



LOCAL 298 NEWSLETTER

"What We Desire for Ourselves, We Wish for All"

Issue #3 Volume #11 cep298@monarch.net www.cep298.com April 2007

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The rumours were rampant a few weeks back when armed Environment Canada conservation officers visited (raided) Eurocan. Allegedly, the offices of some high ranking Eurocan officials were sealed and some computer hard drives confiscated. There was even word being spread around that people were handcuffed. None of the above has been confirmed other than the notice put out by Dennis Clare at the time of the visit that advised employees that conservations officers were on site investigating an environmental incident that occurred in November 2006.

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Executive Officers For 2007

		<u>Tel #</u>	<u>Work Local</u>	<u>Job Title</u>
President	Mary Murphy	632-5201	3451 or 2568	First Aid/Stores
1st Vice President	Randy Dobson	632-7222	3513	Steam Plant
2nd Vice President	Don Klie	632-1352	2367	Pipefitter
Financial Secretary	Rick Wittmann	632-7623	3466 or 3472	Electrician
Recording Secretary	Dino Stamatakis	632-7199		Shiploader
Inside Guard	Dan Bellville	632-5935		Pipefitter
Outside Guard	Bill McEwan	632-3183		Lagger
Trustees	Paul Jeffery 3yr	639-0139	3513	Steam Plant
Trustees	Dave Andrews 2yr	632-2932		Instrument Mechanic
Trustees	Derek Smith 1yr	639-3022		Millwright
Chief Shop Steward	Steve Dudra	632-3850	2375	Tool Crib Attendant

Committees

Standing: Randy Dobson, Don Klie
Committee Steve Dudra, Dan Belleville
 Ilona Kenny

Wage: Don Klie, Mary Murphy
Delegates Randy Dobson

Job Evaluation:Kevin Read, Ralph Johnston,
 Arnie Carrita

Rehabilitation & Reintegration: Paul Jeffery 3yr, Pat Williams 2yr
 Steve Dudra 1yr

Employee\ Family Assistance: Mary Murphy, Gary Ewanski,
 Peter King, Ilona Kenny

Pensions:Gary Drake, Don Klie, Gary
 Ewanski

Sunshine Committee: Dorothy Birkett

Contracting Out:.....Derek Smith, John Miller, Don
 Klie, Kevin Gentile

Central Safety:.....Pat Williams, Paul Jeffery, Dave
 Andrews, Mary Murphy

Apprenticeship:Paul Wilson, Rick Wittmann,
 Kevin Gentile, Paul O'Driscoll

Women's Committee: Kelly Ruff, Mary Murphy,
 Brenda Tewnion

Chief Shop Steward	Steve Dudra
Yard & Stores	Ilona Kenny
First Aid/Stores	Len Hanson
Janitorial	
Raw Materials	Mike Holland Arnie Carrita Taylor Cross
General Equipment Operators	Steve Krevenchuk
Steam Plant	Jim Harrison Arnie Lepisto Clint Drummond Lucky Bhullar
Pulp Mill	Kevin Read Carl Wilson Debbie Newlove James Scrivens
Shiploaders	
Warehouse\Dock	Jason Smith
Maint. Pipefitter	Al Hummel Dan Belleville
Electrical	Rick Wittmann
Inst. Mech.	Pablito Mendoza
Millwrights/Oilers	Gary Drake
Millwrights	Derek Smith Paul Wilson Paul O'Driscoll

Is there a mistake in this list of shop stewards or committees? If so, please let the office secretary know and we will correct it.

Newsletter Editor: Don Klie donklie@telus.net

WARNING!!!

THIS NEWSLETTER IS RATED:

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FOR UNION!

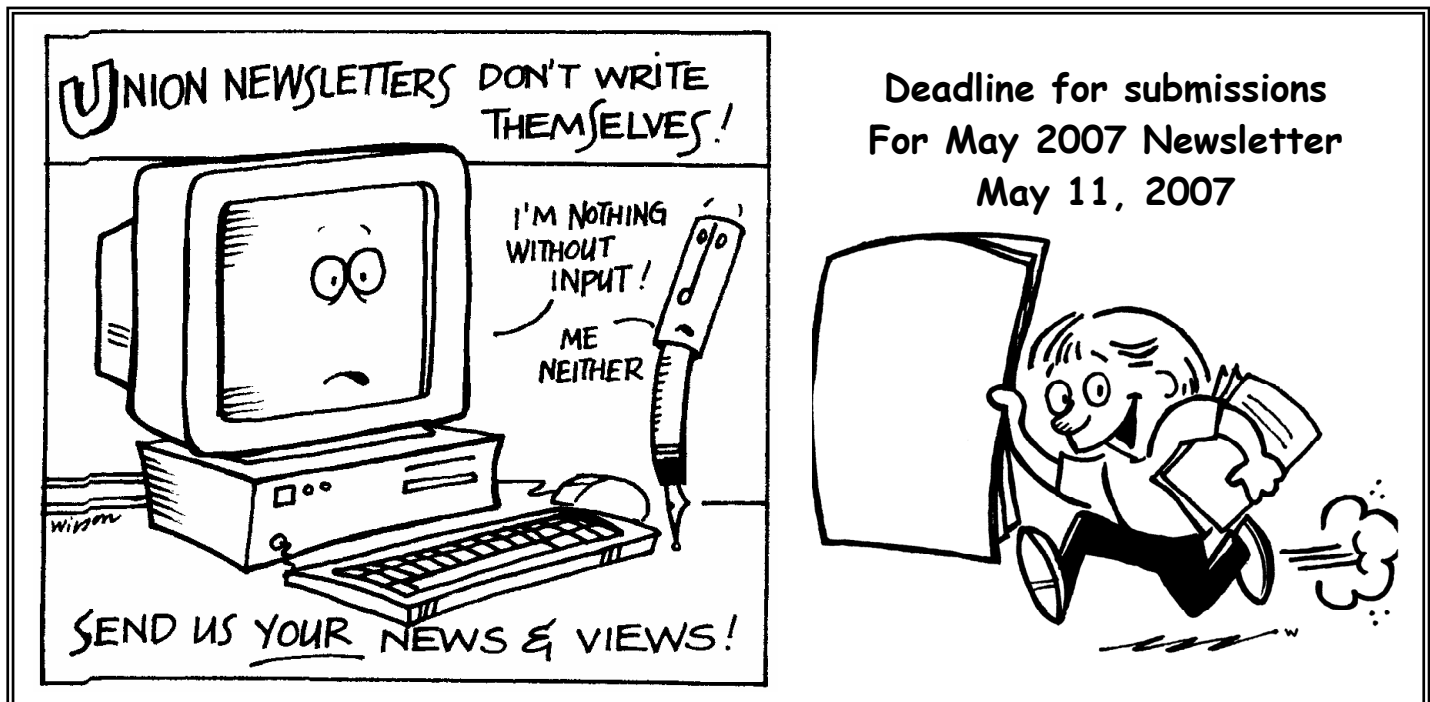
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Editor: Don Klie



Second Vice President's Report

Pay Our Fair Share

By Don Klie

At the March 2007 membership meeting the Local discussed the issue of the alleged dues underpayment to the National. This issue has been in the background for over 2 years and had finally come to a head. The National had sent representatives to the Local to explain their position and to impress upon the Local Executive that they would not accept anything less than what they were demanding; that we pay the alleged dues underpayment that occurred between 1997 and 2003.

The membership agreed with the Executive's position that the National was correct in their position and that we had to pay (*the Local has paid the National and received a letter thanking us*). The majority opinion at the meeting was that we wanted to pay what was required of us to pay, that our membership in the CEP was important and we had to pay our fair share.

While the National representatives assured us that they would not be coming back to us in the future for more back dues, they did tell us that we were still not properly collecting dues. Members who work the 12 hour tour work an average of 42 hours per week and thus have to pay on all of those hours. When it was pointed out to the National that 2 of those hours were overtime hours and that the constitution didn't allow for dues to be collected on overtime, the Secretary Treasurer stated that we were wrong in that position. We were informed that those are the average hours that employees work and that the dues collected on those hours were collected only on the straight time portion of the pay.

Again, the message from the membership was that whatever the National said we had to pay, that is what we pay.

One of the problems with the dues is the fact that Eurocan has been unable or unwilling to collect the dues on a percentage basis. This has resulted in our Local trying to estimate how much money is needed to be collected to fulfill the commitment in the constitution. The Union is currently in conversation with the Company to try to resolve the issue.

The following is an account of what occurred with this issue prior to the membership meeting.

Meeting With National Representatives

On Tuesday, March 6, 2007 Local 298 Executive met with a delegation from the CEP National and Western Region. From the National was Gaetan Menard, CEP Secretary-Treasurer (second in



command in the CEP); Jasen Murphy, charter accountant and assistant to the Secretary-Treasurer; Don MacNeil, Vice President Western Region; and Bob Hughf, National Representative. The meeting was called to discuss our alleged dues underpayment and the National's insistence that we pay that amount to them.

Prior to the formation of the CEP we belonged to the CPU and paid dues based on the hourly rate; that is for example, one hour's pay per month to the National. The person who did the actual paperwork of calculating the amount owed to the National was (and is) the union hall secretary. She indicated that if ever there was a mistake with the dues the people at the CPU National office caught it immediately and informed her of the error. We very seldom had any problems and especially nothing like we have experienced over the years as members of CEP.

When the CEP was formed in 1992 the dues changed to the following (current wording):

6.02 Per Capita to National Union

6.02.01.02

From per capita, which shall be, as of January 1, 2005, 78/100 of 1.0% (.0078) of basic pay (card rate), including cost-of-living payments, but excluding overtime, shift premiums and incentive pay. Locals may, at their option, use the method of averaging out the current hourly or weekly rates and submit on the basis of a flat amount, provided that it delivers the same amount of per capita to the National Union.

That is, we could pay a percentage of every hour of pay we earned, excluding overtime hours, or we could do a calculation based on an averaging method and pay that way. Eurocan was unable or unwilling to collect the dues on the percentage basis and so we had to use the averaging method.

At first there was a bit of confusion of just how the averaging method worked. In fact, in June of 1997 the CEP National office informed us we were using the wrong formula and asked us to use a new formula and to pay the amount we were short for the last 3 months. The new formula was:

Average hourly rate X number of hours worked X .0072 = National remittance. (.0072 was the figure at the time)

It was a bit strange at the time because up until that time, every time the dues were sent in Local 298 received a response saying that the dues had been received, that our calculations were correct and thank you very much. At that time the National at one point was requesting that we also pay for the short fall in dues for the past three months. Eventually, Bill Whitty, Local 298 President was successful with having the National drop the request for the shortfall for the past 3 months of dues.

The first cheque sent in 1997 for the dues with the new formulae the union hall secretary used the figure of 160 hours as the number of hours worked in a month. She believes that she was the one that chose the 160 hours figure as the average number of hours worked in a month, that is, on average there are 4 weeks in every month times 40 hours. We received a letter from the National office stating "Your remittances balance with my calculations".

For the next 7 years that was the formulae we used and we were always told everything was correct. In February 2004 the National wrote us and said:

"Please use 174 hours in your dues calculation (40 hours per week X 4.35 weeks = 174 hours). That said, you have a short payment of \$813.55 for November 2003. We have reason to believe that your previous dues remittances are erroneous. In the weeks to come, we will review your file and communicate our results to you."

While we readily agreed to change our formula and use the 174 hours as the average hours worked in a month we did not agree that we owed them any extra money for the period we used the figure of 160 hours. Eventually they would inform us that they expected us to pay them over \$64,000.

Over the past two and half years on behalf of the Local I have written letters to the National appealing their ruling and telling them we would not pay this alleged dues underpayment.

At the meeting on Tuesday I told the National representatives what we had here was a case of contract law and that in 1997 there were discussions regarding the dues; we agreed to pay the dues as requested and sent them a cheque and indicated the

formula we were using and we were informed that our remittances balanced with their calculations. I said under contract law we paid what they had requested, they accepted what we gave them and that was therefore a binding contract. I told them that it was my opinion that we would not be paying this amount and, what were they going to do next. They were very upset and made some of the following comments:

1) That it was a clerical error that their office had made for seven years and that a clerk's error did not relieve us of having to pay our fair share, and that they did not check every remittance from every local. Menard said that if he was to make a statement or decision that that would be different and we could use that as a defense but this was not the case now; the Secretary-Treasurer of the day did not give anything in writing at the time so we lose.

2) There were examples of other errors where some Locals got money back and where some Locals had to pay. The Locals that had to pay did not like it either but they eventually agreed to pay. Some of the Locals even had their dues going directly from the employer to the National and even though the Locals themselves never saw the money they had to pay back dues of several years.

3) They said if this was Revenue Canada that we would have to pay and there would be nothing we could do about it. (I responded that my father had taken on Revenue Canada and that he had won; it cost him a substantial amount of money, but in the end the principle that he stood up for was upheld.)

4) They said that the Constitution was the governing authority and that it gave the President the authority to rule on any issue and that once he had ruled there was no appeal.

5) They said if we refused to pay they would recommend at the next National Executive meeting in June that Local 298 be put into trusteeship.

6) They said that if we agreed to pay the money, and if we agreed to pay it in a lump sum or continue paying the amount we are currently paying, for the welfare benefits loan that we got during the strike, until the amount was paid off, that they would lower the amount to about \$55,000.

There was also another issue raised, that of Local 1127 having to pay dues on 42 hours per week (the average hours worked by our workers). The constitution clearly states that overtime is excluded from the dues calculation and our Labour Agreement clearly states that the Company will pay overtime for any hours worked over 40 hours average per week. I said that collecting dues on these hours was wrong. Menard disagreed and said that since we have our workers in our Local working the average of 42 hours per week, something they were previously unaware of, that they would be letting us know sometime in the future what we would have to do to address that

alleged shortfall. He again stressed that they had the authority to rule on this and nobody else.

We caucused at that time and reviewed our options. No one liked the option of being put into trusteeship but we didn't know what else we could do. Eventually, the Executive agreed that before committing to anything one way or the other we would contact our lawyer and see what advice he would have.

When the meeting reconvened we only asked for clarification of the repayment options. We did not commit one way or the other to pay the amount requested, nor did we tell them that we were seeking legal advice on the issue.

Our legal advice was that the constitution is a contract just like any other contract and that we can seek redress in court. The CEP National is not Revenue Canada and so they cannot rely on that example to bolster their argument. Regarding trusteeship, from the constitution:

12.03 Trusteeship

12.03.01

The National Executive Board may appoint a temporary administrator to temporarily conduct the affairs of a Local after receiving a request from the Officers or membership of a Local for such action, or when the National Executive Board believes there is a controversy which adversely affects the welfare of the Local's membership in a manner which threatens the Local's existence, the welfare of the National Union, or the closing of a plant, which constitutes the sole jurisdiction of the Local, is imminent.

Obviously, we were not asking for the trusteeship, this controversy was not adversely affecting our Local's existence and the alleged \$64,000 did not threaten the welfare of the National union, etc, so the National would not likely win that argument in front of an unbiased observer. If the National tried to put us into trusteeship we could get a court injunction to stop the action and they would then have to do something else legally if they wanted to pursue the dues matter.

Legally, the National could only go back 6 years once they filed a claim. Since they hadn't filed a claim yet they could only go back to 2001 if they filed that day, which they hadn't.

If we had taken this to court and lost, the National could not discipline us in any way. We had not violated anything in the constitution. We are allowed to challenge their rulings as long as we follow the constitution while doing it. We followed the constitution and exhausted all of our appeals under the constitution.

Incompetence At A High Level

There are a number of things with this whole issue that are particularly frustrating to me. There is the fact that since 1992, the inception of the Communications, Energy and Paperworkers Union of Canada, our Local has never paid the correct dues to the National. Even though we have several years' worth of letters from the CEP telling us we were paying correctly, our status today is that we have not paid our dues to the National properly since 1992.

There is also the wording in the constitution that says we do not pay on overtime hours. The Secretary-Treasurer and the National insists that people working an average of 42 hours a week, the last two hours being overtime, have to pay dues on those overtime hours.

I believe it is the National that is responsible for this affair. They have a responsibility to each and every member of the CEP, all 150,000, to properly collect dues and they have failed miserably in this respect.

Last year Locals were made aware that the bonding insurance that the National used to carry for all of the Locals was no longer available. Apparently, when the insurance providers did an audit of the National's practices and procedures, they found several shortcomings; one of them being dues collection. Eventually the insurance company would no longer provide the coverage because the National's house was beyond repair. The National has even had to put in a wavier on the constitutional requirement requiring Locals to have bonding.

From the constitution:

12.07 Responsibilities of the Locals

12.07.07

To provide for the bonding of five Local Officers who handle Union funds and property within limits established by the National Executive Board; (This Article will be temporarily suspended until the National Executive Board has found a solution to the problem of bonding.)

The section in parentheses had to be added at the 2006 constitutional convention because the National could not get its house in order.

Another cause of frustration is that I'm not sure what the best way is to fix the problem with the National. Earlier I had noted that the Local 298 Executive had taken the position that we had to pay the dues underpayment. There was not unanimous support for that position. I, along with another member, was opposed to paying the underpayment. I believe we should have taken on the National and forced this issue into the open. I believe we would have been successful in at least reducing the amount

we had to pay back, but just as important I believe we would have forced the National to clean up its house.

Some believed that we would have spent more on defending ourselves than simply paying off the underpayment. While that was a possibility, I believe that we have gotten no assurances from the National that they have truly cleaned up their own house. I believe that the principles involved here were worth the cost of the fight. The CEP National has to get its house in order and we had the opportunity and the responsibility to take them on.

Some people think that we could take this issue to the constitutional convention and discuss the issue with the whole of the CEP. There are a number of problems with that approach. Firstly, we haven't been sending anyone to those conventions over the past few years. Secondly, in order to discuss the issue you have to submit the issue in a resolution. Then you have to hope the issue is discussed on the floor. Quite often the Resolutions Committee that meets prior to the convention makes recommendations to combine several resolutions and then recommends that those resolutions be voted on all at one time. The resolution committee can also make recommendations to defeat certain resolutions. While it isn't impossible to get a resolution to the floor and discussed and voted on it does take a significant effort. And as I noted earlier, we very seldom participate in conventions.

In The End

While I was opposed to paying this underpayment, I respect the position the membership have taken. The membership had an opportunity to discuss the issues and the decision was made.

The Executive is committed to once and for all making sure that our dues to the National union are correct. In the future there will be changes on just what amount of dues are collected so that we are in compliance with the National. The Executive will do its best to keep the members fully informed as to what changes occur.

Talking of Overpayments

Over the years I have heard of members who were paid by the Company more money than they were entitled to. Usually what occurred was that once the overpayment was discovered by Payroll the individual would notice that their next pay cheque would be less than what was expected. Sometimes the individual would have been informed prior to the deduction being made, but often the individual would

only be made aware of the issue once they were in receipt of their pay cheque and followed up with a conversation with their supervisor or a call to Payroll.

The Employment Standards Act does not allow for the employer to unilaterally deduct this money from the individual's pay cheque. In fact, all deductions from a pay cheque must either be in accordance with the law or with the collective agreement.

This means that when the Company discovers that there has been an overpayment they must first ask the individual to repay the amount. While the individual is most likely required to repay any pay cheque overpayments, the individual can set the terms of the repayment plan. Should the individual not agree to repay the money or should the Company not accept the individual's repayment plan, the only option the Company has to recovery its money is to file a grievance.

If the Company has unilaterally taken deductions from an individual and subsequently that individual encountered problems (such as not having enough money in their bank account to cover a certain cheque or debit) then the individual could file a grievance seeking damages from the Company.

The Union will be raising this matter with the Company at the next Standing Committee meeting. I would encourage anyone who encounters this type of problem to contact their Shop Steward or Standing Committee representative.

Good Turnout For Shop Steward Training

In early March Local 298 had a training session including the Executive, Shop Stewards and Standing Committee members. It was encouraging seeing a number of new volunteers for the position of Shop Steward as well as seeing a number of veteran Shop Stewards who were continuing to represent the members. The training session was basically to help re-enforce correct procedures for making out and filing grievances, getting to know one another and to report on each of the areas represented by the various members.

At the end of March a few of the new Shop Stewards also attended a training session put on in conjunction with Local 1127 and CEP staff representative Bob Hughf. They took the standard course offered by the CEP and CLC, Steward 1 and 2.

There are still a few areas and crews in the mill that require a Shop Steward; Shiploaders/Labourers, Warehouse Powerlift Operators, Janitorial, Raw Materials, Welders, and Heavy Duty Mechanics. The goal is to have a Shop Steward for each crew; that is,

for every Supervisor that has a crew there should also be a Shop Steward. Anyone wanting to volunteer should contact Mary Murphy.

SNAFU

Situation Normal, All F__ked Up!

That seems to be the current state at Eurocan these days. For the past 10 to 12 months the Mill has been going from one problem to another. And things seem to be getting worse.

For years prior to the 2003 strike the production record at the Mill was less than stellar. Sometime around 1997 the Company came to the conclusion that our productivity was too low and so job reductions were seen as the best way to improve the numbers. The Company offered "golden handshakes" to management personnel at the end of 1998. In 1999 the Company reduced manning of the hourly workforce, offering buyouts, cutting job positions and reducing by attrition. Prior to 1999 there had been a steady slow rise in total tonnes produced at Eurocan. In 2000 and for the next three years Eurocan produced less than it had in 1999.

Finally in 2004 things seemed to turn around. After recovering from the strike in 2003 and the subsequent equipment failures, we began to break record after record, starting in late February 2004. We also began improving our safety statistics.

In the Papermill we had several months where we surpassed the 1300 tonnes average per day. What was really obvious in the Papermill was that we weren't having the many unscheduled down days because of breakdowns and catastrophic failures that had become so familiar in our Mill. And, quite often if there was a breakdown or curtailment in production, it was often minor and we either recovered quickly and made the 1300 tpd or very nearly did.

This period of relatively few breakdowns and catastrophic failures appears to have come to an end. While it is hard to put a finger on it, this failure free time period appears to closely correspond to the time that Rick Maksymetz was at Eurocan as Mill Manager. It appears that ever since Dennis Clare has assumed the reigns of power at Eurocan our fate, and our production has taken a turn for the worse, reminding us of the days of Lon Schroeder.

One cause of some of the problems at Eurocan can likely be associated with the Turbo-Gen project and the subsequent coming on-line of this equipment. We have had several power bumps at Eurocan since the Turbo-Gen came on line and after the last bump our Steam Plant had to shutdown the Recovery Boiler and the Mill personnel evacuated

because of a tube leak. It took almost a week to recover from that "catastrophic failure".

There have also been minor problems that seem to keep us barely ahead of the next "failure". In the week following the boiler tube failure, we had problems with refiners in both the Pulpmill and Papermill, which negatively affected production.

And then we had the plug screw feeder in the CMP completely destroy itself. The spare feeder had been replaced about a month prior and had actually just been sent out for repairs when the current feeder failed. The old feeder, on its way to Edmonton for repairs had to be turned around and brought back to the Mill and put on standby in case the new one that was being delivered didn't work as hoped.

And just as we were almost getting back up to speed, #1 Paper Machine Winder became severely damaged when the crane operator tried to lift out the reel with the clutch still engaged. This failure ended up shutting down one paper machine for an extended period of time.

Confusion Reigns Supreme

Production hasn't been the only area that has been negatively affected recently. In the last year there have been at least two incidents where operators doing keybox lockouts of equipment have mistakenly locked equipment out with the power supply locked in the on position. In one incident the operators were senior people with years of training; the other incident involved junior employees who had barely been signed off for training. In the second incident the maintenance employee only checked the start/stop button after he had been working on the motor's coupling.

Several maintenance employees have responded by, before applying their personal locks to the lockout board, going around and visually inspecting each isolation point to ensure that the locks have been applied properly, that power is off and the drains are open.

The mill evacuation that occurred because of the boiler tube leak showed again how poorly prepared we are a for mill evacuations. The problems that have occurred with every mill evacuation occurred this time. There was confusion, lack of communication and no clear directive for who the evacuation affected and whether or not people should in fact be evacuated. We have been very lucky over the years that the incidents that have caused the mill evacuations, whether a drill or real threat, have not resulted in injury or tragedy.

(continued on the next page)

What's A Person To Do??

I don't believe anyone really knows why these things have happened. Our mill management has adopted the DuPont Safety Program which has as its core belief, every accident is preventable. This is based on the proposition that if you look back at what caused the accident you could take steps that would prevent it from happening again.

That belief seems to take the position that all risk can be managed and reduced so that accidents won't happen.

But how do you, a hundred percent of the time, prevent a boiler tube leak? How do you, a hundred percent of the time, prevent a power bump? How do you, a hundred percent of the time, prevent someone from locking the power in the on position? How do you, a hundred percent of the time, prevent a catastrophic accident or death?

Over the years we have seen the catastrophic failures and deaths.

At Eurocan we have witnessed several deaths and even a cluster of deaths; 5 in a 12-month period in 1977-78.

During a 12-month period in 2001 and 2002 Eurocan had 4 serious injuries which resulted in those employees ending up in the Vancouver burn unit.

In 1978, after all of the deaths, the mill manager revamped the safety program at Eurocan and focused time, energy and money to improve safety.

In 2002, after all of the employees were burnt, Local 298 aggressively pursued safety issues with the Company. Our rallying point for the strike in 2003 was safety.

In 2004, after all of the equipment failures; the Contaminated Hot Water Tank collapse; the bearing failure on the Winder; and the multiple bearing failures on the paper machines, Eurocan spent time, effort and money on fixing and maintaining the equipment.

A Stitch In Time Saves Nine

The only advice I can give to fellow employees and to management at Eurocan for avoiding the catastrophic failures or accidents in the future is that we must all focus on the job at hand; we must raise our standards; we must act as we did after those previous catastrophic failures. If we don't do it before the catastrophic failures occur, we will be forced to do it afterwards; and hope in the meantime that each of us will still be alive and healthy after those failures.

CRTC hearing pandering, says CEP

OTTAWA - The idea of the Canadian Radio-television and Telecommunications Commission (CRTC) giving Canadians 35 days to review the largest television deal in Canada's history is nothing short of a charade at transparency and public accountability, says the Communications, Energy and Paperworkers Union of Canada, Canada's largest media union.

"The CRTC needs to hold full public hearings on the concentration of media ownership in this country," says Peter Murdoch, Vice-President, Media for CEP. "It has the mandate and the responsibility. Trying to squeeze a brief review in before major deals get signed is a regulatory shell game," he says.

In early February, CEP wrote to the CRTC's Chairman, Konrad von Finckenstein, to ask that the CRTC hold a public hearing concerning concentration of ownership in Canada's broadcast media. The CRTC has never held a policy hearing on concentration of ownership in broadcasting, though it has held public hearings on many other important issues, such as religion, and the portrayal of women by the broadcast media.

The CEP pointed out in its letter to the CRTC that concentration of ownership in Canada's private television sector is staggeringly high. In 1983, the four largest companies in private TV controlled 37% of the sector's revenues. In 2005, the four largest companies controlled 86% of those revenues.

The CRTC did not answer CEP's letter, but announced a public hearing on March 1, 2007 to consider BGM's purchase of CHUM's 33 radio stations, 12 television stations and 21 specialty television services. BGM announced this purchase in July of last year.

The CRTC hearing will begin Monday, April 30, 2007. The CRTC wants Canadians who are interested to file their comments by Thursday, April 5, 2007 -- 35 days from the time the CRTC announced its hearing.

"Why the rush?" asks Mr. Murdoch. "How does giving Canadians so little time to review a \$1.3 billion deal and media concentration constitute the 'open, transparent and accountable' process to which Mr. von Finckenstein has said Canadians are entitled?"

Whose hard work?

Internet/CALM

When a man tells you that he got rich through hard work, ask him whose?

— Donald Robert Perry Marquis, author, humorist, columnist

BELLEVILLE'S Views

Times a changing

By Dan Bellville

There was an emergency meeting called by Jack Patrick (in January) to deal with the De-locking of a lockout board equipment and this is known as the Key Box Procedure.

In order to do this lockout procedure it takes two qualified operators that know the system or one qualified operator and one qualified Supervisor that know the system that they are locking out. A third person can be used along with the two qualified people for the purpose of training. There are procedures that must be followed when doing these lockouts; so, the persons doing these lockouts must have been trained on how to follow them. Being trained on the procedures on how to do lockouts does not allow you to do a lockout on a system unless you are "TRAINED ON THE SYSTEM AND KNOW HOW IT WORKS!!!

In removing the Key Box lockout it takes two trained operators on the system to do this job because many times set up of equipment is involved to complete the lockout.

Well when we met with Jack Patrick and the rest of the lockout committee members we found out that Jack wanted to change the De-locking Procedure. Jack said the Company didn't think they had a hope in hell of winning the Arbitration that had just happened over this issue. Therefore he wanted to change the procedure to read that it will only take one trained operator to remove the locks on a Key Board Lockout.

Both Unions were against this because of major set-ups of some equipment in order to put equipment back into service.

Since he couldn't get the Union Members and some of Staff members to agree with this he said not all Lockouts are complicated. There are ones that don't need any set up done and a Supervisor could sign off on the ones he thinks don't need two people. Well every one knows how that would work!

The Union members, both 1127 & 298 didn't like this idea because it sent a mixed message on how de-locking was done. One Supervisor's opinion on what is an easy lockout could be different than another; also, we have Supervisors that are not trained on all of the systems. Can you imagine if a worker refused to do a lockout by himself, "more time off without pay"!! Or, we would be calling in WCB because we refuse to do unsafe work.

Finally, we noted that there would have to be strict safe guards put in place before this could happen. Also, when this was done it would have to be sent to the JH&S Committee for approval

Well since that meeting the Company won their case against two of our members because they told the Arbitrator that their de-locking procedure mirrors the lockout procedure.

So in light of this ruling by the Arbitrator the Union is happy to follow the ruling that it takes two trained operators that know the system to do the job.

Therefore, if anyone is asked to de-lock the Key Box board by himself or with a trainee you should inform the Supervisor that it would be a lockout violation and is not allowed by anyone. If the Supervisor insists that you have to or you will be sent home or anything along those lines, just say get me a Safety Captain and a Shop Steward. When they arrive inform them that you want to proceed with the procedure for the right to refuse unsafe work. Remember to always follow the procedure through every step be the WCB officer will ask you if you have done this.

A VIOLATION of the LOCKOUT RULE, the Company says, is a serious offense and will be subject to discipline action that can lead to you being fired.

Can't Teach Old Dogs New Tricks

Another meeting was called to deal with some changes on the lockout boards and how lockouts are checked.

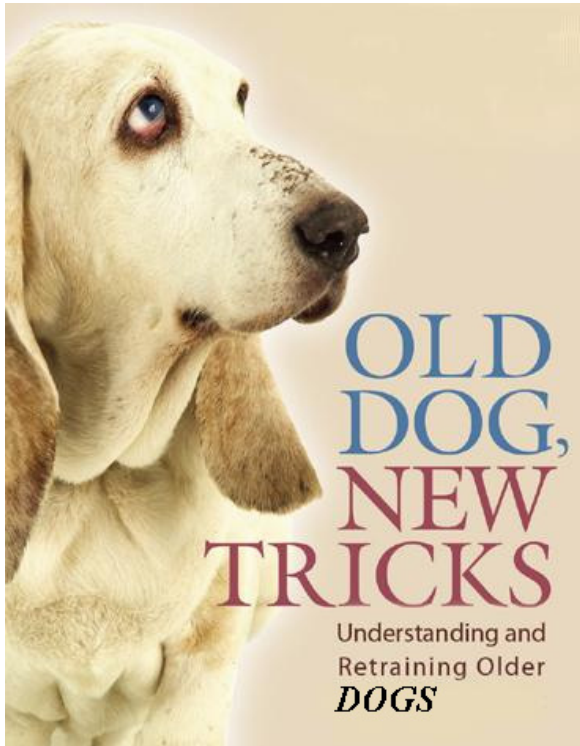
The changes on the lockout board had to do with the sheet used to inform every one of changes made after a lockout is done or what precautions must be noted. Up until now we had two different sheets that we used and now we want to get rid of one and use the other one throughout the mill. We had no problem with this idea of using a standard form. With a few added points Jack will take this to the JH&S Committee meeting for their ok.

Also, the subject came up about the right of Maintenance Workers to check out the lockout that they are working on. Jack was the only one that didn't think they did and he will check with WCB to see if they do. He believes that we have everything in place to protect the workers and this is a unnecessary procedure wasting time and money. We agree with Jack that we may have the best lockout system in place if it is followed to the letter, but things happen in the real world that upsets the cart some times. We are human and errors happen even when it is staring us in the face; we may not notice something we have been doing for years. People are given too much work while doing lockouts, needing to stop to do something else then continue with the lockout, Crews are running shorthanded; lots of these lockouts are given too close to the end of a shift. Many are done

at four in the morning when everyone is tired. We have a lot of new employees and supervisors that are not completely trained on the systems but are asked to try and do them. All of these factors have to be looked at and that is why we constantly monitor our procedures, and people should be able to check out the lockouts. In saying this I mean I should be able to check out the part of the lockout that concerns the equipment I'm working on. I may not need to check out the whole lockout system because I will not learn it all anyway and that is the operators' job and he can show me what I need to know.

Jack has been here two years now and that's about the time the Company lets a new safety rep run his department before they put the squeeze on him to save money. I think the pressure is being applied as has been done to others in the pass.

I believe that if there is an issue with something unsafe or there is a possibility something should be done.



Well, Jack says he has to change the thinking around here and I'm from the old school of thought and ideas. This is when he starts talking about risk assessment numbers, and how often is a person exposed to the hazard? What is the seriousness of the injury and have we had any deaths or workers losing limbs because of this? If you say "one" you multiply that what do you get? NO CHANGE! This is the same system they use now to score what safety projects will be done this year with the safety fund and the system can be used to get what they want not us. Do you remember the risk assessment they did on Recaust when we were fighting for warm water eyewash showers? The Company rated

Recaust as a low hazard using this risk assessment, but when Engineering did it they rated it a very, very high hazard area.

So I don't get it, is this Family Company saying that we need Death or workers losing body parts before we will spend money to make things safe. Think about it, when did the push for guards? It only happened after a person was killed and another one seriously maimed. Is this a message the Company wants us to hear, "THAT THERE ARE RISK WE ARE WILLING TO TAKE"?

Well if that is how the new school works!!! VOTE ME OUT !! I would like to live to see my retirement and also if possible keep all my body parts even though they may not work as good as they did when I was younger

We all know it costs money to make things safe but it could cost more to not do anything. If that wasn't the case why would Eurocan spend all that money fighting lost time injury's and cry to the WCB to pay less money on their insurance premiums.

Well all these issues will have to be dealt with by our Joint Health and Safety Committee.

But remember, it's you and I that have to watch out for one another because we are the ones put in harms way everyday. So please take the time to get the proper equipment to do the job productively and safely.

**Just and old country boy from the old school
Dan Belleville**

Can We or Can't We

On March 16/07 an Emergency Lockout Meeting was called because Maintenance has recently been insisting on doing lockout audits prior to beginning work on the large key box lockout. Jack Patrick said this has caused business interruption and he didn't think Maintenance had the right to do this. Everyone else said that we were sure they did because of their own safety concerns. He said he would check with the WBC to see and let us know, but he never brought up the subject at the meeting on March 21/07 so I assume the workers do have that right.

After a lot of discussion on the use of one man to be used for de-locking Al Green and Tony McWhannel said that they would always use two people to do the de-locking because it was probably less trouble to continue with this method then trying to change things. This is something Local 298 union reps could agree with because there was less chances of human errors happening because someone decided if it took two trained people or not. They also said they would make sure that a senior

trained operator would be used and this should help get the confidence back into the lockout system.

Also, if someone from the area in Maintenance could follow an operator the day before to check out the lockout system that they would be working on to see if all the lockout points were marked. Al Green said it was the Maintenance Supervisor's responsibility to check that the lockouts were done correctly before he sent his workers to do any of the work. I told him that the workers are insisting that they have the right to check the lockouts because this Company tends to discipline first and ask questions later.

There are also several different lockout audits on every system being done the week before the job is to be done. The Company is now talking about doing test lockouts using tags for training purposes without really locking the systems out and have senior operators checking to see if they are done right. This would help with the training and making sure all the lockout points are in place. There are many more ideas being developed and will be sent to the JH&S Committee for their OK. All of these ideas are great but like everything else in our SAFETY MANUALS, IF MANAGEMENT doesn't follow through it's just SMOKE IN THE SKY and is USELESS.

M. Martins was the only hold out and said he would have to check with the Papermill on the use of two trained operators to do the de-locking. There was no one from 1127 at this meeting to represent their members, so Michael said he would have to take it back to the management and 1127 reps because they may want to keep the flexibility. I have talked to the 1127 reps and they are totally in agreement with our position and that is the way the arbitrator ruled, in favor of the Company, that it takes two...!!!

Also, I was told by our JH&SC Members that a letter has been sent to upper Management stating that is the position of the JH&S Committee.

Even after this incident we had another incident where the valves had been closed and the sheet was signed off but the locks on one valve had not been put on. I couldn't believe this because I was sure that the procedure for doing the key board lockout was to take the ring of keys that match the number of lockout points. That way if you were left with too many locks you knew you must have missed something and would have to go back and find the error. But, when I asked about it I was told that they haven't used that system for years because of lost locks, ones that don't work and it costs too much for all the different lock rings. I was on the safety committee for years and don't ever remember this subject coming up and who decided to remove this method of double checking the locking system. I was under the belief that changes had to go through

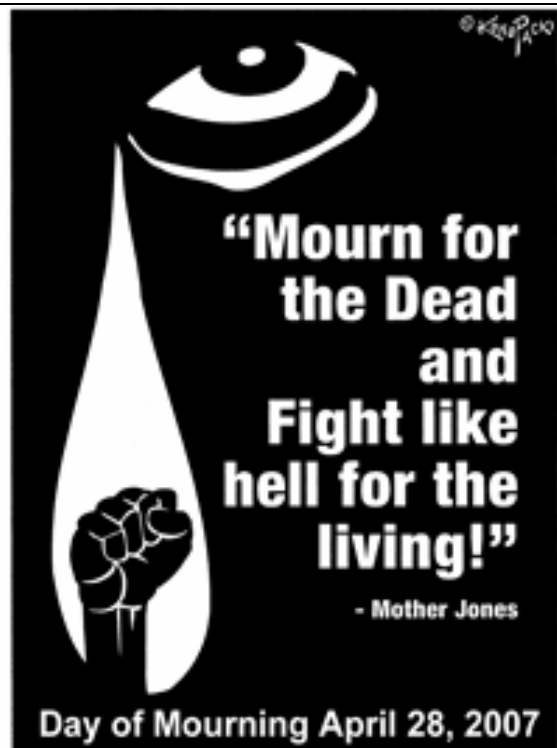
the JH&SC and not be changed by the ideas of just anyone.

There are a lot of changes happening around here with bosses leaving and new ones taking their places. Some are getting move ups, some are being demoted to concentrate on certain areas and many are getting the shaft and doing extra work without any pay raises. And, if anyone sees Hank or Miller ask them what is happening around here. Why is everyone leaving? How come all the Staff are unhappy and seem to be all stressed out and not able to make their own decisions on how to run their departments? Ask him if he could answer these questions in a letter so we can print it in our newsletter. Yes, these supervisors are under a lot of stress and we have had a couple that may have lost it because of the stress, and many leave before they succumb to the pressures. I know we workers do add some stress to their lives also, but I thought that was part of my job to help get things done and put a different colour in their hair, or have less hair to worry about.

I do wish the new and old Supervisors the best in doing their jobs and hope they can change things around for the better but I'm not going to hold my breath.

I'll be away from April 14 until August 7/07 and will be somewhere stress free, either on the lake fishing, swimming, laying in the sun and/or golfing. There may be a little stress when my wife drags me to the shopping malls, but I'll try to leave that to her sisters. Until I return please watch out for one another because I want to see you all in good health and with all your parts.

Just a Country Boy (Trying to telling it like it is)
Dan Belleville





Bob Burke-Smith

December 3, 1937 – March 4, 2007

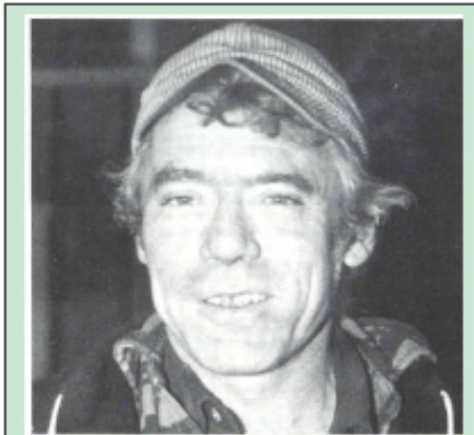


Photo of Bob Burke-Smith from the Eurocan News publication, Summer 1981 .. Bob was pictured with new officers of the Social Club ... he was elected to the position of Social Convener that year.

The Company regretfully announces the passing of Eurocan retiree, Bob Burke-Smith. Bob passed away peacefully on Sunday night, March 4th, 2007 with his family at his side following a courageous battle with cancer.

Bob joined Eurocan on April 19th, 1972 as a Pipefitter in our Maintenance Department. He retired on December 31st, 1999 after 25+ years of dedicated service.

Bob's cheerful and friendly nature always brought a warm smile to those people who had the privilege to know him. His many close friends and acquaintances at Eurocan will sadly miss Bob.

A Memorial Service for Bob will be held at 1:30 p.m. on Friday, March 9th at Kitimat's Christ the King Catholic Church. An informal gathering of family and friends will follow the service in the downstairs church hall.

In lieu of flowers, the family has requested that donations in Bob's memory may be made to the B.C. Cancer Society or the Kitimat Hospice & Palliative Care Unit.

Our sincerest condolences and prayers go out to Bob's family, their sadness is shared by their many

friends at Eurocan, especially to his wife, Ann, son, Jeff and his daughters, Robin and Shelley. (The above information and picture were provided by Carole Gagnon, Eurocan's Communication Coordinator.)

(The following information was provided at the memorial held for Bob and from the **Northern Sentinel**.)

Bob was a loving and giving man. Bob will be sadly missed by his wife of 45 years, Ann (Lamica), as well as his children; Jeff (Carrie), Robin (Kelly Houston) and Shelley (Jeremy Derullieux). He will be lovingly remembered by his eight grandchildren; Tracey, Kimberly, Keith, Joshua, Jessie, Kodi, Hayden, and Leeland, as well as his two great grandchildren; Brice, Emily, Kevin and Dylan; his brothers Roger (Fleure) and Mike (Kathy); his sisters Pauline, Patricia, Muriel, and Diane; His brother-in-law Fred Lamica (Barbara) and many nieces and nephews.

Bob is predeceased by his son Randall who passed away August 25, 1986; his mother Siona Benard, and father George P.B. Smith; and his sister Helen.

Bob loved camping and enjoyed sports with his family. His other hobby was helping people with renovations or anything they might need. He always made time to help. making others happy with his work and doing it "right" was what made him happy.

Bob will be sadly missed by all who knew him.

Bob's Motto

Do unto others as you would have them
Do unto you!

Field trip

Internet/CALM

A police officer saw a man driving around with the back of his pick-up truck full of penguins.

The officer pulled over the man and told him, "You can't drive around this town with penguins in your truck. Take them to the zoo immediately!"

The man said okay and drove away.

The next day, the police officer saw the same man and the back of the truck was still full of penguins. And this time, the penguins were all wearing sunglasses.

The officer pulled him over again and said, "Didn't I tell you to take those penguins to the zoo?"

The man replied, "I did. And today, I'm taking them to the beach."

I Remember...



By "The Old Dog"

What Car???

Before there was a hog pile, there was the Woodmill parking lot. Then the parking lot got moved to where the diesel fueling station is now. With the installation of the fueling station, the parking lot got moved to its' final and current resting place. This occurred in the very early seventies when three foot snowfalls were normal.

On the night of November 14th, 1972, Charlie reported for graveyard shift in the Woodmill, leaving his car in the parking lot under the watchful eyes of Eurocan Security. When he got off work at 7:30 a.m. on November 15th, he went to the parking lot to find his car was gone. Thinking it was a joke of some kind, he asked at security, which was located at the edge of the parking lot, right beside a big snow bank which was the result of snow clearing in the parking lot.

Eurocan security said they knew nothing about Charlie's car, but they would ask Bob the loader operator, if he had seen the car when he cleared the lot, Bob said "NO!"

Next, Charlie called Molly, a young lady he'd met in the bar before going in for work the night before. However, Molly said she didn't know anyone called Charlie and don't be troubling her about it anymore.

Charlie eventually reported his car as being stolen and filled out the required paperwork.

On May 12th, 1973, Bob and Molly got married, it was a beautiful and warm spring day, with flowers blooming, birds singing and a car appearing from under a rapidly disappearing snow bank which was located right beside the Eurocan security building. *(The names have been changed to protect the guilty and the Newsletter from slander and libel. Editor.)*

YOU'VE GOT A TICKET TO RIDE

In the beginning the Papermill had what was called "Plan B". "Plan A" was to make paper, "Plan B" was to make and sell bales of pulp when paper sales were low. This was achieved with a piece of equipment called a Layboy which would cut and stack square sheets of Pulp, which were then sent down a rollcase to the baler which would bind the pulp stacks with wire. Once a stack went down the rollcase, the binding, weighing and labeling was done automatically.

In 1975, with the Layboy in full operations, the baler, labeler and weigh scales went up in flames. The fire was extinguished as quickly as possible but the damage incurred was total. This fire had occurred at about 10:00 a.m., by noon the extent of the damage was known, at 1:30 p.m. the mill manager held a staff meeting with all the trade and maintenance staff in attendance.

The mill manager did not ask what happened or how it had occurred or even if it was anyone's fault. He simply said that at 7:30 a.m. the following day, the Layboy, the baler, the weigh scales and the labeler would be once again in full operations.

He then placed seventeen one-way plane tickets to Vancouver each with somebody's name on it on the table and said whichever one or more of you have not completed your part of the rebuild and repair by 7:30 a.m. tomorrow you can pick up your plane ticket here because you will no longer be in the employment of Eurocan Pulp & Paper. I don't even care if it's the janiflippintorial, the unit shall be in operations and on line at 7:30 a.m. tomorrow---and it was, sort of. One plane ticket got used.

**This is the Old Dog
Saying, keep your feet dry!**

Top puns

Internet/CALM

Reader advisory: Could cause acute discomfort

1. A vulture boards an airplane carrying two dead raccoons. The steward looks at him and says, "I'm sorry sir, but only one carrion allowed per passenger."

2. Two fish swim into a concrete wall. One turns to the other and says, "Dam!"

3. Two people were in a kayak waiting for a polar bear to resurface. They were getting chilly so they started a small fire in the boat. The fire burned through the kayak's skin and the kayak sank. Proving once again that you can't have your kayak and heat it too.

(continued on page 19)

Standing Committee Report

The Union Readies to Take on Responsibility For Handling The Price Trigger Trust Fund

By Don Klie

The last Standing Committee meeting was February 28th. Some of the issues discussed at the recent Standing Committee meetings are as follows:

- 1) **Clearance and relief for Standing Committee meetings** – the Union raised the issue of Randy Dobson not being able to attend this meeting and the previous one because there were no relieves available for him and the department would have had to run short had he chose to attend. The Company noted that there had been a request in the log book for possible relief to work overtime to provide the coverage but no one volunteered. The Company referred to the contract item which indicates that they don't have to pay the overtime rate to individuals who come in on their time off to provide coverage for those who attend Standing Committee meetings. The Union responded by saying that in the past the Company employed sufficient numbers of employees to meet their contractual commitments, that is, the scheduling of Standing Committee meetings at times which the members of the Committee could attend. *(The Company seems to forget that we run a 24 hour operation here and that it is the one that is responsible for manning levels. Also, that the Union has a right to have its elected representatives attend these contractually mandated meetings.)*
- 2) **Maintenance Overtime** – the Union reminded the Company that when canvassing for overtime in the maintenance crews the proper procedure to follow is to first exhaust the crew overtime list, then canvas the other maintenance crews, then go outside of the maintenance department. This issue was raised in response to a situation that occurred recently when a Shiploader/Labourer was used, prior to canvassing other members of the maintenance crews, to assist the Carpenters on overtime during a Papermill line shutdown.
- 3) **Discipline – punitive or progressive** – the Union has observed that the Company has shown a trend in the discipline that it has handed out of trying to find, after the fact, issues that it can use to add to the seriousness of the current offense so that they can hand out suspensions.

Also, the Union noted that the discipline has been more punitive rather than progressive, the Company appears to be vindictive and trying to punish employees rather than trying to encourage and modify behaviour. The Company stated they needed specifics and believed there were lots of good things happening out there. Obviously the Company didn't agree with the Union's point of view.

- 4) **Qualified workers for Lockout Procedures** – the Union asked the Company when they considered a person to be qualified to perform isolation and lockout duties regarding equipment needing to be worked on. The management representatives at the Standing Committee seemed unprepared and unable to respond to the question and indicated that they would have to review the issue with the Lock Committee. *(This seemed like a very strange response considering that the Safety department belongs to the Industrial Relations department and IR was represented by their superintendent. Plus, with safety being as important an issue to the mill as it is, you would have thought that the high ranking management officials attending this meeting would have had a better understanding of this basic issue. Also, it isn't the Lock Committee that determines when a person is qualified to do lockouts at the department level, it's the supervisors and superintendents that determine that.)*
- 5) **Value of the latest Company award** – in response to several queries from the floor the Union was informed by the Company that the value of the jacket that was given to each employee for the latest Company award was no more than \$39.
- 6) **Shift differential payout** – a number of members bank their shift differential and have it paid out twice a year. In the past the payout was given on a separate cheque in order to avoid having to pay a larger amount of income tax on the combined cheque. However, it appears that the payout has been put on the regular weekly cheques. The Union requested that the payout be put on separate cheques. The Company said they would review the issue, but it was unlikely that they would provide the payout on a separate cheque.
- 7) **Leave of absence** – the Union referred to the Company to two clauses in the contract regarding the taking of paid leave, banked time and floaters, specifically the wording that refers to the time off being taken at a time suitable to employee and the Company. Regarding the Company forcing employees to apply banked time or floaters to the day that some employees were unable to attend work because of the road closure between

Terrace and Kitimat. the Company continues to insist that they apply their leave policy consistently, as if to imply that it makes what they are doing right. The Company's position continues to be disgusting. Grievances have been filed and the matter will be pursued further.

- 8) **Process investigations** – the Company noted that the contract only requires that an employee be allowed Union representation when there is discipline involved. The Company said that there are several process investigations, example, a transformer explosion, where no union representatives are present. The Union noted that in the situation that occurred that brought this issue to Standing Committee there were indications that other issues, and possibly discipline, were involved. The Union said that going forward they would only request Union representatives present if the employee(s) requested it. And depending on who was involved, the Union retained the right to select the appropriate representative to send to the investigation.
- 9) **Tool Crib** – the Company agreed to assign extra help to the Tool Crib when it was necessary so that the equipment could properly be maintained.
- 10) **Flex training** – the Company noted that there had recently be an audit done on flexibility throughout the West Fraser Mills. Regarding a proposal put forward early about providing flexibility training to the trades, starting with newly graduated journeymen, the Company said that proposal was currently on hold.
- 11) **Excavator wavier** – it is the Union's position that the letter requesting a wavier from the grievance procedure should the Company decide to dispose of the excavator is limited to 3 years, the time the parties agreed to have the payback of costs spread out over. The Company said they were not prepared to agree to that stipulation. The Union noted that they had told the Company of their position soon after the letter had been signed and that in the future if there were problems we would be relying on the 3 year limit. However, the Union did note that we believed the excavator would prove its value and that there would be no problems in the future regarding it.
- 12) **Pulpmill progression line changes** – it was noted that the Pulpmill crews were having meetings at the Union hall and that once the issues had been worked out there would be a meeting with the Pulpmill management on how to go forward.

Grievance Report

Listed below are the grievances currently being processed and their status. If you would like to know more about a particular grievance or if your grievance isn't listed please contact the Chief Shop Steward, Steve Dudra or one of the other Standing Committee members.

At Arbitration

Contracting Out Committee – 2003 to 2004 – case #04-57 – Failure to notify. Heat exchanger tube plug. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

John Miller/Contracting Out – Sept 10/04 – case #04-59 – Letter from Company re: Contracting out notification of change of practice in Stores on the purchase of manufactured shafts. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

Contracting Out Committee – Feb 16/04 – case #04-60 – Failure to notify. Contracting out shaft to 101 Industries. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

Contracting Out Committee – Aug 9/04 – case #04-61 – Contracting out violation. Failure to notify. Morse taper shaft contracted out to 101 Industries. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

Contracting Out Committee – Aug 20/04 – case #04-62 – Contracting out violation. Failure to notify re: stuffing box contracted out to Zanron. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

Contracting Out Committee – July 5/04 – case #04-63 – Contracting Out violation. Failure to notify re: drive shaft contracted out to Zanron. **On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.**

Contracting Out Committee – April 15/04 – case #04-64 – Contracting Out Violation. Failure to notify re: repulper stub shaft assembly. Contracted to Lakelse machine shop. **On hold pending outcome**

of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.

Contracting Out Committee – Dec 8/03 – case #04-65 – Contracting Out Violation. Failure to notify re: repulper stub assembly. Contracted to Lakelse machine shop. On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.

Contracting Out Committee – June 17/04 – case #04-66 – Contracting Out Violation. Failure to notify re: shaft contracted out to Zanron. On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.

Contracting Out Committee – Sept 20/04 – case #04-67 – Contracting Out Violation. Failure to notify re: shaft to 101 Industries. On hold pending outcome of CEP 298 Contracting Out Committee – case #04-001-014 – Contracting out of Stores Stock items.

Dino Stamatakis – Mar 4/05 – case #05-18 – failure to accommodate.

Don Kelly – Sept 16/05 – case #05-41 – improper cancellation of floater.

Case #06-49 George Schibli – April 12th, 2006 – Denied Family Responsibility Leave.

Contracting Out Committee – January 5th, 2006 – case #06-12 – failure to notify – Jose excavator work on landfill.

Contracting Out Committee – January 10th & 11th, 2006 – case #06-14 – failure to notify – Jose on landfill.

Contracting Out Committee – January 18th & 19th, 2006 – case #06-17 – failure to notify – Jose excavator on land fill.

Case #06-44 Contracting Out Committee – March 9th, 2006 – Failure to Notify. Rain Coast Cranes @ Hog pile.

Case #06-47 Contracting Out Committee – April 3rd, 2006 – Failure to Notify. Rain Coast Cranes @ Chip Tipper.

At Standing Committee

Contracting Out Committee – Jan 13/05 – case #05-09 – failure to notify. On hold pending grievance 04-001 outcome.

Contracting Out Committee – Dec 6/04 – case #05-10 – failure to notify. On hold pending grievance 04-001 outcome.

Contracting Out Committee – Dec 9/04 – case #05-11 – failure to notify. On hold pending grievance 04-001 outcome.

Contracting Out Committee – Oct 14/04 – case #05-12 – failure to notify. On hold pending grievance 04-001 outcome.

Contracting Out Committee – Dec 28/04 – case #05-13 – failure to notify. On hold pending grievance 04-001 outcome.

Contracting Out Committee – Mar 2/05 – case #05-23 – failure to notify. On hold pending the outcome of annual notification grievance.

Contracting Out Committee – Mar 2/05 – case #05-24 – failure to notify. On hold pending outcome of annual notification grievance.

Ken Fleming – Mar 11/05 – case #05-30 – company not providing training.

Jurgen Schiemann – Nov 9/05 – case #05-59 – Duty to Accommodate.

Gary Araujo – Nov 30/05 – case #05-67 – improper shift change.

Derek Smith – Nov 30/05 – case #05-68 – improper shift change.

Contracting Out Committee – May 10/05 – case #05-69 – failure to notify – dry end pulper shaft. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – May 16/05 – case #05-70 – failure to notify – Joy precipitator rapper shaft. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Jul 25/05 – case #05-71 – failure to notify – 3196XL Pump Shaft. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Aug 25/05 – case #05-72 – failure to notify – A151 4140 - HT/250-300 Pump Shaft. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Sept 30/05 – case #05-73 – failure to notify – Stuffing Box, M&D Reactor. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Oct 20/05 – case #05-74 – failure to notify – DWG F-910432-10 Drive SHAFT. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Jul 22/05 – case #05-75 – failure to notify – Plates for Papermill Rolls. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Aug 29/05 – case #05-76 – failure to notify – Bushing, Nut, Gland,

Shaft. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Sept 19/05 – case #05-77 – failure to notify – Shaft & Nut, Sleeve. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Sept 19/05 – case #05-78 – failure to notify – Plates custom cut for 423 Fork truck. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Nov to Dec/05 – case #05-79 – failure to notify – Fabrication of top cyclone wear plates. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Nov 7/05 – case #05-80 – failure to notify – Side Plate B-11777 Bingham pump. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Nov 10/05 – case #05-81 – failure to notify – Pump Shaft PSE - 300, Thrust Ring PSE - 300. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Nov 17/05 – case #05-82 – failure to notify – Wearing ring Pump Z-R500, Shaft 341848. On hold pending the outcome of the arbitration regarding Stores Stock grievance.

Contracting Out Committee – Nov 25/05 – case #06-11 – failure to notify – Assembly of a Vacuum Head including the Micarta.

Case #06-62 Contracting Out Committee – 2005 – 2006 – Article 1 and Others – Contracting Out Violation – Failure to pay Code of Ethics

Case #06-66 Contracting Out Committee – May 8th – 11th, 2006 – Article 1 and Others Contracting Out Violation – Failure to Notify Kitimat Iron Installation of Temporary Elevator for Steam Plant.

Case #06-69 Tim Schmidt

June 19th, 2006 – Article 1 and Others – Call List OT Violation.

Case #06-74 CEP Local 298

Aug 21st, 2006 – Article 43 & Others. – Job Transfers.

Case #06-75 Mike Keating

June 24th, 2006 – Article 11 – Overtime Distribution.

Grievances at Fact Finding

Case #06-76 Contracting Out Committee

Dec 22nd, 2005 – Failure to Notify – Westcan wearing ring.

Case #06-77 Contracting Out Committee

Dec 8th, 2005 – Failure to Notify – Westcan pump shaft.

Case #06-78 Contracting Out Committee

Dec 19th, 2006 – Failure to Notify – Westcan ring spacer for felt roll guide.

Case #06-79 Contracting Out Committee

Dec 15th, 2005 – Failure to Notify – Westcan pump shaft.

Case #06-80 Contracting Out Committee

Jan 19th – 23rd, 2006 – Failure to Notify – Zanon Drive shaft.

Case #06-81 Contracting Out Committee

Dec 2005 to Jan 2006 – Failure to Notify – Zanon Heat exchanger tube plugs.

Case #06-82 Contracting Out Committee

Jan 10th, 2006 – Failure to Notify – Zanon Shaft dryer drive gear.

Case #06-83 Contracting Out Committee

Dec 29th, 2005 – Failure to Notify – Zanon Shaft Joy Precipitator.

Case #06-84

John Burget

Prior to August 29th, 2006 – Article II (a) – Staff doing hourly work.

Case #06-85 Contracting Out Committee

June 15th, 2006 – Failure to Notify – 101 Pump shaft 3196XL (PO# 2010605050).

Case #06-86 Contracting Out Committee

June 20th, 2006 – Failure to Notify – Stuffing Box (PO# 2010605174).

Case #06-87 Contracting Out Committee

July 10th, 2006 – Failure to Notify – Westcan Pump Shaft (PO# 2010605617).

Case #06-88 Contracting Out Committee

July 24th, 2006 – Failure to Notify – Zanon Shaft Joy 1-35317-L (PO# 2010605960).

Case #06-89 Contracting Out Committee

Sept 14th, 2006 – Failure to Notify – Westlund – Fabricate Hog Blow Line (PO# 2010607125).

Case #06-90 Len Hanson

Feb 5th & 7th, 2006 – Travel Money?

Note: I received this on Nov 15th, 2006.

Case #06-91 Dan Belleville

– Nov 5th, 2006 –

Over Time Distribution

Case #06-92 Contracting Out Committee – June 5th, 2006 – Failure to Notify – Rain Coast Crane hauling a platform.

Case #06-93 Contracting Out Committee
June 7th, 2006 – Failure to Notify – Rain Coast Crane moving a Container.

Case #06-94 Dino Stamatakis
Nov 6th, 2006 – Article XXX Unjust Discipline

Case #06-95 Dino Stamatakis
Nov 1st, 2006 – Supplement #7 Unjust Discipline

Case #06-97 Chris Campbell
Dec 7th, 2006 – Job Posting

Case #06-98 Andrea Lee
Oct 30th, 2006 – Posting to Steam Plant

Case #06-99 Robert Tomkinson
Sept 29th, 2006 – Unjust Progressive Discipline

Case #07-01 Craig Karwandy
January 3rd, 2007 – Transfer Denied.

Case #07-03 George Schibli
January 16th, 2007 – Company forcing employee to use banked time to cover absence from work caused by mud slide on Kitimat-Terrace highway

Case #07-04 Walter Sanwald
September 29th, 2006 – Denied Posting to Traffic.

Case #07-05 C.O.C.
Jan 17th, 2007 – Contracted Out clean up of CMP spill with a Bob Cat to WIC Construction.

Case #07-06 Brent Ferris
Jan 19th, 2007 – Staff (Ferd Wuensche) doing Hourly work.

Case #07-08 Vern Cote
Jan 18th, 2007 – Eurocan using paid time off to cover absence from work due to mud slide (road closure) on Dec 19th, 2006.

Case #07-09 Jim Eyre
January 21st, 2007 – Terminal OT Call List Violation.

Case #07-10 Dino Stamatakis
December 19th, 2006 – Unjust Discipline.

Completed Grievances

Contracting Out Committee – Jun 14/05 – case #05-34 – failure to properly notify; TL&T - lighting on the chip piles. **The Company offered and the Union accepted \$1000 for this grievance and grievance #05-45, Ceramic tiles. The Company also provided in writing the procedure they**

would follow in the future when the scope of the notice they had given changes. Complete.

Contracting Out Committee – Sept – Oct /05 – case #05-45 – failure to properly notify – ceramic tiles for floor in Engineering. **The Company offered and the Union accepted \$1000 for this grievance and grievance #05-34, TL&T – lighting on chip piles. The Company also provided in writing the procedure they would follow in the future when the scope of the notice they had given changes. Complete.**

Contracting Out Committee – Sept to Dec /05 – case #05-65 – failure to notify re stocking of janitorial supplies around the mill. **Withdrawn without precedence or prejudice. Complete.**

Case #06-41 Mike Holland – March 18th, 2006 – Not Working to Expectations. **Withdrawn without precedence or prejudice. Complete.**

Case #06-65 Contracting Out Committee – April – May 2006 – Article 1 and Others – Contracting Out Violation – Failure to Notify DJ Containers hauling Garbage. **The Company offered and the Union accepted \$1,000 to resolve this grievance. Complete.**

Top puns (continued from page 14)

Internet/CALM

Reader advisory: Could cause acute discomfort

4. Two hydrogen atoms meet. One says, "I've lost my electron." The other says, "Are you sure?" The first one replies, "Yes, I'm positive."

5. Did you hear about the Buddhist monk who refused a local anesthetic during a root canal? His goal was to transcend dental medication.

6. A group of chess enthusiasts checked into a hotel for a tournament and were standing in the lobby discussing their recent victories. After about an hour, the manager came out of the office and asked them to break it up. "Why?" they asked. "Because," he said, "I can't stand chess nuts boasting in an open foyer."

7. A group of friars opened a small florist shop to raise funds for their monastery. A rival florist across town thought the competition was unfair. He asked the good brothers to close down but they said no. He went back and begged the friars to close. They ignored him. So, the rival florist hired Hugh MacHeath, the roughest and most vicious thug in town to "persuade" them to close. Hugh beat up the friars and trashed their store. Terrified, they closed up, proof that only Hugh can prevent florist friars.

8. And finally there is the person who ten top puns to friends hoping that at least one of the puns would make them laugh. But no pun in ten did.

U.S. wants consultations with Canada on softwood lumber agreement: Emerson

Steve Merti

The Canadian Press

Friday, March 30, 2007

VANCOUVER — The United States is requesting consultations with Canada under the Softwood Lumber Agreement reached last fall.

In a news release late Friday, International Trade Minister David Emerson said the United States wants to talk about federal and provincial forestry programs and the so-called surge mechanism, which penalizes exporters if they ship above their set quotas.

Emerson said the agreement, which the Conservative government hammered out over the objections of some industry segments, was negotiated with the view of continued co-operation and open dialogue between the U.S. and Canada.

"Given the complexity of the agreement, we expected that such administrative issues would arise," Emerson said in the release. "For this reason, the agreement contained a new framework to allow for a full exchange of views.

"This is a good opportunity for Canada and the United States to once again work closely and to work through our disagreements in a constructive manner."

Emerson said he had spoken with U.S. Trade Representative Susan Schwab and both have directed their respective officials to plan for a meeting within 20 days.

U.S. trade officials signalled weeks ago they were unhappy with government programs — particularly in Ontario and Quebec — aimed at helping their struggling forest industries.

Canadian and American officials met in Washington in February. The provinces said at the time they would show their programs did not subsidize lumber exports — the American complaint at the heart of the decades-old lumber trade war.

The surge mechanism calls for penalties equal to 150 per cent of the border tax in any one month if an exporter exceeds its set quota.

There have been some questions about how exports are reported at the border.

The seven-year renewable agreement, which came into force last October, replaces punitive U.S. lumber import duties with a Canadian export tax and for some provinces a combination of quotas and a lower border tax.

Exporters also got back about \$4 billion in U.S. duties collected since May 2002.

Some critics attacked the deal as administratively unworkable and a sellout designed to give the new Tory government a victory that eluded its Liberal predecessors and ingratiate it with the U.S. administration.

But Emerson, who served as Liberal trade minister before crossing the floor just after the January 2006 election, argued the deal was a better alternative to continued costly litigation that had no guarantee of ending the dispute.

A majority of softwood lumber exporters signed onto the agreement, often reluctantly. Many were fatigued by years of expensive trade litigation and needed the duty refund to recapitalize their operations.

The deal left embittered producers, particularly lumber remanufacturers who export products such as flooring, siding and window frames, who argued the government abandoned them in favour of big exporters.

Some industry observers have doubted the agreement will survive past the two-year minimum notice period allowed before either country can terminate it.

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Forest industry facing worst crisis ever, say union officials

TUESDAY, JANUARY 23, 2007

By **DENNIS BUECKERT**

The Canadian Press

OTTAWA — Canada's \$80- billion forest industry is facing the worst crisis in its history and needs federal help to survive. Unions representing forestry workers said Monday. "Thousands of Jobs have been lost as mills have dosed across Canada," David Coles, president of the Communications, Energy and Paperworkers Union, said at a symposium on Parliament Hill.

"The survival of dozens of communities, especially small, northern communities, are threatened and yet we have had very little response from the federal government."

A spokesman for forest companies had a different view. Saying it's not a crisis but a structural shift in the industry.

"In a globalized world, people who've never had a chance to earn a living are earning a living and beating the pants off us," said Avrim Lazar, president of the Forest Products Association of Canada.

He said Canada faces new competition from China, India, Korea, Brazil and Russia, while the Canadian dollar has risen sharply, hurting exports.

Canadian taxes on the forest industry are the highest in the world, driving investment away, Lazar said.

But officials from hard-hit communities complained about the policies of forest companies, saying good mills are being withheld from sale to other companies that might reopen them.

"The company told us they wouldn't sell it to anyone who would compete with them," said Steve Bruner, mayor of Bathurst, NB.

"So here's an American company that came in, bought our mill and shut it down. But they're still in the woods cutting as we speak. They're cutting on the land that came with the mill,"

A report by the Conference Board of Canada released Monday says the industry must shut uncompetitive mills, invest in research and development, and upgrade facilities to compete.

"Canada's forest products sector needs renewal," said Gilles Rheume, vice-president of the economic think tank.

"This is especially the case in pulp and paper, where older, smaller mills are losing ground to larger global rivals."

He said many smaller mills will close and governments should not step in to save them.

"Scale matters in this industry and to compete, Canadian companies should be able to build larger mills,"

Union officials say the companies have not reinvested enough to keep their operations up to date, while owners blame the lack of investment on high taxes.

Lazar said the industry spends \$4 billion annually on capital improvements, which he acknowledged is not sufficient.

"We would invest more if it wasn't taxed at such a murderous rate."

Species at risk act needs broad airing: Union

March 30, 2007 TORONTO – Ontario's largest forestry union is one of many groups opposing the McGuinty government's efforts to ram through "species at risk" legislation before the end of the spring session.

"Of course something needs to be done to protect species at risk," says Cec Makowski, Ontario Vice-President of the Communications, Energy and Paperworkers Union of Canada, "but this legislation has serious negative implications for many activities that drive Ontario's economy, including forestry, farming, agriculture, and construction, to name a few. Yet it is being rammed through at breakneck speed without consideration for the impact it will have on many economic sectors."

"We need significant public consultation to occur all across Ontario, not just in Toronto," adds Mr. Makowski, noting that "all stakeholders -- unions, environmentalists, municipal leaders, Aboriginal groups, farmers, and others -- should have an opportunity to air their concerns. To my knowledge, there has been very little, if any consultation.

"The protection of species at risk has a nice moral ring to it, but the practical effects of this legislation, which has already passed 2nd reading, will certainly come back to haunt this government if it is passed as is.

"CEP has certainly not been consulted, and we have some major concerns, especially in Northern Ontario where workers in forest-dependent communities have already been devastated by the crisis in that sector.

"The federal government's 'species at risk' bill took six years to become law," concludes Makowski. "This bill has been in the works for less than a year. It's an important piece of legislation, but it needs to be thought through."

Closure avoided at Expertech: Technicians ratify the tentative agreement

March 19, 2007 MONTREAL – 79.4% of Expertech's technicians, members of the Communications, Energy and Paperworkers Union of Canada (CEP), have approved the tentative agreement concluded less than two weeks ago. As a result, the closure of Expertech is avoided.

Facts

Here are a few of the negotiated elements:

- a 5-year collective agreement;
- minimal salary losses for class II technicians with a wage freeze and 2% raise in the last year;
- salary raises of 8% over 5 years for the class I technicians
- an agreement which guarantees that 90% of Bell's work will be given out to Expertech technicians thus securing jobs at Expertech ;
- The 300 intended layoffs have been avoided thanks to an improved pension incentive (200 workers affected) and the reassignment of 125 technicians on a Bell network preventative maintenance project.

In total, 1,025 jobs will thus be saved in Québec and Ontario. Some concessions had to be made in order to save these jobs. But, compared with the two previous offers, which had been rejected by members, the tentative agreement contained improvements.

"My main priority was to avoid the closure and save jobs but not at any price," commented John Edwards, CEP Ontario Administrative Vice-President. "It is clear, we had our backs to the wall with little room to manoeuvre, but the fact is that we succeeded in saving jobs and obtaining improvements to the prior offers," explained John Edwards.

The parties had been bargaining since last fall for the renewal of the collective agreement. At the end of February, when workers rejected the company's offer for the second time, Expertech started the closure process. A few days later, after a last chance bargaining blitz, the CEP, and the company's shareholders came to a tentative agreement.

Expertech's workers are responsible for the installation, maintenance and repair of Bell Canada's network infrastructure.

Union asks Court to overturn Keystone Pipeline Decision

March 12, 2007 The Communications, Energy and Paperworkers Union of Canada today filed a motion in the Federal Court of Appeal for leave to appeal the recent decision of the National Energy Board regarding the Keystone Pipeline Project, proposed by the TransCanada Pipeline Company.

The Union argues that the National Energy Board made several errors including a failure to acknowledge that job creation and value added production are important factors in determining the public interest.

"We believe that we have no choice but to challenge this decision," said President Dave Coles. "The NEB has ruled that it is in the public interest to ensure that oil companies can export bitumen, but value-added processing is irrelevant. We say this gross double standard cannot be the basis for regulatory decisions about the development of energy resources in Canada."

CEP presented evidence to the NEB prepared by Mike McCracken, one of Canada's leading economists, indicating that as many as 18,000 jobs could be created if the bitumen that could be exported by the Keystone Pipeline, is first upgraded and refined in Canada. The NEB ruled that concerns over jobs and economic development of the energy sector, were matters of government policy and for that reason not relevant to the public interest decision it has to make.

"Economic consequences of this character and magnitude are undeniably matters of valid public interest concerns and it was not reasonable for the

Board to have disregarded the purpose for which the pipeline would be used in determining the public interest," said CEP Lawyer Steven Shrybman in documents filed with the court today.

In its decision released in early February, the NEB approved the transfer of an existing TransCanada gas pipeline to use as an oil/bitumen pipeline for the Keystone Project Hearings for approval of the Keystone Project itself are scheduled for June.

Energy union bargains with Edmonton Petro-Canada for pattern agreement

March 08, 2007 OTTAWA – Canada's largest union of energy workers, the Communications, Energy and Paperworkers Union of Canada, will negotiate the 2006-2007 National Energy and Chemical Bargaining Program with Petro-Canada at its Edmonton refinery.

"We chose to negotiate the pattern in Edmonton because we believe that the oil and gas sector and the labour market conditions in Alberta create the best conditions to deliver the kind of settlement that our members are expecting," said National Energy Bargaining coordinator Joe Gargiso.

"There is no doubt that this industry can well afford a significant wage increase as well as other improvements," said CEP National President Dave Coles. "I want to acknowledge the role that Local 501A is prepared to play in stepping out in front to set the pattern.

National pattern bargaining negotiations will be conducted by the National Bargaining Committee, while CEP Local 501A conducts local negotiations.

"Local 501 can be confident that the entire bargaining group and the whole union stand behind them fully and will support them in every way possible," Mr. Coles said.

The decision to target Petro-Canada was made after consultations with all major employers in the oil, gas and petrochemical industries in December in Calgary and Sarnia. A follow-up meeting was held with Petro-Canada in February, followed by a special meeting of all CEP Petro-Canada local unions in Toronto on February 24. The bargaining strategy was then affirmed by the National Energy and Chemical Bargaining Program Advisory Committee at a meeting held on March 1.

"If we are able to negotiate an agreement with Petro-Canada in Edmonton, a bargaining conference will be held to ratify the proposed agreement on pattern issues," said Mr. Gargiso.



In 1969 Eurocan started production, first in the Woodmill then later, in October 1970, in the pulp and paper mill. Since 1969 there have been 12 fatalities of employees while at work at the mill site, and one in the logging division in the Kitimat area.

The following information was obtained from a variety of sources including long service employees and back issues of *The Northern Sentinel* stored on microfiche film at the Kitimat Library.

1. Jim Johnson - 1970 - crushed when a load of lumber fell after he had removed the tie down straps from the load in the Eurocan Log Yard.
2. Duril Guthrie - crushed by dry-kiln door February 16, 1972. He was a kiln helper in the Woodmill. He had been working at Eurocan for 18 months. He was survived by his wife and 3 children aged 6, 4 and 2. He was 35 years old. (February 23, 1972 Northern Sentinel)
3. Kevin Nagel - construction worker who fell to his death on the Steam Plant roof on September 4, 1973. He was working for Bobsien Construction out of Terrace. He fell 80 - 100 feet from a scaffold that had given away. Evidence given at the inquest stated that another worker had warned Nagel to get off the unsecured scaffold but Nagel fell before he could get off the scaffold. The rope used for the fall restraint device was rated only for 1500 pounds; regulations state that it should have been rated for 5,400 pounds and limited the fall to 4 feet.
4. Joao (John) Luis Lima - crushed by rail car door at Purchase Chip on September 17, 1974. He

was survived by his wife and two children. He was 37 years old and had worked for Eurocan for 2 years.

5. Manuel Fernandes - on March 14, 1975 a Shiploader was impaled with a piece of 2x6 lumber that he was using in conjunction with a clamp truck to realign some dunnage that rolls of paper were sitting on.
6. Harry Roseberger - summer student - died July 13, 1977 when he fell into the water off the Terminal dock.
7. Bill McQuade - a 29 year old Eurocan logging employee received 3rd degree burns to 85% of his body when he involved in an accident while burning slash in the forest September 23, 1977. He died from his injuries on October 10, 1977
8. Gian Bhatti - Terminal Warehouse worker killed November 24, 1977 at the age of 39 when he was pinned under clamp truck.
9. Zsig Muszka - 18-year-old Woodmill employee got caught at the tail drum of the hog conveyor belt on January 6, 1978 and died two days later on January 8. The inquest recommended that all employees receive adequate on the job training; that the WCB do a review of the whole work area; and that the Kitimat hospital purchase a renal dialysis unit (the doctor had noted that without the renal dialysis unit there was little hope of saving the young man).
10. Ray Thiffault - terminal warehouse - June 20, 1978, 52 years old and a 6 year employee. He was hit and crushed by a powerlift clamp truck. After this incident visi-vests became mandatory for employees working in the Terminal and 2-day Warehouses and in the outside areas. Testimony at the inquest noted that there was alcohol at the accident site and the victim had a blood/alcohol level of .04.
11. Billy Virk - Shiploader - died December 6, 1989 when he fell off a stack of lumber on a ship. He was 40 years old.

12. *George Weatherly* - Contract worker at Eurocan, employed by Prince George Hydro-Mechanical. Born: April 21, 1953, Prince George, B.C. Died: May 12, 2005, Kitimat, B.C. when struck and injured by a high pressure water hose. Survived by: Loving wife - Brenda; Daughters - Carmen and Channan; Son - Cheyne; Parents - Viola and Norman; Sister - Carol; Brothers - Larry, Ray and Dan; and numerous other relatives and many friends.

Working to Death

Millions Die Each Year Due To Work-Related Accidents and Diseases

April 28th Is National Day of Mourning and World Day For Safety and Health At Work

Toronto, Ontario – Each year, an estimated two million men and women around the world die as a result of occupational injuries and work-related diseases¹. April 28, 2006 is the National Day of Mourning and the World Day for Safety and Health at Work, two occasions that honour workers across the country, and around the world, who have been injured, killed, or disabled on the job, or who suffer from occupational diseases. IAPA (Industrial Accident Prevention Association) asks employers and workers across Canada to make April 28th the day they renew their commitment to making occupational health and safety a real priority in the workplace.

“Health and safety excellence in the workplace doesn’t happen overnight. It’s a journey that begins with a company taking five simple steps: showing commitment to workplace health and safety at the CEO and senior management level, having the participation of workers, having an effective Joint Health and Safety Committee, complying with legislative regulations, and equipping staff through training and education with an occupational health and safety skill-set,” says IAPA President and CEO Maureen Shaw. “In time, a fully-integrated health and safety culture will develop and enhance the overall quality and productivity of the work environment, which is safer for a company’s workforce and better for a business’ bottom line.”

Nationally, did you know that:

- in 2004, more than 900 people died as a result of work-related accidents or diseases?
- these 900 deaths mean, on average, that close to four workers are killed every working day?

- in 2004, more than 340,000 workers were injured seriously enough to prevent them from reporting to work for at least one day?
- nearly one million work-related injuries and diseases are reported each year in Canada?
- more than \$12 billion is the total amount of compensation paid to work accident victims or their families and other economic costs of work-related injuries?

Internationally, did you know that:

- each day, an average of 6,000 people die as a result of work-related accidents or diseases, which means there are more than 2.2 million work-related deaths a year?
- approximately 350,000 deaths are from workplace accidents and more than 1.7 million are from work-related diseases?
- each year, workers suffer approximately 270 million occupational accidents that lead to absences from work for three days or more?
- approximately 4% of the world’s gross domestic product is lost with the cost of injury, death, and disease through absence from work, sickness treatment, disability, and survivor benefits?

“The sad fact is that workplace fatalities, injuries, and diseases are preventable, but too many organizations haven’t yet made that commitment to making workers’ health and safety a real business priority. It’s shameful in a way, that we need a day to remind society that people are dying or being injured as a result of the work they do and that this is morally, socially, and economically unacceptable” adds Shaw.

As part of the global effort to spread awareness about occupational injuries and work-related diseases, Maureen Shaw will be the keynote speaker at a World Day for Safety and Health at Work conference being held in Valencia, Spain on April 27 and 28, 2006. The conference will be focusing on the protection of workers and Shaw’s remarks will address the issue of corporate social responsibility.

April 28, 2006 is the 22nd year that Canadians have commemorated the National Day of Mourning. In 1984, the Canadian Labour Congress declared April 28th as the annual day of remembrance for workers who have been killed and injured on the job. April 28th was chosen because it was on this day in 1914 that the third reading of the Workmen’s Compensation Act took place. On December 28, 1990, the Government of Canada passed the Workers Mourning Day Act, establishing April 28th as the official National Day of Mourning.

The World Day for Safety and Health at Work is intended to focus international attention on promoting and creating a preventative safety and health culture at work to help reduce the number of work-related

deaths each year. World Day for Safety and Health at Work came about in 2001 when the International Labour Organization began to observe the day as an occasion for stressing the prevention of illness and injuries at work. April 28th is also the day that the world's trade union movement has long been associated with recognizing victims of occupational death, injury, or disease.

IAPA is a not-for-profit, member driven organization operating in Ontario since 1917. Representing more than 50,000 member firms and in excess of 1.5 million Ontario workers, IAPA is Canada's leading workplace health and safety organization. The association is focused on providing industry-leading training, consulting, educational products, and informational services that meet members' needs and the needs of those in their communities.

In 2004, IAPA was officially designated as a World Health Organization (WHO) Collaborating Centre in occupational health, one of only three such centres in Canada. IAPA is the only centre among 56 worldwide to assume the title of a "WHO Collaborating Centre for Workplace Illness and Injury Prevention." IAPA is also an International Labour Organization – CIS Collaborating Centre, a designation received in 2002.

For more information on IAPA's products, programs, and services, call 1-800-406-IAPA (4272), or visit its website at www.iapa.ca.

BIOMETRIC IDENTIFICATION SYSTEM: FEDERAL EMPLOYERS OBLIGED TO OBTAIN EMPLOYEES' CONSENT, COURT RULES

(copied from www.lancasterhouse.com)

The Federal Court of Appeal has affirmed a report by the Privacy Commissioner of Canada that the introduction of voice recognition technology by federally regulated telecommunications giant Telus was not a violation of the federal Personal Information Protection and Electronic Documents Act (PIPEDA), but has ruled that the consent of employees to enrol them in the collection of personal information must be obtained. However, it declined to answer the question whether an employer could discipline employees who refuse to consent.

In 2003 Telus introduced "e.Speak" so that employees working in the field could access and use Telus' internal computer network through a telephone. The technology required employees to enrol in the system by providing a "voiceprint." A sample of the employee's voice was taken, encoded in a matrix of

numbers and stored. Employees could then access the system by providing a second voiceprint that was matched against the stored one to verify identity. Telus implemented the technology in order to protect against unauthorized individuals accessing personal customer information.

When Telus sought consent from its field employees to enrol in the system, four employees refused and filed a complaint with the Privacy Commissioner of Canada.

Voice recognition technology not a violation of Act, Commissioner rules – Federal Court agrees

In a September 3, 2004 report, Assistant Privacy Commissioner Heather Black dismissed the complaint, ruling that, although a voiceprint encroached on privacy rights, it was "fairly benign" and "not unduly intrusive." Black held that the technology did not violate s.5(3) of PIPEDA, which states that personal information can be collected only "for purposes that a reasonable person would consider are appropriate in the circumstances." She was satisfied that the purposes for which the personal information was collected were appropriate and reasonable in the circumstances, that Telus had informed employees of these purposes, and that appropriate safeguards were in place to protect the voiceprint information. In the Commissioner's view, expressed without much elaboration, Telus' actions were also in compliance with Principle 4.3, which requires consent from the individual concerned before personal information can be collected. For a review of this decision, see Lancaster's Human Rights and Workplace Privacy Reporter, January/February, 2005.

The employees made an application to the Federal Court for a declaration that Telus had violated their privacy rights. In a November 29, 2005 decision, Federal Court Judge Frederick Gibson agreed with the Commissioner's decision and dismissed the application. For a review of this decision, see Lancaster's Labour Law E-Bulletin, December 16, 2005, Issue No. 125.

Justice Gibson further held that Telus did not need to obtain employee consent because of s.7(1)(a) of the Act, which states that an organization may collect personal information without the knowledge or consent of the individual if "the collection is clearly in the interests of the individual and consent cannot be obtained in a timely way." Gibson held that this section applied in the circumstances, since the complainants' refusals made it difficult for Telus to obtain consent "in a timely way." He ruled that, although s.7(1)(a) would not allow Telus "to force employee enrolment," it would allow it to proceed with "progressive discipline" if the employees continued to withhold their consent.

Three of the four employees appealed to the Federal Court of Appeal.

Collection of personal information "reasonable and appropriate"; but employee consent necessary, Court of Appeal rules

Writing for a unanimous three-member panel of the Court, Justice Robert Décaré held that Telus' introduction of voiceprint technology did not violate s.5(3) of PIPEDA.

Décaré agreed with Gibson's ruling that "the collection of the voice print information here at issue would be seen by a reasonable person to be appropriate in the circumstances", taking into account the following factors considered by the trial judge, which Décaré cited with approval as follows: "the degree of sensitivity associated with voice prints as personal information [characterized by Justice Gibson as "fairly benign" when used solely for "one-to-one" authentication purposes]; the security measures implemented by Telus; the bona fide business interests of Telus [i.e., the protection of customer information]...; the effectiveness of the use of voice prints to meet those objectives; the reasonableness of the collection of voiceprints against alternative methods of achieving the same levels of security...; and the proportionality of the loss of privacy as against the costs and operational benefits...."

Décaré did not agree, however, with Gibson's determination that Telus need not obtain consent from its employees before enrolling them in the system. Décaré concluded that the exception in s.7(1)(a) of PIPEDA "aimed at permitting an organization to go ahead without consent of an individual only in exceptional and temporary circumstances." The exception did not apply in the circumstances and Telus was thus "under the obligation to obtain consent before collecting the voice characteristics of the complainants."

Consent not vitiated by warnings of progressive discipline, Court finds

Turning his attention to the issue of whether Telus' warnings of disciplinary measures operated to vitiate the Telus employees' consent under PIPEDA, Décaré ruled that the evidence did not establish this. While acknowledging that "[n]ormally, I would agree that threats of disciplinary measures such as suspension or firing would vitiate consent", he noted that, in this case, "what is meant by disciplinary measures is not clear from any of the evidence placed before this Court." Moreover, although there was evidence that the possibility of some form of

progressive discipline being imposed was raised, Décaré held that, without more, such a warning did not necessarily, in and of itself, vitiate consent under the Act. In fact, he asserted, such a warning might be a necessary element in ensuring that employees had given their informed consent. He reasoned: "There is no mention of what [the] allegations of progressive discipline involved and since no measure of any sort has yet been taken by Telus, nothing meaningful can be said about the alleged threats. Counsel for the appellants recognized at the hearing that in order for an employee to give an informed consent under the Act, the employer had the duty to inform the employee that a refusal to consent could lead to some consequences on the employees' tenure of office. In fulfilling its duty, the employer would not be making threats of disciplinary measures."

Can employees be disciplined for refusing consent? Court declines to answer

Further, Décaré rejected the employees' argument that paragraph 27(1)(b) of the Act applied to prohibit the employer from imposing discipline based on a refusal to give consent to the collection of personal information. This paragraph prohibits the dismissal or disadvantaging of employees who refuse to breach the provisions of PIPEDA, acting in good faith and on the basis of a reasonable belief. Décaré stated: "That paragraph ... was intended, on its face, to protect employees from reprisals that could arise from an employee's refusal to comply with an employer's direction to perform job functions that would result in a violation of the privacy rights of others as protected by Division 1 of PIPEDA. In other words, paragraph 27(1)(b) protects employees from being disciplined for refusing to breach PIPEDA. Consenting to a request for collection of personal information is not a breach of the Act, nor is a refusal to consent a breach of the Act, quite to the contrary."

Décaré declined to address the issue of whether an employer, exercising its management rights, can discipline an employee who refuses to consent to the collection of personal information because Telus had not taken any disciplinary action and "[l]abour law disputes should be settled in a labour law forum." Leaving this issue for another day, and to the grievance arbitration forum, Décaré stated: "Once it is found that e.Speak is permissible under PIPEDA and that Telus applies this new technology only to the employees who consent to the collection of their voice characteristics, the employment consequences flowing from the refusal to consent to the reasonable collection of person information are nowhere to be found in PIPEDA."

For analysis of the impact of this decision, see the upcoming issue of Lancaster's Human Rights and Workplace Privacy E-Bulletin.

*Wansink v. Telus Communications
Federal Court of Appeal
Justices Robert Décaré, Alice Desjardins and Brian Malone*

Welcome to New Members

As new members hire on to our mill there is a requirement for them to be initiated into the Union in order for them to become members in good standing. Both Locals 298 and 1127 require this. Listed below are Local 298 new members:

<u>Member</u>	<u>Department</u>	<u>Initiated</u>
Colin Taylor	Steam Plant	----
Mika Vossi	Steam Plant	Yes
Stephen Stone	Electrical	----
Teresa L. Nyce	First Aid/Stores	----
Scott MacGregor	Terminal Warehouse	----
Steven Boudreau	Pulpmill	----
Chris Campbell	Raw Materials	Yes
Sonny Muchalla	Instrumentation	Yes
Dean Campbell	Electrical	----
Deanna Smith	Traffic	----
Lesil Coverdale	Raw Materials	----
Craig Karwandy	Raw Materials	----
Jordan Linteris	Raw Materials	----
Jeremy Striker	Pulpmill	----
Kurt Muller	Pulpmill	----
Daniel Graziani	Raw Materials	----
Jamie Sussbauer	Janitorial	Yes
Kevin Louttit	Pulpmill	Yes
David Payjack	Steam Plant	Yes
Laura Carpino	First Aid/Stores	Yes
John Price	Steam Plant	Yes
Kurt Nester	Traffic	Yes
Kevin Reis	Steam Plant	Yes
Jamie Harker	Steam Plant	----
Allan Bowles	Electrician	Yes
Terry Nyce	First Aid/Power Lift	Yes
Jackie Archibald	Steam Plant	Yes

The next General Membership Meeting is at 4:30 pm, Wednesday, May 9, 2007 at the Union Hall, 623 Enterprise Avenue. General Membership Meetings are held on the second Wednesday of every month, except July and August, unless otherwise notified.

New members should also be aware of our strike defense fund, also known as The Futura 298 Account. To sign up for this fund members have to open an account at Envision, Snow Valley Credit Union in Kitimat. Once a month, a member has to deposit at least \$50 into the account. Local 298 will add \$8 per month to the account. Once you accumulate \$1000 it gets rolled into a term deposit of your choice with the maturity date no earlier than the end of the contract. You can access the money and interest collected only during the first month after the contract expires, for a month after the start of a strike, a lockout or acceptance of the contract, or if you quit or retire from Eurocan. Otherwise, withdrawing the money prematurely will forfeit all interest earned. For more information on the account please visit the Kitimat Credit Union.

Also, anytime a member, or retired member of Local 298 or 1127 pass away both Locals take up a collection of one hour's card and pay this tribute to the deceased member's spouse or closest relative. This money is intended to assist the surviving family members with funeral arrangements and any other incidentals.

The above benefits are explained in our bylaws; an updated version of our bylaws can be found online at our web page - <http://www.cep298.com/>.

Notice

For people wanting assistance with their WCB claims, Pat Williams will be providing assistance and can be reached at the Terminal Warehouse First Aid office at (639)-3506 or on his cell at 632-1267.

Employee and Family

Assistance Program - EFAP

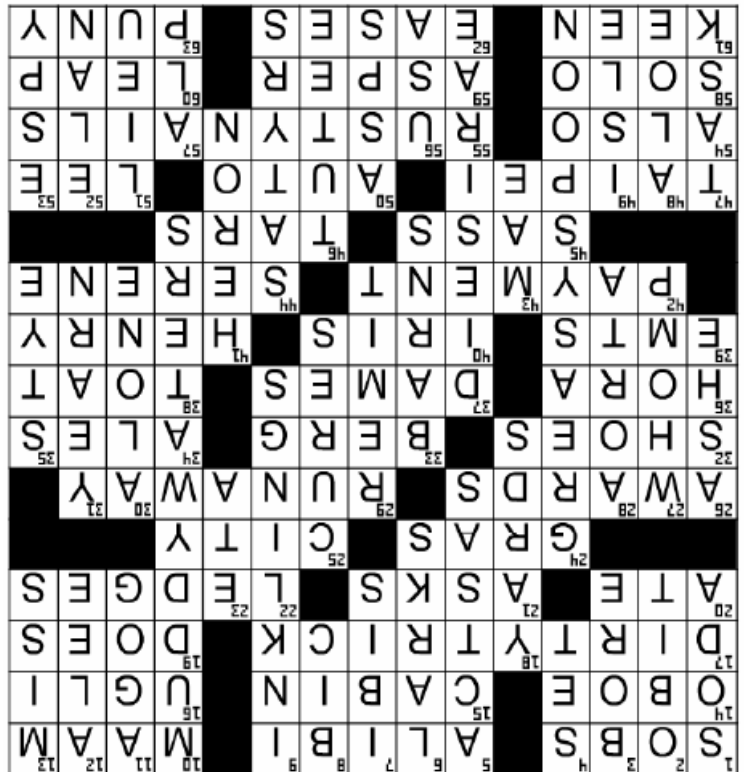
The services of professional counselors are available to all employees of Eurocan through the **EFAP**. Anyone needing psychological or psychiatric counseling, financial counseling or help in any matter can contact the offices of Wilson Banwell in Vancouver, toll free at **1-800-663-1142**.

The Kitimat office is located in Century House at #330 370 City Centre and the phone number is **250-632-5564**.

There is no charge for these services and all sessions are strictly confidential.

If you want advice about these services you can contact them directly or talk to one of our **EFAP** union representatives: Gary Ewanski, Mary Murphy, Peter G. King (pipefitter), or Ilona Kenny.

For more information about this product, visit www.uelick.com



Puzzle date: Monday, April 16, 2007

ACROSS

- 1) Weeps audibly
- 5) Suspect's defense
- 10) Polite word to a woman
- 14) Slender reed
- 15) Log home
- 16) Jamaican citrus fruit
- 17) Mean prank
- 19) Forest denizens
- 20) "Thanks, I already ____"
- 21) Questions
- 22) Window sills
- 24) Mardi ____
- 25) Mayor's bailiwick
- 26) Plaques and trophies
- 29) Out-of-control horse
- 32) Closet staples
- 33) Floating ice block
- 34) Pub potables
- 36) Bar Mitzvah dance
- 37) Agatha Christie and Judi Dench
- 38) How perfectionists do things?
- 39) CPR pros
- 40) It controls a pupil's size
- 41) King who had six wives
- 42) Creditor's demand
- 44) Peaceful
- 45) Talk disrespectfully to
- 46) ____ and feathers
- 47) Taiwan city
- 50) Type of part
- 51) "To Kill a Mockingbird" author
- 54) "Not only that ..."
- 55) Stepping on them can lead to tetanus shots
- 58) Individual performance
- 59) "____ your instructions"
- 60) Look before you do this
- 61) Finely sharpened
- 62) Moderates
- 63) Undersized



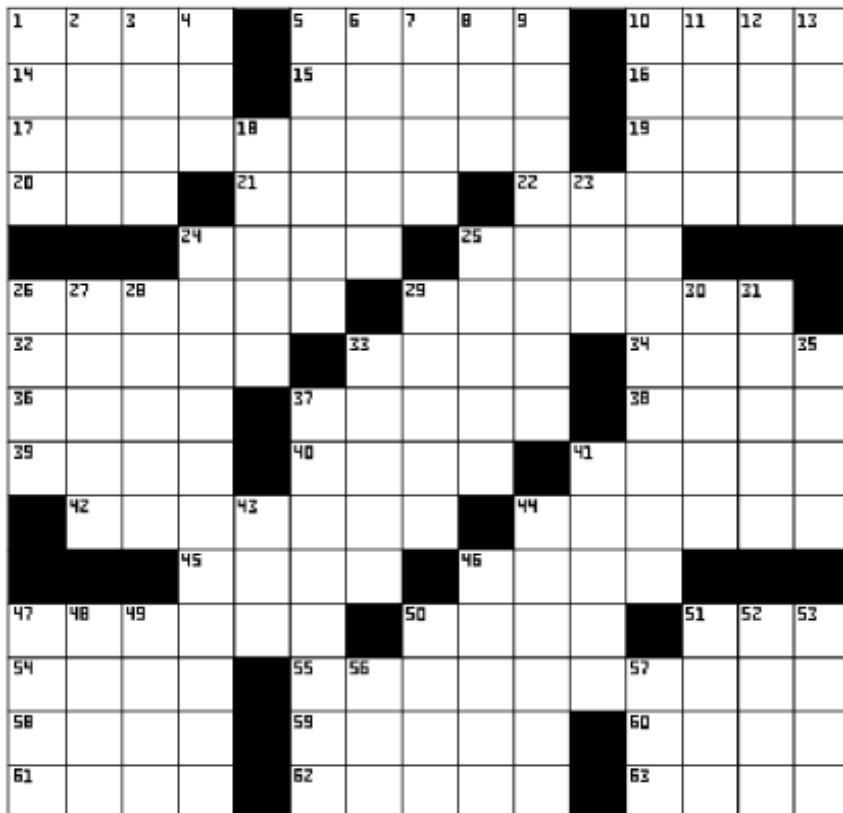
LAUNDRY DAY

By Cole Cooke

Edited by Timothy Parker

DOWN

- 1) Word with water or fountain
- 2) News item for a scrapbook, briefly
- 3) Dullsville denizen
- 4) Math term
- 5) Assumes the role of
- 6) Carefree or spirited adventures
- 7) Heron's cousin
- 8) Pen brand
- 9) Vague notions
- 10) Legendary blues performer
- 11) Eager
- 12) On the sheltered side
- 13) It's as good as a mile
- 18) Measurements of fabric
- 23) Greek letter
- 24) Beanery, in slang
- 25) Smokes meat
- 26) Legendary tennis star
- 27) Defeat decisively
- 28) It comes from the heart
- 29) Send a payment
- 30) In isolation
- 31) Pine
- 33) Rural sights
- 35) Eyelid flare-up
- 37) Hymn about the Day of Judgment
- 41) Marsh wader
- 43) West, of films
- 44) Goatlike creatures
- 46) Student
- 47) Mission
- 48) Shower gel ingredient
- 49) Seagirt land
- 50) Egyptian cobras
- 51) In ____ of (replacing)
- 52) Distinctive flair
- 53) See at a distance
- 56) It's a free country
- 57) Monte Leone, for one



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