

ABBOTSFORD

MATSQUI

MISSION

Phone: 826-4655  
Mission, B.C.  
(604) area code



*photocopye*  
PRES. BARRIE ALDEN

SEC. EVALYNNNE BOND

TREAS. FLORA KENYON

**federated anti-poverty groups of b.c.**

P.O.Box #372, ABBOTSFORD, B.C. V2S 4N9

Tuesday, January 6, 1981

Senator Harry Hays and  
Serge Joyal MP c/o the  
House of Commons, Ottawa,  
Ontario, Canada

My Dear Sirs:

On the advice of our Mission-Moody, B.C. MP, Mark Rose and MP, Lorne  
Mystrom, we hereby request to appear as a three-man delegation of  
witnesses before the Senate-Commons Constitutional Committee.

Please find enclosed our recent submission to the Prime Minister  
regarding our proposed amendments to the new Canadian Charter Of  
Rights And Freedoms that the Hon. Monique Begin recently vowed to  
present personally to the Rt. Hon. P.E. Trudeau on our behalf.

We propose the following amendments to Schedule B of the Constitut-  
ion Act 1980, Part 1, Canadian Charter Of Rights And Freedoms,  
under Section 6 - Mobility Rights, on behalf of the 1,500,000-odd  
Injured Workers of Canada that we are aware of in our Country today.

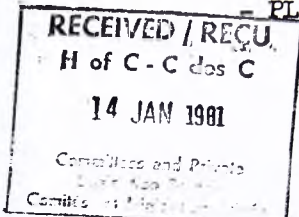
Under Section 6 of Mobility Rights, we would submit that there be  
added: 4.

Every compensable Canadian Injured Worker has  
the right

- (a) to equal Provincial Workers Compensation Benefits,  
Claims Handling and Retraining from Province to  
Province by the imposition of mandatory reciprocal  
claims handling procedures to be followed by all Provincial  
Workers Compensation Boards as a condition of this  
Charter Of Rights
- (b) of appeal to his or her Member of Parliament and an  
appointed Federal Workers Compensation Appeal Board  
as further recourse to settle a disputed Provincial  
workers compensation claim

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- (c) to present and have accepted his or her own out-of-province medical practitioners workers compensation claim injury reports from one province to that of another provincial workers compensation board, if that compensation board represents the province where the workers original compensable injury occurred
  - (d) to receive without duress or discrimination, comprehensive provincial welfare and Canada Assistance Plan payments from any Provincial Government Welfare Agency or Ministry while he or she is awaiting the final disposition of a filed workers compensation claim or appeal from any other provincial workers compensation board (subject to subsection (3) (b) of this section)  
(6 - Mobility Rights - residency requirements )
5. That the Government of Canada has the right to regularly appoint both a Senate - Commons Committee-At-Large to regularly review the overall claims and appeals decisions of all provincial workers compensation boards on a yearly basis, in order to compare the costs of denied provincial workers compensation claims and appeals to the Canada Assistance Plan and Canada Pension Plan Disability Awards payments to the provinces and to report these annual findings to the Federal Minister of Labour, the Minister of National Health and Welfare and the House of Commons
6. That a comprehensive Federal Workers Compensation Act be enacted by the Canadian Parliament as a further amendment to this new Canadian Charter Of Rights And Freedoms

Being that we, the members of the Injured Workers Committee of the B.C. Federated Anti-Poverty Groups are only working-class commoners of Canada and are certainly not possessed of either bona-vidae legal or scholastic literary skills, we of course intend to seek the guidance of your Constitutional Committee to more properly reword and shorten our proposed amendments, if this can indeed be done without changing their implied context in any way.

We believe that to most common Canadians, the proposed patriation and amending of our new Constitution And Charter Of Rights is at best a distant and rather obscure philosophical aspiration on the part of both our Federal Government and Opposition Parties.

We further believe that the aforementioned amendments that we have presented are perhaps a more tangible link to the everyday consciousness of our average Canadian citizens and may offer them something that they can individually relate to in their daily lives.

As we are sending you a copy of our recent brief to the Prime Minister, we respectfully request that you receive it as our brief to your Senate-Commons Committee for Constitutional Reform in support of our proposed amendments.

If you most kindly accept our request, please be advised that our B.C. FAPG Injured Workers Committee is comprised of myself as chairman:

Barrie Alden  
born - June 23, 1941 Victoria, B.C.  
occupations-truck driver, steel worker, fishery shoreworker, icemaker,  
city parksworker, ranch hand, surveyor, logger, newspaper  
columnist, environmentalist, cable television producer  
and television news researcher  
residence - Hatzic, B.C. federal riding of Mission-Moody  
SIN # - 703 362 574  
B.C.WCB # - CC72025060 (claim is unresolved to date)

2nd delegate:

Ron Gorman  
born - March 4, 1939 Sault Ste. Marie Ontario  
occupations-heavy truck driver, construction worker, heavy equipment  
operator  
residence - Mission, B.C. federal riding of Mission-Moody  
SIN # - 410 517 759  
Ont.WCB # - C7851076 (claim is unresolved to date)

3rd delegate:

Leo Ducharme  
born - June 29, 1934 Ste. Boniface, Manitoba  
occupations -Canadian Army 1951-54 Service Record #SH4623, construction  
worker, truck driver, welder (22 years)  
residence - Mission, B.C. federal riding of Mission-Moody  
SIN # - 600 600 647  
B.C.WCB # - XC74007654 (claim is resolved, but without retraining)

As we certainly do not possess the funds to even attempt to trek to Ottawa to appear before your Committee, please advise us as to how our transportation costs and expenses would be provided for in detail, if we are accepted as witnesses.

The B.C. Federated Anti-Poverty Groups have about 4,000 members and member groups in B.C. They are all members of the 16,000 to 20,000 member National Anti-Poverty Groups of Canada and are reasonably apolitical in policy and beliefs.

Thank you very much for taking the time to consider our request and even if you do not favour us as Committee witnesses, please consider our amendments in view of the fact that we have recently been advised of a number of Canadian Injured Workers whom have allegedly committed suicide as a result of their workers compensation claims being denied.

We are packed and ready to travel at your earliest convenience and we respectfully await your reply.

Yours sincerely,

*Barrie Alden*

Barrie Alden  
Chairman, B.C. FAPG Injured Workers Committee  
B.C. FAPG delegate to the National Anti-Poverty Organizations  
B.C. FAPG Publicity Director

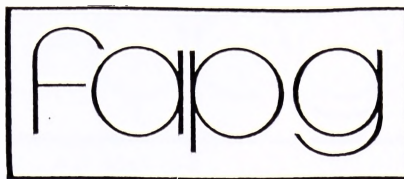
phone messages to: Mission 826-4655  
area code (604)  
residence of Ron or Sandy Gorman

P.S. - We would of course, be slightly chagrined to learn that the Fane of Psilocybe had been summoned to appear before your Committee and we had been passed over. Thanks again.

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PRES. BARRIE ALDEN

SEC. EVALYNNNE BOND

TREAS. FLORA KERNYON

phone:

Mission (604)

826-4655

**federated anti-poverty groups of b.c.**

P.O. Box #372 Abbotsford, B.C. V2S 4N9

PRESS RELEASE

Friday, November 29, 1980

..... The Injured Workers Committee of the B.C. Federated Anti-Poverty Groups are demanding that the Senate-Commons Committee For Constitutional Reform consider the plight of Canada's Injured Workers who are being forced to exist on monthly welfare hand-outs from the Provinces by recommending to the Liberal Government that a Federal Workers Compensation Act be included in the new Canadian Constitution and Charter Of Rights.

In a 27 page brief to the Prime Minister, the B.C. FAPG members are imploring the Federal Government to enact a Federal Workers Compensation Act as a higher level of appeal for Canadian Injured Workers who have been denied just workers Compensation benefits by the Provincial WCB Boards and Boards Of Appeal.

The B.C. FAPG members charge that many injured Canadian workers are suffering through the throes of alcoholism, bankruptcy and marital breakdown because of the gross ineptitude and deliberate callousness of the Provincial Compensation Boards throughout the process of the handling of their claims and appeals.

The B.C. FAPG members have enlisted the aid of Ray Skelly, MP Comox-Powell River and Mark Rose, MP Mission-Moody to champion their cause to the Constitutional Committee. They are also hoping to win the favour of Mme. Monique Begin, the Minister Of National Health And Welfare to personally present their case to the House Of Commons on their behalf at a breakfast meeting with the Minister at the Four Seasons Hotel in Vancouver on Saturday morning. (Saturday, Nov. 29, 1980)

The B.C. FAPG members are also trying to raise enough funds to send three delegates to Ottawa to give WCB testimony to the Commons Committee On The Handicapped now sitting in Ottawa.

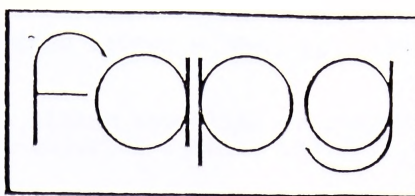
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PRES. BARRIE ALDEN

SEC. EVALYNNE BOND

TREAS. FLORA KENTON

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**federated anti-poverty groups of b.c.**  
P.O. Box #372 Abbotsford, B.C. V2S 4N9

Monday, November 10, 1980

- PLEASE REPLY -

Rt. Hon. P.E. Trudeau  
Prime Minister of Canada,  
M.P., Mount Royal, c/o  
House Of Commons, Ottawa,  
Ontario, Canada

My Dear Prime Minister:

This letter is sent to strenuously implore you to include that the injured workers of Canada, at large, are provided for in our proposed new Constitution or Charter Of Rights.

We, the injured worker members of the Abbotsford, Matsqui, Mission Chapters of the B.C. Federated Anti-Poverty Groups beg that you please listen with compassion to our following entreaties for a proposed new Federal Workers' Compensation Act and a Commission Of Inquiry into Canada's Workers' Compensation Boards, starting with the B.C. Workers' Compensation Board.

The rationale for our requests is that far too many Canadian workers are consistently being denied just compensation benefits, for often frivolous reasons and subsequently are forced onto the Provincial welfare rolls, only to suffer inevitable bankruptcies, marital breakdown, eventual alcoholism and the loss of desire to ever return to Canada's daily workforce.

Please be advised that there are a great many poverty-stricken and alienated Canadian injured workers in British Columbia who absolutely gag when they are informed that they have the honour of sharing part of the much-vaunted "Good Life" here in Canada's most western Province.

Please be aware that not ALL British Columbians share the opinion that legal action, referendums and possible future separation, over the final terms of our new Canadian Constitution are in any way warranted against our Liberal Government in Ottawa.

Many British Columbians are being made to suffer in poverty, year after wasted year, while they fight frustrating, lengthy and

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costly appeals to either establish or reopen bona fide claims for work-incurred injuries against the B.C. Workers' Compensation Board.

We suggest to you, Mr. Prime Minister, that it is not merely enough to guarantee our fellow Canadian workers equal mobility for job opportunities throughout our 10 Provinces, but that there must also be a status of recognition for the plight of destitute injured workers enshrined in our new Constitution as well.

We are certain that if you were to propose such an Amendment to our Constitution, the injured workers of all of Canada would flock to your side in support of such an Amendment.

There are indeed few classes of people in our Country who deserve more of the "Good Life" than those who have laboured manually all, or part of their lives to contribute the daily profits of their vocations to the welfare of Canada and its future prosperity.

For the autocratic and almost totally autonomous Provincial Workers' Compensation Boards to force these people of our Country onto welfare and into financial misery is surely the most insidious form of economic and social genocide imaginable.

PLEASE, we humbly implore you, give us a Federal Workers' Compensation Act to serve as a higher level of appeal in order to prevent the Canadian welfare rolls from further increasing because of the gross inadequacy of our Provincial Workers' Compensation Boards.

An injured Canadian worker who is forced to subsist on welfare is costing the Canada Assistance Plan money every day and is not in any way being justly compensated, properly rehabilitated, or retrained to ever effectively re-enter the Country's daily workforce.

By repeatedly sloughing off the appeals of injured workers and forcing them onto welfare, the B.C. WCB ensures that the B.C. Human Resources Ministry can pick up 50% of the cost of having these unemployed persons out of the daily workforce from the Federal tax coffers. In other words, the Provincial Governments deem it cheaper and far easier to put injured retrainable workers on welfare than to properly retrain them for the future of Canadian industry! B.C. itself is now wailing about a shortage of skilled labour, while there are literally thousands of retrainable workers sitting idle in this Province without jobs!

According to a 30 page study of the B.C. WCB compiled by the Safety and Health Committee of the International Woodworkers of America Union, Regional Council #1, (B.C.) as presented to the then

B.C. Socred Provincial Minister of Labour, the Hon. Allan Williams, page 9 of the report, under the subheading of Rehabilitation Assistance states that the B.C. WCB has cut the annual number of injured workers that they are retraining down from 615 in 1975 to a mere 230 per year by 1978. (see partial copies of aforementioned report from IWA enclosed)

The next subheading on page 9 of the report, Commutation Of Pensions states that a 25 year old B.C. worker, suffering the loss of a middle finger in 1975, would have received a lump sum payment offer from the B.C. WCB of \$1014.86. But in 1979, that same injured worker, now earning much higher wages, with the same amputation, would only be offered a lump sum payment of \$561.97 by the B.C. WCB.

These are only two minor reasons that we are requesting a commission of inquiry from your Government into the operation and administration and also the methods of appointing of Commissioners of the B.C. Workers' Compensation Board.

I myself, am a bloodied veteran of a dearly won battle to establish a bona vide workers' compensation claim that started in June of 1969 against the B.C. WCB and was only successfully decided in my favour after I had suffered the loss of my first marriage, my former lucrative guard dog business, my credit rating, the personal respect of my friends and family, my social status and my own personal self-esteem and desire to work.

After being reduced from a self-employed contractor earning in excess of \$400 per week in 1969, down to subsisting on \$106 per month welfare benefits by 1970 and thence down to daily existing on two Salvation Army meal tickets and a Sally Ann room in New Westminster, B.C., just prior to my settlement from the B.C. WCB in the spring of 1971, I believe qualifies me to speak with some authority and personal knowledge first-hand about the current plight of injured workers in British Columbia.

The details of that aforementioned B.C. WCB claim struggle (claim #69045849) were part of a recent lengthy report that I gave the McDonald Commission Of Inquiry into the RCMP. (confidential)

I am now entering my second year of appeals concerning four back injuries that I sustained on the job from 1966 to 1972 inclusive. Claims that the B.C. WCB has already accepted and paid me some time-loss for, but refuses to now reopen because I have asked to be retrained prior to my impending right lower back disc surgery. (B.C. WCB claim #CC72025060)

My wife and three children and I get \$656.00 per month from GAIN in B.C., plus \$60-odd dollars from family allowance and we have to pay our own medical plan premiums, as I am classified as



"employable" by the B.C. Ministry of Human Resources. Both my Abbotsford General Practitioner, Dr. Michael Braear (2039 McCallum Road, Abbotsford, B.C.) and Abbotsford Back Specialist, Dr. John Muir (#102-2151 McCallum Road, Abbotsford, B.C.) have submitted numerous reports to the Mission, B.C. Ministry of Human Resources Offices stating that I cannot sustain any physical labour that involves stooping, sitting, standing, bending, lifting or digging. These physicians reports are supported by irrefutable x-rays as medical testimony to the extent of my lower lumbar back injuries.

We are enclosing some other sample B.C. and Ontario WCB case histories of AMM Federated Anti-Poverty Groups members whom either are, or at some time have been forced to resort to exist on welfare in B.C. because of their compensable work-related injuries to support our requests to yourself and some of your able Ministers on these matters. Permission of privacy has been granted to AMM FAPG to submit these case histories by the respective members involved for your scrutiny and possible future action on these poverty-related issues.

Taking note that the Hon. Allen MacEachen's recent Federal Budget made mention of continuing financial assistance for Social Affairs in Canada, we will also be sending copies of this complete correspondence to that champion of Canada's poor, the Hon. Monique Begin, as well as to the Hon. Gerald Regan to ask their kind indulgence for our cause.

We pledge our public support for your Government's Constitutional proposals IF they include a Federal Workers Compensation Act that will ensure the right of Canada's injured workers to be properly and adequately compensated, rehabilitated and (should they so choose) be retrained in order to more effectively re-enter the workforce.

We, the volunteer community workers of the AMM FAPG, are swamped with the most pitiful cases of workers compensation indifference and neglect from highly unsatisfied B.C. WCB claimants who are just barely existing on incomes far below the 1978 Senate Poverty Line.

We shall also be asking our B.C. FAPG members Ian Waddell MP, Margaret Mitchell MP, Mark Rose MP and Ray Skelly, MP Comox-Powell River (a non-member) to champion our cause to the Senate Constitutional Committee and in the House Of Commons on our behalf.

I wish to thank you for personally taking the time to listen to our pleas for a long overdue and much-needed Federal legislative hammer to hold over the dictatorships of the Provincial Workers Compensation Boards in our Country.

We would be pleased to send our AMM FAPG Workers Compensation Committee members to Ottawa to further attest to the allegations

contained in this correspondence. We believe that our Country must offer its citizens only the best of social justice and reform, along with preserving only the best tenets of the free enterprise system, (after we find out what those tenets actually are) without discrimination of ancestry or language within the whole of Canada.

We further maintain that our Country must be the sum total of the labour of all of our peoples working daily together towards the future, rather than just the total of merely all of our historic and geographic parts failing to ultimately ensure the future evolvement of our shaky Confederation.

May God be with you and your Government in your continuing efforts to form this Country into the Nation it should have been before 1900.

We await your reply at your earliest convenience.

Very respectfully yours,

*Barrie Alden*

Barrie Alden  
President - Abbotsford, Matsqui, Mission Federated Anti-Poverty  
Groups  
B.C. FAPG Delegate to the National Anti-Poverty Organizations,  
Ottawa, Ontario  
Past member: Teamsters Union - Local 31, Vancouver, B.C.  
United Steelworkers Union, Vancouver, B.C.  
U.F.A.W.U. - (shoreworker) Steveston, B.C.  
Vancouver Outside Workers Union (Vancouver Parks Board  
Casual Contract Researcher - CBC (Vancouver) Television News  
Community Producer - Fraser Cable 10, Coquitlam, B.C.

cc: Ray Skelly MP, Comox-Powell River  
Mark Rose MP, Mission-Moody  
Margaret Mitchell MP, Vancouver East  
Ian Waddell MP, Vancouver-Kingsway  
Robert Skelly MLA, Alberni, B.C.  
Dave Barrett Leader Of The Opposition, Province of B.C.  
Bill Ritchie MLA, Fraser Valley Center, B.C.  
Hon. Monique Begin, Federal Minister National Health And Welfare  
Hon. Gerald Regan, Federal Minister of Labour  
Senator Ray Perrault  
Chairman of the Senate Committee for Constitutional Reform  
Hon. William Heinrich, Minister Of Labour, British Columbia  
FLURA and the United Church in Canada  
Ms. Marjorie Hartling, President, National Anti-Poverty Organiz-  
ation  
Ms. Grace Long, President, B.C. FAPG

cc: United Steelworkers Union, Provinces of B.C. and Ontario  
Senator Ed Lawson  
Mr. Al Walcott, International Teamsters Union Joint Council 36  
B.C. Federation Of Labour  
Canadian Labour Congress  
B.C. Govt. Employees Union  
Hon. Grace Mary McCarthy, Minister of Human Resources, B.C.  
B.C. Workers' Compensation Board  
Ontario Workers' Compensation Board  
Provincial Ombudsman, British Columbia  
Ombudsman, Province of Ontario  
Hon. William Richards Bennett, Premier of B.C.  
Hon. William Davis, Premier of Ontario  
United Fishermen and Allied Workers Union  
International Woodworkers Union - Mr. Jack Munro  
Mr. Erik Wood, B.C. Labour Boards of Review  
Senator Jack Austin  
Rosemary Brown MLA, Burnaby-Kingsway, B.C.  
New Westminster Labour Council, B.C.  
Fraser Valley Labour Council, B.C.  
Canadian Farmworkers Union -(member group of AMM FAPG)  
International Brotherhood of Electrical Workers Union  
Parliamentary Task Force Committee on the(Disabled)in Canada  
The National Media (Handicapped)  
CAIMAW  
B.C. Medical Association

ADDITIONAL INFORMATION:

..... there are no reciprocal WCB claim handling agreements between the 10 provinces, thus the need for a Federal Compensation Act ..... convicted criminals in Canada have an almost continuous right of appeal to higher courts, the Canadian Injured Worker does not ..... most provincial WCB administrations will only pay a claimant's expenses for travel within that province ..... some provincial WCB Appeals processes allow unlimited time to appeal a decision, others have 30 or 60 day time-bars ..... most provincial welfare acts do not recognize injured workers with chronic injuries as "unemployable for certain jobs or periods of employment ..... the B.C. Workers Compensation Act does not state that the B.C. WCB has to retrain an injured worker and this should be changed by the Provincial Legislature ..... most of the injured worker members of the AMM FAPG have applied for and received Canada Pension Disability Awards within six months of their dates of application with very little or no difficulties and yet these same persons are classified as "employables by the B.C. Ministry of Human Resources ..... Canada Pension Disability Pensions are retroactive to one or more years and the monthly amounts are wholly deducted from B.C. Gain Allowances ..... some B.C. lumber companies are now "staking out" their injured workers while they are off the job and reporting their activities to the B.C. WCB.