



THE BULLETIN

Bulletin November 2008

Published by

Construction Labour Relations

An Alberta Association

207, 2725—12 St. NE.

Calgary, Alberta T2E 7J2

403-250-7390

Toll Free Alberta 800-450-7204

904, 10050-112 St.

Edmonton, Alberta T5K 2J1

780-451-5444

Internet Site: - www.clra.org

E-Mail Address: - clra@clra.org

or individual addresses:

neil@clra.org

lynne@clra.org

doug@clra.org

herb@clra.org

agnes@clra.org

ron@clra.org

sam@clra.org

priscilla@clra.org

bsv@clra.org

val@clra.org

cefap@clra.org

IN THIS ISSUE

Page

CLR Annual General Meeting	1
Joint Initiatives	1
WB-New name & Logo	2
World Skills 2009	3
Apprentice & Workforce Dev	3
Financial Market Meltdown / Impact on Construction in AB	4
Bill 26	4
Better SuperVision	5
BSV Instructors Wanted	6
Canadian Model Respect in the Workplace	7
RSAP	8
Suncor-CEP A & D Policy	9
Arbitration Decision	9
Audiometric Testing Program	10
ABTC-New Logo/Name	10

CLR ANNUAL GENERAL MEETING

Construction Labour Relations Annual General meeting will be held in Edmonton.

When: November 6, 2008 **Time:** 9:30 am

Where: Westin Edmonton in the Strathcona Room
10135 – 100th Street Edmonton, Alberta

If you are interested in attending please confirm your attendance with Priscilla in Calgary.
Lunch will be provided.



JOINT INITIATIVES

The 2007 round of bargaining was a difficult one: the parties required 35 memoranda of settlement and two interest arbitrations to achieve 24 collective agreements. As a result of the difficulties and some other concerns held by some unions around the bargaining process in Alberta, a handful of building trade affiliates filed *Charter* challenges to the registration certificate bargaining scheme in the *Alberta Labour Relations Code*. In an effort to pre-empt deteriorating labour relations, the Building Trades of Alberta and the Coordinating Committee of Registered Employer Organizations came together during the summer of 2008 to explore the possibility of agreement around a few significant issues of mutual concern. There was a consensus to start working together around these five joint initiatives:

1. Problem solving during the term of the current agreements rather than waiting for the 2011 round of bargaining.
2. Exploring the possibility of amending and extending the current agreements to 2013 or beyond in order to provide labour stability for a longer period of time.
3. Gathering market intelligence and engaging in a communications undertaking to get solid information to the memberships of the unions and to the REOs to assist in better decision making.
4. Determining the legitimate long term interests the unions feel cannot be achieved within the current bargaining structure and exploring ways of ensuring those interests can be addressed with or without change to the legislation.
5. Ensuring delivery of the required workforce supply for the Building Trades projects and, particularly, for the projects under project agreements.

Cont'd on page 2

Cont'd from page 1

Representatives from various REOs, contractors and unions met in early September for an energetic brainstorming session – facilitators Wendy Hassen and Shelley Ewart-Johnson were retained to assist. The participants all enthusiastically supported each of the initiatives and it was agreed that three initiatives be given immediate attention: **Initiative #1 - Problem Solving**, **Initiative #3 – Market Intelligence and Communication** and **Initiative #5 – Workforce Supply**. Three sub-committees, each managed by co-convenors nominated by both the BTA and the Coordinating Committee, were created and have already started to take first steps. A Steering Committee was struck to oversee the work of the sub-committees with Paul Bokowski (Local 955) and Tim Tarrant (NWS Construction and Incoming Chairman of CLR and the Coordinating Committee) named as Co-Chairs.

At a meeting of the Steering Committee held on October 6th, each sub-committee reported on what they saw as the “who, what and how’s” of their mandate. The Problem Solving Committee is focusing on four somewhat related issues: scheduling (i.e. work shifts, cycles, transportation, etc.), attraction and retention, infrastructure and general holiday observance. The Market Intelligence and Communication Committee is gathering information on the state of the construction industry (both the union and non-union sectors): how each looks today, how each looked in the recent past and how each might look in the near future. The Workforce Supply Committee will identify gaps in the supply of workers and will look for the most efficient way of bringing in skilled workers, where

needed, from elsewhere in Canada and abroad. Each committee plans to meet at least once more prior to the next Steering Committee Meeting on November 18th.

Recognizing the importance of these Joint Initiatives, both the BTA and the Coordinating Committee have committed whatever resources are necessary to ensure success. It is already contemplated that outside expertise, such as meeting facilitators, independent research, third party data managers, and the like, will be required.

Despite it being early in the process, there is a shared excitement for the benefits that can be achieved. The intention on both sides is to continue the long-standing history of good relations between the parties, to avoid the challenges of eleventh-hour bargaining during the next round and, perhaps, avoid costly litigation. By pooling resources and efforts, success in these joint initiatives will not only maintain labour harmony but will improve many aspects of the building trades’ construction industry in Alberta.

Reports on the progress of the Joint Initiatives Steering Committee will be soon posted on a growing number of websites including Construction Labour Relations’ website, www.clra.org, and the Building Trades of Alberta website, www.buildingtradesalberta.ca.

VR



New Name and New Logo



Human Solutions™ A New Name and Logo

Wilson Banwell – Human Solutions have recently changed their name. Effective September 2008 their new name is **Human Solutions™**. They have also restructured their organization by:

- Establishing three newly defined and separate business units:
 - ◆ EFAP (prevention-focused employee counseling and assistance)
 - ◆ Workhealth™ (organization health and consulting services)
 - ◆ Integrated Disability Management

- Reorganizing the Senior Management Team
- Promoting key managers
- Enhancing products and service offerings
- New name and logo.

We look forward to these exciting changes as Human Solutions continues towards a new level of service, structure and valuable professional expertise.

LP



Worldskills Calgary 2009



The Province of Alberta has been a major supporter and funder of the event and as a result of that there will be a 16 million dollar legacy in equipment that will be placed into Alberta Educational institutions following the event. Significant funding has also been provided by the Federal Government. It is notable that the Building Trades of Alberta have committed \$300,000 in sponsorship and that the United Association National Training Trust Fund has committed \$550,000 in sponsorship for the event.

Skills events are hosted every year in Alberta in eight regions culminating in an annual Provincial event where competitors vie for the right to compete in the Canadian National Competitions.

If you would like more information on sponsorship opportunities or how your organization can get involved with Skills in other ways including volunteering call Doug Hawkins in our Calgary Office at 403-250-7390. World Skills 2009 website address is www.worldskills2009.com

From September 1st to 7th, 2009 Calgary will host of the Worldskills Competition. This is the largest skills competition in the world and will involve over 1000 competitors from over 50 countries competing in 45 skill categories. The event will take place at the Stampede grounds and will utilize the entire grounds over 2 weeks for set up, competition and tear down. The event will attract 150,000 spectators and requires 3000 volunteers to assist in staging it. Over 30,000 hotel room nights are required to accommodate those people coming into the city during this period. Competitors will be housed at SAIT. The event will be the second only to the 1988 Olympics as the largest event that Calgary has ever hosted.

DH



Apprenticeship and Workforce Development

students in their work places and we continue to work with Careers – the Next Generation to increase this number.

It is notable that Alberta Apprenticeship and Industry Training has passed another milestone with well over 60,000 apprentices in the system. It is apparent that the efforts of industry working with AIT are indeed positively impacting on the notion that the skilled trades are a first choice option for many people.

DH



The Alberta Government has continued to provide funding for apprenticeship scholarships subject to matching funding from industry. In 2008 the \$800,000 goal in matching funding was reached and CLR contributed four new scholarships. CLR has now invested a total of ten Alberta Apprenticeship and Industry Training Scholarships. Many of our contractor members have also invested in the program over the years. Amongst our client community Shell Canada made a big step forward with a contribution to create ten new scholarships in 2008. Once the scholarship is created it provides a \$1000 scholarship every year in perpetuity. It is anticipated that the Alberta Government will again provide the opportunity for further matching funds in 2009 as long as there is an industry appetite to create more scholarships.

In addition to support for Apprenticeship Scholarships the CLR Board recently approved our continued sponsorship of Careers – the Next Generation and the Registered Apprenticeship Program (RAP) over the next three years. This contribution will have extended our support to nine years. In 2008 our contractor members have placed 31

The Financial Market Meltdown and Its Impact on Construction in Alberta

On October 23rd, I participated in a conference call organized on short notice for “suppliers and service providers” for Suncor. We were advised of some significant changes to their planned spending for 2009 and beyond. Most of the impact of their proposed spending cuts fell squarely on the shoulders of those who were looking forward to work on the Suncor Voyageur suite of major projects. Spending on the project in 2009 has been cut back to around \$1.3 Billion dollars which, by the standards of almost any other Provinces’ construction plans, is still a significant project, but it is now relatively small compared to the size of the workforce we thought would be needed on this site in 2009. Work projections for their Firebag projects are still on track as are normal maintenance and sustaining capital projects.

This announcement comes on the heels of several other significant developments. The next phase of Opti Nexen’s Long Lake facility (Long Lake South phase I) has been suspended, as has work on the Heartland Upgrader planned by the Value Creation group. The Northwest Upgrader which was also located in the area just north east of Edmonton looks like it will be delayed possibly to the second quarter of 2009 but, so far, appears to be going ahead.

Other projects that are being closely watched to see if there will be any announced changes are the Kearl Mine and Upgrader proposed by Imperial Oil that, according to their website, is scheduled to be in production for the first phase by 2010. There is no word yet on whether there may be delays in this schedule. The Fort Hills Mine and Upgrader proposed by PetroCanada and their partners UTS and Tech Cominco are also being monitored. Speculation is that the mine part of the project located in the Fort McMurray area will continue as scheduled but that there may be some question of the upgrader, proposed for the Edmonton area proceeding on schedule. Cost projections for this project have recently increased significantly. On the other hand the announcements of delays or suspensions of other projects along with reductions in commodity prices may present an opportunity for the partners in these projects to look at possible cost savings if they went ahead with construction now. Workforce availability may improve significantly over the next two or three years compared to earlier projections.

On the bright side there is still a significant book of work underway or scheduled for Alberta and, provided this trend is simply a temporary slowdown, it may have a positive impact on our ability to effectively carry out this work with the current manpower resources we have in Canada. We

may also be able to use this opportunity to complete engineering and constructability plans to help us build these projects on time and on budget.

HH



Bill 26

The Provincial Government proclaimed Bill 26 into law on September 15th, 2008. One of the effects of Bill 26 was to make payments by a contractor into, or subsidies paid to a contractor from, a Market Enhancement and Recovery Fund (MERF) illegal. We have been having some discussions with a number of the affected Building Trades affiliates about how to deal with the impact of this Bill in the future. All existing MERF funds have been wound up or amended in a way that causes them to comply with Bill 26, at least in the opinions of their respective lawyers, and we believe in all cases there are no longer any management appointed trustees on any MERF Funds.

One of the difficulties we are having with moving forward with any joint initiatives designed to utilize these funds in furtherance of their original objectives, is the delay in releasing accompanying Regulations that will clear up certain aspects of how we interpret Bill 26. Until we see the proposed Regulations that accompany Bill 26 we can’t be sure that our plans fall within the letter of the law. We expect the Regulations to be published before the end of the year but no date certain has been set. Until then we are continuing to advise our member contractors to withhold payments to any MERF type funds but to keep the money in trust until we can work out a plan with the appropriate union to deal with Bill 26 and its Regulations. We are also advising that contractors not accept payments from a MERF fund at this time since those payments may also be contrary to Bill 26, even if such payments are pursuant to a project that was approved prior to the passing of the Bill. It may turn out that such projects may be able to collect outstanding MERF payments but until this is made clear by the Regulations we would advise you to use caution. Fines under Bill 26 can be substantial.

We will be monitoring the progress of the legislation and will let you know as soon as we see the Regulations and as soon as we have developed a plan to move forward.

HH



Better SuperVision

Supervisory Training and Development

Hopefully this article caught your eye because of our new logo. This Better SuperVision logo was developed over the summer by Mr. Tom Choi of Calgary in consultation with the Better SuperVision Committee through the Committee Co-chairs (Ron Cherlet and Bill Wilson). Key elements of the logo include the simple layout (easy to recognize), prominent use of the colour blue identifying with the workers of our industry and knowledge, and the star signifying achievement and direction (stars have long history of being used for navigation). Look for more to come as we are currently working with Mr. Choi on the design of our new web site.

Designated Occupation – Industrial Construction Crew Supervisor (ICCS)

In June of 2008 Alberta Apprenticeship and Industry Training (AIT) created the opportunity for people to apply for the certificate of Designated Occupation for the position of Industrial Construction Crew Supervisor (ICCS). This certificate can be obtained upon application to AIT and demonstrating:

- Completion of supervisory training that is approved by AIT and is industry based (example – Better SuperVision) plus the Leadership For Safety Excellence program (offered by the Alberta Construction Safety Association) or equivalent that is approved by AIT plus
- Proof of having worked one thousand hours as an industrial construction crew supervisor within a two year period no more than five years prior to date of application plus
- Successful completion of an exam administered by AIT plus Payment of a \$150 fee to AIT for processing the application.

Contractors, unions, and industry organizations can also submit their own supervisory training programs to AIT for recognition as industry recognized supervisory training. If approved then people who have completed the training will not have to complete additional classroom training.



This certificate is verification that a supervisor is knowledgeable of the key competencies required of a supervisor working in the industrial construction industry. These competencies are outlined in the Competency Profile developed by AIT for the occupation and can be found on their website. For further information on this Designated Occupation – ICCS, and to make application for the certificate, please visit the AIT website (www.tradesecrets.org). Look for Industrial Construction Crew Supervisor under the Trades and Occupation tab.

One of the key concepts that this initiative is designed to achieve is to promote mobility of qualifications between contractors drawing on a common human resources pool, career path the position of the construction foreman and also recognize industry provided training and development for supervisors. We encourage contractors to review how supporting foreman in obtaining this certificate is of value to your organization.

It is important to note that there is no “legal” requirement to hold this certificate in order to perform the work of Industrial Construction Crew Supervisor. Obtaining and holding this certificate is purely voluntary.

Better SuperVision Web Site – Photos Needed

A Better SuperVision web site is currently under development. We are looking for photos of construction site activities. If you have some you would like to offer up for possible inclusion in this web site please send them to Ron Cherlet in our Edmonton office. Of particular interest would be construction site photos illustrating people engaged in communication or providing direction to other people. Please ensure any photos

you submit are cleared for possible publication on the world wide web.

BSV – Gold Seal Program Accredited

Better SuperVision has been recently re-accredited with the Gold Seal program whereby candidates can receive 9 credits for Better SuperVision and 4 credits for Leaders Building Leaders towards their Gold Seal Certification offered through the Canadian Construction Association. These qualify under the Special Industry Courses portion of the program. For further information please see the Canadian Construction Association web site (www.cca-acc.com).

BSV – Construction Sector Council - Partnership

Better SuperVision has recently entered into a partnership with the Construction Sector Council for the development of an e-learning program for front line supervision. As part of the partnership Better SuperVision has offered use of the Better SuperVision curriculum to assist with development of program materials. You will hear more about this initiative in due course.

BSV – Program Scheduling

Better SuperVision and Leaders Building Leaders have a number of programs underway. A unique program offering is being tried out at the Shell Scotford site where people attend Better SuperVision ½ on project time and ½ on their own time. Our first program offered under this arrangement filled quickly. If you have people engaged on this site who are interested in participating, please have their applications submitted quickly so further programs can be scheduled.

Better SuperVision can make arrangements for “in-house” or “on-site” delivery of the program at times that accommodate your needs. Please contact Karen Williams in our Edmonton office to arrange any special scheduling requests.



Better SuperVision – Instructors Needed

We are currently recruiting for instructors in the Fort McMurray and Edmonton areas. People engaged as instructors in the program find the work professionally satisfying as it provides an opportunity for instructors to share their knowledge and be directly engaged in developing front line supervisors. Instructors are compensated by the program and training for people new to classroom instruction is provided.



Better SuperVision Part Time Instructor Opportunities Edmonton and Fort McMurray Areas (including project sites)

Better SuperVision is a comprehensive skills training and development program designed to grow the supervisory capabilities of people in the unionized construction, maintenance, and fabrication industry. The program consists of five modules containing a total of eighteen lessons. Each lesson can be delivered in an evening and is 3 hours in duration. Program options allow for day time delivery as well.

MODULE I - SUPERVISION & LEADERSHIP

1. The Role Of Supervisor
2. The Unionized Construction Industry
3. Communication Basics – Listening Skills
4. Communication Basics – Speaking Skills
5. Handling Disagreements and Problems
6. Meetings

MODULE II - AGREEMENTS THAT WORK

1. Legal and Contractual Issues
2. Personal Problems
3. Performance Issues

MODULE III – PLANNING & SCHEDULING

1. Project Plans and Schedules
2. Workface Plans and Schedules
3. Planning For You

MODULE IV – PRODUCTIVITY AND QUALITY

1. Commitment to Productivity and Quality
2. Quality Tools
3. Quality Problem Solving - Quality Outcomes

MODULE V – EFFECTIVE WORK TEAMS

1. Team Concepts
2. Motivation
3. Team Performance

We are seeking instructors with in-depth knowledge in one or more of the above topics. Previous instructional experience is an asset but not essential as instructional training is provided by the program sponsors. Practical field experience in the unionized construction, maintenance, or related industries is important.

Compensation has been established at a competitive rate on a contract basis.

The program is a joint training initiative by the Building Trades of Alberta, Construction Labour Relations - An Alberta Association, and Construction Clients. Please apply by sending a resume or feel free to directly contact:

Ron Cherlet

Better SuperVision Administrative Committee
#904, 10050 – 112 Street Edmonton, Alberta T5K 2J1

Phone (780) 451-5444 Fax (780) 451-5447

E-Mail: ron@clra.org

All inquiries are welcome and we invite you to join a team of professionals committed to training excellence in the construction, maintenance, and shop fabrication industries.

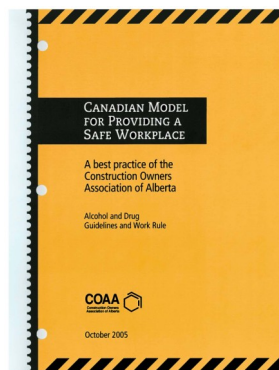
CANADIAN MODEL Alcohol and Drug Policy

Canadian Model A & D Policy – Workshop

Our ½ day workshop is being offered in Fort McMurray as well as the Edmonton area and continues to be popular. Our Fall program offering is quite heavily booked but additional courses can be scheduled if demand warrants. Please contact Karen Williams in our Edmonton office with any scheduling requests. Arrangements can be made to have this program delivered “in-house” or at project sites as well.



RC



Respect in the Workplace

The COAA Respect in the Workplace Committee had another busy year. At Best Practices in May the committee showcased tools previously developed and introduced new deliverables. Committee members hosted a booth over the course of the conference which displayed the model, work rule and implementation resources. Afternoon workshops focused on the launch of the newly developed Draft of the “Respecting Culture in the Workplace Module”. This module was compiled by the Respect in the Workplace Committee members with the assistance of a group of University of Lethbridge students. The Committee’s afternoon workshop presentations were hosted by Cailín Mills and Lynne Palumbo, and a panel discussion was facilitated by Dr. Marie Gervais from the Northern Alberta Alliance on Race Relations (NAARR). Culture is a broad and complex concept and our sessions utilized the complete allotment of time. Both sessions were well attended and the content was well received.

This coming winter & spring our goal is to put the finishing touches on this module and develop tools that offer a basic understanding of cultures’ complexities with practical solutions to real world situations.

In addition, in 2007-2008 the committee worked with Linda Maul from Creating People Power Inc. to develop the curricula for employee and supervisor “Train the Trainer” courses. These courses are available to any company interested in implementing the Respect in the Workplace model to their employees. In January 2008, focus sessions were hosted in Edmonton & Fort McMurray, soliciting input from a broad spectrum of industry stakeholders. The feedback was then utilized to finalize the curriculum for both the employee and supervisory courses. The first Train the Trainer course was offered in Edmonton on September 4, 2008. Learning

objectives of the course include awareness of standards of respectful behaviour, monitoring one’s own behaviour, how to be a leader of respect in one’s workplace, and how to intervene if witnessing disrespectful behavior from others. If you are interested in hosting or attending one of these sessions please contact Linda Maul at 1-877-693-7644, 780-439-9481 or linda@creatingpeoplepower.ca.

Note: All of the resources mentioned above are available for download at www.ritwp.ca or www.coaa.ab.ca.

Recent changes in the committee membership are worth noting. Due to time commitments and with regret, Lori Miller from Kiewitt Energy has resigned from the committee. Lori was a founding member of the committee, set the terms of reference, and served as chair since the committee’s inception. Lori continues to champion building respectful workplaces and her enthusiasm will be greatly missed. Also, Sam Kemble stepped down as co-chair but will continue to serve as a member and secretary to the committee.

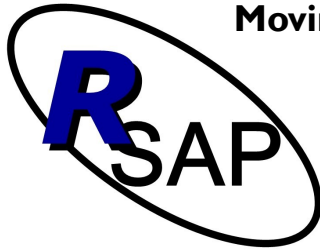
We are pleased to announce the appointment of two new co-chairs. The committee will be well served by the proven commitment and fresh ideas of recently appointed co-chairs Paul deJong from the Christian Labour Association and Lynne Palumbo from CLR. If anyone is interested in joining the committee please contact Lynne at CLR’s Calgary office or Paul deJong at CLAC’s Calgary office.

LP



Rapid Site Access Program (“RSAP”)

Moving from Pilot Project towards an Industry Standard



What is the Rapid Site Access Program (RSAP)?

RSAP is a voluntary alternative to alcohol & drug site access testing offered to members of participating building trade affiliates and projects. Workers who opt in agree to be subject to random A&D testing while employed and in return are exempted from having to submit to participating owner site access testing requirements. Workers who choose not to opt in continue to access sites by submitting to required site access tests. Once a worker has opted in, opting out prerogatives are limited to those not currently working and those not engaged in an aftercare program with the third party provider. These two limitations on opting out are necessary for the following reasons. One, it would not make sense for a worker to opt into RSAP, avoid submitting to a site access test, and then once on site opt out of the program to avoid the random testing he/she agreed to as a means of bypassing the site access test in the first place. Second, once a person has engaged in an aftercare program (following a positive A&D test or other violation of the *Canadian Model*) the worker cannot opt out until the follow-up requirements of the assessing substance abuse expert and third party case manager are satisfied.

Aftercare administered by the program is comprehensive, corrective and supportive in focus, and spans multiple employment relationships and multiple worksites.

Some highlights of our experience with the program

For over a year now RSAP has been in

operation with the Insulators. During such time, the union, owners, contractors, those involved in providing administrative oversight and the RSAP providers have acquired experience in conducting unannounced random testing and comprehensive aftercare in our industry.

As the program is voluntary, most of those workers who have registered comply with the *Canadian Model* and do not have concerns with being tested while employed to demonstrate adherence to the work rule. Indeed, our experience is that one percent or less of random urine based testing conducted by the program has resulted in a non-negative result. For these workers, the program has made their lives easier in that they no longer have to arrange for site access testing on their own time and await A&D test results prior to proceeding to a worksite.

One thing we did not anticipate, however, is some Insulator members opted in to RSAP who had existing dispatch restrictions administered by the Union arising from prior A&D related infractions. The decision to opt into RSAP was motivated by their belief that their participation in the program would override that pre-existing dispatch restriction. That was and is not the case. Those workers became RSAP participants but their pre-existing aftercare programs were referred to and administered by the program. As these workers were engaged in aftercare, opting out of the program was not available to them. By administering these inherited aftercare programs RSAP providers gained experience in administering case managed aftercare. The third party managed aftercare proved effective and had clear advantages from both safety and confidentiality perspectives. Thus the Union and Trade Division agreed

to refer all contractor administered non-negative tests and other violations of the *Canadian Model* to RSAP providers for case management.

Currently there are approximately three hundred RSAP voluntary participants and ninety-eight case managed aftercare cases.

Of those workers who have opted into the program and have had the option to opt out, not one worker has opted out of the program. This is demonstrative of the respect, dignity and professionalism in which the providers interact with worker participants and for that we owe our gratitude to Organizational Health Incorporated, Human Solutions (formerly Wilson Banwell), and Mobile Industrial Health Incorporated.

Most workers faced with entering an aftercare program are agreeable to participating, satisfy prerequisite dispatch conditions and are redeployed to worksites with case management oversight. Some workers case managed by the program attempted to opt out but were not permitted to do so by the program rules. Few chose to secure work in another industry or work non-union as opposed to follow through with their aftercare program. Some of those who left the industry temporarily have now returned and become agreeable to participating in the aftercare. In any event, workers who are not in compliance with the program rules are not dispatched to any Building Trades contractor. This demonstrates the effectiveness of the system in barring dispatch where we lack confidence in the workers' ability or willingness to maintain compliance with the *Canadian Model* while at work.

Based on our experience to date, the pilot of the Rapid Site Access Program is a success and the industry would benefit from broader participation.

Cont'd from page 8

Moving from Pilot Project to an Industry Standard

In a move to encourage participation from other affiliates the Association agreed that if a critical mass of the Building Trades of Alberta agreed to offer RSAP to their members, the Association would recommend to participating owners the use of oral fluid testing for random drug testing conducted by the program. In response the Operating Engineers, Ironworkers Structural, Ironworkers Reinforcing, Cement Masons, Plasterers, Sheet Metal, Sheeters, Deckers and Cladders, and Electricians have agreed to offer the program to their members contingent on the adoption of oral fluid testing for the random drug testing conducted by the program. Positive discussions continue with others. A discussion will be held with the Construction Owners Association of Alberta in mid November to advance this proposal. Following that, we will be seeking confirmation from each participating owner that the use of oral fluid drug testing for the random component will be an acceptable alternative to their site access testing requirements.

2009 could be a busy year for the program if it scales up to the participation contemplated above. A communication plan for contractors entitled the "RSAP Information Series" is underway. It describes various aspects of the program and sets out how contractors can make the best use of the program. In addition, look for a new section on our website dedicated to RSAP, which will contain most of the program documentation. Should your organization want to set up a more direct dialogue about the program please contact Sam Kemble in our Edmonton office who would be pleased to discuss this with your team.

SK



Suncor - CEP Alcohol and Drug Policy - Arbitration Decision

In September, 2008 there was a unanimous decision issued by an Arbitration Board, chaired by David Elliott, in respect to a policy grievance filed by the Communications, Energy And Paperworkers Union, Local 707 (CEP) against Suncor Energy Inc., Oilsands (Suncor). The grievance was in respect to the Suncor Alcohol and Drug Policy (which applies to their operating plant only, not construction) in effect in 2003 claiming the post-incident alcohol & drug testing provisions of the policy were unreasonable as written. The CEP Union had not agreed with Suncor in respect to the implementation of the policy which was unilaterally imposed by the Company. The Arbitration Board decided that the policy language in question was not reasonable and offered some alternative language to deal with post-incident testing circumstances. The Arbitration Board also commented on the language contained in training materials that support the Policy. The Arbitration Board further commented that, "In most respects the Policy is reasonable and should be supported."

The post-incident policy language in the Suncor Alcohol & Drug Policy closely mirrored the 2001 edition of the Canadian Model Alcohol and Drug Policy post-incident alcohol & drug testing language. Hence we have reviewed this decision with our legal counsel and do not feel contractors need to be concerned at this time by the outcomes of this decision. Following are comments in support of this:

- The 2001 edition of the Canadian Model Policy was agreed to by all Building Trade Unions; there was not union agreement to the Suncor Policy in the Suncor-CEP situation.
- The language contained in the post-incident alcohol and drug testing provisions of the 2005 edition of the Canadian Model Policy closely resembles the language

recommended by the Arbitration Board that the Suncor Policy be changed to.

- Most contractors are utilizing the 2005 edition of the Policy which has been agreed to by most of the Building Trade Unions.
- In the construction industry we rigorously follow an investigatory process before a post-incident alcohol and drug test is requested to ensure thoroughness of incident analysis and circumstances surrounding the incident; we strongly emphasize the importance of following an incident investigation process.

In respect to any issues regarding training materials, our current materials developed for the CLR-A four hour Supervisors' Workshop on the 2005 edition of the Canadian Model Policy are consistent with the Canadian Model Policy language contained in the 2005 edition. Thus we believe these training materials can continue to be used as currently written.

We have been advised that the Construction Owners Association of Alberta plan to re-convene the Canadian Model Review Committee in the Spring of 2009 to review the Canadian Model Policy taking into consideration recent arbitration decisions (including this Suncor-CEP decision) and other developments that may have impact on the Canadian Model Policy.

Should any questions or concerns arise in respect to this particular arbitration decision or the Canadian Model Policy please contact one of our offices for assistance.

RC



CLR Audiometric Testing Program

CLR Audiometric Testing Program has been gaining momentum and currently there are approximately 10,000 workers tested and in the central data base. The program has had some growing pains with respect to general understanding of the program and it's requirement under legislation as part of a complete noise management program. The question about the use of SIN's to track workers tested has been resolved and other tracking tools are now being used. We are currently in the stage of analyzing the generic results of the tests done to date.

As a consequence of the underutilization of the program in the start up phase, the CLR Board agreed to suspend the three cents per hour payments into the fund until further notice. The fund pays for the cost of the tests but not for the time to take the tests.

Alberta Workplace Health and Safety have endorsed the testing program as meeting the legislative requirements for testing in a multi employer, transient workforce environment and have suggested that the program is a model for other similar industries.

The participating trade divisions for general construction industrial work are the Carpenters, Cement Masons,

Insulators, Ironworkers - Reinforcing, Ironworkers - Structural, Labourers, Millwrights, Operating Engineers, Mechanical (Plumbers & Pipefitters), Sheet Metal, and Sheeters, Deckers & Cladders. The Operating Engineers also participate in commercial work.

If you employ workers under these collective agreements you are encouraged to call THM Industrial Audiology Group Ltd. to arrange for your workers to be tested at the worksite. If your organization is not currently participating in the program and you wish to participate you can call THM to discuss how to get involved. All arrangements for testing must be coordinated with THM. They can be contacted at 403-264-1130 or by email at tomm@thmgroup.com.

If you would like more information on noise exposure, the CLR testing program or the OH&S legislation regarding noise management, contact Doug Hawkins in the CLR Calgary Office at 403-250-7390.

DH



New Name and New Logo

Building Trades of Alberta has recently unveiled their new logo in conjunction with their name change.



The Skilled Trades Advant✓antage.

