

WHSCC NEWS

HELPING NEW BRUNSWICK WORKSAFE

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GOOD NEWS: Worker is out of the woods

The fresh forest air, the sense of serenity, the intoxicating aroma of spruce and fir – all reasons why Tony Verge loved working in the woods. But working in the woods made Verge sick. Really sick. So sick that he was told he couldn't return to his job in the silviculture industry, a job he had been working at for 10 years. He couldn't even chop firewood any more, a task he enjoyed immensely. The then 41-year-old Newfoundlander had developed severe environmental sensitivities to pine, spruce and balsam.

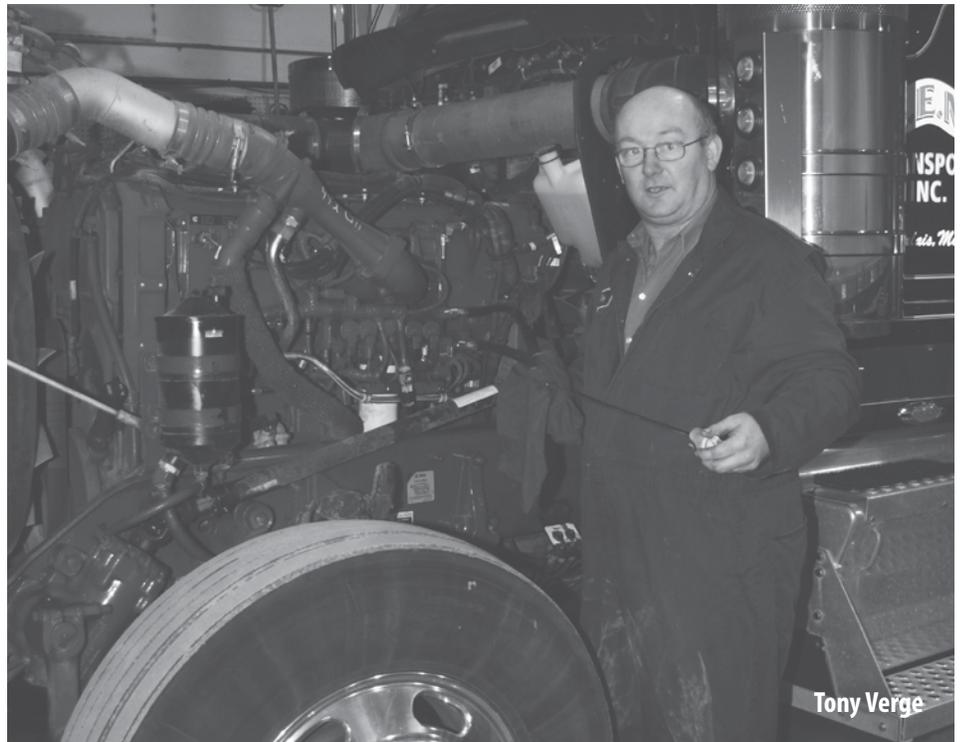
Verge, a father of three, had been working seasonally in New Brunswick's woods, and maintaining his home in Newfoundland where he returned during the off-season. He said he had suffered with symptoms for close to five years. "Doctors would give me creams, but sometimes they would make it worse because I was allergic to some of the ingredients in the creams," he said.

His symptoms included severe itching and burning, peeling skin, with oozing lesions. "I would be so uncomfortable that as soon as I got home from work, I would just lie in bed." Verge said he would have to re-apply bandages three to five times a day. Finally his condition was properly diagnosed.

"I was surprised. I thought allergies were just watery eyes and sneezing. I didn't know they could be this bad," he said. "I didn't know they could cost me my job. When they told me I couldn't work in the woods any more, it was devastating. I was the breadwinner in my family. Things were looking really bleak, and I didn't know where to turn."

Verge said he wasn't aware that help was available through the WHSCC. "I thought Worker's Comp [WHSCC] was for broken bones and amputations – things like that. And even then, I didn't know exactly what kind of help you [WHSCC] provided."

Verge's WHSCC case manager, Angela Dunham, and vocational rehabilitation specialist, Jeff Curtis, worked with him to identify alternative employment options.



"Tony was easy to work with. He was particularly careful to ensure he understood the vocational rehabilitation process, and did a lot of research into his options," said Curtis.

"They were really up front with me," Verge said. "I knew exactly what was expected of me, and I got what was expected from them."

Verge decided on a career as a heavy equipment mechanic, and was able to take his training at a school in Newfoundland. Forty-two weeks later, in August 2007, he graduated, and only one month later he had a full-time job as a transport mechanic with R.E.M. Transport Ltd., in St. Stephen. And in the meantime, Verge's wife obtained full-time work in St. George, so the family was able to make a permanent move to New Brunswick.

"It certainly worked out," Verge said. "I'm really glad to be back at work. There's no way I could've done this without the help of the WHSCC." •

IMPORTANT DATES :

Mark the date for the
WHSCC's Annual Health
and Safety Conference!

October 5-7, 2008
Hotel Beauséjour
Moncton, N.B.

(For more information, see inside)

Board Member Profile

Sharon Tucker says she chose a career in nursing “because of a true love of people and community.” And 28 years later, she says that focus remains the same. It’s one of the reasons she accepted the New Brunswick Nurses’ Union’s (NBNU) nomination as worker representative on the WHSCC’s board of directors.

Tucker joined the board in February 2007. “As far as the commitment of time, it was a little more than I bargained for,” Tucker said. “But that’s okay – I like to be busy.”

Tucker said she also faced a “significant learning curve.”

“It was a bit overwhelming. I was given four binders full of information to review,” she said. “That speed-reading course I took was worth it,” she said, with a chuckle.

“There definitely is a lot to learn, but I accepted the nomination for the opportunity to share my knowledge and experience. I believe my background will be beneficial to the board.”

This background includes a career in health care that began in 1980. Tucker is currently a nurse



Sharon Tucker

manager in acute care at the Saint John Regional Hospital (she commutes from St. George), a position she’s held since 1991. She also spent six years as a member of the NBNU executive, at present serving on the negotiating committee for the nurse managers and nurse supervisors for the fourth time

Tucker also has 25 years experience in politics, at the federal, provincial and municipal level. She is the current mayor of St. George, where she has also served as the deputy mayor, councillor and committee chair. She has been extremely involved in the community of St. George, where

she was instrumental in establishing a Community in Bloom program and Family Fun Days. She’s a Warden of St. Mark’s Anglican Church, and is on a committee charged with recruiting physicians to the Eastern Charlotte area.

“I’m very impressed in what I’ve seen so far in regard to the Commission’s focus and direction,” Tucker said. “And I’m pleased to see a high degree of accountability.”

“As far as policy, the Commission’s direction is very positive. It’s refreshing to see an organization that knows where it’s going,” she said.

“We (the WHSCC) are very fortunate in the people we have,” she said. “I can tell by being in the building there’s a very positive work environment. Also, if you look at the turnover rates and sick time, it reflects well on the organization.”

Tucker said as a board member, one area she’d like to focus and improve upon is education and promotion. “That’s certainly one area where we should spend more time and dollars. It is the only way we can move forward. And with the high illiteracy rate in Charlotte County, as well as other areas, print is not the only way to educate.” •

Panel’s Report provides recommendations to help “Strengthen the System”

A comprehensive report prepared by the Independent Review Panel on New Brunswick’s health and safety and compensation system finds that the WHSCC compares favourably, and in many cases, much better than other Canadian jurisdictions.

The government-appointed panel consisted of chair, Louis Comeau, Chancellor of l’Université de Moncton and former chair of the N.S. Worker’s Compensation Board; James LeMesurier, a lawyer, representing employer interests; and Bob Breen, a labour lawyer representing worker interests. The panel assessed how well the WHSCC compared against other Canadian boards and commissions in the areas of governance, injury prevention, coverage and benefits, claims process/health care delivery, appeals, and financial performance.

Called *Strengthening the System*, the 64 recommendations put forward in the report are designed to do just that. In fact, they go beyond that, suggesting that New Brunswick, with

some improvements, could be the model for other jurisdictions. These improvements include:

- Ensuring health and safety becomes an integral part of the school curriculum.
- Expanding our focus on youth to include orientation and health and safety promotion for all employees starting a new job, including seniors returning to work.
- Expanding safety association programs (New Brunswick Construction Safety Association and New Brunswick Forest Industries Safety Association) to other sectors, including health care.
- More actively promoting voluntary coverage for small employers.
- Developing a process for the Appeals Tribunal to pre-screen an appeal.
- Pursue ways to shorten wait times for access to provincial health care services.
- Consulting with the fishing industry about the possibility of mandatory coverage.

- Actively engage stakeholders in policy development and renewal processes.
- Explore options to enhance or expand services at the Workers’ Rehabilitation Centre with increased medical/specialist involvement.

These recommendations will be very useful to us as we set our priorities for the coming years,” said Roberta Dugas, chair of the WHSCC’s board of directors. “The board is pleased with the report’s emphasis on health and safety, and especially prevention, an area where we continue to focus our efforts. We appreciate that the panel has reinforced that the WHSCC should be devoting more resources to injury prevention, actions we are committed to undertaking,” she said.

Some recommendations, such as rewriting the *Workers’ Compensation Act* “in plain and consistent language”, and organizing it “in a logical, sequential, and grouped manner” fall under the provincial government’s authority.

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IN THE COURTS

Aliments Breton Inc., pleaded guilty on June 2 to a charge under section 9(2)(a) of the *OHS Act* for failing to ensure that the necessary systems of work, tools, equipment, machines, devices and materials were maintained in good condition and of minimum risk to employees when used as directed. They were fined \$6,000.

David Brewer pleaded guilty on March 20 to a charge under the *OHS Act* for failing to ensure that the power to electrical equipment was de-energized before allowing an employee to work on it. His apprentice was instructed to drill into a live panel to apply labels; when his drill bit contacted the lug, there was an arc flash, and the apprentice received 2nd degree burns to his face. Brewer was fined \$400, plus a victim surcharge of \$80. Brewer was a supervisor for FCC Engineering at the time of the incident but has since joined another firm.

McCain Foods Limited pleaded guilty on March 17 to a charge under section 9(2)(a) of the *OHS Act* for failing to ensure that the necessary systems of work, tools, equipment, machines, devices and materials were maintained in good condition and of minimum risk to employees when used as directed. McCains was fined \$4,000, plus a victim surcharge of \$800.

Break 4 Logging pleaded guilty on March 11 to one charge under the *OHS Act*, General Regulation 91-191, for failing to ensure that a machine is placed in a zero energy state by a competent person, made inoperative, and locked and tagged out before an employee is to work on it. The company's directors were fined \$500, plus a \$75 victim surcharge.

Breau Construction pleaded guilty on March 7 to two charges under the *OHS Act* for failing to provide adequate training to employees on a fall-arresting system and for failing to ensure the use of an individual fall-arrest system. They were fined \$3,000.

MG Fisheries of Grand Manan pleaded guilty on February 21, 2008, to a charge under the *OHS Act* for failing to report an accident. They were fined \$2,000, plus a \$400 victim surcharge.

Groupe Savoie Inc., pleaded guilty on January 2, 2008, to failing to comply with subsection 6(2) of the *First Aid Regulation* - (Regulation 2004-130). The company was charged with failing to provide suitable transportation for an injured worker, considering the distance to be travelled and the potential for serious injury or illness; for not providing adequate protection against the weather; for failing to equip the emergency transportation vehicle with a means of two-way voice communication and with emergency medical services; and for failing to ensure that the vehicle was of sufficient size and suitability to accommodate a stretcher and accompanying persons.

Groupe Savoie Inc., were fined \$2,000, plus a \$400 victim surcharge. •

Mark the date for Conference 2008!

The 28th Annual WHSCC Health and Safety Conference will take place Sunday October 5 to Tuesday, October 7, 2008 at the Delta Beauséjour Hotel, Moncton.

Industry experts will deliver more than two dozen workshops on workplace health and safety topics that include:

- Process Safety Management
- Machine Guarding
- Electrical Safety Hazards and Standards in the Workplace
- A Field Guide to Workplace Bullying: How to Spot It and Tame It

- Due Diligence in Practice and Law
- Stop Work Orders

Once again, delegates will have the opportunity to stop by the annual trade show and experience our exhibitors' innovative occupational health and safety products and services.

In the evenings, our professional entertainment schedule is sure to please! ECMA-nominated The Kelly Jay Band will start off the conference at our Opening Ceremonies on Sunday night, and Monday night's banquet will be accompanied by the amazing rhythm of Squid Precision Drummers, as they present their national *Squid: The Evolution* show.

Conference 2008 will close with a plenary session on the Independent Review Panel's report on New Brunswick's workplace health, safety and compensation system. WHSCC president Douglas Stanley will chair this discussion of the recommendations of the report, along with members of the Independent Review Panel.

Registration for this year's conference will open soon. To ensure that you receive notification and a copy of our complete conference program, please send us your contact information at communications@whscc.nb.ca, with "Conference 2008" in the subject line. •

Independent Review : *Continued from page 2*

"The panel's recommendations, such as those relating to the WHSCC's governance and its independence from government, and increased provincial funding for non-assessed employees, will all require the consideration of government as we move forward," said Ed Doherty, Minister of Post-Secondary Education, Training and Labour. "We can all agree that it is essential that we work together so that New Brunswickers can be engaged in safe work practices." •

NEW LEGISLATION

Under Bill 39, An Act Respecting the Penalties for Provincial Offences, maximum fines for violations to the *Occupational Health and Safety Act* have been increased from \$50,000 to \$250,000. The Act was passed April 30.