



BARGAINING UPDATE

As 2nd National Vice-President in charge of bargaining, it is my pleasure to engage with you on the bargaining process and the plan moving forward.

The UTE National Bargaining Committee has now been struck and is comprised of:

- Adam Jackson, 2nd National Vice-President
- Jamie vanSydenborgh, Regional Vice-President, Southwestern Ontario Region
- Chris Heywood, Sudbury Tax Center local, Presidents' Representative for the Tax Centers
- Michele Neill, Charlottetown local, Presidents' Representative for the Tax Services Offices
- Brian Oldford, Regional Vice-President, Atlantic Region
- Cosimo Crupi, Regional Vice-President, Northern and Eastern Ontario Region
- Gary Esslinger, Regional Vice-President, Prairie Region
- Greg Krokosh, Regional Vice-President, Rocky Mountains Region
- Eddy Aristil, Regional Vice-President, Montreal Region.



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The Committee is scheduled to meet January 8 – 12 and will be prioritizing the bargaining demands received from our members, locals and labour relations officers from the national office, in order to finalize the document containing our bargaining demands. Once the work is done, we can then proceed to the next step of communicating with the CRA Bargaining Agent.

The level of engagement and activism has been exceptional and the volume of demands shows the dedication of our membership which will hopefully lead to better benefits through collective bargaining.

The last round was very difficult and a great deal of gratitude and credit is due to the personal time sacrificed by each member of the bargaining team. The hours were long and the time away from family can never be made up. They did this for the membership and I thank them for that dedication.

We were faced with a “final offer” that obviously wasn't. We were faced with a vote on a contract offer that was contrary to the very bargaining process we hold as paramount in importance. We showed that unreasonableness will be met with a “NO” vote. We proved that when we need to stand up for what is right and fair, we can, we did, and we will.

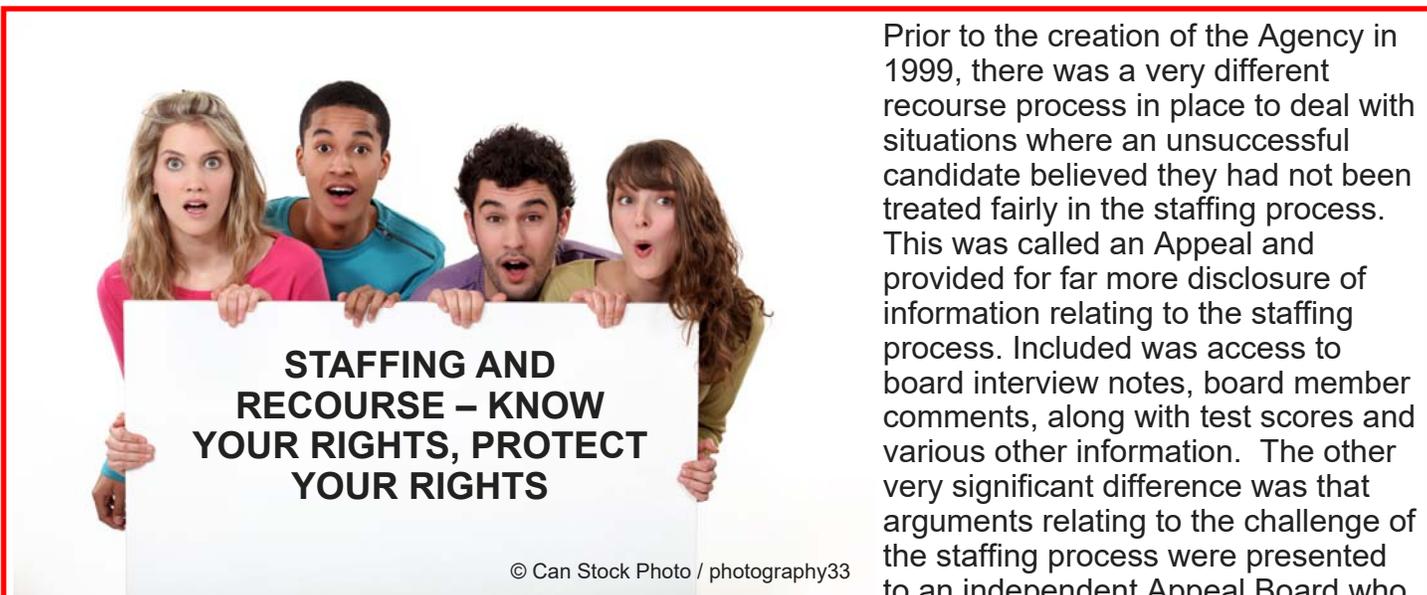
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**SI VOUS PRÉFÉREZ RECEVOIR CETTE PUBLICATION EN FRANÇAIS,
VEUILLEZ VOUS ADRESSER À VOTRE PRÉSIDENT- E DE SECTION LOCALE**

25,000 members depend on this process to be fair and reasonable, as this affects our daily lives and those of our families. We need you to help us get the best deal we can. 25,000 strong voices will get us that deal. 25,000 people fighting for better pay and benefits will send a signal that the membership is behind us. I am optimistic that this round will run smoothly. I know that the employer recognizes the power 25,000 members will bring to the table.

I hope to hear from members across the country and ask for your support in this round of bargaining. We can do this together and with your support we will.

Adam Jackson
2nd National Vice-President



Prior to the creation of the Agency in 1999, there was a very different recourse process in place to deal with situations where an unsuccessful candidate believed they had not been treated fairly in the staffing process. This was called an Appeal and provided for far more disclosure of information relating to the staffing process. Included was access to board interview notes, board member comments, along with test scores and various other information. The other very significant difference was that arguments relating to the challenge of the staffing process were presented to an independent Appeal Board who

had significant latitude in any corrective action. While there were criticisms raised with respect to the length of time that these processes often took, in the opinion of the union, it provided for a more transparent process.

With the advent of the agency in 1999, legislation was enacted that amongst other things created CRA's own staffing framework, including recourse processes. It is the belief of UTE that these new staffing processes initially very much restricted employees access to information relating to how they were treated or assessed during the staffing process. Over the last 17 plus years through the hard work of UTE and its staffing committee, some success has been achieved in convincing the employer to adapt these policies to make them, we believe, more fair and transparent.

The recourse system was put in place with three levels of recourse:

- Level I – Individual Feedback (IF)
- Level II – Decision Review (DR)
- Level III – Independent Third-party Review (ITPR)

This article will discuss Individual Feedback and is the first in a series of three articles about the various staffing recourse levels.

Level I – Individual Feedback (IF)

Individual Feedback is defined in the Staffing Process as:

A review of an employee's concerns of arbitrary treatment as a result of a staffing decision or

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MESSAGE FROM THE PRESIDENT

As 2017 comes to a close, it is appropriate at this time to look back on the important events that have transpired in the past year. I believe it is fair to say that it was once again a year filled with emotions.

First of all, we participated fully in the union-management consultation meetings and joint committee meetings held with the employer at all levels. We made sure to express your concerns in a frank and firm manner.



Your union representatives made many follow-ups with the employer throughout the year on various issues in order to make sure your rights were being respected. This included:

- Making sure that retroactive salary payments associated with the signing of the last collective agreement and requests pertaining to severance pay were completed within the stipulated timeframes.
- We exercised our right to use the re-opener clause negotiated during the last bargaining round. This has allowed us to reopen discussions on rates of pay for the last two years of the last contract, i.e. the years ending on October 31, 2015 and 2016. Not having been able to reach an agreement with the employer during our May bargaining session, our bargaining team has asked that the dispute be referred to the Federal Public Sector Labour Relations and Employment Board so that an arbitrator can settle the matter with a binding decision. The hearing for this case is scheduled for Wednesday January 31, 2018.
- We are also putting the final touches on the preparations for the next bargaining round, slated to begin in spring 2018. Obviously, I am asking you to support your union and your bargaining team without reservation. We proved last year that we can achieve far more when we all stand together!
- Making sure that the employer complies with all the provisions of the collective agreement when it comes to work force adjustment (WFA) situations following the Service Renewal Initiative announced in November 2016.

Like all their federal public service colleagues, some of our members are dealing with recurring Phoenix pay system issues. However, we have put in place a memorandum of understanding with the employer, meaning that your union can concretely help you resolve your pay problems. Speak with one of your local union representatives for further details.

I want to point out that we have fought hard to defend the interests of our members to the employer, in connection with the various work reorganizations undertaken by the CRA. I am pleased to say that the employer now consults your union more regularly and in a more meaningful way.

In addition, we are keeping a close eye on the situation in call centres, particularly following the release of the Auditor General's report. Discussions have already been held in that regard with the Minister of National Revenue, the Honourable Diane Lebouthillier, and with the Commissioner of the Canada Revenue Agency, Bob Hamilton, to find solutions to the problems that our members, who work in those call centres, are experiencing.

In closing, I wish you and your families a very Happy Holiday Season, with the hope that next year will be better for us all.

In Solidarity,

Marc Brière
National President

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voluntary assessment. It must be completed before requesting either decision review (DR) or independent third-party review (ITPR), if available. (Note DR and ITPR will be discussed in future articles)

The review includes a formal discussion between an employee and a manager.

During the staffing process where a candidate feels that they may not have been treated or assessed fairly they can file for IF. This is done by completing the RC136 form. Assistance can be obtained from a local union executive or a steward in the completion of this document. Contained in the form is a question that the employee must complete advising how they feel they have been treated arbitrarily. Since the creation of this form, UTE has challenged and continues to challenge its use. Basically, what the employer is asking you, is to explain how you have been treated unfairly, without providing you access to any information which you could use to determine if that was the case.

As part of the process, **prior** to actually having a meeting with the hiring manager, the employer is required to provide to you copies of all relevant materials related to you from the staffing process. This would include board notes recording the answers you had provided, board comments or opinions on your answers, as well as copies of any reference checks done as part of the process. This allows the member the opportunity to review their own information and raise any concerns they may have at the IF meeting.

An example of this might be:

A question was asked by the board that you provide an example of how you dealt with a problem in the work area. You provided an example and reading through the board notes you see comments suggesting that the example was not complex enough. There was nothing in the board comments to suggest you had not fully answered the question, just that in the opinion of the Board the example was not complex enough. When you review the question asked by the board, you see nowhere in it where it makes specific reference to provide a complex example. This is a situation where it could be argued the member was treated arbitrarily.

In the IF meeting members are not allowed to bring anyone with them, so it is important that you prepare ahead of time with respect to any questions or concerns that you may have. In most cases this meeting is held with the chair of the selection process you are challenging. You must be provided a written response to your IF after which, if you are not satisfied with the decision, you can file for DR.

Suggested generic wording to use on the RC 136 prior to receiving proper disclosure.

If screened out of a process for not having the pre-requisites.

The Hiring Manager/Selection Boards did not properly evaluate my application against the screening criteria, thus I have been treated arbitrarily.

If not being placed in a pool for failing on one or more of the assessments.

The Hiring Manager/Selection Board failed to mark my assessment correctly, thus I have been treated arbitrarily.

If not being selected for an appointment from a pool.

The Hiring Manager/Selection Board failed to properly assess me against the appointment criteria, thus I have been treated arbitrarily.

If you would like more information on Individual Feedback please refer to the following document on

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the CRA Infozone: "Procedures for recourse on staffing (Staffing Programs)".

Recourse checklist – It's your right (Part 1)

- ✓ If you believe you may have been treated arbitrarily in a staffing process consider filing for individual feedback.
- ✓ Ensure you are provided with all the relevant documentation in relation to you. This includes board notes, interview answers, reference check notes from all references including supervisor, peer or other prior to your IF meeting.
- ✓ Do not accept to attend a meeting before you have been provided with the information noted above and have had a chance to review it.
- ✓ You are entitled to an IF response in writing, ensure that you receive it. If not satisfied with the IF response consider filing for DR.

Gary Esslinger
Communications Committee

UNIONIZATION IN THE TWENTY-FIRST CENTURY

April 15th 1872 - Ten thousand Canadian citizens descended on Queen's Park in support of Toronto's print workers who were striking in protest of their 10+ hour per day, 7 day per week schedule. George Brown, then the publisher of the Toronto Globe had the Strike Committee arrested for criminal conspiracy, but the outpouring of support from the community and subsequent gatherings protesting the arrests signalled that things were changing in a drastic way. Later that same month, Prime Minister Sir John A. Macdonald introduced the Trade Union Act legalizing and protecting unions in our country. Over the proceeding decades, the role and importance of unions to the broader Canadian society was cemented in the minds of citizens and politicians alike. The issues and concerns of workers were easily understood, and both unionized and non-unionized citizens identified with the goals of our unions.

Now however, well into the 21st century, something is happening. Over the last number of years there has been a significant drop in the rate of unionization of Canadian workers. According to Statistics Canada, the rate of unionization has fallen from 37.6% in 1981 to 28.8% in 2014. This decline was most dramatic among male workers, for whom the unionization rate fell from just over 42% in 1981 to 27% in 2014. While the decline has been most pronounced among men and younger workers, it is undeniable that the percentage of workers in this country who belong to a union has been decreasing.

So what's the deal!? Why is union membership, something that should be so desirable to all workers, decreasing so dramatically? One of the most important factors is the changing landscape of the Canadian workplace. The secure, well paid, full time jobs of years past, continue to be replaced with precarious, contract and part-time positions. Many of the new hires within the CRA are now hired for contracts so short that they are precluded from even being dues paying members, and thus are not eligible for representation and benefits. This shift has had numerous unintended and intended consequences, including the fracturing of our collective work force between indeterminate and determinate employees, as well as between determinate employees on terms less than three months (term minus) and dues paying members. This has had a dramatic effect on our ability to mobilize, as many of our precariously employed members are much less likely to participate in union related activities out of fear of possible reprisals. Additionally, many of our younger members, as well as those who are new to the Public Service who do not have a working knowledge of our union, see the organization as little more than an extension of the bureaucracy in which they work.

All this means that our efforts to engage and educate our members will become even more important in the coming years. Our ability to connect with our members regarding the issues that

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matter most to them today will be paramount if we are to curb the trend of decreasing engagement and falling unionization rates. We need to broaden the discussion to include not only the benefits of increased unionization to workers, but also the benefits to the broader society in which our members live. In an era of widespread wage stagnation and ever increasing income inequality, unionization offers an important tool to level the playing field. The economic and health related benefits of increased unionization rates in this country are undeniable, and as activists we need to not only engage with our existing members but also with our brothers and sisters in the private sector. The fight for better wages and protections for all workers in this country is our fight.

Over the coming months we will endeavour to feature articles related to the struggles and triumphs of our members, and offer a platform for the sharing of our stories. As we continue to meet our challenges head-on, and to fight for the fair and equitable treatment of our members, we will create a space for the celebration of who we are and what we are working to achieve.

We would love to hear from you, please email us at communications@ute-sei.org with your stories.

Nate Angus-Jackman
Communications Committee

MEMBER BENEFITS

To provide the best possible service to its members, PSAC has negotiated on behalf of all members including Union of Taxation members, preferential rates and discounts with various service providers.

UTE members have access to exclusive savings through this program which translates to added value to our membership.

In this newsletter we are highlighting one of these partners – AGR Home and Auto Insurance.

Protect your home during the Holiday season.

As the Holiday season approaches, many Canadians take advantage of their vacation days to plan a trip or visit family. But before you head off, your brokers at AGR Insurance want you to remember that your home needs extra protection to prevent against theft and water damaged while you're away.

AGR suggest the following tips to keep your home protected while vacationing:

- **Make a home look occupied when away.** Park a car in the driveway and have a neighbor keep it cleared, install an indoor light timer, place newspaper subscriptions on hold and ask a neighbour to collect mail, have your driveways shoveled after every snowfall.
- **Install a security device with a loud alarm or flashing lights.** Some alarms can contact authorities directly when they have been activated.
- **Use deadbolt locks on all doors.** Ensure doors, including garages and sheds, are locked and secured. Be sure to remove any house keys from obvious hiding places, such as under doormats or flowerpots.



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- **Ensure all windows are locked.** Consider upgrading to ones with improved locking systems.
- **Turn down the heat to no lower than 55 °F (13 °C).** A low heat setting will prevent your water pipes from freezing or bursting.
- **Have your home checked.** Some insurance policies require that if you are away for more than a few days, a responsible party must check your residence daily to ensure an appropriate temperature is maintained to avoid pipes bursting and serious water damage

AGR Insurance Brokers Inc. have partnered with PSAC since 1985 and are proud to be the official broker for your Home and Auto insurance program. As brokers, they shop the market and get you the best priced protection for your needs.

For further information or to obtain a quote, please call at 1-877-880-5029 or visit psacinsurance.com.

*Don't forget to register your current home or auto insurance expiry date now & you could win Cash for Life!**

SEASONS GREETINGS FROM THE NATIONAL EXECUTIVE AND STAFF OF THE UNION OF TAXATION EMPLOYEES

INCLEMENT WEATHER

In the September 2016 issue of Union News an article was featured regarding Leave With or Without Pay for other reasons. This is in respect to employees who were either unable to report to work or were late in reporting, usually as a result of inclement weather.



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Article 53.01 provides for the opportunity to have employees paid for the hours of work missed in specific circumstances. To be clear these are not cases in which members will be required to take vacation or other forms of leave, but rather that a special leave code should be available as leave with pay for other reasons.

Unfortunately, many members are unaware of this collective agreement clause or at times have been dissuaded by the employer to access such leave.

There are certain criteria and obligations the employee must meet in order to be granted this leave. All of this information is contained in the article from the September 2016 issue of Union News, which can be found on our website at ute-sei.org under News and Events. We strongly suggest members refer to the article and seek the assistance of their local executive if they encounter circumstances where they were either late or could not attend work due to severe

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weather conditions and are being told by the employer they need to use vacation or personal leave. For your information the article can be found on page 2 and continued on page 4 of the newsletter.

Note: in the newsletter article referenced above the reference is to Article 54.01. As a result of changes in the last collective agreement the article was renumbered to 53.01, however there are no changes to any of the wording.

PERFORMANCE EVALUATIONS AND YOUR CAREER

Previously, our performance review didn't seem overly important for our future. Today, things are different. In 2013 and 2014, the rules of the game changed when the employer decided to link the performance review with the staffing process.

Below is the overall assessment of core performance from the Y280 (Employee Performance Report)

Level 5 – Performance results exceed expectations.

Level 4 – Performance results achieved all expectations and sometimes went beyond expectations.

Level 3 – Performance results achieved all expectations.

Level 2 – Performance results mostly met and sometimes were below expectations.

Level 1 – Performance results did not meet expectations.

Once you apply in a competitive process, the following minimum staffing requirements apply:

- For temporary and permanent promotions of CRA employees, candidates must have achieved a performance level 3 in their basic performance expectations for the most recent performance management cycle.
- For temporary or permanent appointments at level, candidates must have achieved a performance level of 2.
- Before identifying a candidate for an appointment, managers must re-verify the performance level if a new performance cycle has started.
- The performance verification must be based on the most recent performance report or on a performance validation.

Therefore, you will see that if you apply for a competition and your latest performance rating is a 1 or 2, at the prerequisite stage you could be screened out. If you are not screened out at the prerequisite stage, at appointment they will not consider you unless you have met the minimum requirement.

It is crucial to stop thinking of your performance review as unimportant. As soon as you receive a performance review rating of 1 or 2, you should immediately contact a union representative to discuss the options available to you.

CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Louise Dorion (dorionl@ute-sei.org) or via the national web site. If you do not have access to an e-mail, please pass it on (with your PSAC ID) to a local representative or mail it directly to the National Office at 233 Gilmour Street, Suite 800, Ottawa ON K2P 0P2.