

# THE COLLECTIVE

THE CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 116

May, 2007



**A day of fun at our open house!**



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*“As I learned from the BC coordinated bargaining experience, solidarity is not a word that is merely said. It does not end when your contract is signed”*

*Peter Hampton UVic CUPE 4163*

Delegates from our Local attended the Ontario University Workers Coordinated meeting in Niagara Falls in February. Privatization, Corporatization, Bargaining, and Health & Safety were among the hot topics.

Coordinated Bargaining in the University Sector was a featured panel discussion with the British Columbia bargaining experience being the focus. The discussion provided the framework for the ensuing workshops.

Participants from different provinces discussed challenges and outlined the elements to a successful coordinated bargaining approach. Some of the recommendations included:



- Synchronize expiry dates of collective agreements at regional and provincial levels and establish a committee structure.
- Develop a strategic plan for coordination at the national level, include common expiry dates and explore common issues for coordination.
- Develop a strategic plan for communication to include a sector web page, email list-serve, conference calls, bulletins, sharing collective agreement language, and successes at the provincial and national levels.
- Focus on the need for well-funded public post-secondary education and get the message out through coordinated action.

- Work with student groups and other unions.

All our collective efforts should go to promoting the concept that coordinated bargaining actually enhances local autonomy by ensuring each University’s Locals have all the information, tools and resources to achieve the best possible collective agreement for their respective membership. We wish to promote to every CUPE University Local that they are not alone in this process.

### Resolving the Daycare Crisis at UBC:

The Local was invited to a roundtable meeting in October on UBC child care that was hosted by the UBC Daycare Parent Council. The Local attended with other key campus groups which included representation from CUPE 2950, Faculty Association, AMS, GSS, AAPS, Human Resources, President’s Office and UBC Child Care Services.

Demand for affordable and accessible UBC daycare is growing rapidly; waitlists are currently over two years.

At this meeting I, on behalf of the Local, presented the views of many of our members which included:

Students, staff and faculty should access daycares first and the University Neighbourhood Association should in no way harm the student, staff and faculty access. UBC Daycares should be an employer-run daycare, not a community-run daycare. People before profit.

Our Local has brought forward proposals to obtain subsidized and accessible daycare to the bargaining table over the last two rounds of bargaining, with no success. Campus childcare has been identified as a goal in the Trek 2010 operation plan and in the People Plan, why is UBC not fulfilling its stated goals?

Our members who do not have access to affordable childcare face many stressful issues such as the search for quality childcare, and extreme financial pressures resulting from high housing prices and high private child care costs. Work life balance takes a back seat which negatively impacts on health and morale.

### The Local endorsed the principles that:

- 1) UBC Daycare is an employer-run daycare that provides a valuable service to students, staff and faculty.
- 2) UBC is committed to the provision of quality child care services (Trek People Goal).
- 3) Child Care Services is a crucial recruiting tool for new faculty and staff (Human Resources People Plan) and for the success of student families (as endorsed by AMS and GSS).

The Local will be putting the daycare crisis at the top of our priority list this year, to lobby UBC to take immediate action that includes but is not limited to:

- ⌚ UBC to act on its delayed expansion plans as quickly as possible
- ⌚ Fill unmet demand from UBC affiliated parents as its top priority
- ⌚ Maintain priority for UBC affiliated parents in support of UBC’s People Plan goals of recruitment and retention, and in support of students.

**Yours in Solidarity,**

**Colleen**

## Grievance Update

As always we continue to work through our grievances. Unfortunately, in the last couple of months we have had a number of termination cases to deal with – although we have been able to achieve satisfactory settlements for the individuals involved. I wrote in my last newsletter article about the ongoing problem with the unequal distribution of overtime between employees in some trades classifications. We may finally be close to a resolution on this issue, with the University committing to putting in place a process that should offer, share and track overtime properly.

Perhaps the grievance affecting the largest number of employees that the Union is dealing with at the moment concerns the University's 'Attendance Management Program'. Many of you will be familiar with this program. The Union believes there are provisions of the Collective Agreement that the employer can utilize if it needs to address attendance concerns it may have with employees. However, the University has introduced this attendance program instead. While the Union cannot prevent the implementation of this type of a process, we can ensure that it is applied appropriately. Our experience has shown that the program has been applied in a hit and miss and seemingly random fashion since its inception. For example, some Departments use the program – some don't; some area within Departments use the program – some don't; and, the criteria used to determine who goes through the program are unclear and inconsistent.



The established law and practice around these types of programs requires that before a program is introduced, all the potentially affected employees are notified in advance. The program also has to apply evenly to all employees within a workplace. The expectations of the employer have to be clearly communicated and the application of the program has to be consistent through time and across the worksite.

So far, none of these things has happened and a result we believe that the program is invalid and that our members should be removed from it. If the University wants to have a program like this it needs to start over and follow the established guidelines and rules.


If this does not happen with a very short period of time, we will be forwarding this case to our lawyers to prepare our next steps. I hope to be able to report significant progress with this case in the next newsletter.

The UBC Okanagan jurisdictional dispute decision has still not been received. We await the decision from the Labour Relations Board that will determine the appropriate Union representation for the employees at the UBC Campus in Kelowna. We will update you when any news arrives!

In Solidarity,

Dave

## A Labour Minute



### Aliens, agitators....and heroes

In January 1937 General Motors announced record profits of \$200 million for the previous year. That same month GM cut the wages of the workers at its Oshawa, Ontario assembly plant - the fifth wage cut in as many years.

The United Auto Workers was a small recently formed union at that time, but a large majority of the 4,000 Oshawa plant employees signed membership cards with the UAW in early 1937 and a local of the union was set up.

The UAW and the company began negotiations for a first contract and reached a tentative agreement.

Then the violently anti-union premier of Ontario, Mitch Hepburn intervened. When the federal government refused his demands to send the RCMP to break up the union, Hepburn organized his own private police force. The press referred to this new force as "Hepburn's Hussars", but the workers called them "Sons of Mitches."

Hepburn's close friends in big business made wild statements branding the UAW organizers and activists as aliens, communists, outside agitators and foreign trouble makers.

To counter this rhetoric the UAW membership organized a parade made up of Auto Workers who had won medals while serving in the Canadian armed forces during the First World War. The column of marching men who had been decorated for valor and meritorious service stretched out to an impressive distance.

Despite the smear campaign and the hostility of the provincial government, the Oshawa workers stuck together and by doing so gave the Auto Workers union its start in Canada.

Labour Minutes recount the great stories in trade union history and take just a minute to read.

Roy - Dishaw

### DO YOU WORK ALONE?

It's funny how large this campus is and everyday more and more people come here to live, visit and learn.

Go catch a bus at 3:30 and you may just have to wait for the next one. Even the "hours of operation" if I can call it that, have changed. It's no longer an 8-4 operation.



So with all these people around for a better part of the 24 hour day, why do so many of us work alone.

WCB, now known as worksafe BC has regulations under general conditions as to working alone or in isolation. It says that "the Employer must develop and implement a written procedure for checking the well being of a worker assigned to work alone or in Isolation under conditions which present a risk of disabling injury, if the worker might not be able to secure assistance in the event of injury or other misfortune."

The words "other misfortune" pretty well opens it up for a lot of things.

It also states that a procedure has to be in place for checking the workers well being, if they are unable to secure assistance in the event of injury or other misfortune. (there's those words again.)

Let's look at some of the scenarios that may occur on campus and if they seem real familiar to you , you may want to ask questions to your safety committee or rep. as to what your department has in place.

Are you a technician of some sort that may work on or with machinery, or doing experiments later in the evening when everyone else has gone home and you have to have whatever project done by tomorrow.

Do you work as a custodial worker, alone in a building at night, if so what's put in place for your safety concerns.

Do you work with animals, or with chemicals that the public really shouldn't know about.

I'm sure as well we have kiosk attendants that work alone in the parkades.

These are just a few situations of work that we do on campus and find ourselves alone. I don't want to create a sense of panic amongst everyone but I do want to create awareness. If there are concerns that you have and don't really know what safety measures are put in place for your well being ask your committee or representative.

For your safety there has to be written procedures or guidelines in place to help prevent any misfortunes that may come your way, and you should know about them. Let's face it, I'm sure there is a department somewhere that has this guideline written up and collects dust on a shelf as people are working in less than safe situations without the knowledge of what to do in such a situation. And the department feels it can prove due diligence 'cause they have a copy somewhere.

Well it's wrong, and we have to stand up for our rights. We have to start having more of a say as to what happens in our Safety Meetings.

We are, after all responsible for our own safety, it's not just the Employers responsibility.

If you feel your risks of injury or other misfortunes are heightened because you work alone or in isolation and you have no idea what's put in place to assist you.

Ask your committee members, or call the Union office 604-222-0116, or email me at [safety@cupe116.com](mailto:safety@cupe116.com) .

Yours in Safety  
Barry

P.S. I would like to also congratulate Lionel Jeanson, one of our Brothers from the Custodial Department who successfully completed his certification to be a Personal Fitness Instructor, with his drive and ambition I have no doubt that many people will benefit from his newly learned skills. Way to go Lionel!



## UBC WORKS BECAUSE WE DO!

The Vancouver Police Department, after two years of thought and months of consultation with community and interest groups, have developed a community policing program that provides a realistic tool for the Police Officer on the street to recover stolen property.

Propertycop.org is a free and private database with which registrants record their valuable property items before they are stolen (bikes, laptops, anything).

The University supports this new program. One of our members, Suresh Bhindi, a Campus Security Patrol Officer, is the University liaison for this newly developed Propertycop Program.



❑ **“PROPERTYCOP is a great asset to UBC and its community.”**

Suresh has said:

“The new database will be helpful for UBC Campus Security due to the amount of unidentified property that we recover.

We now have a means to return the stolen property to its rightful owners, many of them UBC students!”

If the articles are important to you, register them at [www.Propertycop.org](http://www.Propertycop.org)

## Realities of Race 2007 Articulating the Invisible Power, Voice and the Politics of Experience

“We begin by acknowledging the unceded occupied Musqueam territory upon which the University of British Columbia stands, and recognizing the connections between our location in Canada, the histories of colonial violence on these lands, and our on-going struggles against racism at UBC. This is significant as we witness the numerous media signs on campus asking ‘What’s the Plan? Voice your opinion on the future of your campus.’”(ROR)

On March 21st 1960, in the township of Sharpeville, South Africa, police opened fire killing 69 men, women, and children and wounded 180 others. Most were shot in the back. These people were peacefully demonstrating against apartheid's "pass laws." The United Nations General Assembly subsequently declared the 21st of March as The International Day for the Elimination of Racial Discrimination, and called upon the international community not only to commemorate that tragedy, but also to work together to combat racism and discrimination wherever they exist.

Realities of Race or (ROR) is an annual week-long series of events that happens around the United Nations International Day for the Elimination of Racial Discrimination, focusing within the UBC Campus Site and the larger Vancouver metropolitan area. In the current context of both UBC’s commitment to “Global Citizenship”, international processes of globalization and the so-called “War on Terror” in which Canada is deeply implicated, these events and discussions are both relevant and necessary for all of us. ROR and this annual week of events provides the opportunity and safe space to reflect on issues supporting sustained motivation and transformation and to present and promote substantive social change.

Since March 2003, Realities of Race Week has been organized through the dedication of UBC students, faculty and staff, in addition to collaboration and participation from

community-based organizations that are dedicated to challenging racism locally, nationally and globally. The impetus for the inception of the initial Realities of Race Week, (which is still relevant today) came directly from the experiences that students, faculty and staff on our campus were subject to (1) institutional and interpersonal racism and discrimination manifested in (but not limited to) racist hiring and management practices, (2) institutional targeting of those who speak up about experiences of racism, (3) relational bullying, favoritism, marginalization, and Eurocentric curricula, (4) lack of diversity in faculty, staff and administration, (5) lack of resources and support services for Indigenous students, and also students and ‘supporting’ staff of Colour. These experiences were also shared and documented in the McEwen Report, which documents the legal struggle of the late courageous, Amanda Araba Ocran, a UBC Political Science Graduate student, who challenged systemic sexism and racism within that department in 1993.

ROR recognizes the reality, negative impact, and toll these experiences have on intellectual curiosity, within the spirit and health of the entire University Community, and challenges for a positive change from these experiences. ROR culminates the week of events, with the ‘Campus Dialogue’, in which all members of the campus community are invited to attend and discuss the issues we face. The subject of this year’s Campus Dialogue was “Composition, Curriculum and Climate”.

2007 ROR events, and of particular relevance to local CUPE116, included ‘The History of Racism and Anti-Racism at UBC’, focusing on the experiences of UBC Staff, ‘Islamophobia’, and ‘The Racialization of Poverty’, to name just a few. ROR events have included visiting delegations and participants from Simon Fraser University, International Government figures and recently participants from the BCTF.

“ROR”, calls for accountability and the end to racism as a reality of race.

Submitted by Mr. Larry Kennis, Realities of Race Organizing Committee Member 2005-2007, and a CUPE 116 member at the bookstore.

(Sources: 2003-2006 Realities of Race Archives and the ROR website, [www.ams.ubc.ca/ror](http://www.ams.ubc.ca/ror) )

### Motions Carried at the Annual General Meeting of the 116 Employees' Society on April 18, 2007

1. Motion to retain BDO Dunwoody as Auditor. Amendment to motion:

New Motion - If the Society requires an Auditor, it will use the same firm as CUPE Local 116.

2. Motion to budget \$2500 for education of Society executives and trustees

3. Motion to pay for goodwill for members who are hospitalized for more than 1 day, they will receive a maximum of \$100.00 (gift card and delivery included)

4. Motion to pay up to \$500 in legal fees for registering with the Societies Act.

5. Motion to hold the bi-annual picnic to a maximum of \$5000.

6. Motion to continue to pay \$8/year of service to a maximum of \$250 for retiree's gift.

7. Motion to continue to pay for scholarship to the School of Social Work to a max of \$500.

8. Motion to budget 3 - \$1000 Society scholarships to be awarded by September 2007.

9. Motion to continue with the Turkey Draws at the December 116 Union Meeting to a maximum of \$350 or 14 people

10. Motion to Budget \$1000 for communications - newsletters and hand-outs

11. Motion to Budget \$6000 for booked time off for the Society Executive and Trustees to meet.

12. Motion to continue paying MLOA for members who are off work. The Society will cover

MSP, EHP, BGL, IRP, EFAP. The Society needs to be notified before benefits can be paid.

Criteria must be met.

13. Motion to pay a maximum of \$6000 for rehabilitation per year per person, any amount over that will be funded by the individual or as per the Society's bylaws - by notice of motion to be decided by the membership.

14. Motion to offer a loan to members in hardship to a max of \$ 1500.00, a loan request form must be filled out.

15. Motion to review and update UBC Employees' Society of CUPE 116 bylaws to ensure compliance with the Societies Act.

16. Motion to have the Union Local 116 appoint a Director.

17. Motion to make charitable donations up to a maximum of \$1500 per year.



## TILMA more than trade

by Charlene Wiseman/CALM

A New interprovincial trade agreement could have profound effects on everyone, by restricting the ability of provincial governments to serve the public interest.

In April 2006, Alberta and B.C. entered into a Trade, Investment and Labour Mobility Agreement (TILMA). Other provinces may sign on at any time.

Although TILMA's objectives are to promote inter-provincial trade, investment and labour mobility, the overwhelming majority of government measures that could come under TILMA scrutiny have little to do with these objectives.

TILMA imposes a blanket prohibition on all government measures that "operate to restrict or impair" trade, investment or labour mobility (unless such measures are exempt under the scheme). This could prevent provinces from passing laws or implementing programs that serve the public interest, such as environmental controls and health care insurance plans. There is a risk these measures could offend TILMA on the basis of their indirect effects.

TILMA defines "government" very broadly, including agencies and Crown corporations, municipalities, school boards and other academic entities, health providers and social service agencies. This means that all actions taken by these bodies must comply with the sweeping restrictions imposed by TILMA.



To ensure that government and public institutions comply, TILMA accords private parties the right to invoke arbitration to challenge measures that are alleged to offend TILMA constraints. Private parties may claim up to \$5,000,000 in damages arising from each challenged government measure. Because countless individuals and corporations may assert private claims, they may proliferate and exert enormous pressure on governments to abandon or weaken a broad and diverse array of public policies.

TILMA also expands the scope of foreign investor rights that can be asserted under NAFTA. And, these rights are bestowed on American and Mexican investors without any reciprocal gains for B.C. or Alberta investors in the United States or Mexico.

There is no plausible rationale for TILMA. In Canada people are free to live, work and invest anywhere they choose. There are no customs stations along provincial borders and no tariffs on inter-provincial trade. Inter-provincial trade is a federal responsibility, and the courts have consistently struck down provincial measures that interfere even indirectly with such trade.

Nevertheless, the Conference Board of Canada has published several papers promoting TILMA.

"Labour standards and codes" are exempt from TILMA's provisions, which may make it seem that unions will not be affected. However, to the extent that hospitals, schools, social services agencies and other organized entities are subject to TILMA, trade unions will experience its effects.

There is an obvious and compelling case for informed public debate about TILMA before any further steps are taken to expand it.

- Charlene Wiseman practises labour law with Sack Goldblatt Mitchell in Toronto. For more information on labour law issues, visit SGM's website at [www.sgmlaw.com](http://www.sgmlaw.com)

## Set minimum wages above poverty line

CCPA/CALM

Not a single province in Canada pays a minimum wage that lifts working Canadians out of poverty, concludes a study by the Canadian Centre for Policy Alternatives.

Bringing Minimum Wages Above the Poverty Line shows that provincial governments have allowed the value of minimum wages to be

eaten away by inflation. Since 1990, their real dollar value has flatlined or increased only slightly in every Canadian province.

"Depending on where you live, working at minimum wage full-time, all year round, will leave you four to six thousand dollars below the poverty line," says Stuart Murray, study co-author and researcher with the CCPA's B.C. office.

The study calls on provinces to raise minimum wages to \$10 an hour (in 2005 dollars), which would put a single person working full-time just above the poverty line. It also calls for minimum wages to be indexed to inflation.



"Indexing minimum wages to inflation would stop governments from playing political football with peoples' livelihoods," says co-author Hugh Mackenzie. "It would ensure the real value of minimum wages is never allowed to erode to such indefensible lows again."

Ontario has announced plans to increase its minimum wage to \$10.25 by 2010, arguing a more rapid increase would mean substantial job losses. But Mackenzie dismisses those claims: "Don't let anyone tell you the economy can't withstand a decent minimum wage. This study reviews the evidence and finds that the minimum wage is, if anything, a bit player in determining employment levels. Ontario should move up its scheduled increases and then index to inflation." Raising provincial minimum wages would have a direct impact on the 19 per cent of Canadian workers who currently make less than \$10 an hour. Nearly half of them are over 25, driving home the reality that this issue isn't just about teenagers.

"This isn't just a matter of principle," says Mackenzie, "it's a matter of financial survival for thousands of people and their families."

CCPA recently released an Environics Research poll showing 88 per cent of Canadians support raising minimum wages to help reduce Canada's growing income gap.

**Canadian Union of Public Employees**  
**Local 116**  
**"On the front line"**

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**UNION ORIENTATION**

Will be held the 3rd Wednesday of every month at the Union Office from 10:00-11:00am. Please contact the Union office to make an appointment.

CANADIAN ASSOCIATION  
**CALM**  
OF LABOUR MEDIA

**UNION MEETING**

**When: May 16, 2007**

**Where: Barn Coffee Shop  
at 4:00PM**



**Bulletin Board**

Open House Raffle Winners

**Aude Duong - Utility Worker Land and Building Services**

**Peter Dudulec - Electrician Plant Operations**

**Calvin Ho - Utility Worker Land and Building Services**

Just Giver Presentation

**Has been re-scheduled to the May General Membership Meeting**

CLC Better Choices Presentation

**At the membership meeting in May an officer of the Canadian Labour Congress will be making a presentation on Workers' Issues.**

Recent Retiree's

**The Union wishes to congratulate the following Retiree's and to thank them for their years of support:**

**Richard Davidson  
George Nerreter  
Pat Beaton  
Doug Van Camp  
Doris Lee**



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