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Yukon College & YTG Negotiations ... - Investigations & Pensions ... YEU Members Rally ... People ... Investigation Q &A ... You Asked ... and More

College Negotiations Resume

Representatives of the Yukon Employees Union/PSAC and Yukon College met for the second bargaining session the week of June 16th through 20th. The teams



Negotiating Team: Maureen Stephens, Pamela Zged, Mo Ritchie, Tim Topper, Helen Winton and Dave Hobbis

had met previously the third week in May.

Issues relating to instructor workload, carry-over credits, and maternity and vacation leave were on the table during the second collective bargaining session. As well, the Union presented a proposal to establish a Yukon Aboriginal Day. While the idea was not rejected by the Employer,

according to Union President, Dave Hobbis, it was not embraced.

While negotiations have been “difficult”, agreement has been reached on a number of

YEU Calls for Binding Arbitration with YTG

In a move that caused both surprise and dismay among Union negotiators, the Yukon Government declared an “impasse” in negotiations with the Yukon Employees’ Union on June 5, 2003. This decision terminated, without discussion, Union proposals then on the table. These included a comprehensive proposal addressing the issues of wage and term-of-agreement.

The sides were close to agreement on most outstanding issues, and had reached agreement-in-principal on several key areas (for details, visit the YEU website at www.yeu.ca). For this reason, the negotiating team called for Binding Arbitration to resolve the dispute.

housekeeping issues. However, the employer refuses to discuss monetary matters. PSAC is considering filing a “bargaining in bad faith” complaint.

The decision to call for arbitration was taken for the first time in 38 years of collective bargaining. The Union believes that the parties were sufficiently close to concluding negotiations, and enough agreement had been achieved, that most issues of concern to the members will be dealt with by an Arbitrator.

The rules guiding Binding Arbitration prevent the imposition of an agreement term longer than either party is prepared to accept, effectively eliminating the 4 year term demanded by the Employer. Significantly, this decision also eliminated the necessity of a strike vote. Further updates will be forwarded as the process develops.

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YEU meetings

Special General Meeting

Due to the ongoing investigation into computer use by YTG employees, YEU Members gathered at the High Country Inn Wednesday evening, June 25th, for a special general meeting. The Union Executive called the meeting to inform the membership about what had happened to date, and to provide information on employee rights and obligations.

Emotions ran high as Members expressed their outrage and frustration with the employer's moralistic attitude and accusatory behaviour. Details of this meeting and the ongoing status of the investigation have been posted on the Union's website at www.yeu.ca.

Triennial Convention

From April 28th to May 2nd, more than 400 delegates gathered for the 2003 PSAC Triennial Convention in Montreal. We're pleased to report that Jean-François Des Lauriers,



Local Y010, was re-elected to the Alliance Executive Committee as Regional Executive Vice-President - North.

Delegates succeeded in producing a balanced budget for the next three years. The only dues increase (11 cents per member per month) resulted from a resolution establishing a National Aboriginal and Inuit Network.

Local Y017 Elections

On Thursday, May 22nd, Local Y017 held its Annual General Meeting and elections. Congratulations to the new Executive members and good luck in the coming year.



(left to right): Brenda Baxter, CSS; Carol Maccannell, Director; Elenor Club, 1st Vice-President; Lorelee Kesler, President; Adam Labar, 2nd Vice-President; Charmaine McGrath, Director; Florence Roberts, Sec/Treasurer; Mike Gormley, Director; Cynthia Fraser, Sec/Treasurer; Diane Anderson, Director



YEU you asked

"Here's some answers to questions that might affect you or your co-workers."

Q. Do I need to fill out a leave form to attend a meeting with the Union regarding a grievance investigation?

A. Yes. To request leave to consult with the Union, you must apply under Article 11.05 (3) (a). Such leave will not be unreasonably denied. If the meeting is within your Headquarters area, you will not lose any pay. Members outside the Headquarters area should call the Union because options may be available to cover costs.

Q. I am under a great deal of personal stress and sometimes have trouble focusing on my work. Is there a program that can help me?

A. Yes. It is called Employee Assistance Program (EAP). This confidential counseling service provides for up to five free sessions each year. Please call 668-3277 for details or to book an appointment. Arrangements may be made to assist members outside Whitehorse within their own community.

Q. Recently I have been feeling quite stressed and upset with what is happening between me and a co-worker. But I don't want to file a grievance. Is there any other way I can deal with this?

A. Yes. In most cases the Union and Human Resources work together to mediate or do alternative dispute resolution. If you think this can work for you, please call the Union office and ask for a Service Officer. Sometimes mediation is not the answer, although in many cases it works well.

Question 1: Is PSC correct in claiming that this investigation was necessary?

Answer: No. Development of a clear policy on computer use for personal purposes would have, and will still completely remedy the situation. In the interim, a simple instruction could be issued to all employees to delete materials that may be offensive to others.

Question 2: Did the Yukon Human Rights Act require PSC to take this action?

Answer: No. The Yukon Human Rights Act is complaint driven, and no complaint was registered. Furthermore, if a complaint was registered, the Human Rights Commission is mandated to investigate, not PSC.

Question 3: When did the government first learn that instances of misuse of computer information had occurred? What was their policy in the past?

Answer: The government has been aware for years that occasional employee misuse of computer systems to gather or store inappropriate material has occurred. In the past such transgressions resulted in warnings, or no action at all.

Question 4: How many employees are under investigation?

Answer: The best information currently available to the Union indicates that approximately 700 employees are under investigation.

Question 5: Is discipline only being handed out when, as PSC

claims, investigators discover "... material containing sexual content ranging from vulgar to graphic and explicit subject matter"?



Answer: No. Employees have been disciplined for material no more offensive than that seen on television or clothing catalogues. Furthermore, the term "vulgar" is entirely subjective and undefined by the investigators.

Question 6: Is the investigation concerned with derogatory material relating to race, creed, colour, national origin, religious affiliation, sexual orientation, family status or disability?

Answer: No. The investigation is concerned only with material containing nudity or sexual content.

Question 7: The government says that workers are supposed to judge what's appropriate on the basis of "established rules and guidelines" on workplace conduct. Where has the government published the rules relating to material containing sexual content?

Answer: The government had not established any policy relating specifically to materials containing nudity or sexual content prior to initiating this investigation. Nor has the employer initiated discussions with the Union on the development of such a policy.

Question 8: Are employees involved in the investigation being treated in a "fair and consistent manner" as PSC maintains?

Answer: No. There is nothing fair about a government investigation that ignores the rules of natural justice and due process. In this investigation, employees are assumed to be guilty and must prove their innocence.

Question 9: The PSC claims that "No employee has been disciplined for simply receiving or sending one or two off-colour jokes." Is this true?

Answer: The PSC's statement is premature. The investigation is continuing. Disciplinary hearings have not yet been concluded, and it is unclear if employees receiving one or two off-colour jokes will be disciplined.

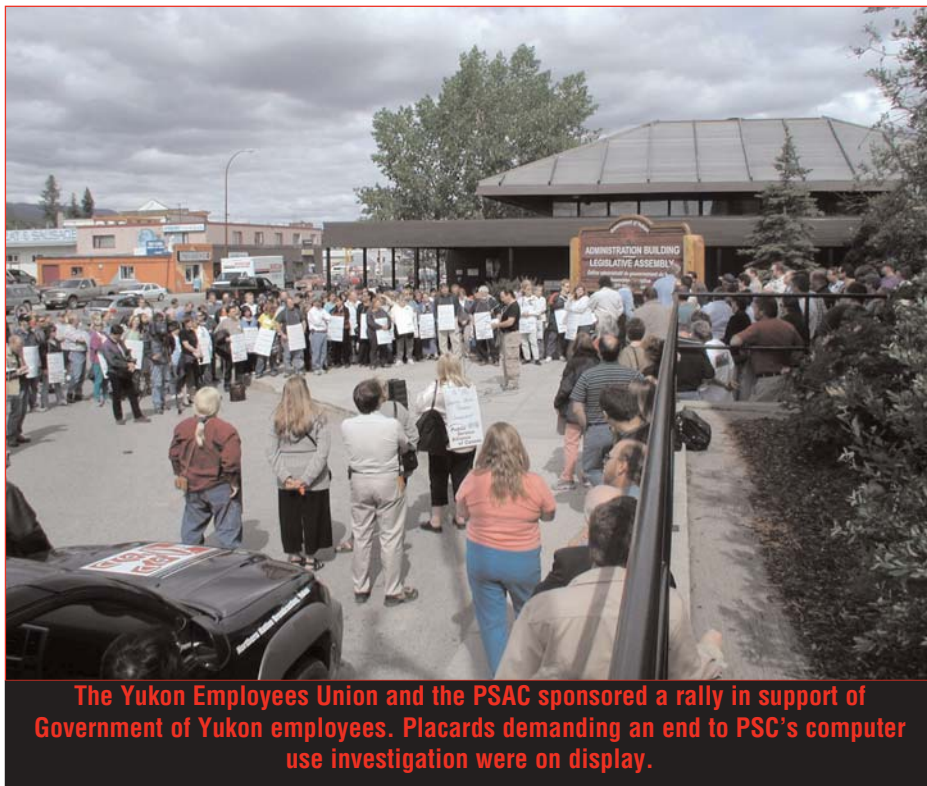
Question 10: PSC claims that a Letter of Counsel is not a form of discipline and will not appear on the employee's personnel record. Is this true? Are they confidential?

Answer: Whether or not a Letter of Counsel is a form of discipline is a matter of opinion. While it is true that it will not appear on the employee's personnel record, it will be maintained in the depart-

YEU members rally

YEU members and the general public rallied on Friday, June 27th, to support Union members working for the Government of Yukon. They voiced their anger at

a witch-hunt tarnishing the reputation of the entire public service. In addition to calls for the resignation of the Public Service Commissioner, the demonstrators



The Yukon Employees Union and the PSAC sponsored a rally in support of Government of Yukon employees. Placards demanding an end to PSC's computer use investigation were on display.

Premier Dennis Fentie for not taking steps to halt the Public Service Commission's out-of-control investigation into computer use by its employees. About 250 people gathered at the front entrance to the main government building to picket, hear presentations and display placards expressing their views.

The success of this rally, organized just a day after the membership instructed the Executive to take the action at a special general meeting. It underlined the growing discontent within the government workplace with what has become

made it clear that the government would pay a price at the polls if steps were not taken to abort the unfair and damaging investigation.

A press release arrived the morning of the rally from the national office of the Public Service Alliance of Canada. It offered support to the membership and condemned the government's actions.

The Questions & Answers in this issue were drafted in response to matters raised at the general meeting, and from telephone and email enquiries submitted by the membership. They also correct numerous inaccuracies published by the Public Service Commission.

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ment's files. Confidentiality cannot therefore be guaranteed. Also, the department can refer to this letter should another occurrence of a similar nature occur at any time during the employee's entire working life.

Question 11: I understand it is alright to use my work computer to email friends and family, and that I won't be disciplined for this. Is the right?

Answer: Not necessarily. If you emailed material that the government considers inappropriate to a friend or family member, you can be disciplined.

Question 12: When my position was devolved from DIAND to YTG, I was told the material on my H drive was private and confidential. Now I hear that nothing on my computer is private and confidential. Which is correct?

Answer: PSC has given contradictory information. A letter dated March 29th, told employees devolving from DIAND that documents/files stored on the H drive of their computers "... are your confidential and personal documents - other people don't have access to your drive". The information in the governments Q & A says the opposite.

Question 13: The government has equated viewing and sharing material it deems inappropriate to stealing. Is this a fair?

Answer: No. Stealing is an illegal activity punishable by law. At no time has PSC suggested that the employees being investigated did anything illegal.

YEU from the President



Computer Use Investigation

The computer use investigation within the Yukon government has become a “series of chain reactions overwhelming its ability to deliver services”.

Regrettably, the Public Service Commission, with the support of Premier Fentie’s office, is continuing its moralistic, ever-expanding investigation in an atmosphere of accusation and intimidation. The process totally ignores the emotional distress, family upheaval, marital stress and loss of reputation being inflicted upon the people. Beyond damage to personal reputations, the actions of the government are injuring the very character of the Yukon’s public service.

The employer’s actions were unnecessary in February or March or April, or May and June. They continue to be unnecessary in July. Hope, beyond hope, is that someone with a dose of common sense and decision-making authority will

intercede and bring some semblance of order to this mess.

Until this happens, YEU urges anyone in the bargaining unit, confidential exclusions and managers caught in this purge to take action. File appeals and/or grievances on dismissals, suspensions, letters of discipline, oral discipline and letters of counsel.

“It is the story of how an inquiry begun in the name of common sense became a relentless and senseless pursuit; how an investigation became an inquisition; yes, even a witch-hunt.

R. Young, YPSSRB

Pensions

YEU discontinued pension patriation talks until the Northern Affairs Program devolution was completed. We were concerned that unilateral government actions relating to pensions might occur during the talks.

We had just returned to the discussions when the “computer witch-hunt” came to the fore. The total lack of common sense displayed by the employer along with their apparent belief in their right to impose personal values on others, has given us cause to reconsider pension plan patriation.

Whatever confidence we had in the integrity and fairness of the PSC has been destroyed. Without trust, there cannot be a jointly managed pension plan. At this point, we are calling for a halt to the pension patriation process.

The Horse is Well-Fed. Too Bad About the Sparrows.

It will come as no surprise to the working people of Canada, but Free Trade hasn't brought Canadians to the economic promised-land. That much is clear from the Statistics Canada Family Income Census Data published in May, 2003. In truth, the gap between the rich and the poor continues to widen.

Over the past ten years, the average income of the 10% of households with the highest before-tax incomes increased by 14.6%, or \$23,610 to reach \$185,070. However, the average income for those families amongst the 10% with the lowest income increased by 0.8%, a mere \$80 to reach \$10,341. For middle income families, those with incomes between \$45,860 and \$55,015, the average income increased by only 0.3%, or \$167 to \$50,423.

Economist John Kenneth Galbraith defined the trickle-down theory of economics this way: "If one feeds the horse enough oats, some will pass through to the road for the sparrows." Commenting on the Statistics Canada findings, the Council of Canadians recently observed that after ten years, "The horse is more fed than ever. It just knows how to keep its oats from falling on the road."

YEU Website:

The Yukon Employees Union website is your best source for current Union information, news, bargaining updates, training opportunities and announcements.

The address is www.yeu.ca.

Please keep us informed about upcoming events, issues and matters of interest to members. Your suggestions about layout and design are also welcome. Send your ideas to **Bob Nardi** at bnardi@yeu.ca.

CORRECTION - Our May Newsletter incorrectly reported that the YTG Health Benefit Plan carrier had changed from Clarica to Mutual. The new carrier is actually **Sun Life**.

YEU people

Florence Roberts

Long-time activist and executive member of Local Y017, Florence Roberts is retiring from her position with the Government of Yukon. Fortunately for the local, her retirement is not “official” until next year, so she has agreed to stay on until that time as Secretary/Treasurer.

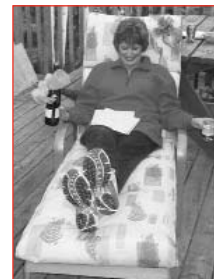


Florence has helped the local group expand its thinking to include PSAC members, members of other unions, private sector workers and the unemployed. She has been a tireless advocate for

youth, and has devoted her extra time to working on the WCB panel and the pension patriation discussion group.

Sharyn Reidl

The Haines Junction Health Centre bid farewell to Sharyn Reidl last month after 21 years as its Clerk. But Sharyn and husband Wolf won't be leaving town anytime soon, since their plans include spending some quality time plying the area's waterways on their new boat.



Workshops:

Training Opportunity for Members

Stronger skills equal stronger representation

Every workplace needs someone who members can approach if they have a question or concern about their rights or benefits - someone who is concerned about *them* first. This person is often Shop Steward, but doesn't need to be.

If you are interested in learning more about your rights, the Collective Agreement, and how to solve workplace problems for yourself and your co-workers, here is an opportunity.

The Union office, from time to time, brings in members to work beside experienced union staff. We pay your salary for the time you are here.

If you would like to enhance your skills and work with us to improve your workplace, please forward a letter or brief résumé to Denise L. Norman, Executive Director, at the YEU Office.

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Members are reminded to notify the YEU office of any change of address or name changes. Call Linda Bidrman – Membership Services, email lbidrman@yeu.ca or fax the number above.