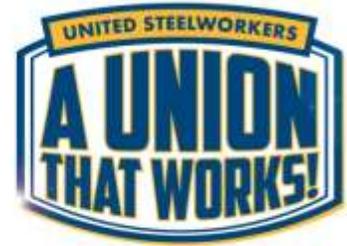


2014 USW CONSTITUTIONAL CONVENTION

RESOLUTION



Resolution No. 15 - Occupational Health and Safety

WHEREAS, serious safety and health hazards exist in all workplaces represented by our union, from metals to mining to rubber to energy to paper to chemicals to manufacturing to forest products to health care and services; and

WHEREAS, seventy-one members of the USW died in workplace accidents between 2011 and 2013. Twenty-five supervisors, contractors and other non-members also died. Hundreds more current and retired steelworkers died from workplace diseases caused by exposure to toxic substances. Thousands were injured; and

WHEREAS, after six years of declining fatality rates, the death rate for USW members from workplace accidents increased in the first half of 2014; and

WHEREAS, non-union workers are even more likely to be injured or killed on the job than those who have won the protection of a union contract; and

WHEREAS, workers and community residents in the petrochemical and other industries are at risk from catastrophic releases, fires and explosions like the August 2012 explosion and fire at the Chevron refinery in Richmond, California; and

WHEREAS, the horrific rail explosion that tragically killed 47 residents in the town of Lac Megantic, Quebec, Canada and which led to devastating effects on the members of Local union 1976 was the result of irresponsible deregulation by the Canadian Federal Government and callous neglect by the Montreal and Maine Railway for the safety of workers and the community; and

WHEREAS, two workers were killed and 20 others injured in the January 2012 explosion at the Babine Forest Products sawmill in Burns Lake, British Columbia and only three months later in April 2012 an explosion at the Lakeland Mills sawmill in Prince George, British Columbia killed two workers and injured 22 others; and

WHEREAS, more than 1,000 workers a year are killed at work in Canada and many more die because of occupational disease; and

WHEREAS, in many serious injuries, employers knew the risks, but chose to ignore them, yet were never brought to justice. These employers and other corporations often adopt insulting "blame the victim" programs that fail to address the hazards that are the root cause of safety problems and instead contend that workers themselves are responsible for workplace accidents and disease; and

WHEREAS, workers in both of our countries and all our industries have experienced workplace restructuring that exposes them to new health and safety hazards and magnifies the risk of injury and illness from existing hazards; and

WHEREAS, work organization factors such as insufficient crew sizes, excessive overtime, lack of maintenance, poor job planning, inadequate attention to safety in technological change, and shoddy job safety analysis contribute to a large number of accidents. These factors are even more critical in workplace restructuring; and

WHEREAS, many employers have adopted disciplinary policies which operate to punish workers who report workplace injuries and near misses. As a result, accidents are never investigated, employees work while hurt, medical costs increase, and accident statistics are fraudulent; and

WHEREAS, thousands of cases of occupational disease go unrecognized due to inadequate research and lost records; and

WHEREAS, the USW's Emergency Response Program sends trained responders to the site of fatal and catastrophic accidents to investigate the causes, and to bring critical services, including advocacy, legal representation and counseling, to victims and their families. The program has responded to almost 200 accidents since the last USW Convention; and

WHEREAS, some injuries are caused by defective equipment or products supplied by outside vendors. In such cases workers should have the right to sue the manufacturers of those products for just compensation; and

WHEREAS, progressive health and safety laws in both of our countries continue to be attacked by greedy corporations and their right-wing allies in national, state, and provincial legislatures; and

WHEREAS, OSHA, MSHA and Canadian safety and health standards save lives, but the process for setting new standards is long and cumbersome. The standards for many serious hazards are badly out-of-date, such as the U.S. standards for silica and beryllium. Many other workplace hazards, such as engineered nanoparticles, have no standards at all; and

WHEREAS, it has now been over 22 years since the Westray Mine disaster and over 10 years since the Steelworkers won amendments to the Criminal Code of Canada to hold corporations their directors and executives criminally accountable; and

WHEREAS, police and prosecutors are not utilizing the Westray amendments and not investigating workplace fatalities through a criminal lens and Canadian Federal and Provincial Governments are not demonstrating any political will to enforce the Westray Amendments; and

WHEREAS, government standards will never be enough. Every USW workplace should have a strong program for finding and fixing hazardous conditions. The TOP program, originally developed by the OCAW, was an important first step. Building on the success of TOP, the USW is taking the next step by developing an expanded program, titled "Looking for Trouble"; and

WHEREAS, thousands of workers are routinely cheated out of adequate workers' compensation by regressive laws and outright corporate fraud; and

WHEREAS, the Canadian Labour Congress and the American Federation of Labor-Congress of Industrial Organizations have established April 28 as a National Day of Mourning and Workers Memorial Day to remember those who have died on the job, and to renew our commitment to fight for the living. April 28 also serves as a day to educate the general public, as highlighted by programs like the USW's innovative Canadian New Worker Awareness Education Campaign. This day is increasingly recognized by unions around the world; and

WHEREAS, our union has been a leader in representing workers on matters pertaining to workplace health and safety. This is demonstrated by the union's commitment to negotiate strong health and safety provisions in collective bargaining agreements in order to obtain for our members the on-the-job protection they deserve. Better working conditions cannot be won without courageous and committed local union health and safety activists; and

WHEREAS, the USW has established the Tony Mazzocchi Center with the mission of bringing safety and health education to our members; an average of 500 members attend such classes every week in the United States. Many additional members enroll in union-led safety and health training in Canada; and

WHEREAS, the key to achieving strong safety and health protections, whether through collective bargaining or through the legislature, is a strong union. Safety and health are also important to building a strong union.

THEREFORE, BE IT RESOLVED that:

- (1) This convention pledges to reinvigorate our efforts to organize the unorganized so that the health and safety protections of our union may be brought to those who most desperately need them.
- (2) We call upon all USW members to campaign vigorously and vote for political candidates who will support the cause of health and safety and who will insist that government agencies in the United States and Canada serve the best interests of workers.
- (3) We pledge unrelenting opposition to corporate and legislative efforts to weaken occupational health and safety laws, regulations, and enforcement in the United States and Canada. We will work for the passage of progressive legislation to better protect worker rights and worker safety. We will also oppose so-called "tort reform," which seeks to take away our members' right to win compensation for injuries caused by dangerous and defective products.
- (4) We will continue to work for stronger workplace standards.
- (5) We will redouble our efforts to prevent workplace fatalities and catastrophic accidents.
- (6) We will continue our Stop the Killing, Enforce the Law Campaign in Canada until the Westray Amendments to the Criminal Code are properly enforced and those corporate managers and executives who are responsible for workplace fatalities are sent to prison.
- (7) We will continue to advocate for better railway safety regulations in Canada and the United States, especially as they relate to the transport of dangerous substances, and we will continue to work for justice for the residents of Lac Megantic Quebec and the employees of the MMA Railway.

(8) We will continue and expand our efforts to educate our members and health and safety activists in both countries. We will work to ensure that every member knows his or her rights under the contract and the law – especially the right to refuse unsafe work. We will focus much of this effort on young workers and workers new to the union. We will also find additional avenues to educate students and the public in general about safety and health issues as they prepare to enter the workforce.

(9) We will continue our efforts to improve and enforce the health and safety clauses of our collective bargaining agreements, including the right to refuse unsafe work, immediate arbitration of health and safety disputes, union access to all relevant information, and an increased role for local union health and safety committees and representatives.

(10) We will maintain our support for the efforts of our local union health and safety activists in their daily representation of our members and their efforts to efficiently document and control workplace hazards. We will expand our efforts to educate local union health and safety activists and committee members so that they are able to effectively perform their union duties and respond effectively to current health and safety issues, such as confronting “blame the worker” safety management and the impact of work organization and workplace restructuring on health and safety. We will work to build strong safety and health programs, based on “Looking for Trouble,” throughout the union.

(11) We will work to promote union goals, values and principles in all our occupational health and safety efforts. We will oppose “safety” programs that assume that worker misbehavior is the primary cause of workplace accidents. This includes our commitment to oppose “safety incentive” programs that assume workers are too stupid to care about their own safety and must be bribed with trinkets. We will insist on safety programs that enlist the skill, knowledge, and commitment of the workforce in finding and correcting hazards. We will continue to assert our strong belief that our members are not the problem – they are the solution.

(12) We will actively promote increased research on occupational disease, and will work to establish government databases of worker exposure records, with strong privacy protections. We will work to expand the network of worker-friendly occupational health clinics in the United States and Canada.

(13) We will fight to strengthen workers’ compensation and negligence laws. All jurisdictions should increase workers’ compensation benefits. Loopholes favoring the employer must be closed so that all work-related injuries and occupational diseases are fully compensated regardless of the latency of the injury or disease.

(14) We will work to win worldwide recognition of April 28 as a day to remember our lost sisters and brothers, and to rededicate ourselves to fight for the living.

(15) We will continue to work with other unions in our two countries and around the world, international labor federations, and other progressive organizations in the struggle for safer and healthier conditions for workers everywhere.