

*In this issue - Aboriginal network, Y011 elections, PSC offices close, CBC lockout continues, Labour Day history, “Feed the People” BBQ*

## Public Service Commission must change practice Significant decision on classification appeals

**A recent arbitrator’s decision has eliminated the Yukon Public Service Commission’s practice of denying classification appeal rights to certain employees.** The arbitrator’s ruling involved a case where PSC had issued a classification decision while a position was vacant.

The case is significant because by PSC’s own estimate, twenty percent of all Commission classification decisions are rendered when there is no employee occupying the position.

It has been PSC’s practice to interpret *Section 30* of the *Public Service Act* as prohibiting an employee from requesting a classification review if that employee was the first person hired into a position that had been classified while vacant. In effect, the Commission behaved as if an employee’s right to appeal under the *Act* was invalidated if PSC chose to classify the position when it was unoccupied. Further appeals, they reasoned, fell under the “substantially the same matter” prohibition in *Section 30*.

Representatives for the Union successfully advanced several arguments, which revolved around two points.

First, in order for the notion of “substantially the same matter” to apply, logic dictates that at some point the employee had to have had an initial opportunity to exercise the right to request a review. Where the position was vacant, this could not have happened.

Secondly, since the legislation grants equal rights to both the Deputy Head and the employee occupying the position, it would be unfair and a denial of natural justice to deny the employee the opportunity to exercise the same rights afforded the Deputy Head.

The arbitrator agreed with the Union’s position.

As a result of PSC’s interpretation, many employees rightfully entitled to file classification



**Sometimes there really is a Free Lunch!**  
The annual *Feed the People* barbecue sponsored by YEU and Local Y010 was held on Labour Day, September 2, 2005, in Rotary Peace Park. See article on page 4 for details.

appeals did not do so because they were told by PSC that *Section 30* prevented such action.

The Union has no way of accurately calculating the number of Commission decisions that have gone unchallenged over the years as a result of PSC’s practice. However, given the Commission’s estimate that twenty percent of its classification decisions were made when positions were vacant, we can only conclude that the numbers are significant.

For more information, members should contact the YEU office.

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## Aboriginal Network meeting planned

**Delegates to the 2003 PSAC convention adopted a resolution instructing the executive to create a National Aboriginal, Inuit and Métis (NAIM) Network.**

The creation of the NAIM Network was a first for PSAC and a major step forward for Aboriginal, Inuit and Métis members. It was intended to help our Union make gains in the fight for the rights of all our members.

In March 2004, a think-tank of Aboriginal, Inuit and Métis members met in Yellowknife. The meeting was chaired by PSAC National President Nicole Turmel. YEU President Dave Hobbis and PSAC North Regional Executive Vice-President Jean-François Des Lauriers participated.

Think-tank members agreed that to be effective, the Network needs a central 'Circle' of members who will meet face-to-face to identify and discuss issues the Union needs to address. All members of the Network will be linked to this Circle, which in turn will be connected to the broader Union leadership.

Here in the territory, YEU has heard concerns from its First Nation members about limited promotional opportunities, a lack of First Nation content in the workplace, and areas of our collective agreements that still do not address the cultural needs of all members.

Planning is under way to hold an Aboriginal Forum to establish a formal territorial link to the central circle of NAIM members.

YEU is seeking members interested in participating in discussions to guide the development of the Yukon chapter. We want to hear directly from our members about the experience of being a First Nation employee, challenges faced by aboriginal workers, the issues encountered each day, and what is missing in the daily work-lives of Yukon First Nation people.

This meeting will present an opportunity for our First Nations members to personally provide input and direction to the Executive. We can then plan successfully for the future, and identify what YEU must do to bring about the changes needed.

Members interested in participating or offering ideas and suggestions should contact the YEU office at 667-2331.

## YEU in the community

**Annual "Feed the People" Barbecue a great success**

The annual *Feed the People* barbecue sponsored by Local Y010, YEU, the Yukon Federation of Labour and the Yukon Area Council was held on Labour Day in Rotary Peace Park.

This annual event provides a free lunch to working people, unemployed Yukoners, union supporters, and the family and friends of all. The fall chill in the air did not deter nearly 1000 people from

joining union members in the celebration of Labour Day. Local Y010 and the other sponsors have organizing this event now for 10 years.

Lunches of hamburgers, hot dogs, corn on-the-cob, juice and coffee were served to all in attendance. And this year the Yukon Area Council provided music to enhance the event.

Organizers appreciate the support and assistance of Extra Foods for ordering the food and opening early to facilitate pick-up, and for

the donation of 400 cups of coffee. Thanks to all the organizations and volunteers who helped make the event a success.



# YEU across Canada

## Feds closing Northern PSC offices

The federal government is doing a grave disservice to Canadians by closing nine Public Service Commission offices including the Whitehorse office, according to the Public Service Alliance of Canada.

Across Canada, district office closures will result in the loss of 94 full-time jobs and an unspecified number of term positions.

In addition to the elimination of the Whitehorse office, other closures will occur in Yellowknife, Iqaluit, Regina, Victoria, Quebec, Moncton, Charlottetown and St. John's.

The federal government is reducing its 16 current points of service to just seven locations: Halifax, Montreal, Ottawa, Toronto,

Winnipeg, Edmonton and Vancouver.

## CBC workers hold the line

On August 15th the Canadian Broadcasting Corporation locked out its Canadian Media Guild members. Our CMG brothers and sisters are fighting the employer's attempt to get rid of permanent jobs. CBC wants a casual and temporary workforce.

According to the CMG Yukon website, about 1/3 of the CBC workforce is casual.

Therefore, many of the people you see and hear on CBC do not have permanent jobs. CMG points out that these workers have no pen-

sion, no benefits and no job security.

YEU supports the Canadian Media Guild in its fight. We urge our members to drive by and honk to show support, or better, stop by



Workers at the Whitehorse office of the CBC hold the line with the support of family, friends and fellow union members.

and join them on the picket line.

For more information visit the CMG northern member's website at [www.cmgyukon.com](http://www.cmgyukon.com).

# YEU labour history

On Monday, September 5, Yukoners enjoyed the last holiday of our all-to-brief summer. But for many, awareness of the significance of Labour Day itself has been all but lost.

Labour Day, a distinctly *Canadian* innovation, commemorates organized labour's successful fight for recognition, and the specific events and gains achieved as a result of the persistence, solidarity and sacrifice of the people who operated the Toronto printing presses in 1872. The "Nine Hour Movement" was born in Hamilton, Ontario,

and soon championed by the Printer's Union in Toronto.

Toronto printers were among the first workers in the industrialized world to demand a reduction in work to 58 hours per week. Not surprisingly, owners such as George Brown of *The Globe* fought the movement aggressively and ruthlessly.

Archaic Canadian union laws allowed the owners to sue the Printer's Union, and have the picketers arrested and jailed. Many workers lost their livelihood and

suffered crippling financial hardship. But the movement persisted. After 1872 nearly all unions began demanding a 54 hour work-week.

John A. Macdonald took the side of labour, and shepherded the *Trade Union Act* into law on June 14, 1872. The legislation legalized and protected unions.

The determination and courage of these workers was commemorated with yearly parades across Canada, until 1894 when Sir John Thompson proclaimed Labour Day a national holiday.

# YEU local news

## Yukon College local elects new executive

Members of Yukon College Local Y011 elected a new executive on August 24, 2005.

Of the many issues facing the local in the coming year, new president Tracy English singled out the need for improved communications, matters relating to the upcoming Canada Winter Games, and pension issues for particular attention.

Members of the new executive:

President:

**Tracy English**

VP Faculty:

**Tim Topper**

VP Support Staff:

**Pam Zgeb**

Treasurer:

**Brian Paul**

Secretary:

**Cathy Rehn**

Chief Shop Steward:

**Elinore Frederickson**

Director 3:

**Helen Winton**

Past President:

**Maureen Stephens**

## YEU and employees reach new collective agreement

Negotiators for the Yukon Employees' Union and its employees (Carpenters Local 2499) reached a Collective Agreement on August 27, 2005.

The four-year deal, retroactive from March 31, 2005, affects the six permanent workers at the Yukon Employees' Union office.

## Shop Steward round tables introduced

YEU's Shop Steward Round Tables provide an opportunity for members to get together to learn and share experiences.

The second of these monthly meetings, which addressed the topic: *Steps, Processes and Administration for Filing Grievances*, was held on the 8th of September at the Union hall.

For information on upcoming sessions, contact Becky at YEU, 667-2331.



# YEU calendar

**October 21-23, 2005, Yukon Inn**  
**YEU Triennial Convention**

**October 27-30, 2005, details TBA**  
**Advanced Representation Training**

**December 2-3, 2005, High Country Inn**  
**YFL Biennial Convention**

**December 7-11, 2005, Iqaluit, NU**  
**Union Development Program Level 1**

**2nd Thursday, 6:30 p.m., YEU Hall**  
**Monthly YEU Executive Meeting**

**2nd Wednesday, 5:00 p.m., YEU Hall**  
**Y010 Monthly Meeting**

**4th Thursday, 7:30 p.m., YEU Hall**  
**Y017 Monthly Meeting**

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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.