

ALERT

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BCGEU members

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May 27, 2008

BCGEU submission to WCB hearings

In a submission to the Workers' Compensation Board (WCB) hearings into tobacco smoke regulation, the BCGEU is supporting planned changes which would ensure that workers are not exposed to environmental tobacco smoke.

However, the union is raising questions about when cigarette smoke is determined to have been "effectively removed." Here's what the brief has to say: "What the tobacco regulation and the *Workers Compensation Act* regulation do not quantify is what "effectively removed" means under the Workers' Compensation Regulation. The tobacco regulation simply states, that while a person is smoking a worker does not have to enter the area but implies that as soon as the person is no longer smoking a cigarette work can commence. The union submits that this regulation treats workers in community health and social services differently than other workers because it allows and enables exposures to cancer causing agents to transpire."

The union's submission asks that the regulation "be amended to include a provision that enables the client, the workers and the employer to understand what "effective removal" of tobacco smoke includes."

At the same time, the union is also making a submission on regulations regarding avalanche control, the transportation of workers and on various chemicals.

The brief makes reference to the "highly unpredictable" nature of avalanches and expresses concern about BCGEU members who have to work or travel through avalanche areas.

The union wants training for workers who are going into an avalanche area and that they be accompanied by another worker so that they do not work alone. "Employers should not be permitted to send workers into areas where there is a risk of an avalanche without training and preparing them," the brief says.

The continued use of the American Conference of Governmental Industrial Hygienists' (ACGIH) list of chemicals and their impact on reproductive or sensitization effects is being challenged by the BCGEU.

The ACGIH list no longer identifies chemicals with these type of problems, providing a lack of information and protection.

In light of this, the union is recommending the WCB use the Workplace Hazard Management Information System (WHMIS), which is recognized in Canada and has established the legal requirements for the identification of hazardous substances.

During oral hearings in January of this year, the chair of the hearings said they would review the recommendation.

The safety of workers while being transported is critical and the union is recommending that a vehicle inspection be done by the employer and that a copy of the inspection (with any corrections) be provided to the workers before the vehicle is assigned. The brief also calls on the regulations to be changed to place an onus on the employer: The union believes that not only should the employer be responsible for evaluating the weather, road and traffic conditions, but they should also make the decision on whether the transport should occur in adverse conditions."

The WCB hearings continue in the following locations: Kelowna (June 3), Victoria (June 5), Fort St. John (June 10), Cranbrook (June 12).

For more information and to read a copy of the BCGEU submission go the union's web site at www.bcgeu.ca.

