

Newsletter #2

A MESSAGE FROM YOUR PRESIDENT

Hello Fellow Fallers and members of the "WESTERN FALLERS ASSOCIATION". I would like to welcome you to the only organization in the province of British Columbia that gives a shit about the contract fallers in the B.C. forest industry. One of the main things that we have been working on since we WON the assessment fight is our every day safety in the bush. The size of our paycheck or whether the boss thinks that he should even give us one at all is another facet of our job that has been and is a concern of many fallers. These and related issues are some of the things that we, as an Association have been working on. I would like to take a moment to address the situation that we, as contract fallers find ourselves in compared to the rest of the Forest Industry workers. When we started working on the many concerns that the membership had been bringing to our attention we found out quite quickly that we the Contract Fallers are on our own. There are a couple of points that I would like to address on this subject. When we started talking with the IWA on where they fit in when it came to the Contract Faller we found out quite quickly that we did not fit in at all. The day that we, as fallers, change from a "company faller" to a "Contract Faller" we instantly lose the backing of the IWA, even if we remain union members. As we understand it, the Master Agreement does not allow the IWA to take the necessary steps that are sometimes needed to resolve problems when it is Contract Fallers involved. This is because of our INDEPENDENT CONTRACTOR status. Those of us that are IWA members do not have the backing of the union that the rest of the members have. When we questioned one local's vice president, we got the reply of "There's nothing in our constitution about that, right now all we can do is take your money". To have nobody to speak for us at the end of the day if the boss demands that we work in unsafe conditions, or decides that he is not going to pay us is not a good spot to be. We might think that the backing of the IWA does not matter on a safety issue because we could always go the WCB to resolve a safety problem. NOT. This is the place where the rest of the Contract Fallers would go if we had a concern over our SAFTY on our work site or just wanted to talk about our job in general. When WCB went around the province with their FALLSAFE meetings they had a message for us, the fallers. Their message was "IT IS A NEW DAY IN THE FOREST INDUSTRY WHEN IT COMES TO FALLING" They told us at those meetings that if they found us performing unsafe work that they would unleash their wrath on us. They would do that by the use of fines or suspensions, which they have the power to do. They also told us that if we were penalized by the company in any way for refusing unsafe work, that they would back us to the nuts. Well guess what? When the time came that they were asked to back the Limited Falling Contractor they said, "sorry, we can't". We have been told by WCB that the way their act is written up they can not fight the fight of a 'FALLER OPERATING AS A LIMITED COMPANY'. When we asked them why they had gone around the province telling us that they would, they had no answer. We asked them then what they were going to do about it. The answer that they came up with is "WE AREN'T GOING TO SAY THAT ANYMORE" effectively putting us out on our own. It was their quick fix to a huge problem. I talked to a WCB inspector about this some time ago and what he had to say was "WE ARE NOT HERE TO BABY SIT YOU GUYS YOU HAVE TO LOOK AFTER YOUR SELVES". I talked to another WCB inspector about this a week ago and what he had to say was "IF YOU REFUSE UNSAFE WORK AND GET FIRED FOR IT, YOU WILL FEEL A LOT BETTER THEN IF YOU HAD OF WENT AHEAD AND DONE WHAT THE BOSS HAD ASKED." In our eyes this was a pretty flimsy answer. At this time the WCB is putting out a FALLERS TRAINING AND CERTIFICATION PROGRAM. As they are certifying and training the falling community they will be looking at two things, our ability to fall timber and our willingness to follow the many safety regulations that the BOARD has put upon the fallers over the years. What makes things a little different this time is, if they find us falling in a manner, which is against their regulations they will have the ability to take back our certificate, without this certificate, we will not be able to fall timber in the forest industry. We have been asking the WCB how they can take away our job, if they are unable or

unwilling to back us up in our job. As of the writing of this letter we have been unable to get an answer. It is not right that the consequences that can follow this action rest on the shoulders of the faller. What we are is a working man trying to feed his family. It is not right, that when we are asked to work in an unsafe manner, we have but a few minutes to decide, will I say no and get fired or will I do it and if I get caught, WCB will throw me out of the bush. I almost forgot the other part. If I do it I could injure another logger, or myself. The WCB, the MINISTRY OF LABOUR, the IWA and CEOs from various major forest companies have gotten together to address safety in the forest industry. They have called this the FOREST SAFETY TASK FORCE. When they put this in place there was no one from the falling community on it to talk about our issues and problems that we have in regard to our safety as fallers. We are 5% of the industry and we carry 30% of the accidents on our shoulders. We lobbied hard for weeks, contacting by phone, mail and e-mail all parties involved in this Task Force telling them that we must be at the table if any meaningful change would be made in our accident rate. I tell you men, they did not want us anywhere around this but we did prevail. We have been to the task force meetings and our concerns are on the table, we are also there to make sure that they are not brushed aside. We the WESTERN FALLERS ASSOCIATION are the only people at these meetings who are bringing up the problems we have. Any and all concerns that you may have if they are sent in to us will be included. It is only by talking with you the members that we know what we should be fighting for. I have a couple of questions that I would like to ask you? As a member of the WESTERN FALLERS ASSOCIATION, what role would you like the association to play in the falling community? How hard do you want the association to fight for you and how much backing are you willing to give to the association when we speak on your behalf? I will be very honest with you. The WESTERN FALLERS ASSOCIATION came into being because we knew that change was needed. We knew that the only way that change would happen is if fallers brought it about. I was talking to a member a few weeks ago and he said to me. " I joined this because it is an association but if this is going to be like an union I want no part of it". I was not sure what he meant so I asked him a question. I said to him " We formed this association because we felt that change was needed and we needed the voices of the fallers heard." I then asked him "If we go to the WCB or to the Company and say to them, this is not right and we must change it and they tell us to piss off or ignore the issue, what do we do then?" To get change from these people on even the most basic of rights is a major battle. They are quite happy to have the fallers out in a spot where they can wash their hands of all responsibility. That is where they have us now, and they are fighting hard to see that we do not upset their plans. Together, as an association we can take our lives and our safety and put it into our own hands where it belongs. We are trying to put together another road trip so we can go around the province once again and have a real good talk with all the men. The association is up and running and is conducting business. It is a dream that we have all had for many years and given a little bit of time it will evolve into what we have always wanted and so badly needed.

RANDALL SHOOP, PRESIDENT
WESTERN FALLERS ASSOCIATION

Anyone wishing to discuss these points further can contact me at:
(250) 842- 6964

Current status of the certification of existing fallers in B.C. (Grandfathering) **By Mike McKibbin**

As the bulk of you are aware W.C.B. has developed a new 'Training Standard' in order to become a faller in B.C. In order to bring the rest of us up to speed, provided you can prove you have been an active faller for two years, you are going to have to be 'grandfathered' in. This will entail a 50 question multiple choice exam and a field examination at the stump which lasts for approximately 2 hours. We gave you all a heads up that this was coming down the pipe last spring in our last letter to you but we're

afraid the program has strayed quite a bit off track from where this thing was initially headed. The 'Standard' was developed mainly by 3 W.C.B. officers with falling backgrounds and a well seasoned I.W.A. faller. It took approximately 3 years to develop and just over million and a half bucks. One of the W.F.A.'s directors along with a reasonable spread of other people went through a 2 week piloting session in Richmond last spring to view this thing and add any constructive criticism. After all was said and done the bottom line was that it is quite thorough and does in fact prepare a person to start to be an active faller. There still remains the question of where a trainee can hire on that is willing to be patient enough to let that person develop their skills in a safe, orderly fashion. This has been and will continue to be a huge problem with breaking in new fallers. Two other W.F.A. directors went through a piloting session of the grandfathering process last summer. Their conclusion was the same, it's fair and thorough. As well as W.C.B.'s working group that developed the program there was an advisory committee (F.A.C.T.A.C.) struck up out of industry representatives. Their mandate was to get this program out to the falling community in a way that would be acceptable. One of the main issues all along was funding, who will pay to 'grandfather' in the three to four thousand fallers already working in the province. It was to cost about 500.00 per head. Initially F.A.C.T.A.C. wanted to get about 2 dozen active fallers from through out the province to be evaluators and later on become the trainers. Some of you may have applied for these positions. There was a sub committee struck up to choose these people made up of 4 existing F.A.C.T.A.C. members. The sub committee was made up of someone from the W.F.A., I.W.A., Truck Loggers and F.I.S.A. The evaluators were to be chosen by a resume, then an interview, then make sure they can pass what we were sending them out to put you through, then 2 weeks of schooling on how to present the package. If W.C.B. was so adamant on doing this again, at least it would be the right people coming out to see you. This and not charging the independent faller were the two most important things to the W.F.A. In order to get the evaluators ready to 'grandfather' in the rest of us it was going to be another 2 million bucks. This money was to come from a 2 cent add on to every one involved in the forest industries assessment rates, including the licensees.

During the early stages of F.A.C.T.A.C. the licensees in the province went through a huge restructuring. Council of Forest Industries (C.O.F.I.) was to become representation for the interior lumber manufacturers and a new group called the Coast Forest Lumber Association (C.F.L.A.), were to represent the coast. Once these two groups finally figured out who was doing what amongst themselves, the Prevention Division of W.C.B. approached them to make sure they were willing to ante up the 2 cents on their assessment rates. It only took the new C.O.F.I. bunch about a week to come back with a reply of no and shortly after that the coast followed with them. This is where things really start to come unglued to the point they are now.

F.A.C.T.A.C. met in Richmond in October which may have been for the last time. At this meeting it was confirmed that there was no funding available due to the licensees renegeing. We were told that the individual faller shall be responsible for paying 150.00 to be certified by a W.C.B. inspector. Apparently the W.C.B. have come up with 10 of their own people that they feel are qualified to come out and see you. We have also been told by one of our I.W.A. contacts that some of the larger companies on the coast have come up with their own candidates that they feel are appropriate for the job.

We tried repeatedly to bring to their attention that there are hundreds, possibly thousands of us that took money out of our own pockets to go through this once before in the early '90's because we were told we had to by our local W.C.B inspectors. No one seemed to care about that. The W.F.A. always maintained that faller certification was not a bad thing but if this was just going to be another bureaucratic exercise like the last one, that at least everyone could pay for it, not just the faller. That seemed fair to us. There are a few other negative aspects that we will mention also. The fact that the licensees have pulled their financial support out of this project undermines the validity of the whole thing. We have been given reasons although none of them were really substantial. Forest Industry Safety Association (F.I.S.A.) is to handle the clerical work on this project. They have a good staff and at present are more than willing and capable of handling this task. On the down side, they are industry funded and some facets of industry are belly-aching about their existence, they could go to work one morning to find themselves dissolved due

to lack of funding.

The W.F.A. is currently going through some motions to get this thing back on track. Due to the fact it has been held in abeyance since 1998 in the Occupational Health and Safety Regs, it's not to likely it's going to go away. Right now application forms are available through your local W.C.B. office, F.I.S.A. in Prince George or us, the W.F.A. These forms can also be printed off W.C.B.'s website, we've been told they're easy to find. W.C.B. inspectors are currently suggesting to any and all fallers that they come in contact with that they get these forms and get signed up. There are two separate dates on these forms for registration. Applications received before July 31st, 2004 will be charged 150.00, after that date will be 250.00. We have been told that this is to try and prevent a last minute rush of applications. As of January 1st, 2005 W.C.B. will be writing up employers if their fallers are not registered with F.I.S.A. to be certified. If you are an independent faller both you and the guy you are working for will have action taken against you. What sort of action W.C.B.'s lawyers won't say because they don't know, they have left this wide open. It happens a lot with these people. Something else they can't give us a clear date on is when all the fallers in B.C. should be certified. They know damn well this project could take forever. After you register and pay your 150.00 you'll receive two info flips and a log book in the mail. The info flips have the answers to all the questions for the written exam as well as how you should be going on about your business for your field exam. What this stuff amounts to in a nutshell is how to go out and safely fall a tree. Our one director that went through the piloting session didn't read a word of the info flips and managed to get an above average score on both the written and field exam.

Anyone wishing more information on this matter can call Mike at the W.F.A

(250) 638-8729 or

Dave Rowe at F.I.S.A. (250) 562-3215 or

toll free 1-877-324-1212.

Or if you wanted someone at W.C.B. to vent your frustrations over this matter, call Mike Nielson at

(604) 276-3060 or

toll free 1-888-621-7233

Proper supervision or should we say lack of

Last summer during the fire season down through the interior, the W.F.A. received a phone call from a faller working on the McGillvery fire. He was calling on behalf of himself and some associates, who were all seasoned fallers, caught up in a real lack of supervision situation. It turns out the person they were working for who had had been awarded a contract from forestry to supply fallers on this fire was in fact a slashing contractor. He in turn was taking his orders from either the military, forestry or later on W.C.B., to pass on to the falling crew. These fallers were asked to do one stupid thing after the other largely due to the fact that the people handing out the orders were clueless when it came to fallers and falling. When we asked the fallers what it would take to straighten their problems out they replied "an experienced bullbucker between us and management". That didn't seem like to much to ask for in our eyes. We did do some ground work on this matter, but for the most part the fallers looked after it themselves and things were resolved in their favour. They got a bullbucker with proper falling experience. This problem occurs all too often in the falling community through out B.C. We've tacked on a letter that came from a W.F.A. director which was circulated internally amongst ourselves. Because this memo also landed on the W.C.B. inspectors' desk in question, we have added his response. The letter reads as follows:

October 28, 2003

To Randy Shoop:

How are you doing? Here's something I'd like to tell you about. In September (this year) I was working on the Nisga'a Highway doing some 'road widening' when a W.C.B. officer came to do an inspection. The W.C.B. officer didn't come to see me at all to check my job, even though I was working right along the highway. The Safety Rep, who is an electrician by trade and who knew nothing about falling and stumps, was asked by the W.C.B. officer to check my stumps and make a report. The next day the Safety Rep came to me and asked 'what a stump was supposed to look like'. I felt I should let you know about this. The same thing happened last year. They asked the Hoe Operator to do the inspection. He didn't know what a stump was supposed to look like either. He had never cut a tree in his life. So what's up with that? Can anybody do a fallers inspection or what! I have names and dates. I just wanted to let you guys know about this.

Dominic

The telephone response that was given by the W.C.B. inspector to Dominic went as follows: Since then, the W.C.B. officer contacted me by phone and from what I understood, told me that anyone who is sent to inspect a fallers work (if he is not a faller himself) should have a two day safety course including a video and some field instruction. This involves the video, and a field demonstration showing how inspections are carried out and also how stumps should look. The W.C.B. officer also told me that he would like to see the bullbucker or if there is no bullbucker, the person in charge, such as the foreman or operator, take this safety course. Then, this designated person should see the fallers every day to check their work and also, how safely they are doing it. I was glad that the W.C.B. officer took the time to phone and explain this to me.

We did look into this matter a little further. It turns out the course that is mentioned is called 'Stop, Check, Correct'. It has been designed specifically for people who are put in charge of fallers who for the most part, don't know a damned thing about falling. This has been an occurrence around some of the larger companies where their bullbuckers may have been selected for management skills or the fact that they can promote company policy. Who cares if they don't know where the pull cord is on a saw. If any of you gets caught up in situations like we've mentioned and it appears there is no hope, get a hold of us. Neither we nor the W.C.B. wants to see this going on any more. There is a course your manager can take and hopefully he returns a little more enlightened as to what the job of falling entails.