

newsletter

NOTICE OF MEETING & documents:¹

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

ANNUAL GENERAL MEETING

25 September 2013.²

at 180 Dundas Street West, 19th Floor; 5:30 pm.

1. Last AGM minutes.³⁴
2. Annual Report.⁵
3. Financial Report. 6789101112131415161718192021
4. Appointment of auditor.
5. Election of new Board members & thanks to previous.
At this AGM, $\sim\frac{1}{2}$ of all Board positions²² will become vacant - to be filled for two-year terms. Also other vacancies would be filled.
6. Other business.
7. Discussion topic -- from U of T Engineering Strategies & Practice course:²³ .Dual-Tower Lift Scaffold design
.Lead Poisoning Poster Design.

Refreshments -- All welcome -- Please Post.
Recorded music: Stompin' Tom's "Tillsonburg."²⁴²⁵

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IF YOU WOULD LIKE TO RECEIVE THIS
NEWSLETTER VIA e-MAIL.

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

AGM September 2013. annual report. ²³

The Toronto Workers' Health and Safety Legal Clinic exists to promote and provide access to justice to low income non-union workers/organizations by providing advice, representation, public legal education and law reform concerning occupational health and safety and related workplace laws through consistently high quality services in a cost-effective, efficient and innovative manner.

The Clinic's activities in pursuit of those goals are described below under the following headings:

1. LAW REFORM
2. CASEWORK
3. OUTREACH (including networking, community development and education)

And:

4. CLINIC VOLUNTEERS MONITOR LAW CASES
5. CHINESE DELEGATION
6. STATISTICAL INFORMATION
7. MEMBERSHIP REPORT
8. LEGAL AID ONTARIO
9. CLINIC REVIEW

1. LAW REFORM

The Clinic continues to promote improved occupational health and safety laws and their enforcement. As well, we promote improved WSIB laws on behalf of our client community. The Clinic's law reform activities:

- (i) Written and oral submissions regarding the WSIB Appeals Branch Modernization; ⁴
- (ii) Written and oral submissions to the Prevention Council concerning Ontario's Occupational Health and Safety Prevention Strategy Development; ⁵
- (iii) Written and oral submissions concerning the WSIB Benefit Policy Consultation - Jim Thomas; ⁶
- (iv) Oral submissions on the Deloitte Report on Ministry of Labour Strategy; ⁷
- (v) Oral submissions on Ministry of Labour statistics reporting; ⁸
- (vi) Oral submissions on the WSIB Boycott to Douglas Stanley and the WSIB; ^{9,10}
- (vii) Oral submissions on WSIB Reform to the Ontario Ombudsman;
- (viii) Written submissions to the Law Commission of Ontario concerning Vulnerable Workers and Health and Safety. ¹¹

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2. CASEWORK/ADVICE

As reported in our Annual Funding Application submitted during December 2012, our WSIB advice statistics were up approximately 30% from 133 in 2011 to 175 in 2012. It is not surprising there was an increase in WSIB advice calls given the WSIB's focus on reducing benefits using a number of different methods, including aggressive return to work initiatives on their part. However, our caseload in WSIB is going down. There were 42 new open cases in 2011 as compared to 33 new open cases in 2012 - reduction by approximately 30%. At the same time, our advice in occupational health and safety and employment matters went from 135 in 2011 to 160 in 2012, which represents a 25% increase in this area. When prevention was moved from the WSIB to the Ministry of Labour in April 2012, the Ministry of Labour website added a new heading entitled "Reprisals" and our Clinic was listed as a resource for advice and representation to workers who were fired or penalized for raising health and safety concerns at work. We received increased referrals due to this and we continued to receive referrals from the Ontario Labour Relations Board website as well. Since people all over the province access these websites we noticed a significant change in the number and variety and phone calls we received from outside the GTA in occupational health and safety, principally in the area codes of 519, 705 and 613. Comparing 2011 to 2012, we had a 75% increase in advice calls from individuals outside the GTA. These statistics are from the period before we had our toll free number in place (1 877 832 6090).

During the first six months of 2013 the Clinic provided occupational health and safety advice to 98 callers. This compares to a six month period in 2012 when the Clinic provided OH&S advice to 80 callers. This represents an increase of approximately 20%.

3. OUTREACH/PUBLIC LEGAL EDUCATION

A priority area for 2012-2013 was to make our Clinic more accessible to our clients/community by increasing/fine-tuning our web presence and obtaining a toll free number (1 877 832 6090) for long distance callers. In furtherance of this goal, the Clinic has had the toll free number since December 2012 and we have experienced an increase in long distance calls we have received. As well, since March 2013, thanks to the IT finesse of our staff lawyer, we have a Facebook/Twitter presence which increases our profile on the web.¹²¹³

The community legal worker continues to be dedicated to providing public legal education sessions in the community on occupational health and safety and other workplace law areas. The CLW also developed a WHMIS fact sheet¹⁴ to distribute during these information sessions.

The Clinic lawyers presented two public legal education seminars in WSIB and occupational health and safety to settlement workers in a "train the trainer" session done at the request of the South East Asian Legal Clinic, also located at 180 Dundas Street West. As well, we provided a training session on occupational health and safety to OISE professors who are engaged in a study of precarious work.

The Clinic continues to work with other groups who share similar goals and objectives:

1. Workers' Compensation Network
2. Toronto Injured Workers Advocacy Group (TIWAG)
3. O.F.L. Health and Safety Committee
4. O.F.L. WSIB Committee
5. Employment Standards Work Group (ESWG)
6. Institute of Work and Health

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

7. Occupational Health Clinic for Ontario Workers (OHCOW)
8. The Ontario Bar Association, WSIB Section

Clinic staff participated as well with the following new groups in 2012-2013:

1. Prevention Program Review Group
2. Prevention Council¹⁵
3. Experience Rating Working Group

Clinic staff also attended community development meetings involving migrant farm workers and the United Food and Commercial Workers concerning WSIB issues.

We attended an American Chemical Society regional meeting, Rochester, New York, and did a poster presentation.¹⁶

The staff lawyer also represented the OBA/WSIB Section at the WSIAT Advisory Group. The purpose of the Group is to have stakeholders for both the worker and employer perspectives provide input on WSIB issues to the Tribunal.

In keeping with tradition, every year,¹⁷ both Clinic lawyers spoke about new developments in WSIB and OH&S on the Labour News program which runs for an hour at 8:00 p.m. every Thursday night on 1610 AM radio.

Beginning January 2013, the Clinic Director and the Clinic Board Treasurer hosted three groups of placement students from the Engineering Strategies Project at the University of Toronto. Three presentations/ reports were produced and two of them will be presented by the students at the Clinic's AGM in September 2013.^{18,19}

The Clinic continued to make inroads in the migrant farm worker community in rural Ontario due to Law Foundation of Ontario funding for a Spanish-speaking articling student in 2012/13. The Clinic, in cooperation with CSSP and IAVGO shared the student, Jessica Tellez. Jessica did outreach in rural communities of Ontario with the help of Justicia for Migrant Farm Workers. Jessica successfully appealed an OHIP decision, which resulted in OHIP coverage to a migrant farm worker who remained in Ontario but was unable to work due to medical issues.

The Clinic continues to reach out to veterans by advertising in *Esprit de Corps* magazine our availability to act for veterans with compensation issues.²⁰ Still we have not been contacted by any veterans as a result of the ad.

4. CLINIC VOLUNTEERS MONITOR LAW CASES

The Clinic continues to monitor the criminal law case of Toronto swing-stage scaffold fatalities. The trial date is set for 08 September 2014.²¹

The Clinic also continues to monitor the provincial offences law case of [*R v Sunrise Propane*]. The sentencing date is set for 09 December 2013.²²

The Clinic also monitored a case that came to our attention while our first articling student, Shane Martinez, was with the Clinic. Following his call to the bar, Mr. Martinez was counsel for Mr. Monroe in the successful case of *Monroe v Double Diamond Acres*.²³ In that case, the farm worker had been discriminated against on the basis of race, dismissed and returned to his country, St. Lucia. The Human Rights Tribunal awarded him \$23,500.00 in damages for owed wages, reprisal and loss of dignity.

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5. CHINESE DELEGATION

Clinic representatives met with a delegation from China interested in occupational health and safety and legal aid clinics here in Ontario.²⁴

6. STATISTICAL INFORMATION

As reported in the 2013-2014 Funding Application, our 2012 statistical information:

Casework	73
Summary Advice	347
Law Reform	8
Community Education And Organizing (includes 19 Community Development files)	130

7. MEMBERSHIP REPORT

As of December 31, 2012 the Clinic had 153 members, and a *newsletter* mailing list of approximately 200 names of individuals and organizations.

8. LEGAL AID ONTARIO

The Clinic continues to strive to achieve administrative savings in accordance with a requirement outlined in the 2013-2014 Funding Application. We continue to review all expenditures in all categories of our operations budget.²⁵

9. CLINIC REVIEW

The LAO Quality Service Office reviewed the Clinic in September 2012. We received our final report during late spring and we are required to fulfill our response to recommendations by September 30, 2013. The Review document was very positive and supportive of the Clinic's work.²⁶

Clinic Board members & committees.

Clinic Board membership is elected for staggered two-year terms.¹²³ ~1/2 of the Board was elected, or re-elected, at the AGM, 24 October. All 15 of the Board positions are now filled: 4567

● ending ~October 2013:

Sumaiya Sharmeen	Selvathy Kumar
John Field	Georgina Clinton
Diana Dongak-Lee	Genevieve D'Iorio
Fiona Lui	Carl Mohan

● ending ~October 2014:

Hilary Balmer	Jason Achorn
Ivan Lancaric	Titilayo Igor
Victoria Padel	Bola Ore
Michael Grossman	

Clinic committees continue after the AGM until Board or Executive decisions would make changes. As of Board motion, 27 February, committee membership is now:

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

●**Executive** Committee - [to assist the Board in its functions, and to act for the Board when the Board is unable to meet] :

Carl Mohan - Chair
Hilary Balmer - Vice-Chair
Michael Grossman - Treasurer
Jason Achorn - Secretary
Ivan Lancaric - Member-at-Large

●**Personnel** Committee - [To negotiate with Clinic staff on terms and conditions of their employment and to resolve all other personnel matters that may arise] :

Carl Mohan (*ex officio*)
Hilary Balmer
John Field
Diana Dongak-Lee
Victoria Padel

●**Outreach** Committee - [To develop and implement strategies for reaching non-unionized workers with OH&S problems and to monitor and evaluate all outreach undertaken by the Clinic] :

Carl Mohan (*ex officio*)
Hilary Balmer
Jason Achorn
Victoria Padel
Diana Dongak-Lee
Genevieve D'Iorio
Bola Ore

●**Planning & Priorities** Committee - [To set Clinic priorities in relation to casework, community education and organizing and law reform, within parameters of Objectives of the Clinic as established by the Board; to decide which kind of cases the Clinic will undertake and whether or not particular cases fall within one of these categories] :

Carl Mohan (*ex officio*)
Hilary Balmer
John Field
Selvathy Kumar

● *newsletter* Committee - [To consider improvements to the Clinic's *newsletter*] :

Carl Mohan (*ex officio*)
Michael Grossman
Genevieve D'Iorio
Bola Ore

●**Website** Committee - [To consider improvements to the Clinic's website] :

Carl Mohan (*ex officio*)
John Field
Michael Grossman
Victoria Padel



Case report -

Monrose v Double Diamond Acres Ltd. **Human Rights Tribunal of Ontario.**

A migrant worker on an Ontario farm, under the federal Seasonal Agricultural Workers Program, was terminated early and reprimanded to the Caribbean. The worker alleged that this was discriminatory and/or

in reprisal to raising human rights concerns, including that he and co-workers were referred to as monkeys - seen as racial taunts -- by persons in authority of the employer. The Tribunal found for the worker and in

remedy ordered monetary payments and corrective action.

For the full text of the decision:¹²

<http://www.workers-safety.ca/> → Home page → Main Menu → Publications → Downloads →

[2013 07. Monrose v Double Diamond Acres Ltd.pdf](#) ■

Case report -

[R v Sunrise Propane]
Ontario Court, Old City Hall.

See in the press below.

case still in progress & comment —

R v [...]
-- swing-stage scaffold fatalities --
-- *Criminal Code* -- trial next year at Superior Court --

M. Grossman

This *Criminal Code* case, reported, with comment, previously in this *newsletter*,¹²³ of a single individual in a stream from which other accuseds were separated, continues.

This case arises from four worker swing-stage scaffold fatalities, and one serious injury, Toronto, 2009. The preliminary hearing was concluded, at Old City Hall, with a committal for trial at Superior Court.

A **trial** date has been set for **08 September 2014**, Ontario Superior Court, **361 University Avenue**, Toronto.⁴

There is still a publication ban.⁵ Comment, on government policy, in this *newsletter*, is intended after the trial is over, likely late next year. Related to such policy are questions that beg to be speculated about:

- Why does one person charged go to criminal trial and others do not?
- Why are others not even charged?
- One of those initially charged, whose charges were withdrawn, likely shouldn't have been charged in the first place. Why?
- Why criminal charges in this case, and not in others?
- And why does this all take five years? ■

From ACLCO:



TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

Memo

To: All Clinics
From: ACLCO Executive
Date: July 25, 2013
Re: Cut to the Clinic System's Budget

On July 3rd, LAO announced cuts of 1.6% to every clinic in the province, retroactive to April 1, 2013. On July 25th, a memo was set by LAO to all clinics in the province. The memo read:

Memo to All Clinic Chairs and Executive Directors

Legal Aid Ontario is very pleased to announce that with the cooperation and support of the Ministry of the Attorney General, additional funds have been secured which will be used to rescind the previously-announced clinic budget reductions for the current fiscal year.

Rescinding the budget changes will enable LAO and clinics to have more time to consider how to best make changes to improve the delivery of clinic law services to those most in need in our society.

LAO would like to thank the Ministry of the Attorney General for making this announcement possible.

This decision came as the culmination of an extensive effort by the ACLCO, and by our allies and friends, over the last 3 weeks. Of particular note are the efforts of clinics in some of the by-election ridings in the past week to make the question of cuts to clinics an issue in the election. At the same time, the ACLCO executive worked closely with the Ministry of the Attorney General, with the Premier's Office, and with LAO board and staff, to make it clear that funding cuts to clinics were inappropriate and needed to be reversed.

Until this afternoon, it was still not clear how this issue would be resolved. The ACLCO was in the process of finalizing a Lobby Kit which was going to be sent to every clinic on Friday morning, in the hopes of immediately expanding the public campaign across the entire province. The ACLCO is very pleased with the decision to rescind the cuts.

However, we also recognize that this victory is not the end of the struggle. LAO's plans to reduce the clinic system budget in 2014, and to "modernize" clinic law services remain. These matters still need to be resolved with LAO. This discussion will commence at an ACLCO – LAO meeting on July 31st, where the "List of Assurances" created by the ACLCO will be on the Agenda. We are comforted to know that, as part of the process over the last 2 weeks, the government has indicated that it needs to keep an eye on these discussions, and remain engaged. The Premier's Office has informed us that they have an interest in ensuring the ongoing strength of community based legal clinics. We welcome this engagement.

So, we look forward to these negotiations with a renewed sense of optimism. Although there is much still to be done, today's decision to rescind the cuts creates the room needed for the discussions to take place, and the hope that they could bear fruit.

We will keep you informed as these discussions move forward.

If you have any questions, please do not hesitate to contact either Lenny Abramowicz, or any member of the ACLCO executive. ■

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

Clinic's new budget -- revised.

The Clinic's new Budget from LAO as reported previously,³⁴ has been changed. See the ACLCO Memo above. Our new budget -- revised:

Approved Annual Budget 2013-14

Clinic: Toronto Workers' Health & Safety Legal Clinic	
Personnel Services	
Staffing component -	4
Total salary pool and benefits	412,802
Temporary staff	2,192
Bookkeeper	6,038
Total Funding for Personnel Services	<u>421,032</u>
Operating Costs	
Travel	11,000
Communications	13,901
Office rent	45,588
Other accommodation costs	3,634
Equipment expenses	5,560
Office supplies	5,725
Library	5,296
French language services	1,000
Conference fees	3,100
Membership fees	3,760
Audit and other reporting	2,901
Total Funding for Operating Costs	<u>101,465</u>
Contingency funds	3,500
Approved Annual Budget, 2013-14	<u>525,997</u>

DATED: [27 August 2013.] _____
[Janet Budgell.] _____
SIGNED: _____
Janet Budgell
Vice President, Southwest Region
Legal Aid Ontario
Chair, Board of Directors
Toronto Workers' Health &
Safety Legal Clinic

Salary and Benefits - 2013-14

Toronto Workers' Health & Safety Legal Clinic	
Number of Approved LAO-Funded Positions	4
Compensation funding	310,569.30
Pay Equity - 2013	41,478.79
Statutory benefits	14,815.08
Group benefits	22,728.50
RRSP contributions	19,362.64
Professional dues	3,848.00
Total personnel allocation	<u>412,802.31</u>



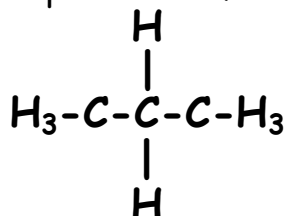
in the press -

- In *The Globe and Mail* : "EMPLOYMENT Young workers listening to union pitch / Rate of unionization across Canada is up slightly due to growing number of part-time members."²
- Also in *The Globe and Mail* : "CANADIAN MEDICAL ASSOCIATION Doctors slam NHL owners over violence."³
- In *The New York Times* : "In Germany, Union Culture Clashes With Amazon's Labor Practices."⁴
- Also in *The New York Times* : "Silence Underground / [Coal] Mine Deal Puts New Scrutiny on China's State Industries / Concerns rise from a rare glimpse into a secretive business."⁵
- Also in *The New York Times* : "Suppliers of Milk Powder To China Are Issued Fines."⁶
- Also in *The New York Times* : "[Spider-Man] Musical Resumes Shows After Injury."⁷
- Also in *The New York Times* : "Bangladesh's Workers Deserve Better."⁸
- Also in *The New York Times* : "Explosion and Fire Trap 18 Indian Sailors and Partly Sink a Navy Submarine / No signs of sabotage on a ship with a history of trouble."⁹
- Also in *The New York Times* : "A Flawed Background-Check System / The F.B.I. needs to be held to a higher standard when reporting on criminal histories."¹⁰
"The [US] Federal Trade Commission has rightly intensified scrutiny of the companies that provide the criminal background checks used by most firms and corporations to screen job applicants. ..."
- Also in *The New York Times* : "[US] Fast-Food Fight / Strikes are sure to continue until corporate and political leaders listen, and act."¹¹
- Also in *The New York Times* : "[US] Public Defenders Are Tightening Belts Because of Steep Federal Budget Cuts / Threats are seen to a defendant's right to a speedy trial."¹²¹³

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

● As reported in the previous issue of this *newsletter*: ¹⁴¹⁵¹⁶

In the *TORONTO STAR* : "Sunrise Propane found guilty in deadly explosion / Company facing \$18M in penalties after 2008 blast that left employee dead." ¹⁷



propane
CAS ¹⁸ 74-98-6

Ontario Court [R v Sunrise Propane] information document: ¹⁹

<http://www.workers-safety.ca/> → Home page → Main Menu → Publications → Downloads →

[2013 07. Sunrise Propane.PDF](#)

[R v Sunrise Propane] reasons for judgment: ²⁰

<http://www.canlii.org/en/on/oncj/doc/2013/2013oncj358/2013oncj358.html>

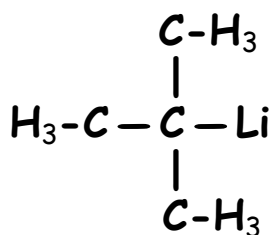
<http://www3.quicklaw.com/cgi-bin/LNC-prod/lnetdocf.pl?DOCNO=985>

The **sentencing hearing** is scheduled for **09 December**, Old City Hall, ²¹²² Toronto, before Justice Chapin.

● As reported previously in this *newsletter*: ²³²⁴

In *CHEMICAL & ENGINEERING NEWS* : "SAFETY / Chemist Patrick Harran to face trial on charges related to death of research assistant [at UCLA]." ²⁵

[As reported previously in *C&EN*, a University of California, Los Angeles, chemistry professor was charged with a felony labor code violation in regard to a 2008 lab fire resulting in the death of a researcher who was trying to transfer *tert*-butyllithium, which ignites spontaneously in air. The plunger came out of the syringe barrel and her clothing was set on fire.] ^{26 27 28 29 30}



1,1-dimethylethyl lithium
CAS 594-19-4 ^{31 32}

A new report in *C&EN* : "LAB SAFETY AT UC / University of California works to implement and improve upon legally mandated program to PROTECT RESEARCHERS," ^{33 34 35} "Wrapping people up in a lab coat and gloves doesn't automatically make them safe." ³⁶

<http://policy.ucop.edu/doc/3500598/LabSafetyTraining>

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

<http://www.workers-safety.ca/>
<https://www.facebook.com/pages/Toronto-Workers-Health-and-Safety-Legal-Clinic/226662537458898?fref=ts>
<https://twitter.com/TWHSLC>

data added to <http://www.workers-safety.ca/>
documenting Clinic's law reform advocacy, etc.

<http://www.workers-safety.ca/> → Home page → Main Menu → Publications → Downloads →

[2013 08 26. 1 Hilborn.PDF](#)
[2013 08 26. 2 Hilborn.PDF](#)
[2013 07. Sunrise Propane.PDF](#)
[2013 07. Monroe v Double Diamond Acres Ltd.pdf](#)
[2013 06. Your Safety At Work - Factsheet WHIMIS.pdf](#)
[2013 05 17. Strategic Plan Consultation Response.doc](#)
[2012 11 14. SUBMISSIONS TO THE WSIB BENEFITS POLICY REVIEW CONSULTATIONS.doc](#)
[2012 11 14. submissions Benefits Policy WSIB.doc](#)
[2012 09 28. vulnerable workers submission -Law Commission of Ont.doc](#)
[2012 09 10. SUBMISSION TO WSIB ON THE APPEALS BRANCH MODERNIZATION CONSULTATION.doc](#)

NOTES:

AGM 2013. NOTICE OF MEETING.

Data in this issue of this *newsletter*, mailed to all members of record, form formal notice as legally required.

previous: <http://www.workers-safety.ca/> →
Home page → Main Menu → Publications →
Downloads → [2011 06 AGM](#)

3

AGM Minutes - October 24, 2012

MINUTES OF THE ANNUAL GENERAL MEMBERSHIP MEETING OF THE
TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC,
WEDNESDAY, OCTOBER 24, 2012

Present: See attached list. 27 attended, 24 of which were members
so quorum was achieved.

The meeting was chaired by Hilary Balmer.

1. APPROVAL OF MINUTES OF THE 2011 ANNUAL GENERAL MEETING
Moved by John Field and seconded by Jason Achorn that the
minutes of the September 2011 Annual General Meeting be
accepted. CARRIED.

2. ANNUAL REPORT
Moved by Ivan Lancaric and seconded by Bola Ore that the 2011
Annual Report be accepted as read by Linda Vannucci. CARRIED.

3. FINANCIAL REPORT
Michael Grossman reported that the financial situation for
2011 remains similar to earlier years. The bulk of our
funding is Legal Aid Ontario and the funding goes to rent and
salaries.
Moved by Michael Grossman and seconded by John Field that the
Clinic again appoint Hilborn Ellis Grant as auditor. CARRIED.

4. ELECTION OF NEW BOARD MEMBERS
Moved by John Field and seconded by Jason Achorn that the
three members present at the meeting who are interested in
becoming members of the Board are Titilaya Igor, Bola Ore and
Genevieve D'Iorio. CARRIED.

It is noted that Barbara Dresner expressed interest in coming
on to the Board. She is welcome to the Board as soon as
another vacancy arises.

1

4

AGM Minutes - October 24, 2012

Two Year Terms:
Hilary Balmer
Ivan Lancaric
Victoria Padel
Michael Grossman
Jason Achorn
Bola Ore
Titilaya Igor

One Year Term:
Sumaiya Sharmaine
John Field
Diana Donspak-Lee
Piona Lui
Selvathy Kumar
Georgina Clinton
Carl Mohan
Genevieve D'Iorio

Moved by John Field and seconded by Kemraj Baboolal that there
is a motion of confidence in the Board of Directors. CARRIED.

The Business Meeting adjourned at 6:00 p.m. after which our guest,
Mr. Aureliano Ramirez, injured worker, spoke about his scaffolding
accident and his efforts to get the Ministry of Labour to monitor
his employer. A slide show was presented and Len Elliott commented
on the Regulations. After questions and answers this portion of
the meeting adjourned at 7:30 p.m.

Minutes taken by Linda Vannucci.

S:\DIRECTOR\AGM\AGM-2012.MIN

2

5 See page 2.

6 <http://www.workers-safety.ca/> →
Home page → Main Menu → Publications →
Downloads →
[2013 08 26. 1 Hilborn.PDF](#)
[2013 08 26. 2 Hilborn.PDF](#)

7

TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

FINANCIAL STATEMENTS
MARCH 31, 2013 AND 2012

HILBORN_{LLP}

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

8



Independent Auditor's Report

To the Board of Directors of Toronto Workers' Health and Safety Legal Clinic

We have audited the accompanying financial statements of Toronto Workers' Health and Safety Legal Clinic, which comprise the statements of financial position as at March 31, 2013, March 31, 2012 and April 1, 2011, and the statements of operations, funds balance and cash flows for the years ended March 31, 2013 and March 31, 2012, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the organization's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion
In our opinion, the financial statements present fairly, in all material respects, the financial position of Toronto Workers' Health and Safety Legal Clinic as at March 31, 2013, March 31, 2012 and April 1, 2011, and the results of its operations and its cash flows for the years ended March 31, 2013 and March 31, 2012 in accordance with Canadian accounting standards for not-for-profit organizations.

Toronto, Ontario
August 22, 2013

Hilborn LLP
Chartered Professional Accountants
Licensed Public Accountants

101 Bay Street, Suite 2000, P.O. Box 91, Toronto, ON, CA, M5J 2N4 T43T 4436, 544-534-5333; hilborn.com

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Statement of Financial Position

March 31, 2013	Capital Fund	Non-LAO Fund	Outreach Fund	Student Fund	Arts Fund	Total
ASSETS						
Current Assets	36,026	27,487	5,311	9,719	-	78,543
Accounts receivable	4,946	19	-	-	-	4,965
Prepaid expenses	10,811	27,769	5,311	9,719	-	53,630
Capital assets (note 4)	1,142	27,709	5,311	9,719	-	44,881
Total assets	51,124	27,709	5,311	9,719	-	103,863
LIABILITIES						
Current Liabilities	27,709	(5,130)	512	-	(2,291)	20,800
Accounts payable (note 5)	36,026	(5,130)	512	-	(2,291)	34,117
Deferred revenue	1,142	29,839	5,311	9,719	-	46,011
Total liabilities	38,177	29,839	5,823	-	(2,291)	71,926
Funds Balance	12,947	-	-	-	-	12,947
Total liabilities and funds balance	51,124	29,839	5,823	-	(2,291)	103,863

Approved on behalf of the Board:

Director
Toronto Workers' Health and Safety Legal Clinic

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Statement of Financial Position

March 31, 2012	Capital Fund	Non-LAO Fund	Outreach Fund	Student Fund	Arts Fund	Total
ASSETS						
Current Assets	40,026	24,709	5,275	8,815	-	78,825
Accounts receivable	4,946	19	-	-	-	4,965
Prepaid expenses	8,655	24,709	5,275	8,815	-	47,454
Capital assets (note 4)	1,522	24,709	5,275	8,815	-	41,321
Total assets	51,129	24,709	5,275	8,815	-	90,928
LIABILITIES						
Current Liabilities	24,709	(5,130)	512	-	(2,495)	20,606
Accounts payable (note 5)	36,026	(5,130)	512	-	(2,495)	34,913
Deferred revenue	1,142	29,839	5,275	8,815	-	45,071
Total liabilities	38,177	29,839	5,823	-	(2,495)	71,734
Funds Balance	12,947	-	-	-	-	12,947
Total liabilities and funds balance	51,124	29,839	5,823	-	(2,495)	90,928

Approved on behalf of the Board:

Director
Toronto Workers' Health and Safety Legal Clinic

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September 2013.

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Vol. 21 No.4.

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Statement of Financial Position

April 1, 2011	General Fund	Legal Disbursements Fund	Capital Fund	Non-LAO Fund	Total
ASSETS					
Current Assets	79,201	26,287	5,529	8,276	119,293
Accounts receivable	3,739	55	-	1,512	5,306
Prepaid expenses	3,739	55	-	1,512	5,806
Capital assets (note 4)	91,003	26,282	5,529	8,276	131,190
Total assets	174,682	53,481	11,058	16,564	254,785
LIABILITIES					
Current Liabilities	40,526	-	-	1,502	42,028
Accounts payable (note 5)	11,000	-	-	1,502	12,502
Deferred revenue	29,526	-	-	-	29,526
Funds Balance	42,660	53,481	11,058	15,062	122,261
Total liabilities and funds balance	123,772	53,481	11,058	16,564	204,875

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Statements of Cash Flows

Years ended March 31	2013	2012
	Total	Total
Cash flows from operating activities		
Excess of revenues over expenses (expenses over revenues) for year net of effecting cash	(30,883)	10,160
Amortization	1,859	1,201
Change in non-cash working capital	(28,769)	11,461
Decrease (increase) in accounts receivable	4,935	(3,027)
Increase (decrease) in prepaid expenses	(1,246)	258
Increase (decrease) in accounts payable	(1,169)	(2,427)
Increase (decrease) in deferred revenue	50,889	(37,365)
Change in net cash	(1,829)	(31,700)
Cash flows from investing activities		
Purchases of capital assets	(5,834)	(508)
Net change in cash during year	(8,663)	(32,208)
Cash, beginning of year	86,855	119,053
Cash, end of year	78,192	86,845

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Notes to Financial Statements

March 31, 2013 and 2012
Toronto Workers' Health and Safety Legal Clinic (the "organization"), is incorporated without share capital under the laws of the Province of Ontario. The organization was formed to provide equal access to quality legal services for low-income workers in Ontario dealing with health, safety and compensation issues.

The organization qualifies as a not-for-profit organization under the Income Tax Act and is exempt from corporate income tax. These financial statements were prepared using the accrual method with capital assets being recorded as assets and amortized over their useful lives.

- Significant accounting policies
 - Fund accounting
 - These financial statements are prepared in accordance with Canadian accounting standards for not-for-profit organizations and are in accordance with Canadian generally accepted accounting principles. The organization follows the restricted fund method of accounting for contributions. All the funds described below, except as noted, are restricted as to use by various agreements between the organization and legal Aid Ontario (LAO) and title to the organization assets vests with the funder.
 - General Fund**
These funds are used to provide a range of legal and paralegal services, including information, advice and representation, to low-income individuals and families.
 - Legal Disbursements Fund**
These funds are used to provide for certain direct expenses incurred in representing organization clients in legal proceedings.
 - Capital Fund**
This fund holds the capital assets of the organization that have been funded by LAO.
 - Non-LAO Outreach Fund**
These funds are used to fund specific community outreach projects.
 - Non-LAO Fund**
These funds are received from non-LAO sources and are used to fund expenses as approved by the Board of Directors and as our project funding agreements.
 - Arts/Student Fund**
These funds, received from the Law Foundation of Ontario, are used to fund an arts/student position.

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC

Notes to Financial Statements (continued)

- Significant accounting policies (continued)
 - Capital assets
 - The costs of capital assets are capitalized upon meeting the criteria for recognition as capital assets. Otherwise, costs are expensed as incurred. The cost of capital assets comprises its purchase price and any directly attributable cost of preparing the asset for its intended use. Capital assets are presented at cost less accumulated amortization and accumulated impairment losses. Capital assets are tested for impairment whenever events or changes in circumstances indicate that its carrying amount may not be recoverable. If any potential impairment is identified, then the amount of the impairment is quantified by comparing the carrying value of the capital assets to its fair value. Any impairment of capital assets is charged to operations in the period in which the impairment is determined. An impairment loss is not reversed if the fair value of the capital assets subsequently increases. The organization provides for amortization using methods at rates designed to amortize the cost of the property and equipment over their estimated useful lives. Amortization is provided on a straight-line basis, over the following periods:

Computer equipment	- 3 years
Office equipment	- 5 years
Telephone equipment	- 6 years
 - Measurement of financial instruments
 - The organization initially measures its financial assets and financial liabilities at fair value adjusted by, in the case of a financial instrument that will not be measured subsequently at fair value, the amount of transaction costs directly attributable to the instrument. The organization subsequently measures its financial assets and financial liabilities at amortized cost. Financial assets measured at amortized cost include cash and accounts receivable. Financial liabilities measured at amortized cost include accounts payable.

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TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC
Notes to Financial Statements (continued)

March 31, 2013 and 2012

1. Significant accounting policies (continued)

c) Financial Instruments (continued)

i) Impairment

Financial assets measured at amortized cost are tested for impairment when there are indicators of possible impairment. When a significant adverse change has occurred during the period in the expected timing or amount of future cash flows from the financial asset or group of assets, a write-down is recognized in the statement of operations and funds balance. The write down reflects the difference between the carrying amount and the higher of:

- the present value of the cash flows expected to be generated by the asset or group of assets;
- the amount that could be realized by selling the assets or group of assets.

When the events occurring after the impairment confirm that a reversal is necessary, the reversal is recognized in the statement of operations and funds balance up to the amount of the previously recognized impairment.

2. Impact of the change in the basis of accounting

These financial statements were prepared in accordance with Part III, Accounting Standards for Not-for-Profit Organizations ("NSFO") of the CICA Handbook - Accounting ("Handbook"). The organization's first reporting period using Part III of the Handbook is March 31, 2013. Therefore its date of transition to Part III is April 1, 2011.

As these statements are the first financial statements for which the organization has applied Part III of the Handbook, the financial statements have been prepared in accordance with the provisions set out in Section 1501 of Part III of the Handbook, First-time Adoption. The organization is required to apply Part III of the Handbook effective for periods ending on March 31, 2013 in:

- preparing and presenting its statement of financial position at April 1, 2011; and
- preparing and presenting its statement of financial position for March 31, 2013 (including comparative amounts for 2012), its statement of operations and fund balances and statement of cash flows for the year ended March 31, 2013, (including comparative amounts for 2012) and disclosures (including comparative information for 2012).

The adoption of NSFO standards had no impact on the previously reported assets, liabilities and funds balance of the organization, and accordingly, no adjustments have been recorded in the comparative statement of financial position, statement of operations and fund balances and the cash flow statement. Certain of the organization's presentation and disclosures included in these financial statements reflect the new presentation and disclosure requirements of NSFO standards.

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC
Notes to Financial Statements (continued)

March 31, 2013 and 2012

3. Financial Instruments

The organization may be exposed to various risks through its financial instruments including credit risk, liquidity risk and market risk (including interest rate risk, currency risk and other price risk).

Credit risk

Credit risk is the risk that the counterpart to a financial instrument will fail to discharge an obligation that is entered into with the organization. It is management's opinion that the organization is not exposed to significant credit risk.

Liquidity risk

Liquidity risk is the risk that the organization will not be able to meet a demand for cash or fund its obligations as they come due. It is management's opinion that the organization is not exposed to significant liquidity risk.

Market risk

Interest rate risk arises from the possibility that changes in interest rates will affect the fair value of financial instruments.

Currency risk is the risk that the value of a financial instrument will fluctuate due to changes in foreign currencies.

Other price risk is the risk that the value of financial instruments will fluctuate as a result of changes in market prices, other than those arising from interest rate risk or currency risk, whether those changes are caused by factors specific to the individual financial instrument or its issuer, or factors affecting all similar financial instruments traded in a market.

It is management's opinion that the organization is not exposed to significant market risk.

Changes in risk

There have been no changes in the organization's risk exposures from the prior year.

4. Capital assets

	March 31, 2013		
	Cost	Accumulated Amortization	Net
Computer equipment	\$4,646	\$2,946	1,700
Office equipment	19,006	18,069	918
Telephone equipment	9,668	6,795	2,873
	\$33,320	\$27,810	\$5,510

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC
Notes to Financial Statements (continued)

March 31, 2013 and 2012

4. Capital assets (continued)

	March 31, 2012		
	Cost	Accumulated Amortization	Net
Computer equipment	\$3,144	\$2,139	1,005
Office equipment	19,006	17,259	1,747
Telephone equipment	9,667	6,637	3,030
	\$31,817	\$26,035	\$5,782

	April 1, 2011		
	Cost	Accumulated Amortization	Net
Computer equipment	\$3,000	\$1,200	1,800
Office equipment	19,006	16,430	2,576
Telephone equipment	9,667	5,937	3,730
	\$31,673	\$23,567	\$8,106

5. Accounts payable

Included in accounts payable are government remittances in the amount of \$20,864 (2012 - nil; 2011 - \$10,402).

6. Indirect payments

Legal Aid Ontario administers and makes payments on behalf of the organization for the following expenditures:

General Fund	2013	2012
Penalty and group insurance	\$5	\$38
Supplies and services	4,504	3,234
Library expenses	36	19
	4,545	3,391

Capital Fund	2013	2012
Computer Equipment	1,550	-

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TORONTO WORKERS' HEALTH AND SAFETY LEGAL CLINIC
Notes to Financial Statements (continued)

March 31, 2013 and 2012

7. Lease commitments

The organization is committed to lease its premises until August 31, 2014. Minimum lease payments are as follows:

2014	\$ 49,445
2015	20,886
	\$ 70,331

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5 <http://www.workers-safety.ca/> →
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[2013 05 17. Strategic Plan Consultation Response.doc](#)

6 <http://www.workers-safety.ca/> →
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[2012 11 14. SUBMISSIONS TO THE WSIB BENEFITS POLICY REVIEW CONSULTATIONS.doc](#)

7 11 April 2013.

8 11 April 2013.

9 see in this newsletter July 2013, Vol.21, No.3, pages 2 & 3.

10 see in this newsletter June 2013, Vol.21, No.2, pages 1, 2, 3.

11 <http://www.workers-safety.ca/> →
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[2012 09 28. vulnerable workers submission -Law Commission of Ont.doc](#)

12 See in this newsletter Vol. 21 No.4, page 17.

13 See in this newsletter Vol. 21 No.2, page 10.

14 <http://www.workers-safety.ca/> →
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[2013 06. Your Safety At Work - Factsheet WHIMIS.pdf](#)

15 See in this newsletter June 2013, Vol.21, No.2, pages 5 & 6.

16 see in this newsletter Dec.2012, Vol.20, No.6, pages 6 & 7.

17 See in this newsletter Sept. 2012, Vol.20, No.5, page 7.

18 See in this newsletter Vol. 20 No.2, pages 3 & 4.

19 See in this newsletter Vol. 21 No.4, page 1.

20 see in this newsletter June 2013, Vol.21, No.2, page 10.

21 see in this newsletter September 2013, Vol.21, No.4, page 7.

22 see in this newsletter September 2013, Vol.21, No.4, page 10.

23 see in this newsletter September 2013, Vol.21, No.4, page 7.

24 see in this newsletter July 2013, Vol.21, No.3, pages 8 → 13.

25 see in this newsletter July 2013, Vol.21, No.3, pages 5 & 6.

26 see in this newsletter June 2013, Vol.21, No.2, page 7.

Clinic's Board & committees.

22 See in this newsletter June 2013, Vol.21, No.2, page 7 - copied below.

23 See in this newsletter Vol. 20 No.2, pages 3 & 4.

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25 If copyright permission is obtained in time. ■

annual report -- AGM Sept. 2013.

Approved by the Clinic's Executive Committee 22 August 2013 for presentation to the AGM.

3 previous: see in this newsletter September 2012, Vol.20, No.5, pages 1-5.

4 <http://www.workers-safety.ca/> →
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[2012 09 10. SUBMISSION TO WSIB ON THE APPEALS BRANCH MODERNIZATION CONSULTATION.doc](#)

1 Repeated from this newsletter, June 2013, Vol.21, No.2, page 7.

2 See: BOARD ORIENTATION MANUAL; CONSTITUTION AND BY-LAWS, ARTICLE THREE.
<http://www.workers-safety.ca/http://www.workers-safety.ca/publications?dir=publications%3A+newsletter%2C+Workers+Guide%2C+FACT+SHEETS%2C+reports%2C+etc%7C2002+06++Board+Manual>

3 See in this newsletter, April 2012, Vol.20, No.1, page 5. For previous: Oct. 2011, Vol.19, No.2, page 10; Vol.18, No.3, July 2010, page 2; Vol.17, No. 3, June 2009, page 13; Sept. 2009, Vol.17, No.04, page 8.

4 For previous see in this newsletter - September 2012, Vol.20, No.5, page 1, notes 23 → 28 .

5 Board and committee members may be contacted through the Clinic's phone number or e-mail.

6 Clinic members who would want to participate on the Board or a committee are invited to contact Linda Vannuci, Lawyer/Director vannucl@lao.on.ca .

7 See: BOARD ORIENTATION MANUAL; CONSTITUTION AND BY-LAWS, ARTICLE THREE.

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

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<http://www.workers-safety.ca/publications?dir=publications%3A+newsletter%2C+Workers+Guide%2C+FACT+SHEETS%2C+reports%2C+etc%7C2002+06++Board+Manual>
For previous see in this *newsletter*: April 2012, Vol.20, No.1, page 5. October 2011, Vol.19, No.2, page 10; Vol.18, No.3, July 2010, page 2; Vol.17, No. 3, June 2009, page 13; Sept. 2009, Vol.17, No.04, page 8. ■

Monrose v Double Diamond - Ontario Human Rights Tribunal.

¹<http://www.workers-safety.ca/> →

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→ Publications → Downloads →

[2013 07. *Monrose v Double Diamond Acres Ltd.pdf*](#)

² See also: Nicholas Keung, Immigration Reporter, "Farm fined \$23,000 for calling workers 'monkeys,'" *TORONTO STAR*, 29 July 2013, page A3. ■

R v Sunrise Propane.

² Old City Hall, 60 Queen Street West, Toronto. M5H 2M4

³ TTC: Queen & Yonge Streets. ■

¹case still in progress — *R v [...]*

²Opinion here is of the writer, and not necessarily of the Clinic; he may be contacted: d441267@yahoo.ca. The writer of this item was also writer of the items on the swing-stage fatality cases in previous issues of this *newsletter*.

¹"case in progress ... -- swing-stage scaffold fatalities --" Vol.20 No.2 pages 10 & 11.

²"case still in progress ... -- swing-stage scaffold fatalities --" Vol.20 No.4 page 5.

³"case still in progress ... -- swing-stage scaffold fatalities --" Feb. 2013, Vol.21, No.1, pages 1 & 2.

⁴ TTC: Osgoode - University Av. & Queen St. W.

--or--

St. Patrick --- University Av. & Dundas St. W.

⁵*Criminal Code* s.539.

ACLCO.

² [from www.lao.on.ca 30 July 2013:]

LAO rescinds 2013/14 funding reduction to give clinics more time to consider client service improvements

Friday, July 26, 2013

Legal Aid Ontario (LAO) is very pleased to announce that with the cooperation and support of the Ministry of the Attorney General, additional funds have been secured which will be used to rescind the previously-announced clinic budget reductions for the current fiscal year.

Rescinding the budget changes will enable LAO and clinics to have more time to consider how to best make changes to improve the delivery of clinic law services to those most in need in our society.

LAO would like to thank the Ministry of the Attorney General for making this announcement possible.

Questions

For questions or further information, please contact:

Kristian Justesen

Director, Communications and Stakeholder

Relations Group
Phone: 416-979-2352, ext.4782
Email: justesk@lao.on.ca and/or media@lao.on.ca

¹ Clinic's new budget -- revised.

²

From: Lisa Duncan
Sent: August 27, 13 2:35 PM
To: Linda Viamontesi (WORKS)
Cc: Janet Budgett; Margo Ayers; Drew London
Subject: Announcement regarding Clinic Budgets-WORK

Hi,

Further to Janet Budgett's email dated July 25, 2013 rescinding the clinic budget reductions for the current fiscal year, please find attached your clinic's new 2013-14 Approved Annual Budget. Please sign and return the Approved Annual Budget by September 30, 2013 to Drew London.

Thank you,

Lisa Duncan

Executive Assistant to Janet Budgett

SW Region and Specialty Clinics

Legal Aid Ontario

20 Dundas Street West, Suite 200, Atrium on Bay

Toronto, ON

M5G 2H1

Phone: 416-979-2352, ext. 6320

Fax: 416-979-2948

Email: DuncanL@lao.on.ca

³See in this *newsletter*, Vol.21, No.3, page 6, July 2013.

⁴See in this *newsletter*, Vol.21, No.1, page 3, Feb. 2013. ■

in the press -

² **Young workers unionization.** Thandiwe Vela, "EMPLOYMENT Young workers listening to union pitch / Rate of unionization across Canada is up slightly due to growing number of part-time members," *The Globe and Mail*, REPORT ON BUSINESS, Toronto, 05 August 2013, page B3.

³ **Medical Association & NHL owners & violence.** André Picard, PUBLIC HEALTH REPORTER, CALGARY, "CANADIAN MEDICAL ASSOCIATION Doctors slam NHL owners over violence," *The Globe and Mail*, Toronto, 22 August 2013, page A6.

⁴ **Germany, Union Culture --Amazon.** Nick Wingfield & Melissa Eddy, "In Germany, Union Culture Clashes With Amazon's Labor Practices," *The New York Times*, Business Day, 05 August 2013, pages B1 & B4.

⁵ **Coal Mine -- China.** Keith Bradscher & Chris Buckley, "Silence Underground / [Coal] Mine Deal Puts New Scrutiny on China's State Industries / Concerns rise from a rare glimpse into a secretive business," *The New York Times*, Business Day, 08 August 2013, pages B1 & B2.

⁶ **Milk Powder -- China.** Amy Qin & Edward Wong, "Suppliers of Milk Powder To China Are Issued Fines," *The New York Times*, Business Day, 08 August 2013, page B3.

⁷ **Spider-Man - New York City.** Allan Kozinn, "[Spider-Man] Musical Resumes Shows After Injury," *The New York Times*, The Arts, 17 August 2013, pages C1 & C7.

⁸ **Bangladesh Workers.** EDITORIAL, "Bangladesh's Workers Deserve Better," *The New York Times*, 16 August 2013, page A16.

⁹ **Submarine explosion & fire.** Gardiner Harris, "Explosion and Fire Trap 18 Indian Sailors and Partly Sink a Navy Submarine / No signs of sabotage on a ship with a history of trouble," *The New York Times*, 15 Aug. 2013, page A8.

¹⁰ **Criminal histories check system.** EDITORIAL, "A Flawed Background-Check System / The F.B.I. needs to be held to a higher standard when reporting on criminal histories," *The New York Times*, 16 August 2013, page A16.

¹¹ **[US] Fast-Food--Strikes.** EDITORIAL, "Fast-Food Fight / Strikes are sure to continue until corporate and political leaders listen, and act," *The New York Times*, 08 Aug. 2013, page A20.

¹² **US Public Defenders.** Ron Nixon, "[US] Public Defenders Are Tightening Belts Because of Steep Federal Budget Cuts / Threats are seen to a defendant's right to a speedy trial," *The New York Times*, 24 August 2013, page A14.

¹³ See also: EDITORIAL, "Federal Courts in Crisis / Irrational budget-cutting is doing grievous harm to the American justice system," *The New York Times*, 26 Aug. 2013, page A20.

¹⁴ Sunrise Propane

¹⁵ See in this *newsletter*, July 2013, Vol.21, No.3, page 17.

¹⁶ See in this *newsletter*, September 2008, Vol.16, No.4, pages 3, 4, 5.

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[2008 09. Vol.16 No.4](#)

¹⁷ Jane Gerster, Marc Ellison & Marco Chown Oved, "Sunrise Propane found guilty in deadly explosion / Company facing \$18M in penalties after 2008 blast that left employee dead," *TORONTO STAR*, 28 June 2013, pages A1 & A14.

¹⁸ See in this *newsletter*: "...What are CAS Numbers ...," Vol.16 No.3, July 2008, pages 4 & 7.

¹⁹ [R v *Sunrise Propane*.]

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[2013 07. Sunrise Propane.PDF](#)

²⁰ Ontario (Ministry of Labour and Ministry of the Environment) v *Sunrise Propane Energy Group Inc.* et al. COURT FILE #s. 09300354, 10400978, 05001902, Toronto, 27 June 2013. 2013 ONCJ 358.

<http://www.canlii.org/en/on/onc/doc/2013/2013onc358/2013onc358.html>

<http://www3.quicklaw.com/cgi-bin/LNC-prod/inetdocf.pl?DOCNO=985>

²¹ Old City Hall, 60 Queen Street West, Toronto. M5H 2M4

²² TTC: Queen & Yonge Streets. ■

²³ tert-butyl lithium.

²⁴ See in this *newsletter*, June 2013, Vol.21, No.2, page 15.

TORONTO WORKERS' HEALTH & SAFETY LEGAL CLINIC

²⁵ Michael Torrice, "SAFETY Chemist Patrick Harran to face trial on charges related to death of research assistant," *CHEMICAL & ENGINEERING NEWS*, 06 May 2013, page 9.

²⁶ See also: Michael Torrice, "LAB SAFETY Court enters plea of not guilty for UCLA's Patrick Harran," *C&EN*, 10 September 2012, page 7.

²⁷ Michael Torrice & Jyllian Kemsley, *C&EN*, American Chemical Society, Washington, D.C., news of the week, 06 August 2012, page 7.

WWW.CEN-ONLINE.ORG <http://cenm.ag/courtdocs>

²⁸ See also: "Preliminary Hearing In UCLA Lab Death Case," *C&EN*, 26 November 2012, page 4.

²⁹ See also: Jyllian Kemsley & Michael Torrice, "HEARING ON UCLA LAB DEATH BEGINS / LAB SAFETY: Outcome will determine whether chemistry professor's case will go to trial," *C&EN*, 03 December 2012, page 10.

³⁰ See also in this *newsletter* Vol.20, No.6, page 13, Dec. 2012.

³¹ 1,1-dimethylethyl Lithium (CH₃)₃-C-Li

CAS 594-19-4 64.055 g/mol.

³² <http://en.wikipedia.org/wiki/tert-butyllithium>

³³ Jyllian Kemsley, *C&EN* WEST COAST NEWS BUREAU, "LAB SAFETY AT UC University of California works to implement and improve upon legally mandated program to PROTECT RESEARCHERS," *C&EN*, 26 August 2013, pages 21, 22, 23.

³⁴ See also. <http://cenm.ag/ucsafety>.

³⁵ <http://policy.ucop.edu/doc/3500598/LabSafetyTraining>

³⁶ page 21.

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data added to <http://www.workers-safety.ca/> ■

for future issues:

- *Maquila*. www.maquilasolidarity.org
- Canadian federal OH&S inspections.*
- US Chemical Safety & Hazard Investigation Board.
- topic revisited—Ministry of Labour library. **
- book review: *Occupational Health & Safety-Theory, Strategy & Industry Practice, 2nd Edition*. ***

* David Macdonald, *Success is No Accident / Declining Workplace Safety Among Federal Jurisdiction Employers*, CANADIAN CENTRE for POLICY ALTERNATIVES, Ottawa K1P 5E7, 27 April 2010, ISBN 978-1-897569-88-7

<http://www.policyalternatives.ca/publications/reports/success%20is%20no%20accident>
http://www.policyalternatives.ca/sites/default/files/uploads/publications/reports/docs/Success%20is%20No%20Accident_0.pdf

"Report blasts federal workplace inspection," *Canadian Occupational Health & Safety News*, 03 May 2010, Vol.33, No.17, pages 1 & 2.

** See in this *newsletter* Vol. 15 No.4.

*** LexisNexis <http://www.lexisnexis.ca/bookstore/bookinfo.php?pid=2089> ■

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Errors and misstatements happen, although we try to be careful and strive for accuracy. We would try to correct as soon as possible. Please let us know if you see any needed corrections or explanations.