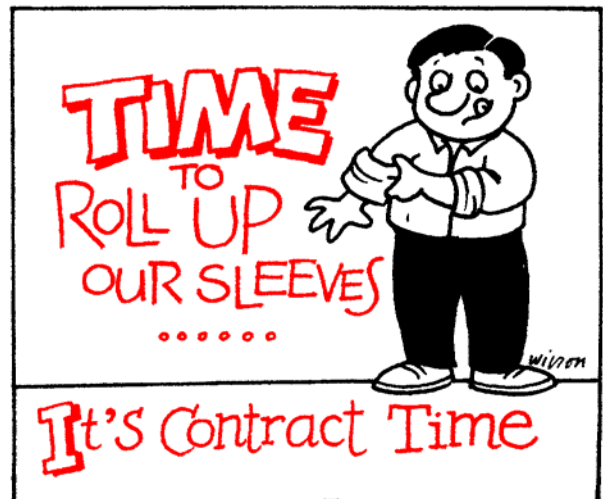




## SOLIDARITY WORKS

Sisters and Brothers, we are entering into the phase of bargaining where we exchange demands with the employer. Your National Bargaining Committee has reviewed over 280 demands from across the membership. This is an incredible show of dedication to each other and to making a better contract each time we get to the table. By the time you are reading this, we will have announced the UTE Bargaining Team. Once the demands are exchanged, we will post them for every member to see. We wish to make this process as transparent and inclusive as possible, while respecting the rights and obligations of the negotiation process. We also expect that the wage re-opener decision will be delivered soon.

As we head into this round of negotiations, we need to be clear that every round of negotiations is only as successful as our solidarity. The union movement has recently been successful in obtaining things such as: Phoenix money, a door open to pharma-care, and domestic violence leave. These are clear examples of what can be achieved through lobbying when a large group stands together in solidarity.



We can get the contract you want, we can get you the leave and benefits you want but we need your backing and we need it to be solid and tireless. This contract, like the ones before, lays the foundation for the next. Don't ever forget that your salaries were rolled back, and don't ever forget that we no longer have severance. Your local may ask things of you such as a special shirt day or displaying signs or something you think is so out of this world that it makes no sense and would never help in getting a contract. You have a point – wearing a UTE shirt for one day won't get you a contract! However, if the employer sees every single member supporting the union in what seems like an inconsequential action, they will know that the union and your bargaining team have your support for getting a solid contract. That's the type of solidarity that changes legislation on a bigger scale as we just saw and that's the type of solidarity that gets the employer moving on issues. It's really that simple.

I've said it in the last newsletter and I will say it again, over 25,000 members standing up for a better contract will get a better contract. **Solidarity Works.**

*Adam Jackson*  
2nd National Vice-President

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



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On our last newsletter you were provided with information on the first step in the CRA Staffing Recourse - Individual Feedback-IF.

The CRA Staffing Recourse system was put in place with three basic levels of recourse.

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

This article will discuss Decision Review (DR) and is the second in a series of three of articles explaining the various staffing recourse levels.

## Level II – Decision Review (DR)

Decision Review (DR) is a review of an employee's concerns of arbitrary treatment following IF. Decision Review, if available, is conducted by a decision reviewer and can be requested only after IF is completed.

To file for DR you must use the RC 135 form and file it within 9 days of receiving your IF response. On this form, again, you must state how you believe you were treated arbitrarily. If you encountered a situation similar to the examples shown in the December 2017 issue of Union News regarding IF or you specifically saw something you considered to be arbitrary you should certainly include that when completing the form. Unfortunately, most times until you've had the opportunity to review other information it is difficult to provide specifics which could be relevant to the member's assertion that they were treated arbitrarily.

**Note: you can refer to the December issue of Union News by visiting the web site at [www.ute-sei.org](http://www.ute-sei.org), clicking on News and Events at the top, and then select Union News on the left side of the page.**

One of the most significant differences between IF and DR is that at DR you now have the right to be represented and have that person fully participate in the Decision Review. We strongly recommend that you engage help and support from your local union when dealing with a DR situation.

Another change is that in our opinion, you have the right and can request to be provided with copies of the information relating to successful candidates. As with IF you should be able to see copies of board notes from interviews, any additional board notes and comments, copies of reference check information that relate to both yourself and successful candidates in the process.

It is suggested that you request a reasonable number of successful candidates results that can be compared to your information which will greatly assist in attempting to determine if you were treated arbitrarily in the process. This information is vetted to ensure the privacy of those candidates. Again, it is highly recommended that you refrain from meeting with management for your DR prior to receiving the requested documentation and only after you have had an opportunity to review it, hopefully with your union representative.

*(Continued on page 3)*

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*Footnote: we still see on a regular basis a resistance to this with the employer wanting to proceed to DR without having shared any information. Rather, they are asking the employee to explain why they need to see another candidate's information. If this type of roadblock is encountered, we strongly urge members to contact their local union for assistance.*

This seems truly counterproductive to having an open and transparent staffing process and it is suggested this type of secretive approach will not instill any confidence or trust with employees who are only looking to ensure they were treated fairly.

As mentioned in part I of this series, members are reminded that even if you are successful at the assessment stage in the process and placed in a qualified pool, YOU MUST avail yourself to both IF and DR. Otherwise if you are not selected at placement, you do not have the right to bring up any flaws from the assessment stage at an Independent Third-party Review.

**If you would like more information on Individual Feedback and Decision Review please refer to the following document on the CRA Infozone: "Procedures for recourse on staffing (Staffing Programs)"**

**Recourse checklist – It's your right (Part 2)**

- √ If not satisfied with the IF response consider filing for DR. Remember, you have 9 days to file for DR upon receipt of your IF response.
- √ Ensure you are provided with all the relevant documentation in relation to you and the other candidates in the Pool. This includes board notes, interview answers, reference check notes from all references including supervisor, peer or other prior to your DR 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 have a right to Union Representation during the DR process.
- √ You are entitled to an DR response in writing. Ensure that you receive it.

**Gary Esslinger**  
**Communications Committee**

**SHOULD A CANDIDATE IN A STAFFING PROCESS PROVIDE A REFERENCE CHECK FOR ANOTHER CANDIDATE IN THE SAME PROCESS?**

In a very recent ITPR decision, we successfully demonstrated the employer acted in an arbitrary manner when they selected a referee i.e. the manager filling the reference check was also a candidate in the same staffing process. The reviewer agreed with our arguments and found that the employer placed the referee in a potential or apparent conflict of interest.

Excerpt of the decision:

Because [the referee] was a candidate in the same staffing process, [their] private interests (as a candidate in the same staffing process) could reasonably be perceived to impair [their] ability to perform [their] duty to complete the reference check for [the requestor] in an "objective" and "impartial way".

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## MESSAGE FROM THE PRESIDENT

Over the last several years, the Union of Taxation Employees (UTE) and the Canada Revenue Agency (CRA) have experienced, from time to time, a serious strain and lapse with respect to our Union-Management relationship. In fact, at one point, UTE officially withdrew from the union-management consultation process. Many factors contributed to the erosion of our interaction with each other, including but not limited to UTE's perception that consultation was quite often not meaningful, but instead a mere briefing by the employer on significant issues affecting our members. Moreover, the tensions and difficulties encountered by the parties during the four-year negotiations for a new collective agreement certainly had an influence on our relationship.

As a result, towards the end of 2017 and early into this year, I have had the opportunity to meet with the Commissioner of the CRA to discuss ways to improve the Union-Management relationship between us. I am pleased to report that we have agreed upon a renewed commitment to meaningful consultation. This renewed commitment has led to the resolution of two major issues affecting many of our members across the country through the successful negotiation of two Memorandums of Understanding (MOUs).



The first of these was the agreement on recruitment and retention incentives for our SP04, SP05 and SP06 Compensation Advisors, similar to the incentives offered to those in the core public service.

The second MOU served to rectify a problem arising from the negotiation of our last collective agreement affecting our term members. Following the conclusion of bargaining, it was brought to our attention that members in some regions were being adversely affected by the inclusion of newly negotiated clauses 34.03 and 61.04. For greater clarity, some term members who had reached their end of term and were eligible for rehire were advised that their eligibility for vacation leave credits would be reset to their new date of hire and that past service would not be counted in their accumulation of vacation leave credits.

The fact that the Agency also decided to review its Greater Toronto Area Service Modernization Plan and took the time to consult with UTE, the AFS group, and the affected employees is another concrete example of this renewed commitment to meaningful consultation. The Employer continues to consult with us during the Implementation Phase.

This renewed commitment to consultation is slowly trickling down to all levels of both organizations, but we recognize that changing cultures and styles take time. We know that we still have problems in some offices. While we are committed to this new spirit of consultation, we will remain vigilant of our members' interests and rights and will avail ourselves of legislated and negotiated recourse and redress procedures, if necessary.

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The hearing for the wage reopener took place in front of the Conciliation Board on January 31<sup>st</sup>. We presented our case and so did the CRA. We decided to have a two-fold plan. First, we tabled an offer asking for a 3% wage adjustment plus 0.50% for each of the two (2) years concerned, 2014-2015 and 2015-2016. The 3% wage adjustment relates to the average wage gap between our members and those belonging to the FB group (non-armed officers at the Canada Border Services Agency). As a worst-case scenario alternative, we tabled an offer of 0.75% for each year. The Employer tabled an offer of 0.25% for each year. The Conciliation Board has two (2) months to render its binding decision as per the agreement signed by both parties.

As you know, we will also enter into a new round of Collective Bargaining in the very near future. We are well prepared and ready to enter this round with enthusiasm and hope that the negotiations will unfold smoothly. I certainly hope that renewed commitment to consultation between the parties will positively impact this round of bargaining. With the continuous and growing support of our members, we have gained momentum during the last round.

Let's keep standing strong together and we will be successful in achieving our goals and objectives! Support your bargaining team!

In Solidarity,

**Marc Brière**  
**UTE National President**



## MENTAL HEALTH

As we begin another incredibly busy, and at times frenetic tax filing season, we are once again reminded of the incredible volume of work that we as CRA employees do for Canadians. As the work rolls in, so do the newly hired employees, including those who are returning and many who are brand new to the Agency. Many, if not all of these new hires will be determinate or “term” employees, and while we tell ourselves that we are all the same, the truth is that our determinate and indeterminate members are living different realities. The stress brought on by the uncertainty of precarious employment can have a detrimental effect on the mental health and wellbeing of those members who are forced to live from extension to extension. This uncertainty can make moving forward with important life decisions like purchasing a home or planning a wedding nearly impossible. This, coupled with the stress related to working in a fast-paced production-based environment, and the difficulties associated with learning a complex job can lead to serious mental health related consequences.

Job insecurity associated with precarious employment has been linked to numerous adverse health outcomes. In terms of mental health, it has been associated with psychosomatic symptoms, the lowering of self-esteem, a rise in anxiety and even minor psychiatric symptoms. It can lead to a greater perception of fatigue while performing one's duties, contribute significantly to rising levels of job dissatisfaction, and even foster a lower level of organizational commitment. Often times, employees who are subject to precarious employment are forced to live contract to contract

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wondering whether they will be able to meet their financial obligations should their contracts not be renewed. This creates a workplace dynamic that pits co-workers against each other as they vie for the ever-dwindling number of positions. This type of workplace, and the stress associated with it, will invariably create an environment and culture that is nothing short of toxic.

As the Agency lauds its approach to the mental health and wellbeing of its employees, the job of holding the employer accountable for its commitments to all of our members becomes even more important. The CRA has identified a vision, strategic pillars and thirteen workplace factors that impact the psychological health of the employees within our organization. These include, but are not limited to; Organizational culture, growth and development, psychological demands, support, recognition and reward, balance, clear leadership and expectations, involvement and influence, psychological protection, civility and respect, and workload management. The advent of Service Renewal and the changes associated with it have made the need for a concrete commitment to supporting workplace mental health on the part of the Employer all the more necessary. While UTE fully supports and applauds any policy or initiative whose aim is to protect and foster the mental health of our members, we will continue to be front and center when it comes to ensuring that the Agency follows through on its commitments. Our vision of working together collaboratively with the employer when it comes to the safety and well-being of our membership will not change. We are committed to supporting our membership, and ensuring that their overall health and safety, including mental health remains a priority for the CRA.

The continually increasing demands on our members necessitate a modern, proactive and comprehensive approach to mental health support by the employer. The Union of Taxation Employees is committed to continuing to fight to ensure that our members have access to high quality, inclusive mental health support in the workplace, and to ensure that the employer's words align with their actions.

**Nate Angus-Jackman**  
**Communications Committee**

## LOBBYING

I was invited to participate in a National Lobbying Day with the Canadian Labour Congress (CLC) in Ottawa on February 6<sup>th</sup>, 2018. For those that don't know me, I have been to Ottawa before for union events, however this time it was different. I was asked to attend parliament and have conversations with the leaders of our country about topics that I was familiar with, but not well-versed in. I was honoured and intimidated by the very idea of it; but I accepted the invitation.

Prior to attending this event I wasn't familiar with what lobbying was and who could do it. What is lobbying? Lobbying is an opportunity for us to have a conversation with the leaders of our country i.e. MPs. We lobby because we want elected officials to understand and actively support our policy goals.

Lobbying is a great opportunity for politicians to get to know us – to help them understand our objectives. It helps them realize that union activists represent not just the best interest of workers, but individual citizens, taxpayers, volunteers in our communities, consumers, and voters.

We were told that we don't need to be a professional lobbyist to convince politicians and their advisors to support our groups. We just need to be authentic. We help them become familiar our

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issues. We need to talk about what we know and demonstrate how we are connected to the people and communities we – and they – represent. The CLC provided excellent materials that instructed us on how to arrange a meeting, plan the meeting and what to do at the meeting with the MP's. They really made it seem easy, enabling me to approach this with a lot more confidence than I had when initially asked to do this.

The CLC had pre-arranged meetings for me with Members of Parliament (MP) in my home ridings. I was assigned meetings with conservative MPs, Earl Dreeshen-Red Deer, and Shannon Stubbs-Lakeland. I came away from the meetings feeling that we engaged in meaningful and productive conversations.

We were asked to discuss four topics, giving examples of how they personally impacted us. We asked for changes to the laws so that pensioners are first in line, not last, when it comes to paying creditors. With the recent Sears collapse and pension debacle, I spoke quite passionately about this as this has had a huge effect in my community. We also suggested to have a mandatory pension insurance (why wouldn't there be an insurance on one of our most precious investments like house insurance).



We talked about pay equity, asking for equal pay for work of equal value. I can't believe that in the twenty first century this is still a conversation I need to have! The CLC suggested having pay equity legislation to correct systemic discrimination that has led to significantly lower wages in occupations that are dominated by women workers.

We also spoke about changes to Employment Insurance, to help those in precarious work situations, by reducing the hours needed to qualify for the program and implementing Pharma-care: A universal drug plan for everyone. These conversations that I was a part of not only help my union brothers and sisters, but can impact every Canadian from coast to coast to coast.

At the conclusion of the day, we were invited to attend a cocktail reception in the Reading Room on Parliament Hill. This was an impressive, humbling experience for me and I seized this opportunity to meet as many members of the house as possible as well as my fellow 'lobbyists'. Not only was I able to make political connections, but also those of members of the Canadian Labour Congress.

I think one of the most valuable things I learned from this experience is to not let my own fears hold me back. I have always felt passionately about injustices, and I was provided this occasion to use my voice to join with the voices of others to make an impact in our nation. I have to thank many of my inspirational Brothers and Sisters that encourage me to continue to seek opportunities to grow. To quote our Past National President Bob Campbell "There is nothing you do that is not important."

**Kirsten Strachey**  
**Local 30024 - Calgary**

## REGIONAL EMPLOYMENT EQUITY CONFERENCES

The National Equal Opportunities Committee has been busy planning the regional conferences for 2018. UTE will hold 3 conferences across Canada this year. The dates and locations of the conferences are as follows:

- August 24-25, 2018 in Calgary, Alberta
- November 2-3, 2018 in Montreal, Quebec
- November 30 and December 1 in Toronto, Ontario

Our theme for these conferences is Awareness, Empowerment, Action. We have many exciting workshops and guest speakers planned for the conferences.

Each local will be entitled to send two (2) members with funding from the National Office. Locals will be able to send others at the local's expense.

Your Equal Opportunities Committee is encouraging locals to send new activists and members who have an interest in becoming involved in workplace Employment Equity Committees. We would very much like to see many new faces at our conferences this year.

If you have an interest in Employment Equity and would like to attend one of the conferences in your region, please speak to someone on your local executive.

*Equal Opportunities (EO) Committee*

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The staffing board's request that [the referee] provide a reference for [the requestor] created at least a potential or apparent conflict of interest, which is contrary to the *Code of Integrity and Professional Conduct* and the *Directive on conflict of interest, gifts and hospitality, and post-employment*.

The reviewer also took into consideration the length of the supervision and found that 31 days of supervision was unreasonable and not done according to reason or judgment:

Turning now to the definition of "arbitrary" in the Procedures for recourse on staffing (Staffing Program), I find that the decision of the staffing board to ask another candidate in the same staffing process, who had only supervised the Requestor for a period of 31 days, to complete the reference check for the Requestor was made in: "*an unreasonable manner... not done or acting according to reason or judgment*" and "*not based on rationale or established policy*". The treatment of the candidate (Requestor) was therefore arbitrary.

In this particular case, the error was corrected by the employer and the candidate was appointed.

*David Girard*  
*Labour Relations Officer*

## CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Louise Dorion ([dorionl@ute-sei.org](mailto: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.



## HONOURS AND AWARDS PROMOTING RECOGNITION

Honours and Awards are recognized for the Union of Taxation Employees under Regulation 23 and 24. There are numerous awards that can be presented at a local and national level. Awards are as follows:



- Certificate of Achievement (Al Lough Award) covered under Regulation 24.2.

*Nominees must have demonstrated their commitment to achieving the aims and objectives of UTE and exhibited exemplary service at any level of UTE.*

- Award of Merit (The Godfrey Cote Award) covered under Regulation 24.5.

*Nominees for the Award of Merit must have demonstrated their commitment to achieving the aims of objectives of UTE, and also exhibited exemplary service of at any level of UTE.*

- Lifetime Membership covered under Regulation 24.6.

*Nominees must have demonstrated their commitment to achieving the aims and objectives of UTE, accumulated service at the Local and National level of UTE for a minimum of Fifteen (15) years and exhibited exemplary service at the Local and National level of UTE.*

- Union of Taxation Employees Humanitarian Award covered under Regulation 24.7 with a **December 15<sup>th</sup> yearly deadline.**

*Nominees for this award must be a member of UTE in good standing and have demonstrated their commitment to a humanitarian cause where there is extreme need. Additionally, Nominees must have exhibited exemplary service to others within their community, their country or throughout the world.*

- Union of Taxation Employees Community Service Award covered under Regulation 24.8.

*Nominees for this award must be members in good standing of UTE and have demonstrated their dedication and commitment to their cause(s).*

- Union of Taxation Employees Scholarships covered under Regulation 24.9 with **June 15<sup>th</sup> yearly deadline.**

*The Union of Taxation Employees (UTE) each year offers two \$2,500.00 National Scholarships and ten \$1,000.00 Regional Scholarships.*

- Award of Merit in the Field of Health & Safety (Elizabeth (Betty) Bannon Award) covered under Regulation 24.10 with a **December 15<sup>th</sup> yearly deadline.**

*Nominees must be a member of UTE in good standing and must have demonstrated their commitment to protecting CRA employees' health and safety.*



- *International Child Awareness (ICA) Sponsorship and Subsidy covered under Regulation 24.11 with a **September 15 yearly deadline.***

*Each year the Union of Taxation Employees sponsors a student and subsidizes a member in good standing to travel to Africa with the International Children's Awareness (ICA). ICA focuses on holistic development in Cameroon including projects such as bringing fresh water to villages, building schools and health clinics.*

- Service Pins covered under Regulation 24.3

*Service pins of three, five, ten, fifteen, twenty, twenty-five, thirty, thirty-five years will be awarded annually by the Locals to those members who have served the membership within the union movement.*

- Certificates and Awards for Long Service of 40 years or more covered under Regulation 24.4.

- Marguerite Stonehouse Memorial Scholarships covered under Regulation 23.

*The Union of Taxation Employees provides scholarships to the Labour College of Canada. Each year, UTE will award one scholarship for the four week course and four regional scholarships for the one week course.*

**Local Presidents have the responsibility to promote the recognition of their membership, executive members and activists.**

**Presidents can promote Honours and Awards simply by some of these examples:**

- Maintaining Honours and Awards as a standing agenda item at there AGM's.
- Create local records containing years of service of our activists
- Post the notices on the bulletin boards, in your local newsletter or on your website
- Create a local email distribution list which can be helpful for sharing all information

**Presidents can recognize members at a local level simply by:**

- Thank You letters and cards
- Certificates of Appreciation, service, etc.
- Union Recognition ceremonies
- Mentioning Honours and Awards at Annual General Meetings and other events
- Mentioning on the local website or newsletter

The Honours and Awards Committee recommends that each of you are aware of the Regulations, and the requirements that go with each award and if you know of someone deserving of an award then speak to your local executive.

*Honours and Awards Committee*