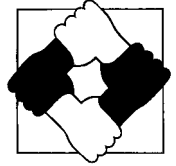




Vol. 9 No. 2
Spring 2001

IN SOLIDARITY



The newsletter for OPSEU Stewards and Activists

Northern Cables joins OPSEU

by Pat Donaghue, Local 493

Phillips Cables, a manufacturer of power and technical cable, for over 100 years, was unionized by the Communication, Energy and Paperworkers Union (CEP). It was an employer in Brockville that offered well-paying jobs.

With the arrival of free trade, Phillips Cables closed and Northern Cables Incorporated was born. It consisted of five ex-Phillips Cables management people, four engineers and one ex-union member, who had also been management briefly.

Northern Cables manufactures small teck cable and building wire. It employs 30-40 people depending on business contracts. There was a high turn-over of employees due to high employer expectations and low pay. Safety conditions were not taken seriously with some employees not receiving WHMIS training for over a year. Profit sharing rules were changed on short notice, making a large numbers of employees ineligible.

This type of treatment and plans for expansion brought on the need to organize. A number of Northern Cables' employees phoned around to various unions and decided that OPSEU was our union of choice. Organizers connected with Roger

Haley, Staff Representative at the Brockville Regional Office and two organizing meetings were held. We signed union cards and certified on Nov. 23, 2000.

Management tried every trick in the book including having those people employed in outside contracts vote. Their games didn't work and our members voted 75 per cent in favour of OPSEU.

Since certification, there have been numerous layoffs. Two of those layoffs are union stewards who had just returned from a Canadian Labour Congress weekend steward training course.

Notice to bargain was sent to the Employer on Dec. 13, 2000. When we didn't receive a reply, we sent another letter on Jan. 8, 2001. Finally the company responded and bargaining commenced Feb. 28, 2001. Unfortunately very little has been accomplished to date and charges of bargaining in bad faith have been laid. A hearing was scheduled for June 13, 2001.

"With talks going nowhere in the two brief meetings we had with the company, OPSEU's negotiation committee saw no other alternative than to call the labour board," said Roger Haley, OPSEU staff representative. ☺

EDITORIAL POLICY

The content and editing of this newsletter is determined by rank and file activists. We want members to feel ownership of *In Solidarity*, and view it as independent of any particular segment of the union.

Content comes from our own huge base of activists, staff and other labour sources.

Where an article has a by-line, the views are those of the author and not necessarily the views of OPSEU.

If no author is identified, the article represents OPSEU policy.

While we welcome your contributions (on disk or by e-mail if possible), we ask that these be constructive. All articles should be signed and include local number, and should contribute positively to the welfare of this union and its members.

It is not our intention to become involved in staff-bashing or member-bashing. If a person or office is named in an article, we will give that person or office the opportunity to respond in the same issue as the article appears.

We encourage thoughtful discussion of all related issues and reserve the right to edit for libel, length and clarity, and to reply to those that seem to reflect a misunderstanding of the union and its policies. ☺



Who we are

The elected members of the editorial committee for *In Solidarity* are:

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Len Mason - Designer, Local 737

Larry Farr - Local 559

Vern Silver - Local 670

Laurie Sabourin - Local 438

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* If you require any support, advice or start-up
information concerning newsletters, please
contact one of the executive members. ☺

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Leah Casselman, President

In Solidarity is produced for all OPSEU stewards,
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& Safety Representatives.

Ontario Public Service Employees Union

How much is too much?

UFCW Canada/Directions/CALM

The recent step to “strengthen workplace democracy” by Mike Harris’ Ontario Tories-the so-called sunshine law revealing the pay of union leaders whose gross pay exceeds \$100,000 per year-raised few eyebrows when its report was made public. Indeed, even the right-wing labour minister who pressed for the legislation admitted the salaries and benefits were generally lower than expected, earned by fewer union employees than anticipated, and probably well-earned.

It should be no surprise that union leaders-who, by and large, work long and hard for the members who elect them-do not come close to the excessive payments made to business leaders whose role is simply to make money for shareholders.

Take for example the “going-away present” to retiring president of Loblaw Companies Ltd., Richard Currie. He received \$10 million on top of his 2000 salary of \$1.45 million, bonus of \$1.25 million and cashed stock options of \$6.47 million. To top it off, Currie remains president of parent company George Weston Ltd. and will get another \$10 million when he steps down from that position.

One industry analyst admits that’s “a lot of money, but I doubt shareholders are unhappy.” Certainly not prime shareholder Galen Weston, who collected more than \$20 million in combined salary, bonus and cashed stock options last year.

The analyst goes on to say that Currie “made a profit for the shareholders and jobs for the employees.” True enough, when you look at it from that perspective. But what about the labours of thousands of Loblaws workers who have made jobs for the likes of Currie and Weston? Without the workers, corporate bosses would have no means of garnering huge payouts. ☹

UNION

Winning feels like losing

Submitted by Elizabeth Huitema, Local 221

A past member of OPSEU Local 221 wrote the following poem. The story is about our current members in the Ministry of Attorney General. Their Ministry gave them an award for the best Team. They were not allowed to attend the ceremony.

Management, at first said everything would be arranged for other employees to come in to work for them. In the end the arrangements were not sufficient.

What a winner

*The best, number one, top of the heap
we’ve won the award, forever to keep
the pride in our souls causes us to weep
for the Team Building banner to Toronto we’ll leap*

But wait,

*The trains to Toronto don’t run at our time
says the manager to us, what a crime
we’ll take another from further down the line
we’ll be late, what a pity, but it’ll be fine*

*There must be a train, we cry, let me see
if I can find something that’ll fit to a tee
why yes, a train leaves, but there is a fee
Ah, that’s what we can’t afford, says she*

*So let’s get this straight, the winners say
the award is waiting for us to claim on this day
but we’ll miss the ceremony if we go your way
and that we won’t do, what’s the point anyway?*

*Somewhere in Toronto the award will unclaimed sit
and here at the office, Wendy takes an \$80 hit
and an award-winning team feels worse than they’d admit
just another day, different day, same ol’ shit*

Anonymous

Policy developed for Local 'Time-Off' Fund

by Gavin Anderson, Executive Board Member, Region 4

In April, Convention passed a budget that created a \$475,000 Time-Off Fund. At their meeting in April, the Executive Board endorsed policy guidelines setting out how locals can access this new initiative designed to support local activists.

Under the formula set out in the budget, Head Office will contribute 80 percent of booked time-off up to \$10 per member (in good standing) per year to pay lost wages to local activists. Locals will be expected to pay the remaining 20 percent, matching each \$10 from the Central Union with \$2.50 from its own resources. For example, a local with 100 members would be eligible to request \$1,000 from the Time-Off Fund provided it contributed \$250 from its own local budget.

The policy established by the Board states that access to the Fund is at the sole discretion of each local executive committee, provided the local is up-to-date with its trusted audit reports. Funds will be released on the authorization of the local president. It is anticipated that locals will put these funds to good use in a variety of ways.

Money will not flow directly to a local requesting access to the Fund. Under collective agreements that permit *employer bill back*, Head Office will repay employers directly for lost wages. Where this is not possible, the OPSEU Accounting Department will reimburse members directly, with statutory deductions withheld. Proof of lost wages will be required as per usual OPSEU policy. In either case,



Accounting will deduct the local's 20 percent share of the costs from its quarterly rebate.

The Board also included a provision to assist very small locals. The Fund will ensure a minimum of one day per year for any local that has a maximum entitlement that is less than the cost of lost wages for one full day by topping-up the entitlement. For instance, a local with only 15 members would qualify for \$150 from the Fund matched by an additional \$37.50 from the local for a total of \$187.50. In this example, if the activist was claiming lost wages for one day of \$237.50, Head Office would top-up its contribution by \$50.

The policy was made retroactive to the close of Convention and is available to any local that meets the criteria. Contact the First Vice-President / Treasurer's office (1-800-268-7376) or (416) 443-888 to make your application. ☺

Private e-mail at work?

by *Vanessa Payne/CALM*

When Claire sent Bradley an e-mail message complimenting his sexual prowess, she did not know he would forward the message to his friends with the note, “Now that’s a nice compliment from a lass.” What Bradley didn’t know was that the message would be forwarded to others and that, in just a few weeks, about 10 million people would read the message. When the British press picked up the story, Claire went into hiding and Bradley and four of his co-workers were disciplined for unauthorized use of the employer’s e-mail system.

Many workers use workplace e-mail systems to send and receive personal messages. Given the realities of modern life and the long hours many people work, this is hardly unreasonable. But are those messages private?

You might think they should be. Having an employer snoop into personal communications, whether by telephone, letter or e-mail, feels like an invasion of privacy. Also, access to e-mail is often restricted by a password, which creates an expectation of privacy.

Workers do have a right to privacy, but it is not absolute. Arbitrators have approached the question by asking whether an employee has a reasonable expectation of privacy in a particular situation.

Since e-mail is quite new, there aren’t many cases dealing with the issue. However, the early cases do not bode well for workers. So far, arbitrators have generally taken the view that an employer can control how employees use company property. Arbitrators have also held that employees have no

reasonable expectation of privacy because the sender can never be sure what a recipient will do with an e-mail.

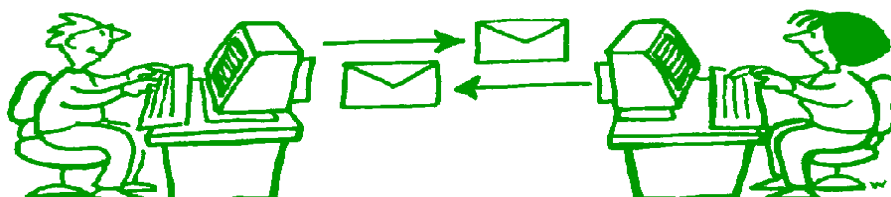
As Claire discovered, a message intended for one person may be forwarded to untold numbers of others.

Therefore, where a company has no specific policy on e-mail use, workers whose e-mail exceeds “reasonable limits” may be subject to discipline. According to the early cases, reasonable employees determine appropriate e-mail use by asking whether they would want the message to be made public in the workplace. If not, the message may exceed reasonable limits.

E-mail is rapidly becoming the communication vehicle of choice. However, when you use workplace e-mail, you must be aware that your employer may be watching. You must also realize that deleting an e-mail does not really get rid of it. Messages may still be in the system. Read the employer’s e-mail policy, if one exists, and check your collective agreement for articles that may apply to e-mail use or privacy rights.

The law on e-mail use and privacy is still developing. In the meantime, remember that “personal” doesn’t necessarily mean “private.” ☺

Vanessa Payne practises law with Sack Goldblatt Mitchell in Toronto. For more information on labour law issues, visit the firm’s website at www.sgmlaw.com.



The Big “R” Word

by Gary Fordyce, *No-Name Newsletter, Local 110*

The buzz around Fanshawe College is all about the big “R” word. Everybody seems to be focused on it. A conversation seldom happens without the “R” word coming up. Hardly a day goes by in the union office without someone dropping in to ask questions about it. If you haven’t guessed it already, I’m talking about RETIREMENT.

You have to ask yourself, why all the interest? I think there are many reasons. The first one is that 60 per cent of faculty are over 50 years of age. We have an aging population.

However, I do not believe that this is the largest contributing factor. I believe the largest factor is our working environment and conditions. Factors such as:

- large, unmanageable class sizes;
- program hours being chopped to the point where what’s left does not meet industry standards;
- a constant struggle to maintain quality in the face of cut, cut, cut;
- office spaces that resemble a rat’s maze;
- a sense that senior management does not care about quality – they only care about contributions to overhead;
- A sense that, since ‘Key Performance Indicators’ (KPI), they just want you to push students through, lower your standards, everybody passes regardless of effort or attendance. Let’s make sure we have a good student success rate, at least on paper, so that we will rate well for KPI.

The College uses the rhetoric of ‘student-focused, student-driven,’ when it is really money-focused, money-driven. Let’s face it, it is not the same



workplace that it used to be. Our struggle to maintain quality is tiring, especially when we are fighting for something that we have been quite proud of: the quality of the teaching we deliver to the students. Now we see it being eroded.

The effect of these factors, as well as others, is that people tell me they are just looking to – get out. They have simply had enough!

The problem with this is that, when all the older faculty leave who remember what it used to be like, there will be nobody left who knows the standard of quality that was once possible. The measurement for the standard of quality may be forgotten and the lower level will become the measuring stick for the future. We must enshrine faculty control of education and academic matters in the collective agreement. This model of faculty control has served the universities well in maintaining quality better than the bottom-line approach used by most college administrations. We cannot let it slide. The future of the younger generation depends on us to keep up the fight. We must recharge our batteries and continue the struggle. Your grandchildren will probably thank you someday. ☹

A wealth of wisdom for only \$10

by *Larry Farr, In Solidarity*

Every year OPSEU loses some of its strongest supporters through retirement. You know the type – the ones who always show up at meetings and know what working life was like before unions. It's sad to see them go. But wait – they don't have to leave. That's right, even though they retire from the job, they can still attend meetings and keep supporting the union.

How, you may be wondering?

Simple! Have them register as a member of the Retired Members Division.

For the reasonable cost of \$10, a retiree can become a lifetime member of the division. Even better, many locals are now paying the fee for their retiring members, thus ensuring the lines of communication are kept open. Why not put a motion forward at your next meeting to allow your local the right to buy memberships for retiring members?

Retirees are able to attend local meetings as they've done in the past. The only difference is, they aren't allowed to vote.

There's more to being a member of the Retired Members Division than just attending the odd meeting. According to Region 3 Executive Member, Fred Upshaw, retirees "can play an active role, especially during a campaign. We can bring a lot of retirees out during working hours when members are at work, and we help on picket lines - you name it."

According to the Division's bylaws, *all OPSEU/CSAO members and staff who leave the work force by retiring directly to a pension earned in her/his workplace, or retiring from a bargaining unit with no pension plan, upon payment of dues as approved by the Union* are eligible to join.

Officers are elected every two years at each region's annual meeting. Every paid-up member in good standing is entitled to run for the Regional Executive Committee. The Committee consists of a Chair, Vice-Chair, Secretary and Regional Executive Members-at-Large.

The Regional Chairs form the Divisional Executive Committee (DEC). They elect a Chair, a Vice-Chair and a Secretary from within their group. The Executive Committee are delegates to OPSEU's annual convention. They are also eligible to attend the Ontario Federation of Labour (OFL) Convention, as well as the Canadian Labour Congress (CLC) and the National Union of Public and General Employees (NUPGE) conventions. Non-elected Retirees may attend the OPSEU convention as observers. Elections take place in those years following election of the Board.

Some of the goals of the Retirees' Division include bringing together retired members to discuss the problems they encounter and to keep OPSEU informed of same; to assist active OPSEU members in preparing for retirement; to provide retired members with useful social and recreational facilities and opportunities; and to help retired members to improve housing, medical and health care, drugs and other consumer services.

Wait! Still not convinced? There's more. When a retiree joins the Division, he/she receives a Retired Members Division Kit. The kit contains a letter of welcome, a copy of the bylaws, contact lists, a pin, a membership card, a certificate, a number of useful fact sheets and publications, including the Division's own newsletter, *Autumn View*. Not bad for \$10.

To find out more about the Retired Members Division, call your regional office. ☺

Retirees' Division
Executive Committee:
Region 1 - John Opper
Region 2 - Grant Bruce
Region 3 - Fred Upshaw
Region 4 - Joyce Earl-Willis
Region 5 - Pamela Lee
Region 6 - Mario Allio (Chair)
Region 7 - Ed Wakewich

Ontario's future labour law environment

by *Tim Hadwen, General Counsel, OPSEU*

It is important to try to help give some sense of the challenges that OPSEU will face in the next couple of years. So, let us ask what legacy of labour law the Tories will have left us at the end of two terms in office. It is too depressing to contemplate the legacy of three Tory terms. But, we should also realize that the Liberals are not going to 'turn back the clock' very far.

The legislative changes, at least to date, have been focused on the Ontario Public Service and the Broader Public Service. The Colleges' turn may be coming as the government focuses its attention on possible 're-engineering' of the college system. However, we do not have enough information about the outcome of that process to make any concrete predictions.

A) Ontario Public Service

In the mid-term future, the OPS will consist of more managers, AMAPCEO members, unclassified and temporary workers, and fewer permanent full-time front line workers.

The existing statutory limitations on the ability of the government to employ temporary and unclassified workers may be loosened through amendments to the *Public Service Act*. Those amendments may authorize long-term unclassified employees and short-term classified employees. Previously the union had been able to rely on the *Public Service Act* to somewhat encourage classified appointments. Now even more protections will have to be bargained.

Another bargaining issue as long as the Tories are in power is the lack of successor rights for employees leaving the OPS. The Liberals have repeatedly pledged to restore successor rights for public servants.



The bargaining environment is heavily influenced by a union's power in a strike situation. The Tories have substantially weakened OPSEU's strike power in the OPS. An essential service regime was put in place by the NDP, but the Tories made it much worse. They put in legislation that permits the use of managers, non-striking employees (bargaining unit scabs) and external replacement workers (outside scabs) without those employees reducing the extent of essential service workers. In other words, the employer can have essential service workers it doesn't need and scabs besides.

To counter balance this, the union does have a weapon. At the time of the 1999 potential strike, the union clarified that there is no need to do the whole job. Employees doing essential service work need only do the essential parts of their jobs and not the unessential work. In order to ensure that the union has all its earned strike power, essential service workers will have to be constantly vigilant about the need to only do essential work.

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Ontario's future labour law environment

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B) Broader Public Service

As the percentage of OPSEU's membership in the broader public service continues to grow, OPSEU will become more and more concerned with the legal framework surrounding the obtaining and maintaining of bargaining rights in that sector.

The concern will no longer be Bill 136. It contains a sunset clause that causes it to expire on December 31, 2001 (although it can be extended). Also, the mergers it was designed to deal with will be largely done by then. The two groups of mergers most often involving OPSEU were:

- a) municipalities: the Tories are not pushing ahead with many new municipal mergers, and
- b) hospitals: almost all hospital mergers (with the notable exception of the two remaining psychiatric hospital transfers) will be complete within one year.

The continuing challenges will be those contained in Tory changes to *The Ontario Labour Relations Act*.

1) Certification:

In 1995, the Tories changed the law so that there had to be a vote in every certification. Members could no longer obtain union membership just by signing cards. The Board cannot order automatic certification under any circumstances (even if management actions scare people into voting non-union). The need to deal with a vote in every case has been well handled by a combination of organizing techniques which include moving very quickly and involving local members fully. OPSEU will have to continue to engage in innovative, aggressive and quick measures to be able to organize where employers try to intimidate employees into voting against unions.

2) Increased difficulty in getting a first collective agreement:

The NDP allowed automatic rights to interest arbitration for first contracts. Now there is a semi-fault system where a union must first show that bargaining has been thwarted by the employer. Employees will need to push vigorously into bargaining and challenge the employer to make it work. If it doesn't, the union will need to move forward with first contract arbitration complaints.

3) Increased difficulty in getting the first strike vote:

Where bargaining does work to the extent of getting to the point of a strike vote, the Tories have now made it mandatory in a first contract situation for the union to ask two separate questions:

1. Do you wish to ratify the contract?; and
2. Do you authorize a strike?

The two separate questions can leave the union in a situation where employees have refused to ratify a contract and refused to authorize a strike.

The Tories have made it illegal for the union to ask the sensible combined question "Do you reject the contract and authorize the strike?" Unions have to explain that it is really always a combined question.

4) More decertification threats:

Unions have always been subject to decertification in the last two months of any contract. The Tories have now expanded that to three months, producing a larger period of uncertainty.

The other change is that all unionized employees are to be provided every year with a document describing the process for making an application for decertification. The employer can provide that document and it will do so in combination with anti-union propaganda.

These increased risks of decertification can be dealt with by continually demonstrating to members why they need a union and showing them that their current union is a good one. ☹

Technology

Not even close

by Larry Farr, *In Solidarity*

One of OPSEU's best-kept secrets is its library tucked away just inside the front door at head office. An even better kept secret is the woman who runs the place – Annie Keung.

Annie typifies the one-person office. As OPSEU's only librarian, her duties cover a wide-spectrum. While her top priorities are librarian-oriented (such as heading research for OPSEU campaigns), she is also responsible for clerical duties such as photocopying and loaning videotapes. (that's right, videotapes) Although OPSEU doesn't circulate any of its over 6,500 books, members are invited to borrow any of the 350 plus videotapes. Collective bargaining, grievance and arbitration, human rights and women's issues are a few of the subjects covered. Annie has put together an impressive catalogue, available by contacting her at akeung@opseu.org, or 1-800-268-7376, ext. 781. They are in VHS format and are available for a 2-week loan. Up to three videos may be borrowed at one time.

What if your local is in Region 7 and you can't drive over to head office to pick up your video? Well, simply fax your selections to Annie using the form inside the catalogue, and indicate that you'd like to pick the videos up at your regional office. The videotapes are delivered throughout the province on a weekly basis, by OPSEU's regional mail courier. Just remember though – this is a library and libraries have fines - \$1 per day per video for late returns.

There's more to the library than just videos however. Annie has also put together an interesting *Resource Guide*, which includes a listing of over 100 titles of labour-related periodicals, union newsletters and publications. Some of the most common requests



Annie Keung - OPSEU Librarian

for newsletters Annie gets are the *Lancaster House Newsletters* and the *Canada Labour Views Reports*. *Lancaster's* (www.lancasterhouse.com) are publishers of information on labour, employment and human rights law. They summarize, review, analyze and evaluate cases in a wide-variety of areas, including Labour Board Law, Pension & Benefit Law, Wrongful Dismissal Law and Collective Agreement Law, Settlements. The CLV Reports (Canada Labour Views) summarize collective bargaining from around the country, showing trends in wage settlements, working conditions, and pensions.

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Technology Not even close

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Members can request to be included on the mailing lists of these journals by contacting Annie. Another favourite request is for government documents, especially the Crown Employees Collective Bargaining Act, the Human Rights Code and the Public Service Act.

Also available at the library is their collection of OPSEU grievance awards. Some of these are also available on-line at www.opseu.org/griev/awards/pdfsearch.htm Arbitrations for the Broader Public Service haven't been included yet. Available "off-line" are OPSEU briefs and publications. Searching for a Grievance Settlement Board (GSB) award is easier if you know the GSB#. Searching for a CAAT or BPS award is done using the grievor's name. It should be noted that the paper files have more detail than what's included on the website.

Annie will photocopy a particular grievance award and forward it to you. All you have to do is ask. Although this service is usually sent by mail, Annie will sometimes accommodate requests to fax grievance settlements if they're less than 20 pages. Reasonableness is the key here.

Also available in the library are two major arbitration books, which are now on CD-ROM. Searches can be done to find case law for a particular subject area.

Members are encouraged to use whatever resources are in the library (it isn't open to the public), from 8:30-4:30, Monday – Friday. Even though Annie leaves at 4:30, you are welcome to stay later. Just make sure you show up before she leaves for the day. Since Annie spends most of her time providing research assistance to OPSEU staff working on organizing and campaigns, she isn't available to assist with research, but will certainly get you started on your quest.

Front-line activists need resources. I wonder how many OPSEU activists are aware of this excellent resource – their very own library? ☺

CLC Solidarity and Pride Conference

by Gail Grenville, Chair, Rainbow Alliance

The CLC is holding the second Solidarity and Pride Conference in Vancouver from June 24 - 27 at the University of British Columbia. The last Solidarity and Pride Conference was held four years ago in Ottawa. The Conference is open to gay, lesbian, bisexual and transgendered activists and allies.

There have been many legal victories and gains for lesbian and gay workers at the bargaining table.

Making the links between the discrimination faced by gay, lesbian, bisexual, and transgendered (GLBT) workers and workers in other minority groups is still an important challenge. The harassment in schools of GLBT youth, ongoing police harassment, and the struggle by these activists to save health care and social services are some of the areas which will be discussed at the Conference.

Please contact your Regional Vice President, the Provincial Human Rights Committee or the Provincial Women's Committee if you are interested in attending.

Beverley Johnson, Human Rights officer, or Andrea McCormack, support staff in the equity unit, at head office (1-800-268-7376), or Gail Grenville, the Chair of the Rainbow Alliance (1-905-714-0016) can also be contacted to provide more information.

☺



Welcoming New Members

A lot of problems come with being a steward, and one of the biggest is that there's just never enough time to do the job. That's why a lot of stewards never quite get around to the task that's at the very heart of their duties: welcoming new workers to the job and establishing the union's presence.

Of everything you do, this ranks up there with the most important. A few minutes spent with a worker when he or she is brand new to the job comes back to benefit you and the union a hundredfold.

Unless you're in a situation where your workplace became unionized with the participation of the current workforce, you're like a million or so other stewards across North America. That is, the union was already in place when the workers were hired. As far as they're concerned, their pay, benefits and conditions are because the employer is decent, not necessarily because there's a union there that fought to make standards what they are. Depending on where you work, new employees may not even be aware there is a union - unless someone tells them.

You're not likely to have a very strong union or committed membership if the workers think they owe it all to the employer. They'll think of the union only as that outfit that takes dues from their paychecks. It's a formula for a weak union, one that has nowhere to go but down.

Establish the union presence

A steward should make it a point to greet new workers as they come on to the job - not just to give them a crash course in the union and all the good stuff it's responsible for, but to establish the union presence and make the union part of the worker's workday reality.

What do you do?

Veteran stewards know the drill without thinking about it, but a brush-up can never hurt, and newer stewards almost always can benefit from a quick look at some ways to approach new workers.

The first step is sometimes the hardest: finding out who the new person is and making an effort to meet him or her.

You'll have to figure out what's the best timing. Seek out the new worker before, during or after work, on a break or at lunch or dinner, and introduce yourself. The sooner you do it, the better - the worker's first day on the job is the best of all.

Be friendly and open

Have a smile on your face and a welcome in your voice. Offer your hand.

Tell the new worker who you are and your role in the union. Get his or her name, and, if it makes sense in your situation, a job title and an understanding of the hours he or she will be working.

Understand that, the first day on the job, a new worker may feel too shy or insecure to ask a lot of questions. So be prepared to offer some basics. Among them: Where's the bathroom? A water fountain? The break-room? Questions

can be as basic as who is the supervisor, is there a time-clock, and when is payday.

When you can, introduce the new person around: a new job can be a lonely place.

You'll want to explain a little about the union. You may be giving the worker a membership application, so you should be prepared to explain how the union works and where the dues dollars go. Tell the worker when and where union meetings are,



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Welcoming New Members

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and where you can be contacted during work.

It might work well to let them digest everything you've told them so far. Meet up with them again a day or two later, to answer questions and further explain union benefits and procedures. Be prepared for "second-day" type of questions, like "how long do I have to work before I get a vacation, or a raise, or health insurance."

If you're likely to be in the same place for lunch, like the workplace cafeteria or break-room, seek out the new worker and invite him or her to join you and some other co-workers. If your union is small enough that an officer or two is available, make sure they stop by to say hello as well.

Talk about the social side

Let the new worker know about some of the social aspects of the union – not just the meetings, but things like union-sponsored clubs or outings. Tell them about specific benefits of membership, like a credit union, discount buying and other programs.

Depending on where you are and who your employer is, union membership may not be a mandatory thing, so you want to let new workers know of the good reasons to join up.

Take it all slow, and take it easy. You'll have other opportunities to talk to the worker in the days ahead. The key thing to remember is that the first impression is the most important one. If you're friendly and open, you'll make a good impression and the new worker will be more likely to come to you in the future with questions and problems. The union will be thought of as friendly, helpful and trustworthy. With any luck, you'll have planted the seeds for the growth of a future activist. 😊

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Attention all Stewards:

Contact your sector

by Leona Redden, Sector 8 chair, Long term care

Many of you may not know that the Broader Public Service is divided into several sectors. These sectors provide a voice for groups of members employed in similar areas. The ability of these voices to be heard and to be effective, depends largely on the involvement and the input of the members.

Currently, sector 1 - ambulance, sector 8 - long term care, sector 10 - hospital health care professionals, sector 11 - health care support, and sector 17 - community health care professionals have joined together to form the Health Care Divisional Council. (HCDC)

Given the constant changes and privatization facing all sectors of health care today, the HCDC provides a larger and stronger voice for these sectors. The more members that become involved, the stronger the group becomes. We need all of our members to be aware that these sectors exist and that they are important.

What sector do you belong to?

If you don't know, you need to find out. Then, you need to contact your sector representatives. The sectors need to know who their members are and how to contact them. One of the greatest challenges facing the sectors is getting information out to their members. Even if you think you are on your sectors' list, contact your representative. Make sure to encourage everyone to do the same. It's important!

The sectors can be reached through the OPSEU web site. Access BPS and then the Divisions. 😊

The settlement achieved is not always the one sought

Sometimes stewards need to take a long-range view when fighting grievances and advising members. Consider the following situation at Pathways for Children and Youth and Local 460. During the fall of 1998, Pathways posted a three-month temporary part-time secretarial position. The employer awarded the position to a part-time bargaining unit member whom they deemed more qualified than another applicant with higher seniority.

The senior member grieved that she should have been awarded the position. She was already working three days a week and was looking for two additional days work a week for the duration of the posting.

At the step one grievance hearing, the employer pointed out that the collective agreement contained a competitive posting clause and it was management's right to evaluate applicants and select the best-qualified candidate. They reported that they had given each candidate a computer test and a written quiz regarding the agency's policies and procedures and the grievor had not done as well as the junior candidate.

The union responded that management had not provided adequate supervision, had offered no training and had been deficient by not carrying out annual performance evaluations. Also, the applicants had been tested on Microsoft Works while the employer used Microsoft Word. Also, the employer had never provided the grievor with a copy of the agency's Policies and Procedures Manual.

Despite these strong arguments, the two supervisors at the step one hearing rejected the member's grievance and she was forced to move to the next step. At this hearing the agency's executive director was adamant that the successful applicant had superior skills and management was not prepared to remove the incumbent and install the



grievor for the final weeks of the posting. The executive director did, however, wonder if there was any settlement that would satisfy the grievor.

The member and her steward considered what kind of settlement might provide a worthwhile remedy. The member felt strongly that the employer had relied on irrelevant and unfair test results. The steward agreed that the employer could be made to look very bad in arbitration and there was a good chance of winning. But, he warned that this employer was very aggressive at arbitration and would do everything it could to discredit the grievor. Win or lose, the process would be lengthy, costly, abusive and potentially pit member against member.

This grievor was strong and confident with a good case, and if management's history of intimidation were the only consideration, she would have proceeded to arbitration with the full support of the local and the union. There was something else that had to be considered and discussed. The grievor had been a financial clerk prior to the reorganization and had bumped into her current position as a secretary. The successful candidate had always been a secretary and did have more experience and credentials, if less seniority.

The grievor was able to acknowledge that although she might be able to win at arbitration as a result of errors made by the employer, it was unlikely that the employer would make those errors in any subsequent competitions. If she did not attend

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The settlement achieved is not always the one sought

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to her qualifications her seniority would have little value in subsequent competitions.

She and the steward were able to put together a settlement offer that included tuition and supplies for a computer course at St. Lawrence College in Kingston with extra paid time for class work and assignments.

The employer accepted the settlement offer as it saved them a costly and embarrassing arbitration while preserving their original decision. The grievor took the course and passed with top marks.

This November, two years after the original grievance was settled, the employer posted a full-time position. The grievor applied and, equipped with her upgraded skills, was successful in getting the job. In this case the compromise settlement held more value for the member than winning her grievance would have provided and at much less cost to the employer, the union and the member. ☺

Behavioural-based SAFETY

(Internet)

An article that appeared in The Multinational Monitor in November 2000 entitled, *Blame the Worker: The Rise of Behavioural – Based Safety Programs*, suggests a hidden agenda behind the recent decrease in reported workplace injuries. The article says that new Occupational Health and Safety (OHS) programs such as Dupont's STOP, Geller's Total Safety Culture and Liberty Mutual's Managing Vital Performance, are all based on the 'unsafe worker' analysis of OHS.

Enter behaviour-based safety programs that, depending on the particular behavioural safety program, claim that 80 to 96 per cent of job injuries and illnesses are caused by workers' own unsafe acts.

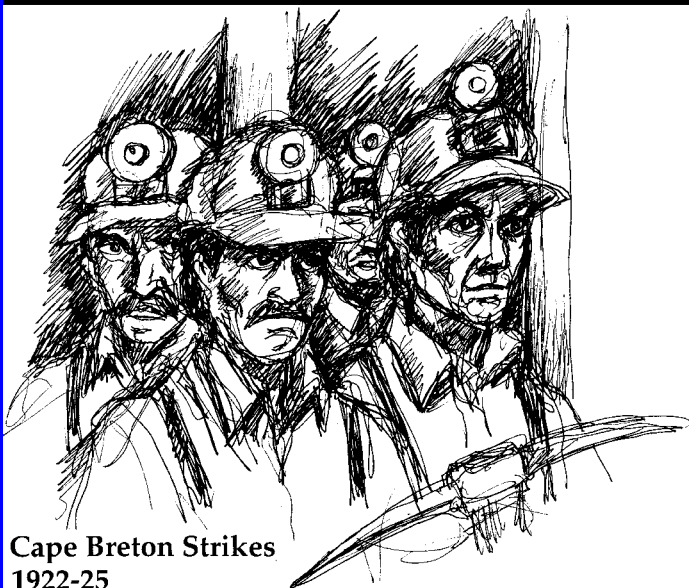
In the case of a Midwest tire manufacturer with a behaviour-based safety program, the official accident report written up after a worker slipped and fell on ice in the parking lot stated, 'worker's eyes not on path,' as the cause of the injury. The report did not mention the need to have ice and snow removed from the parking lot. It did not mention that the sidewalk had not been cleared of snow and ice for several weeks, even though workers were required to use the sidewalk periodically.

At one factory that had implemented a behavioural safety program, the United Auto Workers Health and Safety department reports that when a union representative asked workers during shift meetings to raise their hands if they were afraid to report injuries, about half of the 150 workers raised their hands. Worried that some workers feared even raising their hand in response to the question, the union rep asked a subsequent group to write yes on a piece of paper if they were afraid to report injuries. Seventy percent indicated they were afraid. Asked why they would not report, workers said, "we know that we will face an inquisition, we would be humiliated and we might be blamed for the injury."

The Multinational Monitor is online at www.essential.org/monitor ☺

LABOUR HISTORY

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Cape Breton Strikes 1922-25

The growth of unions and as industry in difficulties resulted in dramatic confrontations, bringing troops into several Cape Breton communities. In 1922 the miners responded to a one-third wage cut by cutting production by a third. In 1924 and 1925 they resisted further cuts, and the long battle resulted in the company police shooting coal miner William Davis. In the 1930s, the Sydney steelworkers reorganized successfully and in 1937 Nova Scotia passed an act protecting the right to collective bargaining.

Sweatshop on retailer's agenda

A Canadian Labour Congress Bulletin

The senior brass at the Hudson's Bay Company took notice of the support garnered by a shareholder proposal about sweatshop labour. It was submitted last week at the annual shareholders' meeting by the CLC Staff Pension Plan, Working Enterprises Ltd. And the Regime complementaire de retraite du Syndicat des Pompiers du Quebec (Section locale LaSalle/Verdun). The proposal called on The Bay to adopt the principles enunciated in the ILO's, *declaration on fundamental principles and rights at work*, and to establish an independent monitoring process to assess adherence. Though the law forbids actual campaigning for shareholders' votes, the anti-sweatshop proposal received 15.2 per cent of the votes cast, because of the strength of the values promoted in the proposal.

This strong showing for the first vote on a proposal of this kind at the company brought Hudson's Bay President and CEO George Heller to commit the company to looking at ways to improve monitoring of its suppliers. Peter Chapman, executive director of SHARE, the shareholder association for research and education, who coordinated this labour initiative, said, "we are very pleased with the results. It sends a strong message to the Bay and to retailers generally that shareholders recognize that association with sweatshops is bad for business."



Hudson's Bay has reported that its financial auditor, KPMG, monitors compliance of its own code for suppliers. But as was noted by Murray Randall who spoke for the CLC Pension Plan, "KPMG does not report its findings to shareholders. There is no public and transparent accountability." Richard Bowes of the LaSalle/Verdun firefighters pension plan puts it this way. "If we put our confidence in the company, the company should report to us."

Amid rising concerns about goods made in sweatshops by companies such as Nike, Disney and Wal-Mart, and the impact the publicity about working conditions in these sweatshops has on a company's shareholder value, pension plan members who invest their lifetime pension savings in a company deserve reasonable assurances that their investment will not be hurt by scandal or a lack of consumer confidence. "Pension fund trustees have a duty to invest wisely," said Ken Georgetti, president of the Canadian Labour Congress and chair of SHARE. "That is why we are telling The Bay and everyone in the retail industry that they must respond to the willingness of shareholders and consumers to refuse goods and products made in sweatshop conditions."

The vote at the Hudson's Bay Company meeting follows a vote on an identical proposal at the Sears Canada shareholder meeting on April 17, which received 10.2 per cent of shareholder support. ☺

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