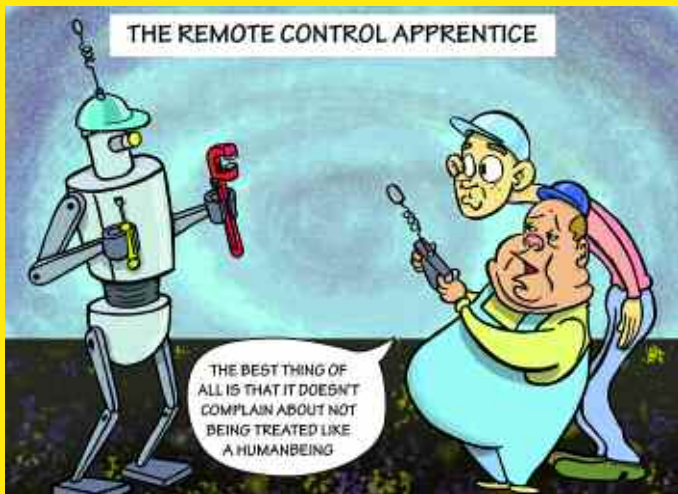
Rolleman, Fisher and Trueman have nothing but praise and respect for the representatives of the two unions. "We wanted control and we kept it," Fisher said. "We're grateful the unions did that. It was done clean."

"We don't yell or scream, explained Teamster organizer Kent. "We just get the job done without hurting anybody. It wasn't about hurting the company or doing any damage. It was about the company going in a direction without consulting the workers. We just went quietly about our business and they [the workers] liked our professional attitude."

Rolleman added that he was impressed that Brian Cochrane, assistant business manager of the Operating Engineers, responded to an urgent email at 11:45 on a Sunday night. "What more could you ask?"

The employees are now working with the company to come up with their first collective agreement.

Fisher kept a careful diary of the past several months and is now writing a book. The working title is "A Textbook Certification." He summed up the events by saying, "It's beyond amazing. It's a miracle."





# Six Steps to Mentoring continues the tradition

## “IT’S ONE THING TO BE ABLE TO DO

something effectively, but to be able to teach somebody how to do something, that is much more gratifying.”—Brooks Patterson, Construction Safety Officer.

The need for mentoring in the construction trades has never been more urgent as increasing numbers of skilled and experienced journeypersons near retirement. Passing down knowledge and skills through mentoring is how the trades have carried on for centuries. These days, although the need for mentoring is great, the time for mentoring on the job is becoming more difficult because of project deadlines and increased production pressures. Employers are relying more and more on the annual weeks of technical training to fill in the gaps.

*Six Steps to Mentoring*, written by SkillPlan, was developed to respond to this pressing need. It shows technical training instructors how to teach first-year apprentices to get the most out of on-the-job training and teaches final-year apprentices how to become effective mentors.

Mentoring, like working in a trade, is a learned skill.

In developing this publication, SkillPlan staff interviewed apprentices and journeyperson mentors in the trades to get their perspectives.

Apprentices said effective mentors are non-judgmental and take time to explain why things are done as they are.

Aran, an apprentice with Insulators Local 118, said the effective members that he’s had have created an open environment where he could ask questions without feeling judged.

“They took the time, whenever there was time, to do things like take me around and show me things that I wasn’t capable of doing yet. But they still explained how my small role fit into the whole thing and explained the next level.”—Lisa, apprentice, Electrical Workers Local 213

Just as being a good mentor takes learned skills, successful apprentices need to learn how to get the most from mentoring relationships. Here is what one journeyperson had to say about apprentices:

“What they need to do is prove themselves. One of the...‘catches’ of trades is that respect isn’t given because you



showed up. You have to earn it in every step that you take.”—Jud Martell, Training Coordinator, Sheet Metal, Roofers and Production Workers, Local 280

*Six Steps to Mentoring* provides first-year apprentices with a series of six lessons teaching them how to get the most from their training by paying attention to:

- 1) Effective communication
- 2) Active listening
- 3) Receiving feedback
- 4) Asking questions
- 5) Learning styles
- 6) Setting goals

In the final year of their apprenticeship, the six steps to mentoring focus on:

- 1) Identifying the point of the lesson
- 2) Linking the lesson
- 3) Demonstrating the skill
- 4) Providing opportunity for practice
- 5) Giving feedback
- 6) Assessing progress

Teaching how to mentor carries on the tradition and ensures the trades will thrive in the centuries to come.

If you are interested in learning more about *Six Steps to Mentoring* or other construction-related publications, visit [www.skillplan.ca](http://www.skillplan.ca).

SkillPlan

BC Construction Industry Skills Improvement Council

### Six Steps to Mentoring

1. **Identify the Point of the Lesson**  
Say what you are teaching
2. **Link the Lesson**  
Link this skill to other lessons and the trade
3. **Demonstrate the Skill**  
Show how to perform the skill
4. **Provide Opportunity for Practice**  
Have the apprentice use the skill repeatedly
  - Guided Practice
  - Limited Practice
  - Independent Practice
5. **Give Feedback**  
Tell how the apprentice is doing with the skill
  - Supportive Feedback
  - Corrective Feedback
6. **Assess Progress**  
Tell how the apprentice is doing in the trade

Six Steps to Mentoring, pocket card

## Six Steps to Mentoring

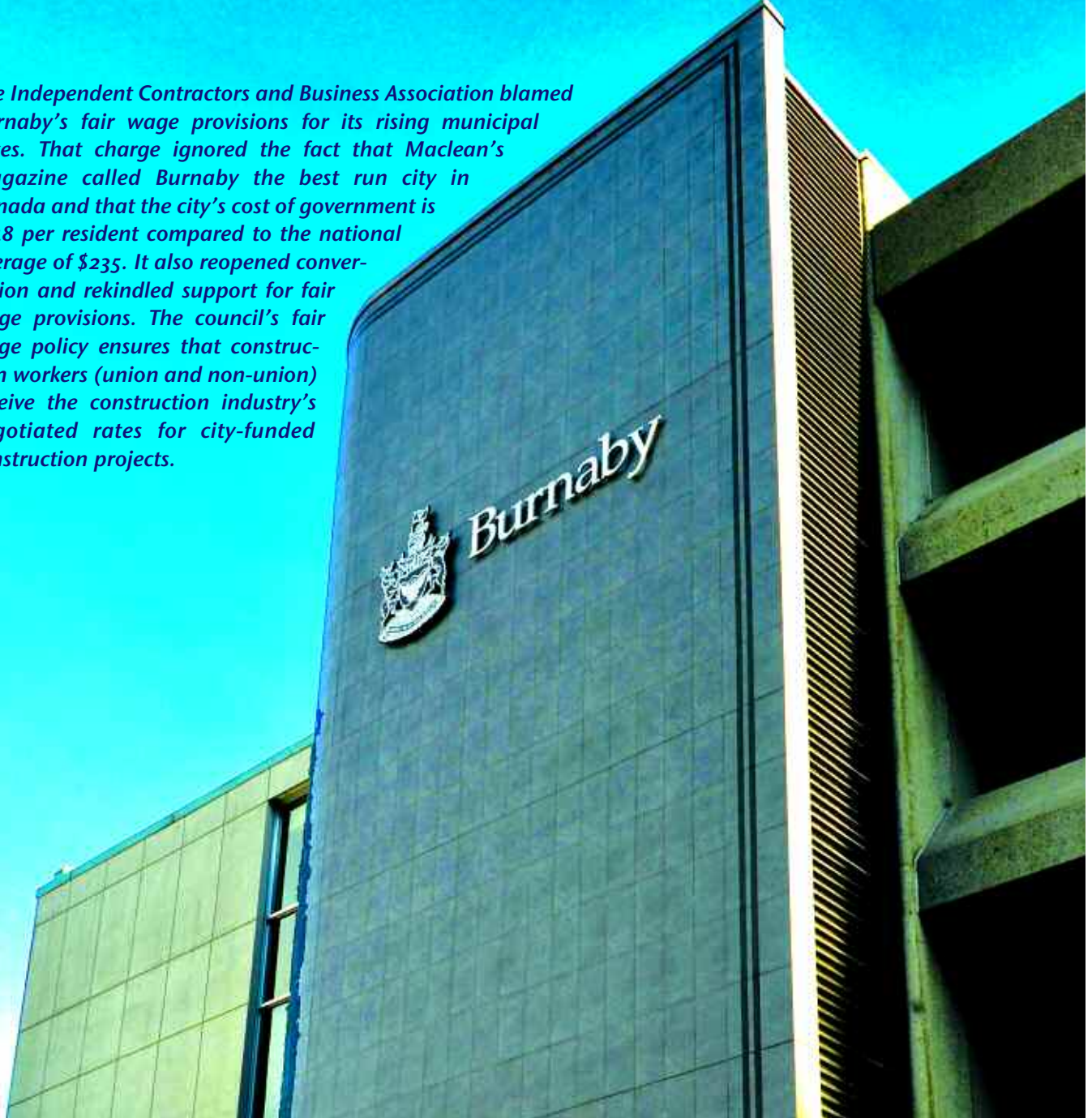
*Six Steps to Mentoring Instructor’s Guide* is a resource for instructors who want to include mentoring skills in technical training curriculum. This publication was developed with the help and input of industry trade Training Plan Coordinators.

A DVD that accompanies the publication contains interviews with real apprentices and journeymen about their experiences with mentoring. Scenes of apprentices and their mentors in various trades support points in the lessons, and show how the Six Steps are used on the job.

A pocket-sized card is a condensed version of the Six Steps and can be used as a quick reference while on the job or during technical training. All three products, the Instructor’s Guide, DVD and pocket card can be ordered online

Please visit us online at [www.skillplan.ca](http://www.skillplan.ca)

*The Independent Contractors and Business Association blamed Burnaby's fair wage provisions for its rising municipal taxes. That charge ignored the fact that Maclean's magazine called Burnaby the best run city in Canada and that the city's cost of government is \$148 per resident compared to the national average of \$235. It also reopened conversation and rekindled support for fair wage provisions. The council's fair wage policy ensures that construction workers (union and non-union) receive the construction industry's negotiated rates for city-funded construction projects.*



## Provocative remarks galvanize support for fair wage policy

*By Marco Procaccini*

**WHEN PHILLIP HOCHSTEIN**, from the Independent Contractors and Business Association (ICBA), charged that rising municipal taxes in the City of Burnaby were due to fair wage provisions, it started another round of debate about the policy and wages in general.

Hochstein said in a letter to the Burnaby News Leader (Jan. 22) that if the city council scrapped its fair wage provisions it would likely not have to raise taxes by 3.95% next year to cover its operating budget.

It didn't take long before the allegation was dismissed by city and labour representatives. The primary reason was that the tax increase is related to the operating budget. The fair wage policy

affects the city's capital budget.

But it gave Hochstein's opponents an opportunity to remind the public that Burnaby's proposed tax increase is among the lowest of all municipalities. And rising taxes are the result of provincial government offloading, crippling budget cuts and the transfer of property taxes from commercial businesses to residential homeowners (a strategy the ICBA supports).

Hochstein insisted that "Burnaby is clinging to an outdated, ill-conceived policy of forcing building trade union wages and benefits to be paid by private sector employers who are awarded city construction contracts... This so-called fair wage policy was brought in as an effort to help the old-line craft



unions and their employers stay competitive with the vast majority of the construction industry.”

However, Burnaby Mayor Derek Corrigan stated in the Leader (Feb. 26) that fair wage policies raise real incomes and contribute directly to local economic activity and prosperity.

“We need to see higher living wages in British Columbia, obviously, because we have such exorbitant housing costs,” Corrigan said. “We were named the best-run city in Canada (by Maclean’s magazine) and one of the reasons we’ve been so successful is our construction projects.

“We think the fair wage policy has been a big part of that. We oblige all companies [submit] bids based on the construction trades’ wage rates. That levels the playing field for all companies, both union and non-union, and that way nobody can bid for a job on the backs of their workers.”

He went on to assert that corporate forces that oppose such measures are taking advantage of their own employees to maximize their own profits and use their lower wages to underbid other companies and gain more control over local markets. “It really comes down to a right-wing ideological position taken by the provincial government,” he said.

Burnaby City Councillor Pietro Calendino dismissed Hochstein’s claims as fraudulent and purely self-serving. The city’s financial audits show that what it pays for building work is comparable to other municipalities.

“All our contracts compare favourably with those given out in other cities. Our staff does a thorough cost-effectiveness analysis of each contract and we approve them only upon staff’s recommendation,” he told the Leader. “The difference may be that contractors in Burnaby may not be able to pocket as



Shawn Luke cartoon

much of a profit as they do in other cities where the fair wage is not applied. Case in point is the Canada Line. The contractor bid at union wages and benefits plus profit, then hired foreign workers at wages as low as \$6 an hour and no benefits. Who gained there? Where did the profits go?”

The majority of economic reports show that fair wage laws, despite varying problems in different jurisdictions, generally do as intended, with more benefits going to local economic development.

Both Statistics Canada and The National Bureau of Economic Research in the U.S. show that, in the majority of instances where such policies have been introduced (unusually at the municipal level), local employment and wages increase and there is greater economic

stability. These findings are also supported by the Canadian Centre for Policy Alternatives and the Canadian Council of Social Development.

A joint study by the Harvard Business School and the universities of Utah and New York State reported that, because fair wage laws impose the same wage rates for union and non-union contractors, the market share for union contractors increases. That was attributed to the higher level of productivity that comes from more experienced and better trained tradespeople more common to a union environment.

It’s not surprising that the ICBA is concerned about fair wage legislation. The number of cities considering introducing such policy is on the rise in Canada and the U.S.

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# Your secret weapon—*note-keeping*

By Leslie Dyson



**When** Chris Chatten began one particular job, something he'd heard in a pipeline safety course stuck with him. The instructor was adamant about the importance of record-keeping.

"Anytime you're working," he said, "if you don't keep a daily log, odds are you're going to get f—d. What you write holds up in a court of law. Otherwise, who's to say? ...Five minutes a day can really cover your ass." It really resonated with me—especially with this job."

Labour lawyer Kevin Blakely reinforced Chatten's remarks. "The adage is, facts win cases. If you have evidence, you have a better chance of winning cases.

"All employees should be keeping daily records...Making notes of what days they work, the hours they work...events, conversations and incidents [and] anything inappropriate. After the boss leaves, write down what he said, what you said, and then tuck it back in your pocket."

Those records may prove crucial in cases involving employment standards, labour code violations, safety infractions and long-term worker compensation claims...and your memoirs.



## IN DAVID AND GOLIATH SCENARIOS, A FEW

regularly scribbled notes are powerful ammunition.

Chris Chatten, a 27-year-old member of the Construction and Specialized Workers Union Local 1611, not only received justice for himself, but for the rest of the crew as well.

Last winter, Chatten learned that the old Brilliant Bridge in Castlegar was finally going to be upgraded. "It was five minutes from the site to the door of my house and I thought does it get any sweeter?"

He went to Concreate USL Ltd.'s site office several times and was told repeatedly that they didn't need anyone else. But he persisted. Finally, on his fifth attempt he was told by the foreman that they might be looking for a sandblaster. "I told them, 'I've definitely done sandblasting. Here's my resume.'"

During the interview, Chatten said he was told, "We don't want any union bullshit. Are you a proud union member?"

"How was I supposed to answer this? But I said, 'Yeah, I am.' And he said, 'Well, we're a non-union company.'"

"I was hired on the basis of not raising 'union bullshit.' They trusted me."

Chatten was also told he'd be receiving \$18 an hour and his paycheque would reflect only 40 hours of work per week. The remaining hours would be banked (which is illegal in B.C.).

When he started work, he was surprised to see that he was the only local tradesperson. There were about 15 members of the crew and they seemed all to be from the Maritimes.

Not surprisingly, Chatten felt a little uneasy about the whole arrangement. "It seemed shady from the get-go so I knew I had to keep track" of hours worked and any irregularities. Indeed, at one point during the five-weeks that he worked on the site, WorkSafeBC shut down the job for a half day.

Chatten and others, dressed in safety suits, were sandblasting lead paint. However, when the lunch break came, they walked into the lunchroom in their dirty suits and Chatten said he could see the lead dust in the air. But the cigarette smoke was thick too, he added.

Chatten said he doesn't know who called WorkSafe, but an inspector arrived, stopped the work, told the company to build a decontamination room and sent the crew home to shave so that their respirators would fit properly.

Chatten took careful notes and wrote down what he did and the number of hours he worked. He made notes about safety violations too. There were a number of occasions when he was sandblasting alone and his air cut out. "I was struggling to get untangled and into fresh air. It was kind of a nightmare."

Although he knew he wasn't supposed to mention the word union, he said, "I did pretty much right off the bat."

"I was telling the guys, 'You're totally being bent over here.' They were working all across the country and not getting a cent in overtime. But they said, 'Well, at least we're working.'"

"I don't know why they didn't rat me out. I talked union even to the foreman. He was making \$19 an hour, just a dollar more, and he'd been with the company for 15 years."

Chatten received a couple of paycheques and saw that they were just for 40 hours each. Although he worked 11 hours a day, 7 days a week, none of his overtime was acknowledged. So, he went to the Employment Standards Branch. He was told he'd have to write a formal complaint.

He got the three-page form and filled it out. "It's quite daunting," he said. "I can't imagine how a foreign worker or



someone who's not gone to college would do it. They'd just say, 'It's not worth it.'"

A couple of days after he sent in the form, he received a call from a manager at the company. "The guy was clearly pissed off and wanted me back there."

When he arrived on the site, the foreman muttered, "You made a big mistake."

Chatten was told that if he wanted to receive his overtime, he'd have to sign a release form first. "I said, 'I'm not signing anything, but give it to me and I'll check it over.' But they wouldn't give it to me." So he left.

He received a call shortly after again asking him to return to the site office. The manager told him, "Just sign it and you'll get your cheque and you're done." But I said, "There's a bit of legal jargon here that I don't understand."

This time he was permitted to take the letter and have it examined by Local 1611's lawyer Kevin Blakely.

Blakely told him that it was just intended to protect the company from further action.

"I signed the letter and got my cheque, cashed it and wiped my hands of the whole thing."

Blakely said he's seen many cases where workers accept substandard treatment like these men from the Maritimes. "You can always find someone coming from a worse situation who will put up with it. They're coming from a harsh environment and they're willing to take less."

Chatten's father Chuck, vice president of Local 1611, subsequently went to the Employment Standards Branch and filed a third-party complaint on behalf of the rest of the crew so that everyone would get the overtime that was owed.

Concrete USL Ltd., with its origins in Moncton, NB but now based in Toronto, works mainly in rehabilitation.

Matthew McMeeken, a construction analyst for the company, said it is company practice to bank hours when the crew is working in Alberta. "We weren't aware of the policies in B.C." he said. "They (regular



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crew members) can choose to bank hours and some guys do that. I know that's not the case in B.C. so we're rectifying things on our end... We're now going through the process" of getting them their overtime pay.

Chuck Chatten raised another point. Concrete USL Ltd. underbid local companies interested in and fully capable of doing the Brilliant Bridge job. "The difference was under \$50,000, less than what the out-of-province company was trying to save in overtime rates—between \$80,000 and \$100,000!

"It seems awfully short sighted to take money out of the local economy when the bids are close. It's downright immoral when the bid differential comes at the expense of the workers," Chatten said.



## B.C. Building Trades Council Fred Randall Bursary

Two \$500 bursaries in memory of former MLA Fred Randall are available from the B.C. Building Trades Council.

Successful candidates:

- are members in good standing
- are enrolled in union-recognized trades training programs
- submit a 250-word essay on the topic "Commitment to Trade Union Principles"

Selections are made based on financial need, proficiency in the trade and the applicants' commitment to trade union principles. Joint training boards from each affiliated local union are invited to submit a name from its membership for consideration. The two selections will be made from those applicants. The deadline for submissions is the end of June.

Successful applicants are awarded their bursary upon confirmation of their attendance in their training program.

Contact Joe Barrett at the B.C. Building Trades Council Office at 604-291-9020 or email [jbarrett@bcbuildingtrades.org](mailto:jbarrett@bcbuildingtrades.org)

## OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL ASSOCIATION LOCAL 919



### Objectives:

- Encourage a high standard of skill among the members
- To provide the trade with competent workers
- To obtain and maintain a fair standard of wages
- To protect the jurisdiction of the trade
- To organize those working in our craft
- To advance the moral, intellectual, social and financial condition of all our members

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Surrey, BC

604-585-9198  
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# HST spells bad news for the building trades

By Claudia Ferris



Joshua Berson photo

**THE HATED SALES TAX IS OPPOSED BY 77%** of people in a recent Angus Reid poll. Individuals and families hate it, but business groups are lining up to support B.C.'s new harmonized sales tax (HST) which replaces the provincial sales tax (PST) and combines it with the federal goods and services tax (GST). Love it or hate it, the introduction of the HST has negative implications for the building trades.

The Campbell Liberals introduced the controversial HST legislation on March 30, even though they made promises prior to the last provincial election that they were not planning to do so.

Many people are trying to stop the HST from going ahead. A non-partisan citizens' initiative is trying to kill the HST by collecting signatures from 10% of voters in each of the 85 electoral ridings. If that threshold is reached by July, the government could be forced to scrap the HST or hold a referendum.

In B.C., PST was not charged on many of the services subject to GST. With harmonization, the range of services taxed is increased and businesses will have to charge customers 7% more for a total of 12%. This is a tax shift from business to the consumer. Cost increases created by the new tax regime will be hardest on low and middle income earners and on those not working steadily.

Lionel Railton, chair of the board of building trades pension administrators, is frustrated that money will be going to increased taxes at the expense of benefits. "We are budgeting an additional 3% on top of our costs to deal with the HST that will be charged as of July 1st, 2010 by our service providers", estimates Railton. "We will have to streamline benefits that aren't used as much and do more with less. This means members will be receiving fewer services than they are used to. Our plans are financially sound, but resources are finite and have to be used in the best way possible. It is likely that we

will be asking self-pay members to pay more."

Railton notes that the Operating Engineers Local 115 are going to the bargaining table with employers that are struggling already. The introduction of new taxes will make it all the more difficult to negotiate cost of living increases for members. "Our major agreements are up this year and we do not know what the full costs of the HST will be and are still digesting the total impact. We do know that it will be hard to offload these increases onto our employers. Members using third-party administration services will be subject to extra costs and we will all pay more for heat, light, pencils and papers."

Wayne Peppard, executive director of the B.C. Building Trades Council, worries that the HST tax shift will harm consumer confidence. "We are facing increases in everything from haircuts to new homes. There are young families looking to get into the market and a whole bunch of boomers looking at retirement who will be reassessing what they can afford to buy. Cost increases will be passed on to those purchasing construction and this is likely to hurt the small measured recovery the economy has been experiencing. Many people may choose not to buy new homes or do major renovations."

Peppard is concerned about any added pressure on the already competitive construction industry. He pointed out that no one likes to pay taxes and it will be tempting for homeowners and companies in the residential economy to pay cash to avoid taxes. This creates a situation where liability is shifted onto the homeowner if anything goes wrong.

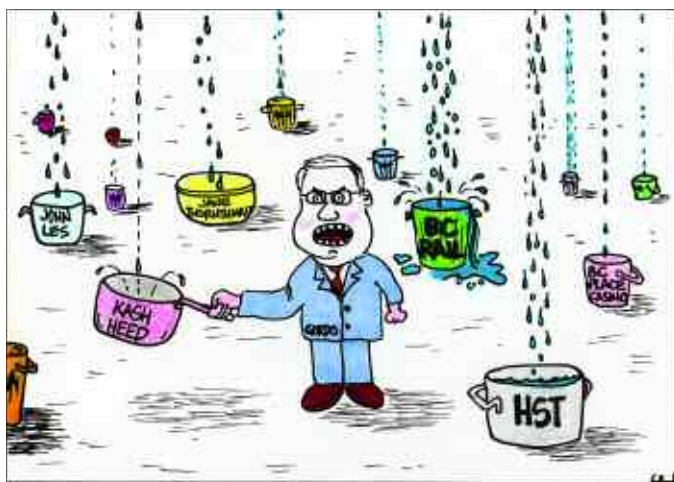
The residential housing market is the sector most vulnerable to tax evasion from dishonest contractors. A couple of years after the introduction of the GST, Statistics Canada estimated that the underground economy grew to between one and five percent of our gross domestic product (GDP). This translates to between \$21 billion and \$36 billion of taxable revenue lost to under the table transactions in one year. Cash in the underground economy takes money away from building and construction professionals, pension plans and the public purse.

Beginning July 1st, the federal government will collect all sales tax revenues from B.C. and transfer \$1.6 billion back to make the transition happen. As the costs of harmonized taxes are added up, it becomes obvious that advocacy is needed to mitigate damage to our most vulnerable industries and people.

Building trades representatives Peppard and Railton want governments to work harder to create a fair and transparent tax system that is not just offloading costs or liabilities onto consumers. They are calling on federal and provincial governments to develop a multi-faceted approach to prevent the underground economy from growing in response to the HST. They recommend public education to caution people about the risks they take if they try to avoid the 12% tax as well as random corporate auditing and a strong enforcement program.

"My view is that the government has broken an election promise and has to be held accountable", said Railton. "Our middle class is continually losing ground trying to keep up with inflation."

Jose Lam cartoon







**BOB BLAKELY**  
**VIEW FROM OTTAWA**

Director of Canadian Affairs,  
 Canadian Office, Building and  
 Construction Trades Department,  
 AFL-CIO

# The Canada Building Trades view of "Buy American"

## SUB-FEDERAL PROCUREMENT

between Canada and the United States is governed by the World Trade Organization's Government Procurement Agreement. All Canadian provinces and 37 U.S. states are signatories. The Buy American Canada-U.S. agreement came into force Feb. 16 and is in effect until September 2011.

Federal projects worth more than \$8.8 million still operate under NAFTA.

Canadian companies now have access to U.S. state projects. This means Made in Canada goods can flow to projects designated as American Recovery Act (ARA) projects. Canada is expected to benefit from \$6 billion worth of potential deals still available from the last quarter of the ARA and not yet tendered. There are some commentators who argue it is too little too late.

However, there is not full reciprocity on sub-federal projects such as those related to mass transit and highway construction or health care and social service contracts.

## OUR POSITION

We support:

- reciprocal procurement obligations between Canada and the U.S. at the state and provincial levels
- the Government Procurement Agreement as part of WTO

- NAFTA, wherein Canadian companies have access to U.S. federal contracts over \$8.8 million (Chapter 10) and where hands-on construction work is performed by the existing national workforce (Chapter 16)

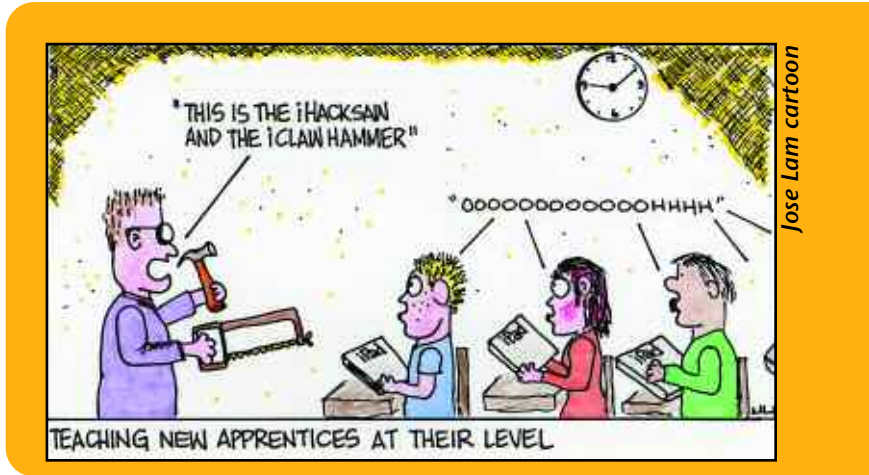
Our understanding is that if U.S. contractors come to Canada to do municipal work (for example, in Burnaby, Ottawa or Calgary), their work is governed by Canadian and provincial laws such as fair wage, safety, training and other requirements as applicable. There is nothing in the Buy American deal that erodes fair wage policies or Canadian standards.

This is a top-down organizing opportunity for the Building Trades affiliates. Municipal work could bring additional contractors into the marketplace. However, this agreement does not cover labour mobility and they will not

be able to bring their own workforces with them. American construction workers have no special priority and Canadian immigration rules still apply.

Affiliates should connect with these contractors to ensure they employ trained and experienced unionized tradespeople. Many large U.S. contractors are used to working in a unionized environment and are familiar with signatory processes.

There are useful links if you'd like to



Jose Lam cartoon

know more. Do a search of Buy American on [www.international.gc.ca](http://www.international.gc.ca) (Foreign Affairs and International Trade). There are several links on that site.

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Joshua Berson photo

## Legislation turns over organizing control to employers

By Tom Sandborn

**UNIONIZED BUILDING TRADES** workers in Saskatchewan are worried. The right-wing Saskatchewan Party has introduced new legislation that will, if passed, destroy 17 years of labour peace, cripple apprenticeship programs and set the stage for lower wages. Brad Wall and the Saskatchewan Party came to power in 2007, ending 16 years of NDP rule in the province.

Last March, Rob Norris, minister of Advanced Education, Employment and Labour, introduced Bill 80. The bill includes a back door “abandonment” clause that would let the government and employers wipe out existing certifications. Employers could walk away from union certifications if they can prove a union has been inactive for three years, even if that period of inactivity took place in the distant past, and even if the employer had no employees during the three years in question! “Bill 80 changes the rules retroactively,” said Terry Parker, business manager for the Saskatchewan Provincial Building and Construction Trades Council.

Bill 80, currently at the second reading stage, would create a much more chaotic system for construction labour relations because it also allows

employers to handpick labour associations they think will be more submissive and likely to accept sweetheart contracts. In addition, it will weaken apprenticeship programs and make organizing unorganized construction workers more difficult.

Parker said he sees these radical changes as a “political payback” to firms that support the Wall government. The council, Saskatchewan Federation of Labour and building trades unions are conducting an aggressive campaign to educate and mobilize Saskatchewan workers to oppose the bill.

The legislation would dismantle a system established in 1992, which mandated province-wide bargaining between construction employers and the Provincial Building and Construction Trades Council. Under that system, 12 construction trade unions, representing 24 of Saskatchewan’s apprenticeable trades,

bargain collectively with 6 employers’ organizations. It has resulted in labour peace, with no strikes in the construction sector since its introduction.

Bill 80 was brought in without any meaningful consultation with organized labour, according to an article by Kerry Wescott, of the Saskatchewan Federation of Labour. Union leaders received emails from the labour ministry hours before the bill was tabled and an invitation to view the bill



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just before it was introduced in the legislature.

The only labour support for the controversial bill came from the Christian Labour Association of Canada (CLAC) and the Communications, Energy and Paperworkers of Canada. CEP President Dave Coles hailed the bill as “a giant step forward for construction workers in the province.” The CEP has ambitions to expand into Saskatchewan’s construction sector and hopes the new legislation will help them do so.

Meanwhile, the entry of CLAC into the Saskatchewan construction sector could lead to lower wages for workers. A study comparing wages paid at an Edmonton remanufacturing plant covered by a CLAC agreement to the wages paid to members of the International Association of Machinists and Aerospace Workers showed that wages averaged 20 to 25% lower under the CLAC contract. The study also revealed other weaknesses in the CLAC contract such as fewer paid holidays and a weaker pension plan. (www.thetruthaboutclac.ca). Under Bill 80, its opponents say, these weaker contracts would increase.

B.C. labour leaders are concerned about what is happening in Saskatchewan. “This appears to be a piece of legislation that we would not welcome in B.C.,” said Jim Sinclair, from the BC Federation of Labour. “If the bill passes, it will be a set back for construction workers. It would undercut an important set of relationships.”

If Bill 80 goes through, more anti-worker legislation could be arriving here. If employers receive a gift like this from the Saskatchewan government, how long will it be before they approach the Campbell Liberals for similar changes in this province’s labour law?

There was no need for Bill 80, Parker said. “Saskatchewan is working now,” pointing out that the province has had the healthiest economy in Canada recently, growing by a remarkable 25% in 2008 while seeing the construction sector racking up over \$2 billion and employ 37,000 construction workers.



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Tracey Ford holding a photo of her father who passed away from mesothelioma. She helped launch AREA to support research, education and advocacy related to asbestos-related cancers.

## Finally, support for families facing asbestos- related diseases



Joshua Berson/BC Federation of Labour photo

### HALF OF THE FATALITIES

accepted by WorkSafeBC in the general construction classification are caused by exposure to asbestos. However, according to research by Paul Demers from the UBC School of Environmental Health, many cancer deaths are misdiagnosed. In many cases, asbestos poisoning is only confirmed by autopsy. A minimum of 1,500 B.C. workers will die of mesothelioma and other asbestos-exposure illnesses in the next five years. The number of fatalities will crest sometime in the next 10 years.

Yet families confronted with asbestos-related cancers and mesothelioma soon discover a lack of information and support.

The AREA (Asbestos-related Research, Education and Advocacy) Fund is an initiative of the widow and daughter of Dave Ford, a retired industrial electrician at the Powell River pulp mill, who died at 70 of asbestos fibre lung cancer

(mesothelioma) in 2008.

When Dave was diagnosed with mesothelioma the family was shattered. Ford's retirement years had barely begun. The family was frustrated by not knowing where to turn for help. They were also stymied by the unwillingness of people in the community to talk about the disease. Fear of attacking the town's main source of income or labeling the community as "toxic" provoked a backlash from some city politicians.

The AREA fund is the only fund in Canada established to support research, education and advocacy for asbestos-related diseases. As an endowment fund, it will exist in perpetuity and grow with each donation, generating revenue over the long-term. The Vancouver Foundation is hosting the AREA website at [www.areafund.ca](http://www.areafund.ca)

One of the goals of the AREA fund is to provide education for health practitioners. Mesothelioma is difficult

to diagnose and even more difficult to treat. Local doctors are sometimes unwilling to accept the opinions of specialists from Canadian and American centres with asbestos exposure expertise.



In the meantime, Wayne Peppard, from the B.C. Building Trades Council, said, "This carnage from asbestos-related fatalities is disastrous for those workers and their families...It's long past time that the Canadian and Quebec governments stop the production and use of asbestos. It's simply too dangerous a substance and the statistics prove it."



# Anti asbestos bill before Parliament

Federal New Democrats have introduced a bill to ban the mining and export of asbestos.

The NDP is calling for worker protections and support for regions that are already feeling the effects of mine closures and an industry in crisis.

“Remedial action is needed across the country to ensure workers, their families and the public are protected from

exposure to asbestos fibers,” said party leader Jack Layton in a letter to the B.C. Building Trades Council. “We know also that exported asbestos has had devastating consequences in countries that are not equipped to protect the workers who must handle it.

“For these reasons and more, New Democrats stand with the Canadian Cancer Society in calling for a ban on asbestos.”



The Canadian Society for Asbestos Victims

## Support and educational services available for victims and family members

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# Building trades building community

By Marco Procaccini



Joe Barrett photos

**“What we do for ourselves dies with us. What we do for others and the world remains and is immortal.”— Albert Pike**

The labour movement across the globe has, by tradition, been a strong participant in community service, social justice and charities for centuries. The Building Trades in B.C. are no exception.

Of course there are the briefs and presentations to various governments regarding anti-poverty and homeless issues and individuals coaching sports teams, volunteering with community organizations and engaged in local political groups.

Several building trades affiliates, in particular the IBEW Local 213, have been strong supporters of Protein for People. The campaign, led for five years by John Radosevic, former fisher and retired president of the Fisherman's Union, buys surplus canned salmon from processing plants at a low rate and gives them to food banks to help meet the growing demand for protein.

“We buy at the [fish packing plants] [and] put our own labour-oriented label on it so food banks and their clients know where it comes from,” he said. “We also sponsor community forums on labour standards, housing, and things like El, workers' comp, and other related things. Most food bank clients aren't union members so they don't have the knowledge or the protection of their rights. We try to impart that knowledge to them as best we can.”

Radosevic is meeting with the other affiliates of the B.C. Building Trades Council to convince them to come on board too.

The annual Christmas season food bank drives are supported by the B.C. and the Vancouver-New Westminster district labour councils. Since 1991, these drives have raised as much as \$27,000 in the move to alleviate urban poverty in the region.

The most spectacular show of community support is the annual Lights of Hope display at St. Paul's Hospital in downtown Vancouver between November and January. It is set up by volunteers and apprentices of the Electrical Workers local unions in the province. The display, featuring over 60,000

*Members of the building trades and their families participated in Steps for Life in May. The event raised awareness of the many tradespeople who have died due to exposure to asbestos and the impact this has had on their families.*

lights, stars and a four-storey candy cane, helps raise over \$2 million each year.

The recent donation by the council to aid relief efforts in Haiti in the wake of January's devastating earthquake and the resulting homelessness, starvation and crime is another case.

“Union members and working people everywhere can't help but be moved to action by the pictures and accounts from Port-au-Prince after that powerful earthquake,” said Mark Olsen, president of the Bargaining Council of BC Building Trade Unions. “We moved immediately to do what we could do to help.”

One of the more high profile-projects has been the support of Variety Club initiatives. Variety is best known for its annual telethon and much of its support comes from community and labour organizations such as the Operating Engineers Local 115.

The local union made a \$10,000 donation (almost a dollar per member) this year and has also purchased modified mini-buses to assist people with physical impairments in their transportation needs.

“In addition to this donation, Local 115 members contribute time and money to a host of worthy causes in their own communities around the province,” said Business Manager Gary Kroeker. “Collectively, we help to keep our communities healthy and livable.”

Variety and the UBC's Centre for Research in Childhood Diabetes are also supported by the other trades through the council's annual B.C. Building Trades Charity Golf Tournament. Over the past 10 years, the council has raised over \$180,000 to fund research into the generation of Islet cells—the main producers of natural insulin.

Last year, volunteers at nine liquor stores collected over \$6,700 during DADs (Dollars Against Diabetes) Day. You can participate in this year's campaign on Saturday, June 19 by contacting your local union or the council at 604-291-9020.

Of course, people in the trades have skills that are in high demand by groups like Habitat for Humanity. This is a global effort to address homelessness and poverty through the construction of low-cost housing with volunteer labour.

“Since its inception, in 1976, over 60,000 housing units have been constructed in 57 countries worldwide to assist low income working families solve their housing problems,” said Executive Director Wayne Peppard. “The first Habitat for Humanity project in B.C. got its start in 1999 with a significant commitment of volunteer effort by skilled construction trades workers from our affiliates.”

Statistics Canada reports that wages overall have been falling relative to the cost of living for almost 30 years, making housing less affordable. Rising housing prices and reduced government investment in social and cooperative housing has put more pressure on Habitat.

The current trades-sponsored townhouse project in Burnaby will see 28 more family units built over the next four years.

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# Don't become another worker to mourn at next year's Day of Mourning

DON SCHOUTEN

JOB SAFETY

By Don Schouten

With the busy building season ahead, I can't help but remember the story that Noreen Carlton shared on April 28 in Kelowna. Like many others who were speaking at Day of Mourning ceremonies throughout the province, Noreen shared how her family has been forever changed by a preventable workplace accident.

On May 30, 2008, Noreen's son Randy Carlton was working on a residential roof when he slipped and fell 14 feet. Waiting for her dad to finish work that day, Randy's 16-year-old daughter witnessed the entire accident and saw her father land head-first on a concrete slab.

Because he wasn't wearing any fall protection equipment, Randy suffered serious brain injuries. He won't ever work again, but he lost much more than his career: He cannot speak clearly, loses track of conversations, and often repeats himself because he simply can't remember. Even though it happened two years ago, Randy and his family continue to suffer from the consequences of that preventable fall.

But for some workers, workplace

injuries are fatal. Last September on Vancouver Island, a worker who was repairing gutters fell 14 feet and died. The ladder wasn't properly secured.

According to our numbers, falls represent about a quarter of all construction-related claims and lead as the industry's most frequent accident type. Between 2006 and 2008, construction workers who were injured in a fall were off work an average of about two months.

Falls in construction don't just happen from roofs or ladders. Falls from scaffolds, platforms, the top plate, openings and formwork also cause injuries and death. Sometimes, all it takes is a simple trip on the floor to keep you out of action for an average of about six weeks.

Safety is everyone's responsibility. By working together, you can help keep yourself and your co-workers from becoming another statistic at next year's Day of Mourning. Like all accidents in construction, falls are preventable. Keep safe by:

- planning for safety—Have the right tools and equipment to do the job safely. Make sure your equipment

meets safety standards and is properly maintained and have a written fall protection plan in place and follow it.

- working safely—Ensure your ladder is properly set-up and secured. Cover floor openings and make sure you're properly tied off at all times if you're wearing fall protection equipment.
- refusing unsafe work—Always remember you have the right to refuse unsafe work.

A fall could change your life or end it. You owe it to yourself and your family to keep safe and make it home at the end of the day.

You can find resources focused on preventing falls on WorkSafeBC's website at: [www2.worksafebc.com/](http://www2.worksafebc.com/).

Please let me know your thoughts on this, or any construction safety issue. Call me at 604-214-6989 from the Lower Mainland, toll-free elsewhere at 1-888-621-7233, or by e-mail at

[Don.Schouten@worksafebc.com](mailto:Don.Schouten@worksafebc.com).

*Don Schouten is the WorkSafeBC Manager of Industry and Labour Services, Construction*

## Day of Mourning, April 28, 2010

William Maarasman, from Electrical Workers Local 213, with a hardhat sticker that says it all. Tracy Fan, 12, spoke movingly about the impact of her father's work injury. She is the daughter of a farmworker who tried in vain to save two co-workers and is now in a coma after inhaling toxic fumes at a mushroom farm.



Joshua Berson photos



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