

YOUR

U N I O N

Local 480



Trail, B. C.

September 2018

VOL. 46 No. 4

If unions are "no longer necessary," or "obsolete," why do corporations spend billions trying to destroy them? Consider this your thought for the day, and share your thoughts!



LOCAL 480

MEMBERSHIP MEETING

3:45 P.M. THURS. September 20/2018

Agenda to include:

- ◆ Update from the summer

We are Online and Live!



www.facebook.com/usw480

You can also find us at: USWLOCAL480.com

- Grievance Chair and Reps for your area
- Safety Chair, Coordinators and Reps for your area
- Benefits-Forms, Booklets and contact information
- Local 480 Merchandise- Items are proudly Union made
- Past and present newsletters

YOUR UNION

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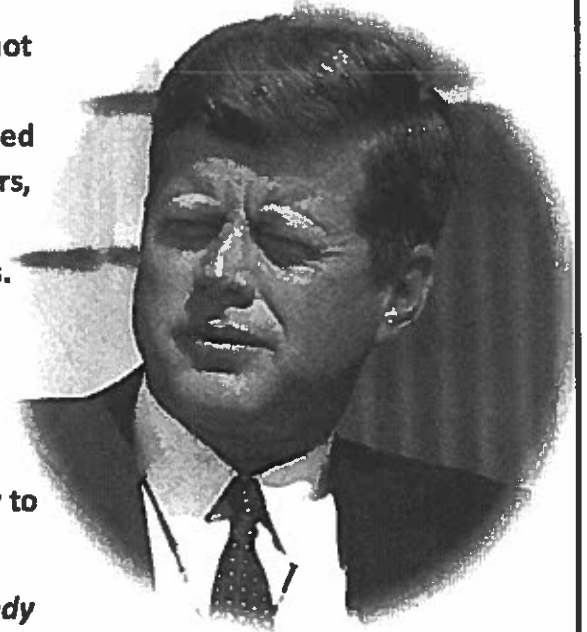
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“Your Union” is a member of the United Steelworkers Press Association and abides by the constitution of the organization

Quote of the Day

Our labor unions are not narrow, self-seeking groups. They have raised wages, shortened hours, and provided supplemental benefits. Through collective bargaining and grievance procedures, they have brought justice and democracy to the shop floor.



John F. Kennedy

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President's Report

Brian Onyschak, President

Tackling the Big Issues



First off I hope that everyone took some time this summer to relax and spend time with family and friends. The weather was nice but the smoke from the fires was hard to deal with.

Now on to the business of the Local.

I have been your President since January and have finally settled into the job. Even with my experience as your Grievance Chair, there was still a learning curve. One of my commitments was to be more visible on the property. It was nice to see that the full time officers had the same idea. We have been touring the property in groups of two at least every two weeks. These tours have been very well received and we will continue them on a regular basis.

If crews are interested, I would be more than happy to attend your morning crew talks to discuss any issues you want. This would have to be approved by your supervision of course.

Another item I wanted to resurrect was the Teck Chain meetings. These meetings gather all the Locals that represent Teck employees. At these meetings we discuss common issues and strategies. I am happy to

report that our first meeting is on September 11th. I will provide details of this meeting in a future newsletter.

The week of September 10th I will be in Vancouver with Kyle Jorgensen (Vice President) and Jesse Nicoll (Grievance Chair). While we are down there we will be attending the afore mentioned Teck Chain meeting and a Presidents meeting. We will also be attending a Law Conference to stay current on the most recent Labour Law decisions.

Since the new executive has been in place, I have been working closely with Chris Walker on Contracting out. We have been in discussions with our lawyers determining the best approach to tackle some of these issues.

I have also been involved with Jesse Nicoll assisting when required. We are currently looking into the Company forcing members to take vacation without any advance notice. Vacation time is near and dear to me. This time should be used to spend with family and to rejuvenate oneself. Forcing members to take vacation is not the intent.

The last topic I want to raise is the selling of the dam. I am sure that everyone knows that BC Hydro purchased the remaining 2/3 of the dam from Teck. We are already hearing from Teck management that we must make up for this added cost. The price to purchase power starts at \$75 million per year. This goes up by 2% annually for the next 20 years. At the end of the 20 years the cost will have escalated to \$111 million. After that Teck has the option of extending the lease for a further 10 years. The 10 year extension would start at \$147.7 million though.

Teck tells us that is only one of their options. They state that they can also purchase tariff power from BC Hydro or Fortis. They could also purchase power off the open market or even self-generate.

They would only extend the lease if it makes business sense for Trail Operations.

It doesn't matter how many ways I look at this sale, I don't see how it benefits Trail Operations. Time will tell.

In Solidarity,
Brian



Grievance Committee Report

Jesse Nicoll, Grievance Chairman

Busy Summer for Grievances

Hello Brothers and Sisters,

The summer months have been busy for our committee and we have been working hard to advocate for your rights and deal with issues as they arise. We have had success in investigating issues and challenging management when they've wanted to discipline. We have had members discipline reduced and in one case averted a suspension and no discipline was issued.

We won three grievances since the last article, all three were pay issues. Two of which were a breach of Article 17.12. If you come out to work a 12 hour shift on a statutory holiday which is a normal day of work and you are allowed to leave before your twelve hours are up; you are entitled to straight time pay for the remaining hours in the shift. The company offered to settle the grievance without precedent or prejudice. We refused, our position was that the language was clear in our favor and that the grievance was to be allowed with full redress.

The other grievance was for a violation of Article 13.06 (v) (c) which says that banked relief hours shall be scheduled at a time agreeable to both parties and only after a disagreement do they retain the right to schedule. In this circumstance there was no conversation and we got the grievers PRH reimbursed.

There has been a dramatic increase in discipline in Warfield. We have filed eight grievances of which two were reduced in discipline and one withdrawn. I will be meeting with the HR department to try resolve the rest which need to be answered at stage three of the grievance procedure. There is also some seniority issues in this area that we are looking into, one where a member who grieved received pay. I will keep you posted about any other possible grievances that arise out of this investigation.

One Issue that has reared its ugly head is forced vacation. It was already a difficult year for our members who were forced to take vacation in regards to the smelter shutdown and now additionally being told to they have to take additional vacation with extremely short notice to suit plant needs. We are currently building a case, consulting with our legal counsel and will be filing a policy grievance. I will keep the membership updated on this issue as we work through it.

There are a few areas that are currently reviewing their operator development letters. This has been a very interesting process and I have been involved to protect your rights in any of the changes in language contained in the letter. Roaster/Acid and Sulphide are close to being finished and I'm confident that the mem-

bers in those areas will have something to vote on shortly.

The Lead products area is going to see a merger of the Alloy plant into the Silver seniority unit. I'm currently working with management to see how they are going to incorporate the incumbents in Alloy into the Silver seniority unit.

I will be attending a Teck chain meeting on Sept 12th with Brian Onyschak and Kyle Jorgenson, as well as representatives of other Teck locals. One of the items on the agenda is Teck's drug and alcohol policy. I look forward to hearing what the other locals have to say and working to develop a strategy to challenge what I believe is an unreasonable policy at our local. We have a number of grievances that are tied to the policy grievance on drug and alcohol testing policy and I will have a better idea of how we are going to proceed after this meeting.

In the next couple weeks I will be setting arbitration dates with the company to address the cases that do not involve the drug and alcohol policy. I will be working closely with our legal counsel as well as Brian Onyschak to prepare these cases and I hope to have a positive resolution to some of these grievances by the end of the year.

(Continued on page 5)

Benefits Co-ordinator Report

Jeff Schuepfer, Benefits Co-ordinator

Healthy Lifestyle Account Explained



Brothers and sisters,
Since our last Union paper in June, I have been busy dealing with regular issues around WCB claims, Sun Life, long term disability claims, meeting with disability claims management on graduated return to work schedules for our members along with the daily calls around pensions and our benefit plan.

During this time I did receive many calls regarding our Healthy Lifestyle Account as to why I do not have \$300 in my account as of June 1st? Reason being, Sun Life will not load the accounts until they are certain to which members are on roll as of June 1st. To do this, payroll must submit to Sun Life our members on roll once a pay run is complete from the June 1st date. Once Sun Life receives this info they will start to load the respectable accounts. My suggestion moving forward, if you purchase item(s) on or after June 1st hold off on

submitting the receipt along with the form until you know your account is loaded.

To clarify the Healthy Lifestyle Account, the annual benefit runs from June 1st – May 31st. Credits are \$300 per benefit year with a carry forward feature. What this means is the amount left remaining at the end of the benefit year will be carried forward and added to the next benefit year. The maximum amount you can have is \$600. Important to remember is the balance carried forward from the first benefit year to the end of the second benefit year will be lost if not used and the date of purchase on the receipt is when the eligible expense incurred. For example: if you purchased an eligible item on May 30th and you have \$100 remaining, the max you will be reimbursed is the \$100 and cannot resubmit the same receipt for the next benefit amount of \$300 for the next benefit year. Dependents are also eli-

gible to make claims towards the member's account. Member's who are special assignment are eligible but are prorated the annual amount of the \$300 accordingly to date of hire. A list of the eligible expenses are found on the Healthy Lifestyle Account form and in our benefits booklet which are online on the Trail Tadanet or on the uswlocal480-unity is strength webpage. Members should check the availability of their account on the Sun Life site. If any member does not have access to the Sun Life site please contact me at 250-368-9131 or email myself at benefits1@usw480.com

Upcoming meetings are:

- Great West Life Group RRSP review.
- Pension review.

(Continued on page 6)

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Members calling with transfer concerns have been on the rise. The best avenue for answers is the human resource department. One of the things to keep in mind is that even if you accept a transfer there may be more senior members with transfer requests ahead of you and the vacancy will go to the most senior member who accepts the transfer. Also if you

have trades certification and want to go back on the tools, don't forget to put in a transfer request to that trade group. The next transfer window is in October.

We will be holding elections in October for Chief Stewards and Safety Vice Chairs. This is done every three years and I will be putting out a bulletin with Steve Como shortly.

The grievance committee is always looking for new stewards to join. There will be a bulletin and signup sheets by the end of the month. If you are interested and have questions, please feel free to call me at the Union Hall 368-9131.

In solidarity,
Jesse Nicoll

Bill 6 Ammendment Proposal

(Continued from page 5)

Amendments to the British Columbia Employment Standards Act came into effect on May 17th, 2018. The B.C. government introduced Bill 6 which amended the B.C. Employment Standards Act with respect to maternity leave, parental leave, compassionate care leave, as well as established two new job-protected leaves. The changes bring the province's provisions in line with changes to the Employment Insurance Act which came into effect in December of 2017.

Under our collective agreement, Article 25.04 states, should the provisions of the Employment Standards Act with respect to Maternity Leave, Parental Leave or Family Responsibility Leave change, the provisions of Article 25.01 (ii) changed to reflect the changes in the Employment Standards Act. (iv) (v), 25.02 or 25.03 will be changed to reflect the changes in the Employment Standards Act. In this case the pregnancy (maternity) leave and parental leave would be the only two changes.

The proposed amendments in Bill 6 include:

Pregnancy (Maternity) Leave.

- A pregnant employee can now begin their pregnancy leave up to 13 weeks (previously 11 weeks) prior to the expected birth date of their child.
- Pregnancy leave can be up to 17 weeks.

Parental Leave.

- A parent who takes pregnancy leave can take up to 61 consecutive weeks (previously 35 weeks) of unpaid leave immediately after the end of her pregnancy leave.
- A parent who does not take pregnancy leave can take up to 62 consecutive weeks (previously 37 weeks) of unpaid leave, which must begin within 78 weeks (previously 52 weeks) after the birth of the child.
- An adopting parent can take up to 62 consecutive weeks (previously 37 weeks) of unpaid leave, which must begin within 78 weeks (previously 52 weeks) after the child is placed with the parent.
- The combined entitlement for pregnancy and parental leave is limited to 78 weeks which is 18 months (previously 52 weeks).
- If on May 17, 2018, an employee with a child born on or after December 3, 2017 is already taking parental leave, they are eligible for the full amount of parental leave they are entitled to under the new legislation, minus the period of parental leave already taken as of May 17, 2018.

Compassionate Care Leave

- Employees are eligible for up to 27 weeks (previously 8 weeks) of unpaid leave within a 52 week period to provide care or support to a family member who has a serious medical condition with a significant risk of death within 26 weeks.

New - Leave Respecting the Disappearance of a Child

- Employees are entitled to an unpaid leave of up to 52 weeks in the event that their child under 19 years of age has gone missing and it is probable the child's disappearance is the result of a crime.
- If the child is found alive during the leave, the leave will end 14 days thereafter. If the child is found deceased, the leave will end immediately.

New - Leave Respecting Death of Child

- An employee whose child under 19 years of age dies is entitled to up to 104 weeks of unpaid leave of absence from work, starting as of the date of death or after a child who has disappeared is found deceased.

In solidarity,
Brother Schuepf.

Financial Secretary Report

Chris Walker, Financial Secretary

Contracting Out: Meaningful Discussion



Hello everyone, and welcome back from a very smoky summer.

I'd like to introduce myself to those of you that haven't met me yet, my name is Chris Walker.

Back in May, I took over as Financial Secretary and Contracting Out Chair, while Norm Murdoch switched with me and took over my position as Treasurer, and returned to his full time position on the hill.

I would first like to thank Norm for all his years of service and time he has put into his role with our Union. Anyone who knows Norm, knows that he is always the first to put his hand up to volunteer his time for all events that our Union participates in. He also spent a lot of time preparing myself to take over this job, so thank you Norm!

Onto business. As far as the Financial Secretary position goes, so far, it has been interesting to say the least, going from the Fire Hall to a full time day to day desk job. Having said that, I am adjusting well and financially speaking, our Union is in a good position right now.

Going forward, we are taking steps to do some renovations to our hall, if all goes well, we should have a couple of upgrades to our kitchen by the time our Open house rolls around this Christmas.

One of the biggest reasons I wanted to be elected to this position, is to deal with Contracting Out. I believe going forward we need better communication to start to make strides to fix the problems

we have with Contracting Out. The Contracting Out Committee consists of myself, Brian Onyschak, and Jesse Nicoll for the Union, and Dave Profili and Maura Malone for the Company. I feel like this is a strong committee and so far, we are working well together.

I also believe we have the same common goal, which is to keep our members doing as much of the work as possible, while still getting the work done as timely and efficiently as possible. Now we definitely don't see eye to eye on how to do this every time, I do believe that this committee is going to make some positive changes that benefit the Union and the Company.

For this article I want to focus on one issue that is happening in some areas, which is "meaningful discussions." Before any job is to be contracted out as peak work, a Company Rep. is to have a meaningful discussion with the 480 members that would normally perform the work. In an arbitration that was done for some lift crew members a few years ago, arbitrator Brian Foley wrote in his ruling;

"The language in the crew discussions Article uses the terms "discuss" and "discussion", words which have significantly more meaning and substance than words such as "notify", "inform", or "advise". In My view, the Article imposes an obligation on each Operating Manager, or a designate, to meet with crew representatives

about proposed contracting out work, explain the work project involved, explain why the work is proposed to be contracted out and obtain the representatives' views and input in the matter. The word "discuss" entails some meaningful dialogue and exchange of views and that is what should take place in these crew discussions about proposed contracted out work, unless circumstances dictate otherwise."

I urge all of us to remember this when you are approached with a job that is going to be contracted out. It is our right to have a reasonable discussion about the work. And it is the supervisions responsibility to have these discussions with you.

I'll end this by saying that I understand contracting out will never go away, beyond that, I fully understand the need we have for some contacting out. However, we have to find ways to ensure the Company stays profitable for years to come, and one of the ways to do this is to utilize 480 members as efficiently as possible, and cut down contracting out costs. I'm confident that we can do this better going forward, and help ensure that we all still have jobs in the future.

Thanks for your time Brothers and Sisters, and I hope everyone can work safe through the upcoming shutdown.

In solidarity,
Chris Walker



Health & Safety Committee

Steve Como, Safety Chairman

Vice Chair Nominations

I hope everyone had an enjoyable and safe summer. I am pleased to say that the summer student program was one of the safest we've had in recent years, hopefully that trend continues in the future. Thanks to everyone who played a part in keeping these summer students safe.

The Local 480 Safety Committee will be taking nominations for area Vice Chairs and Safety Reps. Safety reps are a

huge part of preventing injuries at Trail Ops. We need as many eyes and ears out in the field as possible identifying and controlling hazards in the workplace.

Once we have a complete list of Safety Reps we will look at providing some basic safety training. If you are interested in getting involved please give Steve a call @ 250 368-9131 or email him at safety-chair@usw480.com. Sign up and make a difference in making your workplace safer.

The next few months are going to be very busy up on the hill as we will have the biggest and longest shutdown we have ever had. I encourage everyone to please take any extra precautions that may be necessary to be safe. If you have any questions or concerns please don't hesitate to give us a call.

In Solidarity,
Steve

Local 480 Scholarship Winners



This years' recipients for the Local 480 scholarship awards for 2018 from J.L. Crowe go to the following students:

Sydney Bruce
Tristan Berno
Josh Smith
Lucy Beck
Colton Miracle

This years' recipients for the Local 480 scholarship awards for 2018 from Stanley Humphries go to the following students:

Brenden Pereverzoff
Kelsey Patterson

On behalf of Local 480, congratulations to these students!! It was gratifying to see the effort put forward. (Unfortunately there were no applicants from Salmo or the Kootenay Alternate Learning Centre.)



Safety Co-ordinators

Kyle Jorgensen & Nylan LaFreniere



Be Safe With the Upcoming Shutdown

We hope that everyone had good summer holidays!

With the 2018 Kivcet shut down in full swing now the hill is going to be a busy place. That being said take time to plan and execute your plans for the day in a safe and timely effort. With the vast number of contractors that will be in and around the Lead South area, it is a great opportunity to be able to stand back and do a Take 5 on your daily tasks. Watch for increased traffic, overhead hazards and anything that looks out of the ordinary to you. There will be numerous Safety Coordinators

union, staff and contractor walking around so don't hesitate to stop and ask if you have any questions. Another big concern will be all the smoke in the air, take time keep hydrated and avoid heat exhaustion.

Recently Teck has rolled out the Near Hit reporting, the pilot program was rolled out back in December in the Leaching area with great success from both union and staff members reporting and rectifying the reports. A near hit is defined as "an unplanned event or condition that under slightly different circumstances could have resulted in harm to people, harm to the

environment, damage to property, or interruption of the process". We hope that we continue to make progress in the near hit program and to make our site as safe as possible.

These past two months we have had numerous first aids, medical aids and lost time incidents, let's take the time to look at and evaluate your job to do it safely and in a timely matter that will not pose harm to yourself or others.

In Solidarity,
Kyle and Nylan

Entertainment Report

On June 28th, Local 480 hosted our 38th Annual Pensioner's picnic. The crew started early in the morning getting everything prepared.

It is a busy day for everyone but this crew runs like a well-oiled machine. They start bright and early getting the fire going for over 350 lbs of roast beef. We also have a group slicing and dicing the vegetables and seasoning up our famous roast potatoes. We also make sure that the suds shack is fully stocked so no one goes thirsty.

We have a prize table with items generously donated

from local merchants, as well as, Union apparel.

Last but not least we have entertainment provided by Walter Crockett and his band, the Rusty Nails. They had everyone tapping their feet to the old time tunes they played.

The turnout continues to grow larger every year. We had retirees from throughout the Kootenay's attend.

They get together to enjoy the day visiting friends, playing bocce, and horseshoes, and rock out to the music.

They end the day being served a delicious roast beef dinner with all the fixings.

I would like to extend a very special thank you to everyone who helped to ensure the picnic was a huge success. From setting up to serving, as well as, tear down your efforts are much appreciated, and did not go unnoticed.

To all the retirees that attended I hope that you had a great day. We look forward to seeing you all again next year.

In Solidarity,
Brian

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