

Submission to Public Consultation on Amending the Atlantic Accord Acts

Submitted By: Women in Resource Development Committee
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Introduction

Women in Resource Development Committee (WRDC) is an incorporated, not-for-profit organization committed to economic equality and employment equity for women in natural resource development and related industries. WRDC expresses that commitment through research, identification of barriers to women's involvement, improved access to trades and technology training for women, and the creation of strategic industrial and community alliances.

WRDC works to raise awareness among women of occupations in the petroleum industry and other natural resource industries, and offers support to those who seek training and employment there. WRDC also establishes partnerships with industry and training institutions to develop awareness and educational opportunities aimed at decreasing barriers to recruitment and increasing the retention of women within industry. By networking with industry, WRDC develops and shares information related to this goal.

WRDC involves women who are committed to supporting change within our natural resources sector. The following list of constituencies on the Board of WRDC indicates the breadth of the partnerships involved with the organization:

Individual Tradeswomen

Provincial Advisory Council on the Status of Women

Memorial University of Newfoundland, Department of Sociology, and faculties of Education and Engineering

Women in Science and Engineering

Women in Trades and Technology (WITT) National

Newfoundland and Labrador Federation of Labour

Women's Policy Office, Executive Council, Government of Newfoundland and Labrador
Bay St. George Status of Women

Torngat Inuit Women

College of the North Atlantic

Secretary of State, Government of Canada.

WRDC is concerned that women in Newfoundland and Labrador receive direct employment benefits from oil and gas activities here. In doing so, that they can conduct such work safely and in a safe environment is a top priority. This submission reflects their voices.

Background

There is a growing number of women who are training for careers in the oil and gas industry. Results from the Orientation to Trades and Technology (OTT) program show this very clearly. OTT is funded by the Canada-Newfoundland and Labrador Labour

Market Development Agreement and offered in partnership between the College of the North Atlantic and WRDC. OTT is designed to encourage women to consider training for careers in the natural resource development sector. It attempts to change attitudes and create learning environments specific to the needs of women. Since the pilot program in 1999, almost 200 women have completed OTT. Many of these have decided to pursue training for careers related to the oil and gas industry. Given the plans of these women, along with the women currently working offshore and the commitment to diversity made in the White Rose project, the number of women working offshore is expected to rise in the near future.

General Discussion of Proposed Amendments

Changes to the Atlantic Accord Acts will accomplish two tasks: codify current practices and give regulatory control of health and safety offshore to the respective Offshore Petroleum Boards. This means that operators and employees will finally have applicable legal guidelines for Health and Safety in the offshore. Women in Resource Development would like to ensure that the measures recommended for law will provide for the safety of all people working offshore on oil and gas platforms and rigs. With this in mind, WRDC submits the following items for consideration by the consultation group. It is our intent to ensure that the legislated health and safety regime will meet the needs of all employees offshore.

Because the oil and gas industry is new to East Coast Canada, and because there is a general awareness in society for the need for employment equity, ensuring that legislation is adequate to meet the needs of both women and men can be accomplished. There are no current or well-entrenched practices working against incorporating fairness into legislation. In fact, the process of amending the Atlantic Accord is an opportunity to avoid inadequacies of other legislation.

There is no argument that health and safety offshore is an issue of vital importance. Because of the nature of offshore installations and ocean rigs, the safety and health of a single individual can have serious consequences in an environment where activity is so interconnected and isolated. As well, removing oneself from a dangerous situation requires extraordinary measures in an offshore environment. At the risk of stating the obvious, the capacity for everyone on board to benefit from personal protective equipment and survival equipment must be available. Everyone on board must be equipped to deal with emergencies and everybody on board must be physically and mentally prepared (as much as training can do) for an emergency.

Recommendations

On reviewing the consultation paper, and in discussion with women working in the

industry, Women in Resource Development makes the following seven recommendations for inclusion in the legislation:

1. Include men and women in the definition of *employee*. (I.e. An employee is any man or woman who . . .) This is to ensure that the requirements to ensure safety for women are highlighted as equally as men when policies are made. By highlighting both men and women in the definition, the chances of overlooking a danger which may be more applicable to one gender or the other diminishes. Each measure would be assessed for how it would work for both men and women as employees.
2. Ensure that the definition of *marine installation or structure* includes all offshore oil and gas platforms and drilling rigs operating in Canadian waters. Mobile drilling rigs and vessels ought to be covered by health and safety legislation relating to the offshore.
3. Ensure that standards used for personal protective equipment (PPE) are appropriate to the environment in which they are expected to be used. The standards ideally would be developed by testing the equipment in the worst case in which it is to be used. As well, any differences between the offshore environments of Newfoundland-Labrador and Nova Scotia ought to be considered when setting common standards.
4. Ensure that accommodation is made for the varying physical attributes of the individual users of the PPE. This is an area of concern for Women in Resource Development because much of the PPE is tested on men and does not recognize the physiological differences of women. With that in mind, WRDC further recommends that the employers and operators be required to provide a list of suppliers to the regulator which can provide equipment that can be safely used by women. The list would be included as one of the criteria established by the legislation for an effective health and safety management system.
5. Ensure that appropriate accommodations are available for women on all offshore worksites. Cases offshore Nova Scotia have been reported where accommodations for women were not available. This is not conducive to a working environment which promotes the health, safety and welfare of employees. It would be appropriate to include this item as part of the occupational health and safety program, and as a requirement under the duties of the operator.
6. Ensure that a timely response to employee concerns is required under the Duties of the Operator and the Duties of the Employer. Such a requirement would balance the requirement to "take the steps necessary to have the matter remedied" found under the Duties of Employees. The result would be a quick turnaround time for dealing with potentially dangerous situations.
7. Ensure that the consideration of nursing and pregnant workers provided for in the current Canada Labour Code, Part II, section 132 be included in the legislation as a *minimum guide*. This suggested requirement should be a definite for inclusion in the amended Accord legislation, not a possibility as the wording found in the proposal indicates.

Conclusion

WRDC would like to applaud the desire of the committee to create legislation to protect those working in the offshore oil and gas industry. There is no doubt that this undertaking will encourage discussion of health and safety. We present these recommendations in the hope they will make a positive contribution to achieving an adequate and effective health and safety regime for the offshore.

Women in Resource Development Committee recognizes the importance to our community of the presence of the petroleum industry as it builds and defines itself in this province. As representatives of

the greater community, we support the development oil and gas offshore and want to see the momentum of the petroleum industry continue with the best impact for this community. WRDC is committed to working with petroleum industry partners to promote and facilitate cooperation, and to develop strategies that will contribute to increasing women's participation in the work force. WRDC would like to see all stakeholders to work together to craft and maintain a balance of economics, social justice, sustainability and of course, safety.