



Bargaining takes a turn, Board rules on Scope

When you come to a fork in the road, Yogi Berra once advised, take it.

In mid-July, TELUS and the TWU reached just such a fork in their long-running collective bargaining negotiations – and opted to take it. The next few months will reveal just where it leads.

As reported on July 16, the Global Review agreed to by the parties on January 8, 2003, has come to an end, and an Action Plan proposed by federal conciliators has been agreed to by the company and Union.

Four main points of the Action Plan are as follows:

One, the parties agree to commence a 60-day process, with meetings to begin on November 14, 2003, under the direction of federal conciliation officers.

Two, the parties agree to establish joint committees to examine and to make recommendations, where

possible, to the negotiation committees regarding matters relating to the various pension and benefit plans. Meetings of the pension and benefit committees shall convene as soon as possible following the signing of these recommendations.

Three, the parties agree to enter into a communications agreement. For the first 30 days of the 60-day process beginning November 14, 2003, the parties will not communicate information pertaining directly to issues being negotiated.

Four, immediately upon beginning negotiations on November 14, 2003, both parties shall provide comprehensive proposals on all issues relating to the negotiations. During the period prior to November 14, the conciliators may meet separately with the parties to discuss the preparation of their respective proposals, as well as related CIRB decisions, should the decisions now pending become available.

TWU officers and bargaining committee members expressed relief that the Union will finally get the company's complete proposals as of November 14, 2003, which we hope can set the stage for negotiating a revised collective agreement.

As many members are aware, a strike or lockout cannot occur for the 60 days which follow the November 14 exchange of proposals, followed by a further 21-day "cooling off" period, which brings the parties to early February before a legal work stoppage could occur. The Union hopes that the Action Plan agreed to in mid-July will allow the parties to reach agreement on a revised Collective Agreement without a work stoppage occurring. In pursuit of that goal, we look forward to the support and solidarity of all of our members working at TELUS.

Meanwhile, during the bargaining hiatus, the Canada Industrial Relations Board (CIRB) handed down a decision on one of two major issues which the Union had

brought before the Board – the Scope of the bargaining unit.

(A Board decision on the second issue, the status of Clearnet, is still pending as we go to press.)

The Scope issue – in simple terms, which employees are in the Union and which are not – has been before the Board for a long time.

The Board ruling, handed down September 4, provides a list of more than 1,200 job titles that are out of the Bargaining Unit, noting the list is for reference purposes only, and ordered TELUS to supply the Union pertinent information on those 1,200. Specifically, the ruling states:

"TELUS and Tele-Mobile shall also supply the TWU with a listing of the names, position titles and corporate affiliation of all current non-bargaining unit employees working in, as well as those having an operational base in, Alberta and British Columbia."

In its ruling, the Board notes that a climate of mistrust has developed between the company and union over the past two-and-a-half years.

"The Board is convinced that without the availability of such fundamental information on job positions, the relationship will continue to be plagued with distrust and problems, many of which will be placed before the Board to determine."

What the listing of the 1,200 titles and the requirement that the company must provide specific information means to the Union is that the Union can go back to the Board, with arguments as to why any one of the titles should be in or out of the bargaining unit. While that could be a lengthy process, it will provide an avenue for the Union to get the specific job titles before the Board for a final determination.

The ruling was also a victory for the Union on the issue of the seniority of Field Sales and Telesales personnel in Calgary. The Union had wanted the seniority dove-tailed, whereas the company argued they should be treated as a discrete group. The Board sided with the Union, opting for dove-tailing of seniority.

Two other significant aspects of the ruling will be of interest to the membership.

One, the award makes it clear that Article V in the TWU Collective Agreement, regarding "maintenance of membership", applies to all of the Collective Agreements. In relation to this, the Board ruled that the company must inform the TWU of the creation of any position which in the opinion of management does not come

within the scope of the Bargaining Unit.

Two, the award makes clear that the TWU is indeed bargaining for TELUS Mobility. It states: "The same approach should similarly be applied to previously unrepresented employees of TELUS Mobility, now Tele-Mobile.... It is incorrect to state that 'these employees are no longer part of the TELUS bargaining unit.'"

3 organizing drives

The Union is currently involved in three organizing drives, one involving employees of a software development company and two involving employees of Shaw Cable.

In mid-September, a certification vote was held in our efforts to organize about 20 employees in the Edmonton office of SAFLINK, a company which does software development for security, headquartered in Washington State. As this is written, results of the certification vote conducted by the Alberta Labour Relations Board have not yet been announced, pending resolution of some issues in dispute.

The organizing drive was conducted by the Union's Organizing office, in conjunction with Business Agent Len Steparyk in our Edmonton office.

An organizing drive is also underway at Shaw Cable in Edmonton, where the TWU is attempting to organize outside technical staff. This drive is being co-ordinated by the Union's Edmonton office, with the assistance of officers and activists in Local 60, which represents Shaw workers in BC's Lower Mainland. No application has yet been filed in this drive.

Similarly, a drive is underway to organize about 60 outside technical staff at Shaw Cable in Victoria, a group which comprises both hourly employees and piece-rate employees. The Union's organizing committee in conjunction with Local 60 officials are heading up this effort. As with Edmonton, no application has yet been filed with the Board.

An earlier separate story outlining Shaw's move to discipline one of its workers involved in the Victoria organizing drive follows.

In response to interest by Shaw Victoria employees in becoming unionized, several members of the TWU Organizing Committee, along with representatives of TWU Local 60, met with the Victoria employee group this summer.

A presentation was made to the Victoria group, and questions and answers were exchanged in an open forum.

As a result of attending this meeting, TWU Local 60 Vice-President Dave Podworny has been disciplined. At 5 p.m. on September 11, Mr. Podworny, a TFR in the Shaw Vancouver system, was suspended for five days for attending the meeting and providing information to the Shaw employee group. At the time, Mr. Podworny was on unpaid union leave with the permission of his supervisor.

The suspension is being grieved.

How retirees can help

With contract talks with TELUS expected to reach a critical juncture early in the new year, the TWU is necessarily making plans for the possibility of a work stoppage, even while hoping that a contract agreement can be reached without a strike or lockout occurring.

We have no doubt that should a strike or lockout occur, the membership will remain solidly in support of the Union.

However, retired members, particularly those who went through the last strike against BC TEL more than 20 years ago, could provide very valuable assistance to the Union in a number of different capacities.

We are therefore asking retired members who could assist the Union during a work stoppage to get in touch with us, leaving your name, contact phone number or e-mail, the community in which you reside, and how you might like to help out.

Contact Secretary-Treasurer Jim Christensen at the Burnaby office, 5261 Lane Street, Burnaby, BC, V5H 4A6.

Or you can telephone Jim at 604-437-8601, or e-mail jim.christensen@twu-canada.ca

LETTERS TO THE EDITOR

Retirement thanks

Dear TWU:

I would like to thank the TWU for my honorary life membership and the continued support I have received through my 29 years of service.

I appreciate everything that I have benefited from because of the TWU.

**Val Courneyea
Local 11**

Dear TWU:

I would like to take this opportunity to thank the TWU for my honorary life membership, retirement pin and the \$1000 cheque.

I am very proud of my involvement in our union. Special thanks to George Doubt for his support, and to Karen Whitfield for attending my recent retirement party. Keep up the good work!

**Marge Gould
Local 4, Nelson**

Dear TWU:

Thank you very much for the \$1000 cheque.

**Yours truly,
Pat Bell
Local 16**

Dear TWU:

I would like to gratefully thank the TWU for its kind gift of \$1000.

It will definitely be put to good use. I may have escaped the on going issue of whether there will be a good future with TELUS or not. However,

my heart truly goes out to all my fellow workers who are still employed and I pray and hope all contract issues will be settled in a just and peaceful manner. Good luck to all the brothers and sisters in the TWU.

**Sincerely,
Dan Cameron**

Dear TWU:

Thank you for the \$1000 retirement gift, honorary life membership and retirement pin.

Thank you for managing the pension so well. My retirement cheque came in 2 days after I retired. My wife retired from a hospital and is still waiting for her first cheque six weeks later!

**Gordon Sandulak
Former Fleet member
Kamloops, BC**

Dear TWU:

Thank you very much for cheque for \$1000. Thank you also for all the hard work over the years and I wish you all the best in the future struggles!

**Sincerely,
Lee Pansford**

Dear TWU:

I would like to take this opportunity to thank you for the \$1000 retirement gift. I would also like to thank you for the "honorary life membership" certificate and pin. The golf clubs are working just fine!

**With respect and solidarity,
Terrence L. Steinke**

Dear TWU:

This is to express my hearty thanks to the TWU for its generosity of a retirement gift of \$1000, honorary life membership and retirement pin.

I also want to take this opportunity to express my gratitude to the TWU for the past years of help to fight and win a brilliant battle against the BCT/TELUS, due to a prolonged period of over 8 years' of discrimination and harassment. Well done, Sisters and Brothers! With the strength of the Union, we can win all types of battles ahead of us in the near future.

**Joseph Wong
Local 5**

Dear TWU:

Thank you for the \$1000 retirement gift. Sorry I am so late but I am enjoying my retirement time. The days are flying by!! It was very much appreciated.

**Chris Pantlin
Local 7**

Dear TWU:

I am writing to say thank you very much for the wonderful retirement gift and the honorary life membership in the TWU.

As a member of TWU, I fully recognize the dedication required to make major accomplishments in the areas of wages and benefits, pensions and safety issues.

**Thanks again,
Lena Hiebert
Local 50**

Dear TWU:

Better late than never. I have been retired for twelve years. I want to thank you all for the great party, the thousand dollars, the life long membership, plus the Transmitter that keeps me well informed on what's going on in our union.

I wish you the very best in the new contract.

**I remain yours,
Riun Taylor
North Vancouver**

Dear TWU:

I would like to thank the TWU, brothers and sisters for my \$1000 upon retiring. Also wish you all the very in the days ahead.

**Thanks again,
Joe Donald
Nanaimo, Local 3**

Dear TWU:

I would like to express my thanks for the \$1000 retirement gift, pin and honorary life membership in the TWU. I am extending my appreciation to the TWU for 32 ° years of good working conditions and excellent benefits. Benefits obtained by our union. These benefits now include a very nice pension also obtained by our union.

Special thanks to our President, Rod Hiebert, for having the foresight to get our union funds out the stock market when he did. If not for that move our pension funds could have been eroded quite easily. I would also like to make note that our President is past retirement eligibility, however he has elected to stay at the helm and see us through this most crucial round of negotiations. Now that I am retired I know what a sacrifice our President is making for the benefit of the TWU.

I wish the current executive and bargaining team strength and good health through this most stressful time.

**Yours sincerely in solidarity,
Kathy (Pauley) Nadalin**

Dear TWU:

Many thanks for the honorary life membership, retirement pin and \$1000 retirement gift. I have been and always will be appreciative of the TWU's efforts on behalf of its members. We have contract language second to none in the telephone business which was earned with great

sacrifice by our members past and present. I have full confidence that the TWU membership will in no way give it all up to the outrageous and regressive demands of the TELUS management.

**Yours in solidarity,
Dan Wright
Nanaimo
Local 3**

Dear TWU:

Well I guess it's time to say goodbye, for now!

I'm part of the Drafting Office closure, opting for the ERIP.

A special thanks to Bill Silvester for the magnificent negotiations he achieved for my "Drafting" Brothers and Sisters. He achieved this, when all seemed doomed for the Drafting Group.

Thank you so very much, for the honorary life membership (in our great Union) and to the Benevolent Society of the TWU for the cash gift. What a great surprise, as I had forgotten all about this TWU farewell gesture. This will definitely help me out in my transition period, and is very much appreciated.

My heart felt thanks goes out to ALL of the Executive's of the TWU for their unbelievable dedication, tenacity and just plain HARD WORK during this current, extremely long, and very difficult bargaining session.

My sincerest best wishes to you all, now and in the future.

**Forever grateful,
Laurie Wicks**

Dear TWU:

Thank you for the \$900 retirement gift, honorary life membership and retirement pin.

I was proud to have been a shop steward and to have worked on the committee that implemented job sharing with our union members. It has been a rewarding experience to work with the TWU Business Agents and staff.

Thank you so much to the TWU for your support.

**Yours truly,
Maureen Kerfoot,
Local 10, Vancouver**

Dear TWU:

Thank you so much for the Honorary Life Membership, letter, pin and \$1,000 cheque which was presented to me by Tamara Marshall.

I have worked for BC TEL and TELUS for almost 31 years and have always been proud to be a TWU member. I have enjoyed working with wonderful people and having the support of a strong union.

Thanks for all your hard work during the past years. I wish you continued success in the future.

**Sincerely,
Janet Slonopas,
Local 51**



**CAROLLYNE
CALDWELL**

has retired from the TWU after 27 years as a member of the Union's clerical staff.

Carollyne left at the end of August – the first of five employees from the Union's Burnaby office who have accepted a retirement incentive buyout offered by the TWU and who will be retiring over the course of the next eight or nine months.

When Carollyne started with the Union, the three branches had not yet been amalgamated, and it was then known as the Federation of Telephone Workers (FTW).

Prior to her time with the FTW-TWU, Carollyne worked for seven years in a Pension Administration office.

During her time with the TWU, Carollyne was active with the OTEU (later OPEIU 15), the clerical staff union at the office, and served as a Trustee on the OPEIU 15 Pension Plan for 17 years.

Born and raised in Montreal, Carollyne moved to Vancouver with her family as a teenager, where she attended Kitsilano High School. Except for a two-year stint working and studying in Europe, Carollyne has lived most of her adult life in BC's Lower Mainland.

Carollyne began her work life with BC Telephone Company, in 1957, as a clerical employee, leaving two years later for Europe, and on her return from Europe, worked at UBC for a couple of years, before moving on to the Pension Administration office.

Carollyne will be retiring to Sidney on Vancouver Island, where she will be near several of her family members. After doing a bit of traveling, Carollyne plans to resume some favorite hobbies and pastimes – painting, ceramics and other artistic endeavours.

Her many friends and colleagues in the TWU and OPEIU wish Carollyne all the best in her retirement years.

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Retirees Dinner in Edmonton

The TWU's annual retirees dinner will be held this year in Edmonton.

In the past, the dinner has been held in BC's Lower Mainland. Executive Council has decided that with the expansion of the Union into Alberta, the 2003 dinner will be in Edmonton. Members from throughout B.C., as well as Alberta, are invited to attend. The dinner is set for:

Friday, October 17
Polish Hall,
10960 – 104th Street, Edmonton
Refreshments: 6 p.m., Dinner: 7 p.m.
Dance to follow

Cost is \$15 per person. Deadline for booking tickets is October 3. Letters are being mailed to all retirees with information on the dinner, and with forms to book tickets. You may also telephone the TWU offices in Edmonton, Calgary or Burnaby for information.

Contracting Out: *The Promise vs the Reality*

TELUS CEO DARREN ENTWISTLE HAS ADAMANTLY MAINTAINED THAT THE COMPANY HAS NO DESIRE TO CONTRACT OUT WHAT HE CALLS "CORE FUNCTIONS".

The Promise:

Mr. Entwistle says ... "firstly, we have had the right to outsource almost any element of our operations in Alberta for some time now. Notwithstanding this, we have elected not to outsource core business..."

The Reality:

Cable placing in Alberta has been contracted out for some time now. Recently the Company has announced its intention to contract out splicing work in Red Deer, Medicine Hat, Calgary, Edmonton, Spruce Grove and Vegreville. They have also contracted out Installation and Repair work there. Even Engineering work is contracted out. As a matter of fact, one would be extremely hard pressed to find any classification in the Alberta Craft and Services Collective agreement where there was no contracting out of work. Competitors in Alberta phone stores have direct access to TELUS systems, doing the work that should be done by Customer Service representatives. What "elements" of their operation has management not contracted out there?

* * *

The Promise:

Mr. Entwistle has also said "The work of our call center employees not only drives customer satisfaction, it also enhances our credibility in the market place as a pre-eminent supplier of contact centre solutions to our business customers across Canada. Again, it is my belief that TELUS should practice internally what it preaches in the marketplace. Therefore, given that our contact centres represent a crucial customer touch point, coupled with the fact that we market contact centre solutions to our customers across Canada, this function represents another core element of our business that I would not support outsourcing."

The Reality:

Customer service representatives working in Mobility have had their work outsourced to dealers on a continuous basis, notwithstanding the fact that the company has been ordered on numerous occasions not to do this.

* * *

The Promise:

Another quote..."Clearly our philosophy is different from Bell Canada's approach given that it has contracted out its installation operations to a third party in the form of Entourage."

The Reality:

Bell Canada also contracts out the bulk of its Operator Services work, but Mr. Entwistle doesn't mention operators. We should also remember that the Company's chief spokesperson at the bargaining table was negotiating for Bell when Operator Services work was contracted out there!

* * *

The Promise:

Mr. Entwistle goes on to say "I would intend to be extremely explicit in defining for our employees what represents core and non-core business and adhere rigidly to the philosophy that I have expressed above..."

The Reality:

At the bargaining table, management has never properly defined what they mean by "Core Business", so what might be core today is going to be non-core tomorrow.

DON'T BELIEVE THAT ANY JOB IN TELUS IS SAFE FROM CONTRACTING OUT. THINK ABOUT WHAT CONTRACTING OUT HAS ALREADY MEANT TO MANY OF YOUR FRIENDS AND EX-CO-WORKERS, AND WHAT IT WILL MEAN TO YOU!

Employment Insurance Group Appeal begins

By **GEORGE DOUBT, BA**

The Employment Insurance Commission has decided that members who left the Company with the ERIP option of the VDIP will have the same amount of severance pay allocated as income as members who took the VDIP option. These options applied only to members of the Telecommunication Workers Pension Plan (TWPP) in B. C. Members who took the VDIP option received a higher severance pay amount in exchange of forfeiting their right to apply for an unreduced pension before the age of 65. The TWU is representing over 100 members affected by this decision in a Group Appeal.

The Board of Referees Hearing into the case began on September 16 in Nanaimo. Business Agents George Doubt and Lesley Hammond attended to present the case. The TWU presented the documents we will use as evidence at the hearing. There are some 52 pages in the submission along with a booklet describing the TWPP. The Chairperson of the Board immediately called an adjournment so that the Board and the Employment Insurance Commission representatives could study the package.

The hearing will resume again as soon as possible. We expect the next step of the Hearing to take place in mid to late October.

There are members affected by the EI decision who left the Company too late to join the Group Appeal. Those members can still appeal their decision on an individual basis. The Union can assist in that process.

Some members affected by the decision were not aware of their options and did not begin an appeal within the 30-day time

Scholarships awarded to 7

Seven daughters and sons of TWU members have been awarded scholarships to attend post-secondary institutions this fall. Their names (and the parent's names and locals) are as follows:

Four scholarships worth \$1,000 each go to:

Laura Alberts of Abbotsford (parent Arnie Alberts, Local 32);

James Rudy, Port MacNeill (Dwayne Rudy, Local 35);

Leticia Siu, Edmonton (Cindy Siu, Local 207);

Kristen Wood, Pt. Coquitlam (Richard Wood, Local 10).

Three scholarships worth \$750 each go to:

Kate Lingley, Burnaby (Julie Lingley, Local 5);

Jessica Piper, Burnaby (Barbara Piper, Local 50);

Neil Ruhl, Edmonton (Phyllis Ruhl, Local 207).

limit imposed by the Employment Insurance Act. It is possible for members who missed the deadline for appeal to apply for a Delayed Appeal. The TWU can also assist in that process.

Once the Board of Referees has made a decision the decision can be appealed to an Umpire. Another hearing then takes place before the Umpire and a decision is issued. Umpires' decisions create a

precedent that must be followed in other Employment Insurance decisions. A Board of Referees decision does not create a precedent. If either the Claimant or the Employment Insurance Commission chose to they can appeal an Umpires' Decision to the Court.

Members who have questions about their Employment Insurance Claims should contact Business Agents George Doubt or Lesley Hammond.

Letter to Heritage Minister

The following letter was sent to Heritage Minister Sheila Copps on August 20, 2003.

Dear Madame Minister:

RE: TELUS Telephone Trouble for 600,000 Albertans

May I respectfully request a CRTC investigation and prompt correction of the trouble with TELUS providing timely telephone connection service to Alberta residents.

TELUS is significantly under-performing similar companies. Given an estimated 1 in 5 Albertans moves every year plus thousands more move into the province, more than 600,000 Albertans are being terribly inconvenienced by the inability of TELUS to meet industry standards. Given that TELUS also services British Columbia, more than 800,000 of their residents are also affected.

My experience in moving from central Calgary residence to one a short distance away and opening a second residence on Edmonton's Jasper Ave. provided a hellish telephone delay and was the most stressful and frustrating part of our entire move. *Not only did we not have telephone, e-mail & Internet service for many days but also no apartment intercom service*, severely limiting any deliveries or visitors. Fortunately for us, we're not dependant on insulin or Meals-on-Wheels deliveries or home care services. This delay in telephone connection is unconscionable. With all courtesy, may I suggest that the CRTC be asked to strongly encourage TELUS for a quick correction to this service deficiency? If the company is unable or unwilling to quickly reach industry standards and restore public confidence, then I entreat you to *do what is necessary to permit other providers to connect Alberta residents to timely telephone services.*

Furthermore, I understand TELUS is pursuing a TCI licence application through the CRTC. I believe any reasonable person at this time would seriously question the soundness of such an application, given poor performance by the company with their keystone wire line service.

**Respectfully yours,
Randall Way
Calgary**

Court hears TWU appeal on cable TV

The Federal Court of Appeal has heard an appeal by the TWU of a CRTC decision approving a Shaw Cable application for substantial deregulation of the cable television industry.

The TWU had opposed the Shaw application in front of the CRTC on quality of service and other issues, and a number of consumer and public interest groups has also opposed the application.

The Union was granted leave to appeal the regulatory body's decision to the Federal Court of Appeal, and a court hearing took place in Vancouver on September 18.

A decision is pending.

Active member involvement needed

Hope Cumming, Vice-President assigned to Alberta, is urging members to get involved in an active way with their Union Local.

She notes that at the current stage of contract negotiations with TELUS, it is particularly important for members to become and remain active in Union affairs.

With the decrease in membership and many retirements resulting from the company buyouts, many former activists are now leaving the workforce, making it even more critical that new blood be brought in to positions within the Locals in both provinces.

CRTC grants TELUS broadcast okay

EDMONTON – TELUS TV has finally been given the go-ahead by federal broadcast regulators. The Canadian Radio-Television and Telecommunications Commission (CRTC) has a licence to carry TV broadcast signals across telephone lines in 16 Alberta and BC communities, including Edmonton, Calgary and Vancouver. The licence allows for technology testing and trial service in select markets and signing of contracts with content and service providers. As a result, TELUS hopes to launch broadcast service of up to 200 channels next year.

TELUS will also carry various specialty radio services, which it had also applied for. However, the CRTC is also obliging TELUS to carry local radio stations in all 16 markets where it will offer TV service. In addition to basic TV channels, the TELUS service will carry specialty channels and five "time-shifted" U.S. channels from eastern zones. TELUS also plans to offer a movies-on-demand service, but a licence for this has not yet been granted. TELUS's broadcast service will be operated out of Edmonton.

Getting to know your Alberta Business Agents



**ALLISON
KUZYK**

has been a TWU Business Agent since January 2001, and before that served as TWU Local 207 convention delegate, following the Union merger, in 2000-2001.

Allison is responsible for Locals 205, 207 and 212 (Red Deer Clerical-Plant, Camrose Clerical-Plant-Traffic, and TELUS Mobility Edmonton, respectively), and is a member of the EHRIP and VDIP Committee, the Redeployment Committee, and the Alberta Federation of Labour Women's Rights Committee.

Born and raised in Alberta, Allison worked for the Alberta Government from 1976 to 1988.

Following that, Allison worked for the telephone company in Edmonton in Customer Service, with Ed Tel from 1988 through 1996 (during which time she was shop steward with CSU 52) and TELUS from 1996 until her election as Business Agent.

She has taken numerous Union training courses both through the Alberta Federation of Labour and the TWU.

She was re-elected to the Business Agent position at the Union's convention in March of 2003.

Allison is active in the community, especially in literary programs for children and support for spousal abuse victims.

She enjoys her busy life with her husband Darrell and their 3 children.



**LEN
STEPARYK**

was elected TWU Business Agent in January 2001 and re-elected at the Union's March 2003 convention.

Len looks after Locals 208, 210 and 211 (Edmonton Plant, Fort McMurray Plant-Clerical, and Alberta Northeast Plant-Clerical, respectively), and is also a member of the Alberta Apprenticeship Committee, and the AFL Environmental Committee.

Born in Lac La Biche and raised in Edmonton, Len has been with the telephone company for more than 25 years. He was hired by Edmonton Telephones (now part of TELUS) in 1977, as a cable splicer/lineman, posted to Cable Repair in Edmonton in 1985 and to I&R in Edmonton in 1996.

Prior to the merger of BC TEL and Alberta TELUS, Len was a member in good standing of IBEW Local 1007 and from 1998 to 2000 of Local 348. Shortly after the vote which resulted in the merger of the Alberta and BC Unions into the TWU, from August 2000 until his election as BA in January 2001, Len served as a TWU Alternate BA.

Len lists his hobbies as boating, fishing and skiing. He and his wife Crystal live in Edmonton and look forward to eventual retirement in Osoyoos.



**MARJORIE
SHEWCHUK**

was elected as a TWU Business Agent in 2001 after serving several months as an Alternate BA. She looks after Locals 206, 207 and 209 (Camrose Clerical-Plant-Traffic, Edmonton Clerical-Traffic, and Grande Prairie Clerical-Plant, respectively), and serves as the Union's Human Rights Officer in Alberta.

Born and raised in Alberta, Marjorie worked for the University of Alberta Students Union from 1974 through 1984. She joined the telephone company (Ed Tel, subsequently TELUS) in 1984, where she worked in Edmonton in Residential Sales and Service until August 2000, when she was selected Alternate BA shortly after the Union merger.

During her time with Ed Tel, Marjorie was active with CSU 52, serving as shop steward, secretary-treasurer and bargaining committee member for much of the time. She was also active with the AFL and CLC. She is currently serving as a vice-president of the AFL, and on the AFL Human Rights Committee. While with the Students Union, she served as president of CUPE Local 1368 and a member of the bargaining committee, from 1974-1984.

Marjorie has taken numerous Union training courses, and has been actively involved in the community, as a mediator with the City of Edmonton and with the Court of Queen's Bench.



**MICK
SHIELS**

was elected Business Agent from Calgary in 2001 and re-elected in 2003. He services Locals 36, 202, 203 (Telemarketing) and 204 (Cranbrook Plant-Clerical, Lethbridge Plant-Clerical, Calgary Telemarketing and Calgary Plant, respectively). He serves on a number of committees including ERIP/VDIP and Policy Health and Safety, is co-chair of the Joint Labour Management Committee, and is on the AFL Health and Safety Committee.

Born and raised in Britain, Mick began working with British Telecom in 1966 as a telegraph technician and then an equipment installer, and started with Alberta Government Telephones (now TELUS) in 1976, working in Calgary in Business I&R and then Residential I&R.

Mick is a long-time Union activist, first in Britain, then in Calgary as a shop steward with IBEW Local 348, where he served on the 1992 and 1994 bargaining committees, and after the union merger as TWU Local 204 President until his election as BA.

Mick has taken many Union Education courses through the IBEW, TWU, AFL, BCFL and CLC.

He and his wife and daughter live in Calgary.



**SANDI
MUTTER**

was elected Business Agent from Calgary in 2003. She looks after Calgary Clerical Local 203 and is on the Employment Equity Committee.

Sandi joined TELUS in 1970, for the first five years in Operator Services, and since then in Clerical positions, including residential call center, phone store, assistant force administrator, cable assignment, business call center, and Major Business Operations. She worked in Lethbridge from 1970 through 1996, and in Calgary since 1996.

Sandi was active with IBEW Local 348 since her early years with TELUS, as shop steward from 1973 through 2000, Provincial Treasurer for eight years, and Acting BA on a number of occasions between 1997 and 2000, and attended numerous IBEW conventions as a delegate. She served on the IBEW-Ed Tel and IBEW-CSU 52 merger committees, as well as a number of other committees. Since the Union merger in 2000, Sandi has been active in TWU Local 203, as shop steward and convention delegate, and served as a member of the TWU bargaining committee until her election as a BA. She was also a member of the AFL Environment Committee.

Sandi has taken a wide range of labour and university courses through the IBEW and Athabasca University, and was a volunteer at the Alberta Winter Games and the World Police/Fire Games.



**JOHN
CARPENTER**

a relative newcomer to the telephone company, was elected Business Agent in 2001, and currently services TWU Locals 201, 203, 212 and 213 (Medicine Hat Clerical-Plant, Calgary Clerical-Traffic, Telus Mobility Edmonton, and Telus Mobility Calgary, respectively.)

He has a member of the Clearnet/National Build committee, the Operator Service Steering Committee, the Job Evaluation Committee for Mobility in Alberta, the AFL Education Committee, and has served as a Vice-President of the AFL.

Born in Montreal and raised in Calgary, John joined TELUS Mobility in 1999, working first in Activations and then in Corporate Accounts. Prior to joining TELUS, John worked for a time for Rogers AT&T.

John has taken numerous labour education courses through the TWU, AFL, and BCFL, and has been active in the Union since going to work for TELUS Mobility, and has been involved in a number of volunteer activities, including the Edmonton and Calgary Folk Festivals, the Spruce Meadows Masters, the Stampede Marathon for Charity and the Mothers Day Walk.

John won re-election as BA in 2003.

For dedication in a summer of forest fires, a message of thanks to the membership

As everyone knows, both Alberta and B.C. have recently suffered through some incredible hardships because of the forest fires raging through our provinces. TWU members have been in the forefront of this battle against the forces of nature.

Whether you helped out by handling the many service requests, answering queries from concerned customers about how to contact their loved ones or find help centres, finding facilities for customers who have lost service, delivering material, replacing damaged cable and pole lines, splicing new cable, running jumpers in the Central Offices, programming switches, providing emergency power to the many sites that were without regular or back-up power, working at providing cellular service, or canceling your vacation to report to work, you have been of major assistance to your customers.

If you filled the void created by others who were assigned front line duties in an already decimated work force and did their job as well as your own, you have done a lot to assist the residents in these areas and help the Company.

All of our members should be proud that they fought these fires by overcoming the obstacles that the Company has created, like systems that don't work, depleted personnel and ineffectual management in your effort to restore service. You have done all of this in the face of a Company who refuses to provide you with a collective agreement, hasn't given you a raise in almost four years, and shows its thanks by wanting to contract out a lot of your work.

Congratulations, and thanks to all members!



Fighting the fires. . .



. . .the devastation. . .



. . . and restoring service

(Thanks to Jim Davies of Kamloops and Lee Riggs of Kelowna for compiling and providing photos)

Members approve change on strike vote threshold

Members have overwhelmingly voted to approve an amendment to the Union's constitution which would allow a strike to be called with the support of 50 per cent plus one of those who voted.

When ballots were counted June 20, the vote in favour of the amendment was 90.6 per cent. Previously, the Union could not go on strike with less than 66 and two-thirds per cent support from voting members. The 50 per cent plus one benchmark brings the TWU in line with the requirements of the Canada Labour Code, and with nearly all other trade unions in Canada.

By an even greater margin, 97.8 per cent, members supported an amendment requiring executive council meetings a minimum of 9 times per calendar year at the call of the President. Prior to the change, the constitution required meetings at least once per month at the call of the President.

Bell loses pay equity legal battle

Bell Canada has lost a major legal battle in a long-running, multimillion-dollar pay equity dispute with thousands of present and former telephone operators.

In a 9-0 judgement in late June, the Supreme Court of Canada rejected Bell's contention that a federal human rights tribunal lacks the impartiality and fairness needed to rule on the dispute.

The decision means hearings before the tribunal will continue.

In broader legal terms, the judgment confirms the way the Canadian Human Rights Commission, and similar provincial bodies, go about the whole business of adjudicating complaints against employers.

But the ruling hinges on complex questions of procedural fairness and does not resolve the ultimate issue.

Still to be determined is the core question of whether Bell discrimination against mostly female operators for years by paying them less than mostly male employees in other trades.

The Communications, Energy and Paperworkers Union, representing some 4,000 present and former operators, has been seeking up to \$400 million in pay raises retroactive to the early 1990s.

The TWU applauds the court ruling, and finds it very encouraging. In light of the ruling, the TWU strongly urges TELUS to settle this Union's long-standing pay equity claim on behalf of our members.

Happy 20th anniversary!

Canada's longest-running pay equity case celebrated its 20th anniversary this year, but the good news is there is light at the end of the tunnel.

The Human Rights Tribunal heard final arguments from PSAC/Unions of the Postal Communications Employees and Canada Post over 11 days in May and June.

The union filed the complaint under the *Canadian Human Rights Act* in 1983. Hearings started in February 1992, running for more than 400 days. The transcripts of the proceedings are more than 46,000 pages.

The tribunal is expected to take about a year to make its decision.

Union Update/PSAC/CALM

Young workers face greater injury risk

Institute for Work and Health/CALM

Young workers, 15 to 24, have a higher than-average risk of being injured on the job. Research shows they have 1.5 to two times the rate of injury compared to workers 25 years and older, says institute for Work & Health scientist Dr. Curtis Breslin.

"There are several things that may contribute to higher injury rates among this age group, including inexperience, lack of training and working conditions common in types of jobs where youth tend to be employed," says Breslin. "As well, young people often don't stay at the same job for long."

Some early findings from Breslin's work show that all new employees – regardless of age – are at four times the risk of injury in their first month on the job. "If young workers are changing jobs as frequently as we believe, it may partially explain the higher injury rates," he says.

While more research will help scientists better understand these rates, Breslin says the work to date has implications for policy and prevention programs focusing on young workers. It also sends an important message to employers.

"Employers must ensure young workers – and all new workers – are trained early about handling equipment safely, safety procedures, and the risks associated with the job, especially in small workplaces," he says. "This training, combined with active workplace policies and procedures, such as graduated entry and close supervision, will help prevent injuries and keep our young workers safe."

Van-Tel Foundation grants available

As part of Van Tel/Safeway Credit Union's commitment to its members and the TWU community, the credit union established a foundation in 1998. The goal of the Van Tel/Safeway Credit Union Foundation is to stimulate interest in volunteering and to promote community involvement. The focus is on non-profit youth and environment programs, as well as those that strive toward community enhancement and crime prevention. Applicants must be based in BC and possess a Revenue Canada charity Tax Number. Eligible groups are invited to apply for funding by October 15, 2003. A number of grants ranging from \$250 to \$2,500 are awarded annually.

Van Tel/Safeway Credit Union Foundation posters will be distributed to TELUS locations across the province and brochures will be available in VTSCU branches. The Foundation will have a posting on the TELUS Intranet and on their own website.

More information and to download copies of the Foundation Application and Mission Statement please visit the VTSCU's website at www.vantelsafeway.com ("Our Community" section) or call Barbara Ciunyk at 604-656-6232 (1-800-663-1557) or email bciunyk@vantelsafeway.com for more information.

Great Financial Plans



By **BILL BILES, CFP**
Financial Planner

Van Tel/Safeway Credit Union

As this summer draws to a close I'd like to offer best wishes to members, family and friends who have been affected by the terrible forest fires this year. Every day the newspapers ran photos and columns describing the distress occurring in our interior forests and townships. I think every one of us knows someone in the province whose property is or was at risk and our heartfelt best wishes go out to all. Let it rain.

1. Question: Are you doing any seminars on distributing the TELUS package, or on any other financial topics soon? – from B.H.

Answer: For students and parents, September is back-to-school month and, for me, it's back to a schedule of giving regular seminars. I will be doing monthly lunch hour seminars at 12:00 noon at our branch in the TELUS Boot in Burnaby (6-3777 Kingsway) with the following schedule:

Friday, September 12 – Distributing your TELUS VDIP/ERIP Package

Friday, October 17 – Selecting your Pension Options

Friday, November 14 – Building a Retirement Investment Portfolio

Friday, December 12 – Year-End Tax Tips
Please RSVP by phone at 604-656-6289 or by email at bbiles@vantelsafeway.com.

If you cannot attend these sessions at the Boot, I would be happy to give them at other locations at a time convenient for you and your co-workers. Just give me a call and we can organize these, or any other sessions to do with Financial Planning. They are free (and hopefully deliver more than they cost)!

2. Question: How can I reduce the costs associated with my credit cards? – from M.H.

Answer: Credit cards offer many different plans with varying services, fees and interest rates. It is important to know how you will use your card before selecting a particular type. Regarding interest charged on outstanding balances, there are really just two options: low interest rates with a monthly or annual fee for the card; or higher interest rates with no monthly or annual fee. Obviously, if you pay off your credit card balance at the end of every period you will pay no interest, so it makes sense to choose the card with no fees. If you regularly carry a balance on the card and pay interest, however, paying a fee and reducing the interest rate charged may be to your benefit.

My preference is the no-fee card and paying off the balance every month so I don't pay any interest. Even though today's interest rates generally are at historical lows and there are great deals on every type of loan available, credit cards are still charging phenomenally high rates (18.5% on my card). I have a credit line established with very low rates based on the prime rate and

use this credit line to pay off any balance on the card I can't make. I'd rather pay relatively low interest to my credit line than 18.5% to Visa.

If you are in a situation where your credit cards, store cards, personal loans and other debts are overwhelming you, look into a consolidation loan to make these multiple payments much simpler and reduce your cost of borrowing. The rates on consolidation loans are typically far lower than those on many of these other debts. Give VTSCU a call to see if we can't reduce your debt-related worries.

3. Question: Can I use my low income spouse as a write-off? – from J.G.

Answer: I'd be careful using the term "write-off" when referring to your spouse – he or she may take it the wrong way. If your spouse has little or no income, however, you may be able to reduce your income taxes payable.

Line 303 of your income tax return allows you to claim up to \$6,482 for a spouse or common-law partner. This amount is reduced by any income earned by the spouse or partner.

Line 326 of your return allows your spouse to transfer to you any credits not needed to reduce his or her federal income tax to zero. The transferable credits include: the age amount (if your spouse is 65 or older); the pension income amount; and any tuition and education amounts (up to \$5000).

Line 220 of your return allows you to deduct support payments made to your spouse under written agreement or court order. Hopefully, you never use this deduction. As I said before, among many other things, be careful how you use the term "write-off".

4. Question: What does my investment advisor mean by the term, "KYC"? – from L.K.

Answer: The term "KYC" means "Know Your Client". Every investment advisor has the duty to understand an investor's financial objectives and criteria before suggesting a particular investment. Questions regarding an investor's specific objectives for the funds invested, the time frame for using these funds, the investor's knowledge and experience regarding investing, his or her risk tolerance, age and tax bracket are basic to every "KYC" discussion. You should see your advisor at least once a year to update this information, since significant changes in your financial picture could mean you should change the makeup of your portfolio or the specific investments you use. It is hard for many advisors to keep the requirements of "KYC" up to date, so call your investment advisor annually to discuss yours – the health of your portfolio and financial future depends on it!

5. Question: How was Ireland and the soccer tournament?

Answer: My son and 20 other 14-year-old boys represented B.C. in a series of tournaments this summer including the Northern Ireland International Football Festival in Bangor, just outside of Belfast. Our boys won the tournament, we toured castles, churches and priories through Ireland and Wales and visited home stadiums for United and City in Manchester and for the Reds in Liverpool. I managed to avoid the green beer and enjoyed a few of the amber – a great trip all round!

You can call Bill Biles at (604) 656-6289, email at bbiles@vantelsafeway.com, or contact a Van Tel/Safeway Member Service Representative at (604) 656-6200 or toll free at 1-800-663-1557. Please visit Van Tel/Safeway's website at www.vantelsafeway.com.

Labour Day Opinion Editorial

By **JIM SINCLAIR, President**
BC Federation of Labour

Once a year we set aside a day to celebrate the contribution that unions make in our workplaces and communities. It's called Labour Day and it's reminder that unions make all the difference.

Think about it for a minute. The eight-hour day, pension plans, the abolition of child labour, pay equity, universally accessible public healthcare and education; these are just some of the contributions credited to the determination of union activists.

It would be an understatement to say these gains did not come easily. Each one involve intense campaigns in both the community and the workplace, often stretching over many decades.

Many involved mobilizing pressure both at the bargaining table and on politicians. It wasn't enough that improvements were secured for a few. The labour movement's real successes have always come from sharing the gains with a broader community through better laws and higher public standards.

Looking back, it's obvious that these struggles never moved forward in a straight line. Major breakthroughs in one decade often became the focus of the attack in the next. To paraphrase an old union activist, "working people never won anything without a fight and they never held on to it without continuing to fight."

Scanning the situation in BC today, it's clear that we have our hands full trying to keep the line moving forward. Despite promises of "hope and prosperity", the current government in Victoria has overseen a steady rise in unemployment, a bloating of provincial debt and a squandering of billions on a tax-cut strategy that has rewarded a few at the expense of us all.

BC's unemployed now number close to 200,000; 8.7 percent of the workforce can't find work, up from 6.7 percent when the BC Liberals took office in May 2001. Smaller communities, especially those in Central and Northern Interior regions, are struggling with unemployment rates often double those in urban centres.

The BC Liberal's main economic strategy, tax cuts, has proven to be a complete bust. BC's economic growth continues to under-perform the rest of Canada and is miles off the original course set by Finance Minister Gary Collins when he detailed the tax cut strategy in July 2001.

BC's working families have paid the price for tax cuts with dramatic cuts in public programs, hefty increases in user fees and regressive taxes and greatly diminished access to critical services in health and education.

Making matters worse, the Social Planning and Research Council of BC (SPARC) predicts that child and family poverty in BC will increase in the coming years because of the provincial government's failure to decrease unemployment and protect the services and benefits to low-income families. The SPARC report also notes that BC Liberal policies such as lower employment standards, less access to union representation and a great emphasis on part-time, contingent work will further erode family incomes, forcing even more into poverty.

The shift in political direction has been matched by an equally hard edge approach in BC's employer community. At negotiating tables around the province, the employer's demand for concession is pervasive. Public or private sector, resource or service industries, large company or small, the demand for rollbacks in benefits, wages and employment security is constant.

There are limits, of course, to how far the concession demand is pushed. A recent survey by Business in Vancouver of BC's top 100 publicly-traded companies shows that Chief Executive Officers managed to squeeze a 36 percent increase in their salary last year, compared to 3.6 percent for the average employee in the province. According to the survey the number of CEOs earning a million dollars or more doubled between 2001 and 2002.

And you wonder why workers balk when managers or politicians say we have to do more with less.

Adversity is nothing new to our movement. We've faced tough odds before and prevailed. Just ask the folks in Kamloops who stared down Premier Campbell's plans to privatize the Coquihalla. Or ask activists and seniors in Revelstoke who have rallied to save their long-term care facility, Moberley Manor, from a similar fate. Or ask workers and rail communities from North Vancouver to Fort Nelson who are prepared to tough it out to stop the sell-off of BC Rail.

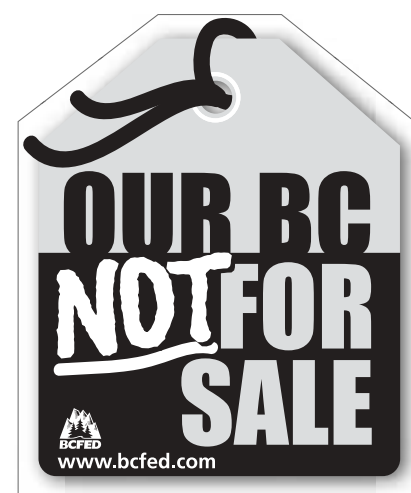
The answer you get is the same one you will hear at Labour Day picnics around the province. Workers standing together with their communities are a powerful force. We make a real difference.

BC Fed convention set for Nov. 24-26 in Vancouver

The 47th convention of the BC Federation of Labour will be held November 24-26 at the Vancouver Convention and Exhibition Centre in downtown Vancouver.

The TWU will be sending a full complement of delegates to this year's convention.

As usual, there will be a visitor's section at the convention, and members who are interested in attending as observers are encouraged to do so.



BC Fed logo for campaign opposing privatization of government services

TW Benefit Plan financial statement

TELECOMMUNICATION WORKERS BENEFIT PLAN
CONDENSED ANNUAL FINANCIAL STATEMENT
YEAR ENDED DECEMBER 31, 2002

	PART A	PARTS B&C	PART D	PART E	TOTAL
VALUE OF FUND AT DECEMBER 31, 2001	(\$167,496)	\$18,809,699	\$310,435	\$2,635	\$18,955,273
ADD (DEDUCT):					
CONTRIBUTIONS IN YEAR					
BY PARTICIPANTS	460,774	3,598,778	2,072,455	19,705	\$6,151,712
INVESTMENT INCOME	(21,162)	1,924,135	74,757	0	1,977,730
EXPERIENCE DEFICIT FROM					
GROUP LIFE POLICIES (NOTE 2)	(229,113)	213,080	0	0	(16,033)
GROUP LIFE PREMIUMS	(232,588)	(680,440)	(93,148)	(2,809)	(1,008,985)
WAGE INDEMNITY CLAIMS	0	(2,155,896)	(55,084)	0	(2,210,980)
WAGE INDEMNITY RECOVERIES	0	442,516	0	0	442,516
SURVIVOR INCOME BENEFIT CLAIMS	0	(1,224,746)	0	0	(1,224,746)
EMPLOYEES ASSISTANCE PROGRAM PREMIUMS	0	0	(19,383)	0	(19,383)
LONG-TERM DISABILITY PREMIUMS	0	0	0	(7,845)	(7,845)
DEPENDENT LIFE PREMIUMS	0	0	(17,405)	0	(17,405)
ACCIDENTAL DEATH AND DISMEMBERMENT PREMIUMS	0	0	(16,730)	0	(16,730)
EMERGENCY TRAVEL ASSISTANCE PREMIUMS	0	0	(1,673)	0	(1,673)
EXTENDED HEALTH CLAIMS	0	0	(208,314)	(7,517)	(215,831)
DENTAL CLAIMS	0	0	(362,706)	0	(362,706)
LONG-TERM DISABILITY CLAIMS	0	0	(38,949)	0	(38,949)
MEDICAL SERVICES PLAN PREMIUMS	0	0	(327,902)	0	(327,902)
INTEREST CREDIT	0	0	0	0	0
INTEREST EXPENSE	(382)	0	0	0	(382)
ADMINISTRATIVE EXPENDITURES	(67,528)	(547,228)	(206,954)	(7,934)	(829,644)
INCOME TAX	4326	(393,300)	(15,281)	0	(404,255)
INTERNAL STOP-LOSS CHARGE	0	2,624	(2,624)	0	0
INTERNAL STOP-LOSS TRANSFER RELATED TO EXPERIENCE	0	(79,511)	79,511	0	0
OTHER	0	(816)	816	0	0
VALUE OF FUND AT DECEMBER 31, 2002	(\$253,169)	\$19,908,895	\$1,171,821	(\$3,765)	\$20,823,782

DESCRIPTION OF ASSETS - PARTS A, B&C, D AND E

CASH, INVESTMENTS AND ACCRUED INTEREST RECEIVABLE	\$21,672,482
CONTRIBUTIONS RECEIVABLE	207,587
CLAIM RECOVERIES RECEIVABLE	52,632
PREPAID SURVIVOR INCOME BENEFITS	103,726
DUE FROM THE GREAT-LIFE ASSURANCE COMPANY (NOTE 2)	0
INCOME TAX RECOVERY	0
LESS:	
ACCOUNTS PAYABLE	(41,677)
PREMIUMS AND BENEFITS PAYABLE	(203,998)
DUE TO THE TELECOMMUNICATION WORKERS PENSION PLAN	(593,334)
DUE TO THE GREAT WEST LIFE ASSURANCE COMPANY (NOTE 2)	(16,415)
INCOME TAX PAYABLE	(357,221)
FUND EQUITY	\$20,823,782

NOTES:

- THIS CONDENSED STATEMENT HAS BEEN PREPARED FROM THE AUDITOR'S ANNUAL REPORT TO THE TRUSTEES
- DUE TO THE GREAT WEST LIFE ASSURANCE COMPANY THE GROUP LIFE POLICIES HAVE A FISCAL YEAR ENDING JULY 31. AT JULY 31, 2002 THE POLICIES EXPERIENCED A NET DEFICIT OF \$16,033 THE TOTAL AMOUNT PAYABLE, INCLUDING INTEREST WAS \$16,415
- THE AMOUNT SHOWN AS FUND EQUITY DOES NOT REFLECT THE REQUIRED RESERVES THAT MUST BE HELD FOR VARIOUS LIABILITIES AND OBLIGATIONS OF THE TRUST FUND IN RESPECT OF INCURRED CLAIMS.
- ALLOCATION OF REVENUES AND EXPENSES
INVESTMENT INCOME, INVESTMENT MANAGEMENT FEES AND INCOME TAXES HAVE BEEN ALLOCATED IN PROPORTION TO AVERAGE FUND EQUITY PART A THROUGH D.
ADMINISTRATIVE EXPENDITURES HAVE BEEN ALLOCATED IN PROPORTION TO CONTRIBUTIONS

FOR ANY ADDITIONAL INFORMATION PLEASE CONTACT THE TWU HEALTH AND BENEFIT OFFICE, #303, 4603 KINGSWAY, BURNABY, B.C. V5H 4M4 (430-3300)

Extended Health coverage information

We are reprinting excerpts of an article that ran in the December 2002 issue of the Transmitter as we are aware that a large number of members will be leaving the company between now and the end of 2003 due to the VDIP, and to let you know that Clarica has made some changes to their original guaranteed replacement plan.

The Company will carry on coverage of extended health and dental for TWU members who elect to take the VDIP for three months past their departure date. Once this 3-month period has elapsed, past employees who have not obtained group coverage through another employer would then have to either buy their own extended health and dental coverage or pay for such expenses themselves.

The Union has once again met with Clarica representatives to see what they have to offer our members who will soon be leaving the Company and will be starting the process of finding an extended health provider. The following is not an endorsement of Clarica, but for your information only to help you start the process of finding an extended health care provider.

Clarica has an individual plan that former employees of the group plan can convert to without taking a qualifying medical examination. It is called their "Personal Health Insurance Guaranteed Benefit Replacement" Plan, and offers three levels of coverage for prescriptions (previously they only offered one level). Also they have enhanced the choices for dental coverage, and have added Travel Coverage and a Pay Direct Drug card.

Members previously had to apply within 31 days of the expiry of the group plan to sign up for the Clarica conversion plan; now that has been extended to 60 days.

For a list of the costs and details on the benefits offered, Clarica has two employees who are familiar with the Company plan and our members' needs.

In Alberta please contact Joanne Drodge at (403) 266-2061, extension 296, or e-mail her at joanne.drodge@clarica.com.

In BC please contact Shawn Perryman at (604) 588-5232, extension 214, or e-mail him at shawn.perryman@clarica.com.



Rod Hiebert

President's Report

Negotiating in difficult times

Excerpts from a speech to the Biennial Federal Mediation and Conciliation Service Industrial Relations Conference in Aylmer, Quebec in mid-September

Negotiating in Difficult Times: The effect of corporate mergers and bankruptcy protection on labour relations

By ROD HIEBERT,
TWU President

I am grateful to the organizers of this conference for their invitation to speak to you today on a subject of paramount importance to our labour relations community. This subject and the effect on the lives and the livelihoods of working people is what Andrew Simms expressed concern about and many in this room have been living and breathing on a daily basis for the past few years. That leads to a real temptation to be very subjective and to leave behind the objectivity that a conference like this strives for and deserves.

I value this opportunity to speak objectively about the downstream effects of corporate mergers on working people.

The world of corporate mergers, acquisitions, arrangements and rearrangements is a world that confers very mixed blessings.

Workers are usually people who know less about the planning and consequences of mergers, while at the same time being those people who are most affected by the results. It's not unlike the situation dependent children find themselves in when suddenly told that their parent is about to marry someone they either don't know or have never met. One family member makes a decision favourable to them but renders very vulnerable members of the family broken, without friends or security, and void of family trust. Let's discuss a scenario that has occurred to working people thousands of times over the last decade at least.

It's 7:00 a.m. The headlines in the morning newspaper tell you that the company you work for has merged with another giant corporation. There is a large picture of the successful CEO, expounding the virtues of the multi-billion dollar transaction. We are poised to take on the competition, a growth company with considerable EBITDA growth and synergies. Employees have nothing to fear, we are not contemplating any downsizing and no one will lose their job. The CEO and his Executive

receive huge increases in compensation because they have successfully pulled off a mega-merger in which everyone gains. The balance sheet is flush with golden parachutes and pension options for the Executives that mere mortals would die for.

From experience, most of us know that when something sounds too good to be true it usually is, especially if you work for a living. Throughout the past 10 years of unprecedented consolidations, concentration of capital and Executive compensation increases and despite assurances to the contrary, workers and their Unions continue to face unprecedented demands for concessions, disruptive workforce reductions and loss of job security. As billionaire Warren Buffet said on ABC's Ted Koppel show last month, "If it's class warfare, my class is winning."

But what is the survival rate? Not very good.

According to Christopher Taylor, an Ottawa communications lawyer:

"The superficial answer is simple – indigestion due to debt. Their eyes were bigger than their stomach, as my mother would say. A slightly deeper answer is more complicated but ends in much the same place. Most mergers and acquisitions fail. Acquirers pay too much, focus on cutting costs instead of increasing revenues, ignore corporate culture differences and slowly (or quickly) bleed themselves into mediocrity or worse."

When large corporations stumble, usually the first place they look is to cut labour costs. The labour relations fallout subsequent to the BC TEL/TELUS merger announced in the fall of 1998 was that the merger forced four unions and five collective agreements into a common workplace. That was, or course, an unworkable situation.

Through hearings and mediation, the company and incumbent unions agreed to a single bargaining unit to cover all Union members. After a lengthy campaign by competing unions, a Labour Board supervised vote

determined by majority that the TWU would represent all workers at TELUS. The bargaining rights of the unsuccessful unions were extinguished and the TWU applied to the CIRB to have its TWU agreement apply to the entire unit. It was rejected. This meant that the Union, damaged by the opposing Union's campaign, is now asked to administrate contracts signed by the opposing Union, contracts that they had no part in negotiating, with conflicting terms and conditions. As a result, the company was able to cherry-pick which collective agreement applies, where the work goes and what wages and working conditions apply and, in some cases, whether the work is in the bargaining unit or not.

What about job loss? An aggressive downsizing program reduced the Unionized workforce by one third (5,500 members). Given that Unions have fought hard to attain job security, weekends and a 40-hour work week for everyone and traded those benefits at the bargaining table for other concessions, was it wrong for the Union to ask its members to restrict excessive hours to save some of those jobs? Should a Union be forced to tell members they must work longer hours on overtime when it means that others will lose their jobs? In the result, that conduct was found to amount to an "illegal strike" under the Labour Code.

Our Union is now brought in to divide the pain, dealing with members forced out of their jobs, others broken and crying on the job, forced to try and pick up the work of those who were downsized, and deal with angry customers who can't get service.

While the Union is in the struggle of its life, the company is free to communicate with Union members. They have been blaming the Union for just about everything that has gone wrong, making offers directly to members, holding job site meetings for up to 7 hours discussing bargaining proposals, telling members they should complain about Union actions and trying to win the hearts and minds of

the workers away from the Union. Our complaint filed under the Code is waiting to be heard.

After spending millions of dollars in Labour Board and arbitration hearings representing our members trying to protect their rights and seeking a balance, we have had scant success. In some cases it takes years to receive a decision on an urgent issue. After three years of trying to negotiate a collective agreement and a four-year wait, we finally received the CIRB partial decision on the description of our bargaining unit. The decision allows over 1200 excluded titles. There is still uncertainty regarding the scope of our unit, who we are bargaining for, and whether the CIRB will impose more than one bargaining unit on the TWU.

The Company has been allowed to downsize the Union workers by one-third while at the same time almost doubling their total employee count. In our view, the Union has been forced out of all new growth. The company has moved union work to non-Union areas of the company or to excluded "management" classifications and (we say) violated collective agreements by moving jobs from one collective agreement to another with lower wages and working conditions. Clearly the Union and the negotiated benefits to our members have been damaged.

Our experience is not unique. Employees and their Unions at Aliant, Air Canada, the CBC, and other major employers have been suffering many of the same type of merger woes.

What can we and what should we do to better balance outcomes in the interest of the public, workers, shareholders and corporations? In my view, the fundamental difficulty that follows from Unions and workers being the last to know and the first to suffer as the result of merges and acquisitions must be addressed. A premium must and should accrue to any corporation that determines to include rather than exclude its workforce in the run-up to a merger. A failure to be

inclusive should be reflected in post-merger proceedings when approval is necessarily sought before the courts, the Labour Board or the appropriate regulators. The tools provided in and by the relevant statutes must be increased so that greater scrutiny of the downstream effects of mergers can properly occur. Timing is one of the most important ingredients of real industrial justice.

In short, we believe that the Labour Code must be amended to add protections for workers and their Unions with respect to the rights of employees adversely affected by mergers and acquisitions, interference by corporations in Union affairs and expedited hearings and decisions for issues respective of workers rights.

When an employer files for bankruptcy protection, employees who are owed wages, pensions and other benefits are required to line up as a fourth priority behind "preferred" creditors such as governments, banks and others. If there is any money left over after they collect, workers may receive the maximum preferred protection of \$2,000. This is clearly inadequate for an employee who needs to buy food and clothing, send their kids to school, and find a new job.

These inequities with respect to workers' rights have been recognized by Industry Canada, Parliamentary committees, provinces and private members who have introduced bills to give workers the right to first preference during bankruptcy protection. Despite widespread recognition of the serious inequities faced by workers in this country who in some cases will lose virtually all possessions and ability to put food on the table while banks, and other cash-rich creditors, have protection against their losses.

Despite the unanimity that these inequities must be addressed through legislative change, it is unfortunate that these workers remain without the basic protections they should be entitled to. Clearly workers' wages, benefits and well-being must have first priority during bankruptcy proceedings.