



December 1, 2021

President@bcgeu.ca

VIA EMAIL

Dear Stephanie Smith,

Thank you for your of November 22 letter and briefing note.

The Yukon Government appreciates the context your members bring to issues currently before our legislature and I thank you for your efforts to help us make Yukon workplaces safer.

I am responsible for many categories of Yukon firefighters and the documentation and science you have brought to my attention is helpful and on point. Your information also provides some considerations should our workers be deployed in other jurisdictions. However, this issue is possibly delaying good legislation to provide presumptions to workers who, based on the current evidence, do not suffer the same or similar hazards.

The Yukon's structural firefighters have made tremendous gains in this legislation. The bill has the broadest cancer presumption list in the country based on solid evidence. Unfortunately, I currently have no solid evidence supporting the case that Yukon's Wildland firefighters are exposed to the same carcinogens as their structural colleagues.

I ask you to help us pass the most progressive legislation in Canada with my assurance a review of Wildland firefighter exposure risks will take place.

As you know, amending legislation on the fly with little to no consultation on the issue with affected stakeholders risks undermining the bill. We have spent several years researching, working with stakeholders and drafting the legislation in an attempt to balance competing interests. We believe we have made significant gains in the area of "presumption for firefighters" while earning support from WCB stakeholders, despite significant costs increases to the system.

Adding wildland firefighters to the mix at this late stage, without consultation or scientific evidence to back up their inclusion, puts at risk the bipartisan gains we have made. Of course, if wildland firefighters had the same risk of exposure, the situation wouldn't be as difficult.

Yukon wildland firefighters do face serious hazards when they fight biomass fires. But their scope of work is not comparable to Yukon structural firefighters, or BC wildland firefighters.

In British Columbia, Wildland firefighters fight structural, vehicle, garbage and rail fires. That is not the case in the Yukon. Here, wildland firefighters are also not first responders.

Yukon wildland firefighters only work in the forest and do not tackle other types of fires. Therefore, wildland firefighters have limited occupational exposures and it would be inappropriate to assume they face the same hazards as Yukon's structural firefighters, who are covered by the presumptions.

Of course, all Yukon workers are covered by application of Section 93(1) Presumption to be Work Related, which states, "an injury or death of a worker that arises out of their employment is presumed to be an injury or death that occurred in the course of the workers' employment, unless the contrary is shown."

As our Workers' Compensation Board is also responsible for Occupational Health and Safety, we take the position injury prevention is preferable to compensation. We invest in prevention and direct employers and employees to mitigate hazards. So, when we identify a hazard, such as the conditions that spurred presumptions for firefighters, we must act to mitigate those hazards, including deploying the proper personal protective equipment.

If wildland firefighters are listed as possibly exposed to the full presumptive list for exposure to, primarily, biomass fires, we must explore mandating similar protective gear and training as that provided to structural firefighters. You can imagine the burden that might place on our Wildland firefighting teams, who are deployed in remote regions for long periods of time.

I take workplace safety seriously. However, I don't want to be forcing wildland firefighters to wear burdensome protective equipment for long periods based on political/union whims and not scientific information.

Stakeholders have asked how much expanding the cancer presumption to Wildland firefighters would cost. An actuary has provided a cost projection that estimates it would increase the rates to our Resource and Transportation Low sector to as high as \$3.11 from \$2.65. This does not include the costs of personal protective equipment that employers would be responsible for deploying.

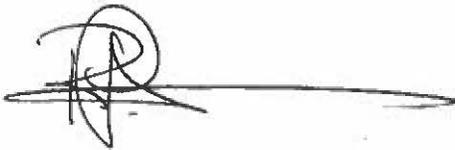
To pass the most progressive legislation in Canada and to understand the risks Wildland firefighters face, and which ones they don't, I would request that you join with me in requesting my colleges pass this bill as presented.

I have directed the Chair of the Yukon Workers Compensation Health and Safety Board to:

1. investigate the chemicals released by biomass fires (specifically biomass in the Yukon) including sampling air quality in their workplace over the next two years
2. Provide me with a list of possible carcinogens that they may be exposed
3. Continue to monitor the science around the carcinogens Wildland firefighters might be exposed to and assess whether a presumption should be applied to this class of worker.

As we continue to work on way to better define the workplace hazards wildland firefighters contend with in the boreal forest, I look forward to implementing the most progressive workers' compensation legislation in the country.

Best regards,

A handwritten signature in black ink, appearing to be 'R. Mostyn', with a long horizontal line extending to the right.

Richard Mostyn

Minister responsible for Yukon Workers' Compensation Health and Safety Board
Community Services Minister