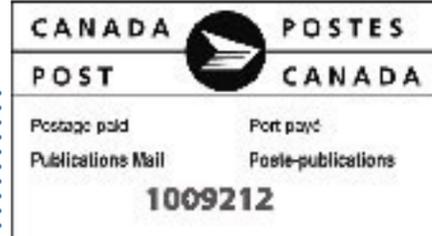


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MAILING LABEL

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THE ADVOCATE

Prince Edward Island Union of Public Sector Employees

51st Annual Convention

PEI UPSE



PEI UPSE is proud to represent over 5000 members in both the public and private sectors.

PEI UPSE Executive Officers

Interim President: Karen Jackson
kjackson@peiupse.ca

First Vice-President: John Searle
jhsearle@gov.pe.ca

Second Vice-President: Vacant

Third Vice-President: Terry Gauthier
jtgauthier@gov.pe.ca

Secretary-Treasurer: Simon Hashie
sjhashie@gov.pe.ca

PEI UPSE Staff

Hans Connor LLB: Labour Relations Officer
hconnor@peiupse.ca

Troy Warren: Labour Relations Officer
twarren@peiupse.ca

Andrew Jack: Labour Relations Officer
ajack@peiupse.ca

Cathy MacKinnon: Resource & Organizing Officer
cmackinnon@peiupse.ca

Blair Weeks: Research, Education and Policy Analyst
bweeks@peiupse.ca

Mark Barrett: Communications & Campaigns Officer
mbarrett@peiupse.ca

Lisa Rossiter: Office Supervisor
lrossiter@peiupse.ca

Tammy Laybolt: Membership Records Coordinator
tlaybolt@peiupse.ca

Mary MacLean: Education and Meetings Coordinator
peiupse@peiupse.ca

Ken Murray: Technology and Information Coordinator
kmurray@peiupse.ca

THE ADVOCATE is published by the P.E.I. Union of Public Sector Employees for distribution to its members. In pursuing the goals of effective, democratic unionism, members are urged to use this newsletter as a forum to exchange opinions, information and ideas through the submission of letters, articles, cartoons, photographs and other vehicles of expression. In this way, we can **Communicate** with each other, **Educate** ourselves about what is happening and why it is happening, and **Advocate** a course of cooperative action that is beneficial to this union, its members and society as a whole.

Submissions should be addressed to:

The ADVOCATE, c/o PEI UPSE, and bear the name, address and telephone number of the contributor. Material printed with a member's signature does not necessarily reflect the views of this union or any of its elected officers or staff.

Contact PEI UPSE

4 Enman Crescent, Charlottetown,
Prince Edward Island, C1E 1E6
telephone: (902) 892-5335, toll free: 1-800-897-8773
fax: (902) 569-8186, e-mail: peiupse@peiupse.ca
web site: www.peiupse.ca

Managing Editor: Mark Barrett

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Higher injury risk for new workers

For nearly a century, studies have consistently shown that newly hired workers are more likely to be injured than those with longer job tenures. Recent research from the Institute for Work & Health (IWH) confirms this finding and shows that higher risk of work-related injury for new workers has persisted over the past ten years.

According to IWH scientist and lead author, Curtis Breslin, while lost-time claim (LTC) rates for work injury and illness in Ontario have been declining, workers new to a job remain at much higher risk of a lost-time injury than their more experienced co-workers.

The research has not yet been released. It is currently under review by the journal *Occupational Environmental Medicine* (OEM). The study is an extension of earlier work completed in 2006, by Breslin and his fellow IWH scientist Peter Smith titled, "Trial by fire: a multivariate examination of the relation between job tenure and work injuries."

Examining the relationship between job tenure and work injuries, the original "Trial by fire" study found that workers are four to six times more likely to be injured during the first month on the job, than workers with more than one year experience. Over a 10-year period, the risk of work-related injury for workers with shorter job tenure has consistently remained higher compared to those employed at a job for more than one year.

Risk is particularly elevated among those in the first month on the job, with over three times the risk of a lost-time injury as workers with over a year's job experience.

The risk of work injuries among new workers is greatest among older workers, men and those in sectors like construction and manufacturing. "The age-based findings are striking," says Breslin. "While all workers in their first month have elevated injury risk, the risk of a lost-time injury is highest among workers over 45 years of age compared to all other age groups. Indeed, youth injury rates have been converging with adult rates". He continues, "The key risk factor is newness, not youth."

New workers may be at greater risk on the job for a number of reasons including: lack of job experience; inadequate safety training; more temporary employment (a higher proportion of workers with shorter job tenure); higher rates of job turnover.

Says Breslin: "If frequent job changing continually puts a worker at high risk, then job turnover becomes a potential health and safety issue."

In order to reduce the numbers of work injuries for new workers the researchers suggest that employers do the following: develop effective safety management systems; promote policies and practices that reduce job turnover; encourage permanent employment; improve job security; ensure new workers receive proper training and supervision.

WHSC/CALM

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President's Perspective

Greetings Brothers and Sisters:

To begin with I would like to say I have enjoyed serving you over the past three months as Interim President, and the experience I have gained in dealing with the many diverse issues has been invaluable. The PEI UPSE membership has been through a lot this year with the cuts in civil service, resulting in reduced services for Islanders, encroaching privatization, and the latest challenge of working with government to ensure the CSSF (pension plan) is sustainable for the future. Nobody said our job as Unionists would be easy, and in these difficult times we are seeing regular attacks on Unions and the increasing need to defend our membership, and the valuable public services they provide for all Islanders. In response to the cuts PEI UPSE launched a public action campaign called *Wave Goodbye to PEI*, to defend public employees, programs and services. Over 400 public service members were laid off in 2012, with an additional 300 positions to be eliminated through attrition over the next three years. The campaign focused on the cuts to workers, the introduction of privately operated LCC agency stores, rural decline, and the removal of essential services, like support for at-risk youth on PEI.



Karen Jackson, Interim President
PEI Union of Public Sector Employees

One of the pressing issues the union is concerned about is privatization. The government has recently introduced privately run agency liquor stores, leased provincial parks to the private sector, and is attempting to sell our public golf courses. All of these moves compromise our members and affect the level of service provided to Islanders. In the case of introducing agency liquor stores, the union argues that it has already been tried in other Provinces, and where the sole motivation is profit, encouraging responsible sales becomes a secondary consideration. In regard to selling or leasing our parks and golf courses, it should be remembered that both are part of the recreational legacy of this province and both are owned by Islanders. The private sector is not going to offer the actual market value for these valuable properties and establishments, and they are going

to eliminate good paying union positions in rural areas. In regard to taking over the golf courses, the private sector has expressed interest in purchasing them if government promises to cover any losses the new owners might incur. This is not a reasonable stance and illustrates why these resources should remain public. Finally, rural PEI has been especially hard hit with the cuts to jobs in Highways, and the job outlook is dismal for those not rehired this spring.

And so, with the cuts to workers, the move toward privatization, and the elimination of public services – it is only a matter of time before the true costs of these decisions come to light. People often take public services for granted – we just expect them to be there. However, when these services are removed it becomes painfully obvious. Take for example the government's decision to stop testing water during yearly inspections at restaurants, bars, and swimming pools. This should raise a red flag for the public. Indeed, it may not be safe anymore to assume that we will avoid getting sick when swimming in a pool or eating/drinking at a restaurant or bar. Prior to the government's new policy, provincial inspectors were responsible for taking the water samples. Now, without the inspectors, the owner of the business is responsible for taking the water sample and they must pay a \$35 fee. Recently, a business owner was interviewed on Compass expressing his concerns about public safety due to the changes. Leaving the water testing responsibility to the operator may increase the likelihood for non compliance. In September, CBC reported that six restaurants on PEI neglected to have their water tested this summer and all had received warnings. The bottom line is that modern and progressive societies properly fund their public services because they understand the link between quality public services and the public's safety and quality of life. The more we move away from this model, the more the costs of doing so will become apparent.

An important issue for our membership is the Civil Service Superannuation Fund (CSSF). Please note that we provided an update concerning the CSSF on page six of *The Advocate*. In June 2012 we were invited by government along with CUPE, IUOE, PEINU, and the Teacher's Federation, to engage in discussions concerning the state of the pension plan. Government felt that due to losses triggered by the 2008 financial crisis, measures should be taken to secure the plan's long term sustainability. PEI UPSE and the other unions

agreed to participate in the discussion. There has been much speculation as to what changes will occur, and government has fueled this speculation with frequent references in the media about the high cost of the pension plan to the taxpayer, and other references to changes made recently to the New Brunswick pension plan. Most of this speculation is unfounded as the working group is currently engaged in evaluating the different options and their implications. PEI UPSE has hired, Susan Philpott, from Koskie Minsky to advise us and look after our interests in the discussions. Susan is recognized as a leading practitioner in Pensions and Benefits, and we are very lucky to have her expertise available for these discussions. PEI UPSE's stance is that the long term sustainability of the plan is possible with only minor changes that could include an increase in the pension contribution rate. However, to be clear, government can, and may act unilaterally to impose changes they feel are necessary. PEI UPSE will continue to examine and question government's conclusions on the issue and will work toward minimizing the impact on our members.

I would like to Congratulate Debbie Bovyer on winning the 2012 PEI UPSE Presidential election. Debbie has a wealth of experience in the union and in the health care field. She has worked as a Licensed Practical Nurse at the Prince Edward Home for the past twenty-five years. During that time, she served as Chief Steward and Director of her local. She also held executive positions in the union serving in the roles of Second Vice President and Secretary Treasurer. I wish Debbie success and all the best as she begins in her new role following the 51st Annual Convention.

I would like to thank the Board of Directors, the Executive and most of all the Staff of PEI UPSE for the support they have given me in my role as Interim President. It has been difficult at times with the challenges we have faced. Difficult decisions were made, with the best interests of PEI UPSE always in the forefront.

In Solidarity,
Karen Jackson,
Interim President

PEI UPSE Welcomes New President

Debbie Bovyer Assumes Presidency after Convention

The PEI Union of Public Sector Employees congratulates Debbie Bovyer on winning the 2012

PEI UPSE Presidential Election. The election was administered by a mail in / mail out process in August 2012.

Debbie Bovyer, a Licensed Practical Nurse at Prince Edward Home captured 899 votes. Terry Gauthier, a Tree Improvement Supervisor with Environment received 530 votes. Approximately 30% of the membership voted in the election.

Debbie Bovyer has been an active member of PEI UPSE for the past twenty-five years acting in a wide range of capacities from Chief Steward and Director of her local, to being the union's Second Vice President and Secretary Treasurer. Debbie's sustained involvement and experience in the union has prepared her to meet the challenges and opportunities that face the membership as a whole. She believes that open communication is key to fostering productive relationships.

"As leader of PEI UPSE, I pledge to be open and accountable to the membership," says Bovyer. "I want to foster a welcoming and inclusive environment for the members.



Debbie Bovyer will take over as PEI UPSE's new President in November, 2012 after the 51st Annual Convention.

It is important that we work together and build solidarity. I encourage members to drop by the union to see me or give me a call. I also plan to be an active President which means visiting the workplace to hear about your concerns. Together we can make this union the best it can be!"

Bovyer believes that there has never been a more important time to show solidarity within the house of labour. PEI UPSE will continue to work with the National Union of Public and General Employees (NUPGE) on various issues and will soon be considering possible next steps for the *All Together Now* campaign on tax fairness and public services. "As President, I will offer strong representation on the national executive board of NUPGE and look forward to working with my sisters and brothers from across Canada."

Debbie also feels it is important to build productive and respectful working relationships with the bargaining unit employers. This means working mutually to improve the workplace and our greater society for the members and for all Islanders. "I will work hard to build bridges and maintain professional working relationships with the employers. I also promise to fight hard for the membership's interests and stand up for your rights. Together we will make a difference!"

Win PEI Rocket Tickets!

PEI UPSE is once again holding draws for tickets throughout the PEI Rocket's regular game season. Members are eligible to enter the draws and the lucky winners will receive two (2) tickets to an upcoming

Rocket home game. Watch the PEI UPSE website regularly for announcements on draw dates. To enter draws; making you eligible to win two (2) tickets for a home game, please email us at



peiupse@peiupse.ca with the Subject Line: PEI Rocket Tickets, and include your name and contact information, or call us at 892-5335. PEI UPSE will contact winners and hold tickets at the union office for pick-up. We will post the winners of each draw on our website as well. Good luck members!

PEI UPSE Bursaries

Union members (including spouses or dependants) who are in full-time attendance at an accredited College or University are invited to submit an application for one of the nine bursaries and one scholarship that PEI UPSE awards annually. The bursaries are worth \$500 and the Laurie Jenkins Memorial Scholarship, is valued at \$1000.

The PEI UPSE Public Relations and Recreation/Convention Committee will base its decision regarding the nine bursaries on three factors. They are – in order of importance: (1) financial need (2) academic ability (3) PEI UPSE involvement (as it relates to the applicant or to the PEI UPSE member of whom the applicant is a dependant). A fourth factor - community involvement - will determine the top award winner for the Laurie Jenkins Memorial Scholarship. Applications are reviewed using a "blind test" procedure whereby committee members are not provided with any identifying information about an applicant. Call PEI UPSE for more information at 902-892-5335.

Union Joins Health Rally

PEI UPSE Supports Medicare

Members of PEI UPSE travelled to Halifax with the PEI Health Coalition on July 25, 2012 to make their voices heard and to join in solidarity with fellow Islanders and Canadians in the fight to protect and improve medicare. The Council of the Federation (Canada's premiers and territorial leaders) met in Halifax from July 25-27 and labour from across Canada was there to send them a clear message. PEI UPSE members travelled to Halifax by bus. The theme for the bus was: *Medicare Express - Public All the Way!*

Members attended a panel presentation on medicare sponsored by the Canadian Federation of Nurses Unions (CFNU) in Victoria Park as well as a *Parade of Puppets* consisting of Canada's premiers and territorial leaders.

Participants asked the premiers and territorial leaders to fight for universal medicare in this country, and for Premier Ghiz to take a leadership role in establishing a National Pharmacare program. It is essential that the provincial and territorial leaders convince the federal government to be leaders of medicare in this country. This includes funding the system fairly, eliminating cutbacks and improving health care, including home care. The federal government's plan to reduce the increase in the yearly health transfer amount is unacceptable and will result in a loss of billions of dollars for our health care system.



Kim McGrail, Associate Director of the UBC Centre for Health Services and Policy Research



(L-R) Dori Killorn (local 7), Chrissy Murphy (local 7), Kim Stewart (local 7), Kathy Cudmore (local 7), Margo King (local 7), Lynn Bovyer (local 6), and Todd Handregan (local 14).

Panel presenter, Kim McGrail, said a truly national approach is required in Canada to create a consistent framework of service. She asked, "Why should where I live in Canada create significant differences in health care service?" Kim also advocated a pay now system that her colleague, James Hughes, picked up on in his presentation. They both agreed that health care professionals are spending too much time dealing with "illness care" as opposed to health care. They should be dealing with the root causes of illness to eliminate problems before they happen. The philosophy of the system needs to change and adapt to this way of thinking so that the motto becomes - "it is never too late to intervene early!" One of the best ways to do this is to create a "high" social safety net to alleviate bigger costs associated with poor health down the road.



James Hughes, President, Graham Boeckh Foundation

The third panelist, Chris Power, talked about the many variables that determine health; and that the health care system alone is not responsible for creating healthy citizens. She mentioned the serious problem of obesity in North American society as an example. The food choices we are presented with on a daily basis and the relatively low cost and

accessibility of unhealthy food presents a host of options that have an adverse effect on our health.

Power suggested the need to work together to increase awareness about the importance of diet in our lives.

She expressed the concept of autonomy

in that people just have to realize they have the power as individuals to improve their own health outcomes. In many cases people aren't thinking enough about how to take control of their own health. We all want excellent services available to us and to be helped to stay healthy. However, we are forgetting that it is everyone's responsibility to create healthy societies. "We need to walk the talk," says Power.

In 2009 Power lead a health initiative that saw Capital Health's restaurants and vendors unplug deep fryers and eliminate energy drinks, in favour of providing 100% healthy food choices. This initiative replaced unhealthy food choices at the hospital locations with healthy ones. This meant replacing foods like donuts with low fat muffins for example. By walking the talk the health care establishment sends a positive message to its staff and to the public.



Chris Power, President and CEO of Capital Health, Halifax



PEI Delegation pumps their fists in the air in support of improving medicare!

CSSF - Pension Plan Update

The Future of the CSSF

If you, as a public sector employee, are feeling a little underappreciated right now it is understandable. The debate in the media regarding the future of public sector pensions (both federal and provincial) can certainly be disconcerting. A number of Island citizens and interest groups have sent letters to the editor questioning the ability of government to continue to afford the Civil Service Superannuation Fund (CSSF).

There has also been some confusion amongst the public regarding the costs of the federal public service plan (more substantial than the provincial plan), the federal Member of Parliament plan, (significantly more substantial) and the provincial MLA plan (also with a higher government contribution rate) relative to the CSSF. Defenders of the CSSF plan have countered the criticism with the fact that our pensions are substantially less costly than the plans of the three groups above. For example, the average pension for all retirees is \$16,701 per year.

Fortunately, both the Guardian and the Eastern Graphic editorial staff have been reasonably objective in regard to the CSSF. The Guardian editorial of August 14th of this year was quite balanced in its description of what lies ahead for the parties dealing with the pension challenge: "The working group embodies a lot of experience and a variety of perspective(s) and interests. But we shouldn't kid ourselves - it faces quite a daunting challenge as it examines the pension system and attempts to make changes that would be fair and acceptable to all. All stakeholders appear guardedly optimistic about a collaborative approach."

Paul MacNeill, publisher of the Eastern Graphic is willing to concede that "Career civil servants have a justified expectation of receiving a defined benefit upon retirement. Too drastic a change to the plan would result in significant negative impacts to our provincial economy."

PEI UPSE is optimistic that we will achieve a positive result from the pension discussions and below are some reasons for that optimism:

- *The Union-commissioned pension actuarial expert, (Clare Pitcher of Buck Consultants) indicated that our plan is in better shape than a number of other public sector pension plans in the country.*
- *The same expert indicated that we have a good plan and that a deal should be reachable to preserve its essential qualities.*
- *Pension discussions are proceeding well. Government is listening and interested in the analysis and perspective that union employed experts are providing.*
- *The public sector unions are united in their position that the stability of the plan can be addressed.*
- *Union pension experts feel that pension stability can be achieved without extraordinary changes to the current plan.*

At this point the working group, made up of representatives of government and the five public sector unions, has had 3 meetings. More meetings are scheduled through the Fall and there is no defined deadline at this point. It is important that the investigative work be done and not proceed with undue haste. Nonetheless, government may employ some interim measures as the discussions proceed.

Currently, the meetings are best described as preliminary and investigative. Working group members are working toward a better understanding of the CSSF. They are looking at:

- *How the plan is funded; and*
- *How the plan is managed and whether a new form of governance might be advantageous. To better understand existing alternative pension management models, the working group is reviewing the features of the NS health authority plan, the NS public sector plan and the new "risk-sharing" NB model.*
- *How the plan's assets are being managed;*

There are a number of levers in a pension plan, in particular benefits, investments and contributions. These levers have an inter-relationship and a change in one may affect one or all of the others. The working group will also consider each lever in turn and its inter-relationship with other plan levers. Their objective will be to determine which combination of changes will provide the greatest benefit with the least cost to contributors and pensioners.

A number of members are concerned enough to be calling PEI UPSE for advice on what to do regarding their retirement date. We cannot advise you on this matter as only you can judge your own need and ability to retire at any given time, and we have no information right now as to whether and what changes will be made to the Plan. Our best advice is that the union member make a decision based on his or her current circumstances, and the terms of the plan that exist presently.

51st Annual Convention

PEI Union of Public Sector Employees 51st Annual Convention

Delta Prince Edward Hotel - Queen Street, Charlottetown
Saturday, November 3, 2012

Agenda

Morning:

- 8:30 a.m. - Registration for 2012 PEI UPSE Annual Convention
- 9:15 a.m. - Administrative Announcements
- Harassment Policy
- 9:30 a.m. - Call to Order
 - National anthem
 - Solidarity Forever
 - Credential Committee Report
 - Introduction of Fraternal Guests
 - Introduction of BOD and Staff
 - Moment of Silence in Respect of Deceased Members
 - Adoption of Agenda
 - Adoption of Rules of Order
 - Adoption of Elections Procedure
 - Minutes of 50th Annual Convention (2011)
 - Report on 2011 Resolutions
- 10:00 a.m. - President's Report and Address
- 10:30 a.m. - Nutrition Break
- 11:00 a.m. - 2011 / 2012 Committee Reports
 - 2012 Resolutions
- 12:00 p.m. - Lunch (all delegates are on their own for lunch)



51st Annual Convention

Afternoon:

- 1:15 p.m. - Credential Committee Report
 - Auditor's Report
 - 2012-2013 PEI UPSE Budget
- 2:00 p.m. - Guest Speaker, Susan Philpott
Pensions and Benefits
- 2:45 p.m. - Break
- 3:15 p.m. - Credential Committee Report
 - 2012 Resolutions
- 4:00 p.m. - 2012 Member of the Year Award
- 4:30 p.m. - 2012 Executive Elections of 2nd Vice President and Secretary Treasurer
- 5:30 p.m. - Adjournment

Evening Activities:

- 7:00 - 7:30 p.m. - Reception
- 7:30 - 9:30 p.m. - Banquet /
Retiree Recognition Awards
- 9:30 p.m. - 12:30 a.m. - Entertainment

51st Annual Convention

Executive Nominations

Elections for the positions of Second Vice President and Secretary Treasurer will be held at PEI UPSE's Annual Convention on November 3, 2012. As executive positions, these are two-year terms of office. In order to run, members must be in good standing for at least one year. Candidates nominated by the August 7, 2012 deadline include: Karen Jackson (reoffering for Second Vice President) and Chris Oatway (offering for Secretary Treasurer). Nominations that were not received by August 7, 2012 will also be invited from the convention floor at the upcoming Annual Convention.

Karen Jackson reoffers for Second Vice President

Greetings Brothers and Sisters. To begin, I would like to Thank You for your support, which allowed me to serve as your 2nd Vice President over the past two and a half years. I have thoroughly enjoyed my union involvement in this position and have welcomed the challenges and opportunities this position has given me.

I am an LPN and have worked the past twenty-two years in both long-term care and acute care. I was employed at Riverview Manor and am presently working at King's County Memorial Hospital. Since my involvement with UPSE, I have taken advantage of educational opportunities to enhance my ability to represent my members.



Karen Jackson, PEI UPSE's
Interim President

Union related courses and workshops I have attended include:

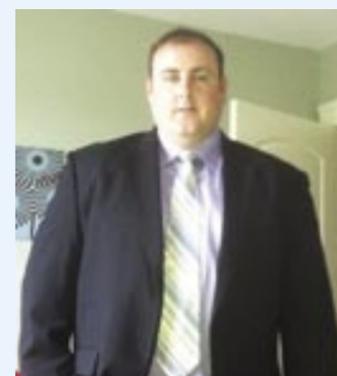
- You and Your Union
- Voting Delegate Course
- Stewards Level I and II (UPSE)
- Stewards Level I, II and III (CLC)
- Director, Basic and Advanced Workshops
- Federation of Labour Conventions
- Conflict Resolution Course (UPEI)
- Dealing Effectively with Management
- Advanced Grievance and Mobilizing Training
- NUPGE Week long Labour College: Advanced Steward and Leadership
- NUPGE Week long Labour College: Leadership
- NUPGE Week long Labour College: Communications
- NUPGE Week long Labour College: Political Action and Organizing
- Collective Bargaining (CLC)
- P3 Training

I am presently in the position of Interim President and this has been a challenging time for PEI UPSE. In this position I have gained a wealth of experience in dealing with many diverse issues facing our union and our members. I am asking for your support to continue to serve as your 2nd Vice President and I look forward to working with our President, the executive, the board of directors and, you, our members to ensure PEI UPSE continues to be a strong voice and advocate for its members. I feel I am a strong, impartial advocate for the members and look forward to serving as your 2nd Vice President of PEI UPSE, with your support, and bringing your issues to the executive. Thank you.

In Solidarity,
Karen Jackson

Chris Oatway offers for Secretary Treasurer

Greetings brothers and sisters, my name is Chris Oatway and I am running to become Secretary-Treasurer of PEI UPSE. I have been a member for seven years and am employed at the Provincial Correctional Center. I have been very active within our Union for the past few years. I am seeking your support so we can work together to make our workplaces and our Island a better place to work and live. As a member, I take pride in our union and what they stand for and what we have accomplished in the past 50 years. Listed below is some of my involvement to date.



Chris Oatway, Steward, Local 14

Union Participation and/or Positions held within UPSE:

- Current Member of the Finance committee
- Attend Local Meetings on a regular basis
- Mental Health Conference October 2010
- Steward for Local 14
- Completed Welcome to UPSE course
- Completed Steward Level 1 training
- Communications course, conducted by the Atlantic NUPGE components
- December 7, 2010 went to the Legislative Assembly with other UPSE members to hear Minister Sheridan's speech in support of Pension reform
- Work on Days for actions for NUPGE Mental Health Week
- Attended 2010 and 2012 NUPGE working sessions for Correctional Officer and Youth Facility Workers and Police and Peace Officer Memorial
- Worked on the P3 committee and helped with the post card campaign
- Attended convention November 2011
- Delegate for convention November 2012
- NUPGE champion for pension
- Represented PEI UPSE at the Youth Workers Forum put on by NUPGE

Over the past number of years we have all seen our workplaces change as members retire. I feel we need some younger people to get involved at the Executive level. If successful, as Secretary-Treasurer, I will work with all the members of PEI UPSE and their concerns. We need to all work together to make this union be successful in the future. I have many more years left to dedicate my time to our Union and make it a better Union. I am seeking your support for Secretary-Treasurer. If you have any questions, please feel free to contact me via email at chrisoatway@hotmail.com or call me at 902-393-8067.

In Solidarity,
Chris Oatway

51st Annual Convention

Guest Speaker

Guest Speaker - Susan Philpott



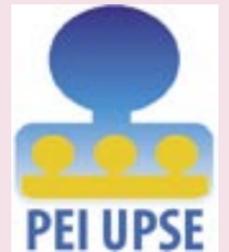
Susan Philpott,
(Koskie Minsky)

Susan Philpott (LLP) is a lawyer at Koskie Minsky in Toronto, a union side pension and benefits speciality firm. Her pension and benefits practice focuses on the public and broader public sectors and she advises unions across the country in their discussions with public and health sector employers over pension, joint trusteeship and health benefits trust arrangements. She has advised PEI UPSE on their benefits matters since 2006.

Susan has been closely involved with PEI UPSE in pension discussions with the Government through the summer and fall of 2012 and will address Convention on November 3 to discuss the process of the PEI pension review. She will provide members with background on the CSSF, details about the issues and perspective the Government has raised, and an update on the progress of discussions.



"We're doing a seminar on growing old gracefully."



51st Annual Convention



51st Annual Convention

Resolutions

The following are summations of resolutions that have been submitted for consideration by this year's delegates. The intent of each resolution is articulated in the "Therefore Be It Resolved" line of each resolution.

Resolution

Submitted by Local 14

Conflict of interest

THEREFORE BE IT RESOLVED that the President or an Executive Officer must resign from their elected positions before applying for a staff position with the UPSE office.

Resolution

Submitted by Local 10

Conflict of Interest

THEREFORE BE IT RESOLVED Board members, Committee members and Executive of PEI UPSE have to resign at least 12 months prior to applying for a PEI UPSE staff position in order to prevent the perception of conflict of interest.

Resolution

Submitted by Local 8

Conflict of Interest

THEREFORE BE IT RESOLVED members of the Board of Directors or Executive must resign from their elected position prior to applying for a PEI UPSE staff position.

Resolution (Constitutional)

Submitted by Local 14

Observers at Convention

THEREFORE BE IT RESOLVED that article 13.3.4 be amended to 14 days notice from the current 88 days.

Resolution

Submitted by Local 19

Dialysis

THEREFORE BE IT RESOLVED that PEI UPSE lobby the provincial government to retain dialysis in the rural hospitals that they now exist in.

Resolution

Submitted by the Finance Committee

Defense Fund

THEREFORE BE IT RESOLVED PEI UPSE should levy a .50 cent a pay charge on each pay and this fee should remain in effect until the defense fund reaches previous levels of \$900,000.

Resolution

Submitted by Local 14

Health and Dental Plan

THEREFORE BE IT RESOLVED that PEI UPSE active employees take the first step and give \$3.00 per pay to offset PEI UPSE retirees' Health and Dental plan cost.

Resolution

Submitted by Local 14

Membership Survey

THEREFORE BE IT RESOLVED that within ninety days of the 2012 PEI UPSE Presidential Election the PEI UPSE Board conduct a survey of the members to find out why or why not they may have participated in the election and ask a question like "In your opinion, as a UPSE member how does the Union improve member participation?" The survey could also ask any other pertinent questions to improve member engagement in Union activities.

BE IT FURTHER RESOLVED that the survey results be reported back to the Board of Directors at the first Board meeting in 2013 and the results be shared at the 2013 Convention with any actions that may have been carried out as a result of the survey.

Resolution

Submitted by Local 7

New Board of Directors Position

THEREFORE BE IT RESOLVED that the Union create a Board of Directors position for a trial basis for a two year term and that this position shall follow the same election procedures as outlined in the PEI UPSE Constitution and bylaws;

BE IT FURTHER RESOLVED that this Director position shall be responsible for creating a Youth Committee and obtaining information from other NUPGE components to compile a mandate for this committee to be approved by the Board of Directors,

BE IT FURTHER RESOLVED that this committee have a budget of \$5,000; and

BE IT FURTHER RESOLVED that a formal report of the progress and effectiveness of this committee be reported to the 2014 Convention, who can then vote whether or not to make this a Standing Committee;

BE IT FURTHER RESOLVED that the Membership Services Committee shall conduct the Director position election within 60 days of this 2012 Convention.

51st Annual Convention

Resolutions

Resolution

Submitted by Local 5 *Casual Rights*

THEREFORE BE IT RESOLVED that PEI UPSE lobby government to change the *Civil Service Act* to allow PEI UPSE to represent casuals in areas that are currently restricted such as arbitration, etc.

Resolution

Submitted by Local 2 *Public Services*

THEREFORE BE IT RESOLVED the Advocate and PEI UPSE website profile each member category and what services they provide to the public.

Resolution (Constitutional)

Submitted by Local 14 and the Board of Directors *Observers to Pre-Register at Convention*

BE IT FURTHER RESOLVED that section 13.3.4 be amended to read as follows: Members in good standing, other than voting delegates, may be present at any convention as observers to the extent that seating space is available and they have registered fourteen (14) days prior to convention. These members shall be without voice unless given permission, on an individual basis, by the convention.

Resolution (Constitutional)

Submitted by Local 8 *Election of President*

THEREFORE BE IT RESOLVED the interim President should be chosen from the members of the Board of Directors or the Executive.

Resolution (Constitutional)

Submitted by the Board of Directors *Intent to Clarify*

(local 14 resolution 16.7.2(B) and Local 8 resolution - Election of President)

THEREFORE BE IT RESOLVED Article 16.7.2(a) of the PEI UPSE Constitution be amended to read: In the event the President is unable to complete his / her term of office, the Board of Directors shall appoint by majority vote, at the next Board meeting following confirmation of such vacancy, a member in good standing from the present elected Executive Officer or Board of Director positions, to fill the vacancy until the procedure outlined in 16.6.2 can be invoked.

Resolution (Constitutional)

Submitted by Local 14 *Election of President*

THEREFORE BE IT RESOLVED that Section 16.7.2 (b) of the Constitution be amended by replacing "the present Executive Officer positions" with "UPSE Board of Directors and Executive Officer positions." And striking out reference to if there are no interested executive officers: 16.7.2 (b) In the event of temporary vacancy between annual conventions in the office of President, the Board of Directors shall appoint by majority vote, at the next board meeting following confirmation of such temporary vacancy, a member in good standing from the present UPSE Board of Directors and Executive Officer positions to fill the temporary vacancy. ~~If there are no interested executive officers then the board of directors shall elect a member in good standing from the elected Board of Directors, to fill the temporary vacancy.~~ A temporary leave shall not exceed six (6) months. A temporary leave exceeding six (6) months is deemed a vacancy and 16.7.2 (a) will be initiated.

Resolution (Constitutional)

Submitted by Board of Directors and Local 7 *Election - Local Executive*

THEREFORE BE IT RESOLVED that Article 11.6.4 be amended by deleting *You and Your Union* and replacing it with *Welcome to UPSE*.

Resolution

Submitted by Local 19 *CSSF*

THEREFORE BE IT RESOLVED that PEI UPSE lobby the provincial government not to alter those presently receiving CSSF as this would be a detriment to all retirees.

Resolution (Constitutional)

Submitted by Board of Directors *Membership Dues For Retired Members*

THEREFORE BE IT RESOLVED Article 7.2 be amended to read: The annual membership fee to be a retired member (Article 22.3) shall be one (1) dollar per month payable by July 31 of each fiscal year (Article 19.4). Retired members may remain on the Union's mailing list for whatever publications they wish to receive.

Resolution (Constitutional)

Submitted by the Board of Directors *Standing Committees*

THEREFORE BE IT RESOLVED that Article 23: Standing Committees be amended to delete from section 23.1 (a) (viii) 50th Annual Convention (2011) Planning Committee (Ad Hoc), and BE IT FURTHER RESOLVED add to section 23.1 (b) (iii) Sergeant at Arms.

51st Annual Convention

Budget

2011-2012 Budget

Forecast to July 2012

Proposed Budget 2012-2013

Revenues

Dues	2,129,500
* Social Fund	10,542
Building fund	27,042
Health Development and Training	30,000
Interest - Severance Pay	0
Other Income (Fun Day / Golf / etc.)	<u>0</u>
Total Revenue:	2,197,084

2,129,500
10,542
27,042
30,000
0
<u>0</u>
2,197,084

2,172,145
11,960
29,900
30,000
0
<u>0</u>
2,244,005

Expenses

Advertising	11,000
Audit	16,000
Bank charges and interest	1,320
Building and grounds maintenance	14,000
Building Mortgage	52,800
Cleaning	11,130
Dues and fees	75,000
Electricity	8,500
Fuel	9,000
Insurance	12,000
Office supplies and expenses	30,000
Equipment rental	31,000
Postage	13,000
Taxes	13,000
*Social fund	11,500
Telephone and fax	18,200
Travel - Staff	<u>10,000</u>
Total:	337,450

33,000
16,170
1,400
16,000
84,600
11,130
79,000
8,700
8,300
8,700
32,000
32,500
22,000
22,800
10,500
19,500
<u>12,000</u>
418,300

16,000
18,000
1,320
15,500
57,200
11,130
80,000
10,000
9,000
12,000
30,000
36,000
20,000
24,000
11,960
19,200
<u>11,000</u>
382,310

Employment

Wages - staff	639,900
Wages - president	71,060
Benefits - President	11,000
Employee Benefits	123,000
Severance Pay Allocation	5,000
Early Retirement Fund Allocation	5,000
Training	<u>13,000</u>
Total:	867,960

628,000
71,060
10,200
119,500
5,000
5,000
<u>8,200</u>
846,960

746,500
73,015
13,395
138,200
5,000
5,000
<u>13,000</u>
994,110

Other

Benevolent	1,700
Campaigns	60,000
Legal and Professional Fees	150,000
Newsletter (Advocate)	17,000
Photography	500
Reference Materials	15,000
Defense fund	<u>10,000</u>
Total:	254,200

1,400
57,400
158,000
19,700
300
14,000
<u>10,000</u>
259,400

1,700
50,000
150,000
20,000
500
14,000
<u>10,000</u>
244,500

51st Annual Convention

Budget and Footnotes

	2011-2012 Budget	Forecast to July 2012	Proposed Budget 2012-2013
Committees			
Ad Hoc	0	0	0
Annual Convention	156,900	191,102	71,000
Bargaining	80,000	32,000	110,000 ²
Board & Chairpersons	80,000	44,350	65,000
Conferences	76,000	75,000	40,000
Constitution & Structure	4,000	3,300	4,000
Education	80,000	64,000	80,000
Executive Officers	70,000	42,000	56,000
Finance	6,000	1,500	6,000
Membership Services & Communication	7,700	5,400	41,575 ³
NUPGE travel pool	48,000	42,000	46,445
Pensions & Insurance	20,000	8,250	10,000
Recreation / Public Relations / Convention	67,000	74,000	60,000
Staff Relations	4,200	4,800	3,000
Stewards Council	<u>30,000</u>	<u>34,000</u>	<u>30,000</u>
Total:	729,800	621,702	623,020
Total cash inflow			
	2,197,084	2,197,084	2,244,005
Total cash outflow			
	2,189,410	2,146,362	2,243,940
Budgeted cash inflow (outflow)			
	7,674	50,722	65

Footnotes to Proposed 2012-2013 Budget

1. **Employment:** Wages Staff - Reflects a full complement of staff.
2. **Committees:** Bargaining - Reflects an increase in the arbitration costs, and the costs of upcoming contract negotiations for contracts due to be negotiated in the fiscal year.
3. **Committees:** Membership Services - Reflects the cost of the NUPGE Triennial convention and the costs associated with the PEI UPSE Presidential Election.

Grievances and Bargaining Update

Termination - update

Individual Grievance (Health)

A worker was terminated because of their workplace behavior. The union argued that the worker's behavior was due to an illness and grieved at step 2 on October 12, 2011 claiming the employer violated articles 8, 21 and 25 of the Health Collective Agreement. The worker has been medically cleared to return to work but the employer is not permitting this. The union will now proceed to arbitration on November 28, 29 and 30, 2012. The arbitrator is George Filliter.

Vacant Positions - update

Policy Grievance (Civil Service)

The union filed a policy grievance on January 9, 2012 contending that vacant positions in the civil service were not being filled. PEI UPSE has made this fact known to the Public Service Commission and has requested on many occasions to meet and review these vacant positions. However, these meetings, when set, have been continually changed.

The union argued that the employer violated articles 4, 26.01, 37 and 38 of the collective agreement, and section 4 of the *Civil Service Act*. The recourse the union sought was to have all vacant positions posted and filled in a timely manner as per the collective agreement. The employer has since agreed to provide the union with a list of all vacant positions and PEI UPSE is working with members affected by the recent government cuts in order to help them secure employment.

LCC Termination - update

Individual Grievance (Civil Service)

In the Spring 2012 a worker was fired because of performance issues. The union filed a grievance at level 3 on January 16, 2012 which was denied by the employer. The union subsequently filed for arbitration and argues that the worker should be

returned to work immediately. The arbitration dates are set for January 28 and 29 with Bruce Outhouse as arbitrator.

LCC Vacant Position - update

Policy Grievance (Civil Service)

In the Spring 2012 Advocate we reported that the employer had filled a vacant position without first posting the position. The union filed a grievance on March 18, 2012 under articles 37 and 38 of the collective agreement and schedule 17 of the *Civil Service Act*. After no resolution was attained the union filed for arbitration on April 24, 2012 and awaited a response from the employer so that dates for arbitration could be scheduled. The employer then decided to avoid arbitration and posted the position internally.

Termination

Individual Grievance (Civil Service)

A worker was terminated for a breach of security issue. The union contended the disciplinary action for this case was too severe and filed a grievance on September 13, 2011 claiming the employer was in violation of articles 4 and 27 of the collective agreement. The case went to arbitration on July 18, 19 and August 30, 2012. Through arbitration it was determined that the worker should be reinstated to their position. The worker returned to work on September 14, 2012.

Harrassment

Individual Grievance (Civil Service)

A worker felt he/she was being harrassed by a supervisor. As a result, the worker quit their job. The union filed a grievance in July 2012 claiming the employer was in violation of article 5 of the collective agreement. The resolution the union seeks is that the supervisor is held to account for harrassing the worker. The union is waiting for an outcome while an investigation is carried out.

Non-unionized employee - update

Policy Grievance (Holland College)

The union filed a grievance in April 2012 under article 53 of the collective agreement. The issue involved a non-unionized worker doing bargaining unit work. The union sought a resolution by removing the non-unionized worker from their duties and posting the position properly. The employer has agreed to post the position at a later date.

Seasonal Worker

Individual Grievance (Civil Service)

A seasonal worker at the LCC was not rehired. The union argues that seasonal workers are entitled to be rehired if work is available. PEI UPSE filed a grievance in May 2012 claiming the employer violated section 10, subsection 5 of the *Civil Service Act*. The union seeks that the worker be reinstated to his/her position and is requesting dates for arbitration.

Casual Employee Issues

Policy Grievance (Grain Elevator Corp.)

The grievance relates to workers compensation, human rights and casual employee issues. A casual employee was injured at work. The employer subsequently denied said worker a chance to return to work through ease back duties. The union is asking the employer for a commitment to post all available positions and that the casual worker be given the opportunity to apply for said positions. The matter is going to arbitration and dates are yet to be determined. The arbitrator is Michele Dorsey.

Vacancy Policy Grievance

(Holland College, Admin and Support)

A worker retired and the employer failed to post for the vacant position within sixty days. The union argues this is a clear violation of article 32 of the collective agreement and filed a grievance in September, 2012. The employer subsequently said they would post the position.

Grievances and Bargaining Update

Vacancy Policy Grievance

(Holland College, Admin and Support)

The employer created a new position and subsequently did not post the position. The union contends, according to article 32 of the collective agreement, that if a position is created or a vacancy occurs in an existing position, then it should be posted. PEI UPSE filed a grievance to this effect in September, 2012.

Scheduling - update

Policy Grievance (Gillis Lodge)

The employer initiated a new work schedule that violates agreements made at the table. The employer made significant changes to the schedule without consulting the union. The union filed a grievance on May 18, 2012 citing violations of articles 1,4,5,8,13 and 32 of the collective agreement. The union seeks to have the original work schedule put back into place. The issue is going to arbitration in November, 2012. Lorraine Lafferty is the arbitrator.

LPN Posting - update

Policy Grievance (Health PEI)

The employer posted a full time temporary position outside of the collective agreement. The position had already been in existence for two years. The union filed a grievance on January 30, 2012 citing a violation of article 31 of the collective agreement. The union filed for arbitration on February 23, 2012 and is seeking that the position be posted as permanent or that the position be abolished. The grievance will go to arbitration on February 20 and 21, 2013. Lorraine Lafferty is the arbitrator.

Failure to Post

Policy Grievance (Civil Service)

The union contends that the employer failed to post job competitions for internal positions. On December 20, 2012 the union filed a grievance citing the employer violated articles 38 and 39 of the collective agreement. PEI UPSE filed for arbitration in May 2011 and the case was scheduled for hearing on June 12 and 13, 2012. However, before this took place, an agreement was reached between the two parties whereby

it will be forwarded to the arbitrator and an award will be delivered in due course. The award outlines positions to be posted and benefits to be given to members within the Civil Service bargaining unit.

Layoff Procedure

Policy Grievance (Civil Service)

The union contends that the employer issued layoff notices to members prior to their substantive position/s being eliminated. The union argues that this violates section 12 sub 4 of the *Civil Service Act* as well as articles 4, 5 and 36 of the collective agreement. The recourse the union seeks is to have the employer place any affected employee whose job has not been eliminated as per the *Civil Service Act* guidelines, back into their position (until the guidelines are followed and then the layoff procedure may start again).

Personal Leave

Policy Grievance (Civil Service)

In 2007 a worker took personal leave in order to accept another position. The worker's original position was subsequently filled on a temporary basis and has not been posted or staffed as per the collective agreement. The employer also failed to request permission from the union to extend the worker's personal leave.

The union filed a grievance on March 16, 2012 arguing that the employer has violated articles 24, 37 and 38 of the collective agreement. The recourse the union seeks is for the employer to notify the worker that in 2007 a worker took personal leave in order to accept another position. The worker's original position was subsequently filled on a temporary basis and has not been posted or staffed as per the collective agreement. The employer also failed to request permission from the union to extend the personal leave. The union filed a grievance on March 16, 2012 arguing that the employer has violated articles 24, 37 and 38 of the collective agreement. The recourse the union seeks is for the employer to notify the worker that his/her leave of absence has concluded some time ago. The worker must decide whether or not to return to their

former position. If the worker decides not to return to their former position, then the union will request the position be posted as per article 38 of the collective agreement - staffing of classified positions.

Bargaining Update

Health PEI

Bargaining update

Negotiations between the PEI UPSE Health bargaining unit and Health PEI moved to conciliation on July 23 and 24, 2012. Parties made some progress in negotiations at conciliation, however, a number of key items including the monetary package were not resolved. The conciliator, Shawn Shea, has filed a report to the Minister of Environment, Labour and Justice, Janice Sherry. Parties have begun the process to select an arbitrator and determine dates for arbitration.

Morell and Area Early Learning Centre

Bargaining update

Negotiations were set to begin in September 2012 for the next collective agreement. PEI UPSE met with the reps in late August to discuss the negotiation process and elect a bargaining team.

Child Development Centre

Bargaining update

Negotiations were set to begin in September 2012. The union met with reps on September 19 to elect a bargaining team and begin preparations for bargaining.

Strait Crossing Bridge Ltd.

The collective agreement expires on Dec.31, 2012. The union sent an intent to bargain notice to the employer in late September. The next steps are to meet with Strait Crossing staff to choose a bargaining team, review proposal forms and begin bargaining by the end of 2012.

Fall Protection Regulations

If you or your workers are required to work at heights, this message applies to you. On June 9, 2012, amendments were made to PEI's Fall Protection Regulations to include training requirements. Section 2.1 was added to describe the employer's responsibilities to provide training for those who work at heights. The new section is included below and the full Fall Protection Regulations are available through the Workers Compensation Board (WCB) website at <http://wcb.pe.ca/Workplace/OHSActAndRegulations>. Remember, working safely at heights requires proper training. For more information about safety matters, visit www.wcb.pe.ca or contact WCB Occupational Health and Safety at **902-368-5697** or **1-800-237-5049**.



Section 2.1, Fall Protection Regulation:

2.1 (1) Where, in accordance with subsection 2(1) or (4), an employer of a worker provides the worker with a means of fall protection for use at a work area, the employer shall ensure the worker is trained in the use of the means of fall protection by a competent person and that the training includes

- (a) training in the use, care and inspection of the means of fall protection; and
- (b) a review of the provisions of these regulations that apply to the means of fall protection.

(2) An employer shall

- (a) maintain a training record for each worker during, and for a period of two years following, the worker's employment with the employer; and
- (b) make the record available to an officer upon the officer's request.

(3) A training record referred to in subsection (2) shall include

- (a) the name of the worker who received the training;
- (b) the date on which the training took place;
- (c) the name of the competent person providing the training; and
- (d) any training material provided to the worker. (EC304/12)

Free Occupational Health and Safety Workshops

The Workers Compensation Board (WCB) continues to offer free educational workshops through its Occupational Health and Safety Division. Let WCB help you, your management, and your Joint Occupational Health and Safety Committee or Representative understand how the health and safety laws of PEI affect you and your organization on various topics.

Workshop topics include:

- **Safety Committee Roles & Function**
- **Employer Strategies for Keeping Young Workers Safe**
- **Workplace Inspection**
- **Incident Investigation**
- **Safety for Managers and Supervisors**
- **Speak Up for Workplace Safety**



An online calendar version can be viewed on the WCB website at www.wcb.pe.ca. Simply click on Safe Workplaces > Workshops & Seminars > Calendar of Events to browse the dates.

*Workshops are offered at no cost to your organization. You may reserve your seat(s) by calling WCB at **902-368-5697** or toll free **1-800-237-5049** or by email wlewis@wcb.pe.ca.*