

Standing Committee Meeting Minutes

June 4, 2019 2:30 – 4:30 pm

Present: Alexandra Carter, Andrew Generous, Dan Wilson, Naminder Sharma, Ben Ruether, Glen Barker, Angelo Sia, Cam Leeson

Follow Up:

1. OT Equalization

Unifor: We need to talk about the OT equalization.

CPP: To finalize the rules?

Unifor: No, to go over the previous years numbers like we do every year. Timeliness is important. Is there a time we can set for that?

CPP: Probably the afternoon of the 18th. 1:00 should be fine.

Unifor: Ok.

2. Time off database

Unifor: We had a place to go to look at time off, where are we at with the new one?

CPP: I'll have to check on that, I haven't heard anything about it lately.

Unifor: Ok. Is there any system in place? Where do requests go?

CPP: HR screens them all first, then Norm will make the final decision if there are too many requests on a given day.

Unifor: This is our first season without Lotus Notes and being able to look at everything at a glance.

CPP: I know it's being worked on, I just don't know where they're at with it.

Unifor: Our system in the electrical shop works fine, we just look in the book. As long as we have one system for time off moving forward.

3. Cell Phone for Bargaining Unit Members

Unifor: The Company not having a cell phone policy takes us to problematic areas. The phones could be going to employees based on who is liked more. We'd like to see a policy where it's to the position not the person, like with the shipper/receiver in Stores, or the crane operator. If the operator is asked to carry a cell phone and be available and we need to talk about that a little more. Once we cross into personal time then we need to lay down ground rules. We need some understanding.

CPP: It's not based on who we like. You said that's how we're doing it. It's based on positions.

Unifor: That's not what I said, I said *if* you're doing it that way... We want it down on paper so it's above board. We don't want people to get in trouble, company property and all. And we want people being treated fairly. It's a little different if they're on call. We've discussed that in the past.

CPP: I can only speak for the crane operator because he's the only one in production. He's not on call, he gets called and he has the option to come in.

Unifor: We just want to see the understanding.

CPP: I think it was the crane operator that asked for that. He put a proposal in for it.

Unifor: The Company isn't supposed to legally engage in that, they can't negotiate with one person.

CPP: So is the Company supposed to go to the Union when a position asks for a radio?

Unifor: Well when it's outside of working hours then they can't negotiate for that. Otherwise we would have chaos.

CPP: I'm not sure I agree with that.

Unifor: If you check with legal counsel that's what they'd say. The Union has the sole bargaining power.

CPP: It'd be the same as if anyone else asked for a phone or radio, it's a communication tool.

Unifor: But this is different because he's taking it home. Why should some individuals be charged with that responsibility when others are not? All those things have to be answered through the Union not the individual. But this is what we're asking for, so we want it addressed.

4. Medical Travel Form

Unifor: We had some discussion around that and you were going to look into that and how those changes were made.

CPP: I sent you a follow up email after our last standing committee about that. I'll have to look back on that again.

5. Production Crew Moves

Unifor: We need to know when Dan LeBlanc is off the books.

CPP: I think only he knows that. He's told HR it's August, but he told his supervisor it's September. He's running out his time off and the only question is when he's finishing.

Unifor: Dale Regner said he was refused time off because Dan was off. If he's off the books that shouldn't count.

CPP: Dan had time booked off previously until mid-July I think. He put that in when he was still available. But he only just told his supervisor he was retiring. He had pre-approved time before retiring.

Unifor: It's confusing. How will that work? Will he be on the books until mid-July?

CPP: Dale would have been refused the time off before Dan said he was retiring. I think he'll be off the books after the crew moves.

Unifor: So you're making a crew change based on vacation not retirement? You'd be denying someone move up.

CPP: It's different, he was approved based on time off available, Dale may have been turned down based on Dan's previous time off request before May. I can't really speak to issue though, because I haven't heard anything about it before this meeting. We need to figure out Dan's plan, his supervisor will try to contact him.

Unifor: Doesn't he have to do that three months in advance?

Unifor: Only if you want your first cheque right away.

CPP: I think three months is the earliest you can do it.

Unifor: That three month calculation isn't final until you're done work. He's making a mess of things. So, if he's signed then the crew change can happen, and Dale might be able to get the time off.

CPP: Well it depends on if the date is right. After they make the crew change Dale might be able to get the time off.

Unifor: The crew change is a dangerous one because sometimes it can take a month. It isn't always the overriding consideration for time off.

CPP: Yes, it depends on the situation. For example, if we were missing a guy and didn't have someone new to come into the department it would be an issue. However, the department has been trying to carry an extra person.

Unifor: What's the procedure for Brian Peel? Does he go on without training?

CPP: They have to be assessed on every job they do. Usually there's the training, books, and assessments, but in Brian's case he hasn't been off that long, so we'll just do the supervisor assessment. The only thing he hasn't done recently is run the Cat and he did that for years.

Unifor: Ok, I was just curious.

CPP: We figured that was reasonable. It doesn't make sense to do that whole program right away. We have some new training in September for the guys running the track. He's already doing that work anyway. Let me look into the Dale Regner vacation issue. I know originally nobody else had booked that time which is how Dan got it.

New Items:

1. 19-08 Discipline without Shop Steward

CPP: This is the second grievance we have on this issue. Didn't we talk about it at the last standing committee meeting?

Unifor: You thought we had another one?

CPP: This is John Watson, is it not?

Unifor: This is for the Company developing a practice of disciplining without a shop steward present.

CPP: The last time we had a 4th step meeting it was on the agenda, and it was on the list for grievances you wanted to take forward to arbitration. It was a John Watson discipline without a shop steward.

Unifor: This one doesn't have to do with John Watson.

CPP: The last grievance was for both the discipline and the lack of shop steward. This one says in the description it's for John Watson with no shop steward.

Unifor: We don't want to attach this to one person. We can talk about this generally, then withdraw this one and put another grievance forward. The Collective Agreement states that representation must be present for any discipline meeting; the Union wants to hold to that standard. That language is there for a good reason. We're asking if the Company going to take issue with us insisting that a member be afforded that opportunity?

CPP: At every discipline we want a shop steward present. However, if there isn't one available and the Union can't provide one, we can't stop a discipline.

Unifor: It's a violation of section 6 of the Labour Code. We're serious about this one. In the past, I've been called to come in on days off or I've come in early if need be. In this case that didn't happen.

CPP: For John's in particular or in general?

Unifor: We used to have quite a few shop stewards, but the Company rules have changed. We'd like to have more as well and we're actively recruiting. The Company should take some responsibility for this as well.

CPP: Why would we?

Unifor: We used to have meetings once a month and the Company got rid of that. There's nothing in the Collective Agreement that says if there's no shop steward available you can go without. You can't tell people they can't have a shop steward present. Yes, the Union has to be reasonable in trying to develop people, but it's a little hard to get people to step up in this environment. The Company has to be reasonable as well. There's a cooperation that has to take place. There's not much effort going into it. Going forward how will we resolve this?

CPP: Are you saying that John was told he couldn't have a shop steward?

Unifor: John was told that he wouldn't get a shop steward and they assigned someone else.

CPP: That individual wasn't assigned as a shop steward, he was in there as a witness. Are you saying you'll provide a call list of shop stewards?

Unifor: No. I said we've done that in the past. In the past we've had serious issues where we've come in on our days off. We can probably find someone to come in. You have the opportunity to wait.

CPP: If we do that then there's no reason for the Union to come up with shop stewards. It should be a priority for the Union.

Unifor: Oh it is.

CPP: When we decide there is discipline warranted we have to do it right away.

Unifor: Does the discipline change if you wait? We're actively trying to get people. We're going to train people this fall again, we're trying to get a list together of who is on each crew. Unfortunately, some people will take the training and not do the work. Our goal is to have one on every crew so if someone is going to be disciplined at 3:00 am then we can do it.

CPP: Do we have a list right now? Whoever you have currently would be great.

Unifor: Travis is trying to contact the people and make sure they're willing to be a representative. We used to have one in each area on each crew and we're trying to take a more manageable approach.

CPP: If there's someone available then we'll use them.

Unifor: We're getting close, but we aren't there yet.

CPP: So, I'm hearing you guys don't want to be on a call list.

Unifor: Even if we have one per crew and that person is on holidays and it's serious we'll come in but the rest of the time it should wait. Dayshift should be easy.

CPP: But Ben is the only one on dayshift. Even some interim people would be good?

Unifor: We'll have to get a few more dayshift guys. It's a hard sell for us. Be that as it may, we're still going back to the wording in the Collective Agreement.

CPP: But if there's nobody available then we can't wait.

Unifor: There's no "but" in the Collective Agreement. We need a commitment from you that the Company won't do this anymore.

CPP: We can't. Just a question, what were "damages" on this grievance? What does that mean?

Unifor: That's leaving it open to if this goes to legal counsel. To wherever it takes us. I believe that comes from a lawyer. Whatever would be just at the time. By the Company circumventing the authority of the Union, it weakens the Union's ability to be effective onsite and that can be considered damage to the Union. I think that's where that comes in. It's serious.

2. 19-09 Unjust Discipline – Byron Hesselgrave Lockout

Unifor: That raw water clarifier, it's an interesting process. Nothing is labelled, and a lot of lines are underground. Byron's doing the lockout with Joe and they get it wrong. Byron is not a new employee but he's still learning. I don't know if he's qualified, but he doesn't have the experience of Joe. We know that as we develop junior people we use a mentorship program. I know both people on lockout are responsible, but the mentor is mostly responsible. In this case the lockout was missed, and the Company responded heavy-handedly. We ask you to reduce the discipline to reflect the whole situation.

CPP: A lockout violation is not acceptable. We talked to crew we had working on clarifier. It was serious work. Lockout violations are not acceptable and there was a big safety issue for the contractors doing the work. The water was even going to MCC room, that also could have led to safety issues.

Unifor: How was it going to MCC?

CPP: The valve was not locked out, so the water kept feeding and the water overflowed. But a lockout violation should not be acceptable. I'll stand with this decision.

Unifor: Has there been anything from the Company to make sure this wouldn't happen again?

CPP: Why would the Company do the job of the field engineer?

Unifor: So has the Company done anything to make sure this lockout violation won't happen again?

CPP: I'm standing by this.

Unifor: The problem that some people are having on the floor is that some lockout violations are ignored. We aren't consistent with it. We aren't saying it wasn't serious, we're saying you acted heavy-handed. If you look at that, the area coordinator drew up the wrong lockout as well. People notice those mistakes. Somehow, we don't think it's fair how this was rendered.

CPP: This was fair. You mentioned the area coordinator. We try to cover all aspects of an incident during an investigation and this decision was made with the input of numerous people. I don't know why you're saying lockout violations are being ignored. If you're aware of some I would appreciate you bringing them forward.

CPP: It was the same discipline for both employees.

Unifor: Yes, we're looking at the mentorship aspect and there's an element of trust there. This lockout on the clarifier isn't that common. I'm not trying to throw Joe under the bus, but he had more responsibility.

CPP: They have the same responsibility.

Unifor: No, they don't. They don't have to know the areas yet, they're relying on the senior guy.

CPP: If the employee is signing a lockout, they have to be sure.

Unifor: I did an audit, and the guys didn't know every valve, they're just following the diagram.

CPP: If they have any confusion, they should ask their supervisor.

Unifor: Some of these lockouts are rare and they're following the procedure. Sometimes they're more certain of. But no operator is certain that something was safe. That's not how it works out there.

CPP: Then what's the purpose of lockouts if they're considering it casually?

Unifor: Maybe you were a super operator and you knew everything. I'm calling bullshit.

CPP: Operators accept responsibility for it.

Unifor: But I bet you did it to comply, reality doesn't allow people to be 100% certain. Do an audit, talk to people. Nobody knows everything. You missed an opportunity here. To come down heavy-handed is a missed opportunity to do something to prevent it in the future. Obviously, this lockout isn't 100% if a senior operator makes a mistake and a junior operator follows.

CPP: I don't agree. We can't ignore the safety of the people working on the system. I understand the concern, but when things are brought forward we have to react. Operators can understand those valves. We can have discussions but because I was part of this and I investigated it, I'll stand by this decision.

Unifor: I'll suggest that you implement something to prevent it from happening again, like valve numbering. Just because something turned out to be a near miss, does that mean your approach will change? The integrity of the lockouts are being compromised because people don't know. Discipline is to correct behaviour. When people try and work within the system and make a mistake then it should be handled differently.

CPP: What's your basis?

Unifor: 1. He was working with a senior person and he thought he was right; 2. He tried to trace the lines, but it wasn't a simple system; 3. It's a lockout that isn't common, so it is unfamiliar ground to all parties concerned. He was trying to do the right thing.

CPP: If he felt it was uncommon and he wasn't sure, he should have asked. That's where accountability comes in.

Unifor: I'm going to turn this around on you. If we were to tell the operators that they had to be 100% sure then zero lockouts would be done. This place would stall. If you tell us that's where you want to go then we will and you won't like it.

CPP: There's a responsibility when it's signed off.

Unifor: We just want to be fair, so people can exercise their responsibilities fairly.

CPP: I'll repeat myself. I talked to everyone and everyone accepted what happened, so based on that we made our decision. I can't accept your recommendation, we made the right decision.

3. 19-10 Failure to Notify – Gamache Plowing

Unifor: It sounds like Gamache decided to be helpful and plowed the snow off the shoulder of the road. He took that initiative without notification to the local.

CPP: He was doing this work around the hog pile?

Unifor: It was on the way up to the landfill. I took pictures, but I'll have to look for it. He plowed his way up to the landfill relieving snow off the shoulder all the way up. We knew nothing of that work.

CPP: The purpose was to relieve water to the #6 pile. We're saying under the blanket notice of stabilizing the hog pile that would be covered.

Unifor: There's a blanket for Gamache?

CPP: There's one for hog and one for landfill. It's under his company number.

Unifor: Plowing snow on the way up is not what we agreed to. Blankets are for routine work, you can't just refer to it when things go awry. It's that simple. We're careful of what we agree to so we don't get slippage.

CPP: The blanket said stabilizing hog piles.

Unifor: That's not our understanding.

CPP: How do we know it was Gamache?

Unifor: People travel that road all the time. It was concluded that it was Gamache.

CPP: Nobody saw it?

Unifor: It wasn't reported to me. If you want to play private eye, somebody plowed that snow. It's a failure to notify. It's pretty straightforward.

4. 19-11 Failure to Notify – Sky-Hi Scaffolding at PDW

Unifor: The engineer forgot to put in this notice when Sky-Hi built the scaffolding. He did put in a notice for scaffolding around top of the pressure diffuser, but that was put in after the fact. The date that this happened was April 5th and he put in the notice on the 8th. It was a failure to notify.

CPP: The engineer had arranged for scaffolding at the top of the diffuser, but we didn't ask for that bottom scaffolding to be put in. We're saying it's not a violation.

Unifor: When the contractors come onsite their responsible to do the right thing. It's not an excuse to fail to notify. It was mentioned in one of our last arbitrations.

CPP: Do you know which arbitration you're referring to? It wasn't an excuse, it was a reason.

Unifor: It doesn't relieve you from your responsibility to notify us of the work. It was either the Mamtec or Ezowski one. She does mention it, I'm sure. You're responsible for what the contractors do onsite.

5. 19-12 Failure to Notify – Envirosystems Hog Clean Up

Unifor: For whatever reason, on April 22nd the shift supervisor decides to get at this clean up. He contracts it to Envirosystems without giving our people a chance to address the work. He could have called in clean up crews or extra operations employees. He said he tried to call Glen and I.

CPP: Which he did.

Unifor: That's the last step. He also has it listed as emergency which is not true. It wasn't an emergency situation.

CPP: He had a bad plug, so he called in Envirosystems. As per procedure he tried calling you both and didn't get an answer, so he engaged the contractor to meet the production demands.

Unifor: It wasn't a plug.

CPP: There were a few issues. It was a plug and they couldn't get it so they contracted it out.

Unifor: Without talking to the Union or without trying to use our guys? I have no record of him trying to call operations people in. I need some evidence of that.

CPP: His statement to me was that he tried using the available resources.

Unifor: Can you give me a phone log of the night to show me that? If he went through that I have nothing more to say and I'll withdraw the grievance.

CPP: But even if he decided to call in contractors with special tools then I agree he should contract it out.

Unifor: The notice said he was cleaning the floor, but if he was cleaning chutes then it was a different situation.

CPP: Let me follow up on that.

Unifor: I want to see who he tried to utilize from the union. For example, if you need millwrights and you go through the call list and nobody comes in then you don't have to call Glen and I. You're good to bring people in. As long as you tried to utilize bargaining unit people. He doesn't know the system like you're saying. I understand that because he's new.

CPP: Still they're authorized to make decisions like calling in contractors. But let me look into it.

Unifor: He has a responsibility to the union to use bargaining unit people. How do you want to follow up? Bring it back to Standing Committee?

CPP: Yes, we can do that.

6. 19-13 Failure to Notify – T-10 Stock Line Insulation

Unifor: John Hagley was asked to remove insulation because some people need to do work. So he goes out to do the work and it's all off already. Long story short, the contractor removed it while they were doing their measurements. So we're saying there's a failure to notify.

CPP: We're still looking into that one, so we'll come back to it at 3rd.

7. 19-14 Failure to Notify – Steam Line to TG1

Unifor: This is where the engineer asked a supervisor if he had any crew available for a piping job and he probably said "no", so she talked to a contractor and had it done without talking to a contracting out rep.

CPP: It was an emergency, we needed that done to get the mill up and running.

Unifor: But she had time to talk to the supervisor.

CPP: She happened to run into him. But she needed that job done to get the package boiler running the next day.

Unifor: It doesn't fall into the emergency situation because it wasn't holding up the mill. It wasn't an emergency by any stretch. We aren't accepting that argument at all. And if that does qualify as an emergency then we're always working under emergency.

CPP: As far as I know, she ran into this late in the day, she saw the supervisor, and then she got someone in to fix it.

Unifor: She even says that due to the time issue the contractors would stay late. That's not emergency work at all. It's just added responsibilities to the scope of work.

CPP: Ok, we'll pass it to 3rd step.

8. Car Wash

Unifor: We said we'd discuss it here. In the last negotiations we put language in the Collective Agreement to guard against periods of time when the car wash was out of service. It wasn't being addressed quickly so we sought assurance for when the Company doesn't think it's a priority. Both parties agreed to the language. On April 1st the car wash wasn't up and running, and it was a substantial period of time. So we're asking for the Company to live up the Collective Agreement.

CPP: It says "mechanical failure" in the Collective Agreement. We are living up to that. It doesn't say we will start it April 1st, unfortunately we don't control the weather. When the weather improved, we had it going, but I decided that we should fix the potholes in front of it, so I had it shut back down again and we installed the concrete pad. Regardless, it wasn't down for mechanical failure and it was only down for five days, which is less than the seven days agreed to in the Collective Agreement. I did mention that before, I didn't think this would come up again.

Unifor: If you have to repour the pad, then it was mechanical.

CPP: I disagree, but that's neither here nor there because it was less than seven days.

Unifor: You're saying it didn't start up April 1st because of weather?

CPP: Yes, there were concerns over the lines freezing at night.

Unifor: I don't know about that. That wasn't the intention of the language, you were there.

CPP: I wasn't actually there at that time, but it was explained to me.

Unifor: I do think we talked about when it would start. I don't think it was a late spring.

CPP: I'm not going to argue. It says mechanical failure for this reason. That's why that language was chosen, we wouldn't agree that it'll start April 1st every year because weather is unpredictable.

Unifor: So, you're saying that you can leave it until June in case it freezes.

CPP: That's not our intention. The language said that we would keep it running if it broke down.

Unifor: I just want the minutes to reflect that we're asking the Company to live up to our agreement. Now the Company is trying to slide out of their commitment.

CPP: I think our understandings were different from the beginning. The language doesn't say it'll be up and running on April 1st. I get why you want the language, but we aren't going to risk freezing it so why would we have agreed to that language?

Unifor: The reason we put dates that both parties agree to was to avoid this. This agreement meant something. The Company thought it was reasonable. You accepted the proposal. We do have in our notes about the car wash being out of service. I'm just telling you what our intent was as per our notes.

Unifor: The next thing is that we're being told that new employees that start in December and they ask for car wash cards and they're told that they don't get any until next year. The Union feels that is wrong. They have every right to car wash compensation on a pro-rated basis. They shouldn't be told that they get nothing. So pro-rated would be September 30th to March 31st.

CPP: I will get back to you on that.

Unifor: The agreement was eight car washes. You take that and pro-rate it over that time. It shouldn't be a stumbling block for the Company. They'll be issued at some point. It's not a great message.

Unifor: We bring new people into the mill and first impression is everything and the feeling they get. We're doing some shit at this level and we're airing our dirty laundry. On May 1st I sent you a thing about the car wash

card. I want to work around this. We have a chance to deal with this outside of the meeting. We don't need to air this. People want to work in a positive place.

CPP: I honestly do not remember reading this email. I don't know why I wouldn't have gotten this. I don't think I would have ignored it.

Unifor: it's a message I'm going to bring to the manager, but we need to have some balance. The car wash is a sensitive thing. People feel their personal property isn't being respected.

9. Summer Student Boot Policy

Unifor: We hear that summer students are being told that until they pass their probation period that if they put in boot claim it will be rejected. I don't want to get into politics. The Collective Agreement is in full force except for recall rights for any Union employee. That's the only thing we give up during probation period. We don't want to hear any such things about that being said to summer students.

CPP: I will have to look into that, that wasn't my understanding.

10. Pension Contributions

Unifor: Where are we at with that?

CPP: Payroll has been busy but she's using yours, Glen, as a guide to figure out what is going on and what the issue might be.

Unifor: I want to make sure you understand what the issues are.

CPP: Yes, it's a different issue than the last one we discussed.

11. Contracting Out Calls

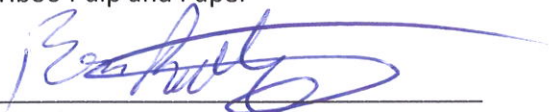
Unifor: I want to make it clear those cell phones are not for dayshift use.

CPP: I can follow up with the individuals making those calls.

Unifor: I know sometimes members are hard to find. I don't think it's malicious, I think it's an education thing. But they can follow up with us on breaks or ask the foremen.



Alexandra Carter
Cariboo Pulp and Paper



Ben Ruether
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