

# Highlights

Automne  
1998  
Fall

## Focus on ORGANIZING !

This issue of Highlights is full of information from across the country. In our Provincial Updates, we get a snapshot of the history and activities of injured worker groups across Canada.

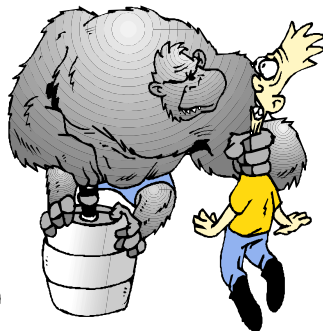
This includes:

- Why are groups needed in the first place.
- Peer Counseling
- Relations with Labour
- Successes and Failures
- Political Action

In the last 7 years, we have seen the number of injured workers groups more than double in Canada. Our groups are getting stronger. They are developing new initiatives to respond to the needs of their members and the changing workers compensation systems. We expect this trend to continue as workers benefits are increasingly under attack. Our challenge is learning to use the tools and resources available to become better organized.

We are seeing an increased move to go to the courts to enforce our rights; from a Supreme Court of Newfoundland decision to a class action against an employer in Illinois, to suing an adjudicator in British Columbia.

We hope you enjoy this issue and we welcome your comments for future issues. Read on!



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## **CIWA/ACVAMT Projects**

*For more information on any of our projects, give us call at 807-345-3429*

### **INJURED WORKERS ... ON THE MOVE**

This is a manual we developed in 1994-95 to help Injured Workers Groups become better organized. It is a friendly, easy to use tool with includes sections on:

- Building a firm foundation - bylaws, constitutions and incorporation
- Organizing
- Leadership
- Planning
- Coalitions
- Resources

*"An Excellent resource"*  
Available in both French & English

### **NEW WEB SITE**

CIWA/ACVAMT has a new web site at  
**[www.ciwa.ca](http://www.ciwa.ca)** - Check it out!!

It is loaded with lots of information about us and lists many local contacts for Injured Workers Groups and the Canadian Labour Congress.

Sections of the web site are

- History
- Objectives
- People & Organizations
- Projects
- Resources
- Newsletters
- Your Comments
- Links

Plans includes more development of the site in French as well as regular updates to the newsletter and resources.

### **SPEAKERS BUREAU**

*One of the ways to expand our membership is to get the word out. This project does just that.*

*We have 53 volunteers from all across the country trained to give presentations on "what it's like to be an injured worker."*

*We hope to increase the awareness of the barriers and injustices we face. Then to increase the support for our cause. You can help.*

***Arrange for one of our presenters to deliver a presentation at your next local meeting !***

*See the enclosed handbook for more details and the presenter nearest you.*

***Thanks to the HRDC for supporting this project.***

### **OFFICIAL LANGUAGES**

As many of you know, we recently sent out surveys to local injured groups. These surveys were done in a combination of French & English. The purpose of these questionnaires is to figure out which publications/resources are the most useful to you. This will help us focus our energy on the tools and resources you find most valuable.

***We need your help!!***

**PLEASE FILL OUT THE SURVEY  
AND RETURN TO US ASAP. THANKS.**

## C.I.W.A. Board Members

|  |   |
|--|---|
| BC... <i>Vacant</i><br>.....   | NF... <i>Phil Brake</i> , Labrador City<br>U.S.W.A.   |
| AB ... <i>Jim Burke</i> , Calgary<br>Calgary Injured Workers Assoc.              | NB... <i>Wendy McGee</i> , Saint John<br>St. John Labour Community Services Inc.                    |
| SK... <i>Robert Lindsay</i> , Regina<br>Western Injured Workers Society - Sask.  | NS... <i>Dave MacKenzie</i> , Westville Pictou County<br>Pictou County Injured Workers Assoc.       |
| MN... <i>Wayne Desiatnyk</i> , Winnipeg<br>Injured Workers Assoc. of Manitoba    | PEI... <i>Vacant</i>  |
| ON... <i>Joan Crevar</i> , Hamilton<br>Ontario Network of Injured Workers Groups | ADVISORS...<br><i>Andy King</i> , USWA<br><i>Orlando Buonastella &amp; Marion Endicott</i> ,<br>IWC |
| QC... <i>Liane Flibotte</i> , Montreal<br>l'ATTAQ                                |   |

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## Provincial Updates: *Focus on ORGANIZING*

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*We welcome your contributions. Please send, fax or e-mail your submissions, letters or comments to us by December 10th, 1998.*

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### Injured Workers' Groups ...Why Are They Needed?

Like many of you, after being injured, I assumed that the WCB, the medical profession and my employer would treat me with respect and fairness. Well, many of us know the answer to that kind of thinking.

After losing too much of my life to feelings of anger, bitterness, frustration, uncertainty and fear, I realized that I must make a decision on what I was going to do about the mess I was in. That's where an Injured Workers Support and Information Group came into the picture.

There wasn't one in my community so with the help of the Worker Advisor we began to lay the foundation for a group. Yes, there has been some rocky hills to climb, but the benefits for myself and other members have been miraculous. All those clichés you hear about "Knowledge is Power, In Unity There is Strength" are for real. The realization of not being alone is the first benefit from gathering with other injured workers. From there on it just takes off. There are so many people and agencies

that are willing to assist and guide you that often you are left filled with emotions. For example, the Ontario Federation of Labor offers free training in regards to WCB awareness and advocacy. You learn about the Act and how to interpret things in your file.

Remember, your file is your life and you must realize that the only person who can really help.... is you...! The Ontario Network of Injured Workers Groups coordinates all provincial groups and maintains pressure on the government to recognize the struggles of injured workers and legislate effective changes. The Canadian Injured Workers Alliance provides information and support across the country. With these two major networks behind us, we are beginning to be taken seriously by employers and governments as well as our former co-workers who quite often have had their opinions about Injured Workers.

I believe that through the Injured Workers Groups we can create employment for ourselves. There are many areas such as Occupational Health and Safety,

where we can make an impact. First we must organize and join together to fight for what we are rightfully entitled to. It starts with you in your community, remember you are not alone.

Stay Well.....Mike Lawson

Here is United Injured Workers Web Page.....  
<http://geocities.com/HotSprings/Villa/6904/>

## **Pourquoi avons-nous besoin des groupes de victimes d'accidents et de maladies du travail ?**

À l'instar de plusieurs d'entre nous, à la suite de ma lésion, j'ai présumé que la Commission des accidents du travail (CAT), la profession médicale et mon employeur me traiteraient avec respect et équité. Plusieurs connaissent la réponse à cette façon de penser. Après avoir gaspillé une partie de ma vie avec des sentiments de colère, d'amertume, de frustration, d'incertitude et de crainte, j'ai compris que de devais prendre une décision sur ce que j'allais faire du pétrin dans lequel je me trouvais. C'est à ce moment-là qu'un groupe de soutien et d'information pour victimes d'accidents et de maladies du travail est entré dans ma vie.

Il n'y avait pas de tel groupe dans ma communauté ; avec l'aide d'un conseiller pour travailleurs et travailleuses, nous avons jeté les bases d'un tel groupe. C'est sûr qu'il y a eu des difficultés majeures à surmonter, mais les avantages pour moi et les autres membres ont été extraordinaires. Tous ces clichés que l'on entend selon lesquels « savoir, c'est pouvoir », que « l'unité fait la force » sont vrais. Le fait de savoir que vous n'êtes pas seul est le premier avantage de se réunir avec d'autres victimes d'accidents et de maladies du travail. Le reste se fait tout seul. Il y a tellement de personnes et d'organismes qui sont prêts à vous aider que souvent vous êtes envahi(e) par les émotions.

Par exemple, la Fédération du travail de l'Ontario offre de la formation gratuite sur la CAT. Vous apprenez au sujet de la loi et de comment interpréter le contenu de votre dossier. N'oubliez pas que votre dossier est votre vie et que la seule personne qui puisse réellement vous aider, c'est vous ! Le réseau Ontario Network of Injured Workers Groups coordonne tous les groupes provinciaux et exerce des pressions sur le gouvernement pour que celui-ci reconnaisse les luttes des victimes d'accidents et de maladies du travail et pour qu'il légifère des changements réels.

L'Alliance canadienne des victimes d'accidents et de maladies du travail fournit de l'information et du soutien partout au pays. Grâce à ces deux importants réseaux, les employeurs, les gouvernements, ainsi que nos ex-collègues de travail (qui très souvent avaient leur opinion sur les victimes d'accidents et de maladies du travail) commencent à nous prendre au sérieux.

Je crois que par l'entremise des groupes de victimes d'accidents et de maladies du travail, nous pouvons créer des emplois pour nous. Il y a beaucoup de domaines — comme la santé et la sécurité au travail — dans lesquels nous pouvons faire une différence. Premièrement, nous devons nous organiser et réunir nos forces pour nous battre pour ce qui nous revient de droit. Tout cela débute par vous au sein de votre communauté. Rappelez-vous que vous n'êtes pas seul.

Portez-vous bien !  
Mike Lawson

Voici l'adresse du site Web de United Injured Workers :  
<http://geocities.com/HotSprings/Villa/6904/>

## **YUKON**

The injured workers group in the Yukon is called the Yukon Injured Workers' Alliance, founded by Robbie King in 1993. Mr. King, after having a significant injury while at work, followed by poor

treatment at the hands of WCB, was lucky enough to attend an injured workers meeting in Edmonton while on holidays. After that meeting, having seen the need for a similar group in the Yukon, he contacted and got assistance from CIWA and Yukon Injured Workers' Alliance was formed. Based on the size and population of the Territory having one group based in Whitehorse was the best solution.

With the help of CIWA, the group organized quickly and expanded membership rapidly. Some early successes and positive media attention helped the group grow in credibility and numbers. The group was aided by both opposition Parties at the time, the NDP and Liberals. When the election was called in 1996, the group actively canvassed all the politicians running with regards to their stance on WCB issues. The strength gained by the group through positive media relations provided for favorable responses and electorate knowledge of our issues.

We still don't have very good relations with the Board as they dislike being questioned and having to answer for their actions. The method we have used extensively is through the media and questioning our MPP's.

Some of the current problems facing the Injured Workers Alliance are our relations with Organized Labor surrounding who should be worker representatives on the Board of Directors. We also have a problem with the Workers' Advocate, not in a bad way. He has been successful and some of our members are moving on. It is also giving the Board and Politicians a way out "go see the Workers Advocate" or "have you talked to the WA yet". While he is independent of the WCB (in the Justice Department) he is still a Government employee and won't openly criticize the Board in the media. We

are actively searching to regain some of the strength lost by our gains, the Workers Advocate position.

## **BRITISH COLUMBIA**

July 24, 1998 one of our injured workers tried unsuccessfully to sue her adjudicator in Provincial

Court. Of course, Section 96(1) reared it's ominous head. However, I believe that Judge H. Stansfield provided us an answer within his decision. He wrote, and I quote, "Unless and until the legality or Constitutionality of Section 96(1) is before the Court - and by that I mean properly before the Court in a proceeding in which notice to the Attorney General has been given under the Constitutional Questions Act - Section 96(1) is the "law of the land" If Ms..... disagrees with that law, her remedy, like that of any other citizen is to promote a change in the law."

We are presently looking into this. As you are aware, Section 96(1) appears in all WCB legislation, Canada wide. This could help us all.

We have planned our September 30<sup>th</sup> meeting, with guest speaker Carey Vienette, a lawyer from Swinton & Co in Vancouver to discuss doing a Class Action lawsuit against the WCB.

Karie Hay  
RORY Group

## **ALBERTA**

There are 9 groups in the province which include Alberta Injured Workers Society Edmonton (AIWS), Leduc Injured Workers Society (LIWS), Lethbridge and District Association of Injured Workers (LDAIW), Red Deer Injured Workers Association (RDIWA), Calgary Injured Workers Association (CIWA), North American Chronic Pain Association of Canada Calgary (NACPAC), Provincial Injured Workers Coalition Society Edmonton (PIWCS),

Airdrie Injured Workers Living with Disabilities (AIW and FM/ME) First Step and Beyond Calgary.

They do not belong to a coalition. They are all separate entities.

At present they are all working together under the AIWG Alberta Injured Workers Groups as one. There may be several more groups out there, but locating some of them is difficult. Some don't want

to be found for fear of reprisal from the WCB. Also there is talk of groups reorganizing as they have heard CIWA is now present in Alberta.

The Alberta Federation of Labour called for a meeting of all the Injured Workers group leaders in the province. They wanted to set up a more solid relationship with injured workers and decided they needed an individual who would be elected as a liaison to better deal with issues involving the WCB.

The biggest success to date is coming together and sharing the wealth of information each group has collected over the years.

Most of the problems encountered in organizing groups in our province were trust, where to hold meetings, finances and locating all the injured workers groups within the province. In order to address these issues we decided that trust is something we all had to work on. Meetings would be held halfway in the province. Aid in finances from our labour organizations, as well making our government aid in finding these injured worker groups through the media.

The main priority in Alberta is reinstatement of our injured workers, support and to establish a better, fairer process at the WCB. All injured workers in the province want to have the Government of Alberta hold a public inquiry into the abuses at the WCB. Activities have consisted of demonstrations as well rallies and gathering some of the groups for outdoor parties or potluck lunches so everyone could discuss their battles or similar circumstances.

Number one point to be made in organizing is patience and having everyone involved to keep the interest within the group. The second thing is putting out the message that such organizations exist to aid people in need.

The relationship between Injured Workers and the WCB is very poor in Alberta. Mistreatment, abuse, lies, very slow in payments to long term claimants, unjust denial of claims and benefits terminated with very lame excuses are reasons for a lack of trust.

Tips would be to advertise. Get the word out about your group - set committees in motion, do fund raising, setup bylaws & constitutions and put leadership in place. Robert's Rule is a great help for anyone just starting out as well as Benoit rules of order, Canadian addition.

Jim Burke

## **SASKATCHEWAN**

In our Province of Saskatchewan we have an injured workers group called the Western Injured Workers Society. We only deal with WCB matters and helping injured workers do advocacy work in regards to Appeals & Board Hearings as well as assisting injured workers and their families as a support group. This is the provincial organization.

We had joined together with the "victims of no-fault auto insurance" and organized the Voice of the Blue Rose in 1997. Unfortunately we have found out through internal problems that we must pull away and concentrate only on injured workers, as trying to represent multiple disabled persons only causes confusion amongst the organization. We felt that by trying to represent too many different areas that none of them were receiving proper representation. So we organized the Western Injured Worker Society (SASK) only to represent injured workers and WCB matters.

Some of the successes we have had are the recognition from Unions, and SFL (SK Federation of Labour). We have been very successful at solving

injured workers claims with WCB and have a very good rapport with WCB. We also have the disenfranchised widows as part of our organization.

Some of the problems we have with organizing the group is funding. We now hope the Union support we have may help us with that.

We have gone out to employers and unions and presented ourselves to them. We explained our objectives and goals, and showed them what we do

for injured workers. We informed them of our future goals in regards to helping the injured workers and educating the public on problems they may encounter if they were to be hurt on the job.

This was very successful and very well accepted. We are now looking forward to donations, such as office space, office supplies, and possibly funding.

Some of the lessons we've learned in organizing a group is you must not become too diversified. You must concentrate on one area and do the best you can to represent injured workers. Concentrate a little more on a support group. Master all policies and legislation in regards to WCB.

Our relations with WCB are very good. They recognized our organization, which only represents injured workers. We have no problem going to WCB and negotiating an individual's claim.

We think organizing your group is showing support to the injured worker: by being honest, understanding, caring and straight forward with injured workers, by not leading them on that you are a miracle worker. There is no guarantee you can win their case.

Be organized, be strong and stay focused. Show and tell everyone that the injustices done to injured workers must be addressed. The WCB and government must become accountable.

## MANITOBA

Manitoba has only one group, which is the Injured Workers Association of Manitoba Inc. The IWAM has, on several occasions over the past few years, endeavored to organize other groups throughout the province. We had a team go out to six urban communities to assist in setting up injured worker groups.

One of the biggest stumbling blocks with respect to organizing is that injured workers are more focused on their own personal case, rather than the formation

of an injured workers group which would assist them and others who are enduring the same type of circumstances.

Our relationship with the WCB in Manitoba is fairly good.

The office for the Injured Workers Association of Manitoba was re-established, and has been back in operation since April '98. The emphasis was on providing advocacy services in the past and although IWAM still provides this service, the main emphasis has been placed on peer counseling.

Since we started in April, we have printed and circulated brochures around the city. Information was collected from other agencies in the city, in regards to the services they provide, and are used as a referral base. As of April 15<sup>th</sup>, the WCB began to refer clients to IWAM. Since that time the numbers of clients have been steadily increasing.

As stated, the objective of the program is to provide peer counseling to injured workers. The counselor assists workers to deal with the psychological ramifications of their injury and to provide support. In addition, the worker is assisted to return to work through a variety of means. Referrals to agencies that are already providing employment services are utilized, while other services are provided in house.

Of the callers that we have had to date, the major concern is their financial status and their ability to

continue working. The injured worker generally has a considerable amount of information to comprehend and accept. Many are confused as to how all things fit together and how it will effect them in the future. Whether or not this information is given to the client by WCB, they sometimes require that it be given to them several times before they fully comprehend or sort out the details.

In over 80% of the calls, the clients are in a state of crisis. In general, most of these callers are able to talk out their concerns and re-evaluate their situation to a point where they are no longer in crisis. Once they have talked out their situation, options are suggested to them or referrals are given to the client to assist them. The clients are presented with options in order to empower them to make choices that they feel best suit their needs and to take control of their own life.

In order to evaluate whether the clients are satisfied with the service, or that there is a need for this type of service, statements and their sincerity denoting satisfaction are noted. In summary, many callers felt they had no one to talk to about their situation. Others felt that no one was listening to them and they had to deal with everything on their own. Many callers were very appreciative for our listening to them when they felt they were just rambling on. When callers did make a positive comment, it was said with considerable sincerity.

The peer counselor position allows callers to vent their frustrations and to re-evaluate their situations in a safe and constructive manner. This helps to alleviate unfortunate situations, whereby individuals feel their situation is hopeless or situations where threats are uttered against ones own life or others.

In summary, providing injured workers with a place to talk out their concerns, fears, and to provide them with support, alleviates many of the frustrations that are encountered when one is injured. As the number of clients increase, the types of services provided by IWAM can also increase to meet the needs of the injured worker. IWAM looks to the future to assist injured workers and help them regain their lives.

Wayne Desiatnyk

## **ONTARIO**

There are approximately 34 active groups in Ontario who belong to the Provincial Network. There are other injured worker groups in our province but are fee for service, which is against the Ontario Network of Injured Workers Group's (ONIWG) Constitution.

The ONIWG was formed in 1990 with about five groups. During the struggle over Bill 162, we expanded every year through organizing by our vice presidents and president. This was very controversial with the government at that time.

Our successes are many. (1) Working together, (2) Seminars, (3) Trained advocates, (4) an Annual Conference, (5) Support from the local groups.

Some problems do arise with some groups, mainly because there are people who have differences of opinions or feel, because they are president or on the executive board, they own the group. You must keep your members involved.

The ONIWG has always had a fair relation with the WCB and is still ongoing. The ONIWG top executives speak on behalf of all injured workers groups at the Board.

To organize an injured workers group you must get other groups involved such as Legal Clinics, or other advocates, activists, labour and injured workers. Advertise a town meeting and ask these people to cover the associated costs of holding a public meeting. When word gets around, you will succeed.

Joan Crevar

## **QUEBEC**

As it is often the case, the injured workers' groups in Québec got together when faced with an attack on their rights from the CSST (Québec WCB). It was in 1981 that they felt the need to regroup in order to coordinate their struggle and that ATTAQ, our provincial network in Québec, was founded. At that time ATTAQ regrouped 12 injured workers' groups.

Since then, most injured workers groups remained poor, 2 of them disappeared, while others were able to develop. Our provincial network allowed for weaker organizations to be in touch with stronger ones and to benefit from their experience that all were quite happy to share. After working on the funding issue for many years, most injured workers' groups in Québec now have enough funding to hire at least one person full time.

We are now faced with new challenges in organizing since the reality of many ATTAQ members has changed with the funding obtained. That is why ATTAQ will visit all its member organizations in the province while meeting with 2 new ones that wish to join our network. The strengthening of our member organizations will be the big task of the year to come and an important one. In effect, we will need strong injured workers' groups in the near future since the government has announced its intention of reducing our benefits as well as the coverage offered by the compensation system in Québec.

Liane Flibotte  
ATTAQ

## **NEW BRUNSWICK**

Over the years, New Brunswick has had numerous injured workers' groups start but fold after a short time. How many active groups there are at present is a difficult question to answer. But let me try.

The Workplace Health, Safety and Compensation Commission (WHSCC), formerly WCB, divides their operations into four (4) regions around the province: North East (Campbellton, Miramichi area), North West (Edmundston area), South West (Saint John area) and South East (Moncton area). I'll use their geographics to relate to the injured worker's groups around the province.

### CAMPBELLTON, MIRAMICHI AREA

This area had two active groups at the same time: the Acadian Peninsula and the Campbellton Injured

Workers group. To my knowledge, these groups do not hold regular meetings.

### EDMUNDSTON AREA

The one group that was active in this area, the North West Injured Workers Association, was chaired by an injured worker that started his own business. He started a consulting firm that would represent an injured worker when they had to deal with the WHSCC, for a fee. The last I heard of this group

was that they too were not having regular meetings.

### SAINT JOHN AREA

In the time that I have been active, Saint John has had three injured workers' groups. The most recent group meets irregularly and sometimes only has executive members present. Injured workers' represented by this executive, union activists or the Worker's Advocate regularly fight with the Commission for what they are entitled to.

### MONCTON AREA

In the past, injured workers were represented by union activists. Presently, a new group is trying to establish itself. We are hoping for more success this time.

New Brunswick has no provincial organization or coalition.

Why no truly active local groups? Why no provincial organization? I believe lack of organizational skills is to blame. I'm not saying this is deliberate. I believe that those who have attempted to help others were doing so for all the right reasons. Their down fall is due to the fact that organizational resources were not readily available to them. If they were, continued support wasn't available.

The Workplace Health, Safety and Compensation Commission (WHSCC) of New Brunswick, is well established in the province. Policies and directives are in place; legislation is amended from time to time; and operational funds are constant. The

WHSCC is constantly changing. It is difficult, anytime, to be fully familiar and informed about the legislation.

On the other hand, injured workers' groups are disorganized, not structured, constantly trying to finance their activities and, just like any normal household, they end up fighting amongst themselves about money. No money, no meeting hall; no money, no supplies for a newsletter, etc. I have also noticed that some injured workers will no longer be

active once their issue is resolved with the Commission. Why? I don't know! However, I do know that it is time to establish a provincial organization. An organization by its very structure that will survive over time and support those injured workers, and their families, when they are in need, whatever that need might be.

Wendy McGee

## **NEWFOUNDLAND**

### **ORGANISER DES GROUPES DE VICTIMES D'ACCIDENTS ET DE MALADIES DU TRAVAIL**

À Terre-Neuve et au Labrador, il y a trois groupes qui aident les victimes d'accidents et de maladies du travail à obtenir leurs droits en vertu de la Workers' Compensation Act (loi sur les accidents du travail). Deux de ces groupes sont situés dans l'île proprement dite et le troisième se trouve au Labrador. Bien que nous soyons trois groupes distincts, nous collaborons ensemble dans la mesure du possible, nous partageons des renseignements sur différentes questions à mesure qu'elles se présentent.

La NLIWA a été fondée en 1993 et s'est développée en neuf sections à travers la province ; elle appuie les victimes d'accidents et de maladies du travail dans leur lutte pour obtenir un système d'indemnisation des travailleurs et des travailleuses qui soit juste et équitable. Nous avons présenté plusieurs demandes à la Workers Compensation Commission ainsi qu'au gouvernement dans le but

d'améliorer le système. Certaines de nos recommandations ont été acceptées sous forme de modifications dans les politiques, lesquelles se sont avérées positives pour les victimes d'accidents et de maladies du travail.

Le mandat de la NLIWA est d'améliorer considérablement le système d'indemnisation des victimes d'accidents et de maladies du travail et de leurs familles. Pour atteindre cet objectif, nous avons entrepris d'exercer des pressions sur notre gouvernement afin qu'il opère des changements législatifs ; nous avons rencontré des dirigeants de la

Commission pour discuter des problèmes des victimes d'accidents et de maladies du travail.

Comme n'importe quel groupe, nous avons connu des difficultés de croissance, mais grâce à d'autres groupes qui ont l'expérience de l'organisation, nous sommes aujourd'hui autonomes et bien structurés. Nous profitons toujours d'un bon réseau de soutien pour y puiser de l'expérience au sujet des nombreuses questions qui nous assaillent dans nos relations avec la Commission.

Notre conseil à n'importe quel groupe qui éprouve des difficultés à s'organiser, c'est d'être patient et d'apprendre par ses erreurs et de profiter de l'expérience des membres syndiqués, de la communauté juridique, des gestionnaires du gouvernement, des groupes d'invalides, de Développement des ressources humaines Canada, ainsi que d'autres organismes au sein de sa communauté.

Austin Haynes

### **ORGANIZING INJURED WORKERS' GROUPS**

In the province of Newfoundland and Labrador there are three different groups up and running helping injured workers fight for their rights and entitlements as prescribed by the Workers' Compensation Act. Of these groups two are on the island portion of the province and the third is in Labrador. Although we are different groups, we work together when possible. We share information with each other on issues as they arise.

The Newfoundland and Labrador Injured Workers Assoc. (N.L.I.W.A.) was formed in 1993 and has since grown to have nine chapters across this province helping injured workers in their struggle to have a fair and balanced system of Workers Compensation. We have put many requests to the Workers Compensation Commission and our Government to improve this system. Some of our recommendations have been approved by way of policy changes that were positive to injured workers.

N.L.I.W.A.'s mandate is to have a much improved system of Compensation for injured workers and their families. In trying to achieve this goal, we have taken on the task of lobbying our Government for legislative changes. This includes meeting with officials from within the Commission to discuss the concerns of injured workers.

As with all groups, we experienced growing pains, but with the help of others who have experience in organizing we are today self-supporting and well organized. We still have a good support network of people to draw experience from concerning the many issues that we encounter in our dealings with the W.C.C.

Our advice to any group who are having problems in getting organized is to be patient and learn by your mistakes and draw on the experience of union members, the legal community, government officials, disability groups, H.R.D.C., and others from within your own community.

Austin Haynes

## NOVA SCOTIA

Organizing injured workers groups in Nova Scotia has had its ups and downs, much like other regions of the country. Injured worker groups have surfaced in many communities across the province. Some grow and become active in their local communities. As well, they have lobbied Politicians and the WCB.

Unfortunately, far too often the local group will begin to go downhill and eventually folds. This is due to two main reasons.

- 1) Internal conflict
- 2) Burnout of leadership

These are some of the challenges faced in Nova Scotia.

This past year, injured workers got national media attention during a sit-in in the Premier's office. This increased the public awareness of the problems faced by injured workers.

## PRINCE EDWARD ISLAND

In the past year, we have been in touch with two new injured workers groups on Prince Edward Island. This is our first contact on the Island and we hope the groups there grow and prosper.

## Want to get involved ?

*To connect with the injured workers group nearest you, check out our website at [www.ciwa.ca](http://www.ciwa.ca) and click on people and organizations. Or call the office at (807) 345-3429.*

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## **Letters to the Editor**

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**Dear Editor:**

"NEVER GIVE UP".

For five years, one of our group members has gone through the stressful hassle with WCB. From phone calls, faxes, answering machine calls .....not returned. Letters, repeated doctors visits ,lost reports, misplaced information, "YOU NAME IT", she went through it all.

Our group supported her all the way. What a wonderful day it was when she heard from the OWA, she won her appeal.

I hope this will give others "hope" "YOU TOO CAN WIN".

Lily Bergman  
Kenora Injured Worker Group .

ps Congratulations on your Newsletter. It is great reading for injured workers,

**Dear Editor:**

Great site! (*Referring to the new CIWA/ACVAMT website*) Just to let everyone know, the Ottawa and District Labour Council's Labour Day Parade, held on Sept 7<sup>th</sup>, had a trophy awarded to the best float or entry. The Ottawa & District Injured Worker Group won 1st place. Pictures will be sent if you can publish on your site.

The O.W.A. is inviting all area groups to a meeting with Ministry of Labour Staff to discuss the OWA's continuing role in relation to injured workers. We need as many ( free) advocates to help as we can get. I suggest presenters keep that in mind.

Those who can, plan to be in Ottawa on Oct 17th. Mike Harris is having his pre-election Tory convention and we want to let him know what we

think of Bill 99, and all the other cuts to those in need.

Contact the Ottawa and District Labour Council at 613-233-7820 for more info.

Doug Perrault  
President

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### **ORGANIZING ON THE NET**

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**As we grow more comfortable with the internet, we will be learning new skills and acquiring new tools. These may have a tremendous potential for organizing; for including more people; for broadening the discussion.**

**We will need to share our successes with each other so we can fulfill this potential. One of the ways to do this is through [injuredworkers.online](http://injuredworkers.online).**

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### **[injuredworkers.online](http://injuredworkers.online)**

is a new website coordinated by a group of injured workers, union activists and community legal clinics based in Toronto.

Check it out.

Join **[injuredworkers.online](http://injuredworkers.online)** by sending the message (not in Subject line) subscribe injured -I and your email address without the brackets.

Send message to:  
**[majordomo@list.web.net](mailto:majordomo@list.web.net)**

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## NEWS & VIEWS

### Campaigns of the Ontario Federation of Labour

The 1995 OFL convention set in motion a 'Fight Back' campaign to counter the regressive policies of the current provincial government under Premier Mike Harris. The Campaign is a combination of action, education and grass roots mobilization.

Organize new members to protect as many workers as possible from the Harris agenda. Make it a priority for unions to affiliate to labour councils and the OFL, with an emphasis on the participation in labour councils of key local union leadership. Educate and mobilize local activists, work with labour's community partners across the province. Affiliated unions will meet with their employers and deliver a clear message that employers cannot support the Harris agenda. Expect harmonious labour relations, regional and provincial strike support committees established, convey to the general public the value of quality public services

Pursuing this action plan requires the OFL to work closely with the New Democratic Party of Ontario, its caucus members and riding associations. Building links with community groups opposed to the Harris agenda begins with our political partners, without whom most of the gains we are struggling to defend would not have been achieved in the first place.

Wayne Samuelson, President, O.F.L.  
Telephone: 1-416-443-7678

#### MIKE HARRIS GOODBYE PARTY OTTAWA, OCTOBER 17

Mike Harris will attend his last Tory policy convention as Premier, October 16 - 18 in Ottawa. This is the final policy convention before a provincial election expected in the spring.

Activists in the Ottawa area are working with the Ontario Coalition for Social Justice, the Canadian Federation of Students and the OFL to organize a fitting GOODBYE to Harris and his cronies.

"This is an opportunity to remind the Tories and the provincial media about the damage this government has done the most vulnerable people in our province," said OFL president Wayne Samuelson. "People who care about Ontario have got to make their way to Ottawa to bid Harris goodbye ..... And good riddance!"

Mark your calendar now to be in Ottawa on Saturday, October 17.

#### TOOLBOX OF BARGAINING RIGHTS

**The Canadian Labour Congress (CLC) has created a new resource for union activists and workers' compensation advocates.**

**They have collected copies of actual contact language covering the areas of:**

- health and safety
- environment
- labour standards
- the duty to accommodate
- workers' compensation

**There are a number of examples of good language that you can use in the next round of negotiations. Also included is a model checklist which can act as a guide for negotiators.**

**You can order the toolbox or get more information from Amber Hockin at the CLC (613) 521-3400.**

## Newfoundland Supreme Court Decision

There was a recent Supreme Court of Newfoundland decision in which an injured worker and his wife were successful in suing the Workers' Compensation Commission for mental suffering. This resulted in a total settlement of almost \$100,000.

Copies of the 55 page decision are available for \$10 from the CIWA/ACVAMT office.

## Ontario Network Of Injured Worker Groups Provincial Conference

The Ontario Network of Injured Worker Groups (ONIWG) is holding its 8<sup>th</sup> Annual Conference in North Bay, Ontario from October 21 - 25, 1998.

The focus of the conference is  
.....*Preparing for the Future*”.

For more information phone Francis Bell at:  
1 807-622-8897  
To Register phone Joan Crevar at:  
1-905-387-1894

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*Media know-how*

### Learning To Live With Editors

#### Editorial line-ups

Periodicals have editorial calendars, writers' guidelines, readership profiles for advertisers. Study these and back issues. Editorial fit, good writing and readership relevance will interest an editor.

#### Canadian Periodical Index

The Canadian Periodical Index lists stories from hundreds of periodicals, showing title, publication, issue, date, page reference. Study it for keywords and to see how stories have played. (ISSN 1192-4160)

#### Response Time

A journalist may need to play voice mail tag with twenty sources, do a dozen phone interview, draft and polish a 2,000 word story ... for a one-week deadline. Return all media calls within 20 minutes. You'll make friends.

#### Contact Log

Start a sheet on every story: Create date/time, journalist, paper/station, phone, fax, E-mail, topic, approach to story, also contacting,

deadline, run date section/program, action, date, time, person, comment. Use it to stretch your goals in being responsive.

#### Co-ordination

The benefits of coordinated media relations are: response time fast, story lines identified, background information available, the right spokespeople involved, people and locations prepared, approvals determined, PR counsel available.

#### In-depth interviews

Imagine a conversation where the other person is pulling written sentences out of a hat. When you generate media interest, you should be prepared to do in-depth interviews. Genuine leather has crease, grain, character. You can be both real and positive at the same time. You'll gain credibility.

*Al Czarnecki APR is president of Al Czarnecki Communications (416) 261-9828. You can find more resources relating to public relations and social marketing on his World Wide Web site - [www.web.net/alcom](http://www.web.net/alcom).*

*Thanks to Sources for this article.*

## OCCUPATIONAL CANCERS

### *WCBs Compensate Few*

In 1995 there were 16,400 cancers in BC. In 1995 the BC WCB accepted 15 cases of occupational cancer, or less than 0.1% of all cancers in the province. In 1997, the figure was only 8 cancers accepted. Even a conservative estimate of 10% of all cancers being work-related (which we dispute) would show that 1,640 cancers should have been accepted by the WCB.

What is the figure for your province? If you don't know, contact your provincial Workers' Compensation Board (in Ontario now called WSIB), and ask them.

*"One of the reasons Boards don't accept more cancer claims is because we don't file them,"* explained CAW National Representative and Board of Director of Manitoba's WCB, Karen Naylor, at the June CAW Occupational Cancer Claims Conference. **Local 1959** President, Harold Whitson, has taken a lot of initiative in this regard by uncovering 34 cases of cancer, possibly work related, among his members who work at the Windsor salt mine and production facility. Bros. Whitson has submitted their names to the Ontario WSIB and will follow up with additional information to attempt to establish claims for the members or their families if the member has passed away.

If you know of someone in your workplace who has contracted cancer as a result of his or her work, make sure your local union officers and WCB or benefit rep knows about it so a claim can be filed. If you need medical evidence in support, ensure that an occupational health clinic doctor is able to see the individual or their worker's family

*Reprinted from the CAW Newsletter.*

## INJURED WORKERS GO TO COURT

A group of injured workers in Illinois have gone to court to regain their jobs following injury.

The Court decided:

"The plaintiffs in this case represent a class of individuals who sustained permanent injuries while working on the production line of a meatpacking plant owned by the Excel Corporation ("Excel"). These permanently restricted employees sought to continue working for Excel in their original jobs or in some other capacity but were placed on medical layoff and eventually were terminated. They filed their complaint as a class action, alleging that Excel's unfair employment practice of laying off and terminating its employees because of their disabilities violated the Americans with Disabilities Act ("ADA"), 42 U.S.C. sec.se.121010-213. The district court granted Excel's motion for summary judgment; the plaintiffs timely appealed. For the reasons that follow, we reverse the judgment of the district court and remand the case for proceedings consistent with this opinion." - Decided: August 28, 1998

# **How to Contact Us !**

**C.I.W.A. / A.C.V.A.M.T.**

Phone: 807-345-3429  
Fax: 807-768-7240  
Fax: 807-344-8683  
E-Mail [ciwa@norlink.net](mailto:ciwa@norlink.net)

P.O. Box 3678  
1201 Jasper Drive  
Thunder Bay, Ontario. P7B 6E3  
URL [www.ciwa.ca](http://www.ciwa.ca)

**THE  
CANADIAN INJURED WORKERS ALLIANCE**

**SPECIAL THANKS TO**

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Thunder Bay, ON. P7B 5Z6

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**Date:** \_\_\_\_\_

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**E-MAIL:** \_\_\_\_\_

**Newsletter Subscription:**

**Injured Worker / Unemployed**      \$ 5.00      \$ \_\_\_\_\_

**Individuals**      \$ 10.00      \$ \_\_\_\_\_

**Organizations**      \$ 15.00      \$ \_\_\_\_\_

**Donation**      \$ \_\_\_\_\_

**Thank You for your SUPPORT:**      \$ \_\_\_\_\_  
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