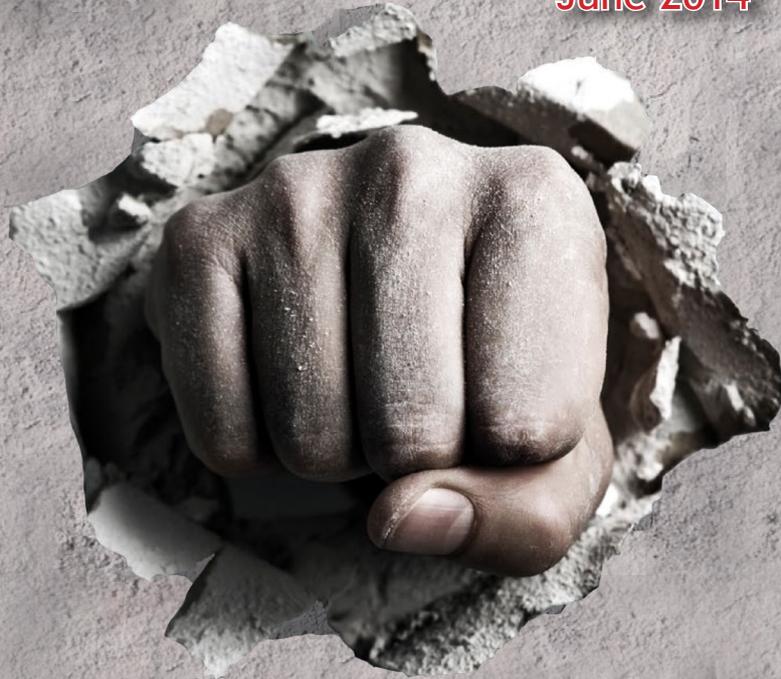


Service Employee Union  
Local 800

# Le Journal du 800

ues800.org

June 2014



## AGAINST THE AUSTERITY MEASURES

# Let's fight back!

With a range of **anti union laws**, the Harper government leads a frontal attack against workers fundamental rights.

Rights to be unionized, to collective bargaining, to go on strike – even to refuse dangerous work – are targeted in a campaign of importing the worst working conditions from the “right to work” American states.

Credit photo and source : FTQ

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Union des employés et employées de service, section locale 800  
920, rue de Port-Royal E, Montréal QC H2C 2B3

# WE WON'T back down!

In Quebec, following the statements of the Charter of Values, there has been much debate about our differences. Yet in our union action, it is our common status as workers that we need to focus on. We sell our labour to produce a good or service in exchange for a fair wage, in order to feed, house, educate and care for our families.

**O**ur fathers and grandfathers understood this long ago; that it is with the strength of our number of members that workers can demand, from employers and governments, fair working conditions and social programs that meet their needs.

## Protecting and improving the gains

Like other unions, the SEU 800 succeeds in protecting and improving the gains of its members with the help of activists supported by union representatives, and through collective agreements and union action.

The trade union movement in Quebec, which represents nearly 40% of workers, constitutes a protection against the austerity measures that the government is trying to impose. Our governments, obsessed with the economy and party contributions, are trying

to convince us that we earn too much and that we no longer have the means to do anything.

## All employees pay because all benefit from the collective agreement

The Harper government is trying to destroy unions by attacking mandatory union dues. Established in 1940 by Judge Ivan C. Rand, he reasoned that all employees benefit from the collective agreement, and therefore all employees must pay the dues established by the union. The same principle applies to the citizens of a city that take advantage of public services; they must pay taxes.

Harper thinks that by abolishing the Rand formula, he is sure to destroy the union: «No money, no candy.» Some US states have managed to do this and the effect on wage conditions and benefits has been catastrophic.



Raymond Larcher  
President of the SEU,  
Local 800

## PARTICIPATE TO OUR ACTION PLAN TO COUNTER THIS ATTACK

**T**he SEU 800 and the FTQ have therefore put forward an action plan to counter this attack, and you will soon be solicited.

If we want to leave a better world for our children, we must not backdown. To begin,

we need to beat Harper in the election of 2015. It's still far away, but it's closer than we think; we must get ready now.

To learn more about the union dues, read the article «Union dues» on pages 22 to 24.

# Workers' gains in Nursing home sector

Hundreds of nursing home workers members of SEU 800 were negotiating in spring 2014 to renew their respective collective agreements. Although some of them are still in negotiations, like employees of l'Ancien Pensionnat Côte St-Paul, negotiations for the base units of Residence Gappe, Residence Château Symmes, Residence St. Joseph, and Residence Fulford resulted in important gains for workers.



Philippe Viens  
Union representative



## Résidence La Gappe and Château Symmes

### Important gains

While more than a year had elapsed since the expiry of their old collective agreement, after many months of negotiations, workers from Residence La Gappe and Residence Château Symmes in Gatineau sought conciliation from the Ministry of Labour and initiated pressure tactics.

This allowed the union committee to quickly advance in the negotiations. The bargaining committee has drawn significant gains

both in terms of wages, with annual increases of 3% and significant retroactive payments, and in terms of other benefits, such as obtaining additional holidays (leaves).

The union has also done significant work to fundamentally change the old collective agreement for the benefit of female workers. On April 24, 2014, members voted overwhelmingly for the adoption of the new collective agreement.

## Residence St-Joseph

### Unanimously accepted agreement

As for employees of Residence St. Joseph, the bargaining committee managed to obtain a wage increase of 2.5% per year, as well as large premiums for evening and night workers, ranging from 5% for evening and 10%

for night workers! They also got a paid meal break of 30 minutes and bankable sick leave hours. The employees unanimously accepted their new agreement on April 25, 2014.

## Residence Fulford

### Experience finally recognized

Workers at Residence Fulford also adopted a new collective agreement on April 2, 2014.

Though many workers wanted to begin pressure tactics, the majority of them, 56%, accepted the employer's offer. They achieved significant gains, including scaled pay for all

employees of the unit, calculated according to their hiring date; ensuring that, from their first year, some workers can receive wage increases up to 9.7%, as well as more legal holidays. Their many years of experience will finally be recognized.

## Ancien pensionnat Côte St-Paul

### Pressure tactics

Finally, the workers of l'Ancien Pensionnat Côte St-Paul began pressure tactics on 30 April 2014 while negotiations stalled for several weeks.

They are already sporting union pins and will increase pressure up to a partial work stoppage since they have unanimously given the negotiation committee a strike mandate.

The committee will exercise the mandate if the employer persists with its unacceptable wage offers.

Remember that the law on essential services limits the right to strike in the health sector to 10% of unionized workers' working time.

By concern for intergenerational equity

# Let's counteract orphans clauses

More than just a matter of intergenerational equity, difference in treatment clauses force a fundamental questioning of the ethics and responsibility of the various union actors. I leave it to you to think about this in relation to your own union dealings. To fuel this discussion, this short text will touch upon different legal concepts relating to the term «orphan clause.»



Stéphane Brassard  
Union representative

Since 1999, the *Act respecting labour standards* stipulates that “An agreement or a decree may not have the effect of giving an employee covered by a labour standard, based solely on the date of hiring and with respect to a matter to which this standard provided for in Sections I to V.1, VI and VII of this chapter, a condition of employment less favourable than that granted to other employees performing the same tasks in the same establishment.”<sup>1</sup>

## This section does not apply everywhere

Upon reading these lines, it should be noted that this section does not apply to all facets of working conditions in a broad and liberal sense. It merely includes standards on wages, working time, breaks, absences for family or personal reasons, and vacation. Also, a disparity based on seniority or length of work is not a breach of work standards<sup>2</sup>. Finally, while you are all governed by a collective agreement, it should be noted that the provision of labour standards applies to

all collective agreements and an employee believing himself aggrieved by a difference in treatment based on the date of hiring may use the grievance procedure to challenge this provision and thus have it declared illegal and ineffective.

## Discrimination based on age prohibited

The *Quebec Charter of Rights and Freedoms* prohibits discrimination on several grounds, including discrimination based on age. Indeed, every employer shall, without discrimination, grant equal salary or wages to staff that perform equivalent work in the same place. Accordingly, it was held that a clause in a collective agreement based on the date of hiring could have a discriminatory effect, even if it does not target younger employees. Although such a policy is objectively neutral, we understand that in fact, new employees are mostly younger than the senior employees, which indirectly causes a damaging and disproportionate effect on younger workers.

*It is imperative that we avoid the appearance of orphan clauses by basic concern for intergenerational equity.*

### Supplemental Pension plans

What now of the interrelationship between these two concepts and the supplemental Pension plans? Unfortunately, some collective agreements now provide for difference in treatment in connection with pension plans. For example, the employer could compel a

company's employees to accept that future employees be subject to a defined *contribution* plan while current employees have still access to a defined *benefit* plan. Can this difference in treatment become illegal based on the concepts outlined above? See the answers in the box below.

1 87.1 L.N.T.

2 87.2 L.N.T.

## Is pension plan part of the “wages”?

Take it as a given, that these two plans provide workers with different rights and obligations. Defined *benefit* plans are almost always better for retirees than defined *contribution* plans.

For this disparity to be prohibited, the supplemental pension plan should be interpreted as an integral part of the concept of “wages”; which makes sense because, in fact, a supplemental pension plan is nothing more than a deferred salary. We decided collectively that the employer should contribute to our pension plans rather than opt for better wages.

After all, it is imperative that we prevent attacks from employers and mobilize collectively to avoid the appearance of orphan clauses within our collective agreements, and this, in any possible form. We have a union duty to eliminate these aberrations by basic concern for intergenerational equity.

For more information, check D. Gesualdi-Fecteau et M. Lizée, L'interdiction des disparités de traitement : état des lieux et détour prospectif, Volume 348- Développements récents en droit du travail (2012).



# JUSTICE FOR JANITORS DAY



# The contract is signed

After several negotiation meetings, the committee, made up of Chantal Bélanger, from Empire, Louiselle Parisé, Jack Victor, Juan Carlos Costa, Jack Victor, and chairman of the UTIS division, Nirmolendu Kar, Samuelsohn, and Mario De Bonis, Cooper, proceeded to the signing of the collective agreement last May 2<sup>nd</sup>.



Claude St-Marseille  
Executive VP

In fact, during meetings held on December 11, 2013 in each of the shops, workers voted 74% in favour of the employers' offers. The amendments to the collective labour agreement provide, among others (inter alia): a six-year term, wage increases of 20 cents per year, a signing bonus of \$100, a new pension plan and a change in the group insurance plan.

The old pension plan, which was managed jointly by the Union and the employers' as-

sociation, will become the RRFS-FTQ (Salary Financed Pension Plan). The employer will continue to contribute the same percentage, 3%, to the new pension plan. Regarding the group insurance plan, each employer will pay part of the cost of insurance for the duration of the collective agreement. The employee's contribution, meanwhile, will remain \$14 for the next six years.

Congratulations for the work done by the committee during these negotiations.



From left to right: Louiselle Parisé and Carlos Costa (Jack Victor), Chantal Bélanger (Empire), Claude St-Marseille (UTIS director), Suzy Beaudry (Union representative), Mario De Bonis (Cooper) and Nirmolendu Kar (Samuelsohn).

# Royal Québec Golf Club Lorette Golf Club

## Negotiations **started**

Negotiations have started in view of the renewal of the collective agreement for the employees of the two golf clubs located in the Quebec City area and members of SEU 800.

**T**he employees of Club de golf Lorette ratified the agreement in principle during a vote in a second general meeting. The collective agreement was signed on June 6.

As for the Club de golf Royal Quebec, negotiations are ongoing and more negotiation meetings are scheduled in June.

To adapt to the new reality of the golf business, the parties tried to find solutions to help the Club remain competitive in a changing market. Work schedules were modified in order to provide more flexibility and give the

members of the club a high quality course during the whole season, while preserving the benefits of the employees. Thanks to brother Francis Raymond, president of the negotiation committee, for his hard work during the whole negotiation.

As for the Club de golf Royal Quebec, negotiations are continuing. For now, work schedules are also under discussion between the parties. The negotiation committee is made up of brothers Cedric Hebert and Claude Garneau and myself.



Michel Tremblay  
Union representative

## IPL in Saint-Damien

# Settlement in the negotiations

After having been negotiating for several months for the renewal of their collective agreement, the 307 employees of IPL in Saint-Damien finally ratified a tentative agreement. The employer's latest offers were accepted at 67%.

**T**he employer's offers had been rejected twice due to the new twelve-hour shifts on weekdays. Following a last-minute conciliation session, the employer's offers were somewhat modified and resubmitted to the meeting.

However, it is under the threat of a lock-out that the employer put an end to the ne-

gotiations. He stopped operations on May 26, at 1:00 p.m. in order to allow the holding of a general meeting. In the event of a refusal, the plant would have been placed on a lock-out.

We would like to acknowledge the work of the negotiating committee.

# The dangers of the social networks' era

The virtual world of social networks occupies an ever-growing portion of our everyday lives. Some employers even check out the Facebook pages of their employees to verify what they post in order to check whether what they report to the employer is actually true.



M<sup>e</sup> Philippe Dufort  
Legal advisor

A decision from arbitrator Jean Ménard illustrates the dangers related to an “unfiltered” use of the social network known as Facebook. The arbitrator maintained the dismissal of a pharmacy technician for exaggerating the symptoms of whiplash. The proof was that her personal activities, as revealed by photographs and videos posted on her Facebook page, were contrary to her statements concerning her employment and her alleged pain.

## Dismissal of an injured employee

It is the case of *The Union of Montreal University Health Centre employees-CNTU and the Montreal University Health Centre*<sup>1</sup>. In this case, the union had filed a grievance challenging the dismissal of the employee, which the employer conducted on November 4, 2010, while she was off work and receiving CSST benefits.

The employer blamed her of making false statements about her health. The termination letter stated that “during her visit to the medical officer of the CSST on October 1<sup>st</sup>,

2010, she, among other things, reported significant pain while rotating her neck. She also stated that she no longer played any sports or took long walks, for example, going to the Laurentians. She also said that she felt tired when driving and needed to turn her chest to avoid having to rotate her neck.<sup>2</sup>”

## Meeting with the employer’s physician

The plaintiff was off work following an accident that caused her a cervico-dorsal-lumbar sprain. The CSST received her claim and awarded her income replacement benefits (IRB). Thereafter, the plaintiff met the employer’s physician who noted that some of the alleged symptoms did not correspond with his observations.

At the hearing, the plaintiff admitted mentioning to the employer’s physician, on October 1, 2010, that she felt pain when turning her head, more to the left than to the right. She also admitted telling him that after half an hour of driving, “she would feel tired from checking blind spots because she had to turn her chest to avoid rotating her neck.<sup>3</sup>”

### Her supervisor becomes her friend on Facebook

This is where the virtual world of Facebook comes into play. In early August 2010, the plaintiff's supervisor asked to become her friend on Facebook, which she accepted. By viewing the plaintiff's Facebook *wall*, the supervisor notices that the plaintiff stated making a trip to Matane at the end of July 2010. The supervisor continues her research and comes across a series of photos and a video. It's about a hike the plaintiff took with her sister in her new convertible. "On her Facebook *wall*, the pictures and video are accompanied by the following comment: "Thelma and Louise christening of the Sebring convertible" (sic).<sup>4</sup>"

The employer's doctor obtains this information and transmits it directly to the employer indicating that the plaintiff can easily drive her car with her girlfriend during a



cheerful getaway and that she can easily turn her neck to the right without any problems or pain, which she does about 25 times during the course of the video.<sup>5</sup>"

### Impact in the working world

This is one of the elements that the arbitrator considered in support of his decision to maintain the dismissal of the plaintiff. But it is clear he has surely seeded doubts in the arbitrator's mind about the credibility of the version provided by the plaintiff. The purpose of this text is not to legitimize the position of the employer nor that of the union, but to draw the reader's attention to the obvious dangers inherent in entertaining the idea that social networks fall into the sphere of personal affairs and have no impact in the real and daily working world.

1 2012 Canlii 31164 (QC SAT)

2 *Ibid*, page 2

3 *Ibid*, page 11

4 *Ibid*, page 13

5 *Ibid*, page 13



*It exists obvious dangers inherent in entertaining the idea that social networks fall into the sphere of personal affairs and have no impact in the real and daily working world.*

## Training and letters of agreement in the **spotlight!**

Since the advent of the collective agreement between the Fédération des familles d'accueil et ressources intermédiaires du Québec (FFARIQ) and the Health and Social Services Minister in August 2012, some elements still had to be implemented in order to meet the respective responsibilities of both parties.



**Alexis Roy**  
Union representative

This is the case for “training,” which the National Committee for Consultation and Agreement Monitoring had the mandate to «Set guidelines and priorities for training and development and determine the general criteria for distribution and use of allocated funds.» As such, 7 training guidelines were decided upon for the fiscal year April 2013 - March 2014.

### Priority information sessions

Among these, information sessions on classification tools and a first aid and Cardiopulmonary resuscitation (CPR) training were identified as priorities. Following the communication of these guidelines, priorities and criterias; all local FFARIQ committees planned their activities and training and listed them in a calendar created for that purpose. The result: the first training sessions arising from the collective agreement emerged in the winter and spring of 2014!

On another subject, Letter of Agreement No. 2 has been activated since February 26, 2014 by the implementation of a ministerial

procedure relating to the protection of remuneration for certain resources. In fact, this letter of agreement planned for the setting up of a joint committee to study the case of resources paid for in 2012 that exceeded the remuneration specified in the *then-applicable* circular. These cases are analyzed by the Committee which may either; maintain, amend or repeal the transitional, extra-circular measures given to the resource.

Regarding Letter of Agreement No. 3; a procedure was also implemented on February 26, 2014 to allow a foster care resource to request a daily supplement (RQS) following the formulation of above-average requirements with regard to support services and assistance required for a user. The MSSS has provided 8 eligibility criteria for an RQS so a resource can make such a request and receive up to 30% of the per diem associated with the level of services required.

### The FFARIQ in 11 regions

These three topics are now “set in motion” and applied by the parties. For everything else, the FFARIQ continues its colossal representation work in 11 regions of Quebec and valiantly defends all its daily claims (disagreements, recourses to the TAQ, harmonization of institutional practices, difficulties of interpretation, etc).



## RockTenn in Sainte-Marie

# Conciliation requested by the union

At the time of writing, the parties are in conciliation to come to an agreement for the renewal of the collective agreement of the employees of the RockTenn plant in Sainte-Marie, Beauce.

**N**egotiations began with a first meeting on September 20, 2013 in Sainte-Marie. During that meeting, the parties stated their respective position for the negotiation process. Afterwards, five (5) more meetings took place, all in Sainte-Marie.

A request for conciliation was made by the union in December 2013. A conciliator was designated to act in the case and help the parties come to an agreement. Two conciliation meetings took place in February at the Quebec offices of the Ministère du Travail, and another one took place on March 10. More meetings are on the agenda for April.

### The employer is in demand

During the first conciliation meeting, the parties made the point with the conciliator on the outstanding items. The employer is in demand for four important elements:

- The possibility to operate on a 7 day schedule in one or more departments, on one or more machines at a time;
- Holidays;
- Social leaves;
- Overtime.

At the moment, we are analyzing how a 7 day work schedule can be implemented, notably for the presses, but also in other departments. This does not at all mean that the

union has accepted the implementation of a 7 day work schedule. We have simply accepted to analyze the demand made by the employer in order to be able to present a 7 day work schedule model to the workers, on which they will have to vote at the next general assembly.

### Evaluating the impact

Obviously, numerous changes will result from this modification, since, if that is the case, the whole collective agreement will have to be adapted for a 7 day work schedule.

For the moment, we are trying to evaluate the impact of implementing a 7 day work schedule. The union is well aware that this is a major demand from the employer. But, it is not a union demand.

Besides the work schedule, we must discuss the other aforementioned important demands made by the employer.

The negotiation committee is made up of Serge Vachon, president; André Corriveau, vice-president; Roger Tremblay, secretary-treasurer; Emmanuel Potvin, correspondent; Guillaume Asselin, counselor; and the undersigned.

The workers of the Sainte-Marie plant have been unionized with SEU 800 since 1978.

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Michel Tremblay  
Union representative

# International Women's Day

## *A great meeting*

To highlight International Women's Day, the members of *Women in Action* met last March 10 and organized an activity with two groups of immigrant workers attending French courses at the SEU 800 headquarters.



Chantal Bélanger

Member of the *Women in Action* committee

**T**hey had lunch together and members of the committee went from table to table to chat about various topics.

Two immigrant women, Rosario from Honduras and Teresa from Peru, spoke of their lives in their home countries; notably about how women live and how they are treated. Until a few years ago, in Honduras, it was uncommon for women to continue their studies. Rosario was the first in her village to do so,

by defying her family, and thanks to her perseverance she became a teacher. Congratulations Rosario!

Teresa almost went to prison in Peru because she was fighting for women's rights, but she also persevered and managed to flee the country and continue her path toward a better life, where women's rights are not violated. Congratulations Teresa!



## Being unionized makes feel safer

All the women stated that being unionized made them feel safer. They are learning French, and at the same time they are gathering information on Quebec laws.

It was a very interesting and stimulating event for everyone (even for the few men in attendance) and for SEU 800 president, Raymond Larcher, who dropped in to say a few

words and to welcome everyone. He also stated he was very proud of their commitment and motivation to integrate into the community, at their jobs and in the Union!

Thank you to all, and congratulations to Ms. Louise Mercier for organizing such a pleasant event!

## Report from the *Women in Action* committee



Right after lunch, the committee members returned to their meeting and concluded that:

- 1 There should be a better dissemination of documents, particularly relating to the status of women;
- 2 Electronic social networking could be established;
- 3 The *Women in Action* section should return to the SEU 800 website;
- 4 The committee will be supplemented by members representing the Outaouais, Mauricie and Saguenay / Estrie regions;

- 5 And finally, concerning the CLC campaign, women want to be part of the SEU 800 plan. At meetings of members who support the CLC campaign, we want women to be remembered because we are being torn apart by the Harper government. (Ex: unemployment insurance, pension, etc.)

## *Women in action*

## Building Maintenance: Change of insurer

Following recent work of the insurance committee, be informed of the arrival of Mr. Roger Brissette as a new broker. Furthermore, the committee opted for insurer's change as of June 1<sup>st</sup>, 2014, the new insurer is Blue Cross.

The insurance committee held information meetings in different regions (Montreal, Gatineau, Jonquière, Québec, Trois-Rivières and Gatineau) to provide information about the new insurance policy.

**Good news: There will be weekly reductions of approximately 6% in single coverage and 9.5% for family coverage.**

### More info next September

Long term salary insurance will be offered to the interested members of the building maintenance division. Information on this matter will be available next September.

### IMPORTANT REMINDER

## In some cases, you must pay premiums directly to the **union**

Insurance premiums must be paid for every pay period of the year. Usually, they are deducted directly from your pay.

However, in certain situations, insurance premiums cannot be deducted directly from your pay. Some examples: during preventive withdrawal, maternity leave, parental leave, unpaid leave, CSST, layoffs and others.

**When insurance premiums cannot be deducted directly from your pay, you must pay them directly to the union. The same goes for union dues that should have been deducted but have not been deducted.**

In such cases, please contact Jackie Langlais or Chantal Claude from the Union's group insurance department at 514 385-1717 or 1 800 361-2486.

## Disability insurance following your last payment of unemployment insurance sickness benefits

It is very important to contact the Union's group insurance department **at least 3 weeks before your last unemployment insurance sickness payment** in order to be properly informed on what to do in the event that you would need to get disability insurance.

You must make a **doctor's appointment** as close as possible to your last unemployment insurance sickness payment and have a **copy of your medical file** with you in order to get

faster processing and avoid delays in the management of your medical file.



## Disability insurance during a work stoppage

You have to contact the Union's group insurance department when a work stoppage occurs for medical reasons or CSST so you can



be properly informed of the steps to take in case you should be eligible for disability insurance.

## Request your prepayment card

The pharmacy and dentist prepayment card is available for **eligible workers** who have been employed for a continuous period of at least 6 months. To get this card,

you must apply to the Union's group insurance department by calling **514 385-1717** or **1 800 361-2486**.

# Financial Report of the SEU 800



## Statement of Revenue and Expenditures For the year ended December 31<sup>st</sup>

	2013	2012
	\$	\$
<b>Revenue</b>		
Membership dues	9,445,791	9,138,927
Other member activities	85,357	97,538
	<b>9,531,148</b>	<b>9 236 465</b>
<b>Reimbursements</b>		
Members social activities fund of local units	(85,357)	(97,538)
Equalization	(495,380)	(510,531)
	<b>(580,737)</b>	<b>(608,069)</b>
	<b>8,950,411</b>	<b>8,628,396</b>
<b>Expenses</b>		
Salaries and employee benefits	5,289,327	4,705,073
Operational expenses	2,775,952	3,029,589
Taxes per capita	2,098,775	2,021,181
Rent and rental expenses	652,061	616,762
Other administration expenses	606,753	495,115
	<b>11,422,868</b>	<b>10,867,720</b>
Deficiency of revenue over expenditures before other revenues	<b>(2,472,457)</b>	<b>(2,239,324)</b>
Other revenues	1,718,363	1,903,032
<b>Deficiency of revenue over expenditures</b>	<b>(754,094)</b>	<b>(336,292)</b>

# Statement of Financial Position

As at December 31<sup>st</sup>

	2013	2012
	\$	\$
<b>Assets</b>		
Current		
Cash	308,724	265,542
Short term investments	400,000	800,000
Accounts receivable	1 760,008	1,670,436
Projects fund receivable without interest or repayment terms	-	51
Insurance fund receivable - household maintenance without interest or repayment terms	11,146	-
Prepaid expenses	62,706	89,808
	<b>2 542 584</b>	<b>2 825 837</b>
Long term investments	1,071,324	971,324
Property and equipment	1,407,223	1,629,935
Intangible assets	236,638	163,101
	<b>5,257,769</b>	<b>5,590,197</b>
<b>Liabilities</b>		
Current		
Accounts payable and accrued liabilities	1,591,846	1,620,594
Current portion of the long term debt	13,509	12,692
Projects fund payable without interest or repayment terms	289	-
Insurance fund payable - household maintenance without interest and repayment terms	239,533	50,790
	<b>1,845,177</b>	<b>1,684,076</b>
Long term debt	275,944	289,453
Provision for union representatives severances	711,795	674,521
Accrued benefits	2,860,900	2,624,100
	<b>5,693,816</b>	<b>5,272,150</b>
<b>Net Assets</b>		
Unrestricted	(4,268,867)	(3,381,115)
Restricted		
Reserves - general	981,253	799,651
Reserves - property and equipment	114,536	150,020
Reserves - strikes	1,382,623	1,258,600
Invested in properties and equipments	1,354,408	1,490,891
	<b>(436,047)</b>	<b>318,047</b>
	<b>5,257,769</b>	<b>5,590,197</b>

# Retirement

## Michel Renaud

**O**n March 13, members of the SEU 800 and coworkers of the Outaouais region celebrated, at a cocktail party, the retirement of Michel Renaud.

Several colleagues praised his work and Evelyne (Michel's secretary) shed some tears. Program coordinator of social delegates for several years, Michel joined the SEU 800 as a representative in 2000.

He worked to strengthen the Outaouais region and defended the rights and interests of our members with gusto. We would like to wish him a long and happy retirement and thank him for his dedication.



## André Gascon

**W**e would also like to mention the retirement of André Gascon. André's involvement began in the 60s as a member of the BCTGM (Baker, Confectionery, Tobacco Workers and Grain Millers) Union where he rose through the ranks to become president of his base unit.

As of 1993 he became a union representative of HERE local 31 (Hotel Employees and Restaurant Employees) and as such he has lived through the mergers with UTIS and SEU 800.

André will leave on October 3; we wish him a happy retirement.



# Registration to **upgrading** courses in **french** and **mathematics**

Want to help your children with their homework? You need a high school diploma or equivalent, but the French and basic math are far behind!

The SEU 800 can help you with refresher courses. If you are interested, fill up the form on the right and send it to the attention of Louise Mercier.

## Registration to upgrading courses in french and mathematics

The employees, members of the SEU, building maintenance sector, clothing and manufacturing division of UTIS who wish to register for the upgrading courses in french and mathematics offered by our Union may do so by completing the coupon herewith and sending it to the:

SEU, Local 800, french and mathematics  
To the attention of Louise Mercier  
920, rue de Port-Royal Est  
Montréal, Qc H2C 2B3

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Telephone: \_\_\_\_\_ Employer: \_\_\_\_\_

## French courses registration

French is not your first language and you would like to be more fluent? Fill up one of the forms below and send it to the attention of Louise Mercier.

### Inscription for the French courses of the SEU 800

The employees, members of the SEU, building maintenance sector, clothing and manufacturing division of UTIS who wish to register for the French courses offered by our Union may do so by completing the coupon herewith and sending it to the:

SEU, Local 800, Francisation  
To the attention of Louise Mercier  
920, rue de Port-Royal Est  
Montréal, Qc H2C 2B3

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Telephone: \_\_\_\_\_ Employer: \_\_\_\_\_

Indicate the building where you work:  
\_\_\_\_\_

### Inscripción a los cursos de frances del UES 800

Los empleados miembros del UES 800, sector de la limpieza, del textil, manufacturas división UTIS que deseen inscribirse a los cursos de francés ofrecidos por nuestro sindicato, pueden hacerlo rellenoando este cupón y enviándolo a :

UES, sección local 800, Cursos de francés  
A la Sra. Louise Mercier.  
920, rue de Port-Royal est  
Montréal, Qc H2C 2B3

Nombre : \_\_\_\_\_ Apellido : \_\_\_\_\_

Teléfono : \_\_\_\_\_ Compañía : \_\_\_\_\_

Indique el edificio donde trabaja :  
\_\_\_\_\_

# Union dues

## Where do they come from?

## How do they serve?

## How are union dues managed?

For the most part, trade union income comes from dues that are regularly paid by members and non-members who directly enjoy the benefits of a union presence, notably, negotiated working conditions. Compulsory union dues are listed in the various Federal and Provincial Labour codes. It is commonly called the Rand formula.

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Source : FTQ

The Rand formula was established by an arbitral award made by Canadian Justice Ivan C. Rand in 1946 and is based on the following principle: "As all employees benefit from the collective agreement, they all have to pay the amount assessed by the union, whether they are members or not."

An employee who is not a member benefits from working conditions that have been fully negotiated, and are defended, by the union. The Supreme Court of Canada has recognized that the obligation for non-members to pay union dues is justified because the Rand formula is designed to promote the stability of unions, collective bargaining and industrial peace.

In Canada, Ontario Conservatives have announced their intention to greatly limit the application of the Rand formula, as have the federal Conservatives. They draw inspiration from the situation in the United States.

### The right to be involved in politics

To this day, the Canadian Supreme Court ruled that the Rand formula, although it contravenes the freedom *not* to associate, is a legitimate means to achieve the goals of our system of labour relations. Members and non-members alike must pay union dues; and this, even when union spending targets activities that are not directly related to collective bargaining:

- because it is up to union members to decide on the management of finances;
- because political action is central to the objectives of a democratic organization whose goal is to improve the conditions of life and work of its members , but also workers in general;
- because political action has a long history dating back to the beginnings of the existence of trade unions;
- because its acceptance is widespread in politics; governments invite union representatives to serve on administrative bodies or intervene in various forums such as parliamentary committees or advisory bodies.

### How are union dues managed?

Attacks against the financial management of unions are reputedly based on unions' lack of transparency: members supposedly don't know the real use of their money, especially for political activities; and leaders are incompetent at best, corrupt at worst. These statements ignore the democratic nature of unions.

Unions are organizations governed by statutes which provide for specific rules for financial management. In practice, systematic bookkeeping is done. Verification of local financial management is performed locally by elected auditors or by auditors of the union to which the local union is affiliated. The FTQ and other large unions are audited by independent organizations. Elected leaders must justify their spending to members at conferences and general assemblies. Financial reports are filed at these assemblies and are available for all members who wish to see them.

Is it possible that some union leaders or officials abuse of their power in order to keep privileges or extend them? Of course it's possible; just as possible as a business leader doing the same... Does this mean that all employers and all trade unionists are corrupt? Asking the question is answering it.

Moreover, managers and leaders of trade unions are periodically subject to the electoral process. If they are corrupt, the organization has the democratic mechanisms allowing members to identify, prosecute and, if necessary, replace them. All this is much more transparent than it is the case in companies!

*To be continued on next page*

## Bill C-377

# Excessive demands

**P**roposed in the fall of 2012, Bill C-377 amends the (Federal) Income Tax Act requiring all Canadian and Quebec unions to comply with unreasonable accountability demands.

While employers and their associations are not constrained by these new transparency requirements, unions should disclose details of their operation and their resources to the government, who would make them accessible to the public.



# What consequences might there be?

What is the point of this type of legislation? Who would benefit from the disclosure of such information? Certainly not the members: they already have access to all this financial information!

Who then, besides the right wing commentators; who would use it to further undermine the image of trade unions in the eyes of the public, by misrepresenting union spending in areas that they themselves “define” as unrelated to trade unions?

## Trade unions would become powerless

Would it not also give more power to employers? The information divulged can easily be used to threaten the right to collective bargaining and union organizing campaigns. Trade unions would become powerless.

- Daily “transparency” tasks would take up most of the time of the unions, when they already hardly have enough time to meet the needs of their members.
- In negotiation, employers would know the financial health of the union and its strike fund. The union, on the end, would have no way to validate the threat of closure, relocation or job reductions.
- By knowing the resources devoted to legal defense, an employer could evaluate whether it is more advantageous to quickly resolve grievances or to let them drag on.
- Employers could prepare against union organizing campaigns because they would be informed of them by the pub-

lished expense reports «on the Ministry’s website in a format that is researchable.»

## Violation of the rights to personal privacy and confidentiality

This disclosure of information to the public seems to violate the rights to personal privacy and confidentiality, especially with regards to dealings with lawyers. The Income Tax Act, however, is very strict about the possibility of divulging information between officials, government agencies, and the police, more so in the case of public disclosure.

The bill cripples these principles. Again, this is a disproportionate and unfair means to attack the trade union movement, since there is no evidence to show that there is a problem.

