

Fourth Session – Forty-Second Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Social and Economic Development

Chairperson
Mr. Doyle Pivniuk
Constituency of Turtle Mountain

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MANITOBA LEGISLATIVE ASSEMBLY
Forty-Second Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT

Wednesday, December 1, 2021

TIME – 6 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Doyle Piwniuk
(Turtle Mountain)**

**VICE-CHAIRPERSON – Mr. Ian Wishart
(Portage la Prairie)**

ATTENDANCE – 6 QUORUM – 4

Members of the committee present:

Hon. Messrs. Eichler, Fielding

Messrs. Lindsey, Piwniuk, Wiebe, Wishart

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

PUBLIC PRESENTERS:

*Mr. Alex Forrest, International Association of
Firefighters*

MATTERS UNDER CONSIDERATION:

*Bill 6 – The Workers Compensation Amendment
Act*

* * *

Clerk Assistant (Mr. Tim Abbott): Okay. Good evening, everyone. Will the Standing Committee on Social and Economic Development please come to order.

Before the committee can proceed with the business before it, we need to elect a new Chairperson.

Are there any nominations?

Mr. Ian Wishart (Portage la Prairie): I nominate Mr. Piwniuk.

Clerk Assistant: Mr. Piwniuk has been nominated.

Any other nominations?

Hearing none, Mr. Piwniuk, please take the Chair.

Mr. Chairperson: Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

Mr. Matt Wiebe (Concordia): I'd like to nominate Mr. Wishart.

Mr. Chairperson: Hearing no—it has been—Mr. Wishart has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Wishart is elected Vice-Chairperson.

This meeting will be called to consider the following bill: Bill 6, The Workers Compensation Amendment Act.

I would like to inform all attendees of this provision—as our rules are regarding the hour of adjournment. A standing committee meeting is considered a bill—must not sit past midnight to be—hear publicly presentations or to consider clause by clause of a bill, except in unanimous consent of the committee.

The 'public' presentation guidelines—prior to proceeding with the public presentation, I would like to advise members of the public regarding the process of speaking in that committee. I would—in accordance with the rule—our rules, a time limit of 10 minutes has been allotted for presentations; another five minutes allowed for questions from the committee members.

If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance, and their name is called a second time, they are removed from the presenters' list.

The proceedings of our meeting are recorded in order to provide a 'verbatim' transcript. Each time someone wishes to speak, whether it is an MLA or a presenter, I first have to say their—the person's name, and this will 'signal' the Hansard recorder to turn on the mic on or—and off.

Also, if any presenters has any written materials to be distributed to the committee, please send a—will please send the file by email to the moderator. We will distribute all committee member—to all committee members.

Thank you for your patience.

Bill 6—The Workers Compensation Amendment Act

Mr. Chairperson: And we will now proceed with public presentation.

I will now call on—here we go—Alex Forrest, the Canadian trustee of the International Association of Firefighters.

Mr. Forrest.

Mr. Alex Forrest (International Association of Firefighters): Hello, do you hear me?

Mr. Chairperson: Yes, we can hear you. Thanks, Mr. Forrest. Go ahead.

Mr. Forrest: Okay. I want to begin by thanking the committee members for allowing me to speak here today on Bill 6.

My name is Alex Forrest, I am the captain in the Winnipeg Fire Paramedic Service. I am president of the United Fire Fighters of Winnipeg, president of the Manitoba Professional Fire Fighters and I am Canadian trustee representing all firefighters and firefighter-paramedics of the IFF in Canada. I am also the president of the charity Manitoba fallen firefighters foundation.

Bill 6 will expand the current presumptive cancer legislation by making five additions to the occupational cancer list that now has the tragic connection to the profession of firefighting. These cancers are the female reproductive cancers of ovarian and cervical. We also have three additional cancers that are here because of the changing nature of science; we have penile, thyroid and pancreatic cancer.

I went into detail about my credentials to show you that we have knowledge of this tragic issue of occupational cancer and firefighting.

I began my advocacy on this issue over 25 years ago and, sometimes, ignorance really is bliss. Occupational cancer is now the No. 1 line-of-duty death for firefighters in the world. IARC, the World Health Organization, the international agency on research on cancer have identified firefighting as a risk of cancer simply by doing our job.

There are dozens of class 1 carcinogens that firefighters come in contact with at every single fire. These are the benzenes, the polycyclic aromatic hydrocarbons, the formaldehydes, the dioxins, furans; the list goes on and the list goes on.

We now know the dangers we face as firefighters. Why is the list of presumptive cancers increasing? There is one reason for this: It is because science is showing just how dangerous our job is because of occupational cancer.

We have made advances in protective clothing, breathing apparatus, occupational hygiene, education on diet and exercise. Even not smoking; not smoking is a condition of employment for most firefighters within Manitoba.

The tragic reality is, despite all the advances in my profession to minimize the cancer risk, cancer risks continue to rise dramatically. The answer to this lies in the nature of our protective equipment. Our protective equipment is the best in the world. It is the best technology has for firefighting. It can protect us upwards of 700 degrees Celsius; it can 'protect' us in environments that would be dangerous within seconds.

However, this gear does not protect us what kills us the most, and that's from occupational cancer. The reason for this is that our gear has to be able to breathe. When we go into a fire, it can protect us from unbelievable heat but it also has to breathe. So it allows the air to go in and out of our gear.

Our gear allows the carcinogens to come through our gear, and what happens is cancer-causing agents go through the gear and deposits on our bodies. What this does is that, through absorption, we have tremendous exposures to dangerous cancer-causing elements that occur at all fires.

The cancer rates will continue to rise because of plastics. Plastics are increasing every year. There has been studies that have showed that plastics increase anywhere from 12, to three different types of plastics in China alone. Almost every element of our environment today has increased levels of plastics.

As a matter of fact, even houses—10 years ago, houses were primarily wood construction. Today, there's very little wood that goes into many houses. You have what's called engineered wood, which is a combination of plastics and glue that allows it to create the composition of traditional wood.

We have electrical, we have fire retardants, we have PFAS. All of these elements, when they begin burning, has tremendous ramifications for firefighters because you have a concoction of different chemicals that are created, that are toxic within the firefighter's body.

The first legislation of presumptive cancer legislation came into play in 2002. This legislation was led by the NDP and Gary Doer. It had all three parties for their support, and I just want to, from the bottom of my heart, on behalf of my members, I want to thank all three parties that supported then and all three parties that are supporting this legislation today.

*(18:10)

The amendments then went forward in 2005, 2009 and 2011, and what occurred in 2002 is that was the first legislation of its kind in Canada that acknowledged the risk that firefighters have from occupational cancer.

Since that time, every single province in Canada, over 40 jurisdictions in the United States, the countries of Australia and now Iceland, and further countries are examining the presumptive legislation that has all been created initially in the province of Manitoba.

This legislation today, as it did in 2002, means so much to so many firefighters, not only in Manitoba, but in Canada and around the world. Manitoba truly is a leader in this issue.

I come today from Whitehorse, Yukon, where tomorrow, the legislature here will pass the exact same WCB coverage for firefighters as will be covered tomorrow in Manitoba. That shows you just how fast this issue is going to move across Canada and the world, especially in the areas of pancreatic and thyroid and women reproductive cancers.

I know I have limited time, but I just want to talk a second about the female reproductive cancers that will be added to this legislation, which is, I believe, one of the biggest legacies of this legislation.

In 2009 male reproductive cancers were added to the presumptive list and not our sisters' equal cancers. This was wrong, and I believe it was a type of systemic discrimination that has existed throughout the fire service that we are now dealing with.

And I could say that this legislation is important because it finally recognizes the tremendous role that women play within the traditional fire service across Canada and across the world.

And I can say that this legislation would not be passing this year without our first female Premier coming to power in the province of Manitoba, Heather Stefanson.

At this time I would like to offer the ability for any questions.

Mr. Chairperson: Mr. Forrest, thank you very much for your presentation. As a former volunteer firefighter, it's important—it was great to hear this information and how important it is for firefighters in the province of Manitoba. I want to thank you.

So the next—the first question we'll go on to the Minister of Finance.

Hon. Scott Fielding (Minister of Finance): Yes. I just want to say thank you for raising these issues. I noticed in the paper it looks like you won't be running for re-election. And again, I just want to truly thank you. I worked with you for years, I guess when I was in city council and with the provincial Legislature, and what I always found with you is you're honest, you're sincere and you work really, really hard for your members.

So, you know, I just want to say from the bottom of my heart and from our government, and I'm sure every one of the committee here from all political parties, thank you for everything you've done over the years and, you know, I just think that you've done just a fabulous job representing firefighters here in the province. We truly are honoured that we can make sure that this important initiatives are incorporated in the legislation and you're probably right; it should happen, you know, at the same time, but I think all parties have done a good job making sure that they are supported.

So really happy that, you know, all three parties did support this, and we'll be able to move this quickly to make sure we get it covered as soon as we can, but, again, just want to thank you for everything you do. I want to thank, really, all firefighters. I kind of said it at, you know, at our committee, but you know what actually happens is a lot of times, when there is a huge emergency that happens, you know, there's a lot of us that run for the doors to get away from danger, of course, and, you know, along the way, when we're trying to get out the door is the people that are going the opposite direction right in the heart of the fire, of course is firefighters.

So, you know, I just want to thank you on behalf of, you know, everyone here at the Legislature, I'm sure, for everything that firefighters do and specifically what you do in terms of advocating different initiatives, and so I just want to thank you for all your tireless work, Alex.

So, thank you very much.

Mr. Forrest: Thank you very much, Minister Fielding. It has been an absolute honour to do this for over 25 years. I will be leaving the leadership of the City of Winnipeg, but I will still be continued provincially, nationally and internationally for firefighters around the world.

So I will continue my work to advocating for proper health and safety for firefighters, and I'm sure my work will bring me back many times to Manitoba. So, again, thank you for your kind comments.

Mr. Chairperson: The next question is from Mr. Lindsey.

Mr. Tom Lindsey (Flin Flon): Thank you very much for being here, Mr. Forrest, and presenting, and more importantly, thank you very much for your many years of advocating on behalf of your members and firefighters all over. Certainly, I have an appreciation for that. I spent 20 years as a worker health and safety rep, and prevention, of course, is one of the pillars of health and safety.

So I—just a question, and maybe it's not fair to put you on the spot and ask, but is there other things that we can do other than personal protective equipment, things like building codes and whatnot, that would help not just in preventing fires but in protecting firefighters if there is a fire? So, just any thoughts you might have on that.

Mr. Forrest: Yes, that's an excellent question.

We—the International Association of Fire Fighters is the largest union in the world representing firefighters, and we are doing everything we can. We—everything from being on building committees to ensure that buildings, when they do burn, it will not create a toxic environment for firefighters.

We are doing prevention elements. We are investing literally millions of dollars into new technologies so that our protective equipment can protect us from the carcinogens that are in fires. And I can tell you that that is a commitment that we've always said is this presumptive cancer legislation. I hope one day this legislation is never used once, because I hope that we can create a system that we can ensure the protection of our firefighters through prevention and through technology that will minimize the cancer risk.

Mr. Chairperson: We have time for one more question.

Hon. Jon Gerrard (River Heights): Thank you, and—thank you, Alex. Much appreciate your work over all the years, and wish you the best in your

continuing efforts. I was there at the time of the first bill and supported that, and it was an excellent bill and based on really good science.

My question for you is this: Do you think that we'll ever reach a day where the protective equipment and everything else will be such that the rate of cancers in firefighters decreases back to the level of—that it would be in anybody else instead of being as increased, as it is?

Mr. Chairperson: We'll—actually, we'll ask for leave to be able to have Mr. Forrest answer the question. So, it's beyond five minutes.

We'll—Mr. Forrest, you can go ahead and answer the question for Dr. Gerrard.

Mr. Forrest: Okay. Dr. Gerrard—like, I just want to thank you. You have been there from the beginning, as Heather Stefanson has been, as an all-party committee. Your expertise in the medical field was 'absolute' imperative to be able to help individuals to understand why this presumptive legislation is needed.

I wish I had a positive answer for you, but we now know, because of latencies, that the level—even though our protective equipment has increased maybe tenfold in the last 10 years, the toxicity level of fires have increased 15 to 20 times that.

So what we're going to see—we know that we will see higher levels of cancer for at least a generation of firefighting. That is a tragic aspect, because any major changes in regards to technologies and other things that are now coming will take a generation to be able to assist us, because we have—the past 20 years of firefighters are going to see high levels of cancer coming in the next few years, and that's what we're seeing is every single year, we're getting higher levels of cancer within the profession of firefighting.

And this is not only in Canada. I see it in Australia, New Zealand, United States and Europe, in Israel. We are seeing higher levels of cancer, and unfortunately, the answer is things are going to get worse before they get better for firefighters.

Mr. Chairperson: That concludes the list of presenters that I have before me.

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Mr. Chairperson: We will now proceed with the clause by clause for Bill 6.

Does the minister responsible for Bill 6 have an opening statement?

* (18:20)

Mr. Fielding: I've got kind of a brief, you know, few words I'm going to put on the record.

As I mentioned earlier, obviously, firefighters are out there in the community, protecting us, putting themselves at risk in so many different ways. They're responding to emergencies, they're helping all serious injuries and they have the added risk of occupational disease which, you know, can manifest itself over a number of years, as mentioned. And I think all the parties did a very good job in terms of their early adopter to presumptive legislation on cancers affecting firefighters and, of course, there was amendments made to provide for some cancers in 2002.

Mr. Chair, the presumptive cancer—the Worker Compensation Act means, of course, that their cancer is presumed to be the occupational to disease unless to the contrary is proven. So that's important, right? It's deemed as being the cause, I guess, if you will, unless proven otherwise.

Since 2002, the list of presumptive cancers under the act has expanded to provide coverage. I know, Mr. Chair, you mentioned as a volunteer firefighter, volunteer fighters were covered, as well as part-time firefighters at that point and Fire Commissioner's office. Some Canadian jurisdictions, of course, recognized other as, you know, ovarian and penile and cervical cancers and are adding thyroid, pancreatic cancers to their list of presumptive cancers for firefighters through this bill.

And very pleased that we have all parties' support to propose to amend those to include the list as mentioned. And our presenter, Mr. Forrest, indicated ovarian cancer, cervical cancer, thyroid cancer, pancreatic cancer, as well as penile cancer will be added. By adding these cancers, we will ensure that the adequate protections are in place for both male and female firefighters and at-risk firefighter commissioner's office—the personnel as well, to Manitoba, addresses the broad wave of presumptive cancers.

So, again, I want to thank Mr. Forrest for coming out and raising this important issue for us and my hope and—in case—the case that we have all three parties' support so we can get coverage sooner rather than later on this.

Thank you to all the groups; Tom Lindsey and also Dr. Gerrard and your parties. So, thank you very much for allowing this to happen. It's—sometimes when you do have all-party supports with different initiatives, good things happen. So this is an example

of working together to get some great coverage for firefighters.

So, thank you very much.

Mr. Chairperson: We thank the minister, and just remind everyone just to go by the person's last name when we address anybody at the committee stage.

Does the critic for the official opposition have an opening statement?

Mr. Lindsey: I do.

First off, we're not going to stop this bill from passing. For sure, it's time, it's important. I will have some questions about making sure that things like industrial firefighters, underground mine rescue firefighters—that's it's whole different ball of wax than surface firefighters and different PPE, similar hazards in a lot of cases, less exposure time, so I want to make sure that follow-up with the minister on some of those issues.

I certainly don't want to slow this down in any way, shape or form, so certainly appreciate the fact that recognizing more women entering the firefighting force—that we need to make sure that any industrial-type diseases that would affect women differently than men get recognized, and this is certainly a good first step in making sure that those kind of things are addressed.

So without anything further at this point, thank you very much for advocating again for your members and all firefighters.

Mr. Chairperson: We thank the member.

During the consideration of bill—of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass.

Shall clause 3 pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Mr. Chairperson: I hear no.

Mr. Lindsey: So I have a question on the coming into force for the minister.

It's stated as coming into force fix—on a day fixed by proclamation. I'm just wondering why it's not coming into force when it receives royal assent, which

I'm led to believe would probably happen this week. What's the reason for it not happening right now?

Mr. Fielding: There is 'cabid' regulations, those two things: Workers Compensation Board needs to do, obviously, some—not due diligence, but just finalize some details with it and then the duration that normally is brought in through regulations need to be worked out.

It is our anticipation that it would be very similar to other provinces in terms of the duration, of how long you have to be a firefighter before this kicks in. I believe, mainly, it's around 10 years or so, but it really depends on the area.

But—so that's the reason why there is a bit of a lag.

Mr. Chairperson: Mr. Lindsey, you have another question?

Mr. Lindsey: Yes.

Mr. Chairperson: Mr. Lindsey.

Mr. Lindsey: Just an assurance to make sure that this gets into force as quickly as possible, and I understand what you've said about there may be some specific policies that need to be developed by WCB. We just need to be wary to make sure those policies aren't contrary to the spirit of what's taken place here, to make sure that firefighters are going to be protected—or covered as soon as possible.

Mr. Fielding: Yes, you know, we believe that it can be done really quickly with it. There's precedents.

Obviously, the other provinces do it, so—you know, at some point they'd look around what other provinces have been doing.

And, just to answer maybe another question if you indulge me for a minute, Mr. Chair. I know I was talking to the member from Flin Flon earlier on through the second debate, and there was some interest in terms of things like industrial fires.

And although this legislation—the definition of firefighters defined it as a person who works for a firefighting department, there is—the WCB is currently doing consultations and review of occupational diseases to form future amendments. So, there may be an opportunity as the member from Flin Flon had put forward, on the industrial side, to look at some important changes, you know, once we get all the information back.

So, just—that was an interest of his, so I just want to put that on the record.

Mr. Chairperson: Any further questions? No. Okay.

We'll go on to clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 6:27, what is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 6:27 p.m.

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