



## BARGAINING

I want to emphasize the benefits of your actions during the various demonstrations in support of the Team and our Bargaining Process. These expressions of solidarity show your support of the Bargaining Team's work at the table and this is what allows us to continue the battle. I therefore wish to thank all the local executives and you, the UTE members, who have repeatedly braved the cold and bad weather, in order to support our mobilization activities and distribute handouts (that provide the information necessary to understand and make decisions) to achieve our negotiating objectives.

The new year began with two (2) mediation sessions, which ended on February 27, 2014, because no important issues were agreed upon. Both parties are at an impasse. Our bargaining process is thus at a turning point, since to date negotiation and mediation have been unsuccessful. The employer / government requested the establishment of the Public



Interest Commission (PIC). The PIC may be requested by either party, in order to try to reach an agreement. The Public Service Labour Relations Board names the chair and the PIC is also composed of two other members, one nominated by the union and the other by the employer. After considering the submissions of the union and the employer, presented in a hearing to explain their positions on the issues, the Commission makes **recommendations which are not binding**. The creation of this Commission is a must in the bargaining process and this process may take several months. (*For more information on the PIC, see page 4.*)

The Commission is a new experience and we cannot predict anything. What is important now is that we remember our demands and the commitment that we all need to defend them. These are our priorities put forward in our bargaining process, such as new protections against subcontracting, the abolition of services that will eliminate several jobs, as well as the outrageous use of students. They also include improved work schedules and leave plans, the establishment of new rules to ensure fairness for appointments to acting positions, and hiring policies for term employees so they can become permanent. Of course, the salary increases are based on economic projections that would allow us to protect our purchasing power and to cope with the rising cost of living. We also want a three (3) year contract for obvious reasons, otherwise we will start bargaining again in 2014 and we will have to face this desire to impose further concessions. We must protect our gains, that the employer / government wishes to see disappear, such as

*(Continued on page 2)*

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

(Continued from page 1)

severance pay in case of voluntary departure for which the employer / government offers **nothing in return**. It is also a question that the employer / government, in future negotiations, will take our sick leave, and what else?

Our objectives, as you can see, are clear. In order to obtain a signed agreement, we must go one step further in our mobilization activities and demonstrate that we want to be respected as responsible workers, committed to our employer and the services we provide to taxpayers. We are also participants in the economy of this country. We must protect our achievements negotiated in good faith and our right to negotiate freely, which the government constantly attacks. We must also to safeguard our rights and our job security, our future and our families. The ability to successfully achieve our goals requires the commitment of each of you, to swell the power of many.

**Commit yourself to respect and fairness.**

Members of your Bargaining Team are travelling the country to meet with you in special bargaining meetings (**See the box on page 3**).

**Together, we can achieve much.**

**My collective agreement, my priorities, my job, our families**

*Denis Lalancette  
2nd National Vice-President*

**UPCOMING  
EVENTS**

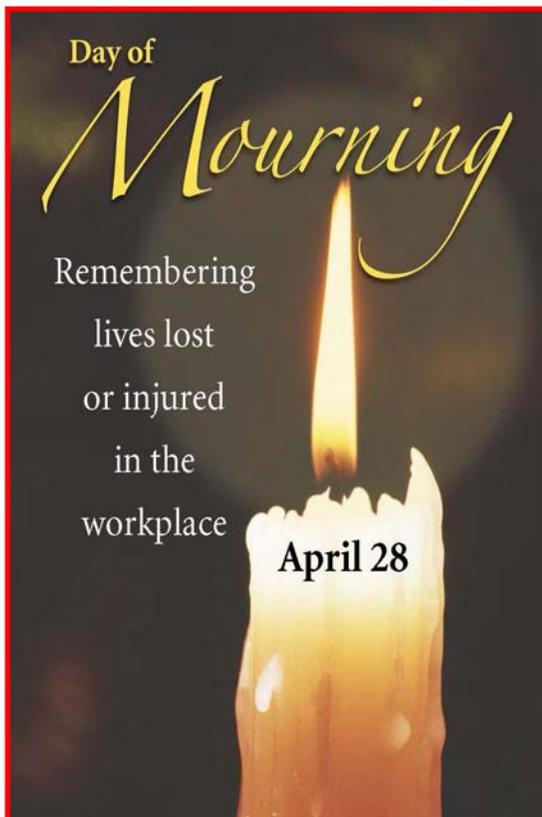
**April 28**  
National Day of Mourning

**May 2 – 4**  
Convention Committees  
(Ottawa, ON)

**June 2 – 5**  
Executive Council and  
NUMC  
(Ottawa, ON)

**July 16 – 19**  
UTE Triennial Convention  
(Windsor, ON)

**Sept 23 – Sept 28**  
Executive Council and  
Presidents Conference  
(Ottawa, ON)



**UTE TRIENNIAL CONVENTION 2014**

**Our Triennial Convention will be held in Windsor, Ontario from July 16<sup>th</sup> to July 19<sup>th</sup>, 2014.**

Delegates will elect our new leaders and will vote on resolutions. Details about Convention are already on our Convention website, and the resolutions will be posted there as soon as they have been reviewed by the Convention Committees.

Visit the website, read the resolutions, and contact your local executive so that they know how you would like them to vote on the resolutions.



**MAKE YOUR VOICE HEARD.**

[www.ute-sei.org/convention2014](http://www.ute-sei.org/convention2014)

## BARGAINING TEAM ON TOUR

Members of the Bargaining Team will be visiting with each of our 58 locals across the country to meet with you during the months of March, April and May, 2014.

Please take the time to attend these meetings to find out first-hand how bargaining has proceeded and the steps that will follow. Only someone who has been at the table can give you the inside scoop of how they have been treated by the employer at the table.

This will be the ideal occasion for you to ask a member of the Bargaining Team questions, and find out why we do not yet have an agreement and why we are holding to our current bargaining demands.

If you don't know when your meeting will be held, contact a member of your local executive.



## *the President's corner*

What possible message can I convey, when there is so much going on right now.

UTE has been communicating with you on many issues: the attacks from the Harper government; Collective Bargaining updates; the impacts of the employer's *Staffing Simplification*; the increased use of students being used as cheap labour; the lack of respect for terms; **UNAUTHORIZED ACCESS** and I could go on and on.

During my travels across the country attending Annual General Meetings and office tours, I have had the privilege to engage in stimulating conversations with members. They have given me many views on what is going on in the offices and with bargaining. There have been members that have said they just want negotiations to be over, as we cannot win etc., but **the majority of members have indicated they are not willing to sign for nothing**; they are not willing to let this government dismantle their collective agreement; and they are willing to continue to fight for the people coming after them. The next generation deserves to have fair and equitable treatment.

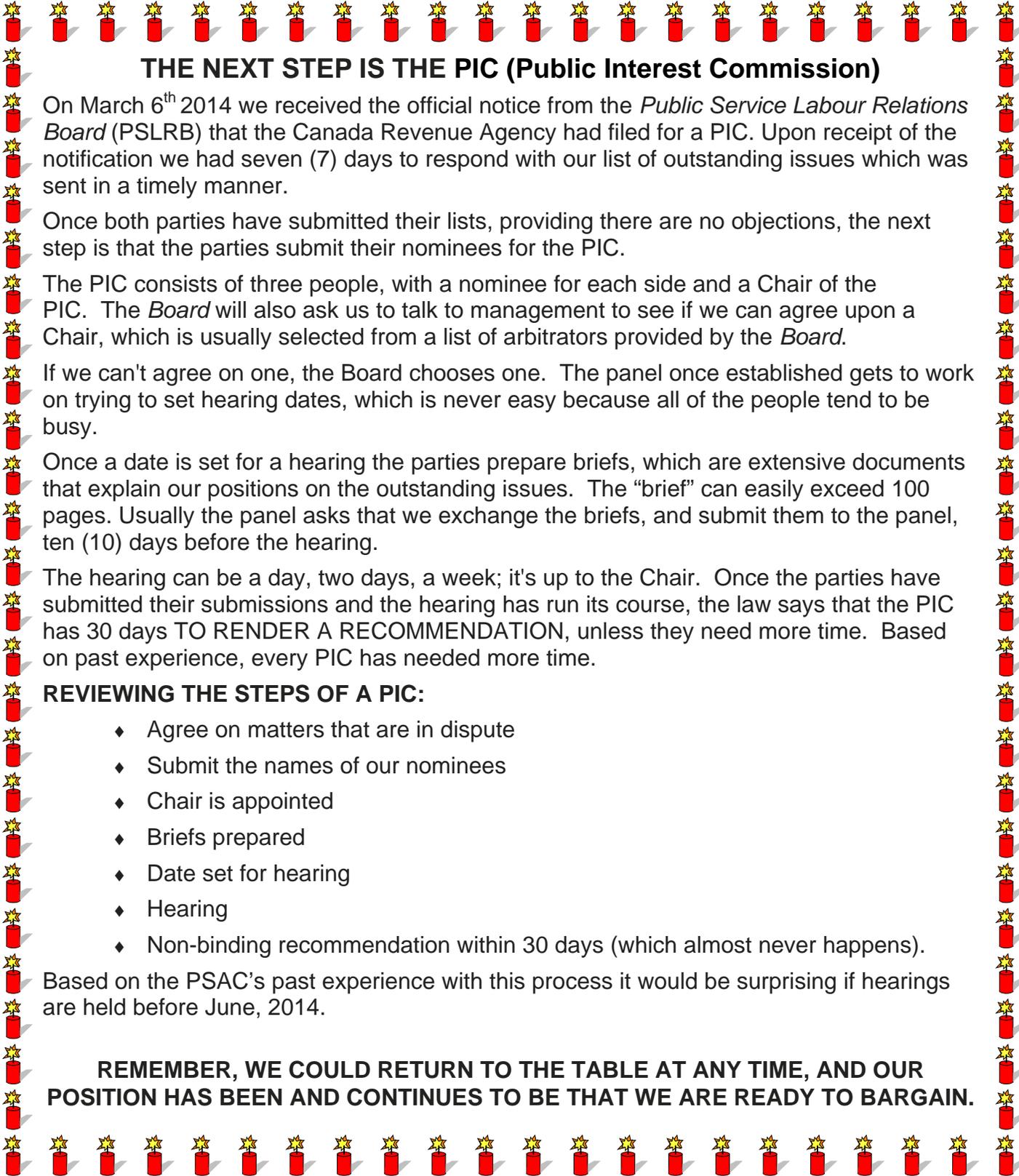
The message is simple.

WE ALL HAVE TO STAND AS ONE,  
UNIFIED IN THE KNOWLEDGE THAT  
WE HAVE EARNED  
RESPECT AND DIGNITY.

**WE ARE PROUD TO BE CIVIL SERVANTS.  
WE DESERVE FAIR TREATMENT.**

STAND UP FOR YOURSELF,  
YOUR CHILDREN, YOUR GRANDCHILDREN  
AND THE FUTURE MEMBERS,  
JUST AS THE PEOPLE BEFORE YOU STOOD,  
FOR THE BENEFITS  
YOU ENJOY TODAY.

**Bob Campbell**  
*National President*



## THE NEXT STEP IS THE PIC (Public Interest Commission)

On March 6<sup>th</sup> 2014 we received the official notice from the *Public Service Labour Relations Board* (PSLRB) that the Canada Revenue Agency had filed for a PIC. Upon receipt of the notification we had seven (7) days to respond with our list of outstanding issues which was sent in a timely manner.

Once both parties have submitted their lists, providing there are no objections, the next step is that the parties submit their nominees for the PIC.

The PIC consists of three people, with a nominee for each side and a Chair of the PIC. The *Board* will also ask us to talk to management to see if we can agree upon a Chair, which is usually selected from a list of arbitrators provided by the *Board*.

If we can't agree on one, the Board chooses one. The panel once established gets to work on trying to set hearing dates, which is never easy because all of the people tend to be busy.

Once a date is set for a hearing the parties prepare briefs, which are extensive documents that explain our positions on the outstanding issues. The "brief" can easily exceed 100 pages. Usually the panel asks that we exchange the briefs, and submit them to the panel, ten (10) days before the hearing.

The hearing can be a day, two days, a week; it's up to the Chair. Once the parties have submitted their submissions and the hearing has run its course, the law says that the PIC has 30 days TO RENDER A RECOMMENDATION, unless they need more time. Based on past experience, every PIC has needed more time.

### REVIEWING THE STEPS OF A PIC:

- ◆ Agree on matters that are in dispute
- ◆ Submit the names of our nominees
- ◆ Chair is appointed
- ◆ Briefs prepared
- ◆ Date set for hearing
- ◆ Hearing
- ◆ Non-binding recommendation within 30 days (which almost never happens).

Based on the PSAC's past experience with this process it would be surprising if hearings are held before June, 2014.

**REMEMBER, WE COULD RETURN TO THE TABLE AT ANY TIME, AND OUR POSITION HAS BEEN AND CONTINUES TO BE THAT WE ARE READY TO BARGAIN.**

### CHANGE OF ADDRESS

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



## THE FUTURE IS OURS

Public sentiment is swaying, the services you provide, and those that your fellow members in other organizations provide are being recognized in light of the cutbacks and the Public Service Bashing Campaigns. Canadian public opinion and polling is showing a trend that is recognizing fewer and fewer people are buying the "austerity" argument. If we take a broader look at international polling, it is also showing that the appetite for false blame being used to attack services is no longer convincing.

Granted there have been temporary setbacks like negotiations moving to a Public Interest Commission and the recent loss of the **C-10** Expenditure Restraint Act case (The rollback of our previous contract; which will be appealed), but to steal a cliché, "THIS IS A MARATHON NOT A SPRINT".

In Ontario, the province's biggest mouthpiece on anti-labour legislation and pro-privatization Tim Hudak has publicly abandoned his policies on unionized workforce (perhaps not privately, but certainly publicly). Why? Because he has heard loudly and clearly that the province's voters do not want this. The public is not interested in a policy that reduces the middle-class nor one that reduces family spending power. The public is seeing that the benefits that unions derive force the private industry to compete with unionized jobs thus raising the bar not lowering it.

Think back to Bill **C-377** (An Act to Amend the Income Tax Act – otherwise known as the Anti-Union Bill) when conservative senators amended it to the point of rendering it innocuous. They didn't dream this plan up in the middle of the night. They did it because they heard from labour activists, constitutional lawyers, privacy advocates AND MOST OF ALL, UNION MEMBERS FROM ALL SECTORS.

Take a look at the polling numbers over the last three years and particularly the last year. You will see a marked trend that does not bode well for the anti-labour establishment. Their talking points have become repetitive, the inflammatory verbal attacks have become boring, and their insults have become, well, not even insults anymore but rather words of a tragic comedy.

When we do win, and we will, it will not be because **we** asked for this fight, it won't be because **we** introduced anti-labour bills, it won't be because **we** made it our agenda, it won't be because **we** cut services, and it surely won't be because **we** caused an economic crisis. It will be because we are becoming more and more united and including our colleagues and communities who are starting to recognize these facts. It is because of your resilience and your integrity, you know how hard you are working for a greater cause, and don't let anyone convince you otherwise.

**STAND UP, BECOME INVOLVED,  
ASK QUESTIONS, STAY STRONG.**

*Adam Jackson*  
**Chair, Political Action Committee**

## TERMINATIONS AND REVOCATION OF SECURITY CLEARANCE

The National Office of the Union of Taxation Employees (UTE) has noted a recent trend by the employer that when terminating employees for unauthorized accesses and other such matters, they are coincidentally taking measures to revoke the terminated employees' security clearances. By revoking these security clearances, the employer makes it difficult, if not impossible, for these terminated employees to find employment subsequently with the Canada Revenue Agency or for that matter, elsewhere in the federal public service.

Moreover, even if the termination of employment was successfully grieved, the employee may not be reinstated to his/her former position as the security clearance has been revoked. Accordingly, UTE strongly recommends that if these circumstances occur, employees should file two separate and distinct grievances – the first contesting the termination of employment and the second challenging the revocation of the security clearance. Additionally, UTE recommends that employees who find themselves in these circumstances should **immediately** speak with a local Union representative for assistance.

*Shane O'Brien*  
**Senior Labour Relations Officer**

## SELF-IDENTIFICATION. BENEFICIAL? ABSOLUTELY!

Each year, the *Canada Revenue Agency* (CRA) and *Union of Taxation Employees* (UTE) internally promote the self-identification campaign. The *Treasury Board's* form allows all employees to self-identify as a member of one (1) or more of the four (4) designated equity groups. If you do not consider yourself to be a member of any of the four (4) designated equity groups, you can self-identify as such.

The information gathered is protected under the *Privacy Act* and therefore, be assured you can confidentially self-identify your status (women, aboriginal peoples, persons with disabilities and / or visible minorities). Once the internal statistics are compiled, the CRA can determine what percentage of its workforce is categorized among the four (4) groups. These internal statistics are subsequently compared to the Labour Market Availability (LMA) numbers collected from the latest *Statistics Canada* census. Calculations are completed and as a result, numbers in the CRA's workforce determine the amount of under-representation of designated groups in each occupational group. An employment equity plan will subsequently determine the best method to fulfill the positions under each occupation group that display gaps (or under-representation).

For the above to occur, you must first self-identify via the *Treasury Board's* form; otherwise, the CRA will be unable to determine if under-representation exists. The CRA and the UTE jointly promote self-identification and highly encourage you to actively participate.

If you have questions or concerns related to the self-identification campaign, do not hesitate to contact the UTE's *Equal Opportunities Committee* via

<http://www.ute-sei.org/English/committees/eo/index.cfm>

**HAVE YOUR SAY! SELF-IDENTIFY!**

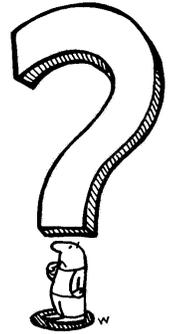
*UTE Equal Opportunities Committee*



## BILL C-23 THE “FAIR ELECTIONS ACT”

The question we should all be asking is, fair to whom?

This Bill, introduced into the House of Commons in February, 2014 is an attempt by the Conservative Government to win another majority government in 2015. Stephen Harper wants to win the next election at all costs. If he has to attack democracy in Canada and discourage voter turnout to do it, he will. This Bill has major flaws and Canadians should be concerned. When passed, this legislation will make it more difficult for individuals to cast a ballot; it will take away Elections Canada’s ability to run outreach campaigns encouraging people to vote, and instead of providing more powers to the Chief Electoral Officer to deal with cheating or fraud during an election, it makes it more difficult.



The number of Canadians turning out to vote during an election has been on a downward slide for years. During the 2011 election, only 61% of Canadians cast ballots. Our government should be doing everything in its power to encourage people to vote. Instead, this new Act will make it more difficult for Canadians; it eliminates the vouching system (a procedure that allows an individual without proper identification to have someone with proper identification to vouch for who they are, allowing them to vote) and requires identification in order to vote. Those without proper identification will be turned away. Who in our society is unlikely to have the proper identification? That would be students who are living away from home for the first time, lower income individuals who move often, the elderly who have moved to a care facility or sometimes First Nations people living on reserves. Interestingly, statistics show these groups are least likely to vote for a conservative government.

Once the “Fair Elections Act” becomes law, Elections Canada will not be allowed to run campaigns or outreach programs to encourage people to vote. School programs designed to educate students on democracy in Canada will be eliminated. Currently, a civics course held in secondary school which educates student on elections in Canada and where mock elections are held in an attempt to engage students will be gone. Why is encouraging people to vote and educating students about democracy a bad thing? The answer, it is bad when those individuals you’re educating won’t vote the way you want them to.

Canada’s Chief Electoral Officer, Marc Mayrand who was appointed by Stephen Harper, has called this Act “an affront to democracy” and claims it is “retaliation for Elections Canada’s previous clashes with the Conservative Party”. After the 2011 election, complaints were filed with Elections Canada concerning the “robocalls scandal”, and other electoral offences committed by the Conservative Party. Elections Canada held the party accountable and because of that, the vengeful and mean spirited Conservative Government is paying them back.

After the events in the 2011 election, and the investigation into the robocalls scandal, the Chief Electoral Officer of Elections Canada requested more power for the Commissioner of Elections to force witnesses to provide testimony during investigations. Currently, individuals who may be involved or have knowledge of election fraud or wrongdoing cannot be forced to testify about the events. This makes it next to impossible for The Commissioner of Elections to gather the information necessary to enforce the Elections Act. The Chief Electoral Officer requested changes but the Conservatives answer to this request was removing the power of the Chief Electoral Officer to appoint the Commissioner of Elections and to move the position into the Federal Public Service. We all know how freely Public Servants are allowed to speak, so if history is any indicator, the holder of this very important position will be muzzled by the government. Canadians will remain in the dark

concerning potential misdeeds of political parties during elections. This is just the way the conservatives like it!

This Bill has been called in the press vindictive, undemocratic, and a means to suppress the vote of the young, the elderly and other vulnerable Canadians. The Conservatives are pushing this through Parliament at lightning speed. We, as Canadian Citizens, need to speak up, tell our MP's this is not acceptable and most importantly, turn out to vote at the next election. I read a Facebook post that really resonated with me. It said "if **99% of the people turn out to vote, it won't matter what the 1% want**". I hope in the 2015 election Canadians turn out in record numbers to show this government that the attempt to attack democracy in Canada didn't work.

**Andrea Holmes**  
**Acting Labour Relations Officer**

## **TONY CLEMENT WANTS TO REFORM SICK LEAVE. WHO CARES?**

Every time the government successfully takes something away from public servants, it makes it that much easier for private sector employers to take it away from their employees, too. Instead of supporting a race to the top to improve the lot of all workers, those who agree with Tony Clement support the race to the bottom that all employers want. If you're making minimum wage, your employer would pay you less if they could. If you don't, you still have the salary and entitlements you have because your employer had to compete with some other employer, but every concession won by their competitors is one more entitlement they no longer need to offer you. When the PSAC says "WE ARE ALL AFFECTED", they don't just mean all PSAC members, they mean all Canadians!

So why care about losing a bit of sick leave that you might never need?  
To paraphrase Martin Niemöller\*:

First they came for my sick leave,  
and I didn't speak out because I was rarely sick.

Then they came for my voluntary severance,  
and I didn't speak out because I was close to retirement.

Then they came for my collective bargaining rights,  
and I didn't speak out because I felt that I had all that I needed.

Then they came for my right to be unionized,  
so there was no one left to speak for me.

**Harvey Patterson; Steward, Local 70001**

(\*) **Martin Niemöller, a German pastor (1892—1984), who was imprisoned in the Sachsenhausen concentration camp in 1937 wrote:**

*First they came for the Communists, and I did not speak out--  
Because I was not a Communist.*

*Then they came for the Trade Unionists, and I did not speak out--  
Because I was not a Trade Unionist.*

*Then they came for the Jews, and I did not speak out--  
Because I was not a Jew.*

*Then they came for me--and there was no one left to speak for me.*



## CRA BARGAINING SUMMARY OF OUR CURRENT POSITION

We've been in bargaining since September 2012. **We've met with CRA for a total of over 40 days of negotiations.** We spent 6 days in mediation. We are committed to negotiations, but we remain in dispute in a number of key areas. The text below represents an explanative summary of our current position on the issues outstanding.

### **Three Year Contract**

We have proposed an expiration date of October 31, 2015. A three-year contract has been the norm over this cycle of negotiations in the federal public service, and has been the norm traditionally in CRA bargaining before this past round. While CRA is proposing concessions such as ending severance accumulation for purposes of voluntary termination, it is too late in this round of negotiations for CRA to propose additional concessions such as changes to our sick leave.

Our position is that we want a three year collective agreement so that our sick leave and the other hard won rights in our contract remain protected under our collective agreement until the fall of 2015 – in all likelihood the year of the next federal election. The employer is proposing a two-year contract, with an expiration date of October this year. A contract expiration of 2014 would provide the employer the ability to propose cuts to our sick leave and other concessions later this year.

### **Job Protections**

We want new protections for our jobs in this round of bargaining. CRA has abolished positions and contracted out work. The government has made job cuts and privatization a key priority. There are locations where there has been an increase in the hiring of students to do our work. We have to protect ourselves. In order to do this we have proposed new protections against layoff, protections against contracting out and protections against the elimination of our work. All of these proposals are modeled on what has been agreed to by other federal employers, including Canada Post. To date the government and CRA have rejected these proposals.

### **Scheduling**

We have **proposed improving the scheduling provisions** to protect part-time employees and those who work at night and on weekends. We claim, among other things, the recognition of seniority. These proposals also reflect **what has been agreed to by other federal employers.** We are also looking for more flexible work hours for those who work during the day.

### **Precarious Employment at CRA**

Based on figures provided by the employer, there are over 8,000 term workers at CRA. Some – many – have worked for CRA for years and have not been given the opportunity to achieve permanent employment. We have proposed a joint-committee to address the need for fairness in terms of employment stability at CRA.

### **Leave**

We have proposed language that would ensure that policies such as Leave with Income Averaging and leave for medical appointments be protected under our collective agreement, and that would ensure fairness in terms of access to these leaves.

### **Economic Proposals—Employer Position**

In the fall we made our economic proposals to CRA, who promptly rejected them all and instead proposed a 2-year agreement with 1.75% in 2012, 2% in 2013 and the loss of severance accrual for the purposes of voluntary termination. Since then, the government and CRA have made no movement on any of these issues.

## **Our Position—Long Service Pay**

An issue raised on occasion by more senior members of the union is that there is not sufficient – or any – additional compensation for workers with more years of service, beyond annual across-the-board wage increases. What we have proposed in this round of bargaining to address this concern is Long Service Pay, modeled on what is contained in our agreement with Treasury Board for the SV group. Unlike wage scales, which are based on a certain jobs being performed and achieving a certain competency, long service pay is based on years of service, regardless of which job or classification an employee is working.

## **Wage Increases**

We have proposed 3% per year annual increases. This is in line with what has been projected by a number of major financial institutions and economic forecasters across Canada in terms of private and public sector increases in salary for 2012 and 2013. We have also proposed a 1% economic adjustment to take effect the first day of the contract.

## **Wage Scale**

Steps in wage scale are always predicated on job competency. The theory behind a wage scale is that the number of steps to the top represents the amount of time required for an employee to acquire all of the knowledge and skills needed to reach full competency. As has traditionally been the policy of UTE, PSAC and the labour movement in general, the less time it takes for a worker to reach the job rate (i.e. the top of the scale) the better.

With respect to the SP grid, workers in the PA bargaining unit at Treasury Board in comparable jobs are not required to work as long to achieve the job rate. Consequently we are proposing to remove step in both the SP and MG grids, so that it takes less time for our members to achieve the job rate for bargaining unit jobs. We have also proposed to further reduce the significant discrepancy that exists between the SP 7 and SP 8 levels. While some progress was made on this in the previous round, an abnormal 18% difference still exists between the SP 7 and SP 8 rates.

## **Acting Pay**

Current rules concerning acting pay have been a source of frustration for many workers in the bargaining unit. We are proposing to change this so that all time counts in acting positions for all union members, irrespective of status.

We are proposing that an employee that is appointed to an acting position be placed on the corresponding wage scale based on the position that they were in immediately before the appointment, and not based on substantive position.

We have proposed that all rules associated with acting pay be contained – and therefore protected – in our collective agreement.

## **Severance**

The employer has proposed the elimination of severance pay for the purposes of voluntary termination. Our position at the bargaining table has been that we wish to protect this benefit as it has been in effect for well over 40 years. We have told the employer that if we were to agree to its elimination there would need to be a significant trade-off for our members in exchange, as the changes proposed to severance represent a key element in the government's agenda to extract concessions from public service workers.

**In negotiations for a great many other groups, the government agreed to significant economic improvements – beyond the base wage pattern – as part of settlements where the accumulation of severance for the purposes of voluntary termination has been brought to an end. No such offer has been made to us.**