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Port truckers reach deal

The Canadian Press

VICTORIA — Striking truckers at Canada’s largest port reached a deal Wednesday to end a prolonged strike, which has left hundreds of millions of dollars worth of cargo stranded at Vancouver-area container terminals and prompted escalating pressure from the provincial and federal governments.

“This agreement means our port is open for business starting tomorrow morning,” B.C. Premier Christy Clark said at the provincial legislature in Victoria, after a flurry of meetings between government officials and the truckers.

“We had to sit down and look at each other in the eyes and realize we weren’t that far apart.”

Clark and two of her cabinet ministers – Transportation Minister Todd Stone and Jobs Minister Shirley Bond – could be seen shaking hands with union negotiators and congratulating each other as the talks wrapped up at the B.C. legislature’s Hemlock Room.

Clark said the deal means the government will withdraw back-to-work legislation it introduced this week. The legislation was slated to come into effect by Wednesday evening at the earliest.

“My view is very much you shouldn’t have a fight if you can get a deal,” she said. “We got a deal instead.”

The truckers had been scheduled to hold a morning news conference to respond to back-to-work legislation that was on its way to becoming law, but the event was repeatedly delayed.

Unifor president Jerry Dias said the union had planned to tell the government it was prepared to defy the back-to-work law.

CP PHOTO

Striking container truck drivers stand by after drivers parked their trucks downtown during a rally in Vancouver, on Friday.

But officials with Unifor, which represents about 250 unionized truckers, and the United Truckers’ Association of B.C., which represents more than 1,000 non-union workers, spent hours holed up with provincial government staff and cabinet ministers.

“This is by far the most complicated set of negotiations I’ve ever been involved on,” said Dias, after the agreement was announced.

He said the bargaining involved 180 different companies, 1,200 non-union truck drivers, 350 union drivers and two levels of government.

“So, trying to get agreement

is difficult,” he said. “But what changed today was the willingness to listen. The key thing was the desire to find resolve.”

Dias thanked Clark and her cabinet ministers, and he criticized the federal government for fighting the truckers rather than negotiating. He said if it was up to Ottawa, Vancouver’s port would be closed tomorrow.

United Truckers’ Association spokesman Manny Dosanjh thanked Unifor for standing together with the non-union truckers and he thanked Clark and the federal government.

Federal Transport Minister Lisa

Raitt said in a statement that she is pleased with the agreement. “Our economic prosperity, competitiveness and ability for our products to reach new markets depends on a well functioning port,” she said.

“We will continue to work with the British Columbia government and Port Metro Vancouver to ensure truckers get back to work and keep our economy on track.”

The province’s back-to-work legislation would have affected unionized workers, but the port warned all striking workers that they wouldn’t have expiring licences renewed if they didn’t return to their jobs.

The dispute largely focused on issues related to pay, including rates, unpaid time spent at the port waiting for cargo, and allegations of undercutting within the industry.

B.C., Ottawa and the port put forward a 14-point plan two weeks ago in an attempt to allay the truckers’ concerns, but the workers quickly dismissed the proposal as inadequate.

The deal reached Wednesday focused on the 14-point plan but contained improvements for the truckers.

The union and non-union truckers agree to return to work and Port Metro Vancouver agrees to rescind all trucker licence suspensions where no criminal charges were laid against drivers. The federal government will increase trip rates by 12 per cent and wait fees for truckers at the ports will be increased.

The deal also includes agreement that mediator Vince Ready will be appointed to issue recommendations on the 14-point plan which will be reviewed, made final and acted upon within 90 days of a return to work.

B.C.’s premier and Prime Minister Stephen Harper each warned the dispute was threatening the country’s economy.

The union previously said it wanted a higher wage increase. It also demanded fees for wait times to kick in after only one hour, instead of two, and for those fees to increase over time.

Port Metro Vancouver issued a statement Wednesday afternoon, before the deal was announced, hailing the 14-point plan as the best way to end the dispute.

“There are financial wins in the plan for truckers,” port CEO Robin Sylvester said in the statement.

Witnesses tell teen’s murder trial of screams

The Canadian Press

KELOWNA — Two women heard screams coming from the wooded area where 18-year-old Taylor Van Diest of Armstrong was killed on Halloween night in 2011, jurors have heard during a murder trial.

Matthew Foerster has admitted causing the injuries that led to Van Diest’s death, but he has pleaded not guilty to first-degree murder and is currently on trial in B.C. Supreme Court in Kelowna.

“It was a high-pitched scream, about like someone trying to scare you really bad,” said Natasha Bellows, one of the women, during her testimony Wednesday.

“I heard some screams, a couple of them,” said Delphine Burylo. “The first one sounded more distraughtful than the second.”

But neither Bellows nor Burylo, who

were standing together on the doorstep of Burylo’s Armstrong home, did anything to investigate the source of the screams they heard about 6 p.m. on Oct. 31, 2011.

That seemed to weigh heavily on Burylo who cried while on the stand.

“I did take note of [the screams], but it was Halloween night so you hear lots of things,” Burylo said through tears.

Van Diest, 18, was still alive when she was found two hours later that night, but efforts to revive her failed and she died after being transported to Kelowna General Hospital.

Earlier Wednesday, a forensic pathologist testified Van Diest was choked and hit hard on the head six times before she died.

Dr. John Stefanelli said one of the blows was forceful enough to fracture part of her skull.

“Something was wrapped around her

neck and pulled tight,” Stefanelli told Crown prosecutor Ian Currie, explaining that ligature marks were found around Van Diest’s neck.

But Stefanelli said the blows to Van Diest’s head caused her death.

“She was hit hard enough for the skull to be fractured and the scalp to be torn quite badly,” he said. “She had severe brain injury.”

Van Diest’s little finger on her right hand was broken, and Stefanelli said that could have happened if she’d raised her hands above her head, trying to ward off the blows.

Other injuries on her hands and forearms were consistent with someone trying to protect themselves, Stefanelli said.

Under cross examination from defence lawyer Lisa Jean Helps, Stefanelli said it was

possible that the largest and most damaging injury to Van Diest’s skull could have occurred as a result of her falling and hitting her head.

“It could have happened that way, yes,” Stefanelli said.

When Van Diest was found after being reported missing, her head was resting on a metal pipe. She was dressed up as a zombie for Halloween, and had been walking to meet friends.

There were no signs that Van Diest had been sexually assaulted, Stefanelli also testified under cross-examination.

Admissions of fact agreed to by the Crown and defence on Wednesday included a determination that the last outgoing text message sent from Van Diest’s phone was that she was “being creeped,” or followed.

The trial continues.

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