

THE COLLECTIVE

THE CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 116

June, 2008



WHY

**UNIONS
MATTER**



UBC Works because **WE** Do!

Photo by: Dennis Magee

Did you

Know...



-that you can use your sick leave credits for up to 3 days per calendar year to care for a dependant?

See LOU #7 of the CUPE 116/UBC Collective Agreement.

-that CUPE Local 116 has three separate Collective Agreements?

See our website for information at: <http://www.116.cupe.ca>

-that there is an ability to negotiate a flex-time work schedule?

See article 12.02, and contact your Union office for further details.

-that Union meetings are held on the Third Wednesday of every month September through June (no meetings in July or August). Held at the Barn Coffee Shop at 4pm. Please mark your calendar's and plan to attend your meeting to receive the most updated information on what is happening in your Union.....

Presidents Report June 2008

A manager's decision to fire a Tim Horton's employee last month in London Ontario, after she gave a free Timbit to a toddler erupted into a public relations nightmare for the coffee company.

CUPE Local 116 members who work at the Tim Horton's outlet on Campus are encouraged to make sure the customer is happy first and foremost. Our members are protected by a Collective Agreement that gives them the right to a Grievance procedure, proper training, and a workplace environment free from harassment that may occur under the direction of managements' poor judgement.

Union's are good for Business as they are associated with higher productivity, lower employee turnover, improved workplace communication, and a better trained workforce. Communities also benefit when workers have a voice on the job. The employee is committed to ensuring the success of an operation, as they are well aware that the very survival of a business such as Tim Horton's depends on repeat business which only comes with customer satisfaction. Unions play an important role in economic development. When workers receive family-supportive wages, good benefits and respect on the job, their standard of living raises. Not surprisingly, the community benefits as well.

CUPE BC Convention

At the CUPE BC convention in April delegates passed an emergency resolution calling on the BC Liberal government to restore promised funding levels to colleges and universities and give more support to post-secondary education.

The cut of operating grants of 2.6 per cent across the board for all colleges and universities came out of no where! The estimated effect of this cut could be \$50 to \$60 million in 2008-09 and beyond.

This year's convention focused on the theme of "Building Sustainable Communities" CUPE BC President Barry O'Neill had this to say about the cuts:

"What we have is really short-term thinking here – exactly the opposite of what is needed for strong and sustainable communities. A politically-driven 'quick fix' instead of an open and reliable commitment to students, staff and others in the post-secondary education system"

CUPE BC will be talking with government officials to seek an end to the cuts and discuss ways to get relief for colleges and universities struggling with enrolment and infrastructure pressures.

Income Replacement Trust Project

The Local has reported through our newsletter and at our Union meetings over the past year the need for a serious look at our governance structure and design of our IRP plan. Representatives of BCGEU, CUPE 116, CUPE 2950, the Faculty Association and AAPS have set up an IRP Trust Project Sub-committee; our first meeting was on May 1, 2008. The committee is vested with the responsibility to draft a series of documents and recommendations to enable the unions/associations bargaining agents to decide whether or not we want to participate in a union Trust for the purpose of governance and management of the Income Replacement Plan.

The committee has agreed that there will be a three step process in order to provide a logical progression of decision making by the unions/associations bargaining agents. The first step will be to develop a more complete draft of a trust agreement with a goal of providing a draft for the union to review in late June for our consideration. Second on the list would be to work towards describing the IRP in a series of documents (plan texts) and finally to look at a number of issues around administration of the plan (currently done by the Employer). Each new draft will be reviewed and updated until we have a final version ready to recommend to our membership.

Please watch for further updates as they come available.

Yours in Solidarity....

Colleen



Grievance / Arbitration Update

At this point in time, the local is experiencing a troubling increase in the number of grievances that we are having to file, as well as a dramatic rise in the number of cases that we are having to move to arbitration in order to achieve resolution.

Additionally, the new Human Resources Manager that was assigned to CUPE 116 has left the University. This means that we are having difficulty getting grievance meetings scheduled – although we are insistent that high priority cases, such as heavy disciplines, are heard expeditiously.

For this edition of the newsletter, I wanted to give a snapshot of the cases that the local currently has at arbitration, to give an indication and some insight into the volume and variety of cases that the local deals with.

Probably everyone is aware by now of the Attendance Management arbitration currently underway. So far we have had seven days of arbitration on this case and hope to be able to wrap up on June 30th – the next scheduled date.

We have a termination case in Plant Operations concerning an individual that was unjustly terminated last fall. We just recently were able to get tentative hearing dates – for this fall. We had so much trouble from the University getting agreement on an arbitrator that we had to get the Labour Relations Board to appoint one!

We have a promotion case in Campus Security where the Department chose a junior candidate for a promotion from part time to full time status – despite that fact that the senior employee worked full time hours for months prior to the job posting and continues to do so today.

We have an arbitration scheduled for July 3rd & 4th concerning a jurisdictional work dispute where we assert that the work of CUPE 116 Electricians has improperly been assigned to employees in another bargaining unit. The Union believes that this improper assignment of work is both a Collective Agreement violation and a safety concern.

We have had to go to arbitration on the issue of vacation scheduling in Campus Security. The Department has violated the Collective Agreement in that it does not consider unit wide seniority when assessing the ability to grant vacation. The Union's position is that for vacation requests submitted prior to March 1st of each year, (Article 16.09 of the C/A) seniority is the factor that governs whether or not vacation can be granted. We believe the Collective Agreement is clear on this point.

CUPE's legal Department is assisting the local in an arbitration involving the legislated end of Mandatory Retirement. The University is disallowing CUPE 116 employees from continuing to work past age 65, despite the legislation change, because the local will not enter into a blanket agreement with a reduced benefits package for members over 65 years of age.

The local is in the midst of a case dealing with identifying and understanding the types and categories of student employees at UBC. While student employment is a positive idea and of great assistance to students in times of rising tuition fees and other costs of living, these jobs cannot come at the expense of our members or of our work. We know that there are student jobs where the duties encroach on work that our bargaining unit members perform. We need to achieve an agreement where these students are covered by the relevant provisions of our Collective Agreement - including the payment of an acceptable wage.

We also have a disciplinary case in the Department of Physics and Astronomy where days after we managed to achieve a reduction in one case from a three day suspension to a written warning; the same employee was issued another three day suspension. Thankfully, we have an arbitrator agreed on this case and are currently seeking hearing dates.

The local also has two cases that involve the BC Privacy Commissioner's Office. One involves the installation of spyware on an employee's computer with no warning or notice. The employee ended up being terminated. The Commissioner has already ruled that the employer's action was illegal and they broke the law not once, but twice. UBC has decided to appeal the decision and meanwhile, the employee's termination arbitration is still outstanding.

The second case involves the sending of a number of employee's personal information to the U.S. where it is subject to the 'Patriot Act' - which essentially allows the unfettered ability to encroach on an individual's right to privacy as well as other rights and freedoms.

The local Executive firmly believes that this heightened grievance and arbitration activity is indicative of an unhealthy labour relations climate. The examples shown above are clear evidence to this point.

Staff Pension Plan - Proposed Changes Update

On another note, the results of the membership vote on the proposed changes to the Staff Pension Plan are in. 73% of voters were in favour of the proposed changes and 68% voted in favour of the 6.5% contribution formula and 1.8% benefit rate, as reported by the Elections Office.

The Staff Pension Plan Board of Directors will prepare a recommendation to the University to be reviewed this fall. It is expected that the proposed changes will go on to be presented to the UBC Board of Governors for approval in November of this year. The estimated implementation date for the proposed changes, if approved, will be July 1, 2009.

The Pension Board works hard to make the Plan fair and equitable for all members and would like to thank all those who participated in the vote. Please stay tuned for further updates as the process continues.

For more information on the proposed changes please view the SPP website at www.pensions.ubc.ca/staff.

In Solidarity,

Dave

Stressed?....Get over it!

Honestly, that's how I use to feel. If you don't like the situation you're in...Move!

Wow, I didn't realize how narrow minded I was or just naïve about the whole thing. Maybe I just thought stress was a small factor in our day to day lives and if it bothered you that much surely sitting in front of the tube at night would relieve it.....Wrongo!

I recently attended a course put on by CUPE with regards to dealing with stress and how it affects us in our daily lives. I understand that there are many ways to deal with it but what I didn't recognize is all the physical effects it has on our bodies, our families and our abilities to function properly, as well as all the causes of stress.

Then I tried to reflect on a lot of the issues I deal with as a Safety officer as well as an executive member of this local. It is absolutely staggering the numbers of issues we deal with that are a root cause of stress.

How did we get to this point? I don't really have the space in this column to dissect our societal break downs or how our culture has shifted to accept it as a part of life, but what I can explore is what I know and see, here in our work place. This being an Employer that was rated top 30 Employer in BC 2006.

Who rates these Employers anyway? And who did they ask their questions of to come up with things like "exemplarily initiatives". Perhaps the selection committee should have sat through the recent seven days of Arbitration before they came to their conclusion.

My mother use to say "you get more flies with honey than you do vinegar", of course I thought she was nuts but as I matured I understood it.

Do you think it would help your stress levels if: you came to work and everyone was treated equal. You had a say in the work that you do. Felt valued and respected. Safety concerns were met, not discarded. Given training and the proper tools to do the job to the best of your ability. A succession plan that offers you future opportunities.

I don't know about you, but these things would work for me, way better than the TV.

When we have, 200+ Grievances outstanding, 140 members from Plant Ops in the Attendance Management Program, never mind everyone from Food Services, Bookstore, Security and Parking.

When we have Safety Committees that are dysfunctional, and Employees feel discriminated against or told not to speak their language in the work place. When workers feel bullied, spied on, intimidated to do extra and told that their absence due to an injury has caused a hardship to their co-workers; it just may have an effect on your stress level. As well as the fact that we see our work constantly being contracted out, the writing on the wall isn't just graffiti and it is quite clear!

Wouldn't consistency in the work place help? With everything being decentralized and everybody trying to create their own silos with policies and procedures it's no wonder the left hand doesn't know what the right is up to.

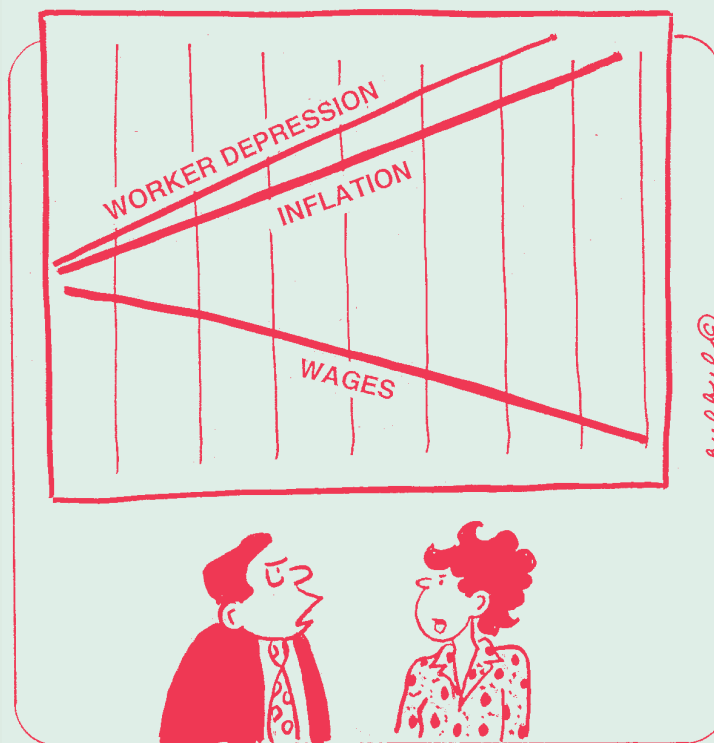
Unfortunately UBC slipped to top 40 Employer in BC 2008, I guess the "exemplarily initiatives" will have to be revisited and a whole new strategy explored, perhaps a committee with structured guidelines and help from a number of consultants this University has kicking around can save it.

If all goes well I retire in 2027, if the constant decline of the Universities status amongst Employers in BC continues it will be a top 135 Employer in BC.

How will that be for our stress levels? If you're worried it may increase.....Get over it!

Yours in Safety,

Barry Jones



"We're charting worker depression."

Peter Cunningham: Godfather of the UBC Cinnamon Bun



When I originally asked who was the master of the famous UBC cinnamon bun, Andrew Parr, head of UBC Food Services said Peter Cunningham. It made me wonder how many cinnamon buns one person could back over that time period. I don't need to wonder anymore because as soon as I arrived Peter said that he and Piyush had calculated that he had baked over seven million buns. That's impressive. So I asked him the greatest number of buns he's baked in a single night. 150 dozen which my calculator tells me is 1,800 buns. I have finally met the person who can open the vault on making great cinnamon buns.

I had originally intended to capture my interview with Peter on video but my digital ineptitude combined with Peter's nervousness at being in front of a camera put an end to that idea. But in truth I wish I had because words don't adequately capture his animation when he described how the dough is just right when the texture isn't too firm or soft, how you have to add a little of this and a little of that so that it's just so, that only experience can tell you when it's perfect and how hard it is to remove all the dough that ends up all over you after a night of heavy baking.

I asked him if anyone could make a great bun. "Anyone can make a bun," he said, "but it takes experience to make a great bun." Both Peter and Piyush agreed that the seasoned cinnamon bun connoisseur knows when there is the slightest change in the recipe or technique, and they definitely hear about it.

When I asked Peter what had changed over the years he said volume. Health concerns have decreased demand and also prompted the removal of trans fats from the recipe. Other than that the recipe is exactly the same as the one created by Grace Hasz in 1954.

A beautiful sleek oven with cinnamon twists baking inside is the new energy efficient computerized combi-oven that recently replaced the six-rack rotary oven that "took up the space of a small room," Piyush said.

The only other concession to time is that the mini cinnamon buns are affectionately referred to as "nanos." Although not available daily, they can be ordered through Catering, Central Kitchen or the retail outlets.

Now that's a beautiful marriage between tradition and modernity.

Courtesy of UBC Centenary
<http://www.100.ubc.ca/welcome.html>

CUPE Local 116 Young Workers Task Force

On June 23rd – 25th, 2007, the CUPE BC Young Workers Task Force (YWTF) hosted their first ever conference held at the Naramata Conference Center.

It was a weekend for young CUPE workers (30 and under) from across the province to come together and take some courses during the day, then network during social time in the evenings.

Some of the courses we took were "What's in Your Collective Agreement", "Know Your Rights" and some courses geared towards media and political awareness. They were very informative for those who had never taken them before. And for those that had, they were able to gain more out of it by helping to take the lead in conversations along with the facilitators. But of course it wasn't all about learning. The evenings were open to be able to meet with brothers and sisters, talk about issues, share a laugh and make good connections. There was also a wine tasting organized at the Red Rooster Winery as well as a small hike and campfire.

The weekend flew by. But all the conference goers can still keep in contact via our Facebook group. Search for "CUPE BC Young Workers Conference 2007". As well, as I go to more meetings and courses, we are meeting each other more and more as this conference really encouraged some of the people that weren't as active in their locals to take a roll. Some became stewards, some got elected as delegates. Others ran for executive positions. Speaking of Facebook, you may be interested to know that your own local has a group. Search for "CUPE Local 116 UBC" and you should find it.

We (YWTF) are planning another conference in 2009. And this time it will be bigger and better. But before then, I hope that I can see a few more younger faces come out to union meetings and take a real interest in what your union is doing for you. It isn't as boring as you might think. We have coffee, doughnuts AND door prizes!

In solidarity,

Keith Jellis
CUPE Local 116 YWTF

UBC Works because WE Do!

Contractor Deficiencies

With all of the new buildings being constructed by UBC Properties Trust there has been ongoing problems with contractor deficiencies. This issue is prevalent throughout the new facilities and the problems span through every area of the trades and range from shoddy workmanship to very serious design flaws that have resulted in either immediate or potential safety issues for the campus community.

One example of this is the Life Sciences building which is considered a state of the art facility. This facility has only been open for a few years and is currently still under construction in the basement levels. Due to the ongoing issues with the toilets flooding on a sometimes daily basis thus causing a large amount of trouble calls for Plant operations plumbers and custodial staff, it was decided that the toilets needed to be completely removed and replaced because the piping system would not accommodate the low flow toilets that were in place. This facility was designed with a special air recovery or negative air flow system that is in place to prevent the spread of toxic substances if there is a spill of some kind in a lab, this enables the users to isolate the substance in a particular area to keep everyone safe in the building while the issue is dealt with.

This system is extremely important to the health and safety of all of the buildings occupants but within the first couple of years when the system was activated the main south doors were sucked into the building by a vacuum type of effect, this has happened more than once and it has been by sheer luck that nobody was either injured or killed.

In the lecture theatres at the Hugh Dempster building the privacy panels were installed with improper hardware and were being knocked off by students moving their feet around under their desks, our Plant Operations carpenters had to install new hardware throughout the entire facility so these panels did not fall off and injure someone in the process.

There are many more examples of this throughout the campus. To this day our trades are still dealing with contractor deficiencies especially in the mechanical systems. This issue is very costly as these repairs are being paid for out of Plant Operations core funded maintenance budget. The union is told that Plant Operations management is working to recover the funds from UBC Properties Trust and we hope they are successful so there is not a further burden being placed on their ever diminishing core operating budget.

In solidarity,
Leah Murray

Support locked-out Journal de Québec workers

FTQ/CALM

It's almost one year since the office and editorial staff of Quebec City's Journal de Québec were locked out by Quebecor/Sun Media Corporation

Now, there is a national tour to publicize, mobilize and gather support for the issues surrounding the conflict between the 250 workers at the Journal de Québec, members of the Canadian Union of Public Employees (CUPE) and their employer.

Until April 22, 2007, the Journal de Québec had not lost one day of work to labour conflict. At the time of the lockout there was no threat of strike nor any preparation for a strike vote.

The company forced a lockout on its employees at a time when JdeQ was the best selling paper in its market.

The tour started in March in Saskatchewan, will visit most provinces, and will end at the CLC convention in Ontario during the last week of May.

In addition to raising awareness and mobilizing workers to speak out about the sad state of press freedom brought about by media convergence, the tour will raise funds to support the workers.

Quote of the day!

"The society which scorns excellence in plumbing because plumbing is a humble activity, and tolerates shoddiness in philosophy because philosophy is an exalted activity, will have neither good plumbing nor good philosophy. Neither its pipes nor its theories will hold water."

- John W. Gardner





Gregg Garbe speaking on the Universities draconian, Attendance Management Program.



Barry Jones speaking on a resolution about the need to ensure that workplace health and safety awareness is taught in the schools before our children enter the workforce.



Christopher Longford speaking on the importance on reaching out to recruit and organize young workers at post-secondary institutions, especially those working as researchers, or as technicians, and those in trades.



Keith Jellis speaking on the need to have a day recognized in May as Young Workers Day.



Dennis Magee speaking on how government interference has negatively impacted the apprenticeship program.

April 28, 2008

“Day of Mourning” at UBC

With a crowd of approximately 75 university workers in attendance, CUPE BC president Barry O’ Neil marked today’s international Day of Mourning with a call to end preventable workplace injuries on a campus that saw 300 work-related injuries last year.



CUPE 116 president Colleen Garbe used her remarks to urge the university to become more proactive in providing training for workplace safety and preventative measures.

“This is a great place of higher learning, and they talk about being a centre for excellence,” said Garbe. But when it comes to providing a safe workplace for their employees they can’t get it together unless they are forced by WorkSafe BC to do something.”

Nordahl Craig Cummings & Gares

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Incorporated Chartered Accountant

AUDITORS' REPORT

To the Members of the
Canadian Union of Public Employees, Local 116

We have audited the statement of financial position of the Canadian Union of Public Employees, Local 116 as at October 31, 2007 and the statements of operations and changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the Union Local's Executive. Our responsibility is to express an opinion on these financial statements based on our audit.

Except as explained in the following paragraph, we conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

Union dues and initiation fees and Defence Fund dues have not been subject to complete verification by audit procedures since it was not practical to extend our tests into the records of the University of British Columbia to substantiate the number of employees belonging to the Union Local and the earnings of those employees. Accordingly, our verification of revenue from this source was limited to comparisons of recorded receipts with deposits and with the monthly summaries prepared by the University. We were not able to determine whether adjustments might be necessary to dues and initiation fees, revenue over expenses for the year, assets and net assets.

In our opinion, except for the effect of adjustments, if any, which we might have determined to be necessary had we been able to satisfy ourselves concerning the completeness of the revenues referred to in the preceding paragraph, these financial statements present fairly, in all material respects, the financial position of the Canadian Union of Public Employees, Local 116 as at October 31, 2007 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.



Chartered Accountants
Vancouver, Canada

January 17, 2008



MEMBER OF POLARIS INTERNATIONAL
PROVIDING ASSISTANCE IN PRINCIPAL CITIES OF THE WORLD

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 116

Statement of Financial Position
October 31, 2007

	General Fund	Defence Fund	2007	2006
ASSETS				
Current Assets				
Cash	\$ 564,833	\$ 230,693	\$ 795,526	\$ 538,234
Union dues receivable	121,729	11,142	132,871	121,669
Interest and other receivables	6,552	4,542	11,094	11,336
Prepaid expense	7,387	-	7,387	2,960
Term deposits (Note 3)	<u>-</u>	<u>311,254</u>	<u>311,254</u>	<u>305,400</u>
	700,501	557,631	1,258,132	979,599
Due from UBC Employees' Society No. 116	-	-	-	18,605
Due from General Fund	-	8,382	8,382	174,795
Property, Plant and Equipment (Note 5)	<u>49,676</u>	<u>-</u>	<u>49,676</u>	<u>6,021</u>
	<u>\$ 750,177</u>	<u>\$ 566,013</u>	<u>\$ 1,316,190</u>	<u>\$ 1,179,020</u>
LIABILITIES				
Current Liabilities				
Accounts payable	\$ 238,601	\$ -	\$ 238,601	\$ 143,468
Due to Defence Fund	<u>8,382</u>	<u>-</u>	<u>8,382</u>	<u>174,795</u>
	<u>246,983</u>	<u>-</u>	<u>246,983</u>	<u>318,263</u>
NET ASSETS				
Invested in Equipment	49,676	-	49,676	6,021
Unexpended Revenue	453,518	-	453,518	267,029
Defence Fund	<u>-</u>	<u>566,013</u>	<u>566,013</u>	<u>587,707</u>
	<u>503,194</u>	<u>566,013</u>	<u>1,069,207</u>	<u>860,757</u>
	<u>\$ 750,177</u>	<u>\$ 566,013</u>	<u>\$ 1,316,190</u>	<u>\$ 1,179,020</u>

Lease Commitments (Note 6)

Approved by the Executive Committee

Canadian Union of Public Employees
Local 116
“On the front line”

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Website: <http://www.116.cupe.ca>
Facebook: CUPE Local 116 (UBC)

Please advise the Local of any changes to your home address, phone number, or personal email.



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.

UNION MEETING

When: June 18, 2008

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



BULLETIN BOARD

Return to Work Process

Please be advised if you are going through the Return to Work process and requiring any form of accommodation you are entitled to a Shop Steward to assist you through all meetings in respect to your return to work.

If you are currently in the process and do not have a Shop Steward working on your behalf please call the Union Office.

Income Replacement Plan Claim Applications:

Under the terms of the IRP plan, members must fulfill a waiting period of six months before income benefits are payable. You must be deemed totally disabled to work at your job or any job you are qualified to do in order to be accepted on the plan. If you are off work due to illness or injury that includes WCB and expect to be off for more than three months on sick leave, it is important to initiate a claim for IRP benefits.

Claim packages are available by contacting Grace Wang at the Health Promotion Office phone number 604-822-8696 or

by referring to their website at:

http://www.hse.ubc.ca/health_promotion/irp/irp_index.html

The application package includes three forms:

- 1) Plan Sponsor's Statement
- 2) Plan Member's Statement
- 3) Attending Physician's Statement

The adjudication of a claim can take up to 10 weeks or longer to complete and begins when all three forms are received, therefore, it is important that all paperwork is completed and submitted within the first three months of your medical leave.

The Members Decided – May 2008:

At the May membership meeting the following decisions were made:

- ✓ To send up to 4 members to a Political Action Conference June 9-11, 2008 in Vancouver and pay all associated costs.

- ✓ To send up to 4 members to the Young Workers Conference May 30-June 1, 2008 in the lower mainland and pay all associated costs.

- ✓ To send up to 4 Officers of the local to Calgary, Alberta to attend the Municipal Workers Conference June 17-22, 2008 and pay all associated costs.

- ✓ To send 1,500 dollars to the members of Cupe Local 1450,2808,1872 who have been locked out by the Quebecor Corporation Sun Media since April 22, 2007. To send a clear message to Quebecor Media management, that Cupe stands together to say NO to the economic terrorism currently being practiced by the Quebecor/Corporation Sun Media against its unionized employees.

Congratulations!!

to Lindsay Forsyth who is our new Trustee pro-tem, and to Betty Neilson who has been appointed by the Executive to sit on the board of Director's for the Society.....

DISCLAIMER: The opinions expressed or the articles published in the Union Newsletter are not necessarily those of the Editor or Executives. If you have any questions, comments, or letters, please contact the editor Roger De Pieri at the Union Office 604-222-0116 or Fax at 604-222-0113 or E-mail at newsletters@cupe116.com



Please visit our Website for more information at: <http://www.116.cupe.ca/>