



LOCAL 298 NEWSLETTER

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

Issue #7 Volume #11

cep298@monarch.net

www.cep298.com

October 2007

Historic merger between two Bell Canada unions: CTEA's 12,000 members approve agreement with CEP

Montréal, October 15, 2007 – An overwhelming majority of members of the Canadian Telecommunications Employees Association (CTEA) have approved an historic merger agreement with the Communications, Energy and Paperworkers Union of Canada (CEP).

Eighty-seven percent of the CTEA's 12,000 members voted for the merger in a phone ballot conducted over the last two weeks. The agreement between the two unions was reached at the end of September.

"We are naturally very happy about the result. It shows even more that this merger is a step in the right direction," said Brenda Knight, CTEA's President. Over the next months, the two organizations will have to adapt their respective structures in order to achieve the full merger.

"CTEA members have approved one of the largest union mergers in Canada and certainly the largest ever in the telecommunications sector," said John Edwards, CEP Administrative Vice-President, Ontario Region.

"And after numerous years of cohabitation, the time had come to join together as one union," added Ms. Knight.

About the merger

The CTEA represents 12,000 clerical and sales employees in Québec and in Ontario working directly at Bell or in companies controlled by Bell. CEP represents more than 12,000 technicians, operators and clerical employees at Bell and its related companies, in addition to 35,000 communications employees throughout Canada. The union now has a total of 47,000 members in this sector, making it by far the largest communications' union in Canada.

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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, cell 632-1352	First Aid/Stores
1st Vice President	Randy Dobson	632-7222	3513	Steam Plant
2nd Vice President	Don Klie	632-7571	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 &:..Paul Jeffery 3yr, Pat Williams 2yr
Reintegration Steve Dudra 1yr

Employee\ Family:...Mary Murphy, Gary Ewanski,
Assistance 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 Steve Krevenchuk
General Equipment Operators	
Steam Plant	Jim Harrison Arnie Lepisto Lucky Bhullar Kevin Read Debbie Newlove James Scrivens
Pulp Mill	
Shiploaders	
Warehouse\Dock	
Maint. Pipefitter	Al Hummel Dan Belleville Rick Wittmann Pablito Mendoza Gary Drake 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:

U
FOR UNION!

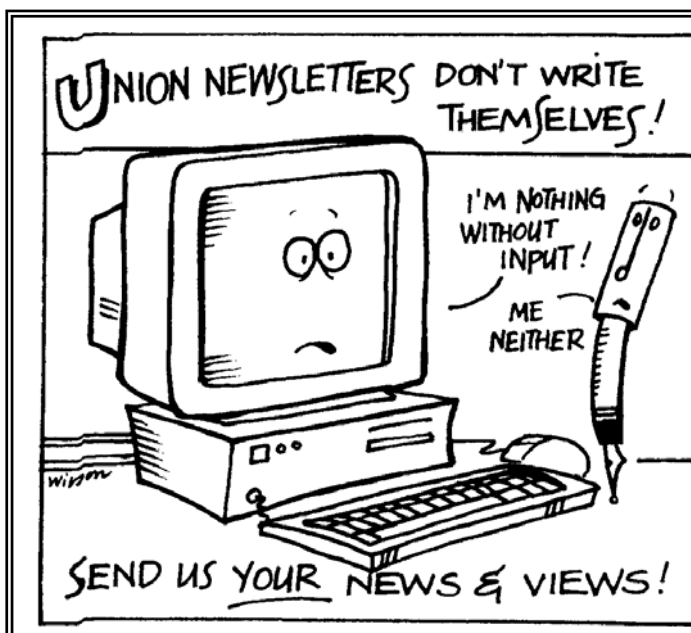
This newsletter is solely for the entertainment and information of the members of CEP Local 298. The Newsletter is available on the internet at the Local 298 web page or by sending your email address and making a request to the editor.

Union Office Hours:

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Monday to Thursday
Closed Friday, Saturday
and Sunday
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Signed articles appearing in this newsletter express the view and opinions of the authors. They are not necessarily the policy of the CEP or views shared by Local 298, its executive, or the editor. Articles and letters are encouraged and should be handed in to the union hall. You can E-mail your articles or contributions to the editor at cep298@monarch.net, or donklie@telus.net. All contributions become property of the union and must be signed. Contributors should note if they wish their material returned.

Editor: Don Klie



**Deadline for submissions
For December 2007 Newsletter
December 15, 2007**



NOTICE

2007 VOTE FOR 2008 PRESIDENT OF CEP LOCAL 298

Running for Office:

Don Klie

Mary Murphy

Paul Wilson

An advanced poll will be held at the union hall Monday October 29th from 4:00 p.m. –6:00 p.m.

VOTING WILL TAKE PLACE AS FOLLOWS:

Tuesday November 6th - AT THE MAIN GATE FROM

5:30 a.m. – 7:30 a.m.

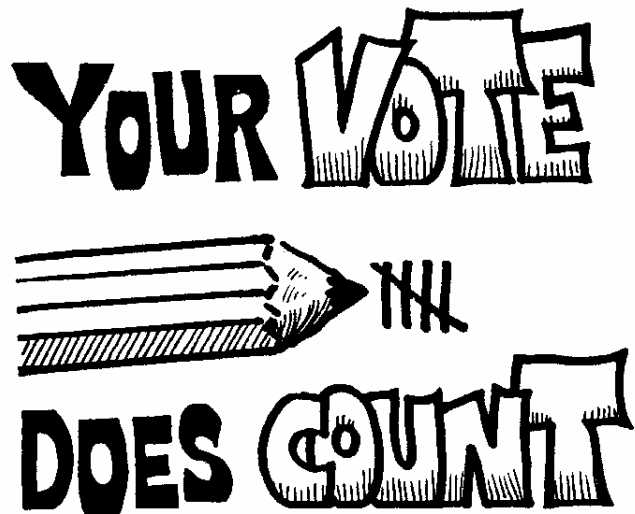
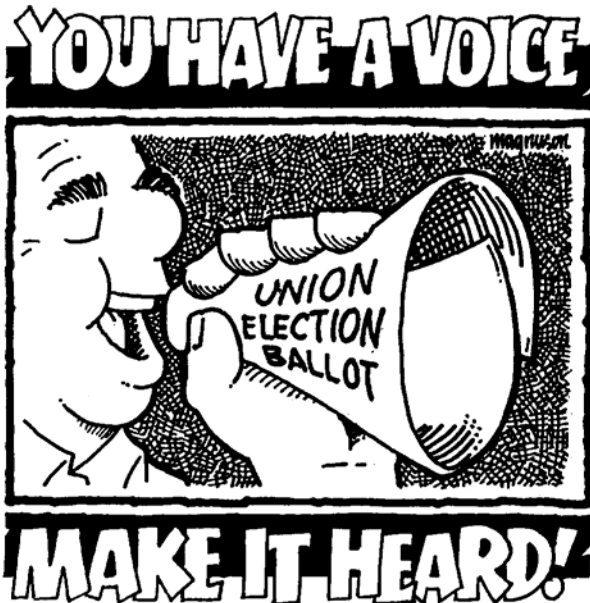
3:30 p.m. – 7:00 p.m.

Friday November 9th - AT MAIN GATE FROM

5:30 a.m. – 7:30 a.m.

3:30 p.m. – 7:00 p.m.

**TERMINAL, IF NECESSARY, AT
APPROPRIATE TIMES**



President's Report

PROMOTING UNIONISM

By Mary Murphy

The BC Federation of Labour's Health and Safety Centre has been training young workers to facilitate high school sessions across the province. The program prepares young workers to talk to students in high schools about their rights in the workplace. The Federation is in the process of identifying young workers committed to facilitating health and safety and labour education workshops in high schools in their community. If you are a young CEP Local 298 member, interested in this very important program, please contact me. The Federation will provide education on basic occupational health and safety, the role of unions in BC, and effective facilitation skills. This is a great opportunity for some of our young workers, and I look forward to recommending interested Local 298 members for the program. The cost of accommodation, travel, wage loss and per diem expenses for the facilitators will be covered by the BC Federation of Labour.

Promotion of unionism and looking after members' best interest is always an ongoing issue. The union needs to work on the EFAP program, and recognition that getting a member to come to the realization that they have a problem, and support them into a treatment plan which will work for them. Recognizing that the addiction is a sickness, and the support will be ongoing, possibly for life, is difficult to sell to the members, and company. It is an ongoing problem whether its mental challenge or addiction challenge. Mental issues, compulsive disorders, depressions, anxiety, and stress related illnesses for example, seems to be more accepted by the membership and company than the sickness of addictions to substance abuse. Clearly, a lot of work needs to be accomplished in this area, if we are going to be successful in establishing and **maintaining** the appropriate help for some of our membership.

Promoting unionism and its meaning, and getting members involved are continual propositions. Especially, when continually battling some of our own members. We were faced at the last Standing Committee meeting, during a caucus, with a representative of the Local making the determination that Local 1127 members, who share in the job allocations by successfully posting into positions throughout the mill, needs to be initiated into Local 298. If the Local incurred costs in arbitration because of that member, Local 298 members should have the right to not accept them into our



membership. This would create drastic territorial and posting opportunity problems, and a violation of the members' rights to proper representation. Don was very clear addressing the Standing Committee members, a member in bad standing who you would vote not to be accepted into a local, is one who, crosses a picket line, refuses to pay union dues, or refuses to pay monies owed to the local. "That is a member in bad standing"

The upcoming Wage caucus meeting has been changed, from my last report in the September newsletter from November to December 9th and 10th. A motion was passed at the last membership meeting, to send three delegates. There are several issues that we need moved onto main wage agenda and out of our bull sessions. Shiploader issues, Steam Plant and Maintenance wages. Noticing the USW/IWA settlement, some of these will probably be reflected in our negotiations....blue net card which was suggested as a contractual bargaining issue.

Price trigger

(as sent to me by Bob Hughf)

A conference call held on Tuesday October 9, 2007 with Local 10-B, Domtar in Kamloops and Montreal and Garry & Don from Smythe Radcliffe with respect to the tax implications of the trigger bonus. The following outlines the requirements acknowledged by both the employer and Smythe Radcliffe:

1. **Moneys going to the Local for the Bridging:**

These moneys are not taxable by Revenue Canada per say but are subject to what is known as a "holding tax". The Local which receives the moneys for the purpose of administering a benefit for retirees in conjunction to their pension must secure a registration number under the RCA (Retirement Compensation Arrangement). What this means is that 50% of the moneys receivable by the Local are to be sent to the Federal Government under the registration number and will sit there with no interest until the Local pays the bridging benefit to retirees. At which time the Federal Government will reimburse the Local \$1 for every \$2 paid out to the retiree. The other 50% will be held in an account by the Local for the sole purpose of the bridging and will accumulate interest. When the employee retires and receives the bridging he/she may be subject to taxes at that time.

2. Moneys going to the Local upon fully funding the Bridging Benefit:

Moneys going to the Local once the bridging is fully funded are not taxable. These moneys can go into a General or Special Fund but if they are earmarked for a predetermined group such moneys received for such purposes may be taxable prior to the Union receiving the moneys. If for instance your Local sets up a Benefit Plan for retirees to top up lifetime maximums, the money going into the plan may be taxable. That is unless your Local sets up an actual Trust Fund which we have discovered to be expensive and cumbersome. Having said that if the Local were to give moneys to a Retiree because his/her lifetime maximum benefit had been reached, this money would not be taxable. Simply, this money is not pre-determined or earmarked for a special group and is distributed as a result of a vote of the membership to benefit the membership and retirees as per our usual administration of Union moneys, consistent with the negotiated language. If the Local decides at a general meeting to pay for stewards training from the moneys generated by the trigger moneys coming to the Local they are not taxable and upon reimbursement to the employer for time lost as I understand it, automatically includes tax and other deductions. If the employer pre-taxed the moneys coming to the Local we would be paying double taxes in this scenario.

Employer's who have taken the position that moneys beyond the funding of the Bridging that go to the Locals are taxable are wrong, there is no requirement by Revenue Canada to tax this money and it is clear that in order for them to receive a tax credit the moneys need to be taxed. We will still be looking for an acceptable process for the Local to administrate the Bridging without the "holding tax" implications and will communicate our findings.

One of our members is concerned with the Blue Cross coverage and feels that the plan needs to be compared with the old coverage. I am unable to find the old plan at the union hall, if anyone has an old copy please contact me.

While Don was putting the Newsletter together he has taken time to deal with a member who was refused sick pay benefits while being off sick. As in the past, there was a CEP conference regarding union newsletters and training for newsletters editors. I think Don could benefit from some additional editorial training, and the membership may want to look at having the newsletter published every other month, as CAW publishes. This could relieve some newsletter expenses, along with giving more time to have better participation from the committee's in reporting for the newsletter. Especially looking at my last report and not wanting to be repetitive.

Scott McLean and Bob Hughf will be coming up sometime in November to do Job evaluations. Areas which will be done are the Steam Plant, Pulpmill, and a request has been sent for the 2 Day Warehouse as well.

The Evaluation committee will also be looking at the Paper Testers. Several years ago they downsized the department taking them from two testers to one. Nothing in the scope of the job or the equipment responsibility changed. Bob is hoping to get some back pay for this group. The Paper Testers will be taking another hit when the Back Tenders take over the Paper Testers' responsibilities; the target date is January 2008. Ummmm, more money for the back tenders and four more jobs gone.

Standing Committee has taken the position that there will be no more special departmental Standing Committee meetings. If there is a need to have a department Standing Committee meeting we will hold them during regular standing committee meetings and invite representatives from that area to attend the meeting. One of the issues which created these special meetings was relationship building; this has to be done at Standing Committee. This is the place to build relationships. Another problem was clearances and attending meetings during days off. The company was prepared to pay overtime to attend these "special departmental meetings", but not willing to pay overtime to attend regular Standing Committee Meetings. This addressed the clearance problem, for committee members who needed to attend during their days off, as getting released during working days was difficult. And, it is still difficult with the manning issues especially since Randy took the position of not leaving his job open in order to attend a meeting; more relationship building issues. The problems with these special meetings were sporadic minutes of the meetings and relying on memories

instead of notes. There would be one or two attending from Standing Committee and not the committee as a whole. Finding information on these meetings was, and is, difficult. Documentation needs to take place and committee members need to attend the meetings, not one or two members. I believe that this is a step forward and we need to keep an eye on this issue so we don't revert back to "special departmental Standing Committee meetings" just because the company is willing to pay, pay, pay overtime for these meetings.

On October 4, 2007, Striking USW/ IWA were joined by members of the Kitimat Terrace and Labour Council in solidarity at two log sorting yards in Kitimat. The group of union activists, from USW/IWA, the Kitimat Terrace and Labour Council, executive members of CAW, teachers union, myself representing Local 298 disrupted the flow of raw logs for export and distributed leaflets to inform the public about the issues involving the dispute that began in July. Speeches reflected northern issues, loss of jobs, plant closures, reductions in school, contracting out of jobs, and union jobs taken on by private businesses. After a lengthy strike it looks like a settlement is in the works. A motion from the floor to send \$350.00 to the membership in Terrace was passed at our last membership meeting.

Representing CEP Local 298 at this year's telethon was Lesil Cloverdale, Ted Metz, and as of Saturday night at 7:30 pm Rick Wittmann. Thanks to Brother Wittmann who changed his plans at the last minute to take my place as coverage could not be secured for the two hours to attend the Telethon. We appreciate these members donated time to represent the Local. I placed a motion on the floor at the last meeting, which passed, to donate \$1000.00 to the Aluminum City Telethon. The donations provide services in the communities of Kitimat and Kitimaat Village. Last year the organizations benefiting from the ACT funds, were The Kitimat Child Development Centre, Kitimat Community Services, Kitimat Hospice Society, Special Olympics B.C. Kitimat, Tamitik Status of Women, RCMP Dare Program, Kiwanis Senior Housing Society and the Delta King Place. Representing 1127, Adrian Welsh, Carlos Carreiro, and Mike Schuss...BIG THANKS GUYS FOR A WORTHY CAUSE.

Although we sometimes feel that addressing safety with the company, as at the last Central Safety meeting, can be emotionally draining, it's important to stay focused on what we need to accomplish. The lockout committee and the Central Safety committee requested that the standards be consistent throughout the Mill for safety policies and procedures. I am told that once again at the last, very quick Central Safety meeting the issue of two qualified

persons to lock and de-lock a system was being challenged by management. It is true the committee makes recommendations to management and management adopts the recommendations or rejects them. At the next Joint Central Safety meeting, both staff members and hourly members will be sending the recommendation to management, "two qualified operators to lock and de-lock a system", again, and getting a reply in writing.

I have a lot of experience with management not appreciating the issues which were uppermost in my mind over the years, and it takes time for them to realize that we really are all on the same page; the asbestos issue for one (no one wants to see anyone hurt). The company has a vested interest in keeping the costs down and usually this is keeping the cost of employment down. Finding ways to do the same work with fewer people, running on insufficient manning, training, and this in itself creates a hazard.

FOOD FOR THOUGHT:

IF YOU EXPECT ME TO IGNORE A SAFETY VIOLATION, THEN YOU ARE ASKING ME TO IGNORE THE VALUE OF YOUR LIFE; THAT, I AM NOT ABLE OR WILLING TO DO. Recently during an audit Dennis Clare noted an employee about to do a job which created a safety risk to that person. He quickly got the person's attention and discussed the issue with that person. I have noted that in the past instead of directly communicating with the person, the supervisor would be called upon to address the issue, usually after the fact. SO PLEASE DO NOT EXPECT ME TO IGNORE A SAFETY ISSUE, OR A POTENTIAL SAFETY ISSUE, OR GET SOMEONE ELSE TO TAKE THE RESPONSIBILITY TO ADDRESS IT WITH YOU; I DO THIS BECAUSE I CARE.

And, as a First Aid Attendant I have an added responsibility to the CEP members of this mill.

In solidarity, Mary

Costliest and least effective health care

Labournotes/ CALM

For-profit health care in the U.S. continues to be the world's costliest and least effective. according to a report from the Commonwealth Fund.

"The U.S. health care system ranks last compared with five other nations on measures of quality, access, efficiency, equity and outcomes," stated the report.

Per capita spending in the U.S. was \$6,103—almost twice that of the second worst country on the list, Canada, which spent \$3,165.

Second Vice President's Report

Family Responsibility Leave - It's Your Right, Not Theirs

By Don Klie

As most have already heard or read, the Union was successful with the Schibli, Family Responsibility Leave (FLR) arbitration. Brother Schibli is to be commended for standing up for his rights (and being patient while the grievance was processed through the various steps of the grievance procedure).

The grievance was about the Company's refusal to allow Brother Schibli two days Family Responsibility Leave to assist his son with returning home from university for the summer months. Curiously, the Company did grant him paid time off for the same purpose.

Family Responsibility Leave comes to us from the *Employment Standards Act* and states at Section 52: *An employee is entitled to up to 5 days of unpaid leave during each employment year to meet responsibilities related to:*

- (a) *the care, health or education of a child in the employee's care, or*
- (b) *the care or health of any other member of the employee's immediate family.*

The Arbitrator ruled that moving a child home at the end of a university term is clearly a responsibility associated with a child's education. She wrote that the Grievor was required to identify that he needed a leave to assist his child to move home for the summer. Once this information was provided, the Company could not deny the leave and the Grievor was not required to justify why he had to assist with his son's move back home from university for the summer months.

In another case from the Employment Standards Tribunal, both referred to by the parties, which involved an employee who had requested leave to accompany his wife to the hospital where she was to undergo a surgical procedure, that adjudicator wrote that the employee had to identify that he required a leave to accompany his wife for a visit to a medical practitioner. The adjudicator also wrote that there was no need to disclosed the procedure the wife was under going, there was no need to justify the employee's presence at the appointment, and there was no need to give written notice or to give lengthy



notice to the employer, as the provision of the Act contemplates emergency absences.

The Company argued that the Grievor's son was no longer a "child" under the Act and/or was not "in the employee's care". The Arbitrator disagreed with their position, noting that that was an overly narrow interpretation of the provision not consistent with the purpose of this Section of the *Employment Standards Act*. Also, she wrote that education does not end at the age of majority; that the limiting factor under the provision is whether the individual, the child, is "a child in the employee's care"; and, that if a child lives at home when not attending school or university, that was sufficient to establish that he/she was "in the employee's care" for the purpose of the Act.

During the arbitration process the two sides prepared an agreed statement of facts and then provided written submissions as to their positions on the matter. The Company wrote that it operated in a highly competitive market and that incorrectly administering FLR was impacting its bottom line. It studied the issue and decided that all FLR forms would be forwarded to Heather Wuensche or her designate for review. In late 2005 Ms. Wuensche was also assigned to conduct education sessions with the supervisors.

A direct result of this education and reviewing was that employees were improperly denied FLR.

When Ms. Wuensche reviewed the request of an employee to take FLR in order to assist his child with relocating home from university, she decided to call the Employment Standards Branch to get advice on the matter. From the information she provided to the Branch representative, supposedly an adjudicator (more likely it was an Industrial Relations Officer, who

also adjudicates on certain issues), she was able to get the Officer to agree that transporting a child home at the end of the school year was not a responsibility related to the health, care or education of a child.

However, Rick Wittmann, the electrician's shop steward also called the Employment Standards Branch (after having discussed the issue with Wuensche and she providing him with the number to call). The advice Rick got from the Branch was that he likely had a very good case, but since there was a union and a collective agreement involved, the Employment Standards Branch could not involve itself in the resolution of the matter.

Legally, in a dispute such as this, an Employment Standards Branch employee's opinion is no better, and possibly worse, than a lawyer's opinion, which an arbitrator does not consider when deciding a grievance. The only opinions considered are those contained in legal awards such as court and arbitration awards.

I also phoned the Employment Standard Branch for clarification of the issue. I was informed that the Branch doesn't employ adjudicators per se, but that the Industrial Relation Officers do adjudicate on certain matters, except in cases where there is a union and a collective agreement. After informing him of what the issues were, and the fact the Ms. Wuensche and Brother Wittmann had spoken with different representatives from the Branch and that both had gotten conflicting responses, I requested his opinion on whether or not transporting a child to and from university would entitle an employee to FLR. His response was that he needed more information, but also, that he couldn't comment on the issue because he didn't want to prejudice the Arbitrator.

Obviously, this shows that relying on the opinion of the Employment Standards Branch is a "fool's game". The only opinion one can rely on in matters such as these are those that are produced in official awards. The Employment Standards Tribunal does adjudicate such matters and their awards do set precedence as do arbitration and court awards.

This particular issue, transporting a child to and from university, has never been put before an adjudicator before (I would assume because every decent employer, especially those with children, understands a parent's responsibility to help their children with attending university).

However, there were a number of cases that contained general comments about FLR and the Arbitrator (and the Union) found them very helpful in defining the provisions of the Act. In one case an adjudicator ruled that an adult sister was entitled to FLR to attend a 2-year old sister's medical appointment, even though the two lived several

hundred kilometers apart and the father was attending with the younger sister.

In another case the adjudicator found that a mother was entitled to FLR to attend to an adult daughter, not living at home, who was in the hospital giving birth.

In a third case the adjudicator found that an adult daughter living in Canada was entitled to FLR to attend her mother's medical eye appointment; the mother and father both living together in Europe. In fact, in this case the employee hadn't requested FLR, just that she needed time off. The adjudicator wrote that the employer was still required under the Act to allow her leave for the stated purpose.

The Arbitrator in the *Schibli* grievance noted several comments from these awards including, "*It is to be noted that the family responsibility leave is an employee entitlement, not something that may or may not be granted at the discretion of the employer...*" The Arbitrator concluded that, "*...the Grievor does not have to justify why he had to attend with his son when moving home from university, an education institution, for the summer months.*"

The Company Still Doesn't Get It – Our Children's Education Is Our Responsibility!!!

After reading the award I felt very good, for among other reasons, I believed the award was well written in that the Arbitrator clearly explained the issues in play and how and why she ruled on each of the issues (the Union's lawyer also agreed that it was a well written award).

However, the Company apparently didn't agree with that assessment and has appealed the decision to the BC Court of Appeal. Firstly, the Company believes the Arbitrator failed to give any meaning to the word "responsibility" in Section 52 of the *Employment Standards Act*. They wrote that the Arbitrator simply stated that moving a child home at the end of a university term is a responsibility related to the child's education, in effect, giving employees carte blanche to determine what is and what is not a responsibility and employers have no ability to challenge employees' assertions in this regard (*I very much agree that once an employee establishes the right to FLR, the Company has no ability to challenge employees' right to take it. Editor.*).

The Arbitrator wrote, "*Moving a child home at the end of a university term is not a frivolous activity. That is clearly a responsibility associated with his child's education.*"

Interestingly, the Company didn't provide a meaning for the term "responsibility" in their appeal or in their submission at arbitration; just that it didn't mean "a parent going to pick up their child from university and bring them home for the summer".

Secondly, the Company submitted that the Arbitrator failed to take a purposive approach to the interpretation and application of the Act, especially Section 2 of the act which reads:

(2) *The purposes of this Act are as follows:*

(e) *to foster the development of a productive and efficient labour force that can contribute fully to the prosperity of British Columbia;*

(f) *to contribute in assisting employees to meet work and family responsibilities.*

The Company noted that the Act attempts to strike a balance between the employer's need for a productive and efficient work force and the employee's need to meet family responsibilities; and that the provisions were to apply in circumstances where family problems conflicted with job responsibilities.

It appears the Company is trying to say that FLR is only to deal with responsibilities related to family problems, and that unless a family member has a problem, the employee isn't entitled to the leave.

The Arbitrator did address these points and referred to other awards on these issues and wrote, *"That balance is achieved by limiting unpaid family responsibility leave to five days. The leave is also limited to the specified purposes set out in the Act. Any further leave is subject to discretionary leaves as negotiated in a collective agreement or as granted by an employer."* Clearly, the provisions in Section 52 are not only to deal with problems, but with family responsibilities that relate to the care, health and education of a child, and/or the care and health of family members.

Lastly, The Company contends that the Arbitrator's interpretation of the word "child" ignored the context in which this word was referred to in the Act. As in their arbitration submission, the Company tries to limit the meaning of child to that of a child who has not yet reached the age of majority, 19. However, the Act itself gives no definition to the term child, but does require that the child be in the care of the employee.

The Arbitrator wrote, *"Education does not end at the age of majority. The real limiting factor under the provision is whether the individual is "a child in the employee's care". While no doubt parental obligation is dynamic and changes over time, if a child lives at home when not attending school or university, that is sufficient to establish he or she is "in the employee's care" for the purpose of S. 52 (a) and the education of a "child".*

Our lawyer will be handling this appeal. I have previously been involved with 3 similar types of appeals. The Union was successful on all occasions. In the Vollrath – denial of LTD benefits arbitration, which the Union won, the Company appealed that award to the BC Court of Appeal as well. The Union will continue to defend the rights of its member as best it can.

West Fraser And Eurocan Management Should Be Ashamed

Clearly the Company didn't like losing on this issue, but for a Company like West Fraser, which puts up the appearance of standing for family values, I find it very hard to accept that its use of its right to appeal this decision is something more than what appears on the surface.

Firstly, several top management officials at Eurocan have had or have their children working at the Mill. Many of those children have also attended post secondary education. I wonder if these top officials take the position that they had or have no responsibilities to their children's education once they have completed secondary education. Do they have that little regard for their children? Does Hank Ketcham have that little regard for his children?

When Eurocan takes the position that its employees have no responsibilities to their children's education once those children have finished secondary school, I believe they're saying that Eurocan doesn't care about its employees' children.

In both the Company's arbitration and appeal submissions they argued that "responsibility" had to be defined in legal terms. There is no such qualification in the *Employment Standards Act*. However, in legal terms, there is a term, "plain reading", that basically means that unless otherwise defined, the words have a plain reading meaning; a common sense reading of the words. To me, it is common sense that a parent has a significant level of responsibility to a child's education while that child is attending school and unable to go out and find a job to earn enough money to live on their own.

I believe that Eurocan's position in this appeal and in the grievance is absurd. I believe that at the beginning of this issue Eurocan was more concerned about their bottom line than they were about their employees' welfare and well being. With this appeal, I believe Eurocan is trying to "run the tab up" to try to exhaust the Union's finances. West Fraser and Eurocan's upper management should be ashamed of themselves.

Joint Occupation Health & Safety

Safety Training - Training Safely

By Paul Jeffery

(I would like to apologize to Brother Jeffery for the delay in publishing this article. It was originally sent to me for the July 2007 Newsletter. Unfortunately it was sent to an email address I was infrequently checking, and then after I discovered it, I overlooked it again when I put the September Newsletter together. My apologies again. Editor.)

Well the past 2 months have been pretty busy safety wise. At the beginning of May I attended the CEP Western Safety Conference. The Conference is an important aspect as not only do you gain information from the workshops but you also get to talk with safety people from other mills and share problems and solutions. The first day of the Conference was dedicated to Local reports. An issue that seemed common in most of the mills is lockout. Much like our workplace there are issues about how to determine a qualified operator and making sure that the system is locked out properly. Another issue in a lot of mills is downsizing and the effect it has on morale. As we all know, when morale goes down, safety will follow. The next day of the conference was dedicated to workshops. I attended the workshops on Substance Abuse. The first workshop dealt with addiction and strategies to help people with addictions. It is important that when you think about addiction that you don't just look at drugs and alcohol, you look at all addictions. Addictions like gambling and work can be as harmful as drugs and alcohol. Also, you have to be careful not to jump to the conclusion that a person is addicted due to a couple of incidents. It is important to have trained people to help the individual and if required a proper assessment. The next two days were with the company and the workshops I attended were on stress and dealing strategies and another workshop presented by Worksafe BC about incident investigations. The stress workshop was very good with ways of dealing with stress because we all have stress (if we didn't we would be dead). Ways such as taking what you are stressing about and examining the worst case scenario and the likely hood of it happening, and ways of reducing your stress level so you can perform at your best. The other workshop was interesting and stressed the importance of proper investigations. It is important to gather evidence and statements as this will give you an accurate description of the incident. Also, when it

comes to recommendations it is vital that they be of real value. In other words, they will effectively address the cause of the incident, they will be measurable, and they will be achievable.

June saw us go into a shutdown. The shutdown was long and many jobs were being done. The metal spray job was one that was of a big concern, safety wise, due to the health risks involved. Eurocan put together a plan to deal with the risks and except for a couple of problems with the fans the job went very well. There was another incident that had the potential to be deadly. A worker was walking a piece of sheet metal across a catwalk covered in plywood when it slipped through an opening between the catwalk and the building. This 100 or so pound piece of metal plummeted down the side of the building and bounced off a manhole cover. It severed an air line and welding cable, struck a worker and continued to the ground. About 30 seconds before this happened the worker was exiting the manhole. If the metal had been over a few inches and dropped 30 seconds earlier it could have sliced through the worker. It raises the importance of inspecting the workplace and looking at potential hazards. During the shut down there were issues that came up with how the lockout alterations were being done. These issues will have to be addressed by the lockout committee and a mill wide policy should be implemented. Part of the problem is that each department deals with lockout alterations differently and that leads to confusion.

That is all I have to report for now. I will close with a couple of things, to all safety captains I would like to get some ideas on the type of training you need and want. I hope to have the training take place in January and the sooner I have the areas you want training the better planned it could be. Also canvas your crews for Safety Improvement Fund ideas as the sooner we get them the better we can investigate them. To everyone I would like to stress that if you see a safety concern or hazard, to inform your supervisor and if you aren't satisfy then involve your safety captain. Safety Captains are a vital part of our safety program and should be involved in all safety concerns. Thank you all.



Lock Committee Report***It Takes Two To De-Lock*****By Don Klie**

Recently there was a Joint Lock Committee meeting to discuss and make recommendations on several issues.

Drain Valves – Locked or not – The Committee recommended that if drain valves were identified as part of the isolation and lockout procedure, then the valves will be required to be locked in the position as noted. In the past it has been argued that locking drain valves open was unnecessary, however, if the drain has to be opened in order to make a system safe, then it has to be locked in that position to ensure safety.

The WCB Regulations state:

10.3 When lockout required

- (1) If machinery or equipment is shut down for maintenance, no work may be done until
 - (a) all parts and attachments have been secured against inadvertent movement,
 - (b) where the work will expose workers to energy sources, the hazard has been effectively controlled, and
 - (c) the energy isolating devices have been locked out as required by this Part.

If the drain has to be opened in order to release the energy contained in the system, whether it is head pressure, chemical in nature, etc., then it has to be locked in that position.

There could be occasions when the drain has to be closed afterwards while the work proceeds on the equipment; again, the valve will have to be locked in that position.

Lock Assignments – The Mill has encountered problems with tracking and identifying the locks that are being assigned to employees. All fulltime employees are assigned locks and the Committee is investigating ways to properly identify locks, either through engraving or stamping the name on the lock, or possibly providing plastic tags that would fit on the hasp part of the lock.

Also, once a set of locks is returned to Stores due to an employee terminating, the Company needs to do the proper follow-up record keeping. It was recommended that the Company could utilize individuals either on light duties or on the Re and Re committee to do this work. Proper record keeping for locks used in system lockouts is also necessary as is maintenance on the locks.

Damaged lockout scissors – During the last shutdown an incident occurred where a large pair of lockout scissors became detached from the lockout board it was securing. Intermediate action was taken

to ensure the safety of the workers who had locks on the scissors and were, presumably, still working on the isolated equipment. The scissors were reattached to the lockout board using another pair of scissors and a lock applied to prevent the lockout board from being decommissioned while employees were still working on the equipment. All of the employees were located and removed their locks, a new scissors were applied, and the employees applied their locks to the new scissors and returned to work.

Removal of locked devices – As noted in the July 2007 Newsletter, during the major maintenance shutdown there were a number of incidents where locked devices, which were part of a system's lockout, were removed from the system without the locks being removed. In the Maintenance department the policy has always been that no locked device will be removed from a system – this requires that whatever has to be done to take the locks off and keep the system secure, will be done. However, in certain areas of the Mill the policy was not being followed.

The Lock Committee recommended that no locked devices will be removed from a system. If there is a need to remove a locked device from a system, a risk assessment will be done, alternate isolations points will be identified and locked, and the device in question will have its locks removed. The risk assessment will identify all necessary steps to take in order to maintain employees safety.

Locking automatic valves – Concern was expressed regarding the appropriateness of using automatic valves for isolations point at lockout. It was noted that certain automatic valves, for example, flow control valves, are not usually designed to seal. However, some valves, either ball valves or gate valves that are air actuated, manually or automatically, remotely or locally are designed to provide an adequate seal. The ease with which the valves can be actuated to open is one of the major concerns. The Committee will investigate at our sister mills to find out how they address the issue.

Resolving Lockout Issues – The Committee wanted to provide a list of people that could be contacted to try to help resolve lockout issue. For employees on the floor, I would recommend involving your Safety Captain and/or Shop Steward in any lockout problems as well as the Supervisor. Union representatives of Central Safety and the Lock Committee are available if the issue is unresolved at the lower levels.

Two qualified workers required for de-lock – This issue has for sometime been at Central Safety. The Lock Committee confirmed Central Safety's position, that is, it takes two qualified workers to de-

lock a system lockout. Apparently, the Papermill management is unwilling to accept this position. At the October 2007 Central Safety Meeting the Papermill Manager again wanted to have a separate policy for the Papermill which would allow for only one worker to do the de-lock.

This is a very interesting situation because of the position the Company took at an arbitration early this year in which they insisted it was the WCB Regulations that required two people to do the de-lock. The arbitrator agreed noting that the Regulations further strengthened the employer's argument that two people were needed to ensure the safe de-locking of the equipment. Ferd Wuensche, a past Safety Coordinator, testified that the WCB Accident Prevention Officer told him that two people were required to do the de-lock. The issue for the Union in the grievance was that the individual had been disciplined for a policy violation, a policy the Union knew the Company didn't enforce and on occasion tried to get around. The Union has always agreed that two people were required to safely de-lock a system. The Union will continue to insist that the Regulations require two qualified workers to do the de-lock.

With regard to the term "qualified worker", it is the Union's position that a qualified worker is one who has been fully trained to do the job and is knowledgeable and capable of operating the equipment under which he/she is required to isolate and lock.

Stay tuned.

Belleville's Views

Sawmills Screamed Dollars

By Dan Belleville

I was sad to hear that West Fraser has killed another worker at a sawmill in Houston. This worker was only six weeks on the job as I was informed. So either she lacked training, or she was rushing because of production needs. If it happened here I would believe that manning issues would have to be a factor, and knowing how West Fraser operates I would not rule this out. I know it's hard on the owners to face the families, and they will do some changes in their policies. But what the hell, this will only be for a short time. Remember the guards which all had to be replaced or put in place, how long was that a priority.

Look at the last Central Safety meeting, Mike Rekedal said he was only going to use one operator to de-lock, yet the company told the arbitrator that the policy at Eurocan, for locking and de-locking mirrored

each other..... So if that is the policy, Mike Rekedal is telling his workers to violate the lockout policy. I can see why Mike wants to do this. When shutting down a machine he can use everyone to lock out in a hurry, but when de-locking he needs the workers to start up the equipment; not spend needless time being safe while bringing up the system, knowing he doesn't have enough workers to lock and de-lock in accordance to our safety standards. I believe that since the strike he has gotten rid of three or four workers per shift; a celebration for management in itself. Yet with this number of people gone the members are still producing records and still showing that they want and are committed to keeping this place running and profitable. I see now that the Papermill has noticed what maintenance has done and is about to put another building into another building, to get rid of yet another job that still has to be done.

Well, with this added obstacle and other ideas, its only time before someone is hurt or killed here. One good thing about this new building is that it has a sink in it and if someone does get hurt, the superintendents can wash their hands of it.

I see the Sawmill in Terrace is up and running after a lengthy strike that the companies wanted. They are all screaming how much money they are loosing because of the Canadian dollar. Yet how many logs have these companies and government allowed to go out of this country. Remember when the dollar was low they screamed the same thing..... we are loosing money. I remember West Fraser had its own logging division and paid the loggers a fair wage. But they have gotten rid of their own workers, and hired contractors, to do the cutting and transporting of the logs. This way they can cut the costs of what they pay the

contractors, to offset the cost of the logs.

Remember when we went on strike four years ago and they said we were loosing money, and we were surviving because of the Sawmills making four dollars for every dollar we lost..... Well, since then the company was told to lower the price of the chips that Eurocan was paying themselves because they were way overpriced. Now we are making profits and the Sawmills are being

told that they have to give the chips away to Eurocan and that is why they are loosing money. I just wonder how much tax that this company has robbed our country of over projected and inflated costs. Yes, we are still doing the best in many areas



and after soul searching the company has decided not to hand out any food to its employees. I wonder if that includes bonuses for upper management. There are few records that the company has omitted that I believe exists. First, most money spent, ever, on vending machine rentals. Second, most monies spent on misplaced inventory. Third, most money spend on flying materials in because there is none in stock. Fourth, most times the lagoons had to be cleaned. Fifth, most money spent on a ramp at the lagoons, and the widest without the use of our workforce...CONTRACTING OUT IS MORE EXPENSIVE... Sixth, most money spent on a truck box repair, ever.

Then, they ask us for ideas on how to save \$money\$. I have been told one idea is to hire more workers and fewer supervisors. You may ask why...Well if you have two supervisors requesting 40 workers to do the jobs that they want done, then something will get done, but if you take 10 supervisors and they ask the same number of workers to do the jobs, that they want done, then nothing will get done. Another good idea is to treat the workers with more respect and listen to their ideas and concerns. Maybe they can save time and money at least they wont be quitting or putting in for transfers, which costs the company money on time and training. If the company took the time they would see that they have a lot of workers that have put in a lot of time and want the company to be successful, like suggesting that using the workers available to do the work instead of unnecessary contracting out their work.

But, time after time it's the company putting up road blocks because someone doesn't like someone that the company is paying out large amounts of money. Sometimes I think that the company feels the workers don't read or listen to the news.

The commitment to employment is a committee aimed at reducing costs of contracting out if we can do the job cheaper in-house. Yet the company has only held one meeting all year, and do you think they want our ideas.....Do they think we will tell them how to reduce the hourly manning..... If manning is an issue, reduce engineers and planners. This would not cost them much. Another savings is to make the suppliers accountable and send everything through receiving. Get rid of them costly vending machines, which costs nothing but money each month on inventory which can't be tracked. I sure hope that they wake up soon and smell the coffee before its too late. Yes we may all be out of a job because too many people have left for greener fields.

This is only my opinion, just a country boy at heart....Dan

Investigate treatment of migrant workers

CLC/CALM

The Canadian Labour Congress is concerned about the well-being and whereabouts of a number of Filipino migrant workers who recently came to Ontario under the federal government's Foreign Workers Program.

The case may involve breach of contract, withholding of pay and excessive recruitment fees, according to a letter from the CLC to the director of the Foreign Workers Program of the Human Resources and Social Development Canada.

"In the case of these Filipino workers, there are so many allegations that we are demanding a formal investigation by the federal government's department that is supposed to care about these workers when they are in Canada," says Hassan Yussuff, secretary-treasurer of the CLC.

"We have learned these workers paid a substantial sum of money to a labour broker to work as either welders or plumbers. However, upon arrival in Canada, the broker appears to have confiscated important personal documents such as passports and work permits and then delivered the workers to a workplace where they were given jobs not consistent with what they had been contracted to provide.

"It is our understanding these workers were put to work doing tasks different than their qualifications and expectations, and their wages were withheld. When the workers eventually did receive partial pay, it was considerably less than the wage levels that had motivated them to come to Canada in the first place."

Over the last two years, the CLC and its affiliated unions have made many representations to the federal government about the failings of the Foreign Workers Program.

"This program fails the workers because it keeps them vulnerable to abuse and exploitation. It fails Canadians because it gives us a bad reputation: when these workers go back home they will, legitimately, discourage other workers from coming to this country. If these workers are good enough to work in Canada, we must welcome them as immigrants, as permanent residents, with all the rights and protections of our laws," says Yussuff.

Few things can help an individual more than to place **responsibility** on him, and to let him know that you trust him.

Booker T. Washington

**To CEP Local 298:**

Thank you for the fruit basket & flowers. They were much appreciated.

Palmira Alves

Dear friends of the CEP Locals 298 & 1127:

Thanks for your generous support. It is amazing.

The Schumann Family

To CEP Local 298:

Thank You! Very much for the fruit basket, it was very much appreciated.

**Thanks again
Ron Bennato**

***S.S.D.D.
(Same STUFF,
Different Day)***

Bob had just yesterday received his 4th class steam ticket in the mail and it opened the door to a whole new world for him. But when he came into work and hung his certificate on the wall, everybody congratulated him and then he was handed a shovel, not just any shovel, but the same blue handled shovel he had yesterday, so that he could go back to the same pile of STUFF that he was shoveling yesterday. Bob was not impressed, yesterday he was a non-ticketed Steam Plant Utility, but today he was a bona-fide inter-provincial 4th Class Stationary

Engineer and he felt quite strongly that he should not have to be moving the same pile of STUFF that a non-ticketed Steam Plant Utility was moving just yesterday. When he complained bitterly to the control room operator he was told to talk to the supervisor, the supervisor in turn, sent Bob to talk to the chief, who was an individual of few words and minimal tolerance who told Bob to either suck it up or transfer out to another department. On Bob's first day in the Yard Crew, the supervisor told him that the Steam Plant was short-handed and being as how Bob knew the area, he was to report there for the day. Upon his arrival at the Steam Plant, he was handed a shovel, not just any shovel, but a familiar looking blue handled shovel. He was then directed to a pile of STUFF, that had to be shoveled and moved, forthwith.

**This is the Old Dog
Sayin "Keep yer feet dry!!"
An Remember
-Not All Who Wander Are Lost-**



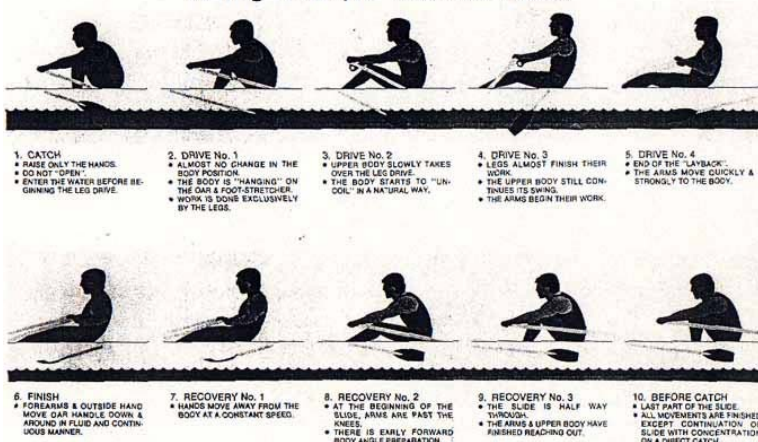
A Modern Parable

A Japanese company (Toyota) and an American company (General Motors) decided to have a canoe race on the Missouri River. Both teams practiced long and hard to reach their peak performance before the race.

On the big day, the Japanese won by a mile.

The Americans, very discouraged and depressed, decided to investigate the reason for the crushing defeat. A management team made up of senior management was formed to investigate and recommend appropriate action. Their conclusion was

Rowing Techniques by Kris Korzeniewski and Thor Nilsen



the Japanese had 8 people rowing and 1 person steering, while the American team had 8 people steering and 1 person rowing.

Feeling a deeper study was in order, American management hired a consulting company and paid them a large amount of money for a second opinion. They advised, of course, that too many people were steering the boat, while not enough people were rowing.

Not sure of how to utilize that information, but wanting to prevent another loss to the Japanese, the rowing team's management structure was totally reorganized to 4 steering supervisors, 3 area steering superintendents and 1 assistant superintendent steering manager. They also implemented a new performance system that would give the 1 person rowing the boat greater incentive to work harder. It was called the 'Rowing Team Quality First Program,' with meetings, dinners and free pens and a certificate of completion for the rower. There was discussion of getting new paddles, canoes and other equipment, extra vacation days for practices and bonuses.

The next year the Japanese won by two miles.

Humiliated, the American management laid off the rower (a reduction in workforce) for poor performance, halted development of a new canoe, sold the paddles, and canceled all capital investments for new equipment. The money saved was distributed to the Senior Executives as bonuses and the next year's racing team was "outsourced" to India ...

Sadly, the End.

However, sad, but oh so true! Here's something else to think about:

Ford has spent the last thirty years moving all its factories out of the US, claiming they can't make money paying American wages. Toyota has spent

the last thirty years building more than a dozen plants inside the US.

The last quarter's results:

Toyota makes 4 billion in profits while Ford racked up 9 billion in losses. Ford folks are still scratching their heads.

IF THIS WASN'T SO SAD IT MIGHT BE FUNNY!

Forest closures no coincidence, liberals and industry cut a deal: Union

October 16, 2007 TORONTO -- The regional vice-president of Ontario's largest forestry union believes the newly-elected Liberal government can thank forest industry leaders for at least some of their seats.

"It doesn't take rocket science to figure this one out," says Cec Makowski. "Clearly, the Liberals got the forest companies to hold off on announcing plant closures and shutdowns until they got elected."

"It's no coincidence the four recent announcements of layoffs by Fibretech, Tembec and Columbia Forest Products came after the election campaign and not before or during. If they had been, the election results would have been very different, says Makowski, noting that the electoral races in the communities where these closures are happening were extremely close, with one MP winning by under 40 votes.

"Ontario voters were duped by Liberals MPs in Northern Ontario who promised an end to the forest crisis, he adds. They were misled by the Liberal party into thinking there was a light at the end of the tunnel after months of cuts in the forest sector."

More than 200 CEP members and their families have been affected by the shutdown of Fibretech in Atikokan, and a paper machine at Tembec in Kapuskasing. A sawmill closure in Cochrane was also announced recently (United Steelworkers), and today, word comes that layoffs are scheduled at the Columbia Forest Products plant in Rutherglen (United Steelworkers).

Makowski says CEP will stand behind its members and do whatever it can including continuing to push for implementation of the recommendations in The Solutions Agenda for the Northern Ontario Forest Sector, an independent report commissioned by CEP and the United Steelworkers.



Mark “Hummer” Schumann

June 8, 1951 to
September 13, 2007



Mark, a long-term employee, commenced his employment with Eurocan on August 29th, 1977 as a Woodmill Canter Line Utility. He held a variety of positions in the Woodmill prior to his transfer to the position of Yard Services Equipment Operator in November 1981. Mark assumed the position of Traffic Services General Equipment Operator in May 1996, and recently assumed the position of Product Truck Driver in the Traffic Services area on June 7th, 2007, a position he held until his passing.

(The above information and picture was provided by Carole Gagnon. The following information was provided by the Terrace Standard. Editor.)

A long time resident of Kitimat, passed away peacefully on September 13, 2007 in his home.

Mark left behind many friends and family that will miss his sense of humour and patience. He will also be missed for his hunting and fishing expertise.

Mark was born in Elko, Nevada and moved to Vanderhoof with his family in 1969. In 1977 he moved to Kitimat and began working at Eurocan Pulp & Paper.

The Ward family of Terrace, B.C. and family in Vanderhoof and the United States would like to thank all his friends and co-workers for their kindness and support during this difficult time.

Memorial Service was held in Kitimat at the Church of Jesus Christ of Latter Day Saints on September 25th, 2007. Graveside service was held at the Vanderhoof Cemetery on September 28, 2007.

(Mark was also a longtime dedicated member of CEP Local 298. He was known for his expertise with the equipment he operated and was well respected and liked by all who knew him. Editor.)

Excellent advice in forest report, now we need action: union

THUNDER BAY – The largest forestry union in Ontario is vowing to ensure recommendations from an independent report released today on forestry renewal in Northern Ontario are acted upon.

“The Solutions Agenda for the Northern Ontario Forest Sector has some excellent advice on the way forward, says Cec Makowski, Ontario Vice-President of the Communications, Energy and Paperworkers Union of Canada. “It’s a very thoughtful report that offers hope to a major sector of our economy that’s been devastated by cutbacks and closures,” he says.

CEP and the United Steelworkers (USWA) had commissioned the independent panel to study the forestry crisis and recommend solutions. The panel heard from some 60 industry stakeholders including municipal leaders, industry, labour, Aboriginal and other groups.

Among the key recommendations are:

- A Northern Ontario Investment Fund of \$500 million per year for five years;
- Regional energy pricing that would allow the industry the opportunity to enjoy the benefits of amply available and cheaply-produced electricity;
- A change to the existing tenure system allowing for control by all stakeholders of the forest resources in specific geographic areas;
- A national forestry summit.

"We intend to make sure these recommendations are acted upon," says Makowski, adding that "as soon as the Ontario election is over we will be on the doorstep of the new Premier, the Energy Minister, the Finance Minister, the Natural Resources Minister and the Minister for Northern Development and Mining."

"Plans are underway to involve all the parties necessary to implement these recommendations."

Solutions Agenda for the Northern Ontario Forest Sector is available at www.cep.ca.

Canada faces lawsuit from ExxonMobil, Murphy Oil

The Canadian Press

CORNER BROOK, N.L. -- U.S. oil giants ExxonMobil and Murphy Oil are accusing Ottawa of breaching the North American Free Trade Agreement by allowing Newfoundland to require them to spend millions of dollars on research in the province.

The two companies plan to sue the federal government, alleging it violated a previous NAFTA agreement when a provincial-federal agency adopted a new guideline on research and development in November 2004.

In notices of intent filed last month, ExxonMobil and Murphy Oil say the new regulation would cost

them \$40 million and \$10 million, respectively, regardless of the commercial need for such investment or of the resources in place to sustain it.

The companies call the guideline "restrictive" as it specifies a fixed amount of money to be invested, and cite the Newfoundland and Labrador government's push for more revenues from the offshore oil industry.

"The government of the province has increasingly encouraged the (Canada-Newfoundland and Labrador Offshore Petroleum Board) to put into place more robust local content requirements," the documents allege.

The complaints stem from the Terra Nova and Hibernia offshore oil projects, in which both companies own stakes.

Premier Danny Williams, now campaigning in western Newfoundland for next month's provincial election, wasn't immediately available for comment.

CEP and Council of Canadians say NAFTA lawsuit threatens sovereignty

OTTAWA -- ExxonMobil's announcement they will sue Canada under NAFTA provisions over local content and jobs requirements in the Newfoundland offshore oil industry is "an outrageous attack on Canadian sovereignty."

Communications, Energy and Paperworkers Union of Canada National President Dave Coles says there is no better example of how NAFTA undermines Canadian sovereignty.

Maude Barlow, the Chair of the Council of Canadians says "this outrageous challenge is proof that NAFTA was designed for American corporate interests alone. The government of Newfoundland is simply doing what any good government would do in trying to maximize local resources to promote local jobs and prosperity. The Harper government should abrogate this flawed deal once and for all."

"I have some advice for Prime Minister Harper," adds Coles. "Rather than spending millions of dollars defending Canada before another NAFTA panel, the Prime Minister should simply inform the U.S. administration that Canada no longer recognizes Chapter 11 of NAFTA."

"The very idea that a company like ExxonMobil can sue Canada and Newfoundland for establishing requirements for research and development and local employment is an outrageous attack on Canadian sovereignty."



This map shows the White Rose, Hebron, Ben Nevis, Terra Nova, Hibernia oilfields off the coast of Newfoundland and Labrador.

Standing Committee Report

When The Company Abuses Their Right to Manage, They Don't Deserve Our Respect

By Don Klie

The last Standing Committee meeting was September 19 and 20, 2007. Some of the issues discussed are noted below:

1) **Apprenticeship expenses** – The Labour Agreement allows for apprentices to be reimbursed for out-of-town expenses to a maximum of two hours pay at the first year rate per day on a seven day basis while in attendance at school. The reimbursement will be paid after the employee's return to work and when verification of vocational school attendance is received. Recently, an employee who was attending school as part of his apprenticeship training terminated after completing the school term and going on vacation. The Company is refusing to reimburse the employee indicating that once they determined the employee was not intending to return to work after his schooling, they terminated his employment and have refused to reimburse him for the out-of-town expenses. The Union's position is that the employee is entitled to the reimbursement because he was still employed by Eurocan while he was at school and, that the Company cannot terminate an employee when he is on approved vacation leave. The Company has stated that their policy is not to allow employees to run out their vacation allotment once they have given notice to terminate. In this case the employee was on vacation and the Company merely immediately terminated his employment the day he gave the notice. The Company is reviewing to see when the vacation was approved and the notice to terminate was given.

2) **Breach of confidential files** – There was a wide ranging discussion on this issue. The Company indicated that some information is always kept, such as information relating to hire and termination dates for pension information purposes. The information breach related to, as posted on the bulletin boards, aptitude and psychological test results of certain individuals. It was noted that the Company can only access those files when the individual accessing the information has a valid business reason for doing so.

Access to the files is recorded and dated as well as who allowed the access. We were informed that Kent Elliot is West Fraser's Privacy Officer and any complaints should be directed to him. Or, if you choose to, you can direct your complaint to Dennis Clare, the Mill Manager. The information put into these files is not "personal opinion" type information; it is test results, training records, etc. Medical information is kept in a different location. The security system for this type of information has been changed. Heather Wuensche acknowledged that she was the person who was the direct supervisor of the summer student who was assigned to handle and copy the documents. Wuensche admitted that she didn't understand how the security system worked. The Union found this remarkable, that the person, responsible for keeping this information confidential and secure, didn't know how to do so. This incident has exposed how poorly the Company trains its people to do the jobs they are assigned. While the Company was quick to discipline hourly employees who they believed violated confidential information protocol, it appears nothing is being done to the Ms. Wuensche (*no surprise there, Editor*). At the very least, a superintendent with several years experience in this Mill should have known that she was not sufficiently trained in the computer security system. While the Company is granted a great amount of authority, we work at their pleasure and direction, and they are charged with the responsibility of properly managing the Mill. When they abuse their authority, as they have in this issue, they are no longer deserving of our respect.

Also, during the interviewing of the employees the Company told certain employees which shop steward would be representing them. The Union informed the Company that it is the member or the Union who determines who represents the individual at such affairs. This is another example of the Company not respecting member's and/or the Union's rights.

3) **First Aid Ticket Bonus** – The Union requested the Company to check with their departments that employ the First Aid Attendants to ensure that the First Aiders were being paid the appropriate ticket bonus when they moved up the progression line. It appears at least one department was unaware as to the requirement to pay this extra bonus.

4) **Steam ticket requirement in the Pulpmill** – The Company informed the Union that they had employed Jim Labossiere to put in a proposal to the government regulatory agency to allow Pulpmill employees to obtain a Steam Ticket without the required firing time. The government has accepted

the proposal which recognizes an employee's time working around steam and pressure vessels. An individual will be allowed to write for the ticket after having 24 months of the required work experience or, after 18 months and having completed and passed a recognized course, such as the BCIT Power Engineers' 4th Class Ticket correspondence course. At a special meeting called to discuss the issue the Union's position was that the employees should be entitled to as close as possible the same type of conditions and benefits as the Steam Plant employees, that is, they should be allowed 6 months after the end of the qualification period to write and pass the certification test. The Steam Plant employees qualify to write the test after 12 months of firing time. If they complete the correspondence course, they are allowed to challenge the test after only 6 months of firing time. The Union's position is that Pulpmill employees should be allowed 30 months in which to get their steam tickets; that is, the 24 month qualification period plus 6 months to write and pass the exam. The Company proposed that the Pulpmill employees be required to write the correspondence course so that they could qualify for writing the provincial qualification test at the first opportunity after the 18 months qualification period (there are about 5 sittings a year in the local area for the test). While the Union agrees that it is in the best interest of the employees, and the Mill's, to obtain their steam tickets, we believe they should have the same benefits that the Steam Plant employees enjoy, that is, they have a choice of doing or not doing the correspondence course, plus they have 6 months after the maximum qualification period to get their ticket. The Company is to review and respond.

5) **Job transfer with less than a year in the job –**

The Company and Union agreed to allow an individual to transfer from his regular fulltime job, in Janitorial, into another fulltime position, in Raw Materials, prior to the employee being in his current job a full year. The alternative would have seen the Company hire someone from the street to fill the vacant position in Raw Materials. As it stands, the incumbent employee will be allowed to transfer to the vacant position and the Company will post the job in Janitorial and/or hire someone from the street if there are no applicants for the position.

6) **Barge loading/Shiploading** – The Union put the Company on notice that going forward all loading and unloading of ships and barges at the Mill's Terminal facilities would be done by Mill employees. The Company noted that they lease part of the Terminal facilities to Denholme and that they had no control over what he does for loading and unloading his

barges.

7) **Price Trigger Bonus** – The Company continues to insist that prior to handing over the Price Trigger Bonus to the Union it will have to pay 50% of the money to Revenue Canada. As noted in Sister Murphy's report the Union (Bob Hughf) has been looking into this issue and while there has been some progress, it will be a bit longer before the our Local actually gets the money.

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

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.

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

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

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.

Case #06-74 CEP Local 298 – Aug 21st, 2006 – Article 43 & Others. – Job Transfers. **The Company noted that they would unilaterally implement the following policy – “When an employee is**

displaced from their permanent position or when their temporary posting comes to an end and the Company places them in a vacancy, the one-year restriction for transfer will not be applied... It is the Company's view however, that new hires that compete for vacant positions in the mill compete and are selected for the posted job vacancy. Previous to the candidate accepting an offer of employment they are notified of the one-year clause in the Collective Agreement and the Company's application of that section."

Case #06-87 Contracting Out Committee

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

At Standing Committee

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

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

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 #06-76 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 #06-89 Contracting Out Committee

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

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 #06-98 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 #07-05 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.

Grievances at Fact Finding

Case #07-11 Gary Klukas – January 31st, 2007 – Progression Line move up for OT.

Case #07-12 Dino Stamatakis – Nov 6th, 2006 & Dec 19th, 2006 – Harassment

Case #07-13 G.E. Operators – Jan 31st, Feb 1st, 2nd, 3rd, 2007 – OT Call List Violation

Case #07-14 Bill Jonkman – Feb 3rd, 2007 – Unjust discipline

Case #07-15 Len Irvine – Feb 5th, 2007 – Contracting Out

Case #07-16 Deanna Smith – Feb 27th, 2007 – Was told Posting was Cancelled.

Case #07-17 Chris Campbell – November 22nd, 2006 – Chris was not allowed to Post for the last First Aid Posting.

Case #07-18 C.O.C. – Nov 24th, 2006 – Failure to Notify – Fabrication of Clarifier Rakes

Case #07-19 C.O.C. – Feb 9th, 2007 – Failure to Notify – Fabrication of Sydra Pulper Shaft

Case #07-20 C.O.C. – Feb 21st, 2007 – Failure to Notify – Kitimat Iron Modifying East Door on Precipitator.

Case #07-21 C.O.C. – March 12th, 2007 – Failure to Notify – Stub Shaft for 421 Repulper.

Case #07-22 C.O.C. – April 2nd, 2007 – Failure to Properly Notify – Sub Contractor, Zanron on Traveling Screens.

Case #07-23 Robert Tomkinson – April 10th, 2007 – employee improperly demoted

Case #07-24 Cary Manahan
April 21st & 23rd, 2007 – Failure to Train Up in Progression Line.

Case #07-25 Rodney Gutknecht
April 29th, 2007 – Contracting Out Belt Replacement of Guillotine

Case #07-27 CEP Local 298
June 11th, 2007 – Eurocan fails to produce Contractors Union Cards.

Case #07-28 Traffic Department
2007 Shut Down – Seniority, Over Time Distribution, Misrepresentation & Double Standard.

Case #07-29 CEP Local 298
June 23rd, 2007 – Vessel Entry Procedure Moved to Step 2 on July 15th, 2007
Moved to Step 3 on August 7th, 2007

Case #07-30 CEP Local 298
June 26th, 2007 – Removing Locked Valves from System.

Case #07-31 Laura Carpino
May 31st, 2007 – Call List Violation

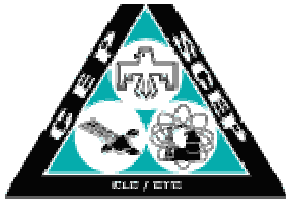
Case #07-32 Mike Keating
July 30th, 2007 – Not wanting Work In Kind

Case #07-33 Trina Martin
August 24th, 2007 – Unjust Discipline

Completed Grievances

Case #06-75 Mike Keating – June 24th, 2006 – Article 11 – Overtime Distribution. **The Company offered and the Union accepted an in-kind remedy. Complete.**

Case #06-49 George Schibli – April 12th, 2006 – Denied Family Responsibility Leave. **The arbitrator ruled in favour of the Union. The Company has appealed this award.**



(The proposal below will be discussed at the November 14, 2007 membership meeting and unless altered or modified by the membership will be presented at the following Standing Committee meeting. Editor.)

Union Proposal for the scheduling of time off

This proposal is to address certain paid leave scheduling issues in the Maintenance department.

Each year the maintenance employees submit their vacation requests prior to May 1st using “vacation rotation” and/or “seniority”. For the crews who use vacation rotation, employees have an opportunity to schedule their time-off according to their group and their position in that group, which rotates each year. Within the group rotation selection only one person is allowed to schedule time off for a certain period – two people from the same group are not allowed to schedule the same time off. The rotation selection ends a few weeks prior to May 1st which allows for any remaining time to be selected by seniority. At least one crew uses only the seniority method. **After May 1st all paid leave requests are scheduled by “first come, first served”.**

However, when applying for other time off such as banked overtime, floaters, lieu time or any other paid time off **prior to May 1st** there have been no fast and hard rules that have been followed. In order to avoid conflicts with the scheduling of this time off prior to May 1st the Union proposes the following procedure for the maintenance department:

- 1) Vacation selection will take precedence over all other paid time off;
- 2) Floaters and lieu time (paid time off for having worked a statutory holiday) will have second precedence and will be scheduled based on seniority;
- 3) Banked overtime will have third precedence and will be scheduled based on seniority;
- 4) All other paid time off – supplementary vacations, deferred floaters, banked vacations, etc. will be scheduled based on seniority.

This proposal only applies to maintenance department paid time-off requests submitted prior to May 1st. All current rules after May 1st continue to apply; that is, all paid leave requests will be scheduled in the order they are submitted – “first come, first served”.

Pension Plan Improvements But what is in store for Bargaining in 2008

Submitted by Dave Schaub, Trustee, PPIPP

The Board of trustees for the Pulp & Paper Pension Plan met in early October to review the actuarial calculations in preparation for review of the possible improvements to your pension plan.

On behalf of the board, I am very pleased to advise you that your plan has sufficient surplus to grant the career update, indexing to the past service and the indexing for retirees effective January 1, 2008.

In keeping with the philosophy that, as trustees, we must ensure that your pension improvements must be able to be maintained into the future without fear of reducing either active or retiree benefits, the board has granted a one time improvement to the past service portion of your pension (pre January 1, 1997) **will increase to \$54.18 per month per year of service rather than move it to \$51.18** in accordance with the percentage wage increase.

For a plan member with twenty-five years of past service this will mean an additional Seventy-five dollars (\$75.00) per month.

The future service portion of your plan will remain at the current 1.55% for 2008.

We should not forget some of the other plan improvements that probably have gone unnoticed over the past while that have seen your pension benefits increase through the move for the normal form of your plan from Life Guaranteed Five Years to Life Guaranteed Ten Years. With this improvement there was a three percent increase in your benefits. The other improvement that probably went unnoticed was the death benefit for those members who die pre- age 55.

While the plan has experienced good investment returns over the past year there remains

uncertainty as to what may lie ahead for 2008 returns.

The uncertainty of investment returns that we are concerned about are driven by a number of factors, including the interest rate assumption used in the actuarial assumptions. This can be impacted by a number of factors including a slow down in the economy in the US and then the spin off into Canada.

As I said the board would rather be cautious at this time rather than have to be the bearers of bad news in the future.

The other part of the equation that the board must consider is what are the issues that you will raise during the upcoming round of bargaining and what will the impact be on the plan.

One of the issues that I feel that must be put on the bargaining agenda is moving the bridging benefit from the employer to under the umbrella of the pension plan. If you wonder why, just ask those members in Port Alice when due to bankruptcy, they lost all bridging benefits that they had accrued to the date when the mill went down. If it had have been under the plan then their service benefit would have been protected in the same manner as their pension benefits. Something that no one really thinks about until it has happened.

There is a cost to doing this and your

trustees are working with our plan professionals to determine whether it can be done.

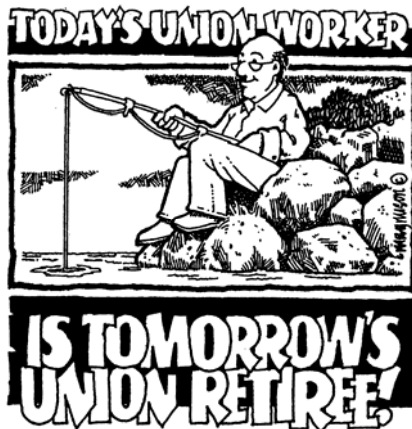
On a closing note, each local union should have received an invitation in the mail to attend a working seminar on your pension plan. The sessions will be held:

November 2, 2007 in Vancouver

November 5, 2007 in Nanaimo

November 14, 2007 in Prince George

See you there.



Mill workers barely pass new contract

Rob Shaw
Times Colonist

British Columbia's striking coastal forest workers voted by a razor-thin margin to return to work yesterday, but many say they're still dissatisfied and angry with the deal.

Members of the United Steelworkers Union voted 50.77 per cent in favour of a new contract, with only 56 votes from the 7,000 member union separating the Yes and No sides, the Vancouver Sun reported after the union refused to provide the information and ordered local members not to give the numbers to the media.

"We're not going to release the numbers and that's quite simply because we still have bargaining," said Bob Matters, chair of the Steelworkers wood council. "But I'm pleased that there's a settlement. Obviously not all the members are happy with the final package and there's going to be work to do with the employers and the employees."

Forest Industrial Relations, the group that bargained on behalf of 31 forest companies, said it was "looking forward to getting back to business." Workers could be back in some mills as early as today.

"We will have our operations up and running as soon as we possibly can," said Gary Ley, spokesman for Western Forest Products, the second largest coastal woodland operator in B.C. and operator of Vancouver Island mills in such communities as Nanaimo, Chemainus and Ladysmith. The company was phoning workers to schedule shifts yesterday, he said.

Coastal loggers and sawmill workers walked off the job 12 weeks ago, crippling the \$2 billion forestry industry. The top issue for most workers was shift scheduling on weekends that reduced the time with their families, said Matters.

The companies said flexible shifts were necessary to reduce costs, given the rising Canadian dollar. The contract does not guarantee weekends off, but does require companies to produce a valid business case for such shifts. As well, the contract has a seven per cent wage increase over three years and provides severance for workers who lose jobs in partial mill closings. Companies retain the right to contract out.

The deal clearly divided the five locals that make up the United Steelworkers. Union locals in Duncan, Courtenay-Campbell River and Port Alberni

predicted, and in some cases recommended, workers would vote down the deal. But the much larger local that represents workers from the Lower Mainland to Terrace, Kitimat and the Queen Charlotte Islands reportedly voted in favour of the contract.

"They're not too happy, I can tell you that," Port Alberni Local 1-85 president Tom Russell said yesterday of his membership. "Let's just say some locals voted against it but they weren't big enough to stop it." But in the end it's only the overall vote that matters, said Bill Routley, president of Local 1-80 in Duncan. "At the end of the day we knew our guys were frustrated with our issues but at the end of the day we're part of the union membership and we'll suck it up and go on," he said.

Routley said the vote results showed the dissatisfaction of workers who felt disrespected during negotiations.

rshaw@tc.canwest.com Times Colonist (Victoria)
2007

(For a union to remain strong its members must participate in the democratic processes that the union movement subscribes to. If the process the Steelworkers followed was that 50% plus one was all that was needed to approve the contract, then so be it. The fact that that vote was close indicates that it was a tough bargain in difficult economic times. It's very likely that all of the members didn't vote, and it is common practice to consider those that abstained are considered to have agreed with the majority, thus making the majority that much bigger.

In a democratic organization once the majority has decided the course to follow the whole of the group must pull together to support that course. It doesn't mean that there won't or can't be dissent. Just like there might be some laws we don't like, we still obey those laws, which in turn makes our country a better place to live. If you believe the laws or rules need to be changed, then you have the right to get involved in the process, offer solutions and seek support from others.

In our Local every member has a chance to be heard and provide direction to the union every month at a membership meeting. Each member can be involved directly in the decisions that are made and the direction that is taken.

Each year the membership has the opportunity to either run for a position on the Union Executive or to support those who do run. It is my opinion that there are very few other organizations that are as democratic and responsive to its members' desires as our Local. Remember to vote!!! Editor.)

SKEENA MLA DONATES TO SCHOOL FOOD PROGRAM

TERRACE— Skeena MLA Robin Austin used \$1,500 of the money set aside from his unwanted pay raise to help reinstate a school food program that recently lost funding. The program, administered by Parkside School, used to receive \$3,000 grant from Community LINK to provide healthy lunches for children in need. The NDP MLA's donation will be matched using 131 funds, money given to each school district to promote the success of First Nations children in the school system.

"We have real problems in our community around child poverty and nutrition," Austin noted. "I'm happy that I was able to help this program operate for another year, but the reality is the School District needs to be getting access to more funding for these sorts of initiatives on a long-term basis."

Last spring, when Premier Campbell forced through an extravagant 54 per cent pay increase for himself and a 29 per cent increase in the base salary for MLAs, Robin Austin pledged to donate his raise to worthwhile community programs.

"I want the donations I make to help illuminate those areas which are being neglected by the government," said Austin. "In this case, I want to show the gap between what the government says about child health and nutrition and what it is willing to offer communities to deal with these problems."

In Ottawa, the Centre for Science in the Public Interest recently called for a national standard for school nutrition, including policing of food offerings, and a national school meals program. The Centre's report noted that the U.S. provides about \$212 per child annually for healthy snacks, compared with \$5.95 per student in Canada.

"I fail to understand why a program that costs so little, and provides such an important service, should have difficulty getting funding," said the Skeena MLA. "Hungry children can't learn; it's that simple."

Eat your broccoli

CCPA/CALM

Researchers have discovered eating broccoli and cauliflower regularly reduces the risk of prostate cancer.

A study of 1,300 men found that these cruciferous vegetables were better than any other vegetable at protecting against aggressive tumours.

A weekly serving of cauliflower was associated with a 52 per cent decreased risk of aggressive disease, and similar amounts of broccoli cut the risk by 45 per cent.

The new union majority: More women than men

by Pat Daley/Straight Goods/CALM

For the first time, women outnumber men in the rank-and-file of Canadian unions. But before we start popping champagne corks, know that the new numbers released by Statistics Canada don't necessarily mean women are joining unions in droves or, even more importantly, that their growing numbers are changing unions.

In the first half of this year union membership included 2,248,000 women—30 per cent of the workforce—and 2,237,200 men—29.3 per cent according to StatsCan.

Unionization rates are even higher in the public sector—almost 72 per cent compared with 17 per cent in the private sector—where women are more likely to be employed in administration, social services, education and health care. Indeed, within the public sector, more women are unionized than men—73 per cent compared to 68 per cent. In the private sector, only 12 per cent of women belong to unions, compared to 21 per cent of men.

The shift in gender balance certainly reflects, in part, a declining manufacturing sector and increased employment in health, education and social services.

But, is whether the overall change having an effect on unions and their leadership? After all, in recent years we have seen high-profile women leaders—like Judy Darcy from the Canadian Union of Public Employees, Leah Casselman from the Ontario Public Service Employees Union and Nycole Turmel from the Public Service Alliance of Canada—all step down, to be replaced by men.

Certainly we've seen a change in awareness from 30 years ago, when only 10 per cent of female workers belonged to unions. For years now, unions have been leaders in campaigns for national childcare, for public health care, for increased minimum wage and any number of other issues that directly affect women workers. Most unions have women's programs or equity departments and take proposals like pay equity and workplace violence prevention to the bargaining table.

Yet, ask the public, and even union members, who they think belong to unions and they're more likely to imagine a burly, male miner than the woman who provides home care to their elderly parents. And union culture is still a macho culture, based on confrontation, often acrimonious debate and, for activists and staff, long hours away from home and family.

Like many other unions, CUPE has seen growth in the number of female members—now at about 67 per cent, but the leadership at the provincial and national levels has remained primarily male. Only three of the 23-member national executive board are women.

CUPE created the National Women's Task Force two years ago, after delegates to that convention defeated a resolution that would have created two short-term designated seats for women on the board. They voted instead to create the task force.

The 54 recommendations in the task force's report cover everything from holding a women's bargaining conference to creating new seats on the national board to developing new education, leadership and mentoring programs.

When the task force took its report to provincial division conventions in the spring, CUPE's Quebec division voted to institute gender parity for its vice-president positions on the national board. In British Columbia, for the first time, women won all four provincial vice-president positions. And women's caucuses were held for the first time at six of the 10 conventions.

Women told the task force they are often uncomfortable with the loud, aggressive and confrontational behaviour that's associated with union events. Combined with the "all or nothing" commitment that's usually expected from activists and leaders and a tradition of not challenging incumbents and backroom deals on succession, leadership starts to feel like a big turnoff for women members, especially women of colour and Aboriginal women.

But there are many women among them, who will argue that it's exactly the aggressive behaviour that helps unions win at the bargaining table. And, just like in the wider world, there are female unionists who will never vote for change that they believe will see them win leadership positions "just because" they are women.

So, more women in unions—that's a good thing. More women in leadership would be even better.

• **Pat Daley**
is a CUPE
communications
officer.



CANADA POST JUSTIFIED IN DISMISSING DRUG- ADDICTED EMPLOYEE WHO FAILED TO COOPERATE

Lancasterhouse.ca

Canada Post did not respond excessively to an employee's drug addiction when it dismissed him, as it had accommodated him to the point of undue hardship and he failed in his duty to help in the accommodation process, an arbitrator has ruled. Details below. See also sections 14.3.9, 14.3.5, 14.1, 10.8 and 10.8.1 in Leading Cases on Labour Arbitration Online.

The Facts:

In October 2006, Canada Post dismissed the grievor from his job at a vehicle maintenance facility. With 6 years' seniority, the grievor performed tasks which included scheduling maintenance work and doing much of the paperwork for the facility. A reliable employee until spring 2005, the grievor began to be late and was often absent. His unplanned absences had a disruptive effect on the facility's operations, and his supervisor, Dinis Mateus, had to take a mechanic from the shop floor to fill in as Service Writer. In turn, this caused the maintenance work to fall behind schedule.

In summer 2005, the grievor told Mateus he had a drug addiction. He used crack cocaine, and as it kept him awake, he would often phone in sick in order to sleep during the day. Mateus offered to help him however he could. The grievor saw a counsellor and a therapist between August and December 2005. During this period, he was absent without leave twice, and received written reprimands. He testified he stopped taking drugs for one or two months in late 2005, but relapsed in January 2006. He had more unplanned absences, and took time off work to see his doctor and therapist but did not return on the scheduled date. Mateus imposed a two-day suspension, but waived it "based on your commitments and your treatments to deal with the substance abuse issues," warning that further misconduct would be subject to discipline.

The grievor relapsed again in February, and asked for time off to attend counselling. Mateus agreed, but required a medical certificate. The grievor obtained a letter from his doctor stating he would be off work until April 3, and a letter from a counselling service stating he was enrolled in a day treatment

program until March 23. Mateus wrote to the grievor on March 3, noting the grievor had not contacted him since February 13 and had not submitted medical documentation to substantiate his ongoing absence. Although he regarded the grievor's actions as "major misconduct," Mateus told the grievor he would not dismiss him at that point in light of "the efforts you have recently taken to improve your situation." The grievor was allowed to use his sick leave credits.

The grievor and Mateus agreed on a return-to-work date of April 18, but the grievor did not return to work that day, instead asking for more time off to attend another program. Mateus agreed, on the condition that the grievor provide a medical certificate for his absence and a letter from his counsellors. The grievor had not done so by May 1, when Mateus wrote to him again warning of disciplinary action if he did not provide the requested documentation by May 5, 2006. The grievor's doctor wrote to Mateus on May 8, and a counsellor wrote to Mateus on May 17 stating that the grievor would attend counselling over the next three months. Mateus approved a further leave of absence until August 1, again as sick leave. The grievor returned to work on August 1. He testified he had been drug-free since February.

On September 12, 2006 the grievor was driving to work when he rear-ended another vehicle. He called Mateus to say he would be in late. The grievor testified he bumped his head during the accident, but agreed in cross-examination that the injury was minor. He did not attend work, instead going on a drug binge for several days. Mateus wrote another letter to the grievor on September 15 indicating he would be dismissed if he did not attend work and document the accident. The grievor testified that his memory of the days between September 12 and 23 was vague, although he recalled driving to two hospitals for help but not entering them. His family found him in his car on September 23.

The grievor contacted Mateus on September 27. Mateus sent him a letter again instructing him to report for work and document the accident or face dismissal. The grievor called Mateus on September 29, referring to a "head trauma." On October 5, a neurologist wrote a letter stating that the grievor was suffering from "post concussional syndrome" and might be able to return to work in late November. However, the grievor admitted in cross-examination that his time loss was due to drug use rather than any head injury, and that the information he provided to the neurologist and Mateus in this regard was not true.

On October 2, 2006, Mateus dismissed the grievor by written letter based on the latter's "ongoing unauthorized absence." He testified that he saw "no evidence things would be likely to change in the

future" regarding the grievor's attendance, and that he could no longer run the facility without a full-time employee as Service Writer. The facility had "made do," but one of its employees was scheduled to be laid off and another could no longer fill in as Service Writer because of other duties. Mateus testified he felt he could no longer rely on the grievor, although he would help the grievor get his job back if he stayed off work for a period of time and proved he could stay clean.

The grievor grieved his dismissal, but not the discipline leading up to it. He testified that he was drug-free from September 2006 until January 2007, when he used drugs again, but that he had been drug-free since that date. He did not take part in any more treatment until April 2007, two weeks before the grievance hearing. He admitted in his testimony that counselling had not provided him with any insight about his relapses. The grievor could not provide evidence from the medical and counselling services he was attending apart from the fact of his attendance.

The Arguments:

Canada Post submitted that the grievor was dismissed for culpable misconduct, and that his dismissal should thus be reviewed strictly in accordance with a just cause analysis, as set out in Canadian Food and Allied Workers Union, Local P-162 v. Wm. Scott & Company Ltd., BCLRB Decision No. 46/76, [1977] 1 Can LRBR 1. The employer emphasized that the grievor had been disciplined repeatedly for the same misconduct, and none of the previous disciplinary sanctions were grieved. It distinguished cases such as International Union of Operating Engineers, Local 115 v. Kemess Mines, [2006] B.C.J. No. 263 (B.C.C.A.) (reviewed in Lancaster's Disability & Accommodation E-Bulletin, March 14, 2006, Issue No. 62), which called for the assessment of an employee's conduct based on human rights considerations if a disability was involved, as well as on just cause if culpable misconduct was a factor. In this regard, Canada Post argued, there was no medical evidence that the grievor had an addiction amounting to a disability that made him unable to attend work.

In the alternative, if the grievor's drug use was considered, Canada Post argued that it had satisfied the duty to accommodate to the point of undue hardship. It had endured many absences, granted lengthy sick leaves, and had at times refrained from imposing discipline in response to misconduct. Canada Post contended that the grievor's absences had created hardship for the facility, and there was no evidence that the grievor had taken reasonable

steps to overcome his problem or that the situation would improve if he returned, citing Kellogg Canada Inc. v. Bakery, Confectionary, Tobacco Workers and Grain Millers, Local 154, unreported award, June 21, 2006 (Roberts) (reviewed in Lancaster's Disability & Accommodation E-Bulletin, October 12, 2006, Issue No. 76) as authority for the need for such evidence.

The Canadian Union of Postal Workers submitted that the facts called for a non-culpable analysis, as the grievor's drug addiction was a disability which the union alleged Canada Post had failed to accommodate to the point of undue hardship. The union referred to Health Employers' Association of British Columbia (Kootenay Boundary Regional Hospital) v. British Columbia Nurses' Union, [2006] B.C.J. No. 262 (B.C.C.A.) (reviewed in Lancaster's Disability & Accommodation E-Bulletin, March 14, 2006, Issue No. 62) and Kemess Mines as establishing that the first step in such cases was to determine whether there had been discrimination on the basis of a disability. In its submission, this element had been established.

Regarding the next step, ascertaining whether the duty to accommodate had been satisfied, the union maintained that the grievor took reasonable steps to advance his recovery, and was not an untreatable addict, unlike the employee in Kootenay Boundary Regional Hospital. The union maintained that the grievor's absence caused the maintenance facility only inconvenience, not hardship, and cited C.U.P.W. v. Canada Post Corporation, [2004] C.L.A.D. No. 510 (Christie) (reviewed in Lancaster's Disability & Accommodation E-Bulletin, March 9, 2005, Issue No. 37) as authority that Canada Post was obligated to accept this type of inconvenience. In the union's submission, arbitrators have accepted medical evidence that a relapse can be a positive event in the rehabilitation process when it has vocational consequences, as in British Columbia Nurses' Union v. Castlegar & District Hospital (2000), 86 L.A.C. (4th) 81 (Larson) (reviewed in Lancaster's Health Care Employment Law News, May/June, 2000).

In the alternative, if the case attracted a hybrid analysis as set out in Fraser Lake Sawmills Ltd. v. I.W.A. Canada, [2002] B.C.L.R.B.D. No. 390, the union argued that the grievor's conduct was caused by his disability. Despite the lack of objective evidence to this effect, the union argued that it was open to an arbitrator to reasonably infer a causal relationship where there was an "overwhelming connection" between an addiction and workplace misconduct, as stated in Kootenay Boundary Regional Hospital.

The Decision:

Arbitrator Joan Gordon dismissed the grievance.

Gordon applied the approach set out in Fraser Lake Sawmills, finding that in dealing with the grievor's absences, Canada Post "adopted an approach that effectively acknowledged a hybrid situation" by applying "a mixture of accommodative measures and disciplinary sanctions," and that the union and grievor "effectively accepted" this approach "by failing to grieve the imposition of the regulatory sanctions." In the arbitrator's view, the grievor's conduct could not be viewed as "entirely non-voluntary due to his addiction, nor as entirely disconnected from his addiction."

Gordon ruled that Canada Post had just cause for imposing discipline, as the evidence did not demonstrate that the grievor "was so debilitated by his addiction ... that he was unable to contact Mr. Mateus at some point to report his relapse and supply the required documentation." He was able to drive to hospitals with the intention of seeking medical help, and "was actively deceiving Mr. Mateus and others" after September 27. Gordon treated the grievor's admission on cross-examination that he deceived his employer about why he was absent from work in September 2006 as an exception to the general prohibition against an employer altering the grounds of discipline based on post-discipline evidence, as it was "due to his deception" that Canada Post "was unable to include dishonesty as a ground for discipline."

The arbitrator held that the decision to dismiss the grievor was not an excessive response. "When the precipitating incident is viewed in the context of [the] unchallenged disciplinary progression as well as the grievor's dishonesty, the culpable elements of the grievor's behaviour prior to dismissal must be viewed as serious misconduct," Gordon concluded, adding that it was "apparent that [Canada Post's] earlier and more moderate forms of corrective action did not solve the problem." The grievor's conduct in September 2006 "was a repetition of his prior pattern of behaviour" rather than "an isolated incident."

Gordon ruled that Canada Post had exhausted its duty to accommodate the grievor to the point of undue hardship, because the grievor had not fulfilled his corresponding duty to facilitate the accommodation process. Following the grievor's disclosure to Mateus of his condition, in the summer of 2005, Canada Post "undertook significant measures to accommodate his drug addiction." The grievor took steps to try to overcome his addiction, but relapsed on a number of occasions. Gordon held that "as of October 2, 2006, [Canada Post] had no reasonable basis to conclude that [the] grievor had

successfully rehabilitated himself and would likely be able to regularly attend work and fulfill his employment obligations in the foreseeable future."

In the arbitrator's view, there was no post-discharge evidence that the grievor's dismissal had been a "harbinger of recovery" or that relapse could be considered a positive step for him as he had relapsed again in January 2007 and had not re-entered treatment until just before the arbitration hearing, with no objective evidence of his current progress and "no meaningful insight into his relapses." Without such evidence, and in light of Canada Post's accommodative measures, the arbitrator held that Canada Post "cannot reasonably be expected to reinstate him and bear the ongoing risk of relapse." Gordon ruled that it would impose undue hardship on Canada Post to reinstate the grievor, even on conditions, given the grievor's central importance to the facility's efficient operation and the disruptive effect of the grievor's unplanned absences. The facility had coped, as it was forced to do, but the result was a maintenance backlog that was still in place at the time of the hearing.

Finally, the arbitrator held that the employment relationship was "no longer viable," as Canada Post could "no longer rely on, or have faith in, the grievor to report for work and fulfill his employment obligations." In Gordon's opinion, "discharge was not an excessive response to the grievor's conduct," and Canada Post's duty to accommodate had been exhausted because the grievor "failed to sufficiently satisfy his corresponding duty to facilitate ... the accommodation process."

Comment:

This case applies the hybrid approach to addiction-related misconduct advocated by the B.C. Labour Relations Board in Fraser Lake Sawmills and clarified by the B.C. Court of Appeal in Kemess Mines. The present case has several parallels to Kellogg and Kootenay Boundary Regional Hospital, particularly as they relate to alcohol- or drug-addicted employees failing to respond to multiple rehabilitation efforts. They stand for the proposition that, notwithstanding Castlegar & District Hospital's statement that relapse can be a positive step on the road to recovery, an employer is not obligated to endure relapses indefinitely (a proposition also stated by Arbitrator Colin Taylor in Pulp, Paper and Woodworkers of Canada, Local 18 v. Slocan Group, [2001] B.C.C.A.A.A. No. 163 (QL)).

From Ricky & Lucy to American Idol

Understanding Age Diversity in Today's Union Environment

Presented by Jeff Vankooten

Matures

Born prior to 1946

Label was coined by marketing researchers, Yankelovich Associates, Inc.

In many ways, the term adversity best describes what this generation faced as it was growing up. The older members of this cohort were born during the end of the Great Depression and lived through World War II as young adults. The youngest, those presently in their late fifties and sixties were born during the War itself. For this generation, survival was a way of life. Shortages of gasoline, sugar, tires and a host of other items that younger generations take for granted, were items they did without.

They learned their values primarily from extended families. While younger generations have experienced so many outside influences, Matures grew up in a less complicated time. They learned right from wrong, manners, courtesy, and "proper" behavior from family members who for the most part, modeled what they taught. Telling stories with particular morals was the primary way to illustrate what a youngster needed to know.

This generation returned from WWII to produce the Baby Boom and began building a new peace-time economy. But they never forgot those experiences of survival during the early years. Sayings such as "a penny saved is a penny earned," and "an honest day's work for an honest day's pay" were, and still are, firmly implanted in their approach to life.

They entered jobs with very Strong beliefs about hard work, ethics, right and wrong and "putting your nose to the grindstone". If work needed to be done, you worked overtime and weekends. Because of a primarily manufacturing economy, matures saw clear outcomes for working harder and faster. More widgets meant more money, which meant more security.

This is also why the massive layoffs beginning in the late 70's affected them so harshly. Many had never contemplated that the company for whom they had worked for years would simply release them with

little notice. This era was also a man's economy; While there were millions of women in the work place, they were severely limited in the positions they could hold. Once they had children, "a woman's place was in the home."

Baby Boomers

Born 1946-1964

Term was coined by Landon Jones, author of Great Expectations, a book chronicling the Boomer generation's impact on the U.S.

While Matures grew up with adversity, Baby Boomers entered a thriving new economy after World War II. Their early years were a time of optimism. The U.S. had established itself as the preeminent power in the world. Factories were pumping out new cars and appliances. Houses were being built a record pace. The proliferation of television in the 1950's forever changed the way that those growing up viewed the world.

As the population expanded, hundreds of thousands moved off farms and out of cities to newly created "suburbias" such as Levittown. Rather than learning their values from just family, they balanced those ideas with messages from television and neighbors, who may, or may not, have shared the same meanings.

The Boomers grew up feeling more secure than their parents and therefore became more outwardly focused in their efforts toward others. As they matured, they began to question policies, rules and practices that had been in place for years. From this, emerged civil rights protests, anti-war protests and a host of other rumblings that unsettled their parents and generations prior. While thousands of Boomers served in Vietnam, others made the war one the most divisive issues of this generation. Activist Abbie Hoffman warned them to "never trust anyone over 30."

Because of their numbers, this generation has received more attention. Companies have focused their products. Politicians have focused their messages. Rock and Roll music has taken over the airwaves. It seems that the entire nation has been enamored of these 77 million self-proclaimed individuals who all wore the same tie-dye shirts. As a result, Boomers have grown up thinking the world is their oyster.

As Boomers have entered the workplace they have forever changed the way business is done. Their numbers made getting a job more competitive, but with a highly industrialized society, a whole class of middle class income earners has been created.

Many have taken advantage of college opportunities which has raised the bar for many positions. Where Matures thrived on working harder and faster, Boomers have focused on efficiency, teamwork, quality, and service. These efforts, in turn have produced a thriving "self-help" industry which feeds Roomers' optimism and quest for eternal youth.

Boomers have matured through the layoffs of the 70's, the greed of the 80's, the advent of terrorism, the proliferation of the Internet, and a host of other phenomena. The size of this generation continues to drive the: economy and they will place increasing emphasis on convenience, and the trophies of a mature lifestyle.

As a generation, they are due to inherit some 10 trillion dollars. But financial security will remain a central issue for many, forcing thousands to work well past the age at which their parents retired. Their quest: to remain eternally young will alter the face of lifestyles, the work force, consumer products, entertainment and public policy. But they will never forget their optimism, even if they have to rationalize about it.

Generation X

Born 1965-80

Term was popularized by the media due to author Douglas Coupland's novel Generation X.

While Boomers entered the world filled with double digit optimism and economic prosperity, Generation X has had a significantly different experience. Beginning with the assassination of JFK in 1963, the US was plunged into social turmoil, during which Generation X was born — women's lib, civil rights and anti-war protests. Watergate, inflation, massive layoffs, the Challenger tragedy and a host of other troubling events.

Baby Boomers were the first generation of dual career couples. These dual career couples produced latch key kids— the Xers. Where most Boomers had grown up with an at-home mom, many Xers came home from school to an empty house. This taught them resourcefulness at a very young age. The Boomers also divorced at an unprecedented rate. By one estimate, 41% of Xers have lived through at least one divorce.

Xers are also a product of technology. At ages three, four, and five, they became "glued to the set" when Sesame Street debuted in 1969. From it, they learned their ABC's and 1, 2, 3's but they also expected to see Big Bird and Cookie Monster at the front of the classroom when they got to kindergarten.

From these experiences, Xers came to believe that many of the institutions in which they were taught to believe in had betrayed them –

“Marriage is forever, but my parents got divorced”

“If you work hard, you’ll always have a job But my parents were laid off The US is the greatest economy an the world, but right now we have 18% interest rates, double digit inflation, and 12% unemployment.”

“The government should be trusted, but then there’s Watergate, Iran-Contra, and the Keating Five”

As a result of this, Xers have become a generation skeptical of traditional practices and belief. While perceived by older generations as cynical and disrespectful, their practices of speaking up and challenging authority and convention are simply ways of protecting themselves and their futures They have learned that love are not forever and therefore they should make the most of their time and effort. If this effort is not rewarded, it becomes tune to move on. If the employer challenges their loyalty, their retort is to say, “You could lay me off tomorrow” and experience has proven them right.

For a variety of reasons, Xers view the employment relationship as a contract If the employer does not keep their side of the agreement, such as training, advancement and the like, the employee is flee to leave. The excuse that “these things take time” falls on deaf ears, Xers don’t think they have time to waste.

Xers have been able to make many of these changes stick because unemployment is at an all-tune low This as, in large part, because they are the smallest generation in recent US history. With their ability to deal with uncertainty and an emphasis on working to live, rather than living to work, they will continue to transform the way business is done.

The Millennials

Born 1981-99

Term is coined by authors William Strauss and Neil Howe Alternates include Generation Y, Generation Why’, Nexters, and Internet Generation

Where Xers were taught certain beliefs about family and society, only to have them betrayed, Millennials are growing up in a world where these beliefs have already been compromised. While media has enlightened them about things older generations never dreamed of, it has also taught them that they can challenge every convention and individual. To them, nothing is necessarily what it seems. OJ appeared guilty, but he was acquitted, They called

Desert Storm a war, yet it seemed more of a demonstration in high technology to those at a formidable age. The president lied to the nation, yet 63% of those polled at the time approved of the job he was doing.

At the same time, they are growing up in a world of unprecedented growth in the US economy and development of technology. When the first Millennial was born, the Dow Jones Industrial Average stood at 750. At the end of 1999, was reaching for 11,500. This generation has been born into world of cell phones, pagers, voice recognition software and, of course, the Internet. Who would have thought that teachers across the US would have to demand that students turn off their pagers and cell phones before beginning class, and that notes would be taken on personal digital assistants?

This generation has been born into Saddam Hussein, the Oklahoma City bombing, Rodney King and David Koresh. But as terrible as all this appeared, most experienced it thru the detached filter of television which not only broadcast it, but told them what to think about it.

Millennials have, for the most part, not faced the same personal adversity that the Xers did a generation before. There’s always been food on the table, jobs are more than plentiful, technology provides every convenience and today’s teenagers have more disposable income than any segment of the American public with the exception of grandparents.

But Millennials have been faced with a multifaceted dilemma. One hand they live in an age of tremendous economic growth, yet most of the jobs being produced pay \$7.10 per hour. The Internet has allowed them to explore worlds they never dreamed possible, but has also exposed them to pornography and violence no generation has ever seen before. The nation is once again focusing on the quality of education, yet incidents in Colorado, Georgia, Kentucky and Oregon have taught these young people that the person in the next chair could be a killer.

As they begin to enter the work force, they too are having an impact. They are the most demographically diverse generation in US history. One in three is what the US government defines as a minority. One in four has grown up in a single parent home. While they see discrimination, they do not understand a need for it.

Many enter jobs with what employers call a disturbing lack of basic skills, yet they are able to ‘navigate software programs that intimidate those in their 40’s. They can perform the job, listen to a walkman, talk on a cell phone all at the same time, yet many employers report that their problem solving

skills and willingness to take risks are not well developed. Where it is best to delegate to Xers on the basis of outcome rather than task by task, the reverse appears true for Millennials. With 80-some million of them entering the adult world over the next decade, they bring new approaches that older generations never dreamed possible.

The Factors Affecting Each Generation's Outlook on Life

The Center for Generational Studies has developed a model to illustrate influencers. These influencers play a role in the development of each generation's outlook on life. Please note that each has an impact on the others, in addition to having an impact on the generation itself. Let's take a closer look at each one of these factors.

Adversity – Every generation collectively experiences a range of adversities including war, economic hardship, natural disaster, terrorism, and many other calamities. However, some generations experience more adversity than others. **Matures**, for instance, grew up with world war, rationing and hard economic times. Their children, the **Baby Boomers**, came of age in prosperity and relative peace.

Generation X grew up with the impact of recession, inflation, massive corporate layoffs, and government scandals. The Millennials have come of age with unprecedented prosperity, technology, and conveniences. Is it any wonder that adversity has an impact on each generation's life view?

Diversity – As mentioned earlier, America's "melting pot" has taken on new meaning in the past few decades. While this book examines generational diversity, this is only one slice of a larger pie of influencers. It's important to point out that cultural heritage can have a significant impact on the importance of particular generational markers. I once made a comment about the Great Depression's impact on Matures, and an elderly African-American gentleman responded, "What depression? That's the way most African Americans lived at the time."

Economy – Income, spending, employment, interest rates, inflation, and consumer debt all play a critical role in a generation's outlook. At the same time, the nation's economy can be tremendously impacted by a generation's behavior as they mature through life. Spending and saving patterns of the Matures, for instance, have had a significant impact on Baby Boomers. But Baby Boomer spending and saving will have a significant impact on the economic welfare of those within Generation X. And so it goes.

Technology – In the past 20 years, the world has witnessed an explosion of technological advances. The way we work has changed due to the advent of computers. We see this in all areas of industry, education and government. Matures came of age with typewriters. Boomers came of age with mainframes. Xers came of age with laptops. And Millennials are coming of age with hand-helds.

Technological developments have helped introduce the era of convenience. Older generations sometimes lament the lack of hard work examples for younger members of the workforce. These younger cohorts have little understanding of what they're missing. Matures, for instance, can out-add anyone with a pencil. Millennials can out-calculate anyone with a computer. Neither is better than the other, but a healthy appreciation for each is critical.

Complexity – Daily life has become more complex. Society has become immersed in computer technology, globalization, vast cultural differences, boundary-less advertising, and mega changes in communication styles. However, America's teens don't see it that way. Veteran managers often marvel at young workers who can simultaneously surf the Web, use the phone, and prepare a report. Parents lament the fact that children remain glued to computer screens, forgoing the opportunity to have live interactions with others.

Every generation has complained about the fast pace and "new-fangled gadgets" embraced by younger generations. The difference now is the invasive techniques used by employers, merchants, educators, and government for the perceived purposes of manipulation. Only time will reveal the impact of all this, but chances are the Millennials will fare better than the Matures.

Pervading Work Beliefs of the Generations

Older Generations' Beliefs

A job is what you are. Ask Boomers and Matures to reflect on their lives, and most will begin with a current job title. While younger generations work to live, older generations live to work. As older generations have matured, there has been more of a focus on balance. Yet some two thirds of them will still admit to checking e-mail and voice mail on vacations and holidays. Both of these generations grew up in times when what you did for a living defined your existence. Technological advances, emphasis on convenience and a peacetime economy have

supplanted much of this where lifestyles have shifted from survival and "hard work" to a balance of leisure and livelihood. But even now, most Boomers plan to work, in some form past traditional retirement age.

I remember when... It is a consequence of life that the more we mature, the more we use the past as reference points for the present. While younger generations sometimes show impatience with the seemingly endless, and sometimes repetitive, stories told by senior employees, they too often discount the insights those stories illustrate. Diplomatically asking a senior person to interpret a story rather than simply telling it, can serve as an effective means for fostering conversation and good will. Stories, as a form of teaching will outlast us all. The most effective leaders take time to learn from these stories, rather than simply dismissing them as anachronistic.

Good things come to those who wait. In the hierarchy of top-down organizations, patience has served many of those in the older generations. Loyalty to one organization was expected and longevity was rewarded with promotions and pay. But organizations have flattened in their structure and automation has eliminated many of those positions held by the traditional "organization man". Many of these more senior employees cling to the hope that longevity will still be rewarded, in spite of layoffs. While those in younger generations display little patience for outdated modes of work, the experience and skills of these older workers still contain a wealth of resources.

If your hands aren't moving, you can't possibly be working. The advent of automation and computerization has mightily challenged older generations' mental image of how everyday tasks are accomplished. While they intellectually understand the impact of technology and its benefits, there is still something inside of them that says, "Where's the physical effort? Why is everyone standing around?" This phenomenon, coupled with the introduction of flex-time, telecommuting and such, has served to violate many of the ingrained notions Boomers and Matures have about the nature of work.

We have to have a system for everything. Matures and Boomers entered the work force at a time when manufacturing was the center of the U.S. economy. They carried forth the systems they learned and this has fostered an emphasis on tasks rather than outcomes. When those in younger generations discount, or even ignore, the finely honed procedures that have been in place for years, older generations take that as an affront.

All this technology will never overcome the value of hard work. While Boomers and Matures certainly understand the value of technology, many still harbor an inherent sense of wonder and

uneasiness about its capability. On the other hand, younger generations see computers in the same light as earlier generations viewed typewriters. For those in their 40s, 50s and 60s, relying on the straightforward hard work of earlier times, affords comfort, especially when computers don't perform to expectations.

Younger Generations' Beliefs

A job is a contract, not a calling. Generation X, in particular, is the least likely of the generations to identify what they are doing for a job as part of a career. Having experienced and/or observed layoffs, consolidations, acquisitions, mergers, recessions and the like; younger generations are more skeptical in their beliefs about their expectations of an employer. Employers, for instance, who breach this "contract," by failing to follow through on commitments made, such as training, classes, experiences, promotions and resources, are much more likely to lose good workers to the competition.

Focus on the outcome, rather than the task. With the tremendous emphasis on performance and the proliferation of technology in the work place, younger generations have less patience and tolerance for what they may see as meaningless tasks. They want to be able to "take the ball and run with it," as opposed to performing the ten step process designed 20 years ago. Given a clear definition of desired outcome, the resources necessary and a deadline, most want to enjoy the liberty of working on their Own in a style that favors their work ethic.

In the long run, balance is more important than money. Younger generations work to live rather than live to work. Common assumptions older generations have had about working long hours and putting in the time it takes to get ahead are not relevant concepts to them. Having watched their parents do this for years at their expense, younger workers consciously work toward a more balanced life even at the expense of income and promotion. Employers will find their traditional belief about how work is accomplished will be increasingly challenged if younger employees conceive of away that allows for more work/life balance.

Training, knowledge and experience equal versatility. Versatility ensures job satisfaction and long term security. Employers who provide opportunities for ongoing ways to enhance one's resume will be the organizations who remain successful at retaining talent long-term. While loyalty, per se, is viewed as irrelevant by many of those in younger generations, the chance to work and grow in

a challenging and supportive environment will still remain one of the most effective ways to keep people.

Management should be partners with employees. Young workers have learned through the media and education that there are a host of organizations who are implementing “best practices” which foster highly effective, team-oriented work environments. While the proliferation of these circumstances remains limited, their expectation is their reality. Employers should be prepared to discuss and re-examine those practices that may be resistant to change. Those organizations refusing to implement new system in order to preserve the status quo, may find that the younger, and highly connected, work force will have them pegged as anachronistic and therefore an employer to avoid.

Life is too short to “pay dues.” Society’s increasing emphasis on outcome and speed has engendered a belief in younger generations that there is no time to lose. Witness their comfort with surfing the net, constantly flipping TV channels and sending instant messages all at the same time. This phenomenon, coupled with low unemployment and availability of training and information on the web, will present employers with a mighty challenge over the next decade.

How Generational Values Impact Work Styles

Matures

- Matures have a strong “duty to company” work ethic
- Matures tend to be loyal to institutions
- Matures are the most likely of the four generations to “follow orders” without questioning them
- Matures keep their “nose to the grindstone”
- Matures are more willing to work the overtime necessary, wanting to put something away for a rainy day
- Matures are every bit as productive as younger workers, however the style in which they work is different
- Matures have fewer on-the-job accidents than younger generations.
- Matures are “fixers” If it breaks, you fix it, just like the old jalopy

Baby Boomers

- Boomers publicly buy into the idea of teamwork, but only tend to invest in it if it serves their purpose.
- They tend to be process oriented, versus results oriented, sometimes viewing design of the process as a result in itself
- They tend to seek convenience at every turn and are increasingly trading money for time and ease of use and/or acquisition
- Their penchant for purchasing conflicts with their desire for security. But they figure it will all work out in the end, witness Social Security and inheritance
- Boomers tend to be uncomfortable with conflict and may look for ways to circumvent confrontation which can be counterproductive
- They can be judgmental of people who see things differently
- They desire lots of recognition.

Generation X

- Xers are self-reliant, many having honed these skills in single parent family, as latchkey kids, and in the chaotic society of the sixties and seventies.
- Xers are skeptical and are not afraid to challenge what they don’t understand or, to them, make sense. This should not be viewed as a personal attack.
- They are highly focused on balance between work and everything else in their lives.
- Work is a means to an end.
- They don’t think “9 to 5.” They work when work needs to be done.
- Xers are inherently suspect of institutions and bureaucracy.
- “Paying dues” is not in their vocabulary.
- They tend to be casual about authority in the workplace. This is not disrespect, but the desire to build a respectful relationship/partnership
- They are technologically savvy and are comfortable offering suggestions to improve productivity based on technology. Why should it be done manually when a robot can do it?
- They are resourceful and will find ways to circumvent obstacles, which others sometimes view as manipulative

Millennials

- Millennials do not necessarily look at work as work
- Millennials are technologically savvy. It’s in their system V

- This same technology has served to erode basic skills because of their dependence on it.
- They're problem solving focus is increasingly based on making choices as opposed to critical thinking based on research.
- They are used to the chaos of the world and the constant barrage of messages and media, yet they can still concentrate on a single activity.
- They don't feel betrayed by the system as many Xers do and are more likely to work longer hours to pursue a particular lifestyle.
- They are accepting of large institutions and tend to buy into the team concept.
- They are accepting of other cultures and lifestyles.
- They will demand equity for others and work to achieve it.
- They expect those in charge to be competent.
- They have a clear picture of how work is supposed to be and will work to pursue that perception.
- They look for mentors in the work place (especially Boomers and Matures).

(The following two articles are from CEP Local 1123, Elk Falls. The first article was written after the Steelworkers had settled their strike and second article was written prior to the settlement. Editor.)

#5PM to restart Nov 4...

October 25, 2007

Many [CEP] Local 630/1123 members that are currently on lay-off will be recalled the week of Nov 4th. The Company has decided that now that many of the coastal sawmills that supply us fibre are restarting that we should be able to start up #5 paper machine and keep it as well as all the equipment that is currently running supplied with fibre until the middle of December.

The current plan (and it changes almost daily) is to shut the entire mill down from around December 15th and restart after the New Year. We are being told that this is completely driven by the availability of fibre.

There is been no official startup date announced for #1 PM, but we have been told that it will remain down at least until the New Year.

Registered letters have been sent to employees informing them that they must return to work the week of November 4th. - If you are in contact with anyone who is away and not aware they may be needed for startup - please pass along this information.

President's Report *(written by Scott Doherty, President, CEP Local 1123.)*

We are now into the 6th week of curtailment and I wish I could report that there was an end in sight. Unfortunately, there has been little or no change in the Steelworkers dispute, the only good news is that they are continuing to talk to FIR this week.

I am sure most of you already know that since the last Broke Beater things have changed slightly concerning what is operating at the mill right now. The Pulp side of the mill is running and will run for approximately 35 to 38 days depending on how long the sawdust supply last. Which means that we will run until around November 5th and then the Pulp side is scheduled to shut down until the beginning of December at which time it will start back up again for approximately 14 to 16 days at which time it will shutdown until after Christmas. Also running right now is #2 PM which started back up on September 28th and is scheduled to run until approximately December 16th at which time the company is planning on shutting down the entire mill throughout Christmas. We have also been advised by the Company that Vancouver is looking at the possibility of starting up #5 PM near the end of this month. This would mean that #9 PM in Powell River would be shut down as a result. The reason would be that # 5PM is the best and cheapest producer of newsprint in the company and the Company would be able to transfer a number of orders from P9 to E2 and P10 and P11. I guess it would soften the affect on our members by transferring some of the pain to our brothers and sisters in Powell River so the Company can make as much money as possible during the so called fibre shortage.

The one common theme throughout the last month is that the Company and Union do not agree on how much training should be happening to ensure the senior people are working during this curtailment. The Union believes the curtailment has clearly been estimated to be longer then 90 days therefore the Company has an obligation to provide up to 15 days of training to allow senior individuals the opportunity to work during this curtailment. The Company has taken the position that the curtailment is only at the 35 day mark therefore they only have an obligation to train up to 5 days to allow senior people the opportunity to work. The Union asked the Company to take this issue to expedited arbitration to ensure that our senior people were allowed to exercise their seniority rights to work during the curtailment unfortunately the Company refused our request. What this means is we have senior people sitting at home collecting Unemployment while junior people are working. The Union has already grieved this but that is little or no comfort to the individuals who are sitting at home not working who should be working.

I am sure that people will have a lot of questions concerning the curtailment and other issues so I hope everyone can attend Monday nights meeting.

In Solidarity, Scott

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	----
Stephen Stone	Electrical	----
Scott MacGregor	Terminal Warehouse	----
Steven Boudreau	Pulpmill	----
Dean Campbell	Electrical	----
Deanna Smith	Traffic	----
Lesil Coverdale	Raw Materials	----
Craig Karwandy	Raw Materials	Yes
Jeremy Striker	Pulpmill	----
Kurt Muller	Pulpmill	----
Jamie Harker	Steam Plant	----
Fred Hill	Maintenance	----
Mike Mailloux	Maintenance	----
Wade Waterman	Machinist	----
Bill Karlsen	Millwright	Yes

The next General Membership Meeting is at 4:30 pm, Wednesday, November 14, 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.



Puzzle date: Saturday, October 27, 2007

**REBOOT**

By Bruce Venzke

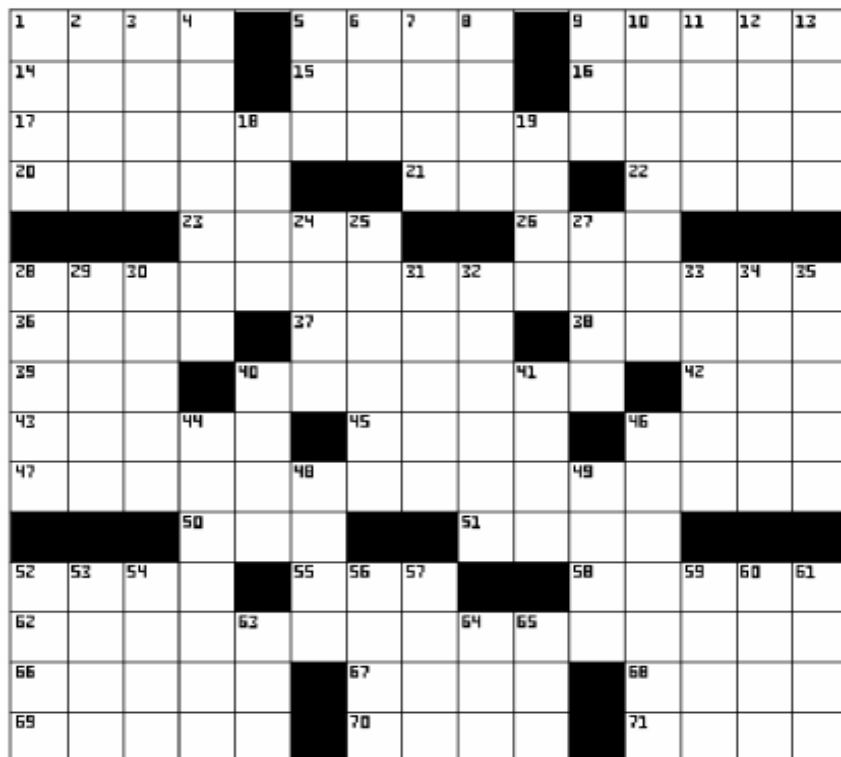
Edited by Timothy Parker

ACROSS

- 1) Dial on the dash
- 5) Bank lobby call
- 9) Grimm group
- 14) Buck tail?
- 15) Pete's follower?
- 16) "Ulysses" author
- 17) Change careers, e.g.
- 20) Vote in
- 21) "The ____ Erwin Show"
- 22) Cross to bear
- 23) Opera set in ancient Egypt
- 26) Singer's fallback syllables
- 28) Place some go to begin anew
- 36) "... butterfly, sting like ____"
- 37) Give the cold shoulder to
- 38) Salsa-topped treats
- 39) Carrier to Copenhagen
- 40) Drags down in value
- 42) Summer camp bunk, often
- 43) Child's playground retort
- 45) Chain founded in Sweden
- 46) Salad slice, briefly
- 47) Change direction
- 50) Pershing's WWI command
- 51) Leveling wedge
- 52) Kind of D.A.
- 55) Flow partner
- 58) "The Addams Family" butler
- 62) What one may decide to do with a sigh
- 66) "____ man for himself!"
- 67) Honeybun
- 68) Aware of
- 69) A little on the slow side
- 70) Means' justifier
- 71) Get snippy with

DOWN

- 1) Not risqué at all
- 2) Landlocked ____ Sea
- 3) Blast furnace fuel
- 4) Corn pone, by another name
- 5) Bad check lettering
- 6) Organ with a drum in it
- 7) Some Jaguars
- 8) Type of pilot
- 9) Breakfast drinks, for short
- 10) Take a cruise
- 11) Meg of "Sleepless in Seattle"
- 12) Hose hue
- 13) Back lot sights
- 18) Go ____ (fight)
- 19) Oahu dance
- 24) Reality unit?
- 25) Cinder holder
- 27) They're often liberal
- 28) Kind of Army training
- 29) Make ill at ease
- 30) Jai alai basket
- 31) Earth tremor
- 32) Tears out basting, e.g.
- 33) Take place
- 34) Cranny relatives
- 35) First name in skin care
- 40) Pamper (with "on")
- 41) A head
- 44) Lincoln and Webster, e.g.
- 46) Dense, puffy cloud
- 48) Not very many
- 49) Unctuous
- 52) Like some wines and cheeses
- 53) Masters winner Ballesteros
- 54) Uzi relative
- 56) ____ one's time (wait)
- 57) First column bingo call
- 59) Gifford's replacement
- 60) Corp. money men
- 61) Feathered females
- 63) "Science Guy" Bill
- 64) "We've been ____!"
- 65) Part of a name change

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