

Use of Foreign Workers at Mine Doesn't Make Site Unsafe



A union challenged the government's amendment of a permit allowing a mining company to use foreign workers. It claimed that such workers don't speak English and so make the site unsafe. The court dismissed the challenge on procedural grounds but did address the substantive argument. The permit's amendment was consistent with the *Mines Act* and took into account the *Health Safety and Reclamation Code for Mines in BC*, which only imposes language requirements on workers who fall into certain supervisory categories. The government knew the mining company planned to use temporary foreign workers who might have limited English abilities but concluded there was no health or safety risk that couldn't be managed. And of course, it was understood that health and safety concerns would be monitored in the mine on an ongoing basis as required by law, added the court [*United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union v. British Columbia (Chief Inspector of Mines)*, [2014] BCSC 1403 (CanLII), July 24, 2014].