

# Today's Teamsters 213

Putting members first

Winter 2012 Volume 15 Issue 2  
[www.teamsters213.org](http://www.teamsters213.org)

**Cloverdale Paint  
Teamsters help  
company lead  
the way**



# Today's Teamsters 213

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On the cover of  
**Today's Teamsters 213**

Teamsters Local 213 member  
Garett Bailey, also a paint maker  
at Cloverdale Paint, slowly mixes  
in a thickener for an acrylic  
quick-dry overcoat.  
See feature article on Pg. 14

Photo by Michael Brophy



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# Improved service and representation

By Walter Canta, Secretary-Treasurer

**The year is coming to an end and it has been marked by many changes in the local union.**

This year, I traveled around the province visiting members in Prince George, Kitimat, Kamloops and Kelowna. A recurring question was whether the local union would hold area meetings again because they had not taken place for many years.

When I returned to my office, I asked the business agents who work in these areas to set up times for these meetings. They were held in September and October and a commitment was made to the members to hold area meetings on an ongoing basis.

I went to the Rio Tinto Aluminum Smelter Upgrade Project in Kitimat and was very impressed by the work and accomplishments of our Teamster members.

Continued growth in the northern area of the province over the next 10 years should provide opportunities to increase our membership numbers. With that in mind, the executive board recognized that Business Agent Mike Croy had a vast territory to cover. So Brother Jason Conway was hired as second business agent in that area.

Another area requiring more assistance is the Okanagan, and the executive board approved the hiring of Sister Kimm Davis to work from the Kelowna office.

In the Vancouver office, there have been changes on the executive board and some new appointments.

Brother Don Doerksen is now my assistant in the Construction Division of the local union. That appointment created another opening for a business agent. The board hired Brother Rob Moody to fill that role. With Brothers John Wilson

and Peter Knapp leaving to pursue other career goals, two additional vacancies were created. The board brought in Brothers Randy Valouche and Phil Clelland.

In total, nine new business agents were added to the team which is working together and focused on representing and serving the membership. These changes have brought renewed energy and enthusiasm, which is evident in their work and the results they have achieved already.

The vice-president's position was vacated when Brother John Wilson left the Local Union earlier this year. The executive board appointed Brother Croy to fill that vacancy. However, that appointment left open his position as trustee, so the board appointed Brother Doerksen as trustee to fill the unexpired term.

Brother Keith Kennedy put off retirement to consult in the Kelowna office until September. Our appreciation goes to Brother Kennedy for going the extra mile for the members. Enjoy your retirement!

Several Local 213 members, myself included, recently returned from the Teamsters Canada *Be Proud* convention in Toronto. The 200 delegates passed a resolution to increase the strike fund to \$300 per week from \$200. This amount would be added to the \$50 per week that the local union provides.

Earlier this year, the local union was represented by four shop stewards and Sister Kimm Davis at the International Teamsters Women's Conference in San Francisco. (See Pg. 18.)

This fall's shop steward seminars in Kelowna and Vancouver were well attended.

At the seminars, I reported that Dispatcher John Hoare was retiring this fall. Information was sent out advising that any member could apply to succeed him. The successful candidate will

be announced in the near future.


On behalf of Local 213, I would like to thank Brother Hoare for his commitment to his duties and dedication to the members of this local union—a job well done. Congratulations, John, and good luck in your retirement.

In the last edition of *Today's Teamsters 213*, the local union invited resumés from members for an organizer position. Due to the hiring of so many business agents, which were needed immediately, hiring an organizer was put on hold. However, having an organizer will be a priority for the local union in 2013. If you're interested, please submit a resumé outlining your experience and send it to Secretary-Treasurer Walter Canta, 490 East Broadway, Vancouver, BC V5T 1X3, or by fax to 604-873-0396, or e-mail it to [secretarytreasurer@teamsters213.org](mailto:secretarytreasurer@teamsters213.org). The deadline is Jan. 31, 2013.

One of the big challenges that our local union faces is in the area of training in heavy construction (i.e. rock trucks). Brother Michael Evans, the Joint Training School coordinator, is making every effort to find resources to help members become recognized as experts in their trades.

On a technical note, the local union's Dues Office systems are being upgraded to meet the needs of the 21st Century and beyond. This upgrade will allow better communication with employers and be more efficient in regard to dues management.

And finally, the Teamsters Local 213 website has been redesigned. It's the place to go if you're looking for information about what's going on in your area. Go to [www.teamsters213.org](http://www.teamsters213.org)

From all the staff of Teamsters Local 213, we wish you and your family a peaceful and happy holiday season! 



# Construction, good this year and even better next year

By Don Doerksen  
Construction Division Assistant

The Highway 1 project is keeping a lot of our owner-operator members in the Fraser Valley busy. This paving contract is being done by unionized contractors. Paving of the final stages of the Southern Perimeter Road is also being done union.

Renewal collective agreements have been negotiated for the paving sector and proposal meetings will be held soon for dump truck owner-operators in the utility sector.

Nationally, energy exploration has resulted in construction and expansion in the Alberta oil sands and created a need for more union members to work on these sites. The Keystone Project, transporting oil to the southern U.S., has American Teamsters lobbying for additional pipeline construction in Canada.

Teamsters Local 213 has negotiated a new heavy construction collective agreement with the Construction Labour Relations Association. The agreement will provide increased wages and improvements to the pension plan. The Teamsters' trade-level memorandum of agreement has been signed and is effective immediately even though other construction trade unions have not reached a settlement.

The local union currently has over 100 Teamster members working on the Kitimat aluminum smelter modernization project.

Members are working as articulated rock truck drivers, semi-truck drivers, warehousemen and bus drivers.

The local has signed a long-term agreement with Haisla Shuttle Service in the Kitimat-Terrace area.

The construction industry is also active at both the Waneta and Mica dam sites in the Kootenays and is putting a lot of Teamsters to work.

The outlook for the future is very promising, particularly in northern British Columbia. Your local union representatives have attended numerous meetings on new projects. Shell Oil has had a number of meetings with the B.C. Building Trades to discuss a potential project labour agreement on an LNG Plant in Kitimat worth \$7 billion.

Uncertainty still surrounds the Enbridge Northern Gateway Pipeline Project, however, pipeline construction would provide extensive employment for our members.

Welcome to all the new business agents who have been hired by the local union to represent our members, including those in construction. The latest addition is Jason Conway who will be working out of our Prince George office and covering the northwest portion of the province, including Prince Rupert, Kitimat, Terrace and Smithers. 🌟

## Joint Training School

### Training courses for Local 213 members

#### Online courses

Available anytime from your home computer

PDIC (Professional Drivers Improvement Course)

WHMIS (Workplace Hazardous Material Identification System)

PCST (Pipeline Construction Safety Training)

TDG (Transportation of Dangerous Goods)

#### Trade Craft

Day 1— Hours of Service (Logbook)

Day 2—Mass, Size and Cargo Securement

Day 3—Commercial Driver Vehicle Inspection

To find out when the next course will be held, contact Training School Coordinator Michael Evans at 604-874-3654.

#### Bursaries

Forklift

Zoom Boom

Members in A and C divisions who require forklift or zoom boom training (including rough terrain training) may be eligible for a bursary of 50% of the cost of training. You must be a member in good standing and provide the name, location and phone number of the training provider as well as the date and location of the course to the Training School two weeks before it takes place. Members will be advised of the amount of reimbursement they will receive at least one week before the course begins.

#### Equipment Training

Articulated Rock Truck

For information on any of these courses, contact Training School Coordinator Michael Evans at 604-874-3654.

# Owner-operator negotiations report

Asphalt Group (TAG) rates are updated monthly and posted at [www.teamsters213.org](http://www.teamsters213.org).

## Business Agent

### Amneet Sekhon reports:

In the asphalt industry, we got a 2.5% rate increase for the dependent contractors and owner operators. There will be a retro pay increase of 3% for the first year and a 2.5% increase retroactive from March 1, 2012 for our Schedule A regular members.

The regular members also received a \$.10 per hour addition to their benefits.

The other great news is that we got a minimum call-out clause for our dependent contractors and owner operators. They will receive a minimum of four hours pay if any work is done and a minimum two hours pay if no work commences. If the employer calls out dependent contractors and owner operators and decides to cancel the work, the employer shall give a minimum two-hour notice of cancellation or the members are to bill



and are entitled to two hours pay.

In May, we put forward the names of members on the seniority list who qualified to become dependent contractors and they are now at Winvan Paving and BA Blacktop.

### Business Agent Greg Lacroix reports:

Over the summer, we were able to negotiate new rates for the Utility Group (TUG). In these negotiations, we were able to bring the industry rates up to \$82 per hour for a tandem, \$104 per hour for truck and pony, and \$137 per hour for truck and 4-axle transfer. These rates came into effect on Nov. 1.

They are far from where they need to be. We will be back in negotiations soon, working to get the rates up to where the industry needs to be. 🌟

## National construction sector Teamsters meet in Kelowna

### By Michael Evans

Teamsters in construction held a national meeting in Kelowna in September. Representatives from Newfoundland to B.C. attended the Teamsters Canada Construction Division meeting.

Representing Local 213 were Secretary-Treasurer Walter Canta, Construction Division Assistant Don Doerksen, Vice-President Mike Croy, Business Agent Andy Semenoff and Training Plan Coordinator Michael Evans from the Teamsters Joint Training School.

The sessions were chaired by Roy Finley, director of the Construction Division of Teamsters Canada.

Stan Hennessey, president of the Teamsters Joint Council 36, and Marion D. Davis, director of IBT Construction and Building Materials, were at the head table.

The keynote speaker on Day 1 was Robert Blakely, Canadian director of the Building & Construction Trades of Canada. He addressed two imminent issues facing labour in Canada: the increasing influence of anti-union contractors and Bill C-377 (a Conservative initiative to curtail union political activities).

Evans and other representatives from across the country reported on the state of training in their jurisdictions.

Roy Finley led a discussion on standardizing training across Teamster construction locals in Canada. The result was an initiative to establish national training standards in consultation with existing training coordinators and with guidance from Teamsters Canada. The remainder of the day was spent discussing a wide range of issues affecting construction locals across the country.

On Day 2, Davis talked about his path to his current position and construction issues from an international perspective. His

address exemplified the similarity in challenges facing Teamsters on both sides of the border and the need for cooperation among unions.

Canta said the two days gave him a renewed sense of common purpose nationally and internationally, and added "The key to success is facing the realities of the day while guided by fundamental trade union principles." 🌟

## Job posting Local 213 Organizer

If you're interested, please submit a resumé outlining your experience and send it to:

Walter Canta  
Secretary-Treasurer  
490 East Broadway  
Vancouver, B.C.  
V5T 1X3

fax: 604-873-0396,  
e-mail: [secretarytreasurer@teamsters213.org](mailto:secretarytreasurer@teamsters213.org).

The deadline is January 31, 2013.

**Teamsters Union Local 213**  
Unity, Pride and Strength



*Business Agent Kimm Davis and SunRype CEO Dave McAnerney were pleased with the multi-year collective agreement.*



*Below: Teamster members Sandra Siegman, Business Agent Kimm Davis and Gurvinder Lalli; Bottom: Deb Chenier and Robert Schroth.*

## Teamsters and SunRype sign an 8-year agreement

The 200 Teamster Local 213 members at SunRype in Kelowna ratified an eight-year contract with their employer this fall.

Local 213 Business Agent Kimm Davis said we might be seeing more long-term agreements because “companies are looking for long-term labour commitments and unions want security for their members.”

Davis said the union wasn’t surprised by the company’s request for a long-term deal and supported the idea.

The new agreement includes wage and benefit improvements and runs until Aug. 31, 2020. It supersedes the last agreement which would have expired in 2015.

Company CEO Dave McAnerney said, “We are extremely pleased to have a long-term deal in place prior to expiration of the current agreement. This agreement provides labour stability at our Kelowna facility, which plays a key role in SunRype’s long-term growth strategy.”

The relationship between the company and union has not always been so amiable. The Teamster members were engaged in a bitter four-month strike in the winter of 2007/2008. The dispute ended with the two sides agreeing to a four-year contract. However, that animosity is a thing of the past. 🌻



Sean McDougall

## A Teamster with a rich life



*Sean Łtaguhâ McDougall, a Yukon Teamster Local 213 member, wearing traditional Tlingit regalia.*

*Sean and his fiancée Stefanie Sakinyá Sidney.*

**By Leslie Dyson**

Sean Łtaguhâ McDougall is a Local 213 shop steward, trackman and operator on the White Pass Yukon Railway, the busiest tourist train in North America. He said the civil engineering feats that were needed to create the 112 km line, from Skagway, Alaska to Carcross, Yukon, are on a par with the Eiffel Tower.

The rail line, now an international historical civil engineering landmark, opened in 1898 during the Gold Rush. On one stretch, it climbs a kilometer within a distance of just 7 km.

Since 1997, McDougall, 36, has worked on the maintenance and tie crew, helping to maintain the Canadian section. He said, “When the day comes to leave, it will be with a smile thinking about the amount of work that’s been done to make this a world-class tourist attraction.”

McDougall was born in Whitehorse, but moved south when he was two. He joined the military while still in high school and completed his training as a section gunner in the infantry after high school. He returned to Whitehorse in 1992.

In 2005, he met his fiancée Stefanie Sakinyá Sidney. “When she started dancing, I joined up too. It’s always been an interest of mine.”

McDougall is from the Tlingit Nation. His participation

in the Dakhká Khwáan Dancers has brought “amazing opportunities,” he said. The group, with a core of 18 men and women, performed at the 2010 Olympics as well as across Canada and in New Zealand. McDougall has helped start a junior group and is in training to become a song leader.

The dance groups have brought “cultural revitalization and given many First Nations people a sense of identity which was lost or taken away because of circumstances,” McDougall said. “The culture is very rich and it’s important to carry it on. Dance is the avenue we have chosen to show we are proud people and to make a positive difference.”

McDougall is also preparing to launch a new chapter of his work life. He is in his third year of university working towards a BA in education. “I’ve realized the importance of working with youth and young ones and that’s a passion of mine now. It’s time to use the life experience I’ve gained to work with youth, because they’re the future of our people.

“But I’ve really enjoyed working on the railroad and the camaraderie,” he added. “We know each other very well. And to be out in the wilderness—that’s my office and something many people save up a lot of money to see.

“It’s not an easy choice. It’s great being a Teamster.” 🌟

# Waneta Dam expansion

Members of Teamsters Local 213, in construction and living in the Kootenays, are working on the expansion of the Waneta Dam on the Pend d'Oreille River south of Trail. The creation of a second powerhouse, expected to be completed in 2015, will generate power from flow that would otherwise be spilled. This project is a joint venture of Fortis Inc., Columbia Power Corporation and Columbia Basin Trust. SNC-Lavalin has the design-build contract.

Construction workers are covered by the Allied Hydro Agreement, the collective agreement between Columbia Hydro Constructors Ltd. and the Allied Hydro Council of BC. The agreement states that hiring preference will be given to local residents and members of equity employment groups. Approximately 85% of the workforce comes from within 100 km of the project and about 400 jobs have been created.

*Aerial shot was provided by Wally Penner, regional project manager for SNC-Lavalin.*

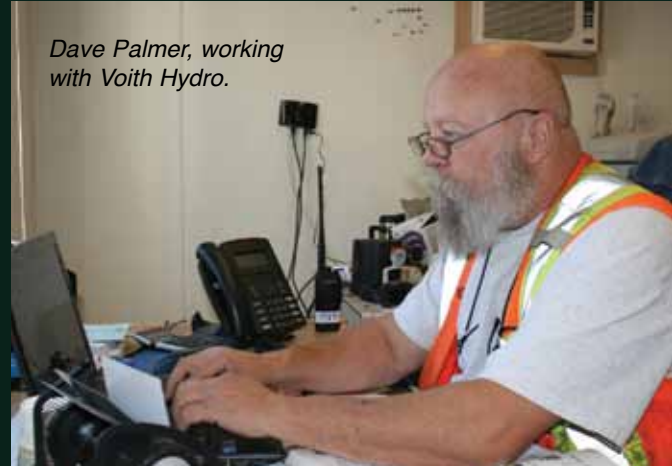




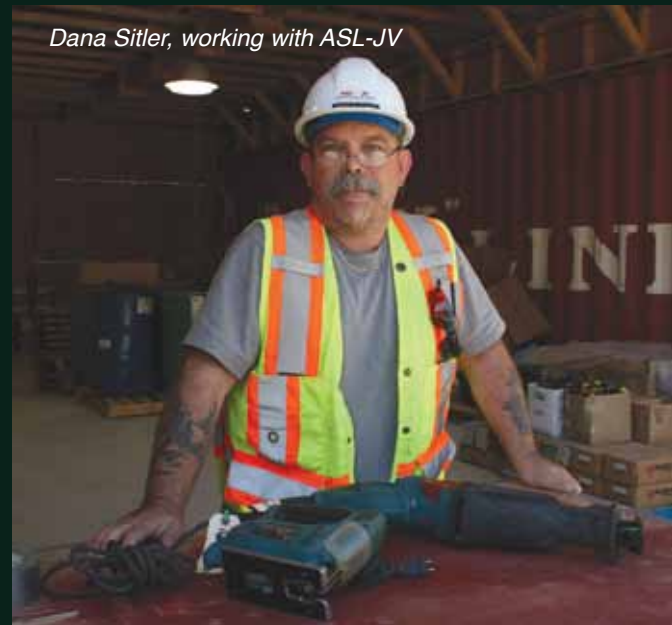
*Charmaine Garay, warehouse trainee, and Dave Palmer, Class 1 warehouseman, working with ASL-JV.*



*Dave Palmer, working with Voith Hydro.*



*Dana Sitler, working with ASL-JV*



# Meet your new business agents

By Marco Procaccini

There have been many staff changes at Teamsters Local 213. Here's a brief introduction to four new business agents. Their job is to provide service and support to members working in many different sectors through collective bargaining, grievances and arbitrations.



**Business Agent Kimm Davis**  
*South Central B.C. (250-765-3195)*

Kimm Davis has been on the job since May. She is assisting Local 213 members in industrial shops, food and beverage production and the service sector in the B.C. Interior and the Kootenays. Despite the large and diverse types of jobs and workplaces and the huge distances she has to travel, she said things are going well. "It's a challenge, but it's a really rewarding experience," she said. "It's very busy with all the meetings and the traveling, but the best thing about it is getting out there and meeting all the members and being able to help them. That's the really great part of the job."

## Business Agent Phil Clelland

*Metro Vancouver (604-876-5213)*

Phil Clelland is one of three business agents hired recently to cover the Lower Mainland and Fraser Valley region, where the majority of Local 213 members live and work. A veteran of the auto-port sector, Clelland is now supporting his colleagues at the auto ports, as well as members working at gas plants and in general manufacturing, and dental technicians. The overall poor economy has been tough on some members, while others have been able to weather the storm.

"It's been busy, but there are some successes," he said.

"Some sectors are doing very well, like at Cloverdale Paints, which has been picking up a lot of work from other outfits. We've got a good agreement there.

"But others are hurting, like our dental group. A bad economy means a lot of layoffs, which means a lot of people have lost their dental plan coverage; so they aren't getting (dental) work done that they otherwise would."



**Business Agent Rob Moody**  
*Metro Vancouver (604-876-5213)*

Rob Moody has been assisting members in the construction supply, concrete, general manufacturing and food production sectors, as well as some of the trucking firms where Teamsters work. He agreed with Phil Clelland that the Lower Mainland is a mixed bag when it comes to economic conditions and outlook.

"It's been a real learning curve for me," he said. "I am unfamiliar with some of the industrial sectors, so I have relied on the shop stewards for advice and support. They have been great.

"It's hard for some of our people, like [those] at Extra Foods in Coquitlam, where [the store] is being overrun by the Big Box stores.

"Concrete [manufacturing] is slowing in the Fraser Valley. Customers are tight and concrete demand has dropped. Yet, at Coquitlam Concrete, we got a four-year deal with a good wage increase."

## Business Agent Randy Valouche

*Metro Vancouver (604-876-5213)*

On the job since May, Randy Valouche brings diverse experience to the job—having been both a union activist and a boss in his 25-year career with Wolseley Mechanical, a plumbing wholesaler and distribution firm in the Lower Mainland.

"I was with the company for 20 years as a union member—14 of which were as a shop steward," he said. "Then I spent two years in inside sales, and then as a branch manager for three years. I quit as a manager the minute there was a chance to work for the union."

Valouche said there's a huge difference between representing workers as a shop steward and directing them as a boss, but there are similarities too. "I found there was a lot of work I did as a steward that I had to do as a manager: mainly solve problems." Handling grievances and arbitrations and resolving workplace issues were duties he performed in both roles and which he does now as a business agent for the local union.

"The big difference is, as a manager, I had 20 different bosses telling me what to do and I had no say or direction. It would change with every new higher-up that came along," he said. "Now I work for and report to hundreds of members, but things are much clearer now and I get a say in the way things need to go."





## Better communication and putting members first

By Business Agent Terry Westhaver

General membership meetings were held throughout the B.C. Interior in September and October to connect with members and provide them with a forum in which to meet other members, become more involved and voice their issues and concerns.

Some of the topics discussed were changes to the Teamsters' pension plan, executive board announcements and a health and welfare update.

Business Agents Andy Semenoff, Kimm Davis and I presented our business agent reports and talked about local issues, bargaining and the work situation in each area.

The local union is committed to improving communication with the members through its magazine *Today's Teamsters*



"The grand prize is a job that pays union scale." CALMGraphic

213, which is focussed on putting members first and highlighting the varied work that our members perform, and its website, [www.teamsters213.org](http://www.teamsters213.org) (see the back cover of this magazine). The website has been updated and redesigned, and members are encouraged to go back frequently to read up-to-date information about members, issues and events. 🌟

## Membership meetings

### B.C. Interior

(Call the Kelowna office at 250-765-3195 for dates.)

**Kelowna**—7 p.m., Capri Hotel, Okanagan Room

**Kamloops**—7 p.m., Coast Kamloops Hotel

**Castelgar**—7 p.m., Super 8 Motel

**Cranbrook**—7 p.m., Best Western Hotel

### Metro Vancouver

(Contact the Vancouver office at 604-876-5213.)

**Vancouver**—3rd Wednesday of the month at 7 p.m.

Teamsters Hall Auditorium, 490 E. Broadway

(Meetings may be suspended in June, July and August.)

**Abbotsford** —7 p.m., Best Western Regency Inn (dates TBA)

### Northern Region

(Contact the Prince George office at 250-563-6564 for dates.)

**Terrace**—7 p.m., Best Western

**Prince Rupert**—7 p.m., Coast Inn

**Prince George**—7 p.m., Union Hall

**Dawson Creek**—7 p.m., George Dawson Inn

**Fort St. John**—7 p.m., Quality Inn Northern Grand

### Vancouver Island

(Contact the Nanaimo office at 250-758-2314)

**Nanaimo**— Meeting dates to be announced

**Courtenay**—Meeting dates to be announced



## Teamsters Local 213

# Golf Tournament

## Sat., Sept. 21, 2013

### Osoyoos Golf and Country Club

**Tickets go on sale July 2, 2013.**

Book your time now.  
The Osoyoos Golf and Country Club provides a beautiful venue with breathtaking views of Osoyoos Lake.

# Is it too late to bring fairness to the compensation appeals process?

By Workers' Advocate Pamela Yong



B.C.'s Workers' Compensation Act was established as a no-fault insurance scheme to compensate injured workers, but it required them to give up their right to sue their employers. The mandate of the board (WorkSafeBC) is to provide benefits to employees who are temporarily or permanently disabled because of workplace injuries. The realities of the workers' compensation system, however, are a far cry from the principles of natural justice and fairness which underlie the charter.

The inequities of the administrative process can be plainly observed by the obvious lack of restraint in how the Workers' Compensation Appeals Tribunal (WCAT) implemented the Jozipovic decision.

On Feb. 19, 2004, Mr. Jozipovic, a steel fabricator, was injured while pulling a steel plate which weighed between 60 and 70 kilograms.

The board accepted the worker's claim for benefits for a low back strain and a disc protrusion at his L5-S1. After a lengthy rehabilitation process, Mr. Jozipovic was discharged as fit to work with limitations. While he did not meet his pre-injury job demands, he was considered to be approaching maximum gains in his recovery. The board's disability awards officer made a pension determination of 2.5% for chronic pain, despite clear medical evidence that the worker's range of motion was measured at 9.5% impairment in his lower back. (A few years ago, the board instituted a cap of 2.5% of total disability on chronic pain.)

The matter eventually came before judicial review of the BC Supreme Court. Madam Justice Bruce found the WCAT decision to award Mr. Jozipovic only 2.5% to be patently unreasonable, given his loss of range of motion due to pain from his compensable physical injury.

The BC Supreme Court contemplated a pension award based on two distinct calculations: an award of 9.5% for loss of range of motion of the worker's lumbar spine plus 2.5% for disproportionate chronic pain. This would equal a total disability pension of 12%. The matter was remitted back to the appeals tribunal for reconsideration.

Without providing adequate reasons, the WCAT panel downgraded the worker's range of motion deficits to 6%, a percentage which "recognizes the worker's disc herniation and pain without overcompensating him for his overall functional impairment." The panel reassessed Mr. Jozipovic's pension award and integrated the chronic pain and range of motion measurements, a total of 8.5% of disability. The tribunal ascribed a new "global approach" to pension determinations which effectively allows the panel free reign to downgrade the percentage values of a worker's impairment to any amount they deem more appropriately represents the worker's impairment.

What are workers to do when faced with an appeals tribunal that is unfettered in its decision-making?

They risk losing their previously determined permanent functional impairment awards on appeal when a decision maker decides the award overcompensates them for their injuries. In such a pension appeal, workers grapple with the burdensome task of providing expensive, cogent medical evidence to contradict the board physicians' often-partisan interpretation of the impairment. A vice chair has absolute discretion to downgrade a worker's pension award based on what is deemed to be "appropriate in the circumstances."

It is ultimately a double-edged sword and workers are at the mercy of the panel that has the power to determine what their percentage of impairment should be, even if the medical records support a higher percentage of disability based on clearly defined scientific measurements of the worker's injury.

If only we could go beyond the *Looking Glass* of the disingenuous, cumbersome and bureaucratic workers' compensation appeals process. Is it possible to instigate a fairer system for injured workers in this province or are we too far gone to even suggest that such a scheme could exist in reality? 🌀



*Social media has exploded upon the world in the last decade. Ten years ago, Facebook hadn't been invented, to call someone a twitter would be considered an insult, smart phones did not exist and if you told someone you liked to read blogs they would most likely think you were talking about Star Trek.—Image by Camila Bunny*

## Social media and the workplace



*By E. Casey McCabe,  
Director of Legal Services*

There are a number of areas in which social media and employment interact. Statements denigrating management are typically viewed by arbitrators as a type of insubordination. With the advent of Facebook and other such sites, statements that used to be made and forgotten are now posted for all to see.

Posts denigrating management are not the only social media faux pas that can get employees into trouble. Employees can be disciplined for making posts that poke fun at, threaten or harass co-workers.

If such discipline goes to arbitration, arbitrators, like judges, have the power to order production of documents. Your Facebook account is a document, your cell phone records are documents and your tweets are documents. Currently, in motor vehicle cases, judges are routinely ordering disclosure of Facebook accounts.

While there does not appear to be any reported cases dealing with an arbitrator ordering such disclosure, it is a safe bet to assume that this will not always be the case. It is relatively easy to think of cases where an employee's Facebook page could be considered relevant to the issue before an arbitrator. Consider an employee who has been disciplined after getting into a fight with another employee. If the employer knew that the two employees

had been insulting each other on social media sites, then an arbitrator would be hard pressed not to order disclosure of those documents.

A further area where comments made on social media sites could get an employee into trouble occurs after termination. Not surprisingly, employees who are terminated tend to have a lower regard for their employer than previously. The very real danger is that an incident that an arbitrator would not consider grounds for discipline will, when combined with inappropriate social media evidence, tip the balance in favour of the employer.

One of the factors arbitrators look at in considering whether to reinstate a terminated employee is whether the employee has shown genuine remorse. An apology by the terminated employee that is viewed as genuine will go a long way towards making a finding that the employment relationship is capable of restoration. An apology, however, that is tainted by Facebook posts setting out what a complete bunch of idiots management are will likely not be viewed as genuine.

Social media, despite its phenomenal growth over the last decade, has not fundamentally changed the employment relationship. Social media employment offences are, for the most part, employment offences, even without the addition of the social media aspect. What has changed though is the scope of, and an employer's ability to obtain proof of, employment offences. 🌟



# Shop steward seminars



*Above: Shop stewards Jason Askeland and Tom Bray at the Kelowna seminar. Below: Gary Henville, Terry Westhaver, Mike Deneef at the Kelowna meeting. —Kimm Davis photos*



Shop steward seminars were held this fall in Kelowna and Vancouver. This year's training topics included:

- Pension plan update—David Lee, Strategic Services
- Investing in Pension Plans—Jim Cole, Phillip, Hager & North
- Grievance investigations, presentations and settlement—E. Casey McCabe, Local 213 legal counsel
- Social Media and the Workplace...or How not to be a Twit online—Bryan Savage, Local 213 legal counsel

Shop Steward Shane Mangal, a dock co-ordinator and first aid attendant at Coca Cola Bottling for 13 years, said he likes learning new information that he can share with members. "There are always different topics and there are well-educated people doing the seminars...Pensions are a really big topic with the aging demographic," he added. "Many people are coming up for retirement so they're asking questions and it affects bargaining because the guys would rather have better pensions."

Jonathan Tandazzo, working as an automotive technician at Regency Toyota on 12th and Kingsway, has been a shop steward for five years. He was interested in the pension update. "It seems pretty secure," he said.

Joanne Sim, from the bakery department at Extra Foods in Coquitlam, has been a shop steward for 15 years. "It's good to come back [to these seminars] to get refreshed," she said.

Para Minkas, 10 years with the News Group in Richmond where she works as an accounts receivable/receptionist, said, "There's a lot of information. Especially the grievance stuff." She said she deals with grievance issues "almost daily."

Hilary Rawson, one of Minkas's co-workers, said coming to the seminars helped her understand "how it's supposed to go."

Luilu Allas, with 18 years experience at the News Group, enjoyed hearing the case law. "Bryan Savage is always good to listen to," she said.

Chris Cowley, a driver at BFI and shop steward for just two months, said "I wanted to get the inside scoop on what's going on and the proper procedures for handling grievances."

Teamsters Local 213 expressed its appreciation to the shop stewards for their hard work and commitment to the union by inviting them and their spouses to a dinner and dance that evening sponsored by the local union. 🌟



*Shop stewards representing many Teamster sites at the seminar in Surrey. — Surrey Shop Steward Seminar photos by Dan Jackson*



# Teamster members help Cloverdale Paint lead the way in the paint world

## Cover Story Cloverdale Paint



*Story by Leslie Dyson, photos by Michael Brophy*



Teamster member Lily Calma working in the lab.

**As Business Agent Phil Clelland points out, how many times have you gone past a Cloverdale Paint store not realizing that this 100% Canadian manufacturer and 53 Teamsters Local 213 members are creating products that are at the forefront of paint and coating technology? Everyone is committed to reducing or eliminating any harmful impact on the environment from the products and their manufacture.**

Teamsters work in the lab, factory and warehouse.

Shop Steward Jason Yanko said, "It's a really good company." Some members have been working at the factory for decades. Yanko is an order picker, assembling the products required by the various stores and sites. Delivery can take just a couple of hours if the destination is in Metro Vancouver, or a few days if it has to be trucked across the country or to the U.S. The company's products are even shipped to China and Korea, Yanko said.

Products are changing all the time as laws and standards change, the technology improves and styles change. "Cloverdale Paint really is cutting edge and an industry leader," Yanko said. "We've been minimizing solvents. Cloverdale Paint is always ahead of the game, so it remains successful even in trying times."

Bob Felling, an order picker for 15 years, said the most dangerous chemicals are the isocyanates. They're used as a disinfectant. "You don't want to get that on your skin," he said.

The union is also watchful of members working around fumes and doing heavy lifting.

Terry Eglen, with 15 years experience, is a filler. He said a good ventilation system is critical because employees are working with thinners and solvents like methyl ethyl ketone and toluene. "It's pretty strong stuff."

Yanko said, "The company has done lots of work on ventilation and the housekeeping is good." Everything gets a clean sweep, even tough areas like under the tanks.

The company installed an air-assisted lift for the 60-lb. buckets. Using high-powered suction, it latches onto the lids and does all the

continued next page

Teamsters Local 213 members get a 20% discount from Cloverdale Paint when they show their union card.



Cloverdale Paint started in 1933 on a farm in south Surrey and is now one of North America's largest paint and coatings manufacturers. The main paint plant is still in south Surrey on King George Blvd. and it supplies residential, commercial and industrial coatings through its 62 locations across Canada and 49 in the U.S.

Cloverdale Paint makes indoor and outdoor paints and stains, industrial primers, solvent-based epoxies, urethane coatings, sealants, tank linings and heat- and cold-resistant coatings. An assortment of additives are manufactured that will prevent skidding and corrosion and accelerate drying and hardening.

Its coatings are used in bridge and highway construction, the marine industry, mining, forestry, the oil and gas industry, power generation, pulp and paper mills and waste water plants.

The Surrey factory makes whites and two bases. Colour tinting is done at the stores.

A gallon of latex paint is composed of:

- 25% resin (for durability and pliability)
- 25% pigment (titanium dioxide to give the white colour)
- 25% water
- 25% additives

(thickeners, pigments, binders, fungicides, etc.)



*Part of the Teamster crew at Cloverdale Paint in Surrey.*

lifting. Employees can be placing buckets on pallets all day long for weeks on end, Yanko said. This piece of equipment has saved a lot of backs.

Yanko added that members are happy having Clelland as their business agent. Although Clelland took the job just last June, many of the grievances that had begun to stack up have been addressed.

Garett Bailey has been a paint maker for two years, but he started at the company seven years ago, first taking a job just for the summer. "I like the company. There's lots of respect. They take good care of their employees." He said he likes the work. "I took chemistry and I like getting messy and seeing the chemical reactions."

Bailey said he appreciates the company's move to more environmentally friendly products. "Latex is fairly safe," he said, showing the WHMIS toxicity codes on the order form.

Plant Superintendent Mike Lynch said WHMIS brought a lot of change. "It was a good change, but it brought lots of paper work."

Only 5% of the company's retail products are oil based and Lynch said he can see a day when alkyds are not used at all. "There are water-based automotive enamels now. Ten years ago, that was unheard of."

Of course lead (to prevent staining) and mercury (to preserve) are long gone. "There are other things in their place. They're twice as expensive, but just as good."

Lynch also predicted, "We'll be totally solvent-free one day."

Raw materials come from all over the world.

Santo Shergill, a machine operator for 30 years, said the pigments, fillers, thickeners, resins, solvents and additives all come from the earth. "Rocks and minerals are made into fine powders. The colour red comes from India, yellow is from Germany and the white from Ontario."

Lynch pointed out that the titanium dioxide, used to make a bright white base, is the same product that is used as a whitener in toothpaste.

Jereme Eggett, with the company for eight years, is also a shop steward. He was an order picker on the night shift, but now works as a receiver. "It's a very good company," he said. While the work carries its share of stress, he said he likes the job security. "In today's world, that's pretty hard to find."

He accepted the role of shop steward because he enjoys the bargaining process "and I want to make sure we get the best contract possible."

Not surprisingly, summer, when the weather is better, is the company's busy period. Yanko said orders come flooding in and it's hard for people to take time off for vacation. The warehouse fills with products that have to be shipped out. "The machines are just screaming."



*Santo Shergill*



*Frank Morrow*



*Terry Eglen*



*Don Dzumilak*



*Graham Thompson*

Frank Morrow, at the plant for 20 years and in the Quality Control Room for five, brings great passion to his work. "This job? I love it. I find it's a great company.

"I'm a pretty environmentally friendly guy," he said, "and it's always on my mind. There are a lot more water-based products. It's still manmade stuff, but it's like an evolution. It's slowly changing."

Morrow puts each batch through numerous tests, checking viscosity, the grind (fineness), ph level, dry time, sag (how long it takes to start dripping) and colour correctness. "Everything is a formula. There are so many variables."

He works with a range of scientific equipment every day, but said he hated science and math while he was in school. "I'm hands-on." He credits his knowledge and the skills that he's developed to his mentor, retired Teamster Mel Lock.

Superintendent Lynch started off at the company as a small batch filler 36 years ago. "A lot of companies have gone under and now there are only four or five big players." He said the company's success is due to the fact that it hasn't grown too quickly. "The big recession in 1982 was really tough, but we got the upper hand... '08 slowed us down and we had to close smaller plants. We got through it pretty well, but we don't like to see people out of work. But the future looks pretty good."

Lynch laments that "A lot of technology is coming from Europe, unfortunately." He said he'd like to see more emphasis on developing our technology industries closer to home.

So, how does Cloverdale Paint compete with products coming from Mexico, China and Taiwan?

"The quality is second to none," said Clelland, "and the company is always looking to save money. But we can't have a disposable society. I don't know if we're there yet, but I know I always look for quality." 🌟



*Jason Yanko*



*Jereme Eggett*



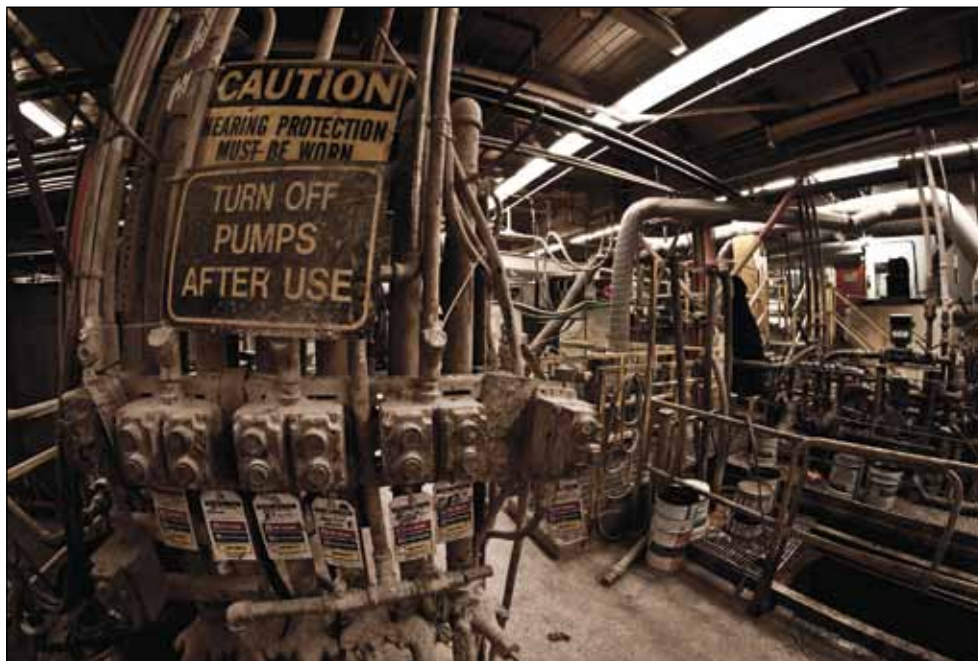
*Scott Davidson*



*Shawn Lauriente*



*Neil Polichek*





## John Hoare collected a lot of stories as a dispatcher

Former dispatcher, John Hoare, a Local 213 member for 32 years, retired in October. He started running small trucks for a Richmond company when he was 16 years old and worked up to driving rock trucks and running heavy equipment all over the province.

In his 16 years as the local union's dispatcher, he said, "It's always been an interesting job. You hear plenty of stories." He got to know almost all the members. "They rely on you for their jobs," he said. "I guess I'll miss talking

to the members and the relationship I had with every single one."

Hoare also oversaw the upgrading of the dispatch computer system and looked after the heating and air conditioning in the Vancouver building on Broadway.

Hoare said he will keep up his union membership. "If I feel I need to work, I still have my Class 1 [licence]."

He said he'd like to take up woodworking—"to keep myself out of trouble," and he and his wife, Marie, have plans to do a little traveling. 🌍

## Women's Conference prepares members for their work here

The 2012 Teamster Women's Conference, held in San Francisco this year, brought together more than 800 Teamsters from across the United States, Canada and Puerto Rico. Local 213 was represented by Business Agent Kimm Davis, and shop stewards Jae Lee Treit, Lori Duncan, Darlene Hoy and Jane Morgan.

The three-day event featured an impressive lineup of speakers, networking opportunities and educational workshops on labour law, steps to financial security, social networking, strategic planning for business agents and much more.

A major theme of the conference was the importance of winning the war against workers by mobilizing Teamster members and encouraging them to exercise their rights to vote.

Teamsters Canada hosted a breakfast workshop for all Canadian participants. General President James P. Hoffa spoke at this event.

Treit, who started at Extra Foods in Coquitlam 27 years ago

and who's been a shop steward for 12 years, said this was her fourth women's conference but there are always new things to talk about and learn. She said she was surprised to hear from her union sisters in the U.S. that many don't have the same benefits, even though they're union members. She was shocked to hear one woman relate how she waited to make sure her child actually had a broken arm before going to the hospital because hospital fees are so expensive. "We just sat there in awe," Treit said.

This was Duncan's first women's conference. She has worked at Exchange a Blade on Annacis Island for 28 years and has been a shop steward for 10. "It was enlightening. It was cool to see all these women supporting one another." A highlight was exchanging union pins with members from locals all over North America and seeing Hoffa.

The workshops were useful too, she said. "I came back thinking, OK, I can handle this and that." 🌍



Local 213 representatives: Shop stewards Jae Lee Treit and Darlene Hoy, Business Agent Kimm Davis and Shop Steward Lori Duncan; Jane Morgan not pictured.



# Recent retirements

On behalf of the officers, staff and members of Teamsters Local 213, congratulations to:

| Member Name              | Name of Last Employer                | Member Name          | Name of Last Employer           |
|--------------------------|--------------------------------------|----------------------|---------------------------------|
| Austin, Raymond          | Metro Aggregates Limited             | Nedelak, Alan        | McKinney Bulldozing Ltd.        |
| Axford, Marvin           | Superior Propane Inc                 | Nicholson, Patrick   | Unknown                         |
| Bateman, George          | Salvador Ready Mix Concrete Ltd.     | Nielsen, William     | Unknown                         |
| Black, Robert            | Southwest Contracting Ltd.           | Olson, Richard       | Emil Anderson Construction      |
| Bodecker, Fred           | Salvador Ready Mix Concrete Ltd.     | Parisien, Robert     | Unknown                         |
| Boparai, Gurmeet         | Saran Cedar Ltd.                     | Parkinson, Garry     | Pension Disability Credits Plan |
| Bossert, David           | Arrow Transportation (Ashcroft Div.) | Payne, Gary          | Unknown                         |
| Bossio, Louie            | Alpine Paving (1978) Ltd.            | Potter, Wayne        | Rolling Mix Concrete (BC) Ltd.  |
| Bradstock, Jack          | Island Asphalt Co. Ltd.              | Powell, Roy          | Inland Building Supplies Ltd.   |
| Britton, David           | Ocean Construction Supplies          | Rankin, Richard      | Unknown                         |
| Brulotte, Raymond        | Motorways                            | Raposo, Manuel       | Lafarge Construction, Kent St.  |
| Burkinshaw, Neal         | Ocean Construction Supplies          | Rollheiser, Ronald   | Columbia Hydro Constructors.    |
| Butler, Marilyn          | SunRype Products Ltd.                | Schneider, Barry     | Korpack Cement Products Co.     |
| Cogar, Richard           | Superior Propane Inc.                | Schnell, Allen       | Okanagan Beverages Ltd.         |
| Croft, Keith             | SunRype Products Ltd.                | Scott, Kenneth       | Winvan Paving Ltd.              |
| de Boer, Johannes        | Arrow Transportation (Kamloops)      | Scullion, Brian      | Winroc, Superior Plus Inc.      |
| Dhami, Mohinder          | SunRype Products Ltd.                | Shelby, David        | Arrow Transportation (Quesnel)  |
| Dobler, Ulrich           | ICG Propane, Superior Propane        | Sidhu, Bhag          | Steels Industrial Products      |
| Dueck, Sterling          | Byers Transport Ltd.                 | Simmons, Albert      | Swanson's Ready-Mix Ltd.        |
| Dykstra, Garry           | Ocean Construction Supplies          | Simpson, Grant       | Lanch Holdings Ltd.             |
| Englund, Lyle            | Jack Cewe Ltd.                       | Smith, Peter         | P C L Constructors Canada Inc.  |
| Esau, Reginald           | Van-Kam Freightways Ltd.             | Sommerville, William | Ocean Construction Supplies     |
| Fairfield, Howard        | Ocean Construction Supplies          | Stacey, James        | Unknown                         |
| Ferguson, Robert         | Van-Kam Freightways Ltd.             | Tedesco, James       | Unknown                         |
| Fidler, Martin           | Arrow Transportation (Chilliwack)    | Treacher, Daniel     | Pension Disability Credits Plan |
| Forsyth, James           | Highway Constructors Ltd.            | Tweedy, Ross         | Van-Kam Freightways Ltd.        |
| Greenaway, Gordon        | Greenaway Truck & Equipment          | Vasseur, Randall     | Van-Kam Freightways Ltd.        |
| Grober, George           | Valley Rite (Aggregate Div.)         | Vos, Casey           | OK Ready Mix Ltd.               |
| Harris, Thomas           | Steels Industrial Products           | Wall, Alyson         | Icg Propane, Superior Propane   |
| Heigh, Larry             | Fernie Contractors Ltd.              | White, Allan         | Unknown                         |
| Henry, Jacqueline        | Teamsters Joint Council 36           | Zacharias, David     | United Concrete & Gravel Ltd.   |
| Hogarth, Mark            | Wiebe Contracting Ltd.               |                      |                                 |
| Howard, Robert           | Valley Rite (Aggregate Div.)         |                      |                                 |
| Hufty, Francis           | Pension Disability Credits           |                      |                                 |
| Humphries, John          | Unknown                              |                      |                                 |
| Hyam, Barbara            | Pension Disability Credits Plan      |                      |                                 |
| Johal, Makhan            | Pension Disability Credits Plan      |                      |                                 |
| Klassen, George          | Unknown                              |                      |                                 |
| Kopach, Gerald           | Pension Disability Credits Plan      |                      |                                 |
| Kulak, Brenda            | Unknown                              |                      |                                 |
| Langworth, Allen         | Pension Disability Credits Plan "B"  |                      |                                 |
| Lavoie, Melvin           | Unknown                              |                      |                                 |
| Leveque, John            | Korpack Cement Products Co.          |                      |                                 |
| Machado-Gorga, Katharina | SunRype Products Ltd.                |                      |                                 |
| Mahood, Leslie           | Highway Constructors Ltd.            |                      |                                 |
| Martin, Angela           | Teamsters Local 31 - COPE            |                      |                                 |
| Mauch, Robin             | Unknown                              |                      |                                 |
| McMahon, Gordon          | Unknown                              |                      |                                 |
| McNab, Glen              | Kitimat Valley Concrete Ltd.         |                      |                                 |
| McPhee, Ronald           | Tayco Paving                         |                      |                                 |
| McQuade, Kenneth         | Ocean Construction Supplies          |                      |                                 |
| Mercer, Irwin            | Dolan's Concrete                     |                      |                                 |
| Meredith, Robert         | Amstutz Contracting Ltd.             |                      |                                 |
| Milne, Harold            | Unknown                              |                      |                                 |
| Milnes, Barney           | Marine Pipeline Construction         |                      |                                 |
| Moroz, Michael           | Peter Kiewit Sons Co. Ltd.           |                      |                                 |
| Morrison, William        | Superior Propane Inc.                |                      |                                 |
| Muraro, James            | Pension Disability Credits Plan      |                      |                                 |

## News from Teamsters Retirees' Club

It was with great sadness that we learned the news that Dale van Dam, president of the Retirees' Club, lost his battle with cancer over the summer.

Johanne Barber has taken over the duties of president. Welcome Johanne.

For those who don't know about our club, retired members from all four B.C. local unions are eligible to join. Your local pays the \$20 annual dues for the first two years.

Meetings are held the 3rd Wednesday of each month (except June, July and August) from 10 a.m. to 1 p.m. in the auditorium of the Teamsters Building in Vancouver.

There is usually a film, bingo and discussions on current events, and a great lunch is provided. The club also goes on excursions from time to time and is currently looking forward to the annual Christmas luncheon which is supported by the four locals and Joint Council 36.

For more information, please call 604-875-6636.

## Please remember...

- ✓ Keep us informed of your current address.
- ✓ If you're off work, your dues become your own responsibility or you have the right to request a withdrawal card.
- ✓ Keep the name of your beneficiary up to date. Local 213 covers all active dues-paying members for a \$2,000 death benefit. Many members remember to update their pension beneficiary, but forget about the beneficiary they have chosen for the death benefit.



A bursary, or bursaries, not exceeding \$10,000 in total is awarded, in the fall of each year, by the Pipe Line Contractors' Association of Canada to a son, daughter or legal ward of persons who derive their principal income from pipeline construction.

To qualify, the parent or guardian of the applicant must be employed by, or have a history of employment with a firm that is a member of the Pipe Line Contractors' Association of Canada. The applicant must be enrolled in first-year studies at any recognized Canadian university or college in a program leading to a degree or certificate in any field.



[www.pipeline.ca](http://www.pipeline.ca)

Applications must be submitted to the association office no later than **October 31st, 2013** along with a transcript of high school grades, evidence of university or college enrolment and proof of payment.

**Cal Callahan Memorial Bursary**  
**PIPE LINE CONTRACTORS' ASSOCIATION OF CANADA**

Each year, Local 213 offers a \$500 Joseph Whiteford Scholarship to a member, spouse or the son or daughter of a member in good standing with Local 213. **Call the Local 213 office at 604-876-5213 for more information.**

**Joseph Whiteford  
Scholarship**



Applicants must be full-time students attending a post-secondary university, college or institute, or be in Grade 11 or 12 and have strong academic standing and be able to demonstrate financial need.

Applications for the Joseph Whiteford Scholarship should be addressed to:

Joseph Whiteford Scholarship Committee  
Teamsters Local 213, 490 E. Broadway, Vancouver, B.C. V5T 1X3



## Remembering members who have passed away

Robert Bell  
Maurice Bouvier  
Dave Delong  
Mark Fanson  
Rumi Khambatta  
Donald Pike  
Allan Smith  
Carson Taylor  
Thomas Taylor  
Roy Walker  
Henry Evan Williams

## Teamsters Local 213

### Head Office

Monday to Friday  
490 East Broadway  
Vancouver, B.C. V5T 1X3

8:30 a.m. - 4:30 p.m.  
Phone: 604-876-5213  
Fax: 604-872-8604

### Area Offices

#### Northern B.C.

102 – 3645 18th Ave  
Prince George, B.C. V2N 1A8

Phone: 250-563-6564  
Fax: 250-563-2379

#### South Central B.C.

185 Froelich Road  
Kelowna, B.C. V1X 3M6

Phone: 250-765-3195  
Fax: 250-765-5833

#### Vancouver Island

#3-2480 Kenworth Road  
Nanaimo, B.C. V9T 3Y3

Phone: 250-758-2314  
Fax: 250-758-8409

802 Esquimalt Road  
Victoria, B.C. V9A 3M4

Phone: 250-388-9788

#### Whitehorse

Phone: 1-888-876-5213

### A GREAT SHOPPING TOOL

*Shopunion.ca is a new website that makes shopping union a lot easier. Information is as close as your Smartphone or computer. Just call up [www.shopunion.ca](http://www.shopunion.ca) and type in the name of the product you're shopping for. The site will tell you what union makes it and where you can get it.*

*Shopunion.ca is the successor of the Union Label Trades Council directory.*





# Teamsters Union Local 213

## Unity, Pride and Strength



# teamsters213.org

Our members have many skills and work on many job sites. We're Teamsters Local 213, taking pride in the work we do.

Health & Safety Programs • Medical & Dental Plans • Workers' Advocacy  
Secure Pensions • Bursaries & Scholarships • Training & Upgrading

Walter Canta, Secretary-Treasurer  
604-876-5213 490 East Broadway, Vancouver

