



# Under Construction

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## Keep the name and keep the principles

In a surprising decision, Manitoba's Workers Compensation Board has decided not to change its name. Just a short time ago the corporation was considering a change to "better align its brand" with SAFE Work Manitoba, a program launched by the WCB in 2003.



Manitoba Building Trades and other labour organizations have been strongly opposed to the name change, seeing the proposal as a possible first step away from the Workers Compensation Board's core purpose of financially compensating injured workers until they can get back to work.

Recent years have seen a growing emphasis on preventing workplace injuries, here and in other jurisdictions across Canada. Since 1998, one half of Canada's fourteen workers compensation agencies have changed their names to include the words "safe", "safety" or "health".

The problem is that, while safety and accident prevention at work are obviously good things, prevention is only a very small part of what any WCB does. The core principles that guide worker's compensation boards came from careful study and have a long and honoured history.

Compensation for injured workers has been around in Europe since the 1880s. In North America, several US states enacted compensation legislation between 1908 and 1915. In 1910, Ontario commissioned Justice William Meredith to study workers compensation. Three years later his report laid out fundamentals for compensation legislation that came to be successfully used across the country.

Manitoba's *Workmen's Compensation Act* of 1916 was based on his report. Injured workers give up their right to sue employers in exchange for compensation from a central agency. Other "Meredith Principles" enshrined in Manitoba's *Act* include the collective liability of employers and compensation regardless of fault.

A compensation board's reason for being is to take in dues from employers and redistribute them to injured workers. It's a relief to see that reason won out in this case, and that "Workers" is still first and foremost at Manitoba's compensation board.

## What's happening around Manitoba?

### ***Province will open borders to electricians***

The provincial government, under the department of Manitoba Labour and Immigration, introduced a new *Electricians' License Amendment Act* that meets legal requirements of the Labour Mobility section of the Agreement on Internal Trade between provinces.

Under the new legislation, electricians certified in other provinces and those who perform more specialized electrical functions such as computer, data, voice data and alarm work would be recognized in Manitoba. The current Electricians' License Act recognizes all journeyed electricians, but does not recognize limited or specialized license-holders from other jurisdictions.

The act is in the legislature but hasn't been passed yet. When passed, the amendment allows the government to issue a license to anyone certified to perform electrical work in another jurisdiction when the person applies for a license to do the same work in Manitoba.



### ***MLCC workers sign new four-year contract***

Members of the Manitoba Government and General Employees' Union (MGEU) employed by the Manitoba Liquor Control Commission (MLCC) have ratified a four-year collective agreement. The agreement will guarantee members a 8.9% wage increase over the course of the contract. Besides annual wage increases, the deal also sees increases in benefits.

### ***College expansion to produce more apprentices***

In Dauphin, an expansion to the Assiniboine Community College's Parkland Campus is underway. The \$3.5 million project includes a 7,200 square foot addition that will allow the college to train an additional 30 apprentices each year among other things. The project is part of government efforts to double apprenticeship opportunities in Manitoba.

### ***Manitoba economy still looking good***

*Reed Construction Data* is confident that Manitoba's economy will keep up its recession-defying performance in 2010. The publication says the secret to Manitoba's strength is that unlike resource-dependent neighbours to the west and manufacturing-dependent provinces to the east our economy is well-diversified.

During the final months of last year, Manitoba's relative strength in employment, combined with improved consumer confidence and record low interest rates, contributed to stronger consumer spending and housing starts. Gains in online job postings for Manitoba point to stronger job growth this year.

As well as the prospect of a gradual pickup in residential building, due to an increase in full-time employment and more immigration to the province, non-residential construction should be supported by spending on commercial projects currently underway. Spending on engineering construction should also get a boost from federal and provincial infrastructure dollars.

## This year's provincial budget invests wisely for the future

Manitoba has managed to avoid the worst effects of the national and world-wide economic downturn, but this year Greg Selinger's government found itself in the unenviable position of decreased revenues just when a new premier would want to lavish budget dollars on making an impression.

However, instead of trying to make a splash, Mr. Salinger invested Manitoba's budget dollars carefully and prudently — despite having the option to run a much larger deficit.

Mr. Selinger and Finance Minister Roseann Wowchuk wisely took what money there was and put it into healthcare, education, training, family services, justice, housing and infrastructure. In other words, things that are good for Manitoban right now, and will also pay dividends in the future.

It's no shock that money was slated for areas dear to the public's heart like healthcare and education, but continued investment in infrastructure might be seen as a little surprising. With many infrastructure projects on the go already, there must have been a temptation to pull back and put the money into something more crowd-pleasing.

Thankfully the premier and his finance minister saw how short-sighted that would be. One of the main reasons Manitoba has fared well recently is the number and scope of infrastructure projects in place when the recession hit. With federal infrastructure money tapering off, keeping the ball rolling has positive impact far beyond the construction industry.



Much of new and existing infrastructure spending has a dual benefit. Nobody can deny that new bridges and roads are necessary and desirable, but there's a very big bang for the buck when infrastructure investment builds educational facilities and other ICI construction.

Workforce development ties in closely with infrastructure spending. Money for school construction obviously allows the next generation of workers to be developed, and at specific institutions like community colleges boosts the effort to increase apprenticeship starts, but just as important for the construction industry, all infrastructure work gives those apprentices the chance to learn and develop their skills on the job, where 85% of trades training takes place.

Specific infrastructure projects also provide opportunities for local economic development and equity hiring and training that just wouldn't happen otherwise. No one can deny the Red River Floodway Expansion Project made significant gains in those areas, that hydro projects have produced real economic benefits in the North, and that the upcoming East Side Road Project has the potential to do the same.

Hydro development and the floodway project have benefited from Project Labour Agreements, and the East Side Road project will too. Couple that agreement with tendering policies to boost equity hiring, training and business development, and work-force development in the construction industry will benefit for years to come. Infrastructure projects like the East Side Road can be the road to a better future not just for thousands of people, but the entire provincial economy.

## Workplace safety and health rights — guaranteed by law

The key to a long healthy career in construction is to know your rights. Construction workers in Manitoba have three basic rights guaranteed by *The Workplace Safety and Health Act*. The right to know. The right to participate. And the right to refuse.

### ***The right to know***

Employers are required by law to let workers know about the hazards of their job and train them to work safely around the hazards. If there are hazardous materials on your job site, you're also protected by Manitoba's Workplace Hazardous Materials Information System, which requires employers to provide information about hazardous materials and how to work safely with them. Containers of hazardous material must be labelled and a Material Safety Data Sheet must be available on the job.

### ***The right to participate***

Job sites with 10-19 employees must have a health and safety representative, and on larger sites a health and safety committee made up of some employer and at least half worker representatives. Worker reps or committee members are elected by their co-workers or appointed by a union. You have a right to go to them about workplace hazards. WS&H committees and reps discuss health and safety concerns, hear complaints, inspect workplaces for hazards, investigate accidents and do "right to refuse" inspections.

### ***The right to refuse***

You have the right to refuse to do a job that you believe is dangerous, or if you believe the surroundings are dangerous. If you follow proper procedure you can't be laid off, suspended or penalized for refusing to work. Be sure to follow these four steps:

1. Report your concern and the fact that you refuse to work to your supervisor.
2. If your employer doesn't fix things right away, you, the employer and the H&S rep or worker co-chair of your H&S committee must investigate the situation immediately. You can still refuse to work even if your employer doesn't think there's any danger, or if a problem isn't fixed to your satisfaction. Also keep in mind that other workers can't be asked to do the job unless they're told why you refused.
3. If the situation isn't fixed after step two, someone has to call a Safety and Health Officer at Manitoba Workplace Safety and Health, tell them there's been a refusal to work and why.
4. The officer will investigate, with you, your employer, and your H&S rep or worker co-chair. If the officer decides it's safe, you have to go back to work. If the officer decides it's dangerous, the officer will write a report requiring the employer to fix the problem. If you or your employer don't agree with a decision, you have 14 days to appeal.

*For more information call us at 956-7425. Other sources of information are the Manitoba Federation of Labour Occupational Health Centre at 1-888-843-1229, or dial 1-866-626-4862 to be directed to Manitoba Workplace Safety and Health.*

