

USW oppose BC Forest Industry position on 5 Paid Sick days

BC Government's addition of paid sick leave could leave out thousand of unionized workers

The B.C. government announced on November 24, 2021, that all employees covered by the Employment Standards Act (the "ESA") will be provided with a minimum of five days of paid sick leave per year beginning on January 1, 2022. This is a result of thousands of submissions and support for paid sick days coming on the heels of the Covid-19 pandemic in which three (3) paid sick days for those who had the Covid-19 virus and had to miss work.

The USW Wood Council in BC – consisting of Locals 1-1937 (Vancouver Island/BC Coast); 2009 (Langley/Fraser Valley); 1-2017 (Prince George/BC Caribou/North); 1-417 (Kamloops/Thompson); 1-423 (Kelowna/Okanagan) and 1-405 (Cranbrook/Kootenays) – all supported a comprehensive submission paper urging the BC Government to institute paid sick leave but to also not include the benefit in Section 3 of the ESA. Section 3, among other benefits, indicates that if workers are covered by a collective agreement and that collective agreement "meets or exceeds" the benefit, the collective agreement will apply.

All BC Forest Industry associations, including the IFLRA (Southern Interior); FIR (Coast) and CONIFER (North) have either communicated that they will not offer this benefit to our members covered by the Southern Interior Master agreement; the FIR representing a small number of contractors on the Coast has also stated they will not adopt the benefit. Subsequently, CONIFER representing employers in the Northern Interior, West Fraser as largely an independent and Western Forest Products on the Coast have all followed suit and are taking the same position.

All six BC Locals and the USW Wood Council are working together to explore the best possible legal route to fight for our members' right to enjoy this benefit. Our members were deemed 'essential' and provided billions of dollars of profits during the pandemic and deserve to be treated fairly, with respect and paid if they fall sick for a day. Industry is taking the position that our W.I. plans – Short-Term Disability provided through a Trust agreement that requires a five-day waiting period if you're sick – meet or exceed the new ESA benefits. We disagree as our benefit is designed for illness or injury that lasts longer than 5 days. Employers and their associations that are denying the benefit to forest workers are also threatening that a positive challenge to the ESA forcing the industry to pay five paid sick days, would result in a forfeit of our negotiated W.I. We believe this statement is made to try and dissuade Local Unions from taking the issue to a third party. To be clear, the USW does not fear this threat; nor do we believe the threat is a possible outcome of a potential arbitration.

Currently there have been grievances filed in different locals throughout BC. We are engaging legal advice on the likelihood of a positive outcome for our members and these grievances. Whether it be through a third party/arbitrator or through the negotiation process, we will continue to update the 12,000 USW members BC in our fight for our members to be treated similarly by the new legislation touted for 'all' workers in BC.

In Solidarity,

Brian Butler, President – Local 1-1937

Al Bieksa, President – Local 2009

Brian O'Rourke, President – Local 1-2017

Marty Gibbons, President – Local 1-417

Pat McGregor, President – Local 1-423

Grant Farquhar, President – Local 1-405

Jeff Bromley – USW Wood Council Chair