



Impact

APRIL 2009

COMPENSATION EMPLOYEES' UNION

CEU develops its 2009 strategic plan

The CEU Executive, along with staff, meets every six months to review the Union's strategic direction. Some of the issues we typically review include succession planning, steward and leadership education, and membership needs.

During the February Executive planning session, it became **very** clear the implementation of CMS and its potential impact on CEU members will be the single most important issue facing us this year! It is also clear, that whether we support CMS or not, the employer has chosen this system and it will be implemented.

This year was supposed to be a year for bargaining preparation. That changed when we concluded an early renewal of the Collective Agreement achieving, among other things, employment security until the end of 2012. In a time of economic uncertainty, we're pleased our members have employment stability.

Under the banner of membership needs, one of the Union's broad strategies is to focus on effective day-to-day opportunities to improve the working conditions of our members. This strategy was evident in the last round of bargaining when the Union proposed contract language giving its members the right to address working conditions. Although we didn't achieve Collective Agreement language, the Union remains committed to addressing this issue. We must ensure concrete action is taken and engage the employer to shift from inaction to action.

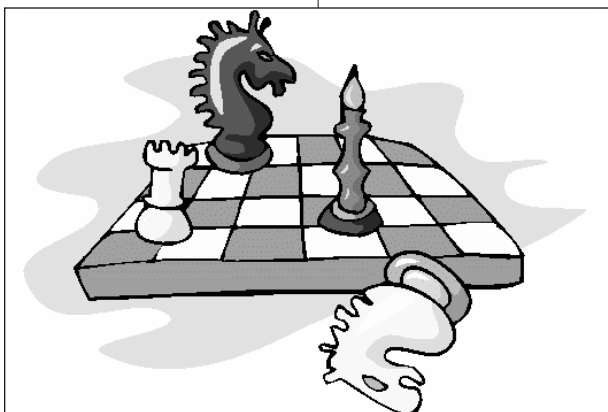
The Challenge

As the push to "clean up" in preparation for CMS "go-live" escalates, members are struggling to juggle work, training, and intense pressure. Some of the pressure is created by managers wanting to meet standards that are clearly unachievable during this time of change. What makes this a CEU issue?

Members look to their Union for direction when working conditions deteriorate. Members are also asking

many questions about what will happen after CMS is implemented. We applaud your sense of professionalism and commitment to your work. Some of your questions are:

- System efficiencies: The system efficiencies gained from CMS were supposed to reduce the need for 165 positions.



What happens if CMS does not

result in these projected efficiencies? Will the designated jobs still be eliminated?

- Training: How will employees be able to keep up with their work and have enough time to properly train for CMS? Is such a stressful training environment conducive to learning the new system?

INSIDE THIS ISSUE...

CEU is turning green	3
The anatomy of an award	3
CEU encourages its members to vote	4
Union thanks Jane Player	4
Benefit improvements take effect.....	5
Oh what a tangled WEB... ..	5

Taking action on workload and volume con't

- Vacations: With the restricted vacation periods identified over the spring and a new system being implemented in early summer, will employees get enough quality time away from work to ensure they maintain a healthy life and work balance?
- Performance: Will CMS be used to monitor performance or create employee profiles?
- Ergonomics: Will CMS result in more ergonomic issues?
- Remote work: Will there be an increase in remote work, and if so, will that take away from existing job opportunities?
- Job content: After CMS is in place, what will jobs look like? Will there be deskilling of jobs? How will that affect job satisfaction?

Many of these questions address structural issues regarding the work itself, while others address the human side of change. Regardless of the type of issue, management owns the work, and if these issues aren't addressed it may lead to very poor working conditions, higher stress, employee turnover, and lower worker satisfaction.

Another large piece of work flowing from the implementation of CMS is the unwinding of the Reorganization Long Term Temporary (RLTT) jobs. That means the CEU will ensure the rights negotiated for laid off temporary employees are upheld. Throughout 2008, the Union spent considerable energy negotiating the new rights and processes necessary to provide options for these members. The CEU is committed to enforcing these

membership rights now that these jobs are ending.

This will be a year of significant change at the Board. How we deal with that change will have a substantial impact on the workplace culture. If the employer is prepared to work collaboratively with us, we hope that change will be easier to adjust to. Either way, we're prepared to work hard to make sure the Board hears our members' voices, and that it addresses your working conditions in a clear and systematic way.

The Plan

The CEU Executive unanimously endorsed the development of a plan of action to address these workplace issues. And we will devote significant resources to it. Management must clearly understand and work to reduce the negative impact these working conditions have on our membership. While there is no silver bullet to resolve all of these issues, the CEU Executive believes a collective membership approach is the only way to make management accountable.

President Sandra Wright summed it up nicely, "we know the system is coming in. We know that there will be high stress during this time. Taking a pro-active approach where we all work together to find solutions to reduce the impact of the change will allow CEU members to have some control during this time. To achieve that, we expect the employer to actively address our members' working conditions."

The Executive is committed to this strategic plan, and we will actively monitor our progress.

Strategic Plan: focus on effective day-to-day opportunities to improve the working conditions of our members.

Objective 1

Broaden membership involvement in a CEU response to working conditions by establishing a committee that includes the creation of liaisons for all the various classifications. This approach ensures membership expertise informs the process. This committee, and its expanded liaisons, will work closely with the members, shop stewards, Executive and staff.

Objective 2

Strengthen two-way communication between the Union's leadership and its members. Invite membership communication and support membership involvement in key Union issues, and then create an action plan to

communicate membership concerns to the employer. This may include SDL based union and management meetings focused on working conditions, workplace campaigns, senior management meetings and external campaigns.

Objective 3

Actively communicate the CEU message from our members to the employer during the pre and post implementation periods of CMS. We'll also keep the membership up-to-date and involved regarding processes to address working conditions. Strengthening its connection with the membership is critical to the success of the Union.

CEU is turning green

Over the last few years, the Union office has undertaken a number of initiatives to reduce its carbon footprint. For example, we created an electronic filing system allowing staff and executive to access archival information via our computers. To date, these efforts have been on an ad hoc basis and, while beneficial to the Union, we recognize the need for a coordinated greenhouse gas (GHG) reduction plan. Over the next few months, we'll develop a strategy to address our GHG profile. Stay tuned and we'll let you know what our plan is in a future *Impact* article.



The anatomy of an award

In recent years, the various Provincial Workers' Compensation Boards and other businesses across Canada have proudly announced they are recipients of numerous awards. Our own WCB has proudly touted many awards including "Psychologically Healthy Workplace"; one of the "Top 100 Best Employers in Canada"; one of the "Top 50 Best Employers in BC"; an award for "Diversity in the Workplace"; and recognition as one of the "Top 20 Family Friendly Employers".

What is it about these awards? Is this a corporate trend to "blow your own horn" or is this a genuine effort on the part of employers to make the workplace a better place? The question is – how did our workplace get to be so good? And is it really good or are these awards a mirage?

When announcing the recent *Diversity Award*, the Board commented, "...they also praised our pay equity initiative, which has made our compensation system more equitable, by adjusting rates of pay in many classifications to reflect equal pay for equivalent work." Hmm... time for a collective bargaining history lesson.

In 1995, the Union tabled language at the bargaining table advocating a gender neutral job evaluation program and pay equity for our members. We achieved the language, but by the end of that Collective Agreement, nothing much had happened. The process for evaluating which pay grid jobs landed in was hopelessly backlogged.

In the 1998 round of bargaining, the Union tabled Collective Agreement language providing a process for dealing with the job evaluation backlog. Why was that important to the Union? The pay equity review and the subsequent placement of the job on the pay grid could not begin until the job was rated. And people would not get the boost in their paychecks until that happened!

By 2002 the backlog was gone. The Union tabled contract language to ensure jobs would not go down in pay once the pay equity review was finished. We also insisted that we have contract language setting deadlines for the completion of the review.

Finally, in 2006 we achieved our goal of pay equity. The CEU pursued this goal relentlessly from 1995 – eleven years to get Pay Equity!

We are proud our workplace finally has a gender neutral job evaluation program and pay equity. But, we think it's fair to say, without the Union's constant pressure, pay equity would never have happened.

Let's examine another award with roots in the collective bargaining process. Outside the Human Resources reception desk area, the Board proudly displays a large sign recognizing it as one of the top *Family Friendly Employers*. They also display this recognition on their website. Let's look deeper into the reasons cited for this award:

- maternity, parental and adoptive parent wage top-up provisions;
- four-year deferred pay program allowing employees to take the fifth year off with pay;
- tuition subsidies up to \$5,000 for continuing education; and
- alternative work options, including flex hours, telecommuting and an earned days off program where employees can work an additional 25 minutes per day each quarter to earn time off in the following quarter.

With the exception of the tuition reimbursement program, the Union bargained every single one of these benefits into the Collective Agreement. For example, the four over five deferred leave program along with the care and nurturing leave was achieved in 1995. But, it was an

The Anatomy of an Award con't

arbitration win for the Union that finally forced the employer to pay their share of the benefits – as bargained.

The same bargaining history exists for the other awards – good salaries, life and disability insurance, full family coverage on the health benefits plan, and paid vacation to name a few. Each of these hard fought Collective Agreement rights were instrumental factors leading toward these awards. None of these things came easily, and ALL of them were tabled by and fought for by the UNION.

There is nothing in the collective bargaining process stopping our employer from tabling improved benefits for its employees. So why doesn't this happen? Experience shows that employers traditionally look at removing or reducing these rights and benefits, but failing that, they proudly accept awards for them. Make no mistake – these rights were achieved through the Union's hard work.

We look forward to the time when the Union happily accepts a bargaining proposal from the employer with additional benefits for family flexibility – like elder care. It would be a refreshing sign of leadership if employers, and especially our employer, not only proudly accepted these awards, but also tried bringing these new rights into Collective Agreements for their employees. Until that day comes, one can't help but be cynical about these awards.

Union thanks Jane Player

Jane Player acted as the Union's CMS monitor from January 2006 until April 1, 2009. We want to thank Jane for her hours of dedication to this process. Jane worked closely with the Union's Executive ensuring they had up-to-date information on what management was planning. This was particularly useful whenever management identified job redundancies. Thank you Jane, for all of your hard work on behalf of the membership!



CEU encourages its members to vote

In the lead-up to the **May 12, 2009** Provincial election, we encourage all CEU members to dig into the important issues facing us in the next election. Did you know, in addition to electing a MLA for your riding, we'll also be voting on the Referendum on Electoral Reform?

Resist the temptation to buy into the negative campaign ads that are sure to find their way into your living rooms, and get the facts. One non-partisan source of information is Elections BC, www.elections.bc.ca.

This website can provide you with information ranging from where your voting station is located to information on the referendum.

CEU remains a non-partisan union. However, we encourage you to get out and vote on **May 12, 2009**. On Election Day, you must have four hours free and clear of work so you can cast your vote – it's the law. Polls will be open from 8 a.m. – 8:00 p.m. PDT.



April 28th, 2009 Day of Mourning

Days lost	2,926,114
Fatal claims	160
Workers permanently injured/working day	19
Worker deaths/week	3



Know Your Collective Agreement

Benefit improvements take effect

One of the more mysterious challenges regarding any Collective Agreement is trying to figure out what benefits members are entitled to. Perhaps the easiest thing is tracking wage increases. And on that front, we have good news. Even the cold winds of an economic storm didn't stop the 2.16% wage increase for all wages in Schedule C from going ahead on April 1, 2009. The good folks in payroll made sure it happened!

In the round of bargaining that concluded in December 2008, we achieved a few modest benefit improvements.

- Chiropractic and Naturopathic services are increased to \$500.00 per service per calendar year, and a similar change was achieved for Physiotherapy and Massage therapy;
- The limit for corrective lenses, frames or contact lenses was increased to \$400.00 per person every two calendar years;
- January 1, 2009 vehicle mileage increased to \$0.51 per kilometre; and
- Employees required to travel may now claim \$60.00 for child care costs over and above their normal costs.

The new Collective Agreement is being reviewed by the Union and the employer, and we expect it to be printed and circulated to the membership by early summer. Make sure you get your copy!

Do you have a question about your Collective Agreement? If so, send it along to us and we'll print a response in an upcoming issue of the *Impact*. Send your question to the editor at editor@ceu.bc.ca

Oh what a tangled WEB...

Do you have a Facebook or MySpace profile? Do you Twitter, email, blog, or Google? And what about watching the latest YouTube video?

If you answered yes, to any of these questions, you are one of the millions of Canadians using the internet everyday. Social networks, blogging and YouTube are all becoming regular parts of our culture.

But here's a critical question – are you doing any of these things while you are at work? If you are, then you could be risking disciplinary penalties. Why? Employers, take a dim view of employees using employer-owned technology, including computers and blackberries, for personal reasons during working hours.

Using the internet for personal reasons when you are working is similar to using the telephone to call your family and friends. Employers generally accept the occasional, limited, and appropriate use of information resources as long as it doesn't interfere with work performance or have an undue impact on the business.

The evolution of social networking communication is blurring the line between what's acceptable and what isn't. And employers and Unions are grappling with the new and complex issues related to evolving technology.

In this digital age, the rules concerning what attracts disciplinary action and what doesn't are developing, and as a consequence, arbitrators are issuing some surprising decisions.

For example, I enjoy chat room discussions and I decide to sound-off about my employer one weekend. Or maybe I decide to post a picture of something that's work related on Twitter or Facebook, but I do it when I'm at home.

That's OK right? I used my own computer and I wasn't working. Not so fast; could I be risking disciplinary action from my employer?

A review of recent arbitrations found one arbitrator upheld the discipline of an employee who used their Facebook account to share a camera-phone photo of a manager asleep on a desk. Another upheld the termination of a worker who posted unflattering comments about her employer in a blog.

The arbitrator wrote the employee was entitled to her personal opinions. However, the public display of those opinions on an internet blog had a serious consequence on the employment relationship. The consequence was



the employer disciplined the employee, and the arbitrator decided there was just and reasonable cause for termination.

In one case, concerning a hotmail account, an arbitrator ruled the employer violated the privacy rights of an employee when the employer accessed the hotmail email during an investigation. In another case, the arbitrator ruled the employer was within its rights to access the hotmail account. The facts of each case are quite different, hence the different outcomes.

The lesson for employees is the right to privacy is not absolute, and you may be playing with fire if you seek to hide behind the cloak of privacy. That's why it's important for employees to realize using the employer's computer to access emails from a private server, surfing the web, or any other type of electronic communication may get you into hot water.

Although we don't seek to set stereotypes, internet usage is highly prevalent among younger workers. This is due in part to their socialization in the digital age. For many younger workers, using social networking mediums is second nature. They also seem to have the uncanny skill of doing many online activities simultaneously while continuing to work.

At the WCB, management is taking a very strong stand on these types of issues. Members have been called into investigatory and disciplinary meetings for alleged excessive internet usage, inappropriate use of Board assets, and for misconduct when emails critiquing a manager ended up in the wrong mailbox.

Often, members are surprised to find themselves under the employer's microscope. Management has the capability to audit every key-stroke and every minute of

internet usage. When they do, many CEU members find it difficult to believe management is making allegations of wrongdoing.

The Union's position is that fair labour relations practices must still apply to these types of situations. In our view, management hasn't done an adequate job of training its employees about what's acceptable and what's not in this area. They also haven't taken steps to explain how the use of electronic technology is covered under Board policies.

A good starting point to balance the labour relations focus on internet usage is the development and delivery of education sessions for CEU members regarding the acceptable usage of electronic technology during working hours. If CEU members appear to cross the line after attending an education session, we believe remedial approaches to correct the behaviour are more effective than punitive measures.

We are also alarmed at the way investigatory meetings seem to be replacing common sense management approaches to workplace issues. Management rights must be exercised in a manner that is not discriminatory, arbitrary, or in bad faith. That means management needs to follow the steps of progressive discipline.

The Union will continue to vigorously defend these principles. In the meantime, we urge you to proceed with caution. If you want to use the internet for personal reasons, wait until you are at home. If you want to have a private conversation, speak in person, not by email. If you have a gripe about work, talk to your family, your union rep, or your therapist. One last word, always check your posting twice – before you hit send!

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