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COCA Update on WorkSafeBC Activities #480 July 23, 2010

Journal of Commerce Publishes COCA Letter

The Journal of Commerce has printed the following letter from COCA on the subject of over-compensation of apprentices. Any support that you or your members can provide on this issue would be very helpful.

Journal of Commerce

(online: <http://www.joconl.com/article/id39769>)

July 21, 2010

Over-compensation issue has nothing to do with false claims

RE: Over-compensation for injured apprentices a concern in British Columbia (JOC, July 12)

The article on the over-compensation of apprentices and COCA's (Council of Construction Associations) campaign to stop this over-payment has drawn responses from two B.C. labour leaders. With respect, I believe that both of them have misunderstood the issue.

Wayne Peppard stated there is no evidence of widespread false claims. The over-compensation issue has nothing to do with false claims. A false claim occurs when a worker makes a claim for workers' compensation, when the worker was not injured or diseased at work. The issue here is that people with accepted claims are being paid at least double the money that they were making while at work.

Mr. Peppard is also quoted as saying: "Less than 10 percent of the claims deal with long-term disability. And we believe those claims are fair and reflect not just loss of income, but loss of time in an apprenticeship

program.”

The issue is not how many people are on long-term disability, but the level of compensation that they receive. The legislation is flawed because it assumes that the injured worker has completed the apprentice program up to four years before he actually would have completed it. Mr. Peppard also ignores the fact that only 38 per cent of those who start an apprentice program will finish it.

The comments of Jim Sinclair also create a misunderstanding.

“Employers should stop trying to claw back money from injured workers in B.C. and should start immediately cleaning up worksites so we don’t have these injuries,” he said. “Accidents are all preventable.”

COCA completely agrees that accidents are preventable and that further effort is needed to safeguard workers. We started the Construction Safety Association of B.C. back in 2002 (now part of the BC Construction Safety Alliance) to reduce and eliminate occupational injuries and diseases. We have been successful and currently have the lowest construction injury rate ever in BC. This work continues.

But this issue is about the fair level of payment for a worker who is injured or diseased. Paying that worker more than twice what they were earning while at work does not seem to be a fair level. In fact, paying double for someone to be off on workers’ compensation creates a serious disincentive for returning to work.

All of Mr. Sinclair’s other members – and all other workers in B.C. – are paid 90 per cent of their net income, plus all medical benefits.