



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 24, 2005
Time: 4:00 p.m.

Present:

Mayor McCallum
Councillor Villeneuve
Councillor Steele
Councillor Priddy
Councillor Bose
Councillor Watts
Councillor Hunt
Councillor Higginbotham

Absent:

Councillor Tymoschuk

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
City Solicitor
General Manager, Engineering
General Manager, Finance, Technology & HR
General Manager, Parks, Recreation and Culture
City Solicitor

A. DELEGATIONS

- Larry Thomas, President, British Columbia Professional Fire Fighters' Association (BCPFFA)**
Tim Baillie, Vice President of BCPFFA - Lower Mainland & Chair of Occupational Health & Safety Committee
File: 7200-01; 0550-20-10

Larry Thomas, President, British Columbia Professional Fire Fighters' Association (BCPFFA), and Mike Starchuk, Surrey Firefighters Association, were in attendance to make a presentation on the most important issue of fire fighters in British Columbia with respect to fire fighter cancers.

Larry Thomas provided the following comments:

- Certain cancers are related to the occupation of firefighting.
- Five provinces across Canada have enacted legislation recognizing the link between certain cancers and occupational firefighting.
- The BCPFFA is seeking coverage in B.C. and have asked the Workers Compensation Board (WCB) to enact presumptive coverage for brain, kidney, bladder, non-Hodgkins Lymphoma, leukemia and lung cancer (in non-smokers), testicular and colon cancer.
- Science has identified and reported that there has been a doubling of incidents compared to standard, through the relationship of firefighting and oxidants inhaled when firefighting.
- In 2003, the UBCM passed resolution No. B133 supporting the enactment of presumptive cancers.
- Surrey Council passed a resolution in support to have legislation enacted relative to presumptive cancers.
- Vancouver, Burnaby, Richmond, Delta, Prince George, Victoria and other municipalities have sent in supporting resolutions to the WCB, representing 70% full time firefighters employed in B.C.
- The GVRD Labour Board sent a submission to WCB raising concerns regarding the evidence contained in the scientific reports and concerns relative to the cost of implementation.

- The GVRD developed a document identifying costs that are somewhat misleading, based on the assumption that there would be 16 claims per year accepted and costed accordingly.
- Page 28 of the WCB Discussion Paper, identifies that there have been only 17 claims brought forward, out of a total 47 claims, over the past 20 years.
- If presumptive cancers had been accepted, more claims would have been accepted.
- Surrey's experience has been different in that 11 firefighters have contracted cancer over the history of the service since 1957.
- Only two persons had cancers to be covered under presumptive legislation.
- Firefighters did not always have the benefit of protective equipment such as breathing apparatus used in firefighting today.
- Protective gear is much better does not prevent 100% contamination – it minimizes the risk.
- The costs associated with presumptive cancer legislation is not what is led to believe.

It was

Moved by Councillor Watts
Seconded by Councillor Hunt
That the information submitted by

Larry Thomas be received.

Carried

- The B.C. Professional FireFighters Association requested Dr. Gudiotti and Dr. Melius to conduct a peer review of the CCO report. Both doctors indicated the report is flawed in its assumptions and inconsistent with its treatment of the existing scientific evidence.
- The GVRD LRB sent in submissions that did not support the establishment of presumed cancers for firefighters. They questioned the scientific evidence and had concerns about cost. At the request of the GVRD LRB, the WCB requested a study be done on the links between cancer and firefighting.
- A document that estimates potential costs was developed but is very misleading. Claim costs are shared through the WCB accident fund and increases to any one employer should be very negligible based on experience. The future liability related to increases in claims will diminish over time due to the improvements in safe fire ground practices and personal protective equipment.
- The WCB hired Cancer Care Ontario (CCO) to study the relationship of cancer and firefighting. CCO determined a narrow focus of acceptable studies to use and consequently did not use all available science in their report to the WCB.
- Recommendations from the Industrial Disease Standards Panel of Ontario and the work by Dr. Tee Gudiotti, expert epidemiologist from George Washington University, were not included. Dr. Gudiotti specialized in occupational cancers and specifically firefighting. His studies have been accepted as expert evidence in all provinces that have established presumptive cancer coverage for firefighters. He is also recognized as an expert in the United States and part of Europe.

- The CCO report does not acknowledge any substantial link to certain cancers and the occupation of firefighting.
- The B.C. Professional Firefighters Association requested Dr. Gudiotti and Dr. Melius to conduct a peer review of the CCO report. Both doctors indicated the CCO report is flawed in its assumptions and inconsistent with its treatment of the existing scientific evidence.
- The WCB has issued a Discussion Paper on this submission to all stakeholders and firefighters in the province.
- It can take up to four years after diagnosis to get a claim accepted by WCB.
- With science that supports cancer presumptions, this would allow firefighters and their families to receive benefits from WCB initially, without having to go through four years of battle to get claims accepted.
- Presumptions are rebuttable if the employer or WCB don't feel a claim is legitimate and may be dealt with in due course.
- The recommendation is that Council adopt Option II(d) of the Discussion Paper, which is to amend Schedule B of the provincial Works Compensation Act to identify certain cancers as occupational among professional fire fighters with a minimum period of employment.
- It is requested that Council review material and provide supportive comments to WCB to accept Option II (d). A sample letter is attached.

Councillor Hunt stated that the GVRD Labour Relations Boards (GVRD LRB) is a separate entity, and that there are no members of Council involved with the GVRD LRB.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

D. DELEGATION REQUESTS

E. COUNCILLORS' REPORTS

F. OTHER COMPETENT BUSINESS

G. ADJOURNMENT

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That the Council-in-Committee meeting do

now adjourn.

Carried

The Council-in-Committee adjourned at 4:19 p.m.

Margaret Jones, City Clerk

Chairperson