



BARGAINING

Since our collective agreement was signed with CRA, members have begun to wonder about the bargaining process and what the future holds. In this article, we will try to outline the path forward based on all of the current information available.

THE CONTRACT REOPENER

Contained in the agreement was a provision that provided the union with the opportunity to re-enter negotiations with the CRA regarding the wages that had been negotiated for years 2014 and 2015. The intent was to provide the opportunity for the union to negotiate additional wage increases above those contained in the recently signed settlement. The date by which both parties would enter into negotiations was stipulated as no later than October 2017. This agreement also provided for a settlement process should an agreement not be reached. If both parties could not agree, the matter would be referred to arbitration and any recommendation made by the arbitrator would be binding on both parties.

Madonna Gardiner, Second National Vice President, responsible for collective bargaining, has advised that discussions have taken place with the employer and its negotiator and dates for meetings have been confirmed. May 3rd and 4th the bargaining team will be back at the table meeting with CRA.

As you recall, in the recent tentative agreement, members were provided with a .75% salary increase in both 2014 and 2015. As well, in each of those two years, members were given an additional .25% increase in lieu of the discontinuance of severance. Recently the majority of other public service bargaining units that have been negotiating with Treasury Board have tentative agreements currently being voted on that provided for a 1.25% salary increase in each of years 2014 and 2015. From the writer's perspective, this is certainly strong evidence to support an adjustment to our 2014 and 2015 wage settlements. It is clearly the position of UTE that the additional .25% received in 2014 and 2015 should not be factored in any discussions as it was clearly identified in the settlement as a wage adjustment reflecting the loss of our severance.

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GETTING READY FOR THE NEXT ROUND OF BARGAINING

In any round of collective bargaining, a critical element is the collection and development of a series of bargaining demands to be presented to the employer. The initial step in this process is to engage members and activists in the process of submitting possible bargaining demands to be included in

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

the upcoming round of bargaining. To this end, on March 14, 2017, a bulletin was issued to all locals advising of the input call for the collection of bargaining demands. This bulletin suggests that locals should look at various methods of collecting and organizing bargaining demands from the membership. The local must then review all of the demands received and prioritize a maximum of 10 that can be submitted to the National Bargaining Committee for consideration. If one considers that currently we have 58 locals within the UTE, this could result in 580 bargaining demands being received. This does not take into consideration duplicate demands as well as demands that fall outside of the scope of collective bargaining. There are processes in place to review these. An example would be changes to the dental plan which are referred to the National Joint Council (NJC). The deadline for bargaining demands to be received by the National Office is 5 PM June 1, 2017.

It is the responsibility of the National Bargaining Committee to meet and discuss the various demands and to select and prioritize those that will become the official demands of the UTE that will be submitted to the Canada Revenue Agency. It is important to recognize that the final set of demands submitted is usually somewhere between 20 to 30 demands, so the bargaining committee has a great deal of work in determining which demands serve the best interest of the membership. Members are encouraged to contact their local executive and get involved in the bargaining process.

THE NEXT ROUND OF COLLECTIVE BARGAINING

Bob Campbell, UTE National President has suggested that the next round of bargaining commence shortly after the UTE National Triennial Convention scheduled to take place July 19th to the 23rd. The rationale behind this decision was to ensure the continuity of those individuals who are on the bargaining team since there is the likelihood that there will be changes in some of these bargaining team members as a result of the convention.

What do we hope for in the next round of bargaining? Based on information available with respect to tentative agreements with other public sector bargaining units as noted above, it is hopeful that the upcoming process will not take four years like the previous one. Of note, what would be one of the more contentious issues in the next round of bargaining, that being our sick leave, seems to be one that will not be included as an employer demand in our next round of bargaining. What we see in the proposed tentative settlements is a commitment from Treasury Board to leave sick leave in the current collective agreement and to develop a joint union management working group to come up with a new sick leave regime.



There are four basic principles that have been agreed to in the framework to be developed:

- sick leave provisions will continue to remain in the collective agreements
- there will be protection and grandfathering of sick leave banks
- there will be development of wage loss replacement provisions
- the administration of any wage loss replacement processes will be done “in-house” and not done by a third-party provider.

Another interesting piece of information which may come into play when we negotiate with the CRA is that in 2016 with the other bargaining groups they were offered a 1.25% salary increase along with a .5% wage adjustment amongst all groups and levels.

What will our next round of bargaining look like? Only time will tell. But with the involvement, support and engagement of the membership in submitting bargaining demands, hopefully we will be able to settle our contract sooner and have success in making improvements for you the membership.

Gary Esslinger
Co-chair Collective Bargaining Committee

MESSAGE FROM THE NATIONAL PRESIDENT

The topic of this, my last newsletter article was something that I deliberated over for a long time, as I attended various Local Annual General Meetings for the last time. My final message to you became very clear to me as I spoke with members across the country.

During a visit with my nephew, he revealed to me that he was going to be sitting on his own Union's bargaining team and was looking to me for some of my experiences. We were having a great discussion when he shocked me by stating that he understood, due to the economy, that he did not deserve the same benefits or wages that his father and I had. Then it struck me that the media, big business and the governments have done a great job in blaming the working class, especially young workers, for the repeated mismanagement of governments at all levels (local, provincial and national).

The message I want most passionately to leave you with is that you do deserve the benefits you have and you should be compensated fairly for the work you do.

Nothing in your collective agreement was given to you freely. Every article, every benefit was hard-fought for by the members. For years, there has been nothing but attacks on public service employees, including wage freezes, increases that are less than inflation, removal of your severance pay, attempts to privatize your sick leave, and changes to your pension plan from a defined payment plan to defined contribution plan.

During the last round of bargaining, the members of UTE stood up for four years on their own. The strength that our membership displayed is now helping all of the other bargaining teams get collective agreements. Treasury Board found out that if you push too much, the members will not take it.



Robert Campbell receives his 40 year pin from the Chair of the Honours and Awards Committee, Wayne Little

I believe that our resolve in the last round of bargaining can only help the next round, and every round yet to come. Several members asked me during this last round what was ever won from going on strike. Well, I tell you unequivocally, we always win by standing up for ourselves. We need look no further than the Workforce Adjustment (WFA) Appendix "C" that has helped so many of our members and is especially critical right now with the CRA's service renewal initiative.

We stood up and showed the government and the CRA that we would not give up anything without a fight. We must continue to stay vigilant and protect what is in our collective agreement. The future for you and those coming behind you is at stake. We must pay attention to what is happening in the work place.

The Union is still trying to get facts and figures on how many of our members will be hurt by service renewal. We still do not know the full impact on term employees across the country. Every day, we hear of more changes made in the regions under the auspices of service renewal, and where our permanent members, who should be, are not automatically WFA-protected. Please keep your local executive informed of changes in your work sites. Come out to the local meetings and when actions are being taken, join in. This is your future. Even if you are getting ready to retire, like me, this all could still affect your pension.

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I have received so many blessings over the years by being involved in the Union, such as the joy of helping others to stand up for what is right, and stopping the mistreatment of people. There have been many laughs and tears over the years. I am proud of what I have accomplished but also feel so very fortunate to have met so many great people, both members and management. It is unfortunate that the CRA seems lately to have lost its soul and its caring for its employees.

I want to thank all of the local, regional and national activists, all of them volunteers, for what they do. These are not paid positions. They do this because they care. Please take the opportunity to thank them.

We are very lucky to have great staff at UTE and I want to thank them for all they do for the members.

Thank you all for the support over all these 40-plus years and to my own local 60005, my region and friends, I could not have done it without you.

In closing, I would like to thank my family and my loving wife for always having my back and accepting the times I was on the road, missing so many moments and events. Without that love and support, I could never have done this work.

I leave you with nothing but love for the UNION of TAXATION EMPLOYEES.

In Solidarity,

Bob Campbell
National President

MEMBERSHIP IN GOOD STANDING

During the last round of collective bargaining and specifically the ratification votes, it became apparent that members were not aware of the need and benefits of retaining their membership while they were off on various types of leave without pay. This resulted in several members not having the right to vote during this process.

To ensure that members can make an informed decision on whether to request to remain a member in good standing with PSAC we are providing information on PSAC's policy on this matter as well as the process to be followed.

Non-Dues Paying Members

The PSAC Constitution defines the rights and privileges enjoyed by members in good standing of our union. Protecting one's membership status is important, as only members in good standing can actively participate in our union and enjoy membership rights, as defined in Section 5 of the PSAC Constitution. This includes the right to union representation.

All members of PSAC shall be considered members in good standing, subject to Section 4, Sub-Section (2) and to Section 25 of our Constitution. Situations can arise that impact membership status, such as leave without pay for reasons including disability, injury at work, maternity/parental leave, or care of family greater than two years. Layoff, suspension, and termination also impact membership status.

Should members experience any of the situations outlined in Section 4, Sub-Section (2), it is imperative that they request to remain a member in good standing from PSAC. To do this, a member must submit a request in writing (via email or letter) to the PSAC National President,

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asking to have their membership extended to cover the duration of their absence. Members must not assume that retaining their membership in good standing is done automatically – they must make a written request and their request must be approved. This process also alerts the PSAC Membership Administration Section to the member's status, as well as the member's Component and Region.

Non-dues paying members must also be aware that unless authorized to do so by a motion adopted by the AEC, they are not eligible for elected office within PSAC and cannot be a delegate to attend any PSAC Convention or Conference. These restrictions are outlined in Regulation 5.

Dues Paying Members

Membership in good standing can also be retained when members are working in a non-PSAC represented position. Members can maintain their PSAC membership by continuing to pay dues to PSAC. This is a common occurrence; the member must make arrangements to forward their dues to PSAC and Membership Administration is able to accommodate this arrangement. Any questions concerning the establishment of this dues paying arrangement should be directed to Micheline Labelle, PSAC Membership Administration Supervisor.

By continuing to pay dues, members are able to enjoy the rights and privileges of PSAC membership, including holding elected office and attending PSAC Conventions and conferences. As such, members can continue to serve in positions within their Local, Component and Region.

Hopefully this clarifies the process for maintaining membership in good standing within PSAC.

Not retaining one's membership while on leave without pay may result in an adverse effect to the member in a couple other ways. Members in good standing are eligible to receive a free \$5000 in life insurance policy available to PSAC members through Coughlin and Associates Insurance. By requesting to retain your membership you will ensure that during any periods you may be on leave without pay the insurance coverage would remain in place.

Another important reason to retain your membership would be if you were on leave and receiving Sun Life benefits. If there was a problem with your benefits, as a member in good standing the union could represent you in dealing with Sun Life.

You can obtain information on the free \$5000 life insurance policy from Coughlin and Associates by visiting the PSAC website. <http://psacunion.ca/> and clicking on Member Benefits on the front page.



UTE SCHOLARSHIPS

Every year, the Union of Taxation Employees (UTE) offers two (2) national scholarships of two thousand five hundred dollars (\$2,500) each, and ten (10) regional scholarships of one thousand dollars (\$1,000) each.

All scholarships are available to members in good standing of the UTE (or who at the time of their departure from the CRA in the same calendar year were members in good standing of the UTE), their spouses or common-law spouses (including same-sex partners), and their children or grandchildren.

Your application must be postmarked no later than June 15.

For full details, please follow this link:

<https://www.ute-sei.org/en/for-members/ute-scholarships>

THE BIG RACE

Once upon a time in a country far far away, the Federal Agency of Reorganization (FAR) decided to have a boat race between management and the employees. Both teams practiced long and hard, and on Race Day, the FAR Employees team won by two kilometers.

The loss made the FAR Management Team very discouraged. Morale sank. Senior management decided that the reason for this crushing defeat had to be researched. So they hired a consulting firm (made up of retired senior managers) to study the situation and issue a report. The consulting firm, after spending more money than anticipated, informed management that they had discovered the reason behind the defeat. It appeared that the teams, although even in numbers, were organized differently. The employee team had eight people rowing and one person steering, while the management team had one person rowing and eight steering.



To prepare for the next year's race, the management team totally reorganized the structure of their team. They appointed three steering managers, three directors and one assistant deputy minister responsible for steering. They also implemented a new performance system that was guaranteed to make the one person (a clerk) still rowing, work even harder. This new plan was called "THE TEAM CONCEPT."

When it came time for the next race however, the employee team beat the management team by over four kilometers. This loss made senior management very angry and humiliated. They promptly laid off the rower for poor performance and halted development plans for a new racing boat. All steering managers were given outstanding service awards. The money saved by the cancelation of the new boat was given to the steering directors in the form of performance bonuses. The assistant deputy minister responsible for steering was promptly promoted and placed in charge of reorganizing the federal government. The National Sport grant to the employee team was discontinued.

(Note: All of the above is fictitious and any resemblance to existing organizations or persons is unintentional.)

YOU AND YOUR COLLECTIVE AGREEMENT

In our continuing series of articles providing members with insight into various clauses contained in your collective agreement we are discussing the term "operational requirements" which is contained in multiple articles throughout your contract.

Operational requirements – General principles

Through many years of challenges relating to the appropriate manner in which operational requirements should be viewed and applied the following set of guiding principles should be applied:

1. Operational requirements must be based on the work itself to be performed, not on administrative or economic criteria.
2. Consideration of overtime costs are not proper concerns in determining whether or not

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- operational requirements exist.
3. Operational requirements are a question of fact to be determined in each case.
 4. The initial onus rests with the grievor to demonstrate that operational requirements were not a valid reason on the part of the employer to deny a benefit of the collective agreement (e.g., leave). Once that burden is discharged, the onus of demonstrating that operational requirements were valid reasons for denying the benefit will then rest with the employer. Of the two burdens, the employer's burden is more onerous. The reasons are twofold: Knowledge of operating requirements is in the hands of the employer. More importantly, the employer has undertaken an obligation, the release from which is contemplated only in special circumstances. To not impose the onus on the employer to establish the exceptions to the right granted under the relevant provision in the collective agreement could undermine its intent. It has been held that the employer must consider the real alternatives available regarding the use of other staff. That said, the employer's refusal to consider the use of other staff does not necessarily mean that denial of leave is unreasonable.
 5. The employer must organize its operations and the service so that employees can exercise their rights under the collective agreement. The employer cannot hide behind staff shortages and operational demands such as training. These are not acceptable excuses to relieve the employer of its obligations.
 6. There may be unusual operational requirements of a temporary nature when an employer may block out periods of time in which leave will not be granted because of anticipated needs. When the employer plans the operations and clearly knows its operational requirements, it has been held that the employer can rightly refuse a request for, for example, compensatory leave.

We want to again remind you that the information contained in this article is not meant to replace consulting with your union representative for guidance and advice.

Generally speaking, all permanent and term employees paying union dues and working in positions covered by the CRA/PSAC collective agreements have access to all the provisions contained in the collective agreement.



UNION WORDS

X H F

X I N E O H P G S

T E E C N A R E V E S P E

N A N O I T A C A V F E I U R F O

D C H T O P I Q P J D M J Z O U G K U

T F S E U D F A Y T I R U C E S B O J X N

F A D J U D I C A T I O N O D Y P G L R O

J U U B O L A C C O U R X B J I K

X O E Y U K T A A T H R H F G N Q

B H T E C H N O L O G I C A L C H A N G E K U E J

E G H H L P D E V A E L D E T A L E R Y L I M A F

T E V A E L T N E M E R I T E R E R P K I J I J O

T G W U L O A D K E V A E L L A N O S R E P J M Z C V

C W Y E G N I N R E F F O B O J E L B A N O S A E R F

D Y Q V B Z J C H Y T E F A S D N A H T L A E H B J G

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O G E E O K T N E M S S A R A H M O Z Q R

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C K Y F W K U V N T

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ACCOMMODATION
DISCRIMINATION
GRIEVANCE
JOBSECURITY
PHOENIX
RETIREMENT
SICKLEAVE
VACATION

ADJUDICATION
DUES
HARASSMENT
MATERNITYLEAVE
PRERETIREMENTLEAVE
SEVERANCE
TECHNOLOGICALCHANGE

CLASSIFICATION
FAMILYRELATEDLEAVE
HEALTHANDSAFETY
PERSONALLEAVE
REASONABLEJOB OFFER
SHIFTWORK
UNION

CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Louise Dorion (dorionl@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.