

Labour Reporter

The voice of Saskatchewan's working class since 1956

SPECIAL EDITION



CELEBRATING 50 YEARS OF OCCUPATIONAL HEALTH AND SAFETY IN SASKATCHEWAN

Summer 2022

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SFL OCCUPATIONAL HEALTH AND SAFETY CONFERENCE

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CELEBRATING 50 YEARS OF OCCUPATIONAL HEALTH
AND SAFETY IN SASKATCHEWAN

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Labour Reporter

Labour Reporter is proudly published quarterly by the Saskatchewan Federation of Labour. It is sent directly to the homes of working people and to the offices of their unions.

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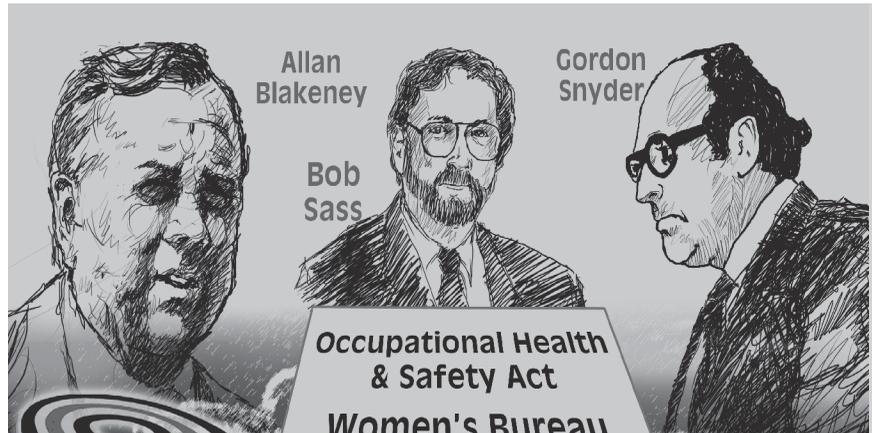
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Summer 2022

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SFL President Lori Johb.

50 years later, we must keep fighting for worker safety

This is a milestone year for occupational health and safety in Saskatchewan, as 2022 marks the 50th anniversary of the passing of Occupational Health and Safety Legislation in the province. This legislation was truly groundbreaking, and has made workplaces safer, not just here at home, but across the country and throughout North America.

OH&S in Saskatchewan has a long history - from the fight for labour standards and worker's compensation, and the 40-hour work week, to the new deal for working people in 1971 that led Allan Blakeney and the NDP to victory. Throughout it all, Saskatchewan's unions have always been at the forefront in the fight to make workplaces safer. The passing of Saskatchewan's Occupational Health and Safety Act was the first of its kind in North America, and the right to refuse unsafe work, enshrined in the legislation as one

“The last two years have been a wake-up call for us in terms of worker health and safety.”

of the three worker rights, was a direct result of our provincial labour movement and lobbying from your SFL.

There were many who were instrumental in bringing this legislation forward, but perhaps the most important person was Bob Sass, who was the Assistant Deputy Minister of Labour, and oversaw the development of the legislation, and worked hand in hand with our labour movement to write the legislation and ensure it was amended and improved over the years. I can

confidently say that without Bob, this legislation would not be what it is today. Workplaces across the province and the country are safer today because of him, and the role that he played in the development of this legislation. I recently visited Bob, and age has not slowed him down. He is just as passionate as ever about worker safety and protecting workers, and I am proud to call him my friend.

The Bob Sass Award, which is presented yearly at our annual convention, is named after him, and if you know a worker in your union who has fought to make your workplace safer, I strongly encourage you to put their name forward to nominate them this year.

While OH&S legislation has been instrumental in protecting workers and preventing countless workplace injuries and deaths, the Sask. Party government has watered down the legislation and has failed to make improving worker safety a priority since their election in 2007. Instead, they have been openly hostile towards workers, siding with employers and making workplaces less safe. As a result, workplace injuries and workplace fatalities in the province are some of the highest in the country.

As Saskatchewan's labour move-

ment, we must continue to fight back against Sask. Party attacks on workers, and fight to make our workplaces safer.

Despite having a current government that is anti-worker, our movement has been able to make progress in some areas to improve Occupational Health and Safety. Jimmy's law, to protect people working in late night retail premises, paid time off for survivors of interpersonal violence, expanding the definition of harassment, a serious injury and fatalities strategy, an asbestos registry and a federal ban on asbestos, have all been fought for and won by our labour movement. These changes have made workers safer, and we should be proud of the work we've done in recent years.

The last two years have been a wake up call for us in Saskatchewan in terms of worker health and safety. The COVID-19 pandemic has laid bare the reality of just how few protections there are for workers to avoid getting sick at work. Just like in 1972, I think that it's once again time for a new deal for working people here in Saskatchewan. We need to come together as a labour movement to fight to make our workplaces safer. We need to use our power to put pressure on our government and fight for paid

sick days, safe staffing levels, more funding for injury prevention programs and education, and to make sure companies who fail to keep their workers safe are held accountable. And we need to come together to use our power as a labour movement to elect a government in 2024 that will take these issues seriously and put workers first.

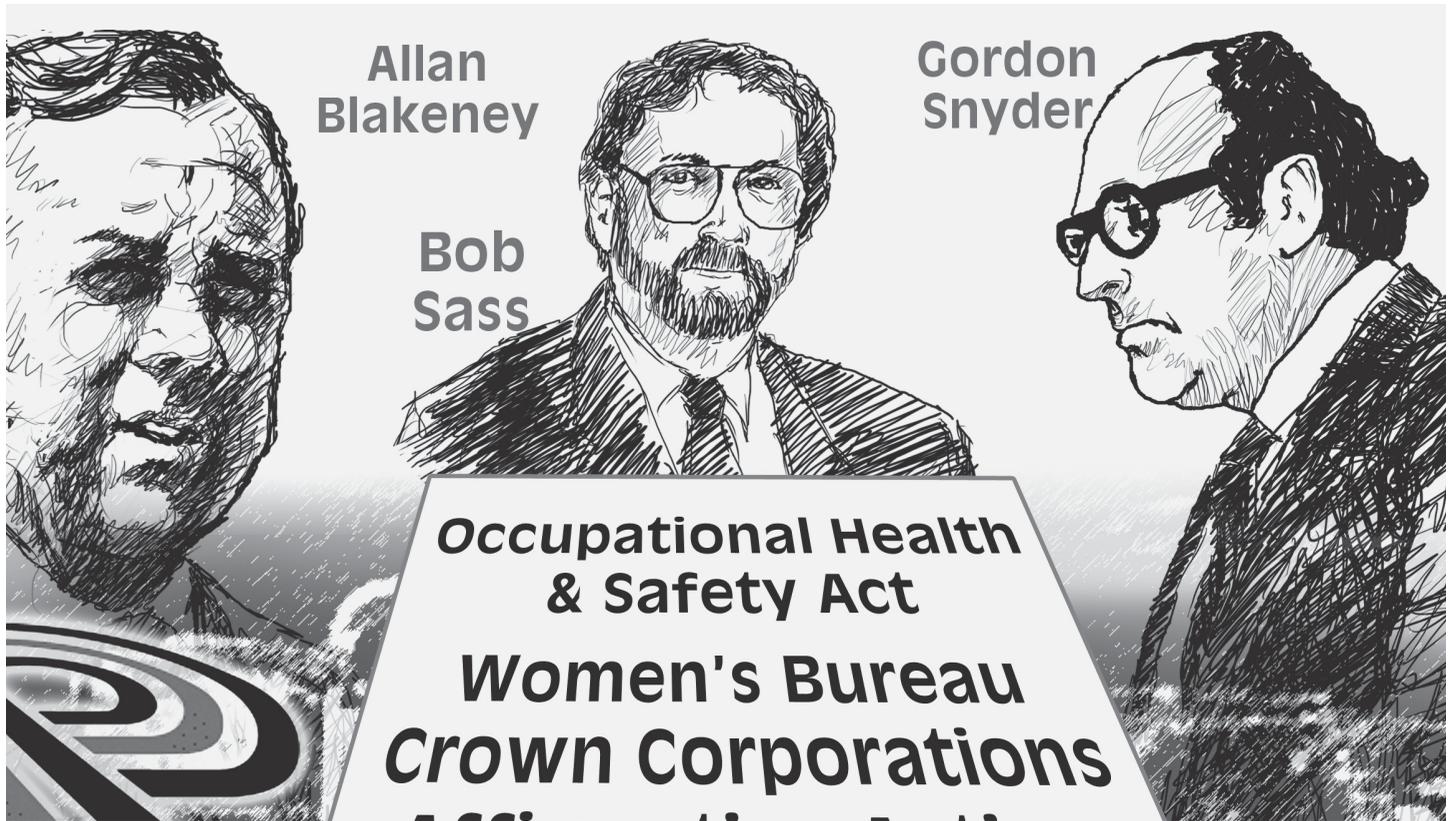
I also want to highlight some ways you can get involved to join the fight for workplace safety:

- Get involved with your OH&S committee at work, and do not be afraid to speak up, and speak out. Remember your worker rights.
- Attend our SFL Occupational Health and Safety Conference, held every September.
- Attend our SFL convention in October, where we will be focusing on worker safety and the 50th anniversary of OH&S legislation
- Get involved in political action within your union to help us elect a worker-friendly government.

Together, we can work to improve this legislation, and continue the fight to make our workplaces safer for the next 50 years.

In Solidarity,





Premier Allan Blakeney, Assistant Deputy Minister of Labour Bob Sass, and Minister of Labour Gordon Synder were influential in passing OH&S legislation in the province. Photo: *On the Side of the People: A History of Labour in Saskatchewan.*

Celebrating a Legacy: 50 years of Occupational Health and Safety Legislation in Saskatchewan

The following has been adapted from the book "On the Side of the People: A History of Labour in Saskatchewan," by Jim Warren and Kathleen Carlisle (2005).

The creation of the Occupational Health and Safety Act in 1972 was the government's first well-intentioned attempt at developing workplace health and safety legislation. The SFL criticized this legislation, identifying a series of inadequacies that prompted the government to rethink it. The Department of Labour agreed to revise the new act and deal with the deficiencies identified by labour. What the labour movement was looking for was a plan based on the principle of prevention. Rather than simply paying people when they became ill or were injured or killed on the job, they envisioned a plan that would keep

“What the labour movement was looking for was a plan based on the principal of prevention ...they envisioned a plan that would keep people from being hurt in the first place.”

people from being hurt in the first place. At the time, sections of the business community argued that workers were inherently careless and this was the primary cause of workplace illness and injury. Saskatchewan's Department of Labour rejected this idea, assuming instead that accidents were related to inherently hazardous workplaces.

The new plan sought to reform unsafe work environments in order to reduce worker illness and injuries, and its provisions were enforced by regulations and inspections. Of course, small steps had begun to improve workplace safety as far back as the days of Walter Scott, such as regulations that required employers to provide safe scaffolding on construction projects. There were inspectors for elevators, Saskatchewan Power had gas inspectors, and the turmoil in the coal fields had produced efforts at ensuring mine safety through inspections. But the legislation being considered was much broader in scope than any of the measures that had come before it. If successful, the health and safety of working people in the province would be measurably improved and overall health care costs and compensation claims would be reduced.

And Saskatchewan had a long way to go. The province had the unfortunate distinction of being a national leader in the number of workers per capita killed or injured on the job. Unfortunately, the good intentions of the Department of Labour in the 1970s failed to produce a long-lasting reduction in serious injuries. As subsequent events would demonstrate, however, this had more to do with a lack of en-

forcement by subsequent administrations than it did with the quality of the legislation developed in the 1970s. Saskatchewan continues to lead the nation in workplace-related deaths and injuries. Every year, 25-40 working people lose their lives in industrial accidents in the province.

“The new plan sought to reform unsafe work environments in order to reduce worker illness and injuries.”

In a 2004 interview, long-time Labour civil servant Bob Sass claimed the initial push behind the creation of the provincial occupational health and safety legislation came from international unions like the Steelworkers: “The United States had created an Occupational Health and Safety Act (OHSA) in 1971, and people who belonged to international unions were reading about it in their union papers and hearing about it from their brothers and sisters in the U.S. They were understandably interested in having the NDP government in Saskatchewan take a look at the U.S. system to see if it could be put in place here.”

According to Sass, Walter Smishek played an important role in getting the government to move forward on occupational health: “The Department of Health already had an occupational safety unit, but it was barely staffed and had a very limited mandate. John Richards, a former U of S Professor and MLA, had been helping Smishek launch a series of probes into new areas to explore for improving health care and some of the initial thinking came from his work.” The decision was eventually made to move responsibility for occupational health and safety to the Department of Labour.

As the task of improving the 1972 Occupational Health and Safety Act proceeded, Bob Sass welcomed the contribution of prominent Saskatchewan labour activists and environmentalists. According to Sass, no one was more influential in this regard than the SFL President at the time, Ross Hale, and former SFL President Bill Gilbey. As head of the Grain Services Union, Gilbey advanced the health and safety interests of his membership, especially with respect to grain dust in elevators, linking it to lung conditions faced by the farmer/owners of the Saskatchewan Wheat Pool.

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Photos: Workers march in RDLC May Day Parade





According to Sass, “Gilbey’s interest in occupational health was karate-like. It was focused and concentrated. He had a large influence on my early development and thinking on the subject.”

Sass began his study of OH&S issues by talking with the union people in the United States, including the United Steelworkers of America’s health and safety people in Pittsburgh. He discovered the American trade unionists weren’t entirely enamoured with their new legislation. It seemed that a lot of the motivation behind OSHA legislation was the desire of governments and big business to come up with a way to head off litigation by both workers and environmentalists. One of the biggest failings of the US law was that it relied heavily on the role of scientists and experts to determine what was safe and unsafe.

A unique Saskatchewan solution was developed which emphasized three fundamental rights, and formed a foundation for the province’s revised “Sass Version” of the Occupational Health and Safety Act in 1974. First, regulations were put in place to uphold workers’ rights to be informed of potential hazards. Second, workers were given the right to participate in joint labour-management Occupational Health and Safety Committees to ensure workplace safety. Third

- and by far the most revolutionary addition to the plan - workers were given the right to refuse unsafe work without fear of reprisal. This right was based on workers’ perceptions of what was harmful to their well-being, even without supporting data and expert studies. Workers didn’t have to go to the library, read up, and submit a paper before getting themselves out of potentially unsafe circumstances.

“A unique Saskatchewan solution was developed which emphasized three fundamental rights...”

Sass maintains “That right came specifically from the labour movement, in particular from SFL president Ross Hale. I had discussions with Ross about my concerns over the dominance of employer-sponsored expert data under the American system. Ross took the view that if you had to debate the literature about whether or not something caused disease it could go on forever. To make OH&S meaningful, he believed we needed something like the strike. Without the strike, collective bargaining would be a never-ending debate. To Ross’s

mind the right to refuse unsafe work would be to OH&S what the strike is to collective bargaining.”

The evolving legislation eventually contained additional provisions and regulations to help ensure safer work environments. For example, asbestos was declared to be a harmful substance for the first time anywhere in North America. The new rules maintained that there was no safe limit for known carcinogens. If a workplace was seen to be particularly dangerous, the Minister could place it under medical supervision. Doctors were required to provide reports to the Department of Labour’s new chief medical health officer in regard to people who became injured or ill on the job.

Additional efforts were made to make workplace environments more worker-friendly and reduce fatigue. A measure was put in place that stipulated that work could be done from a sitting position as opposed to standing, should be done sitting down. Sass remembers that this was one provision that drew the ire of employers. Department store managers had difficulty accepting the premise that sales clerks should not have to stand behind jewelry or cosmetic counters every minute of the day, putting up with unnecessary strain on their feet, legs, and back. Bosses argued

that the clerks needed to be up on their feet and smiling, giving the appearance of being alert, eager and ready to serve customers. Fifty years ago, employees could still be disciplined for sitting down and doing their job effectively, and in some workplaces, including some of the provincial government's own typing pools, talking was prohibited unless it was directly work-related. Management used school bells in government workplaces right up until the early 1970s that let the "girls" know when they could look up from their typewriters, speak, or go to the washroom.

It took OH&S legislation, strong unions, and the liberal, anti-establishment attitudes of the 1970s to create less dehumanizing workplaces. By the end of the decade, workers didn't have to put up with foremen watching them drop their pants and timing them while they sat on the toilet. It was no longer acceptable to operate Saskatchewan workplaces like combination sweatshops and primary school classrooms.

Finally, to give OH&S legislation life, people were hired to administer it. Inspectors were sent into the field

to investigate workplace safety, and they had the force of fines and penalties backing them up to ensure compliance.

The OH&S legislation met with limited public and employer resistance. In Sass's estimation, this was in part because people were encouraged to view occupational health and safety as a health issue. Health had been a major battleground in the 1971 provincial election campaign, and not many employers or opposition members in the legislature had the will to challenge the NDP government on health issues.



Bob Sass speaks at an SFL Convention in an undated photo.

Victory!

FIGHT FOR 15

Saskatchewan's Labour Movement Wins the fight for \$15

After a long fight, the \$15 minimum wage is on the horizon for workers in Saskatchewan

The spring announcement of a substantial increase to the province's minimum wage over the next two years is a victory for working people all across the province, says the Saskatchewan Federation of Labour.

"The announcement of minimum wage increases leading to \$15 an hour by 2024 is a big win for workers, and a direct result of years of lobbying, campaigning, and political pressure from the SFL and our union affiliates," said SFL President Lori Johb.

"For years, workers have been told by their government, their employers, and powerful corporate lobby groups that they were not worth more than poverty wages. The announcement of an increase to the minimum wage proves that when workers use our col-

"I am proud to be able to say that Saskatchewan's labour movement has finally won the fight for 15."

lective power to demand better, we can get results. I am proud to be able to say that Saskatchewan's labour movement has finally won the fight for 15."

Johb said that today's announcement will have an impact on both workers and the provincial economy.

"Workers and their families will have more money in their pockets and invest that money directly back into their communities. While businesses and large corporations have long warned that minimum wage

increases would lead to higher prices and job losses, the success of other jurisdictions with higher minimum wages have proven that to not be the case. In fact, provinces that have already implemented \$15 an hour minimum wages have seen higher economic growth than Saskatchewan."

Johb noted the high rates of inflation and increased cost of living

that workers are currently dealing with, and called on the government to implement a \$15 an hour minimum wage immediately in order to make sure that workers are able to make ends meet.

"Workers should not have to wait two years for \$15 an hour to be fully implemented," Johb said. Workers have deserved this minimum wage boost for a long time and they can't

afford to wait any longer, especially with the rising cost of living."

Johb also said that the labour movement will keep pushing for increases to the minimum wage to ensure that all workers in the province receive a living wage.

Sask. Party denies workers paid sick leave

One year after a bill was first introduced in the legislature in the midst of the COVID-19 pandemic, the Sask. Party has officially voted against providing paid sick leave for working people in the province.

"While the Sask. Party voting against paid sick leave is disappointing, it's not surprising," said SFL President Lori Johb. "Throughout the pandemic, the Sask. Party government has shown a total lack of respect for workers - from failing to provide proper PPE in workplaces, overwhelming our hospitals and forcing health care workers to work with unsafe staffing levels, to refusing to give wage top-ups to all front line workers. The Sask. Party voting against legislation for paid sick leave is yet another blow to the working

"If the Sask. Party won't support paid sick leave, our labour movement will work to elect a government that will."

people in this province who have put their health and safety at risk to keep things running throughout the pandemic."

The bill, introduced by Saskatoon-University MLA and Critic for Labour, Jennifer Bowes, would have ensured 10 days of permanent, paid sick leave for all workers in the province.

Despite the Sask. Party using their majority to vote down the legislation, Johb said Saskatchewan's

labour movement will continue to fight for paid sick leave for all workers.

"Too many workers in Saskatchewan do not have access to paid sick leave and are faced with no choice but to either go to work sick or miss out on their paycheque," said Johb.

"Paid sick leave will go a long way towards ensuring safer and healthier workplaces and make life better for thousands of working people across the province. If the Sask. Party won't support paid sick leave, our labour movement will work to elect a government that will."

TIMELINE OF OH&S IN SASKATCHEWAN:



1971: Saskatchewan elects Allan Blakeney's NDP after campaigning on a "new deal for working people"

1972: Saskatchewan's NDP government passes Saskatchewan's Occupational Health and Safety Act, the first of its kind in North America

1973: The legislation is updated, on the recommendations of Assistant Deputy Minister of Labour Bob Sass, and the SFL, to enshrine the three worker rights into law: The right to know, the right to participate, and the right to refuse.



1977: The legislation was once again revised to be more effective in preventing occupational accidents and disease.

1988: Saskatchewan becomes the first province to recognize April 28th as the Day of Mourning for workers killed or injured on the job.

1993: Saskatchewan becomes the first province to include provisions in OH&S legislation to protect workers against harassment and violence in the workplace.

2007: Legislation is updated to expand the definition of harassment, protecting workers against psychological harassment at work.



2010-2022: Updates to OH&S over the last decade include paid time off for workers of interpersonal violence, protections for contract workers against harassment, protection for people working in late night retail premises, and the development of a Serious Injuries and Fatalities strategy.



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