



FEDERAL BUDGET TARGETS PUBLIC SERVICE FOR CUTS

The March 4 Federal Budget freezes federal departmental/agency spending. The government announced they want to balance the budget on the backs of public service workers – a direct threat to our jobs and the services we deliver. Our employer has a legal responsibility to bargain in good faith, and our union is already preparing for the next round of bargaining. We can expect the employer to come to the table looking for concessions, and we must prepare to fight back.

Management will likely propose layoffs and job cuts to deal with the budget freeze. Our union will defend against any proposed reduction in workforce. We will enforce our job security rights in our collective agreements.

We must speak out against cuts. Speaking out works! We saw this when the budget did not cut our pensions because we took action in the workplace. More than 50,000 people signed the petition calling on the government to protect our pensions and ensure retirement security for all. Our actions to protect our pensions must continue, even as we begin our campaign against the spending freeze. While the budget did not announce cuts to our pensions or changes to our contribution rates, it did say that the government would assess compensation, including pensions, against other jurisdictions to determine if our “compensation is reasonable”.



Take action now!

Go to psac-afpc.org/federal-budget and sign up to receive updated information on the impact of the budget.

- Sign the pension petition and help collect more signatures. Our actions may have stopped the government for now, but the fight is far from over.
- Report to your local executive any cuts or proposed reduction in workforce by management in your workplace.

Write letters to the editor and participate in online forums – help us send the message that this economic crisis wasn't caused by workers and won't be solved on our backs.

SI VOUS PRÉFÉREZ AVOIR CE COMMUNIQUÉ EN FRANÇAIS, VEUILLEZ VOUS ADRESSER À VOTRE PRÉSIDENT- E DE SECTION LOCALE

UTE SCHOLARSHIPS

The Union of Taxation Employees offers two \$2,500.00 National Scholarships and ten \$1,000.00 Regional Scholarships each year. All scholarships are available for members, their spouse, their common-law spouse and/or their children/grandchildren. The application requirements include an essay (500-700 words – use *the word count function*) or audio/visual submission.

The U.T.E Honours and Awards Committee will base their selection on the following:

- Submission by the applicant;
- Statement pertaining to your program and career plans;
- Statement of your community involvement and;
- Statement of your union involvement, that of your spouse or that of your parents.

The full requirements and the scholarship application form are available on our website at: <http://www.ute-sei.org/English/docs/scholarship-guidelines.cfm>
Please note that the **deadline is June 15th** and that we cannot grant extensions.

While you are looking at UTE's scholarship opportunities, it is worthwhile to investigate the 15 scholarships offered by the PSAC.

<http://www.pfac-afpc.org/what/benefits/scholarships-e.shtml>

*Susan Duncan,
Web/Communications Officer*

UTE UPCOMING EVENTS

April 10-11, 2010
Regional Health and
Safety Conference
(Calgary)

April 24 –25, 2010
Regional Health and
Safety Conference
(St. John's)

June 7-10, 2010
Executive Council
(Ottawa)

June 18—20, 2010
National EO
Conference
(Ottawa)

END STATE—PQP

"APRIL FIRST" 2010 IS THE DATE OF THE ESTABLISHMENT OF
END-STATE PQP BY CRA.

The UTE National Staffing Committee is preparing two activities:

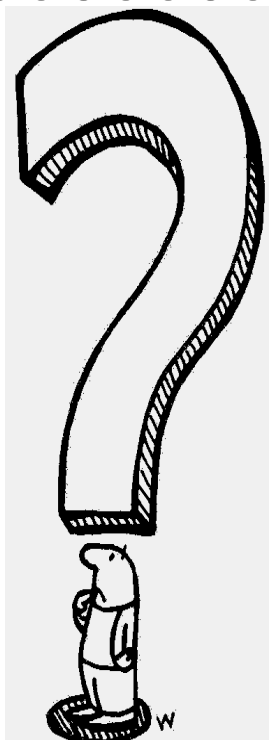
- A Presentation explaining End-State will be delivered at March 2010 President's Conference, and
- A series of workshops reviewing the methods of End-State implementation at the local level will be held during the September President's Conference.

For more information, please consult the UTE Bulletin 03/10, on the UTE website.

The purposes of the activities is to inform and review the End State – PQP implementation in each of our offices.

We encourage you to participate actively in this by submitting your questions and/or concerns to your Local, in order to be submitted to us.

*Sabri Khayat
Chairperson UTE Staffing Committee*



POLITICAL ACTION - PENSIONS

The 2010 Federal Budget is proposing to freeze departmental and agency spending. In plain language, it means the Government is attacking our wages and our jobs. Rest assured they will focus once again on our pensions.

The PSAC “**Hands Off Our Pensions**” campaign is being fully supported by UTE and our members, has to date over 50,000 signatures on a petition. The impact has seen the Government delaying the pension attack.

While the full details in the Budget have to be analyzed, it is clear this Government wants to put the economic downturn on the backs of their employees.

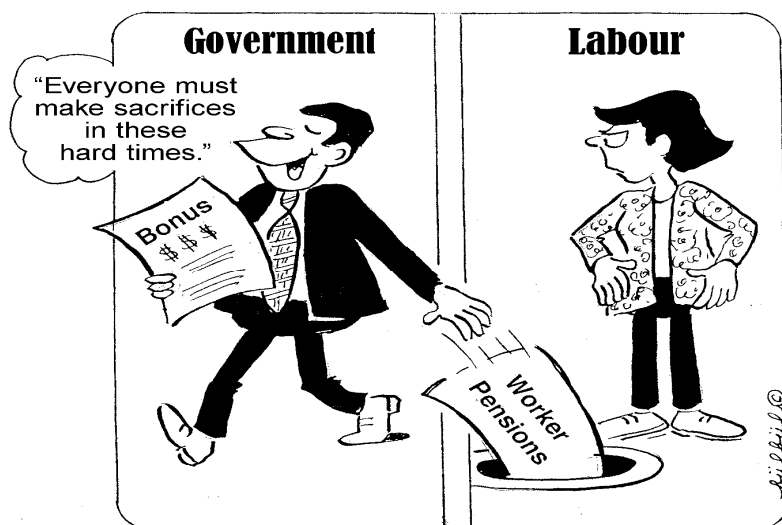
Through UTE’s political action we deterred the closures of Inquiries and Cash in Client Services.

We launched a campaign against Bill C-10 which attacked our legal contract. Our Challenge is now going before the courts.

It is now apparent that we must take political action again to make it clear to the Harper government that we will not take these attacks without a fight.

As the Chair of the UTE Political Action Committee I am asking all UTE members to continue their support, and get more involved in lobbying and other forms of political action. Remember, there is only one choice we “DO NOT” have and that is to do nothing.

*Nick Stein
Chair, UTE Political Action Committee*



the president's corner

MYTHS AND MISCONCEPTION

I am continuing the discussion on myths and misconceptions with a **second myth**: “**I pay my dues, but I don’t get anything for it.**”

The Union acts as your bargaining agent to negotiate a collective agreement that covers your working conditions, your benefits and your wages. With an employer who can legislate the rules, this is no easy task. The Union is also the watchdog of the employer’s actions, locally, regionally and nationally. This requires having trained local representatives, and professional labour relations officers defending your collective agreement rights.

The Union has national standing committees that deal with issues of ongoing importance to UTE members: Bargaining, By-Laws, Communications, Employee Assistance Program, Equal Opportunities, Finance, Harassment, Health and Safety, Honours and Awards, Political Action, Staffing, Technological Change, Workforce Adjustment. These committees report their activities regularly, which can be read on the web.

The Union is not a brick and mortar building, nor is it only the various members of the executive. The Union is ‘**we**’, **you and me**, the members. Have your voice at your local meetings, as this is where you stand up with your co-workers in order to have your say in how things should be done.

Union representatives are volunteers and must have some kind of do-gooder instinct and a thick skin, since they take the heat from the employer and the members.

If you don’t know where your union dues are going and what you get for them, get involved with your Union. Check out the website, and read the committee reports.

**YOU ARE THE UNION!
BE A PART OF IT.**

Betty Bannon

NATIONAL DAY OF MOURNING

Wednesday, April 28th is a very important day. It is the day we commemorate workers whose lives have been lost or injured in the workplace. This National Day of Mourning, held annually on April 28, was officially recognized by the federal government in 1991, though its beginning was launched eight years earlier by the Canadian Labour Congress.

The Day of Mourning is now recognized in approximately 80 countries around the world. As is the custom on all National Days of Mourning the Canadian Flag will fly at half mast. Throughout the country candles will be lit, ribbons and arm bands worn with pride and remembrance, and moments of silence observed. Please participate and strive throughout the year to prevent workplace injuries, illnesses and deaths.

In 2008, in Canada, 1038 fatalities occurred at the workplace, an average of 2.84 deaths every day. Every day workers leave their home and their family expecting to see them later that same day. They do not leave home expecting to die. The international symbol for Health and Safety is "THE CANARY IN THE CAGE" and people have asked what that represents. In the 19th century, miners would take a caged canary into the mines with them. Canaries are more sensitive to airborne hazards and the absence of oxygen than people. If the canaries were overcome by hazards, it was a sign to evacuate the mine fast. Unfortunately, as the numbers indicate, humans have now become the canaries in the workplace and we must recognize that when every single day in Canada almost three people die at work. Something must be done. Remember the slogan:



“Mourn The Dead, Fight For The Living”

It is as much a day to remember the dead as it is a call to protect the living.

It's your life. Don't leave work without it.

*Chris Aylward
Chair, Health and Safety Committee*

North America Occupational Safety and Health - NAOSH week is being celebrated May 2 – 8, 2010. Ask your local workplace health and safety committee what they are planning to celebrate this week in the workplace. Workplace committees who plan events can win prizes and should visit www.naosh.ca to learn more.

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.



MATERNITY / PARENTAL LEAVE / ALLOWANCES AND DETERMINATE EMPLOYEES

Maternity leave was initially introduced in the Province of British Columbia under the *Maternity Protection Act of 1921*. The Act "...prohibited employers to employ women for at least six weeks after they had borne a child." The Province subsequently introduced the *Maternity Protection Act of 1966* and the federal government amended the *Canada Labour Code* during the year 1970 to reflect tendencies related to maternity leave. Currently, all Canadian jurisdictions contain forms of maternity leave.

In your collective agreement, maternity leave and parental leave without pay are administered by Articles 38 and 40. To qualify for and be granted maternity and parental leave without pay, you must meet the requirements outlined at Articles 38.01 and 40.01.

To qualify for and be granted the maternity and parental allowances, you must meet the requirements outlined at Articles 38.02 and 40.02, more precisely, **(1)** you must have completed six (6) months of continuous employment, **(2)** provide the CRA with evidence you have applied for and are in receipt of maternity / parental / paternity / adoption benefits and **(3)** duly complete and sign an undertaking agreement with your employer. Once all documentation has been submitted, the collective agreement reads that the CRA **shall** grant the maternity and parental leave without pay and the allowances, if requested.

Even as a determinate employee, the CRA has the obligation to grant the leave without pay and the above allowances, if requested, for the **entire duration** of your maternity and parental leave. Prior to accepting the allowances and to prevent repayment, we recommend you contact *Compensation* and speak to your local union representative.



In the recent *Canadian Human Rights Tribunal* decision of *Lavoie v. Treasury Board of Canada Ms. Kathleen Cahill* concluded that for the purposes of maternity and parental leave without pay, the leave granted to an employee will be considered cumulative service. No distinction was made by Ms. Cahill between an indeterminate and a determinate employee.

Often, a determinate employee's contract of employment with the CRA will expire during her / his maternity and / or parental leave without pay. Consequently, the CRA's position is that once your contract of employment expires, you are not considered an employee. As such, *Compensation* will terminate your maternity and / or parental leave without pay and cease remitting your maternity and / or parental allowances. Evidently, the CRA's position is contradicted by the *Canadian Human Rights Tribunal's* decision.

The UTE's position is that whether or not a determinate employee's contract of employment expires during her / his maternity and / or parental leave, the employee is entitled to receive all of the granted leave without pay and the allowances. Furthermore, the leave will be considered cumulative service for the purposes of *Annex R – Directive on the Management of Term Employees*, paragraph 7.4.

As a result and for example, if a determinate employee has accrued four and one half (4.5) years of cumulative service with the CRA, is subsequently granted maternity / parental leave without pay and ultimately, her/his contract of employment expires during the maternity/parental leave, the employee's **entire** period of maternity/parental leave will be considered cumulative service and as such, the employee will be administratively converted to an indeterminate position as per *Annex R*.

The repayment provisions outlined at Articles 38.02(a)(iii)(A), (B), (C) and 40.02(a)(iii)(A), (B), (C) are concise and explicit. The repayment is effective when the employee **(1)** fails to return to work on the expiry date of her/his maternity/parental leave or **(2)** fails to work for a total period equal to the period the employee was in receipt of the maternity / parental allowances.

Most employees whose contract of employment expires during their maternity/parental leave without pay, will receive a letter from *Compensation* advising that since they have not been rehired within ninety (90) days as per Article 38.02(a)(D)(iv) and/or Article 40.02(a)(D)(iv), they will be made to repay the maternity/parental allowances received prior to the expiry date of their contract of employment.



Articles 38.02(a)(D)(iv) and Article 40.02(a)(D)(iv) were negotiated to protect an employee who resumes work for the CRA on the expiry date of her/his maternity/parental leave, is struck off strength thereafter and rehired within ninety (90) days. If such an incident was to occur, the employee will not be made to repay the maternity/parental allowances if she/he works for a total period equal to the period the employee was in receipt of the allowances.

As a CRA employee, it is important to note you have the right to receive all of your maternity parental leave without pay and the maternity/parental allowances, regardless of the fact your determinate contract of employment expires during your leave.

IF YOU ARE QUESTIONING CRA'S ACTIONS, SPEAK TO YOUR LOCAL UNION REPRESENTATIVE.

For an overview of UTE's structure and to obtain your local's contact information, consult our Website: www.ute-sei.org

Erik P. Gagné
Labour Relations Officer



DID YOU KNOW - CLARIFICATIONS

We had a few questions from our last Newsletter's DID YOU KNOW article and we would like to clarify a few points.

- Article 63.01 (e) states that when an employee dies, that a severance payment comprised of one week's pay for each complete year of continuous employment and pro-rated payment in the case of a partial year of continuous employment, to a maximum of 30 weeks pay, will be paid to an employee's estate. Our article went on to state that your estate must request this payment. Upon further investigation, we have found that in practice, the amount is automatically paid out to the employee's estate. Notwithstanding this practice, it would be prudent for the executor of the estate to request the severance pay.
- Article 54.01 states that the Employer may grant leave with pay when circumstances not directly attributable to the employee prevent his or her reporting for duty and that such leave shall not be unreasonably withheld. In the case of a snowstorm, you must document **ALL** the efforts you made to arrive and report at your workplace. We had previously printed an article concerning this subject in our December 2007 Newsletter and it may be viewed at: <http://www.ute-sei.org/English/Publications/union-news/2007/dec-snowstorms-getting-to-work.cfm>. Further guidance on this matter may also be gleaned from a recent adjudication decision in *Coppin et al v. Canada Revenue Agency*. This decision may be viewed at http://www.pslrb-crtfp.gc.ca/decisions/fulltext/2009-81_e.asp. It is suggested that you discuss the issue with your Local Executive as regional and local policies may help clarify expectations.
- Article 28.10 covers meals when working overtime. In our last DID YOU KNOW article we stated that you must work more than 3 hours, when in fact you need to work **three (3) OR more** hours of overtime immediately before or immediately following your scheduled hours of work, in order to be reimbursed for one meal in the amount of \$10.50 (except where free meals are provided). You would also be entitled to reasonable time with pay in order that you may take a meal break either at or adjacent to the employer's place of work. For more information, please refer to your collective agreement, or speak with your shop steward.

Communications Committee

WHO IS MY SHOP STEWARD? WHO IS MY LOCAL PRESIDENT?

We would like to think that all of our members know who their Shop Steward is, as well as their Local President. Unfortunately our last questionnaire showed us that in some cases, you might not know the members of your local executive. If you are in this position, just visit our website's directory and find your local. The locals are broken down by region and then by location.

Once you've found your local, contact someone on the executive, introduce yourself and find out how you can get on their contact lists so that you will be contacted next time there is an important meeting or event.

<http://www.ute-sei.org/English/structure/orgchart.cfm>

Susan Duncan
Web/Communications Officer

PRESENTATION ON YOUR PUBLIC SERVICE PENSION PLAN

Twice a year we hold a conference for the local presidents and during the conference we often have speakers who focus on a particular area of interest for our members.

During the last Presidents' Conference, Mr. Armand Cormier, a Client Liaison Officer from the Public Service Pension Centre, gave us a presentation on the Public Service Pension Plan. Mr. Cormier's presentation was not only clear and informative, but he was able to make a fairly dry subject captivating. We received many favourable comments from those in attendance and we have received permission from Mr. Cormier to post the presentation on our website so that all of our members can benefit from the information presented. It can be found at the following address:

<http://www.ute-sei.org/English/docs/2009/English-UTE-Presidents-Conference.ppt>

*Susan Duncan
Web/Communications Officer*

“TECHNOLOGICAL CHANGE IS LIKE AN AXE IN THE HANDS OF A PATHOLOGICAL CRIMINAL”

I didn't say it! Albert Einstein did. Greetings to all. I am Brian Oldford, your UTE Presidents' Representative on the Technological Change Committee.

First a quick overview.....

The MANDATE of the Committee simply stated is:

To be the liaison between the Union of Taxation Employees and the Headquarters of the Canada Revenue Agency on matters of Technological Change.

ROLES Trust me, there are many but the two I want to focus on are

- **To encourage a communication network between the locals and the Committee.**
- **To meet on a regular basis to discuss matters concerning Technological Change as they relate to the Union of Taxation Employees.**

There is one thing you have to know, Tech Change is in the forefront of CRA and actually we are one of the government agencies that lead in new innovations. New innovations impact on jobs and duties. You don't believe me? Take a look at ESS.

How much fun are you having trying to do your time reports? T1 Bar Coding has really impacted Taxation Centres. And now, the Taxpayer can go on line (MY ACCOUNT) and do more and more of the work of a client service agent.

Take a moment and consider any tech changes that have impacted your job.

Take another moment to identify issues or questions you may have on the changes.

And the final moment! Advise your local Union representatives who will advise me.

**THE COMMITTEE WILL ADDRESS YOUR CONCERN
AND WE WILL PROVIDE YOU FEEDBACK. I PROMISE.**

Brian Oldford

Presidents' Representative to the Technological Change Committee

P.S. Our next meeting with the employer is scheduled for May 2010.



INTERNATIONAL SOLIDARITY

Our National President, Betty Bannon and Senior Labour Relations Officer, Shane O'Brien recently travelled to Trinidad & Tobago (T&T) as invited guests of the Public Services Association (PSA), the Union that represents approximately 17,000 of their country's Government workers. Betty was invited to share her expertise, support and to act as a consultant/advisor regarding the T&T Government's attempt to merge the T&T Customs with their Board of Inland Revenue into the T&T Revenue Authority (TTRA). As you know, Sister Bannon led our Union through a similar transition of Revenue Canada to Canada Customs and Revenue Agency in 1999.

The success in Canada was based in part on the open consultation between the Canadian government and the Union to ensure transparency of the process and the seamless transfer of all employees. That is definitely not happening in the Republic of Trinidad and Tobago.

The Government down there has led their citizens to believe that they are using the same framework as Canada but in fact, that is not so and that was exactly the message that Betty took to the people of T&T. There are many differences in the two models but the two glaring differences between the model of Canada and that of T&T is that the Government of T&T intends to fire all of the employees of Customs and Inland Revenue, pay out \$350 million dollars in departure monies and then hire those back who they want. The second issue is that their proposed Board of Management is totally named and appointed by the Government. In Canada, only two of the 15 Board members are actually named by the Government and one of them is the Commissioner of the CRA and the Board seat as CEO comes with the job. Their Board of Management is also going to have more "say" in the day to day operations and HR resources of the TTRA while in Canada, the Board of Management is an oversight committee and is not involved in the day to day running of the CRA.

The employees of Customs and the Board of Inland Revenue have been staging daily noon hour exercises, marching throughout Independence Square and the downtown area of Port of Spain since January 29th. These members are fighting for their very existence and livelihood. Both Betty and Shane joined these members in their exercises each noon hour while they were there. They also accompanied the PSA to a meeting of the Corporation that has been hired to set up the TTRA, a session with an Independent Senator to secure their vote on the Bill and a multi union meeting. "The Canadians" as they were called by the Press were also in the newspapers, on the radio and TV stations on a daily basis.



On Thursday March 4th Sister Bannon was scheduled to address the workers after their march, as she had done the two previous days when the Police Superintendent stepped in and advised, “any foreigner who came to T&T and wished to address a public meeting had to inform the Minister of National Security in writing 14 days prior to the event.” Of course the Press picked up on this immediately and surrounded Betty and the Police Superintendent pushing their microphones towards the two of them. Betty was quoted in the paper “***This is atrocious! It is atrocious to human rights anywhere in the world,***” replied a visibly upset Betty Bannon.”

Betty then proceeded to ask permission from the police to at least say goodbye to the workers because they were leaving the next day but was told she would have to do it individually. So off she went into the crowd and started yelling goodbye to everyone and told them why she could not address them as she had done the previous two days. Both Shane and Betty shook hands with each of the workers as they returned to work and wished them well in their righteous and just fight. Neither Betty nor Shane believe that the local Government was unhappy when they left to come back to Canada.

The Bill to enact the TTRA has passed first reading and is currently in the Senate.

SHAME ON THE GOVERNMENT OF TRINIDAD & TOBAGO FOR TREATING THEIR WORKERS SO BADLY AND MISLEADING THE PUBLIC!!!!

Communications Committee

