



## SPECIAL EDITION ON BARGAINING

### A MESSAGE FROM THE UTE NATIONAL PRESIDENT

We have been in negotiations for a new and reasonable contract since July 2012. Demands were exchanged and we were optimistic that a deal could be reached as quickly as our previous two rounds of bargaining. It became very clear during the first meeting that our optimism was not founded. CRA had a mandate with no authority to exceed it; simply put “here is my offer and you have to accept it”.

Nonetheless dates were set and we tried to negotiate meaningfully. There was some movement on minor issues; however, three major issues continue to remain outstanding:

- Contract Length,
- Severance, and
- Wage Package.



Management wanted us to accept a two-year contract right up until the time that two years expired and even argued this position at the *Public Interest Commission (PIC)* hearing, even though it would lead us right into the next round of bargaining with most issues still outstanding.

Management has repeatedly stated that we should give up severance because other bargaining units have chosen to do so. If we agree, CRA will increase the wage offer by .25% in the first year and .50% in the second year in exchange for us giving up a benefit that is valued at two percent per year. This benefit was negotiated years ago to compensate all public sector employees for

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

continually agreeing to accept low wage increases. Why should UTE members accept a pittance when other groups have received lump sum payments or annual payments of more than \$1200? The remaining wage package offer is:

- ⇒ 1.5 in the first year
- ⇒ 1.5 in the second

Considering the increases in CPP and Superannuation premiums, this offer which is already lower than the inflation rate, isn't very tempting.

After an unsuccessful mediation process, CRA applied for the PIC which was held in October 2014. The PIC agreed that it was illogical to have a two-year agreement when we were already starting the third year.

However, they favoured CRA's position in many other areas by constantly comparing us to the Program and Administrative Services Group under *Treasury Board* and restricting us to their settlement.

This made no sense! We have separate employers and a different classification system. Our issues are different so we table different demands. We bargain independently.

We proposed meeting dates for December and early January, 2015. CRA responded that the January dates would not work for them and they offered the February dates as an alternative. Imagine our surprise when management issued an email in December 2014, to all staff via its email system (I wish UTE could do that) that claimed they were willing to meet with UTE at any time to negotiate!



So now our members think we are delaying the process.

We have tried for more than two years to negotiate whenever CRA was willing to meet with us. We've offered compromises to our original position, all while CRA management has never moved from their original offer on our 3 most important issues.

Personally, I do not understand why anyone would give up a benefit achieved in bargaining for an amount less than its value. Concession Bargaining is a slippery slope; first we agree to roll over on severance, then they'll table proposals to dismantle our sick leave and even now we are hearing the government floating proposals to amend our pensions.

### **Concessions are dangerous!**

I've received emails from a few members directing UTE to accept the offer, to give up our severance, at the same time cautioning the union to continue to fight against pension reductions or losing sick leave, because those benefits are important to them. The union shouldn't pick one member's interests over another's and many of our members would be severely impacted with the loss of severance. We should safeguard the interests of all of our membership; we are the stewards of the collective agreement. We must remember the provisions in our collective agreement have been won by workers who gave up wages or were willing to fight to achieve these benefits. They didn't just consider what was good for them; they fought for the collective membership.

## DESIGNATED ESSENTIAL

By now, some of you may have been notified by a management representative that you have been declared essential and as a result, I have been asked to explain the implications of this declaration.

**Please do not infer, however, from this article that a decision has been made that we will be proceeding to a strike.**

Certain positions within the Canada Revenue Agency have been designated as being essential to the safety and security of the public. Employees who occupy these designated positions are prohibited pursuant to legislation from going on strike.

An employee may only be officially designated upon receipt of a notice in writing from the employer. This notice remains valid as long as the employee continues to occupy the position unless the employer notifies the employee that the position occupied by them is no longer necessary for the employer to provide essential services. Before recent amendments to the legislation, the duties that were declared essential were to be outlined in the notice. The legislative amendments that were introduced no longer require the specific essential duties to be enunciated and in fact, the amendments no longer limit the employer's right to require than an employee who occupies a position that is designated perform **all of the duties assigned to that position.**

While designated employees cannot go on strike, it doesn't mean that they cannot participate in certain strike related activities or support their striking colleagues and their Union. In fact, the support and participation of designated employees is an integral part of any sound strike strategy and designated members should attend and be included in all meetings and other information sessions related to strike strategy, planning and activities.

Designated members are also encouraged to support their colleagues and their union, and ultimately their own cause, by undertaking or refusing to undertake certain activities. Some entirely appropriate and legal suggestions include;



- performing only those duties contemplated in your own job description;
- not volunteering to take on extra duties;
- not volunteering or agreeing to requests to work overtime;
- participating on picket lines before and after your scheduled shifts and on breaks;
- participating in committees established by the union local;
- monitoring and reporting on the employer's activities related to the strike;
- performing your designated duties in a full and thorough manner without applying any shortcuts;
- asking the employer for an escort across the picket line if you feel that you have concern for your safety and security in crossing the line;
- providing refreshments (e.g. coffee, doughnuts, etc.) and offering words of encouragement and support to striking workers;

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**There is strength in numbers and together we are stronger.**

- We must remain united and committed to achieving an agreement.
- We must continue to stand together and support the bargaining team as they work to achieve the best agreement possible for all.
- We must let the employer know that we support our bargaining team. Direct your anger at the employer, not the union, for not offering a fair contract.

I have worked for over forty years on behalf of the members of UTE and I have talked with many of you from one end of this country to the other. I am only one, but we have hundreds of union executive members, who give countless hours of their own time to work on your behalf. Talk to them; get information on the contract negotiations and ask what you can do to help.

We are strong, we are intelligent, we are unique, we work hard and we deserve to be treated with the respect and to be fairly compensated for our efforts.

**We are the Union of Taxation Employees**

**Robert Campbell**  
**UTE National President**



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- writing letters in support of the striking employees and the Union to the media, Members of Parliament, etc.; and
- participating in other activities as requested from time to time by authorized representatives of the Union.

Section 24 of the Constitution of the *Public Service Alliance of Canada* (PSAC) also sets out one very tangible way for designated members to support their striking colleagues. This provision states, “members who receive remuneration during a legal strike of their bargaining unit shall be required to remit 25% of the remuneration they receive from the employer for each day worked during the legal strike to the PSAC”. This 25% is based on the designated member’s basic salary at the time of the strike and is retained in a Hardship Fund used to assist striking members within the region from where the funds are remitted.

There are perhaps many other activities in which designated members may wish to participate and the Union of Taxation Employees welcomes your ideas in this regard. Accordingly, we ask that you provide other suggestions and ideas to your Local Executive.

**D. Shane O’Brien**  
**Senior Labour Relations Officer**



## MESSAGE FROM YOUR 2ND NATIONAL VICE-PRESIDENT

I was elected Second National Vice-President responsible for Collective Bargaining, at the UTE Triennial Convention in July 2014. Since then I have been a part of the negotiation process. This has been a real eye opener for me and I have a new appreciation for what the Bargaining Team experiences.

Our Collective Agreement expired on October 31, 2012. To date we have yet to reach an agreement with CRA. The team has worked very hard on our behalf and they are to be commended for their efforts. Unlike the past two rounds, we are no longer bargaining exclusively with CRA. Because of a change in law by Harper and the Conservative Government, CRA now has to get its mandate from *Treasury Board*. This has made the round very difficult and in my opinion has had a direct impact on why we have not yet reached a tentative agreement. It has been a very long and tough negotiation round.

I'd like to give you a brief overview of the process to date.

We served notice to bargain July 3, 2012 and the first face to face meeting took place in September 2012. Since that time the bargaining teams have met almost monthly until November 2013 when the parties agreed to reconvene talks with the assistance of a federal mediator. Mediation took place in January and February of 2014. During the February meetings, mediation talks broke down as CRA refused to address our critical issues. CRA declared an impasse and submitted an application for the establishment of a *Public Interest Commission* (PIC).

UTE held information sessions locally across the country, with a member of the bargaining team present, in an effort to update and discuss the current state of negotiations. In June of 2014, the Chair of the PIC set dates of October 8<sup>th</sup> and 9<sup>th</sup>. Presentations were made by both parties and the PIC released its report in late November 2014. The recommendations are non-binding and are intended to guide the parties in negotiations and help provide an avenue to make progress towards an agreement. Since the PIC report was released, the team met with CRA on December 2-5, 2014 and the next dates set are for February 2-6, 2015.

**You can find all the updates and information on bargaining at  
[www.psacunion.ca](http://www.psacunion.ca) and [www.ute-sei.org](http://www.ute-sei.org).**

It is hard to bargain when you are dealing with a team who cannot truly bargain. This is a critical time in our Negotiations. In my opinion, CRA or more to the point *Treasury Board*, believe that our Bargaining Team does not have the support of the membership, and that you will accept whatever they offer as little as that maybe. Show them they are wrong!

During this round we asked our activists to communicate with you on a regular basis in an effort to keep you up to date and asked for your show of support and action. Hopefully you have seen them outside your workplace handing out information and have taken the actions requested. This is a very important part of the negotiation process. You may ask yourself, I am only one person how can anything I do make a difference? That is why we are a union and through our collective action we can achieve great things. What can you do? Show CRA that you support our Bargaining Team and want a fair collective agreement.

In solidarity;

**Madonna Z. Gardiner**  
**UTE 2<sup>nd</sup> National Vice-President**



## MESSAGE FROM THE PSAC NATIONAL PRESIDENT



I want to take this opportunity to wish all UTE members a healthy and happy new year. My new year's wish for all of us is a fair collective agreement. I say all of us because for those who do not know me I am a proud UTE/PSAC member from Local 50031 Winnipeg Taxation Centre. This year is my 35<sup>th</sup> anniversary with the CRA and as such I know the frustrations of collective bargaining with this employer only too well.

I know it has been a long process and that we still have work to do to get a collective agreement. We will achieve this if we continue to support our bargaining team. First and foremost, your union's job is to defend what we have negotiated over the years and work to protect our members and their jobs. While this process may be frustrating, this is exactly what we are doing: defending and protecting our members and their hard-earned collective agreement.

I am so proud of the work being done by the bargaining team. They have stayed strong and clear in their resolve to get you the best collective agreement.

This employer, controlled by *Treasury Board*, has used many different strategies to try and discourage our members from supporting the team. They have been unsuccessful because of the work of the UTE activists in ensuring that all members know what is taking place at the table.

We all know that a mobilized membership is the key to achieving a fair and equitable collective agreement.

As the PSAC National President and Alliance Executive Committee officer assigned to the CRA unit, I will work with the negotiating team to ensure that our members are treated with dignity and respect. As our *Treasury Board* groups and other agencies also negotiate with the employer for fair collective agreement, we will all stand strong and support each other.

In Solidarity,



**Robyn Benson**  
PSAC National President

**I support my**



**Bargaining Team**