

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Monday, June 19, 1989 8:00 p.m.**

Date: 89/06/19

[The Committee of Supply met at 8 p.m.]

head: COMMITTEE OF SUPPLY

[Mr. Schumacher in the Chair]

MR. CHAIRMAN: Order please. Would the committee come to order; it's now 8 p.m.

head: Main Estimates 1989-90**Occupational Health and Safety
and the Workers' Compensation Board**

MR. CHAIRMAN: We have with us this evening the minister of Occupational Health and Safety Services to present the estimates which are to be found commencing at page 184 in the main estimates book, and the elements are to be found commencing at page 74 in the elements book.

Would the minister like to introduce his estimates to us? If the minister would, you're more than welcome to have the floor.

MR. TRYNCHY: Thank you, Mr. Chairman. Yes, I'd like to make some opening comments, if I may. I'd like to, firstly, commend the Premier for putting Occupational Health and Safety and Workers' Compensation together. I think it's so important to have it done that way in regards to injury and rehab programs for the worker. I'm also honoured to be given the opportunity to promote and sell safety in the workplace and provide a system that's caring and fair to the injured worker.

It's fitting, Mr. Chairman, on this first day of Health and Safety Week that we would do the estimates for Occupational Health and Safety and Workers' Compensation. Each of you has received on your desk a brown envelope which gives you a brief outline of what Occupational Health and Safety is about and also a couple of badges, one for your fridge and one for your coat, to promote safety: Safety Takes Teamwork! I would like to suggest that we not only promote safety for this week but do it for 52 weeks of the year.

I'm going to spend a few minutes on both Occupational Health and Safety and the Workers' Compensation Board and try to provide as much information as I can for the members, because I think it's pretty important.

The Workers' Compensation Board has been reorganized, and we now are moving to appointing of the members. The members to the Workers' Compensation Board are three from labour, three from industry, and three from the general public. We have appointed so far six people to the board. I now find out by a telephone conversation with one of the members that he cannot accept it for personal reasons, so we have five appointed, and I will be moving as quickly as I can to appoint the other three plus the one now, which makes four. I want, Mr. Chairman and members, that we will appoint an injured worker to this board.

I believe that Workers' Compensation has a tremendous challenge ahead of itself to review the present policy and put in place a policy that takes into consideration the help and the necessary rehab programs for the injured workers. Workers' Com-

pensation must be prepared to listen to injured workers, to employee groups, to anybody who has suggestions on how we can by working together, employers and employees, provide a workplace that's safe and with less accidents.

The revamped Workers' Compensation Board will have a greater role in accident prevention now, and if you have read the Report of the Task Force on the Workers' Compensation Board, by Vern Millard, you'll see a number of positive recommendations that the Workers' Compensation Board will now be moving towards. A number of things have already started to occur. I'm pleased to announce that the appeal process through the Appeals Commission has now been reduced from 18 months on the waiting list to less than four months, and they want to continue on with that process to reduce it to about two months. I think that's just a positive step for the Workers' Compensation Board. They're going to become, as I've said, more involved in accident prevention. We've increased adjudication staff, and we'll continue to increase the staff to provide a faster and better service for all concerned.

Just to give you some figures that I think are quite important. In 1988 there were some 62,129 reported accidents in the province of Alberta; about 34,000 of these were time lost from work. The work force in the province is approximately 1.2 million employees, and 75 percent of those are covered by the Workers' Compensation Board. Our rate of compensation claims in the province is just a little over 5 percent, and I believe that's too high. We want to work together with Occupational Health and Safety and the Workers' Compensation Board to reduce that.

Just to give you some idea of payments made by the Workers' Compensation Board, there are 750 first-time payments made on a daily basis; 1,100 cheques go to workers daily. Approximately 759 cheques a day are mailed to workers who have permanent pensions, and every month there are 15,167 workers who receive a permanent disability cheque. So, Mr. Chairman and members, we have some pretty high figures, which we all have to work at as a team to reduce.

Some statistics that I think are important. Approximately 34 percent of the work force is in rural areas, and 37 percent of the work injuries occur in rural areas. Construction in rural areas has one of the highest numbers of injuries, and forestry is one of the higher ones at 15.1 percent, construction at 11.9, and it goes downward. So it's so important that we have people on the board, people making decisions, who are involved in forestry, construction, oil and gas, and trades: the ones that have the highest rate of accidents.

Something else that's disturbing -- and I'm not sure how we want to handle this -- is that when you look at the breakdown of the work force and where the accidents occur, those people between the ages of 15 and 24, about 20 percent of the work force, have 28 percent of the accidents. That's, I believe, too high. Twenty-five to 34 have 32 percent. It seems that more of the accidents happen in the young age group. I can't really follow that, and I'm trying to get a handle on why it's occurring and what is lacking. As somebody mentioned, maybe it's time that we had an educational program in our high schools so that when people leave school to go into the work force, they have a better idea of what the work force is all about. And it might be that the employers aren't paying as much attention to the young people coming into the work force and making sure they're knowledgeable of the tools they're working with or whatever they're doing. I think it's time our high schools would bring in a program where we could educate, promote, or sell safety.

Something else that's disturbing to myself and, I hope, to everybody here is the effect of drugs in the work force. I just got that information yesterday, and I was looking at it, and let me just give you some examples of what information I've received. Sixty-five percent of the 18- to 25-year-olds have used drugs at one time or another; 44 percent have used drugs in the past year; 90 percent of the oil industry accidents are caused by human error, and approximately 35 percent of those are drug related. My information is that there's \$10 billion of profit in illicit drugs compared to \$1.2 billion oil company profits in one year. Some industries have taken a program into their work force now to work on drug abuse. There are some figures that provide some startling information. They say that abusers of drugs are about four times as likely to have an accident as compared to those who don't.

Just to give you an example of some of the funds that are being spent on health problems, General Motors last year spent \$78 million on health problems, about the equivalent amount they've spent on steel for their cars. So you can see how important health and safety is in the work force. So I asked this question of myself, and maybe we could all review this. Sixty-two thousand accidents in 1988: why? Is the workplace unsafe? If it is, we must correct it. Where is the stand of the employer? What stand does he take? Is he caring? Does he provide the necessary education? Is he safety promoting? Is safety material in place, such as clothing, goggles, safety jacks, and all those kinds of things?

In some cases I've heard that the employees are sometimes at fault because they don't really practise good safety. How do you change that? Some organizations have now taken the stand where they have the employees police each other, and they provide an incentive. If you have 100 days accident free in the shop, you get \$1 an hour. If you have 200 days, you get \$2 an hour. So if you have six people working together, the other five watch that nobody gets in an accident, because they all will lose their benefits if that happens. That's what some of the industries are doing. I would hope that it's not carelessness on account of the employee. I would hope that we could change that by providing information, by having meetings, by going through some of the things that they should know.

I guess that leads us to what our role is as government. I say again that it's a team effort. We have to involve the employer, the employee, and the government departments. We can reduce accidents if we're committed to that process, but we must be committed. As I've said before and I say again, in my view one accident is one accident too many. So as MLAs I think we have a challenge before us too. I say to all of you: when was the last time you talked to your employers in your constituency? When have you walked into the shop and looked at the site and talked to the employer and the employees? Let's think about that, and let's see if we can do that. Let's encourage the employees to police each other, if I can use that term, so they could make sure that if your colleague is working next to you, he or she doesn't do something that would injure herself or himself and their colleagues next to them. Yes, we have a chore ahead of us, we have a challenge ahead of us, but we can make it happen if we work together as a team.

I want to turn my attention now to Occupational Health and Safety, and I have a number of people in the galleries with us tonight. We've just reorganized Occupational Health and Safety. We have a new managing director in Dr. Hugh Walker, and Occupational Health and Safety will be working very

closely with the Workers' Compensation Board. We want to make sure that they exchange information whatever way they can to make sure that we reduce accidents. In the past Workers' Compensation has been an insurance firm that just passed out the dollars without asking too many questions. I think it's time they got together and worked as a unit to make certain that we can reduce the accidents.

We have a number of programs that we intend to put in place that will do that. We're looking forward, as Occupational Health and Safety, to working with all employees and employers across the province to hold seminars. This morning I traveled to Red Deer for a breakfast with a couple of my colleagues from Innisfail and Red Deer-North, and we had a super meeting with industry, small business, in regard to kicking off Health and Safety Week. We then flew to Whitecourt, and I met with some 400 workers and spoke to them about their record and how proud they should be and how proud I was that they haven't had a serious accident on that site since August 1, 1988. They're going to increase their labour force to 800 people. I've encouraged and challenged them to work together and make sure it stays safe so I can come back in a few months and present them with a plaque recognizing their tremendous effort for safety.

We want to work more closely with small business, and as I've said before, we want to make sure we can bring the small business together with their employees on an evening. We might even make it mandatory that the employers would take their employees to a meeting where we can discuss, exchange information, on what safety's all about. I think it's just so important that we look in that direction, because as I've said before, it won't happen by itself and we all have to be involved.

The Occupational Health and Safety Council will continue to function as an advisory board, and I'm just really pleased with the people we have on that council. They come from all walks of life and are just doing a super job to promote safety.

There's something else that gives me some concern, and this was done, I think, last year. The petroleum industry had done an upstream report on their industry. It's a good report; I've looked at it. It's a positive report, but so far we've seen little or no action. I don't know why; I intend to find out as soon as I have some time. But I think it's time they moved in respect to improving the work force and the safety in their establishment.

As I've mentioned, we have too many accidents in the work force, so what do we do to try to correct it? How do we work with the people involved, and who do we involve? I don't think we can just go and continue raising the assessments. I think we have to bring some industries on stream with a commitment by them, and the window of opportunity is just a perfect example of how we can do it, where we can take an industry and their assessment rate for 1990 would go up by 25 percent. We could hold that assessment at 1989's rate and have them implement a program that would reduce accidents dramatically. If they reduce accidents, they would stay at that rate, and if they didn't, they would pay the penalty and the higher assessment. That's one of the ways, because if we don't do it that way, we have a 10-year assessment rate, and if you wait for 10 years and you have no accidents, your assessment rate goes down very slowly. But if we can bring something else into play where we don't give out a grant or an incentive or funds, what we'd do is hold them at that rate. If they prove themselves to reduce the accident rate, then they stay at that rate; if not, they pay the full rate that they were to be assessed at. I think that's how we have to do it.

So, as I've said, raising assessments I don't think will work. Increasing fines in some cases will not work. Somebody mentioned to me that it might be time that the chief executive officer of an industry might be penalized with a jail sentence, so we get them involved. That's a little harsh but, Mr. Chairman, that's one of the thoughts that are coming to me.

So what is our role? I'd like to just spell out in a few words what I think we should be doing. We have to achieve a much safer Alberta workplace. That would be our role. We have to start at the top. Management must be involved and must have a commitment. We have to have the chief executive officer or the owners at present involved and with those people -- managers and supervisors at every level -- to work with their employees. You know, somebody said: "Why should it be? Why do we have to do this? Nobody wants to be injured." Yet it happens. In addition to those kinds of things, we have to do what I try to do with my employees: the tell, show, and do. Tell the employee what he should be doing, show the employee what he should be doing, and then go out and do it with the employee so that he's fully aware. We have to have a place where they are comfortable with preknowledge, pre-actions, prethinking. We have to also make sure that the employees, as I mentioned at the outset, look after each other.

I'll just give you an example of what happened in my own shop. I had a couple of young gentlemen working under a machine. I watched them for a few seconds, so I called them out and I asked them, "Do you see anything wrong with what you're doing?" They said no, nothing wrong. So I pointed to the safety equipment in the corner of the shop, the blocking that should be under that machine, and as soon as I pointed to that, they said, "Oh." They walked over and got it. But it's trouble for an employee to walk those 20 or 30 feet, because they say, "Well, it won't happen to me." It won't happen, and of course they don't do it. You know, just a terrible accident here on the weekend, a constituent of mine from Whitecourt, with Tire Town. By not using the blocking, the machine slipped off the jack, and it was a fatal accident. These kinds of things happen because we think as we move around the shop -- and I guess I shouldn't be one to talk, because I go up the grindstone in my own shop, and I've got pitted glasses for the very reason that I forget to put on the goggles or don't want to because I'm just going to do it for a second. That's the kind of thing we have to instill in our own minds. Safety starts with us, and if we don't do it as employers and as presidents, then it doesn't drift down to the bottom.

So, Mr. Chairman, in closing, I believe that management has the largest influence on what we do, and I think we have to have them promote safety, work with the employees. We must, as I've said, increase management's constant commitment. We must focus on owners. We have to reward the best, pressure the rest, and identify role models wherever we can. All accidents are preventable. All accidents are preventable if we are committed. In closing, we can do it if we want to, so let's make Safety Week a 52-week commitment in the future.

Thank you.

MR. GIBEAULT: Mr. Chairman, I wonder if we might introduce a few guests from the Workers' Health Centre before I start into my comments.

MR. CHAIRMAN: Is there agreement in the Chamber?

HON. MEMBERS: Agreed.

head: INTRODUCTION OF SPECIAL GUESTS

MR. GIBEAULT: Mr. Chairman, I'd like to introduce to you and the other members of the Assembly this evening several representatives from the Workers' Health Centre here. We have Susan Ruffo, the executive director; Jennie Ross, the occupational nurse; also associated with the centre are Audrey Bath, Merle Schnee, and Pete Pedersen. We also have three injured workers in the gallery this evening: Mr. Terry Spencer, Mike Bonner, and Helen Riedyk. I'd ask all of them to rise and receive the warm welcome of the members seated.

head: COMMITTEE OF SUPPLY

head: Main Estimates 1989-90

Occupational Health and Safety and the Workers' Compensation Board (continued)

MR. GIBEAULT: Mr. Chairman, in terms of the Occupational Health and Safety estimates for this evening, I have to confess that I'm frankly not very impressed with what the minister has put before us here in his vote, vote 12. What we have here is \$11.9 million; that's only a 3.3 percent increase from last year. A 3.3 percent increase is not even enough to cover inflation, let alone to finance some sort of real commitment to increasing occupational health and safety in the workplaces of this province.

The throne speech talked about some new initiatives in occupational health and safety, but frankly the budget -- and that's where it really counts, I would suggest -- doesn't support that. In fact, if you look at the manpower requirements for the Occupational Health and Safety department, there's only one additional staff person allocated in this year's budget. So we're really not looking at any increased level of enforcement of occupational health and safety regulations, any increased inspection of workplaces in this province. So I think it's difficult to suggest to Albertans, and I think it would be, without putting too fine a point on it, fraudulent to suggest to Albertans that there is any sort of an increase in terms of the commitment of this government to occupational health and safety.

I want to point out a couple of things here. You know, government budget estimates can be very relative, and as I mentioned, what we have here in Occupational Health and Safety before us tonight is a budget estimate for the '89-90 fiscal year of \$11.9 million. Mr. Chairman, did you know that the Public Affairs Bureau of this government, commonly known to some of us on this side as the propaganda department, has a bigger budget than that? It has \$12 million. Propaganda for this government is more important than the occupational health and safety of Alberta workers.

Another way of looking at it would be to take a look at the special gifts, if you like, handouts, loans, grants, whatever you want to call them, for only six of this government's favourite friends. If you look under the economic development department, they're looking at giving away some \$14 million. So six companies in this province are going to be getting more than is being allocated for the entire work force of Alberta in trying to provide for safe workplaces in terms of health and safety. I think, Mr. Chairman, that's nothing short of shameful and scan-

dalous in a province with the resources that are available to this government.

Another way of looking at it, I guess, Mr. Chairman, is that we have under the administration of this Conservative government more people who are responsible for enforcing fish and wildlife regulations than we have people to enforce occupational health and safety regulations. I want to make it clear that I have nothing against protecting fish and wildlife resources; we certainly have to do that. But surely the health and safety of the working Albertans is at least as important as the fish and game resource of the province, and the budget and the manpower allocations in the budget here simply don't support that.

I guess another thing that would give us a little bit of encouragement -- and we haven't heard it, really, from this minister yet -- is whether or not there is any indication of his intent to look at stricter enforcement of legislation and regulations in the occupational health and safety area. We have to have good legislation, and I think there's room for much improvement in that area. We also have to have enforcement of those pieces of legislation in the accompanying regulations, and I think in many areas they've been very lax.

I'd like the minister, if he would in his later comments this evening, to tell us how many, if he can, of all the thousands of workplaces in the province were inspected by an Occupational Health and Safety inspector last year, someone who could have given some tips and seen some unsafe practices, could have helped employers and employees to try to prevent accidents from happening. What percentage of workplaces in the province were inspected last year? I can tell him a whole lot that I know of that weren't inspected and haven't been for many years. Maybe he can tell us how many were inspected and how many were not inspected. That would be interesting to know, Mr. Chairman.

The budget here provides for a significant increase in the amount that is being proposed for the Occupational Health and Safety Council, from \$41,000 to \$120,000. I'd be interested to know from the minister what it is that is being proposed with that significant increase for that particular item. The minister referred to the council as "doing a super job," yet when I asked the library recently for any publications or reports from this particular body, they advised that they didn't have any. So I don't know what the minister means when he figures this council's doing a super job. It seems fairly low key, low profile, and I would suggest that there's a lot of room there for much more public advocacy kind of activity. With that significant increase in their budget perhaps that's their intention, but the minister didn't say that. Perhaps he can clarify just what the intent of that is. I remember not too long ago there was a report from Ms Maureen Shaw, who's with the council, who criticized the government for lack of action in occupational health and safety. When their own council of this government makes those kinds of criticisms, you have to wonder just how vigorous the government is in trying to advance occupational health and safety in the workplaces of this province.

Let's talk for a moment in terms of some of those regulations that we talked about, health and safety regulations. Let me give you an example. I talked recently, Mr. Chairman, with Mr. Bill Spring of the insulators' union, and it's involved with the Building Trades Council as well. They've been pressing for a long time for better standards in terms of dealing with asbestos products in particular and having some compulsory aspect to those standards. Because you know what the problem is in that area

and with so many other areas of regulations is that there's a much too lax and optional component to some of these regulations. For example, we have a code of practice for dealing with asbestos products, but it's optional. So what you have is that contractors who want to be conscientious and want to use respirators and the proper protective equipment for their workers find that they're being underbid by unscrupulous contractors who simply don't care. I think as long as you've got that sort of 'optionality,' if you like, sort of provision to a lot of these kinds of approaches to occupational health and safety, you're going to get contractors who would cut corners, who would shave costs on safety. As long as you do that, it makes it very difficult for those contractors and those employees who want to conscientiously do things in a safe and proper manner to do so. So we've got to have much more stringent health and safety regulations, and they've got to be compulsory. The government has got to say that contractors who want to bid on work in a particular field must abide by Occupational Health and Safety determined standards, and there's got to be no ifs, ands, or buts about it.

I want to just mention a couple of other things here, Mr. Chairman. I want to refer to perhaps some of the newer occupational hazards, at least in some areas. There's more of an awareness now of repetitive stress injury syndrome. I have to commend the *Edmonton Journal* for recently doing an excellent article on that particular phenomenon, and I commend that kind of excellent journalism to my colleagues across the way, who don't seem to be too concerned about that. But that's an increasingly important phenomenon because we find that many, many workers in the office environment make extensive use of computers, data processing facilities, and many workers, particularly in the lower echelons who are working at data processing functions for an extended period as part of their job each day, are developing increasing problems with fingers, wrists -- motion-repetitive stress of that nature -- that cause them to lose the effective use of their hands. Mr. Chairman, we have to be concerned about that, because there are not many jobs, I would suggest, that a person will be eligible for if they have limited and impaired use of their hands.

That's a job that has long been a problem in many of the assembly line industries and particularly in the meat packing sector, where there's the additional, compounding complications of cold and moisture affecting people who work on the assembly line doing repetitive tasks over and over. I know that the minister's got this special project going now with the meat packing council, and I certainly hope that that among other things is one of the things they will be looking at: how they can reorganize the work in the workplace so that people do not have to end up with permanent disabilities as a result of that kind of repetitive stress injury. I want to come back and make some other comments about that when I come to some comments on the Workers' Compensation Board.

There are some other things that could be done. There are many things that the government could be encouraging and fostering if it really wanted to be serious about this whole area of occupational health and safety. One of the things that is common in the organized work force but rare in the unorganized sector is occupational health and safety committees, employee/employer committees that look specifically at occupational health and safety issues. I think if this minister and this government were serious about occupational health and safety, they could look at legislation that would be much stronger and en-

couraging if not requiring that all the workplaces in this province have an occupational health and safety committee so that we can really get serious about trying to reduce the very high rate of accidents and fatalities that occur in the Alberta workplace. That's certainly got to be something that has to be much more strongly encouraged by the provincial government.

We could be looking at some leadership, Mr. Chairman, as well in things such as smoke-free workplace legislation. We've got that kind of thing at the federal level. The city of Edmonton has it. Some government departments have it, to their credit. But it's not common throughout the provincial government or in the jurisdictions for which the provincial government is responsible. I think that's something else if we're really serious: that workers ought to be entitled to work in a safe and smoke-free workplace.

Mr. Chairman, I have to take a few moments here just to talk about one of the initiatives of the organized labour movement in Alberta, and that is in this particular field of occupational health and safety. I'm talking about the Workers' Health Centre. For those members of the House who may be unfamiliar with it, it is an occupational health and safety resource and referral service that was established some time ago to protect the health of all workers in the province by providing education, research, and preventive services. Conspicuous by its absence in the estimates here is any provision for any assistance for this very innovative and very important centre for the occupational health of workers in Alberta, whether they're organized or not.

I would put it to this minister -- and I hope he can give us some indication here -- that there might be some provision in his budget somewhere for some assistance to the Workers' Health Centre. Because it's clear that they have been providing some excellent service to workers in a variety of areas: occupational hazards of all kinds, hazardous chemicals, assisting workers with Workers' Compensation Board procedures and entitlements, how to set up worker health and safety committees, and a variety of related kinds of activities. They've been financed to this point almost exclusively by the labour movement, with some assistance more recently by the United Way. But, Mr. Chairman, I would submit to the minister that his reputation and that of his government would be enhanced if he was to show some serious intent to provide some assistance, to give this centre the resources that it needs to provide the kind of service that workers and employers, organized or unorganized, could benefit from. With a little bit better financing they'd be able to look at occupational hygienists positions and the kinds of services that would enable them to provide much more effective services to workers around the province. So as I said, it's conspicuous by its absence in this budget. I would like to hear from the minister his comments on that particular centre's work and what its prospect for receiving some assistance from the provincial government might be.

Mr. Chairman, I have to also make some comment about the recent disconcerting news that the Canadian Centre for Occupational Health and Safety, based out of Hamilton, is looking at a possible severe reduction, if not closure, because the federal government is planning to phase out their \$10 million contribution to this. Now, I realize that's not the minister's responsibility, but I would like to know why it is that -- and I've been scanning the government's news releases faithfully ever since I saw this story -- there's been no public comment or criticism of the federal government for compromising this particular institution, this nonprofit centre, which is the only independent source

of information on toxic chemicals and hazardous materials in the country. I think if we had some leadership comments coming from this minister and this government about that, maybe the federal government might reconsider that they should not compromise this particular centre, which makes such a useful national contribution to the whole area of occupational health and safety. I hope the minister isn't simply afraid to criticize his Conservative cousins federally. I think he's got to put the concerns of injured workers ahead of those petty partisan considerations.

The Workers' Compensation Board. We could be discussing the Workers' Compensation Board for a great long time, but we have limited time this evening. I want to make just a few comments about it. I think most people are aware that the board has been suffering under some severe shortcomings and problems dealing with the way they've handled injured workers in the past. There have been some good recommendations that came out of the Millard report, but I think injured workers and Albertans generally have -- I'm going to try to put this as charitably as I can here, but I think their confidence in this government and the minister responsible for the WCB and Occupational Health and Safety has been shaken, shaken badly. We found in terms of representatives to the board no one from the Federation of Labour or on behalf of injured workers.

We have yet to see from this minister -- and I don't know if he's keeping some initiatives to introduce later; I'd like to hear his comments. But we haven't seen any legislative initiatives sponsored by him for changes to legislation in the Workers' Compensation Board. For example, one of the recommendations that Mr. Millard came out with was a proposal to provide indexation for injured workers' pensions. There's no enabling legislation on the Order Paper yet to bring that forward, Mr. Chairman. I'd like to ask the minister if that's coming. There's a number of other recommendations that require some legislative action, and I along with many people who are concerned about the directions of the Workers' Compensation Board and the problems that injured workers have been having have been waiting for that. Many of the recommendations out of the report *Shaping the Future* also require legislative action, and we haven't seen any in this session. So we're waiting, Mr. Chairman, with bated breath here. There's been a lot of delays, a lot of criticism of the board for various problems, and some of that has to be dealt with with legislative action. We're waiting for the minister to bring that forward.

Then again, Mr. Chairman, we have to realize that injured workers and workers generally are concerned about the approach that this government seems to take when an injured worker wants to exercise his or her democratic right as a citizen in a free country to protest against government policies. Instead of trying to deal with that in a proper and professional and businesslike manner, if you like, we have the shameful actions where we have confidential information being revealed and injured workers being hauled off the Legislature grounds and having property seized: very heavy-handed kinds of tactics generally, which contribute nothing to dialogue, nothing to productive discussion of trying to resolve some of the outstanding problems that injured workers in this province are facing.

So with all of those things I think there is developing a credibility problem. I have to suggest, Mr. Chairman, that I hope this minister is going to really take some time and effort to try to redress, because the first few months, I have to suggest, have been very, very dicey indeed. I'm putting that in the most

charitable way I can.

There are other problems in terms of the Workers' Compensation Board that really need to get some attention. I'm sure the minister's aware that back injuries are a major part of problems that injured workers have had. There's a number of things that could be looked at here. One of Mr. Millard's own recommendations was that the board has to introduce a new protocol for dealing with back injuries, and that has yet to be done. It must be done, Mr. Chairman. We have to make sure that injured workers have access to the most sophisticated equipment for trying to detect problems with back injuries. Many of them are not detectable by the simple X ray. Some of the equipment that could detect some of these problems and help in treatment and resolution is commonly not available to workers with back injuries. It's very difficult to get access to this kind of equipment. Some of it's reserved for research. The long and short of it is that you have injured workers who have serious back problems and they are simply not getting the access to the treatment and care that they need and deserve. This complicates their dealings with the Workers' Compensation Board in terms of compensation benefits.

Now, I have to make a few comments as well -- the minister alluded to them in his opening comments -- and that's about this new proposal referred to by the board and the minister as a window of opportunity: the whole issue of incentive assessments. I have to say here that I have a lot of problems with that. It seems to me that employers -- in return for the opportunity to do business and to make profits in this province, part of their responsibility as a corporate citizen surely has got to be to ensure that they take that responsibility and ensure that their workplace is a safe one. To be providing financial incentives for people to be doing what they ought to be doing strikes me as a curious approach. Mr. Chairman, I have yet to be given an incentive payment from a policeman for staying within the speed limit. I mean, he gives me a penalty if I exceed that speed limit, and I don't get any incentive payments for doing what I ought to be doing. I would suggest that we ought to take the same approach to employers in this province. They have a responsibility to ensure that we have safe workplaces that don't compromise the health of the workers in this province. For us to be getting into arrangements where we're paying them to do what they ought to be doing I think is simply the wrong approach.

We're going to be watching this pilot project with a great deal of interest, Mr. Chairman. I'll concede that I'm pleased there have been some changes made to this to ensure that workers are involved in the various stages of this particular pilot project, but still I am very, very concerned that we may be setting a precedent here, that we're going to be paying people to do what they ought to be doing simply as a responsible employer in this province. I think we may be getting to some very shaky territory there.

Mr. Chairman, I'm going to conclude with those comments and look forward to the minister's comments. We may have some additional ones to make later.

Thank you.

MR. PAYNE: Well, Mr. Chairman, I appreciate this opportunity to participate, albeit briefly, in the discussion of the estimates of Occupational Health and Safety and the WCB tonight. I really wasn't planning to do so, but as is so often the case, I was prompted to participate by the contributions made by the Member for Edmonton-Mill Woods. [interjections] Well, if

I'm being asked by the member to fess up, I actually planted my name in anticipation of this difficulty, and I'm glad I did so with typical foresight, hon. member.

However, Mr. Chairman, in his opening remarks regarding the vote 12 estimates, the Member for Edmonton-Mill Woods decried the 1989-90 Occupational Health and Safety Services estimates of \$11.8 million with the phrase: they're up only 3.3 percent. In response to that observation on the part of the member, I would like to make two observations. First of all, there are some elements within that vote, of course, that have received what I would regard as very generous increases. For example, the Occupational Health and Safety Council expenditures estimates have been trebled this year over last. I think most members in the House will acknowledge that this council has great potential over time to help achieve greater levels of worker safety.

But I would like to make a second response if I could, and that is that on the other hand some typical head office budgets such as executive services are down 18 percent, and personnel, finance, and admin. services are up only 2.6 percent. With that context I would like to compliment the minister and his officials for their responsible approach to budget preparation at a time when many Albertans are becoming extremely concerned with the credit card, buy now and pay later approach used by many levels of government in their approach to budget preparation.

Now, in making some spending comparisons this evening, the Member for Edmonton-Mill Woods made what I would regard as pejorative comments about what he called the "propaganda department," the Public Affairs Bureau. Just in passing, Mr. Chairman, I would like to observe that the Public Affairs Bureau's budget for the year ahead is \$12 million, a decrease of 8.4 percent, when the member was decrying a modest increase in this other set of estimates of 3.6 percent.

I would like to point out also to the member that within that \$12 million budget there's an allocation of more than \$2 million for the regional information telephone enquiry system, a system that enables tens of thousands of Albertans to access readily various government agencies and departments with but one phone call. I would like the member to take into account the invaluable work rendered by the RITE system as well as some other very useful components within the Public Affairs Bureau that hardly can accurately be characterized as propaganda. Now, I realize, Mr. Chairman, before you leap upon me, that we're not discussing the Public Affairs Bureau estimates this evening, but I felt his unwarranted and snide remarks about the agency for which I was once responsible merited comment.

Now, if I may be permitted an autobiographical comment, Mr. Chairman, in 1964 after I graduated from university and did my one year's penance at the *Edmonton Journal*, I got my first PR job with the then Workman's Compensation Board of Alberta. I spent two years there as their first public relations officer. During that period of time -- when there was very little smoke and even fewer mirrors, hon. member -- I came to recognize and to appreciate the great work done by the staff and professionals at the WCB, particularly in the areas of safety education and injured worker rehabilitation.

Now, Mr. Chairman, I think that most of the members here tonight recognize that the minister and his officials at the WCB are literally between a rock and a hard place. On the one hand, they are faced by a great number of Workers' Compensation Board claimants who feel they have not been fairly dealt with in claims adjudication procedures. I know that most members here

in the course of their work as MLAs have met with such claimants and have tried to help them. On the other hand, I know that most of the members as well as I have on more than one occasion had complaints, both in writing and verbally, from small and medium sized business operators who, frankly, feel that their assessments are very onerous and way out of line and are making it very difficult to compete in a very difficult marketplace. I know that all of the members in the Assembly tonight will want to join me in wishing the minister and the Workers' Compensation Board well in their ongoing challenge to be fair to both injured workers and to employers, whose assessment dollars finance the board's operations.

Thank you, Mr. Chairman, for this opportunity to participate, and thanks also to the Member for Edmonton-Mill Woods for providing me the emotional impetus to do so.

MR. CHAIRMAN: The hon. Member for Edmonton-Whitemud.

MR. WICKMAN: Thank you. Mr. Chairman, it is particularly appropriate to have the opportunity to speak to the budget estimates on the Workers' Compensation Board and Occupational Health and Safety during Canadian Occupational Health and Safety Week which, of course, is June 18 to 24. I am very pleased with this year's theme: Safety Takes Teamwork! But I think we have to look at teamwork. What is teamwork? Teamwork, in my opinion, equals government, employer, and employee. The government has to provide the direction.

I looked at a press release that was issued by the office of the minister June 16, where we talk in terms of general public awareness, and one particular reference concluding the press release where he states, "Let's all work together to make Alberta a safe and healthy place in which to live and work." I could not agree with that more, Mr. Chairman. That to me is teamwork: where we all have to work together to make Alberta a safe and healthy place in which to live and work. I congratulate the minister on that particular direction.

Mr. Chairman, when I look at industrial accidents, when I look at injuries in the workplace, I look at two different categories. The first category is the category that I guess is relatively easy to deal with in that it's very tangible; it's very concrete. That's a situation like my very own. Twenty-five years ago I was in an industrial accident. It was very clear cut. I was classified as a paraplegic, 100 percent disabled as a result of that industrial accident, and Workers' Compensation assessed it accordingly. The employer took steps to ensure that that type of accident wouldn't happen again. Preventative medicine, I guess, or preventative measures would have prevented that accident, but of course sometimes we don't learn until accidents do occur. But those types of accidents are a little easier to address; they are a little easier to take corrective measures on as long as government is prepared to put those corrective measures in place.

But there is the other type of industrial hazard or industrial occupational concern that is becoming more and more of a concern. Those are the more intangible type injuries, the more intangible type situations such as stress, such as back injury, which is becoming so common. It is so difficult to define whether that back injury occurred within the workplace or whether it occurred elsewhere. There is the question of the effects of poisonous gases, poisonous vapours that may occur because somebody is working in a workplace as, let's say, a

welder, and there is not proper ventilation, and that results in respiratory problems. Of course, that becomes the question: who assumes responsibility for that particular industry? I classify that as an injury because it is related to the workplace. Those are the types of situations that cause more and more concern with workers and their dealings with the government and their dealings with the Workers' Compensation Board.

Touched on earlier was the question of repetitive motion, which is becoming more and more common as in industry we become more sophisticated and everybody has their little chore in the assembly line, where every day they are doing one thing over and over and over. That has changed in recent years to become more and more of a concern that has to be addressed.

I want to refer, Mr. Chairman, to the June 16 news release, where again the minister makes reference, where he states, "the more we all think health and safety -- at work and at home -- the sooner we'll see a decrease in the accidents" at work and at home.

Now, I'm somewhat familiar with the somewhat controversial rebate plan, which I see some merit to if it means some rebate to ensure that employers will address properly safety concerns within the workplace. Then there is some merit to that type of incentive program. Sometimes a question of trying to impose just negative penalties rather than, let's say, positive encouragements doesn't always do the trick. In fact, I think it's just about time, in referring to the hon. Member from Edmonton-Mill Woods, that the police department did in fact provide me with some reward for not having any speeding tickets in the last three weeks.

AN HON. MEMBER: That's an enviable record.

MR. WICKMAN: The best in two years.

Mr. Chairman, I look at the budget and I share a concern as to the amount of attention that is being devoted in terms of dollars. I can look at particular aspects of it. Some of it has been addressed, and yes there are some areas where some real attempts have been made at reducing the expenditure in the executive services and so on. I don't question the 192.7 percent increase in the workings of the council because I would assume that the minister has a logical explanation as to why it has increased, and that would be something along the lines that more responsibility has been placed on this council to ensure that increased emphasis is placed on safety in the workplace.

I want to focus for a while, Mr. Chairman, on the Workers' Compensation Board. When I talk in terms of the Workers' Compensation Board -- because I was injured in an industrial accident 25 years ago, I do have some experience with them. First of all, I want to make it very, very clear that I don't have hassles with what the Workers' Compensation Board does per se. We have to recognize that the Workers' Compensation Board operates under a framework. That's the framework that is implemented by this government, and that framework, of course, is legislation, the Workers' Compensation Act specifically. That's what sets down the guidelines, and the Workers' Compensation Board has to function within that framework. When there are shortcomings, malfunctions, you don't go and blame the workers; you look at management. Here is a situation where I would refer to the Workers' Compensation Board more in terms of being the workers than the government being the management. I feel that management has failed in setting out the proper framework to allow the Workers' Compensation

Board to operate on the basis that it should be operating.

The statement that was made earlier by the minister, Mr. Chairman, in reference to past years where the Workers' Compensation Board was passing out dollars with no questions asked -- I believe that's the correct terminology, the correct phrase that was used. Because I've been on workers' compensation for 25 years -- and I would point out the very first community activity I got into even before the persons on the other side here formed a government, while Loughheed was still Leader of the Opposition. At that particular time I had concerns with the Workers' Compensation Act. I point out to the minister, to refresh his memory, that in those days the Workers' Compensation Act did not allow for any indexing. When your pension was set, it was set and it may have been set for eight hours. If there's one good thing that this government has done -- and that was years and years ago, in the early '70s -- it was when they made those amendments to the Workers' Compensation Board to allow for indexing.

So I don't think it's fair to say that the Workers' Compensation Board in the past was passing out dollars with no questions asked. I think in the past the Workers' Compensation Board operated under, let's say, a better framework, where they were given more flexibility in determining the claims that were coming and they weren't being questioned to the degree that they are now. In other words, direction wasn't being given to them that you've got to clamp down on the expenditures even if it means there is going to be some unfairness to the worker, which I really believe is taking place at the present time. So I think we have to dispel that notion that we say the Workers' Compensation Board was sloppy in the past. I think what has happened is that the current framework simply doesn't allow the board to operate properly.

I think we all recognize that the function of the Workers' Compensation Board is an extremely important one. It's an invaluable service to Albertans who find themselves injured while working, and I think to this extent we have to be pleased to recognize that there have been what appeared to be some positive steps taken in the past. Those positive steps -- I refer to the two studies, one being Shaping the Future and the other, of course, being the Millard task force report. I have to congratulate the government for setting up that task force and having that report come forward and, in fact, accepting the recommendations of that particular report.

I feel that by and large, the recommendations in that report were good, and they did, to a degree, accurately identify some of the major problems. I refer to page 20 of that report where we talk in terms, for example, of the need for injured workers who have been disadvantaged by the system having to have a system to redress their cases, have their cases reconsidered. Another recommendation talks in terms of a greater infusion of resources to ensure that claims are dealt with as quickly and as fairly as possible. There's also the recommendation calling for a joint Workers' Compensation Board and Occupational Health and Safety pilot study. We can look at recommendation 6, where it talks in terms of the appeals system having a requirement to be rationalized to eliminate the lengthy delays in considering appeals. It refers to the 60 percent overturn of decisions going to appeals and a need to correct that, and if my information is correct, it in fact has gone in the other direction.

My concern here, Mr. Chairman, is that the recommendations that have come forward are good, but what has happened is that this report has been sitting and gathering dust; in other

words, it hasn't been acted upon. When is the implementation of these recommendations going to take place? There are many, many frustrated workers out there. We can look at the Terry Spencers that may protest in a more lively fashion in front of this particular building, this particular facility, but there are those that choose to protest, I guess, in a more quiet fashion. I don't know how many of you have had the numbers of people come forward to your constituency offices that have come forward to my constituency office complaining about the system within the Workers' Compensation Board, particularly what is perceived as a system that is not fair, a system that does not address their concerns, a system that accounts for numerous delays, and a system where the worker is left frustrated in that he really hasn't had a fair hearing; he really hasn't had a fair appeal system.

If we look at the present appeal system, we have an appeal system where we have a chief appeals commissioner. That chief appeals commissioner, of course, is responsible or accountable to the chief executive officer, that chief executive officer being accountable to the chairman of the board. And yet in the reference material that I've received in the past, it makes reference to an independent commission. That, to me, is not an independent commission. An independent commission, to me, is a commission that would be accountable to someone other than the people who are providing their positions to them, which in effect they are, even though they may be appointed by Order in Council. Nevertheless, they are accountable to higher-ups in that particular organization.

I think, Mr. Chairman, it is of concern when we see workers who do demonstrate to the point they do because of that frustration. I think we have to reflect; we have to stop and think -- place ourselves in that particular situation -- of the frustration that we would feel, knowing we have a family at home, believing we are entitled to justice, believing we are entitled to have our claim approved or have our injury rating increased, whatever the case may be, but by and large having the opportunity to have what would be a fair hearing. The Workers' Compensation Board at the present time, because of legislation, because of the Workers' Compensation Act, has a system of advocates. The advocates are there as advisers, advisers to assist a worker who has an appeal or has a problem with the board. The advocates are paid for and are accountable to the Workers' Compensation Board. They are asked to serve two masters, the one master being the worker they're representing and the other master being the Workers' Compensation Board that they work for. What type of position are they placed in when they have to appear in front of that appeals commission representing a person from outside the organization, going up against people within the organization that they work for and are accountable to in the framework of that entire organization? There are other systems that could be put into place. There are systems that could be put into place that would in fact make it independent.

Reference was made earlier, Mr. Chairman, to the Workers' Health Centre. I've had the opportunity to sit down with representatives from the Workers' Health Centre, and I'm very impressed with what they've done. They've filled a vacuum, a vacuum that has been created by government, and they're serving a very useful purpose, although they are very underfunded, because the dollars they get are dollars that they get through their own sources, and their resources staffwise are very, very limited. Now, I wouldn't see anything wrong with having a system where you almost had these advocates being public

defenders on behalf of the workers and having them accountable to another organization, such as the Workers' Health Centre. Under that system they could then be free to put out 100 percent on behalf of the worker and not be accountable to two masters at one particular time.

I am anxious, Mr. Chairman, to see the recommendations in the report I referred to earlier take place, be implemented as soon as possible. I am anxious to see the Workers' Compensation Board revamped so that workers feel they are getting a just hearing, so that they feel they've been treated fairly, and whether that ruling is for them or against them, they still feel that they've been given a fair hearing. Because when 70 percent of the complaints that a constituency office gets deals with one particular government department, it tells you that there is something wrong, that there is something wrong with that system. And I would venture to say that those numbers are going to increase.

It took the government months and months and months to even start to address this new board system that was recommended in the task force review summary report. Only recently, Mr. Chairman, the minister made six additional appointments to the board. One question I have that I would like the minister to answer is: why did it take so long to appoint these members to the board? What process was used to appoint these particular members to the board? And I'm not saying that they're not appropriate members. Some of them I'm aware of; I'm aware of the contributions they've made in the past in particular directions in Alberta. But I would like to know: did other persons have opportunities to also seek those particular positions? Was there any consideration to going to organizations like the injured workers of Alberta and other groups that may represent workers? Was there any thought of going to them and asking them if they would like representation on the board, to have them submit applicants? Was there any consideration given to going to the unions, asking the Alberta federation of unions, for example, as to whether they wanted to make recommendations as to an appointment, or to going to the Workers' Health Centre and getting their particular input? So I would like to see the minister address that.

I would like to also know from the minister as to when we can expect this infusion of resources to allow the board to deal with the number of claims and appeals that are being launched at the present time.

In conclusion, Mr. Chairman, I would like the minister to address specifically what steps he is taking at the present time on an immediate basis -- and I again refer to page 20, where we talk in terms of recommendations requiring immediate action; what steps are being taken to address those? Also, what steps are being taken at the present time to deal with the individual grievances that are there, individual grievances that have gone to his office? Are people like Terry Spencer being dealt with by the minister? Are they getting hearings? Are they being told that their files or their cases are being reviewed by the minister's office? Mr. Chairman, I don't think we can rest with the workers' compensation ministry -- I'll use that term because again I've got to stress that I can't point the finger at the Workers' Compensation Board; I point the finger instead at the government that has sat upon this legislation, that has failed to correct it. When is the government going to take action, this so-called immediate action, to ensure that workers in this province are treated fairly?

On that note, Mr. Chairman, I thank you for the opportunity

of saying my piece.

MR. CHAIRMAN: Thank you.

The hon. Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman.

I'm pleased to be able to participate in tonight's estimates. It's an important area for the government of Alberta to look at and examine and provide money for because, regrettably, there are just too many workers out there that are no longer as productive as they once were in terms of being productive members of our society because they've had injuries that have limited their ability to go back to the worksite.

I noted that when the minister made his opening comments, he talked about certain areas of concern that he had: the disproportionate percentage in the 15- to 24-year-old age category of injuries that were reported to the Workers' Compensation Board. Now, I was really quite amazed to hear further on down in time that the response was going to be that perhaps what we ought to do is have something introduced in the school curriculum that would provide for safety. Well, I don't know. In the current education system the level of assigned credits is so very high that there's not an awful lot of room left over for any new mandatory studies to go along in a high school program.

But you know, what's even more amazing is that we've lost some of the on-site services that used to be in place. And I didn't hear the minister talk about perhaps restoring in Alberta some of those on-site worksite safety services. When I worked in construction, we had weekly meetings of what was going on at our worksite. We were advised by our supervisors and our foreman of the danger areas that had changed over the course of the week, where machinery may have been moved, or where certain parts of the job weren't as safe as they might have been and how it was important to take extra caution at that area. And we had safety inspectors that would come around and take a look at the conditions that we worked in. But as my colleague from Edmonton-Mill Woods pointed out, we have fewer health and safety officers inspecting worksites than we have officers in the area of forestry and wildlife. Now, I wonder where the priority of government is when we can go out and say that we have more wildlife officers than we have health and safety officers.

We also had a sign in our workshops that said that you had to report every accident, and we made a point of reporting every accident, but that doesn't seem to be the case anymore. There seems to be a holding back, of supervisors saying: "Don't report this. My premium rate is going to go up." Then what we have later on is workers who come and say: "Gosh, I've got a bad infection now, and it's caused more serious damage than anticipated. But because I didn't report it, now I'm finding myself in a maze of bureaucracy through the Workers' Compensation Board, through all the medical reports, through everything else, because it wasn't reported in the first place."

In some jurisdictions, Mr. Chairman, we have laws that stipulate that there have to be mandatory joint health and safety meetings on a regular basis, but not in Alberta. That's where you go to discuss the problems of the worksite. Is Alberta so special that we haven't problems at the worksite? Certainly not. You know, if you look at the statistics that have come out in recent reports, in fact our stats are going up. In 1987 we had 58,637 reported accidents and, regrettably, 101 deaths. In the following year we had 62,129 reported accidents, an increase of about 3,500, and regrettably, an increase in the number of deaths

involved at the worksite in our province. It went up from 101 in '87 to 124. But no, we can't legislate meetings. You know, we're going to have the responsibility of individuals sitting down, maybe, to discuss the needs of health and safety at the worksite. Maybe they're going to sit down -- well, maybe not, and therein lies the problem.

Of the 65,000 worksites in our province, I understand that there are only 100 that have legally designated health and safety committees, only 100 out of 65,000. That's an astonishingly low figure, and it shows that there is a need to have something in regulations, something in legislation that says: you will meet; you will discuss health and safety at your worksite. It's so very important. I agree; I concur with the minister. Every Member of this Legislative Assembly wants to see a decrease in the number of industrial accidents. We certainly want to see a decrease in the number of industrial deaths. But then we want to wash our hands and say: "But it's not going to come from legislative action. Don't look to legislators to do anything to make sure that we have health and safety meetings."

I even wonder, Mr. Chairman, about whether or not we have interdepartmental discussions going on. I wonder about the kinds of discussions that go on around cabinet or at the deputy minister level between Occupational Health and Safety and Career Development and Employment or the Labour minister to find out what kinds of violations go on at worksites with respect to our Employment Standards Code. We're supposedly limited to certain hours of work, but that's not the case. There are violations of the 44-hour workweek. I know that we have a compressed work time, but there are great violations on that. There are violations of time off after so many days of work. When workers become tired and fatigued, they're more susceptible to injury, but I don't see all of the prosecutions that are going on, and I don't think that my community office is all that very different from other members'. Surely there must be complaints out there that you refer, that I refer, that I take on and take to the employment standards board about violations at the worksite. What about the interdepartmental communications between occupational and community health and the Labour department to make sure there is enforcement going on there so we haven't got tired workers getting into situations that create accidents? One just wonders about joint committees at leadership levels. One has to wonder about leadership sometimes too.

The other area that my colleague from Edmonton-Mill Woods talked about was the proposed changes to premium assessment inside the latest of reports for the Workers' Compensation Board. We see that in certain high-risk industries, what they're going to have if the industries promise to put in health and safety committees or implement certain programs, if they promise to put certain things into force, is a reduction in their premium. Well, that's all well and good. But that's really more than amazing, I suppose, because what that is is that it's based on a promise. If you promise to be good, you're going to get something; not if you are good, not if you serve for an extra period of time, and your accident rate goes down. No, it's just based on a promise. Or maybe it's based on hope. Maybe it's based on prayer. I'm not sure which it's based on. It doesn't say, "Reduce the worksite accident rate and your premiums will go down." It says, "If you put this in, you're going to get a reduction," not necessarily "if the accident rate goes down," because what it says is that if the accident rate doesn't go down, you're going to have to pay.

Well, Mr. Chairman, you know what's amazing is that they

haven't been paying their fair share for a long time anyway. They haven't been paying their fair share for a long time. So now what they're going to do is get a reduction, and if the accident rate doesn't go down, then they're going to have to maybe pay it back. Well, I think that maybe what ought to happen is that the department or the board ought to go down and show them how to reduce the accident rate at the worksite. Maybe what's important is to have those folks that are familiar with industrial assessment and industrial accidents go down and determine what the problems are at the worksites and show where the changes ought to be implemented. Maybe that would be a whole heck of a lot better than giving out a plaque at the end of so many safety days at the worksite. I think it would be an awful lot better if their premiums went down after the accident rate went down. I think, that would be far more beneficial than just having a plaque on some office wall somewhere far removed from the worksite.

Both my colleague from Edmonton-Mill Woods and the Member for Edmonton-Whitemud talked about the workers' occupational health centre. You know, there's an area that's providing a great deal of service to many Albertans. They provide an information source about Occupational Health and Safety, about chemical exposure. They provide an advocacy service to victims that have to appear before the board to discuss appeals. They provide a service that doesn't cost this department any money at all, Mr. Chairman, and yet, you know, if this service is cut down, the level of cost to the department is going to shoot way up. I think it's absolutely regrettable that contained in the votes, we see absolutely nothing for such a service -- absolutely nothing for such a service. They receive all of their income from private funds, and they provide an absolute wealth of service to injured workers and to workers that want to avoid injury as well, and yet there's no recognition in terms of financial support for the workers' occupational health centre contained in the budget. I think that's an unfortunate commentary, and I would hope that the minister would take quick measures to rectify that situation.

I think all of us, as members of the Legislature, receive constituents that are injured and having problems with the Workers' Compensation Board and getting their appeals through the bureaucratic process. One of the things the Member for Edmonton-Whitemud alluded to was the need to create a different kind of advocacy system, inside or outside, separate from the Workers' Compensation Board, and I couldn't agree with the member more. It's vitally important that people feel that they're not being shafted by a system that is essentially there to shaft them. That's what the opinion is: that they're not getting what is their due.

What really ought to be in place is that maybe we ought to have inside the Workers' Compensation Board an ombudsman's desk; in the Ombudsman's office there ought to be a separate workers' compensation desk that deals with these particular cases. Because when you get responses from the Workers' Compensation Board that go out to injured workers, there is need for explanations. For the average individual that gets a response back from the Workers' Compensation Board, it's written in such a fashion that it's very difficult to understand. I'm still trying to figure out what an "aggravation of a pre-existing condition" is, and yet in almost every single letter of rejection that's come back from the board, I see those wonderful words that go before the denial: aggravation of a pre-existing condition.

Workers come in, and they say: "I never had the problem before I was injured. I used to be able to go out and shingle the roof. I used to be able to go out and fix the car. And now I can't, because it's an aggravation of a pre-existing condition." Well, the condition is caused by the injury, and because there's a complication that sets in some period of time down the road, the Workers' Compensation Board says, "No, it's not my fault; that's an aggravation of a pre-existing condition." Well, those things have to be explained. You can't just accept that.

So you go to an appeal process, and the appeal process takes months -- months and months -- just to get through to get to the board or to the claims services review. It takes such a very long and frustrating period of time that many workers -- you know the condition they go through. Their psychological condition, not to mention their physical condition, deteriorates rapidly. So we've got to make sure that there are other services that are available to injured workers to make sure that not only is there a further explanation in communications between injured workers and the board but an appeal process that doesn't take great lengths of time to go through.

The final point I want to make, Mr. Chairman, is the representation on the Workers' Compensation Board. I know that the minister announced six appointments not too long ago. He said they were all friends of the minister. We're all glad that the minister found six friends, but I think it's also important that workers have friends, and I'm not convinced entirely that those six appointees, one of whom has since resigned, are necessarily friends of the injured workers in our province. I would certainly like to see that the organizations that represent workers in our province go out and be asked for input on what are now the remaining four positions for the Workers' Compensation Board. This is, after all, the Workers' Compensation Board, not the employers' compensation board. It's an agreement that goes back a very long time, to the turn of the century, that I think is not being well represented by the actions that have currently gone on since the appointment of the friends of the minister.

With that, Mr. Chairman, those are my comments.

MRS. B. LAING: Mr. Chairman, I'd like to thank the Assembly for the opportunity to participate this evening. I also would like to join the hon. member across for commending the government in initiating the Millard task force on the Workers' Compensation Board and also for the reorganization which has started in that august body. It was encouraging to learn, Mr. Minister, that the length of time to settle appeals has dropped dramatically, and I have constituents who'll be happy to hear that that has begun.

In light of the reorganization, I wonder if you could tell us what the status is of the backlog of cases at this point. Also I would like to know if you could tell us some of the improvements that have been made in the management of the case studies and the handling of the claimants' files. The third thing I would like to know is if the minister would share with us some of the improvements that are being made in the retraining of injured workers so that they are once again able to be active and become members once more through proper education and guidance.

Thank you.

MR. CHAIRMAN: Thank you.

The hon. Member for Banff-Cochrane.

MR. EVANS: Thank you, Mr. Chairman. Firstly, I'd like to congratulate the minister on his appointment and also give my commendation to this government for the recognition of the importance of Occupational Health and Safety and the Workers' Compensation Board by putting it under a ministry.

I must take exception with the comments made earlier by the Member for Edmonton-Mill Woods concerning a constituent of mine, Maureen Shaw « more so the focus of the comments than the comments themselves. As I recall, the hon. member made reference to Mrs. Shaw being quite concerned about how Occupational Health and Safety and the Workers' Compensation Board were working. As I think many of the members here are aware, Mrs. Shaw is the chairman of the Occupational Health and Safety Council. She is a very conscientious lady; she is very concerned; she makes constructive criticism, and I think that's the type of thing that's required by the position she has. This is not to be confused with a negative position which is very often expressed by members across the floor, not in the least.

I spoke with Mrs. Shaw prior to the election, at which time she expressed the hope that after the election there would be recognition at the time the new cabinet positions were established for the tremendous importance of this ministry as it now is. I know she is very pleased that this government has taken that initiative. I think it's important to bring that forward to the members of this Assembly and advise that certainly, in my impression, Mrs. Shaw is very supportive of the initiatives that are being brought forward by this government.

I do have two questions, Mr. Chairman, of the minister. The first is with respect to a problem which is unique to the ski industry in Alberta. As our constituency does have seven ski hills within the boundaries of Banff-Cochrane, it's particularly important to that industry. This is an issue of assessments under workers' compensation and the fact that the ski industry is categorized for the purpose of assessments at the highest risk level for all of the employees who are employed in that industry. That is a significant cost to the ski industry, because there are a number of subgroups of employees who are not at high risk; for example, the people who are involved in ticketing, people who are involved in food services. They are nonetheless paying for their employees at the highest possible rate. Now, in deference to the problem and in deference to the department, I know there have been a number of meetings between the board and the ski industry to try to resolve this problem.

I just want to make one point, and that is that these costs, if the entire industry is charged at the highest risk rate, are brought back to the consumer because they are passed on to the consumer. That results in our ski industry and our tourism industry charging a higher rate, and when we are in a situation today where we are having a very tough fight with areas such as Whistler in British Columbia to attract that skiing dollar, I think it's a concern we must look at very seriously. I'm sure the minister will have some comments on that.

The other issue that has been brought to my attention, and I'm sure has been adequately brought to the minister's attention but I'd just like to give a personal perspective on it, is the time frame for dealing with claims under the Workers' Compensation Board. I have met with employer and employee representatives of Lafarge Canada, and I must say, Mr. Minister, that the comments from both sides were not all negative in that they were not all critical of the time frame for claims being dealt with. There were examples which they brought to my attention that showed that in clear situations where the injury was very easily

described and readily diagnosed, the claims were dealt with in a very quick manner. However, there are the other examples where claims do take quite some time, and I believe that part of that problem relates to the caseload of some of the workers. I'd appreciate receiving some comments from the minister as to what is being done to try to alleviate the problems with the caseloads.

Finally, Mr. Chairman, I'd just like to say that I believe industry is responding very positively to a more conscientious attitude towards employee safety. I think it's rather redundant, but I'll say it anyway. The concerns today in the industry are recognizing very much the time and the costs involved in the health care system, and there's much more initiative being placed on preventative health care. This is reflected in many of our government's initiatives not only in this department but also in Health. So I'd like to commend our government for its initiative in bringing to the attention of industry how important it is to deal with the preventative nature of these services.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you.

The hon. Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Chairman. I'm pleased to be able to rise this evening and make some comments relative to, I think, a very important department; that is, Occupational Health and Safety and workers' compensation.

Since my tenure as an MLA for over three years, there are two departments I get most calls on, where people are experiencing difficulty. Those are, of course, social services, and a very close second -- sometimes it's even in first place -- is workers' compensation. I want to make some comments on this area, but before I do that, I'd like to briefly look at some history of what happened and how we evolved into where we are at the present time.

As you know, last year we had two Bills introduced that dealt with the workers' compensation. We also had a task force that was struck to travel the province and to talk to workers and employers about recommendations and suggestions for improvements in the board. As I said last year, I think the task force, in the final analysis, produced a good report and made some good recommendations. I'm not sure that the two Bills that were brought in and passed in the House contributed any significance to the improvement of the board. However, they're there, and we're working with them. They've certainly added some bureaucracy to the upper echelon of the department, but the report that came forward from Mr. Millard suggested that there was an understaffing of people, in the claims department particularly, and also an underassessment. That leads us to wonder why we have so many appeals, why we've had virtually 18 months waiting for an appeal to be heard. The minister seems to be quite satisfied that now we've reached only two months. Well, Mr. Chairman, the minister and those responsible at the board don't really know or they wouldn't accept two months as being appropriate or, you know, a pretty good deal because you only wait for an appeal for two months.

Has anyone ever thought what happens to the individual who is waiting for his appeal to be heard? Imagine an individual who is waiting 14 months or more. I'll tell you what happens to some of them, Mr. Chairman. They are people, of course, initially who, because they have been injured for some time, haven't worked. They've probably exhausted all their resources, and

for the first time in their lives quite often they have to be referred to social services. The results quite often also result in family breakup. The stress of the injured worker in a household can raise a difficulty. The tension, the stress, all problems relative to not being able to get proper care from the Workers' Compensation Board have resulted in family breakups. But even more serious, there are numbers of injured workers who have attempted suicide. I daresay some of them in fact have been successful.

Now, that to me is a terrible commentary on this department, to suggest that 18 months or even two months is adequate time for them to have their appeal heard. I think the appeal should be heard almost immediately. If the claim is turned down, the individual should be able to appeal his decision quickly so at least he knows that either he's going to get some benefits from the board or not. But when you're just waiting and you're haggling with the board continually, all it adds is more stress to individuals already injured.

I mentioned the Millard report. It did identify some problems in the Workers' Compensation Board, and I'm pleased they are taking action to rectify and to implement some of those recommendations. But as other members already stated, the real problem is how long it is going to take. The Member for Edmonton-Whitemud said, "You know, it seems to me like it's perhaps sitting around collecting dust." I hope that's not the case, Mr. Minister. I hope the recommendations of that report will be implemented quickly and put into place so the Workers' Compensation Board people know what they're doing and so those of us who are serving the injured workers also know what's going to happen and what's going on.

I was curious -- maybe not curious, but the minister suggested that the highest incidence of accidents in the workplace happens with people between the ages of 15 and 24. Well, that's not necessarily surprising. Many of these people are entering the workplace for the first time. There's an obligation somewhere to ensure that when they are on the worksite, they're doing their work in a safe environment. Now, again the minister suggested perhaps we should be looking at the implementation of some education programs in high schools that are going to make sure that when these youngsters leave school, they're going to be competent in safety procedures. Well, I daresay, Mr. Minister, that if you're looking at the 15- to 24-year-old category, I doubt that many of them have gone to high school or completed high school and they're into the work force rather than completing their education. So certainly there is a gap in there that these people will not have access to. So I don't think high school, while it certainly can make a contribution, is the focal point where we should be directing the potential workers to learn to work safely. I believe the employer has a major responsibility for the work environment at his worksite.

I want to relate an incident that I witnessed with some chagrin over a period of time, where an addition was being put on a facility where I have my constituency office. As it so happens, my window overlooks the roof of the new extension, and there were people doing the roofing. I couldn't believe that these people were pulling around hot pots of tar, doing the roofing work with no gloves, in joggers and shortsleeved shirts, and I wondered where the devil the employer was, where were some of the inspectors that should be checking places like this to ensure -- because there was obviously an accident waiting to happen when you have employers that use workers in that way. We went to talk to these people and tried to explain to them that

what they were doing was not proper. I found that unfortunately we couldn't communicate, because most of them could not speak English. So obviously the responsibility was to phone the right authorities to get the work stopped. Mr. Chairman, it's those kinds of incidents that I think prompt the kinds of results the minister was alluding to in his opening remarks: that there are employers who are there primarily to make the quick dollar, and the concern for the employee is obviously secondary or else I don't know why they're in the business in the first instance.

Just one other comment, Mr. Chairman. In the Occupational Health and Safety administration, I understand there's been quite a decrease in staff. I think there has to be some concern. There's an incredible loss of expertise in that department as a result of this decrease in administration staff. I was wondering if the minister has undertaken any interest in attempting to replenish that problem that exists in the Occupational Health and Safety administration offices.

I was also interested in the minister's comments that there's substance abuse in the workplace. I don't argue with that. I suspect that certainly there might well be. But what I wanted to say is that when I was in the work force -- and this is quite some time ago -- the labour union I am a member of at the present time, at that time had made proposals to the employers right across Canada that there was an area that needed to be addressed, and that was the treatment and education of workers relative to substance abuse. Unfortunately, Mr. Chairman, 20 years ago that was raised, and it still has not been undertaken by the employers. It is not an area where the employers seem to want to put their time, effort, and money. It's easier to terminate an individual and bring somebody else in rather than initiate a program that would take care and attempt to deal with employees who are having difficulty in the workplace.

I'm impressed with the buttons and the thing for the fridge or wherever you put it. I think safety is in fact team work. There's no doubt in my mind that while the employer has a major responsibility in his workplace, certainly it takes teamwork and it takes the employees to contribute equally to ensure that the worksite is safe. To do that -- and I mentioned this last year and I need to say it again; I think the Member for Edmonton-Belmont has raised it as well. The need for the mandatory implementation of safety committees in the workplace. Until there is an equal sharing of responsibility and commitment to safety by the employer and the employees in a safety committee setting, I think you'll never really have a good safety program or commitment in that particular location.

I had the good pleasure of working in a company where that was an accepted practice, where the plant manager and the union president were able to sit and chair the committee meetings. I think the record of that particular company wasn't too bad compared to many others of similar nature. The suggestion that perhaps jailing a chief executive officer might be too harsh -- and admittedly that's a pretty harsh commitment. However, I wonder how harsh it is to an injured worker who's penalized, in some cases for a lifetime, as a result of an injury. Now, that to me is harsh. I have no difficulty accepting the fact if there was negligence on the part of plant management, then certainly it calls for a penalty, and if the chief executive officer has to go to jail, so be it.

The minister asked what the government can do, and I think that's a good question. I've already alluded to the fact that I believe the first thing you should do, Mr. Minister, is to ensure that the Millard recommendations are put in place and acted on.

I think there is a need for inspections in the workplace. There's no doubt there is a lack in that area, and my understanding is -- and I'm subject to be corrected, of course -- that there's only a number of inspectors that travel a large area across the province, they're subdivided into huge areas, the inspections of the facilities they're responsible for occur quite infrequently, and if this particular inspector happens to have an accident in his division, in his area, then he's tied up with book work and no inspections are being done for quite some time. There's obviously a deficiency. If that's the case, there's deficiency in that inspection branch, then I think there's a need for quick action to ensure there is . . . If we're serious about preventing accidents, then I think we have to start ensuring we have inspectors in place that are going to do their job.

Several other things before I sit down, Mr. Chairman. One is the matter of toxic material and toxic gases that are so prevalent in many of our plants these days. The number of cases I have experience with are people who have been exposed -- and I say "have been" -- for some time to a particular environment where there was a lot of toxic fumes and material in the air. As a result, they've reached their age of near retirement but all of a sudden have an ailment. There's no way that it seems to me we can convince the Workers' Compensation Board, or the medical profession for that matter, that this individual's injuries or his illness at the present time is an injury as a result of being subjected to the fumes he has inhaled over the period of time he's worked in a particular location. I think this is an area that needs to be addressed. It's something that's going to have to be dealt with by the medical profession, with experts who can identify and not be afraid to identify. There's some hesitancy by doctors to say, "Yes, this individual is suffering as a result of breathing these fumes." I think we need to address that particular area.

Also, Mr. Chairman, I think there's a need to overhaul the outstanding files, long-term files. I know Mr. Millard in his report said that the board was going to do that, and I believe they are, but I think we need to expedite that. There are some cases that have been on file for a long, long time that are not resolved. I think it's important. It's not good enough for the board to say: "Look, we've dealt with you now for so many times. That's it. Don't bother us any longer." If a constituent of mine feels that he was done wrong, then I want to be able to have the opportunity to go with that constituent to the board and have his case heard. I felt that a commitment was made by Mr. Millard that that was going to be the case, and I hope the minister will live up to that commitment, at least as I understand it.

One other area I seem to get more and more cases on is: the board has difficulty identifying what the problem is that individuals are experiencing. The problem primarily is pain. They've gone through the rehab; they've gone through almost every specialist in the city. Yes, the specialist will say, "We believe this individual is suffering from pain," but the board says we don't pay for pain. There are a number of expert centres, I believe -- I'm not sure; there may be two in Canada, certainly one in the United States -- that in fact can do an assessment and make a determination of the pain and, I think, might be able to suggest remedies to alleviate the difficulties. I think the board is reticent about really using that process or accepting the fact that someone says: "Look. I have this pain. I don't know what the hell is wrong with me. I can't walk. My back is sore," or whatever the problem is. I ask the minister to have the board look at that issue and see if there's some way recommendations can be made to assist those workers who are legitimately

suffering from pain.

That, Mr. Chairman, concludes my remarks, and I thank you for the opportunity.

MR. CHAIRMAN: Members of the Committee, before we proceed further, would the Committee agree to revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**
(*reversion*)

MR. CHAIRMAN: The hon. Member for Smoky River.

MR. PASZKOWSKI: Thank you, Mr. Chairman. I would like to just take a moment to introduce to you and through you to members of this Assembly a distinguished person who is the director of the Northern Alberta Development Council, Mr. Gilbert Balderson. If you'd rise, please, and the House would provide its usual recognition.

Thank you, Mr. Chairman.

head: **COMMITTEE OF SUPPLY**

head: **Main Estimates 1989-90**

**Occupational Health and Safety
and the Workers' Compensation Board**
(*continued*)

MR. CHAIRMAN: The hon. Member for Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Chairman. I'd like to ask the minister some questions relating to the safety division of his department. I've been approached by different people relating to safety on oil rigs, and the one question that's been asked is: when we employ an inspector or safety officer who's going to go out and check on rigs and that, how often do we employ people who have had experience on rigs, people who have actually worked on them, say, five years previous to their employment? I think somebody could go on a rig, and if he hasn't had a lot of experience around a rig, he could be told that everything's A-okay and he wouldn't know the difference, whereas, for example, if we have a plumbing inspector, he has to have a plumbing ticket. Are we employing people on rig safety that know something about rig safety, that have worked on a rig? I suppose that could follow true on all our safety officers throughout the system: construction, et cetera. Are they people who have actually worked on the job in the previous while? Is that part of their job description?

The other comment that was made is the timing of inspections. I was told that rigs can figure they're quite safe. If they're way out and a long way from anywhere, nobody will show up. Or if they've got a rough road in, nobody will show up, because these inspectors just drive around in a car, don't have a four-by-four or whatever to get to some of the sites. They feel they're pretty safe as long as they keep their rig up and their safety inspections up during normal working hours, 8 to 4, that an inspector would never show up at the change at midnight when a lot of the accidents on rigs happen. I know I've had several people say guys will go in and have a few

beers, maybe a few too many; then they'll go to work. Because they're short, nobody will say anything. They figure they're safe because an inspector would surely never show up at midnight. Do we have any sort of system whereby they could show up any time, and if they work two or three extra days and go out somewhere in the boondocks, can they do that? Have they got enough flexibility in their schedule to do these sorts of things? Because this is something that's come up. People have come to see me in my office and asked this question many times. They've said they've worked on a rig five and six years and have never seen anybody come out to check a rig.

Once orders have been given to fix a rig, are they followed, and how often do they come back and check? Is there a limit on how quickly they are expected to comply? I think in some instances we should also be looking at -- and this was suggested by a worker. If a rig has been inspected and has been upgraded to what it's supposed to be and a rig hand knowingly doesn't take the safety responsibilities he should have, have we looked at not only penalizing the rig operator but some sort of system so that the rig hand or the employee also well understands why he should be living up to those standards and why he should be using the safety devices that are there and not leaning over to grab a pipe without doing up the belt and that sort of thing?

MR. CHAIRMAN: The hon. Member for Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Chairman. I'd just like to make one quick general observation and then tie some concerns I have into that observation that come from my critic area. The observation is this. When one examines the historical record of occupational health and safety, one can only come to the conclusion that improvement has come about only as a result of agitation for change by the general public or by the workers themselves, not because management or the owners of plants have suddenly developed a humane perspective. The owners' concern essentially is just with making profit. That's their bottom line, and they often view the worker just as another part of the whole production process.

That concern becomes important when we look at what's going on in the oil patch. We know that there have been a number of very serious injuries and deaths over the last few years, and some of those have come about as a result of government policy. We've pumped all kinds of money into crash programs to try to generate some activity, and this has often necessitated bringing a lot of green workers into a very dangerous occupation. My concern here is that the government has not taken any real direct action; they've tended to let industry itself determine what should happen in the oil fields when it comes to occupational health and safety. I know industry has made strong representation to the government to that effect, that they ought to be the ones to determine what happens in the oil patch. I don't think this is good enough. I think that again in terms of that first observation I made, it's up to the government not to act as a buffer between industry and workers and try to put programs into place that let industry off the hook, but government itself has to be proactive; it has to take some responsibility.

I'm not sure exactly what those rules or regulations should be, but I think that before anyone goes to work on an oil rig, they should at least have some training, some exposure to safety rules and regulations. I agree with the Member for Cypress-Redcliff that often inspections of rig well sites are really quite inadequate. I know there was a concern about the number of

inspectors not being adequate, and often it appears that the rigs themselves know when the inspectors are coming out to visit these sites. So I think that really has to be tightened up, and I think the government has to come down with policies that will regulate occupational health and safety in the oil patch.

MR. CHAIRMAN: The hon. minister.

MR. TRYNCHY: Thank you, Mr. Chairman. I would like to respond to some of the questions, and if I don't get them all, I would ask the members to get back to me by letter.

I would like to start at the top of the first one. The Member for Edmonton-Mill Woods made a comment that the budget was too low, and I can't accept that. We are into a budget process that's approved, and we're moving along with enough budget dollars to do the job. We also hear that the staff is too low and we need more enforcement. Mr. Chairman, I think, by regionalizing our staff in Occupational Health and Safety we've moved a great distance in improvement from the two cities. We have six regional offices now, and our people are there on the spot and can be called to a site or make their visits quite frequently, so I don't believe we have staff numbers too low, but I would be willing to look at the process of budgeting in the future in respect to what we've done, where we're at, and how to get there. If the need for more enforcement is there, we will then take that forward, but most employers don't need more enforcement. What they need is to communicate more with their employees. I don't really believe that we need 60,000 policemen. That's what the opposition NDP is asking for. We have 62,000 sites; we've got to have 62,000 inspectors. We should be there at midnight every day of the week; we should be watching what they're doing. That's what every one of them is saying. It's amazing, Mr. Chairman. I don't know how many of them have ever met a payroll so they'd know the other side of the story. It's fine to have inspectors and I'm all for that, that we should have safety, but there's the other side: somebody has to pay for it. If those members had met a payroll two or three times a month or 12 times a year and understood what it's all about, maybe they'd take the other side.

They asked how many worksites have been inspected in the last year. Yes, I have that for the hon. member. We've inspected about 9,000 worksites, and some are repeat inspections after an order is given. There are approximately 60,000 worksites in the province, and we've visited 9,000. Of course, with our offices now in the regions, closer to the sites, I'm sure we'll be able to visit quite a few more.

The question was asked: who does the Occupational Health and Safety Council report to? They report to the minister because they're there to act on the minister's behalf. If we have a concern that I would like to review, they're asked to do it. If they get involved on their own, on accidents, requests, speaking engagements, the chairman reports back to the minister.

The question was asked: we should improve regulations. Well, that's a given. I'm concerned about what regulations he speaks about. He says that a lot of people come to him with concerns about regulations. Well, get them to me so we'll know which ones we have to change. There are a number of regulations that I'm going to move forward with. Somebody says, "Why is it taking so long?" Well, let's look at it. I've been a minister for two months, and I'm moving as quickly as I can. If they have patience and if they want to tell me which regulations we're not moving on quickly enough, I'd like to be able to help.

He spoke quite a bit on a number of things, but he was never specific to get to the point and tell me: this is what I've seen. He didn't listen to my comments in regards to the employee and employer co-operation. He says, "We must do this," but isn't there a time when the employer and the employee sit down and talk? And these weekly meetings: do we force that on them? What's wrong with the employer? I suggest to all you members . . .

AN HON. MEMBER: Socialists.

MR. TRYNCHY: Socialists. I didn't say that, but I guess if the shoe fits, wear it.

Why don't you talk to your employers? Go in and see some of them. When was the last time you talked to a dozen employers in your constituency? I do it all the time. Talk to them, and say: "Look, we're concerned. We want to help you." Try that once, and see what happens. Get in there and talk to them and make sure they meet with their employees.

He talks about the Workers' Health Centre. Yes, I understand that I have a meeting tomorrow at 4:30 in my office with these people, and I want to listen to what they have to say. There are no funds in the budget for them, but if they make a good case, I'm willing to take their case forward.

The trouble with the NDP -- it's mostly them. They point to all employers as bad employers, every one. There hasn't been one comment about a good employer, not one. I was just out to visit Dow at Fort Saskatchewan, and they have a super program. Hundreds and hundreds of employees all taken care of, but not a mention. Everybody is bad. Mr. Chairman, I don't know where they get that from.

MR. SIGURDSON: Point of order, Mr. Chairman. I can't take too much more of this minister's diatribe, because he's really violating an awful lot of *Beauchesne*. I would suggest t h a t . . .

AN HON. MEMBER: Citation.

MR. SIGURDSON: It's coming; just hold on to your horse. Section 494: you want to look it up? Can you read that one on your own?

You know, what's happening, Mr. Speaker, is that there's an awful lot of the truth that's being exaggerated and stretched, and I would just ask the minister to confine his remarks to that which is truthful.

MR. TRYNCHY: Mr. Chairman, when you tell the truth -- and I didn't know it was a crime to tell the truth, but apparently it is -- it bothers them.

The question was asked: why aren't we in the *Edmonton Journal* in regards to the reduction in the federal program? Well, that might be their style, but it's not mine. They're aware of my concerns, and we're meeting with them. Our people have met with their people. If they want to communicate through the *Journal*, that's fine for them.

They ask: why isn't there an injured worker on the Workers' Compensation Board, and why no action? I told the member in the House and I said again tonight that we're appointing an injured worker to the Workers' Compensation Board. That will be done in my next appointment. But he never listens. [interjections] Mr. Chairman, do I have the floor, or does somebody else want it?

MR. CHAIRMAN: Order. Order in the committee, please, so that we can complete our work.

MR. TRYNCHY: Mr. Chairman, the Workers' Compensation Board, the new board -- and I met with them tonight -- are going to start meeting very quickly. They're going to move on the recommendations of the Millard report and all that, and I'm looking for their recommendations and their input, their suggestions on what should happen. That's the way it should be. They say: do it tomorrow. Well, there's a report there; there are six recommendations. They've moved on a number of them, and they're going to continue to move.

They talk about the window of opportunity, and the member says he doesn't believe in it. They really don't care about reducing accidents. If the program works, there's no reduction. I make this clear: no rebate, no reduction. They stay at 1989 levels, and if they decrease their accidents and do the job with a number of audits, they stay there. Otherwise, they pay the full 1990 assessment. There are no promises, no gifts, no rebates, no grants, but if the program works, they can reduce the accidents by 9,000 injuries, and that's a lot of injuries. If you're not interested in that, fine; don't support that program. But I'm going to support it because it's going to work. The Member for Edmonton-Whitemud raised the same concern in regards to the window of opportunity and said it was a rebate program. Well, it's not, and I hope he understands what I've just said.

He goes on to say that the Workers' Compensation Board has been sloppy in handing out money. What I said, if he looks at the Hansard Blues, is that all the Workers' Compensation Board did was hand out money; they weren't involved in accident prevention. That's what I want them to do. They're not sloppy. They've done their job. But I want them to get involved in more than just handing out dollars, get involved with accident prevention. That's what I want to see happen.

There are delays in appeals, he mentions. Well, Mr. Chairman, there are. The appeals are ongoing for months, and we've reduced that now to less than four months. I talked with the people today, and they want to get it down to within 30 days. That's the long-term appeals, the ones that are way back there. It's not the everyday accident, because they're handled within seven to 10 days.

There's no action on the Millard report. Certainly, there are a number of things already implemented on the Millard report, and they're meeting, as I said, very quickly to go over that report and bring back the recommendations to ourselves. I just think it's a great report. I've said that before. I like what's in it. We're going to move as quickly as we can.

He said: provide more resources to the Workers' Compensation Board. He should be aware that the Workers' Compensation Board get their resources from within. The government doesn't fund them. They get that from their assessment to the industry.

The Appeals Commission report to the chief executive officer. I don't know who else they would report to. They're an independent board, and when they make their decision, that's final; it goes there. If the injured person is not satisfied with that, they can go to the Ombudsman. I guess that's the last resort. That independent Appeals Commission is independent; their decision is final. I just don't understand how a claim settlement, by the hon. member, is not fair when it goes that way.

He asked about Mr. Spencer's case, and it's my information

that Mr. Spencer's case will go to the Appeals Commission shortly. He suggested that we look at old files and review this, and that's what the Workers' Compensation Board is going to do, according to the Millard report. They're going to look at the old files, old cases, and according to some of the recommendations; bring them into focus.

The Member for Edmonton-Belmont says that he's against high school education on injury, and the Member for Edmonton-Beverly says that they're already working. Well, that's right; they are working. They're 15 to 24 years old, but if we started with some education when they're 12 to 15, maybe we wouldn't have those accidents. That's what I'm getting at. If you've listened to what I'm saying, you'll understand it.

MR. SIGURDSON: Start in kindergarten. The way you guys are going, you're going to have children back working in the mines anyway.

MR. CHAIRMAN: Order please. Order.

MR. TRYNCHY: The Member for Edmonton-Belmont has lots to say. Give me some recommendations, if you're so brilliant. Let's see what you can offer us.

They mention that we don't have weekly meetings with the workers, that somebody doesn't do that. They want the government to say to everybody and to enforce it -- and as I said before, you must have 60,000 inspectors, because if you're going to have weekly meetings, somebody has got to be there to make sure they happen. But isn't it time -- in my opening comments I mentioned it, and I'll say it again -- for the employees and the employers to get together? The employee doesn't have to do the job if it's hazardous; they don't have to. They can come and report their case to Occupational Health and Safety, and we'll inspect it very, very quickly. But it's time to communicate, to co-operate, to work together. Teamwork makes safety. Let's do that.

There's some mention that somebody tells the workers not to report an accident. I'm disappointed. I'd like to have the specifics on that, sir, so we can investigate that, because that should never be done. He says to use force; don't co-operate. Well, I don't believe in that.

The window of opportunity, I mentioned; that is a promise. Well, it's not a promise; it's a fact. It doesn't cost anybody a cent. If they meet the criteria after all the audits, they will have their assessment at 1989 levels. If they don't -- I'll say it again -- they will increase the 25 percent or whatever. So there's no rebate, no discounts, no nothing; only an incentive if they produce.

He mentions workers getting shafted. I wish he hadn't used that term, because I don't know what that means, but I hope he'd be specific and get me something on that. He condemns the Worker's Compensation Board we're just appointing, saying they're no good. He hasn't even given them a chance to have a meeting; they're no good. I don't know where he gets that from. The member says that they have to be my friends. Well, I assure you again, Mr. Chairman and all members, that the Workers' Compensation Board that we appoint better be a friend of the minister, because I'm a friend of the injured, and I've told them so. They've got to work together. They've got to be caring and fair. I'll say that again: caring and fair.

The status of the backlog, from Calgary-Bow: we're moving very quickly; we've got the backlog back from 18 months on

appeals. Now, this is only on appeals. An ordinary workers' compensation case is acted on within seven to 10 working days. If the employee's report gets in, the employer's report gets in, and the doctor's report gets in, it goes straight through. But if it's a case where you have a Sunday accident and it's reported on Monday, the employer won't accept it. That's when you have some troubles, and that's when the information flows back and forth and there are delays because the employer won't sign a form, because he doesn't believe the accident happened when the employee says it did. So that's where it is.

Our case management: yes, we're moving along very, very rapidly, as quickly as we can, with more adjudicators, with more knowledgeable people. We've just hired some more, and we're going to hire additional staff to make sure that we handle the clients' files and claims as quickly as we can.

Retraining of the injured worker: yes, I did visit the rehab centre on the south side, and I was really impressed with what's there. And it's available. It's available to every worker, but the worker must take the initiative and ask for it and go there and be retrained. But we do that. I was just so impressed with the workers there, and I talked to them. I've got letters on file. There's just lots of praise for what's going on. Sure, there are some that won't go there, don't want to, object to being told that they have to try another job. They insist that they're totally disabled. That's where the difficulty comes in with our appeals, because they have to go to the Appeals Commission then and present their facts and the doctor's reports, and there are delays in having the doctor's report coming to the Appeals Commission. So you do have some delays. I apologize for that, but there's nothing we can do about it because it takes time to get the worker, the employer, the doctor, and everybody else on the same wavelength. But the time frame for a claim's review is seven to 10 working days.

The Member for Edmonton-Beverly said we have too many appeals. I don't know what too many means. We're reducing them. We're down, like I've said, to just less than two months now, and they handle -- I think the question was asked. The Appeals Commission handles approximately 70 appeals per month, so they're moving along pretty quickly. If there are appeals there that you don't think are being satisfied, let me know the specifics, and I'll see where they're at. But we're trying to move as quickly as we can.

He mentioned that we should have more education on the start of a job, and I said that at the outset. It's time that when these people from 15 to 24 are injured, maybe they should be trained for a day or two on the job. That's what I've said. The do, tell, and show: get involved in that. I know that in some cases -- and I think the hon. member is right -- some employees are not familiar with the language and don't know the rules, the code, and that has to be something we have to get to the employers. I really don't believe that employers are in for a quick buck, as he mentioned. I don't believe that. There might be one or two that are in that category, and I'd hate to say they are. We shouldn't paint them all as bad employers. I think we've got to work with them.

I don't know why we'd need many more inspectors. I think the employees have a duty to inform us of something that's not right on the worksite. Get involved and phone somebody. You don't jeopardize your job if you do that. We want to make sure that safety's on the jobsite, and that's the only way they can get to us.

There's the question of paying for pain. Well, Mr. Chair-

man, I don't know how you pay for pain, and I'm going to have Mr. Millard, as chairman of the board, and the new board look at this. You know, it's so difficult to diagnose a back injury. I've had some constituents that had back injuries too. They can go to a doctor and the doctor says, "You don't have anything wrong." Yet they can hardly walk. They've got pain, but there's nothing that shows up. If it was so simple, we'd do it. I know the Workers' Compensation Board is trying to put in place a program with the best back injury experts in North America to see if we can get to some type of diagnosis of the back injury. It's not that easy. It's easy to stand there and condemn it, but give me some suggestions on what you'd do. It's not that simple, but we're moving in that direction, and hopefully with research in health care we might find a way to diagnose a back injury.

Cypress-Redcliff asked a number of questions. Do the inspectors have knowledge of rig safety? Yes, a gentleman I talked to today has spent 23 years on the rigs, and everybody that works on or visits a rig site has to have some knowledge of a rig operation. Some have worked there on the rig site over a number of years, and some get their education from people such as that. It's ongoing.

Do inspectors arrive at midnight on a rig site? Well, we'll find out if they arrive at midnight. Maybe they should at times, but they don't get to see every jobsite. There are 60,000 employers. We inspect about 9,000 worksites, and like I've said, unless you have an inspector for every worksite, you can't get to them all. We get to the ones that request. There are a number of industries that request an inspection before they go in the field, and that's positive because we can inspect the rig and then have it passed and away they go. Maybe we should do more inspections without notice, and I think most of ours are. We do follow up very quickly. If there's an order by Occupational Health and Safety, we give them seven days or 10 days to repair the damage or the broken whatever it is, to repair the default on the report. They move in very quickly to make sure it happens. It's the same as you would if you had a ticket that says to repair your brakes in seven days; you report back.

The Member for Cypress-Redcliff is right in saying that we have to educate the rig worker. Somebody else mentioned the fact that we do have more uneducated rig workers coming on stream now. I talked to the petroleum industry, and they feel that's right. Some of the old hands have left for other jobs. So when you have a new person coming on stream, they are not as educated, and we'll have to have them spend some time. That's what I mentioned about the upstream report. We haven't had too much action on it, and I'd like to see that being done.

The Member for Calgary-Forest Lawn mentioned that the oil patch operators are only interested in making money, and I can't accept that. They're very, very concerned about the accidents. They must be. They've done an upstream report on the petroleum industry. I don't believe that the government must be the enforcer. We can't be the enforcer on every site. Mr. Chairman, to do the kinds of things we're requested to do, we'd probably need 60,000 inspectors plus, and I don't think that's the route we want to go.

Mr. Chairman, I believe I covered all the questions asked of me, and if I haven't, if the members would like to get back to me by letter or whatever, I'll be pleased to respond.

MR. STEWART: Mr. Chairman, I move that the committee rise, report progress, and beg leave to sit again.

[Motion carried]

hon. member, those members in favour of same will please say aye.

[Mr. Deputy Speaker in the Chair]

HON. MEMBERS: Aye.

MR. MOORE: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports progress thereon, and requests leave to sit again.

MR. DEPUTY SPEAKER: Opposed? Carried.

MR. DEPUTY SPEAKER: Having heard the motion of the

[At 10:29 p.m. the House adjourned to Tuesday at 2:30 p.m.]