



The Harper Conservatives claim that they are working in the best interests of Canadian workers and in fact, all Canadians. If their actions reflect what they consider to be in our best interests, they need to start talking and listening to Canadians, workers and their Unions.

We have seen the Harper Government act in the “best interests” of:

THE RETIRED by:

- attacking the Old Age Security plan,
- suggesting an overhaul of the Canada Pension Plan
- attempting to force workers to work longer
- derailing the pension plans of government employees and other retired workers.



THE UNEMPLOYED by:

- weakening the Employment Insurance program,
- decreasing benefits, making it harder to qualify,
- closing offices, reducing service to unemployed workers and
- delaying payment of claims.

WOMEN by:

- decreasing or elimination funding to Women’s Advocacy Groups and
- crippling the Pay Equity Legislation.

These are but a few of the groups for whom the Conservative Government claims to be working “in their best interests“, and the list of Conservative targets go on.

Each time, Canadian Unions have stood alongside these adversely affected groups and have spoken out against the ill-conceived, focussed and malicious attacks of the Government.

Now, the Harper Government has singled out Unions and unionized workers for their latest attacks, and they have enlisted the support of some right-wing think tanks and big business Conservative supporters to aid in their attacks.

Salaries of CEOs continue to rise significantly. Big business is reaping substantial profits and decreasing tax liability while the wages of workers barely increase, if at all. In fact, many Canadian workers have suffered wage rollbacks, decreases and eliminations in benefits, reductions or elimination of pension plan benefits, forced lockouts, mass layoffs, decreased employment security and other adverse consequences.

(Continued on page 2)

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

Canadians continue to strive to work diligently to provide a reasonable standard of living for their families, own homes, save for the future and build for retirement. Now corporations and the Harper Government have joined in a campaign to fear monger amongst Canadians an impending economic crisis, and make us believe that we are lucky to have a job at all. The Harper Conservatives are escalating this campaign into the federal public service with insignificant wage increases after years of wage freezes, concession bargaining, the elimination of severance pay, mass layoffs and attacks on our pension plans.

Their agenda is clear.

Pit private sector employees against public sector employees.

Make the latter appear privileged and protected at taxpayer expense.

Pit non-unionized employees against unionized employees.

Make the latter appear to be overpaid, underworked, possessing excessive benefit and pension plans and in some case, unnecessary.

Pit unionized workers against their own union.

Making the unions appear to be unreasonable, greedy and corrupt.

The Government is acutely aware that the Unions are closely monitoring its activities and calling for fairness, transparency and accountability in dealings with Canadians and Canadian workers. Unions are the strongest line of defence in defending the rights of Canadians and have mobilized members, launched legal challenges, funded campaigns and educated workers and indeed all Canadians to enforce and protect those rights.

In response, **Bill C-377**, sponsored by Conservative MP Russ Hiebert, is being debated in the Senate.



Opposed by the opposition parties, almost all Conservative MPs have supported the Private Member's bill.

Promoted as a way to improve transparency (not their own, of course), the Bill is designed to challenge unions' involvement in political activities and divert their resources from this area, by creating a costly and cumbersome administrative burden upon unions. Bill C-377 would require every trade union and labour trust (pension plan, training fund as well as health and welfare funds) to file a public information return with the Canada Revenue Agency (CRA) on all expenditures over \$5,000.

It also mandates that labour organizations detail their disbursements to officers, directors and trustees and the percentage of time these individuals dedicate to political and lobbying activities.

The Conservatives are not requiring other professional associations that collect fees or dues from their members, such as the Canadian Federation of Independent Businesses, the C.D. Howe Institute, the Canadian Medical Association, Law Societies, or any other such group to follow the terms of Bill C-377.

This restrictive, costly and unnecessary legislation is aimed solely at unions.

For the most part, information concerning the finances of the union is already available to union members.

The Bill, in its current form, would allow employers and anti-union groups (at taxpayer and union expense) to get detailed information about a union's spending. This could help them understand the financial strength of a union and provide them with information to threaten collective bargaining rights and organizing drives.

Through another Private Members' Bill, the Government is planning to attack the 1946 Rand Formula, a long-standing court decision. Justice Rand's decision served to balance the rights of workers to be free to be able

to elect or not elect to become a union member, **with the principle that those who enjoy the benefits negotiated by the Union, should contribute to the costs associated with the achievement of those benefits.**

This decision has been widely accepted by employers, unions and governments since its inception. If it passes, this Bill will severely cripple unions in the collection of dues and further hinder the fight for their members. Further, it will cause dissension between employees, labour unrest and decreased productivity in the workplace.

The Harper Government is touting this as “*right to work legislation*” coining a phrase that is being espoused in some of the United States. In fact, it is being correctly labelled by opponents of this legislation as “*the right to work for less*”. By eroding union rights, it clears the way for governments and corporations to pay lower wages, provide lesser benefits, weaken health and safety protections, amongst other things, and chip away at workers’ rights.

Employees and employee unions are at a critical stage in these planned malicious attacks by the current Harper government. We are at a time when each and every one of us must stand up for ourselves and for each other. We must ensure that our rights are protected and that we are treated fairly and we must protect the legacy that we will be leaving behind for future workers.

The rights that have been achieved and the collective agreements that we now enjoy were not freely given to us by our employers and the governments in power at the time. Union members and unions before us fought for all the rights, entitlements and benefits that we have currently enjoy.

Corporations and governments, especially the current Harper Government, have worked hard to blame all the woes of the day on working class people and unions. The gap between rich and poor has continued to grow. Tax rates for corporations have decreased (allegedly to help the economy) however the unemployment rate and poverty levels continue to rise. Corporate profit continues to grow, unfortunately so does consumer debt. The path of the current government is to privatize and contract out to private business, without consideration to increased taxpayer costs. The “service” element of federal public service seems to have been abandoned by the current government and thus **WE ARE ALL AFFECTED.**



We need your support by standing up and working together, by assisting your local union, and by talking to your family, friends and neighbours. We need you to carry the message that the work you do is important. We must remind everyone that the government was elected to serve the people. It was never intended to be the voice of the rich and the corporations.

We need you to be involved when your Union asks you to take action. We need you to contact your Member of Parliament and tell him/her that the current Harper Government is not acting in your best interests and that you will no longer remain idle while your rights are being eroded and eliminated.

The Union of Taxation Employees, in cooperation with the Public Service Alliance of Canada, and in tandem with other Unions in Canada will work tirelessly and diligently to protect and preserve your rights, but we need your help.

**Speak with one of your Local Executive Members
about how you can help.**

Robert Campbell
National President

UNAUTHORIZED ACCESSES
PROTECTION OF TAXPAYER INFORMATION AND CRA ASSETS

UTE has been advising its members for more than 10 years now on the seriousness of unauthorized accesses and the importance of the protection and safeguarding of taxpayer information. Nevertheless, incidents and disciplinary measures initiated against our members for these violations have increased. Moreover, the CRA has placed a renewed focus on integrity, and it is strengthening its security control measures to protect taxpayer and other confidential Agency information. The CRA very recently revised its discipline grid to reflect an increased level of discipline for these infractions, and as a result employees appear to be subject to greater scrutiny.

The CRA Code of Ethics clearly articulates what constitutes an unauthorized access, as well as what is expected of its employees in order to protect taxpayer information and safeguard CRA assets. In today's society, there is a pronounced use of social media as a communication and networking tool. CRA employees must be especially vigilant in what they post and broadcast on these networks, in light of the CRA Code of Ethics. Both the CRA and the UTE have placed a strong emphasis over the years on educating members on the seriousness of these matters, as well as the extent to which disciplinary actions for violations can be imposed. Even inadvertent, or seemingly innocent infractions, carry a disciplinary risk. Violations of this nature can result in disciplinary actions ranging from an oral reprimand to dismissal. We are seeing more and more cases of discipline imposed on our members for such violations, especially now with the Agency's renewed focus on the protection of confidential information and CRA assets, and the concurrent changes to the CRA's discipline grid.

Violations to the CRA's Code of Ethics could mean your job. We strongly suggest that you review the employer's policies with respect to all of these matters and speak with your manager and/or local union representative should you require clarification or have any questions.

UNAUTHORIZED ACCESS

If the access you are about to make at work does not relate to the duties of your job: Don't do it!
You may think you are providing service to the public, but it could cost you your job. We continue to have members disciplined for unauthorized accesses, up to and including termination.

Yet it continues.
JUST DON'T DO IT

Please ask yourself one question before you access any account: Does this access relate to the duties of my job?

SAFEGUARDING TAXPAYER AND CRA INFORMATION
THIS IS A PRIORITY

If you are not completely sure of what you have to do...

JUST ASK
REGARDING FACEBOOK TWITTER AND ALL THAT STUFF

Even inadvertent or seemingly innocent postings could cause you a world of grief.

BE CAREFUL OF WHAT YOU POST

CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Sylvie Bastien (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.



CONFIDENTIALITY OF MEDICAL RECORDS

As per Section 92(7) of the *Constitution Act, 1867*, 30 & 31 Victoria, c. 3 (U.K.) each provincial Legislature is responsible for the health of its residents. As a result, each Legislature enacted an Act(s) to protect a patient's medical records. In the Province of Ontario, the Act is referenced as the *Personal Health Information Protection Act*. Therein, the Act describes what and how a patient's medical records must be protected.

Recently and for various reasons, it is our understanding the CRA has been contacting physicians' offices requesting to validate if an employee(s) scheduled and attended their medical appointment(s). This contact has been made without the employee's knowledge and consent.

Therefore, the UTE obtained an opinion from the *Office of the Information and Privacy Commissioner of Ontario* related to the scheduling of a medical appointment by the employee and the protection afforded under the Act. On February 1, 2013, the UTE received the following response from the *Office of the Commissioner*, reproduced in part:

"It would seem that information about a medical appointment for a patient would be considered personal health information... As such, this information could not be shared with another individual without the patient's consent, unless with another custodian and for health-care purposes, or for the assisting of health care..."

Consequently and if the employee schedules a medical appointment with their physician, the appointment itself is protected under the Act and as a result, no information about that appointment should be disclosed to a third party without the employee's written consent.

For that reason, the CRA and its employees must be made aware of the protection granted to the scheduling of a medical appointment. The CRA should not contact physicians' offices without the employee's written consent.

It is the opinion of UTE that any information obtained by the CRA in breach of the Act must be excluded from any investigation, action or other, considered, taken or that will be taken against an employee. If you are uncertain of your employer's actions, contact your local union representative:
<http://www.ute-sei.org/English/structure/orgchart.cfm>

Erik P. Gagné
Labour Relations Officer

Counterpoint: 'Right to work' is right to work for less

(This article was [published in the Financial Post](#))
Robyn Benson; National President, PSAC

In the U.S., this has meant US\$1,540 less in pay

Conservative Member of Parliament Pierre Poilievre is right: Judge Ivan Rand did rule that employees should “take the burden with the benefit” (“Unions ignore the Rand formula,” Feb. 6).

And Rand's formula does oblige workers who benefit from collective agreements and union representation to pay for those benefits. But that makes sense: Why should only some of the people in a workplace pay for something everyone in that workplace benefits from?

What Mr. Poilievre is wrong about is that workers would somehow benefit if the Conservative government did away with that formula. The Public Service Alliance of Canada (PSAC) is legally bound to represent all employees covered by our collective agreements, which is why all employees pay dues. Taking that away would destroy our ability to effectively represent workers and maintain the collective agreements they rely on.

That would seem to be Mr. Poilievre's objective. This is an attempt to import an American idea designed to undermine the rights of the people unions represent.

Eliminating mandatory dues has meant lower wages for both union and non-union workers in the U.S.'s “right to work” states — US\$1,540 a year less than similar workers in other states. Is this what Mr. Poilievre wants for his constituents in Nepean-Carleton?

Mr. Poilievre argues that Judge Rand never contemplated the sorts of political action that unions take part in when he came up with his famous formula. He also probably never contemplated mobile phones, but it doesn't mean unions should not use them either. The fact is Canada is a more complicated place now and employee wages and working conditions are also affected by the courts, human rights commissions and indeed Parliament.

And a union that cannot act on behalf of its members before these bodies isn't going to be very effective at the bargaining table either.

Just last week, the PSAC won a major federal court victory for all working families because we stood up to the government, as an employer, for refusing to accommodate a worker who needed fixed shifts so she could arrange childcare.

The PSAC used the Canadian Human Rights Act to win pay equity adjustments plus interest for more than 200,000 current and former workers in the federal government, the government of the Northwest Territories and Canada Post.

PSAC's “Black Paper” campaign won health and safety protection under the law for federal government workers. Just imagine your working day without the right to a safe and healthy workplace. And there are so many more examples.

None of these would have been possible if unions didn't have the finances necessary to advocate for their members — not just at the bargaining table, but also before Parliament, human rights tribunals and the courts.

Is that what Pierre Poilievre wants for his constituents (which include, by the way, about 5,400 PSAC members)? If so, perhaps they should be able to opt out of paying some of their taxes — possibly an amount equivalent to what the MP for Nepean-Carleton has spent railing against the Rand formula.



BARGAINING

The members of your Bargaining Team would like to thank all the members who **wear or display** the card cases with the appropriate messages.

The members of your team appreciate the support you showed on February 14 - Valentine's Day - and we take it as a sign of appreciation.

The PSAC/UTE and CRA Bargaining Teams are still bargaining. We met, as planned, during the weeks of January 28 and February 25, 2013. We will meet again during the weeks of April 15, May 27 and June 17, 2013.

However, the perception of this bargaining process is **that it is similar on all counts to the bargaining process that we had with the *Treasury Board* before the creation of the Agency**. The wait times for replies to our bargaining demands are long, the opportunities for progress are arduous, and they are asking us to make concessions. The employer's responses are repetitious and negative because they often tell us that there is no mandate or budget for our demands. We are certain that the mandate of our current bargaining process is under the charge of the Conservatives and that everything must be approved – drop by drop - by the Treasury Board.

How can they ask us for more concessions when that same Conservative government has:

- cut 1% from a duly signed agreement with Bill **C10**,
- brought Bill **C 45** into effect so that the CRA is required to refer every agreement to and have it approved at the bargaining table,
- had Bill **C 377** passed in order to compel the unions to spend more money for supposed transparency issues,
- cut a number of jobs, while closing various counters and removing taxpayer services that affect our work,
- made employment insurance practically inaccessible
- increased our share of the contributions to the pension fund, without making improvements to it, which cuts our salary without increasing our benefits and, lastly, they are preparing to tackle the rand formula.

These are clearly measures aimed at workers, federal public service employees and their unions.

These measures impoverish the middle class, and in turn the poor, because when your purchasing power decreases you reassess your priorities.

Moreover, the TVA television network reported that the Outaouais United Way charity campaign did not reach its goal, and it attributes part of that shortfall to cuts in the federal public service in Ottawa. These austerity measures seriously affect workers and their families.

How can we counter this inexplicable abuse of authority by the Conservatives, survive economically and try to keep our jobs?

It's no secret. Your bargaining team will continue to demand new articles in the collective agreement that will provide job security and will try to bargain for other improvements that will seek to meet the expectations of most members.

The time has come to show our solidarity.

You need to be part of that solidarity in order to support your demands and your bargaining team at the bargaining table. Remember that the strength in numbers is important, not just the type of action that we are asking you to take.

In my previous article, I told you that I was optimistic by nature, and I still am, but I am also realistic. Without you, I am just a voice in the desert and your bargaining team just tilting at windmills.

Together, we can do great things.

My collective agreement, my job, our families.

Your locals have issued you with card cases, with the messages:



We are asking that you
wear them or display them
PERMANENTLY

In support of your bargaining team.

Denis Lalancette 2nd National Vice-President

Do you want to receive the latest bargaining information?

SUBSCRIBE TO OUR BARGAINING EMAIL LIST

www.ute-sei.org/English/subscribe/