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Yukon Employees' Union
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Yukon Employees' Union

NEWS

February-March 2013

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Harper government intensifying attacks on unions; Rand Formula endangered PSAC mobilizing against cuts

The Harper government's decision to eliminate tens of thousands of jobs has caused turmoil and anguish for PSAC members across Canada. It has also had a direct impact on Yukoners through job losses and service cuts.

The newest threat to unions strikes at the heart of our ability to defend our members, and indeed at our very existence. A new private member's bill would change how we collect our union dues, and what we can do with those dues.

Its mission is to target the collection of all mandatory dues—what is known in Canada as the Rand formula. A full explanation of the Rand formula, including its historical context and practical significance is presented on page 2 of this newsletter.

We urge all members to take the time to review the Rand formula summary and join us in the fight to stop this attack

in its tracks. PSAC's mobilization against the Harper government's assaults on labour unions is a three-year effort called the "We Are All Affected" campaign.

Anyone who doubts that the Conservative government is targeting unions and collective bargaining need only look back at Bill C-377—the Conservative private member's bill that singles out unions and forces them to disclose every transaction over \$5000 to the CRA, or the pro-employer legislation that forced an end to labour disputes at Canada Post, Air Canada and CP Rail between December 2011 and June 2012.

Then of course there is Ontario Conservative leader Tim Hudak's pledge to end mandatory union dues if he is elected premier. A major backer of these attacks in the right-wing Canadian Federation of Independent Business.

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Air North Flight Attendants now unionized

The Canada Industrial Relations Board (CIRB) has unanimously ruled that Flight Attendants employed by Air North are now "officially" unionized. The board also ruled that casual employees will be included in the bargaining unit. The decision was rendered after a review of documentation and voting results among the employees.

"There's much to be done to prepare for our first round of bargaining, but we are looking forward to it," says YEU

President Steve Geick. "The workers have elected their bargaining team, PSAC has appointed a chief negotiator, and the employer has been served with a notice to bargain. But first, it is time to throw open the doors at YEU and extend an enthusiastic welcome to our new members. Congratulations to all of them for their hard work."

YEU is delighted to welcome Air North Flight Attendant Local Y036 to our union family.

Union News

PSAC mobilizing

Continued from page 1

The Harper government's legislative attempts to destroy unions go beyond efforts to eliminate the mandatory payment of dues, which has been ratified as a clause in collective agreements in Canada for the last 45 years. They are attempting to outlaw the use of dues for advocacy purposes.

This would destroy our ability to do the crucial work that advances our members' rights and the rights of all workers. It would mean that our union could no longer advocate for our members before Parliament, human rights tribunals and the courts.

Contrast this proposed prohibition against the well-financed and unrestricted lobbying freedom enjoyed by wealthy business organizations and conservative think-tanks. Canadian workers already face an uneven playing field. The Harper government's legislative attacks are an attempt to stifle, and even eliminate any opposition

Our members know that we cannot defend their rights at the bargaining table alone. That's why they are proud that we used the *Canadian Human Rights Act* to fight for and win pay equity adjustments plus interest for more than 200,000 current and former workers in the federal government, the Government of the Northwest Territories and Canada Post. Our members are proud of the "Black Paper" campaign that won health and safety protection under the law for federal government workers.

Our members are only now learning about our win this January when the Federal Court ruled that employers must try to accommodate workers with childcare obligations. That's a win this government tried twice to stop. They lost. And thanks to PSAC, all working families in Canada won.

Unions are under attack because we are a force to contend with. We are strong. We have resources. We are organized. And, we are effective. Help our union stay that way by joining in the fight against destructive, anti-union legislation.

History of the Rand formula and why it matters

The genesis of the Rand formula was an arbitration decision in 1946 by Supreme Court of Canada Justice Ivan Rand that ended the Ford Strike in Windsor, Ontario. At its core was an historic compromise to avoid protracted labour disputes.

The Rand formula (also called *automatic check-off*) requires employers to deduct union dues from each worker's paycheque. In exchange the union is obligated to negotiate and fairly represent every employee in the workplace. But it does not force anyone to become a union member.

Justice Rand concluded that mandatory dues were reasonable because the union is responsible for negotiating on behalf of all employees, union member or not. If everyone in the workplace benefits, then everyone should share in the cost of obtaining those benefits.

While the Rand formula prevents anyone from freeloading on the contributions of other workers, it does contain provisions allowing workers with religious objections to union membership to make charitable donations in place of union dues. At its core, the Rand formula provides freedom from exploitation.

The formula has been misrepresented as mandatory union membership by anti-union groups as a means of gaining

political traction. It has also been wrongly characterized as a freedom of association issue, an argument that the Supreme Court of Canada considered and rejected in the 1991 *Lavigne* decision.

Nothing in the Rand formula requires workers to associate with a labour union. According to the court, a union is simply a reasonable vehicle through which the obvious interconnectedness of workplace employees is expressed.

While the Harper government tries to disguise their anti-union policies as 'freedom of choice', the only choice they are offering is 'freedom to receive lower wages'.



YEU Bargaining Team at work on March 12

President's Message



YEU President
Steve Geick

The Pre-Bargaining Team for Yukon Government collective bargaining negotiations has completed their work, and we have now moved to the main table sessions. My sincere thanks to PSAC National Negotiator Erna Post and the other Pre-Bargaining Team members—Chandra Ursich, Michael Lauer, Blair Andre, Debbie Wren and Lisa Vollans for all of their hard work.

The main table Bargaining Team began their preparations for face-to-face negotiations the week of March 4. The team members are Jack Bourassa, Kent Winterbottom, Diane Anderson, Tony Thomas, Loralee Kesler, Lynne Harris, negotiator Erna Post and myself.

While handing out bargaining updates to members at their work sites last week I had the pleasure of meeting a number of you. A discussion with one member held particular significance for me. The conversation went something like this, “Why did YEU participate in Rendezvous? Who decided to participate in this and other community events,

and how do I have a say in where my dues go?” This important question left me wondering how many other members might have the same question.

The answer is that this decision was made at the last YEU Triennial Convention, where your current executive was elected. As in any election, individuals seek office based on a platform. The platform of the successful candidates combined with input from the convention’s member-delegates guides your Union over the next 3 years. It was clear to the new executive that delegates wanted YEU to become more visible in the community, and to give back to our community through direct involvement.

The events that YEU has participated in such as Sourdough Rendezvous, free public skates, trade shows, etc. are community rather than political events. They are also another way to raise public awareness about the upcoming 50th anniversary of YEU as a vibrant Yukon organization.

As far as member participation in decisions, the answer is simple—become involved. Every YEU member is eligible to come to the Triennial Convention, local AGMs and local meetings. This is where you can make your voice heard.

Bargaining Update—YG employees

The Union Pre-Bargaining Team met for the second time with the employer’s team from February 25 to February 28 in Whitehorse.

At the January bargaining session, the employer proposed significant changes to shift patterns and hours of work for a select group of Extended Care Workers, all Residential Care Workers and many Natural Resource Workers.

The Pre-Bargaining Team was very concerned about the impact of these proposals on our members, and held a series of membership information sessions in Whitehorse during the week of February 11. All members who could be affected by these proposed changes were invited. These meetings were extremely well attended. After discussions on hours of work and working conditions, members were polled in confidence by worksite in order to have their say regarding their shift work preferences.

The vast majority of those in attendance at the meetings – 94% opposed these changes. In fact, many signed petitions and many others took the time to write personal testimonials on the impact that the change in hours of work would have on their professional and personal lives. All were quite

clear about their feelings. They love the work that they do, but feel there is a need to protect the current hours to maintain their work-lifestyle balance.

This message was carried back to the bargaining table and conveyed to the Employer’s team. We can report that while some progress has been made in resolving operational issues, much work remains to be done.

Next Steps

Unfortunately, the Yukon Government will be taking most of the hours of work proposals to the main table, along with some of the unresolved Union proposals.

This means that the main table team will be bargaining all unresolved hours of work proposals along with the monetary items established at the bargaining conference last fall. The Bargaining Team will be reviewing and preparing all outstanding proposals and confirming monetary priorities during the week of March 4 in advance of negotiations with slated for March 12-15.

Stay tuned—we will keep you informed as bargaining progresses.

Member of the Month

Amanda Mudry receives Queen's Diamond Jubilee medal

Submitted by Linda Moen

As a member of the PSAC Yukon Aboriginal People's committee, I am pleased to announce that our very own member of our committee, Amanda Mudry, received the Queen's Diamond Jubilee medal yesterday!

Amanda's accomplishment attests to the fact of her dedication to Aboriginal women and the issues that affect each of us. Amanda is involved in other aspects of the Union and within her local so I am sharing this wonderful news so we can all congratulate her and be proud of her.

For those who may not be aware, "a new commemorative medal was created to mark the 2012 celebrations of the 60th anniversary of Her Majesty Queen Elizabeth II's accession to the Throne as Queen of Canada.

The Queen Elizabeth II Diamond Jubilee Medal is a tangible way for Canada to honour Her Majesty for her service to this country. At the same time, it serves to honour significant contributions and achievements by Canadians" (from the Governor General's website).

I am very honored as an Aboriginal women, that Amanda received this recognition and wish her continued success.

Air North Flight Attendants 1st Annual General Meeting

Date & Time: Saturday, April 20, 2013, 5:00 p.m.

Location: Lucy Jackson Training Room, YEU Hall

Agenda: Election of officers, approval of budget, bylaw ratification.

For more information contact YEU at 667-2331.

Meetings & Events

Air North Annual General Meeting—Saturday, April 20, 5:00 p.m., Lucy Jackson Training Room, YEU Hall

Local Officer Training—Friday & Saturday, May 3-4, 9:00 a.m. - 5:00 p.m., Lucy Jackson Training Room, YEU Hall

YEU Monthly Executive Meeting—2nd Thurs., 6:30-9:00 p.m., YEU Hall

Y010 Monthly Meeting—2nd Wed., 5:00-7:00 p.m., YEU Hall

Y017 Monthly Meeting—4th Wed., 7:30 p.m., YEU Hall

Y023 Monthly Meeting—1st Thurs., Noon

Y025 Monthly Meeting—3rd Wed., 6:00 p.m., YEU Hall

Y026 Monthly Meeting—3rd Thurs., 7:00 p.m., Dawson City

PSAC Regional Access Committee—3rd Thurs., 5:15 p.m., YEU Hall

PSAC Aboriginal Peoples Committee—1st Tues., 5:15 p.m.

PSAC Racially Visible Committee—1st Wed., 5:00 p.m.

PSAC Regional Women's Committee—2nd Tues., 5:15 p.m.

PSAC Health & Safety Committee—1st Thurs., 6:00 p.m.

Dawson Regional Women's Committee—1st Wed., 5:15 p.m., Legion Hall

PSAC Regional Youth Committee—4th Thurs., 7:00 p.m., Lucy Jackson Training Room, YEU Hall

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Office Hours—Monday through Friday, 8:30 a.m. - 5:00 p.m.

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