

BCGEU Comp-Ten Report

DECEMBER 2023







Preventing hypothermia & frostbite p.3 • Talking about mental health p.5 Year-end review p.6 • Winning grievances p.8

Survey: Listening, learning, and making headway on your concerns

In August we surveyed the component about working conditions, the tools and supports you have from your employers and our union, and how you are affected by the rising cost of living. Over 350 members responded and here's what you had to say:

WHAT YOUR EMPLOYER SHOULD IMPROVE ON

34.9% rated the **tools and equipment** you have to do your
job as fair; 23.3% said they are
good or very good; and most
(41.7%) said they are poor or very
poor.

When it comes to your employer addressing workers' complaints and concerns, 28.7% said they are doing a fair job; 19.3% said they are doing a good or very good job; and the majority (51.8%) said they are doing a poor or very poor job.

Employer **training and education** is rated good by 25% while 44% of workers said it was poor.

Only 32.8% reported feeling they have **opportunities for advancement** at work.

WHAT OUR UNION SHOULD IMPROVE ON

56.8% said union **training and education** is fair to very good; while 43.2% want to see it improved.

SURVEY FACTS

- ⇒ Just 7.5% of the component has been on the job for less than a year.
- ⇒Most members live over 10 kilometres from their worksite (57%).
- ⇒73% of members have a shop steward at their worksite.
- ⇒Just 43% of members have met their local chair.
- ⇒After email, members' second choice for receiving union communication is inperson.

48% rated our union's understanding of **member concerns** as fair to very good while 51.8% want to see and improved understanding.

50% of workers have a **labour** management committee but just 36% think it's working well.

Most **OHS committees** are working well, but you'd still like to see improvement.

61% of members are receiving **union communication** and while most find it relevant, you'd like to see improvements.

COST OF LIVING

75% of members reported three or more co-workers leaving in the last three years due to wages and working conditions.

99% of members who took the survey said they had concerns about making ends meet amidst the cost-of-living crisis, here are a few of your comments:

"From food, rent, and fuel. Everything is skyrocketing. Living paycheque to paycheque. Mental health is affected on a daily basis."

"Fuel has doubled. I use 65 litres of gasoline a week which used to cost me \$65, now it's \$120.

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Groceries seem to have increased by 40%. Insurance has increased \$300 bucks despite never having had a car accident in 30 years of driving. Everything has increased except my wage."

"It's much easier to go into debt for discretionary spending and there doesn't seem to be much left over after groceries and living costs are taken care of."

The results of this survey only re-confirm what we have been seeing and hearing from members - and where our component's focus has been over the last few years.

In the highways sector, we consistently raise the alarm about short staffing and inadequate equipment levels in meetings with the BC Road Builders and the Ministry of Highways. After the tragic and preventable death of highways worker Randy Sandberg, union OHS staff worked for two years to ensure a proper investigation by WCB resulted in a clear understanding of what happened, and what can be done to prevent a similar tragedy. As a result, WCB found the employer failed to provide a safe workplace and imposed five orders against them which will have effects throughout the highways sector.

When it comes to cost of living, we have shown government what you said in this summer's survey - the difficulty making ends meet, the effects on your mental health, the co-workers leaving for higher paying jobs. We continue to ask that the Ministry of Highways review the labour compensation (COLA) for 2023 and increase the amount, and we continue to await their response.



December 2023 Tripartite Meeting with BC Road Builders and the Ministry of Transportation.

Left to right: Rory Smith VP BCGEU Comp 10, Frank Anderson BCGEU Director, James Hayes Vice President Emil Anderson, John Cantlon BCGEU Provincial Bargaining chair, Chris Charbonneau BC Road Builders Board of Directors, Darrell Gunn Executive Director Northern Region MOTI, Courtney Hayes Manager of Divisional Operations MOTI, Kelly Scott President of BC Road Builders, Kevin Richter Associate Deputy Minister MOTI.

In 2024 the component will also be turning its attention to the growing issue of bullying and harassment at highways worksites. Our goal is to partner with employers and the Ministry to support this initiative at the worksite level, and to improve members' understanding of their rights, and what supports are available to deal with this issue. If we want a strong highways workforce with fewer staff shortages, all workers must be treated with respect which means we all have a responsibility to step up to fix this issue. We also continue to audit highway conditions and report deficiencies directly to the Ministry through our Safe Highways campaign.

Component 10 is also committed to supporting the health and safety of its members more broadly, including calling on government to address public transit violence and creating better functioning OHS committees. We held our first Component 10 OHS rep conference in 2022 and the

component is planning another OHS conference for 2024. These conferences provide an excellent opportunity for members to get the education and support they need to be informed and productive in their union roles. (For more information on the upcoming conference reach out to Wendy Mah at wendy.mah@bcgeu.ca).

Thank you again for participating in this survey. The information and context you provided helps your component executive have informed discussions about how to improve conditions and make the changes you want to see.

Rory Smith, Vice-President Operational Services



PREVENTING HYPOTHERMIA & FROSTBITE

With winter now setting in, it's time for outside workers to think about cold exposure and the risk of injury from hypothermia and frostbite.

The most severe cold injury is hypothermia - a result of excessive loss of body heat and lowering of the internal temperature of the body. Warning signs to watch for include:

- Complaints of nausea
- Drowsiness and poor coordination
- Numbness
- Irritability or euphoria

Workers can experience pain in their hands, feet and ears and severe shivering. Hypothermia can be fatal.

Frostbite is the second most common cold injury; often affecting the nose, ears, cheeks, fingers and toes. The cold constricts blood vessels which impair blood flow to the extremities. If blood vessels are affected, the damage is permanent and could result in amputation of the damaged parts. Signs and symptoms include:

- Skin is paler than normal, cold and hard
- Pain, tingling, or burning
- Numbness or aching
- Swelling and blisters

Cold exposure depends on temperature, humidity and wind chill. A key strategy is to wear layered clothing to regulate the amount of heat and perspiration generated while working.

It is critical to ensure the clothing next to the body does not get wet. Ensure the outer extremities are covered and take regular breaks in warm shelters. A proper diet and fluids will help to maintain heat and prevent dehydration.

EMPLOYER RESPONSIBILITIES

In British Columbia, the Worker's Compensation Board (WCB) uses Threshold Limit Values® for cold stress - published by the American Conference of Governmental Industrial Hygienists (ACGIH) as guidelines. The guidelines can be used by employers to conduct work/task assessments, create safe work plans, and monitor conditions to protect the health and safety of workers who may be exposed to cold temperatures.

Employers have a duty to take every reasonable precaution to make sure the work site is safe for the worker. This duty includes taking effective measures to protect workers from cold stress injuries when the work is done outdoors. The Occupational Health and Safety Regulation s. 7.34 requires employers to conduct a cold stress assessment to determine the potential for hazardous exposure of workers. The cold stress assessment should include the air temperature, humidity and wind speed to determine the wind chill.

If workers are at risk of exposure, the employer must implement an exposure control plan which includes effective engineering controls to reduce the exposure. Engineering

controls could include radiant heaters, shielding areas from wind or draft or using insulating material on equipment handles.

Workers must also be provided with education and training to be able to recognize signs and symptoms of hypothermia or frostbite. Workers should learn about proper re-warming procedures and other safe work practices, proper first aid response, and proper use of clothing, eating and drinking practices.

Cold stress and cold exposure assessments should be on your agenda of your next Joint Occupational Health and Safety Committee meeting. As a joint committee, review the regulation and guidelines to ensure preventative measures are discussed and in place as the colder weather arrives. Together, we can keep workers safe and healthy.

If you have any questions, email ohs@bcgeu.ca



WORKSITE VISITS

Worksite visits or member-tomember (M2M) meetings were difficult or impossible during the pandemic but since 2021, we've been getting back out there!

Last year we targeted six of the 12 locals across the province. We went to worksites in all those areas to discuss concerns with local chairs, workers as well as BCGEU staff. This year we did close to 70 worksite visits and other M2M visits when possible.

If you have not seen your component executive at your worksite and would like them to come by to discuss concerns, please reach out to your local chair or BCGEU area office and request a visit soon.

Get area office contact info here: https://www.bcgeu.ca/ full_contact





Local 1009 members in Nakusp B.C. Left to right: Arron Lintott, Ray Robson, Kevin Black (steward), Jim Kastrukoff (Local 1009 Chair), Ed Fahlman, Patrick Ponto (OHS).



Road crew Faulkland Yard, Local 1007, October, 2023.



Kevin Searle and Kim Tripp (BC Corp of Commissionaires) West Coast Express, June 2023.

TALKING ABOUT MENTAL HEALTH

Below are five steps outlined by the Canadian Mental Health Association on how to have a conversation with a co-worker that may be showing signs of mental health distress.

1. PREPARE

- Are you in the right frame of mind to start this discussion?
- Do you have access to resources you may need (crisis line numbers, etc.)?
- Do you have some time blocked off?
- Have you thought about where to have the conversation?

2. TALK ABOUT WHAT YOU SEE

Mental illness is not invisible, identify any changes to:

- Physical health
- · Eating habits
- Personal appearance
- Sociability
- · Errors or accidents
- Punctuality
- Response to new tasks and familiar tasks
- · Working more, unable to take a break

3. ASK IF THEY ARE OKAY-IN YOUR OWN WORDS

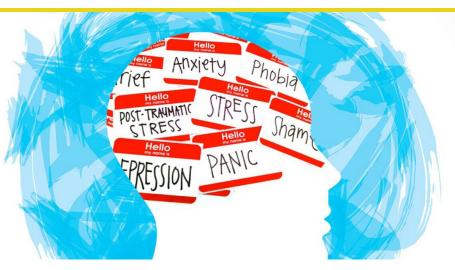
- Step back from assumptions
- Be curious
- Listen for understanding (see sidebar)

4. ASK WHAT YOU CAN DO TO HELP

Reassure them that you are here if they need you. If you are a supervisor, ask what you can do to help support their success at work:

- Consider small "a" accommodations (everyday changes and supports)
- Ask what the member is going to do to contribute to their success
- If appropriate, write next steps down either with the member or after the meeting

Important: If you get a sense that this is warranted, ask if they are thinking about suicide. Be ready to connect them to resources (crisis line etc.).



5. TAKE A MOMENT FOR YOURSELF

It's important to take a moment to thank yourself and acknowledge that you have approached an important conversation and have started to build a stronger relationship with another human being.

- Take a walk
- Grab a coffee/tea/water
- · Sit in silence for a few minutes

Visit https://tinyurl.com/2ar43yre to download a PDF of these five steps to print and post to your union bulletin board.

You can also visit https://bc.cmha.ca to find more resources from CMHA BC.



LISTENING FOR UNDERSTANDING

- Ask one question at a time
- Listen for the answers, allow pauses
- Avoid interrupting
- Seek clarification
- · Don't problem solve
- Take more time to gather information than you normally would
- Be aware if you are arguing or defending

YEAR-END REVIEW

This year was not without its challenges and as your provincial bargaining chair, I want to address four main areas of concern that we heard from 28 highways yard visits we did this summer, and that we'll continue working on into 2024:

- Our disappointment over the out-of-touch cost of labor allowance (COLA) that we received.
- The condition and lack of equipment we need to do our jobs.
- The unacceptable bullying and harassment of members at highways worksites.
- The reopener and bargaining process.

COLA

By now each yard should have seen a bulletin about the COLA formula and how the minister calculated this year's adjustment (you can find it here: https://tinyurl.comw/2yujaftf). The component was hopeful to have news from the Ministry before the end of the year, but meetings will continue into early 2024 regarding the proposal for additional money. Watch for bulletins in the new year for updates.

SAFETY

Many of the conversations we had this summer were about members' safety on the job. Whether we are performing physical labour or operating a piece of equipment, you have the right to refuse work you believe endangers your safety or those around you. If you

feel a work practice or piece of equipment is unsafe, report this to your supervisor immediately. Your supervisor is expected to investigate your concerns and make it safe for you. If you don't agree with the supervisor's response, invite an OHS representative or union steward to assess the situation; if you also don't agree with their assessment then call WCB. New legislation added in August of 2022 states that if the work being assigned to you was already refused by another worker for being unsafe, your employer must inform you **in writing** of the previous refusal, why the work is now safe and of your subsequent right to refuse (learn more at ohs.bcgeu. ca/right_to_refuse_faq). Any ongoing and habitual concerns can be addressed through a 21-day letter to WorkSafeBC. (A 21-day letter is a way to make written recommendations to your employer that, as the Workers' Compensation Act states, they must respond to within 21 calendar days.)

REOPENER BARGAINING

Earlier this year we started the process of negotiating reopeners with the road builders (contractors). Reopeners are a standard clause in all highway maintenance contracts that permit the reopening of a contract for new negotiations on a limited set of issues such as contracting out, bargaining unit work and healthcare benefits. Early on some positive progress was made and there was a hope for pattern language to be



Mica Creek 2007 by Ian Nobbs

established assisting in a smooth conclusion of this process. Unfortunately, progress has stalled as contractors dig in their heels around monetary issues. To date, we have ratified six areas which included some moderate increases in some paramedical amounts; newly hired mechanics will be paid at 100% instead of 80% to start; and the increase in eligible benefits from age 65 to age 70. We will be going to mediation in five areas, and we are planning more bargaining dates in six areas for the new vear.

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WORK SAFE BC

If you've witnessed a traumatic workplace incident you can contact WorkSafeBC's Critical Incident Response program.

It's free, voluntary and available seven days a week by calling 1-888-922-3700.

Source: https://www.worksafebc.com/en/contact-us/departments-and-services/critical-incident-response

HARASSMENT

This summer I was very concerned to hear stories from members in most of the areas we visited about constant bullying and harassment of fellow workers. Bullying by our members in leadership positions as well as by management has been observed, and I have witnessed this in my own area so am fully aware of how widespread this problem has become and the issues around the burden of proof. Blaming others and denying there is a problem will not fix this issue, we need to take a proactive approach, and that means checking our own behaviour and standing up for others when bullying arises. Our union takes this issue very seriously and as you will see, we'll be doing much more to address this in the new year. We all deserve to come to work feeling safe and part of the team. For now, my message to each member is to document and report to your shop steward any

situations where you feel you are being bullied or put down by anyone.

Our visits throughout the summer were productive and I'm personally very proud to be part of such a dedicated group of men and women who go to work each day to face down our challenges and ensure the public can travel safety throughout the province. That said, we recognize there are serious concerns out there and that the membership wants to see more visits from the union, more conversations and more solutions. As always, reach out if you would like to request a site visit or discuss a concern by emailing your local chair or vour area office. Get area office contact info here: https://www. bcgeu. ca/full_contact

In solidarity, John Cantlon Comp 10 Operational Services Provincial Bargaining Chair THE NEXT OHS
CONFERENCE IS
IN 2024

In 2022 we held our first Occupational Health & Safety (OHS) conference,

and the feedback

was overwhelmingly positive.
The conference was designed
specifically for Component 10
members and addressed concerns
and issues from around the
province.

The Component 10 OHS committee has received approval to move forward with the next conference in October of 2024 so watch for more information in the new year and sign up early for this important session.



Our union's OHS department develops health and safety courses, trains worker facilitators, schedules courses, and supports their delivery. Overall, the BCGEU puts on almost 250 OHS courses and trains about 3,000 people each year.

Visit ohs.bcgeu.ca to find news, details about courses, and lots of useful OHS resources.

NEW WORKSAFEBC RETURN-TO-WORK REQUIREMENTS TAKING EFFECT JAN. 1

Starting Jan. 1, 2024, employers and workers will be required to cooperate in a worker's timely and safe return to work after an injury. Additionally, employers with more than 20 workers will have a legal duty to maintain a worker's employment.

Visit https://tinyurl.com/mryuj7x2 to learn more about:

- the duty to cooperate which creates mutual obligations for employers and workers to cooperate with each other and with WorkSafeBC.
- the duty to maintain employment which means employers with 20 or more workers who have employed an injured worker for at least one year before their injury are obligated to maintain that worker's employment; and
- details around compliance with the new legislation



Below are a few recent grievances our union's legal team won for us as we continue to stand up for workers' rights.

PRT Growing Services Ltd. v. BC General Employees' Union (National Day of Mourning Grievance), [2023] B.C.C.A.A.A. No. 60

In this case the Employer refused to recognize the National Day of Mourning with respect to the death of Queen Elizabeth II as a holiday under the terms of the collective agreement. The Union filed a policy grievance and the matter was heard in front of Arbitrator Ken Saunders.

Arbitrator Saunders determined that the language in the Collective Agreement, which obligated the Employer to recognize "any other holiday proclaimed" was enough to capture the Day of Mourning, which had not been made a statutory holiday by either the provincial or federal governments.

Aim Roads Inc. v. BC General Employees' Union (2022/2023 Winter Season Schedule Grievance), [2022] B.C.C.A.A.A. No. 152

In this case the Employer attempted to implement a winter shift schedule that was not contemplated in the Collective Agreement. The parties had negotiated specific shift schedules which the parties could agree to and these were listed in the Collective Agreement. A grievance was filed and the matter was heard in front of Arbitrator Chris Sullivan.

At the arbitration hearing the Employer argued that the term "based on" meant that the Employer could create a shift schedule with shifts that were similar to, but not exactly the same as those set out in the Collective Agreement. Arbitrator Sullivan disagreed and determined that the Collective Agreement compelled the Employer to adopt one of the shift patterns that was specifically set out in the Collective Agreement. The Employer was ordered to agree to one of the shift patterns described in the Collective Agreement.

BC General Employees' Union v. PRT Growing Services Ltd. (National Truth and Reconciliation Day Policy Grievance), [2022] B.C.C.A.A.A. No. 131

In this case the Employer refused to recognize the National Day for Truth and Reconciliation as a holiday under the terms of the Collective Agreement. The Union filed a policy grievance and the matter was set down in front of Arbitrator Marli Rusen.

Arbitrator Rusen allowed the grievance and determined that the language "any other holiday proclaimed as a holiday by the federal, provincial or municipal governments" captured federal holidays, regardless of whether the Employer, which in this case is provincially regulated, was obligated by statute to recognize them as such.

Emil Anderson Maintenance Co. v. British Columbia Government and Service Employees' Union, [2022] B.C.C.A.A.A. No. 89

In this case a member was denied long-term disability benefits because they had been treated for the condition they were off work for within 90 days of becoming a regular employee and becoming enrolled in the benefit plan. The Collective Agreement stated that employees would be disqualified from long-term disability in certain circumstances if they had been treated for the condition which prevented them from working within 90 days before their "date of hire". The Employer's plan however contemplated employees becoming disqualified for long-term disability if they were

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treated for that condition within 90 days of going on to the benefits plan. The employee in question had been employed for many years but had only become a regular and gone on to the benefits plan recently.

A grievance was filed and the Union took the position that "date of hire" meant the date the employee started work with the Employer, not when they became enrolled in the benefits plan. Arbitrator Robert Pekeles was appointed to determine the issue.

Arbitrator Pekeles allowed the grievance after determining "date of hire" meant exactly what it said, that is, when they started work with the Employer, not when they were enrolled in benefits. The Employer was found to have purchased a benefits plan that was inconsistent with the Collective Agreement and this had resulted in the member not being able to access long-term disability. The Employer was ordered to make the member whole for the time they were off work and without pay and was ordered to provide a benefits plan that was consistent with the Collective Agreement.

Yellowhead Road & Bridge Ltd. v. British Columbia Government & Service Employees Union, [2021] B.C.C.A.A.A. No. 134

In this case an employee was terminated for allegedly scraping the side of another truck while passing them with their plow blade up. A grievance was filed and Arbitrator Mark Brown was appointed.

The Arbitrator determined that the Employer did not have just cause to terminate the employee and ordered his reinstatement. In coming to that conclusion the Arbitrator determined that the Employer's investigation was lacking, that the termination letter had misstated the facts, and that the Employer had excessively disciplined the employee by comparison with other employees who had been in motor vehicle accidents.

Acciona Infrastructure Maintenance Inc. v. British Columbia Government and Service Employees' Union (Turley Grievance), [2020] B.C.C.A.A.A. No. 156

In this case the Employer had unilaterally limited the number of employees able to attend monthly Occupational Health and Safety meetings to two despite the Collective Agreement contemplating an employee from each of the yards as well as an employee from the Mechanical and Bridge Crews being on the Occupational Health and Safety Committee. A grievance was filed and Arbitrator Chris Sullivan was appointed to hear the matter.

The Arbitrator ruled in favour of the Union and determined that the Employer had violated the clear and unequivocal language of the Collective Agreement. While the Employer argued that it had met the requirements of relevant health and safety legislation, Arbitrator Sullivan noted that this was a legal floor, which the Union and the Employer had negotiated above and beyond.

PTSD RESOURCES

People can endure a lot, but some experiences can be overwhelming. Post-traumatic stress disorder or PTSD is an illness that affects people who have directly experienced or witnessed a traumatic event. PTSD is part of a group of mental illnesses called trauma- and stressorrelated disorders.

By visiting https://www.heretohelp.bc.ca/ infosheet/post-traumatic-stress-disorder you can learn more about:

- What is trauma?
- Who does it affect?
- What does PTSD look like?
- What can I do about it?
- Where do I go from here?

Source: HeretoHelp, a project of the BC Partners for Mental Health and Substance Use Information



VP Rory Smith on the picket line in support of Sheraton Hotel workers on strike, December 2023.





Bob Dodding Local 1012

Bob retired from the Houston yard after 33 years of service on September 15, 2023.



Walter Chernoff Local 1009

Walter retired after 39 years as a trade journeyman mechanic in Grand Forks with Emcon and then YRB.



Lil Olsen Local 1009

Lil worked with the Kaslo road crew for about 15 years.



Eric Gesbrecht Local 1007

Eric retired after 29 years of service.



Dave Ball Local 1009

Dave retired after 20+ years on the road in Nelson.

On the BCGEU
Member Portal
you can find
your collective
agreement
or get news and
updates.

NOT SIGNED UP YET?

Visit <u>my.bcgeu.ca/signup</u> to join today!



The B.C. Federation of Retired Union Members (BC FORUM) is a province-wide organization representing members or retirees aged 50+. The recognized voice for senior unionists in B.C., they also provide access to savings on extended health & dental plans, home and tenant insurance coverage and more.

Retiring members may request that their local/component cover the cost of an initial, one-time membership to BC FORUM.

www.bcforum.ca

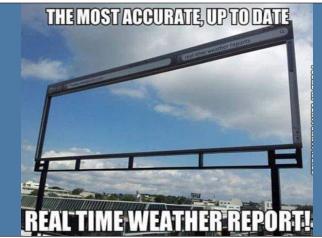
IN MEMORIAM

With our deepest condolences to their families and co-workers, we say goodbye to members who passed away in 2023.

Life member Walter Weiss has passed away. He was a Mechanic from the Grand Forks yard, Local 1009.

COMPONENT 10 FUNNY PAGES







When a snow plow driver sees



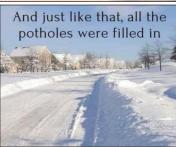












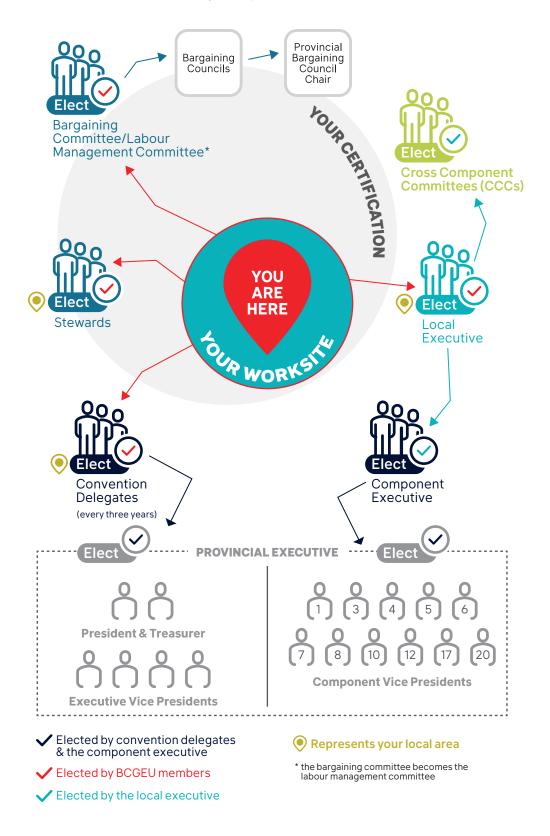


The annual meeting

of the Summer tires club

Union structure

The diagram below illustrates where you fit into the overall union structure, and how stewards, bargaining councils and committees are elected along with the local executive, the component executive and finally the provincial executive.



WORD SEARCH - COMPONENT 10 CERTS



M2M visits 2023

K V I S I T S W O U B C J C M Q E Y W H F R Z X J U R Z C S В NSEXDWL S Ε Α - [D TLEADE W M ΖP Т X N G G В G H ВО Ρ E A Ρ S Ζ C S Ε B W K Ε S S С Ε S W P Ν QOHC U Ε Ε G K ΖU Ν Ν ٧ ZΙ Χ T M ٧ Z U В W R S Ε B L Н 0 Υ Κ R K X A Ε Ν R R Υ S Α Ρ G K L W H S С Ν ٧ Ε R G Τ Ρ С Ζ Н ٧ Q Ε K H X S С S м н 0 S R Κ LEAG TIAMCHNZCAYYVMAZMI THORYE

BENEFITS BARGAINING CHALLENGES GRIEVANCES HARASSMENT LEADERSHIP MEDIATION MEMBERS MILEAGE **MONETARY** PENSION **REOPENERS** RETIREMENT SAFETY **STEWARDS VISITS**

COMPONENT 10 EXECUTIVE



Vice President Rory Smith Local 1004



1st Vice-Chairperson Lana Vincent Local 1003



2nd Vice-Chairperson Earl Haward Local 1012



Treasurer James Kastrukoff Local 1009



Bargaining Council Chair John Cantlon Local 1010



Recording Secretary Edward Brittain Local 1002

MEMBERS AT LARGE Kevin Searle Local 1001, Danny Campbell Local 1002, Greg Cole Local 1004, Michelle McKenna Local 1005, Lee Stone (acting) Local 1006, Mark Taylor Local 1007, Joe Pendry Local 1008, Curtis Biech Local 1011

For Component 10 Executive contact information go to: www.bcgeu.ca/component-10-executive

Story ideas and comments for the Comp-Ten Report can be submitted to Earl Haward at 1012@bcgeu.ca