

PEI FEDERATION OF LABOUR NEWSLETTER JANUARY 2004 ISSUE

CURRENT NEWS

-Carl Pursey CUPW is the new President of the PEI Federation of Labour and Blair Penny (IBEW) is the new Vice President.

-On Wednesday, January 14, 2004, it was announced that Community and Cultural Affairs minister, Elmer MacFadyen has expanded the size of the Workman's Compensation Board from 5 to 7 members adding three new members. The employee representatives are Joyce Mc Cardle, Sandy MacKay (UPSE whose name was put forward by the PEIFL), and Charlene McInnis (I.W.O.C., injured workers). Employer representatives are Blake Craig, Donna Butler, and Dan Hughes with Jim Lee as chairman.

-On Saturday, January 10, 2004, it was announced that the unemployment rate on PEI for December was 10.1% down 1% from November's 11.1%. You currently need 525 hours to qualify for EI on PEI.

-On Friday, January 2, 2004, it was announced that, as of January 1, 2004, the minimum wage on PEI has increased by \$.25/hr to \$6.50/hr. Other changes to the Employment Standards Act include making Remembrance Day a statutory holiday, 3 days unpaid leave for sickness or other family emergencies, and 6 weeks of notice before termination for employees with 10 years or more service and 8 weeks of notice before termination for employees with 15 years or more of service.

-On Friday, December 26, 2003, it was announced by the provincial Community and Cultural Affairs minister, Elmer MacFadyen, that a newly approved amendment to the provincial Employment Standards Act now allows employees on PEI up to 8 weeks unpaid compassionate leave to care for or support terminally ill members of their immediate family (spouse, common law spouse, child, parent, and brother or sister). To be eligible, the employee must supply before or after taking the leave, a medical certificate from a qualified medical practitioner stating that the family member has a serious medical condition with a significant risk of death within 26 weeks. This legislation is in response to recent amendments to the federal EI Act that allows up to six weeks of benefits for employees on compassionate leave.

Page 2

- On Monday, December 22, 2003, it was announced that the 900 members of PSAC who work at the Summerside tax centre and the tax services office in Charlottetown have voted close to 85% in favour of striking mirroring results in other strike votes across the country involving about 23,000 PSAC members employed at the agency. Negotiations will restart the week of January 12. Wages, job security, and better benefits for term employees are the key negotiating issues.
- On Friday, December 19, 2003, it was announced that J.D. Irving Ltd. has asked the New Brunswick Labour and Employment Board to withdraw its decertification of the unions at the Saint John, N.B., shipyard. Irving says the decision was made because of anti-union allegations against the company, and the inability to resolve the distribution of a \$10-million severance package to shipyard workers. The labour board has scheduled a meeting for Jan. 26 to deal with the latest development.
- On Thursday, December 11, 2003, it was announced that after a recent Supreme Court of Canada decision the Provincial Government will review its WCB legislation to determine if chronic pain applications should be considered. Nova Scotia's WCB is now accepting applications from injured workers with chronic pain.
- On Thursday, December 4, 2003, it was announced that the provincial government plans to keep unions out of the new PEI Science and Technology Corporation. In the new piece of legislation which will create the new Crown Corporation, there is a section that says that the Civil Service Act does not apply to any person employed by the corporation. The opposition tried to get this section removed but was defeated by government MLAs. Development Minister Mike Currie stated that because the science and technology industries move quickly and a lot of people are going to be hired for short term and contract positions, he doesn't want to be tied up going through processes set by the Civil Service Act.
- On Saturday, November 29, 2003, it was announced that EI premiums will drop 12 cents to \$1.98 for every \$100 of insurable earnings in 2004 which works out to a savings of \$47 for each employee and \$66 in premiums for every employee for employers. Maximum insurable earnings will remain at \$39,000.
- On Friday, November 28, 2003, Gary Robichaud, the Island's NDP leader, announced that he has been diagnosed with lung cancer. Until he is able to return, he will take a leave of absence from the NDP.

Page 3

- On Monday, November 24, 2003, it was announced that Transport Canada has reached an agreement with Northumberland Ferries ltd. to extend the company's subsidy agreement until March 2005 under the present terms and conditions.
- On Thursday, November 20, 2003, it was announced that the federal government is increasing the Small Weeks threshold to \$225 from \$150.
- On Saturday, November 15, 2003, it was announced that UPSE, at their recent convention passed resolutions that included: calling on the province to introduce legislation providing all workers with the right to strike, calling on the province to take control over the distribution of electricity in the province, the introduction of a form of public pharmacare, efforts to ensure all islanders have access to post secondary education, to raise the minimum wage to atleast the poverty line, the expansion of the current provincial drug assistance program, and calling on the province to combine casual short-term jobs into part-time classified positions.
- On Saturday, November 8, 2003, it was announced that the scope of PEI's Freedom of Information and Protection of Privacy Act has been expanded to include the health regions and the Provincial Health Services Authority, with their accompanying bodies and the school boards. This legislation will provide increased guidance on how to collect, use, and disclose personal information.
- On Wednesday, October 22, 2003, it was announced that CUPE local 1174 who work within Summerside police services have agreed on a contract with the city that will see a wage increase of 16.92% over 5 years. The contract is retroactive to April 1,2001.
- On Thursday, October 9, 2003, it was announced that Irving Shipbuilding has won decertification of the five unions at its idle shipyard in Saint John, N.B. While New Brunswick's Labour and Employment Board ruled in favour of the company, it found the company guilty of unfair labour practices in the way it dealt with employees on severance because the company had sent letters to individual employees saying there would be no severance if decertification was blocked. Because of this the board ordered the company Thursday to begin severance negotiations with the five unions and suspended the decertification order until those negotiations are underway. The company said it needed to be clear of unions or anything else

Page 4

that could deter attracting new business to the site of the former shipyard. There are about 700 members in the five unions.

- On Saturday, October 4, 2003, it was announced that in a 9-0 decision the Supreme Court of Canada has struck down Nova Scotia legislation that barred compensation payments to workers suffering from chronic pain syndrome. All chronic pain cases must now be assessed on a case to case basis and the court has given the Nova Scotia government six months to revamp its wcb legislation to provide for such a review. The court also ruled that provincial WCB tribunals have the legal power to interpret the Charter of Rights.
- On Thursday, September 25, 2003, IBEW 1432 Unit 2's contract was signed.
- On Tuesday, September 23, 2003, it was announced that the Supreme Court of Canada has ruled that union-employer contracts automatically include rights and obligations set out in human rights and labour relations legislation.
- On Monday, September 22, 2003, the Provincial Apprenticeship Board sent out a questionnaire to all Island electrical contractors asking contractors if they think that apprentice in-school training should be extended to 8 weeks from the current 6 weeks. The questionnaire was due back on October 1, 2003.
- On Thursday, September 18, 2003, the PEIFL sponsored a leaders debate that attracted all three political leaders and about 250 spectators to the Basilica Rec Centre.

LETTER SENT FROM THE FED ON APPOINTMENTS TO THE OHS ADVISORY COUNCIL

Ronald H. Macmillan
Deputy Minister of Community and Cultural Affairs
PO Box 2000
Charlottetown,

Prince Edward Island
Canada C1A7N8

Dear Mr Macmillan

It is very acceptable to us to appoint Tammy Chaisson for another term on the Occupational

Health and Safety Advisory Council as an employee representative.

At this time with positions being renewed, the federation would like to reexpress its concern over the other two so-called employee representatives Mr. Sampson and Mr McQuaid. We feel that due to the supervisory nature of their jobs, they are more representative of their employers and have no

accountability to the employees of which they are meant to represent. As such we are more than willing to resubmit more names from our affiliates to fill those employee positions with people who actually represent employee concerns and are accountable to the employees they represent.

Also the federation would like to be put on the mailing list for minutes from the Occupational Health and Safety Advisory Council meetings.

Sincerely Yours

Blair Penny

1st Vice President of the PEI Federation of Labour

PEIFL RECOMMENDATIONS ON HOW TO CREATE A BETTER EI SYSTEM

-Due to the fact that between 1993 - 2001 EI has become harder to get on PEI resulting in 48% fewer EI recipients based on monthly averages and an annual loss of about \$88 million dollars annually to the PEI economy while the cumulated EI surplus has reached \$52.1 billion, the PEIFL has been meeting with local MP's to explain the CLC's position on how to make EI the system it should be for unemployed Canadians. So far, representatives of the fed have met with 2 out of 4 of the Island MP's.

- The recommendations brought to the MP's are:

-1. **Qualifying For EI Must Be Flexible-** A basic 360 hours should be enough to qualify not the current 420 to 910 hours, which changes depending on local unemployment rates and by type of benefit. For those with a lengthy attachment to the labour force years of work should allow a worker to qualify for EI.

-2. **Benefits Must Be Improved-** Weekly benefits should be no less than two-thirds of the best 12 weeks of earnings over the past year not the existing value of up to 55% of your average earnings for the past 26 weeks. The claw back provision should be dropped.

-3. **The Duration Of Benefits Must Be Extended-** The length of regular benefits should be equal to 1 week for every 30 hours of work for up to a year and the divisor rule eliminated. In areas

Page 6

of high unemployment benefits should be extended 2 weeks for every 1% the local unemployment exceeds 4% and, by an additional 5 weeks of benefits where the unemployment rate exceeds 10%. For Workers over 45 years of age benefits should be guaranteed for up to a year and a half.

-The existing benefits period is inadequate and too complicated. And the divisor rule unfairly requires all claimants to work two weeks beyond their minimum entrance requirement to be entitled to full benefits. This adversely affects 6% of all claimants in Atlantic Canada, versus 3% nationally.

-4. **Training Insurance must be broadened.**- It's time to cover all hours of work lost while training, with regular EI benefits. Given the importance of education, training, and lifelong learning we cannot continue to limit training benefits to apprentices only.

-Yesterday's assumptions about training, hours of work and schedules don't fit anymore. **We Must Make EI Work For Everyone!**

The New Compassionate Leave through Employment Insurance (EI)

-Beginning January 4, 2004, there is a new type of special leave through Employment Insurance (EI) administered by Human Resources Development Canada (HRDC), called Compassionate Leave. Workers will be able to take a six-week Compassionate Leave in order to look after a member of their family who is very ill. To be eligible you will need:

1. 600 hours of insurable hours,
2. a medical certificate that the ill family member has a "significant risk of death within 6 months"
3. that she or he needs one or more family members to provide emotional support, arrange health care, or directly provide health care.

-There is a two-week waiting period where you can be off work, but you will not receive any EI funds. Two or more family members who meet the requirements can share the Compassionate Leave. However, the total leave remains at 6 weeks (plus 2 unpaid weeks). This benefit includes ill family members who live outside of Canada. Workers will be able to receive a top-up from the employer for this leave, similar to other special leaves (ie. Maternity leave).

-For more information, go to
www.hrdc-drhc.gc.ca/ae-ei/menu/faq/compassionate_care.shtml

TRAINING OPPORTUNITIES

- There will be a Steward level 3 course to be held on March 23-24 at the Howard Johnson in Charlottetown.
- The CLC will be holding a weeklong Labour College from April 25-30 at the Memramcook Institute. Topics will include: Labour Law, Facing Management (French), Advanced Grievance Handling, Clear Language and Design for Union Communications.