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Greetings:

It is now evident that there will be no summer federal election this year as the Prime Minister and the Leader of the Opposition agreed to form a "working group" to develop proposals for Employment Insurance eligibility reform. What looked like saber rattling on the EI question a few weeks ago was just that; nothing materialized.

There appeared to be a clear indication from the opposition parties that if the Conservative Government did not make certain amendments to EI (see page 5 – "EI is Broken...") that they would not support the Government and we would be going back to the polls sooner than later.

The "working group" consisting of six appointees, three appointed by the Prime Minister and three designated by the Leader of the Opposition, have been given until September 28, 2009 to deliver their recommendations. A full three months from now. According to a motion by the Liberals and supported by the Conservatives Parliament will stand adjourned until September 14, 2009.

There doesn't seem to be a lot of immediate concern from any corner on the Hill for the more than 1 million working women and men that find themselves unemployed in Canada and struggling from one EI cheque to the next or no EI cheque at all because of the constant delays by our elected representatives in improving and revamping the system.

The watered down terms of reference for the working group that although include allowing self-employed Canadians to participate voluntarily in the Employment Insurance system and improving eligibility requirements in order to insure regional fairness still do not contain the tough measures that we as organized labour were hoping for to improve the system now and not have to wait three more months.

Phil Flemming, IVP



**First District Retired International Representative Robert McWillie**

After serving his country overseas during WWII, Bob McWillie started his career as a lineman for the City of Saskatoon and then went on to be an International Rep for the IBEW. After retiring from the IBEW in 1981, Bob went on to work for the Workers Compensation Board.

Bob's hobbies included golfing, wintering in Arizona and researching his family roots where he met a lot of his relatives and wrote a book on the McWillie clan. Retired Rep Robert (Bob) George McWillie passed away on April 25, 2009 and will be very much missed by his family and friends.

**Region 7 Lead Organizers Hired**

Membership Development and the 1<sup>st</sup> District office are pleased to announce the hiring of two new Lead Organizers, effective June 1<sup>st</sup>, 2009. Brothers Brian Ross of Saskatoon, Saskatchewan and Richard Wilsher of Hedley, British Columbia are now part of the Membership Development Professional and Industrial team. This is yet another step in implementing President Hill's Membership Development initiative that was unveiled at the International Convention in Cleveland, Ohio.

Region 7 of the Membership Development Professional and Industrial Division is comprised of three councils. Brian Ross will be responsible for Professional & Industrial organizing in Council 1, which covers all of Saskatchewan and Manitoba. Richard Wilsher will be organizing for Council 3, which includes British Columbia and the Yukon. Brian and Rick will be expanding our presence and joining Darrell Taylor who is currently Lead Organizer in Council 2 (Alberta & NWT).

Brother Ross has been a member of Local Union 2067 for over 30 years and has been involved in negotiations as well as occupying various positions within the Local. Brian's background is with SaskPower, and his varied experience will be an asset to his new position.

Brother Wilsher has been a member of Local Union 213 for 14 years and during that time has worked on various organizing campaigns. The field experience in organizing that he brings to the position is sure to be valuable to the IBEW.

Brothers Ross and Wilsher are eager to work with the Local Unions and the Membership Development team, and are excited about the challenges of growing our great union. We

trust you will give them the support they need to help us reach our goals.

**Cutting Edge Legal Victory Under The Canadian Charter Of Rights And Freedoms** *(The following is the May 1, 2009 Press Release from Local Union 258 – Burnaby, BC)*

*In a 2-1 decision issued April 30th the BC Court of Appeal struck down the mental disability policy provisions of the Workers Compensation Board as unconstitutional. The WCB policy provisions were found to be a breach of Section 15(1) of the Charter of Rights and Freedoms because they treated workers with mental injuries in a discriminatory fashion compared to workers with physical injuries: see Plesner vs. BC Hydro and Power Authority et al.*

<http://www.courts.gov.bc.ca/jdb-txt/CA/09/01/2009BCCA0188.htm>

*In 2003 the Appellant Mr. Plesner suffered Post Traumatic Stress Disorder when a major gas leak occurred at work with his employer BC Hydro. Although the Workers' Compensation Appeal Tribunal accepted the injury was real and that it occurred at work, Mr. Plesner's claim was denied on the grounds that the triggering event was not traumatic enough. To be compensable the traumatic event had to be on the level of a hostage taking or an armed robbery. Through its policy WorkSafe BC limited the types of mental injury claims it would accept. WCB policy was meant to complement amendments made to the Workers Compensation Act in 2002 by the Liberals.*

*In granting the appeal the BC Court of Appeal concluded "workers with purely mental injuries are forced to meet a significantly higher threshold for compensation which is not required of those who suffer work-related injuries that are purely physical...: The Court further noted "There is a dearth of evidence that it is necessary to exclude claims that are otherwise proven to be genuine and work-related simply because the event giving rise to the incident is not "traumatic" as defined by the policy. "This is a great day for workers in BC" says Doug McKay, Business Manager of the International Brotherhood of Electrical Workers, Local 258, the union which sponsored the court action. "Mr. Plesner is our member and we have fought a good fight through 2 decisions at the WCB, one decision at the WCAT, one decision at the BC Supreme Court. Finally the Court of Appeal got it right." McKay also noted that, "We need to aggressively protect those who are injured on the job. The type of injury shouldn't matter. It's time for more understanding of mental health issues, not less."*

*For more information, call Doug McKay at 604-209-4067 or [dmckay@ibew258.bc.ca](mailto:dmckay@ibew258.bc.ca); legal counsel Rebecca Murdock 604-910-4801; or Michelle Laurie [mlaurie@ibew258.bc.ca](mailto:mlaurie@ibew258.bc.ca).*

**Building Trades Slammed by Bill 80, Changes to CILRA** *(Article taken from the Labour Report—Saskatchewan's Voice of Labour—Issue May 2009)*

The Construction Industry Labour Relations Act (1992) (CILRA) sets out a system of collective bargaining in the

construction industry on a province-wide basis between employers' organizations and trade unions.

Unionized contractors elect leaders to bargain province-wide collective agreements with the elected leaders of building trades unions, trade by trade. Six employers' organizations bargain collective agreements with 12 construction trade unions covering 24 of Saskatchewan's apprentice-able trades.

Construction projects have been organized on a trade basis since craft guilds built gothic cathedrals. There are several good reasons why Saskatchewan, and nearly all the industrialized nations, bargain provincial construction agreements this way.

**Industry Stability**

Prior to the CILRA, every contractor had a different agreement with a different expiry date. It was very chaotic and de-stabilizing for the industry. Contractors crave certainty and in fact petitioned for this system originally. The CILRA has served the industry well. There hasn't been a construction strike since 1982.

**Strong Apprenticeship System**

The other important reason for province wide, craft-based collective agreements concerns the apprenticeship system. The apprenticeship system in Saskatchewan is driven by the trade unions and its joint training committees (JTCs), composed of contractor and trade union representatives. The JTCs find the most apprentices, supply the talent on the trade advisory boards, and do much of the most critical training of our new tradespeople.

The CILRA was repealed by Devine in 1983 and reinstated in 1992. During the decade when there was no CILRA or JTCs, the apprenticeship system ground to a halt. As a result, today we have a serious shortage of journeymen.

**What Will Bill 80 Do?**

The repeal of the CILRA in 1983 was a near death experience for many of the trades. The industry went from 70% to 20% unionized in just a few years. Some construction locals lost three quarters of their membership. It was a time of recession and wages fell to half of what they had been.

Bill 80 is taking us back to that time. It allows organizing by craft, by company or by project by any union.

A "union" other than a building trades union will be able to solicit "voluntary recognition" from a project owner or his contract or and sign a project collective agreement governing the jobsite. It could be five years in duration.

So the owner or construction manager of any project could sit down with a "union" or with a representative of an "employees association" and they could voluntarily recognize one another and ink a project agreement covering the entire life of the project.

It could be a craft-based or industrial agreement. It may, or

may not, have provisions to facilitate apprenticeship, or make pension contributions or other benefits. And it could be a done deal before the building trades even know there is a project.

Another important change to note is that maintenance work will no longer be covered by the CILRA. Maintenance provides over half the work of many building trade unions. This is devastating for the building trades.

#### Who Asked For Bill 80 and Why Do We Need It?

On March 6th, just a few hours before it was introduced in the legislature, the building trades got e-mails from labour minister Rob Norris inviting them to a lock-up meeting to view bill 80.

There had been no prior consultation with the building trades or the unionized contractors' association. In answer to a direct question from SFL president Larry Hubich, we were told there had been no consultation with any labour organizations. Only CLAC, the Christian Labour Association of Canada, wanted Bill 80.

#### Do We Need A Change In How Bargaining Works For The Building Trades?

Like the essential services act, Bill 80 is a solution to a non-existent problem. The organized building trades only do about 20 per cent of all construction work. Eighty percent is already non-union or is contested spin off contractor's work. The 20 per cent we do perform tends to be the most complex work. The building trades have the capacity to do large complex jobs and complicated large mill renovations under "shutdown" time constraints. What is to be gained by further marginalizing the building trades? What problem is the Sask. Party government trying to fix?

Bill 80 is designed to put the building trades at the far margins of our industry. And we will be unable to influence wages or conditions in our industry. It will be very destabilizing to labour relations and apprenticeships. There will be wildcat strikes, jobsite confrontations, neglect of the apprenticeship system and way lower wages for all construction workers, union or not yet union.

#### The Fightback

The building trades are developing a campaign to have Bill 80 thrown out. And we call on the rest of organized labour to stand by us and pressure the government not to pass Bill 80. It won't reach second reading until the fall so there's time to make the case to scrap Bill 80, and support the oldest trade unions in the province.

#### IBEW Wins – Local Union 773 – Windsor, ON

IBEW Local Union 773 has reason to be pleased although their success carries a significant price tag -- On August 24, 2004 the Greater Essex County District School Board (GECDSB) initiated action at the Ontario Labour Relations Board (OLRB) against IBEW Local Union 773 and four other Building Trades Local Unions in an attempt to decer-

tify their collective bargaining obligations with the building trades.

The GECDSB claimed that they were a "non-construction employer", and as such, requested the OLRB to substantiate this claim, which would effectively negate their obligations to bargain collective agreements with the building trade unions. IBEW Local Union 773 and the other four building trades unions took the only course of action available to them under the circumstances, which was to employ legal council to defend their bargaining rights. Effectively this process resulted in over 32 days of hearings, spanning just over 4 ½ years to be decided.

On February 26, 2009, Mr. David McKee, Vice Chairman of the OLRB, ruled against the position adopted by the GECDSB that they were a non-construction employer, and dismissed their application effectively ensuring that the bargaining rights of the IBEW and the other four building trade affiliates were secure. The victory ultimately cost Local Union 773 in excess of \$100,000.00 to defend their bargaining rights, but according to Business Manager Sol Furer, "was money well spent". Business Manager Furer expressed his appreciation to the other building trade affiliates for their hard work and dedication in bringing this issue to a successful conclusion, but stressed that the GECDSB trustees should be held accountable come the next elections for their actions which ultimately resulted in the unnecessary waste of hundreds of thousands of dollars of taxpayers resources.

#### 2009 Canadian Legislative Conference, Building and Construction Trades Department - "Energy Jobs: Powering our Industry Tomorrow" *(The following article are excerpts from the 2009 Canadian Legislative Conference Summary Report)*

The Canadian Legislative Conference of the Building & Construction Trades Department (BCTD) was held in Ottawa, ON from May 3<sup>rd</sup> through May 6<sup>th</sup>, 2009 and attracted approximately 420 participants from across Canada. Delegates and guests were from 14 affiliate trades, contractor associations, provincial building trades' councils and direct buyers of construction. Record participation from across these groups indicates that there is a keen interest in unified political action by the construction industry in Canada. There were several VIPs attending from various levels of government both as speakers and also as guests.

#### Political Action Summary

Two Round-tables were hosted by the Building Trades Legislative Conference wherein government officials were working collaboratively with;

1. Human Resources and Skills Development Canada
2. Natural Resources Canada

A reception was hosted on Parliament Hill, May 4th wherein more than 55 MPs attended from every region of Canada. A display of various energy projects across the Canada highlighted the importance of members to MPs and Parliament Hill staffer's home constituencies.

This year, approximately 220 participants met with Members of Parliament from all parties to discuss relevant issues. Relationships that will last throughout the calendar year between Members of Parliament and participants will lay the groundwork for future consultation and issue focus. The legislative briefing kit produced by the Canadian office outlined a number of issues which members took to Parliament Hill to discuss with their Members of Parliament.

In summary, the 2009 Legislative Conference was a resounding success.

### **Bright Futures in Canada Conference is a Success!**

(This conference was held in Toronto, ON from May 19<sup>th</sup> – 21<sup>st</sup>, 2009)

The Electricity Sector Council (ESC) is pleased to announce that its 2009 Bright Futures in Canada Conference was a definite success. With more than 150 delegates from industry, government, unions, and educational institutions, the ESC is proud of the fact that this one-of-a-kind electricity and renewable energy industry event has brought everyone together to devise new ways to plan our workforce and recruit, train and retrain talented employees.

This year's conference, "**Building Talent for a Powerful Tomorrow**" focused on key human resource strategies to develop a skilled, safe and sustainable electricity and renewable energy workforce now and in the future and also covered topics on ESC research and program initiatives. Never has such a discussion been more important.

The conference consisted of two sets of concurrent sessions; topics included Workforce Planning, Best Practices in Career Awareness, Growing the Electrical Trades and Succession Planning. We also heard from The Honourable George Smitherman, Deputy Premier and Minister of Energy and Infrastructure for the province of Ontario. He spoke on the Green Energy Act and what it means for the future of Ontario's sustainability. Our Luncheon keynote speaker, Phil Fontaine, National Chief of the Assembly of First Nations, gave an inspiring speech on how companies and organizations can benefit from the expertise, dedication and resources of First Nations. A CEO Panel was held afterwards where industry leaders presented on future labour-force needs for business success.

### **Powerline Technician Symposium**

In 2008, the Electricity Sector Council (ESC) completed a Situational Analysis of the Powerline Technician Trade in Canada to give industry partners an opportunity to provide input into the development of the Powerline trade. The ESC's Powerline Technician Project is now in its final stages and recently delivered a report which features key research findings on emerging practices related to recruitment, retention and training of the PLT profession. The 2008 Situational Analysis of the Powerline

Trade in Canada Report will be available on the ESC website shortly.

At the PLT Symposium participants had an opportunity to listen to the in-depth panel discussion related to the research and recommendations contained in the report. The discussion was led by project Chair Suzanne Desrosiers, Chief Human Resource Office at NB Power. PLT committee members Murray McGonigle of ENMAX, Dean Gatien of PowerTel Utilities Contractors Limited and Rick Wacheski of IBEW Local Union 636 each shared with the group their thoughts on the project.

The participants also had a chance to hear informative presentations from industry professionals highlighting regional practices, including Cambrian College's PowerTech Model, NB Power's innovative Mobile learning program, Bright Futures BC and Hydro Ottawa's experience in restraint and Apprenticeship Program.

Thank you to the sponsors who made the PLT Symposium possible.

### **Hydro Blacks Out Bid To Go Green - Woman Needs Licensed Electrician To Install Solar Panels: Safety Authority**

*(The following excerpts were taken from an article by Don Butler, Ottawa Citizen - March 31, 2009)*

Kerri Keith just wanted to go green. Instead, she's found herself powerless — figuratively and literally. Hydro Ottawa cut off power to Keith's home after receiving a disconnection order from Ontario's **Electrical Safety Authority (ESA)**.

Keith, who works at Environment Canada, installed a 12-panel solar system on her roof more than two years ago. It's the sort of thing the Ontario government hopes to encourage people to do — to take strain off the provincial electricity grid and help support green-industry jobs. A Green Energy Act is on the way, and the government hopes to encourage small producers to sell energy into the system at subsidized prices.

Keith ordered the panels and electrical components from different suppliers. A handyman who's "very good with electrical work" did the installation. But the ESA has never approved the work, despite numerous inspections. Finally, the agency sent Keith a "notice of deficiencies" that said the wiring between her solar panels was unsafe because it wasn't protected inside a pipe or similar conduit.

Then, a day earlier than specified in the ESA's order, Hydro Ottawa disconnected her power until the deficiencies were corrected. She only found out when she and her daughter returned home to a powerless house. "There was absolutely no notice," Keith said Monday.

Keith bought the wiring at Ottawa Solar Power, a supplier that specializes in solar installations. It's high-grade UV-protected and insulated wiring that's specially designed for

outdoor solar panel connections.

"It doesn't need to be in conduits," she said. "No one else is putting them in conduits." But that's not really true, said Ted Olechna, code engineer at the safety authority. Some type of mechanical protection is required for wiring unless it's protected behind something, such as solar panels. "Cables do, in sunlight, degrade," he said. "In four years they become brittle and fall apart." In Ottawa, cable also has to be tested for its ability to withstand the cold.

Even if the installation offers protection, wiring needs to meet stringent standards and tests before it can be used without a conduit, Olechna said. However, if manufacturers provide acceptable test evidence, "we have permitted these installations to be accepted."

Some industry sources say the ESA has recently begun demanding conduits for solar panel wiring that formerly didn't require them. But Olechna said ESA's rules for solar installations haven't changed for several years. Elizabeth McDonald, executive director of the Canadian Solar Industries Association, had little sympathy for Keith's plight. She said Hydro Ottawa "acted absolutely appropriately" by cutting off her power.

ESA regulations require that solar panels be installed by licensed electricians, she noted. "This is not something you just take off the shelf and find a buddy to help you."

"Between the handyman and the lady, they should be very grateful that they're still alive. Playing with electricity on your roof is really not something we recommend at all." Keith's experience "is not a question of renewables gone wrong," McDonald said. It's more a cautionary tale for consumers thinking of installing solar systems, she said. "You really do need to have these things professionally done."

Meanwhile, Keith is appealing the ESA order. Putting the wires in conduits "doesn't make sense," she says, because they would lift the panels higher off the roof, creating more opportunities for debris to get trapped underneath.

She blames ESA for not properly educating its inspectors about photovoltaic technology. "This is a viable technology, and there's going to be more people embracing it now that everyone's becoming more green," she said. "But if they're not going to keep up, it's going to discourage a lot of people from going forward."

Hydro Ottawa has told her it will hook her up again "on a moment's notice" if the ESA gives its OK, but says someone needs to be there to let its workers in.

Keith has no idea how long the appeal process will take.

**EI is Broken – It's Time To Fix It!** *(The following article was a News Release from the CLC on April 29, 2009)*

OTTAWA – "How much more broken does Canada's Employment Insurance program have to be before the federal government decides to fix it?" Canadian Labour Congress President Ken Georgetti said today, in reaction to the latest Statistics Canada figures on employment insurance benefits.

Today's figures continue to show shockingly low numbers of unemployed workers who are receiving benefits at a time when the jobless rate is skyrocketing. Over 1.4 million people are out of work, yet only 43.09% of unemployed Canadians are receiving EI regular benefits. That is lower than December 2008 when 44.35% of unemployed workers were receiving EI benefits. In the recession in the early 1990s, on average, 80% of unemployed Canadians received regular benefits.

Even the government's minister responsible for EI knows the system does not work. "Last week, Diane Finley responded to questions in the House about EI eligibility by saying while it is true not everyone is eligible for benefits, everyone has agreed that this is not the time to overhaul EI," says Georgetti.

"My first question to Minister is who is she talking to that doesn't think EI needs an overhaul? My second question is how bad does it have to get before she decides it is time to fix the problem?"

Georgetti added that the country's jobs crisis is deeper than the government's own statistics suggest. "Officially we have 1.4 million unemployed people who, by definition are out of a job, yet ready, willing and able to work. Add in people who have given up and stopped looking for work, as well as the people who have settled for part-time because full-time jobs can't be found, and Canada's 'real' unemployment rate looks more like 12%."

"We have a fundamental problem with one of Canada's leading economic stimulus programs in the midst of a recession and month after month of record job losses. How can the Minister not see a problem that needs to be fixed?" asks Georgetti.

The CLC has consistently called on the Minister to:

- change accessibility rules to provide regular EI benefits on the basis of 360 hours of work.
- raise benefit levels to 60% of earnings calculated on a worker's best 12 weeks.
- increase the period for which benefits can be collected to a maximum of 50 weeks.

#### **X-Rail - Organizing Success in Quebec**

X-Rail Signalization Inc. is based in Chateauguay, Quebec and provides technical support for North American Railway companies. Employees include signalmen, apprentice sig-

nalmen and railway maintenance workers who construct, maintain, upgrade and verify railway signal systems. The bargaining unit of 25 workers was part of an "in house" collective agreement under the umbrella of the Confederation Des Syndicats Nationaux [CSN] that expired on December 31<sup>st</sup>, 2008.

International Representative Luc Couture, Regional Organizing Coordinator Bill Martindale, and System Council 11 General Chairman Don McLaughlin travelled throughout New Brunswick, Nova Scotia and Quebec to meet and encourage workers to sign IBEW membership application cards. An application was filed with the Canada Industrial Relations Board on March 30<sup>th</sup>, 2009 and the IBEW was certified as the bargaining agent on May 19<sup>th</sup>, 2009. Luc Couture has started the process to negotiate a collective agreement for our newest group of IBEW brothers and sisters.

**Union Certified At Wal-Mart Store In Quebec After Three-Year Battle** *(Excerpts taken from Lancaster's Labour Law E-Bulletin - Issue No. 237, June 3, 2009)*

After more than three years of delays, the Quebec Labour Relations Board has certified a union to represent some 150 sales employees at a Wal-Mart store in Gatineau, across the river from Ottawa. However, Wal-Mart has said that it will apply to the Quebec Superior Court for judicial review of the Board's decision, seeking an order for a secret ballot by employees.

In a December 17 ruling, Quebec Labour Relations Board Member Huguette Vaillancourt approved the composition of the bargaining unit proposed by the United Food and Commercial Workers union. Wal-Mart had opposed the exclusion from the bargaining unit of the store's office workers, special service managers, and the head customer service manager.

Rejecting Wal-Mart's objection that the excluded employees were indistinguishable from the rest, Board Member Vaillancourt emphasized that "[t]he unit does not have to be the most appropriate, but merely appropriate. If the employer claims that the desired unit is not appropriate, it must prove why it is not."

Respecting office workers, Vaillancourt found that "there is no similarity between their duties and those of the other employees who are largely sales clerks and cashiers. There is no interchangeability between their functions and those of the other employees." As for the three special service managers, Vaillancourt noted that in previous certification cases, Wal-Mart had admitted that they were management. She made the same determination regarding the head customer service manager.

The UFCW was certified by the Board in 2005 to represent workers at a tire-and-lube shop adjacent to the Wal-Mart store in Gatineau, but there has not yet been any bargaining on a first collective agreement because of

various motions submitted to the Board by Wal-Mart in an attempt to overturn the ruling. In a separate December 17 decision, Vaillancourt dismissed those motions and confirmed the certification of the UFCW.

Following the Board's December 17 decision, the union said that it hopes negotiations toward first contracts at both the main store and the tire-and-lube shop can begin soon. Wayne Hanley, President of UFCW Canada, said that "hopefully, Wal-Mart won't squander another chance to prove its critics wrong, and it will take this opportunity to show the world that it believes in human rights by sitting down with these workers to negotiate a contract in good faith."

However, Wal-Mart spokesman Andrew Pelletier indicated that there would be no negotiations until the company's application to the Quebec Superior Court is decided. Pelletier said that there should be a secret ballot on unionization because only 63 of the 194 employees who were at the store when a majority signed union cards in 2005 are still there. The union responded that the three-year delay at the retailer, which is known for high staff turnover, was caused by motions that Wal-Mart itself brought before the Board.

Last October, Wal-Mart closed its tire-and-lube shop adjacent to another of its stores in Gatineau, after an arbitrator's imposition of a first collective agreement with substantial wage increases. Wal-Mart claimed that the wage increases made the store unprofitable to operate. In April 2005, Wal-Mart closed its store in Jonquière, north of Quebec City, when the imposition of a first contract was imminent. This case is currently before the Supreme Court of Canada.

Meanwhile, the UFCW's five-year battle for certification at a Wal-Mart store in Weyburn, Saskatchewan, is continuing. In December 2008, the Saskatchewan Labour Relations Board certified a bargaining unit at the store, making it the first unionized Wal-Mart in Western Canada. The certification application was filed by the union in April 2004, at a time when the provincial *Trade Union Act* provided for automatic certification if at least 50 percent of the workers in the proposed bargaining unit had signed union cards.

However, last year the province's newly-elected Saskatchewan Party government amended the Act to end automatic certification and require a unionization vote when a sufficient number of workers have signed union cards during an organizing drive. The new government also fired the chair of the Saskatchewan Labour Relations Board, James Seibel, who had been dealing with the certification application. Nevertheless, it was Seibel who granted certification on behalf of the Board in December, in the course of finishing up work on cases that he had heard during his term.

Last month, Wal-Mart argued in the Saskatchewan Court of Queen's Bench that the certificate should be quashed because Seibel no longer had authority to make the order and because the Board should have complied with the Act as amended and sent the matter back for a vote by the Wal-Mart employees. The judge's decision is expected shortly.

### **NDP Returning \$45,000 In Union Contributions**

*(The following article was taken from The Canadian Press – June 1, 2009)*

The Nova Scotia NDP said it was returning \$45,000 in union campaign contributions because of concerns they may have breached the province's Elections Act.

Campaign director Matt Hebb said a total of nine \$5,000 contributions from unions that are members of the Mainland Nova Scotia Building and Construction Trades Council were being returned to the council.

Hebb said there are questions about whether individual unions who are members of the council are allowed to be reimbursed from a pool of funds kept by the council for donations. "My understanding is that there was some discussion of whether or not the individual contributions made by those member unions would be reimbursed by the council," said Hebb.

"For us that simply raises the question about whether or not those were made properly under the legislation and we just don't want to have any question whatsoever, so we simply decided to return the money."

Hebb was asked about the timing of the revelation, given that the NDP has been under attack in recent days from the Liberals about its ties to labour unions. "It's unrelated to anything else in the campaign. As soon as a party learns that there is any question about a contribution that it's received the only responsible course of action is to act immediately to return the money," he said.

Trades Council President Cordell Cole said he was aware that the money was being returned, but said the contributions were made in good faith. He said the council had told member unions that it would reimburse their individual \$5,000 donations from a pool of funds they had contributed to.

### **Money held in trust**

Cole said that fund is used to donate to political campaigns as well as charities. "The pot of money that's here belongs to all the unions, held in trust by the council, so it's their money," he explained.

He said he told the representatives of the various unions at a meeting in late April that if they contributed \$5,000, they would receive an equivalent amount from the centralized fund. "I was advised that everything was all done on the up and up when these contributions were made," said Cole. "Now somehow, somehow there's a concern raised, so we'll accept the money back from the NDP."

He said each union's contribution to the fund is based on the number of hours its tradespeople have worked. Cole said the council would notify the province's chief electoral officer of the issue to get the matter clarified.

The union leader also said that in previous campaigns the council had donated to all political parties. However, in this campaign Cole said the only donation is to the New Democrats because "the members of the council felt the NDP was the best party to represent working men and women of Nova Scotia."

### **Abitibi Bowater Filing For Creditor Protection In U.S. And Canada** *(This article was taken from AbitibiBowater.com website)*

The Company has concluded that there are no viable alternatives to its previously announced proposed refinancing of its Bowater and Abitibi-Consolidated subsidiaries, and as a result has determined that the best course of action is to pursue its overall restructuring under Court supervision in the United States and Canada. Concurrently with its CCAA filing, the Abitibi-Consolidated subsidiary will request the termination of its previously announced recapitalization transaction under the Canada Business Corporations Act.

AbitibiBowater plans to use this process to deal decisively with its debt burden for the benefit of all stakeholders. The Company's normal day-to-day operations will continue during the restructuring process.

More information about AbitibiBowater's restructuring process can be found at [www.abitibibowater.com](http://www.abitibibowater.com) or by calling toll-free 888-266-9280 and for the latest news releases please visit <http://www.abitibibowater.com/media/latest-news.aspx>.

"AbitibiBowater's financial position has left many Newfoundlanders and Labradorians feeling particularly vulnerable," said Minister Skinner who is the Chair of the Ministerial Task Force established to respond to the mill's closure. "It also created a unique situation and one that required a unique solution. The Provincial Government's support to the workers reflects our commitment to the Central Region and is a key step in its revitalization. Our task force has done a tremendous amount of work to-date in collaboration with the impacted communities. We will continue in this spirit of cooperation, as we work to see the revitalization of the Central Region."

### **In Newfoundland - Protecting Workers: Premier Announces Financial Support to Former AbitibiBowater Workers**

*(The following excerpts have been taken from the latest press release (May 19, 2009) from the Executive Council Innovation, Trade and Rural Development provincial government regarding monies owed to workers by Abitibi as a result of the mill closure and the filing for bankruptcy. The premier is going to give the workers their monies that is owed and make it part of any negotiations if it ever happens with respect to the expropriation of the water and timber rights. The IBEW is mentioned in this press release. Our lobbying to the Ministers has paid off and it is good news for Local Union 512 as we have outstanding grievances on the severance, pension and vacation pay issues. That part of our fight should now be settled.)*

The Honourable Danny Williams, Premier of Newfoundland and Labrador, today announced the Provincial Government will provide financial benefits for workers displaced by the closure of the AbitibiBowater Mill in Central Newfoundland. Benefits to be provided will include severance for mill

workers (unionized and non-unionized), silviculturists and loggers, and certain entitlements under the Work Force Reduction Program and Early Retirement Allowance program.

"As a government, we have been determined to ensure that workers impacted by the closure of this mill are protected to the greatest extent possible," said Premier Williams. "Many of these individuals have given a lifetime of service to AbitibiBowater and deserve to be treated with dignity and respect in the face of this closure. Unfortunately, that has not been the case to-date by the company. Working in the best interests of the people of the province, in December of last year our government repatriated certain assets related to this mill as a result of the company having broken their contract to operate in this province. It is now only appropriate and fair that the workers are not left behind and disadvantaged by Abitibi's decision to close this operation."

"Given the unique circumstances of government having expropriated related assets, it is now proper and right that workers receive benefits from this repatriation particularly in the face of the company's inaction," added Premier Williams. "So beginning today, we will enter into discussions with union representatives to facilitate the allocation of severances and other financial allowances to the former mill workers and we will determine an appropriate and fair severance for loggers and silviculturists. This is the right thing to do, and our government is proud to support these workers who have given their lives to supporting an important industry in this province."

The Provincial Government will work with the Communications, Energy and Paperworkers' (CEP) union and the International Brotherhood of Electrical Workers (IBEW).

### 21<sup>st</sup> Annual IBEW 1<sup>st</sup> District/MS Charity Golf Tournament

The 21<sup>st</sup> Annual IBEW/MS Charity Golf Tournament was held once again at the Kleinburg Golf Club on Thursday May 21<sup>st</sup>, 2009. Approximately 140 golfers participated in this event and we couldn't have asked for nicer weather - everyone had a great time and approximately \$12,000.00 was raised for this worthy cause.

How this charity golf tournament came about started when Jim Wolfgang, an International Representative for the IBEW, had to take early retirement in 1984 due to being diagnosed with *Multiple Sclerosis* (MS). Since then we, in the IBEW 1<sup>st</sup> District, have adopted MS as our "official charity" that we donate our efforts, time, and money towards; as do IBEW Local Unions across this country on top of many charities they donate to in their immediate communities.

Over the past 21 years this particular tournament has donated over \$200K to the MS Society .

### 2009 Projected Meetings

- 07/13 – 14/09 Railroad Conference  
Chicago, IL
- 08/1 – 7/09 NJATC–Nat'l Training Institute (NTI)  
University of Michigan
- 09/1 – 3/09 All Canada Progress Meeting  
Charlottetown, PEI
- 09/9 – 11/09 Membership Development Conference  
Bally's Las Vegas  
Las Vegas, Nevada
- 09/28 – 10/1/09 Inter-Union Gas Industry Workers  
Conference  
Las Vegas, Nevada
- 10/6 – 10/09 Building & Construction Trades Dept.  
Organizing Seminar  
Edmonton, AB
- 10/6 – 10/09 Congress of Union Retirees of  
Canada (CURC)  
Travelodge Hotel  
Ottawa, ON
- 10/22 – 24/09 Gov't Employees Dept. Conference  
Washington, DC

### **NEWS FLASH!!!!!!**

Starting with the next issue (July/August), the *Coast to Coast* will no longer be distributed through the mail. This publication will be sent electronically and you will have the option of printing from email or the 1st District's website [www.ibew1st.org](http://www.ibew1st.org).

*Thank you for continued interest!!!*

### **REMINDER**

Purchase your tickets for the Harley Draw from your International Representative or call the 1st District Office.

Tickets are very close to being sold. With a few more sales, the draw can be made soon so that the winner can enjoy riding in July and August.

