

Union optimistic after VoIP hearings

By Sid Shniad,
TWU Research Director

The TWU urged the Canadian Radio-television and Telecommunications Commission (CRTC) to fully regulate Voice-over Internet Protocol (VoIP), in a three-day hearing held late September in Ottawa.

VoIP, which allows users to

have phone conversations over the Internet, should be regulated in the same way as wireline service, TWU president Rod Hiebert, lawyer Jim Aldridge and I told the CRTC. The TWU also recommended that VoIP service provided by cable

companies be regulated in the same way as VoIP provided by telephone companies, and the CRTC shouldn't let any company offer VoIP until it is capable of providing emergency services like 911.

The TWU pointed out (as detailed in a recent

Transmitter article by Rod) that telephone companies are using VoIP to restructure their operations and finances to avoid regulatory oversight.

During the hearing, it became clear that at least some of the CRTC panel members are concerned about

the effects of deregulation and were taking the TWU's call to regulate all of the players in the sector seriously. It is too early to tell what this will ultimately mean, but the signs are good. After years of participating in proceedings (see *TWU urges -- page 5*)

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TWU wrestles with Telus in court

Last January the deal was sealed. It was good news. Telus accepted a Canadian Industrial Relations Board (CIRB) order to enter into binding arbitration with the union.

Then, just a couple of weeks later, the company flip-flopped and asked both the CIRB and the Federal Court of Appeal to reconsider the binding arbitration decision.

The union is still waiting for this decision.

"We're not out of the woods because we haven't got the goods," says VP Bruce Bell. "We have to be ready to take action. We're still in front of the CIRB on a number of fronts and there are procedures to follow and legal manoeuvring to be done. The process takes time, and I'd like to thank our members for their patience."

There's more than one court and more than one issue. As Telus and the TWU continue to play legal volleyball on a number of fronts in the courts, nothing has happened at the bargaining table.

Telus sought a Reconsideration of the binding arbitration decision in two venues, the CIRB and the Federal Court of Appeal.

In March, the Union asked the CIRB to remove itself from hearing the Reconsideration, after receiving information which led the Union to believe the CIRB was biased. In August, the CIRB dismissed the TWU's accusation of bias against itself.

CIRB Chair Warren Edmondson didn't deny the

accusations of bias, but instead dismissed them as hearsay, stating in Letter Decision 1128 that the TWU submitted "no compelling evidence."

Edmondson was the accused, the judge and jury. The TWU, after hearing reports that Edmondson had made remarks on the case in favour of Telus which were reportedly passed on to Telus, had asked the Board to remove itself from hearing Telus' attempt to overturn the CIRB ruling that ordered Telus into binding arbitration.

Union Vice-President Bruce Bell submitted an affidavit to the court which said he had been advised by a source involved in the case that CIRB Chair Edmondson had said that Telus should seek reconsideration of the Board's binding arbitration decision and that if he heard the case, he would overturn it. The source had received a similar report from another player in the dispute, who had also said this information was shared with Telus' lead negotiator Mr. Bedard.

The Union asked the CIRB to disclose the facts in this matter to refute the allegations, but since Edmondson dismissed the charges as hearsay, he claimed the CIRB was not required to respond to the allegations.

The Union decided this was

unacceptable, and appealed for a Judicial Review in the Federal Court of Appeal.

CIRB says Telus violated the labour code

Telus violated Canada's Labour Code by discussing collective bargaining issues with employees in Team Telus Talks, Front Line Forums and two internal e-letters, ruled the CIRB.

Decision 271, issued April 8, 2004, to explain the reasoning behind the binding arbitration decision 1004, found Telus breached Section 94(1)(a) of the Labour Code by communicating with bargaining unit employees on matters of employment and collective interest.

The employer's actions "poisoned" the collective bargaining process, said the Board, effectively destroying the remaining trust that was needed to secure a new contract. The Board said that the employer was giving employees advance notice of what to expect on the bargaining table before it told the union's bargaining representatives.

"This is an insidious way of keeping negotiations off balance and a loss of face for the union's representatives at the bargaining table," wrote

the Board in Letter Decision 1004.

Telus' action in these instances were "contrary to effective industrial relations and sound labour-management relations," wrote the Board.

One email, entitled "Telus responds with the facts" contained editorial comments about the union such as "the TWU's claims are wrong and misrepresent the facts."

Several employees provided testimony on forums and meetings where Telus discussed collective bargaining issues with employees.

The employees' testimony indicates that the presentations to employees were well-planned, and not just responses to questions employees had, wrote the CIRB. The slides detail the employer's position on labour issues and excluded all other points of view.

"Coming at time when the parties had agreed to conciliation, these meetings must be seen as an employer-created opportunity to sell its position to employees..." wrote the CIRB.

Employees were told that the union refused to consider other "more reasonable collective agreements." They were a captive audience being addressed by Telus senior leaders, sometimes including

(see *Battles -- page 3*)

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Students thank you

Dear TWU Awards Committee,
I received a letter from Lisa Maree at the Columbia Institute, stating I was chosen for the Telecommunications Workers Union Scholarship for the amount of \$750.

I want to thank the TWU for choosing me. I am very grateful to receive this award. I have registered in first-year Engineering beginning in September.

Thank you again for selecting me and helping me further my education. I sincerely appreciate it.

Yours truly,
Michael McBurnie

Dear TWU members,

I would like to thank you for the incredible support you provided with the scholarship you have given me. I have always strived to be a nurse and your contribution has given me great help towards the achievement of my goal. I will always appreciate what you have done for me and my future. Your union has my gratitude and respect.

Yours truly,
Rachael Wills

Dear TWU,

I would like to thank you for awarding me the Telecommunications

Workers' Union Scholarship. I really appreciate the recognition, and the money will help to finance my education as I follow a degree in Business Administration at Simon Fraser University in the following years.

Thank you again for supporting my continued education.

Yours sincerely,
Laura Zilcosky

Retirement bliss

Dear TWU,

I would like to extend my long overdue thanks for the \$1,000 retirement cheque and lifetime membership in the TWU. I would also like to thank Rod Hiebert and Neil Morrison for their kind words at my retirement party in Victoria.

As a former Okanagan Telephone Company employee, I can still remember August 21, 1973 at 1pm, hitting the bricks with our picket signs in Salmon Arm. Four months and 10 days later it was settled, thanks to all of the B.C. Tel employees who helped out while we were on strike for a pension plan which I am fortunate enough to now take advantage of, which allows me plenty of time on the golf course.

It has been a pleasure working with all of my co-workers during my 36

years and I would like to wish them all the best in the years to come.

Sincerely,
Wayne Upper, Local 2 Victoria

Dear TWU:

Thank you for the honorary life membership, retirement pin and \$1,000 retirement gift. To the TWU executive, past and present, I extend my heartfelt gratitude for your dedication, foresight and ability to deal with an ever-changing communications industry.

Over the past 36 years, I have had the privilege to work with countless wonderful and dedicated people. I wish all of you a prosperous and healthy life. To my colleagues who remain employed, I pray for continued strength and a just and peaceful contract settlement.

Yours truly,
Jeff Hurst, Local 9

Dear TWU:

I would like to thank the TWU for the cheque, pin and lifetime membership I received upon my retirement on December 31, 2003. It was greatly appreciated. It has been a privilege to be a member of this union. Keep up the good work.

Yours in solidarity,
Donna Toomer, Nanaimo, BC

Hi Rod,

I appreciate your warm wishes in my retirement from TELUS, the Honorary Life Membership certificate and the cheque which will be very useful.

Please also pass along my appreciation to Leslie Yawrenko.

Bye for now,
Carol Martin

Dear TWU:

After 25 years with BC Tel/Telus, I must let you know, I have enjoyed reading the *Transmitter*.

Thank you for my pin and Honorary Life Membership and my cheque.

Best wishes towards a new collective agreement.

Karen Hilder, Local 21

Dear TWU,

I wish to express a heartfelt thank you for the generous \$1,000 retirement gift, honorary life membership and retirement pin.

It was a pleasure to be part of such a great group of people over the past 30 years and belong to a union that can be proud of always negotiating with dignity, respect and with fairness to all. Your hard work is greatly appreciated. Wishing you all the best with negotiations now and in the future.

Sincerely,
Wanda Proulx, Local 21

Dear TWU,

Thank you for the \$1,000 retirement gift, the honorary life membership in the TWU and the pin. This is very much appreciated as is all the hard work by the Pension office and our business agents throughout the 30 years I spent at BC Tel/Telus. I miss all of the people but definitely not the work. Retirement is wonderful and I highly recommend it to everyone.

In Solidarity,
Karen Houlden, North Vancouver

Dear TWU:

I would like to express my appreciation for the cheque from the TWU Benevolent Society.

Thanking you,
Ray Gallant, Local 60

Dear TWU:

I want to thank the TWU for my great pension and life membership. It is very much appreciated. I would also like to thank Grace for being so helpful in filling out my forms. Take care and best wishes in getting a decent contract for all in these difficult and unnecessary times.

Sincerely,
Patricia Sneddon, Local 32

Dear TWU:

Thank you for the honorary life membership and the \$1000 cheque from the union. Thanks also to the TWU for negotiating such great contracts over my 35 years of employment at BC Tel/Telus.

Miss you all,
Maynetta Raymond, Local 50

Dear TWU:

Many thanks for the lifetime membership to the TWU and the \$350 cheque. I have only been with the TWU for a few years, but it seems like forever. Thanks to Monte Worthington, Tim Williams and the Local 60 executive board for all the good work they have done on my behalf to keep the Shaw's of the world from destroying a good industry and work place. I have been around from the beginning of Cablevision (45 years) and I've seen some big changes. I would like to thank all my co-workers for the great times I have had and I will miss them one and all (even the ones I disagreed with). It's been a good career and I leave it to some very good people to look after. My family has a long history with the cable industry so I will be kept up to date with the things that are good and not so good. For my future, my wife and I will be doing some traveling and of course some fishing and enjoying our retirement together. Many thanks again to all.

Yours truly,
Arnold Monkman

Overwhelming support

Dear TWU:

I'm writing to thank all my friends at Telus who called, sent flowers and cards, as well as those who sent donations to Canuck Place on behalf of my grandson. His name was Christopher Cecil Hemeon Sheloff (September 21, 1996 to September 7, 2004). I've been retired now for two years and it's nice to know we are still remembered by our fellow workers in this time of sadness.

Yours truly,
Linda Hemeon,
Abbotsford/Mission

After the fire

To staff and members of the TWU, I would like to thank everyone who has offered their assistance and support during my recent loss. The fire that destroyed my home on January 26, 2004 was truly devastating. I am able to carry forward thanks to the unyielding support from all my fellow workers and those members I have not had the pleasure to meet. I am both humbled and grateful for their generosity. Please accept my thanks and my thoughts and prayers are with all of you.

Wendy Poloway, Local 207

Keeping promises

Dear TWU:

Our family would like to express our appreciation to the TWU with special thanks to Nancy Curley for the

support in what was a very difficult situation for us.

A couple of years ago when I accepted a job posting to the Island, we started construction of our new house. Though everything had been discussed and agreed to beforehand, when we submitted the bill, the company refused to pay the GST on the house.

In total frustration, we contacted the Union and went through the grievance process. Nancy's attention to details, genuine interest in the case and overall handling of the entire situation resulted in a positive outcome for our family with the company agreeing to pay our GST claim two days before the scheduled arbitration hearing. I am very confident that without Nancy at the helm of this case, the outcome would not have been the same. Other TWU members who assisted throughout the situation were Rod Peters, Rick Keen and Glen Husband.

Once again a big thank you from our family in bringing this to a successful close.

**Al Whitworth
Fleet Services, Nanaimo**

Supporting sport

Dear Sirs and Madams:

On behalf of the Quesnel Technics Gymnastics Club, we wish to thank you for your sports sponsorship of \$500 received recently.

We are pleased to advise that this money went toward the purchase of signs and gymnastics advertising posters for display on the float we put in the Billy Barker Days parade in July of this year. These signs and posters will be re-used at other gymnastics events, such as our annual gym-a-thon which is held in the fall and our annual invitational meet in the spring.

It is with kind donations such as this that we are able to continue to offer recreational and competitive gymnastics in our community. We sincerely appreciate your support of this sport.

Yours sincerely,
**Quesnel Technics
Gymnastics Club,
Mary Herauf, President**

To the members of TWU Local 52:

Thank you for your generous minor sports contribution of \$500. Your sponsorship was greatly appreciated and used towards our annual all girls Minor Box Lacrosse Tournament, which took place June 25 to 27, 2004 at Queens Park Arena in New Westminster, BC.

Thank you from the **New Westminster SalmonBellies Div 3-Girls Minor Box Lacrosse Team**

To Jim Christensen:

Thank you again for another year of helping sponsor minor lacrosse in our community.

The Power Ranger mini-tyke team from the Ridge Meadows Lacrosse Association in Maple Ridge was in two tournaments this season — the Jean Andre in Coquitlam and Ridge Meadows tournament in Maple Ridge.

During these weekends as well as through the season we watched their skills and teamwork improve. They went from playing offensively to defensively and from individually to as a team to achieve their own goals within the games.

Enclosed is a photo of the team with their coaches (my husband the bodybuilder!) and my son Steven — back row third from left. I just wanted to express my sincere gratitude for your financial support.

Kathleen Donaldson

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Battles go beyond the CIRB to higher court

(continued from page 1)

the CEO Darren Entwistle, in a manner that was sometimes menacing, said the CIRB.

Telus takes Clearnet to higher court

Telus' bid to block the decision that gave the union jurisdiction over Clearnet employees was heard by Federal Court of Appeal in Toronto on October 4 and 5. The decision has not been released yet.

In June, the CIRB refused Telus' request for a Stay to temporarily block Decisions 1088 and 278 (which gave the Union the green light to represent employees of Clearnet, which is now called Telus Mobility), from taking effect.

The TWU is authorized to start working with new

members in the east, if only Telus would provide the union with information for its new members, as it has been ordered to do by law.

The Stay would have suspended the implementation of the decision until after Telus' Judicial Review.

During the Stay proceedings, Telus and the Union presented divisive points of view. Telus argued that the application of the TWU Collective Agreement to former Clearnet employees would cause them irreparable harm. The TWU argued that if Telus won its request for a Stay, it would cause the TWU irreparable harm.

Telus did win one part of its Stay application. The CIRB ruled that Telus can communicate with employees on the Clearnet decision, provided the communications don't violate the Federal Labour Code.

Get to know your CIRB cases

The Clearnet decision

The Decision that Clearnet (now Telus Mobility) workers in Ontario and Quebec fall under TWU's jurisdiction is law and should be implemented, but Telus won't provide information on the new union members.

- **Letter Decision 1088** (May) – rules that Telus is a single employer, therefore Clearnet employees fall under the jurisdiction of the TWU
- **Decision 278** (June) – denies Telus's attempt to stall the implementation of 1088 by requesting a Stay
- **Appeal of 1088** – Telus appealed the Clearnet decision to the Federal Court of Appeal. The Judicial Review was heard on October 4 and 5 in Toronto and a decision is pending

Binding Arbitration

Telus was ordered to and did offer the TWU binding arbitration, which the TWU accepted.

- **Letter Decision 1004** (January) – the CIRB orders Telus to offer binding arbitration to the union
- **Decision 271** (April) – which further explains Letter Decision 1004, the CIRB finds Telus in violation of the Canada Labour Code
- **Reconsideration sought** (February) – Telus sought a Reconsideration of the Binding Arbitration (1004) with the CIRB and the Federal Court of Appeal: decisions pending
- **Letter Decision 1128** (August) – the TWU asked the CIRB to remove itself from hearing the **Reconsideration** case, after the TWU received information which indicated that the CIRB was biased, but the CIRB dismissed the accusation of bias, saying there wasn't enough evidence
- **Appeal of 1128** (September) – TWU appeals 1128 to the Federal Court of Appeal

Union wins better procedure to resolve ATO disputes

Telus' Customer Service Delivery employees in BC should have a better opportunity to take their Accumulated Time Off (ATO) days on Saturdays or Sundays. A recent arbitration put an end to an interim deal that said only 20 percent of employees working on any given day could take an ATO day.

Business Agent Karen Whitfield, who led the grievance along with Business Agent Lesley Hammond, says, "The interim deal is no longer in place. Our position is that BC members who sometimes work weekends are entitled to book Saturday and Sunday ATOs under the same rules for any other day, just as they always were."

This spring, Telus suddenly took issue with the rule for ATO days as defined in the BC Collective Agreement which said that 20 percent of employees on a schedule were allowed to book ATO days on any given day. Telus' new interpretation of that rule for the Customer Service Delivery was that 20 percent of employees actually scheduled to work on Saturday and Sunday would

be allowed to take that time off. For example, normally if there are 20 people on a schedule, four would be allowed to book time off. But on a Saturday and Sunday, if one person was scheduled to work, only one person was allowed to schedule an ATO day, instead of four. The union saw this as a change to the accepted practice and contrary to the Collective Agreement.

In May, Telus began declining Customer Service Delivery members' requests for ATO days on the weekend, and the Union took two grievances on the issue to expedited arbitrations that month. Both were unsuccessful, and left the issue unclear. A third expedited arbitration was held in June with arbitrator Don Munroe. The Union and the Company decided the matter needed a full arbitration, which was scheduled for September 25, while in the interim, Telus' interpretation of the 20 percent rule would take effect.

At the September 25 arbitration, Whitfield said, "The arbitrator told us neither party had a slam-dunk and

that he probably couldn't come up with a solution to solve all of our problems."

But a deal was reached that should help clear up a lot of issues regarding ATO days in the future.

The union and Telus agreed to name Don Munroe as the dedicated arbitrator for issues on ATO days, under the expedited process as per the Collective Agreement, page 179. "It will be on a much less formal basis than regular arbitrations, without legal counsel, and may even be held by conference call," says Whitfield.

Munroe says he'll make decisions based on what's fair in each situation instead of trying to strictly adhere to conflicting interpretations of the Collective Agreement.

Whitfield says: "The Union and Telus still have conflicting positions but having a named arbitrator cuts down on the time we spend debating about who the arbitrator will be. Sometimes the company and the union couldn't agree at all and time would run out. Now we know who to go to."

Union member touched by support in wake of son's accident

Dear Brothers, Sisters and Co-workers,

Speaking on behalf of my family, I wish to express our heartfelt gratitude and deepest thanks for everyone's support, prayers and comforting words since our son Dustin's accident on May 5 this year. It has been a very traumatic time in our lives however having the support of everyone at the TWU Local 60 and Shaw has been overwhelming. This has given us the peace of mind emotionally and financially to focus our energy on Dustin. I feel very blessed to belong to a company and union that show compassion for workers in times of personal upheaval.

To each and everyone who contributed to Dustin's trust fund, words are not enough to express our thanks and amazement at people's generosity. This money will be used for a number of things Dustin will need for his personal care.

Dustin is currently at GF Strong Rehab Centre undergoing intensive physio and occupational therapy where he will be for another couple of months. He has regained some mobility in his arms and is able to operate his electric wheelchair and go out socially now. He is steadily getting stronger. However, he still has no movement or sensation from the upper chest down. We hope and pray that in time he will regain usage of some of the rest of his body however the specialists feel this is where he will remain, although they do expect him to recover his upper body strength. Only time will tell. The therapists and specialists assure us that Dustin will be able to live on his own with the help of attendants for his personal needs. He wishes to maintain his independence and we respect his decision. He has many hurdles to overcome but is trying to keep strong emotionally and is concentrating on his rehabilitation.

Thanking everyone sincerely,
Dustin, Linda and John Paul

Great Financial Plans: Rising rates and education tax breaks



By **Bill Biles, CFP**
Financial Planner
Van Tel/Safeway Credit Union

We have certainly had another interesting summer in sunny B.C. Like last year, many of our friends and family in the interior have had to deal with forest fires and water shortages, while those of us in the lower mainland have simply enjoyed one the warmest, driest summers on record.

The rains have returned and I hope yours is a wonderful autumn. I know it will be for former *Transmitter* editor Myron Johnson, who I hope is off enjoying his life, post-*Transmitter*. I have enjoyed writing this column for Myron for over four years and wish him all the best. I welcome Kim Fehr to her new role as editor and thank her for keeping my column. As it has always been, this column aims to provide you

with information and answers to your questions regarding any aspect of financial planning, including cash and debt management, taxes, insurance, retirement and estate planning, and building investment portfolios. I remind you to make this column yours, send me your questions! Now, down to business.

Question 1: Where are interest rates headed?

Answer: I know I've mentioned before that I cannot tell the future, but there are many economic indicators suggesting that rates are finally on their way upwards. In the past few months we have seen the Canadian and U.S. governing bodies stop dropping their key policy interest rates, and now both have begun to raise their rates. The U.S. Fed Rate is currently at 1.75% and will probably see another 0.25% bump in November. The Canadian Bank Rate recently moved up to 2.25% and we are expecting further increases of about 0.50% by the end of this year.

Very simply put, governments generally lower interest rates to stimulate their economies and raise interest rates to slow their economies down and to curb inflation. Ultimately, rates will probably find themselves back to so-called

"neutral levels." For the U.S. and Canada, neutral interest rates are around 4 to 4.5%, so we could see interest rates double over the next 18 to 24 months. Of course, I have been known to be wrong before.

I would consider locking in your variable rate loans and mortgages and staying very short term or redeemable with your term deposit investments. Many financial institutions will have some sort of term deposit promotion to compete with this year's issue of Canada Savings Bonds. You should be looking for a rate set higher than the CSB rate (i.e. 1.35% for this year) and term deposit conditions allowing for unpenalized redemptions. With free redemption you can roll your funds into higher paying term deposits as interest rates rise.

Question 2: My son has just entered university, what are the tax implications?

Answer: Congratulations, to begin with. A post-secondary education no longer guarantees a good job, but good jobs are hard to come by without one. And without a good job, it's less likely your child will move out of your house, so you are now part way there!

From a tax perspective, there are taxable incomes

and tax credits and deductions that may apply. Taxable incomes for the student may include employment income, investment income, RESP income, and a variety of scholarships, fellowships, bursaries and grants.

The student will be able to claim an annual exemption of \$500, or up to \$3000 if the student is able to claim the education amount credit. Certain expenses may be claimed against research grants, including traveling expenses, assistants' fees and the costs of equipment and lab fees.

Certain moving expenses may be claimed by full-time students against taxable scholarships and grants, and child care expenses may be claimed against any income.

There are non-refundable credits for students including interest paid on student loans, and eligible tuition and education amount credits. The eligible tuition and education credits must first be used against the student's income, but any unused portion may be transferred to the student's parent, grandparent, spouse or common-law partner. Or, these credits may be carried forward by the student to be applied in any future year (like after he/she lands that good job, is in a higher tax bracket and out of the house! Not that I'm trying to rush

anybody.)

For further details on these tax implications, or on any financially based question, please feel free to give me a call or send me an email.

As a quick aside, I attended the 6th Annual Colin G. Patterson Memorial Golf Tournament this September, an annual event sponsored in part by TELUS and Van Tel/Safeway Credit Union. The event raises funds and awareness for the Huntington Society of Canada and the Holy Trinity Cathedral, and features a mixed golf scramble, silent auction, dinner and prizes. For the second year in a row, the team of Lesley Hammond (honorable TWU Business Agent), Brenda Reigh, Ash Lahkan (Branch Manager, VTSCU) and yours truly won the honors. Will we be invited back? Win or lose, I sure hope so!

Please remember, keep those questions coming. I'll try to answer everyone.

You can call Bill Biles at 604-656-6289, email bbiles@vantelsafeway.com, or contact a Van Tel/Safeway Member Service Representative at 604-656-6200 or toll free at 1-800-663-1557. Please visit Van Tel/Safeway's website at www.vantelsafeway.com.

Warning: check your paycheque

New employees working under the BC/TWU collective agreement should check the fine print on their paycheques.

In a number of cases, members did not have their premiums for the Telecommunication Workers' Benefit Plan deducted for several months after they enrolled, resulting in an accumulation of premiums that they suddenly had to pay. In other cases, members thought that they were covered, but the Benefit Plan had no knowledge of them.

The Plan Trustees, Administrator and Staff ask that the following groups of members check their paycheques to ensure that Telus is deducting the required Benefit Plan premiums (these deductions are coded as **twu_hb_plan**):

- All newly enrolled members of the Telecommunication Workers Benefit Plan
- All temporary employees with over nine months in the company
- All new full time employees including those employees going from temporary to full-time status.

If you are unsure about whether you are covered by the Telecommunications Workers' Benefit Plan or have other questions, you can call the Benefit Plan office at 604-412-2400.

Get to know the rules about buying Days of Pay

Members of the Telecommunication Workers Pension Plan may be eligible to buy Days of Pay, if you have worked less than 250 Days of Pay in 2004 and meet the other eligibility requirements.

To be eligible for a full year of credited service for the Pension Plan you must have a minimum of 250 Days of Pay in a year. The 250 Days include days worked and days on Leave of Absence due to sick leave, WCB or ill health.

You may be entitled to purchase service if you have a shortfall of Days of Pay in 2004. To be eligible, you must have 36 months of seniority, worked a minimum

of one day in the year 2004, and been employed for the full calendar year. You cannot purchase more service than was earned in 2002 or 2003.

If you are eligible and wish to buy Days of Pay, you must purchase them within the calendar year. No payments will be accepted in 2005 for the 2004 calendar year.

If you have purchased service in the previous two calendar years, you should have received a notice about this in the mail from the Telecommunication Workers Pension Plan office.

For more details or if you would like a form to purchase days please contact the TW Pension Plan office at 604-430-1317.

Remember Tanys

Tanys Anderson, Past Shop Steward and Director for Local 203 and Scrutineer for our 2004 Convention, passed away in March 2004. She is sadly missed. Any time she has been spoken of, it has been with great affection and gratitude for the work she did for all of us in the TWU. Her death was untimely and sudden. We all feel her absence in the Local Executive and at work. She worked as a Customer Service Rep in the Calgary Residential Sales and Service Department. In recognition of her efforts and our affection for her we are raising funds to have a bench donated in her name in Calgary's Fish Creek Park. May her soul rest in peace.

Anne Cameron,
VP Local 203, Calgary

TWU urges CRTC to regulate VoIP just like the phone

(continued from page 1)

dominated by the repetition of self-serving corporate slogans, this hearing provided a welcome change.

Of course, the predictable jockeying for position still took place. All of the corporate players wanting into the VoIP market argued that regulation should not apply to them, but that their competitors should be strictly regulated.

The new and would-be VoIP competitors said that the cable and telephone companies should have their services regulated. The cable companies said only telephone companies should be subject to regulation. The telephone companies said that there should be no regulation of the VoIP market.

They all threatened that technological innovation would dry up, Canada would lose its competitive advantage, and the country would fall into economic disarray if the Commission didn't give in to their demands. Yawn.

Many CRTC proceedings have been totally dominated by such self-serving arguments, but this hearing was different. Commission members seemed to be focusing on the argument, raised by the TWU and others, that too much effort had been spent analyzing companies' demands instead of addressing the communications needs of Canadians. The TWU argued the Commission could only be an effective regulator if it moved away from addressing the desires of particular service providers and instead made its decisions with a view to regulating Canadian communications as a whole.

On two occasions, the Commission cited the TWU's submission, asking telephone company witnesses to respond to the concerns we raised.

Bell Executive Vice-President Lawson Hunter attempted to belittle our analysis, saying that TWU members would be better served and more jobs created if we backed the companies' call to deregulate VoIP. But the Commissioner who had asked the question wasn't buying. He suggested that Hunter might want to read our submission, noting that the TWU's argument had not concentrated on the threat that VoIP poses to jobs, but on the steps needed to maintain the viability of Canadian communications as a whole.

(Clearly VoIP isn't going to create a lot of jobs. If anything, it is going to be a job destroyer. So our task is twofold: to reduce its impact on existing jobs, particularly in the wireline side of the business, and to promote the public interest. This is why we are taking every opportunity to stress the issue of service quality to the CRTC. If the Commission fails to do a serious job of overseeing service quality, all jobs in the industry will be placed at risk.)

What Hunter did not know or chose to ignore was that our submission focused on the key questions facing the industry, the CRTC and the Canadian people as a result of the introduction of VoIP.

- What will happen to the Public Switched Telephone Network as the use of VoIP services reduce the number of customers who continue to rely on high quality, affordable plain old telephone service?

- How will the rates for and quality of primary exchange service be affected if the Commission gives in to the telephone companies' demands and allows them to offer VoIP without any regulation?

- How will the price and quality of the Public Switched Telephone Network be affected if the Commission allows the demands of cable companies or other would-be VoIP service providers?

- How will the Commission's decision in this proceeding affect its ability to apply rate adjustments when the companies fail to fulfil their quality of service obligations?

- How will the Commission's decision in this proceeding affect its ability to create and enforce a Consumer Bill of Rights?

Later in the hearings, another company representative urged the CRTC to "take a leap of faith" and embrace the deregulation of VoIP.

David Colville, the Commissioner who was doing the questioning, was sceptical. He recalled that the CRTC had taken the companies at their word in the first round of deliberations on Price Caps in the 1990s, which moved away from traditional regulatory oversight and pricing on phone service to controlling the maximum increase on rates. During these deliberations,

the CRTC rejected suggestions from TWU and others that strict regulatory oversight was needed to protect quality of service. "We got burned," he noted.

Perhaps his comment is a sign that at least some of the Commissioners understand we are giving them sound advice about the need to maintain strict regulatory oversight over service quality and that our call for full regulation of VoIP has been heard. Otherwise the future could be very unfriendly for the Canadians who count on the quality and availability of regular telephone service.

Union awaits CRTC decision on service-quality

The Commissioner's comment that the CRTC got burned when it didn't maintain strict control on service quality after the Price Caps proceedings also bodes well for service-quality issues currently pending with the CRTC.

We are all aware of what has happened to service quality since the Price Caps hearings. Last fall, the TWU made a comprehensive submission to the CRTC on how to address service-quality problems in the industry.

The submission was made at a follow-up to the Price Caps proceedings, which the CRTC said it had to hold because of the gross neglect of service that had taken place under the original Price Caps system, which did not include strict enforcement of quality standards.

TWU member Larry Smallwood and I worked with lawyers Jim Aldridge and Marcus Bartley to assemble a huge amount of evidence from TWU members about service quality issues at Telus. In addition, we submitted information about the steps that regulatory bodies in the States have taken to address similar problems.

We have heard nothing since, but the Commissioner's comment in the VoIP proceedings that the CRTC got burned after the original Price Cap hearings is a positive sign that they won't take companies at their word. Hopefully this comment bodes well for the approach we are encouraging the Commission to take on service-quality auditing.

CLC backs TWU with letter to Canada's Labour Minister

The TWU has the support of the Canadian Labour Congress in its struggle with Telus. Ken Georgetti, President of the Canadian Labour Congress, wrote this letter on behalf of the TWU to Canada's Labour Minister Frank Fontana, urging him to take steps to rectify the situation with Telus.

The Honorable Joseph Frank Fontana
Minister of Labour and Housing
West Block, Room 334
Ottawa, ON

Dear Minister Fontana:

I write in follow-up to our conversation earlier in the week about the Telecommunications Workers Union's inability to conclude a collective agreement with Telus, Canada's major western telecommunications company, for the last four years. As also mentioned, it has been seven months since the two parties have met, as a result of a series of actions the company has taken to delay or challenge the implementation of decisions of the Canada Industrial Relations Board.

Below is some background on the situation.

BC Tel in BC and Telus in Alberta merged in 1999. The employees were represented in BC by the TWU and in Alberta by the IBEW, CEP and CSU-52. On application by the company and subsequent agreement by the unions, a vote was conducted for employees to determine bargaining unit representation. The TWU won the vote by 70 percent.

At the time of the merger, there were a total of 10,000 members in BC and 7,000 in Alberta and the collective agreements expired at or near the end of the year. Bargaining began in November 2000.

For over a year of Federal Conciliation the company refused to bargain in a meaningful way, moving to a "final offer" without negotiations. The CIRB ruled that the TWU Collective Agreement did not apply to the entire unit and allowed the IBEW, CEP and CSU-52 agreements to remain in place. This forced the TWU to administer collective agreements that they had no part in negotiating. This created a situation of conflicting provisions and rendered portions of the TWU agreement inoperable.

The delaying tactics used have allowed Telus to alter the nature of the bargaining unit by moving work to non-union operations in the east and outside the unit. In addition, Telus has moved work from the TWU agreement to inferior agreements in Alberta, rendering classifications, wage groupings and working conditions inoperative. At the same time, the company has downsized the bargaining unit by one third or 6,000 members. The bargaining unit has now been redistributed from 10,000 in BC and 7,000 in Alberta to approximately 6,000 in BC and 6,000 in Alberta.

In addition to this restructuring and in spite of a ruling by the CIRB, the company refused to supply TWU with basic information about those positions and individuals that were affected by the restructuring.

This is not the only Board decision the company has refused to implement, there are others. At all turns Telus continues to delay and frustrate the process by appealing, requesting judicial review or making application for stays of proceedings or reconsiderations as well.

The TWU has been devastated by a loss of bargaining rights, a loss of representational rights and a loss of work moved out of the bargaining unit. As you can imagine, the membership is frustrated and angry at the union because they do not understand why a new collective agreement is not in place four years after they chose a new union to represent them.

The situation described in this letter is untenable and must be rectified if workers and their unions are to continue to maintain faith in the Canada Labour Code.

I hope you can remove the logjam preventing the workers and their union from accessing their rights under the law.

Yours truly,
Kenneth V. Georgetti
President

Tough times demand new strategies for labour movement

Calls to action resounded at the Alberta Federation of Labour (AFL) Membership Forum, ending with a closing speech by the organization's new President Kerry Barrett.

"It is clear we cannot sit passively while governments and employers attack us and take away our rights," said Barrett at the Forum, held on May 7 and 8 in Calgary.

Summing up ideas and opinions from many Forum speakers on the theme, "The Betrayal of Labour's Peace Accord in Canada", Barrett concluded that the AFL needs to take on a more activist role, focusing on specific issues with defined goals and evaluations of success.

She emphasized that forming coalitions with other activist organizations, both inside and outside the labour movement, will create a stronger voice for all workers.

Reaffirming calls for the labour movement to engage in direct actions, Barrett also said that the legitimacy of the Labour Relations Board, the grievance resolution process and labour laws need to be challenged.

Study finds arbitration odds stacked against Alberta unions

It's not good news. Unions win only 34 percent of cases they take to arbitration in Alberta, according to preliminary research by labour lawyer Yessie Byl, who gave an informative noon-hour presentation at the Forum.

TWU VP Hope Cumming, who attended the Forum along with TWU Business Agents Mick Shiels, Sandi Mutter and John Carpenter, was disappointed to learn about the findings. "We always thought the grievance and arbitration process would be close to 50-50 and it's not, at least in Alberta," says Cumming. "The labour movement struck a deal for labour peace in the 1940s – we won't go on strike at the drop of a hat and in return, we got a dispute resolution process. But it takes an extremely long time to go through that procedure and when we get there in Alberta, unions only win about a third of the time."

The research is preliminary, but it is cause for concern. Byl, who is a partner in the law firm of Blair Chahley Seveny, is compiling

a database of labour arbitrations in Alberta over the last five years and the project will continue to be updated annually.

The arbitration process was supposed to provide an impartial dispute resolution process, Byl told the audience, but the fact that unions win barely a third of the time, even though they screen out cases that are likely to lose, implies that the very process is biased.

Unions need to see battles as part of larger struggles

The Forum's Keynote Speaker Bryan Palmer called on unions to "reassert (their) movement character" by envisioning themselves as more than wage and benefit bargaining and defensive structures.

Palmer, an author, historian and Canada Research Chair at Trent University, said the post-war settlement outlawed civil disobedience and made law and the courts the forum that handled labour disputes. But now, he said, trade unions need to up the political ante, take risks, defy past conventions and practices and even, perhaps, engage in civil disobedience.

"They can only play this role by being more than trade unionists, by taking their place alongside poverty activists, the homeless, racial and ethnic minorities, progressive women and many others," said Palmer.

Despite globalization, the class struggle is still waged locally, he said. But unions need to see to their battles as part of larger struggles that are never entirely won. International links and relationships with other anti-capitalist organizations and activists can help create a stronger movement.

He praised the B.C. union members who recently fought back-to-work legislation and the power of the state.

"It is arguable that the only advances labour has registered over the last two centuries have come about precisely because some workers were willing to defy law in the interests of the larger and greater collective good," said Palmer.

New Pres at AFL

Kerry Barrett was named President of the Alberta Federation of Labour (AFL) in May this year, after

president Les Steel left for a position with the Canadian Labour Congress (CLC).

Barrett has been with the AFL as Secretary Treasurer since 2001. She is a member is UFCW 401, and will serve as President until 2005.

The TWU is looking forward to working with Sister Barrett and wishes Les the best of luck at the CLC.

Labour News Online

The AFL is taking its *Labour News* newsletter online, and doing away with its print edition. Visit www.afl.org to find the latest issue, which should be up on their Web site this fall.

What are your issues?

PIA wants to know

A new political advocacy group is calling on Albertans to take their issues to their local politicians.

Public Interest Alberta (PIA) launched this summer with an agenda to get people asking the important questions about the issues that matter to them.

"I'm encouraging all citizens in Alberta to pose important fundamental questions to their politicians," said Bill Moore-Kilgannon, the group's first Executive-Director, in an *Edmonton Journal* story.

An initiative of the Alberta Federation of Labour and the Alberta Teachers' Association, the group is an umbrella organization of labour, community and faith groups.

They want to find out what issues matter to Albertans and raise their profile on the political agenda.

Ipsos-Reid conducted a poll of 800 Albertans on behalf of PIA and found that 87 percent were very concerned about health care, and 85 percent were very concerned about education.

"The results speak for themselves. All politicians need to listen to the majority of Albertans and commit to make public interest issues a priority," said Moore-Kilgannon.

As the provincial election nears, all members are encouraged to find out where the candidates stand on issues that matter to them. Vote for the person who will best represent your needs. Ask yourself who work for me and my community, not just big business.

Unions go on a promenade



TWU Secretary-Treasurer Jim Christensen (left) hands over the cheque for the Union Promenade.

Edmonton will have a permanent reminder of the positive role unions played in the city's history, thanks in part to a \$10,000 donation from the TWU Benevolent Society.

The donation goes toward the creation of Union Promenade on 99 Street in Churchill Square, envisioned as a showcase for the unions that helped build the city. The revamp of the area is a legacy project to celebrate Edmonton's 100th birthday. Plaques will tell the history of the union movement's contribution to the city, and sponsoring unions get to display their logos on banners along the promenade.

"The theme is 'We Built This City,'" says TWU Vice-President Hope Cumming. "Our members were part of that. The labour movement made a huge contribution to Edmonton as a city. The Executive Council felt it was important to be involved because this is a permanent display in the capital of the province. It's important to promote labour in a positive environment."

The 99 Street Promenade will be closed to traffic, except during the winter. Several unions are contributing to this \$250,000 project, which was organized by the Edmonton and District Labour Council.

Calgary Centre lets workers know their rights

Non-union workers navigating the twists and turns of today's challenging workplace sometimes find themselves pushed up against a wall, faced with situations they've never been in before, like being expected to work in dangerous conditions or suddenly getting laid off.

They need the answer to the question: "What are my rights?" and they need it now.

Rather than dropping big bucks on a lawyer, they might want to check out the new Calgary Workers' Resource Centre.

TWU Vice-President Hope Cumming and Business Agents Mick Shiels, Sandi Mutter and John Carpenter were on hand on May 7 for the grand opening of this centre dedicated to helping workers solve their employment-related issues.

The Centre aims to help people to understand their employment rights and take action on their issues, whether it be fighting for benefits or standing up to harassment. With a wealth of expertise regarding Employment Insurance, the Canada Pension Plan, the Canada Labour Code, human rights and more, the Centre tailors services to each client. Assistance can include letter writing, forms, case research and even representation at some forums, such as Employment Insurance appeals, though not WCB, CPP or Long Term Disability.

The Centre also plans to offer workshops on employment legislation, rights, benefits and entitlements.

The Calgary Worker's Resource Centre is located at 520, 706 – 7th Avenue SW or call 403-264-8100. Hours from 8:30am to 4:30pm but appointments can be made outside of regular hours if necessary.

Aliant strikers back at work as ink dries on new deal



The TWU kicked in one million dollars to support striking Aliant workers in Atlantic Canada, pictured above.



One for the wedding album -- Chris and Heather Brenton got married and took this photo during the strike.

Striking Aliant workers in Atlantic Canada voted 76 percent in favour of accepting the company's new collective agreement, ending their five-month strike which began April 23.

"There is something for everyone in this agreement and, while some of us may have lost marginally on one particular issue, all of us have gained substantially overall," wrote the Bargaining Committee in a message to members urging them to accept the deal.

Negotiators grappled with pensions, benefits and contracting out, as well as the challenges of bringing members covered by nine collective agreements together under one deal. The committee said the deal addresses all of their pre-strike issues and overall, provides them with a good contract to work with today and build for the future, adding: "We did achieve most of our goals – including what we consider to be a first-class pension settlement."

The vote took place on September 16 and the 4,300 striking members of the Council of Atlantic Telecommunications Unions, made up of the Atlantic Communications and Technical Workers Union (AC&TWU) and the Communications, Energy and Paperworkers Union of Canada (CEP), returned to work September 20.

"Our big push was to get

the pensions in the collective agreement and we did that," says Dean MacDonald, president of the AC&TWU. "We also won acceptable contracting out language."

MacDonald says they also gained the ability to bargain with the company about any voluntary retirement schemes (ERIPs). "When they come to us and say we have an early retirement plan, we can ask them, 'What are you planning to do with those positions?' and if they say, 'We are planning to contract them out,' we're in a position to negotiate," he says, referring to one of the strategies companies often use to reduce union membership.

Contracting out usually isn't sanctioned if it requires layoffs, but if people take a voluntary retirement scheme, they haven't been laid off, and the company could contract out their jobs, thus reducing the union membership roster.

The unions also got a \$400 cap put on the cost of prescription drugs per employee, making that the maximum amount an employee can pay for drugs in a year.

The vote to accept the contract marks the end of a two-and-a-half year odyssey in bargaining with Aliant.

Lengthy strike aimed at breaking the union, says research Chair

One expert described the lengthy Aliant strike as a thinly

veiled attempt to break the union, reported the CBC.

Vincent Mosco, Canada's Research Chair for Communication and Society, delivered the keynote address at a communication and democracy conference in Fredericton in August.

Mosco, who is also a professor at Queen's University, said: "Telephone companies are experiencing competition from cable companies. Cable companies are, by and large, not unionized, therefore can pay cable company workers less than telephone companies do. So telephone companies are more aggressively trying to break their unions. These

work actions come as little surprise to me, given the growing clout of knowledge workers."

TWU backs Aliant with a million dollars

The TWU put in a million dollar show of support for the AC&TWU while Aliant workers continued to march the picket lines in July.

"These workers are leading the fight for workers' rights across Canada," said TWU Vice-President Bruce Bell during a news conference. "We're loaning them \$1 million for their fight, which is really a fight for all of us."

TWU Vice-Presidents

Hope Cumming and Bruce Bell went to Halifax in July to hand over the cheque and show support at the picket lines and at a Local rally.

The CEP also donated two million to the cause. "It's a shot in the arm to have this support from the bigger unions," said chief negotiator Dean MacDonald at a news conference. The extra three million helped to offset the cost of medical benefits for workers after Aliant yanked its contributions at the start of the strike. Workers received \$250 a week in strike pay. "Rather than leave them without medical benefits, the union is paying the full shot," said MacDonald.

Arbitration creates 130 permanent jobs

Telus has agreed to create 130 new permanent jobs in the B.C. Customer Service area, after the union filed an arbitration on the regular and continuous use and misuse of temporary employees.

"In our collective agreement, we have a Letter of Agreement called the Corporate Committee on Clerical Temporary Employees," says Business Agent Betty Carrasco. "And that gives the Committee the ability to review temporary clerical assignments, and where there is continuous and regular use of temporary employees, identify which existing temporary jobs are

regular part-time, regular full-time or properly classified as temporary. Any differences concerning the use of temporary employees or regular part-time employees may be referred directly to this committee for resolution. If the committee can't resolve the issues, the matter goes to arbitration."

Under the direction of arbitrator Don Munroe, the company and the union agreed to create 100 Regular Full-Time Service Representative IV positions and another 30 Regular Part-Time positions, which were posted this summer. The positions are in Burnaby, Victoria and Prince

George and have to be filled by the end of this year. This agreement was issued as a consent order by the arbitrator.

Along with the postings there are also 59 Communication Service Clerk II positions, which will be reclassified as Service Representative IV. This will mean the employees will be paid for the work they are currently doing on behalf of Customer Service.

Sister Carrasco and the Temp Committee would like to thank all of the Schedule Committees for their help in gathering the information needed to resolve this issue.

Striking for better curfews at AFL camp

By Noni Nabors

This summer, 129 campers from Alberta and the Northwest Territories came to Goldeye Centre for the Alberta Federation of Labour (AFL) Kids Camp. There were several mock union activities, including a strike for later curfews and a chance to run to be a union representative, as well as all of the usual camp activities like swimming, playing games and making new friends.

Ten-year-old Noni Nabors from Calgary, Alberta attended the camp, and wrote this article to tell us about it.

Last February, my mom told me about AFL camp and that the only way you could go was if one of your parents were in a union. My mom Susan is in the Telecommunications Workers Union, Local 203, and my friend Emily's mom works for Telus Mobility and is a member of Local 213.

On August 9th, 2004, Emily, one of my BFFs (Best Friends Forever), and I boarded the bus that took us to Red Deer, then to the Goldeye Centre where AFL camp was being held this year. We also met Skylar on the bus, where we were lucky enough to get the back seats (the back of the bus is the best). Skylar was very nice and when we stopped in Red Deer, Skylar shared some of her money with us so we could get snacks.

When we got to camp, Emily and I were happy to find out that we were both in Cabin 2. When we arrived, we met Alli, Brittni, and J.J. (Those were the people we spent most of our time with).

The Goldeye Centre is very beautiful. The bus dropped us off in front of the



building you eat in which is like a log cabin but much bigger. Across from the place where you eat is a bridge that takes you to the cabins. All of the cabins were in a circle around the washrooms and showers. The cabins were very nice. They had 10 bunk beds in the colours lime green and lemon yellow and enough space to put our luggage.

To the left of the cabins was a big field where we played games. They also had a swing set there! Behind the cabin where we ate there was the lake where we swam, canoed and rafted. Some of the other activities we did were horseback riding, rock climbing, rafting and hiking.

Unions from all over donated stuff for us like backpacks, permanent markers, pens and t-shirts. We also went on a tour of an old coal mine.

During the coal mine tour, we learned that unions began because people wanted better and safer working conditions. They felt that it wasn't safe enough to be working in the coal mine (which is true) and the bosses weren't very nice — they acted like they were better people because they were in a "higher" position than the people who actually worked in the coal mine. One example that the bosses acted like that was that in the building

they showered in the bosses wouldn't shower with the workers because they were "dirty" or something! But everybody deserves to be treated fairly and that's when the workers got together and formed a union so that together they could fight for their rights.

The camp was organized like a union. Everybody was sorted into three or four big Union Groups. We met twice every day and discussed unions and we had elections for representatives. Every Union Group voted for one girl and one boy representative.

As an exercise, the junior councillors told us to go on strike for later curfews, later bedtimes and less time for union meetings, so we did. Then we made protest signs saying stuff like: We want ____! People put what they wanted in the blanks. When the strike was over we won the one and only... later curfew!!! Then everybody who decided to participate in the strike (not everybody did) found out how real negotiations work.

I made lots more friends including Brett, Niloufar, Ocean and Jesse and many, many more. AFL camp is sooooo special that people travelled from all over Alberta and the Northwest Territories to attend. I loved AFL camp!

WCB claim denied? The TWU can help you appeal

By BA George Doubt

Injuries continue to happen at work in spite of all our efforts to improve safety on the job. If you have an accident or develop a condition at work, you may find yourself dealing with your provincial Workers' Compensation Board (WCB).

The TWU can answer your questions about the WCB's paperwork and procedures, which are sometimes confusing, and can help you appeal if the WCB turns down your request for benefits.

But it's better not to have to appeal at all. You can increase your odds of success at the WCB by following these simple tips.

1) Report your injury immediately

If you have been injured at work resulting in lost time from work and/or a need for medical attention, you should report the incident as soon as possible to your employer and the WCB, using the required forms. Be careful to give a complete, clear description of the injury and the work you were doing at the time.

Many members do their best to continue working while enduring an injury, waiting until the pain becomes unbearable before they report the problem and have to take time off. If you stall on getting medical attention or reporting an injury, you may find it more difficult to get benefits. You may also find it more difficult to remember details and gather evidence and witnesses to an accident. The WCB often claims that the delay makes it more likely that the injury didn't happen at work.

2) Inform your doctor and complete the right forms

When seeking medical attention, make sure your physician knows your injury happened at work and that he or she completes the proper forms for the WCB. Your employer and your medical practitioner should provide the forms and you can also find them online at your province's WCB Web site (see end of article for specific Web sites).

3) Be prudent when talking to WCB representatives

The WCB keeps a record of conversations you have with their representatives, which can be used against you in your case. It's important to be prudent.

4) Create a paper trail

Even if a seemingly minor accident happens at work, it's important to have a paper record in case it comes back to haunt you. Don't just tell your boss what happened -- do it in writing! Send an email to your supervisor detailing the incident. For example, if you fall at work and hurt your back but then it feels okay and a month later you wake up with a really sore back, having an email record of the incident would help your WCB case.

The decision and appeal process

After you report an injury, the WCB may accept or deny your claim. The Board will usually inform you of its decision by phone and by letter. The letter lets you know that you can appeal the decision if you disagree and includes an appeal deadline (usually 90 days after a Board decision) after which it may be impossible to have the decision changed.

There are at least two levels of appeal. The first is a review by the WCB that made the decision and the second is by an independent tribunal, the WCAT. The union continues to assist members during this process.

Contact Your Union WCB representative

BA George Doubt has been handling WCB appeals and questions in B.C. and Alberta. If you have questions about the WCB process or about your claim for an injury call 604-437-8601.

B.C. members can find WCB forms at www.worksafebc.com and Alberta members can find them at www.wcb.ab.ca/home. Ontario members should visit the Workplace Safety and Insurance Board (WSIB) at www.wsib.on.ca and Quebec members should visit the CSST at www.csst.qc.ca.

Chris Cragg retires from Society of Energy Professionals

Longtime leader Chris Cragg said good-bye to the Society of Energy Professionals and hello to retirement this summer. After over two decades with the Society, including stints as Society President and Treasurer, he leaves behind his role as the Vice-President of Finance as well as his position at Kinectrics as a Principal Research Engineer, Energy Consulting.

"Chris made an incredibly important contribution to the Society," said President Müller. "He was heavily involved in the certification of the Society as a union and the negotiation of our first Collective Agreement. That agreement is the foundation of all but one of our current agreements, and set a new standard in joint processes and worker involvement."

Chris will be spending time at his Muskoka cottage and continuing work with several voluntary organizations, including the Granite Club, the Antique and Classic Boating Society, and Leaside Church in Toronto. He was recently elected Vice-Chair of the Ontario Society of Professional Engineers.

Contrary to reports in some newspapers, the CLC has not changed its stance on free trade

CLC Press Release, October 14, 2004

OTTAWA - The Canadian Labour Congress today instructed its lawyers to begin libel action against the *National Post* and the CanWest-Global chain of newspapers.

Last month, in a story linked to a policy conference in Ottawa, the *National Post* and CanWest-Global chain of newspapers mistakenly reported that the Canadian Labour Congress had officially changed its policy on free trade. It was an error, drawn from a single sentence in a background paper which actually detailed how much free trade had cost Canada in terms of the loss of good-paying jobs.

The Canadian Labour Congress quickly set the record straight, and sent a letter to the *National Post* and CanWest-Global demanding a correction and a retraction. Despite this, a string of editorials appeared the following day which further distorted the facts.

"They distorted their own distortions and started making up news," says Georgetti. "Some wrote that I had actually said free trade was good for the country, which was simply untrue. Others used their own claim that we were 'wrong about free trade' to suggest that we were

"They are printing fiction. They know it is fiction, yet they continue to repeat it as fact..."
-- Ken Georgetti, President of the CLC

wrong about everything, knowing full well the confusion this would cause among our membership and the harm it would do to the reputation of our organization and our staff."

According to Georgetti, the response he received from the *Post* and CanWest was not satisfactory, which gave him no recourse but to take legal action.

"Repeat it often enough and it eventually becomes the truth. This seems to be the editorial policy of the *Post* and the newspapers it controls," said Canadian Labour Congress President Ken Georgetti, reacting to yet another case of the newspaper chain's deliberate misrepresentation of the facts.

Editorials in the *Ottawa Citizen* and the *Vancouver Province* repeated the lie that "even the Canadian Labour Congress has admitted free trade is good for the country" – something the CLC has never done, anywhere, except in the minds of certain newspaper editors.

"They are printing fiction. They know it is fiction, yet they continue to repeat it as fact to back up their own assertions. Most Canadians have gotten used to the *National Post* brewing its own news and spreading it around the country to fertilize its own strange view of the world. This time, they've just gone too far," says Georgetti.

The Canadian Labour Congress, the national voice of the labour movement, represents three million Canadian workers. The CLC brings together Canada's national and international unions along with the provincial and territorial federations of labour and 137 district labour councils. Web site: www.clc-ctc.ca.

Where's the real news? Check out TheTye.ca

Had enough of the major media? Check out a refreshing new voice on the B.C. scene, TheTye.ca. With exposés on poverty, environmental issues, police practices, economics and politics, you can visit the *Tye* to find out what's really going on in this province. The *Tye* aims to be a truly democratic forum where all of B.C. can debate and discuss the issues, and the province's future.

The *Tye* is named after a savvy salmon with plenty of fight. Like its namesake salmon, this electronic newspaper roams free and goes where it wants. The reason they created the *Tye*, as outlined on their Web site, is: "Because big media in this province are owned by a powerful few with their own agendas. Many people here are hungry for news and comment that reflects their actual lives and their own values."

Since its launch in November 2003, the *Tye* has broken major stories holding accountable the Campbell government's gutting of child labour laws, its interest in softening drunk driving laws, its open-for-business attitude towards some of B.C.'s

natural treasures, including Squamish's famed Stawamus Chief.

All this adds up to "some of the best investigative writing on local issues in the province," according to the *Globe and Mail*, making the *Tye*, "the best local online news source" according to the *Georgia Straight*.

The *Tye* says Victoria reporter Barbara McLintock and many other top journalists report for the news site because they get to cover news their way, without corporate pressure or dumbing down. They say what they want, and then the comments fly from the readers.

The best part of all – you can subscribe for free to its weekly email headlines. The *Tye* has 3,500 subscribers to its weekly email headlines, but needs 10,000 to ensure the *Tye* a healthy future. Regular subscribers demonstrate reader engagement. As the *Tye* seeks further funding to expand, those numbers really speak to potential funders and advertisers.

So visit TheTye.ca and see what big stories they've caught today. It's no fish tale.

New Editor at the Transmitter

I'm Kim Fehr, the new editor of the *Transmitter*, taking over after Myron Johnson's retirement.

A little bit about me: my background is in journalism, which I studied at Carleton University in Ottawa. I've worked at magazines in Calgary and Portugal, wrote freelance articles for the *Georgia Straight* and the *Globe and Mail*, and worked as an Online Editor for the Elevator News Network in Toronto and New York. Most recently, I was a Writer/Media Specialist at Douglas College in New Westminster, BC.

I hope you enjoy this issue of the *Transmitter* and I welcome your suggestions and feedback, as well as possible story ideas and photos for future issues.

Looking forward to working with all of you.

Kim.fehr@twu-canada.ca



Conference calls on young workers to RESIST

By Raymond Chrétien, BC Federation of Labour Young Workers Committee Co-Chair and TWU Local 50 Member

The income gap, environmental issues and sky-high tuition are just a few of the mounting issues faced by young workers trying to gain a foothold for their future.

The TWU invites young members to start tackling these and other issues by attending the Young Workers RESIST Conference, hosted by the BC Federation of Labour Young Workers Committee on Sunday November 28 in Vancouver. The Union, which is also sponsoring this event, will cover the \$50 registration fee for young members (age 30 and younger as defined by the BC Federation of Labour) who are approved to attend.

The conference theme is RESIST — it stands for Resist

Environmental degradation, Systemic oppression, Income gap, Sweatshop conditions and Tuition increases. The day is packed with panel presentations and workshops aimed at providing young union members with the tools to build strategies and action plans to take on these issues. The event involves youth from both private and public unions and will wrap up with a networking social over food and drinks.

It also is a great way to kick off the Federation's week-long Convention in Vancouver which starts the next day, running November 29 to December 3.

If you are already planning to attend the BC Federation Convention as a guest or a

seated delegate through your TWU Local or Labour Council, you are encouraged to also participate in the RESIST Conference.

Interested members should contact Raymond Chrétien at the TWU office in Burnaby by calling 604-437-8601 at extension 8630 (collect calls accepted) or by emailing raymond.chretien@twu-canada.ca. If you know of a young member who may be interested in attending, please let them know about the event. The registration deadline for the TWU is Friday, November 5, 2004. The Conference is capped at 100 participants so register as soon as possible.

TWU Local 60 votes to help food banks

Members of TWU Local 60 decided to take a bite out of hunger, selecting local food banks as their charity of choice.

The Cable TV technicians voted unanimously to donate \$200 a month each to food banks in Vancouver, Burnaby and New Westminster (served by the Greater Vancouver Food Bank Society) and the Abbotsford, Langley, Richmond and Surrey food banks.

"Unions are not always recognized for the wonderful work they do in supporting communities," says Cheryl Prepchuk, Executive Director of the Greater Vancouver Food Bank Society (GVFBS). "They consistently step up to the plate and the TWU Local

60's latest show of generosity will help in the fight against hunger in the areas where their members currently work and live."

Food Bank use has more than doubled in Canada since 1989, according to Hunger Count 2003, Canada's annual survey on emergency food programs. The Greater Vancouver Food Bank Society provides food and assistance to 25,000 people in need each week, 39 per cent of which are children.

All of these food banks are non-profit organizations who rely on donations of food and money and the efforts of volunteers to offer services to people who are struggling to afford the basic costs of living.



Members of TWU Local 60 including Business Agent Tim Williams (third from left) hand over their cheque to the Greater Vancouver Food Bank Society.

Many of these food banks run innovative programs.

Richmond Food Bank's Feed the Body, Feed the Mind program provides healthy snack packs for children age two to 12 along with age-appropriate books. Abbotsford Food Bank does budgeting

courses, cooking classes and counselling. The Greater Vancouver Food Bank Society's Food Runners program collects perishable food donated by hotels, restaurants and cafeterias and donates it to more than 100 agencies that provide meals,

saving 515,000 pounds of food a year.

TWU local 60 is hoping their donation is just the beginning. They are challenging other locals and unions to run food bank drives or get involved as a volunteer.

Seniors call on seniors to raise their political voice

Editorial submitted by COSCO

Public policy towards seniors has changed during the last three years in B.C. Public policy was once benevolent and neutral, adhering to a retirement social contract practised by all previous administrations. The Gordon Campbell government has a public policy towards seniors which is malevolent and by way of false economies has brought about the destruction of the premise of seniors' retirement plans.

The actions have forced the Council of Senior Citizens' Organizations of BC

(COSCO) to engage in a program of political action. This change from political neutrality to one of partisan political action has been made lightly or on the spur of the moment. Our Executive and Delegates come from all parts of the political spectrum but our experience with this government has left us no choice.

COSCO has done everything in its power to demonstrate to this government what negative and harmful effects their policies have on the people of

this province, especially seniors.

It would appear this government knows the price of everything, but the value of nothing. Not only are they socially barbaric in the way they handle relocating seniors to care homes, but they are economically incompetent – they are destroying, privatizing or selling the resources and infrastructure of our province, things we seniors helped to build under previous administrations.

What would W.A.C. Bennett say if he were alive?

We, as leaders of seniors, must do everything in our power to bring about the defeat of the provincial Liberal government next May.

We must also engage in a dialogue with the Leader of the Opposition and secure from her a strong commitment that if her party is elected, it will revert to a policy of respect for the social contract government has with seniors in retirement. In addition, we will urge her government to reverse the Gordon Campbell policies which so negatively impact seniors today.

The defeat of the current provincial government is not a foregone conclusion. Some very powerful interest groups will do everything in their power to re-elect this wrecking crew. Paid advertising is already white-washing this administration.

As seniors you can overcome this propaganda by talking with other seniors, your families and friends, discussing the issues and helping COSCO to run an issue-based campaign.

The campaign to unseat the Campbell government has to start now. People's memories are short. These are extraordinary times for seniors. We have to do everything we can to regain our right to retire with the knowledge that public policy will not destroy our retirement plans. COSCO can't do this alone. We need your help. Visit www.coscobc.ca.

COSCO's List of Shame

Some of the many B.C. government cuts that have hit seniors where it hurts -- in programs, services, housing and health care.

- Cuts to income assistance has impacted the needs of those aged 50 to 64 not eligible for Old Age Security or Guaranteed Income Supplement
 - 38 percent cuts to Legal Aid
 - Seniors Supportive Housing Projects under Homes BC frozen
 - Elimination of home support services that support independent living. This may result in premature placement in care facilities.
 - MSP Premiums increase 50 percent as of April 1, 2002
 - Office for Seniors closed March 31, 2002
 - Closures of hospitals and emergency rooms
 - Cuts to Income Assistance hit people age 50 to 64 who are not eligible for Old Age Security.
 - Senior Citizens Counsellors Program cut as of March 31, 2002
 - Many, many more
- Visit www.coscobc.ca for the Complete List of Shame.

The one that didn't get away



Retired member Harvey Simpson congratulates Gary Oakden on his big catch.

Local 8 (Kamloops) hosted the 19th Annual Harold Reid Memorial Fishing Derby at Roche Lake Provincial Park on June 4 to 6.

There was a good turnout and fun was had by all. This year's winner was Grayson Gaschnitz from Local 16 Kelowna, with a catch weighing in at 3lbs 10.5 oz. Oakden was a close second place with a catch weighing 3lbs 9.5 oz.

News briefs

PSAC suspends strike, recommends rejection of Treasury Board offer

The Public Service Alliance of Canada (PSAC) suspended its strike on October 15, recommending members reject the latest Treasury Board offer for its Table 1 and 3 employees, which affects nearly 90,000 of its members in administrative and technical services.

PSAC National President Nycole Turmel says, "While they may have been prepared to accept Treasury Board's monetary offer of 2.5%, 2.25%, 2.4% and 2.5% over a four-year agreement, they are not willing to accept the employer's demands for concessions."

Some of the issues that have not been satisfactorily resolved include the partial loss of the terminable allowance for members at the Canadian Grain Commission who stand to lose up to \$3,000 a year and the loss of \$2,000 a year in an enforcement allowance for fisheries officers.

The Table 5 negotiating team has reached a tentative agreement with the Board and is recommending its acceptance.

Turmel confirms that "while these votes are taking place, the union is still in a legal strike position but we will suspend general strike action."

About 125,000 federal workers went on strike on midnight October 11, making it one of, if not the largest strike in Canadian history. But many went back to work as deals were reached. Over 25,000 PSAC members have reached settlements including those at Parks Canada, Canada Revenue Agency and Treasury Board Table 2.

Labour unrest swells at B.C. community colleges

BCGEU press release, October 17

Some 450 members of the B.C. Government and Service Employees' Union will be holding a strike vote after contract talks covering support staff who work at Kwantlen College broke down October 15 in Surrey.

BCGEU secretary-treasurer Diane Wood says a pay increase for support staff is the stumbling block that brought talks to a halt. And she blames Victoria's rigid zero per cent wage mandate for the bargaining conflict.

"These are predominantly women workers who are the backbone of our post-secondary system," Wood says. "They deserve to be treated fairly by the Campbell government—especially when Victoria is sitting on close to a billion dollar budget surplus."

Like their counterparts at B.C. colleges and institutes, Kwantlen support staff have had no raises in five of the last seven years, and a total pay boost of only 4.4 percent in the other two. "When you take inflation into account, it means their real incomes have fallen by about seven percent during that period," Wood says.

The union is seeking a seven percent wage increase in a new four-year contract, along with parity measures to give support staff the same access to benefit provisions that are already enjoyed by college instructors, such as maternity leave. The workers' contract expired June 30, 2002. The Kwantlen strike vote is expected to be completed by early November. Meanwhile, about 700 BCGEU support staff at BCIT will be casting ballots in their strike vote starting October 25, and wrapping up by October 29. Earlier in October, BCGEU members working for Douglas College voted 71 per cent in favour of job action.

UNI urges world telecom unions to go on the offensive, writes letter in support of TWU

World telecom unions are being urged to go on the offensive in their organizing campaigns after delegates to the Telecom World meeting in May heard success stories from all continents.

"We can't win by playing defence," said UNI Telecom World President Larry Cohen who called on unions to "break out of the box" and organize in new ways and in new areas.

Jeannie Drake from CWU reported on a major breakthrough in the UK's biggest cable operator TeleWest where union recognition has been won for engineering staff. Now, 90 percent of their engineers are organized.

Their talks continue to extend that recognition to other parts of the company including service and call centre staff.

Colin Cooper from CEPU Australia reported on their campaign to "outfox Foxtel" that resulted in more than 90 percent union membership among the growing number of subcontractors working for Foxtel.

President Cohen reported on the WashTech group who are organizing in Microsoft where half the

people working there are not staff but agency workers.

WashTech, affiliated to the Communication Workers of America, is also organizing in

other computer companies.

Many other success stories were shared at the meeting.

Union Network International (UNI)

Mr. Darren Entwistle
President and CEO, Telus Corporation
Nyon, 6 May 2004

Dear Mr Entwistle:

Telus

Union Network International (UNI) represents over 15 million members in 1000 unions in over 150 countries worldwide, which includes over two million in the telecom industry.

At the recent meeting of the UNI Telecoms Committee and UNI Telecoms unions, the current situation between Telus and the Telecommunications Workers' Union of Canada, which is an affiliate of UNI, was a subject of major debate.

The World Committee and participants of the UNI Telecom World meeting wholeheartedly support the TWU and are extremely disappointed to hear that after three years since the expiry of the collective agreement, no renewal to the collective contract has been signed with the TWU.

This committee urges you to immediately stop the anti-union actions that you are taking against the TWU and start meaningful bargaining with the union.

The UNI Telecoms World Committee and UNI Telecom Unions signed below, know the company policies that you are implementing and with those type of policies, the UNI Telecom Unions worldwide have agreed that your company will not be welcome in any of their countries.

We look forward to a positive response.

Yours sincerely,

Philip Jennings
UNI General Secretary

Larry Cohen
UNI Telecom World President.

Scholarship winners!

Seven children of TWU members have been chosen to receive TWU Scholarships by the Columbia Institute Awards Committee.

Congratulations to Valerie Levesque (Local 208), Meagan Russell (Local 213), Rachael Wills (Local 50) and Annalisa Wilson (Local 3), who each won a \$1,000 scholarship.

Congratulations to Took Heisler (Local 37), Michael McBurnie (Local 8) and Laura Zilcosky (Local 1) for winning \$750 scholarships.



"Your predecessor was good at the opening threats and bluster...but he always disappointed me by actually reaching an agreement with the union."

UNION BOYCOTTS

Show your support where it counts. All readers are asked to support the following trade union sponsored consumer boycotts. Please do not patronize or purchase any of these goods, services and/or retail outlets:

- All Non-Union Postal Outlets -- Dispute with CUPW
- Philips Electronic Products, Quebec -- CLC/USWA 7812
- Essex Kent Mushroom, Essex Continental Dist. Inc. or Unionville Farms, Kingsville, Ont. -- CLC/BCFL and UFCW National
- Co-op stores in Alberta -- Teamsters Local 987 on strike against Federated Cooperatives Limited



TWU President Rod Hiebert

President's Report

We need governments that are on our side

Over the past several years, Canadian workers and their unions have faced a vicious and sustained attack from governments and private sector employers. Tens of thousands of workers have been stripped of their jobs and their futures. During this period, nearly every Canadian union has faced tremendous difficulties attempting to get a fair shake for their members.

In what may be the most outrageous example of this anti-union behaviour, the Campbell government in Victoria has torn apart the Hospital Employees Union, leaving their membership radically downsized and forced to swallow major wage rollbacks. But Campbell's outrageous behaviour has not been confined to his dealings with hospital workers. Unwilling to engage in the normal negotiating process with the BC Teachers Federation, the Campbell Liberals enacted legislation that stripped teachers' contracts of vitally important language that they had bargained over the years. And last but not least, don't forget what happened to the ferry workers when they went out on strike.

Unfortunately, there have been a host of other, similar anti-union attacks across the country. A recent study revealed that unions in Alberta win only a third of their arbitration cases. It is well known that arbitration and Labour Relations Board decisions are strongly influenced by the government of the day. It is no secret that the Klein government is staunchly anti-union. Why should we expect employers to abide by collective agreements they have signed when they can depend on the arbitration process to sanction their violations?

Meanwhile, the federal Liberals plan to impose security checks on longshore workers who work on the waterfront. They have proposed legislation which threatens that longshore workers' personal records will be opened to both the employer and outside agencies. If this incredibly intrusive legislation passes, longshore workers who

want to keep their jobs will be compelled to authorize checks of their relatives and neighbours. Such legislation threatens the privacy of all workers.

So it's not surprising that during the same period, Telus felt free to unceremoniously downsize 6,000 union members, restructure its operations and push the survivors to work harder and harder. This, while refusing to engage in meaningful negotiations with the TWU to achieve a revised collective agreement.

Longshore workers who want to keep their jobs would be compelled to authorize checks of their relatives and neighbours. Such legislation threatens the privacy of all workers

Is it surprising, then, that Canadian workers are experiencing a decline in their standards of living while CEOs have seen their incomes double, triple and quadruple? This trend is growing across Canada. Statistics show a disturbing trend in which the rich are getting richer while working people and the poor are getting poorer.

What has gone wrong? One has only to look at the conflict between Telus and the TWU to find the answer. Right wing governments at both the federal and provincial levels have decided to weigh in heavily on the side of employers. So we see a situation in which the Canada Industrial Relations Board rules that if the TWU asks its members to restrict overtime, this is tantamount to the union conducting an illegal strike. At the same time, however, this same Board has allowed Telus to operate in violation of the limit on the maximum use overtime hours for four years.

That's not all. It has been eight months since the Board found Telus guilty of unfair labour practices and interference in the administration of a trade union and ordered the company to offer binding arbitration to the TWU. Even though the union accepted the offer, nothing more has happened. It appears that because Telus made clear that it disliked this decision, the CIRB may just quash it.

In a separate series of CIRB decisions, the company has been ordered to give the TWU critical bargaining unit information that only the company has in its possession. But Telus refuses to give it to us.

If there is no enforcement of Board rulings against employers, there is no reason to expect Telus to comply. Unfortunately, it appears that Telus and other employers are being allowed to function as if they were above the law.

We have struggled through bad

times before. In 1973, we worked in a solidarity campaign with other unions against strikebreakers imported by General Telephone and Electronics who had been called in to help break our strike in B.C. At that time, we were battling to get joint trusteeship of the pension fund at Okanagan Tel. In the course of that strike, O.K. Tel brought in four times as many managers from B.C. Tel to scab as they had managers at O.K. Tel. They were determined to break our strike.

Throughout that strike, however, the NDP government of the day did a great deal to blunt the company's union-busting tactics. That was the beginning of a very constructive effort between the NDP and the TWU that has existed ever since. The NDP later passed legislation restricting corporations from using allied employers to break strikes. They worked with the TWU to support the B.C. Tel bid for access to the broadcast distribution licence and later worked with us to build the B.C. Information Highway Accord to protect our jobs and build the future. NDP MLAs have consistently worked with us and supported our position at regulatory proceedings, in front of parliamentary committees, and by offering support for our efforts to keep jobs in the communities where we live and work. In the

broader picture, they support communities and workers by promoting a made-in-B.C. policy.

There are key differences between the B.C. Liberals and the NDP:

- The NDP respects unions and workers and promotes government-owned and operated infrastructure for our highways and hospitals.
- The Liberals tried to sell off our highways and proposed to let the new owners charge tolls.
- They have privatized highway maintenance, separating workers from their union in the process.
- The Liberals have privatized hospital workers' jobs, broken their contracts and decimated their wages, working conditions and standard of living.
- The Liberals have outsourced the building of ferries to a foreign country, exporting hundreds of jobs which have always been done in the local shipyards.

One fact is perfectly clear: if we are going to get a fair shake with respect to our working lives, if we are going to enjoy a decent standard of living, job security, a dependable health care system and the ability to bargain reasonable collective agreements, we must make our voices heard in the political arena. We shouldn't expect any government to be perfect. But if we expect to enjoy a secure future, we must be prepared to support politicians who support us.

It is clear to me that the Campbell government in B.C., the Klein government in Alberta and the Martin government in Ottawa are all key players in the corporate-driven attack on Canada's workers. They are helping strip away working people's rights. The Campbell Liberals are up for election in B.C. next spring and I, for one, will be active in the campaign to replace them with a worker-friendly government. I urge TWU members in Alberta to become active in the effort to replace Mr. Klein as well.