



Submission of the

Public Service Alliance of Canada

to the

**Standing Senate Committee on National
Security, Defence, and Veterans Affairs**

regarding

**C-224: An Act to establish a national framework
for the prevention and treatment of cancers
linked to firefighting.**

June 9, 2023

The Public Service Alliance of Canada represents more than 230,000 workers in every province and territory in Canada and in locations around the world. Our members work for federal government departments and agencies, crown corporations, universities, casinos, community services agencies, indigenous communities, airports, and the security sector among others. Almost two-thirds of our members are women. PSAC is headquartered in Ottawa with 23 regional offices across Canada.

Introduction

The Public Service Alliance of Canada represents firefighters and first responders across the country, including at airports, on military bases, in our national parks, in municipalities and in northern communities.

We appreciate the opportunity to express our views and provide comments regarding Bill C-224: An Act to establish a national framework for the prevention and treatment of cancers linked to firefighting.

Summary of recommendations:

Recommendation No. 1: Ensure inclusion of all types of firefighters.

Recommendation No. 2: Include PSAC in all formal consultations leading to the national framework for the prevention and treatment of cancers linked to firefighting.

Recommendation No. 3: Recognize the need to ensure uniformity and access to compensation benefits for federal firefighters.

General comments

PSAC has a long-standing commitment to health and safety of workers and the critical role all firefighters play in our communities and our workplaces to keep us safe.

We support the will of the federal government to come to a separate agreement with Indigenous peoples in Canada consistent with a nation-to-nation approach.

Recommendation No. 1: Ensure inclusion of all types of firefighters.

Firefighters make a career of protecting our communities and our workplaces. They extinguish all types of fires and play a crucial role in fire prevention as well as in critical medical responses. Many firefighters are involved in specialized fields, and they respond when needed to community emergencies anywhere in Canada and often outside of Canada. They include:

Structural firefighters are the most recognized group as they respond to medical emergencies, residential fires, as well as fires in commercial structures in a city or town.

Wildland firefighters are presently playing a critical role as Canadians are bracing for what forecasters say may be the country's worst wildfire season on record. These firefighters are trained to prevent and extinguish fires in all types of environments including rugged mountains, remote forests, and huge plains across the country.

Aircraft and Shipboard Firefighters receive specialized training in responding to fires on aircrafts and ships of all types. These firefighters must be well-versed in the use of fire fighting foam that is used to control the massive running fuel fires that can occur when an aircraft or a ship burns.

Bill C-224 must ensure that any national framework for the prevention and treatment of cancers linked to firefighting is inclusive of all types of firefighters. We note that the term "firefighter" is not defined.

Even though we are assuming that it will be interpreted in its most broad definition, we want to emphasize the need to ensure that it includes a broad range of firefighters involved in both structural and wildland fire. It should include the many different environments where they perform their work including wildlands, airports, military bases, small and remote communities.

We recommend adding an inclusive definition of "firefighters" in Section 2.

In absence of a formal definition, the PSAC recommends amending Section 3 (a) and (f) to say:

(3) The national framework may include measures to

(a) explain and support research on the link between all types of firefighting activities and certain types of cancer.

(f) prepare a summary of existing standards that recognize cancers linked to all types of firefighting as occupational diseases.

Recommendation No. 2: Include PSAC in all formal consultations leading to the national framework for the prevention and treatment of cancers linked to firefighting.

PSAC would welcome an opportunity to participate during any formal consultations arising out of this Bill. Our perspective along with those put forward by many other key stakeholders would positively contribute to making solid recommendations to the Minister of Health mandated by Bill C-224 in setting out the national framework for the prevention and treatments of cancers linked to firefighters.

We would draw from our experience in bargaining for our members involved in firefighting activities within the federal, provincial, and territorial jurisdictions.

Recommendation No. 3: Recognize the need to ensure uniformity and access to compensation benefits for federal firefighters.

All provincial workers' compensation boards have criteria about work-related illnesses and diseases that may be covered by their legislation. Most boards have presumptive lists of occupational diseases that appear either in schedules to the legislation or in supporting regulations. The presumptive cancer lists in each provincial or territorial jurisdiction are not uniform.

Workers' compensation for the federal public administration is provided through a variety of vehicles. For most of the federal government, the Government Employees Compensation Act (GECA) is the legislation governing workers' compensation. The GECA entitles employees of federal departments, agencies, and many Crown Corporations to compensation for occupational accidents and illnesses.

Federal employees working for the same department/agency who are injured, made ill or killed on the job can be subject to twelve (12) different provincial/territorial pieces of legislation and twelve (12) different provincial/territorial boards to obtain the necessary compensation and much needed support.

Entitlement presumption clauses and standard of proof vary from one jurisdiction to another. In exceptional cases, workers' compensation boards have even ignored the application of its presumption clauses and board policies in adjudicating federal claims.

It is important to note that PSAC has been involved in many compensation issues relating to the work of our firefighters. As an example, in 2017, a memorandum of understanding was reached through collective bargaining with the Treasury Board of Canada (TBS) to assist federal firefighters covered by the Government Employees Compensation Act, in receiving the same benefits of all statutory presumptions contained in the relevant provincial workers compensation legislation.

A letter from TBS was sent to every provincial and territorial minister responsible for their workers' compensation scheme requesting that appropriate steps be taken to ensure federal firefighters, subject to the Government Employees Compensation Act, receive the benefit of all statutory and/or regulatory presumptions contained in their relevant provincial/territorial legislation currently provided to firefighters in that province or territory.

We recommend adding a new sub-clause to Section 3 (3), calling for the framework to:

(g) make recommendations that will ensure uniformity of benefits for firefighters filing occupational diseases claims

Conclusion

The Public Service Alliance of Canada looks forward to continuing to participate in consultations to ensure that the occupational health and safety of all workers continues to be priority in Canada. PSAC appreciates the opportunity to express our views and provide comments.