

Bill 6

Confusion has surrounded the debate over Alberta's Bill 6, as the NDP government continues to push forward legislation aimed at making farm work safer and bringing the province's labour laws more in line with the rest of Canada.

Farmers and ranchers see the proposed law as a threat to their businesses and ways of life, however, and they have not been shy about saying so.

The often emotional debate has been heightened by the recent deaths of a 10-year-old boy who was killed driving a forklift on a farm near Killam, Alta., and three sisters who suffocated in canola seed near Withrow, Alta.

In the face of a protest involving more than 1,000 people outside the Alberta Legislature, Labour Minister Lori Sigurdson admitted the government "could have done a better job in communicating."

She and other ministers then pledged to personally attend town halls and public meetings around the province to offer more clarity about the bill.

Still, many questions remain.

Here, we do our best to answer five of the most common ones, and compare Alberta's proposed regulations to those in our neighbouring provinces:

1. Will workers compensation be mandatory for all farm workers, including family members?

According to the current wording of the bill, yes, but that could change.

"If you are operating a for-profit farming operation ... you must cover any unpaid workers, including family members and children, performing work on your farm," the Workers Compensation Board (WCB) of Alberta states in its explanation of Bill 6.

Farm operators would be asked to provide a "value of service" for the work unpaid labourers perform, the board explains.

Sigurdson, however, later suggested that would be amended in a new version of the bill, which would include an "explicit" exemption for families working on farms.

The province later clarified in a press release that "WCB coverage would be required only for paid employees, with an option for farmers to extend coverage to unpaid workers like family members, neighbours and friends."

In Manitoba, workers compensation coverage was made mandatory for farm labourers in 2009, but family members were exempted from that change.

2. How much will WCB coverage cost?

Workers compensation premiums, which must be paid by employers, range depending on the risk of injury associated with the type of work being performed.

Alberta is proposing rates ranging from \$1.70 per \$100 of insurable earnings for things like greenhouse work up to \$2.25 for grain farming and \$2.97 for workplaces involving large animals, including beef producers, feed lots, livestock auctions and horse stables.

In British Columbia, by comparison, the rates are more expensive.

At the low end, orchard and vineyard work in B.C. comes with WCB rates of \$1.73 per \$100 of insurable earnings, but at the high end, the rate for grain farming stands at \$4.87 and ranching at \$5.65.

3. How dangerous are farms?

Alberta averages about 17 farm fatalities each year, including three deaths of children, based on data collected by the provincial government since 1985.

Most of those deaths in recent years are due to machine run-overs or rollovers, although not all were work-related.

By contrast, there are an average of 13 people killed on Saskatchewan farms each year, most involving machinery.

About 14 per cent of serious farm-related injuries in Saskatchewan involve youth.

4. What about occupational health and safety?

Unlike other provinces, farm workers in Alberta are currently exempt from occupational health and safety laws and have no right to refuse unsafe work.

That also means data on work-related injuries and deaths are considered incomplete in Alberta, because currently all accidents don't need to be reported, and investigations aren't routinely launched.

In Saskatchewan, by contrast, employers are required to provide safe working environments and must ensure their workers know they have the right to refuse what they perceive to be unsafe work.

Alberta's occupational health and safety exemption for farms and ranches would change under Bill 6, with standards applying "when a farm employs one or more paid employees at any time of the year," according to a government press release.

5. Will kids and neighbours still be able to help out on family farms?

That's been a particularly unclear point, according to Stephen Vandervalk, vice-president of the Western Canadian Wheat Growers in Alberta, who has been watching the legislation closely.

If Bill 6 is passed and indeed takes effect on Jan. 1, Vandervalk says farmers and ranchers aren't sure if neighbours could casually pitch in with cow branding or if children younger than 16 could help or even accompany their parents if they're working long hours.

Premier Rachel Notley, however, later pledged that kids living on family farms "will continue to be able to work on the farm as they always have."

"And they will continue to be educated on the farm through 4H programs as they always have," the premier said, speaking to reporters via conference call from Paris, where she was attending the COP21 climate change summit.

In Saskatchewan, there are exceptions to occupational health and safety rules that allow kids to help out on family farms, but children are prohibited from tasks like operating motorized farm equipment and handling dangerous chemicals.

No such prohibitions on kids operating motorized farm equipment currently exist in Alberta.

There have been cases in Saskatchewan of confusion, however, where parents have run afoul of labour laws for having their kids take on particular tasks on the family farm.