

*Provincial Election
May 17, 2005*

PLEASE VOTE



**CUPE 606
ANNUAL GENERAL
MEETING**

**Saturday,
June 4, 2005**

10:00 a.m.

**Ladysmith Intermediate
School Gym**

**Nanaimo General
Meeting to follow**

PRESIDENT'S REPORT

Greetings!

When asked for my newsletter submission my thoughts went immediately to:

- ◆ Bargaining in education which has meant months of standing strong to get employers to remove their mean spirited concessions off the table. This is in stark contrast to what is happening to the City and Regional District employees who are bargaining a few days and obtaining increases because they are NOT employed by the BC Government. This divides CUPE members.

Cowichan Valley Region

Bargaining is at a stand still as the Board refuses to move on allowing our members to exhaust all their own accrued sick days before going on short or long term disability.

Nanaimo Region

Bargaining is at a stand still as the Board has placed a "new" concession on the table—our multi-use/shared services letter of understanding. Imagine fighting month after month just to keep what is rightfully ours.

- ◆ Thanks to the members of Cowichan Valley and Nanaimo Bargaining Committee as they have faced this challenge head on.

- ◆ Budget process in Cowichan Valley is not finalized. There is a collaborative look at the need for secretarial training, new additional dollars for additional Teaching Assistants and Student Support Workers.

- ◆ In Nanaimo/Ladysmith the budget process concluded with very "disproportionate" allocation of the new funding with a possible gain of 3 full time equivalents in CUPE staff. The Board is collaborating to address secretarial training and a new secretarial formula to address workload.

- ◆ Workload issues continue to cause employee relationship issues; stress ultimately adversely affecting student learning in both districts.

The Executive survey sent to you brought astounding results. They revealed not just negative impacts at work, but horrific changes in you and your families' home life. (The report on those surveys will be out soon).

I am sure that all of the aforementioned will provide you with more than enough incentive for you, your family, and friends to Vote on May 17, 2005.



Our participation is vital.

**Together
we can
make a difference!**

Marlene Crozier



USE OF E-MAIL/INTERNET AT WORK



There are now a growing number of arbitrations on the personal use of employer e-mail/internet systems that provide employees with some cautionary notes on the non-business use of such systems. This article will briefly summarize the findings of some of these arbitrations. As this is a growth industry, there will likely be new arbitrations that will further clarify the use of employer e-mail/internet systems.

- ❑ Hacking into other people's - especially a supervisor's - e-mail can be treated as serious misconduct and will likely result in discipline up to and including dismissal.
- ❑ E-mails to friends outside of work and spouses, even though not shared with co-workers, may result in discipline as well.
- ❑ The e-mail system at work belongs to the employer; hence, there can be no reasonable expectation of privacy in e-mail communications. Further such e-mails may well be allowed into evidence against an employee at arbitration.
- ❑ Inflammatory e-mails that denounce management, even when only sent to bargaining unit members, are not likely to be received well by management. You should assume, given that it is an employer system, that it is quite likely that the employer will discover such e-mails. In fact, as the employer owns the computer system, it may well have rights to read your e-mail. Such e-mails may well result in discipline and has resulted in at least one termination in an Ontario College.
- ❑ The negligent uses of an employer's e-mail systems are also quite likely to result in discipline especially where these e-mails express hostility or threats of violence.

In a Manitoba arbitration the arbitrator concluded that:

However e-mail users ought to know that when they put out sensitive or offensive material in to cyberspace they can never be sure where the message will ultimately come to rest. Today if a person needs or desires a private conversation, she must carefully consider how to ensure true privacy. Expressing deeply personal thoughts over an employer's computer system is surely not a good choice.

The grievor knew or ought to have known the perils of engaging in such controversial conversation on the Employer's e-mail system

There may however remain a reasonable expectation of privacy regarding a personal e-mail account that is not accessed from the employee's work site.

- ❑ Using the employer's computer system to view or download pornography will most likely lead to discipline. This will be viewed as serious misconduct. The employer can successfully claim that any policies against use of -email and the internet on its computers for such unacceptable purposes are fulfilling part of its obligation to provide a safe and productive workplace. Further, no specific rule about pornography needs to be stated to justify discipline.
- ❑ An employee who does not request that inappropriate e-mails stop may herself/himself risk discipline as well.
- ❑ Generally authors of anonymous defamatory online postings may be sued for defamation. In work related defamation cases whether involving the employer's e-mail/internet system, arbitrators may award damages.

Two Ottawa based lawyers have prepared a list of pitfalls for users of employer e-mail/internet systems. You may wish to consider this checklist before you use the employer's e-mail/internet system in the future for non-business purposes:

1. Employees may send e-mails in the heat of the moment without thinking through the consequences. Don't just react.
2. E-mails may be sent to unintended recipients. This in fact has already happened in SD 68.
3. Supervisors may misuse e-mail by using it to communicate unpleasant messages such as reprimands, discipline or even termination that should be done in person. If this occurs, report it to a steward immediately.
4. Personal e-mails from employer computers may be interpreted as representative of the company, akin to using company letterhead to send out a personal letter. Be cautious in your use of your work site e-mail for personal matters.
5. E-mails leave a permanent record even when messages are "deleted", records are usually recoverable. They are retrievable from hard drives, or from the system server or from network backups, not to mention the hard drive of the persons who received the e-mail.
6. Offensive jokes or pornographic messages may poison the workplace in the same way as person to person sexual harassment does.



Member's Resolve Helps All Of Us Congratulations, Arlene!



The Local filed a grievance last year on behalf of Arlene Berube over a promotion denial.

- ◆ Arlene's case was not merely that she was passed over for the Help Desk position that the Local believes she was qualified for, but the inappropriate changing of job descriptions without any reference to Joint Job Evaluation, and the subsequent posting process. The Local believes that the employer treated Arlene, who has some 26 years of seniority, shabbily.
- ◆ Further, there were other members with fewer years of seniority who applied for the initial position who were passed over by the employer. The employer went outside of the Bargaining Unit. The employer found some one hundred outside applicants unable to do the job. Sound suspicious? Your Executive Board thought so, too.
- ◆ **The Local felt that the qualifications bar for this position question seemed to be moving constantly and arbitrarily.** In the Local's view, management, yet again was guilty of not having a consistent, fair procedure in place.
- ◆ Next, part way through Arlene's grievance, the employer suddenly revoked the posting and issued a new job description and posting. The Board neglected to put this new job description through the Joint Job Evaluation Committee as it is obligated to do. In fact, this job description never got to Joint Job Evaluation until some eight months later and then because the Local filed more grievances.
- ◆ The Help Desk Grievance revealed management's lack of expertise in identifying the roles and responsibilities of employees in the Information Systems' area. There seemed to be no one at the time in management that understood the Information Systems' jobs. So how could the Board make any decisions on promotions? They utilized CUPE members as their resource; put them in a very difficult position.
- ◆ Arlene's decision to stay the course on this grievance for over a year was instrumental in the Local's ability to get the employer's attention on the Joint Job Evaluation issue and the posting and hiring procedure. Her determination will help ensure that other members will be treated more appropriately in the future.
- ◆ Given the commitment of members, like Arlene and your Executive, to move this issue to arbitration, the employer is now committed to addressing the Joint Job Evaluation process and has moved to rectify its staffing procedures. The Board's action will identify their level of commitment.
- ◆ Arlene has since taken another position at the same pay grade level as the Help Desk. Congratulations, Arlene! The Local has withdrawn the grievance.

Arlene, the Local respectfully congratulates you for your discipline and commitment.

Thanks,
Marlene Crozier



Where are all our jobs going?

- Why are MSP billings contracted out to Maximus in the U.S.?
- Why are U.S. construction firms being asked to bid on Whistler Olympic projects?
- Why is B.C. Ferries spending billions of B.C. dollars to build ships in Germany?
- Why are raw logs being exported to the U.S. in higher numbers than ever seen before?

The Liberal economic policies have been very successful for some people, but not for working people and their families.

The REALTY:

Economy

Liberals: 3% average growth per year.

NDP: 3% average growth per year

Job Growth

Liberals: 1.49% average growth per year

NDP: 2.1% average growth per year

Fairview Community School Clothes Closet

205 Howard Ave.

Clean clothing donations for the whole family in need. Items may be left at the school office. Contact Linda Manarin at 753-3418 for information

Closet Hours: 1st and 3rd Fridays of each month school is in session
11 AM - 3 PM — Room 110

May & June Dates: May 6 & 20 / June 3 & 17.

"If a free society cannot help the many who are poor, it cannot save the few who are rich."

John F Kennedy - 1961

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Executive:

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Regional 1st VP	Martin Lornie	716-3459
Regional 2nd VP	John Ward	754-5521
Treasurer	Bryan Murphy	754-5279
Sec-Treasurer	Bonnie Bestwick	753-7065
Rec. Secretary	Jan Leroux	756-4595
Sgt-At-Arms	Joel Southward	616-8460

Stewards

Chief:	Rob Zver	741-5278
EA's	Bonnie Bestwick	753-1044
	Denise Hildebrand	245-3330
Transportation	Arpad Baruta	741-5214
Maintenance	Wayne Nelson	741-5521
	John Cameron	741-5521
	Glenn Warn	754-5521
I.S.	Joel Southward	616-8460
Clerical	Linda McCourt	754-5521
	Diane O'Brien	740-3507
Aboriginal EA	Jackie Corfield	754-3231
	Barry Plaxton	740-3500
Operations	Lea Ross	754-5591
	Mike Saine	758-9191
General	John Ward	754-5521
Sunshine Fund:	John & Sue Ward	753-5567
Newsletter	Diane O'Brien	740-3507
Employee & Family Assistance Program:		754-2512

Donate Your Old Cell Phones

If you have an old cell phones that you do not need, please courier them to the CUPE Local 606 Office. The phones can be equipped to dial 911 only. These phones will then be donated to women for emergency use.



Retirees being honoured:

Sunday May 29, 2005, 2:00-4:00 pm
Reception at Nanaimo German Club, 71 Caledonia Ave.

Teresa Acosta
Chris Frederickson
Faye Gentry
Fay Graham
Roy Graham
Jack Johnstone

Steven O'Dor
Pat Parkin
Maralyn Pritchard
Ed Sherwood
Irene Whitmore