



**COAST TO COAST UPDATE**  
**AU COURANT D'UN OcéAN À L'AUTRE**

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS  
 FRATERNITÉ INTERNATIONALE DES OUVRIERS EN ÉLECTRICITÉ



**PHIL FLEMMING**  
 International Vice President / Vice-président international  
 First District, CANADA / Premier District, CANADA



**May/June 2011**

Greetings:

I trust everyone is starting to enjoy the summer with your family and friends. Summer always seems to lend itself to an easier approach to our work and a chance to recharge our batteries after the long winter weather. Take full advantage of the moment and you need not be reminded that September always comes too quickly.

This year is breaking the tradition of a late summer/early fall All Canada Progress Meeting and as all of you are aware, we will be meeting in Quebec City in July instead, due to the International Convention being held in Vancouver, September 2011. The First District Office has lined up an impressive agenda and in conjunction with the Local Host Committee we are looking forward to a first class, professional conference that will prove beneficial and constructive for our IBEW and organized labour in Canada

We have 21 entries for the IBEW Has Talent contest, which we are very excited about because apparently, we've been told that our District has the best overall talent!! We will be showing video clips of these talents whereby the Delegates and guests at the ACPM evening event on Wednesday, July 13<sup>th</sup> will get to vote. The winner out of the 21 entries will get to move on to the International Convention in Vancouver where they will be competing against the 10 other IBEW Districts for 1<sup>st</sup> place.

President Ed Hill will attend our sessions, along with the newly appointed IST Sam Chilia, IEC 8<sup>th</sup> District Member John Briegel and an inspiring line-up of speakers who will be emphasizing on 'Energizing Leadership', which is our Progress Meeting theme. As always, the Delegates are welcome to weigh in and be heard.

We look forward to seeing all of you during the week long planned agenda starting on Monday, July 11<sup>th</sup> with the training session "Dealing with Difficult People" and the Progress Meeting itself on Tuesday, July 12<sup>th</sup> through to Thursday, July 14<sup>th</sup>, 2011.

In solidarity,



Phil Flemming, IVP

**IBEW Apprentices Rise to the Top**

Once again IBEW Apprentices have reached the podium of excellence to accept the gold and bronze medal at the Skills Ontario Technological Skills Competition (OTSC) for Electrical Wiring.

Brother Andrew Fidler, an apprentice with Local Union 303-St. Catharines, took home the gold medal and Brother Blair Hawes, an apprentice with Local Union 353-Toronto, was awarded the Bronze medal.



*Left: Corina Hicks, Chair of the Electrical Wiring Competition, presents an Ideal tool pouch to Andrew Fidler, Gold Medal Recipient*

OTSC is the cornerstone event of Skills Canada – Ontario that hosted 1,960 secondary and post-secondary competitors from across Ontario to compete in 63 contests. Over 30,000 visitors attended to watch the competitions. This annual event is held every May at RIM Park and the Manulife Financial Sportsplex in Waterloo, Ontario.

Corina Hicks, a member of Local 804 Kitchener, is the technical chair for Skills Ontario electrical wiring competition. Corina is passionate about OTSC. "It's

a great opportunity for apprentices to be recognized for all their hard work and passion for the trade. Our youth is the cornerstone of our future and giving them this venue is a great opportunity for all involved,” says Corina.



Overview of Competition Site

The IBEW CCO and ECAO through the Joint Electrical Promotion Plan (JEPP) have been staunch supporters of this event. A crew of committed volunteers from Local Union 105-Hamilton, Local Union 120-London, Local Union 353-Toronto and Local Union 804-Kitchener, help to design the competitor project, solicit judges, provide manpower for organizing and overseeing the event.

As well, IBEW and ECAO sponsored a careers booth, a solar exposition and an elementary workshop.



Left: Blair Hawes, Bronze Medal Recipient

Recognition also goes to the following IBEW Apprentices who also competed – although not medal winners, their enthusiasm and effort makes our union proud: Trevor Al-

menar and Denis Lambert of Local Union 1687-Sudbury; Paul Figueiredo and Dennis Wright of Local Union 353-Toronto; Crystal Fielding of Local Union 894-Oshawa; Bryan Hunter of Local Union 120- London; Sam Mercel of Local Union 105-Hamilton; and Ryley Smuk of Local Union 804-Central Ontario.

Clarke Hurley, Training Director for Local Un-

ion 105-Hamilton, involved in Skills for over 10 years stated, “This is a marquee event to promote the IBEW to the general public, students, educators and government. Our success shows the quality of our apprentices and our training programs.”



Special thanks to the following companies and associations for generously donating materials for the competition. *EATON; Independent Electric Supply Inc; Canadian Standards Association; IDEAL; Nedco; Greenlee; Leviton; Legrand Pass & Seymour; Milne Electric & Automation; Infrastructure Health & Safety Association; Osso Electric Supplies Inc.; Iberville; Intermatic; Hubbell-Canada Swift Devices; Koskie Minsky LLP Barristers & Solicitors*

**Wind Energy Drives Jobs And Local Benefits At Prices That Are Competitive With Other New Sources Of Electricity** *(The following article was an 'Immediate Release' from the CanWEA website on May 5, 2011)*

Investments in wind energy are creating thousands of jobs, driving hundreds of millions of dollars in economic benefits for rural communities, and creating a cleaner environment – at prices that are competitive with other new sources of electricity, says the Canadian Wind Energy Association (CanWEA) in response to recent statements about the cost of electricity by Progressive Conservative Leader Tim Hudak.

“Ontarians are not paying more for clean energy, they are paying more for new energy,” said Robert Hornung, president of the Canadian Wind Energy Association (CanWEA). “Utilities around the world are investing in wind energy because it has already demonstrated it is cost competitive with a number of technologies and will become even more cost-competitive in the future. Over

the long term, the cost of wind energy is projected to continue to decline while the costs of other technologies are projected to grow in response to increased fuel costs or environmental regulations like carbon pricing.”

While it is true that the price of electricity in Ontario is rising, this price increase is the product of several factors, explained Hornung, including the need for investments in new electricity supply and infrastructure to ensure a safe, reliable and more environmentally sustainable electricity system in Ontario.

“The recent price hikes we have seen in Ontario have nothing to do with the prices being paid for new wind energy generation under the Green Energy Act, as only a very small number of projects are operating at this time,” he added. “Transparency, competition and future lower prices are principles our industry can work with, but let’s ensure we’re all starting with the same facts.”

CanWEA is the voice of the wind energy industry, actively promoting the responsible and sustainable growth of wind energy throughout Canada on behalf of its more than 400 members. A national non-profit association, CanWEA serves as Canada’s leading source of credible information about wind energy and its social, economic and environmental benefits. The document Wind Vision 2025 – Powering Canada’s Future is available at [www.canwea.ca](http://www.canwea.ca).

### **Green Energy Act Creates Thousands of Construction Jobs**

*(The following article was a press release, announced on May 26, 2011 by Energy Minister Brad Duguid and appeared in the Hamilton Spectator newspaper)*

The International Brotherhood of Electrical Workers Construction Council of Ontario applauded the clean energy announcement by Ontario Energy Minister Brad Duguid today in Hamilton.

“The Green Energy Act and the Feed-in Tariff (FIT) program have been drivers that have resulted in several million person-hours of construction work directly related to green energy projects across Ontario,” said John Martin, Business Man-

ager of IBEW Local Union 105 (Hamilton). “This is an important fact that no one can ignore.”

Ontario’s construction industry has been a major benefactor since the introduction of the Green Energy Act. Thousands of much needed jobs have been created for electricians, powerline technicians and other trades as a result of investments in solar and wind energy projects. Examples of these investments are solar farms in Simcoe, Arnprior, St. Isidore and Sarnia along with numerous wind projects in southwestern, northeastern and central Ontario.

Some critics, including Ontario PC leader Tim Hudak, have attacked green energy jobs because they foolishly state that many of the jobs are temporary in nature. “Every construction job is a temporary job, but that does not mean they are not important,” said Martin. “At a time when many traditional manufacturing and related jobs were disappearing, these green energy jobs emerged to help put our skilled trades people and apprentices to work. With record unemployment in parts of Ontario, these jobs will result in skilled workers remaining in the construction industry and allow us to attract youth to the skilled trades through our apprenticeship system. It is a win-win situation.”

The International Brotherhood of Electrical Workers Construction Council of Ontario is the provincial umbrella body that represents over 15,000 electrical workers in Ontario.

### **Government of Canada Hits the Mark on Helmets to Hardhats Program - Construction Industry Will Continue to Advocate on Addressing Skills Shortages Through Workforce Mobility and Changes to the Income Tax Act**

*(The following article is a news release from CNW Group in Ottawa on June 6, 2011)*

In today’s Federal Budget the Government of Canada has reaffirmed support and enabled monies directed at Canadians currently enrolled in Red Seal apprenticeships through the Apprenticeship Incentive Grant completion bonus. Robert Blakely, Director of Canadian Affairs says “this is an important step to ensure our training system is strong and continues to deliver top quality tal-

ent to jobsites nationwide. We would like to see these apprenticeship incentives extended to third and fourth year individuals as well."

Canada's construction unions are encouraged by the plan in the reintroduced 2011 Federal Budget to work with Canada's Building Trades organizations to implement a program to transition those interested Canadian Forces Veterans into our skilled trades. The Helmets to Hardhats Program has a track record of integrating military professionals into the best paid, most respected technical jobs in the construction industry. We also hope to assist in placing veterans who are interested in supervisory and engineering roles as needed by our industrial partners.

Joe Maloney, International Vice President and Chairman of the Canadian Executive Board of the Canadian Building Trades says "This program is a game changer for young veterans - we aim to place as many of the 5,200 transitioning professionals as possible each year. This is a cross promotional venture - good for the Military and good for our trades. We look forward to continuing our working relationship with the Government of Canada on this venture."

For our industrial partners, we were pleased to see an extension of the Capital Cost Allowance (CCA) for acquisition of major equipment. This will assist with job costing in construction and maintenance facilities.

The Canadian Building Trades is concerned with certain sections of the Budget - in particular the unfavourable tax treatment of Oil Sands capital assets. We expect to work in partnership with our industrial partners and the Government of Canada to ensure continued development of Canada's single greatest natural resource.

No particular budget, especially a deficit budget can address each and every problem area faced by Canadians; we believe, at least, that the current federal government is attempting to take a balanced approach to the circumstances it faces. There are a significant number of "other" things

we would like to see in an economic plan and we intend to convey this information to government as the mandate of the new government is released. In particular, there were no incentives in the Budget to encourage a more mobile, flexible construction workforce.

Robert Kucheran, General Vice President of the International Union of Painters and Allied Trades (IUPAT) says "for a number of years the Canadian Building Trades, our individual organizations and our contractors have proposed a system of tax incentives for mobile workforces to the Government - a system that encourages our members and Canadians at large to travel to areas of Canada experiencing skills shortages and ease the financial burden on the Employment Insurance Program. Construction owners across Canada continue to struggle with labour force planning - this required change to the *Income Tax Act* will assist all stakeholders in the construction economy. We will continue to work with the Minister of Human Resources and Skills Development and the Minister of Finance to finalize this non-partisan industry request."

#### **IBEW Work at the Irving Oil Refinery in Saint John, New Brunswick**

Maintenance electricians working for Jacobs Industrial Services Ltd. at the site were recognized for efforts above and beyond their normal scope of work. Management and union representatives were involved in the special presentation to show their appreciation and give credit to the members who have drawn attention to the quality work we do here every day.

At a time when employers and owners across North America are exploring ways to make their operations more efficient and competitive, we as IBEW Electrical Workers are challenged to show that we are best in class and these short stories will provide examples of how we can rise to the challenge and exceed those goals. The refinery has just recently been promoting their "Irving Advantage" program using a STRIVE model to encourage all 1,400 employees to embrace a new open culture and sense of ownership at the plant. The first story is about Brother Chris Wheaton, a

Journeyman Electrician who was tasked with the installation of tray brackets on a new vessel being assembled in the South lay down area. Chris sensed something about the vessels layout just didn't look right. It had nothing to do with Chris's task, nor was it related to anything electrical. Chris could have ignored this feeling and carried on with his job.

What if he was mistaken? Why not wait and let someone in another department spot the mistake?

After some soul-searching he brought it to the supervisor's attention of the department responsible. They investigated and found out the vessel was laid out incorrectly and if assembled that way, it could have been a costly fix down the road. E & I Superintendent Darren Derrah observed that this is exactly the type of commitment that management is looking for from all employees. No one should be afraid to speak up on safety issues or ways to ensure we remain competitive.

The second story is about Brothers Chris Layton and Darcy Oickle who agreed to work four overtime shifts to assist refinery engineers and manufacturer representatives trouble shoot and repair a co-gen unit that wouldn't start. Typically in these situations IBEW workers are there to provide assistance to the experts who do the actual troubleshooting.

During a coffee break on day two, while the co-gen unit was still not running and with no realistic solution in sight, the two IBEW Local Union 502 members, who had been looking over the schematics, decided to try their hand at finding a fix to the problem. In a short period of time Brothers Layton and Oickle found that a triac was installed backwards and not allowing the correct logic to start the co-gen. These Brothers brought their solution to the attention of the service reps and engineers. Their trouble shooting skills had not only saved the owner much, in the way of expenses, but also started the unit two days ahead of schedule. Jacobs Maintenance Manager Alan Reid commended the efforts of the Local 502 members while recalling a similar

story from many years earlier about a Local Union member that went on to own a very successful contracting business.

Owners and employers often reward or recognize employees who step up and accept more responsibility and go beyond the recognized limits of their job description, however in this case, IBEW Local Union 502, through the job steward, made arrangements to do this at a brief lunch time ceremony at the refinery and demonstrate that we as a Union recognize our members who represent their Union in a positive way and prove to owners that they have made "*the right choice*" with IBEW Local Union 502.



From left to right: Alan Reid, Chris Wheaton, Chris Layton, Darcy Oickle & Darren Derrah.

**Collective Agreement Provision Favouring Older Workers Breached Human Rights Code, Labour Relations Board Finds** *(The following articles are excerpts taken from the Lancaster Labour Arbitration eNewsletter - Issue No. 139)*

To address the difficulty faced by electricians in finding employment once over the age of 50, the collective agreement between the International Brotherhood of Electrical Workers Construction Council of Ontario and the Electrical Trade Bargaining Agency of the Electrical Contractors Association of Ontario contained a provision that gave journeymen electricians aged 50 years or more a preference in maintaining their employment when an employer was reducing its workforce of journeymen electricians through layoffs. Specifically, Article 706 of the Principal Agree-

ment provided that "where five (5) or more Journeymen are employed, every fifth (5th) Journeyman shall be fifty (50) years of age or older, where available."

When an employer laid off a journeyman electrician over the age of 50, the union filed a grievance alleging a breach of Article 706 of the agreement, and proceeded to the Ontario Labour Relations Board, which has jurisdiction to hear grievances in the Ontario construction industry. The employer brought a preliminary motion to dismiss the grievance, alleging that Article 706 was void because it contravened the anti-discrimination provisions of the Ontario Human Rights Code.

Section 5(1) of the Code provides that every person "has a right to equal treatment with respect to employment without discrimination because of ... age." Section 9 of the Code states that "[n]o person shall infringe or do, directly or indirectly, anything that infringes a right under this Part."

However, s.14(1) of the Code provides that "[a] right under Part I is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity or that is likely to contribute to the elimination of the infringement of rights under Part I."

The union acknowledged that Article 706 was intended to favour older workers over younger ones in the case of layoffs, but argued that the provision was not discriminatory because it was intended to remedy a disadvantage suffered by older electricians in the labour market. It submitted that, because employers were reluctant to hire older electricians when younger ones were available, electricians 50 years of age and over were at risk of suffering more in the event of layoff because they would have a harder time finding new employment. As a result, it maintained that Article 706 was not discriminatory within the meaning of the Code because there was a bona fide laudable purpose for that differential treatment. Alternatively, the union argued that the provision was saved

as a special program under s.14(1) of the Code.

The employer denied that there was any reliable evidence that older journeyman electricians were at a disadvantage in the labour market, and argued that Article 706 was therefore discriminatory and illegal. It also maintained that the exception in s.14(1) was inapplicable because Article 706 did not meet the criteria for designation as a special program.

The Ontario Labour Relations Board dismissed the grievance, ruling that Article 706 was discriminatory in contravention of the Ontario Human Rights Code and that the employer therefore did not breach the Principal Agreement when it laid off the grievor because it could not be compelled to engage in conduct contrary to the Code.

Writing the unanimous decision of a three-member panel of the Board, Vice-Chair Harry Freedman found that Article 706 of the agreement mandated that the employer consider whether an electrician was 50 years of age or older when deciding whether to lay off an employee, resulting in discrimination with respect to employment by reason of age in contravention of the Code.

Section 706 clearly requires an employer to consider whether a journeyman electrician is 50 years of age or older when determining whether that employee can remain at work when there is a layoff. Since that clause provides for preferential treatment on the basis of age, the journeymen electricians covered by the Principal Agreement do not receive equal treatment with respect to employment without discrimination. Moreover, an employer bound by the Principal Agreement, in order to comply with the Principal Agreement, would directly infringe a right set out in section 5 of the Code and therefore be acting contrary to section 9 when it used a journeyman's age to determine who would be laid off and who would be retained in employment.

Turning to whether the clause was permissible pursuant to section 14 of the Code, Vice-Chair Freedman declined the union's request to take administrative notice that journeymen electricians 50 years of age and older who are employed by contractors bound by the Principal Agreement are

a disadvantaged group because they face significant difficulties in finding employment and remaining employed. According to Freedman, the evidence did not support such a conclusion and, moreover, such a declaration would perpetuate stereotypes about older construction workers. While acknowledging the union's concerns about protecting older workers, the Board stated, "we are simply not satisfied a journeyman's age has a material impact on that individual's employment with contractors bound by the Principal Agreement." Regarding its disinclination to perpetuate stereotypes about older workers the Board cited a passage from the Ontario Human Rights Commission's Policy on Discrimination Against Older Persons Because of Age:

Assumptions and stereotypes about older workers are unfortunately all too prevalent in our workplaces. Older workers are often unfairly perceived as less productive, less committed to their jobs, not dynamic or innovative, unreceptive to change, unable to be trained or costly to the organization due to health problems and higher salaries. These ideas about older workers are simply myths that are not borne out by evidence.

As a general principle, older workers should be treated as individuals, assessed on their own merits instead of presumed group characteristics and offered the same opportunities as everyone else in hiring, training and promotion. They should be subjected to the same performance management practices as every other worker. Age, including assumptions based on stereotypes about age, should not be a factor in decisions about lay-off or termination.

We accept the purpose of section 706 is to provide some measure of protection to older journeymen from a loss of employment due to their age. In order [for it] to be a special program, the [union] must first demonstrate that journeymen electricians 50 years of age and older are at some disadvantage by reason of their age when it comes to remaining employed. It has not done so. In any event, even if "older" journeymen electricians are a disadvantaged group, there was nothing presented to the Board to justify jour-

neymen who are 50 years of age getting the protection of section 706 while journeymen who are 49 years of age do not. In other words, since section 706 on its face is restricted to persons 50 years of age and older the [union], in order to persuade us it is a special program, needs to provide a 'rational connection between any restrictions in eligibility and the purpose of the special program itself.' Simply put, there was nothing presented to us to demonstrate why the restriction in section 706 was fixed at 50 years of age.

In the result, the Board dismissed the grievance, concluding that section 706 was contrary to the Code because it differentiated between two classes of employees in relation to their employment on the basis of age and did not constitute a special program within the meaning of section 14(1) of the Code.

In the Board's view, the effect of the impugned provisions of the collective agreement [is] to provide some accommodation, security, recognition and assistance to those members of the trade who have spent many of their years employed in the trade. The purpose and effect of the provisions are not motivated by any malice or based on any invidious reasons. Indeed, the purpose and effect of the provisions are reasonable and laudable and were negotiated for sound, cogent labour relations and proper purposes. There is no evidence to suggest that the provisions have caused any adverse or improper effects. We note parenthetically that it is the respondent employer and not any individual employee complaining that these provisions of the collective agreement are discriminatory.

#### **Life Saving Award – IBEW Local Union 402, Thunder Bay**

On Friday April 8, 2011, Brother Gord Williamson, a 35 year plus journeyman Wireman was working atop of an elevating work platform at a local shopping mall. Brother Williamson was installing fluorescent and track lighting when an incident occurred.

Brother Williamson using his proximity tester to check a circuit he was to work on. It indicated no potential voltage. Brother Williamson proceeded

to strip the wires to tie into the track lighting strip when he felt the electric shock go through both of his hands and then up his arms. By Brother Williamson's own account he said "I was hung up and after a few seconds fell over onto the floor of the lift still being electrocuted." Brother Williamson lying on the floor of the lift started yelling "Turn it off, turn it off, I'm being electrocuted".

Brother Robert Carr, a recently graduated Journeyman Wireman who was working about 15 feet away when he heard Brother Williamson's screams for help. Instead of going towards Brother Williamson to see how he could help, he quickly ran to the electrical panel and shut off the power.

Brother Robert Carr ran back to Brother Gord Williamson's elevated lift, lowered the unit and helped Brother Gord Williamson out of the lift. Brother Robert Carr knowing the severity of the incident wasted no time and rushed Brother Gord Williamson to the hospital.

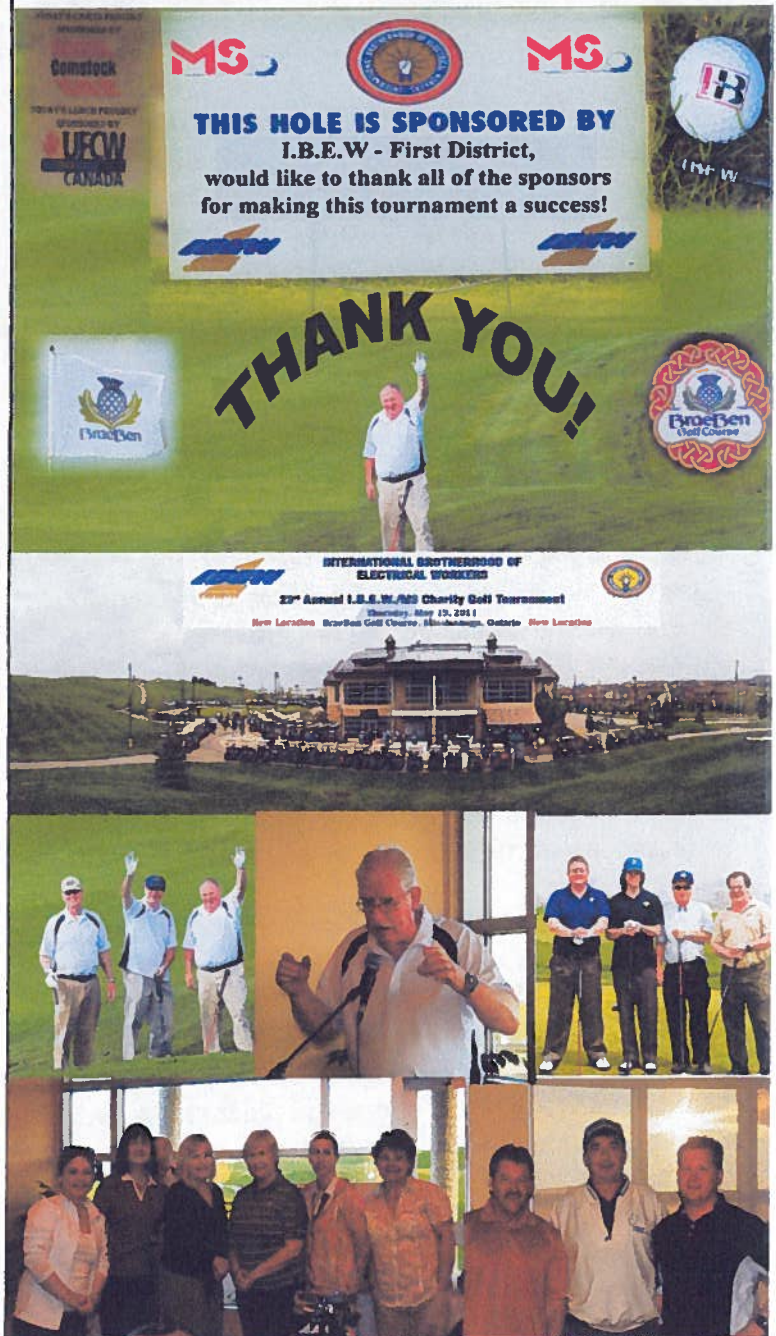
After further investigation, it has been commented that Brother Williamson received a 120 volt, 20 amp electrical current through his body for greater than 15 seconds. The 120 volt shock basically "stuck" Brother Williamson onto the wire (he could not let go). If it wasn't for the actions of Brother Robert Carr, instead of heading towards Brother Williamson (as most would do) he shut off the power first. This action alone has been attributed to the number one reason Brother Gord Williamson is alive today.

Brother Gord Williamson is now out of hospital. He suffered minor burns along with some muscle damage as a result of his injuries.

Thank you and congratulations to Brother Robert Carr for using his good sense and applying his knowledge that saved his fellow Brother, Gord Williamson.

## First District 24th Annual IBEW/MS Charity Golf Tournament

This year's annual golf tournament was held at the BraeBen Golf Course in Mississauga and once again, it was a great success; over \$11,000 was raised for the Canadian MS Society. Thanks to retired Rep Tom McGreevy for all his efforts in bringing in the donations and coordinating the whole event, and thank you to all sponsors as well as the participants for their generous donations. We anticipate another successful year next year at the 25th Annual IBEW/MS Charity Golf Tournament as it will be held again at the BraeBen Golf Course on May 17th, 2012.



# ANNOUNCEMENTS

## IBEW Has Talent

There are 23 entries from the First District Local Unions, this is excellent and thanks goes out to all those who put their time and effort into sharing their talent. These entries are on video and will be shown at the All Canada Progress Meeting banquet night, Wednesday, July 13th, whereby there will be a ballot vote by all viewers. The ballots will be counted and then the winner of the IBEW Has Talent contest will be crowned and will then be judged at the International Convention against the other 10 Districts.

## United Way Centraide Canada

Each year United Way of Canada - Centraide Canada presents this prestigious award to Canada's leading corporations, employers and labour organizations that together with their employees and members have raised \$1 million or more in support of United Way-Centraide. Once again, the IBEW will receive national *Thanks a Million* award for 2010.

## 2011 Harley Draw

The winner of the first Early Bird draw, holding ticket number 0191 for \$5,000.00 – drawn May 19<sup>th</sup>, 2011 at the 23<sup>rd</sup> Annual IBEW/MS Charity Golf Tournament is:

**Bob Meston, Local Union 353 – Toronto, ON**

**Congratulations Bob !!!**

**FYI:** There are still limited tickets available for another cash prize of \$5,000 and the Harley Davidson; please call your International Representative or the 1st District Office to purchase.



## 2011/2012 Projected Meetings

- July 30-Aug.5/11 **2011 National Training Institute**  
University of Michigan  
Ann Arbor, MI
- July 11-14/11 **All Canada Progress Meeting**  
Hilton Quebec Hotel  
Quebec City, QC
- Sept.19-23/11 **International Convention**  
Vancouver Convention Centre  
Vancouver, BC
- Nov. 15-17/11 **Membership Develop. Conference**  
Paris Hotel  
Las Vegas, NV
- Nov. 30-Dec.2/11 **2011 Nuclear Conference**  
Harrah's  
Las Vegas, NV



