



# UnionUPDATE



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## Federal pension surplus court case continues

**T**he PSAC's case against the federal government for appropriating a \$30-billion surplus in federal public service superannuation plans is continuing its way through the legal process. The union's position is that by passing the legislation giving it the surplus, the government violated its legal obligation to use the surplus in the best interest of federal public sector workers and retirees.

After their first technical challenge against the case failed, the Attorney-General asked that the unions named in the claim be removed as parties to the claim. This motion was granted and subsequently appealed by PSAC. That appeal was heard in the Ontario Court of Appeal on June 19, 2002 and the union is awaiting the decision.

Even if the PSAC is removed as a party, it will not affect the case which is proceeding in the names of National President Nycole Turmel, former National President Daryl Bean and former Regional Executive Vice-President (Ontario) Susan Giampietri.

In the meantime, the lengthy but necessary steps are being taken to bring the case to a hearing in the Ontario Superior Court. The PSAC has had a team of staff from various Branches reviewing current and archival files for relevant material. An extensive list of documents was delivered to the government on June 30th.

The parties meet periodically in case management conferences which allow them to agree on the how the case will be conducted. The next one will be held on October 30, 2002. The following day, the government is to provide a full list of the documents it wants to be kept out of the case on the grounds that they have been used at Cabinet meetings and are therefore confidential.

Discoveries - a process during which the parties review the documents which they have produced for the case - have been tentatively scheduled for late January 2003. This can be a lengthy process as well given that there are literally thousands of documents in this case to review. On January 31, 2003, another case management conference will take place to schedule the next steps in the case.

## Term employment at CCRA subject of joint study

The most recently signed collective agreement between the Public Service Alliance of Canada (PSAC) and the Canada Customs and Revenue Agency (CCRA) provides for the establishment of a joint union-management committee to review the use of term employment in the CCRA. The Committee, which is made up of an equal number of PSAC and employer representatives, reports to a joint union-management steering commit-

tee, which is also made up of an equal number of union and management representatives. Of the six PSAC members on the Committee, three are currently term employees.

The objective of the Committee is to conduct a study and make recommendations on the use of term employment and the treatment of term employees in the CCRA by consulting with interested parties, including term employees and managers. The Committee is expected to submit its findings and

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## Term employment at CCRA subject of joint study

recommendations in a report to the Steering Committee in December 2002.

The first meeting of the Committee was held from September 4 to 6. During this meeting, the Committee reviewed its draft terms of reference, established its schedule of meetings, and determined the broad framework for the consultative process. The Committee will consult with interested parties during October and November. More information on how to participate, as well as progress reports, will be provided on the PSAC and CCRA web sites.

## Is the Labour College in your future?

The Labour College of Canada is already accepting applications for its 2003 Residential Program. The Program is delivered in two parts. The four-week national program, consisting of Economics, Labour Sociology, Political Science and Labour History courses, will be held in Ottawa from May 12 to June 6.

A one-week residential course in Labour Law is delivered regionally. Students have the option of taking the week-long course before or after the four-week program. However, in order to graduate, the entire program must be successfully completed within a five-year time frame.

The learning environment is interactive and students have an opportunity to share their work-life and union experiences. Each student's work is evaluated throughout the program based on assign-

ments, class participation and effort, and not through final exams.

PSAC members have access to a wide variety of scholarships and bursaries to assist in offsetting the cost of attending Labour College. The costs for tuition, books and residence are deducted from any scholarship or bursary award and the balance is given to the recipient to offset lost wages, transportation and meal costs. While the deadline for applications is February 10, 2003, it's not too early now to think about how to fit this unique opportunity into your schedule.

To obtain an information brochure, contact your Component or the Labour College by phone at (613) 733-9967, by fax (613) 733-1178 or by e-mail: [labourcollege@clc-ctc.ca](mailto:labourcollege@clc-ctc.ca).

## PSAC seeks to amalgamate agreements at NAC

The PSAC and the National Arts Centre (NAC) are engaged in negotiations to amalgamate two of the three collective agreements the PSAC holds on behalf of members at the NAC. The two agreements in question are the Security Officers agreement and the Property Management and Parking Services agreement. The parties have already extended the Security Officers agreement by 18 months, with a commensurate economic increase, so that it expires at the same time as the Property Management and Parking Services agreement.

Both agreements now expire Dec. 31, 2003. Further negotiations on the amalgamation of the agreements are scheduled for November. Should the amalgamation be successful, the parties will jointly apply to the Canada Industrial Relations Board for a new certificate to include both groups.

# CEUDA convention highlights demand by Customs Officers for reclassification

Customs and Excise Union Douanes Accise (CEUDA) members provided a grand finale to their 13th national convention when all the delegates protested at Pearson International Airport in Toronto. At 5:00 in the morning on September 30th, they set up an information picket at an access road for commercial cargo deliveries to the airport. Traffic was backed up in minutes while CTV proceeded to broadcast the event live across Canada.

The information picket provided an opportunity for the delegates to show their unanimous support for frustrated Customs Officers who are angry at a recent Canada Customs and Revenue Agency (CCRA) decision denying them a reclassification.

According to newly-elected CEUDA National President Ron Moran, "CCRA still views Customs Officers as tax collectors who prevent contraband from entering the country. However, their duties include screening people as well as goods. These duties have increased in recent years, particularly as a result of the events of September 11, and are integral to preserving national security. We maintain that Customs Officers perform equivalent work to that of point-of-entry Immigration Officers and deserve at least the same rate of pay."

The three-day convention brought together 138 delegates as well as observers and guests. In addition to the demonstration, delegates at the convention saw first-hand the launch of a national campaign the union is conducting against CCRA's decision and in support of proper classification levels across all Customs jobs.

Among the 53 resolutions before the convention, delegates adopted a position that CEUDA will not merge with any other PSAC component. A new three-year budget without a dues increase was also approved. A small increase in dues of 17 cents per member per month will be used to provide subsidies to CEUDA Branches with small numbers of members spread over a large geographic area in order to provide better service at the Branch level. Some resolutions not dealt with by the convention will be referred to the CEUDA National Board of Directors at its spring 2003 meeting.

In addition to National President Ron Moran, the new National Executive includes 1st National Vice-President Mark Leonard, 2nd National Vice-President John King, 3rd National Vice-President Steve Pellerin-Fowlie and 4th National Vice-President Eunice Trainor. Carolyn McGillivray was elected as CEUDA's National Equal Opportunity Representative. Delegates also elected the members who will attend the next PSAC triennial convention in April 2003.

## Bargaining Update

### Museum of Civilization

Instead of taking a strike vote, members at the Museum of Civilization in Gatineau found themselves voting on a new three-year agreement. Wages will be increased by 3.2% in 2002, 2.8% in 2003 and 2.5% in 2004. Significant improvements have been made in a number of leaves, particularly maternity and parental, as well as the creation of 10 part-time jobs with assigned hours, which provides more access to benefits. The agreement was ratified on October 8th and will expire on March 31, 2005.

### Office of the Auditor General

Binding arbitration will resolve the outstanding issues at the bargaining table for the Audit Professional (AP) Unit at the Office of the Auditor General. The parties were unable to reach an agreement when they met at the end of September. The issues referred to arbitration, scheduled for the week of October 21st, include wages, leave without pay for the care of immediate family, overtime compensation for part-time employees and employees working compressed schedules, performance pay and public transportation allowance.

# National Executive re-elected at UCTE convention

The 12th triennial convention of the Union of Canadian Transportation Employees (UCTE), held in the National Capital Region from October 5th to 9th, provided the 96 delegates with an opportunity to debate resolutions, to consider past activities and to plan for the next three years.

PSAC National President Nycole Turmel addressed the convention and observed that the last three years have been busy ones for UCTE and PSAC and praised UCTE members for all their hard work during the struggles they've faced.

Delegates were reminded that there are battles still to be come when New Democratic Party Leader Alexa McDonough spoke about the challenges facing the union movement and the particular challenges for federal public sector workers posed by an arrogant federal government and a Prime Minister belatedly trying to leave a legacy.

Among the resolutions adopted, Convention delegates overwhelmingly, and in some cases unanimously, passed a series of resolutions dealing with Directly Chartered Locals which will be referred to the next PSAC con-

vention. A new three-year budget was adopted on the first day of the convention.

National President Mike Wing and National Vice-President Wayne Elliott were re-elected to their respective positions on the UCTE National Executive. They are joined by Regional Vice-Presidents Stephen Dunsmore (Pacific), Kerry Williams (Prairies and North), Christine Collins (Ontario), Richard Côté and Wayne Fagan (Atlantic). NVP Elliott was also awarded a Life Membership in the Component.

## Executive Officers in Ontario's newest Local begin work immediately

Commissionaires and COREII employees working at the Toronto Airport convened their first general membership following the election of Local executive officers on Sept. 17, 2002. The newly elected executive members were sworn into office and immediately began compiling bargaining proposals for a first collective agreement.

Once bargaining proposals have been received, the bargaining committee, with the PSAC negotiator, will

review each proposal. The committee will also consider the ratified collective agreement of the Commissionaires' Union of B.C. and the Commissionaires' bargaining demands in Sudbury/Temiskaming.

Ontario Regional Executive Vice-President Gerry Halabecki attended the historic first meeting to congratulate the newly elected executive and review PSAC's Ontario structure and union education program. Congratulations to the new executive!

## Revised Meal Rates

**These rates are effective October 1, 2002. \*Expenses in the USA (including Alaska) are paid in US dollars.**

	Canada and USA*	Yukon and Alaska*	NWT	Nunavut
Breakfast	\$10.95 (10.70)	Breakfast \$11.75 (11.85)	Breakfast \$11.70 (N/C)	Breakfast \$16.90 (15.25)
Lunch	\$10.85 (10.45)	Lunch \$13.00 (12.15)	Lunch \$12.15 (N/C)	Lunch \$20.80 (20.25)
Dinner	\$30.45 (29.35)	Dinner \$37.40 (38.30)	Dinner \$34.40 (N/C)	Dinner \$46.80 (43.85)
Total daily	\$52.25 (50.50)	Total daily \$62.15 (62.30)	Total daily \$58.25 (N/C)	Total daily \$84.50 (79.35)

Incidental Expense Allowance: \$17.30 (11.50) - Private Accommodation Allowance: \$50.00