



BC FERRY & MARINE WORKERS' UNION

Message from the Union Hall

January 7, 2022

2021 YEAR IN REVIEW

Island Class Judicial Review

In May, the BCFMWU presented our position on the Minimum Safe Manning levels as they relate to the Island Class vessels. While we had anticipated a response in the fall, here we are closing out 2021 waiting on the decision. Our hope is that the judge, who is well versed in marine law, is taking the time to consider our position fully and will write an award in our favour.

Hall Award (Illegal Layoffs)

As of June 2021, every BCFMWU member who was negatively impacted by the illegal layoffs of 2020 should have received their final repayment by BCFS as outlined in the Hall Award.

New Provincial Executive Officers

On June 1st the new PEO took office, Eric McNeely Provincial President, Paula White 1st Vice President, John Macdonald 2nd Vice President, and Lezlie Gorosh-Carey Secretary-Treasurer. Returning for a second term, Dan Kimmerly Ships' Officers' Component President and Maurice Bruchet Deas Dock Component President.

Kamloops Announcement

In June of 2021 the Union, along with the rest of Canada, was shaken by the discovery at the Kamloops Residential School grounds. In August, "March for Children" took place in Chemainus. It was a physical outpouring of people and solidarity. Multiple BCFMWU members participated, and Eric mentioned that he hadn't ever seen that many people on the streets of Chemainus.

International Day of the Seafarer

For the International Day of the Seafarer the Union held a photo contest and received some fantastic submissions from around the province.

New PEO Training June

The new Provincial Executive Officers began initial training in June as part of the preparations for the coming term.

Change Spaces, Human Rights Complaint Accepted by BC Human Rights Tribunal

During July 2021, the Union was notified that the Complaint was proceeding. There have also been some recent legal decisions across Canada which the Union has been considering as this process moves forward.

Southern Fleet Tour in August

Eric was able to get in a south coast, Southern Gulf Islands trip to get out and speak with members on multiple runs, islands, mainland sites and was able to tie it into a new Island Class vessel visit.

Visit New Island Class Vessels

The vessels are new, shiny, and understaffed in our opinion. A few things that stood out during the initial visit was the size of the engineering space and the distance from the wheelhouse to the engineering space in the event it needs to be traveled quickly i.e., in an emergency. Also, of interest was how the evacuation systems are deployed by a person physically standing at the embarkation zone, something that was discussed significantly during the judicial review in May.

BCFS AGM

In a time before vaccine mandates, the question was asked by Eric McNeely, if the ferry system was resilient enough and if the historic low staffing levels would have a reliability impact on the ferry system if a mandate were imposed. I think we all know the answer.

Operational Safety Joint Committee

In September Dan and Eric once again attempted to come to a terms of reference (TOR) for Operational Safety Joint Committee meetings. Both the Union and employer brought some terms of reference to the table. Since this meeting there has been some concerns raised by the Union about a truncated TOR circulated by the employer. We are awaiting a response from the employer on our suggested TOR points. The Union puts Operational Safety as an extremely high priority with issues such as crew levels, emergency procedures, policy, and Minimum Safe Manning.

Vaccine Mandate

Beginning in September the Union was meeting with BCFS around the potential for a vaccine mandate. Originally, the employer was considering authoring their own, however as time moved on it became apparent that Transport Canada would be implementing requirements. The Transport Canada Interim Order 7 requirement, and resulting additional BCFS COVID 19 Mandatory Vaccine Policy, has become an ongoing issue for the reliability of the ferry system and has spawned a significant division within the workforce.

Meetings with Stakeholders and Government

After the summer season the Union took the opportunity to meet with government and other stakeholders to discuss a series of matters which we believe to be pressing for our membership. It was a beneficial meeting, and we appreciate the Provincial Government's keen interest in matters that affect BCFMWU members, the travelling public, and voting members of BC's coastal communities.

Leadership Training

Provincial Executive and SOC Executive partook in a leadership and development weeklong training session in Powell River at the end of September. This event was

aimed at developing the existing and new leadership of the Provincial and Ships' Officers' Component Executives where both could interact and learn from each other.

Directly after the leadership event, the BCFMWU had the opportunity to participate in a Charity fundraiser for the Nanaimo and Victoria brain injury societies. More than \$80,000 was raised during an event held just south of Nanaimo at Wild Play known now as "Toss the Boss" where Eric was tossed off the bridge.

Canadian Marine Advisory Council (CMAC)

CMAC, which is Transport Canada's consultation process, is drafting new regulations and consulting with stakeholders remotely through the Pandemic. Some items of concern are new Marine Personnel Regulations (MPR's) which govern vessel Safe Manning and certificate requirements for seafarers. The MPR's are expected to be presented in 2022 for a final consultation six-month window before coming into force.

Changes at BCFS

In mid October Union leadership was able to meet the new VP of People and Culture for BCFS, Jody Drope, formerly of Fortis. Jody is collaborative and communicative which is something this Union welcomes in our engagement with BCFS. Jody has replaced John D'Agnolo at the Atrium in Victoria.

SailSafe Advisory Committee

The Union suggested, and the idea was well received, that returning to the membership for an unbiased review of SailSafe could bring some credibility back to the safety system. It looks like either this spring or the coming fall will include a redoubled effort to engage with workers on safety matters since you live and work the jobs more than any manager and have firsthand insight that is invaluable.

Transport Canada IO7

In late October and early November, Transport Canada held consultation sessions and follow up consultations regarding the Federally Imposed Vaccine Mandate. The Union, along with our legal team, and in coordination calls with other Unions in Canada, have been considering the mandates, impacts and legal basis for employer and regulator actions as the pandemic waves change.

BCFS & the Collective Agreement

BCFS makes continued incursions into hours of work at several ASTO routes, and we have begun to see zero information or consultation from the employer when scheduling excluded into clearly Union positions or making changes to the hours of work or shift schedules on multiple routes. This lack of communication is a departure from practice in the past and is not helping with our joint goals of trust and transparency.

Transport Canada IO7 & BCFS

November continued with a flurry of information from TC and then BCFS around mandatory vaccines and multiple engagements with legal on options for members with the roll out of the BCFS Mandatory COVID-19 Vaccination Policy. We also hosted several town halls for the membership into December to provide information on the mandate originally and then for updates on the grievances the Union filed based on

breaches of the Collective Agreement as the BCFS Mandatory COVID 19 Policy was implemented.

Union Hall Workforce

Union office structure has altered, and duties realigned to better reflect the current needs of the Union and the Provincial Executive. While the structure has temporarily changed, we have added additional supports and are in the posting process for a 4th LRO to directly support you the members.

MED Reimbursement & BCFS

After the Canadian Ferry Association meeting in Vancouver, BCFS said they would not be reimbursing members MED or MED refresher. As you can imagine, with the current Collective Agreement language as written, the BCFMWU spearheaded by Dan, has taken exception to this, and has filed a grievance on the actions of BC Ferry Services.

LNG Job Classification Grievance

The LNG job classification is ongoing, December 13th another day of arbitration convened with Dan testifying. There are five more days scheduled for March and April 2022. This arbitration started from a disagreement when the Salish Class vessels were introduced in 2017. It is worth noting that the grievance is seeking all back pay to the date of vessel implementation.

Collective Agreement Printing

While nearing the gallery proof stage in late December, an area of disagreement has crystallized. That said, we believe we can find a path forward and will have new Collective Agreements printed for distribution in early 2022.

Winter Crew Levels

Moving through December has been challenging, crew levels have been decimated, both at worksites and relief pools. Everywhere Eric and Dan go and almost everyone they talk to speaks about burnout, lack of support, and a general desire to be somewhere else, on days off or at another employer. Nearly 2 years into this pandemic and morale is at the lowest Eric has seen it, retirements are massive, and the great resignation does appear to be affecting BC Ferries. Long time members are reconsidering their loyalties to a job that was once sought after but is now having trouble competing with a dishwasher position in Gibsons, BC. Combine the low crew levels, increasing passenger counts, poor weather and another wave of COVID and it appears the system is near its breaking point. If you believe your worksite or a task at your worksite is unsafe, please follow the steps at worksafebc.com.

Looking Forward

All this said, there is light on the horizon. The Judicial review has the potential to improve safety on the runs the Island Class serve. The Operational Safety Joint Committee can achieve good once operating and the SailSafe investment can bring back credibility to what many see as a “safety brand” and not a joint Union and employer safety initiative. The Union Hall has just completed a records management review and will be using the information gathered to improve our processes and internal records and grievance handling with an eye to efficiency and timeline

tracking. The Union is reviewing the implementation of an app for Local Presidents to use as part of a grievance and communication tool. The new and returning Local Presidents have been working nonstop to ensure members are represented well and every level of the Union needs your help in identifying and communicating issues in the workplace. Whether it is a pay, time off, scheduling, posting, appointment, statutory rights or a human consideration issue, we are here to support the Unionized membership.

In Solidarity,



Eric McNeely
Provincial President



Dan Kimmerly
Ships' Officers' Component President

"Shop Stewards: Please Post on Bulletin Boards"
BC Ferry & Marine Workers' Union
1511 Stewart Avenue, Nanaimo, BC V9S 4E3
Union Office Telephone: 1.800.663.7009 or 250.716.3454
Email: mailroom@bcfmwu.com **Fax:** 250.716.3455