



# Impact

OCTOBER 2007

COMPENSATION EMPLOYEES' UNION

## How can you get the most from your union?

That's a question with many answers. For example, you'll get more out of your union if you keep yourself informed by attending union meetings and by reading your CEU e-mails and newsletters.

Another important way of getting the most from your union is to elect a capable steward to represent you. It's an interesting experience, so perhaps you should consider becoming the steward in your area.

### The face of the union in the workplace

Your steward is your day-to-day union contact who:

- Answers questions about your rights and obligations under the collective agreement
- Informs you about union activities

CEU membership gives you the right to union representation. Your steward is the front line union representative. He or she represents you in grievances and meetings with management. When acting in that capacity, a steward is an equal to management.

Shop stewards have other duties including spotting trends and issues, participating in various committees, and organizing events in support of union issues.

### Steward training and support

Sometimes members think they don't know the contract well enough or have the skills to be a steward. That shouldn't be a barrier as the CEU supports stewards in many ways.

#### Training – Each year:

- New stewards get two days of orientation
- The CEU puts on a 2.5 day steward school where stewards develop and improve their skills
- A steward seminar and regional steward meetings are held around the province to provide updates and ongoing education

**Shop steward advisors** – Each steward is assigned an

advisor, who is a member of the CEU executive. The advisor is available to answer questions about contract interpretation and to guide stewards in presenting grievances and solving issues.

**Shop steward chair** – This person is a member of the executive and is elected by stewards every two years. The chair's duties include:

- Working with CEU staff to develop the steward training opportunities described earlier
- Communicating with stewards about executive decisions and CEU issues. This helps stewards represent and inform members.

The CEU has also formed an education committee, which develops strategies for improving the advisor structure, communications, education, and mentoring.

### How stewards are selected

CEU stewards are elected each year in work areas and area offices. You will be sent a call for nominations in November. If you are interested in becoming a steward, two members from your area must nominate you.

### Support your steward

If you have a question about the contract, your steward can help you. It's important that you have

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someone able to do that in your area. Stewards perform their WCB jobs in addition to their volunteer steward duties. They balance the demands of both roles. You can assist and support your steward by being patient when you ask for help and by giving your steward feedback on workplace issues. That's another way you can get the most out of your union.

## Honest mistake leads to five-day suspension

An honest mistake led to a suspension this past summer for a Vocational Rehabilitation Consultant (VRC) with more than thirty years of service.

The five-day suspension, without pay, can only be described as "way over the top". What did the VRC do? He made coding errors on three claim files. In each case, benefits were payable, but he should have used a different code and budget.

This member is highly regarded by his peers. He is devoted to his work and his clients. He has a clean record. Given this, we can't fathom why the Board chose to immediately impose the most serious form of discipline, just short of termination. This is against the Board's discipline policy. It calls for progressive steps to correct behaviour. But the Board bypassed these steps by not giving a warning and by not providing coaching and the opportunity for corrective action.

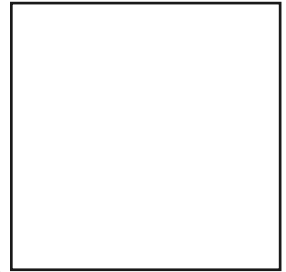
The grievance on the matter was recently settled prior to arbitration. The member has since decided to retire. We would like to acknowledge his service and commitment. It should not be overshadowed by the Board's transgression.

We are reporting on this incident to ensure all VRCs--and indeed all members--are aware of the employer's reaction to such errors. In the last few years, unprecedented change in policy and practices has resulted in a lack of clarity on some topics. The Board has declined to provide any further formal training or instruction to correct this.

We urge all members to seek clear direction from your managers if you have any questions about how you should be doing your work.

## Health & Safety Committee has new member

Shop Steward and Occupational Safety Officer Andrew Lim is now a CEU representative on the Corporate Health and Safety Committee (CHSC).



When asked why he had accepted the appointment, Andrew said: "The joint health and safety committee is an important pillar in the internal responsibility system. The right to participate in our health and safety is fundamental and the committee is our voice. An active joint committee is an important preventative measure. It can help to provide benchmarks for the employer to follow in fulfilling their legal, moral, and financial responsibilities to all workers in the workplace."

Andrew has been working at the WCB for just over 13 years. For the last three years, he has been a steward.

David Farrell, CEU Co-chair of the CHSC, says he is pleased Andrew agreed to help. "Andrew is committed to the joint health and safety committee process. He has proven himself in other union activities. He has developed a reputation as a professional, intelligent, and effective representative with management and union representatives. I look forward to working with him."

Andrew is a welcome addition to the other CEU representatives on the committee – Rachel Barbour, Chris Lundquist, and Brenda Matsalla. Thanks to Andrew for taking on this important role.

## What's happening with the volume survey?

Thanks to all of you who completed the "CEU Work Volume Survey". The response was excellent with 1045 people returning the survey. We are currently compiling and analyzing the results. We will provide information on what we learned in the survey later in the fall.



# Is it worth using your car for WCB business?



Some members drive their own vehicles when doing Board business. This practice isn't a problem, if you prefer to drive your own vehicle. However, have you compared the costs of operating your vehicle to the reimbursement you receive? Have you thought about how your insurance rates could be affected?

Each year, the Canadian Automobile Association (CAA) calculates how much it costs to own and

operate a vehicle. The 2007 edition of its "Driving Costs" brochure says that the average costs are 51.8 cents per kilometre for a Chevrolet Cobalt and 65.2 cents for a Dodge Caravan. (These figures are based on driving 18,000 kilometres per year primarily under stop-and-go driving conditions.)

Some of the costs of operating a vehicle are fixed. You have to pay these costs whether or not you use your car for work. These fixed costs include insurance and the purchase price of the car.

Other costs of driving a vehicle increase the more you drive. Table 1 shows the effect extra mileage has on the costs of operating a vehicle, based on a cost of \$1.10 per litre of gas.

In other words, it costs you approximately 20 cents a kilometre to operate your vehicle when you use it for work. This increases as gas prices rise.

There is another consideration when you use your car for work. If you are in an accident, it will count against your driving record even if you are driving for work. This could affect your future insurance rates. If you are in an accident when driving a WCB vehicle, it won't count against your driving record.

We are not trying to discourage you from using your personal vehicle for work purposes. We do want you to know the costs and risks so you can make an informed decision.

For more information on driving costs, go to [http://www.ama.ab.ca/images/images\\_pdf/2007-04-27DrivingCostsBrochure2007.pdf](http://www.ama.ab.ca/images/images_pdf/2007-04-27DrivingCostsBrochure2007.pdf). This brochure discusses the costs included in the CAA calculations and also contains a table to help you keep track of your own vehicle costs.

Type of cost	Cobalt	Caravan
Fuel	9.82	12.74
Maintenance	2.36	2.82
Tires	1.88	1.53
Increase wear (depreciation)	3.00	3.20
Total costs	17.06	20.29

## PCC responds to Vancouver Sun editorial

On July 30, 2007, the Vancouver Sun published an editorial under the headline, "With its books in order, WorkSafeBC must tackle job-related injuries." The editorial praises the Board's "astounding" financial success and the 2002 changes to the *Workers Compensation Act*.

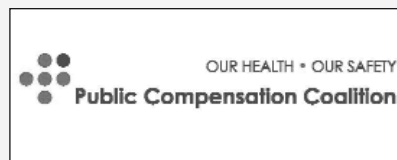
In her capacity as the Chair of the Public Compensation Coalition (PCC), CEU President Sandra Wright, sent the following letter to the editor:

"Your editorial of July 30, 2007 lauding the Liberal Government WCB reforms for decreasing WCB rates ignores the impact of changes to benefits and rehabilitation services.

We all expect to come home healthy at the end of our work day. When that doesn't happen, it is fair that we expect reasonable compensation and rehabilitation.

However, recent policy and legislative change have placed the burden of low employer rates on workers injured in their workplace.

These changes resulted in an immediate 10 per cent loss of income for injured workers, a decline in rehabilitation services, loss of inflation protection and a termination of pensions for permanently disabled workers at the age of 65.



While injured workers suffer, employers have saved hundreds of millions of dollars by paying "the lowest rates in 30 years."

There is nothing fair about that."

*Signed: Sandra Wright, Chair, Public Compensation Coalition*

PCC Steering Committee member, Michelle Laurie, also sent a letter to the editor. This is what she wrote:

"Your July 30, 2007 editorial supporting decreases to Workers' Compensation Board's (WCB) rates got the facts wrong.

The editorial claimed that employer rates rose 60 per cent in the five years before the benefits system was dramatically changed in 2002. WCB Annual Reports show the facts are quite different. From 1997 to 2002, the average assessment rate dropped from

\$2.22 to \$1.90, a decline of 14 per cent.

In 2002, BC's Liberal government cut benefits to injured workers in a manner that ensured they would suffer even greater financial loss for the rest of their lives, and have access to less rehabilitation services and assistance, even though employer rates were already in decline. Any further cuts to WCB rates can't be justified until benefits for injured workers are restored, at least, to the pre-2002 levels."

*Signed: Michelle Laurie, President, IBEW (International Brotherhood of Electrical Workers), Local 258*

Unfortunately, the Vancouver Sun did not publish either letter.

*For more information on the PCC go to <http://www.publiccompensation.ca>. (Remember to do this from your home computer.)*



## Why did the chicken cross the road?

Internet/CALM

**Kindergarten teacher:** To get to the other side.

**Plato:** For the greater good.

**Aristotle:** It is the nature of chickens to cross roads.

**Karl Marx:** It was a historical inevitability.

**Timothy Leary:** Because that's the only trip the establishment would let it take.

**Captain James T. Kirk:** To boldly go where no chicken has gone before.

**Hippocrates:** Because of an excess of phlegm in its pancreas.

**Charles Darwin:** Chickens, over great periods of time, have been naturally selected in such a way that they are now genetically disposed to cross roads.

**Albert Einstein:** Whether the chicken crossed the road or the road moved beneath the chicken depends upon your frame of reference.

**Buddha:** Asking this question denies your own chicken nature.

**Ernest Hemingway:** To die. In the rain.

**Andersen Consulting:** Deregulation of the chicken's side of the road was threatening its dominant market position. The chicken was faced with significant challenges to create and develop the competencies required for the

newly competitive market. Andersen consulting, in a partnering relationship with the client, helped the chicken by rethinking its physical distribution strategy and implementation processes. Using the poultry integration model (PIM), Andersen helped the chicken use its skills, methodologies, knowledge, capital and experiences to align the chicken's people, processes and technology in support of its overall strategy within a program management framework. Andersen Consulting convened a diverse cross-spectrum of road analysts and best chickens along with Andersen consultants with deep skills in the transportation industry to engage in a two-day itinerary of meetings in order to leverage their personal knowledge capital, both tacit and explicit, and to enable them to synergize with each other in order to achieve the implicit goals of delivering and successfully architecting and implementing an enterprise-wide value framework across the continuum of poultry cross-median processes. The meeting was held in a park-like setting, enabling and creating an impactful environment which was strategically based, industry-focused, and built upon a consistent, clear, and unified market message and aligned with the chicken's mission, vision, and core values. This was conducive towards the creation of a total business integration solution. Andersen Consulting helped the chicken change to become more successful.

**Colonel Sanders:** I missed one?



## What you should know about sick leave

You should become familiar with your rights and obligations regarding sick leave so you know what to do when you are sick or ill – whether your condition is short or long term. This column provides information on article 34 of the collective agreement which contains the “rules” on taking sick leave. It also provides information on related policies and processes.

### **How am I required to notify my manager when I’m sick?**

When you can’t attend work because you are sick, injured, or quarantined, you must notify your manager according to the Board’s “Notification of Absences Policy”. It says that “Employees unable to attend work, as scheduled, must attempt to personally contact their manager (or designated alternate) by telephone as soon as possible before their next scheduled shift. If such employees are unable to personally contact their manager, they may leave a voice mail...”

### **What must I tell my manager when I phone in sick?**

You are only required to tell your manager:

- The general reason for your absence, i.e., that you are sick, injured, or quarantined
- Your expected date of return
- A telephone number at which (or through which) you can be contacted

### **Can my manager call me when I’m sick?**

Your manager may call you to:

- Obtain **urgent** work-related information
- Find out when you expect to return to work, if you did not return on your expected return date

Sometimes a manager may call you at home out of genuine concern for your well-being. (For example, a manager might call someone who lives alone because they are concerned the person may need help.) However, if your manager calls you at home and you feel the calls are intrusive, you can ask your manager to stop calling you. If you feel uncomfortable speaking to your manager about this, contact your shop steward for assistance.

### **Can my manager ask me to provide medical evidence if I’ve been off sick for a few days?**

Normally, your manager should not ask for a doctor’s note (or any other form of proof) if you are away for five days or less. Your manager should treat you with respect and accept that you are legitimately sick when you phone in. A few people might try to abuse sick leave, but that’s not an acceptable reason to treat everyone with suspicion. A manager needs evidence to question someone’s use of sick leave. Asking for a doctor’s note should be the exception, not the rule.

### **When is it acceptable for my manager to ask for a doctor’s note?**

Article 34.01 identifies the kinds of conditions under which it may be acceptable for a manager to ask you to provide a doctor’s note. These are:

- Where it appears that a pattern of consistent or frequent absences from work is developing
- When you have been off for more than five consecutive scheduled days of work
- When at least 30 calendar days have elapsed since the last note or statement and you have been on sick leave throughout that time

If your manager asks you to provide a doctor’s note or evidence of your illness, contact your shop steward. Your steward will clarify your rights and help you determine whether your manager’s scrutiny of your sick leave is over zealous. When you are struggling to maintain or regain your health, your shop steward can be an ally in protecting your rights and in meeting your obligations to the employer.

### **It seems to me that one of my work colleagues is taking too much sick time.**

Sometimes people are tempted to speculate about the use of sick leave by a colleague. We should give our colleagues the same respect as we expect from our employer when we need sick leave. Even though a manager may ask for a doctor’s note under the conditions listed above, most of the time, the Board finds that there are no reasons to question use of sick leave. You should

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also keep in mind that many illnesses that are prevalent in our society are invisible, such as chronic fatigue and psychological and mental health illnesses.

**What information should my doctor include in a note?**

Check that your doctor includes this information:

- The date of your visit with your doctor
- The general nature of your illness – not the diagnosis
- The prognosis and expected return date

A note written on a prescription pad is acceptable. If your doctor charges for this, you must pay the fee. (See a sample note in the box below.)

<p>Dr. B. Well, M.B., B.Ch. Suite 104, Healthee Medical Bldg, 55 Illness Way, Delta, B.C. 604 444-4444</p> <p><i>July 30, 2007</i> <i>I saw Jane Doe today. She is recovering from surgery and is under my care. I expect she will be able to return to work by September 15, 2007.</i></p> <p><i>B. Well, M.D.</i></p>
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**After receiving the note, can my manager ask for more proof?**

No, not if the doctor's note is complete – i.e., it contains the information listed above. The Board must treat your doctor's opinion of your illness as valid. Your manager also can't ask you to be examined by another doctor. If the note isn't complete, the Board can require you to take an "Employee Absence Statement" form to your doctor to complete. This will mean another visit to your doctor. The form asks for more information than is required on a doctor's note.

If your manager asks you to provide a completed Employee Absence Statement, contact your shop steward before you take the form to your doctor.

**To whom do I return the doctor's note or Employee Absence Form?**

Give the doctor's note to your manager. Submit the Employee Absence Form to the Administrator-LTD,

RTW & WCB in Human Resources (HR). The current administrator is Janet Nilssen.

**I was told to return the "Employee Statement of Absence" form in five days, but my doctor said to leave it with him. I'm worried he won't mail it to the Board on time.**

Many doctors will tell patients to leave the form with them, as they prefer to do their paper work when they are not seeing patients. If this is the case with your doctor, inform the Administrator-LTD, RTW & WCB in H.R. of the date you gave the form to your doctor. Also, let the administrator know if you are unable to get an appointment with your doctor within the five days. The Board will cover the cost of any fees associated with completion of this form. Get a receipt and submit it to the Administrator-LTD, RTW & WCB.

**What is the "Staff Certificate of Fitness"?**

This is the form the Board may ask you to take to your doctor when you have been absent due to a major illnesses or injury. Your job description, an "Awareness Checklist", and other related information about your job may be attached to this form. In this form, your doctor provides the employer with his or her opinion as to whether you are able to attend work on a regular basis, perform the full range of your duties, or perform your job safely without endangering yourself or another person. If you are asked to submit this form, contact your shop steward.

**If I am off sick, but think that I could do part of my job, what should I do?**

Call a Return to Work (RTW) Coordinator to work with you and your manager to arrange light or modified duties. For more information on the RTW program, go to WSN. Click on "Employee Services", then "My health and wellness", and finally, "Arrange my return to work".

**I'm ready to return to work after a lengthy illness, but don't think I'm up to full-time work, what should I do?**

As above, call a RTW Coordinator to arrange a graduated return to work.

