



CONSTRUCTION MAINTENANCE AND ALLIED WORKERS CANADA

a newsletter from the union of construction, maintenance & allied workers

THE WRITE ANGLE

Opening address by President provides a vision for CMAW's success in the future

Richard Gilbert
CMAW freelance writer



There are a number of important business opportunities that are critical to the growth of the Construction, Maintenance and

Allied Workers (CMAW) Canada as an independent union in the near future, said President Jan Noster at the 2016 Convention in Kamloops, B.C.

CMAW is a Unique Organization

"There is a place in Canada for an independent Canadian union, which is a precious thing," said CMAW President Jan Noster. "There are a handful of independent Canadian unions and even a smaller amount of independent construction unions in the world. Our members are part of a very special and unique group of unionized workers that doesn't exist in many places."

Noster made this comment on Sept. 14, 2016 during the opening address of the CMAW 2016 Convention, which was held at the Coast Kamloops Hotel and Conference Centre. About 120 people attended the convention. Out of this group, 95 were delegates who are rank and file members from across Western Canada.

The presentation to these delegates discussed CMAW's past and present in order to provide a vision of the future.

Sound Management and Growth

"The one thing that I am very confident in is that there is a place in the future for an independent union that provides good representation, benefits and tries to do the right thing," he said. "My goal is to see if we can get to 10,000 members and increase our contractor base, which translates into better agreements, better wages and benefits, and secure pensions."

Noster forecast that CMAW will have a total of 4 million hours worked by members in 2016, which is a significant jump from 1.1 million in 2009.

A report tabled at the conference by CMAW Secretary Treasurer Paul Nedelec said CMAW members have increased total hours by 27 per cent in the first six months of 2016, in comparison to the same period in the previous four years.

This growth combined with sound management is critical for the financial position of all CMAW members in the future. In particular, CMAW members are benefitting from the merger of the CMAW Benefit Plan and the Carpentry Workers' Benefit Plan.

"We have completed the merger of the two benefits plans and have \$11 million in the bank as a result of that merger," said Noster. "The trustees over the next few days will announce some improvements to the benefits. The merger of the benefits plans will reduce costs on administration and the duplication of tasks, as well as provide better benefits."

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CMAW DEVELOPS YOUNGER MEMBERS TO FILL LEADERSHIP POSITIONS AT 6th CONVENTION

Richard Gilbert
CMAW freelance writer

One of the most important achievements of delegates at the 6th Convention of the Construction, Maintenance and Allied Workers (CMAW) Canada in Kamloops this September was the transfer of duties to a new generation of young leaders.

"There are 56 new delegates here today that weren't in Cranbrook two years ago," said Milton Davis, CMAW Local 2300. "So, as Dave Livingston walks out this morning there are 56 new members that came in. We just don't have one walking out. We have 56 more coming in. At this point and time, I would like to appreciate and welcome the 56 new members that are here."

Davis made this statement shortly after the 6th CMAW Convention was called to order on Sept. 14, 2016. He was acknowledging the retirement of Dave "Doc" Livingston and his role in the union's struggle for independence.

Livingston had just risen on a point of order to announce that he is leaving the convention.

"My work is done and yours is just starting," he said. "I would like to thank those of us

who are the heroes of the revolution. It's been an honour to work with you and be a foot soldier from fortress 2300 for all these years."

At this point, Livingston made a request to the Chair that the 95 delegates in attendance recognize Mark Miller as his successor and the new vice president.

"Some of you know how much my wife put into our struggle for autonomy, and it is time for me to go be with my family," said Livingston to the applause of all the delegates in the room.



Then Livingston walked out and began a journey with his wife Karen to Vancouver for the first birthday of their first grandchild the

next day. Dave and Karen also planned to visit Vancouver Island.

CMAW President Jan Noster said one of the most touching things to happen at the convention was the retirement of several key leaders in the union including Livingston.

"We had a lot of young people there and the union is looking good as we move into the future," he said in an interview. "There are lots of opportunities for young people to make a contribution by joining the local CMAW Executive."

CMAW's 5th Convention took place in May 2014 at the St. Eugene Resort just outside Cranbrook, B.C. There were more than sixty delegates in attendance representing workers from across Canada.

Livingston was an early adopter of web site design in the trade union movement, who used social media technology to communicate with members.

Doc was a leader in the struggle for independence of the B.C. Provincial Council of Carpenters (BCPCC) against a tyrannical and despotic international union based in Washington, D.C. **CMAW**

EARLY ADOPTION OF INTERNET TECHNOLOGY WAS A CATALYST IN CMAW'S STRUGGLE FOR INDEPENDENCE

Richard Gilbert
CMAW freelance writer

As an early adopter of web site design and social media technology, Dave "Doc" Livingston was a leader in the struggle for independence of the B.C. Provincial Council of Carpenters (BCPCC) against a tyrannical and despotic international union based in Washington, D.C.

"The magic happened on July 7th, 1999 at Port Alberni Local 513 on Vancouver Island, when the lights went out on Douglas McCarron," said Livingston, outgoing Vice President, Construction, Maintenance and Allied Workers (CMAW) Canada, B.C. Southern Interior (Kootenays). "There are not many of us still around in CMAW that were there for the event. Paul Nedelec, myself and the late Gerry La Casse attended the meeting from Local 2300."

Livingston made this comment to young delegates attending a Labour School

Session about CMAW history at the 2016 Convention in Kamloops, B.C. on Sept 12, 2016. He said the launch of the first BCPCC website on Feb. 25, 1999 was a turning point or catalyst in CMAW's struggle for independence.



The Birth of an Independent Canadian Construction Union

The pivotal event in the birth of CMAW occurred at a BCPCC union meeting in Port Alberni in July 1999. At this meeting, former BCPCC President Len Embree demanded an answer from McCarron, President of the United Brotherhood of Carpenters (UBC) and Joiners of America.

Embree asked the following questions:

- 1) Do the members have a right to vote on the proposed merger of their Local Union and the creation of the Regional Council?
- 2) Do the members have a right to elect the founding delegates and officers of the Regional Council?

When McCarron said "No" to Embree's questions, more than 100 angry rank and file members of the BCPCC stood up and walked out of the meeting. They were chanting vote, vote, vote. As the members left the room, the last man out turned the lights out in the room, which left McCarron and his bodyguards sitting in the dark.

In 1996, McCarron began the process of implementing a forced merger of UBC Locals under 33 Bylaws. As result, all of North America including Canada was restructured by 1997, except for members in B.C. Previously, the UBC was an international union that allowed its local unions autonomy in bargaining and representing their members.

"On the way back to Nanaimo, we drafted a letter to post on the Carpenters Jawin bulletin board in New York," said Livingston. "There were three drafts, and I phoned the one we chose to my wife, who posted it in New York about midnight their time and got immediate positive responses. Within a half hour San Francisco carpenters had picked it up and they also congratulated us up here in B.C. for turning the lights out on McCarron."

Karen Livingston faxed the positive comments from the carpenter's unions in the United States to her husband and other local union members at their hotel by 10 p.m. Pacific Standard Time.

"Here is the power of the Internet and it is available for use by the working man, not just the power elite," said Livingston to Embree as he took the message from the fax machine. "This is how we can use it for our autonomy struggle."

The Struggle for Independence from the UBC

According to McCarron, restructuring was necessary to address competition and regionalization of the construction industry, which caused the number of contractors working in a local area to decline.

He said non-union contractors were free to move from project to project, while union contractors could not move their workers beyond the borders of the district's jurisdictional boundaries.

At this time, the UBC was a large and powerful trade union in the United States, which was positioning itself to have a global role in labour relations. The North

American Chapter had more than 520,000 members.

"Our members' vested rights must be protected. This is a requirement of law as well as a matter of principle," said Dave Flynn, Secretary Treasurer of the BCPCC in 1990. "The issue of a membership vote is not negotiable. If Brother McCarron cannot accept this, and attempts to impose his will on the members in BC, he is most certainly in for a fight."

The UBC's restructuring plan was designed to divide the powers held by the BCPCC among new Regional Councils, which would be staffed by leaders appointed by McCarron for an unspecified period. In August 1999, the BCPCC held a referendum in which 98 per cent of the membership voted to reject a regional council structure.

McCarron was so angry that he spread lies and rumours that B.C. carpenters were misguided and incompetent idealists, who were selfish bureaucrats; fearful, deranged loners; and communists.

In response, Livingston had the vision to initiate an aggressive strategy to fight for autonomy from the UBC, which used social media to export the revolution to the United States.

"What I did was cartoon. I did political satire for 15 years, and I ridiculed the international president," said Livingston in an interview. "This strategy opened the door for him to just run away from us. We were demanding and obtaining autonomy through the courts. But, I made damn sure that any time anyone googled McCarron's name they got a satirical and political cartoon."



The UBC was afraid of the Internet, at the same time the carpenters in B.C. mastered the use of the new technology.

Livingston posted BCPCC news from the "On the Level" newsletter on the web site in his spare time. He was not paid for his work in the fight for an independent Canadian union, because that would have given the UBC legal grounds to seize union assets on the basis of fiduciary irresponsibility.

One of the proudest moments in Livingston's career is when he received a letter from Embree dated Oct. 12, 2000.

"Just a quick note to let you know how much enjoyment some of us are getting from your work on the website, especially those of us who used to have Mad magazine on our mandatory reading list," said Embree in the letter, which Livingston framed and put on the wall of his office at Local 2300.

The struggle for CMAW's independence was won in the courts using B.C. law, as well as decisions from the B.C. Labour Relations Board and the B.C. Supreme Court. At the same time, Livingston pounded and ridiculed McCarron with satirical cartoons.

McCarron ordered the newly emerging American UBC local websites to shut down, while Livingston built a B.C. carpenters website with search engine optimization. It provided information to any carpenter local in North America.

Livingston ridiculed McCarron for being a big supporter of U.S. President George W.

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Cont'd. Opening address from page 1.

Maintenance Work at CNRL's Horizon Project

CMAW is involved in a partnership with DCM Group at Canadian Natural Resources Ltd (CNRL), which has resulted in maintenance crews performing more than 1 million hours of work in one year.

"Our workers on that site are probably one of the finest maintenance crews at any industrial facility in Canada," said Noster.

At this point, he introduced delegates to DCM Vice President Corporate Services Richard Gadoury and DCM Regional Construction Manager Richard Cleveland, who were both in attendance at the convention.

"We have actually grown with that company and have a really good relationship," said Noster. "Today, we have about 800 people at CNRL, and during the shutdown a couple weeks ago, we were up to 1400. We have actually run about 2400 people through that job site since 2008 and that is in all trades."

According to CNRL's financial report for the second quarter of 2016, Horizon Oil Sands operations were not significantly affected by the wild fires in Fort McMurray. The company began a scheduled major turnaround in June at Horizon to complete maintenance activities within the plant facilities and tie-in of major components of the Horizon Phase 2B expansion.

Shipbuilding Work at Seaspan

CMAW leadership played a role in securing the multi-billion dollar shipbuilding contract at North Vancouver-based Seaspan Marine Corporation, which is having a significant economic impact on members.

"A number of years ago the federal government was going to pick two shipyards for the National Shipbuilding Procurement Strategy (NSPS), and the reality is that one of the yards might not have been in Vancouver," said Noster. "So, members of the local and myself went on a lobbying tour and worked with the employer. Ultimately, we ended up with an \$8.5 billion contract to rebuild the Canadian Coast Guard and Navy."

Seaspan was awarded an \$8-billion federal contract in October 2011 for construction of seven non-combat ships for the Canadian Coast Guard, which is the largest federal government procurement awarded in B.C. history.

The project is injecting billions of dollars into the local economy and creating an average of 4000 jobs over a period of 8 years.

Seaspan was awarded a \$3.3 billion shipbuilding contract by the federal government in October 2013, which requires at least 1,000 more skilled workers for the construction of 10 more non-combat ships.

The second contract increased Seaspan's non-combat build package to 17 ships.

Generating Station Replacement at John Hart Dam

CMAW leadership secured work for members at the John Hart Dam in Campbell River by going down to the labour relations board and fighting for the right to be on the construction site. As a result, there are currently about 90 CMAW members working for Aecon on this project.

According to a September 2016 BC Hydro construction update, crews are creating the structure up stream of the dam for the intake maintenance gate with forms, rebar and concrete placements. Downstream of the existing dam, excavation and blasting continues for the water outlet works.

About 650 metres of the 1,575 metre power tunnel is complete with progress continuing toward the dam and about 40-45 per cent of the Phase 1 structural concrete work in the powerhouse has been completed. Shotcrete and rock bolting of the surge shaft is underway.

A joint venture of Aecon (60%) and SNC-Lavalin Constructors Pacific Inc. (40%) was awarded a contract by SNC-Lavalin Inc. for the civil construction scope of the John Hart Generating Station Replacement Project in February 2014. Construction began in spring 2014.

Site C Worker Accommodation

CMAW leadership were involved in an extremely competitive bidding process, before closing a deal and writing the collective agreement on the Site C dam project.

"We are really happy about the Site C project, because it is going to continue for the next seven years," said Noster. "These are good jobs for our membership. These are mortgage paying jobs."

In particular, CMAW was able to negotiate an important agreement with ATCO Structures and Logistics for the construction of the Site C camp.

ATCO Two Rivers Lodging Group completed the second phase of the Site C worker accommodation lodge in July 2016, which added 900 more rooms and key amenities. The first phase, which included 300 rooms and temporary amenity facilities, was completed in February 2016.

Phase two includes a full dining hall and kitchen, lounge and fitness facility. The final phase which will increase the number of rooms to 1600 was scheduled for completion in summer 2016.

ATCO Two Rivers Lodging Group was awarded the eight-year \$470-million contract to complete the design, construction, partial financing, operation and maintenance of the worker accommodation lodge.

BC Hydro shortlisted the following four proponent teams on Sept. 26, 2016 for the generating station and spillways civil works contract for the Site C Dam Project:

- Aecon-Flatiron-Dragados-EBC JV
- Bechtel Canada Co.
- Peace River Hydro Partners 2
- Peter Kiewit Infrastructure Co.

The proponents were issued the Request for Proposals (RFP) and the contract includes the construction of the civil works associated with the powerhouse, penstocks, spillways and power intakes. The contract award is scheduled for summer 2017.

CMAW Takes Training Seriously

CMAW members are able to secure work on these major construction projects in Western Canada, because training is a top priority and the union runs a large number of courses every year.

"One of the things that I am most proud of is that at least 10 per cent of our membership every year get a bursary or take a course," he said. "Nobody else puts the number of people through actual training than we do."

CMAW members can go to the website and download a form with an approved list of courses and go and take those courses. If a course is not on the list, a member fills out a form, sends it in and receives an answer in three days about whether or not the union will pay for the course.

CMAW is training a larger share of its members than any other construction union in British Columbia using a combination of CMAW trainers and outsourced training providers. **CMAW**



CMAW delegates were involved in two days of meetings and presentations at the 2016 Convention, but also had a chance to relax and have fun.





Cont'd...The Struggle for Independence from the UBC

Bush, who gave him a lift on Air Force One on Labour Day. Livingston also hammered McCarron for supporting the protectionist and anti-Canadian softwood lumber agreement.

The Supreme Court of B.C. made a ruling on March 20, 2003 that the UBC acted in bad faith in attempts to force restructuring in B.C. CMAW gained its independence when a value was placed on the assets of the BCPCC and a cash settlement was arranged with the UBC.

The Second Struggle with the CEP

However, the struggle for independence started all over again when CMAW decided to affiliate with a Canadian union called the Communications Energy and Paperworkers Union (CEP) on Nov. 21, 2003.

Most of the new CMAW leadership had signed off on the agreement. But, when Livingston completed reading the CEP's constitution, he found some extremely one-sided clauses.

In particular, there was a clause that said if CMAW wanted to withdraw from the CEP, the union would need to get 50 per cent of the votes from all the members of the CEP across Canada. In addition, CMAW would need to get these votes within a six month period, or the option to withdraw would be closed forever.

Dave Coles and his son Josh tried to take over CMAW and make it another CEP local. The CEP had a membership of about 300,000 people, with a large share of these workers in Quebec. Livingston and Nedelec realized it would be impossible for CMAW, which had about 10,000 members, to travel across Canada to meet the requirements of this clause.

Livingston did everything in his power to get CMAW out of this agreement. In particular, he built a new website called Say No to CEP.

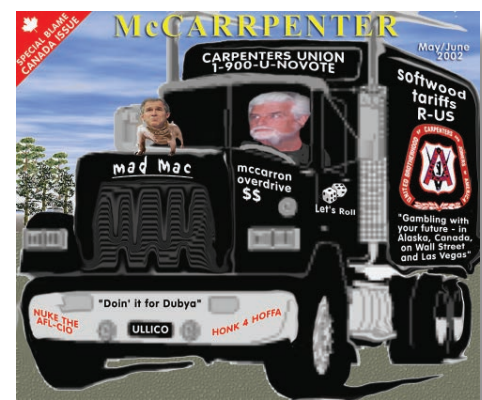
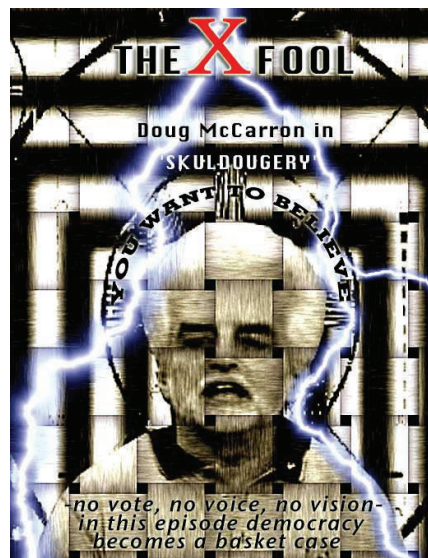
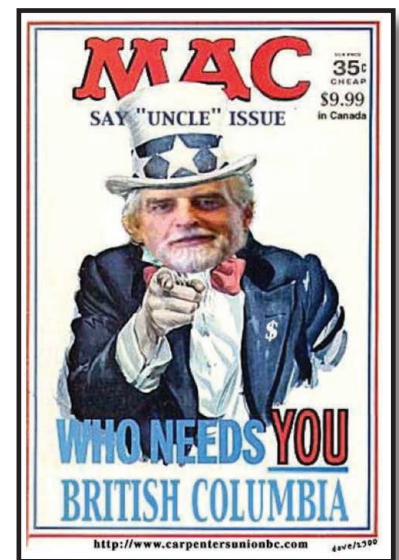
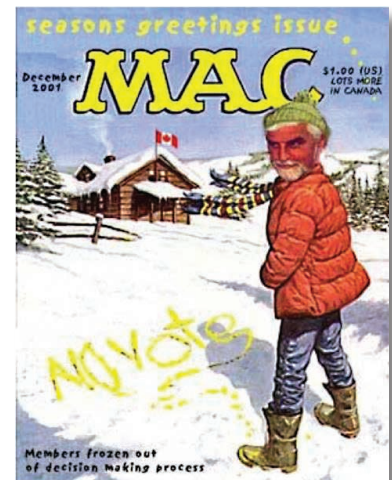
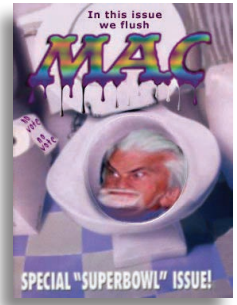
"Now we had a Canadian despot, who was pulling the same shit on us. I turned my focus and went after the CEP. I started to ridicule their leader, and his son who worked for us," he said. "They sold us out. So, we sank another union. And, I would like to think those cartoons were pretty effective getting the message out there."

According to Livingston, one of the cornerstones of CMAW's new independent foundation was the capacity of the new leadership to communicate with members. Most importantly, Ray Tickson published a union newsletter named On The Level, which was continually sending out updates about the struggle for autonomy.

"We used the technology of the Internet to relay information every time we went to court, and all the news about each referendum," said Livingston. "We married paper and web together during our fight."

When Livingston took down his little western Canadian carpenter's web site in 2016, it had reached 1.3 million hits. It is no longer being maintained.

The complete despot collection of 101 McCarron cartoons can be found at <http://douglasjmccarron.blogspot.ca/> and there is a link to about 20 CEP cartoons. **CMAW**



BIGGEST ADVENTURE OF CARPENTER'S LIFE IS CMAW'S STRUGGLE FOR INDEPENDENCE

Richard Gilbert
CMAW freelance writer



Ken Lippett worked as a carpenter, foreman and supervisor during a long career in the construction industry, but the biggest adventure of his life was the struggle of the Construction, Maintenance and Allied Workers (CMAW) Canada to gain autonomy and independence.

"Starting an autonomous Canadian union in the construction industry has been the big adventure of my working life, both as a union representative, or just working for a living," said Lippett, CMAW Vice President, Northwest B.C. "We built CMAW against all odds. The employer's association didn't want us to start and be successful. The Labour Relations Board (LRB) and the provincial government set huge barriers in front of us."

Lippett took a look back at his career in the construction industry on Sept 13, 2016 during CMAW's 6th Convention 2016 in Kamloops, B.C. He said the LRB gave the B.C. Provincial Council of Carpenters (BCPCC) impossible tasks to gain independence from the United Brotherhood of Carpenters (UBC) and Joiners of America.

For example, the BCPCC had to provide an opportunity for every member in every workplace to vote on the issue of autonomy.

"We had more than 150 employers, with some that had one employee and others that had up to 50," said Lippett. "Every impossible task they gave us, we rose to the challenge and did it."

According to Lippett, the main reason the members of the BCPCC fought for their independence was because the leader of the UBC was a tyrant.

"The genesis of CMAW started in Port Alberni, when 100 or more went to a meeting with them (UBC)," he said. "He (UBC President Douglas McCarron) gave the wrong answer and then (BCPCC) President (Len Embree) walked out of the room. The entire membership followed and turned out the lights. They left the guys at the front table wondering what the hell just happened."

The pivotal event in the birth of CMAW occurred at this BCPCC union meeting in Port Alberni in July 1999.

Lippett said there was a period of time when the leaders of the new union did not have a clear vision or direction. But, they knew the union should not rely on their relationship with the UBC.

He said there was a struggle with the international union, which was followed by a struggle within the organization. This was caused by varying visions about what the union should be.

"There were people who didn't want it to happen and used the fact the constitution was not in effect," said Lippett. "These constitution hounds wanted the constitution to be perfect. In my opinion, the constitution was never going to be perfect, because it can only react to things that happen."

Another important event in CMAW's history was a failed experiment to affiliate with the Communications Energy and Paperworkers Union (CEP) in November 2003.

"We thought we were making progress, but in reality all they wanted to do was swallow us up," said Lippett. "CEP represented a lot of people in unions that were shutting down and

I believe they were looking for a place to park their old tradesmen."

Lippett said the majority of CMAW's members had a vision of a Canadian union that was carpenter focused. However, they realized that it would be necessary to go beyond the craft of carpentry and diversify to be successful.

CMAW President Jan Noster explained how important this approach to labour relations is to the success of the union, during his opening address to delegates at the 6th Convention on Sept. 14.

"There are no trade divisions amongst anybody in this union," he said. "We have collective agreements with employers that have 50 different trade groups, and these are just some of them: carpenters, ship builders, pipefitters, millwrights, electricians, labourers. There are no divisions amongst us."

According to Lippett, the older generation of CMAW leadership views themselves as the caretakers of the union.

"I am just looking after it for the next generation," he said. "In my opinion, we have built a fairly viable organization. It's never going to be perfect. It can only be the best you can make it. And, as long as the executive and the membership realize that, I think we can keep building and building." CMAW





CMAW TRUSTEES APPROVE A NEW PACKAGE OF BENEFITS WHICH WILL BE AVAILABLE IN 2017

Richard Gilbert
CMAW freelance writer

The Construction, Maintenance and Allied Workers (CMAW) Canada is providing its members with a package of new benefits in January 2017, which has enhanced one of the most comprehensive plans of any construction union in the country.

"The excellent work environment in the province with several major construction projects like the John Hart Dam and the Site C Dam, as well as construction hours from Alberta have provided us with a surplus of hours," said Fred Kuhn, Chair, CMAW Benefit Plan. "So the benefit plan trustees thought it was a great opportunity to increase the benefits to our membership. Of course, the benefit plan trustees could only make these kinds of improvements when the times were good for us."

Kuhn and other benefit plan trustees recently announced a package of new benefits for the membership at the 6th CMAW Convention, which was held in Kamloops between Sept. 14 and 16.



He said the most significant changes that are being made to the benefit plan are additional funds being provided to the Employee Family Assistance Program (EFAP), a new self-pay option for the Hour Bank and increases to paramedical services coverage.

"Starting on January 1, psychological services go from \$300 to \$1200," said Kuhn. "Basically, what you do is phone up Morneau Shepell (1 844 880 9142) to get support for a range of issues such as personal stress, depression, grief, loss, drug and alcohol addiction, or workplace conflict."

Morneau Shepell will call the union back to make sure the person requesting assistance is a current member. The rest of the process is under the full control of the member and the business agent does not get involved. The member decides which counsellor they would like to see and where they want to meet the counsellor.

The current economic and employment situation in some regions of Western Canada has increased the demand for the program. In addition, families may have additional strain when members are working on construction projects away from home.

Another important benefit that the trustees recently approved is an improvement to the option for members to self-pay their benefit plan.

"Because of the cyclical nature of our work, we decided that once a member establishes their hour bank and then they use it up, they will now have 18 months to self-pay," said Kuhn. "And, we hope the member gets back to work in 18 months. Once they are back to work within this period, they don't have to requalify."

To establish coverage, an employee must be in good standing with CMAW and have a minimum of 220 hours paid into the plan by the employer, within a period of twelve consecutive months.

Members can accumulate up to a maximum of 1,320 banked hours (12 months of coverage) which will be drawn upon during periods of unemployment. Following the

plan merger in 2015, the draw down rate for the new plan is 110 hours per month. Finally, the trustees of the benefit plan have decided to increase the annual maximums for the following paramedical services:

- **Massage/Physiotherapy/Chiropractor. Maximum increased from \$1,200 to 85 % of \$2,400.**
- **Acupuncture/Speech Therapy/Podiatrist/Naturopath. Maximum increased from \$600 to \$1,200.**
- **Psychologist including registered clinical counsellors and social workers. Maximum increased from \$300 to \$1,200.**

Currently, all extended health claims including paramedical payments are included in the determination of the 80% of the first \$1,250 / 100% percent thereafter reimbursement calculation.

Massage/Physiotherapy/Chiropractor fees will be reimbursed at 85% and will be excluded from this calculation effective January 1, 2017. A formal request for proposal for the administration of both Carpentry Workers' Pension Plan and CMAW Benefit Plan was issued in 2016 to the following firms: D.A. Townley, Bilsland Griffith, FAS and Morneau Shepell. As a result, Bilsland Griffith was chosen as the plan administrator effective spring 2017.

The CMAW Benefit Plan and the Carpentry Workers' Benefit Plan were merged in 2015, which allowed the plan to have greater buying power with insurance carriers and reduced administration, governance and investment costs.

The new CMAW Benefit Plan provides members with one of the most comprehensive benefit schemes of any construction union in Canada. There are currently 3600 people covered by the program. CMAW



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