

SUMMER 2023

Sheet Metal

Journal

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British Columbia

LABOUR SHARING

In this Issue:

Asbestos: The Hidden Killer

Most Dangerous Mineral

Profile: Mark Kuelle

Publications Mail
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Official Journal of
Record for SMACNA-BC



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- To study and help in the development and enforcement of governmental codes and regulations, and such legislation as may be necessary for the best interest of the public and the sheet metal industry
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705 - 9639 137A Street Surrey, BC V3T 0M1

Phone: (604) 585-4641 • E-mail: smacnabc@smacna-bc.org

Learn more at

www.smacna-bc.org



PUBLISHER / EDITOR
Jessica Kirby
jessica.kirby@pointonemedia.com

CONTRIBUTORS

Natalie Bruckner
Joel Garfinkle
Norm Grusnick
Jeremy Hallman
Matthew Potomak
Liam Robertson
Eric "Eero" Sorila

COVER PHOTO

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ADVERTISING SALES / DESIGN

Lara Perraton
877.755.2762
lperraton@pointonemedia.com

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18

SUMMER 2023

FEATURES

12 LABOUR SHARING A GAME-CHANGER

SMACNA-BC's labour-sharing program is redefining the employment landscape for contractors and the workforce.

14 ASBESTOS: THE HIDDEN KILLER

It isn't well known, but sheet metal workers are susceptible to asbestos-related illnesses. Find out how research is progressing in this field.

17 MOST DANGEROUS MINERAL

Eric "Eero" Sorila shares his story of advocacy and illness from asbestos exposure.

18 SMACNA-BC'S NEW PRESIDENT: MARK KUELLE

From apprenticeship to business owner, SMACNA-BC's new president has always supported and worked to advance the sheet metal industry.

DEPARTMENTS

4	EDITORIAL	21	ENGINEER'S DESK
5	SMACNA-BC UPDATE	22	IT'S THE LAW
10	INDUSTRY NEWS	23	ADVERTISER INDEX
20	CONTRACTOR ADVICE	OBC	COVER SPONSORS

NEWS AT HALF TIME: BC CONTRACTORS ARE STRESSED OUT

July-August is a great time to evaluate your company's yearly performance. It's just past the half-way mark, but there is still time to make key changes during the busy summer months. It is also vacation season, so there is lots of time to reflect and relax. And, according to an annual survey by the BC Construction Association, relaxation is key for BC contractors.

The survey, completed this spring, found that construction employers across BC are facing operational stresses at new levels. According to 1,300 survey respondents, demand for construction services is high, but labour supply, costs, and inadequate public sector standards and systems regarding permits, contracts, procurement, and payments are putting BC's builders in a tough spot.

According to the survey, more than 80% of contractors of all sizes received late payment in 2022 and almost half of large contractors say they are paid late at least 25 percent of the time. It is even worse for smaller contractors (20 employees or less), who report being paid late about 30 percent of the time.

With the price of materials, shipping, and borrowing hitting unprecedented highs, most contractors struggle to keep the doors open.

According to the BCCA, this consistently leads to contract disputes (mainly related to costs) and 44% of small contractors say they've "filed a fixed price contract dispute in the last 12 months, compared to 31% of medium contractors and 28% of large."

When it comes to labour, the job market remains highly competitive, with labourers and skilled workers benefitting the



By / Jessica Kirby, Editor, *Sheet Metal Journal*

most. While the skills shortage has improved significantly over the last five years, the industry is still short 6,000 skilled workers. Contractors of all sizes are feeling the pressure that brings.

And despite initiatives aimed at non-traditional workforce development, 2022 saw a 21% decrease in tradeswomen, even though numbers have been growing for several years.

The BCCA survey says "women comprise only 4.5% of the 163,900 skilled tradespeople in BC's construction industry today, down from 6% in 2020, despite continuing improvements in construction culture and more employers actively pursuing diverse hiring practices."

BC's construction industry is advocating for several changes, including prompt payment legislation; fair, open, and transparent procurement processes and reasonable contract conditions; and a faster permit process with the authorities having jurisdiction.

The survey revealed several other important points, and I encourage you to read it at bccasn.com/annual-survey-reveals-a-construction-industry-under-strain

But in the meantime, if stress is in your way, it's a great time to re-evaluate and make a plan for dealing with the issues brought to all of us by the weird and unprecedented post-covid, overseas-war-driven, economically intense times we find ourselves in. Connect with your team, reach out to the SMACNA office, share your desires for professional development opportunities, and most of all, be good to yourself. Like my dentist always says when I over-react in the chair: Relax. You only get one kick at this life, so make it a good one.

Besides general self-care, consider checking out the SMACNA National convention in October or Partners in Progress Conference in February 2024 for some good old fashioned networking, learning, and listening. You might be surprised what you learn.

Is your company feeling the pinch? Email me at jessica.kirby@pointonemedia.com and share your story. Watch for prompt payment and business development features in the Fall issue. ■



SAVE THE DATE!

SMACNA NATIONAL CONVENTION

Phoenix, AZ

Oct 15, 2023 - Oct 18, 2023

SMACNA-BC SUMMER UPDATE

News from the Office

SMACNA-BC has several important news announcements. First off, we are pleased to announce that we have a new Administrative Assistant. Leanne Husdon will be starting with us on August 21. Leanne has been trained in both accounting and finance as well as the office administration side of the business. She has worked for a large civil and railway contractor, and I feel that she will be a great asset to our membership.

The SMACNA-BC Board of Directors has been hard at work with community support, and recently approved a \$1,000 donation for the Father's Day walk that went to the Prostate Cancer Foundation of BC. The Board also recently approved a \$2,000 donation to help with travel expenses for Henry Derksen to compete in the Alex Donaldson top apprentice contest in Saskatoon in July. Good luck, Henry!

Life Member Craig Benson (formerly of Paramount Sheet Metal) stepped down in March as a trustee of the Sheet Metal Workers Local No. 280 Health and Benefit plan. He was asked if he would be willing to stay on as chairperson and, thankfully, he accepted. Thank you, Craig, for your continued support, even in retirement. I would like to congratulate Ryan Atkinson of Ames Metal Fabricators 82 Ltd. for stepping up to take on the remainder of the seven-year term.

54th AGM & Convention

The SMACNA-BC 54th Annual AGM and Convention was held May 4 to 7 at the Delta Ocean Pointe Resort in Victoria, BC. We managed to fit 187 registered guests into meeting and ballroom spaces that are getting close to capacity. The event is a bit of blur for me, but based on the photos, it appears that everyone had a good time (see pages 6 and 7 for photos). The kids in attendance enjoyed the Friday fun night games and "The Time Benders" had the dance floor packed right until the end of their set on Saturday night. I would like to thank everyone who attended and were patient with me while I learned the ropes.



Jeremy Hallman,
Executive Director, SMACNA-BC

I would also like to send a special thank you to our generous sponsors for their continued support.

I would like to congratulate our new president, Mark Kuelle of Austin Metal Fabricators LP, and thank our outgoing president, Phil McDonald, for being so available anytime I had a question or needed his ear. I'm looking forward to working with you both this year. Congratulations to Angelo Paris, Apollo Sheet Metal Ltd., and Dan Taillefer, Viaduct Sheet Metal Ltd., for being re-elected to the Board of Directors. I would also like to welcome new Director, Paul Charbonneau of Cascade Metal Design Ltd. Paul's years of experience in the industry and as a Sheet Metal Industry Training Board member will make him a perfect fit.

continued on page 8





54th AGM & Convention





SMACNA-BC UPDATE

Under the heading of “Other New Business,” delegates moved, seconded, and carried that Bruce Sychuk, former SMACNA-BC Executive Director, receive SMACNA-BC Honorary Life Membership status. Congratulations, Bruce! Finally, you can sit back and enjoy the events.

Next year, the SMACNA-BC 55th Annual AGM & Convention will be May 9-11 at the Penticton Lakeside Resort & Conference Centre, Penticton, BC.

MCABC Business Conference

I recently had the pleasure of attending the MCABC Business Conference in Whistler, BC, with our president, Mark Kuelle from Austin Metal Fabricators. Kim Barbero and her team put together a great event with an informative group of speakers. Highlights included Brian Belski of BMO Capital Markets who spoke about the economy and his general projections going forward. Bill Ferreira of BuildForce was another great presenter. He broke down labour statistics, had detailed information about how many workers would be required to complete some of the large capital projects, and discussed projected shortfalls. He also shared information about a new, 16-week grant that would provide money to contractors to subsidize new apprentices (more info to follow). The final presenter of the conference was Mark Breslin who spoke about a workforce revolution that he feels is going on right now. In his opinion, people are no longer

interested in just being paid for services rendered. They want to be part of something bigger, and they have different values.

Upcoming Events

Friday, September 15, 2023

SMACNA-BC 38th Annual Golf Classic
Northview Golf Course, Surrey BC

Thursday, September 21, 2023

Contractors only meeting to discuss a DRAFT SMACNA-BC Change Order template
Delta Hotel Burnaby Conference Centre Burnaby, BC

October 15-18, 2023

SMACNA Inc. Annual Convention
Phoenix, AZ

The 2023 SMACNA Annual Convention is a yearly highlight for members, chapter executives, and associate members wishing to network with peers, see old friends, learn important trends and new skills, and discuss business topics with leading service providers and manufacturers. In addition, SMACNA offers wonderful opportunities to socialize and attend great social functions like the Meet & Greet Reception, PAC Reception & Dinner, College of Fellows Golf Outing, and the Closing Dinner and Show featuring “Big & Rich”.

Learn more at: smacna.org/learn/events/calendar

November 12-November 15, 2023

Project Managers Institute
Seattle, WA

Experienced SMACNA contractors know that the best project managers take ownership of their projects. This concentrated program builds upon existing project management skills and strengthens proficiency. It is recommended for project managers with two to five years project management experience. Participants should have some field experience and/or a college degree.

Learn more at: smacna.org/learn/events/calendar

Thursday, November 16, 2023

Membership Dinner Meeting
Civic Hotel, Surrey,

Friday, December 1, 2023

SMACNA-BC Christmas Party
Pan Pacific Hotel, Vancouver, BC

February 27-28 (registration opens September 6, 2023)

Partners in Progress Conference
Walt Disney World Swan and Dolphin Lake Buena Vista, FL
pinp.org/conferences/2024pinp ■

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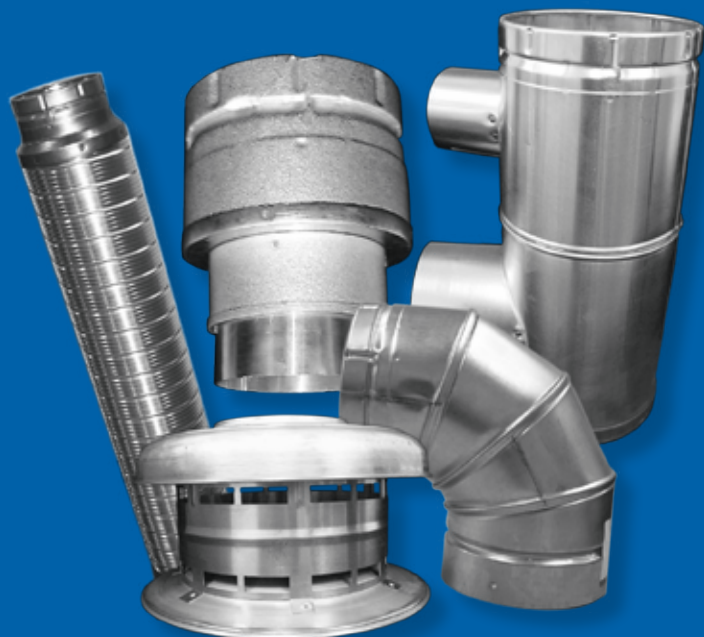


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MCABC CEO KIM BARBERO WINS LEADER CATEGORY IN BC BUSINESS WOMEN OF THE YEAR AWARDS



SMACNA-BC would like to extend its congratulations to Kim Barbero, CEO of Mechanical Contractors' Association of BC (MCABC), and winner of the *BCBusiness* Women of the Year Award in the Leader Category. Kim Barbero is being celebrated for her dedication to moving both MCABC and the wider industry forward.

Since joining MCABC in 2019, Barbero has undertaken initiatives to address the biggest issues of the day, including the labour shortage, gender diversity in the workplace, emerging technologies, and climate action.

It's no surprise to her team, the Board of Directors, or indeed, anyone who has worked with Barbero, that she has received this honour. Her passion for mechanical contracting and relentless spirit have made her an incredible leader who elevates the industry and the organization.

Read *BCBusiness's* spotlight on Kim at bcbusiness.ca/The-2023-Women-of-the-Year-Awards-Leader---Winner ■

UPCOMING VIRTUAL EVENT FROM BRESLIN STRATEGIES DON'T BE A HERO. BE HUMAN.

A crew captain's lessons of leadership and teamwork on the most dangerous ocean in the world

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September 19, 2023

9:00 am–10:00 am Pacific time

Guest Speaker: John Petersen

Speaker, educator, athlete, and Guinness record holder

Complimentary to PCL members

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SAVE THE DATE!
SMACNA-BC IS HOLDING ITS 38TH ANNUAL GOLF CLASSIC

Northview Golf & Country Club
September 15, 2023

For more information or to sponsor the event email smacnabc@smacna-bc.org or call 604-585-4641

SMWTC UTIP PROGRAM ENTERS ITS FIFTH AND FINAL YEAR

The Sheet Metal Workers' Training Centre's Technology and an Inclusive Workforce Project, a federally funded Union Training and Innovation Program (UTIP), is now in its fifth and final year. SMWTC continues to work with apprentices, journeymen, contractors, and industry partners to gain perspective of technological innovations and shifting recruitment strategies to address labour market needs. They do so through ongoing stakeholder engagement, surveys, and focus groups.

Some recent highlights related to UTIP include:

- UTIP funded augmented reality welders have been transferred to the Valley facility for level 1 & 2 students, providing valuable practice welding time until the Phase 3 renovations of the welding department are completed.
- Hosted the Women in Sheet Metal UTIP Advisory Committee (June 2023) with discussions focused on leadership development within the theme of "Nothing about us, without us."
- Congratulations to Nicole Hour (Boston Sheet Metal Ltd.) for winning the silver medal at the Skills Canada BC Provincial competition held at TradeX Convention Centre (April 2023).

Nicole is a member of our UTIP Women in Sheet Metal Advisory Committee.

- In collaboration with the Construction Foundation of BC, SMWTC hosted five women to learn more about the sheet metal trade while making "Carry Some" metal toolboxes (May 2023). Two participants were hired at Viaduct Sheet Metal following their experience. Congrats!

SMWTC hosted the Annual UTIP Focus Groups in June and invited sheet metal workers and contractors to share their first-hand experiences related to technology and an inclusive workforce.

It will also be launching the Indigenous People UTIP Advisory Committee and Newcomers to Canada UTIP Advisory Committee in the fall.

All SMWTC students are sent post-training surveys in the final week of training to provide valuable feedback that supports the UTIP project evaluation. The input really makes a difference, so students are encouraged to submit their responses.

Learn more at smwtc.ca

continued on page 23



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Labor Sharing is a Game- Changer

SMACNA-BC's
groundbreaking Double
Dispatch Program redefines
job security.

By Natalie Bruckner • Photos by Summit Sheet Metal

In an industry susceptible to cyclical fluctuations and labor shortages, SMACNA-BC has spearheaded a game-changing labor sharing system that is reshaping the employment landscape. Known as the double dispatch program, this innovative initiative allows skilled sheet metal workers to be employed by multiple SMACNA-BC member companies, effectively putting an end to temporary layoffs.

“The idea behind the double dispatch program came about four years ago driven by the pressing challenges we faced in the industry. We were finding that during slow times, we really didn’t want to have to lay somebody off that’s really good, but sometimes you just don’t have that option,” explains Phil McDonald, co-owner of Summit Sheet Metal and immediate past-president of SMACNA-BC. “Recognizing this issue, SMACNA-BC’s board of directors came up with the double dispatch concept as a way for a person to work for multiple companies—ensuring employment opportunities even during periods of reduced demand. The idea was put forward to the SMACNA-BC / SMART Local Union No. 280 Joint Conference Board, who were totally onside.”

The double dispatch process has been deliberately designed to be simple and streamlined. When a company requires additional workers, they simply contact SMACNA-BC, which leverages its extensive network to identify individuals with the necessary skill set who are available. Prior to assigning a worker, SMACNA-BC

provides detailed information about the individual’s strengths and limitations, ensuring a clear understanding of the skills being lent. No formal agreements are signed; the program relies on trust and cooperation. Although workers need to visit the union hall to be dispatched for double dispatch assignments, the process remains uncomplicated.

The double dispatch program plays a vital role in retaining skilled workers within the industry and alleviating the feeling of being discarded during slow periods, as highlighted by McDonald. “It cultivates a sense of significance and job security for the workers,” he asserts. By facilitating connections between workers and multiple companies, SMACNA-BC eliminates the need for individuals to independently seek out employment. This not only helps retain valuable talent but also nurtures a collaborative and supportive atmosphere among industry competitors.

Like any new program, the double dispatch initiative encountered initial skepticism. “In the early stages, people approached the idea with caution. Only a couple of companies possessed the necessary trust and willingness to take the lead,” recalls McDonald. These pioneering companies served as early adopters, showcasing the program’s viability, and consequently, it gained momentum, attracting more contractors. McDonald shares, “Around two years ago, I had the privilege of having 16 individuals from other companies lending their expertise.”

Before the program's introduction, contractors were reluctant to lend out workers due to concerns about potential liability for workers' compensation claims if an employee were to sustain an injury while working for another company. McDonald explains that the double dispatch program addresses this concern by ensuring that the worker remains employed by their home company and is merely loaned out to other businesses. This arrangement effectively alleviates the liability burden associated with workers' compensation claims, providing reassurance to contractors participating in the program.

While the double dispatch program has been successful in alleviating some of the pressure caused by the current labor shortages, the construction industry's overall high demand for workers presents limitations to its effectiveness. The industry is currently grappling with a significant shortage of skilled laborers, with projections indicating a shortfall of 81,000 workers by 2030. Consequently, loaning workers to other companies becomes challenging when every company is in desperate need of additional staff.

"Despite most companies being inundated with work and their workers kept busy, the program is still proving to be a success. For example, two months ago I borrowed two guys for a week. It was a case of beg and borrow but finally someone came forward. These are unprecedented times in that industry-wide in the lower mainland we are about 100 to 150 skilled workers short. In my 30 years in the industry, I've never seen it like this. Typically, we have a backlog of work spanning a couple of years, but at present, we have sufficient projects to keep us occupied until the end of 2027. Every company needs people, and that's the challenging aspect. So, loaning workers out becomes difficult when you are already operating at full capacity," explains McDonald.

Despite this, he explains that the double dispatch program continues to thrive. Currently, around a dozen contractors actively participate in the program, underscoring its relevance and impact. Even during times when companies are overwhelmed with work, the program remains a valuable resource for finding additional skilled laborers on short notice.

One recurring challenge faced by the program however is when a loaned worker refuses to return to their original company—a situation that McDonald says requires delicate handling to avoid burning bridges. "This has actually happened quite a bit and what follows is a very open conversation to find a mutually agreeable solution. Maintaining positive relationships and ensuring that the needs of all parties involved are met is essential," he says.

On the flip side, an unforeseen benefit of the double dispatch program is the exposure it provides workers to different perspectives and industry insights. "For instance, an individual who has been with us for 10 years may acquire additional

skills and knowledge by joining another firm for a short-term assignment. It can be a breath of fresh air, and in some cases, workers may discover new trade secrets or tools to add to their repertoire. However, there are instances where it may not be a good fit, and in such cases, I would find an alternative solution. Ultimately, we view ourselves as a team, a family, and we value each person as an individual rather than just a number. Therefore, we approach each situation on a case-by-case basis," explains McDonald.

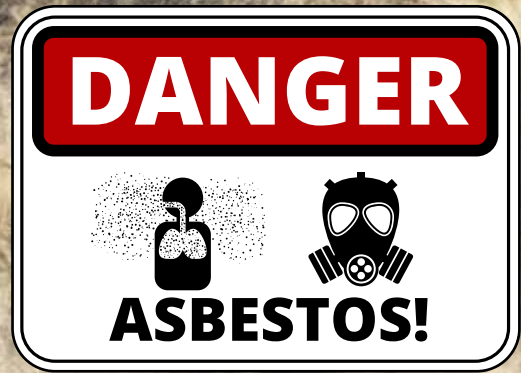
McDonald expresses his desire to witness the industry-wide expansion of the program, recognizing that its widespread adoption relies on factors such as trust, shared values, and effective communication among participating companies. However, he acknowledges that achieving such widespread implementation may take time and require concerted efforts.

Nevertheless, the success of the double dispatch program has garnered recognition beyond the industry itself. McDonald reveals that the plumbing and sprinkler sector have taken note and implemented a similar program, which has also proven to be effective in their domain. This cross-industry recognition further highlights the positive impact and viability of the program, paving the way for potential future expansions and adaptations. ■



ASBESTOS:

The Hidden Killer



© Can Stock Photo / ianewind

The Canadian Mesothelioma Foundation facilitates ground-breaking research with an international medical community, providing essential support for patients and families.

By / Jessica Kirby

Asbestos-related diseases remain the number one cause of workplace mortality in Canada today. Over 1,500 people die from asbestos-related disease (520 died from mesothelioma in 2020), and more than 600 new cases are diagnosed every year in Canada, although the exact numbers vary from year to year and data from Quebec is estimated.

“There is now evidence that the mesothelioma rate—the number of new mesothelioma cases diagnosed per 100,000 people each year—has stopped increasing and may be slowly declining in some provinces, such as Ontario and British Columbia,” says Dr. Paul Demers, director of the Occupational Research Centre in Toronto, Ontario.

Canada’s History

Canada banned asbestos in 1978, which stopped almost all new use of asbestos, and regulations restricting the uses of asbestos began appearing in the 1970s. However, almost all exposure that occurs today is due to contact with older asbestos-containing products, particularly those in building materials.

“Although the levels of exposure are lower now than in the past, people continue to be exposed and CAREX Canada estimates that approximately 235,000 Canadians are exposed to asbestos at work, primarily through the renovation, repair, or maintenance of buildings,” Dr. Demers says. “Mesothelioma and other diseases caused by asbestos, such as lung cancer and asbestosis, take many years to develop after people are exposed, so we will continue to have new cases for many years to come.

“Even countries that banned asbestos many years ago, such

as Sweden, Finland, and Norway, continue to feel its effects, although based on their experience we do expect the situation to continue to gradually improve in Canada.”

Exposure in the Sheet Metal Industry

According to The Mesothelioma Center, in the United States, sheet metal workers rarely handle asbestos directly, but they remain seven times more likely to die from mesothelioma than the general population.

Pointing to a recent study, the American Journal of Industrial Medicine reported that the long-held but increasingly debated belief that even indirect exposure to toxic asbestos remains a serious threat, in fact true.

“The most important thing to take from this study is that you didn’t have to work with asbestos directly to be in danger,” Dr. Laura Welch, medical director at the Center for Construction Research and Training in Silver Springs, Maryland, told Asbestos.com. “All you had to do is be around it.”

Welch and co-author John Dement, Ph.D., Division of Occupational and Environmental Medicine at Duke University, studied records from 17,345 sheet metal workers who had at least 20 years on the job and participated in a respiratory screening program, and tracked their causes of death. By 2010, there had been 6,636 deaths of construction workers referred by the Sheet Metal Occupational Health Institute Trust (SMO HIT) to the study. “These included 808 deaths from lung cancer, 404 from COPD, 85 from mesothelioma, and 11 from malignant neoplasm of the pleural, a form of mesothelioma,” the authors said.

Medical Research

Important advancements in medical research are helping doctors develop diagnostic and screening technologies that will continue to help prolong and save lives.

Dr. Marc de Perrot is a Canadian Mesothelioma Foundation Professor in Mesothelioma Research from the University of Toronto. According to an Impact Report Dr. Perrot prepared for the Canadian Mesothelioma Foundation, researchers have been working with other international experts, including the World Health Organization (WHO), to update the standard international definitions of mesothelioma.

“These definitions are important to ensure patients are accurately diagnosed and receive optimal treatment strategies that incorporate the most up-to-date knowledge about the disease,” the report says.

Mesothelioma is typically diagnosed using biopsy, the results of which help clinicians determine the prognosis and make treatment decisions. Additionally, the diagnosis that a patient receives may impact their eligibility to participate in clinical trials.

There is also on-going, significant research on early diagnosis and screening. One project of interest is the development of a “liquid biopsy,” which is essentially a blood test for mesothelioma using knowledge of risk factors for mesothelioma to detect the earliest stages. This tool could then be used to screen individuals at high risk of developing mesothelioma, such as the family members of a person currently diagnosed with the disease.

Researchers are investigating the use of three drugs to optimize the immune response triggered by radiation by boosting the proliferation of cancer-fighting T cells. This will help consolidate the immune system’s “memory” of the cancer, so that T cells can continue to target recurrent cancer long after treatment, analogous to a vaccine. The team will be targeting key pathways in the immune system to optimize the long-term benefits of treatment, aiming to delay or prevent recurrence.

And finally, researchers are using single-cell RNA sequencing to analyze tumour samples in order to identify biomarkers that are potentially associated with patient prognosis and response to therapy.

“This research and treatment protocol is the first of its kind in the world and has the potential to have a major impact on the treatment of mesothelioma,” the report says. “Researchers are pleased to report that the trial is now underway.”

Patients and Families

The CMF was founded in 2008 by people whose lives were personally affected by mesothelioma. At that time there were no supports for patients, families, caregivers, and those affected

SMART Local 280 / SMACNA-BC Partnership



Left: Jud Martell, Local Union No. 280 President.
Right: Mark Kuelle, Austin Metal Fabricators LP, SMACNA-BC President.



Labour & Management “Embracing the Challenge”

- B. Flaherty, Cornell University, Syracuse, N.Y.



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by this disease. Dr. Goldberg and her sons founded the CMF so that others would not have to go through what she and her sons went through. Those who receive this devastating diagnosis often feel lost and have no idea where to turn. The CMF's mission is to raise awareness of the dangers of asbestos exposure and to provide support to patients and those affected by mesothelioma.

The CMF provides:

- information on mesothelioma treatments and living with mesothelioma
- information on compensation
- information on research and treatments
- on-line private support groups where patients and families/ caregivers can share experiences and support each other online
- live support groups using zoom moderated by an oncology social worker
- webinars on various mesothelioma issues
- regular conferences on the latest in mesothelioma research and treatments
- connections with centres of mesothelioma excellence in Canada
- facilitation of mesothelioma research through support of the CMF Professorship for Mesothelioma Research UHN/ University of Toronto

The Future

Asbestos exposures to workers and the public will continue in Canada until all the residential, commercial, and industrial building inventory with asbestos is replaced. "We need an inventory of the location of all buildings with asbestos and to develop a plan to safely control its condition prior to removal and its proper disposal," says Lee Loftus, retired Heat and Frost Insulators Local 118 Business Manager. "Even where this has been attempted elsewhere exposure was not completely eliminated."

Loftus says asbestos disease will continue well beyond 2050 and will likely remain the leading cause for workplace death in Canada for some time to come.

"The nature of the exposure and the length for the lethal condition to manifest is overlooked by the public and policy makers," Loftus says. "If there were an immediate traumatic impact from asbestos exposure, it would have been banned and removed from our communities 50 years ago."

Learn more about the Canadian Mesothelioma Foundation | cmfonline.org ■

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Most Dangerous Mineral



By Eric "Eero" Sorila

I'm one of thousands among sheet metal workers who has been exposed to asbestos dust. I'm trying to write this painful story with oxygen tubes in my nostrils. Thousands of sheet metal workers have died and, unfortunately, will die due to asbestos exposure.

Why still in the 21st century?

The health risks from breathing the dust of the "killer fiber" were already known and documented during the Greek and Roman civilizations. Writers like Strabo (64 BC-AD 19) and Pliny (AD 23-79) made notations in their books about the lethal diseases among those who worked with asbestos. According to these authors, it was too risky to buy a slave who had worked in an asbestos mine because they frequently died prematurely. The health risks applied to all who worked with asbestos fibres, including asbestos cloth weavers. These documented facts by Strabo, Pliny, and many others were known over 2,000 years ago. Regardless of this, the many uses of asbestos overruled health and human life.

It is disturbing to realize that the health risks relating to asbestos have been known for this long.

In North America, asbestos related deaths have only been recognized in the late 20th century. Thanks to the sheet metal workers Local 280 for hosting an asbestos screening session some 30 years ago for its members. Thankfully, many other

sheet metal worker Locals have done the same. A normal chest x-ray leads the way to lung problems, but the CT scan is most accurate.

Asbestos exposure today

Asbestos fibers inhaled 10 to 40 years ago fester in the lungs like a time bomb waiting to explode.

Within North America, millions of tons of asbestos have been used for the last hundred years in construction. Although today asbestos mining and asbestos use have been banned, it is almost impossible to prevent exposure when working in older buildings. The asbestos abatement programs are not only good—they are essential. Unfortunately, they are not 100% fool proof.

Doing sheet metal repair work in an asbestos mine for three months was a wake-up call for me, but it came too late. Asbestos dust was everywhere. Following that, in April 1986 I went on a seven-day hunger strike against asbestos mining and its use. Marching in front of a legislative building and distributing a booklet about the dangers of asbestos I had written was something I had to do.

To save even one life by exposing the dangers of the most dangerous mineral in human history is worth it! ■



Meet SMACNA-BC's New President: Mark Kuelle, Austin Sheet Metal

By / Jessica Kirby

SMACNA-BC has a new president, and he is looking forward to the challenge and expectations that come with the position. "SMACNA is a great organization that is constantly adapting to the numerous changes shaping our industry," says Mark Kuelle. Who will hold the position for two years. "I'm proud to be a member."

Kuelle's father was a sheet metal worker and, growing up, he witnessed and was influenced by his father's pride and craftsmanship as a tradesperson. "This guided me down my own path," Kuelle says.

He started his apprenticeship in 1994 and became a journeyman in 1998. Remarkably, he has been at one company—Austin Metal Fabricators—his entire sheet metal career. Over 21 years as an employee, he has done everything from delivering materials to working as a shop superintendent. When the opportunity arose to become owner of the company he'd worked so hard at, it was a natural fit.

"Having had the opportunity to work on the tools next to my co-workers has shown me what a great team I have, and really makes me look forward to the future," he says. "Having the SMACNA team as a resource only helps to increase the business opportunities for myself and my employees."

"Having the SMACNA team as a resource only helps to increase the business opportunities for myself and my employees."

—Mark Kuelle, Austin Sheet Metal

As a contractor he knows first-hand the challenges all members of the sheet metal industry face. Currently, increasing the skilled labour force is top of mind for all facets of manufacturing and construction. “This problem is not just here but found in many other areas of North America,” Kuelle says. “Being able to network with other areas really helps to give fresh ideas to the challenge.”

In a rapidly evolving world, there are also opportunities. Ensuring market share through ever-advancing technology and training is important to staying competitive. “The information provided through behind the scenes market studies and engineering research is invaluable in staying ahead and leading the industry in advanced HVAC systems,” he says.



He adds that having the best trades people in the industry is a key to success for his business and the industry in general, and it was with that in mind that he decided to become a trustee on SMACNA-BC’s JATC starting in 2007, and still sits on the committee today.

An important benefit of being a SMACNA-BC member is connecting with other company owners who are facing the same challenges and working together to find solutions. “SMACNA members have access to a wealth of information and resources,” Kuelle says. “Making them aware of this is important to me.” ■

Learn more about Austin Metal Fabricators at austinmetal.com

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705 – 9639 137A Street Surrey, BC V3T 0M1
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THE POWER OF MENTORSHIP: HOW CONSTRUCTION APPRENTICES CAN BENEFIT FROM GUIDANCE AND SUPPORT

Hiring and retaining apprentices who have what it takes to succeed in the construction industry has never been easy. Now, however, the challenge is much harder: With an average turnover rate of 25%-30%, the competition for top talent – even just decent talent – is fierce, and many companies struggle to find and keep the apprentices they need to grow their businesses. One way to stand out from the crowd and attract more and better talent is to be the organization that shows a personal interest in developing apprentices and helping them launch their careers.

Apprenticeships are all about teaching: teaching the trade, teaching leadership, teamwork, safety, and more. But mentors create a personal connection that help people to shine: You may not remember everything about your apprenticeship, but you remember the people who took an interest and gave you the advice and opportunities that made a difference.

What do mentors do for apprentices? Here are a few important examples:

- A mentor can offer the guidance, support, and valuable industry insights to help apprentices navigate the challenges of the construction field and develop the skills they need to



By Mark Breslin
Apprentice Performance Solutions

succeed. Sometimes it's offering guidance on the technical aspects of the trade, but more often it's about helping them understand and make their way through the complexities of the job and the workplace. A seasoned mentor can help an apprentice see the big picture, connect it to what they're experiencing, and figure out what to do.

- Mentors help apprentices develop the soft skills they need to succeed in the industry. For example, mentors can teach apprentices how to communicate effectively with other team members and management. They teach how to problem solve and how to manage conflict. Most apprenticeship programs teach these skills too, but having an experienced mentor to help work through the apprentice's own real-life challenges makes a big difference.
- Mentors can also provide apprentices with a sense of belonging and camaraderie. Construction can be a challenging and often a solitary profession. Mentors can provide apprentices with support and a sense of community that can help them through the tough times. In turn, apprentices help mentors stay connected to a younger generation that can often seem different and mysterious.
- Mentors can also provide apprentices with networking opportunities that can be crucial to their long-term career success. A mentor can introduce apprentices to other professionals in the industry, which can lead to valuable connections and opportunities.
- Last, mentors give apprentices someone to work harder for. Many of us had a teacher or family member along the way who believed that we could do better, and we did everything we could to prove them right. Having that personal and professional connection to someone who only wants the apprentice to succeed is a powerful motivator.

With all of this said, mentoring programs are not something you can make happen just like that. But it's easy to start small and grow your program from there:

Start by surveying apprentices and experienced Union members (as well as retirees) to see who would be interested in meeting once every week or two (in person/Zoom/phone, etc.) for an hour.

If you can, allow prospective apprentices and professionals to



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continued on page 23

COMFORT BY DESIGN PER ASHRAE STANDARDS 62.1 AND 55

The goal of a good room air distribution system is to provide thermal comfort and a healthy living environment for occupants in the space. ASHRAE Standard 55-2020 Thermal Environmental Conditions for Human Occupancy and ASHRAE Standard 62.1-2022 Ventilation for Acceptable Indoor Air Quality provide design engineers with the guidance to optimize health and comfort in occupied building spaces. Many codes around the country require compliance with these ASHRAE Standards, and so does LEED. This article will briefly outline the goals of these standards and illustrate how to comply.

The occupied zone as defined by Standard 55-2020 reads as: “the region normally occupied by people within a space, generally considered to be between the floor and 6 ft. level above the floor and more than 3 ft. from outside walls/windows and 1 ft from internal walls.” The space from the interior walls inward 1 ft. serves as a mixing zone where room air is entrained into the supply air stream and mixes to provide thermal comfort in the occupied space. When designing underfloor air distribution (UFAD) systems or thermal displacement ventilation (TDV) systems, the occupied area around the outlets may be excluded to where the total air jet from the outlet contains velocities greater than 50 feet per minute. These areas are known as the “clear zone”.

Any design must also include an adequate supply of ventilation air to the breathing zone of the space. ASHRAE 62.1-2022 defines ventilation air as “that portion of supply air that is outdoor air plus any re-circulated air that has been treated for the purpose of maintaining acceptable indoor air quality”. The breathing zone is the 6 feet area above the floor.

The primary factors to consider when determining conditions for thermal comfort in the occupied space are temperature, air velocity, humidity, clothing insulation, and activity level of the occupants. All of these factors are inter-connected when determining the general occupant comfort of the space. The ideal temperature in a space is where the occupant will feel neutral to their surroundings. While the range of acceptable temperature may vary depending on other conditions, ASHRAE 55 requires the “allowable vertical air temperature difference between head and ankles to be 5.4 degrees F”. Air velocity in the space is less than 50 fpm during cooling and 30 fpm during heating. ASHRAE 55 requires the dew point to be less than 62.2 degrees F. Clothing variables also are factored in from sandals to shoes. The final item is the activity level of the occupant in the space. Most office activity ranges from a 1.0 to 1.3 factor.

The three common methods of room air distribution used in commercial buildings are fully mixed; fully stratified; and partially mixed, such as in underfloor systems. Design methods



By Norm Grusnick, PE
Sales Manager, ECCO Supply

for cooling an interior zone and heating a perimeter zone vary with each method. For fully mixed systems, the pattern of the air delivered to the space must be considered when selecting the air outlets. Various options include ceiling diffusers, plenum slot diffusers, and side wall grilles.

Typically for perimeter applications where the same outlet is being used for both heating and cooling, a liner or plenum slot diffuser is used. For perimeter heating, the requirements for table 6-2 of ASHRAE Standard 62.1-2022 must be considered.

For partially mixed air distribution systems (typically UFAD), the core area usually experiences even loading throughout the occupied area. The goal of partially mixed systems is to save energy by conditioning the lower area through use of floor diffusers. Perimeter zones for partially mixed systems need special attention due to the outdoor solar and air temperature changes. Fully stratified design typically requires a separate heating system but ventilation air can be reduced by 20%.

Regardless of which type of room air distribution system you use on your project, occupants who are comfortable are more productive. Comfort derived from good design keeps all occupants and users happy and healthy. ■

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GOING! GOING! GONE! JOB BIDDING AND CONTRACT FORMATION

It is common for parties involved in a legal dispute to disagree about the terms of a contract. However, it is less common for parties to disagree on whether a contract was formed altogether and particularly so after the parties demonstrate an intention to perform under the contract. In the recent case of *Rumpel Construction Ltd. v. Western Construction Company Ltd.*, 2022 BCSC 980, the court considered, by examining the parties' conduct, at which point in relation to a bid process that a contract had been formed.

Facts

The Plaintiff, Rumpel Construction Ltd. ("Rumpel") was a framing contractor.

The Defendant, Western Canadian Construction Company Ltd. ("Western"), was the general contractor for a condominium development project in Victoria, British Columbia (the "Project").

Rumpel and Western generally agreed that the following events occurred:

- a. Western provided Rumpel with a "tender package," which contained detailed designs for the Project;
- b. Rumpel provided feedback on the Project's design and Western provided Rumpel with an updated "tender package," which contained bidding instructions;
- c. Rumpel provided Western with a quote for the Project;
- d. Western indicated that they would be "moving forward" with Rumpel as the framing contractor for the Project;
- e. Rumpel met with Western at the job site on several occasions to discuss progress and scheduling of the Project;
- f. the Project was delayed several times before Rumpel had begun its framing work;
- g. as late as July 25, 2019, Western communicated with Rumpel regarding delivery of lumber for the Project;
- h. on August 1, 2019, Western told Rumpel that the offer for framing of the Project was retracted and revoked;
- i. in as early as July 2019 Western was in communications with another framing contractor who was later hired to complete the Project;
- j. upon termination of the contract, Rumpel sent Western an invoice for the value of the work done to date, which Western declined to pay.

Rumpel's position was that the contract was formed when Western accepted Rumpel's formal bid, which was communicated to Rumpel orally and through Western's conduct.

Western's position was that the "pre-conditions" of the contract were never fulfilled and that Rumpel had never accepted Western's offer with sufficient formality before it was revoked.



By / Matthew T Potomak and
Liam M Robertson, Kuhn LLP

The Law

The Court considered a 2007 Supreme Court of Canada decision, which provided the following:

The call for tenders is the offer by the owner to consider the bids it receives and to enter into the contract to complete the project where a bid is accepted. A bidder accepts that offer by submitting a bid that complies with the requirements set out in the tender documents. The contractual rights and obligations of the parties to Contract A are governed by the express or implied terms of the tender documents.

A bid also constitutes an offer to enter into Contract B. This is the contract to complete the project for which bids were sought. Where a bid is accepted, the terms of the tender and bid documents become the terms and conditions of Contract B.

The Court also considered a BC Court of Appeal decision, which provided that formal notice of a contract being awarded is not required, and the surrounding circumstances must be examined, including, whether acceptance of a bid was condition, the conduct of the parties, and whether a "letter of intent" was provided.

The Decision

In reaching its conclusion, the Court found that:

- a. the "tender package" provided by Western to Rumpel contemplated the contract being awarded upon certain conditions being satisfied and constituted an "offer" as the essential terms were stipulated; and
- b. that Western's "acceptance" of Rumpel's bid was communicated through Western's conduct by:
 - i. Western stating that it was "moving forward" with Rumpel;
 - ii. Western meeting with Rumpel at the project site on several occasions to discuss availability of framers, subcontractors, and scheduling; and
 - iii. Western's conduct post "acceptance" and up to the point of retracting/revoking the contract would have strengthened a reasonable person's belief that Western had accepted Rumpel's bid.

continued on page 23

INDUSTRY NEWS

continued from page 11

WORKSAFEBC INTRODUCES MANDATORY ASBESTOS TRAINING

WorkSafeBC is implementing mandatory training for asbestos abatement workers to help keep you safe from the dangers of asbestos. As of January 1, 2024, anyone doing asbestos abatement work in BC will need to have certification that they have completed this training from an approved training provider.

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strong mentoring program will create a reputational difference that will help your organization become the choice instead of a choice when people are looking to start their careers. ■

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IT'S THE LAW

continued from page 22

The Court found that Western had breached the contract with Rumpel by revoking it. As a result, the Court found that Rumpel was entitled to damages, which consisted of Rumpel's loss of profits and actual costs.

Lessons Learned

- Although it is preferable to have clear written communications, contractors and those alike should be aware that of how their conduct may be interpreted by the other party, particularly with respect to contracts that are “up for grabs”;
- Contractors and those alike should consider how to include provisions in their contracts to allow flexibility with respect to project scheduling as, more often than not, construction projects will be delayed at some point;
- When a dispute arises, it is prudent to contact a lawyer as early as possible to help understand your legal rights and obligations, assist in navigating communications, and help protect your access to potential legal remedies. ■

This article was written by Liam M. Robertson who is a lawyer that practises in construction law with the law firm of Kuhn LLP. This article is only intended as a guide and cannot cover every situation. It is important to get legal advice for specific situations. If you have any questions or comments about this case or other construction law matters, please contact us at 604-864-8877 (Abbotsford) or 604-684-8668 (Vancouver).

CONTRACTOR ADVICE

continued from page 20

have short “chemistry” meetings to see if they match up well before you formalize the relationships.

- Provide some simple ground rules on what kind of support mentors can and can't offer.
- Offer some ideas on how to connect and get the mentoring relationship off the ground.
- Once the relationships are established, have brief check-ins every so often to make sure that meetings are happening and that both sides are finding them valuable.

To sum up, we believe that mentorship is a vital component of career development for construction apprentices – and we think that anyone who's had a good mentor will agree. Apprentices who have access to mentoring programs are better equipped to meet the challenges of the construction industry and build a strong foundation for their careers. That means that they will stay on, catch on faster, and perform at a higher level than those without this kind of support. Just as importantly, maintaining a

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