

HEALTH, SAFETY & ENVIRONMENT NEWSLETTER

Fall 2014 Volume 2, No. 3

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Health and Safety/ Workers Compensation Conference 2014

Submitted by Kelly Bondy - Local 1285

The internal responsibility system, workers' rights, workers challenges, behavior based safety, accident investigations, mental health and WCB were many of the important topics the Unifor Health and Safety / Workers Compensation activists discussed during the 2014 National Conference.



Director of the Health and Safety Department, Sari Sairanen opened up the conference expressing the importance of strategizing and coming together in the need to advocate for change. A panel of guest speakers from our Regional Health and Safety Standing Committee Chairs: Scott Mclimoyle -Ontario, Brent Charron - Prairies, Gord McGrath - B.C., and Jennifer Benoit -Atlantic, spoke on many issues that were very common amongst all workers across Canada; stress, repetitive strain injuries, lack of training, workplace violence, bullying of injured workers, downing sizing, increase in job demands and many Behavior Based Safety Systems. They also reported on many workers being reluctant to report hazards and injuries for fear of reprisals.

A strong message from Brother Emil Mesic, Local 707 Health and Safety

Representative was that we need to make changes and to challenge our employers. Workers don't have bad attitudes or make poor choices around their health and safety. Employers do. Health and safety reprentatives need to be consulted. Unions fought hard to obtain the legal right to participate in workplace health and safety matters. This right is carried out through worker representation on the joint health and safety committee. Joint committee functions are defined in law. We need to have a hazard based approach in our workplaces. We need to hold employers accountable.

Unifor can also leverage provisions of compensation and health and safety laws that may be helpful in refuting certain behaviors of our employer's health and safety programs.

Some jurisdictions specifically prohibit the <u>employer</u> from discouraging workers from reporting injuries. For example, Section 177 of British Columbia's W.C. A. prohibits employers from discouraging the reporting of injuries, illnesses, deaths and hazardous conditions.

In Manitoba, employers can be fine \$450.00 under the W.C.A. for attempting to induce a worker to not file an injury claim. Manitoba employers may not take or threaten to take disciplinary action against a worker for reporting (or attempting to report) that an employer is suppressing WBC claims.

Its pretty
simple... You can
Blame & Punish
Or Learn &
Improve.

Ontario OHSA prohibits reprisals against workers acting in compliance with the law. Reporting contraventions of the Act is a key duty of workers. Yet we see the fear in our members.

Success in our health and safety effort depends on how our workers support it. We need to strategize using our collective bargaining powers, inform our members on Unifor campaigns and enforce piercing due diligence.

Piercing due diligence is putting the employer on notice that a hazard exists. When action from management is not forthcoming, we need action. One idea is the creative use of signs.



Dr. Todd Conklin

Behaviour Based Safety programs undermine the health and safety of workers by excusing managements past and current shortcomings. These programs focus attention on workers, who in most cases had little or nothing to do with the selection of machinery or equipment, work process, work organization, methods, materials, safeguards etc.... They do not focus on correcting workplace hazards. B.B.S. strives to change the behavior of workers through positive and negative consequences. Simply put, it's a punish and reward system. Incentives, cash prizes, pizza parties, cake and coffee may seem

inviting but they create pressure on workers to not report their injuries, stimulate competition between workers and create a poisoned work environment. If workers believe that they may be disciplined or think they are letting the team down, there is a good chance that they will not report and injury... especially in tough economic times.

Confined Space and Working at Heights— Tribunal Victories

By: Doug Dutton, L52 President and Bell Health and Safety Resource

The Occupational Health and Safety Tribunal Canada (OHSTC) has upheld two directions from federal Health & Safety Officer's regarding rescue equipment and training for those who work in Bell Canada confined spaces and working at heights near hydro.

The first decision, released on September 10th, centered on the interpretation of paragraph 11.3(d) of the *Canada Occupational Health and Safety Regulations* (COHSR), which state that every employer shall "specify the protection equipment and emergency equipment to be used by a person who takes part in the rescue of a person from the confined space or in responding to other emergency situations in the confined space."

Tremblay's original direction from April 2012 included two specific types of confined spaces, was upheld and expanded to include all Bell Canada's confined spaces, orders the company to specify protective equipment, pursuant to section 11.3(d).

For at least 20 years Union Health and Safety activists have told the employer that calling 911 was not good enough and we needed a clear plan for the rescue of workers from confined spaces, including procedures, equipment and training.

The fight was re-energized following the deaths of two contract workers in a Bell confined space in Oakville, Ontario in 2007. The members of the Policy Health & Safety Committee recommended to the employer the provision of a tripod, body harness and lanyard for rescue purposes, as well as training of employees on the use of the equipment. HSO Tremblay described the deployment of this designated equipment as a "good health and safety practice" and recommended its implementation. Bell disagreed, arguing that the

company provided cell phones for workers to call 911 if needed.

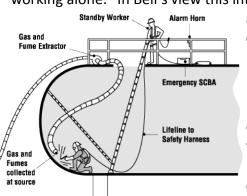
In the decision OHSTC the Chair wrote "I find that the provision of a cell phone alone to call emergency services does not satisfy the requirements of paragraph 11.3(d),". "Given the potential risks associated with working in confined spaces, there is a greater responsibility on the employer to ensure that proper procedures and equipment are put in place to safeguard the health and safety of employees in case of emergency."

Work is ongoing to identify rescue equipment and create a rescue procedure for Bell confined spaces but, this will not happen overnight, I am hopeful that something will be in place by the end of the year.

The second decision, released on October 3rd, related to the application of section 8.10(3) of the *Canada Occupational Health and Safety Regulations* and a direction issued by HSO Chris Wells on January 23, 2013 which stated the employer has failed to provide employees with the "required instruction and training" in the rescue of employees who may be injured in the course of the work.

The issue began in 2006 after the Policy Health & Safety Committees received a referral on Pole Top Rescue Retraining. After much discussion and agreements at the Policy committee the employer without consulting the Union reneged on their commitment and wrote to HRSDC asking for an interpretation of CHOSR 8.10(3).

In June 2006, Bell received an interpretation of section 8.10(3) of the *Regulations* from HSO Jacques Maltais in which he wrote. "As for subsection (3), our interpretation is that the prohibition against working on a pole may be lifted if an employee has been instructed and trained in the rescue of persons injured in the course of the work. In our opinion, this implies that training is not a regulatory prerequisite when the employee is working alone." In Bell's view this interpretation stopped



all training as most outside workers at Bell work alone.

Discussions at the Policy Committee continued but we failed to come to a resolution so I filed a complaint on behalf

of CEP , now Unifor to HRSDC. The complaint was initially investigated by HSO Sacco and subsequently transferred to HSO Wells who determined that: "The employer has failed to provide employees with the required instruction and training in the rescue of employees who may be injured in the course of the work".

Section 8.10 states:

- (1) Before an employee climbs a pole or elevated structure that is used to support electrical equipment, the employer shall give instructions and training to the employee respecting inspections and tests of the pole or structure to be carried out before the pole or structure is climbed.
- (3) No employee shall work on any pole or elevated structure referred to in subsection (1) unless he has been instructed and trained in the rescue of employees who may be injured in the course of the work.

While Bell initially complied with the direction at the specific address identified in the Direction, they also filed an appeal to the under section 146 of the CLC.

In his decision the OHSTC Chair wrote, "..the regulation only speaks to work on poles or elevated structures carrying electrical equipment. It does not in any way qualify the mandatory prerequisite of instruction or training with a requirement that poletop technicians work in pairs or teams. Regardless of how an employer elects to distribute work amongst employees, the minimum standards laid out in the Code and Regulations always apply unless there is a clear direction to the contrary, which is not the case here."

The two OHSTC decisions will impact any federally regulated workers who work in either confined spaces or on poles or elevated structures that support electrical equipment.

Full appeal decisions can be obtained at:
Confined Space Rescue OHSTC-14-017
http://www.ohstc.gc.ca/eng/content/html archive/
decisions2014/ohstc-14-017.shtml
Pole Top Rescue OHSTC-14-019
http://www.ohstc.gc.ca/eng/content/html archive/
decisions2014/ohstc-14-019.shtml

Stress; The Workplace Hazard

Submitted by: Gary Clark, Local 2215 Sqt. Of arms/JOHSC

Stress affects us all and affects everyone in different ways. Not just at work but at home, yes at home and even on our highways. The key is to recognize the stressors and find ways to eliminate them. Stress can and will lead to health problems, from headaches to eating, sleeping disorders, depression, anxiety, heart problems, are just a few issues stress could also lead to death.

Let's start with the highway, if you find it stressful going home because of the traffic this could compound with the days stress now its going home with you, BAD. So maybe instead of racing out the door you could wait a few minutes and relax and leave the stress behind and have a relaxing ride home.

At home there is always something to stress out over. It could be the kids, (school issues) pets, the leaky faucet, financial on and on or even work stuff that should stay at work and dealt with there. So let's deal with one issue at a time so not to compile things and get out of control. There is also help out there through EAP. (Employee assistant programs), don't be afraid to use it. If you don't have it, look at getting it into your collective agreements.

There are many stress factors at work, speed, increased workload, job uncertainty, job design, work environment, organization factors, social and economic conditions which leads to stress and all of the symptoms and potential health risks. So we need to take action now with education, petitions, lobbying for change, and just recognize that stress is out there. WSB/ WSIB (govt.) and management don't think it's a problem but it's real.

So working together we can put contract language in place, working with the JOHSC doing risk assessments, ergonomics, which could also save the company money with less lost time. We need to make amendments to the law like Denmark has which states: the order on the performance of work is a regulation of the work



environment act. That order states that workers mental or physical health must not be harmed due to work organization factors, such as the rhythm of work, repetitive work, and isolated work. So lets recognize stress and work together at making changes to eliminate stress.

Glowing poop will identify cancer, Canadian researchers hope

Written by: Kevin Connor, QMI Agency - Sep. 5, 2014

TORONTO — Researchers believe they have the poop on a non-invasive stool test for colorectal cancer.

Two doctors at McMaster University in Hamilton, Ont., working with the Canadian Cancer Society are investigating using fluorescent enzymes to test for cancer markers in a person's stool sample. If cancer is present the molecules will glow, which could lead to early patient treatments. Dr. Yingfu Li, a biochemist, and Dr. Bruno Salena, a gastroenterologist, thought of this radical and novel idea during a round of golf. Li studies fluorescent DNAzymes and Salena treats patients with colorectal cancer.

"We got talking about the fluorescent enzymes and the possibilities for early detection of cancer and I got quite excited," Salena said. "I looked at Dr. Li's data and I loved it. I thought this is something new we can try."

The two doctors applied and convinced the Canadian Cancer Society Innovative Grant program to provide \$200,000 in funding for a two-year study.

"The Innovation Grants program is perfect for this type of research," Li said. "There are no other grant programs in Canada that support unconventional approaches like this."

The first step is to create a DNA pool that contains as many as a quadrillion different DNA sequences. Then the search is on to look for DNAzymes that will glow in stool samples from people diagnosed with colorectal cancer, but will remain muted in samples from healthy participants. If the research is successful, doctors could use this test in their office for colorectal cancer and even start testing urine for kidney and bladder cancers.

Although colorectal cancer is 90% treatable, it is the second leading cause of cancer deaths in Canada.

FACES OF VIA

Kenneth A PASSION FOR



Kenneth "Ken" Cameron is the National Representative and Chair, Employee, Unifor-VIA Rail Policy Health and Safety Committee, and has looked after its employees' wellbeing since the 1980s. Only few know that he got his start back in 1967 as an assistant cook on CN's trains! This is the story of a man who not only cares about our safety, but who has the railway industry in his blood.

Ken is a fifth-generation railway worker: the men in his family have been working on trains since the days of his great-great-grandfather. So it came as no surprise when he began working in the galleys of CN's

locomotives during the Universal and International Exhibition in Montreal. Back then, the fact that his history with VIA Rail would carry on for so long never occurred to him: "I wasn't thinking of starting my career there. I was only looking for a summer job. But I came back to work there full time in 1974 and never left!"

Over time, Ken was appointed Chair, Employee, Unifor-VIA Rail Policy Health and Safety Committee. It takes only a brief chat with him to see how passionate he really is about the industry: "When I get to a workplace, I always try to spot potential problems. I hate accidents,

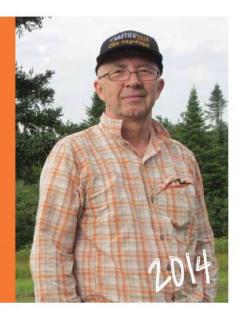
because far too many of them are preventable in the first place. What motivates me is being able to circumvent them before they even happen."

As an advocate for safety at VIA Rail, Ken's stand is clear: we owe it to ourselves to create a safe workplace that supports our well-being.

Ken can be very proud of the work he has done at VIA Rail.



"After 40 years in the railway transportation industry, I will pass the torch soon. I try to share what I know with my future successors, because I know there will always be challenges in health and safety!"



Volume 36, number 5

October/November 2014 | VIALOGUE

Thank you - Unifor Education Centre Participants for Cancer Prevention

Alexandra Wolff, partner of Carlos Cordeiro, Unifor Local 707 member working at the Ford Oakville Assembly Plant say thank you to all the Unifor members attending education courses at the Unifor Education Centre that donated



to "Team Billy the Husky" encouraging him to paw his way through the "Bark for Life" 10 km walk – a canine event to fight cancer. Fearless Billy the Husky, presented donations of \$880.00 for cancer prevention to the Canadian Cancer Society.

The walk took place in Toronto on September 19/14.

Tim Hudak's jobs plan would kill Green Jobs

The PC leader's pledge to end subsidies to wind and solar power would kill thousands of jobs in Ontario's newest manufacturing sector — green energy

Provided by Blue Green Canada and published in the Toronto Star on Wed Mar 05 2014

It's no secret that Ontario needs to create jobs. Our unemployment rate is too high. But it's very strange to suggest that job creation can be accomplished by killing jobs that people actually have today. And yet, that is exactly what Ontario PC leader Tim Hudak proposed in his jobs plan, which he tabled in the legislature last week.

In addition to some drastic cuts to public sector jobs, Hudak's pledge to end subsidies to wind and solar power would have the effect of killing thousands of jobs in Ontario's newest manufacturing sector — green energy.

The rhetoric is all about taming electricity costs, but it's been well established that green energy is not at fault for rising costs. Wind energy is less expensive than almost any other new source of electricity, even natural gas. And at this point, solar power is just not that significant a source of electricity in Ontario and its impact on prices is minimal. Moreover, the costs of solar power are falling

fast while the technology is improving dramatically, which is why industry watchers agree that solar is the future.

Look, we are long-time supporters of green energy but we admit that the Green Energy Act is not perfect. It has, however, helped Ontario cut emissions and it has created jobs — over 30,000 of them at last count, in fact. That's nothing to sneeze at.

Furthermore, many of the jobs created by the Green Energy Act are in manufacturing, the importance of which can hardly be overstated.

Manufacturing has been and continues to be the driver of Ontario's economy. Despite having shed hundreds of thousands of manufacturing jobs over the last decade, the sector continues to be the largest employer in Ontario and the largest contributor to our GDP.

Green energy is injecting some much-needed life into Ontario's challenged manufacturing sector. From Windsor to Kingston to Sault Ste. Marie, new manufacturing facilities have opened across this province where people are now employed building solar panels and windmills to meet the demand created by Ontario's Green Energy Act.

In addition, green energy has also helped existing industries. Steelworkers at Essar Steel in Sault Ste. Marie are now rolling steel that gets used in wind towers, for example.

Hudak must be aware of these jobs since a number of them are in his backyard. Ontario Solar Manufacturing employs about 50 people at its plant in Welland. PowerBlades Inc. will employ another 200 people making blades for windmills, also in Welland. And there's another plant in nearby Beamsville where they build components for wind turbines. We could go on.

Importantly, many of these jobs are good jobs, too. Not only do they pay decent wages, but workers we've met with consistently speak about how proud they are to be part of this industry, proud to be part of the solution to climate change, and proud that their kids finally think mom or dad "gets it."

This is the kind of sector, and the kind of jobs, we need to be creating. For too long, we've been told that we need to choose between our economy and our environment. But we can't continue to act as though

this is true. We need a strong economy and a clean environment.

Thankfully, we can have both. And Ontario's embrace of green energy demonstrates that a clean environment and good jobs can go hand in hand.

Ontarians need to understand that the green energy revolution is just beginning. The jobs we have today are a result of Ontario's demand for wind and solar but, thanks to our early lead, we're in a position to serve a growing global demand for renewables, and especially well-positioned to service the North American market.

Turning our backs on wind and solar now would be a mistake. It would mean giving up a leadership position in one of the fastest-growing sectors in the world.

More immediately, it would mean putting people out of work. That's an odd way to go about creating jobs.

Unifor is a supporting member of Blue Green Canada

The Work Continues General Electric, Peterborough, Ontario

Local 524 represents workers at the General Electric Plant in Peterborough, Ontario which was built in the late 1800s. The facility once employed in the range of 6,000 people and remains a major industry in Peterborough today employing 600 members of Local 524. Over the decades workers at GE have been exposed to many toxins. One of the most lethal has been asbestos.

Over the past 100 plus years, many different departments existed, all with their specific and unique processes. Many of them no longer exist or do not exist as they once did. However, a number of the workers who were assigned to these various departments are still alive today.

Consistent pressure from the workers led to a company study begun in the 1990s which showed in the first stage an excess of lung cancers. When the study was completed in 2001 it was inconclusive. The workers



continued to advocate for more effective action and in 2003 the union began to work with OHCOW (Occupational Health Clinics for Ontario



Workers) to assist them with a health survey of the current workers. The response was not large enough to draw any firm conclusions about current health issues. As a result, the Local chose to move forward with an occupational disease intake clinic, focusing primarily on the retiree group.

Plans were put together over the course of several months and the intake clinic was set for May 6 and 7, 2004. Attending the intake clinic were 675 GE workers, mostly retirees. This was one of the largest occupational intake clinics ever undertaken in Ontario. In addition to filling out medical questionnaires and workplace histories, workers were asked to contribute to a body map (which locates on a body outline the various illnesses that are reported) and a plant map (which locates on a plant map the various chemicals that workers worked with).

These workers were subsequently seen by the Doctors from the OHCOW office and assessed for work related exposures. WSIB claims were filed for workers suffering from Occupational Diseases. Some of these claims were allowed and others were denied.

The Local with much appreciated help from the National office has been working to forward these denied claims to the Office of the Worker Advisor (OWA). These claims will be reviewed by the OWA with the potential to appeal the original decision.



As of December 2014:

800 claim files in the database

- · 69 claims accepted
- · 515 claims closed
- 3 claims pending additional information
- 34 claims sent to OWA
- 114 claims at WSIB pending additional information
- 65 files pending closure



"WHMIS After GHS" provisional infosheets introduce the components of WHMIS as they may appear once the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) is implemented in Canada. This infosheet is intended to be informational and is not final or official. See www.whmis.gc.ca for more information.

WHMIS After GHS – An Overview

What is GHS?

GHS is an international initiative to standardize chemical hazard classification and communication globally. The implementation of GHS in WHMIS will help harmonize hazard communication systems worldwide.

WHMIS is a national hazard communication system that provides information on the safe use of hazardous materials in Canadian workplaces. GHS will not replace WHMIS. WHMIS will be modified to incorporate the GHS elements. There will be new standardized:

- · classification rules
- · label requirements
- safety data sheet (SDS) format (formerly material safety data sheet (MSDS))

Classification

Classification criteria will change in WHMIS after GHS. WHMIS will remain as protective after the adoption of GHS classes. Some new classes will be added, including aspiration hazard. See the WHMIS After GHS Hazard Classes Infosheet for more information.

Supplier Labels

Supplier labels will have a few new requirements. Most of the label elements will be standardized. Each hazard class and category will have a prescribed signal word, hazard statement, pictogram(s), and precautionary statement(s). Supplier labels will continue to be required in both English and French. See the WHMIS After GHS Supplier Labels Infosheet for more information.

Hazard communication will be more standardized. Standardized hazard statements, signal words, and pictograms will be introduced. Precautionary statements will also be prescribed.

Safety Data Sheets (SDSs)

SDSs will follow a standard 16-section format with specific information requirements. These GHS-format SDSs are permitted for use in Canada now as long as the current WHMIS requirements are met.

The SDSs must be accurate at the time of sale or import, for each sale or import. For further information, see the WHMIS After GHS Safety Data Sheets Infosheet.

Confidential Business Information - Trade Secrets

The current trade secret rules will still apply.

Roles, Responsibilities and Duties

The current roles and responsibilities for suppliers, employers and workers will not change in WHMIS after GHS.

Suppliers will still classify hazardous products, prepare labels and SDSs, and provide these to customers. See the WHMIS After GHS Information for Suppliers and Importers Infosheet for more information.

Employers will still ensure that all hazardous products are properly labelled and make up-to-date SDSs readily available to workers. Employers will also provide worker education and training and ensure appropriate control measures to protect the health and safety of workers. See the WHMIS After GHS Information for Employers Infosheet for more information.

Workers will still participate in WHMIS training programs, take necessary steps to protect themselves and their co-workers, and participate in identifying and controlling hazards.

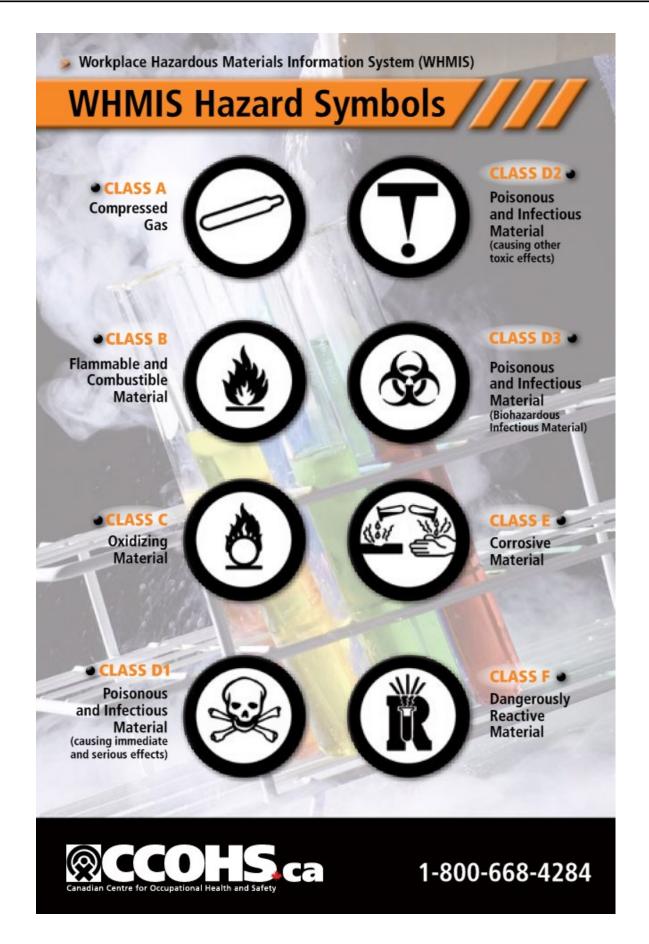
Timeline

Health Canada's consultation with stakeholders is ongoing. The GHS is anticipated to be implemented in Canada in June 2015.

Subscribe to Health Canada's listsery, WHMIS News, which provides information updates as they become available, www.whmis.qc.ca

Draft Infosheet May 2014 Visit www.ccohs.ca





Local 444 and Chrysler Kids' Lead the way!

Submitted by: Richard St. Denis, UNIFOR Local 444 Environment Representative

On June 1, 2014 the 37 members children that submitted environmental artwork to our 5th annual program were invited with their families to attend our special celebration. Our Joint Workplace Environment Committee has hosted more than 350 members and their families at these artwork events since 2010.

The plant auditorium was filled with excited children, parents and special guests. In attendance were Vice President Zachary Leroux, UNIFOR National Environment Representative Jamie Hansen, as well as our Plant Manager Mike Brieda and UNIFOR Local 444 represented by Committeeman Doug Boughner.

CHRYSLER KIDS'

Class of 2014



17 of these children have entered multiple times.
Only one child, Julia Cote, has entered all five years!

ENWIN Utilities was a featured sponsor since our theme for the event was energy. Dena Barrette did a special interactive energy program with the children. She explained why all forms of energy creation have good and bad aspects. The best approach is to **conserve** so energy is not needed in the first place! Also representing ENWIN were Barbara Pearce-Marshall, Veronica Friessen and Lauryn Bodde. ENWIN provided gift bags full of surprises for every member's child that attended our event, including a clock that only runs on water! Each of them



Gavin Cardoso tests results of

Dena Barrette's simulated nuclear reaction

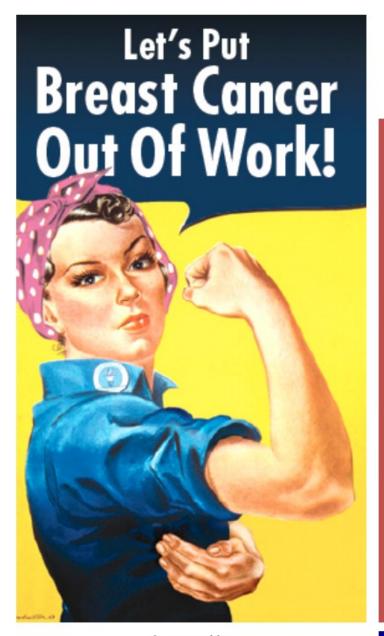
also received a copy of our Energy Activity Book. This gives the child a chance to learn more about energy and conservation in a fun way doing puzzles and activities.

Every child that entered artwork also received a special back-pack full of extra rewards, including a gift certificate to the local book store. Also included were t -shirts from UNIFOR Local 444 as well as many other gifts.

Before leaving the event each family had the opportunity to get a family photo. They will be added to the music video each family will receive with pictures from the event as well as the artwork submitted. Our Joint Workplace Environment Committee created a "history wall" to showcase the previous years of artwork submitted.



Julia Cote and Joshua Sementilli participate in Dena Barrette's inter-active energy activity



TUESDAY JANUARY 13, 2015 7-9 PM

Special Guest Speakers
Charlotte Brody, RN
James Brophy, PhD
Margaret Keith, PhD

Many breast cancers are preventable. Over 200 chemicals have been found to elevate risk. Night work is also a known contributor. Yet current regulations fail to provide adequate protection. Find out how to reduce your risk.

This event is free of charge! Bring your friends and co-workers.

Sponsored by









2015 UPCOMING EVENTS

One Week PEL Courses—Family Education Centre, Port Elgin, Ontario

Introduction to Ergonomics March 15-20, 2015 Health & Safety (1-week course) March 22-27, 2015 WSIB: Level I & II (Ontario Only) Front line March 22-27, 2015 Advocacy and Injured Workers Representation Accident & Investigation for Workplace H&S Reps March 30-April 2, 2015 Health & Safety for Women April 12-17, 2015 Health & Safety (1-week course) April 19-24,2015 Introduction to Ergonomics April 19-24, 2015 WSIB Appeals—Level III (Ontario Only) April 26-May 1, 2015 WSIB - Medical Orientation (Ontario Only) April 26-May 1, 2015

All courses are subject to change with out notice, for an up-to-date list of H&S Education Courses please visit the Education Department website at http://www.unifor.org/en/member-services/education/schedule/2014-02-04 or contact the Unifor Family Education Centre directly at 1-800-265-3735 or confcentre@unifor.org

National Environment Conference

May 29-31, 2015 Family Education Centre, Port Elgin, Ontario

E-Updates...

In our efforts to keep our membership well informed, please take the time to give us a current e-mail address so we can send you Health, Safety, Environment and Workers' Compensation updates as they become available.

Send you first name, last name and email address to: healthandsafety@unifor.org

