

Groundbreaker

The Official Publication of the Manitoba Heavy Construction Association

THE SAFETY ISSUE



Managing on-site fatigue

WORKSAFELY™ Certified Flagging Standard

Traffic control safety: Get the 'behind-the-cones' perspective



Getting Ready for the 2013 Construction Season

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CONTENTS

Q2 2013

DEPARTMENTS

- 3** Editor's Note
- 5** Chairman's Message
- 7** President's Message
- 8** Membership Benefits and Form
- 13** MHCA Member Companies
- 15** 2013 MHCA Board of Directors and Upcoming Events
- 66** Legally Speaking
- 70** HR Desk

PROFILES

MHCA Member Profiles

- 16** McAsphalt Industries Ltd.
- 19** Arnason Industries Ltd.

MHCA Staff Profile

- 29** Wendy Freund Summerfield,
Manager of Finance

ON THE COVER

There are many areas of safety concern in the construction industry. One that was recently addressed was the increased visibility of flaggers on highways across the province. To read more about the new regulations, turn to page 54.



ALSO

- 25** Another Successful MHCA Heavy Construction EXPO
- 26** MHCA Out and About

FEATURES

- 61** Thanks to Groundwork, Construction Sector Rewarded with New Infrastructure Dollars
- 63** Private Investment Going Strong at CentrePort Canada



- 34** Fatigue Management: A Wake-Up Call
- 36** Construction Season Readiness: A Project Manager's Point of View
- 42** Traffic Control Safety
- 44** Excavation Dangers
- 47** WORKSAFELY™ Safety Champions
- 52** SAFE Roads is Driving Home the Message of Safety
- 54** WORKSAFELY™ Certified Flagging Standard
- 57** Musculoskeletal Injuries
- 59** Gold Seal Projects Increase Professionalism and Profile



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Rob Wozny, B.A, C.I.M.
Editor-in-Chief, *Groundbreaker*



Investment in Infrastructure

A proven asset for governments

In early February, the Canada West Foundation (CWF) released a report in Ottawa, which evidences the proposition that sustained and strategic public and private sector investment in infrastructure fuels economic growth. Growth provides revenues to governments with which to fund societal priorities, which, in turn, shape our standard of living.

At the Intersection: The Case for Sustained and Strategic Public Infrastructure Investment documents infrastructure investment as one of the most effective ways to underpin and enable government economic growth and social program evolution strategies. It is comprehensive, but in plain language, with real-life examples that connect investment in infrastructure to economic growth.

This report is the first of its kind in Canada

At the Intersection presents a number of key messages that already resonate with those who have a stake in infrastructure development. Some of that messaging includes:

- Sustained and strategic public and private sector investment in infrastructure fuels economic growth
 - Infrastructure investment should be continued as it is essential to maintaining Canada's long-term economic growth and is critical to the quality of life enjoyed by Canadians
 - Canada needs to invest in infrastructure that serves economic ends such as transportation systems, water and sanitation to receive the highest return on infrastructure investment
 - Now is the right time to make critical economy-enhancing investments in Canada's public infrastructure
- Along with key messages, five insightful recommendations are made within the report:
- Sustained and strategic investment in Canada's public infrastructure should be continued
 - Priority should be given to public infrastructure that enhances economic performance
 - Governments should encourage innovative approaches to the design of public infrastructure, while not focusing exclusively on new infrastructure and should give due consideration to renewing existing public infrastructure
 - Ongoing analysis and evaluation of recent public infrastructure investments should be conducted and lessons applied to future investments

MHCA's response

As a result of *At the Intersection's* recommendations, MHCA is advocating the following:

- a. That governments embrace the messages and recommendations of the Canada West Foundation report entitled *At the Intersection: The Case for Sustained and Strategic Public Infrastructure Investment*
- b. That the five CWF report recommendations underpin government strategies associated with long-term infrastructure investments
- c. That the messages and recommendations of the CWF report underpin a collaborative, consensus, shared-responsibility-driven approach to address municipal and provincial infrastructure deficits and investment strategies, in a manner which is sustained, strategic, transparent and accountable

Simply take a look around Manitoba and it is easy to see how investment in infrastructure has been good for our province's economic growth. While infrastructure was always known to be a good investment, *At the Intersection* further proves it for all levels of governments assessing where to spend taxpayer dollars.

To view and/or download *At the Intersection: The Case for Sustained and Strategic Public Infrastructure Investment*, please visit www.mhca.mb.ca. 

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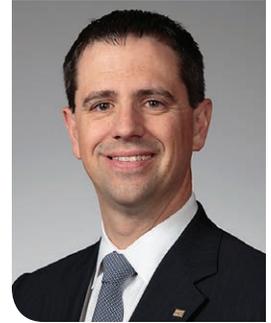
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Value and Importance of MHCA Membership

My family's construction firm has been a member of MHCA since 1964. We have seen tremendous value in being a member and can't imagine being without the opportunities that MHCA provides to improve our firm, learn, socialize and give back to our industry and province.

A few years ago at an MHCA-related convention, a seminar leader, who had held sessions at ConEXPO and across North America, told us that local construction markets are healthier when the constituents are part of a strong industry association. One reason is that the association has knowledge and expertise that it is mandated to share that with its members. The staff of MHCA, WORKSAFELY™ and WORKFORCE™ has provided us with sound advice on various issues, including municipal and provincial regulations, worker recruitment and safety issues. Through working on MHCA committees or socializing at events, we've shared our experiences with and learned from our counterparts in other firms. As a result, we've made better strategic decisions and developed better solutions to our problems.

MHCA, WORKSAFELY™ and WORKFORCE™ provide many formal educational, training and accreditation activities that our firm needs – whether the need comes from compliance with ever-changing regulations, employee development (including Gold Seal), satisfying customer requirements (like COR™) and so on. Sure, there are other training providers but through MHCA membership, the training is more cost effective. Not only is it often less expensive, but it's also tailored to our industry and work season.

Membership in MHCA provides access to several social events that are extremely well attended: the curling bonspiel in January, the spring mixer in June, the MHCA golf tournament in August and the Chairman's Gala in November. They are all great opportunities to network and have some fun.

Finally, membership in MHCA provides opportunities for my employees and I to give back to the community in a meaningful and impactful way. Through MHCA, we've been able to leverage our experience and knowledge to help in the modification of provincial regulations and municipal bylaws, set up training and education programs at various post-secondary institutions and convince political leaders that infrastructure is important for not just our industry, but for the general public. By working together in MHCA, member firms are more influential and their message is more insightful and effective.

For decades, membership in MHCA has created value for our company and employees. If you're a participant in heavy construction (contractor, supplier or provide ancillary support), I strongly recommend membership – it will help our industry and your firm. 





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Chris Lorenc, B.A., LL.B.
President, MHCA



Funding Municipal Infrastructure – A Consensus Effort Required

The Manitoba Heavy Construction Association (MHCA) was encouraged by several important initiatives included in the federal budget announced in March, including the announcement of the new Building Canada Plan and government commitment to improve labour market training across Canada.

Sustained investment in infrastructure fuels economic growth and the investments announced in Ottawa help all governments in Manitoba continue the process of infrastructure renewal to support a competitive economy.

The budget announcement included \$70 billion for infrastructure construction over the next 10 years. This includes \$47 billion for the new Building Canada Plan, \$7 billion for infrastructure construction on First Nations lands and \$10 billion to improve federal buildings and infrastructure assets. Combined, these investments will help ensure fluidity and predictability, while guaranteeing the progress of the past seven years is not undermined by funding gaps created between programs. The government also announced that the Gas Tax Fund will be indexed at two per cent beginning in 2014-15.

MHCA was also pleased with the government's focus on improving labour market training. Canada's construction industry will need to attract thousands of new workers by 2020 in order to keep pace with retirements and increased demand.

Many construction firms in Manitoba are experiencing shortages of skilled workers today and the commitments announced in Ottawa should help remedy this situation. Getting skills development right will be critical for the construction sector moving forward. With construction demand and industry retirements expected to rise throughout the decade, there is no time to waste. 

Additional Budget 2013 Highlights of Interest to MHCA:

New Building Canada Plan

- Over \$53 billion in investments, including over \$47 billion in new funding in support of local and economic infrastructure projects over 10 years under a new Building Canada Plan starting in 2014-15, including:
 - \$32.2 billion over 10 years under a Community Improvement Fund to build roads, public transit, recreational facilities and other community infrastructure across Canada
 - Indexing of the Gas Tax Fund at two per cent, beginning in 2014-15
 - \$14 billion for a new Building Canada Fund to support major economic projects of national, regional and local significance
 - \$1.25 billion for the renewal of the P3 Canada Fund to continue supporting innovative ways to build infrastructure projects faster and provide better value for Canadian taxpayers through public-private partnerships
 - \$6 billion to provinces, territories and municipalities under current infrastructure programs in 2014-15 and beyond

First Nations infrastructure priorities, including:

- \$155 million over 10 years from the new Building Canada Fund, in addition to allocations from the Gas Tax Fund
- Approximately \$7 billion over the next 10 years under existing programming to build, operate and maintain infrastructure on reserve
- Over \$10 billion in investments in federal public infrastructure assets

Apprenticeship measures

- Reallocating \$4 million over three years to work with provinces and territories to increase opportunities for apprentices
- Introducing measures that will support the use of apprentices through federal construction and maintenance contracts, investments in affordable housing and infrastructure projects receiving federal funding
- Reducing barriers to apprenticeship accreditation, including examining the use of practical tests as a method of assessment for apprentices

Career promotion

- Reallocating \$19 million over two years to promote education in fields where there is high demand from employers

Accelerated capital cost allowance

- \$1.4 billion in tax relief for manufacturing and processing sectors over the 2014-15 to 2017-18 period through a two-year extension of the temporary accelerated capital cost allowance for new investment in machinery and equipment



**GROW YOUR BUSINESS.
HAVE YOUR VOICE HEARD.
JOIN US TODAY!**

VISION

The recognized voice of the heavy construction industry in Manitoba, promoting sustainable investment in core infrastructure to support economic growth benefiting our province and country in a manner consistent with the broad public interest.

MISSION

As the representative voice of the heavy construction industry in Manitoba, MHCA will:

- » Strategically engage governments, industry, related stakeholders, media and the public to support public policies which promote sustained infrastructure investment and its benefits to economic growth
- » Advocate legislative and regulatory advances which assist industry development
- » Facilitate access to comprehensive safety, innovative vocational and related education
- » Facilitate interaction within industry and with its key stakeholders
- » Provide services and business tools to support industry growth
- » Advance positions consistent with public interest

CONTACT

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JOIN TODAY!

Our 350+ members include contractors engaged in roadbuilding, sewer and water, excavation and bridge building, as well as sub trades and suppliers such as aggregates, petroleum, engineering, heavy equipment and financial and bonding agencies.

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- » Contractor
- » Contractor Affiliate
- » Supplier
- » Supplier Affiliate
- » Utility Corporation
- » Financial Institution
- » Consultant/Professional

WHAT MEMBERS ARE SAYING ABOUT MHCA

"As a member of MHCA for over 30 years, the relationships that we have formed and the value the association has provided to us and our customers is invaluable. Today's business environment requires a united voice of membership to make changes to government policy, tender processes and legislation. We feel that MHCA is this voice."

– Paul Scharf, Hitrac (1974) Ltd., MHCA Member since 1978

"MHCA members receive current industry information and timely access to tenders through the weekly bulletin, and the annual directory includes current equipment rental rates. These services are essential to my business."

– Calvin Edie, Edie Construction Ltd., MHCA Member since 1978



Groundbreaking

Groundbreaking

“Groundbreaking” reflects our proven approach and ability to deliver positive and innovative outcomes, which are achieved through constructive partnerships and proactive engagement with government, media, the general public and our membership. We articulate and advocate public policy positions within the scope of our mandate in a manner consistent with public interest.



BENEFITS OF MEMBERSHIP

NETWORKING OPPORTUNITIES

- » Events provide networking and “mix ‘n mingle” opportunities among membership, industry and government
- » MHCA hosts numerous events throughout the year such as Breakfast with Leaders, Spring Mixer, Annual Golf Classic, Curling Bonspiel, Annual General Meeting and Chairman’s Gala

GOVERNMENT RELATIONS

- » MHCA maintains excellent relations, access to and influence with all three levels of government; our accomplishments related to policy and budget are well-documented
- » Promote public policies which help grow the economy by engaging all three levels of government
- » Advocate public policies that support sustainable infrastructure investment

ACTIVE COMMITTEES

- » Our committees provide members with powerful opportunities to participate in the evolution and development of public policy, changes to regulation and related industry initiatives
- » Committees have ongoing dialogue with those in government who affect legislation, regulation and general working conditions

ANNUAL DIRECTORY

- » The annual MHCA Services Directory is the definitive reference guide and business tool used by industry and purchasers of its services
- » This “go-to” guide provides members the opportunity to be listed and have the full scope of the products and services they offer recognized at a glance

MHCA WEBSITE

- » Promotes our vision, mission and services and provides members with resources such as policy briefs and materials related to infrastructure investment

WEEKLY NEWSLETTER & TENDER INFO

- » The Heavy News Weekly is distributed provincially and nationally to members, the public elected/administrative world and related stakeholder communities
- » It provides current tender ads and results

WORKSAFELY™ PROGRAM

- » COR™/SECOR companies have fewer workplace incidents. They enjoy a 10 per cent WCB premium discount in the first year and a five per cent discount annually thereafter.

WORKFORCE PROGRAM

- » Our WORKFORCE program provides vocational training to entry workers and existing employees of the industry in heavy equipment operation. The Heavy Construction EXPO, hosted by MHCA, provides annual education and training possibilities.

SAFE ROADS CAMPAIGN

- » Manitoba’s private/public sector partnership road safety awareness program, SAFE Roads, delivers a results-oriented campaign to address traffic safety issues across Manitoba for personnel who work on Manitoba’s streets and highways
- » This program encourages Manitoba drivers to make positive choices about their driving behaviours

MHCA GROUNDBREAKER MAGAZINE

- » MHCA *Groundbreaker* magazine articulates views and interests including economic policy, infrastructure policies, emerging technologies, products and practices.

Christine Miller
Manager of Events and Membership
christine@mhca.mb.ca
204-947-1379





MHCA™

MEMBERSHIP APPLICATION

Company Name _____

Contact Person _____ First Name _____ Last Name _____

Address _____

Phone _____ Cell _____

Fax _____ Website _____

Email _____ Twitter / Facebook _____

Category _____ Fee _____ + GST _____

Rates Effective Nov. 1, 2012 – Oct. 31, 2013

| Membership Category | Description | Fee Schedule | |
|--|---|------------------------------|------------|
| | | Annual Volume* | Annual Fee |
| Contractor | Those persons, firms, partnerships or corporations engaged in road, street, highway, sewer and water construction, crushing and other related heavy construction activities | Under \$225,000 | \$545 |
| | | \$225,000 to \$500,000 | \$950 |
| | | \$500,000 to \$750,000 | \$1,100 |
| | | \$750,000 to \$1,000,000 | \$1,750 |
| | | \$1,000,000 to \$2,500,000 | \$2,570 |
| | | \$2,500,000 to \$5,000,000 | \$3,850 |
| | \$5,000,000 and over | \$4,860 | |
| Contractor Affiliate | Available to those contractor companies whose parent company has accounted for the affiliate company in compiling total annual volume when calculating membership dues | | \$820 |
| Supplier | Those individuals, firms or corporations who supply goods, materials and services to the heavy construction industry | Under \$5,000,000 | \$875 |
| | | \$5,000,000 to \$10,000,000 | \$1,200 |
| | | \$10,000,000 to \$20,000,000 | \$1,550 |
| | | Over \$20,000,000 | \$2,230 |
| Supplier Affiliate | Available to supplier company affiliate at an additional flat fee per affiliate provided that the largest volume member in the company cluster pays its membership at the appropriate supplier rate | | \$875 |
| Utility Corporation | Those corporations engaged in the primary supply of utility services, including but not limited to telephone, natural gas and electrical supply | Under \$5,000,000 | \$2,100 |
| | | \$5,000,000 to \$10,000,000 | \$2,625 |
| | | Over \$10,000,000 | \$4,725 |
| Financial Institution | Those involved in providing financial services to the industry including Chartered Banks, Credit Unions, Trust Companies and other such similar institutions | | \$1,180 |
| Consultant/ Professional | Those individuals, firms or corporations who provide professional services to the heavy construction industry; these include legal, accounting, consulting and engineering services | | \$650 |
| Description of your services available (50 words or less) | | | |

*NOTE: Volume is based on your company's volume of work within the industry in Manitoba.

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Upcoming Events



Spring Mixer

June 12, 2013
Assiniboia Downs
Winnipeg, Man.



Annual Golf Classic

Aug. 14, 2013
Pine Ridge and Elmhurst Golf Courses
Garven Road
Winnipeg, Man.



Awards Breakfast & Chairman's Gala

Nov. 29, 2013
Winnipeg Convention Centre
Winnipeg, Man.

Please visit the calendar at www.mhca.mb.ca for more MHCA upcoming events.

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McAsphalt Industries Ltd.

Paving company makes inroads in Manitoba, across the country

BY HEATHER HUDSON

There's no one who appreciates a smooth road like Ivan Chrusch. You might say the semi-retired sales and marketing professional has devoted his career to the pursuit of perfect pavement.

Indeed, he's a paving pioneer with a number of industry-wide achievements under his belt. And he says he couldn't have done any of it working for a different employer. McAsphalt Industries Ltd. has left a mark on the paving industry, particularly in Manitoba, all by being innovative and empowering its employees.

"From the beginning, McAsphalt was a progressive company. I found I could do a lot of work on my own and use my own initiative," Chrusch says.

In 1987, Chrusch was working for Koch Materials in Winnipeg, Man. and was satisfied with his role as a sales and marketing representative. He wasn't sure what to think when McAsphalt bought the company. But he soon

learned that he would hit his career stride under their management.

About McAsphalt

McAsphalt is a diversified, privately owned Canadian company formed in 1970 by John Carrick Sr. and Leo McArthur in Scarborough, Ont. Starting out with two products – paving asphalt and emulsions used for pavement maintenance – the two steadily grew the business through the acquisition of paving companies and other facilities.

Today, McAsphalt is an industry leader, offering a wide range of asphalt products from 20 terminals located coast to coast. It's committed to developing, producing, distributing and marketing asphaltic products, related services and technology.

Influencing the industry

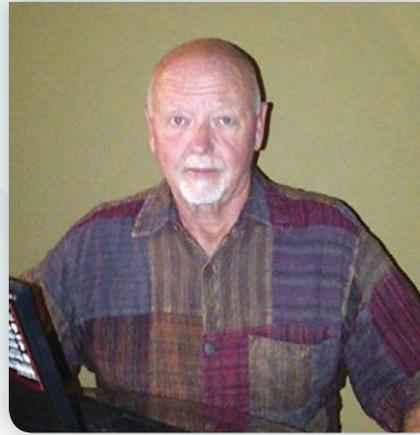
Since the late 1980s, Chrusch has been on a crusade to improve the paving industry, all while offering extraordinary customer service for McAsphalt. Some of the milestones he has led include:

Introduced micro-surfacing/slurry into Western Canada

It's so thin, most people don't even know it's there. The protective coating applied to pavement to improve its ride qualities and skid resistance was initially developed in Europe, but was modified for North American traffic and weather conditions. In 1990, it was Chrusch who lobbied to start using it.

"My role was to get the agencies together to promote it," he says. "We did trial and test sections to show the features and benefits of these projects before rolling it out in Saskatchewan

Photo courtesy of McAsphalt Industries Ltd.



“Under the closed system, we wouldn’t get results about a tender for two to three weeks. Today, we learn almost instantly, which has improved the whole system and made it more efficient.”

– Ivan Chrusch, Sales and Marketing Professional, McAsphalt Industries Ltd.



first. But the people who are benefitting from it the most right now are Manitobans.”

Improved MIT tenders: from a closed to open system

There was a time when Manitoba Infrastructure and Transportation (MIT) had a closed tendering system. This meant that suppliers who submitted a quote for a road construction project had to wait weeks to learn whether or not they were the successful bidders. Only then could they prepare, notify suppliers for raw materials and carriers to get products.

For four years, Chrusch conducted meetings, presentations and case studies with government officials to compel them to switch over to an open tendering system. With the rest of the industry, including his competitors, behind him, the change finally happened.

“Under the closed system, we wouldn’t get results about a tender for two to three weeks.

Today, we learn almost instantly, which has improved the whole system and made it more efficient,” says Chrusch.

Improved the surface treatment system by promoting aggregate strip testing

Before 1990, it wasn’t uncommon for errant stones on rural roads to fly up and crack car windshields in Manitoba.

“We were having a lot of problems due to the aggregate stripping,” explains Chrusch.

“I promoted a solution that involved getting samples of aggregate and testing it so we knew which chemicals and additives could be added to the emulsion. This minimized the aggregate stripping and improved aggregate retention. The added anti-strip agent has almost completely done away with that problem.”

Promoted emulsions to replace cutbacks for the cold mix patching industry

Cold mix, using cutbacks (eco-unfriendly products), was a soup of volatile organic compounds – not exactly environmentally conscious.

The paving industry was urged by the federal government to reduce cutbacks, but it

was Chrusch and McAsphalt that developed emulsions to produce cold mixes that met performance and environmental standards. These emulsions are now used by the entire industry.

Secret to success

Chrusch says McAsphalt has been the ideal company in which to spearhead these and other improvements to the industry. And over the years, the company has continued to grow. The Winnipeg location now employs 12 to 14 people and boasts state-of-the-art equipment and storage facilities, which meets customers’ “on spec., on time” expectations.

“The company’s labs and research and development department are constantly developing new formulations and processes to meet the needs, which is important because things change,” Chrusch explains. “We have increasing traffic volumes, vehicle weights and speeds and there’s also the environmental issue. We’re constantly working on improving.”

While McAsphalt is still going strong, Chrusch has started to take it easier. He’s currently passing the torch to others who will no doubt carry on the tradition of initiative and ingenuity. 



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Arnason Industries Ltd.

Bringing communities together, one remote project at a time

BY JUDY PENZ SHELUK

In 1976, Frank Arnason, his brother-in-law, Les Vann, and his sons, Brett and Barry Arnason, established Arnason Industries Ltd. Their first project, the Oak Bank Concrete Lift Station, was valued at \$28,000. Since then, Arnason has successfully completed over 900 construction projects valued at more than \$415 million.

Today, both Brett and Barry remain actively involved, as president and vice-president, respectively. They oversee a staff of approximately 50 office workers in Winnipeg and another 125-plus on job sites located primarily in remote northern Manitoba First Nations communities; approximately 90 per cent of Arnason’s employees, both in the office and on the job site, are Aboriginal. Many have been with the company for several years, some since its inception, with a second generation now starting to work for the company.

“Our employees mean everything to us,” Barry Arnason says when asked about the secret to staff retention.



St. Theresa Point bulk fuels site showing winter road access. The First Nations community of St. Theresa Point is located on the southern shore of Island Lake, the sixth largest lake in Manitoba.

Photos courtesy of Arnason Industries Ltd.



Barry Arnason on a flooded road in the community of Dauphin River



“The work we do in our industry is inherently dangerous. It’s our responsibility as business owners to be advocates of the good work MHCA does.”

– Barry Arnason, Vice-President,
Arnason Industries Ltd.

“I liken managing a crew as an owner/manager of a construction company to coaching a football team. It’s important to foster a positive mental attitude and to create a workplace where people can grow and develop. We offer cutting-edge training and we always promote safety as a top priority.”

Arnason doesn’t just talk the talk. A longtime, active member of the Manitoba Heavy Construction Association (MHCA), he is currently on the MHCA Board of Directors and chairs its WORKSAFELY™ Committee.

“The work we do in our industry is inherently dangerous,” says Arnason. “It’s our responsibility as business owners to be advocates of the good work MHCA does.”

Continued on page 22



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Winter road to Big Stone Bridge site. The installation of new Acrow panel bridges at the Big Stone and Red Sucker Rivers will help to extend the length of the winter road seasons.

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Typical crushing spread



Shamattawa gravel stockpile site

Projects

As general contractors, Arnason Industries specializes in sewer and water treatment plants, design-build projects, bulk fuel storage facilities, granular supply and crushing projects, bridges and building winter roads.

Current projects include:

- East Side Road Authority (Partnered with Wasagamack First Nation): Big Stone mainland bridge works
- East Side Road Authority (Partnered with Red Sucker Lake First Nation): Red Sucker River bridge works
- East Side Road Authority (Partnered with Wasagamack First Nation): Feather Rapids bridge
- Wasagamack First Nation: Bulk fuels storage facility
- St. Theresa Point First Nation: Bulk fuels storage facility
- Manitoba Aboriginal and Northern Affairs: Crane River First Nation water treatment plant
- Crane River / Dauphin River: Flood remediation
- Manitoba Infrastructure and Transportation: Winter roadwork in Garden Hill, Wasagamack, St. Theresa Point, Norway House, God's River and Shamattawa
- Garden Hill, St. Theresa Point, Elk Island and Kasabonika: Crushing projects
- Wasagamack and Garden Hill: Soil remediation

That's an impressive list of projects – especially when one considers the remoteness of the locations, most of which are only accessible by air, save for a brief period of time each year.

“Northern Manitobans in nine eastern and 14 northern Manitoba communities are served by winter roads during a brief period of about eight weeks from mid-January to mid-March,” says Arnason. “However, the prevailing

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Pilings at the Big Stone Bridge site



Garden Hill winter road

MEMBER PROFILE

weather conditions can shorten or extend this period by as much as two weeks.”

Logistics

Working in remote locations comes with many challenges.

“You definitely can’t afford to make any mistakes,” says Arnason. “If you forget a generator, it might cost \$100,000 to bring it in. Once we’ve got the job, our normal process is to bring everyone on our team together, from the project manager, expeditor and trucking coordinator, to

the purchasers. Then we review the job in minute detail, get all the materials together, package it and load it on trucks. Everything’s done on a very tight timeline, but we are known for our ability to get in very quickly.”

Arnason Industries has partnered with many First Nations communities by working with The East Side Road Authority. The authority is a strategic initiative to provide improved, safe and more reliable transportation service, including bridges and year-round roads for the remote and isolated communities on the east side of Lake Winnipeg.

“There are over 30 communities that call this region their home,” says Arnason. “In addition to providing employment and economic development opportunities, this project will improve the quality of life and standard of living for the approximately 36,000 residents who live in these communities.”

It all drills back to the company’s mandate: to develop and maintain the strongest possible customer and client relations. With 35 years in the business and counting, it looks like they’re succeeding, one remote project at a time. 

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From April 8-10, 2013, the very best in industry training was showcased for another year

The second annual Manitoba Heavy Construction Association (MHCA)'s Heavy Construction EXPO has wrapped up for another year with more courses and greater attendance. The 2013 three-day event, running April 8-10, saw nearly 800 heavy construction professionals participate in 70-plus quality education courses. That's a 10 per cent increase from the inaugural EXPO. Additionally, EXPO provided Gold Seal certification, human resource leadership, COR™ education and training certification, risk management and so much more!

According to Peter Paulic, vice-president and general manager of Smook Contractors Ltd. in Thompson, Man., EXPO allows him to get his staff trained without much disruption to his business.

"You shut down for three days and you get all the training that you need in one place. As a northern company, EXPO provides our staff the opportunity to network with other contractors we normally would not see throughout the year. EXPO is a tremendous value," Paulic says.

EXPO is a conference about workforce excellence created by the heavy construction industry for the heavy construction industry. Glen Black, director of WORKSAFELY™ education and training, says EXPO is the result of continuous consultation with key stakeholders groups.

"Those groups include the business owners, the safety practitioners, human resources professionals within the industry, our safety partners that include regulators and the Workers Compensation Board (WCB). They all play a big role in the success of EXPO," Black explains.



What makes EXPO such a popular event is that construction professionals get the opportunity to maximize their educational investment with interactive and current sessions, while suppliers get the chance to market their products and services directly to the heavy construction industry. Conveniently located near the James Richardson International Airport in Winnipeg, the conference took place at the Victoria Inn.

EXPO is for everyone! From entry level to skilled labourer to equipment operator to front-line supervisors and management professionals, EXPO has something for every career level. After a successful second year, plans are already underway for EXPO 2014!

For more on EXPO, watch our promotional video, featuring MHCA members, on our YouTube channel: www.youtube.com/ManitobaHeavy. 



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April 8-10, 2013



Colleen Munro of Hugh Munro Construction was a keynote speaker sharing her views on women in construction



The attendees settling in for lunch



Alcom Electronic Communications helping an EXPO attendee



President and CEO of WCB, Winston Maharaj, was the keynote speaker for Monday's lunch



Glen Black, director of WORKSAFELY™ education and training, presents a token of appreciation to Don Hurst, Manitoba's chief prevention officer

The second annual EXPO in Winnipeg, Man. was a huge success! From the tradeshow floor to the many education sessions, speakers and courses, the conference gave all attendees an opportunity to network, learn and get some new ideas – just in time for busy season!



WCR & HCA 2013 CONVENTION

March 17-20, 2013



Keynote speaker, Michael "Pinball" Clemons, entertains the delegates at breakfast



Canada Night – Celebrating our Canadian Football League (CFL) with a tailgate party in the parking lot of the Disney Yacht Club Hotel



WCR&HCA delegates are treated to a Polynesian luau dinner and show



Bob Reidy, WCR&HCA chair, Chris Lorenc, WCR&HCA president and Boris Gavrailoff,



View of the Hollywood Studios tower as delegates enjoy the final evening in the theme park

The Western Canada Roadbuilders and Heavy Construction Association (WCR&HCA)'s annual convention was held in Orlando, Fla. from March 17 – 20, 2013 at Disney's Yacht Club and Resort. Thank you to all our sponsors, delegates, speakers and guests for attending!



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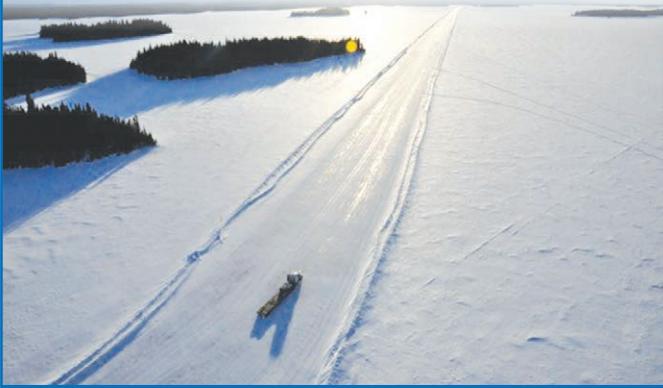


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Meet MHCA's Money Maven

Wendy Freund Summerfield celebrates her 20th year as the association's manager of finance

BY LISA KOPOCHINSKI

A former army brat that has lived in Ontario, British Columbia, Alberta and Europe, Wendy Freund Summerfield, Manitoba Heavy Construction Association (MHCA)'s manager of finance, celebrates her 20th anniversary with the association this month. Staying in one place is quite a departure from her childhood years where her military father was transferred to a number of different locations before his final permanent post in Winnipeg.

"I'm quite comfortable here," says Freund Summerfield. "I have really good people to work with and I work closely with our president, management staff, board and executive. It's really been a pleasure."

When Freund Summerfield started with MHCA back in 1993, there was only a staff of three to oversee its 150 members.

"The president, myself and a part-time receptionist," she recalls.

MHCA President, Chris Lorenc, hand-picked Freund Summerfield in the beginning and never looked back.

"I was the one who interviewed and then hired Wendy some 20 years ago. I have never in the intervening years regretted that decision," he says.

"Wendy is thorough, competent, devoted, loyal, a prudent and logical sounding board, a person whose advice I trust."

Today, there are five full-time MHCA employees and nine in the WORKSAFELY™



“I’ve been rewarded by the growth of the association. You can’t help but be proud of being part of a growing organization.”

– Wendy Freund Summerfield, Manager of Finance, MHCA



program. Total MHCA membership has also swelled to nearly 400.

“It’s definitely changed over the years. I like MHCA and what they stand for and their vision and mission statement,” Freund Summerfield says. “I really like the members and have gotten to know many nice people. I’ve been lucky here.”

In her position, Freund Summerfield is responsible for a number of MHCA financial portfolios. She manages the finances for both

the WORKSAFELY™ and WORKFORCE™ programs and deals directly with many departments, agencies and individuals. She coordinates board and executive meetings and supports human resources and legal matters among other ongoing duties. As a non-profit organization, she says it’s a different approach to accounting.

“We’re service oriented – not profit oriented. My aim is to keep a sustainable organization,” Freund Summerfield explains.

When asked what she finds most gratifying and challenging about her position, she doesn’t hesitate.

“I’ve been rewarded by the growth of the association. You can’t help but be proud of being part of a growing organization. And there are always challenges when you’re the financial person. You may not be everyone’s favourite person all the time if you have to say ‘no,’ for instance. Money isn’t something people like to discuss,” she says.

Freund Summerfield says this position suits her personality well, even though she did not originally study finance at university. In fact, she was working towards an education degree at the University of Manitoba when she was offered a managerial position for an oil company – an opportunity too good to refuse. From there, her career path led her to MHCA.

Though there isn’t a great deal of travel associated with her position, Freund Summerfield recently worked with fellow staff in organizing the Western Canada Roadbuilders and Heavy Construction Association (WCR&HCA) convention. Each year, the four western provinces rotate their hosting duties.

“It’s a big undertaking,” she says. “This year it was held in Orlando – a nice getaway spot. We organized the speakers, breakfasts, dinners, entertainment, the golf tournament and fishing derby. We had to ensure that nothing went awry.”

In her spare time, away from her MHCA duties, Freund Summerfield is an avid quilt maker and fibre artist.

“This is my creative passion,” she says. “We’re not making your grandmother’s quilts anymore.”

A grandmother herself, she dotes on her two grandsons, “whom I adore and I have a ‘schwak’ of stepchildren too,” she laughs. **M**

Photo by Ted Grant



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THE SAFETY ISSUE

GETTING READY FOR THE 2013 CONSTRUCTION SEASON

- 36** Construction Season Readiness: A Project Manager's Point of View
- 44** Excavation Dangers
- 54** WORKSAFELYTM Certified Flagging Standard



FATIGUE MANAGEMENT: A WAKE-UP

'Dr. Don' on the risks of – and remedies for – worker fatigue

BY ROBERT J. HOLT

You wouldn't let a friend polish off five bottles of beer and get behind the wheel of their car. It's dangerous, of course, and everyone knows it. And yet, when you or your crew show up to the job site tired, you may be walking into a situation that's just as dangerous.

"We have to realize," says Dr. Don Melnychuk, "that in the same way we look at drug and alcohol impairment, fatigue is just as severe... when we say fit for duty, we have to put in there, alcohol-free, drug-free, *fatigue-free*."

Melnychuk is a psychologist with over 21 years of experience, specializing in stress and fatigue management. He's also a nationally-recognized speaker, trainer and writer who has worked with clients like Epcor, Telus and the Alberta Roadbuilders and Heavy Construction Association. 'Dr. Don' helps his clients to develop fatigue risk management systems, educating workers and supervisors about the dangers of fatigue on the job and how to overcome them.

Simply put, fatigue is the feeling of extreme tiredness or exhaustion. When we work too hard for too long, without appropriate recovery time, fatigue sets in. And, as Dr. Don is quick to point out, it can be a very real hazard in the construction industry.

Melnychuk cites an Australian study which found that after being awake for 17 hours straight, a person's reaction times can be just as impaired as someone with a blood alcohol content of 0.05 per cent. In most provinces (including Manitoba), that would be enough to earn an instant license suspension if you were behind the wheel.

"When we say fit for duty, we have to put in there, alcohol-free, drug-free, fatigue-free."

– Dr. Don Melnychuk, Psychologist

"We've got the science to back that up," says Melnychuk, "and that's the one that's really hitting home for a lot of workers."

The solution to fatigue may seem straightforward – try and avoid the all-nighter – but Dr. Don is quick to point out there's far more to it than that. "A *sleep debt* will accumulate, that's the other thing our construction workers have to be aware of," he explains. Let's say you need eight hours of sleep to feel rested the next day, but you've only been getting five hours a night. In one work-week, all those missed hours add up to 15 hours of recovery time your body hasn't gotten.

"The further away you get from not having the right number of hours of sleep you need," says Melnychuk, "the harder your brain will force you to eventually sleep." Over time, that sleep debt can be just as detrimental – and dangerous – as staying awake for 18 or 20 hours all at once.

Of course, there are a number of sleep disorders – insomnia and sleep apnea being among the most common – which can severely impact

CALL



Photo courtesy of Dr. Don Melnychuk

Dr. Don Melnychuk is a psychologist, nationally recognized speaker and trainer

worker fatigue and for these Melnychuk recommends professional treatment.

“Most sleep disorders can be treated,” he says, “and the result could save your life.”

Fatigue risk management is about far more than just getting in your 40 winks each night. The field of strategies to combat the issue within workplace safety is diverse and involves employers and employees alike.

“We have a tipping point here,” says Melnychuk. “Industry, government and science are all together on this now, and what they’re forming is a whole new emphasis when it comes to fatigue risk management ... the whole idea is not to be punitive, it’s to be constructive and helpful. It’s to give [workers] counter-measures and fatigue-proof them from the dangers, the risk that they’re involved in. It’s a win-win.” 

For more on Dr. Don, be sure to check out www.donmelnychuk.com.

Photo by Todd Arena / Photos.com

CONSTRUCTION SEASON READINESS:

A Project Manager's Point of View

Kevin Howardson, of Ken Palson Enterprises Ltd., offers a look at the preparation for his busiest time of year



BY JANELLE JOHNSON, MHCA

Ken Palson and his wife, Sheila, founded Ken Palson Enterprises Ltd. (KPE) in 1987. KPE started small, as job brokers with no equipment of their own. But as their 26th construction season approaches, things have changed drastically.

KPE is in full swing, getting ready for the construction season and there are several contracts to think about, including railroad expansions, contaminated site remediation projects as well as new builds and upgrading of existing facilities for petroleum sites. With over 25 years of experience, KPE recognizes their quality staff and Kevin Howardson is no exception.

Howardson, a project manager certified in project management and planning along with 25 years of experience, has a lot to think about this time of year. KPE relies on him to make decisions about personnel and equipment needs for several contracts they have lined up.

Those contracts are both inside and outside of Winnipeg. When a job is outside of the city, the issue of personnel becomes more challenging. Not only does Howardson have to think about the amount of personnel and their positions but also arrange accommodations, schedule mobilization and shift changes with dispatch.

“To pick an on-site supervisor, I think about the talent we have here in our company and pick project supervisors according to their past experience and the job site conditions,” Howardson explains.

After personnel, equipment is the next step in getting organized. KPE has over 40 pieces of equipment in their fleet which they keep maintained as part of their COR™ requirements based on hours of service. Equipment hours are recorded daily on a time sheet and transport unit hours are also recorded each day on a pre-trip sheet. Almost all maintenance and repairs are done in-house.



Kevin Howardson preparing for the busy construction season

When a contract requires equipment that isn't available, Howardson makes the decision whether to buy, rent or lease it. For rural jobs, arrangements with dispatch need to be made to ensure equipment is delivered in a timely manner and the project can stay on schedule.

During the winter months, when the construction industry is quieter other than snow clearing, KPE takes advantage by making sure all 75 employees are up-to-date with training, such as the Workplace Hazardous Materials Information System and Transportation of Dangerous Goods, among others. Howardson is responsible for making sure the operating staff has experience in the process required for projects and ensuring new operators have adequate training on the equipment they will be running.

"One of my favorite parts of my job is having the opportunity to train new workers and observe their skills increase as the project moves forward," expresses Howardson.

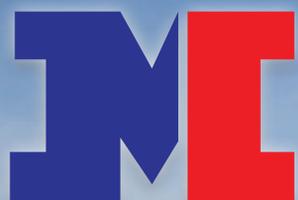
If making sure all the staff is trained, the equipment is ready and the schedule is in place isn't enough, Howardson has more to think about.

It is also his responsibility to ensure that all permits, utility clearances and land agreements are in place. When all of these worksite elements are organized, Howardson arranges a pre-job meeting with supervisory staff, engineering and architectural teams in addition to the project owners or contract manager. He also makes sure he takes the time to meet with his own supervisors, project staff and any subcontractors.

With his vast experience, Howardson's advice to other project managers is to "plan, plan, plan. Failure to plan is planning to fail!" 

Janelle Johnson is the WORKSAFELY™ audit and communications coordinator for MHCA.





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Construction Safety Officer graduates (from left to right): Dave Shumka, Melodee Coulter, Braden Shaw, Eric Bradford Sewell and Scott Yakubowski



Barry Arnason, chair of the WORKSAFELY™ Committee, addressing the safety practitioners at the COR™ quarterly meeting held at Canad Inns



Glen Black, director, WORKSAFELY™ education and training, presents Bryan Zirk, director of the Inspection Services Branch of the Workplace Safety and Health Division, with a token of appreciation



Floyd Buhler, WORKSAFELY™ safety advisor, and Elaine Alvis, WORKSAFELY™ safety advisor, at the Association of Manitoba Municipalities tradeshow



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Ed Gregory with students from a training class after they had been presented with their COR™ t-shirts



Safety advisor, Ed Gregory, presenting Southwood Ventures Inc. with their COR™ certified banner

TRAFFIC CONTROL SAFETY

Keeping highway construction zones safe for workers, pedestrians and motorists alike

BY HEATHER HUDSON

There is a great deal required for safely controlling traffic on a highway construction site in Manitoba.

Work crews and their heavy equipment must share the road with speeding cars, unobservant drivers and large transport trailers. Every day the crews have to adjust to extreme hot or cold temperatures and deal with the wind or rain, which all pose serious hazards to the work crew if traffic control is not properly managed.





“It’s always beneficial to stay on top of new emerging trends in our industry, particularly to advance roadway safety.”

– Tana LaDouceur, Traffic Control Coordinator,
Nelson River Construction

That’s where Tana LaDouceur comes in. She is a certified traffic control coordinator for Nelson River Construction, which specializes in a number of construction areas, including aggregate production, highway construction, concrete, paving and underground services. She and her colleagues in traffic control management keep construction sites safe for everyone.

A new certification requirement for traffic control coordinators has been mandated by Manitoba Infrastructure and Transportation. As of June 1, 2013, Level 4 or 5 road construction projects must have a certified traffic control coordinator who has taken a two-day traffic control coordinator course through the Manitoba Heavy Construction Association (MHCA)’s WORKSAFELY™ program.

“It’s always beneficial to stay on top of new emerging trends in our industry, particularly to advance roadway safety,” says LaDouceur, who has taken the training.

But not just anyone can do this job. Many factors and responsibilities must be taken into consideration for each and every project.

Coordinating traffic

LaDouceur’s key role as a traffic control coordinator is to ensure proper traffic control devices are placed on a roadway to enhance the safety of workers, pedestrians and motorists. She attends a pre-construction meeting to find out exactly what it will entail and how many kilometres the project will stretch. This helps her determine how many trained flaggers she’ll need and help her prepare and submit a traffic management plan (TMP) to the highway authority. The TMP is required for lane closures, speed reduction zones and traffic control device placements.

“We place temporary traffic control devices and throughout the day we tweak the traffic control plan as necessary,” LaDouceur says.

There are three basic principles of traffic control that apply on every roadway construction project:

1) Setting up advance warning signs for motorists

There are new highly visible fluorescent green signs that must be placed at locations visible to motorists to attract their attention. The two signs most commonly used are “Roadwork Ahead” and “Flag Person Ahead.” These signs must be placed at certain distances based on vehicle travel speeds.

2) Setting up worksite identification high visible cones

The site of the entire area where crews conduct their work activities must be clearly marked. This marked area is their workplace and the motoring public needs to be mindful and respectful of that.

3) Directing or providing clear driver guidance using trained flag persons

Any oncoming traffic must be safely guided around and through the construction work zone. New flag person training standards set out the role and responsibility of a flag person and how they are to guide motorists safely through a construction site. Under the new requirements, personal protective equipment worn by the flag person must be a highly visible fluorescent colour.

Another key factor in keeping everyone safe is communication. LaDouceur ensures each flagger is equipped with a radio to ensure proper communication for any adjustments that need to be made throughout the day.

“Even if we change something for two minutes, everybody must know what’s going on. And if any of them see something that’s not right or dangerous, they can radio,” says LaDouceur.

She always paroles the stretch of the construction zone, adjusting flaggers as necessary.

“My traffic control coordinator’s job isn’t over when the day is done. Near the end of the night, I can tell where I’m going to start the next day and set it all up before I go in for the night,” she explains.

A meeting with all flaggers once a week is set up to offer an overview on how the job is going as well as to seek feedback about any hazards they’ve noticed that can be adjusted.

“If you’ve got 70 guys on the crew, you can’t be in 70 places at once. Sometimes they do things they don’t realize affect traffic control or can be dangerous to flaggers or drivers,” says LaDouceur.

With years of expertise and training, LaDouceur says it’s rewarding to ensure work sites are set up in a safe manner so all employees can feel safe in the construction zone. 

For more information on traffic control coordinator training, contact Glen Black, director of WORKSAFELY™ education and training at 204-594-9051.

EXCAVATION DANGERS

Best practices applied on excavation projects ensure everyone's safety

BY GLEN BLACK, MHCA/WORKSAFELY™

Many workers have been buried alive in collapsing trenches over the years. We hear about it far too often and it saddens us all when we hear of such tragic workplace incidents that take workers' lives. Additionally, failure to protect workers has led to millions of dollars in penalties against companies failing to provide proper excavation safety initiatives.

In the heavy construction industry, excavations occur daily. They are common for service and all types of construction projects. Excavations occur for services such as water and sewer, storm drains, utility placement, waste water, sanitary and septic services, to name a few.

I don't for one minute profess to be an excavation expert on soil stability or the pre-excavation requirements, but what I can tell you is that I have investigated too many excavation cave-ins in my safety career, only to see the tragic outcomes of cutting corners, taking risks and not applying proper shoring practices.

Our construction sector is a highly professional industry, which fully understands the grave dangers that exist when performing excavation work where workers must enter the excavation. There are many factors that can adversely affect soil stability. Some of these factors that come to mind are the depth of the excavation, the change in soil water content, water in surface cracks, the weight of excavated soil,

equipment or other materials placed near the excavation, freeze and thawing of the soil in addition to the shock or vibration from machinery, pile driving, blasting or heavy traffic. All of these factors will place stress on the excavation area, disturbing the soil resulting in soil pressures that try to push the side of the excavation into the excavated hole. This is called a typical soil collapse.

Pre-plan your excavation projects and WORKSAFELY™ to prevent soil collapse

I have had an opportunity to talk to some very knowledgeable and experienced excavating contractors and there were several common practices they all relay. They referred to these as their best practices, applied on all their excavation projects, to ensure everyone's safety.

They are:

- Pre-plan the work and hold a pre-job tailgate meeting
- Ensure you understand the applicable regulations for permits/authorization to dig
- Familiarize yourself with the work to be done including the planned shoring or sloping for the excavation
- Understand the soil classifications to make the right decisions necessary for shoring,

sloping, engineered shoring systems or other engineering instructions

- Know the depth of the excavation, utility location, overhead and underground
- Ensure you have a competent supervisor to oversee the project
- Ensure all your workers, in particular your newly hired workers, understand how to work safely within the shoring system
- Never work outside a shoring structure

Canadian regulations vary tremendously when it comes to the details of requirements for working in trenches. However, all share the same basic requirements. If a worker has to enter a trench, he or she must be protected by one of three measures: sloping that is backing the walls of the trench so that it won't collapse; shoring the inside walls of the trench with a timber structure; or working inside a trench box/cage, a portable device that can prevent cave-in. Without one of these protective measures taken, no worker is allowed in a trench in any jurisdiction.

Construction – and excavation – season is upon us. Please WORKSAFELY™!

Glen Black is the director of WORKSAFELY™ education and training for MHCA.





Many workers have been buried alive in collapsing trenches over the years. We hear about it far too often and it saddens us all when we hear of such tragic workplace incidents that take workers' lives.



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SAFETY CHAMPION

Cathie Seneshen, Safety Coordinator, Taillieu Construction Ltd.

BY KELLY GRAY

Taillieu Construction Ltd. has made a name for itself as a leader in the Manitoba construction scene. Thanks to staff like Cathie Seneshen, they are making a name for safety as well.

Seneshen is Taillieu's safety coordinator, a job she has continually defined since coming on board in 1999. Today, she oversees the safety requirements for a crew of more than 100 workers during the busy summer construction season when Taillieu does the majority of its sewer, water and dirt work.

One of the many qualities that have made Seneshen successful is her strong sense of organization.

"We set people up for training and look after their continuing safety needs. If they have to go for specialized training, we take care of this," says Seneshen.

She reports that the need for safety has steadily grown since she started with Taillieu, adding that her position was initially only part-time.

"Today, there is no way you could do this work on a part-time basis. I'm fortunate to work for a company that realizes this and takes that responsibility very seriously," she says, noting that their collective goal is to make sure workers go home and not to the emergency room at the end of their shifts.

For Seneshen, it all starts with an understanding of the job at hand and how it can be done more safely.

"Safety is part of our overall planning on every job," she explains. "It's a complete package. We are fortunate to have such a long-serving workforce with low turnover. This means we have people on crews that have done it all and understand how the job can be made safer. Most of our backhoe operators have previously laid pipe so they're well aware of the hazards associated with excavations."

For new employees, Seneshen ensures they are given a thorough introduction to every facet of safety on a job site.



"Today, there is no way you could do this work on a part-time basis. I'm fortunate to work for a company that realizes this and takes that responsibility very seriously."

– Cathie Seneshen, Safety Coordinator, Taillieu Construction Ltd.

"Before new workers report out to our sites, they are given an orientation that includes the Roadbuilders Safety Training System (RSTS) training. Once on site, the safety reps show them around, explain the hazards and teach them how to operate some of the tools they will be using," she says. "Our workers also attend the Manitoba Heavy Construction Association (MHCA)'s Heavy Construction EXPO for various training. We also use MHCA and other agencies for training such as First Aid/CPR and flagging certification."

As well, Taillieu is involved in SAFE Work's Spot the Hazard campaign and boasts a modified work program.

"I go out and visit the guys in the field regularly," Seneshen says, adding that the workers

tell her how things are going and if there are any problems. "Together we figure out how to solve safety issues."

The company's strong focus on safety has resulted in minimal injuries and accidents.

"Last year, we had just one incident where a worker lost time. We see this as a positive statistic given the danger in our sector," Seneshen says.

She also notes that their low number of accidents is a result of a total buy-in from both the company and the workers.

"It all comes down to training," Seneshen explains. "This gives the workers the understanding to prepare the job in the safest possible way. When job sites are safe, everything tends to be more professional and productive." 

SAFETY CHAMPION

Elaine Alvis, Training and COR™ Development Advisor, WORKSAFELY™

BY JERRAD PETERS

“I live safety every day,” Elaine Alvis asserts.

For nearly five years, Alvis has been helping companies and workers embrace safe working conditions and practices as the training and COR™ development advisor for the Manitoba Heavy Construction Association (MHCA)'s WORKSAFELY™ program. But safety is also something she lives in her day-to-day life.

“I preach safety to my own family,” she says, pausing to stress the importance of avoiding cell phone use while driving. “I don’t do that,” she adds. “If a call comes in, I pull over.”

This commitment to safety in daily life, as well as a background in heavy construction, has Alvis well positioned to train and encourage the construction industry through WORKSAFELY™ – the series of safety programs supported by MHCA. Before joining the association, she worked for a decade at a construction company in the Brandon area and, as a child, was raised around heavy equipment.

“It has just been part of my life,” she says.

These days, Alvis is busy teaching between 30 and 40 WORKSAFELY™ courses, which touch on everything from health and safety management to excavation and trenching safety to the Workplace Hazardous Materials Information System (WHIMS) which, she points out, is required by anyone dealing with controlled products.

Alvis also says WORKSAFELY™ will customize training programs for any client’s unique needs.

And, she says, if that client happens to operate outside Winnipeg, WORKSAFELY™ will come to them.



Alvis leads training sessions across the province





Alvis presenting a COR™ banner to The Wither Group Inc. t/a Red River Construction



Alvis instructing a group of students from Sigfusson Northern Ltd.

“I really believe in what we do. I have a great passion for safety and health and for the heavy construction sector.”

– Elaine Alvis, Training and COR™ Development Advisor, WORKSAFELY™

“There are safety advisers in all areas,” she says. “So, if a client is in Deloraine, we will go to them and train them on site – or in Thompson, Flin Flon, Brandon, Dauphin or wherever they are. We will come to them.”

Alvis, herself, has taken each of the courses she now teaches and singles out the Leadership and Safety Excellence Program as one she particularly values.

Offered under the Certificate of Recognition (COR™) designation brand clients can attain upon certification, Leadership and Safety Excellence stresses industry safety requirements outlined by legislation. And conforming to legislation, Alvis says, is a major part of the process.

“We’re always referencing the Workplace Safety and Health Act regulations, but that’s just the main one we deal with,” she says. “You name the legislation and we work closely with those entities, such as Manitoba Infrastructure and Transportation. We work with them in developing our traffic control coordinator course or flagging course.”

Alvis also helps clients through a safety auditing process of their own workplaces and practices.

“I really believe in what we do,” she says. “I have a great passion for safety and health and for the heavy construction sector.” 

Manitoba's
Heavy Construction

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Glen Black, Director, WORKSAFELY™
 Education and Training, MHCA



As the Certifying Partner of the COR™ program for the Heavy Construction Industry in Manitoba, WORKSAFELY™ offers two types of COR™ certification, one being COR™ for companies with more than 19 employees and SECOR, a Small Employer Certificate of Recognition which applies to companies with fewer than 19 employees. The SECOR process allows WORKSAFELY™ to respond to the needs of smaller contractors who desire to attain COR™.

At WORKSAFELY™, our COR™/SECOR certification process assists construction companies to understand the workplace safety and health legislation, and the employer and worker safety roles and responsibilities. Our safety programs and services help employers build comprehensive effective health and safety management systems. Our approach is focused on client service and helping companies create and maintain proactive workplace safety cultures. WORKSAFELY™ is comprised of a talented team of safety professionals that provide safety consulting and safety certification services to the heavy construction industry.



/ManitobaHeavy www.mhca.mb.ca/worksafely

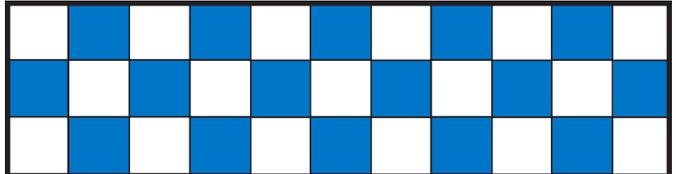




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SAFE Roads is Driving Home the Message of Safety

Survey indicates the eight-year campaign is only gaining momentum

BY ROB WOZNY, MHCA

More Manitoba motorists are getting the message to slow down and drive safely in construction zones.

Focus group testing by Prairie Research Associates (PRA) on behalf of SAFE Roads – a group of government and non-government agencies and associations committed to keeping construction workers safe through public awareness campaigns and other initiatives – proves this statement to be true.

Overall, the 25 to 30 participants surveyed in-person last December indicated they were likely to be aware of road construction, emergency and utility workers when driving and reduce their speeds accordingly. However, the speed at which participants are likely to slow down to varies by age. It appears that younger participants are often driving faster than the speed limit and believe it is safe to reduce their speed to the speed limit when passing road construction zones with workers. Conversely, older participants tend to believe that they need to reduce their speed to 10 to 20 km/hr below the speed limit in order to be safe.

According to Correy Myco, CEO and creative director of ChangeMakers, the company leading the SAFE Roads marketing campaign, many factors would cause participants to reduce their speed when driving through road construction.

“Mainly the presence of workers, especially one holding a sign indicating to drivers to slow down, is one major factor. Also, increased detours through a construction zone also cause them to reduce their speed,” Myco explains.

“When participants believe there will not be people working (e.g., at night) or do not see construction workers, they are likely to drive at or above the speed limit through these zones because they do not believe there would be any negative consequences, other than those associated with driving on the road.”

The focus group research also revealed participants are more likely to be frustrated when they see road construction without workers. The combination of increased frustration and belief in safe

“Mainly the presence of workers, especially one holding a sign indicating to drivers to slow down, is one major factor. Also, increased detours through a construction zone also cause them to reduce their speed.”

– Correy Myco, CEO & Creative Director, ChangeMakers



driving may cause them to increase their speed even more during times when they do not see construction workers around.

The PRA focus group was conducted as a result of the eighth annual SAFE Roads campaign last spring that featured a media event in Winnipeg at the corner of Kenaston and Scurfield Boulevard as well as in the courtyard of Brandon City Hall. Both events received significant media coverage.

The SAFE Road ads appear to get a clear message across to participants about slowing down when passing workers, although the billboards tend to speak mainly to road construction workers, while the radio ads speak to road construction, emergency and utility workers. The ads also effectively humanize workers and make participants more aware that these individuals are people working at a job who should feel safe in their work environment and that they can contribute to that feeling by reducing their speed when passing workers.

The campaign also featured billboards targeted at motorists across Manitoba, reminding them to slow down when driving past road construction projects and when sharing the road with emergency workers such as firefighters, hydro workers, paramedics and police officers. The ads feature the message, “This is my workplace. Slow down.”

A hefty fine for motorists who don’t get the message also backs up the advertising. The Highway Traffic Act supports the SAFE Roads campaign by setting additional penalties for failing to slow down in construction zones. Offenders caught speeding will have an additional \$5 added to the base fine for every kilometre recorded over the speed limit.

Meanwhile, plans have begun for the ninth SAFE Roads campaign in 2013, slated for mid-May to mid-June, which will aim to have an even stronger presence in rural Manitoba. For more on SAFE Roads Manitoba, please visit: www.saferoadsmanitoba.com. 



Rob Wozny is the editor-in-chief of Groundbreaker.



WORKSAFELY™ Certified Flagging Standard



An industry best practice and approved training standard

BY GLEN BLACK, MHCA/WORKSAFELY™

In 2002, I read an article entitled “The Colour of Safety,” written by William M. Glenn, an associate editor for *OHS Canada*, the premiere occupational safety magazine in Canada.

The article summarized the lengthy discussions and work of the then Canadian Safety Association’s (CSA) Technical Committee who worked on the CSA-Z96 standard titled, High Visibility Safety Apparel. Greg Mortimer, a good friend and well-respected safety professional, who at the time was the safety and risk manager for Manitoba’s Department of Transportation and Government Services, was vice chair of the technical committee responsible for developing the standard.

The work of Mortimer, and others on the technical committee, back then has now been adopted and written into the recent changes to Manitoba Regulation 217/2006 regarding flag persons. The changes to the regulation were intended to enhance flagger safety and make the flagger more visible on construction projects.

In the aforementioned article, there was a quote from Mortimer that remains true today.

“The impetus in bringing forward a uniform apparel standard was to make workers more visible,” he stated.

I couldn’t agree more with Greg’s statement and I know our heavy construction industry overwhelmingly applauds this added

visibility protection for their flaggers.

High visibility safety apparel is only part of the solution to safeguard flaggers from serious injury or even death. There needs to be the right traffic controls in place, advance warning signs and barriers in addition to engineered control devices in place to divert traffic safely through highway construction zones. In addition, the motoring public needs to respect the important role that the flagger performs on a construction work zone, which is to protect all workers behind the cones.

In 2012, to enhance roadway safety, the Manitoba Heavy Construction Association (MHCA), through its WORKSAFELY™ program, developed, with the help of our



The motoring public needs to understand that flaggers on any construction project in Manitoba are someone's dad, mother, brother, sister, aunt, uncle, son or daughter and these people are hired to perform an important role – to safely guide and direct traffic through a construction zone.

highways authority, Manitoba Infrastructure and Transportation, an industry best practices training standard to certify traffic control coordinators in Manitoba. This two-day WORKSAFELY™-certified course clearly demonstrates the industry's commitment to improve roadway safety practices.

With the newly introduced changes to the regulations, MHCA and its COR™ certified member companies wanted to have an industry best practice and an industry-specific training standard. The industry agreed to submit to the regulatory agency our WORKSAFELY™ Certified Flag Person Training Standard and received approval to proceed.

The training standard included having a classroom theory component complimented by a hands-on practical training component on the job site. The industry expressly wanted to see an industry standard that could be industry administered and directed at the ultimate goal – enhancing safety for flag persons.

The industry, as a collective, has taken the necessary steps to enhance and improve roadway safety. The motoring public needs to understand that flaggers on any construction project in Manitoba are someone's dad, mother, brother, sister, aunt, uncle, son or daughter and these people are hired to perform an important role – to safely guide and direct traffic through a construction zone.

Drivers need to respect the flaggers, slow down and drive responsibly through construction work zones.

The new colour of safety is now law. As the technical committee did their job to enhance flagger safety, our industry must now ensure the training is carried out consistently and the motoring public needs to support the efforts to safe guard our flaggers from harm. 

Glen Black is the director of WORKSAFELY™ education and training for MHCA.



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Musculoskeletal Injuries

How to minimize the most common injury in the heavy construction industry

SUBMITTED BY THE WORKERS COMPENSATION BOARD OF MANITOBA

Did you know musculoskeletal injuries (MSI) account for a significant number of work injuries in Manitoba? At The Workers Compensation Board of Manitoba (WCB), our statistics indicate that musculoskeletal injuries are the number one type of work-related time-loss injury in the heavy construction industry.

A musculoskeletal injury means an injury or disorder of the muscles, tendons, ligaments, joints, nerves, blood vessels or related soft tissue including a sprain, strain or inflammation.

There are two categories of MSI:

- 1) **Traumatic:** One-time event that sends the soft tissue past its capacity, commonly referred to as sprains and strains
- 2) **Overuse:** Repeated minor traumas that build up over time (without proper healing) to predispose the affected soft tissues to injury (e.g., tendinitis)

Since work-related MSI tend to occur when the physical demands of the action, task, movement or job exceeds the ability of the body, changes must be considered for the workstation (if applicable), equipment, tools, work practices and rate, body movements and employee training to reduce the risk of injury.

“Workers in the heavy construction industry are some of the most susceptible to these types of injuries.”

– Dwight Doell, Director,
SAFE Work Services

Can you recognize MSI?

Among the typical signs of MSI are:

- Fatigue
- Discomfort or pain
- Tingling or numbness
- Redness, heat or swelling
- Decreased range of motion
- Weakness
- Headaches
- Symptoms that occur toward the end of the workday or workweek



Table 1 – MSI in Construction 2000-2012

| Heavy Construction | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | % Change 2012 vs 2000 |
|------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|-----------------------|
| Musculoskeletal Injuries | 112 | 89 | 132 | 120 | 141 | 146 | 176 | 191 | 168 | 165 | 148 | 176 | 156 | +39% |
| Non Musculoskeletal Injuries | 138 | 126 | 105 | 137 | 103 | 132 | 120 | 149 | 127 | 145 | 122 | 162 | 155 | +12% |
| Total | 256 | 223 | 242 | 259 | 248 | 278 | 303 | 346 | 298 | 311 | 280 | 338 | 311 | +21% |
| % MSIs | 45% | 41% | 56% | 47% | 58% | 53% | 59% | 56% | 57% | 53% | 55% | 52% | 50% | 52% |

Table 2 – Musculoskeletal Time Loss Injuries, 2000 to 2012

| Type of Injury | Year of Injury or Illness | | | | | | | | | | | | |
|------------------------------------|---------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| Musculoskeletal Injuries | 10,459 | 9,458 | 9,513 | 9,872 | 10,115 | 10,353 | 10,667 | 10,739 | 10,675 | 9,555 | 8,813 | 8,998 | 9,067 |
| Non-Musculoskeletal ^{1,2} | 9,181 | 8,339 | 7,062 | 6,827 | 6,519 | 6,344 | 6,475 | 6,526 | 6,434 | 5,953 | 6,226 | 6,146 | 6,069 |
| Total | 19,640 | 17,797 | 16,575 | 16,699 | 16,634 | 16,697 | 17,142 | 17,265 | 17,109 | 15,508 | 15,039 | 15,144 | 15,136 |
| Musculoskeletal (% of Total) | 53.3% | 53.1% | 57.4% | 59.1% | 60.8% | 62.0% | 62.2% | 62.2% | 62.4% | 61.6% | 58.6% | 59.4% | 59.9% |

- 1 Examples include fractures, open wounds, burns, occupational diseases, hearing loss
 2 Includes missing, not coded and unknown events

The chart above shows how common MSI are in the heavy construction industry

“Workers in the heavy construction industry are some of the most susceptible to these types of injuries,” says Dwight Doell, director of SAFE Work Services.

“It’s important to take the proper steps to ensure you and your workers know, control and work to eliminate the hazards for these types of injuries.”

Reducing the risk factors present on the job can lower the risk of developing MSI. These include repetition, high force, awkward and/or static posture and contact stress. Using ergonomics, the science that studies people and the work they do, can help reduce the risk of MSI.

Ergonomics help the work fit the worker and increase safety and efficiency as well as avoid problems such as back pain and sore wrists, hands or shoulders.

Ergonomics look specifically at:

- Design of the workstation
- Design of tools used at work
- How the work is organized
- How the work is done

Personal protective equipment – what is right for you?

When considering personal protective equipment to reduce the risk of MSI, it is important to note the following:

- Ensure equipment fits properly and does not hinder work
- Placing a glove on a hand will increase the grip force required to perform work since the finger tips will be unable to determine if the hand is slipping or not
- Vibrating hand tools can be wrapped in anti-vibration tape or workers can be provided with anti-vibration gloves to reduce the risk of MSI

- Workers who kneel on floors may be exposing their knees to a risk of MSI through compression of the tissues and should have appropriate padding for the knees
- Back belts have not been proven to reduce the risk of injury to the lower back, so speak with a doctor to find out what they recommend

Resources and industry programs

SAFE Work has developed resources targeted to preventing these injuries, including demonstrative videos and the popular Back to Basics book.

Some online resources can be found at:

- <http://safemanitoba.com/msi-supplement>
- <http://safemanitoba.com/guideline-msi>
- <http://safemanitoba.com/MSI-risk>

SAFE Work also offers many resources and programs to help keep construction sites safe and injury free. In particular, the SAFE on Site partnership (with the Manitoba Heavy Construction Association) provides contractors with safety awareness and actively assists with the implementation of a positive safety culture. Entering its eighth year, the SAFE on Site program takes the safety message directly to construction sites during the summer months.

The heavy construction industry will always have its share of risks but taking the proper steps to ensure you and your workers are as informed and educated on MSI and any other types of injuries will go a long way in a healthier, happier and more productive work environment. 

For further information, visit the new and improved SAFE Work Manitoba website at www.safemanitoba.com.

Gold Seal Projects Increase Professionalism and Profile

Company growth, marketing ability among benefits of classification

BY STEPHANIE WALLACE, CANADIAN CONSTRUCTION ASSOCIATION

With the construction season now underway, firms looking for new and innovative ways to gain additional exposure while improving the overall skill set and professionalism of their management staff can consider registering their project as a Gold Seal Project.

Across the country, Gold Seal Projects are a reflection of experience, competency and excellence in the management of construction. In these projects, a firm works with their local construction association and the Gold Seal Certification Program to jointly promote Gold Seal as part of a construction project. The objective is to educate non-certified workers about Gold Seal certification and to honour those who have earned their certification by the end of the project.

“We’ve seen a growing number of interested firms in Canada who want to explore how they can register a Gold Seal Project,” says Barry Brown, chair of the Gold Seal Committee.

“Gold Seal Projects help increase a project’s exposure and the tangible benefits of certifying employees are felt well beyond a project’s completion. It is a great marketing tool, as well as an excellent way to promote ongoing excellence within a company.”

Currently, there are no civil projects in Manitoba that have registered as Gold Seal Projects and just one other across Canada. However, increasing interest in the program is expecting to see these numbers grow.

Any construction company that would like to promote their excellence in the management of construction and would like to promote Gold Seal certification are encouraged to participate in the program. The process is quite simple, whether it is through contacting the local construction association or filling out the form on the Gold Seal website.

There are a number of benefits to registering a Gold Seal Project, including co-branded promotional material, the opportunity to be featured on the Gold Seal Certification website and media exposure through press releases, websites and social media.

At the same time, staff members receive new learning opportunities, including optional onsite workshops for management staff and contractors and Gold Seal certification ceremonies for those that have earned their Gold Seal Certification during the project. The end result – the completion of a Gold Seal Project – is

project certificates for all involved, including general contractors, owners, subcontractors and all other associated parties.

“As construction firms and owners continue to see the value of Gold Seal certification, we are anticipating an increasing number of projects to be registered as Gold Seal Projects,” Brown adds.

“Gold Seal certification continues to be recognized as the industry’s most respected certification and Gold Seal Projects are reflective of that. They are a great way to promote the work that we do to those in our industry and to those outside of it.” 

More information about Gold Seal Projects can be found at goldsealcertification.com/projects/

Stephanie Wallace is the program manager for the Canadian Construction Association’s Gold Seal Certification Program.



CANADIAN CONSTRUCTION
ASSOCIATION
CANADIENNE DE LA CONSTRUCTION

Construction site for the SAIT Polytechnic Project through the Calgary Construction Association, a Gold Seal Project, in July 2011



@ChrisWLorenc, B.A., LL.B.,
President, Manitoba Heavy Construction Association (MHCA)

On Infrastructure...

***“Infrastructure investment is
Canada’s economic healthcare plan.”***

On Public Private Partnerships (P3s)...

“On time, on budget. They work!”

On Winnipeg Blue Bombers

***“Bombers need to
get in the game.”***

On Twitter



@ChrisWLorenc





Thanks to Groundwork, Construction Sector Rewarded with New Infrastructure Dollars

2013 federal budget marked a shift in mentality, funding

BY MICHAEL ATKINSON, CANADIAN CONSTRUCTION ASSOCIATION

After years of consistent lobbying by the Canadian Construction Association (CCA) and its partner associations, it appears the message regarding the need for consistent and sustained investment in our core public infrastructure has finally permeated the thinking of public policy makers in Ottawa.

The most recent federal budget highlighted as much and marked an ongoing shift in the mentality regarding infrastructure in Canada.

When faced with deficits, the typical reaction from governments was to cut back or ultimately eliminate capital spending. While this strategy may have helped in the short term, it neither addressed the need for ongoing infrastructure investment nor did it fully recognize the importance of these assets as they relate to economic performance.

The result? Years of persistent and consistent neglect, which ultimately created the infrastructure deficit that Canada faced at the start of the new millennium.

Much of this decline began in the late 1980s, followed by the recession and restructuring of Canada's manufacturing sector brought on by the implementation of the new Canada-U.S. Free Trade Agreement. As a result, government revenues dropped and aggregate spending of capital assets sank to levels not seen since the early 1900s.

Even despite years of record economic growth by the year 2000, governments saw money better spent on improving the country's social safety net, healthcare systems as well as the introduction of strategic tax cuts.

These policies and approaches only contributed to decades of neglect and images of crumbling and failing infrastructure assets across Canada.

“In all, over \$70 billion over the next 10 years has been committed to infrastructure renewal, likely over \$100 billion when provincial, municipal and private sector matching funds are included.”



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While the problem was becoming more apparent in the public eye, it could only be solved through a concerted and concentrated effort from like-minded organizations and constituents.

To address this, municipal governments and the Canadian construction industry began an intense lobbying effort as early as 2006. The consistent message of renewed infrastructure investment eventually led to the federal government launching the first Building Canada Plan. This plan invested more than \$33 billion over seven years into infrastructure modernization across the country.

Combined with the matching provincial and municipal contributions, the total reinvestment on the part of Canadian governments grew to over \$50 billion. While these investments were clearly not enough to eliminate the massive cumulative 30 years of infrastructure deficit, they were robust enough to halt any further deficit growth and permitted governments across the country to begin the renewal process.

Recognizing the importance of this investment, and to avoid the possibility of any backsliding, CCA and its provincial partners mounted an extensive and broad campaign aimed at securing the renewal of the current federal infrastructure program. The release of the *Canadian Infrastructure Report Card* and the Canada West Foundation's *At the Intersection: The Case for Sustained and Strategic Public Infrastructure Investment* report helped enhance this message. In March 2013, we were rewarded with the announcement of the new Building Canada Plan in the 2013 federal budget.

The new federal budget makes a further \$47 billion investment in infrastructure modernization. As well, it commits a further \$17 billion toward the modernization of federal infrastructure assets, including \$7 billion for First Nations infrastructure and \$10 billion for federal assets such as roads, bridges, ports, airports and border infrastructure.

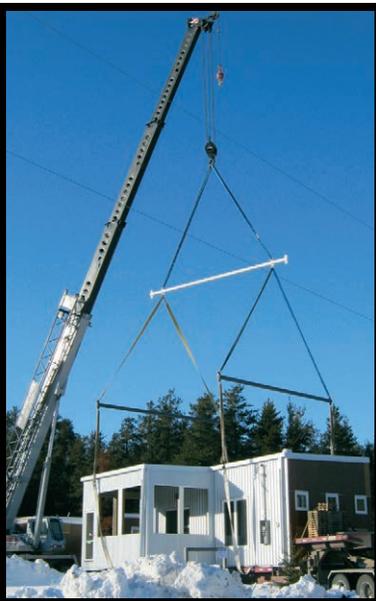
In all, over \$70 billion over the next 10 years has been committed to infrastructure renewal, likely over \$100 billion when provincial, municipal and private sector matching funds are included.

While the infrastructure needs across the country are great, the lobby efforts of CCA and its partner associations at the federal, provincial and municipal levels have most certainly helped bring about these impressive investments.

As an industry, we should all be very proud. 



Michael Atkinson is the president of the Canadian Construction Association.



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Private Investment Going Strong at CentrePort Canada

New opportunities through rail transport on the horizon

BY RIVA HARRISON, CENTREPORT CANADA INC.

Bulldozers, backhoes and building cranes are a common sight for those driving through CentrePort Canada's 20,000-acre footprint. And while the most obvious construction activity surrounds the building of the new expressway, there are now more than 150 acres of industrial land in various stages of development by 27 different companies who have made new investments on CentrePort lands.

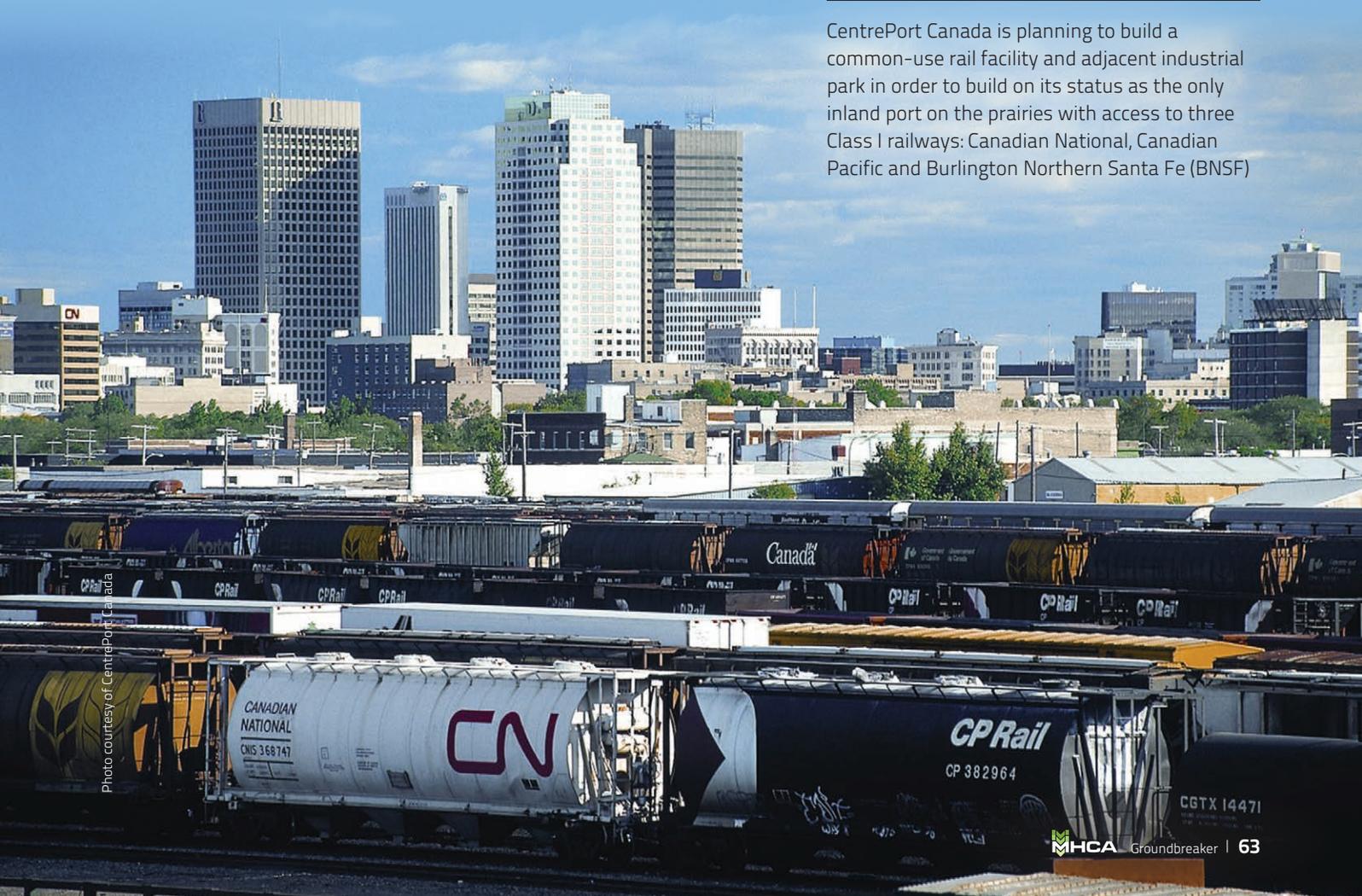
This new investment is clustered in two industrial parks: the 57.5-acre Brookside Industrial Park West (DTZ Winnipeg), which sold out in 2012, and the 150-acre Brookside Business Park (Shindico Realty), which is almost fully spoken for. Both are bustling with construction and DTZ is preparing to bring another 100 acres to market in order to meet investor demand.

"It shocked even us...I don't see demand ending anytime soon," Martin McGarry, president of DTZ Winnipeg, says in recent media reports.

"But it's all about the cost of distribution and CentrePort Canada has been making the case lately that it's cheaper and easier to ship from here than almost anywhere else (in North America)."

One of CentrePort's mandates is to promote business investment within the footprint and engaging in joint marketing efforts with global real estate companies such as DTZ, Shindico, CBRE, Cushman & Wakefield, Colliers International and Avison and Young has brought new economic growth and jobs to the City of Winnipeg, the capital region, and to Manitoba as a whole.

CentrePort Canada is planning to build a common-use rail facility and adjacent industrial park in order to build on its status as the only inland port on the prairies with access to three Class I railways: Canadian National, Canadian Pacific and Burlington Northern Santa Fe (BNSF)



While a sizeable portion of the recently sold acreage is in various stages of development, companies such as Fort Garry Fire Trucks, Trailer Wizards and C&T Rentals and Sales recently opened new buildings – joining a growing list of new tenants which includes Rosedale Transport, Kaycan Ltd., Oil Mart and 4Tracks Ltd. For many of the companies, new facilities have meant an increase in production ability and more jobs for the community.

“Our production system has evolved over time and we’d outgrown our previous space,” says Rick Suche, president of Fort Garry Fire

Trucks, which manufactures fire trucks, customized water pumpers, water delivery tanks, rubber and other emergency equipment.

“With the majority of our equipment being built for export outside of Winnipeg, we felt that CentrePort provided us with an ideal location.”

“Many years ago, our company wanted to locate in another city, however, when I looked at the map, Winnipeg just jumped out,” adds Ed Dwyer, president of C&T Rentals.

“Now with all the development that is occurring at CentrePort Canada and throughout Winnipeg, it is clearly the place to be.”

CentrePort is a “value-added” location, McGarry said, noting investors are drawn to benefits like direct access to CentrePort Canada Way, a \$212-million highway project jointly funded by the Province of Manitoba and Government of Canada. The new divided expressway, expected to be complete in 2013, will make it easier and more efficient to move truck cargo from city loading docks to Manitoba highways.

With investor interest in CentrePort lands running high – and Winnipeg facing a future “shortfall” in industrial lands (City of Winnipeg’s *Comprehensive Employment Lands Strategy*, March 2008) – one of the corporation’s key strategic priorities is working on initiatives to open up more lands for development. Further details on the corporation’s five strategic priorities can be found in CentrePort’s recently-released 2013-2014 Business Plan, which is available at www.centreportcanada.ca.

The construction of the new highway will help meet the objective of opening up new lands, as will plans to build a common-use rail facility and adjacent industrial park at CentrePort. Land has been assembled for the common-use rail facility and industrial park, which will be located just south of the CP main line and west of CentrePort Canada Way. The industrial park will provide rail-intensive businesses with a prime location for establishing new operations.

There is already significant rail activity occurring within CentrePort including an interior rail cross-dock facility in the Bison Warehouse, a new loop track between the CP and CN lines at the Paterson Inland Terminal and sidings into Murray Industrial Park. Winnipeg is the only major city on the prairies to be serviced by three Class I carriers, CN, CP and BNSF, and all have direct access to CentrePort’s footprint.

“One of CentrePort’s most important differentiators is we are the only inland port in the country with access to major tri-modal transportation operations – specifically, rail, truck and air cargo,” explains Diane Gray, president and CEO of CentrePort Canada Inc. “Building on this clear cut advantage is why we are planning to increase rail services for Manitoba companies. There is a tremendous opportunity for new investment and economic growth in this area.”

Riva Harrison is the executive director of marketing and communications for CentrePort Canada Inc.

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Dispute Resolution Systems

Three options for swiftly resolving a variety of construction-related issues

BY JON WOOLLEY, THOMPSON DORFMAN SWEATMAN LLP

Disputes are commonplace in the construction industry. Parties cannot foresee and plan for all events and parties will not always agree how to resolve changes or disputes that arise during the course of a construction project. It may be necessary to implement one or more dispute resolution processes in order to keep the project moving forward. Depending on the contract and statutory provisions, the dispute resolution mechanism that should be used will depend on each party's motivation and the remedies required to resolve the dispute. There are a number of dispute resolution mechanisms that can be utilized to resolve disputes quickly and without resorting to the court system. The purpose of this article is to provide a basic overview of three alternative-dispute resolution systems, namely: negotiation, mediation and arbitration.

Negotiation

“Negotiation is the process of interactive decision-making, the most widely used approach for resolving conflicts in the construction industry and most other contexts.”

When a dispute arises, parties generally use negotiation as their first attempt at dispute resolution.

The parties and their representatives will engage in communication to attempt to resolve their conflicts. Negotiation may involve a combination of meetings and letters; therefore, in order to avoid delays, it is important to institute timelines.

If the parties agree to meet in person, they should ensure that each representative present knows all the relevant information and has settlement authority. The representative must be articulate, calm and

convincing; in other words, a good advocate for the party. It is important to use effective communication skills, such as listening to the other party, watching for body language and allowing for all parties to contemplate what is being said.

A successful negotiation will bring parties together and make each party feel like they “bought into” the deal, as the parties tend to feel that they still have control over the situation. Often, a successful negotiation means that the parties have been creative and have discovered solutions that would often be unattainable in court. Failing a resolution, the parties will resort to other dispute resolution processes.

Mediation

Mediation is a mechanism where a neutral third party assists the parties involved in conflict to come to an agreement by making the negotiation process more formalized. Both parties are encouraged to come up with creative solutions to resolve outstanding issues. The parties must have settlement authority and be open to compromise and settlement. Essentially, the parties are to come up with an agreement and the mediator facilitates and directs effective communication to encourage settlement. The mediator does not impose an outcome on the parties; therefore the parties retain control over the process. A mediator may be asked to make a recommendation; however, many mediators feel that if this is done the mediation is over as the perception of their involvement as a neutral has been compromised. Mediation is particularly effective when parties are motivated to reach an agreement. Parties often resort to mediation when one of the goals is to maintain the business relationship between the parties.



It is important that the appropriate mediator is chosen. Parties ought to take into account the reputation, expertise and experience of the mediator. The parties may agree to a mediator at the outset and name the mediator in a contract. Parties may also name a mediator once a dispute arises or they may resort to judicially assisted dispute resolution if an action has been commenced in court.

Generally, the party requesting mediation to the other party involved in the dispute will send a notice of mediation. The parties must agree to appoint a mediator and stipulate a time period that the parties will adhere to during the mediation process. The parties will pay, equally, the mediator's fee and the cost for a meeting room.

Typically, mediations involve the parties giving brief oral submissions and presenting certain key documents to be relied upon. The parties will then go into separate rooms and the mediator will ask questions and try to facilitate the parties to exchange offers and move them towards settlement. In some cases, the mediator will discuss or outline the strengths and weaknesses of the case to each of the parties. An effective mediation will involve the mediator caucusing with the parties separately and shuttling back and forth in an effort to determine if a settlement agreement can be reached. The parties may wish to adjourn for a short period to review their position. The parties are free to withdraw from the process at any time. If the parties withdraw from the process, the mediator will document that there is a failure to agree. If the parties are able to reach an agreement, the mediator will generally have them document the agreement in a settlement agreement, which is signed by the parties. If the parties are unable to resolve their dispute, then, typically, the parties will proceed to litigation or agree upon another alternative method to resolve the conflict.

Arbitration

Essentially, arbitration is a binding private trial. Parties may resort to arbitration when they do not think there is a chance they can negotiate or mediate; however, this is a process that is private and may be more expeditious than court. The parties may be motivated to preserve the relationship; therefore, they believe that a binding final agreement with a neutral third party is the only way to deal with the dispute. The parties must consent to arbitration unless their agreement provides for binding arbitration or it is otherwise provided by statute. The costs involved in arbitration include the arbitrator's fee and the cost for a meeting room.

The decision maker follows the rules of natural justice. The rules of evidence, as compared to the judicial system, are more relaxed and an arbitrator may hear evidence which would normally be excluded in court. The role of the arbitrator is to evaluate and weigh the evidence presented by the parties, which may include expert testimony. The witnesses will be sworn and credibility may be challenged. The arbitrator may call his or her own witnesses and retain experts.

Parties are free to appoint the arbitrator that they determine is the most appropriate person to adjudicate the matter. A decision maker may be chosen at the time the contract is agreed to or may be chosen when the dispute occurs. It is rare to appoint an arbitrator at the outset of a construction project and, in my view, is not recommended. It is important to know what issues are in dispute to evaluate what characteristics are needed for the appropriate decision maker. The decision maker may be a sole arbitrator if the parties can agree or if they are unable to agree, then an arbitral tribunal of three is appointed; one arbitrator appointed by each

Depending on the contract and statutory provisions, the dispute resolution mechanism that should be used will depend on each party's motivation and the remedies required to resolve the dispute.



of the parties and a third is appointed by the two appointees. Where the dispute is a complex construction case including expert evidence, choosing the right arbitrator is crucial. For example, if the issue deals with design errors, an engineer with arbitration experience may be the most appropriate decision maker or when the issue deals with contract interpretation or legal issues, the most appropriate person may be a retired judge or experienced legal counsel. It should be noted that having someone with legal knowledge often means that the rules of evidence may be more closely adhered to. An individual without legal experience may not have the experience to control witnesses or identify relevant (or irrelevant) evidence.

Arbitration has been used as an important dispute resolution mechanism in the construction industry as construction contracts often have binding arbitration clauses. The arbitration clause is a provision in the contract that allows the parties to utilize an alternative dispute process should a disagreement arise. The arbitration clause may encompass all disputes arising under the contract or specify that only certain disputes shall be arbitrated.

The use of negotiation, mediation and arbitration are on the rise as parties continue to seek alternative paths around the cumbersome and expensive process that is traditional litigation. If you have a dispute that you wish to discuss, or simply want more information on the different paths of dispute resolution, we'd be happy to talk with you! ^M

Jon Woolley's practice is largely focused on construction law, providing litigation, dispute resolution and advisory services. He can be reached at 204-934-2367 or by email at jmw@tdslaw.com.

For more information on Jon's construction practice, visit tdslaw.com/JMW or visit the TDS Construction Group webpage at tdslaw.com/construction

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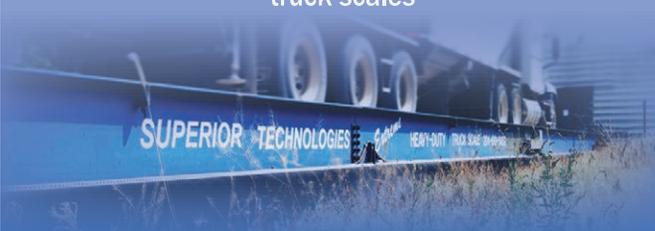
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Putting Safety First – and Meaning It!

Strategies for keeping your
team safe during busy times

BY KAREN MILANI, PEOPLE FIRST HR SERVICES

The crunch is on. Your company has been awarded a large contract with tight deadlines. There are incentives attached to the contract if you can bring this project in on time. It's going to be a stretch but you know your team is up to the challenge. You have a dedicated team that is used to working under pressure and you know you can count on them to get the work done. Employees step forward willingly to put in extra hours to ensure the project is successful.

After a couple of weeks you start to notice that your team is not looking well. They're exhausted and start making mistakes. You wonder if you need to pull back on the workload but you are worried about getting behind schedule and not having any contingency time for weather delays or equipment failures. You decide to leave things for now and check back in a few days.

The next day disaster strikes. One of your employees makes an error that results in him being seriously injured. All production stops as you deal with the emergency and the aftermath of incident reports and analysis to determine how the accident could have been prevented. You can't shake the feeling that if you had only said something yesterday, perhaps this accident could have been prevented.

Sometimes our best intentions can have negative consequences. In hindsight, the financial incentives overshadowed what was really essential for a successful project – having well-rested, alert and productive workers. Think of how often we make these kinds of decisions without fully understanding the risk that we put employees under.

Our own internal policies or processes sometimes have unintended consequences that can impact negatively on the safety of employees. A good example is recognition programs that reward employees financially for no reported workplace injuries. While the intention is good, it might simply make managers less likely to report when a worker is injured or discourage employees from admitting that they've been injured. For employees, they often struggle with the decision to report an injury knowing their coworkers won't earn a bonus. Alternatively, they risk not receiving proper medical attention and making their injury worse.

Putting safety first means making tough business decisions that may cost you money in the short term but can save you and your employees in many ways over the long term.

Here are some tips you can use to make your team safer and create an environment that's healthy:

Make safety everyone's job

While many companies have a safety officer position, whose sole responsibility is for health and safety, this role cannot be the eyes and ears across the entire worksite. Instilling a culture of safety means making it part of everyone's job to recognize and report safety hazards.

Putting safety first means making tough business decisions that may cost you money in the short term but can save you and your employees in many ways over the long term.

Analyze your metrics, reward programs and business practices

Do your incentives, which are often designed to motivate staff to achieve a high volume of work, also lead them to skip critical safety checks? Do managers ensure injury-preventing maintenance tasks are completed on schedule even when faced with deadlines?

Change the way you look at safety

Instead of offering rewards for no reported injuries, reward your team for safe behaviour. Recognize those employees that step forward to be part of the Safety Committee and empower them to bring forward issues and solutions.

Don't wait for accidents to happen

Some managers don't investigate their work environments until after an accident or injury happens. The accident uncovers the problems that get fixed as a result. Almost all accidents can be prevented. Involve employees in completing regular inspections as a way of seeking out problems and dealing with issues before they cause accidents. Not only is this a way of creating a broader awareness of safety practices but it also engages employees to be accountable for creating their own safe work environment.

Look beyond physical hazards

Our safety assessments often focus on reviewing preventative maintenance schedules of our equipment but what about the "preventative maintenance" practices for our employees? How many hours are employees working over a period of time? Are they rested? Are they physically in shape to do the work required? Have they been properly educated and using safe work practices?

Reward reports of safety hazards

Offer incentives to employees for reporting safety hazards they find on their job. Some companies use point systems to inspire their teams. For each safety hazard that workers report, or each safety improvement that is suggested, team members receive points that they can "cash in" for gift certificates, job-related tools, tickets to a Jets game (if you can get them!) or other meaningful prizes.

Communicate the importance of safety

If an employee makes a great suggestion or finds a major problem, tell other employees at your next meeting or recognition event. Not only does sharing the acknowledgement in front of peers make the employee feel valued, it also sets an example for others and demonstrates the company's commitment to safety.

Involve your team in addressing issues

Talk to your employees to find out what processes make them uncomfortable, what problems exist with current business practices and what they see as potential safety hazards at work. They are more likely to identify potential solutions that might take you weeks to discover.

Instilling a culture of safety within a team is an ongoing, disciplined process that requires manager's to be proactive in identifying potential risks. It also involves making tough decisions that may involve sacrificing productivity in the short term but ensures long-term safety and health of the employees and ultimately a more successful organization. 

Karen Milani, CHRP, MBA, is the vice-president, talent and organization development with People First HR Services. She can be contacted at kmilani@peoplefirsthr.com.

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|--|-------------------------------------|--|
| Accurate HD Ltd. 24 | Earth Max Construction Inc. 72 | Guardian Traffic Services Manitoba Ltd.....2 |
| Alcom Electronic Communications 14 | Elite Crushing Ltd..... 28 | Hi-Rise Carpentry Limited..... 46 |
| Apprenticeship Manitoba..... 11 | Emco Waterworks..... Cover 2 | Hitrac (1974) 18 |
| Assiniboia Downs..... 51 | Eng-Tech Consulting Limited..... 72 | Hoes N' More Rentals Ltd. 18 |
| Big Iron Equipment, Inc..... 20 | First Choice Enhanced | Hugh Munro Construction Ltd..... Cover 3 |
| Borland Construction Inc.....4 | Hearing Services Inc..... 46 | IPEX..... 12 |
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| Larsen Contracting Ltd..... 38 |
| Main Line Industries Ltd. 18 |
| Mancan Seal Coat & Paving (2007) Ltd..... 40 |
| Manitoba Hydro..... 40 |
| Maple Leaf Construction Ltd. 11 |
| Marsollier Petroleum Ltd. 51 |
| Mazergroup Construction Equipment 22 |
| McAsphalt Industries Limited4 |
| MIG Insurance Group Ltd..... 23 |
| Mr. Boomtruck..... 62 |
| Mulder Construction & Materials Ltd. 38 |
| National Leasing 32 |
| Nisichawayasihk Construction L.P..... 68 |
| Paragon Industries Ltd..... 28 |
| Polar Industries Ltd. 28 |
| Precision Health Ltd. 64 |
| Ranger Insurance Brokers Ltd.4 |
| Reliant Action Ltd..... 46 |
| Roll Form Group 24 |
| Sigfusson Northern Ltd..... 18 |
| State of the Art Construction Inc..... 21 |
| Superior Technologies |
| Weighing & Controls Inc. 68 |
| Taillieu Construction 28 |
| Thompson Technicians Ltd. 30 |
| W. D. Valve Boxes Ltd. 14 |
| Workers Compensation Board.....6 |
| Zenith Paving Ltd..... 51 |



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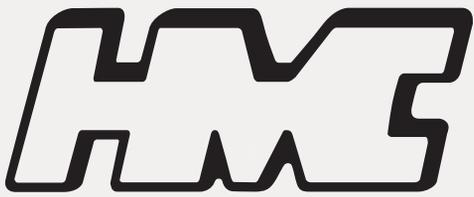
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