



**POWER
WORKERS'
UNION**

NEWSLETTER

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Thunder Bay GS Will be Converted to Advanced Biomass

On November 15th, the Ontario government announced the conversion of the Thunder Bay Generating Station to advanced biomass. This is great news for PWU members. The conversion will help reduce Ontario's greenhouse gases (GHG), ensure a reliable electricity supply for Northwestern Ontario and bolster the Thunder Bay economy.



The PWU has long argued that the associated investments in biomass supply chain infrastructure will create new jobs and generate significant economic spin-offs in other sectors of Ontario's economy. Ontario's earlier decision to convert the Atikokan Generating Station to biomass will not only sustain jobs at the station it will create new full-time jobs in a pellet plant in the local community.

For the last decade, the PWU has aggressively advocated using Ontario's vast renewable forestry and agricultural biomass resources as a fuel in converted coal stations and we invested in the necessary related research in the early stages of these developments.

It is cheaper to convert these stations than to build new natural gas generating plants. Existing generation is recycled, existing transmission assets are utilized and Ontario's dependence on imported fossil fuels is reduced.

The PWU also commends Ontario Power Generation's (OPG) research and development efforts in support of biomass, which underpins the Minister's decision. Just two months ago, OPG

undertook a successful first-of-its-kind-in-the-world test burn using 100 percent advanced biomass.

OPG has been granted a five-year contract for the Thunder Bay Generating Station to generate electricity using this world leading technology. Modifications to the plant will begin in 2014 with operations expected to commence in 2015.

The PWU will continue to press the government for similar conversions of the Nanticoke and Lambton stations.

Blaming Workers for Accidents Will Not Improve the Safety Culture

In recent months, many of us have observed that some employers have chosen to openly regress to a behaviour-based model of safety management where the default position is to blame the worker.



This blame culture was commonplace some years ago and, not surprisingly, it resulted in decreased reporting of incidents and accidents and did little to prevent their recurrence. In its place, the Union encouraged a hazard-based view of safety management where the emphasis was on reporting, respect and discovering the root causes of incidents and accidents to prevent recurrence.

Reports from other unions have confirmed that behaviour-based corporate safety programs are experiencing a widespread resurgence.

There are several ways to counter the blame culture. Foremost among them is to honestly report incidents and accidents to the employer. At the same time, Members should also inform the Union, usually through the local PWU Joint Health and Safety Committee (JHSC) Member. Documentation is very important and should be completed as soon after the event as possible.

Members should also ensure that their supervisors provide full and comprehensive pre-job briefs, all necessary and approved tools, procedures and control measures, as well as appropriate personal protective equipment.

Above all, Members should exercise due diligence to preempt injury and should not hesitate to exercise their right to refuse unsafe work when necessary.

A blame culture does not protect workers. Positive change can only come with:

1. identification of problems;
2. analysis of those problems;
3. crafting and delivery of solutions; and
4. auditing results.

A blame culture drives reporting underground making it difficult to identify problems let alone solve them.

The PWU will continue to aggressively encourage employers to focus on what should be the goal – preventing accidents rather than assigning blame and discipline.

PWU Members often work in environments where the hazards are unforgiving and it is a top priority for the PWU to provide a high level of health and safety training for Stewards, JHSC Members, Chief Stewards, Principal Stewards and Members.

The Expedited Grievance Arbitration Process at Ontario Hydro Successor Companies

This year marks the 15th anniversary since the establishment of an expedited grievance arbitration process for PWU members at the former Ontario Hydro. It is timely to reflect upon how the system was developed and to remind members of its continuing benefits at several of the Ontario Hydro successor companies.



Access to justice is the means by which rights of individuals are protected and remedies are obtained for their violation. Yet access to the courts has always been costly and complicated. While things are better than they were in the time of Charles Dickens, who called the Court of Chancery (where he had once worked) "that most pestilent of hoary sinners," going to court can still be expensive and time consuming, putting justice beyond the means of many, particularly in light of funding cuts to the legal aid system in recent years.

Workers in unionized workplaces are more fortunate than the general public when it comes to issues that arise in their workplaces. Their trade union represents them and, together with the employer, funds a grievance arbitration process to resolve workplace disputes. This system was originally designed to take these issues out of the courts and address them in a more expeditious and cost-effective manner. Unfortunately, over the years, this quick and inexpensive means of resolving conflicts devolved into a more elaborate, slower and expensive process.

Prior to 1998, the Ontario Hydro grievance arbitration process was typical: it was slow, thorough and methodical. Three "step meetings" had to be held among ever more senior management and union officials before a grievance could be taken to arbitration. A panel of three persons conducted the arbitration hearing itself. Evidence was called through witnesses giving sworn testimony. The hearings were long and ponderous. Most hearings lasted six days and those days were often spread out over several months.

Not surprisingly, a huge backlog developed, some 3,000 unresolved grievances for a bargaining unit of approximately 15,000 members. The system only cleared approximately 25 cases per year. Needless to say, the backlog could never have been eliminated at this rate.

Grievances are filed in order to resolve problems in the workplace. Delay in the resolution of grievances is not good for labour relations, and poor labour relations are not good for plant production or for worker morale. Both



Ontario Hydro and the PWU came to realize that the existing system was beyond repair and resolved to address the matter in the 1998 round of bargaining. The result was the establishment of the expedited arbitration process that we work with to this day. Within six months, the backlog was reduced from 3,000 to 500.

The system was designed to drive accountability for disputes from the boardroom to the plant level, to discourage disputes between the parties and to resolve disputes in an expeditious manner. Expedition was achieved by replacing the three-step process leading to arbitration with a single step meeting followed by the automatic referral of unresolved grievances to a Grievance Review Board (GRB) composed of union and management representatives. Grievances not resolved by the GRB were automatically sent to expedited arbitration. Grievances were no longer held up by the scheduling of step meetings or extended hearings.

Accountability in this process was driven to the GRB consisting of union and management representatives who, acting on consensus, could dismiss or settle a grievance. The local union official and manager responsible for the grievance would have to appear before the GRB to present their cases. They could no longer run or hide from a grievance. In turn, frivolous grievances were discouraged and the resolution of meritorious grievances was supported.

At arbitration, a single arbitrator replaced the three-person panels. The parties were required to file written briefs in advance of the hearing setting out the facts and argument. No oral evidence was allowed without permission of the arbitrator. Another feature of the system is that a Chief Arbitrator was appointed by the parties to deal with all disputes relating to scheduling and preliminary matters so time would not be taken up at hearings to deal with such issues.

By this means, the parties replaced a system that cleared 25 cases a year to one where an arbitrator can dispose of two or three cases on a single day.

Since Ontario Hydro was split up, the expedited system has developed differently at separate successor companies. In some instances, arbitration remains the primary means of resolving grievances that cannot be resolved short of a hearing. At others, mediation in advance of arbitration is the principal means of addressing unresolved grievances. At Bruce Power, there is no GRB. The core of the system remains the same: quick referral of unresolved disputes to an expedited arbitration process on the basis of written submissions without oral evidence.

With the continuing goodwill of the parties and the involvement of skilled arbitrators, mediators, lawyers and PWU representatives, the process provides a model well worth emulating. The members of the PWU should be justly proud of their union's achievement in this regard.

Federal Conservatives Renew Their Attacks on Unions

In the early summer, the labour movement thought that it had dodged a bullet when the Senate defanged the controversial Bill C-377. Unfortunately, the bill has been resurrected and the government has renewed its union-bashing agenda. The bill originated as a private member's bill in the House of Commons, but was supported by the government. The private member's bill would have forced unions to file financial statements and make public any expenditures over \$5,000, along with the salaries of their employees making more than \$100,000.

After hearing from a wide range of experts, the bill was subjected to a series of Senate amendments that would have negated most of the offensive features of the bill. Almost one third of Conservative Senators supported an amendment by Tory Senator Hugh Segal that effectively nullified the original intent to sabotage unions by either voting for it or by abstaining from the vote. Later in the summer, Prime Minister Harper prorogued Parliament. Prorogation causes all government bills to "die on the order paper," meaning they no longer exist as bills and must be reintroduced in order to become law. However, private members' bills remain on the order paper. Shortly after the resumption of Parliament in October, the Conservative majority once again voted in favour of the original bill, setting up another confrontation with the embattled Senate. If the upper house readopts its amendments, a standoff is expected to follow.



The Canadian union movement, led by the Canadian Labour Congress (CLC), has vigorously opposed the bill. Widely seen as unconstitutional, the proposed legislation singles out unions, invades the privacy of individuals and violates provincial jurisdiction. The most sensible course for the Senate would be to defeat the bill but that does not seem likely.

If Bill C-377 were not bad enough, the Conservatives continue to attack unions on other fronts. In June, another Conservative MP, Albertan Blaine Calkins, introduced Bill C-525, which is designed to restrict the ability of workers to organize a union in areas of federal



jurisdiction. For decades, union certification under the Canada Labour Code has required a simple majority (50% plus 1) of the members in a workplace to sign membership cards to form a union. This model is known as "card-based certification."

Bill C-525 proposes to eliminate this model and to replace it with an onerous two-step card signing and voting process. It would require 45% of the members of a bargaining unit to sign cards and, once this threshold is reached, the Canada Industrial Relations Board would oversee a secret-ballot vote.

Unlike any other voting system, Bill C-525 would require unions to receive more than 50 percent of those eligible to vote rather than 50 percent of the total votes cast. In effect, those individuals who are unwilling or unable to vote would be effectively deemed to have voted against unionization. This requirement would be an unprecedented, undemocratic and unfair standard in any voting process. The bill is still before the House of Commons; debate on second reading started in late October.

Unions did not fare any better at the 2013 Conservative Policy Convention in Calgary. Numerous resolutions slammed organized labour: optional union membership, an opt-out provision when it comes to paying for certain union activities, detailed financial

reporting requirements, and so-called "right-to-work" legislation. While party resolutions aren't binding on the government, government ministers voiced their support for measures that would gut defined-benefit pension plans in the public sector. Clearly, the Tories see attacks on public sector unions as an important wedge issue in the 2015 general election. Driven by ideology and the desire to appease a right-wing minority of the population that they view as their "base," the Tories are pursuing a concerted plan to lower wages of the vast majority of Canadians by attacking the one group in society seeking to protect those wages: trade unions. This attack on every working person in the country should be borne in mind when Canadians decide how to vote in the next federal election.

Former PWU President Honoured by CUPE

Kealey Cummings was honoured as the last Founding Father of the Canadian Union of Public Employees at CUPE's fiftieth anniversary national convention in Quebec City in October. Kealey was President of the Ontario



Hydro Employees Union (OHEU), which became the PWU, between 1957 and 1969. He later served as CUPE National Secretary-Treasurer from 1975 to 1985.

During his time in office at the OHEU, trade unionism evolved considerably. Hydro employees shifted from a self-centred perspective on their work and jobs to one more aligned to the labour movement as a whole. The PWU broadened its horizons and began looking at problems in a much broader way.

During the period of 1955 to 1963, the OHEU was raided a number of times by other trade unions. The International Union of Operating Engineers, the Canadian Union of Operating Engineers, and the International Brotherhood of Electrical Workers all targeted the OHEU at one time or another.

After the Canada Labour Congress (CLC) was established in 1956, there were two major public sector unions, the National Union of Public Service Employees, to which the OHEU was affiliated, and the National Union of Public Employees. After seven years of merger discussions, during which Kealey served on the merger committee, CUPE was formed in September, 1963, merging the two unions and almost 80,000 members from approximately 500 locals. CUPE became the second largest union in the Canadian Labour Congress (CLC) and largest Canadian union affiliated with the Congress. CUPE has since grown to 627,000 members.

At the CUPE National Convention, some 2,000 attendees gave Kealey a heartfelt and resounding standing ovation.

The PWU Airs New Radio Ads

The PWU has produced a series of radio ads that will be heard on Leafs Radio during the current season. The ads address issues ranging from the conversion of coal generating stations to biomass, to electric vehicles to the importance of nuclear power for Ontario.

Listen to the ads here:

<https://soundcloud.com/powerworkersunion/sets/2013-maple-leaf-hockey-ad>



Canadian Labour Congress Launches Television Campaign

The labour movement is not just about decent jobs. It's about a better life, for everyone.

This message will have been seen by millions of Canadians this fall. It's part of the Canadian

Labour Congress's national advertising campaign to remind people about the good things we all enjoy because unions bring fairness to the workplace – and to our lives. Fairness works – be part of it and share the ad you see with your friends.



Watch the ad here:

<http://www.youtube.com/watch?v=nhInxpMMqk0&feature=youtu.be>

PWU Member Receives International Firefighter Honour

PWU member Scott Minty from Bruce Power was inducted into the Lion's Den (akin to a Hall of Fame) at the Firefighter World Combat Challenge in Las Vegas in October. Scott is seen here with Dr. Paul Davis, who developed the Firefighter Combat Challenge, and John Granby of Lion Apparel.



PWU Member Volunteers Time and Supplies for Orphans in Nicaragua

PWU member Steve Eckenswiller from Bruce Power has been visiting Nicaragua since 2010 to take part in the Friends of the Orphans Canada programs. In this picture, Steve is seen helping making bookshelves for the homes of local boys and girls. Prior to his annual visits, Steve engages in fund-raising activities in his community to purchase supplies. During March Break, some 40 teenagers from the local high school will also head down to Nicaragua to contribute their efforts.

