

October 30, 2012

TEAM Board Meeting

Executive Director's Report

Bob Linsdell
October 29, 2012

Motion and Direction Updates

- 1. MFL Health & Safety Conference:** One Health and Safety Committee member will attend the conference in Thompson.
- 2. Canadian Council of Professionals Meeting:** Misty Hughes-Newman attended.
- 3. Scholarship Committee:** The committee met and reviewed the applications. Presentations will be November 5th. A full committee report will be provided for the December Board meeting.
- 4. Society of Professional Engineers & Associates (SPEA) Hardship Fund:** TEAM's contribution was sent September 6th. The strike is now over and SPEA members, comprising 850 engineers, scientists, technologists and tradespeople, are back in the workplace.

General Matters

- 1. Pension Lawsuit:** In a [news release](#) on Thursday, October 25th, the Supreme Court of Canada announced that the unions' and retirees' application for leave to appeal had been granted. See the [Benefits & Pensions report](#) for further details.
- 2. Medal for Retiree Pension Rep:** Harry Restall retired from MTS in 1989 and was the retiree representative on the pension committee until he stepped down in June, 2012. Since MTS' privatization in 1997, he worked tirelessly in the fight to recover the substantial plan member owned surplus that existed on the eve of privatization. He was also the [main witness](#) for plan members during the lawsuit hearings. In recognition of his volunteerism, in December he will receive the Queen Elizabeth II Diamond Jubilee Medal.
- 3. General meetings:** Three meetings have been scheduled.
 - November 6th - Victoria Inn, Brandon
 - November 7th - Masonic Temple, Winnipeg
 - November 8th - Fairmont Hotel WinnipegWe are considering ways to enable all members to hear and/or see the presentation.
- 4. 2013 Contract Negotiations:** The Bargaining Committee met September 14th to develop the online survey. Our Communication Action Reps participated in a survey beta test on September 29th, and the survey went live October 2nd. The Bargaining Committee met October 12th to review the preliminary results. Member participation was excellent, delivering a clear message about what's important in this round of negotiations. A summary of the results will be presented at the General Meetings.

The Bargaining Committee reviewed a Social Media Strategy presentation, and recommends that the Board consider engaging a social media specialist or service provider to ensure our website, twitter, and Facebook content is fresh, relevant, interesting and timely. The office has received proposals from several individuals interested in doing this work.

5. **Overtime and Call-out Arbitrations:** The first day of the overtime hearing was September 24th. Future hearing dates are set for May 22-24, 2013. The call-out arbitration hearing will be held November 26-29, 2012.
6. **Labour Relations Officer Posting:** [Wesley Emerson](#) is the successful applicant. Wesley is an experienced negotiator with a strong legal background and extensive experience in the Labour Relations field. We are very pleased to have him join our team.
7. **“Take a Break”:** By popular request, a summer “Take a Break” event was held September 5th for members working out of the Osborne and Corydon buildings. The event was well attended.
8. **New Contractor Letter of Understanding:** On September 19th the Company responded to the Working Group's contractor LOU proposal of June 26th. The response was very disappointing. The Company has since come back with a number of concepts that TEAM is currently reviewing. TEAM stands firm that members ought to be given opportunities to do work that in the past the Company had demonstrated a preference to give to contractors.
9. **Human Rights Commission Tribunal Ruling in Favour of TEAM Member:** The Tribunal issued a further decision on September 20th. The decision is unique and seems inappropriate under the circumstances. Even though the Company was found to have engaged in a discriminatory practice wilfully or recklessly, and [ordered to pay our member \\$20,000 and to train HR/LR staff](#), the Tribunal did not order our member to be reinstated. The Tribunal did however, order the Company to make reparations to our member regarding pension, certain expenses, and miscellaneous costs. TEAM was surprised by this ruling and has filed a Notice of Application for a Judicial Review of the decision.

Disappointingly, the Company proposes paying the missed pension contributions rather than the true value of the pension benefit those contributions would achieve in increased pension income. It may be necessary to have another hearing before the Tribunal to resolve this matter.

TEAM's submission on the public interest remedy includes recommendations to make the MTS Workplace Accommodation Policy compliant with the law, suggestions for training all Directors, and informing managers and supervisors of their responsibilities under the Act ([see attached](#)). The Human Rights Commission found the Company's current policy to be lacking in numerous areas. The Company mistakenly claims that TEAM was provided an opportunity to provide input into the Workplace Accommodation Policy. We will enquire directly of the Company why they believe this is the case. We made a number of recommendations in our submission that the Company rejected, but they did agree to expand the required training. The Tribunal agreed with TEAM that the Company was required to consult with all unions in the development of a compliant Workplace Accommodation Policy.

10. The Collective Agreement for TEAM Supervisory Managers: The seminar was held September 19th with eleven members attending. TEAM covered the cost of their release time. Feedback from participants was very positive, with a number recommending that all new managers receive this training as a matter of course. TEAM will raise the possibility of participating in new manager training with the Company at the next Labour Management Committee. The [seminar PowerPoint](#) is attached.

11. Out of Scope Positions: The CIRB Senior Industrial Relations Officer/Registrar has received and reviewed submissions from TEAM and MTS. He will now interview the MTS employees currently working in the positions being challenged.

12. Labour Management Committee: Our next meeting is October 31st, agenda below.

Status and Updates:

- Job descriptions: Many do not exist or are out of date.
- Job evaluations: How are jobs re-evaluated without a job description?
- Rest Periods i.e. coffee breaks: What are managers telling our members?
- SS & SA overlap: Are these roles becoming one, what are the Company's plans?
- Hiring months after the posting: Establish date for separate meeting.
- TEAM's Collective Agreement Seminar for Supervisory Managers: TEAM will provide an update and discuss expanding training to all new managers and supervisors.

New items:

- Pre-screening practices on postings: Are specific categories of employee being pre-screened, when does attendance become a factor, and how does the new two-tier interview process work?
- Employment Equity Committee: Next meeting date?

13. Events Attended:

- Sep 5 - Osborne & Corydon "Take a Break" BBQ
- Sep 6-13 - Labour Relations Officer interviews
- Sep 12 - New member meeting
- Sep 14 - Joint Benefit Committee meeting
- Sep 14 - Bargaining Committee meeting
- Sep 19 - TEAM seminar: Collective Agreement for Supervisory Managers
- Sep 19 - Contractor LOU meeting with the Company
- Sep 19 - Attended & presented gift at Norm Landry's retirement celebration
- Sep 24 - Overtime arbitration hearing
- Oct 12 - Bargaining Committee meeting
- Oct 14-17 - Pension Rep Training: Essential Skills for Committee Members

14. Other Ongoing Matters:

- Benefits and pensions: See separate [report](#).
- Grievances and complaints: See separate [report](#).

Board Direction and Requests

1. **Harry Restall:** As mentioned above, Harry is a recipient of the Queen Elizabeth II Diamond Jubilee Medal. In addition, TRAM has opened a trust fund for Harry and is accepting donations. The medal and funds raised will be presented at the TRAM Christmas luncheon in December. To show our appreciation, it is proposed that TEAM make a donation and also invite members to make individual donations.

Motion Suggestion: In recognition of Harry Restall's contribution to the pension lawsuit on behalf of all plan members, the Board approves a \$xxx donation to be presented to Harry when he receives his Queen Elizabeth II Diamond Jubilee Medal for volunteerism.

2. **Ernie Scoles' Art:** Ernie Scoles, son of retired TEAM member Ted Scoles, has three pieces of aboriginal art on display at the TEAM office. In fact, they have been on the walls of the TEAM office for at least the past five years. Should TEAM wish to retain the art pieces, Ernie is offering a 10% discount off the normal retail price. The total cost of the three pieces is \$890.

Motion Suggestion: That the office purchase the three Ernie Scoles' art pieces currently on display in the TEAM office at the discounted price of \$890.

3. **TEAM Fundraiser:** We are unable to run 'raffle a day off' due to difficulties getting a license for the suggested organization. It is therefore proposed that we hold a fundraiser based around a coffee & cake morning downtown. The coffee and cake will be approximately \$1.50 per person plus \$200 for gift certificates (i.e. three prizes; \$100, \$50 and \$50).

Motion Suggestion: That the Board approves a budget of \$800 for a downtown Winnipeg membership "Take a Break" and fundraiser event in aid of "Koats for Kids".

4. **CCPA Labour Researcher:** Darlene Dziewit (former President of the MFL) is seeking support for a Canadian Centre for Policy Alternatives (CCPA) initiative to fund a Manitoba labour specific position. Errol Black, an economist at Brandon University and writer for the CCPA, is in the terminal stages of amyotrophic lateral sclerosis (ALS) - also referred to as motor neuron disease. He has written and researched labour issues extensively, and has been a friend of organized labour for many years. In his honour, the CCPA would like to endow a Manitoba specific, labour researcher, and is asking TEAM to contribute an ongoing monthly amount to help finance the position.

The CCPA is an independent, non-partisan research institute concerned with issues of social, economic and environmental justice. Founded in 1980, the CCPA is one of

Canada's leading progressive voices in public policy debates.

Motion Suggestion: That TEAM contribute the sum of \$xx per month to help cover the cost of a Manitoba specific CCPA Labour Researcher.

5. **Winnipeg Folk Festival:** The Winnipeg Folk Festival is asking for a onetime capital investment to provide site improvements to the children's area. Contributors will be recognized by having their name placed on the Children's Gate.

Motion Suggestion: That TEAM make a onetime \$xxx contribution to the Winnipeg Folk Festival's children's area.
