

# YOUR UNION

**Local 480**



**Trail, B. C.**

April 2018

VOL. 46 No. 2



WHEN PEOPLE SAY  
OUTSOURCING IS  
THE UNION'S FAULT  
FOR PRICING  
THEMSELVES OUT  
OF THE MARKET

ASK THEM WHY THE CEO'S  
AREN'T OUTSOURCED SINCE  
THEIR PAY IS HIGHER THAN ANY  
OTHER COUNTRY IN THE WORLD

## **LOCAL 480**

### **MEMBERSHIP MEETING**

**3:45 P.M. THURS. April 19/2018**

#### **Agenda to include:**

- ◆ General Business
- ◆ Day of Mourning

# We are Online and Live!



[www.facebook.com/usw480](http://www.facebook.com/usw480)

You can also find us at: [uswlocal480](https://www.instagram.com/uswlocal480)—UnityisStrength

## YOUR UNION

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"Your Union" is a member of the United Steelworkers Press Association and abides by the constitution of the organization

Check our website for Local 480 merchandise! Items may be purchased at the hall. All items are proudly union made!

## Quote of the Day

Unions lift wages for non-union members by creating a higher prevailing wage. Even if you aren't a union member, your pay is influenced by the strength or weakness of organized labor. The *presence* of unions sets off a wage race to the top. Their *absence* sets off a race to the bottom.

Eric Liu

American author, lecturer, policy advisor

@unions4workers /unions4workers

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# President's Report

Brian Onyschak, President



## Thanks for your Support

The election is over and the results are in. The turnout for the Executive election was outstanding with 80% of the Membership voting. Thanks to everyone who took the time to vote.

There are a number of people I would like to thank.

First, to the Membership, for putting their trust in me to lead this Local. I am humbled and excited to be given this mandate for the next three years.

I would also like to acknowledge all the candidates that put their names forward. It is never easy putting yourself out there.

Congratulations to those that were successful and I look forward to working with you over the next three years. To those who did not get elected, I encourage you to hold your head high. I hope that you will continue to be part a of your Union in whatever capacity you are comfortable with.

To our Returning Officers and your Election committee, thank you for a job well done. It is not an easy task or-

ganizing and recruiting volunteers to assist.

To everyone else who selflessly volunteered your time to help out at the polls and the count, thank you! The elections could not be done without your assistance.

I would also like to give a special thanks to three activists who decided not to continue in their full time positions, they held on the past Executive.

These activists are; Norm Murdoch – Financial Secretary, Ryan Johnson – Grievance Chair, and Chris Vaughan – Safety Coordinator. I personally thank each of you for your dedication and commitment to your local. I am happy to say that all three are staying on the Executive in different capacities.

Now it is time to get down to business. The new Executive will be sworn in at the May Membership meeting. Until that time, we will have the current Executive working with the newly elected members to provide training. This will help ensure an orderly changeover, and give everyone the time to

familiarize themselves with their new positions.

We need to put this election behind us and come together as a team. We all have the same goal and that is to represent the Membership to the best of our abilities. This can only be accomplished by everyone working together.

This is not to say that we can't have good open honest debates and, in fact, I encourage that. What we always need to remember though is that we are all on the same side. We can never forget who we are and what we stand for.

I am looking forward to these next three years. I am excited to listen to the new ideas from your Executive and develop both short and long term plans for this term and beyond.

My promise to the Membership is to give 100% and to continue to be accessible and visible on the property.

In solidarity  
Brian Onyschak



## Grievance Committee Report

Ryan Johnson, Chairman

### Business as Usual Amidst the Elections

The Last 3 and a half months have been busy down at your Union Hall and especially busy in the Grievance Department. On top of all we have been dealing with, we also held our Executive elections for: Grievance Chair, President, and Trustees.

I would like to start by congratulating our successful candidates Brian Onyschak – President, Jesse Nicoll – Grievance Chair, and Chris Vaughan, Jay Walters, and Mike Flux for trustees.

I look forward to working with them and everyone on the Executive for the next 3 years to make our Union

stronger and to gain as much knowledge and experience as we can to be the best Executive possible for our members.

There was an Arbitration scheduled for April 3<sup>rd</sup> - 6<sup>th</sup> here in Trail for the Unjust Termination of one of our members. The Company and the Union managed to reach a settlement before having to proceed with the arbitration. We believe the settlement reached was the best possible outcome for everyone involved.

Currently we are dealing with Grievances involving Workplace Flexibility, a Policy grievance on the denial of overtime as a form of discipline, employee request

transfers, stat pay, harassment, failure to report and multiple others. As the grievances proceed through the process we will provide details on each of them and settlements or outcome. Feel free to call the hall at any time with any issues, concerns or questions.

It's been a pleasure serving as your Grievance Chair for the interim and filling in when needed over the years. I wish Jesse Nicoll the best of luck and will be here to help and support him every step of the way to building a stronger, experienced and united membership.

In Solidarity  
Ryan Johnson



On April 12th, Local's 480 and 9705 office staff wore their jersey's in support of the Humboldt Broncos tragic bus accident.

# Benefits Co-ordinator Report

Jeff Schuepfer, Benefits Co-ordinator



## Remember What the Liberals did to WCB

Brothers and sisters,

Now that we have an NDP government, our hopes are up that we will see some movement to a fairer system for injured workers. We witnessed the significant changes made by the NDP in the 1990's. Then, we were devastated to watch what the Liberals did to injured workers from 2001 on. With the expectation of adding important cancer presumptions for firefighters (result of effective

lobbying by the IAFF), everything else was aimed at reducing costs, leaving injured workers worse off than ever.

It seems like a good time to cast an eye back over the dismantling of the compensation system over the last 17 years, to remind us just how bad the system is and why we need to pressure the NDP to undo the misery and heartlessness of the last two decades. Certainly, Gordon Campbell and Christy

Clark didn't give two hoots about the suffering of workers injured on the job. We continue to believe that the NDP do, and that they will give us advocates and the change we need to ensure a fair system that protects injured workers.

So, here's a review of just a few of the many, many changes that have been inflicted on the Workers' Compensation system since 2001.

### NDP ERA

**PENSIONS:** For life

**PENSIONS:** workers got the larger of a permanent functional impairment award (PFI) or loss of earnings (top-up to match actual earnings.)

**BENEFITS:** 75% of gross. Indexed to cost of living.

**BENEFITS:** case managers had greater discretion to adjust wage rate to take factors like prior illness, change of jobs etc. into account.

### LIBERAL CHANGES

Until age 65 (unless you can make a case for a later date, which is not easy).

PFI in almost all cases. Very difficult to get a loss of earnings pension. The WCB has decided that a loss of 25% of your income is significant; your loss has to be more than 25% before the WCB will consider topping up and even then, there are huge hurdles to getting a fair pension.

Reduced to 90% of net (effectively a 13% reduction). Indexed to 1% BELOW the cost of living to a max of 4% regardless of inflation rate, so that the most disabled workers, living on their WCB pensions are dropping at least 1% below cost of living every year.

Restrictions on the manner of determining a worker's wage rate, primarily to earnings in the 12 months prior to injury instead of a flexible or discretionary method; permanent wage rate

fixed early in the term, leaving injured workers stuck with incorrect wage rates later on. There is no longer a pension wage rate decision which takes a worker's probable future earnings into account.

**VOCATIONAL REHABILITATION:**

vocational rehab consultants had a broad discretion to assist injured workers to get back to work.

Severely limited discretion of vocational rehab consultants. Extremely limited assistance available compared to pre-2002.

**RETURN TO WORK:** your own doctor used to have a say in whether you returned to work.

Very little weight given to a doctor's opinion now. The employer just has to provide a list of jobs that they say are appropriate. If the doctor disagrees, the Board can override this decision, and usually do. Emphasis now is always on returning to "modified duties" even if your doctor thinks they are inappropriate.

**CHRONIC PAIN:** discretion to grant a pension for chronic pain based on the degree of pain suffered by the worker. While the Board usually sets it low, it could be set much higher on appeal.

Fixed rate of 2.5% no matter how great the pain and that's **if you even qualify**. A new format makes it harder to get.

**APPEALS:** the NDP had simplified the appeal process, trying to provide an understandable system that answered all workers' issues.

Appeal processes have become increasingly technical, difficult to understand and inaccessible to injured workers.

**APPEALS:** three levels of appeal with the final one being a medical appeal with three doctors **NOT EMPLOYED BY THE WCB** ( the Medical Review Panel or MRP). 80% of appeals were allowed by the MRP because doctors made medical decisions based on medical knowledge and not WCB policy.

Liberals abolished the Medical Review Panel completely. There is no medical appeal level and if you can't afford the medical/legal opinion from an independent specialist or are lucky enough to have a Union who will pay for one, you have to rely on the WCB doctor's opinion (a doctor who has never examined or even spoken to you). The Vice-chairs of the Workers Compensation Appeal Tribunal are not medically trained.

**POWER OF APPEAL TRIBUNALS:** if WCB policy seemed to contradict the Workers' Act, the appellate tribunal could fix it.

The final level of appeal, the Workers Compensation Appeal Tribunal ( WCAT), now is bound By Board policy, which is not law, but guidelines written by WCB employees to help implement the Act. There is one way to challenge the policy but the process virtually guarantees that the policy will not be overturned.

**RECONSIDERATION:** if you have new medical evidence or more facts came to light, you could ask the WCB to reconsider a decision to deny your claim, which they often did when they had more information.

**PSYCHOLOGICAL INJURIES:** Were adjudicated as any other kind of injury.

**INTEREST:** workers and employers who won their appeals got interest on the money owed to them.

You can ask for reconsideration for 75 days. If a decision is not made within the that time, there is no power to reconsider, no matter what evidence you have AND if you have filed an appeal to the Review Division, you are barred from a reconsideration in any event.

In 2012 the Liberals inserted a requirement into the Workers' Compensation Act that created a new test solely for mental stress injuries. It allowed the WCB to look into an injured worker's entire life, digging for personal problems that they could blame the mental stress injuries on. A worker with a work-related psychological condition can now be subjected to the most invasive probing into their private life by the WCB's team of "special constables" hired for that purpose.

One of the very first things the Liberals did was to take interest away from workers. **NOT EMPLOYERS, THEY STILL GET INTEREST.**

An injured worker who has had to go without any income, gets no interest ( except for one narrow exception which virtually no one qualifies for).

Gordon Campbell and Christy Clark were perfectly happy to see BC's most injured workers fall further behind the cost of living every year. Their agenda was always clear, "Save employers money." The cost to injured workers has been appalling and change must happen.

To begin change, Paul Petrie has been hired to do a review of WCB policy for the government. With over 40 years of involvement in WCB advocacy and tribunal experience, he has maintained his perspective of what is right and what is wrong.

Over the years there have been many stories from our Brothers and Sisters and advocates attending WCB courses about employer tricks to suppress claims and to discourage workers from filing and exercising their rights to WCB remedies. Mr. Petrie is interested in hearing from people who have had this experience.

In addition, we encourage everyone to talk to, write or email NDP MLAs.

You could also email myself at [benefits1@usw480.com](mailto:benefits1@usw480.com) and I, in turn, can relay these stories or questions into the appropriate hands.

We must remind people like our MLA's and Mr. Petrie about what the Liberals have done to our injured and sick Brothers and Sisters. This is the first time we have had any hope in 17 years. Urge them to make it right!

Sincerely,  
Brother Schuepf.





# Health & Safety Committee

Steve Como, Safety Chairman

## Day of Mourning

I would like to thank Chris Vaughan for all his work on the Safety Committee and wish him the best of luck in the future. I would also like the wel-

come Nylan LaFreniere to the Safety Committee as your full time Safety Coordinator.

I also want to welcome and congratulate everyone on the

Executive and looking forward to working with everyone.

Steve Como

Every year on April 28<sup>th</sup>, we celebrate the International Day of Mourning.

This day we honour the memory of workers in Canada, and around the world who have lost their lives due to a work-related injury or occupational disease.

An accident at work can happen to anyone of us and the effects can be devastating to our family and friends. Commemoration of the men and women who were killed or injured at work is important. It helps us to work harder on safety and keep safety in the forefront encouraging our employees to make safety in the number one priority. Work related fatalities claimed the lives of 158 British Columbian's last year.

Every life lost is devastating and simply unacceptable. Union's must continue to work hard, along with WorkSafe and employers, to ensure workplace safety across the country. Local 480 Safety Committee is committed to protecting the safety of our members. There is so much we have done, and much more that has to be done, but we must never quit. Let's make our workplace safe and healthy.

**Please join us to commemorate this day on Saturday, April 28<sup>th</sup>. We will begin with a walk of remembrance at 11:00am, starting at the Local 480 Hall and walk down Bay Avenue to the Workers Memorial Park, across for the Cominco Arena. The ceremony will start at 11:15am.**

**Everyone is welcome to attend.**







## Safety Co-ordinators

Kyle Jorgensen & Chris Vaughan



### Changes at the Hall

First, I like to say congratulations to Nylan LaFreniere on his successful election to the position of Safety Coordinator. I look forward to working with you going forward and I know the safety department does as well.

With Nylan coming on as Safety Coordinator it also brings a change in that Chris Vaughan will be going back to the tools. Chris is a key part of our safety team and will be missed, although Chris will be staying involved in safety going forward, just not as a full-time coordinator. I would like to thank Chris for all his hard work and effort in helping represent the membership over the past 2 years. Chris

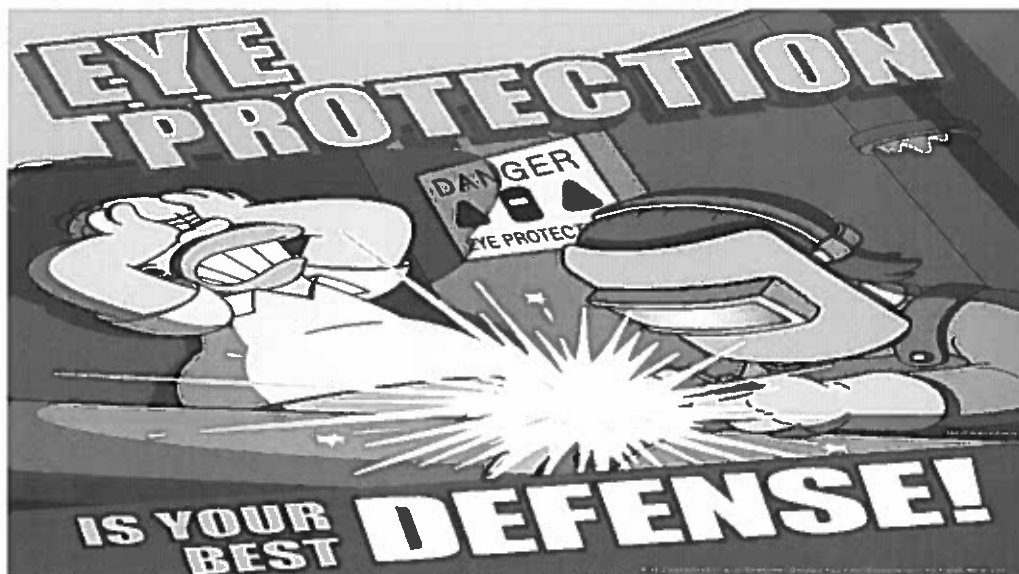
has been great to work with and has always done his best to make sure that the membership has their safety concerns brought forth and addressed. Good luck and I look forward to continuing to work with you going forward in whatever capacity in safety.

I would also like to thank the membership for the continued support moving forward. We will continue to work hard in the safety department as a team to make sure we do our best to represent the membership and continue to strive to make it a safer place to work.

Recently, there have been a couple safety issues brought to our attention well af-

ter they have happened. While we are glad to have the incidents brought forward and are happy to deal with the issues to try to make it a safer workplace, it often makes it difficult to ensure the proper investigation and corrective actions are done when there is such a time delay. Please try to bring these issues to our attention when they happen so we can properly investigate them and make sure they are dealt with so that we can make sure no one is potentially put in the bite in the mean time. Stay Safe,

In Solidarity,  
Kyle and Chris



# From The Soap-Box

## Thank you to All Involved with Elections

Thank you to the membership for your support. I look forward to representing you as Vice President for the next term. There is lots of work to be done but I look forward to the challenge. Please feel free to bring any thoughts or suggestions forward when you see me up at the hill or stop me if you just want to talk about any issues.

Congratulations to Brian Onyschak, Jesse Nicoll, Mike Flux, Chris Vaughan and Jay Walters who were elected President, Grievance Chair and Trustees re-

spectively. I look forward to working with all of you. I also want to thank Jeff Schuepfer, Sean McFarlane and Ryan Greenaway for letting their names stand. These were all close races and it takes quite a bit of work to run an election so thank you to all.

I would also like to thank everyone that helped out with elections. From our election committee to everyone that helped count votes, sit at the gates to collect votes and those who made breakfast and anyone else that

donated their time. Early mornings and late nights were all had in order to run this election and your time was much appreciated. We could not do this without you and your time. Thank you, every single individual for all your effort as well as everyone who took the time to vote, again thank you.

In Solidarity,  
Kyle

## LOCAL 480'S - 2018 SCHOLARSHIP PROGRAM



Once again, Local 480 will be sponsoring Scholarships and Bursaries to our local senior high schools. The information outlining the requirements to apply for one of these scholarships has been sent to the area high schools (JL Crowe Secondary, Stanley Humphries Secondary, Salmo Secondary, and the Kootenay Alternate Learning Centre.)

If you have a son/daughter who will be graduating this year and plans to further their education, please talk to them about applying for one of these awards. These scholarships will be presented at local graduations ceremonies to area students who meet the criteria.

To qualify, the student must write an essay of 500 to 1000 words on *“What has been the role of the Union movement in the West Kootenay’s, and in particular, Trail?”* We shall evaluate those essays on content, accuracy of information, form and grammatical correctness.

**Essays must be submitted to either the School’s Counsellor, or Local 480, no later than Friday, May 4<sup>th</sup>, 2018.**

