

WHSCC News



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WHSCC News is published by the WORKPLACE HEALTH, SAFETY AND COMPENSATION COMMISSION OF NEW BRUNSWICK.

Please direct correspondence to:
COMMUNICATIONS DEPARTMENT
WHSCC
PO Box 160
Saint John NB E2L 3X9
Toll Free: 1 800 222-9775
Fax: 506 632-2830
Website: www.whscc.nb.ca
AGREEMENT NO. 40064251

ST. ANNE-NACKAWIC OUTPERFORMS INDUSTRY SAFETY AVERAGE

In an industry with an accident frequency 26% higher than the provincial average for all employers, when it comes to safety, St. Anne-Nackawic Pulp Company Ltd. is a high performer.

With an estimated accident frequency of 3.7 (per 100 full-time employees) in 2002, 6.9 in 2001, and 4.0 in 2000, the mill's numbers are below the industry average by 22%.

Dick Barrow, Safety and Fire Co-ordinator at the mill, says co-ordinating safety efforts is a full-time job, and one that is "challenging but necessary." Mr. Barrow has been heavily involved with safety at the mill for the past 15 years.

"It's important to have a



Dave Greason, Vice-President, WorkSafe Services Division, WHSCC, on the left, presents a plaque to Don White (centre), President, St. Anne-Nackawic Pulp Company Ltd., and Dewayne Boone, Vice-President, CAW – Canada, Local 219, commending them on the company's safety record.

good safety attitude, and I'm proud of our record here at St. Anne-Nackawic," he says. "We want our people to leave with all the parts they came with."

Mr. Barrow has worked closely with WHSCC Health

and Safety Officer Bruce Messer and other Commission staff to develop a comprehensive safety program at the mill, one that is constantly reviewed and adapted to a changing workplace.

"Each new employee at the

mill receives a safety booklet, which contains 38 specialized items. I sit down with the employee and review the booklet; depending on their job, this takes one to two days," Mr. Barrow says. Following this initial safety training, further job-specific training is conducted within individual departments, he explains.

Safety posters are prominent throughout the mill, and Mr. Barrow is working on a new safety indoctrination video.

The mill has a very active Joint Health and Safety Committee (JHSC) in place, which comprises three union and three company represen-

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ACCREDITATION AWARDED TO WRC

On December 15, 2003, the Workers' Rehabilitation Centre (WRC) was awarded a three-year accreditation (the highest level possible) by the Canadian Council on Health Services Accreditation (CCHSA), the major accrediting body for health sectors in Canada.

"We are extremely proud of the quality of service we provide, and are committed to continually improve this service," says Barb Keir, director of the WRC. "I'd like to thank everyone for their dedication and hard work which resulted in our success."

In fact, it is this commitment to improving services that led the WRC to apply for accreditation in the first place, back in 1993.

"We saw accreditation as an effective way to have the Centre's services objectively evaluated by an external agency," she says, explaining that the CCHSA is an independent, non-government, non-profit association. The CCHSA surveyors are practising health care workers from across Canada. "The accreditation process not only helps us assess the quality of our services, but helps us to learn and improve, increase communication and collaboration

Clients from the Work Recovery Program consistently reported that they were involved in the goal setting process for their treatment. — CCHSA survey



Barb Keir, Director, WRC.

across the WHSCC and increases our credibility with clients. It is also recognition that we are meeting national standards of quality," she says.

The accreditation program is an ongoing process. Preparing for the on-site survey takes about three months. The first step is a self-assessment, which includes evaluating services against a series of national standards created by CCHSA. Four standard sections, common to all organizations, are assessed. These are: leadership

and partnerships; environment; human resources; and information management.

In addition, specific clinical programs are evaluated. This year, the Work Recovery and Pain Management Programs were assessed.

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tatives, as well as co-chairs Ken Gallagher and Rocco MacFarlane, Union Vice-President.

Mr. MacFarlane says the union and management enjoy a good working relationship.

“There have been challenges, but we’ve always been able to work things out,” he says. “The company has a good safety attitude, and our relationship is co-operative rather than competitive.”

Doug Mercer, Human Resources Manager at the mill, speaks for management. “Our position is to always provide a safe and enjoyable place to work,” he says. “Safety comes first at St. Anne-Nackawic.”

“We care. We won’t put our employees into any life-threatening situation, and we will go to extremes to ensure safety. We want to make it a way of life – both here at the mill, and at home.”

Mr. Mercer says a good safety attitude is beneficial for the company monetarily, by reducing the cost of benefits.

“Our position is to always provide a safe and enjoyable place to work. Safety comes first at St. Anne-Nackawic.”

— Doug Mercer, Human Resources Manager, St. Anne-Nackawic

But more importantly, he says, it’s peace of mind knowing that safety isn’t compromised. “We want everyone to be able to go to sleep at night.”

This safety attitude also benefits the community as a whole. The mill’s JHSC instituted a program which sees \$1,000 donated to local area food banks for every 40 days accident-free. This donation increases by an additional \$1,000 every 20 days thereafter (60 days accident-free = \$2,000 donation). Since 1995, the mill and its workers have donated \$166,000 to food banks in Fredericton and Woodstock. “It’s a very effective safety incentive,” says Mr. Mercer, “as there is no personal gain to the employees, just the satisfaction of helping those in need.”

Employees were recently honoured at a safety awards banquet, which highlighted a significant improvement in lost time – down from double digits, to single digits. Fifteen-year and 30-year safety

awards were handed out to 35 employees.

Dave Greason, Vice-President, WorkSafe Services Division, WHSCC, spoke at the awards banquet. He commended the mill for its high industry standards, noting that in addition to having an accident frequency below the industry average, claim costs were also lower. “St. Anne-Nackawic has been lower than the industry in three of the last four years. These good results are reflected in the experience-adjusted assessment rate of \$0.59 per \$100 assessed payroll, versus an industry average of \$0.86.” □

WRC from page 1

Teams are formed for each standard area to identify strengths and areas for improvement, and investigate whether recommendations from previous assessments were met. The self-assessment is then forwarded to CCHSA for review, and is followed by an intensive two-day on-site survey. The CCHSA surveyors review procedures, meeting minutes, clinical charts and CCHSA standards documents as well as interview staff, clients and community partners, and tour the facility. Interviews are done one-on-one, as well as through focus groups.

Mrs. Keir says the whole exercise is well worth the effort. “The accreditation process not only helps us better the quality of

All community partners commended the organization on the quality of care provided, the good communication that was disseminated from the Centre, and the increasing role that the Centre was playing in the larger community. — CCHSA survey

our services, but it provides us with a benchmark for information on best practices,” she says. “And it’s always nice to get positive feedback.”

The CCHSA commended the WRC for improved information sharing between the Centre and family physicians, and on the reorganization of its treatment space to improve rehabilitation services. The WRC was described as “highly professional, with a strong education focus and commitment to continuing education,” and the staff was applauded for being “actively involved in literature reviews to ensure best practices.”

Congratulations to the WRC on another successful accreditation, proof of its continuing commitment to providing quality care to injured workers on behalf of the employers of New Brunswick. □

[in the courts]

UPM-Kymmene Miramichi Inc. – UPM-Kymmene Miramichi Inc. was fined \$7,500 plus a \$1,500 victim surcharge after an employee was injured trying to cut wire on a heavy-duty press. Unaware there was still air pressure in the machine, he was caught when the tensioning roll crept forward. The company was charged with not ensuring that the machine was put into a zero-energy state.

Caldwell & Ross Limited – Caldwell & Ross Limited was fined \$6,000 plus a \$900 victim surcharge when an employee attempted to light a propane heater that had been left on overnight. The company was charged with failing to take all reasonable precautions to ensure the health and safety of employees by using an exterior-use-only propane heater in an enclosed structure.

Northumberland Co-operative – An employee caught his hand in an unguarded machine that wrapped blocks of cheese. The employer was charged with a guarding offence and was fined \$7,800.

Moulin Aldo + Fils – An employee suffered a serious cut when he turned off a cutter to clean a build-up of sawdust. The blade took several seconds to come to a full stop and the employee’s arm contacted it while it was turning. The employer was charged with failing to properly guard the saw and was fined \$1,725.

Drosts Supermarket Ltd. – An employee’s hand was caught in a conveyor belt that was not guarded as required by regulations. The employer was found not guilty of the charge at trial, but the acquittal was overturned on appeal. The store was fined \$2,000 plus a \$400 victim surcharge.

L. Halpin Excavating Ltd., Mark McGovern and Malcolm Milne – A health and safety officer found two employees not wearing the required head protection during a paving job by L. Halpin Excavating Ltd. The employees were verbally ordered to comply with the regulations and the supervisor, who was on site, was verbally ordered to ensure compliance. Two weeks later a second officer found the same employees without head protection. The employer, L. Halpin Excavating Ltd., was fined \$3,000. Employee Mark McGovern was fined \$300, while the second employee could not be located to lay charges against. The supervisor, Malcolm Milne, was also fined \$300.

The latest “in the courts” news can now be found on our website: www.whscc.nb.ca □

WOODS ROADS DRIVING SAFETY

Several recent motor vehicle accidents prove that driving on woods roads presents certain challenges. Co-operation between all users and the owners/licensees is required to ensure safety on these roads. The following recommendations can help improve woods roads safety.

FOR ALL USERS

- Respect posted speed limits. Slow down for special conditions such as dust, construction, heavy rain, heavy traffic, deteriorating road conditions, and poor visibility.
- Dust remains suspended in the air, considerably reducing visibility. Slow down and leave a greater following distance, especially when the vehicle being followed is moving equipment or hauling a flatbed trailer.

Clear communication is essential:

- Preferred method is a CB radio – use channel 1, unless otherwise posted.
- All vehicles involved in woodland operations should be equipped with a CB radio (thinning/planting vans).
- CB radios are meant for important dialogue and should be used appropriately.

Co-operation between all users and the owners/licensees is required to ensure safety on woods roads.

The general public is not always aware of the amount and type of traffic on woods roads:

- Do not stop in curves, blind areas or on bridges.
- ATV drivers must use caution when crossing roadways.
- Woodland operations change constantly. The public must be vigilant at all times – even after dark and on weekends.
- Headlights must be on at all times. [General Regulation 91-191, section 363]
- Truckers must ensure their loads are properly secured. [General Regulation 91-191, section 364]

- The *Motor Vehicle Act* applies not only to public roads but also to woodland roads with public access. Therefore, legislation such as seat belts, speeding, driving sober, vehicle inspection and transport of dangerous goods must be respected.
- Vehicles of more than one-ton capacity must be equipped with an audible back-up alarm.

[General Regulation 91-191, paragraph 230.21(1)(f)]

FOR LICENSEES/OWNERS

- Post kilometres on all major roads to enhance communication and facilitate emergency services.
- Post proper signage on bridges and curves to allow sufficient reaction time. [General Regulation 91-191, paragraphs 360(2)(b, c), 361(1)(b, c), and section 362]

- Post the following identifying information at the worksite: company, contractor and block number.
- When the road is narrow, make a sufficient number of widened areas available for two-way traffic and pull-offs. [General Regulation 91-191, paragraph 360(2)(a)]
- Cut back any vegetation that reduces visibility.
- Road construction, repair and grading should be posted using proper signage. [General Regulation 91-191, subsections 91(1), 91(2) and 93(2)]
- Keep roads safe. [General Regulation 91-191, paragraph 360(2)(d)]. In the summer, this means grading, when necessary, as well as spreading calcium or water.

REACHING SMALL BUSINESS

Officials from the WHSCC and the Canadian Federation of Independent Business (CFIB) – New Brunswick, met recently to discuss their respective roles and how to better reach small business in New Brunswick.

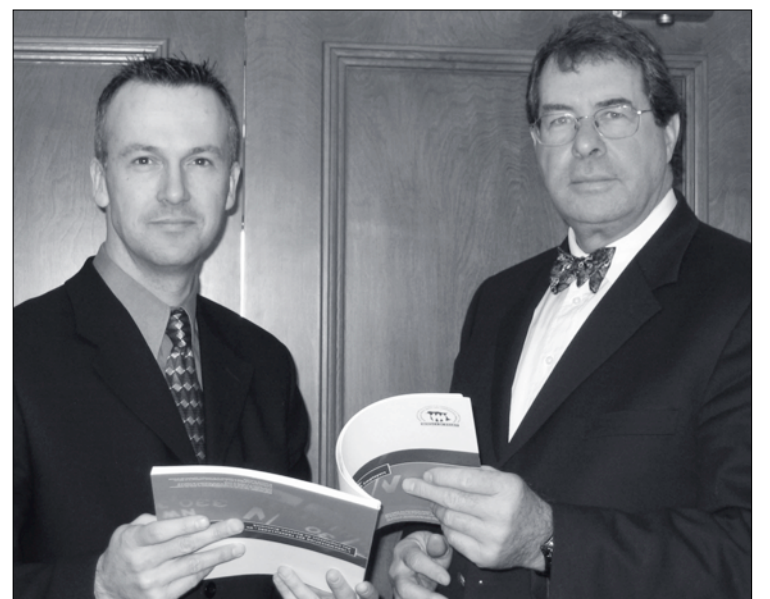
Doug Stanley, President and CEO, WHSCC, and Stéphane Robichaud, Vice-President, Atlantic Canada, CFIB, understand the needs of the small business sector are sometimes different than that of larger employers in New Brunswick. Sharing information and opening the door for regular dialogue will help the Commission and the CFIB to improve service to their stake-

holders in the small business sector.

The CFIB takes the pulse of its membership regularly. “Knowing your clients is the first step to serving their needs,” Mr. Robichaud said. “Sharing the statistics compiled by CFIB with the Commission will help us access additional information we may not already collect,” said Dave Greason, Vice-President, WorkSafe Services Division, WHSCC.

In their commitment to continued co-operation, the two agencies also discussed assessment rates for New Brunswick employers. Peter Murphy, Vice-President of

Corporate Services at WHSCC, advised the group that the trend of poor investment returns over the last three years was a major contributor to the increased rates levied on some employers. “Like many other industries, we hope to see a more positive trend occur in future investment markets,” Mr. Murphy said, adding that the WHSCC still offers the lowest average assessment rate in Atlantic Canada. □



Stéphane Robichaud, Vice-President, Atlantic Canada, CFIB, and Doug Stanley, President and CEO of the WHSCC review the employers' guide.

BILL C-45 AMENDS CRIMINAL CODE, ENFORCES WORKPLACE SAFETY

On November 7, 2003, Bill C-45 received Royal Assent in the House of Commons. The new legislation amends the Criminal Code of Canada by imposing criminal liability on corporations and organizations that fail to take reasonable measures to protect employee and public safety. In theory it will be easier for corporate management and supervisors to face criminal prosecution where death or injury of a worker occurs. Conviction for a workplace accident could result in fines or jail time.

Bill C-45, also known as the “Westray bill,” is essentially the result of years of campaigning by the victims’ families, former mine workers and their union, and based on findings from the inquiry into the 1992 Westray Mine disaster, which claimed the lives of 26 miners. Neither the corporation nor the officers were found criminally liable, although Justice K. Peter Richard, Commissioner of the Westray Mine Public Inquiry, found management negligent.

In his report, Justice Richard says: “Westray management, starting with the chief executive officer, was required by law, by good business practice, and by good conscience to design and operate the Westray Mine safely. Westray management failed in this primary responsibility.”

Mine manager Gerard Phillips and underground manager Roger Parry, along with the company that owned

the mine, were charged with criminal offences that were stayed because of lack of evidence.

Bill C-45 substantially lowers the threshold for corporations to be charged and convicted of criminal negligence, making it easier to convict a corporation for the acts and omissions of its corporate decision-makers. The Bill also broadens the definition of an organization.

Under current law, the definition of a “person” includes public bodies, bodies corporate, societies and companies. Bill C-45 amends this by defining an organization to include a “firm, partnership, trade union or municipality,” and can include “all employees, agents and contractors.”

Beyond creating legal liability for directors, officers, and corporate decision-makers, the Bill imposes an explicit legal duty on those responsible for directing the work of others in the workplace. Bill C-45 clarifies the

persons in a corporation who may commit or co-commit a crime. The term “directing mind” has been dropped in favour of a more common term, senior officer, now clearly defined as:

“a representative who plays an important role in the establishment of an organization’s policies or is responsible for managing an important aspect of the organization’s activities and, in the case of a body corporate, includes a director,

“Westray management, starting with the chief executive officer, was required by law, by good business practice, and by good conscience to design and operate the Westray mine safely. Westray management failed in this primary responsibility.”

— Justice K. Peter Richard, Commissioner of the Westray Mine Public Inquiry

its chief executive officer, and its chief financial officer.”

While a senior officer alone may be responsible for a corporate crime, frequently someone with less authority assists. In recognition of this, Bill C-45 also defines “representative” as: “a director, partner, employee, member, agent or contractor of the organization.”

What this means is that a corporation’s criminal liability will no longer depend on a

senior manager with policy-making authority having committed the offence. Any employee could make the corporation criminally responsible.

Bill C-45 also establishes specific grounds for sentencing, and increases the maximum fine for summary offences from \$25,000 to \$100,000. There remains no limit on fines for the more serious indictable offences, but the amendment sets forth

provision does not create a new criminal offence, but clarifies the existence of legal duty, making it easier to obtain a conviction.

So, what does all this mean for employers in New Brunswick?

With the potential of life imprisonment for a conviction of criminal negligence resulting in death, the implications are very serious. And although most employers in New Brunswick are committed

to protecting their employees’ health and welfare, it may be time for employers to revisit their health and safety plans and review the *Occupational Health and Safety (OHS) Act*.

For more information on Bill C-45, visit: www.parl.gc.ca. For more information on the OHS Act, call the WHSCC at 1 800 442-9776, or visit our website at: www.whscc.nb.ca and click on the Legislation menu bar. □

several factors to consider when determining fine levels. Bill C-45 also empowers the courts to impose administrative controls on an organization convicted of criminal negligence. Most relevant to New Brunswick employers is section 217.1 of the Bill, which addresses workplace safety. Under section 217.1, those responsible for directing the work of others have a legal duty to take reasonable steps to prevent bodily harm to any person arising from such work. This

[hot off the press]

The following publications are now available from the WHSCC by contacting the Communications Department at 1 800 222-9775.

- 2004 WHSCC Calendar
- 2004 Workshop Sheet
- Workers’ Compensation: A Guide for New Brunswick Employers
- Woods Roads Driving Safety (risk alert)
- Work Conditioning Program (pamphlet)

Now available on our website at:

www.whscc.nb.ca

- WHSCC Corporate Report – 3rd Quarter
- 2004 Industry Assessment Rates

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enews@whscc.nb.ca



MINE RESCUE COMPETITION TESTS MINERS' EMERGENCY SKILLS

The New Brunswick mining industry employs 3,430 people with average weekly earnings close to \$1,200, representing one of the highest earning levels of any industry in the province. Along with this high earning level, however, there is risk, and tragedies such as the Westray disaster in May 1992 serve as a constant reminder of this risk.

Mine rescue competitions test the preparedness of miners who may one day have to face a rescue situation. From May 28 to 29, three teams of

mine rescuers will face a mock disaster as they compete in the inter-provincial Mine Rescue Competition in Sussex, New Brunswick. The competition tests the miners' first-aid and firefighting skills in a simulated emergency rescue situation, which includes an underground scenario in a mock mine. Each team must also complete a bench test, consisting of a written test and an equipment check.

"These competitions highlight the need for stringent standards in mine safety," says Richard Blais, Chief Compliance Officer with the WHSCC. "And although our primary goal is prevention,

emergency preparation is also key. We hope these skills will never be needed, but training and competitions such as these ensure miners will be ready to respond appropriately if the need ever arises."

The competition is a joint effort among the New Brunswick and Nova Scotia mining industries and provincial agencies, including the WHSCC (NB) and the Department of Environment and Labour (NS).

Mine rescue began in New Brunswick in 1966, when the

Miners test their first-aid, rescue and firefighting skills in simulated emergencies at the Mine Rescue Competition in Sussex.

Department of Natural Resources (DNR) established the first rescue station in Bathurst. From 1966 until 1981, the DNR provided training for mine rescue and co-ordinated the mine rescue competition. The first mine rescue competition in New Brunswick was held at Brunswick Mine in Bathurst in 1972.

In the early 1980s, a joint Industry/Province Standards Committee was formed to establish training standards and testing, to evaluate the annual Mine Rescue Competition, and to assess mine rescue equipment to

ensure it meets industry standards. The committee continues to meet and is chaired by the WHSCC, with mine rescue co-ordinators representing each individual mine.

There are 90 active mine rescue members in New Brunswick today. Mine rescue training consists of multi-level ongoing certification, co-ordinated by the WHSCC and the New Brunswick mining industry. □

SAFETY AT THE PUMPS

Most of us know that it's unsafe to smoke or light a match near a fuel pump, but did you know that using your cell phone near a pump can be just as hazardous?

Cell phones that light up when switched on or when they ring can release enough energy to ignite fuel.

In one incident at a fuel station in the United States, a cell phone was placed on a car's trunk lid during fuelling; it rang and the ensuing fire destroyed the car and the gasoline pump.

In another incident, also in the U.S., an individual suffered severe burns to their face when fumes ignited as they answered a call while refuelling. And in yet another occurrence, an individual suffered burns to the thigh and groin as fumes ignited when the phone in their pocket rang while they were filling up.

Static electricity is another cause of fires at fuel stations. The Petroleum Equipment Institute has researched 150 cases of filling station fires caused by static electricity. Here are some of their findings:

- Almost all cases involved the person getting back in their vehicle while the nozzle was still pumping gas. When finished and they went back to pull the nozzle out the fire started, as a result of static.
- Most had on rubber-soled shoes.
- It is the vapours that come out of the gas that cause the fire, when in contact with static charges.
- There were 29 fires where the vehicle was re-entered and the nozzle was touched during refuelling, resulting in extensive damage to the vehicle, to the pump or station, and/or to the customer.
- Seventeen fires occurred before, during or immediately after the gas cap was removed and before fuelling began.
- The potential for static electricity-related incidents at retail gasoline outlets appears to be highest during cool or cold and dry climate conditions.

While these fires are extremely rare, it's important to know the danger exists. □

[protect yourself]

To keep you and your family safe at the pumps, follow these rules for refuelling:

- 1) Turn off the engine. Put your vehicle in park and/or set the emergency brake. Disable or turn off any auxiliary ignition sources such as a camper or trailer heater, cooking units, or pilot lights.
- 2) Don't smoke, light matches or lighters while refuelling at the pump.
- 3) Never use your cell phone – leave it inside the vehicle or turn it off.
- 4) Never re-enter your vehicle during fuelling.
- 5) If you cannot avoid re-entering your vehicle, discharge any static build-up BEFORE reaching for the nozzle by touching something metal with a bare hand – such as the vehicle door – away from the nozzle.
- 6) In the unlikely event a static-caused fire occurs when refuelling, leave the nozzle in the fill pipe and back away from the vehicle.

For more information, visit the Petroleum Equipment Institute's website: www.pei.org and click on the "Stop Static" button.

[appointment]

The WHSCC Board of Directors is pleased to welcome:

CHANTAL LAFLEUR of the New Brunswick Nurses' Union (NBNU), Regional Health Authority 4, in Edmundston, as Worker Representative.

JOHN MAHAR

With over 30 years experience in small business, John Mahar feels he brings a unique perspective to the WHSCC Board.

Although appointed as an Employer Representative after being nominated by the Canadian Federation of Independent Business, Mr. Mahar feels he can represent the best interests of both employer and worker equally.

"Coming from a small business background, I am first of all a worker. There isn't a job in my retail company that I haven't done. Over 90% of my time I'm doing what any other employee would do; only a small portion involves being the 'employer'," Mr. Mahar says.

As a result, he is acutely aware of the constant attention to detail needed to work safely while being continually reminded of the need to do it as efficiently and economically as possible.

"I view my service to the business, industry and workers of this province as a member of the WHSCC Board as just a small way of perhaps ensuring a bright, safe and prosperous future," he says.

"I also bring the experience of a broad, general education to the Board. I've studied engineering, handled automotive and heavy equipment and worked in the home building industry, as well as in building supplies and book sales. And working on the boards of several charitable organizations has made me appreciate other people's points of view, yet I am very aware that you have to remember why you're there and decide appropriately. Handling not only my



corporate finances but those of some charities has given me insight into sound fiscal management and policy."

Mr. Mahar enjoys working with other Board members, the chair and staff, and is eager to learn as much as possible to further his knowledge and improve his ability to bring sound analysis and judgment to the table.

"I am pleased with the orientation and education provided to me as a Board member. My responsibilities are much more clearly defined, compared to other boards I was involved with. The governance, accountability and ethics standards of this Board are, from what I see and what is reported by the Auditor General of New Brunswick, among the best not only in this province, but in North America."

John works and lives in the Fredericton area with his wife Marie. They have three grown children: Gerry, 23; Janet, 21; and Wil, 18. □

NORMAN BERNARD

Norman Bernard was appointed to the WHSCC Board of Directors on June 28, 2001 as a Worker Representative. Mr. Bernard replaced Gary Ritchie, president of the New Brunswick Building Trades Council.

"It was a privilege to be appointed," Mr. Bernard says. "I had a simple objective, and that was to represent the workers of the province and operate in their best interests."

With more than two decades experience as a business agent for the Ironworkers Local 842, Mr. Bernard has proved more than capable of meeting this objective. Mr. Bernard joined the Ironworkers in 1975, and has spent the past 22 years negotiating collective agreements and administering pension, trade improvement, apprenticeship and health and welfare plans, as well as resolving disputes for the Ironworkers' union. The Ironworkers erect structural steel, miscellaneous metals, buildings and bridges, and install mechanical equipment. They are affiliated with the New Brunswick Building Trades Council.

Mr. Bernard sits on the Board's Prevention Services Evaluation and Financial Services Evaluation Committees. He believes his involvement with the prevention committee is especially important since his profession is one of very high risk. Mr. Bernard hopes his affiliation with the finance committee may help advance his goal of improving benefits for New Brunswick workers.

Mr. Bernard says he's optimistic by the positive direction the Board is taking.

"The Board has worked hard at improving government relationships and building partnerships. I'd like to see that trend continue," he says. "Board decisions seem to be moving toward a consensus basis, and that's another positive trend."

As he heads into the final



year of his second term, Mr. Bernard looks forward to the challenges that lay ahead. "There are a lot of areas opening up that will prove demanding for the Board – things like the new occupational diseases that are emerging." Facing challenges, however, is in the very nature of an ironworker.

Mr. Bernard and his wife Donna live in Sussex and have been married 33 years. They have three grown children, Trevor, Bradley and Amanda, and an 18-month-old granddaughter, Kennedy, the apple of her grandfather's eye.

During his off-time, Mr. Bernard enjoys watching all sports, especially Winston Cup Racing, and likes to travel across North America. □

BRIAN CONNELL



It is with great appreciation and respect for over 35 years of public service to New Brunswick that the WHSCC said good-bye to Brian Connell, Vice-President of Compensation and Rehabilitation Services. Brian retired from the WHSCC on December 31, 2003.

Brian joined the civil service in 1968 as Regional Director, Department of Youth and held several other government positions, including Executive Director of the former Occupational Health and Safety Commission. He also served as Assistant Deputy Minister in the Department of Labour and in the Department of Advanced Education and Labour.

Before joining the WHSCC in 1994, he served as Assistant Deputy Minister and Assistant Secretary to the Cabinet Committee on Policy and Priorities in the Office of the Executive Council.

Brian was heavily involved in the amalgamation and integration of the former Occupational Health and Safety Commission with the former Workers' Compensation Board, serving as Vice-President since 1995.

At his retirement celebration, Brian acknowledged the dedication and professionalism of WHSCC staff who work in pursuit of the Commission's mission to prevent workplace accidents and to assist injured workers in an early and safe return to work. *We wish you a very happy retirement, Brian!*

DETERMINATION PAYS OFF FOR LOUIS THÉRIAULT

Never give up. That's the advice Louis Thériault would give to anybody facing job rehabilitation.

In 1999, Mr. Thériault's left hand was crushed and partially severed in a workplace accident. Using ligaments, bone and muscle from his feet, surgeons were able to re-attach the hand, but Mr. Thériault never regained full mobility of his limb.

Mr. Thériault painfully recalls the accident. "It might have been carelessness, or maybe with so many years experience you forget about the danger around you. But it happened. A 450-pound beam fell on my left hand. On impact, I couldn't even cry out – not a sound escaped me. I tried to get the beam off by myself, but couldn't. Finally, after about 15 minutes I cried out to a co-worker who lifted the beam with his two hands. All five bones were crushed in several places, and my veins and tendons too. When I got into the ambulance I asked the attendant if I could cry. He said 'you shouldn't even be conscious. Let it all out. It's over now'."

But it wasn't over. Mr. Thériault endured six operations over two years, and physiotherapy.

"It was really difficult. My wife is a full-time nurse and works different shifts. Our children were 11 months, three years and six years old at the time. With only one hand, and both feet bandaged, I couldn't even help change a diaper."

Mr. Thériault credits Pauline Richard, an occupational therapist at the Chaleur Regional Hospital, for much of his recovery. "She helped me a lot," he says. "I think too that just appreciating daily life was very good therapy."

"A 450-pound beam fell on my left hand. On impact, I couldn't even cry out – not a sound escaped me." — Louis Thériault

Out of work for two years, Mr. Thériault was anxious to return to his job as a welder. "For me work was very important," he says. His former employer was prepared to offer him his previous job, but Mr. Thériault no longer possessed the manual dexterity needed to weld. He faced an uncertain future.

But instead of losing hope, Mr. Thériault got creative with his job rehabilitation.

He enjoyed welding and wanted to stay in the field. He approached Daniel Gallien, manager of Coastal Metals Ltd. of Beresford, a business that provides custom steel fabrication, to talk about possible opportunities. Mr. Gallien was very interested.

"I knew I could use a guy like Louis," Mr. Gallien says. "I knew him personally, and knew he was a reliable worker. Also, he had 16 years welding experience, which was very valuable."

Mr. Gallien had a position in mind for Mr. Thériault – as a computer technician to design the plans and structural detail for his shop's steel fabrication, a job that would draw heavily on Mr. Thériault's welding experience. It also would require little use of his left hand, as most of the computer planning is done with the mouse, with which Mr. Thériault could use his right hand. With this job in mind, the two men met with Lévis Doucet, Mr. Thériault's rehabilitation specialist, and Réjean Arsenault, head of Industrial and Metal Trades at the New Brunswick Community College (NBCC) in Bathurst.

Training for Mr. Thériault would have required 1.5 years of upgrading, with a further



Above: Louis Thériault works on a design plan for steel fabrication. Pictured at left are: Daniel Gallien (left), Manager, Coastal Metals; Mr. Thériault; and Réjean Arsenault, head of Industrial and Metal Trades at NBCC, Bathurst.



Mr. Thériault's training program involved about 40% of classroom time, studying AutoCAD, quality assurance, industrial planning and software applications, while the rest was spent at Coastal Metals for on-the-job training.

two years of college, which was not feasible for Mr. Thériault, because of his wife's work. Also, Mr. Thériault could not see himself going back to school full time.

"I didn't feel like I fit in. I'm 38, and the students were so young," he says.

So, after many meetings and much brainstorming, the team, made up of Mr. Thériault, Réjean Arsenault, NBCC instructor Alain Gauvin and Lévis Doucet, came up with a customized training program.

"We evaluated his background and analyzed his duties for Coastal to set up a program of courses that would be most beneficial to Mr. Thériault and Mr. Gallien," Réjean Arsenault says. "And it worked out very well."

Mr. Thériault's training program involved about 40% of classroom time, studying AutoCAD, quality assurance, industrial planning and software applications, while the rest was spent at Coastal Metals for on-the-job training. Within 14 months, his training was complete and Coastal Metals hired him as a full-time employee on November 17, 2003.

"This case was a success because of the willingness of all parties working toward the same goal. That goal was for Louis to get his life back, and return him to the workforce. We helped him out, but he was the one who did all the work. He gave it 110%," says Mr. Gallien. "This has proven to be a valuable experience for us, and I would encourage any business with a similar opportunity to participate."

Lévis Doucet, Mr. Thériault's WHSCC rehabilitation specialist, says Mr. Thériault's

case serves as a good example of just how important it is that the injured worker becomes active in developing a career plan. "This was a very unique situation, as the training plan was customized to meet both the needs of the employer and the client," he says. "Louis is now making a very good hourly wage, and his return-to-work time was cut in half."

To all those who helped in his return to work, Mr. Thériault is very appreciative. "You gave me a second chance at life. Thank you." □

In the spring 2003 issue of *WHSCC News* we reported the launch of WHSCC's annual Health and Safety Plan, based on the 5*22 Health and Safety framework.

5*22 is the model that guides workplaces in managing and maintaining their health and safety infrastructure. Since health and safety needs evolve over time, the 5*22 framework provides workplaces with a standard for continuous improvement. Although the WHSCC has always adhered to the fundamentals of health and safety, the 5*22 platform is now an official company directive.

5*22 was developed by the WHSCC, and is based on the five fundamentals and 22 topics of health and safety.

The five fundamentals are:

- health and safety responsibility;
- management commitment;
- employee involvement;
- hazard and risk management;
- health and safety education.

The 22 topic areas reflect the intent of the five fundamentals that need to be practised to create a healthy and safe workplace. They include such topics as health

5*22

and safety policy, well-being of employees, identification of hazards and risks, inspections, and education.

Heather Cossaboom, Director of Human Resources, WHSCC, says more than 50 workplaces in New Brunswick have adopted the 5*22 model.

A uniform health and safety plan such as 5*22 provides several advantages, she says.

The 5*22 model:

- Provides a common language and knowledge of health and safety;
- Provides a concrete framework for health and safety;
- Addresses legislative requirements;
- Addresses both basic and improved safety practices; and
- Allows for performance measures.

During its official launch, Doug Stanley, WHSCC President and CEO, emphasized the

importance of the WHSCC becoming a flagship employer for health and safety. Monique Comeau, Health and Safety Consultant, says the WHSCC is on target to meet this goal.

"The Commission has shown itself to be diligent and consistent in meeting the objectives of the plan. Focus was drawn to health and safety early in the year and it maintained its high priority.

Companies often start off with a flurry of activities but lose momentum over time. The Commission has maintained a steady course and is reaping the benefits. We are well underway to achieving this level of 'best practices'," Ms. Comeau says.

The WHSCC re-evaluated its health and safety infrastructure in November 2003. This included a survey of all employees, and the results showed an impressive improvement over 1999, she says.

*Heather Cossaboom, Director of Human Resources, WHSCC, says more than 50 workplaces in New Brunswick have adopted the 5*22 model.*

"Our results confirmed that the majority of our employees have knowledge that we are promoting activities in the 22 topic areas of health and safety. We need to concentrate our future efforts on developing a more comprehensive communication process, as well as on improving our employees' general knowledge," she says.

The WHSCC is committed to maintaining its role as a flagship employer for health and safety, Mrs. Cossaboom says. "We practice what we preach."

Mrs. Cossaboom says this year's health and safety plan was developed using the same approach the WHSCC uses with its primary focus firms.

An overview plan states the objectives to meet and in

which quarter to address them. Quarterly detailed plans are developed following a formal progress review in the previous quarter. Audits will be done quarterly and results will be reviewed to determine the plan's effectiveness. This year, teams of workers will be formed to help develop control measures for identified hazards. "The inclusion of a cross-section of our employees ensures that our control measures meet their needs," she says.

"Another major improvement in our communication strategy includes a formal quarterly health and safety meeting. These meetings will focus on communicating health and safety education and progress on the plan's implementation." □

[upcoming events]

Day of Mourning

April 28, 2004 marks the 20th anniversary of the observance of Canada's National Day of Mourning, to remember workers killed, disabled or injured in the workplace and those afflicted with an occupational disease. Please call your local District Labour Council for the times and locations of events planned for your community.

North American Occupational Safety and Health Week (NAOSH)

NAOSH Week, May 2-8, 2004, focuses the attention of employers, employees, the general public and all partners in occupational health and safety on the importance of preventing injury and

illness in the workplace and at home. This year's theme is *Prevention is the Cure – Build a Safe Beginning.*

For NAOSH Week schedules and event details, please visit the WHSCC website at: www.whscc.nb.ca

NB Safety Council Symposium

The New Brunswick Safety Council's 2004 symposium, *Being Ready for Disaster*, will be held May 12-14 at the Ramada Crystal Palace Hotel, Dieppe, NB.

Inter-provincial Mine Rescue Competition

May 28-29, 2004. Sussex Arena, Sussex, NB.

(For more information see story on page 5.)

Open House at WRC in honour of Disability Awareness Week

In recognition of Disability Awareness Week, May 30 to June 5, 2004, the WHSCC will host its 3rd Annual Open House at the Workers' Rehabilitation Centre, Saint John, NB, on Friday, June 4. This event showcases the services provided by WRC for injured workers and offers a forum for stakeholders to discuss the importance of recognizing the needs of the disabled in our community. □

[did you know?]

COMING SOON!

The WHSCC will offer enhanced services to assessed employers by providing the option to make payments through Service New Brunswick (SNB), allowing for the additional convenience of payment by credit card.

Payments to SNB can be made:

- Over the Counter (OTC) at any SNB office
 - By Internet on SNB's website: www.snb.ca
 - Over the phone through SNB TeleServices
- Within the province: 1 888 762-8600 (No Charge Dial)
Outside the province: 506 684-7901