



Federal Government Dockyard Trades & Labour Council (West)



BULLETIN

February 27, 2018

To All Members

FGDTLC (W) Executive Elections

Elections were held last night for the FGDTLC (W) Executive Officers, with Brother Richard MacIntosh - President of the Dockyard Liaison Committee and the International Representative for the Boilermakers Union - attending to run the elections for Council.

The results (with the member's Affiliate Union in brackets) are as follows:

President – Des Rogers (Shipwrights Local # 9)
1st Vice President – Kevin Walsh (Sheetmetal Local # 276)
2nd Vice President – Shane Watt (Pipefitters Local # 324)
Treasurer – Keith Campbell (Painters Local # 138)
Recording Secretary – Craig Smith (Machinists Local # 3)

We welcome the new members to the executive, and look forward to working together for the betterment of all members.

Phoenix Pay System

Phoenix issues continue to pile up with no end in sight. T4's are now available online for our group, we stress the importance of checking your T4 to ensure it is accurate. If it is not, there are steps to follow outlined on the Phoenix webpage on the Treasury Board site.

The Public Service Alliance of Canada will be holding cross country Phoenix Day of Action rallies on Wednesday, February 28 to mark the second anniversary of the official rollout of this federal debacle. The Victoria event will take place downtown at 1230 Government Street between 12-1 pm.

Local PSAC and UNDE members were handing out information flyers for the rally at the front gate of Dockyard and Naden Tuesday Feb. 27 from 6.30-8 am.

For all Phoenix related pay issues, we stress that members need to follow the official process for resolving a pay issues, and inform Council when assistance is needed. We hear frequently of members having unresolved issues, and we cannot help unless we are aware of the problem.

CTO Cash Out

As has occurred over the past few years, Treasury Board has agreed to suspend the automatic cash out of CTO for the next two years. So, for 2018 and 2019 members can request a cash out at the applicable time but it should not be automatic.

Apprentice Rates of Pay Grievance

The FPSLREB hearing into the Apprentice Rates of Pay grievance was held the week of January 23-25 here in Victoria at the Delta Hotel. It was a very long and full three days with testimony given by witnesses for both sides. Our past President Dan Quigley testified on our behalf, as did past 1st Vice President Stan Dzbik. I was on the stand myself for approximately 3.5 hours. The employer's argument certainly centered on the fact that there was not a formula written in the collective agreement stipulating how the starting rates are arrived at, despite the fact that in agreements from the 1970's it was very clearly stated that the starting rate was derived from a percentage of the journeyman rate of pay.

The statement below is from our legal Counsel Ms. Robin Gage, our representative on this matter:

From January 23-25 the Council took part in a hearing before the Federal Public Sector Labour Relations and Employment Board (FPSLREB) seeking to correct an error in the Apprentice Rates set out in the Agreement expiring January 30, 2015. In the 40+ year history of the Council bargaining with Treasury Board, apprentice rates of pay had rarely been separately bargained, but rather had always been tied to the prevailing journeyman rate. However, in the Agreement in question, an error was made such that the increase/reclassification of the journeyman rate was not properly reflected in the apprentice rates. When the error was discovered, the Treasury Board refused to make the correction, relying wholly on the written document itself. At the hearing, past and current Council executive members gave evidence as to the history of bargaining and apprentice rates. The Treasury Board witnesses, including the chief negotiator and an on-site manager, each testified to not understanding that the apprentice rates were necessarily tied to the journeyman rate.

The case law related to correcting errors in a collective agreement imposes a high hurdle on those seeking such corrections, and accordingly, the Council understood that it was facing an uphill battle. However, Council felt that it was important to take on this fight for a number of reasons. Indeed, the Council has used the fact that this matter was outstanding to negotiate explicit provisions in the most recent Agreement to ensure that apprentice rates remain tied to the corresponding journeyman rate. Accordingly, regardless of the outcome of this hearing, an important victory has been achieved on this subject.

We now await a decision from the PSLREB, and will provide an update at that time.

Hiring

The FMF has committed to once again increase the number of apprentices over the next few years, and to change the manner in which they are hired. Management has now

started with hiring of apprentices directly into indeterminate positions. The apprentices are still on probation for the length of their apprenticeship however this will hopefully calm fears of layoff at end of term. This new hiring practice will also occur for tradespeople as well. If current employees are slated to roll over at the 3 year mark within the coming year, then no action will be taken, they will follow the course of rollover. If they are slated to roll over after 1 year then paperwork will be started and submission made to roll over. The CO wants all employees to be indeterminate within the year.

RAMP (Rest and Maintenance Period)

By all accounts the recent RAMP went well outside of a few glitches. It is a big commitment to ask of the membership to spend that amount of time away from families and home, and we thank everyone who took part for their contribution and dedication to the Pacific Fleet.

TAVs

For your information we have been informed that what we used to call MRPs- Mobile Repair Parties- will now be known as TAVs- Technical Assistance Visits. Council recently sat in meetings with Senior Management discussing TAVs and trying to get a solidified process in place for these events. They are trying to establish a document with roles, responsibilities and processes to enable the FMF to react faster and more consistently to these seemingly increasing events.

SRW Collective Agreement Pocket Books

I have been informed by the Production Manager that the blue books have been distributed to the GMs for distribution to the shops. Please let us know if they have not yet been distributed to your areas.

In Solidarity,

**Des Rogers
President
FGDTLC (W)**