

FALL 2023

Sheet Metal

Journal

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British Columbia



EXPANDING THE WORKFORCE

Also in this Issue:

Prompt Payment

Heavy Metal Summer Experience

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Official Journal of
Record for SMACNA-BC



PROMOTING GROWTH AND STABILITY IN OUR INDUSTRY

Formed in 1969, the British Columbia Sheet Metal Association (SMACNA-BC) was the first international chapter of the Sheet Metal & Air-conditioning Contractors National Association (SMACNA). Founded in 1934, SMACNA traces its history to the National Association of Sheet Metal Contractors established in 1910, and has 2,300 members worldwide.

SMACNA-BC is a member-driven association representing unionized sheet metal contractors in the Mainland of BC, and suppliers to our industry. It promotes the growth and stability of the members and industry.

OUR MANDATE

- To improve the financial stability and business conditions of the sheet metal industry, and to develop and promote methods to improve managerial proficiency
- To improve quality, efficiency and productivity of this industry, and to implement high standards of work
- To establish and maintain high ethical standards of conduct between members of the Association, and between members and owners, architects, engineers, other contractors, and the public
- To promote harmony in labour relations
- 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
- To exchange technical, professional, and educational information with other contractor associations in the sheet metal industry and its allied trades in Canada and other countries
- To affiliate as a Chapter with the Sheet Metal & Air-conditioning Contractors National Association, Inc.

BC Sheet Metal Association (SMACNA-BC) • Executive Director: Jeremy Hallman

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FALL 2023

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WELL, THAT WAS FAST

It seems like just yesterday I was reading the results of the 2023 *Sheet Metal Journal* Industry Survey and sketching out my notes for the first issue of the year. **(Fun fact: the 2024 Survey is now open! Please visit surveymonkey.com/r/MTTK3Y5 and reply by January 1 to have your say in SMJ and SMACNA-BC programming for 2024.)**

When you are young and just launching your career, when you have small kids, or when you are spending too much time at work, the wisest people around you say: “Slow down. It won’t last forever.” In our youth and impatience, we say, “Yeah, yeah,” and take off in a new direction doing Mach 9 with phone bills, diapers, and purchase orders flying in the wind behind us. The elders don’t argue our idiocy. They just smile... knowing.

That knowledge—the unspoken *knowing* that comes with experience—is at risk in the construction industry as retirement dwindles the supply of skilled labour. Yes, we have great training centres and fabulous contractor mentors, but the wisdom that comes from living and *doing* is not taught in schools. This is creating more diverse needs on the recruitment front, and the industry is getting creative. (Even Premier Eby is in on it, mandating flush toilets at construction sites with 25 or more workers—see page 11). But there is still much to be done. What is the best way to attract and retain skilled labour? Send me your thoughts at jessica.kirby@pointonemedia.com.



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

For this issue, the year’s final, we caught up with Steve Davis, Local 280 organizer, to discuss how the Local has found success in recruiting women to the trade (page 12). Steve mentioned talking about the sheet metal trade with delegates at a career fair, and I asked him whether any of the women he spoke to shared the reasons they were hesitant about the trades or described barriers they perceived to pursuing this career path. His answer was gold: “I didn’t really ask those kinds of questions. I’m very passionate about our trade. So... I didn’t think about barriers or limitations—I was just focused on delivering good information about our trade to anyone who was interested.” This is such an important perspective. Indeed, certain barriers only exist for some, and we must address those barriers. But that doesn’t mean we shouldn’t lead with the wonderful opportunities trades hold for anyone with a passion for hard work, creativity, and a deep sense of accomplishment.

Go ahead: name one sector of business in Canada besides construction where people performing work are routinely expected wait four months or longer to receive payment, while a number of subcontractors wait for their payment in a lengthening cascade of impatience and frustration. Impossible. Prompt payment legislation is unfolding across Canada at various rates of speed and efficacy, and of all the regions discussing it, BC is still in a debate-centred holding pattern. Check out the update on page 14 for the status of PPL in Canada and watch future issues for a review of how exactly current PPL provinces are making out now that they’ve had time to adjust.

Although it has been an ongoing concern for over a decade, the labour shortage struggle is real and government, non-profits, and associations like SMACNA and SMART are getting creative about how to bring people in. Check out the Heavy Metal Summer Experience article on page 17. This is a SMACNA-developed program that has caught on like wildfire in the United States. Past SMACNA president Angie Simon has vowed to bring the program to Canada and did so this summer in Ontario; I am sure our members will soon be hearing from her, if they haven’t already.

Also check out the news item on page 11 for some additional recruitment and outreach activities the Sheet Metal Workers’ Training Centre was involved in over the summer and fall.

Expanded to Meet Industry Needs

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MAIN:
19077 95A Ave Surrey






SHEET METAL INDUSTRY TRAINING BOARD
SHEET METAL WORKERS TRAINING CENTRE SOCIETY

www.smwtc.ca 604.882.7680



continued on page 23

GREETINGS FROM SMACNA-BC

We are pleased to announce the arrival of Leanne Husdon, our new administrative assistant at SMACNA-BC. Leanne's extensive accounting knowledge and experience, combined with her positive attitude, have already made a significant impact in our office. The experience and eagerness she's shown so far has enabled her to adapt quickly to her new role. I look forward to everyone having the chance to meet her over the coming months.

One of the most prominent concerns we've been hearing from contractors lately relates to the shortage of humanpower. The apprentice grants available for 2022 and 2023, along with the relentless efforts of our organizer, Steve Davis, and the entire Local 280 team, have helped us reach over 2,000 members in the union, along with the doubling of our female members. This is indeed a cause for celebration. However, the scarcity of journey-level workers remains a challenge, particularly with the influx of new members. This makes effective supervision more crucial than ever.

Recently, I had the privilege of visiting the new Valley location of SMWTCS. Alongside our president, Mark Kuelle of Austin Metal Fabricators, I participated in a presentation led by Jud Martel and Jake LeBlanc. The purpose was to discuss the need for more funding with local Members of Parliament.



SMACNA-BC also had the pleasure of joining ASHRAE for a Whitecaps game on October 4 in the Edgewater Suite at BC Place Stadium. Together, we had 160 attendees who witnessed the Whitecaps' impressive 3-0 victory over St. Louis. I extend a special thank you to Norm Grusnick of Ecco Supply and Peter Sung from Equipco for hosting this wonderful event. We would also like to thank financial sponsors Olympic International, Daikin, and Oxygen8.

Congratulations are in order for Mark McLaren of Ridge Sheet Metal Co. for winning the Garmin watch.

As we move forward, we are diligently filling our 2024 calendar in the SMACNA-BC office. We have already begun booking presenters for dinner meetings, supervisory training, and business management programs. If you have any suggestions for topics or programs you would like to see covered, please do not hesitate to share them with us.



Jeremy Hallman,
Executive Director, SMACNA-BC

EVENTS

SMACNA-BC Contractors only meeting

September 18, 2023, at the Burnaby Conference Centre

SMACNA-BC hosted a half-day contractors-only meeting to discuss a change order template we've been collaboratively developing. This template aims to provide a detailed breakdown of the costs involved in determining an hourly charge-out rate. We had a strong turnout, and the feedback we received was invaluable. If you couldn't attend the meeting but would like to receive a DRAFT copy of the template before its official release in December, please reach out to the SMACNA-BC office.

**"Field Effectiveness" supervisor program with instructor Andy Patron, Consultant and Speaker
November 8, 2023, at the Surrey Civic Hotel**

Topics at this training program included:

Field opportunities and obstacles: This session covered defining the difference between working smarter and working harder and understanding the benefits of stepping back and observing. We also covered how to wipe out obstacles to productivity and documenting the foreperson's role in improving profits and productivity.

Pre-job planning: Planning for a smooth project transition to the field, pre-job risk analysis, and site logistics/planning.

The impact of productivity changes on financial performance: How proactive superintendents directly impact project costs everyday and how even small productivity changes dramatically impact the bottom line.

UPCOMING EVENTS

SMACNA-BC Christmas Party

December 1, 2023, at the Pan Pacific Hotel, Vancouver

All year long people await the SMACNA-BC Christmas Party at the Pan Pacific Hotel, Downtown Vancouver. It is the perfect chance to dress up, get together, and welcome the holidays. This year, join SMACNA-BC contractors and their guests Friday, December 1 at 6:30 p.m. Please remember to bring an unwrapped gift and/or donate to the Helping Families in Need Society helpingfamiliesinneed.org

Be sure to visit smacna-bc.org for a calendar of events and to plan your attendance at the next SMACNA-BC membership meeting. ■



SMACNA-BC would like to extend a warm welcome to its new members. Please take a moment to read about their offerings and reach out with questions.

To visit the website of any of these new members please open your camera and scan the QR Code.

New SMACNA-BC Contractor Members:

Keith Panel Systems

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▶ Keith Panel Systems (KPS) was founded in 1986 with a vision to redefine how exterior wall panel systems should look and perform. Our proprietary KPS System A was indeed revolutionary. It is an advanced exterior metal panel system that set an unprecedented standard for rainscreen performance.

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KPS is proud to be a valued and trusted company that construction professionals rely upon. With reach across North America, KPS continues to innovate and grow. Every day, we work hard for our customers, accepting their unique challenges and striving to exceed their expectations. The results have been amazing achievements in construction and architecture... project after project.

New SMACNA-BC Associate Members:

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→ Learn more at equipcoltd.com



▶ Since 1982, Equipco Ltd. has focused on ensuring customers receive the satisfaction expected from an industry leading manufacturers' representative.

Equipco is firmly established as Canada's leading national manufacturers' rep covering coast to coast, after being founded in the Great Vancouver area. Our corporate head office is located in Maple Ridge, British Columbia. It boasts over 14,000 square feet of office and warehouse space professionally designed to maximize pallet positions and efficiencies. We also have offices, warehouses, and training centers in Calgary, Edmonton, Winnipeg, and London. In addition, home-based offices are in Kelowna, Regina, Ottawa, and Halifax.

Our team consists of 35+ employees, spanning across Canada, boasting a level of customer service and technical knowledge that is second to none with over 650+ years of combined industry experience.

One of the lines Equipco represents that is of particular interest to the SMACNA membership is EnerveX venting products.

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→ Learn more at riada.ca



▶ Riada Sales Inc. is a manufacturers' representative firm in Western Canada, specializing in providing high quality HVAC equipment, instrumentation, and plumbing products since 1995. We assist in selecting, specifying, and engineering the right products for the job, specializing in commercial, institutional, and multi-family residential projects. We stand behind the products we supply and are proud of our association with the manufacturers we represent. All of us at Riada strive to provide the best service possible to engineers, contractors, architects, and owners.

CLIFFORD BARON HAISTE FEBRUARY 20, 1933–SEPTEMBER 14, 2023

Clifford B. Haiste started a sheet metal apprenticeship in 1950 with RJ Karran Co. in Grande Prairie. In 1957, he met and married June Bye, the love of his life, and in 1959, he was hired by the refinery in Taylor so he could play hockey for the Fort St. John Flyers. Around 1961, he started working for Imperial Mechanical (Vancouver) to run jobs in Dawson Creek and Fort St. John. He moved with his growing family to Prince George a year later to work for Fred Welsh & Son and was later rehired by Imperial Mechanical to work in the Prince George area.

In 1968, Cliff and a partner formed Doug's Heating Northern—an offshoot of Doug's Heating out of North Vancouver. At this point, he joined SMACNA-BC. Over the years, Cliff was a mentor to many sheet metal workers, providing countless budding tradesmen with a chance to flourish. Several of them went on to form their own sheet metal businesses and maintained contact with him over the years.

Cliff was active in the Prince George Mechanical Contractors Association and looked after the Northern SMACNA group for many years. In 1989, he was honoured with an Award of Appreciation. In 1993, after more than 40 years in the industry, Cliff fully retired. In 2006, he was honoured again with SMACNA Honorary Life Membership.

Cliff was born in Assiniboia, Saskatchewan. He loved all sports, but as a true Canadian, hockey, CFL, and curling were his favourites. He enjoyed golf, and for most of his life was an excellent pool player. In his early single years, he supported himself playing in pool halls.

He and June enjoyed 66 years together, raising a family in Prince George and later retiring to spend over 30 winters in Arizona, where they made many friends.

Yeah, we're talking about you... Or we could be! Email your company news to jessica.kirby@pointonemedia.com and have it listed in *Sheet Metal Journal's* Industry News section in print and online. Listings are free for SMACNA-BC members and industry partners.

Want to subscribe or read current and past issues? We thought you'd never ask! Get over to sheetmetajournal.com for subscription options and to browse the archives.



Cliff died peacefully in Prince George Hospice with his family by his side.

He is survived by June, sons Toby (Grace) and Dirk (Arleen), daughter Tracy (Kevin), and grandchildren Tyler and Julia.

Cliff will be missed by many. ■

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.



SMACNA-BC'S 38TH ANNUAL GOLF CLASSIC

The weather at the year's SMACNA-BC Annual Golf Classic was perfect—not too hot, not too cool, and very little wind. The sold-out event was another resounding success, to which the stories and photos can attest.

SMACNA-BC would like to thank its generous sponsors without whom this event could not take place:

- Aarc-West HVAC Solutions Inc
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- Ames Metal Fabricators 82 Ltd
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- Austin Metal Fabricators LP
- Boston Sheet Metal Ltd
- Cascade Metal Design Ltd
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- Manson Insulation
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- Northwest Sheet Metal Ltd
- Pacaire HVAC Supplies Ltd
- Piedmont Sheet Metal
- Point One Media Inc
- Progressive Air Products Ltd
- Raider Hansen
- Ridge Sheet Metal Co
- Samson Metals Ltd
- SMACNA-BC
- SMART Local 280
- Smith Sheet Metal Works Ltd
- Summit Sheet Metal Ltd
- Vets Sheet Metal Ltd
- Viaduct Sheet Metal Ltd

Golfers contributed \$4,140 towards KidSport BC, SMACNA-BC's charity of choice for this tournament. The board of directors agreed to match this donation for a total \$8,280 that went toward helping children access athletics programming in our communities. Thanks to everyone who generously contributed with this worthy cause.

Skill & Raffle Prize Winners

Following the round, Northview Golf & Country Club notified SMACNA-BC of a tie between the foursomes from Ridge Sheet Metal Co and Northwest Sheet Metal Ltd, both of whom scored 63. After a skill testing game of rock, paper, scissors, the group from Ridge Sheet Metal was awarded the cup.



Upon further review, the pro shop confirmed that Ames Sheet Metal would have won with a score of 59. Congratulations to Al, Jeff, Kyle, and Ryan, and thank you to the group from Ridge Sheet Metal Co who offered to return the cup to the group from Ames Metal Fabricators.

Texas Scramble Winners

- Al Benning – Ames Metal Fabricators 82 Ltd
- Jeff Martin – Ames Metal Fabricators 82 Ltd
- Kyle Wellman – Ames Metal Fabricators 82 Ltd
- Ryan Atkinson – Ames Metal Fabricators 82 Ltd

KP/Honey Pot Winners

- Sukhraj Kullar – Emco HVAC Ltd
- Jeff Martin – Ames Metal Fabricators 82 Ltd
- Matt Viter – Ridge Sheet Metal
- Mike Emero – Ridge Sheet Metal Co

50/50 Winner

- Cordel Maunder – Ridge Sheet Metal Co

Crossroads C&I – Beat the Pro Raffle Winner

- Kevin Coon – Aarc-West HVAC Solutions ■



SMACNA-BC GOLF
TOURNAMENT PHOTO
ALBUM

- 1. Open your camera
- 2. Scan this code



ASHRAE-BC AND SMACNA-BC AT THE WHITECAPS

October's ASHRAE-BC chapter meeting was held in partnership with SMACNA-BC at BC Place for a Whitecaps game, and it was a great time for all. Big thanks to sponsors Olympic International Sales Limited, Oxygen8, Daikin Comfort, and Equipco Ltd. for making it possible. It was a pleasure to reconnect with familiar faces and forge new connections. Fantastic turnout to support our Vancouver Whitecaps FC in their outstanding 3-0 victory against St. Louis! ■



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780-452-4966

Mississauga
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416-675-1710

Dartmouth
120 Troop Ave, #600
902-468-5232

SMWTC PARTNERS WITH CFBC FOR SHEET METAL WORKSHOPS

Sheet Metal Workers' Training Centre and Construction Foundation of BC hosted two events to engage people interested in trades

Sheet Metal Workers' Training Centre (SMWTC) partnered with the Construction Foundation of British Columbia (CFBC) on two training initiatives this summer and fall. The first, a Sheet Metal Gateway program, was a one-day "boot camp" workshop taught by Sheila Sadler, journey person, in July. Ten women participated in the workshop, part of CFBC's Skills Ready program, and several have been hired by SMACNA contractors, including Modern Niagara and Viaduct Sheet Metal Ltd.

SMWTC and CFBC also partnered on a skill-building workshop with residents onsite at a minimum-security healing centre on September 28. This workshop was a great opportunity for residents to explore the sheet metal trade as a potential career choice. Sadler was onsite again, this time assisting participants in crafting "Carry Some" metal toolboxes. The initiative was hosted in recognition of National Day for Truth and Reconciliation to conduct outreach to the Indigenous community.



Skills Ready's director of project operations Rene Ragetli said the September event was one of the 'best days' of his year. "It was great to work with people who really appreciated going the extra mile," he said. "Working with youth is its own reward. Working with adults who are looking for a new start and second chance is very moving. It felt like a real privilege to be involved in that event."

Skills Ready is a CFBC initiative that identifies and promotes the essential soft skills required for success within the skilled trades and technologies. It provides tools for young people to prove they are work ready, while enabling them to build a real world understanding of the advantages of starting out in the skilled trades and technologies can do for their future.

Learn more at projects.skillsready.ca

BC ANNOUNCES LEGAL REQUIREMENT FOR FLUSH TOILETS ON CONSTRUCTION SITES

BC construction unions welcome the announcement as a step forward in promoting trades as an attractive career option.

Premier David Eby has announced the BC government will legally require flush toilets on construction sites of 25 workers or more.

Once enacted, the requirement for flushing toilets with running water will improve the lives of construction workers across the province.

"We will be bringing in a legal requirement for flush toilets on job sites with 25 employees or more," said Eby at the BC Building Trades constitutional convention in Victoria.

"If we want people to work in the trades, if we want to show people that this is a great way to support your family and build your community, the basic ability to go to a bathroom that doesn't stink, that isn't a mess, where you can flush a toilet, is a basic requirement for a decent job site."

continued on page 23



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Expanding the Workforce

Local 280 has doubled the number of women in their program—how more inclusive optics are growing the construction workforce in BC

By / Jessica Kirby

In 2019, then-president of SMART International Joseph Sellers put out a challenge for all locals to be more diverse and inclusive. Speaking at the Tradeswomen Build Nations Conference, he pledged to work harder as a union:

“We have a lot of work to do. We will roll up our sleeves,” he said. “We will make sure we are more inclusive, better in diversity, and we will continue to move our International in that fashion. We will do better tomorrow than we did today.”

Sellers gave credit to the SMART Women’s Committee, which was instrumental in the passing of amendments and resolutions aimed at diversity and fair treatment for all members at the SMART Convention in 2019. One such resolution was to double the number of SMART women by the next convention in five years.

At the time, the Local 280 had fewer than 30 female members. Steve Davis, Local 280’s current organizer, was working at Apollo Sheet Metal and not yet in the union office. In March 2020, when Davis joined the union office, this was one of the challenges he accepted and tried to address. “I sat down with then-Business Manager Jim Paquette and discussed various avenues to increasing our female membership,” Davis says. “Some of those strategies involves visiting high schools, job

airs, and other ways to get information about the trade out to people because we are not a very well-known trade.”

The first year was, in Davis’ words, a bit rough. They brought in approximately ten female journeypersons and apprentices, bringing the total to 40. It wasn’t enough.

“We worked with the school board and trades programs, we shared information by word of mouth, and we really pushed the limits of what we’d done in the past,” Davis says. “Today, we have just under 70 women registered as apprentices or ticketed journeypersons.”

The numbers are growing. Part of that has to do with general contractors setting internal goals to employ more female, Indigenous, and non-traditional tradesworkers, but it also reflects a shift in recruitment momentum.

“We worked with companies that have never had a female employee and now they have six or seven,” Davis says. “We are looking at the other trades and realizing that we either need to work together and get on board with hiring from all genders and ethnicities and be more open-minded or we are going to be left behind.”

The Local as experienced tremendous support from industry partners, including SMACNA-BC, which provided placement assistance and cast an important beacon for women thinking about joining the trades.

“Those partnerships were crucial in instigating change,” Davis says. “People tend to be fearful of change. It’s a job site in the construction industry, and there are some outdated, stereotypical ideas about whether that is the right place for women. But when our SMART International mandates it and SMACNA promotes it and the Tradeswomen Build Nations conference is a huge success, it opens our eyes and contractors’ eyes.”

The sentiment that race, physical appearance, and gender don’t



matter is growing among all trades as a more diverse workforce shows up on job sites. For example, once women become visible on job sites, the idea of taking women on seems less novel and more par for the course.

“The electricians and pumpmbers are big on bringing women into the trades, so it was just a matter of time before other trades saw that example and started looking for more members,” Davis says. “Then the floodgates opened.”

Local 280 took every opportunity to reach out through various events, often with a female apprentice or journey person to improve optics.

“Attending with a female member was a big factor,” Davis says.

So was Davis’s approach to recruitment.

“I’m very passionate about our trade,” he says. “So, I was just selling what our trade was and is without trying to make my talk gender specific. I didn’t think about barriers or limitations—I was just focused on delivering good information about our trade to anyone who was interested.”

Sheet metal is an anomaly in the construction world because rather than buying pre-made materials, sheet metal workers are masters of a true craft-trade.

“It doesn’t matter who you are—any person can be creative and build—they just need the right environment,” he says.

Moving forward, Local 280 intends to focus on involving ambassadors—women who are new journey persons and higher

level apprentices who can assist with recruitment and come out to events to increase visibility.

“It makes a huge difference when individuals approach us at a tradeshow and they see someone relatable or someone who looks like them,” Davis says. “Having someone who understands their experience is helpful and pivotal to the recruitment process.”

Davis works with Access Indigenous and Bladerunners trying to help attract youth who might need a shift in direction. He also intends to keep working with high schools and trade programs to find a diverse cross-section of individuals interested and providing opportunities to work in the union sector.

Every year, Local 280 is turning 80 to 100 apprentices to journey persons and has 350 apprentices in technical training. The pressure is on to recruit more skilled labour.

“We have just over 2,100 members, which is the highest it has been since I can remember,” Davis says. “We are also looking to create a recruitment team, which should alleviate some of the pressure. We want people who want to be involved and who value the trades and recruiting skilled labour.” ■

Programs Underway to Build Diversity in Sheet Metal:

Construction Foundation of BC Gateway project

This collaborative Skills Ready initiative has been a great opportunity to introduce women to sheet metal and build more diversity in our labour force. So far, ten Local 280 women participated in this one day ‘bootcamp’ workshop taught by Sheila Sadler, a female journey, and several have been hired by SMACNA contractors including Modern Niagara and Viaduct Sheet Metal Ltd.

Union Training and Innovation (UTIP) program

Building on the momentum of the Women in Sheet Metal Advisory Committee, Local 280 will launch the advisory committees for the other key groups targeted in its UTIP project: Indigenous People and Newcomers to Canada. Attendees will share their experiences and help shape equity, diversity, and inclusion in the sheet metal industry. Watch for email invitations to RSVP.

Tradeswomen Build Nations 2023

The largest gathering of tradeswomen in the world will take place on December 1-3 in Washington, D.C. The Tradeswomen Build Nations conference brings together women from across North America representing diverse trades. Twelve SMART Local 280 delegates will attend this event to represent the sheet metal industry.





Prompt Payment in BC and Beyond

More than 30 BC construction associations, SMACNA-BC among them, sign letter of support for prompt payment legislation

Edited by Jessica Kirby with notes from Daniel Thompson and Ian Breneman | Alexander Holburn + BC Construction Association

Payment terms for construction projects are changing across Canada, say Daniel Thompson and Ian Breneman, lawyers with Alexander Holburn law firm. “Prompt payment legislation (PPL) includes mandatory payment terms intended to increase the cash flow of contractors and subcontractors,” say the authors in an article titled, “Prompt Payment Update”.

According to the BC Construction Association, which is leading the charge on PPL in BC, lack of prompt payment is one of the most significant issues in the construction sector.

“When contractors don’t get paid on time, it places a financial burden on small businesses and blocks cash flow in the economy,” the BCCA says. “The estimated cost in BC’s construction sector is \$4 billion, mostly due to risk premiums, interest charges, and

legal fees. This doesn’t include the cost of shuttered business and other losses.”

Ontario Leads the Way

Federally, the Federal *Prompt Payment for Construction Work Act* received Royal Assent in June 2019 and the Government of Canada published draft prompt payment regulations in February 2023.

As for provincial legislation, PPL is in force in Ontario, Saskatchewan, and Alberta. Royal Assent has also been given to PPL in Manitoba, Nova Scotia, and New Brunswick.

Ontario was the first province to enact the legislation. It did so in October 2019 through an amendment to the *Construction Act*

that is intended to ensure that contractors' and subcontractors' invoices get paid in a timely manner. The amended *Construction Act* includes:

- **Invoice requirements:** a “proper invoice” is defined in the *Construction Act* as a written bill or other request for payment that includes specific details.
- **Payment timelines:** unless the invoice is disputed within 14 days, the owner is required to pay the contractor within 28 days of receiving the invoice. The payment timeline cascades—the contractor must then pay its subcontractors within 7 days after receiving payment, and subcontractors must pay their sub-subcontractors within 7 days of receiving payment.
- **Penalties:** if payment deadlines are not met, interest begins to accrue when payment is due at the rate specified in the contract or at a statutory rate if no rate is specified.
- **Dispute resolution:** disputes are adjudicated by the Ontario Dispute Adjudication for Construction Contracts. The adjudicator may issue directions for the adjudication, conduct on-site inspections, obtain expert reports, and determine the adjudication. The determination is binding unless it is overruled by the court, arbitration, or written agreement between the parties.

The other provinces where PPL is in force or soon will be have similar rules and stipulations built into various acts and regulations, with slight differences in payment deadlines, exclusions, and dispute resolution terms and processes.

British Columbia Still Debating

British Columbia, however, does not currently have prompt payment legislation. An amendment to the *Builders Lien Act* contemplated the introduction of prompt payment in 2019, but the bill (M 223) did not pass the first reading. It included provisions similar to those in force in Ontario including invoice specifications, payment timelines (28 days for contractors and an additional 7 to subcontractors) as well as the contractor's ability to dispute a subcontractor's invoice.

Pressure against PPL comes from some industry associations and advocates who say PPL would mean more red tape for the construction industry—red tape smaller companies simply can't afford. The Canadian Homebuilders' Association of British Columbia (CHABC) is just one group that says payment terms and contractors should be based on the size and complexity of the project, noting that PPL would require the same payment terms and complexity for single home renovation and a new government-owned bridge.

“Small, owner-managed businesses cannot afford to use lawyers or significantly increase their administration load in the same way that large, sophisticated organizations could,” the association said in a statement. “The average home builder in BC builds less than five homes a year.”



Solving the prompt payment challenge in BC will release millions of dollars into the economy and improve cash flow for everyday British Columbians across the province.”

CHABC says that a BC industry with both lien and prompt payment legislations would increase costs for everyone, including “internal staff for adjudication processes, fees for experts and external counsel, and adjudicator fees.”

Redundancy and confusion if a company receives both a lien notice holdback and adjudication determination; disruption to monthly payment and invoicing schedules; and drawn-out project timelines are all additional concerns the CHABC says the industry can't afford.

Essential to the Construction Industry

But BCCA says solving the prompt payment challenge in BC will release millions of dollars into the economy and improve cash flow for everyday British Columbians across the province. In particular, it will help small contractors to pay their staff and their bills and manage their businesses without taking on

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extra debt and financial expenses. “When contractors can’t rely on payments, they can’t invest in training or innovation,” says the BCCA.

The association is working with industry stakeholders to urge the provincial government to introduce legislation immediately. In September, members of a task force assembled by the BC government sent a letter to Attorney General Sharma, outlining the economic case for PPL. BCCA, Electrical Contractors’ Association of BC, and Mechanical Contractors of BC—all task force members—signed the letter along with 30 industry partners—including SMACNA-BC. They stated the dire need for PPL, lien reform, and adjudication in order to maintain BC’s economic health.

“Without these, one of BC’s largest and most essential industries struggles in the face of this province’s ongoing and urgent need for more housing and infrastructure development,” said the letter. “The signatories of today’s letter come together both in welcoming your government’s intention to examine Prompt Payment Legislation for British Columbia, and in supporting its rapid enactment.”

Outlining 90- to 120-day delays in payment, the letter describes the unfairness of employers financing their clients by covering salaries and suppliers from their own reserves. “About 90% of BC contractors are small companies,” it says. “These are not

multinational conglomerates with deep pockets. Help them stay in business to build the infrastructure British Columbia needs. Help them retain skilled workers in this province while attracting new workers that know the industry is stable and will continue growing.”

According to the BCCA, the construction industry ranks #1 in BC as a goods sector employer and contributes 9.7% of provincial GDP, up from 8.9% in 2022. Despite this, investments in BC’s institutional, commercial, industrial, and residential (ICIR) industry have decreased by 11% since February 2020, and labour costs have increased by 11% over the same time period, with the number of trade workers plummeting by 9% in five years.

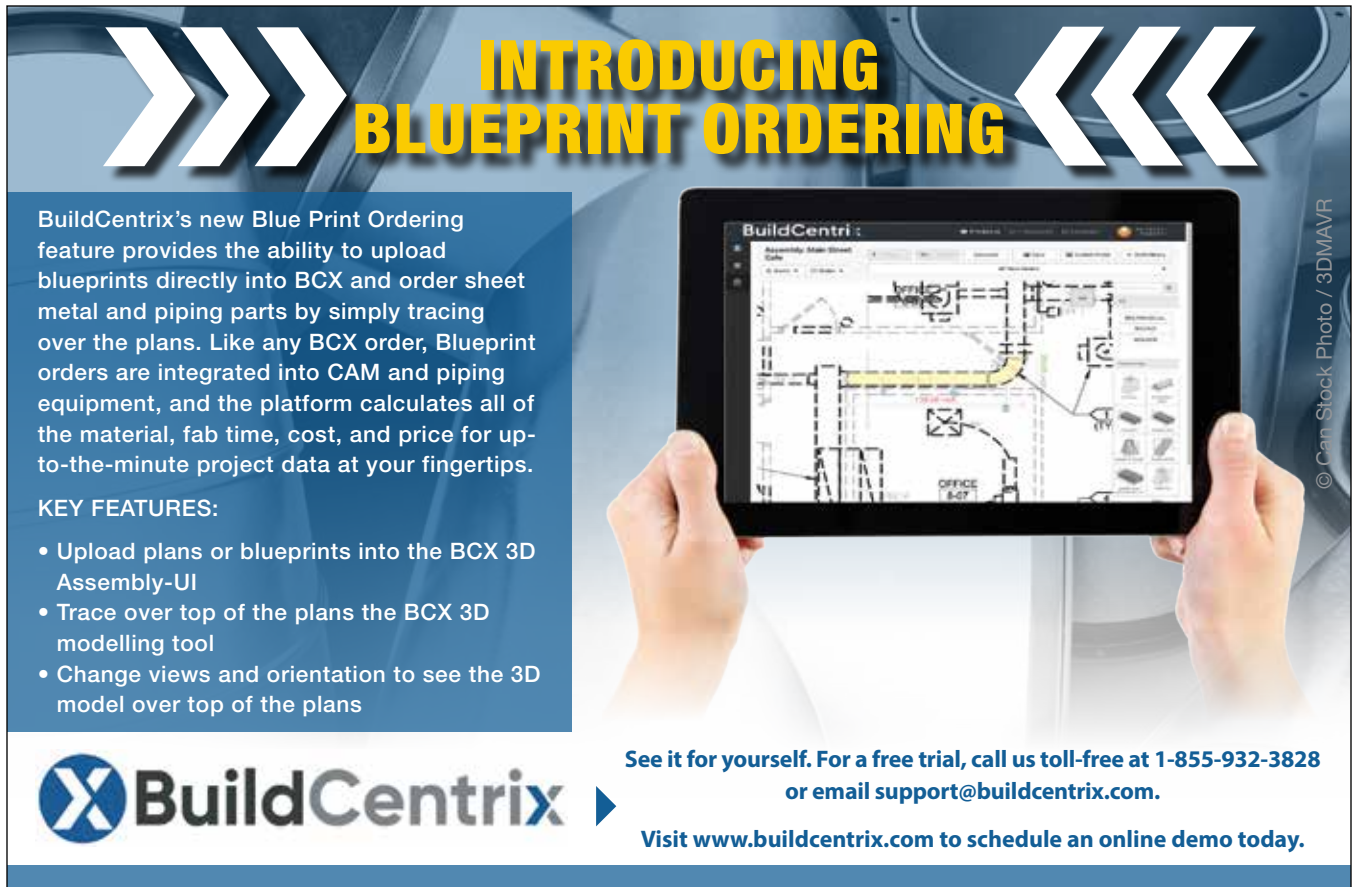
“These challenges are real,” the letter says. “Prompt payment legislation is an economic necessity in the best interest of the community you serve.”

Next Moves

According to the Attorney General’s office, PPL is still very much on the table, and another version is expected to be tabled this fall.

The provincial government established the industry task force to advance the legislation’s development and provide expert input. ■

Follow the PPL conversation at BCCAssn.org



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Is 2024 Your Year for a Heavy Metal Summer?

The Heavy Metal Summer camp is a game-changer for raising youth awareness of the trades

Photos courtesy of Western Allied Mechanical



By Jessica Kirby + Natalie Bruckner

was simple: introduce youth between the ages of 15 and 19, as well as their parents, to trade opportunities in sheet metal and other, complementary trades in a hands-on, project focused summer camp for recent or soon-to-be graduates. The pilot program drew 28 participants between two camps (one in each locale), and the organizers thought that was a pretty good turnout.

Until 2022 rolled around. Thanks to generous accolades from SMACNA, SMART, trade magazines, and word of mouth, the second summer saw 11 camps host 180 kids. HMSE co-founder and former SMACNA National president Angie Simon was floored.

“I have to admit, we were pretty overwhelmed by the response,” she says.

This past summer, HMSE hosted 22 camps—including Canada’s first, in Lancaster, Ontario—bringing information about a career in trades to nearly 400 students.

We know two things: the construction industry is experiencing a labour shortage and college isn’t for everyone. In 2021, two American SMACNA contractors—Western Allied Mechanical in the Bay Area of California and Hermanson in Seattle—decided to turn these facts into recruitment results.

That year, they designed and piloted Heavy Metal Summer Experience (HMSE)—a six-week summer program aimed at building interest in the trades among young people. The goal



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BC Sheet Metal Association (SMACNA-BC)

Executive Director: Jeremy Hallman
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 E-mail: smacnabc@smacna-bc.org



“It is so needed,” Simon says. “We are reaching out to kids who are about to graduate, and parents are starting to reimagine what their kids’ future might look like. We’ve had so many interested parties over the last three years, I am anticipating close to 50 camps with at least five or six in Canada for the summer of 2024.”

The idea was born from a conversation Simon had with her partner, who has four boys—one of which took a shine to a welding class he had at art school. He ended up taking welding lessons and was great at it.

“That got me thinking,” Simon says. “There are so many kids out there where college is not their thing. We should show them what a great opportunity this is. So, we talked about how awesome a sheet metal camp would be.”

The wheels were set in motion. The partners at Western Allied approved Simon’s budget of \$30,000 to run the camp. But as



“Over the next five years, 40% of the construction workforce will retire. This, on the heels of a record-breaking labour shortage, has contractors in all areas of construction wondering how they are going to get their jobs done. Heavy Metal Summer Experience is one answer.”

with any successful venture, it takes a village, and people were quick to come onboard.

After hearing about the idea during a SMACNA Annual Convention roundtable discussion on workforce development, Jana Burbank from Hermanson Company and Julie Muller, executive vice president of SMACNA Western-Washington, asked if they could get involved.



“We created a committee with Western Allied Mechanical, SMACNA-Western Washington, SMACNA National, Construction for Change, and ourselves,” Burbank says. “Together, we fleshed out the details.”

Soon, the Western Washington Local 66 JATC was on board and things really took off. They teamed up with a community group and high schools to recruit participants and wrangled tool kits and a cash donation from a tool supplier and a local developer.

HMSE continues to gain traction. Milwaukee and DeWalt have donated tool kits and PPE to some camps, contractors and Locals are donating time and space, and community groups and high schools are promoting the camps to their students.

Each time a camp is held, feedback, new ideas, and lessons learned are implemented into the *HMSE Playbook*, a 125-page living manual that contains sample schedules and budgets, ways to organize the camps, project ideas, partnership suggestions,

pro tips, and pitfalls to avoid. Contractors and JATCs can follow it to the letter or use it as a loose outline.

Over the next five years, 40% of the construction workforce will retire. This, on the heels of a record-breaking labor shortage, has contractors in all areas of construction wondering how they are going to get their jobs done. HMSE is one answer.

“We had a mother come up to us at a graduation to thank us,” Simon says. “Her daughter had entered a very dark space, lost and unsure of her future. But, after doing the camp, the mother said she has her daughter back again. If we can save one kid every year and get them into a career that gives them a new life, it’s worth it.”

Learn more about hosting a Heavy Metal Summer Experience at HMSE.org ■



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BREAKING GROUND

Helping more women begin careers in construction

Imagine a snowball at the beginning of its journey downhill: the growth is small at each turn, but the potential is huge.

That's what we're looking at with women in construction. Not even three years ago, 13.4% of construction workers were women. Fast-forward to June 2023 and the proportion is 14%. Now, some might argue that a 0.6% increase isn't huge, but in terms of raw numbers, we're looking at thousands of women choosing a career in the trades.

That's a good thing. The more talented people applying for apprenticeships, the easier job we have of bringing in great workers and raising the quality of our workforce.

So, how do we get that snowball rolling faster? Since we've all heard the old advice, let's look at three newer strategies to get more women into construction.

Creative Sourcing. While no job is exactly like construction work, some have useful similarities. For example, farm work requires hard, physical labor, working with machinery, and a willingness to get dirty.

One apprenticeship director we know noticed similarities in nursing home aides' jobs, too: These workers start their days early, work in loud environments, and do a lot of heavy lifting.



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By Mark Breslin
 Apprentice Performance Solutions

The list of similar jobs goes on—it just requires some creative thinking.

Once you know what you're looking for, search jobs websites like Indeed or ZipRecruiter for people in your area who have these experiences. You may find a lot of people receptive to your pitch.

Outreach. We know many apprenticeship programs that are trying get the word out everywhere they can about the opportunity of a union construction career.

The good news is that it works: a study by the National Association of Women in Construction found that 72% of women in construction said they were first exposed to the industry through outreach programs. If your outreach programs aren't attracting women, consider tailoring your messaging and initiatives to spread the word more effectively.

Tailored Programs. This strategy is a deeper dive... If you're not getting enough women into your apprenticeship program, try to learn why that is. An easy start is to survey the women currently in the program and get a sense of what changes might make it easier for other women to join in.

It could be as simple as better outreach. It could be providing options for online, hybrid, or part-time courses that better fit women's schedules and challenges. We've seen programs make lots of different types of adjustments and see positive results.

You may not have to make big changes for your changes to have big effects, but you do need to know where to start—and that comes from asking the questions.

There's great talent out there looking for the right opportunity. And we all know the incredible opportunity of a career in union construction.

As more women build careers in construction, more women will see their success and consider the possibilities for themselves. Our job as an industry is to get that snowball rolling faster—for everyone's benefit.

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For more information on leadership training and performance or to find Mark's best-selling books, Five Minute Foreman and Alpha Dog, visit breslin.biz.

WHY ELECTRONICALLY COMMUTATED MOTORS?

Industry today consumes roughly 40 percent of the world's electricity. Two-thirds of that electricity is used to power electric motors. AC motors are the workhorses of industry, yet they are power hogs. Let's put this into perspective: there are roughly 25 million small-frame AC motors employed on fan drive units. Assuming average power consumption of approximately 150 watts and a duty cycle of 75 percentage, these units consume 25 billion kWh of power each year.

This means that, given Site C Dam generates 900mW annually, the average annual output from three Site C Dams is needed to supply the power just for these small frame AC motors.

Rising energy costs and new government regulations have spawned revolutionary innovations in motor technology. Electronically commutated (EC) motors used in various fan applications, such as refrigeration, air conditioning, and building systems, consume roughly 30–40 percent less power than AC motors. So, if all 25 million small-frame AC motors in our earlier example were switched to EC, this could save nearly 10 billion kWh.

This is great news for everyone—engineers, designers, and owners who actually pay the power bills. EC technology is the future of sustainable energy consumption in industrial and residential appliances, pumps, and HVAC applications.

You may hear EC motor technology referred to as electronically commutated motor (ECM), permanent magnet, brush free, brushless DC, or brushless alternating current. Some of these may vary slightly in design but carry the same basic concept. Whatever you call it, EC technology is here to stay.

Caught you looking!

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By Norm Grusnick, PEng
Sales Manager, ECCO Supply

The new government energy rules have prompted engineers to replace or retrofit many of today's 1 HP or smaller AC motors to EC. These include furnaces, fan compressors, and pumps. Larger 1 HP to 10 HP systems switching to EC technology have the ability to lower power bills significantly for large facilities.

How EC Motors Work

Basic DC motors rely on carbon brushes and a commutation ring to switch the current direction, and therefore the magnetic field polarity, in a rotating armature. The interaction between this internal rotor and fixed permanent magnets induces its rotation. In an EC motor, however, the mechanical commutation has been replaced by electronic circuitry. Through its brushless design, the magnetic field is already established by permanent magnets on the rotor. This allows you to supply the right amount of current to the fixed armature in the right direction at precisely the right time for accurate motor control.

The brushless EC motor has external electronics, a rotor with permanent magnets, and a stator, which has a set of fixed windings. A circuit board continually switches the phases in the fixed windings to keep the motor turning. Speed is controlled by commutation electronics, so motors are not limited to synchronous speeds and can rotate much faster than traditional AC motors. The EC motors' designs are becoming ever more cost competitive as volume increases. They use less material and low cost ferrite magnets to achieve superior performance and higher efficiencies. Due to their flexibility, EC motors are now being used in many HVAC applications.

Speed Control Pays Off: Think of EC Like Driving a Car

Imagine if you turned on the engine and went to 100% of the speed, then tried to control the speed of the car by using your brakes every time. That's how most commercial and industrial applications work today with AC. Sure, you can get multiple speed motors and external control devices. They require filtering systems to properly protect the motor shaft from damage, such as electrical fluting.

EC motors automatically and continuously adjust to meet current demand. Multiple speed options come standard. Speed can typically be controlled in the range of 10–100%. ■

LEFT HIGH AND DRY

The recent case of *Wolverine Construction Inc. v Trisura Guarantee Insurance Company*, 2023 BCSC 405, exemplifies a common situation where a subcontractor was found not to be entitled to compensation under a labour and material bond.

The Facts

This dispute centered between Wolverine Construction Inc. (the “Wolverine”) and Trisura Guarantee Insurance Company (the “Trisura”).

On April 25, 2019, the Peace River District and Frontline Civil Holdings Ltd. (“Frontline”) entered into an agreement in relation to the construction of a landfill closure and water management system (the “Project”).

Trisura issued a labour and materials bond (the “Bond”) in relation to the Project with Frontline being named as the Principal. The Bond made Trisura and Frontline liable for the maximum amount of \$714,386.53 and set out the following terms:

A Claimant for the purpose of this Bond is defined as one having a direct contract with the Principal for labour, material, or both, used or reasonably required for use in the performance of the Contract...

The Principal and the Surety, hereby jointly and severally agree with the Oblige, as Trustee, that every Claimant who has not been paid as provided for under the terms of its contract with the Principal ... may as a beneficiary of the trust herein provided for, sue on this Bond ... and have execution thereon...

Frontline commenced work on the Project but by June 2019, was having financial difficulties. As a result, Frontline engaged Wolverine to provide assistance with the Project.

On September 19, 2019, Frontline was assigned into bankruptcy.

The Issue

On January 31, 2020, Wolverine gave notice to Trisura and Peace River that Frontline had failed to pay them in the amount of \$476,048.14. As a result, Wolverine sought payment for the amount of \$476,048.14, plus interest, pursuant to the Bond.

Trisura denied paying any amounts to Wolverine as they had not provided any evidence that they had a contract with Frontline or that they otherwise met the definition of a “claimant” pursuant to the Bond.

The sole issue for the Court to determine was whether Wolverine was a “claimant” within the meaning of the Bond. This depended on whether Wolverine had a direct contract with Frontline for labour, material, or both, and whether such labour or material



By / Liam M Robertson, Kuhn LLP

was reasonably required for use in the performance of the contract between Frontline and Peace River.

The Decision

In short, the Court found that Wolverine did not contract with Frontline for the supply of goods and materials for the Project on terms that would render Frontline liable for the costs of the goods and materials supplied.

In reaching this conclusion, the Court looked at several principles to determine whether a contract existed, such as whether there was an intention on behalf of Wolverine and Frontline to contract and whether the essential terms of this contract were agreed upon.

Wolverine’s evidence that an agreement was prepared and agreed to between the parties was fatally inconsistent with their discovery evidence wherein they had testified twice to not knowing whether an agreement was ever finalized.

In addition, the Court found that various invoices did not fill the “lacuna” in evidence for the following reasons:

- a. there was no evidence any invoices were delivered to Frontline by Wolverine;
- b. the timing of the invoices suggests they were made for purposes other than billing Frontline for services rendered or materials supplied;
- c. some invoices were potentially prepared for Peace River as opposed to Frontline; and,
- d. the invoices were prepared after Frontline made its assignment into bankruptcy.

The Court also found that there was overwhelming evidence that Wolverine took over the project with the intent of procuring an assignment of the head contract rather than as a subcontractor to Frontline.

Lessons Learned

A couple lessons learned are as follows:

1. at the outset of working on a bonded project, contractors should ensure that they are eligible under any applicable performance or labour and material bond; and

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EDITORIAL

continued from page 4

As we move into the final months of the year and reflect on the lightning speed with which 2023 graced us, it is easy to see how quickly the days, weeks, and opportunities come and go. My wish for you as a new year dons is that you slow down. Breathe deeply and make time to treasure the moments that matter most. Have a visit. Watch the sun rise. Buy the treat. Life is short but it doesn't have to feel like it.

In closing the issue and the year, Lara and I wish you a warm and restful holiday and a prosperous and enlightening 2024.



INDUSTRY NEWS

Premier Eby Announces Legal Requirement for Flush Toilets
continued from page 11

While full details of the plan are in development, the BC Building Trades is celebrating the premier's promise to deliver flush toilets for construction workers.

"We are excited about the premier's responsiveness to this important issue," said Brynn Bourke, executive director of the BC Building Trades Council, which represents more than 40,000 unionized construction workers.

"With the premier's help, construction workers across the province will have markedly better sanitary conditions on site. They'll also be given the dignity they deserve at work."

The BC Building Trades recently re-launched its 'Get Flushed' campaign to an onslaught of media coverage and far-reaching discussions on social media.

"The extent to which the flush toilet campaign was covered in the media and the intensity of the discussion that followed really proves that this is an important issue that requires action from government now, and clearly the premier agrees," said Bourke.

The BC Building Trades will continue to work with government to ensure the forthcoming requirements deliver the washrooms facilities construction workers deserve.

The 'Get Flushed' campaign was initially launched following significant health and safety concerns in the construction industry during the COVID-19 pandemic.

For more information, visit getflushed.ca ■

IT'S THE LAW

continued from page 22

2. contractors should ensure that any agreements for labour or materials are properly documented and that all relevant terms, especially payment terms, are adequately outlined and agreed upon. ■

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).

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