



## SOLIDARITY WORKS

While we are only four meetings into the bargaining process with the employer, we need your help. It is fair to say, and we always say this, but it is fact, and it has been proven that our collective success is dependent on our collective voices. It is never as simple as the two bargaining teams meeting. Progress only happens when we are loud, and we combine our strength in numbers.

Let's look at the past contracts that were negotiated after the legislation changed, placing the employer's team under the Treasury Board umbrella. Two contracts ago we were presented with their so-called "final offer" which, as you know was neither an offer nor final. We took it to a vote and provided the other side with a "no" vote which was also a strike vote. It was only then that the employer moved towards our demands, and we did better. Last contract round certainly was one of the most unique rounds, given the pandemic. Movement was incredibly slow, which I would argue is always a strategy of the other side to create anger amongst the membership. We began historic strike votes, and solidarity was built and strengthened, much to the chagrin of the employer. As you know, we then ceased the votes, putting on hold any job action in the interest of public service to a population thrown into a pandemic. This was the right thing to do. There is little doubt the employer recognized the memberships' discontent. History was made with that contract, and with the term conversion, because of your unwavering support.



Like any other improvements to the collective agreement, this was because we didn't give up the fight. It was not a gift. The employer is very proud of being a "Top 100" employer and perhaps should be. But let's be real here – the benefits that make them such came from the Union and membership fighting for them. There is no other version of events. Apart from benefits that are legislated (and those that are typically have arisen due to past labour movement struggles), the employer has not "given" any of them. Never forget this. What the employer offers is what they believe you are worth, or rather what they are mandated to believe you are worth. What we demand is what we 100% believe you are deserving of, and we will never stop fighting for better. Every contract is built on the last contract, and we have no appetite to go backwards.

*(Continued on page 2)*

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

The membership of the Union of Taxation Employees was the driving force in administering the Covid benefits to Canadians during a time of crisis and uncertainty. We put normal duties on the back burner to ensure we could help. It is essential that this is recognized through our contract. All our lives were upended on March 13, 2020, and work life balance has never been more complicated. The mental health of our membership has been strained, we have proven that remote work can be done, and done well. Inflation, as reported by CBC on April 20, 2022, is 6.7% which is at a 31-year high. Such levels never seen before in our generation, driven by unaffordable housing and cost of goods. All these factors must be recognized by the employer in our contract.

But achieving even close to fairness never comes without a fight. It never comes without proving once again our resolve. Your work life balance is paramount in this round, coupled with wage increases that recognize the contributions you make and the financial constraints that come with out-of-control costs of living. There is a reason Union organizing drives are prevalent in the media now, whether it be at Amazon warehouses or behind the counter at Starbucks. Workers deserve better. What was once accepted is no longer acceptable. It is unfortunate that it took a pandemic to show the inequity between bosses and workers, but here we are. The narrative that those whose salaries are 2, 3 or many times higher than employees' and who also receive bonuses know what's best for you is the epitome of absurdity and it is now time to dispel that ridiculous myth.



We would anticipate that if history is any indication, nothing will be easy this round. The membership will be tested, and negotiations may be drawn out. You may find yourself wondering what the Union is doing for you, and frankly that should always be the question and we intend at every step of the way to be transparent about the process. We will need your support - strength in numbers is a proven winner. They know this and we know this. But even if you get to the point of feeling like giving up because of the enormous stress load you are under, the Union will never give up on you at the table. Never.

Please don't forget to sign up for bargaining email updates on the UTE site ([ute-sei.org](http://ute-sei.org)) and the PSAC ([psacunion.ca](http://psacunion.ca)) site.

Never stop fighting the power.



**Adam Jackson**  
**2nd National Vice President**

## MESSAGE FROM THE NATIONAL PRESIDENT

The news continues to be dominated by the COVID-19 pandemic and its effects on our lives, both personally and professionally. Since my last message, a fifth wave has swept across Canada and a sixth is still underway. It seems clear that this pandemic has not yet had its last word. Our union continues to hold the vast majority of its meetings and conferences virtually, but we are exploring the possibility of holding meetings in a hybrid format (simultaneously in person and virtually) in the near future, if it is feasible to do so.

We continue to meet regularly with the employer regarding a possible return of more employees to the Agency's premises. The timeline has been pushed back many times and we are monitoring the situation very closely. We agree with the employer's cautious approach to date. Your health and safety remain our top priority.

In addition, we understand the ongoing pandemic is having significant adverse effects on each and every one of you. Your well-being is very important to us. Unfortunately, we have seen an increase in mental health issues. This is normal in these difficult times. Difficult work-life balance, skyrocketing consumer prices and inflation, difficulty finding affordable housing, sanitary restrictions, etc. add to our stresses. There are many reasons to feel stressed and vulnerable. And that's not even counting the difficulties you may experience because of your job. We discuss this regularly within our union and with the employer, including through our representatives on the UTE National Well-Being Committee. We are making the employer aware of this reality and asking them to take concrete actions to support you. If you or a member of your family is experiencing difficulties, do not hesitate to call on the employer's Employee Assistance Program (EAP). Your union representatives are also there to support you and help you get the help you may need.

As if that wasn't enough, the terrible war that is currently raging in Ukraine, in addition to having led to one of the most serious humanitarian crises in recent history for the people of that country, is having repercussions right here in Canada. Indeed, 1.4 million of our fellow Canadians are of Ukrainian origin. Since the beginning of the invasion of Ukraine by the Russian army, more than six million people have fled their country and sought refuge in neighbouring countries. Some people have also begun to arrive in Canada. On behalf of the Union of Taxation Employees (UTE), I would like to express our solidarity and support for the Ukrainian people and the millions of refugees who have been affected by this war. With this in mind, the UTE Executive Council has decided to make an extraordinary donation of one hundred thousand (\$100,000) dollars to the International Red Cross to support efforts to provide clothing, shelter, food, medicine and other necessities to these refugees. Our thoughts and prayers are with the Ukrainian people.



Since my last message in December 2021, we have had numerous discussions with the PSAC regarding its position on the Treasury Board and Canada Revenue Agency (CRA) mandatory vaccination policies. While UTE did not fully agree with the Alliance's initial position on this issue, we were obliged to comply with their direction as the PSAC is the legally recognized bargaining agent by the Federal Public Sector Labour Relations and Employment Board.

In late January, we were informed that PSAC had filed a policy grievance in mid-December 2021 in support of its teleworking members in the core public administration. After numerous requests, we finally received a copy of the policy grievance on February 25, 2022. After reviewing it, we quickly concluded that a separate policy grievance needed to be filed with the CRA as the original grievance filed by the PSAC only referred to Treasury Board and its mandatory vaccination policy. After some

*(Continued on page 7)*

## UTE, A CULTURE OF CARING

Union of Taxation Employees [UTE] has a long history of supporting its members both in and outside of the workplace.

UTE has for many years provided support in the communities where our members live and work through support of youth and adult activities as well as donating to many organizations within those same communities.

The sponsorships provided by UTE allow sports teams to assist in the purchase of equipment or uniforms. The only proviso is that the team in some manner acknowledge the support of UTE.

Donations made to community organizations help them continue to do the good work they provide within the community. Funding varies from \$150 - \$500 per organization. Members can make a request for either a donation or sponsorship by contacting your local executive. After providing details to the local, the local can consider submitting a request on the member's behalf to UTE National. There is an annual budget of \$18,000 available to fund these requests.

The UTE has also provided funding in unique circumstances, and this requires approval of the National Executive. Over the years there are several causes to which the union has given much needed financial assistance:

- **2018** - Tornadoes in Ottawa, Ontario and Gatineau, Québec caused significant devastation. UTE donated to the Red Cross
- **2020** - The worst mass shooting in Canadian history occurred in Nova Scotia, resulting in 22 lives lost. UTE donated to the Red Cross to assist the families in dealing with this tragic event
- **2020** – During the worst of the pandemic, food banks across the country were finding the need for assistance far exceeded the capacity of local food banks. During this period working families were also struggling, which put a greater demand on food bank usage. In response to this UTE provided a significant donation of \$100,000 to Food Banks Canada which was then distributed to many food banks in communities across the country. These actions resulted in many locals also taking up the challenge and donating to the local food banks. Amounts donated by locals ranged from a few \$100 up to \$1000, however, a special recognition is due to the Sudbury Taxation Centre local who donated \$20,000 to food banks in the community.
- **2021** - In June 2020, a hate crime in London, Ontario, resulted in a young child losing both his parents and other family members. Funds were donated to assist in dealing with this horrible tragedy.
- **2021** - With devastating floods occurring in British Columbia as well as in Newfoundland UTE donated to the Red Cross to assist in the flood relief work in these two provinces.



(Continued on page 5)

- **2021** - This appeared to be the year of disasters. With forest fires occurring in British Columbia and Northern Ontario, donations were made to the Red Cross in each respective region.
- **2022** - As the world watched the incredible devastating humanitarian crisis occurring in Ukraine, UTE again stood strong, recognizing that while continually supporting our membership there are at times a greater need and purpose for unions. In April, UTE provided a donation to the International Red Cross in the amount of \$100,000 to assist in the relief effort. The Public Service Alliance of Canada has taken up a challenge to provide support and other components within the PSAC have also been challenged to show support in this very tragic time.

Decisions such as this are not made lightly and include careful consideration on any impacts this may have on the organization or our membership.

**Gary Esslinger**  
*Chair, Communications Committee*

## THE OCCUPATIONAL FITNESS ASSESSMENT FORM

The Occupational Fitness Assessment Form (OFAF) is the form used by the employer to determine what, if any, restrictions or limitations affect how an employee can perform their job. If an employee is experiencing physical or mental health issues that are affecting their ability to perform their job fully, they can often manifest themselves in poor performance, absenteeism, use of sick leave, incomplete work or other indicators that the employee is not currently able to fully perform their job at that time.

Particularly in these trying COVID times, employees find themselves facing challenges that can get the better of them. If you are feeling this way, or if you and your team leader frequently discuss shortcomings in your work, or any of the issues detailed above that you suspect is caused by the physical or mental health issues you are facing, contact a Union representative. Your Union rep can assist and support you through the process.



### MYTHS ABOUT THE OFAF:

**It is used as a disciplinary measure:** Completing an OFAF can help to **avoid** disciplinary measures by providing to the employer reasons, supported by a health care professional, that prevent an employee from fully performing their job. From that, an Individual Accommodation Plan, if required, can be made. This plan would consider the restrictions and limitations provided by the health care professional. This is a requirement of the employer to develop an Individual Accommodation Plan with input from the member and the Union representative.

**It is a career-limiting move:** Many people within the Public Service have progressed, and had successful careers, despite having completed an OFAF and working under an Individual Accommodation Plan. Annually, employees are given their goals and objectives for the upcoming year. If the employee has restrictions and limitations due to physical or mental health issues, they may not be able to meet all their goals and objectives. However, unless the team leader is aware that they have restrictions or limitations, all they see is an employee who is not meeting their goals

(Continued on page 6)

(Continued from page 5)

or objectives. They are then required to begin performance management actions that could lead to a Performance Improvement Plan, discipline, demotion or termination. Before things get to that stage, a Union representative should be consulted to provide assistance to the member. It is imperative to let the employer know of these restrictions or limitations, so that an Individual Accommodation Plan, if necessary, can be prepared. The accommodation is designed to allow the employee to work within the restrictions and limitations. ***NOT getting the OFAF can be the career-limiting move.***

**The employer will know all about your health problems:** This is particularly troubling for employees suffering from mental health issues. Instructions to the health care provider who is completing the form are very clear. *Do not provide a diagnosis!* The employer needs, and requests, only the restrictions and limitations that prevent the employee from completing their full job. The documentation that is sent to the health care provider includes a letter detailing the issues the employer has noticed, a request for them to complete the OFAF and a reminder that they are not requesting a diagnosis. Also included is a copy of the employee's current work description and their signed consent to allow the health care professional to provide the requested information. The employee and the Union representative must have a chance to review the documentation to be provided and be allowed to suggest changes if required.

**The OFAF will follow you forever:** It may, however often, the accommodations are needed only for a specified period. If they are only required for a finite period, such as recovery time, the accommodations file is closed, the employee returns to regular duties, performed in the regular manner and the Individual Accommodations Plan becomes part of the past.

**Everyone will know:** The entire process, from speaking to the team leader, to requesting the OFAF from the health care professional, to setting up an Individual Accommodations Plan is confidential.

Your Union of Taxation Employees Local representatives are familiar with the process and will support you throughout the OFAF process, ensuring that the proper procedure is followed. There is hope. A solution can be found to allow you to be successful in your CRA career.

**Melanee Jessup**  
**President, Local 00015**  
**Presidents' Rep on the Communications Committee**

## LEAVE WITH OR WITHOUT PAY FOR OTHER REASONS

### Time Code 699

As you may be aware, the Public Service Alliance of Canada (PSAC) has issued some communiqués of late announcing a recent decision of the Federal Public Sector Labour Relations and Employment Board (the Board) partially allowing a Policy Grievance filed by the PSAC against Treasury Board's and certain Agencies' decisions to discontinue or revise its conditions concerning the use of time code 699 for employees adversely affected by the COVID-19 pandemic and who were unable to report for work due to circumstances beyond their control. A similar time code, allowing for Leave With Pay was also made available by the Canada Revenue Agency (CRA) for its employees who were unable to report to work for reasons associated with the pandemic and for reasons beyond their control.

(Continued on page 8)

discussion, the Alliance agreed to file a separate and specific policy grievance against the CRA and its mandatory vaccination policy **in support of our teleworkers**. This policy grievance was filed with the employer on March 10, 2022.



We had also suggested additional remedies that were not included in the PSAC version of the grievance, which included reimbursement of pay and benefits and other expenses incurred by members as a result of being placed on administrative leave without pay, but the Alliance rejected our suggestion. After many discussions, the PSAC finally agreed to file another policy grievance against the CRA over the continuation of the mandatory vaccination policy affecting our members and the lack of any substantive changes to that policy. The grievance demands reimbursement of pay, benefits and expenses. This second policy grievance was filed on March 22, 2022.

Mandatory vaccination policies in place in the federal public service must be reviewed every six (6) months. The policy of the core public administration (Treasury Board) was to be reviewed in early April. However, the review had not been completed at the time of writing. The CRA's policy is scheduled to be reviewed in early May. It does not appear that this deadline will be met. Despite discussions with senior Agency officials and follow-up with the PSAC, we have no concrete information about the policy review. Will the policies be repealed, renewed under the same terms, or will changes be made? These are questions that remain unanswered. In the meantime, I have made it clear to the CRA that we demand to be consulted in the review of its policy. I have also told the employer that we want to see some flexibility if the policy remains in effect. We continue to monitor the situation closely and will keep you informed of any significant developments in this matter.

Following the employer's decision to unilaterally implement extended work schedules in its contact centers over our objections, we asked the PSAC to file a policy grievance and a statutory freeze complaint (unfair labour practice complaint) against the CRA. The PSAC agreed and the policy grievance was served on the employer on March 7, 2022. The statutory freeze complaint was filed on March 14, 2022.

As you know, our bargaining team continues to work hard to achieve better working conditions for you, our members. Priorities include work schedules, recognition of years of service, telework rights, vacation leave, improved work-life balance and increased protection against discrimination at CRA. Our team will be back at the bargaining table this month and negotiations will continue this summer.

I have full confidence in our bargaining team, and I ask that you continue to show your unwavering support for your team in any way you can. For example, you can go to the UTE website ([ute-sei.org](http://ute-sei.org) and through InfoZone) to download one of our two digital backgrounds and display them at all your work meetings. This will send a clear message of support for the bargaining team, to the employer. Should your manager direct you to remove the background, we ask that you comply and immediately advise a local union representative.

Thank you for all the good work you continue to do and for your exemplary dedication to the people of Canada under difficult conditions. And I also want to thank you for your continued support of your union. **Together, we are a force to be reckoned with. Let's never forget that!** Stay safe, take good care of yourself and your loved ones and I hope you fully enjoy the warm summer months!

In Solidarity,  
**Marc Brière**  
**National President**

It should be noted that the Policy Grievance filed by the PSAC did not include the CRA as a respondent and therefore, while the decision may likely serve as a precedent for CRA to be guided by, it is not technically bound by the decision.

In the early stages of the pandemic, employees of the core public administration and in certain agencies were authorized to use time code 699 when they were unable to report for work for COVID related reasons, but subsequently Treasury Board revised its position requiring that employees must exhaust other leave provisions before being granted leave with pay under code 699. Immediately upon learning of this, our office initiated discussions with senior officials of the CRA in an effort to dissuade them from following this direction. Resultantly, the CRA did not adopt this policy and instead, adopted the position that time code 699 would only be granted *“on a case-by case basis, and only after remote or alternate work, or flexible work hours have been considered, and generally, only after other relevant paid leave has first been used by the employee”*.

The CRA went on to outline to its managers certain conditions where time code 699 may continue to apply. These circumstances included cases where an employee:

- has work or technology limitations;
- cannot work remotely and has been diagnosed with COVID-19, is experiencing symptoms and/or is required to self-isolate;
- has caregiving responsibilities as a result of such things as school or daycare closures, or COVID -19 illness or isolation requirements, or
- cannot work remotely and is at high risk or who has someone in their care who is at high risk of severe illness from COVID-19.

Accordingly, it is apparent that the CRA deviated somewhat from the direction taken by Treasury Board.

In partially allowing the grievance, the Board found that *“the requirement to consider other leaves before considering an employee’s request for 699 leave violates the collective agreement and it is an unreasonable withholding of 699 leave”*.

Upon receipt of the Board decision, our office immediately contacted the CRA’s Corporate Labour Relations to discuss options to ensure that the spirit and intent of this decision was fairly applied to UTE members employed by the CRA. The Agency has agreed to review cases, in consultation with our office, **where grievances were filed** when an employee may have been required to exhaust other types of leave before being granted 699 leave.

UTE recognizes that some members may have been provided this direction by local management and opted not to grieve. In these circumstances, affected members should immediately contact their local union representative to discuss the matter. The Regional Vice-President responsible for the Region and the National Office of UTE will also be available to assist and provide guidance and direction, as necessary.

Rest assured that the UTE will make every effort to protect members’ collective agreement rights with respect to leave entitlements as a result of the COVID-19 pandemic.

**Shane O’Brien**  
**Senior 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.



## ENHANCED COMMUNICATIONS

*Direct email address for members*

Many of you, from our long-standing members to our newer members who have just joined our Union, seem to be having difficulty identifying which of our sixty (60) Locals to which you belong and, as a result, knowing the identity and contact information of the local union representatives should you need assistance or support.

Since the beginning of the COVID-19 pandemic, we have had a massive and constant influx of new members. The vast majority of our members are still teleworking and many of you are reporting to your manager virtually. These conditions make it difficult to establish timely contact between our members and our local union representatives when the need arises. It also makes it more difficult to establish a lasting relationship between our members and our union representatives.

In order to address this situation and to provide you with the name and number of your Union of Taxation Employees (UTE) Local and the contact information of its union representatives, we have created a new email address that we are making available to you.

The address is [membership@ute-sei.org](mailto:membership@ute-sei.org).

This email address will be monitored daily, and the UTE National Office will be reviewing the requests for information or services received from our members. We will be able to provide you with the requested information or assistance and respond to your queries, or if necessary, refer you to your Local, including contact information for your union representatives.

To help us identify your Local and update your contact information in our database, we ask that you provide us with your full name, **personal** email address, home address and a phone number where we can reach you. In addition, it is very important that you provide us with the Canada Revenue Agency (CRA) office to which you are assigned and the branch/office to which you report.

We ask for your **personal** email address, rather than your CRA email address, to ensure compliance with the employer's electronic network use policy by not corresponding with you through the employer's email system.

All information that you provide will be kept strictly confidential and will only be used for the purposes for which it is intended and will not be supplied to third parties.

UTE is committed to providing efficient and timely information to all members on matters of importance to you, including but not limited to matters of representation, advocacy, membership services, bargaining, benefits and other such matters.

We strongly encourage you to avail yourself of this new email address in order to serve you more efficiently and enhance communications between you and our representatives at the various levels of UTE.

In Solidarity,

**Marc Brière**  
**National President**  
**Union of Taxation Employees**



## UTE SCHOLARSHIPS



Did you know that your UNION offers National and Regional Scholarships each year? The deadline is fast approaching (June 15<sup>th</sup> 23:59 EST). Don't miss out on the opportunity to help fund your family's education.

All members in good standing as well as their spouse, common-law spouse, same sex partner, children and grandchildren are eligible to apply. Please refer to Regulation 24 ([ute-sei.org](http://ute-sei.org)) for complete details on application process.

The Scholarships available are currently as follows:

- Diana Gee Scholarship (\$3000),
- Robert "Bob" Campbell National Scholarship (\$3000),
- Al Rollins Atlantic Regional Scholarship (\$1500),
- Quebec Regional (\$1500),
- Jean Bergeron Montreal Regional Scholarship (\$1500),
- National Capital Regional (\$1500),
- Linda Collins Greater Toronto Regional Scholarship (\$1500),
- Nick Stein Southwestern Ontario Regional Scholarship (\$1500),
- Northern and Eastern Ontario Regional (\$1500),
- Prairie Regional (\$1500),
- Don Davoren Regional Rocky Mountain Scholarship (\$1500), and
- Pacific Regional (\$1500).



The top 2 scholarships scored will be awarded the 2 National Scholarships. For the Regional Scholarships, the top score will be awarded their Regional Scholarship.

This is only one segment of awards offered by your UNION included in Regulation 24 ([ute-sei.org](http://ute-sei.org)). Have a look at the Regulation and if there is anyone in your local deserving of an award please reach out to your executive and/or Honours and Awards Committee for more information.

*Cosimo Crupi*  
Chair, Honours and Awards Committee