



## Sudbury Mine Mill & Smelter Worker's Union Local 598/Unifor

2550 Richard Lake Road ~ Sudbury, ON P3G 0A3  
Ph: 705-673-3661 Fax: 705-673-1183



# NEWSLETTER

## Members that work at MANSOUR MINING

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Dear Brothers of Mansour,

### **MOL Visit**

I'm sure most of you have heard or seen that we had an M.O.L (Ministry Of Labour) come in at the end of January. There was a situation where an employee was worried that he might be doing a job that according to the labour laws, he could be fined up to \$10 000. The MOL came in at the request of the employee and the company, did his investigation and what he came up with was that an apprentice millwright's work is a non-restrictive trade and that anyone can do that work as long as they are trained to do that work.

So, for those of you who may be wondering, you will NOT be charged by the MOL for doing that work, but after this whole meeting it does bring up other questions that the Union is looking into.

If you're wondering what restrictive trade work is, they are things like the mechanic who works on your breaks, and electricians and such. So, if you're not sure, ask! One of the questions that this investigation has brought up is what is the point of certified millwright if anyone can do the work?

If you're wondering if you do the work who is liable, as long as you do what you were trained to do, it is the company who is liable, not the employee. So, make sure you do the work how you were trained even if you think this other way would be faster or better. Don't change from how you were trained. Otherwise, if someone gets hurt or such, then you can be the one liable.

### **Working Safe**

As I'm sure a lot of you have heard now that the company does not care about that piece of rebar going out the door but your safety. Well, I'm going to expand on that a bit more and tell you about your right to refuse unsafe work.

If you feel that the work you are doing or are about to do is unsafe where it could harm you or another person, even if you have a gut feeling, DO NOT DO IT. It is your right by the OHSA and in your C.A. to refuse to do work that you believe will harm you or another. If you would like to read the law on this for yourself, the following address will bring you to their website.

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90o01\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm)

In your C.A., it is worded a bit simpler but has the same intent. You can find it in the CA under article 4.08. A copy of the CA can be found in PDF format on the mine mill website at,  
<http://www.minemill598.com/sectors/services/mansour-mining-supply/>

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### **Machine Training**

How the company has been doing the training at our work place and how they agreed to do it are two different things.

The company is currently training employees that are next to advance to an operator's position. This is not how they are supposed to be doing it. The company is supposed to offer the training to the highest in seniority down to the lowest. I've added an excerpt of that article in our C.A. for you to read as well.

#### **ARTICLE 22 - MACHINE OPERATOR TRAINING**

22.01 When the Company requires that employees be trained on existing machines and such training is available by Company employees, the training shall be offered to employees on a Seniority basis, for a period up to forty (40) hours, if needed.

- (a) This clause will not apply to employees who have been offered training and refused, or who have been given training and are unable to perform the normal requirements of the job. This will not preclude an employee from training on other machines. When job training is offered to an Employee on a seniority basis, the Company will have the Employee sign that they accept/decline the job training opportunity.
- (b) This clause does not apply to newly purchased machines which do not exist in the plant and where there are employees and are qualified by the Company as per past practice. It is understood that persons hired to operate a new machine, will provided training as set out above. If the Company hires the individual who provided the training after the training is completed, he shall be treated as a newly hired employee. In the case of operators, the operator pay rate will be paid to only one person "trainee" or "trainer".
- (c) Training will be provided by a competent operator and such training will be no less than 8 hours or when declared qualified by the Employer, whichever is the greater.
- (d) The trainer, so selected by the Employer, to provide said training will provide the training without loss of regular straight time earnings and bonus will be paid based on the individual's prior month daily average.

In solidarity,

*James Hihnala*

Unit Chair/Chief Steward