



MESSAGE FROM THE PRESIDENT

I would like to take this opportunity to wish all members of the Union of Taxation Employees (UTE) and their families a happy holiday season and a much better year in 2013.

During this year, we have been under constant attack by our government, corporations and other organizations with differing agendas. We have seen unprecedented attacks on our jobs and our pensions. There are Bills currently before Parliament that are nothing more than blatant attacks on Unions.

Bill C-377 will require all unions to file annual returns with the government and will further mandate that this information be publically accessible. This will have an inordinate impact on the members' union dues in terms of administrative costs.

Bill C-45. The specifics of this Bill returns bargaining to the control of Treasury Board, and more importantly, under control of the current government. This will most certainly put us back to the pre-Agency method of negotiating: long drawn out scheduling, lengthy negotiations and a barrage of proposed concessions in the hope it will weaken our resolve. It is more imperative than ever that we work together, stand up to save our jobs, and protect our long standing rights.



The recently announced closures of Cash and Service Counters across the country and the discontinuance of on-site storage of tax records illustrate that the job security of all of our members is at risk. **I fear this is just the beginning.** The extent of the next cuts and the next concessions that will be proposed are inestimable.

We must remember that our current collective agreement was built upon the hard-fought efforts of those who came before us. Absolutely nothing in our current collective agreement was willingly given to us. We are the guardians of that collective agreement for which our predecessors worked so hard. The responsibility is ours to improve it or, at the very least, to maintain the current benefits contained in it. We must look at what this means to those that will follow us, and not just, at what it means for ourselves.

The current government wants us to accept a two-tiered public service, where current workers will be treated differently than future workers. The pension changes for new employees that are slated to come into effect in January 2013 are a prime example. Under those changes, there will be people working side by side doing the same job, having different pensions and benefits.

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

POLITICAL ACTION

You have all heard it before I am sure: since your employer is the government, it is essential you become aware and involved in the political climate.

This is certainly a tall order for busy families on the go and after a day of work the last thing you may be interested in, is what your government is doing and whether or not you should react or care.

We all felt the anxiety and sadness when the first round of affected notices came out – and no one felt it more than those with the letters. I sat in a room with those who were being delivered the letters and saw the immeasurable blow to their pride in work and every bit of emotion that it deserved. No one should ever go through this. And then it came again on October 25th with the Agency's announcement that they would be moving to a private provider to store Agency records. Not just a devastating blow for the 267 indeterminate members plus numerous terms, but a devastating blow for privacy of information. This is why we need you to stand up. This is why we need you to be vigilant in keeping your eye out for what is next.

A private member's bill is moving through the readings in the House of Commons entitled Bill C-377. This Bill aims to have all union finances disclosed to the public, I guess just in case we are hiding something. It doesn't take much for any member in this union to know exactly what the finances are – in fact it is your right as a dues paying member. Nothing secret here, folks. However what this bill will do is cost money to unions in order to follow the reporting requirements. It will cost nationally and it will cost locally. The cost alone is what will affect us the most. The government knows that if you can't break the union's will, then you simply break their bank. This is not about fiscal transparency, this is about union-busting and a model taken from the south.



The latest issue that should cause you great concern is the second part of the omnibus budget Bill C-45. Buried at the end of this bill is a clause that changes the Canada Revenue Agency Act to ensure that all collective bargaining for the Agency goes through the Treasury Board Secretariat. This completely reverses the role that the Agency once played at the table. We were able to negotiate with the Agency to get two agreements before the expiry of the old ones. This government wants to seize control of what we once knew as “collective” bargaining.

Sisters and Brothers, I am asking you to please keep informed of what is happening nationally, communicate with the Political Action Committee if you have an idea for an action, write or call or meet with your MP depending on your comfort level, write letters to the editor, and share information with your colleagues as we are in this together, **WE ARE ALL AFFECTED.**

You will see and hear a lot of union bashing in the media and governments across the globe portraying unions and their members as self-serving, greedy, paid too much, lazy etc. You are none of those things. I appreciate it is hard sometimes when you are bombarded by these messages, that you may feel that your union doesn't care about you or it is wasting your money or your time. I assure you this is not the case. While you may occasionally feel like giving up, together we are stronger and can affect change. **STAY SMART, STAY STRONG, STAY UNITED.**

Adam Jackson
Chair, Political Action Committee

BARGAINING

In October 2012, the UTE/PSAC and the CRA Bargaining Teams exchanged Bargaining Demands. These demands were sent to our Bargaining List Subscribers (see the box below) and are available on the PSAC and UTE websites. As a result, the real face-to-face negotiations have started, and by the time you are reading this, the teams will have met at least twice and you will have received updates via **Bargaining Info** updates. Your bargaining team is convinced that the demands for improvements and protections that you have submitted are necessary, respond to the needs of the vast majority of members and resolve many problems. For example, the new **Section 9.3** bargaining demand, which states: **“There shall be no contracting out of bargaining unit work”**, aims to guard against outsourcing.

With the recent outsourcing of the tax file storage, we will lose 267 of our brothers and sisters at Taxation Centers across the country. I have always said, and it is worth repeating with conviction: having a job is a right. Are these first cuts the tip of the iceberg? Are they paving the road to more outsourcing? This outsourcing steals our members’ jobs and risks putting the confidentiality of taxpayer information in danger, all while costing more. I am by nature optimistic and am constantly searching for solutions, however, the omnibus bill, which would oblige the Agency to *“have its negotiating mandate approved by the President of the Treasury Board and to require that it consult the President of the Treasury Board before determining certain other terms and conditions of employment for its employees.”*, worries me.

This unacceptable step backwards would seriously affect my optimism. Negotiating with people who have their hands tied and whose mandate reflects the objectives of the Conservative Government, instead of reflecting the objectives and interests of the Agency and the respect for its workers is disappointing.

Think about it! What value will a negotiation with the *Agency/Treasury Board* have?

We know that the Conservative Government is in the process of undermining the rights of women, the security in airports, in agriculture and at our borders, putting the security of confidential taxpayer information in peril and probably attacking our pension funds, etc. This is the same *Treasury Board* that will be consulted and will give its negotiation mandate to the *Agency*? Decidedly, my optimism has taken a hit. The closures of business/enterprises that have cost more than 72,000 Canadians their jobs, are these not a result of the actions of the Conservatives?

Will the Teams be able to negotiate in good faith? In all sincerity, as long as the Conservatives are in power, I do not believe so. In layoffs demanded by the Conservatives, 267 of our brothers and sisters are losing their jobs, which will save \$17 million, while the announced goal is to save \$253 million. Who will be cut next? In the last two rounds of bargaining, we were able to turn the process

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**Your Locals gave you
a card holder
with the message:**



**We urge you
to always wear it
in support of your
bargaining team.**

Do you want to receive the latest bargaining information?

SUBSCRIBE TO OUR BARGAINING EMAIL LIST

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

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into workshops, where the employer and the union sat together – in good faith – to find mutually beneficial solutions and to respond to the needs of both parties. The proof was in our ability to sign two collective agreements before their expiration dates. What will happen once the *Treasury Board* has found its way back into the process?

Will we be forced, like the Quebec students, to pin a red maple leaf to our sweaters and take to the streets, in order to enforce our rights and regain the respect of the current government?

Think about it and then consider your next step.

Your negotiating team knows its direction, and is determined to negotiate the best possible contract for all of us.

Your support is vital.

PS : With optimism, I wish you and yours, family festivities filled with love and joy, and good health.

Denis Lalancette

2nd National Vice-President



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The government promotes these initiatives by dividing our membership as well as the Canadian Public with rationales such as "*Don't worry, this won't affect you, just everyone after you.*", and "*Why fight for them, this will not affect you.*" It is important for us to remember that new employees deserve to enjoy the same rights and benefits that we enjoy.

These new employees are our children and grandchildren, our families, our friends and our neighbours. **It is our legacy and our responsibility.** Once we allow the government to erode the job security, benefits and pensions for the future workforce, it is not a quantum leap to imagine that the next attack will continue against the current workforce.

Rest assured that UTE will stand in the forefront. So let us rise up to save our jobs and protect our benefits!

REMEMBER: WE ARE ALL AFFECTED

Robert Campbell
National President

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.



RANDS AND RATIFICATION VOTES

Sections 187 & 189(1)(a) of the *Public Service Labour Relations Act (PSLRA)*

Unfair labour practices

A recent decision by the Public Service Labour Relations Board (PSLRB) (*2012 PSLRB 81*) favouring a bargaining agent and its representatives will help the UTE and indeed all labour organizations governed by the PSLRB to better understand and apply the provisions of sections 187 and 189 of the *Public Service Labour Relations Act (PSLRA)*.

Here is what sections 187 and 189 of the *PSLRA* provide:

187. No employee organization that is certified as the bargaining agent for a bargaining unit, and none of its officers and representatives, shall act in a manner that is arbitrary or discriminatory or that is in bad faith in the representation of any employee in the bargaining unit.

189 (1) Subject to subsection (2), no person shall seek by intimidation or coercion to compel an employee

(a) to become, refrain from becoming or cease to be, or, except as otherwise provided in a collective agreement, to continue to be, a member of an employee organization; or

(b) to refrain from exercising any other right under this Part or Part 2.

(2) A person does not commit an unfair labour practice referred to in subsection (1) by reason of any act or thing done or omitted in relation to a person who occupies, or is proposed to occupy, a managerial or confidential position.

So in the case before the PSLRB, a RAND had presented himself to vote on a proposed contract but was informed by bargaining agent representatives that prior to casting a vote they would be required to sign a membership card. Most importantly (*and as the Board clearly recognized*) the union did not threaten, intimidate or otherwise pressure the RAND to sign the card. However, when they were refused the privilege of voting on the contract, because they would not sign the card, the RAND filed a complaint with the PSLRB arguing unfair labour practices. But with an absence of coercion on the part of the union representatives, the PSLRB ruled that there was no violation of 187 and 189(1)(a) of the *PSLRA* or of section 7 of the *Canadian Charter of Rights and Freedoms*. They ruled that ratification votes are an internal union matter and not within the powers of the *Board*.

Why is this decision important?

This decision makes a clear distinction between certification votes, de-certification, strike votes and ratification votes. Because the Board ruled that a ratification vote is an internal union matter and not within the scope of the *PSLRA*, it provides unions with the legal right to refuse voting privileges on ratification votes when a RAND refuses to sign the card. As the Board put it, ratification votes are internal union matters and not within the powers of the Board. Therefore, the union has the right to ask that an employee sign their union card prior to being permitted to vote on the ratification of a contract.

Hugh McGoldrick
Labour Relations Officer

NATIONAL EQUAL OPPORTUNITIES COMMITTEE MEMBER SELECTION AND THE NATIONAL EO CONFERENCE

The UTE's *Equal Opportunities Selection Committee* thanks all candidates who submitted their application form during this most recent input call!

The *Selection Committee* members were impressed with the number of application forms received and with the content of the essays written by the candidates. The candidates' dedication to employment equity and employment equity issues was evident and sincere.

The list of the newly selected *National Equal Opportunities Committee* members and their alternates must initially be endorsed by the UTE's Executive Council before letters from the *National Office* are posted to all candidates. Letters will be posted during the week of **December 9, 2012**...stay tuned to learn who will represent which equity group!

As was the case with the *Equal Opportunities Regional Conferences*, the *National Equal Opportunities Committee* will face the overwhelming task of drafting, preparing, finalizing and delivering the *National Equal Opportunities Conference*.

The Conference will be held in Ottawa October 18, 2013 to October 20, 2013.

In preparing for this undertaking, we are seeking input from our members.

- What theme could be chosen for the *Conference*?
- What objectives could be selected?
- What types of workshops are preferred?

Comments / opinions / suggestions can be provided to any of the *Committee* members listed via the following web link: <http://www.ute-sei.org/English/committees/eo/index.cfm>

Erik P. Gagné
Labour Relations Officer

NATIONAL HEALTH AND SAFETY CONFERENCE

The National Health and Safety Conference took place in Ottawa from October 19th to the 21st with over 170 participants, which made this our largest Health and Safety Conference ever. The Committee decided to adopt a new format for this Conference. In order to deal with the subjects presented, participants would break out into workshops after the presentation of the information. This allowed participants to share with each other how to implement the information in the workplace. As per the evaluations, this method was highly appreciated and greatly preferred over the method used in the previous conferences. As a result, the Committee may use this approach for future Conferences with some improvements as per the comments on the evaluations. The Committee is confident that the goal of the Conference, which was to make our workplace Health and Safety Committees more effective, will be realized in the coming months. The Committee would like to thank all of the participants for attending the Conference.

Pierre Mulvihill
Labour Relations Officer

***SUPPORT OUR BARGAINING TEAM
by putting up the poster***

Even Mom Said...

at your workstation.



PSAC/UTE bargaining team, From left to right: Dawn Hardy, David-Alexandre Leblanc (PSAC), Pietro Masdea, Morgan Gay (PSAC), Sabri Khayat, Jean-Pierre Fraser, Doug Gaetz, Denis Lalancette, Robin Johnson, Lyson Paquette (UTE)

Even Mom Said...



*“Don’t leave the table
‘til you’re done!”*

**We support our
Bargaining Team**





ACTION ALERT: Stop the privatization of document storage at CRA

Sisters and Brothers,

As you probably know, our National President, Brother Bob Campbell, already wrote to the Minister of National Revenue, The Honourable Gail Shea, to ask her to reconsider the ill-advised decision made by CRA to implement a New Storage Model for the Management of Canadians' Tax Records i.e. outsourcing the storage of the CRA Records to a private firm. He submitted that this initiative will seriously affect the public's confidence in the integrity of our tax system.

He also wrote a letter to Ms. Jennifer Stoddart, the Privacy Commissioner of Canada, to share our concerns about the security and privacy of such confidential and sensitive information as tax records of Canadian taxpayers and to request her to intervene in this matter by determining whether this initiative is offensive to the spirit, principles and provisions of the Privacy Act.

We now need the support of all of our members to increase the pressure on both the Minister of National Revenue and the Privacy Commissioner on this issue.

You will find below an Internet link which will direct you to a petition on "The Council of Canadians" website which is asking the Minister of National Revenue to refer the matter of the outsourcing of Canadians' Tax Records storage to a private firm to the Privacy Commissioner of Canada to get her advice on whether privatizing these tax records meets Canada's strong privacy laws. A copy of the petition is also being sent to the Privacy Commissioner.



Here is the link: <http://canadians.org/action/2012/CRA-privatize.html>

We are warning you that you should never use a CRA computer to sign a petition criticizing a decision made by our employer or for any other inappropriate use. You could certainly expose yourself to disciplinary measures. But for those of you who have access to a computer outside of the premises of the Canada Revenue Agency, please copy that link in your Web browser and sign and submit the petition.

Finally, we are also asking you to please give this a wide distribution to all your friends and families and ask them to sign and submit the petition as well.

Thank you.

In Solidarity,

Adam Jackson
Chair, Political Action Committee