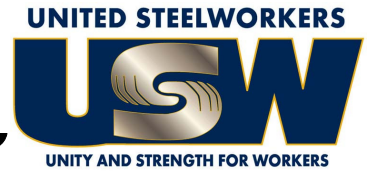




SafeTalk



Directors Day of Mourning Message



District 3 Director Steve Hunt, *"So as we always do, let us mourn for the dead. But let us also continue to fight like hell for the living!"*

April 28th is the day to remember our brothers and sisters killed or injured in workplace accidents or who have died or made sick due to job-related diseases.

It is the day to think about what happened and why, to think about how workplace fatalities occur, how they hurt people, their families, their workmates and their communities. And to consider ways to ensure they don't happen again.

When we remember it makes us feel sad. But we should also feel angry. After all, workplace injuries and fatalities happen over and over and nothing seems to happen to make things better. And we all know that accidents are often not just accidents.

We need to redouble our efforts to end the preventable injuries and fatalities in our workplaces, whether by eliminating hazardous substances in our workplaces, re-designing inappropriate equipment or training workers in the correct procedures in doing their job safely. We must ensure that all these things are done. But April 28 is also the day to review what we have done to stop the killing.

I'm especially proud of the labour movement's work. Without the efforts of trade union leaders, officials, activists and members across Canada, our workplaces would be even more dangerous, hazardous and toxic than they are today.

Together we have fought for and won occupational health and safety legislation. That includes such essential rights and achievements as the right to refuse unsafe work, workers' compensation laws and regulations, workplace inspections and enforcement, the right to know about workplace hazards and the right to participate in workplace safety.

I am also very proud of what our own union has accomplished.

The Steelworkers' strike in Elliott Lake in 1974 for instance led to the Ham Royal Commission, led to the workers basic rights that all jurisdictions enjoy today. The Ham Commission Report included more than 100 recommendations concerning mine health and safety.

Commission leader Dr. James Ham was also concerned about the administration of health and safety. He developed the idea of an internal responsibility system, which would require government, employers and workers to cooperate to improve health and safety. To implement this system, he advocated the creation of joint labour-management health and safety committees, with worker members.

Following the terrible explosion that killed 26 coal miners at the Westray Mine in Nova Scotia, Steelworkers were not only key players in the subsequent inquiry but also spent a dozen years fighting for what became the Westray amendments to the Criminal Code.

The inquiry clearly established the culpability of mine owners, managers and officials for what happened to those workers. I myself gave testimony on behalf of those workers and their families. At the end, Mr. Justice Peter Richard wrote that the Westray story was "a complex mosaic of actions, omissions, mistakes, incompetence, apathy, cynicism, stupidity, and neglect."

But existing law was not up to the challenge of ensuring that those responsible faced the consequences of their actions. So Steelworkers led a long, arduous lobbying effort that resulted in 2003 in the passage through Parliament of Bill C-45, the Westray amendments to the Criminal Code.

The key provision of the new law lays out the concept of *corporate liability*, stating that: "Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task."

Unfortunately we were seeing that it wasn't working-only 2 convictions out of approximately 7000 workplace deaths. Why don't we treat workplace deaths the same as we treat any other death? It's about time we did.

Recently, Steelworkers have tested that law with a private prosecution of Weyerhaeuser in connection with the 2004 death of Lyle Hewer in a New Westminster sawmill. For undisclosed reasons, the BC prosecution service declined to lay charges under the Westray amendments, even though WorkSafe BC fined Weyerhaeuser \$297,000 – the largest workplace safety fine ever levied in BC – and the New Westminster police recommended charges. So Steelworkers have prosecuted the case ourselves. Following two days of testimony, Justice Therese Alexander ruled that there is sufficient evidence for our private prosecution to proceed.

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HAZARD ALERT

Abrasive wheel on grinder breaks, killing worker

A worker was using a hand-held 5-inch angle grinder while working on a wrought iron gate when the abrasive wheel broke and pieces flew off. One piece cut into the worker's thigh, severing a large artery. The worker collapsed from the blood loss and later died.

The accident investigation found that the abrasive wheel that broke was rated for a maximum of 6,110 rpm but the angle grinder was rated at 10,000 rpm. As well, the abrasive wheel was larger than 5 inches in diameter, preventing the installation of the guard provided with the grinder.



Safe work practices:

- Use only abrasive wheels that match the diameter and speed (rpm) rating of the grinder.
- Before using a grinder, always make sure the guard is installed.
- Ensure that workers are adequately trained in the safe use of grinders and that they know about rpm limitations.
- Always wear adequate eye and face protection when using a grinder. Hearing protection and flame-resistant clothing must also be worn.

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Steelworkers' prosecution of the Hewer case is just one part of a larger campaign to "Stop the Killing" in BC's forest sector. After 43 work-related fatalities in 2005, most non-union, Steelworkers convened our Forest Fatalities Summit in Vancouver in December that year. We called on industry, government officials and regulators to explain, in the words of my co-chair for the event, former IWA Canada president Jack Munro, "What the hell is going on out there?"

The summit has led to measures such as the 2005 WorkSafe BC "blitz" of forest operations and the 2008 report by BC Auditor-General John Doyle, which said that the industry still had done enough to protect workers in the forest industry. It also led to 2007 amendments to the Occupational Health and Safety regulations which effectively re-regulated safety in the forest sector after they had been gutted by the BC Liberal government earlier in the decade. It was my own proudest moment in six long years as the only worker representative on the WorkSafe board.

Steelworkers also had standing at two key inquests into safety, the Ted Gramlich inquest in 2005 that revealed the terrible impact of contracting out and deregulation in the Coastal logging industry and the 2006 Frank Leroux inquest that did the same for Interior log-hauling. We have worked with Coastal fallers to encourage better workplace safety and we created the Forest Safety Network, an online service that reports on developments in the forest sector. After the carnage of 2005, workplace fatalities have fallen: There has not been a USW forest industry worker killed on the job in almost 2 years.

Are we doing enough? We can never do enough. But are we fighting hard to learn from the mistakes and tragedies of the past? Yes. Unfortunately, the record is only as good as what happened on the job this week, this month, this year.

So I again want to challenge everyone: between now and next April 28, do something to make your workplace, your industry and your community healthier and safer. Years ago, we made a commitment to the victims and survivors of the Westray disaster that there would be no more Westrays – and we meant it.

Remember: it's not enough for us to be sad because of all these injured workers and lost lives. We need to get *angry*. And from our anger must come our determination to *make real change* in our workplaces. Think about hazards and eliminate them. Face up to abuses and end them. Stand up to negligence and make it stop. Safety is our right but it is also our responsibility.

So as we always do, let us mourn for the dead. But let us also continue to fight like hell for the living!



**Health and Safety...
Steelworkers
are in it for**



Mourn for the Dead—Fight for the Living