

YEU NEWS

All About YEU – Your Union

March 2005



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Inside - Upcoming AGMs, worker's rights denied, PSAC North survey, President's message, member-of-the-month, HRC website launched.

Public forums to explore P3 concerns

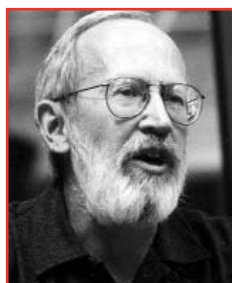
The Yukon government appears to be heading blindly into Public-Private Partnerships (P3s) without adequate public debate or true consultation.

The Yukon Employees' Union and the Yukon Federation of Labour believe Yukoners deserve information about the risks associated with P3s and their potential negative consequences. Therefore, YEU and YFL (with a contribution from the Yukon Building & Construction Trades Council) are sponsoring a series of forums to explore the impact of P3s in other jurisdictions.

These forums will feature two speakers who are experts on Public-Private Partnerships. They will provide an alternative viewpoint to that being offered by the Yukon government in its British Columbia engineered campaign.

Speakers Murray Dobbin and Steven Shrybman will be in the Yukon between April 17th and 20th for presentations in Whitehorse and Dawson City.

Murray Dobbin has been a freelance journalist, broadcaster and author for thirty-five years. He is a leading activist and analyst in the movement against corporate globalization. Mr.



Murray Dobbin

Dobbin is a research associate and board member of the Canadian Centre for Policy Alternatives.

Steven Shrybman practices international trade and public interest law in Ottawa. He is the author of *A Citizen's Guide to the World Trade Organization*, and dozens of articles, legal opinions and research reports dealing with the impact of trade liberalization on environmental, social, cultural and public policy.

The impact of P3s, while largely unknown in the Yukon, is widely documented across the country. Union members have much to learn from the negative experiences in health care, education

and infrastructure privatization throughout Canada, including the direct impact on union members.

Despite the hype about "new management" efficiencies, increased productivity and the entrepreneurial spirit, when private companies take over a public service with a promise to provide it at a lower cost, something has to give.



Steven Shrybman

The "savings" are usually achieved in four ways: staff pay cuts and layoffs, service cuts, user fees, and a reduction in the quality of products or services. The long term effects of these losses are the legacy P3s bequeath to the public.

Evening public forums will be held in Dawson City on April 19th and in Whitehorse on April 20th. A full schedule of events will be widely advertised. We encourage our members to attend these important forums.

Complete the PSAC North indoor air quality questionnaire - enter the draw for \$200 cash!

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Local Y017 AGM upcoming

The 2005 Annual General Meeting of YEU Local Y017 will be held on Thursday, April 28th, at 7:30 p.m. in the Union Hall.

Elections will be held for a new executive, and delegates and alternates for the YEU Triennial Convention will be selected. All Y017 members are encouraged to attend.

Important notice for Y010 members

Local Y010 will hold a Special AGM on Wednesday, April 13th at 6:30 p.m. in the YEU hall.

This meeting is to elect delegates and alternates to the upcoming Yukon Employees' Union Tri-Annual Convention in October.

New website launched for Human Rights Commission

The Yukon Human Rights Commission has just launched their new website at www.yhrc.yk.ca. It features a new logo, updated information, new pages, and links to publications and other resources.

In a recent announcement about the website, the Commission's Public Education Specialist Lillian Nakamura Maguire explained that, "The development of the logo and

website has taken many months. Our focus is on providing as much information as possible with limited resources. We will be updating and changing the website on a regular basis."

The Commission welcomes comments from the public, in particular about the look and feel, ease of locating information, the kind of information presented, accessibility for visually impaired users and readability.

Contact the Yukon Human Rights Commission at 633-7623, or respond by email directly from the site.

Teachers-on-call denied representation again

On October 27, 2004, the Public Service Alliance of Canada filed an application before the Public Service Staff Relations Board (PSSRB) seeking to have 'on-call and substitute Teachers' included in the YEU bargaining unit.

The application, made with the knowledge and support of the Yukon Teachers Association, was heard by PSSRB Chairperson Yvon Tarte.

The Yukon government has for many years maintained the position that substitute and on-call teachers were neither employees under the Public Service Act, nor teachers under the Education Act. During the Education Act review, these individuals petitioned to be recognized in the new legislation. The government refused.

YTG's unwillingness to acknowledge these individuals excludes them from both the Yukon Teachers Association and the YEU bargaining units, denying them any form of representation at all.

YEU believes that the government's behaviour is not only unfair labour practice, but also contravenes the 'freedom of association' clause in the Canadian Charter of Rights and Freedoms.

PSAC/YEU based their argument on the fact that PSAC was the certified bargaining agent for *all* employees of the Yukon government, including auxiliaries. The only exception are employees hired pursuant to the School Act.

The unions reasoned that if these workers do not fall under the Education Act, and do not meet the

definition of 'casuals' because of the ongoing nature of their employment, then by default they are members of the PSAC/YEU bargaining unit.

The board found these individuals fall under the Education Act. Unfortunately, that legislation's expanded (2002) definition of 'employee' specifically excluded persons employed as substitutes.

The only recourse now appears to be through the courts, unless more enlightened Yukon legislators see fit to alter the Act.

YEU President Dave Hobbs points out that, "Virtually all Canadians have a right of association. We wonder why successive governments have, since 1985, persistently refused to recognize these Yukoners as employees."

YEU from the President

Workers employed by the Yukon government continue to be denied equal treatment, or the representation necessary to protect their rights. The Union's struggle to achieve equal pay for work of equal value and basic rights of free association continues to face long-standing obstacles. Regrettably, some government policies appear to be purposely designed to discriminate on the basis of ethnic origin or gender.

As reported in the article on page two, **on-call and substitute teachers** continue to be denied the protection of union affiliation and bargaining unit representation.

The right of these employees to free association is guaranteed under the Canadian Charter of Right and Freedoms. Yet the Yukon government through the Public Service Commission continues to hide behind archaic legislation in order to deny them representation by either the Yukon Teachers Association or YEU.

The fact that these individuals serve on a substitute or on-call basis in no way diminishes the importance of their work, nor the influence they have on the future of our children. Surely workers charged with such an important task deserve the same rights available to other Canadians.

The fight continues to achieve recognition for **emergency fire-fighters** as employees of the Yukon government entitled to the terms, conditions and benefits achieved through collective bargaining. A

government Policy Directive released in April, 2003, established that persons engaged for the specific purpose of emergency fire-fighting have "no position, as casual personnel". Recognition of these workers as casual employees would, of course, have entitled them to the many benefits that accrue to workers with such status.

The policy further set a base pay rate of only 20% above minimum wage, and specifically declared workers in this hazardous form of employment ineligible for overtime, vacation pay, holiday pay, or access to a benefit plan.

The government knows perfectly well that most of these workers are of First Nation ancestry. This reality was, in fact, enshrined in provisions of the Umbrella Final Agreement. We therefore consider this to be a blatant case of discrimination on the basis of ethnic origin. While YEU continues to fight for equal treatment of emergency firefighters, we recommend that these employees take their complaint to the Human Rights Commission.

Recently, more than 20 workers employed in the field of **continuing care** and by the **Health & Social Services Branch**, faced a revised government policy that excludes certain supervisory and managerial positions from the bargaining unit. Positions that have been part of the union for a quarter-century were unilaterally removed.

A long-established tripartite agreement between YEU, PSC and the

Public Service Staff Relation Board has been abandoned. The policy of union-employer consultation and reasoned consideration has been pushed aside in favour of a ham-fisted declarations by the employer.

The onus has been placed on the union to file individual objections. During the appeal, denial of representation remains in force.

It is particularly disturbing that most positions recently excluded from the bargaining unit are held by women.

PSAC North surveys health

This month's newsletter mail-out includes a survey commissioned by the PSAC North Health and Safety Committee to obtain feedback on indoor air quality issues.

The questionnaire contains a tear-off contest entry form which gives respondents an opportunity to win a \$200 cash prize. An addressed prepaid return envelope is also included.

In order to ensure response confidentiality, the contest entry form must be enclosed in a small unaddressed envelope (also enclosed), which is placed along with the completed questionnaire into the addressed envelope. One entry will be drawn in April to determine the winner.

Once the submissions are tabulated by the contracting market research firm, the results will be announced by PSAC North.

YEU member of the month

Craig Battaglia



Craig is employed by Health and Social Services as an ambulance attendant and paramedic. He is also a union activist and Shop Steward, advocating improved emergency medical services and respect for worker's rights.

Craig attended school in Whitehorse before moving south to British Columbia in the early 1980s to pursue secondary education and career opportunities.

He attended trade school at the Pacific Vocational Institute and achieved a welder's ticket. His goal was a career as a shipbuilder and marine welder. But by the mid-eighties the industry was in decline, with the bulk of such work getting contracted abroad.

He returned to the Yukon briefly to work for the Whitehorse Assay Lab, but with the turn-down in mining exploration, moved back to BC. His rather eclectic career took another path when he joined the navy as an electronics technician.

Craig began his current vocation after attending the Justice Institute of BC. He worked for BC Ambulance, where he continued his career development, eventually becoming a first aid instructor and trainer.

In 2002, he took a position with YTG as an auxiliary term ambulance attendant/paramedic. In February he was hired on a permanent, full-time basis.

Craig pulls no punches when dealing with the employer, demanding strict adherence to the Collective Agreement and equal treatment and respect for all employees.

He describes himself unabashedly as "full of piss and vinegar", admitting he can't tolerate hypocritical pleasantries when critical issues are on the line.

Craig's vocal, often public advocacy has not been without risks. But even as an auxiliary, he didn't hesitate to speak his mind. He's definitely someone we're glad to have on *our* side.

YEU calendar

April 13th, 6:30 p.m.

Y010 Special General Meeting
YEU Boardroom, Whitehorse.

April 28th, 7:30 p.m.

Y017 Annual General Meeting
YEU Boardroom, Whitehorse.

May 6th-8th, 2005

3rd Annual Convention of PSAC North
Whitehorse, Yukon.

2nd Thursday

Monthly YEU Executive Meeting
6:30 p.m. YEU Hall. Members welcome.

2nd Wednesday

Y010 Monthly Meeting
5:00 p.m. YEU Hall, Whitehorse.

4th Thursday

Y017 Monthly Meeting
7:30 p.m. YEU Hall, Whitehorse.

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1:00 pm - 5:00 pm

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.