

News and Views

C.E.P. Local 433



Volume 9 Issue 4

December 2005

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**Merry
Christmas
and
Happy
New
Year**



Next Meeting January 19th.
All meetings start at 8 p.m.



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A great deal of our time this year has been spent at the bargaining table. At the date of writing this report we have successfully concluded

Collective Agreements with Flexia, Montenay, Sulzer Pumps, Pliant, Vision Packaging, and Unisource. We are also close to reaching a deal on a first Agreement with B.C. Rubber. I'll outline below some of our accomplishments in bargaining.

At Flexia we achieved a five year agreement with wage increases of 2.5%, 2.5%, 2%, 2%, and 2%.

This is the term and wages of the pulp pattern. We also achieved some minor benefit

improvements and language improvements, especially in the area of seniority protection and supervisors working.

At Montenay we also achieved the term and wage pattern of the pulp industry, with a cost of living clause that forms the minimum wage increase. In other words, employees will receive the pulp pattern for wages unless the Vancouver CPI is greater than the negotiated wage increase, in which case employees would receive the equivalent increase of the CPI.

Employees also received some benefit improvements, and after a strike vote, we were able to eliminate the "step rates" in Montenay's Collective Agreement. In Operations, each classification had three "step

rates" and an employee had to work through the first two steps, over a period of time, before they became eligible for the top rate. These step rates are now gone and employees go immediately to the top rate in each classification.

At Sulzer Pumps they achieved a three year Collective Agreement with wage increases of 2.5%, 2.25% and 2.75%. These rate increases are on their end rates only. There were also some language and benefit

**"We also achieved
Blue Net cards for the
employees"**

improvements. One of the benefit improvements is that the employees will now be covered by a long term disability plan, which will be administered by the employer.

At Pliant we achieved a 4 year agreement with wage increases of 1.5% in each year. We also managed some small increases in the pension plan in the third and fourth years. We also achieved Blue Net cards for the employees; managed to restore the break times that employees had prior to the summer of 2004, including a fourth break for the Converting Department; and completely rewrote the language on Accumulated Time Off (ATO).

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Articles appearing in *News and Views* express the views of the authors. They are not necessarily the policy of the CEP or views shared by the editors or CEP officers.

At Vision Packaging we achieved a three year agreement with wage increases of 1.5% and 1.5% on the end rates, in the second and third years of the deal. There was also a small increase in shift differential, meal allowance, and boot allowance! We increased the severance pay provisions and instituted a banking system so employees can bank some of their overtime which can be used to cover their Christmas shutdown period. We also instituted a system where employees with 5 or more years service receive 50% of their

progression time towards a new position if they post, bump or are recalled into a new position. Probably the most important thing we did however, is we managed to get a cap on the number of Casual employees the Company can employ at any one time. As a result of this Collective Agreement, the Company can employ no more than three Casual employees. This was a major

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New members take the oath of membership at the October meeting.

Executive of C.E.P. Local 433

- President - Otto Wlittenberg
- Vice-President - Mike Beniach
- Recording Secretary - Ron Schuck
- Financial Secretary/Business Agent - Gord Campbell
- Treasurer - Tom Fulton
- Trustee - James Monks
- Trustee - Ken Nelles
- Trustee - Ken MacDonald
- Inner Guard - Brad Johnson
- Outer Guard - Greg Duff



*are the "U"
in UNION!*

win for us as the Company has consistently abused the use of Casuals.

While the agreement was ratified on a Saturday, the following Monday we found out the employer was bringing in a new machine, hiring a new employee to come in with the machine, at a wage rate set by the Company, with the intent that none of our existing employees would be able to bump into this position in the event of layoff.

While we have grieved, we also have legal advice that we would very likely win a bargaining in bad faith charge against the Company. We have told the Company we are willing to try and work this out with them, on the condition it does not prejudice our ability to go to the Board and file a complaint at a later date. At the time of writing this report we have had one meeting with the Company and are waiting to hear back from them.

At Unisource we bargained a three year deal with a signing bonus of \$500. We achieved some long sought improvements in our seniority language and some small improvements in benefit coverage. Also included in this deal is a provision that employees will pay the full cost of their L.T.D. coverage.

We held our ratification vote with Unisource on a Saturday. On the Friday before, the Company told us they needed some work done in the

Warehouse, so they would be staffing the Warehouse with supervisors while we held our ratification vote. This complete disregard for the Union nearly backfired, as the Collective Agreement was ratified by a very slim margin. So, as you can see, it has been a busy year at the bargaining table. We have also however, been busy with other activities.

“we also have legal advice that we would very likely win a bargaining in bad faith charge against the Company”

We will be holding our Shop Steward's school from November 24th through to November 26th. We had our annual picnic this year, which was once again a great success.

We have had a countless grievances and arbitrations and have more arbitrations scheduled for early in the new year.

We had a provincial election and will soon be having another federal election.

We had a major teacher's strike that came very close to a general strike.

It has been a challenging yet exciting year for all of us involved in the Labour movement and we look forward to another busy year in 2006.

And finally, I would like to take this opportunity to thank all of the Executive and the membership for their support and assistance over this past year. I also want to wish you all the very best over the Christmas season. Have a safe and happy holiday! ♦

Western Newsprint

Western Newsprint has laid off one employee for the winter but are running a regular day shift. We at Western Newsprint wish all members of the local and their families a very Merry Christmas and Happy New Year.

Best of the season to all. ♦

John Parker
Western Newsprint





President Otto Wittenberg congratulating Past President and Executive Board member Don Liddle on his retirement. Brother Liddle who served the Local for many years was given some parting gifts by the Local..

Origin of a holiday tradition

Internet/CALM

Early one Christmas Eve when Santa Claus went to harness the reindeer, he found one of them was about to give birth and the rest had jumped the fence and were heaven knows where.

After rounding them up, he began to load the sleigh when one of the boards cracked and the toy bag fell scattering all the toys.

Frustrated and behind schedule, Santa went into the house for a cup of hot apple cider with a stiff shot of rum. When he went to the cupboard, he found the rum was missing because the elves had hidden it. Feeling angry, he turned around quickly and accidentally dropped the cider pot. The pot broke into hundreds of tiny pieces that scattered all over the kitchen floor.

When he went to get the broom, he found the mice had eaten the straw down to a stub.

Just then the doorbell rang. Santa trudged to the door. He opened the door and there was a cute little angel with a great big Christmas tree.

The angel said, "Merry Christmas, Santa! I have a Christmas tree for you. Isn't it beautiful? Where would you like me to stick it?"

And so began the tradition of the little angel on top of the Christmas tree. ♦

Iron Mountain

Iron Mountain is a successful personal records management company with operations around the world and here locally we have approximately 83 members working in 7 different facilities in the lower mainland.

We are in our last year of our first contract with Iron Mountain and we look forward to the renewal of another contract.

I have had the privilege of serving on the Disciplinary Committee of our local and we have dealt with two different complaints. The experience has been very positive and I look forward to the resolution of any future matters. I would like to take this opportunity to wish everyone Merry Christmas and a Happy New Year. Please drive safely over the holidays. If you have any questions please direct them to my email m_sian@telus.net. ♦

Mo Sian



Governance game

Liberals should buy votes by building country, not cuttings taxes.

Dateline: Sunday, November 20, 2005

by Linda McQuaig

There was no end of scorn heaped on the Liberals last week for trying to buy our votes. But the problem isn't that they're trying to buy our votes. The problem is they're offering so little in return.

The Liberal election strategy laid out in last week's mini-budget seems to be mostly about offering wide-reaching tax cuts.

These days, it's easy to lose sight of the fact that the purpose of government isn't simply to collect taxes and then give the money back in tax cuts.

□ **A key neocon strategy has been to denigrate the role of government and suggest governments should concentrate on giving taxpayers their money back.**

The purpose of government is to, well, govern. And one important aspect of governing is to collect money from us and then spend that money in ways that provide us with benefits — benefits we simply couldn't create or afford on our own.

An appreciation of that unique role for government — as creator of public infrastructure, programs and services beyond what we could possibly accomplish individually — is utterly missing here.

It's all part of the neoconservative revolution that has sought to enhance the power of private interests by diminishing the power of government to protect the public interest. A key neocon strategy has been to denigrate the role of government and suggest governments should concentrate on giving taxpayers their money back.

The prevalence of this ideology has undermined our understanding of the enormously positive role that government can play in our lives.

Let's look at what the Liberals are offering with their dismal little tax cuts. Individually, almost

nothing. For individual taxpayers, the total savings range from about \$120 for a very low income taxpayer to about \$360 for a high-income taxpayer, according to the government's own numbers.

One would have trouble imagining a scenario in which these savings could significantly improve anyone's life. At the low end, the money could perhaps buy some clothing, groceries, a case of beer; at the upper end, a dinner out, a fancy toaster oven, some fluffy bathroom towels.

But, pooled together, the tax-cut money amounts to \$30 billion.

A lot can be achieved with \$30 billion. Some possibilities: providing top-notch diagnostic equipment in hospitals across the country, investing serious amounts in upgrading our universities and in early childhood education programs, properly funding public transit.

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Then there are programs long in place in the more advanced Scandinavian countries but not even on the radar here — free dental care for children, free university tuition, national drug plans, extensive leave programs for new parents and comprehensive home-care services.

Such investments would improve health, national productivity and the environment.

But don't let that throw you off and lead you to conclude that they'd be mostly about meeting lofty goals.

They'd also be about making our lives more manageable and enjoyable, and they'd take us further in that direction than a couple of hundred dollars in tax relief could.

It's the difference between government providing a cash-back service and doing something largely forgotten in this neoconservative age: actually governing. ♦

*Linda McQuaig is an award-winning journalist and a columnist with the **Toronto Star** in which this column originally appeared. She is the author of **All You Can Eat: Greed, Lust and the New Capitalism** (Penguin paperback, \$22) and her newest book, **It's the Crude, Dude: War, Big Oil, and the Fight for the Planet**, now available in paperback for \$22, is published by Doubleday, Canada.*



Linda McQuaig speaking at the C.E.P. National Convention



Deadly accidents at work

Labor Notes/CALM

More than 2.2 million workers are killed across the world each year by work-related accidents or occupational diseases, according to a report, "Decent Work—Safe Work," put out by the International Labor Organization.

The report says this number may be underestimated due to the poor reporting of job-related illnesses and death by many governments. Work-place accidents have been rising in recent years, mostly in mining, construction and agriculture in developing countries that are experiencing high rates of growth. Fatal accidents have been rising especially fast.

News flash! Bosses are jerks

Labor Notes/CALM

A recent report in the U.K. found that workers think their bosses are excessively bureaucratic, dole out blame arbitrarily, are inconsistent in decision making and interfere with workers' ability to do their jobs

President's Report

This year your Local made a major change in how we decide whether or not to advance a grievance to arbitration. Previously this decision was made by the members who attended the general meetings. Now the executive board of the Local makes the decision which is then reported to the general membership. Initially this change was met with a lot of scepticism but in my opinion it was a wise move for the Local. The main reason for the change was to protect your Local from possible charges if decisions were made based on the popularity or unpopularity of the initial griever. What happens now is that there is more in-depth discussion of the grievances and legal recommendations. The member(s) involved have more opportunity to be interviewed and to make their own pitches with regard to their grievances. As the member now will know the decision prior to the general meeting he/she may decide whether to attend. Since the executive board is made up of plant committee members there is more answerability placed on them from the griever's own workplace. I believe this promotes more active involvement on the executive board. In

summary, I find the system we now use is more fair to the members and more informed decisions are made. This just has to be good for your Local.

I would like to wish all CEP members and their loved ones Season's best wishes and Happy New Year. ♦

Otto Wittenberg



Sonoco New Westminster

We have been moderately busy in our 48" spiral winding department, our 3" winder less busy, and our finishing department slower than usual. We have had two employees leave voluntarily in Oct, with no plans to replace them until business picks up. Three employees have reached these service dates:

DONALD FONG	NOV. 16	32
years		
JAI NARAYAN	OCT. 2	31
years		

BRIAN YOUNG	NOV. 4	25
years		

Best wishes to all members in 2006 & HAPPY HOLIDAYS from SONOCO New Westminster!! ♦

Lyle Mielitz
Sonoco NW

The Ten Top Phrases heard just before the "Big Bang"

- Trust me.
- What does this button do?
- Remember, this is still experimental.
- Where does all this stuff go?
- Sure, it's safe to mix these.
- It's only dangerous if you drop it.
- Help me get the lid off this thing.
- What could go wrong?
- Let me handle this.
- I don't feel so good.

-Paula Robinson.



Above: Brother Gordie Bell receives his 25 year pin. Below: Brother Warren Anderson receives his 30 year pin from President Wittenberg.



Buckeye

Its been a challenging year for us all at Buckeye. It is due to an excess capacity in the airlaid business. We have had to lay off sixteen employees and are currently running at only 75%. There has recently been a recall of six back to work.

There is much optimism for the new year, with some new products being developed. With effective management and all of our brothers and sisters working hard together there may be a light at the end of the tunnel.

On behalf of all of us at Buckeye we wish everyone a Merry Christmas and a Happy New Year. ♦

Plant Comittee Member
Aaron Faulkner

Literary reference

Internet/CALM

What do you call a hangover caused by drinking too much wine?

The Wrath of Grapes



Unisource

At Unisource Business has been steady but not spectacular as we continue on with life after EVG {Save-on-Foods} , Starbucks is now our big customer and with it comes some issues that need to be worked on between Management and the Union. Hopefully some of the suggestions that have been put forward by our members will be acted upon by the Company, as we both want to provide the best possible service to our Customers.

We recently had a Joint Union/Management relationship meeting and we discussed a number of issues from safety to our light -duty program and while we had some heated discussion on

these topics, I believe that some progress was made in some areas but we still have a long way to go in others. We will continue to encourage our members to bring forward ideas that they feel will enhance and improve things on the shop floor.

With the Holiday season fast approaching I want to take the time to wish all the Brothers and Sisters a Safe and Happy Christmas and a Great New-Year.◆

Brad Johnson
Plant Committee

Custom Paper

Custom Paper is busy with an afternoon shift running. There were a few problems, but most were straightened up after a meeting Gord and I had with management. We've had one new hire. Wishing everyone the best this holiday season.◆

Brian MacDonald



Finding happiness

Internet/CALM

“**How far** you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong. Because someday in your life you will have been all of these.”◆

— George Washington Carver (1864–1943)

New Year's resolutions

Internet/CALM

When I hear a funny joke I will not reply, “LOL...LOL!”

I will think of a password for my computer other than “password.”

I will find out why the correspondence course on mail fraud that I purchased never showed up .



IN MEMORIAM

Jack Meisner, retired from Norampac and on the Local's Executive many years ago.

Crown Packaging

Today, November 22nd, brother Wenborn and I met with our plant manager hoping to get some honest answers about the financial well being of our company. I am sorry to say that we left empty handed. A member, who had been told by his department manager that there would be no training as the company was broke, approached brother Wenborn. This was contrary to what we had been told all spring and summer. Every time there were training issues we were assured that they would be doing a ton of training when it slowed down in the fall and winter.

Now I will tell you what we were told today. First we were told that the member was not telling the truth. Then when we asked about training we were told that things were going to be slower this winter than in winters past. That they were looking at possibly late winter, closer to April to get caught up on training and get prepared for the summer season. No real pre-run to speak of, money is tight.

Maybe it's just me, but I believe that relationships are built on trust, honesty and the sharing of information between the affected parties. When we were asked for cooperation we were given deceit, when we were asked for consideration we were given lies. The results will be that some poor member will eat gruel over Christmas while the company chokes on their turkey.

Brothers and Sister, Christmas is upon us once again, and once again we must consider our good fortune and those less fortunate. Please be generous and share our good fortune with those in need and truly it will be a happy season. Merry Christmas from your Standing Committee, see you in the New Year. ♦

Rod Peat
Plant Committee



Halloween at Crown Packaging
Is imitation the sincerest form of flattery. Which one is Marty?

Work Law

Lost cause?

Dismissing probationary employees

by Alison Warrian/CALM

Probationary employees are often excluded from "just cause" protection against dismissal. Because they are usually employed for less than 90 days, employers are free to dismiss probationary employees without having to prove cause if the union challenges the dismissal in a grievance.

Occasionally, contracts state that management must exercise its rights reasonably, or fairly, and that requirement of reasonableness or fairness would apply to the decision to terminate a probationary worker. But more often than not, management's rights to make decisions apply only to the extent that those rights are limited by specific language in the agreement. So, if there is no specific limit on the right of an employer to dismiss a probationary employee, is the employer free to do whatever they want?

Not necessarily. It may be possible for a union to challenge such a termination on the basis that the employer's decision was arbitrary, discriminatory or made in bad faith.

Generally, this means that a grievance may succeed if the employer's decision was made without consideration of relevant factors, was based on improper factors or was motivated by ill will.

Also, it is always possible to challenge a dismissal if the dismissal was contrary to the Human Rights Code. Say an employer terminated the employment of a worker with a back injury because the worker was unable to lift as much as some of his or her co-workers. Probationary employees are entitled to accommodation under the Code, so the employer has a duty to accommodate a probationary employee the same as they do a permanent one.

Unfortunately, cases are not always clear-cut. Unions seeking to prove that an employer terminated a probationary employee in an arbitrary,

discriminatory or bad-faith manner face a difficult task at arbitration. It is often difficult to prove why an employer made the decision, and it is often easy for employers to point to some reason why the probationary employee did not perform up to par. It's difficult to excel in a job when you are new. As well, when challenging the dismissal on the basis of arbitrary, discriminatory or bad faith conduct, the union bears the burden of proving its case at arbitration. This is different from discipline and discharge cases under just cause language, where the employer has to prove that it had cause to take disciplinary action against an employee.

• *Alison Warrian practises law with Sack Goldblatt Mitchell in Toronto. For more information on labour law issues, visit the firm's web site at www.sgmlaw.com*

A miracle

Internet/CALM

A priest was driving from his rural parish into the big city to see some live theatre.

Along the way, he was pulled over for speeding. As she was preparing the ticket, the police officer who stopped him smelled alcohol on his breath and spied an empty bottle on the floor of the car. She asked the priest, "Father, have you been drinking?"

The priest replied, "Just water, my dear."

The officer said, "Then why do I smell wine?"

The priest looked down at the bottle and exclaimed, "Good Lord, he's done it again!"

