



# Season's Greetings

CUPE 116

# Did you Know...



## **2009-2010 Executive**

**Colleen Garbe -  
President**

**Dave Lance -  
General Vice  
President**

**Roger De Pieri -  
Secretary  
Treasurer**

**Leah Murray -  
Recording  
Secretary**

**Dennis Magee -  
Vice President at  
Large**

**Barry Jones -  
Vice President at  
Large**

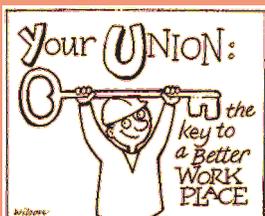
**Lindsay Forsyth -  
Vice President at  
Large**

As per Article XX of our Constitution and By-Laws the Local will be accepting nominations for our 2010 Negotiating Committee at the December membership meeting. The Committee shall consist of five (5) Members, elected by the Membership. To be elected onto the Negotiating Committee a Member shall have been present for fifty percent (50%) of Membership meetings held in the previous twelve (12) months. The election will take place in January 2010.

The Union has a Pension Plan for our Hourly Paid Members. Each person, who is working on an hourly basis under the terms of our Collective Agreement with the University of British Columbia (UBC) and who was hired on or after January 1, 1998, must join the plan, provided they have satisfied the hours of employment and credited service requirements, which are 3 months of employment and 20 hours per week. If you meet these requirements and are not currently on the plan please call the Union office or our Administrator "D.A. Townley & Associates" at (604) 299-7482 to sign an enrolment card.

Under 4.06 of our Collective Agreement page 8, a new employee must be given the opportunity to be oriented by their Union. Such a meeting shall take place within 4 weeks of being hired and within regular working hours, without loss of pay. Please contact the Union Office at (604) 222-0116 to book a time to attend an Orientation meeting if you have not already done so.

Your Union meetings are held on the third Wednesday of every month, September through June (no meetings are held in July or August). The location is at the Barn Coffee Shop at 4:00 p.m. sharp. The average time for the meeting is one to one and one half hours. Along with door prizes and 50/50 draws, you will be provided with the most information and updates on what is happening within your Union. This is your opportunity to have your say and speak out on issues that may be affecting you and your co-workers at the workplace. At our December meeting there will be some exciting additional prizes given away to kick off our Christmas season. Mark your calendars and plan to attend.



On behalf of the Executive I want to wish the membership and your families the merriest of Holiday Seasons and the happiest of New Years! As this is my last report of the year I want to reflect on our past year's work and give an overview on our plans for 2010.

As per Article VII of our Constitution and By-Laws the Local elected 20 new members to the Executive Council. These new members to the council went to work collecting all pertinent data, member survey information, and material necessary to draft a concise set of proposals. Due to their hard work over the past year I am pleased to report the membership endorsed the proposals at our November membership meeting.

The Local, along with CUPE Local 2278, commenced with a campus wide communications campaign, "UBC Works Because We Do". The Local requested and received funding from our National Union to cost share this campaign. The campaign will continue through 2010. The purpose of the campaign is to ensure our voices are heard in the areas of governance, accountability, adequate funding and sustainability. That the work we do matters and our collective voices need to be heard and respected.



We redesigned our logo and it has been placed on letterhead, posters, banners, pins and clothing. Posters have been displayed throughout the campus, at various functions, on buses and around the province.

In addition, the Local has made presentations to various committees of the Board of Governors, and to the joint UBC/GVRD Committee. Further presentations will be necessary to the Board of Governors and/or any of its committees along with presentations to Metro Vancouver.

2009 was also a very active year for our membership; the Local was on the front lines fighting back efforts to destroy our UBC Farm, and supporting striking Ambulance Paramedics and Handi Dart Drivers. We were politically active in the 2008 municipal elections which saw a change in the municipal government from NPA to Vision. The Local has had several meetings with the members of the new council and they are listening to our concerns in respect to the lack of accountability and governance at the University.

The Local struck four sub-committees: Anti-Privatization, Occupational Health and Safety, Political Action and Young Workers. In addition, the Local is seeking members to the following occupational sub-committees:

Trades and Maintenance, Clerical, Technical, Food Services and Custodial Services.

At the CUPE National Convention in October the Local was very active working in strategy sessions with our brothers and sisters from Universities across the country. We focused mainly on coordinated bargaining, organizing, and privatization. We also called upon the National to increase national resources to our sector. Throughout the convention, delegates spoke passionately about the importance of global solidarity and the need to support our Global Justice Fund. The Local is pleased to report that at our November membership meeting the members voted unanimously to send \$500 per year to the fund.

Our Local was instrumental in organizing a Public Education Conference with our brothers and sisters from K-12 in November. The three-day conference was attended by 20 of our members and included topics such as Sustainability, Our Role in Supporting Public Education, Working Within Our Communities, Maintenance Governance and the Public University Funding Structure, Keeping Equality on the Table, CUPE's opposition to Flexible Benefits, Duty to Accommodate. Our Organizing Committee was pleased to have been able to secure Joel Bakan, the author of "The Corporation: The Pathological Pursuit of Profit and Power" to be our key note speaker. It was a very educational three days for the 160 CUPE members in attendance.

Our Local in 2010 plans to put a renewed focus on coordinated and central bargaining, defending free collective bargaining, fight back on any plans for concessions, strengthen support for public education and our Union within the community, engaging and involving new members, governance, green job creation, organize and educate in particular our Young Workers, explore different governance structures for our Income Replacement Plan, continue to activate various Joint Labour Management committees, and to ensure that our membership's rights are respected and protected.

Please try and rest over the Holiday Season as the New Year is going to be very busy!!!

In Solidarity,

Colleen

## vice president dave lance

I would like to start by wishing everyone all the best for a safe and happy holiday season.

I mentioned in my last article that we were waiting for three arbitration decisions; dealing with mandatory retirement, the contracting-out of maintenance work and the University's new position refusing to remove suspension letters from employees' personnel files - provided there are no further similar disciplinary events.



“Frank Chu Retirement”

While we still await decisions on two of the cases, we are pleased to report that we were successful on the ‘letter of suspension removal’ case.

In short, the arbitrator found that the changes and progression of the language in the Collective Agreement through various rounds of collective bargaining did not support the University's position. Further, as the past practice between the Union and the University showed that suspension letters were indeed removed from



“Elke Donschenko Retirement”

employee files, the arbitrator ruled that that practice was the overriding ‘agreement’ between the parties.

The other significant issue that we continue to wrestle with is the individual grievances surrounding employees we feel are incorrectly placed in the University's attendance management program. We have a number of these cases that are forwarded to arbitration, although we are hopeful that the University will choose to deal with these cases in a more productive manner, consistent with the Collective Agreement.

We hope to be able to report more progress with our grievances in the New Year.

In Solidarity,

Dave



## Where are we now, Phase Three?

Whether we are prepared or not, we are told that the influenza virus H1N1 is now in phase three, or its third wave, so to speak. Actually, depending on when this article is in your hands, it could be phase four.

If you have referred to the web site ([fightflu.ca](http://fightflu.ca)) on how to defend yourselves from the virus, two things are for sure: you are more knowledgeable on drugs available, and your hands are really clean.

Last news letter, I spoke about the vaccine and concerns surrounding the adjuvant used to boost the immune system. This article I would like to discuss other ways to fight back. Rather than throw a disclaimer in at the end, I'll toss it in here.

The views, opinions and slanted remarks you are about to read are not those of the Executive of this Local, and/or CUPE's as a whole, they are solely that of the said writer....Me.

Every newspaper over the last few months has been swamped with influenza information, mostly about how many have contracted it and those who have died due to complications. It's no mystery that the flu, be it the regular one, or one with a special name, takes the lives of many every year. What is disturbing is the way in which it is broadcasted by the media and the how the health organizations are reactive to this instead of being proactive.

Why is any mention of Vitamin D, or other natural remedies that offer enormous protection from strains of influenza, absent from all the advice handed out on the swine flu by the government and the health authorities? There is no money in it, I guess.

The flu season is the winter months when we get less sun and become Vitamin D deficient, so why don't they promote this in the later months of summer? Instead they have built a fear in us that we shouldn't go out in the sun, therefore depleting our system of vitamin D because we absorb it through our skin from sunlight. Then when the flu is here, all they do is shoot you full of serum at a huge cost to our health system. So the next time they close down a hospital wing or under fund and under staff another, they can always lay blame on the huge cost it was to vaccinate the country....Oh well, that's understandable, I guess.

Bull #\*@\*, they build a convention center on our tax dollar which costs \$900 million, while our hospitals have to hold lotteries to raise funds for equipment. Is something wrong with this? It's no wonder, coming from a

government that treats our Paramedics the way that they do, not to mention the money spent on the Olympics. I feel, as a tax payer in this province, things are going to get ugly.

I read an interesting line in an article that said, "If your doctor treats you for the flu it will be gone in fourteen days, if you do nothing for it, it will be gone in two weeks." There are a number of things you can do to prepare yourself by boosting your immune system. Immune system boosters include green tea, garlic, green vegetables, and regular exercise, and avoid - or at least reduce - sugar, dairy and meat products. Additionally, adding Vitamin D to your diet can give you the extra boost your body needs to prevent the flu.

I may be a little cynical towards things like medications, drugs or anything the media writes, but I try to use common sense and at least source out other opinions or alternatives. I am always skeptical of things that promote huge profit for someone, some company, or some department of the government at my expense. When money is involved I believe the gloves are off.

Bounce this thought around for awhile. The government realizes that our health care system needs some work. They produce a bio-engineered virus, they don't want you aware of ways to prevent it, so when it's here they team up with a drug company that produces a serum at a huge cost, this is most likely the same company that paid for their campaign to have them elected. The virus is substantial enough to affect a great many people, such as the elderly and those with compromised immune systems; fortunately for the government it is these groups of people that are causing the medical system such strain. As they succumb to the virus in a few short months the cost is minimized, the drug companies are paid for their attempts to save us all and now that we are in such a deficit, closures will begin to happen until someone from the private sector stands up and wants to save humanity and help bail out the deficit the government ran up. So they open a hospital for all to use, but apparently due to demands these hospitals are going to cost you a little more than you are used to paying. In fact, considerably more, but don't worry, soon enough you will realize that some of your possessions are not necessary and a few could be sold for the opportunity to save a loved one. And how could you put a price tag on that!

Something we may want to ask our government.

Just my thoughts.

Good Health to ya.

Barry Jones

## Bill 21 - an attack on your collective bargaining rights



Bill 21 (The Ambulance Services Collective Agreement Act) was passed in the provincial legislature on November 7, 2009. This legislation imposes a contract on B.C.'s ambulance paramedics after a seven-month strike in which CUPE 873 members had continued to work at Essential Service levels. While much of the news media's coverage of Bill 21 has focused on ambulance paramedics, the fact is that this regressive legislation has major implications for ALL CUPE members whose contracts expire in 2010 and will be returning to the bargaining table:

The Supreme Court of Canada has confirmed that the right to free collective bargaining is a right enshrined in the Charter of Rights and Freedoms. The right to collective bargaining is also protected by a resolution of the International Labour Organization. Bill 21 denied CUPE 873 members their right to reach a collective agreement at the bargaining table.



To add insult to injury, the contract was legislated while our members were voting on an offer from the government.

Bill 21 sends us a signal that the provincial government has little respect for the collective bargaining process and will not hesitate to use the heavy hammer of legislation to resolve labour disputes. This is not the first time the provincial government has forced a contract on public employees, but collective protest can and does make a difference in the government's ability to use the legislative hammer to end labour disputes.

In 2007, the Supreme Court of Canada ruled on Bill 29 (The Health and Social Services Delivery Improvement Act). The court declared parts of the Bill unconstitutional for gutting health care workers' collective agreements and placing limits on the union's future ability to re-establish rights lost through the unilateral government action against its members. In this B.C. case, the Court contended that "long before the present statutory labour regimes were put in place, collective bargaining was recognized as a fundamental aspect of Canadian society."



Grassroots mobilization by the B.C. labour movement and public outrage against Bill 29 were important parts of the context in which the Supreme Court considered its decision. Our ability as a labour movement to mobilize our members will be critical in ensuring that the government thinks twice before taking further legislative action to conclude collective bargaining.

In B.C., 200,000 public employees have collective agreements that expire in the course of the next year. Approximately 60,000 of them are CUPE members working in the K-12, post-secondary, health and community social services sectors. These collective agreements will be negotiated with the same government that chose to legislate, instead of bargain, a contract with CUPE 873.



## Greetings from the Philippines! I hope you're doing well.

In behalf of the Alliance of Concerned Teachers, I thank Local 116 and you personally for all the work you did in support of Resolution No. 238 on the Philippines, which was adopted at the CUPE National Convention in Montreal in October. I heard from Kelti Cameron that you spoke for the resolution during the floor debate.



The ILO high-level mission did push through in September 2009, thanks to international pressure on the Arroyo government. Along with other unions, we were able to meet with the mission and provide information on the repression of unionists and social activists. Hopefully, the ILO will come up with findings and recommendations that will strengthen respect for human and trade union rights in the Philippines.

Unfortunately, the violence and harassment continues. In July, transport workers' leader Joel Ascutia survived an attempt on his life by masked gunmen on the very day his organization held a one-day transport strike. In September, Roman Catholic priest and human rights activist Fr. Cecilio Lucero was killed in Northern Samar province. Also in September, a surveillance operation conducted by the Philippine Marines, targeting Prof. Bienvenido Lumbea, the former national chairperson of ACT, was exposed to the public. For this reason, CUPE's continuing support is greatly appreciated.

Like you, we continue to face as well the issue of privatization of public services. Our national government has made substantial cuts to the social services budget for 2009 and 2010, which will result in further deterioration of the quality of public service and force the further commercialization of public schools, universities, and hospitals. State universities and colleges, in particular, have been hit hard by the budget cuts.

We're happy to learn that phase two of the solidarity exchange will push through. We're looking forward to hosting a delegation of CUPE unionists here in the Philippines in January 2010.

In case you haven't seen it, Our Times has a feature story on the Global Justice Tour  
[http://ourtimes.ca/Featured\\_Story/article\\_59.php](http://ourtimes.ca/Featured_Story/article_59.php).

Thanks again, and warm regards to the brothers and sisters of 116.

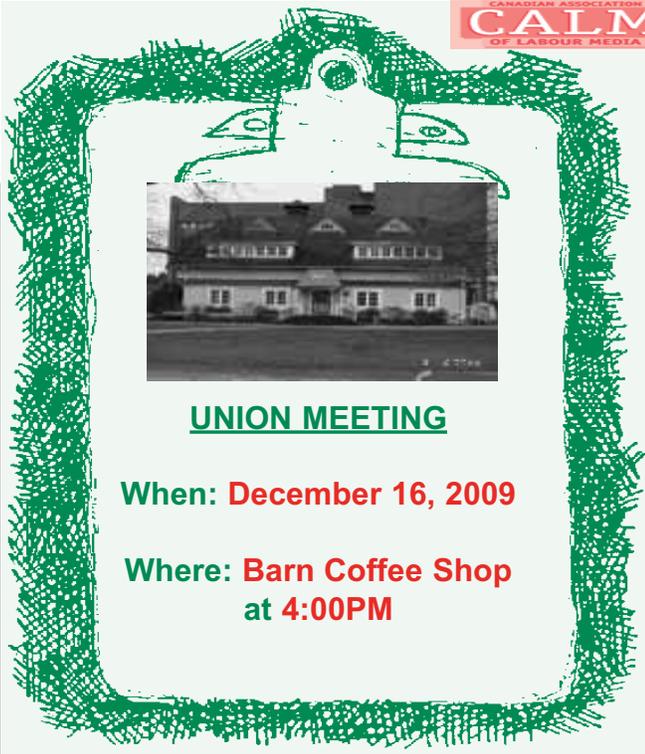
In solidarity,

Antonio Tinio  
 National Chairperson  
 Alliance of Concerned Teachers (ACT)  
[www.actphils.com](http://www.actphils.com)



# Canadian Union of Public Employees Local 116 "On the front line"

CANADIAN ASSOCIATION  
**CALM**  
OF LABOUR MEDIA



## UNION MEETING

**When: December 16, 2009**

**Where: Barn Coffee Shop  
at 4:00PM**

**Suite 209 - 2150 Western Parkway (In the Village)**

**Vancouver, BC V6T 1Z3**

**Phone: 604-222-0116**

**Fax: 604-222-0113**

**Fax: 604-222-0119**

**Email: [cupe116@cupe116.com](mailto:cupe116@cupe116.com)**

**Website: <http://www.cupe116.com>**

**Facebook: CUPE Local 116 (UBC)**

**Please advise the Local of any changes to your home address, phone number, or personal email.**

## **UNION ORIENTATION**

Will be held the 3rd Wednesday of every month at the Union Office from 10:00-11:00am. Please contact the Union office to make an appointment.



## ***Bulletin Board***

### **Return to Work Process**

Please be advised if you are going through the Return to Work process and requiring any form of accommodation you are entitled to a Shop Steward to assist you through all meetings in respect to your return to work.

If you are currently in the process and do not have a Shop Steward working on your behalf please call the Union Office.

### **Income Replacement Plan Claim Applications:**

Under the terms of the IRP plan, members must fulfill a waiting period of six months before income benefits are payable. You must be deemed totally disabled to work at your job or any job you are qualified to do in order to be accepted on the plan. If you are off work due to illness or injury that includes WCB and expect to be off for more than three months on sick leave, it is important to initiate a claim for IRP benefits.

Claim packages are available by contacting Grace Wang at the Health Promotion Office phone number 604-822-8696 or by referring to their website at:

[http://www.hse.ubc.ca/health\\_promotion/irp/irp\\_index.html](http://www.hse.ubc.ca/health_promotion/irp/irp_index.html)

The application package includes three forms:

- 1) Plan Sponsor's Statement
- 2) Plan Member's Statement
- 3) Attending Physician's Statement

The adjudication of a claim can take up to 10 weeks or longer to complete and begins when all three forms are received, therefore, it is important that all paperwork is completed and submitted within the first three months of your medical leave.

### **Elections**

The following positions are still open for Executive Council Representative. If you are interested in running for one these positions please attend the Union meeting.

- 1 position for Aquatic Centre Rep.
- 1 position for Grad Student Society Rep.
- 1 position for Sage Bistro (University Centre) Rep.

### **The Members Decided November 2009 Union Meeting:**

To send 3 Young Workers to the BC Federation of Labour Convention from November 22 through 25, 2009, and pay all associated costs.

To send up to 12 members to Harrison Winter School January through February 12, 2010, and pay all associated costs.

To endorse the Local's 2010 Bargaining Proposals.

To send the Bargaining Committee to the Universities Coordinated Bargaining Committee (UCBC) meeting in Victoria February 7 through 9, 2010, and pay all associated costs.

To approve the 2009-2010 fiscal year budget.

To donate \$500 per year to the Global Justice Fund.

To appoint Nordahl Craig Cummings & Gares as Auditors for our 2008/2009 Audit.

To utilize up to \$50,000 from our Defence Fund to aid in the province-wide fight back campaign against Bill 21, the imposition of collective agreements, and the elimination of free collective bargaining.

**DISCLAIMER;** The opinions expressed or the articles published in the Union Newsletter are not necessarily those of the Publisher or Executives. If you have any questions, comments, or letters, please contact the publisher **Roger De Pieri** at the Union Office 604-222-0116 or Fax at 604-222-0113 or E-mail at [newsletters@cupe116.com](mailto:newsletters@cupe116.com)

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