

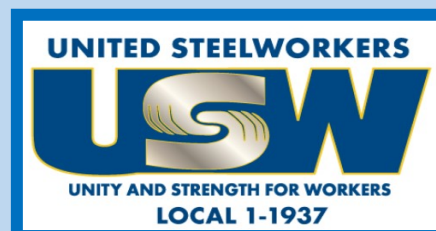
SOLIDARITY NEWS

OFFICIAL PUBLICATION OF USW LOCAL 1-1937

WINTER 2020



Norm Macleod, 3rd Vice-President of USW Local 1-1937, is set to retire after working 44 years in the Forest Industry. The Local offers heartfelt congratulations and wishes Norm and his family all the best in a long and happy retirement.



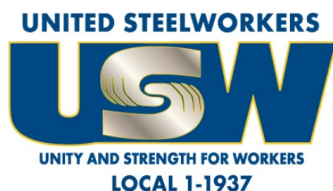
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EFAP

**Employee and Family Assistance
Program**

Contact Numbers

Duncan	250-746-6900
Nanaimo	250-754-8222
Comox	250-338-4533
Mainland	1-877-746-6911
Campbell River	250-287-2266
Port McNeill	250-956-3144
Port Hardy	250-956-3144
Port Alberni	250-723-7001
Powell River	604-485-2800

Mission Statement

With compassion, respect, and integrity, we help people to build hope, growth, and well-being.



Creating healthy employees,
families, and communities.

PRESIDENT'S REPORT

By Brian Butler, President



As we come to the end of another year it is fair to say 2020 was a year of extreme challenges, perseverance, positive change, and opportunity.

We started the year by the way we ended 2019, in a lengthy strike that was necessary to ensure our forest industry members' Collective Agreement was protected from the completely unwarranted assault by Western Forest Products at both the bargaining table and the Labour Relations Board. In the end, the solidarity of our members withstood the company's aggressive concessionary approach and calculated attacks on our Union.

Our membership should be proud that they stood up, stayed united, and fought back against those who would have otherwise stripped many Collective Agreement rights that generations from the past and present members have fought for. We can also be proud of the gains in wages, benefits, job security, and language improvements that our members deserve.

Following the 230 day strike, we ran headlong into the challenge everyone was facing at the start of the COVID-19 pandemic, which initially slowed our members getting back to work as companies implemented the protocols required by WorkSafe BC. Due to the pandemic, the forest industry was declared an essential service by the government, which has allowed USW members and others in the forest industry to remain at work to support the BC economy. To date, there have been some glitches, but overall, operations have mostly continued without any significant issues or an outbreak.

The Local continues to try and gain traction with the Health Ministry on the issue of workers in the gaming industry (our members at Chances operations in Cowichan and Campbell River included) who have great COVID-19 protocol plans and procedures in place but have not received approval to return to work.

In the fall, our Local 1-1937 activists did a great job in member-to-member communication to inform other USW members by phone, email, and text of the reasons Local 1-1937 supports an NDP Government. USW volunteers also supported many coastal NDP Candidates on Vancouver Island by phone canvassing, plant gating,

putting up signs, and all of the other jobs that get the messages out to voters. Members involved in this volunteer work can be proud of their contributions. You made a difference.

As a Local Union that is affiliated with the BC NDP, we congratulate Premier John Horgan (Langford-Juan de Fuca) and the party on winning a majority government. There is much work to do going forward, which is why it is extremely important for workers to remain engaged in the political process so that we can make real progress in workers' rights.

We will be reaching out to our new MLA's in the coming year so that we can address the many important issues and concerns of our membership and ultimately gain the MLA's support in having the Provincial Government act on these issues, on behalf of workers.

Congratulations to new Island MLA's Josie Osborne (Mid Island-Pacific Rim), Michele Babchuk (North Island), Adam Walker (Parksville-Qualicum), Grace Lore (Victoria-Beacon Hill), Murray Rankin (Oak Bay), our returning MLA's Doug Routley (Nanaimo-North Cowichan), Sheila Malcolmson (Nanaimo), Ronna-Rae Leonard (Courtenay-Comox), Mitzi Dean (Esquimalt-Metchosin), Lana Popham (Saanich South) and Rob Fleming (Victoria-Swan Lake).

We hope to meet soon with the new Minister of Forests Katrine Conroy (Kootenay West) and Nathan Cullen (Stikine) Minister of State for Lands and Natural Resource Operations, Ravi Kahlon (Delta North) Minister of Jobs Economic Recovery and Innovation in order to hear their approach, discuss our ideas and express our concerns over issues facing the forest industry.

Key issues for us to address with the new Ministers include:

- ◇ Old Growth Review and Consultation Process – We must ensure that the government understands the need for a healthy forest industry that provides certainty on the land base. Protecting the working forest and forest workers' jobs are an essential part of that certainty. The upcoming consultation process on the Old Growth Report must include all stakeholders including Labour, Industry, First Nations, and others, working together at one table

President's Report (cont.)

from the start. It is the only way to allow for full understanding and transparency of all viewpoints. Workers cannot be an afterthought and must have appropriate representation. The review must take into account all of BC's forests including all Crown forest land, parks, protected areas, and special management zones, and not just old-growth forests. The approach must be guided by science-based principles and not by emotion or personal wants. As part of this review, it is essential Government ensures the inventory and analysis of our forests are completed before any Government policy change is made. It is also imperative there be a complete analysis of the socio-economic impacts before any changes are made. Creating certainty and making the right decisions takes time and we urge the Government to listen closely to those on the ground in the forests doing the work. Getting it wrong can have negative consequences that will do nothing but harm workers, the industry, and rural communities.

- ◇ A continuing review of the Manufactured Forest Product Regulations to ensure that they are providing the changes needed to keep and grow BC jobs.
- ◇ The need to develop more value-added products from our renewable resource and how we can create the conditions needed for investment in BC.
- ◇ A continuing review of the recent changes made to log export legislation to ensure that the volume of log exports from BC are reduced and that primary and value-added manufacturing jobs are increased as a result.

Congratulations also go to returning Minister of Labour Harry Bains (Surrey-Newton) (who is a former Vice-President of USW Local 1-2171; now a part of Local 1-1937). There are many issues that we want Brother Bains to address as Minister.

Key issues include:

- ◇ Successorship in tenure and volume transfers in the forest industry which involves all stakeholders including Labour, First Nations, and Industry. It is high time that our members do not lose their jobs

and Collective Agreement rights simply because government approves tenure rights or uncut volume transfers between parties. Workers' rights must be recognized and upheld. This issue will also need to be addressed by the Minister of Forests.

- ◇ The clear need for the repatriation of the Job Protection Act (which was repealed by the BC Liberals in 2001) to allow for important oversight when companies close operations. Too often manufacturing operations are allowed to close without oversight and with significant impacts on workers.
- ◇ While there were many legislative improvements to WorkSafe made in 2020 under the minority NDP Government, there needs to be continued improvement and support for injured and disabled workers, to ensure that they can live with dignity.
- ◇ The reinstatement of the Automatic Certification Process (Card Check) in organizing campaigns. For almost 20 years employers have been allowed to interfere in a workers' right to join a Union. No longer should a worker have to exercise their desire to join a Union twice during an organizing campaign only so employers can use the time between an application for certification and a second vote to spread false information, make threats and intimidate workers.

Wood Council

All USW Wood Council Locals in Canada have been working closely with each other over the last year on a variety of issues. Jeff Bromley, the Chair of the Wood Council, has been working hard to ensure that our Local Unions stay connected and working together on issues of importance.

Brother Bromley will be instrumental in organizing an effective lobby group of Local Union Presidents to seek support from the BC Government on a wide range of issues. The Council is also seeking to engage forest industry groups and individuals to determine how we can best help each other in areas where we have a common goal. Making sure the Government understands the need to have tenure security in the

President's Report (cont.)

working forest is only one.

Keeping the information flowing between Local Unions and regularly holding meetings via Zoom of late are important ways the Wood Council will be effective in moving our member's agenda forward.

3rd Vice-President Retires

In January of this year, **Brother Norm Macleod, 3rd Vice-President** of the Local Union is set to retire after a long 44-year career in the forest industry. Brother Macleod started work in MB Franklin Division in Port Alberni in 1976.

A long-time Executive Board Member of Local 1-85, Brother Macleod was that Locals 1st Vice-President for a term and later was elected as Local 1-85 President in 2017 which predated the merger with Local 1-1937. Norm was an integral part of the merger between Local 1-85 and 1-1937 which has greatly helped the unity and strength our Union has today. He realized the state of the Union at the time and knew in the long term a merger was in the best interest of the membership. It was an important decision that won't soon be forgotten.

Brother Macleod, as an Officer and Executive Board Member within the United Steelworkers and an Executive Board member of IWA Local 1-85 for many years before that, on behalf of the membership, I wish you (and your wife Lucy) all the best for a long, healthy retirement. It is well deserved after 44 years.



3rd Vice-President Norm Macleod retires this coming January. Local 1-1937 wishes he and his family all the best.

USW Local 1-1937 hires new Business Agent

The Local Union has hired **Brother Jason Cox** to work out of our Courtenay Office, as a Business Agent servicing operations in the mid-island area. He and his spouse live in the Courtenay area.

Brother Cox, a member since 1996, is a faller who works for REHN Enterprises which does the hand falling work in Western Forest Products Mid-Island Forest Operation. He is a member of our Local Union Executive Board for Ward Area 11 in Mid-Island.

As a long-time Chair of his operation, Jason has been active for many years in the Local Union, taking part in many activities including political action campaigns, and was a fixture in our Courtenay Office, where he volunteered for the Local Union assisting members during the 2019-20 Coastal Strike. He is also a Local 1-1937 Course Instructor for both levels of our Job Steward training. Brother Cox, on behalf of the Local Union, welcome to your new role.

Please stay safe on the roads when travelling this holiday season and do your part so the spread of the COVID virus does not expand in your community. In closing, I would like to wish everyone a Merry Christmas and hope that you all have a happy and healthy New Year.

In Solidarity, Brother Brian Butler



USW Local 1-1937 will welcome Brother Jason Cox as a new Business Agent in January 2021.

KINNEY REPORT

By Pat Kinney, Financial Secretary



This year has gone by at one of the fastest paces ever and the experience this fall has seen no difference. With COVID-19 cases on the rise, even on the Island, we have been very fortunate that there have been only three members affected to date. With strict Government measures increasingly being ramped up, we are continuing to operate in most sectors with minimal impact. Our offices are maintaining appointments only and only meeting in areas large enough to accommodate social distancing and wearing masks. To our members' credit, we have had no negative criticisms as a result.

Long Term Disability

This year has seen some changes to the benefit structure as reported over the last few papers; On June 1st 2020 members over the age of 60 are now eligible for up to one year of benefits. This change will extend the coverage for those injured members while recovering. This change is made available for members until the age of 65.

More recently the LTD Trustees approved to increase the monthly monetary benefit a further **\$200** per month. This increase will be implemented as of January 1st 2021, for all members currently on LTD and future members as well.

I encourage our members to review the links on our website and or ask a rep about these important benefits in your Collective Agreements. All too often we are dealing with late claims if they are received at the Plan offices after 90 days. If they are received after 90 days of the commencement of the disability, the claim will be forwarded to the Appeals Committee automatically for a decision of acceptance or not. This will create delays in you receiving any remuneration during the beginning of your claim. This is mandated on both our Short Term Disability Plan and our Long Term Disability Plan. GET THE CLAIM STARTED!!

As usual this time of year, we are generally busy with members looking to retire on January 1st. This year has seen an increase from those members in manufacturing. These members can apply for the Government-sponsored Bridging Program that was extended to the manufacturing in the Coastal Saw Mills. This program was predominately for the Interior Manufacturing sector as a result of the many mill closures from the loss of

available fiber from Government cut reduction from forest fires and over cutting resulting from harvesting the pine beetle kill wood. A big thank you to Brother Al Biekse, President of USW Local 2009, and Brother Jeff Bromley, Wood Council Chair, who lobbied the Government because the membership was reeling from the announcement of the Hammond Sawmill closure announced mid-summer. The lobbying efforts did not go unnoticed and the Government agreed to extend the program to the Coast. This was done to hopefully make room for those that were affected by the mill closures, who were too young to retire or to take advantage of the program. This was a welcomed program for our members on the coast.

I extend my heartfelt warmest wishes for the membership to have a Merry, Safe, and Quiet Christmas season this year. This will help ensure that we will continue to see our friends and loved ones in the New Year and in years to come.

In Solidarity, Brother Pat Kinney



SOUTH ISLAND LOGGING

By Richard Arnason, 2nd Vice-President



As many of you have heard Mount Sicker has served Teal-Jones notice to exit its commercial contract as a Woodlands Contractor on TFL 46 in the Honeymoon Bay Operation. Local 1-1937 has not received any communication whatsoever from Mount Sicker on this issue.

Local 1-1937 has received Section 54 notice from Teal-Jones notifying the Local that Mount Sicker is exiting the Honeymoon Bay Operation (HBO). Teal-Jones stated they were very surprised to receive this notice. To date, Local 1-1937 has had one conference call meeting with Teal-Jones. In this meeting, Teal-Jones reps seemed to be under the impression the HBO Camp Committee was not part or aware of any of the HBO grievances. This is completely **FALSE**. All grievances for the HBO crew have either been filed by the Committee or been discussed with Committee Members or the camp Chairman. While the Local has not been specifically advised why Mount Sicker is exiting the HBO Operation, Teal-Jones is in the process of making the necessary arrangements to transfer over the HBO employees' benefit coverage to Teal-Jones. Teal-Jones also advised they are continuing to look for another Woodlands Contractor to take over the Honeymoon Bay Operation.

Since my last report, Local 1-1937 has continued to try and settle the Mount Sicker non-union shop mediation. We have made several language changes to help clarify the agreement and asked for a scheduled meeting with the Mount Sicker shop crew to explain the agreement. All of which has been sent to Mount Sicker who rejected the settlement offer. This leads the Local Union to assume Mount Sicker does not want to settle this grievance unless they can continue to use non-union employees to work on Union equipment which is completely unacceptable.

Mount Sicker also has several other grievances in both their Franklin River and TimberWest Cowichan operations that they have mostly not responded to. This leaves the Local no option but to proceed to arbitration. Ironically, Mount Sicker has not advised TimberWest or Western Forest Products that they are exiting those Commercial Contracts for those operations and they continue to bid on work for Island Timberlands at Northwest Bay.

The Local has continued working on the Mount Sicker

travel time grievance for HBO. With the cancellation of the one-hour block travel time agreement, HBO employees are now to be receiving full travel time hours from September 2020 forward. For the time period from June 2019 to July 2020, Local 1-1937 has negotiated a settlement that the applicable employees will receive an additional $\frac{3}{4}$ of an hour travel time. From July 2020 to September 2020 applicable employees will receive full travel time hours less the one hour they have already received. We are optimistic that the travel time settlement money will be paid out to employees before Christmas.

While there are still many grievances in the Franklin River Operation, the Camp Committee has been successful in starting to get a few grievances resolved before Arbitration. These are mostly recall grievances and lesser contracting-out grievances. Local 1-1937 is still pursuing the Government for severance compensation requested for TFL 44 employees. This request is long-standing due to job losses as a result of Government tenure transfer.

I continue to be very busy on a number of issues aside from grievances; from organizing to the Old Growth Review, lobbying Government, and the new Shift Dispute Resolution Committee, to name a few.

In closing, I congratulate Norm Macleod on his upcoming retirement which I hope will be long and enjoyable.

With the end of the year fast approaching and the Holiday Season almost upon us, I wish you all a very Merry Christmas and hopefully a better New Year than 2020 came to be with the Corona Virus affecting all of us into a new way of life. Stay safe and enjoy the holidays.

In Solidarity, Brother Richard Arnason



MID-ISLAND LOGGING

By Norm Macleod, 3rd Vice-President



The Oyster River Consolidation moving from three contractors to two is almost complete. The two five-year Woodland Contracts have gone to Strong Back Timber (Wolf Lake Timber) and Kwest (Fall River Logging). This change was brought about by more steep slope logging being required. By the time this newsletter is out, all employees of Klaus Posselt Logging will know which seniority list they will be on for their new employer. All three contractors are still working until the end of the year when it will officially go to two contractors. I have recently heard of an employee of a contractor, contracting COVID-19, and I am impressed with the response this company took to correct any possible spread. Thankfully, COVID-19 has not overrun our Industry because of the thoughtfulness of many. Hopefully, the general public will have access to vaccinations before the virus changes for the worse.

We are expecting to be called in late December for a Section 54 meeting for Gold River. This will help with the unknowns for the Gold River crew, who deserve to have some answers on who their new Woodlands Contractor will be. Any issues with Mt. Sicker (Alberni) crew and Island Timberlands volume issues have been corrected.

One long-standing issue on my plate is the Franklin River/Muua-nulth Treaty issue. I have been assured there will be a meeting within the next two weeks.

This note to the members wraps up my report, and my career is finalized by year-end. I will be retiring in the New Year! I would like to thank the membership and my supporters over the years and all who assisted on the Union Committees. Jason Cox will be taking over my workload and I have full confidence in him and what he will offer the Local Union. I wish everyone a very Merry Christmas and a Happy COVID-19 Free New Years. I'm off into the sunset.

In Solidarity, Brother Norm Macleod



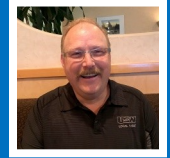
Norm with Leader of the NDP, Jagmeet Singh at the USW District 3 conference 2019.



Norm married Lucy in 1992 while working at Franklin River Division.

NORTH ISLAND REPORT

By Dan Jorgenson, Business Agent



COVID-19 is busy attacking us humans in the soggy North Island and to some extent so is Western Forest Products (WFP). There are three Article XXV grievances at the Port McNeill Operation, and Englewood is contracting out 55,000 (cubic meters) m3 of wood in the Octwanch Valley under the guise of market logging. I must have missed that portion in the Collective Agreement that allows for market logging.....wait a minute there isn't one! Hopefully, this will be sorted out through the grievance procedure.

The company says they have had problems procuring permits for TFL 37, but somehow they found 55,000 m3 to contract out. Prior to this, WFP has kept the company crews at home as well as not logging their Annual Allowable Cut (AAC), they kept the Bill 13 stump-to-dump contractors at home too; no full work years for many people on TFL 37. Sources tell me that Englewood Forest Operation is about 1,000,000 m3 behind in the AAC. A grievance has been launched.

The snow has come early this year for Port McNeill

Forest Operation. There were grapple yarders up on Blue Ox Main, working high up in the snow. Why is it that the logging plans seem to be jumbled up? I was told the yarders were at 1000 ft. elevation in June and were working at a 4000 ft. elevation in November. It is the opposite of what it should be.

The weather took its toll when that meteorological bomb went off over the Island on November 24 and 25th, 2020. I understand that Jeune Landing got the worst of it with blowdowns and a lot of water damage to the road systems. Holberg was without power for three days. It was reported that power poles that lead to the camp were snapped in half by wind gusts. They lost only one day of work to rain so were fairly lucky.

Have a safe and happy holiday season.

In Solidarity, Brother Dan Jorgenson.

PORT ALBERNI TO NANAIMO

By Glen Cheetham, Business Agent



There have not been a lot of changes in the operation levels since the last newsletter. Having said that, members and committees have been dealing with COVID not just from the health aspect but it has made it challenging to get training on jobs where being in close quarters is necessary. I would like to commend everyone for how well they have handled themselves in this very difficult year. We have recently seen an increase in incidents and injuries at Alberni Pacific Division (APD) that has raised concern as everyone has been working in an upset condition for a prolonged period of time.

We continue to deal with grievances across our operations which has been challenging as meetings are a little more difficult to execute in the world we are living in today.

I would like to wish Brother Norm Macleod a long and healthy retirement. Norm is currently the 3rd Vice-President of our Local and will be retiring at the end of the year. Norm started his career in the industry 44 years

ago in the Franklin River Division doing a number of different jobs, along with holding different positions on the Camp Committee including being the Chairman. Norm was then elected into the old Local 1-85 office where he held numerous positions including being the President. When Local 1-85 and 1-1937 merged in 2017 Norm took a Vice-President position. I would like to thank Norm for his years of service in an ever-changing and challenging industry.

Finally, I would like to wish everyone a Merry Christmas however different that may look this year. Please be safe, stay healthy, and hope for a better 2021.

In Solidarity, Brother Glen Cheetham



CINKANT REPORT

By Chris Cinkant, Business Agent/Safety Officer



COVID-19

With COVID-19 still affecting all of us at home and in the workplace, it is important that we must stay vigilant in protecting ourselves and others. With the positive numbers going up throughout the province and Vancouver Island, we cannot rely on “*we are OK here on the Island*” mantra anymore. I know I took comfort in that thought up until recently.

The Province and WorkSafeBC have announced new restrictions with the new rise in numbers. Companies throughout our Local are now rolling out new assessment forms for employees to fill out before entering the worksite. I have seen a couple of dissimilar forms launched at two Western Forest Product mills and have asked Western Human Resources to work on a standardized method for all sites.

SURVEILLANCE

There are too many grievances arising from many site Surveillance systems. I have written before on this topic. Companies are all too eager to review recordings on the premise of safety or troubleshooting and finding an infraction of some sort, then applying discipline for an unrelated event. There are times safety issues our members bring forward will be reviewed through the Surveillance recordings and collateral discipline has been meted out and then of course grieved. The goal should be to encourage members to report concerns without any risk to fellow workers being disciplined. In my opinion, this is just another example of some management in the industry consciously attempting to drive safety underground.

Camera views should be directed at the work PROCESS and not at an individual at his/her job station. Surveillance systems were originally put in place for security purposes, parking lots, site entrances, etc., not as a tool for lazy remote supervision and spying.

SAFETY

In October, I and other 1-1937 Members had an opportunity to attend a SAFER (Safety Advisory Foundation for Education & Research) sponsored course in Nanaimo. The Seminar was titled **Mental Health First Aid (MHFA)**. The workshop goal was to improve mental health literacy in the workplace. MHFA also strives to

provide skills and knowledge to help people better manage potential or developing mental health issues in themselves, a family member, friend, or fellow worker. There was a mixture of sixteen participants both hourly and salaried attendees. The venue in Nanaimo was large enough for social distancing and all COVID-19 protocols were followed. Everyone participating agreed it was an excellent workshop and very timely in this time of COVID -19 and especially the isolation that occurs along with it.

Many thanks to the SAFER group and in particular Brother Ron Corbeil for organizing the event. The Local looks forward to involving more of our members in future Mental Health First Aid and related workshops.

ELECTIONS

Elections will begin in the new year for some of the certifications I represent. Plant/Camp Committees and Safety Committees are crucial to our Union. I would ask any member interested in joining a committee to have their name put forward when election notices are posted. I am hopeful all present Job Stewards and Safety Representatives run as well and know your important work has benefited us all.

In closing, I know this has been an unprecedented and difficult past year and a half, to say the least, for everyone and their families, I plead we all persevere and get through the approaching holidays COVID-19 free. Please make the necessary sacrifices to stay safe until the new vaccine arrives in the New Year.

From my family to yours, all the best for a happy holiday season.

In Solidarity,

Brother Chris Cinkant



SOUTH ISLAND REPORT

By Dusty Palmer, Business Agent



Bargaining Update

The C & C Lath Mill employees in Duncan have put in some modest bargaining proposals to improve their working conditions. HR John Savage and I are working together to be flexible with how negotiations are held due to safety precautions and COVID-19. We have signed off on the protocol agreement, and are proceeding.

Sodexo: Cedar Valley Lodge, Kitimat

Our USW/Sodexo food and service workers have had challenging work during the pandemic at the LNG site in Kitimat. They have done a considerable job of keeping themselves and others safe. Although there was a COVID-19 outbreak on-site, it was an isolated cluster within the Fluor (JFJV) group. Fluor owns the site. Thankfully it was not USW/Sodexo employees who were first positive or I feel there would have been much commotion with their 'Consequence Committee' seeking to lay blame on individuals.

Northern Interior Health is ensuring enhanced control measures are followed. The outbreak associated number I last received in December was 52 tested positive. Out of the 52, eight remained active; 44 were considered recovered and two were in self-isolation at the lodge. The remaining were in self-isolation in their own homes. December 13, 2020, three unrelated positive cases were reported within the membership. Wishing you all a healthy recovery.

A Letter of Understanding was reached for maintenance workers who agree to a call out, that equates to a minimum three and a quarter hours of pay per call out. All should feel positive about this.

Vacancies have been problematic and were not being posted. This has been resolved. It is understood between the parties that vacancies shall be posted and will be awarded to the senior competent person. There are no levels of competency. For example, if you need a red seal certificate, and have one, and you are the senior applicant the posting will be awarded to you. The posting does not go to the favourite worker.

Overtime is awarded by seniority, not to the closest person nearby. These are all good things to advise your co-workers of. Also, USW Local 1-1937 now has six Shop Stewards to assist with contract questions and who are there to represent you if need be for any disciplinary hearings. In addition to the Shop Stewards, there are two Union Safety

Representatives there to serve you if you have questions or concerns about safety.

Thank you to all of you who accepted nominations and who are volunteering to serve fellow members. It is greatly appreciated.

Comox Valley Distribution

Statutory holiday overtime pay became an issue for some of the members not working Monday to Friday in the Nanaimo outlet. What was happening was if a member started their shift on a regular day but ended their shift on a statutory holiday, they were only getting regular pay for the entire shift. This issue has been resolved through a Letter of Understanding to avoid future misunderstanding of the language. If a member has a shift that starts on a regular day but ends on a statutory holiday, they shall be paid at time and one-half for all hours worked on the holiday. In addition to the pay received, all employees who qualify for a statutory holiday, in accordance with the Collective Agreement Article, shall be provided a compensating day off, without pay to be scheduled and taken within ninety days.

A Change of Officers

Best wishes to Norm Macleod and his family for his upcoming retirement in January. Time flies, enjoy every minute. I would also like to extend a warm welcome to Jason Cox who will be joining the Local and working out of the Courtenay office.

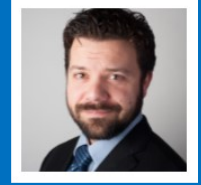
I hope everyone has a safe and happy holiday season. All the best to you and your families for a good New Year.

In Solidarity,
Sister Dusty Palmer



WORKPLACE HARASSMENT

By Steve Rogers, Victory Square Law Office



It is important for all USW 1-1937 members to understand their right to a harassment-free workplace as well as the type of actions or behaviour by others that will constitute harassment in violation of those rights.

Right to a Harassment-Free Workplace

All workers in BC have a right to a safe and respectful workplace under the Workers' Compensation Act. WorkSafe BC requires that all employers develop and implement a policy to deal with harassment complaints and to ensure the health and safety of its workers. Generally, concerns about workplace harassment must first be brought to the attention of the employer and the employer must conduct an investigation. If an employer fails to create and implement an appropriate bullying and harassment policy, a worker can bring a complaint to WorkSafe BC under *WorkSafeBC Policy D3-115-2*.

More importantly, however, almost all members of USW Local 1-1937 are protected from harassment in the workplace under specific provisions of their applicable Collective Agreement. For that reason, most cases of harassment can be grieved, especially harassment of workers by supervisors and managers. Each member should become familiar with their specific provisions, which can include a process for reporting and additional employer obligations to those required by WorkSafe BC.

What is harassment?

Harassment is not always easy to define. WorkSafeBC defines harassment broadly as "any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably should have known would cause that worker to be humiliated or intimidated."

However, harassment does not include every negative comment one person makes towards another. For example, criticism or reprimand by a manager or supervisor will not be harassment unless it is harsher than necessary for supervisory purposes or offensive in nature.

Arbitrator Heather Laing wrote one of the leading cases on harassment in *British Columbia v. B.C.G.E.U.*, making clear that while harassment is a serious matter, it does not include every negative workplace slight or behaviour:

229: I do not think that every act of workplace

foolishness was intended to be captured by the word "harassment". This is a serious word, to be used seriously and applied vigorously when the occasion warrants its use. It should not be trivialized, cheapened, or devalued by using a loose label to cover petty acts or foolish words, where the harm, by any objective standard, is fleeting. Nor should it be used where there is no intent to be harmful in any way unless there has been a heedless disregard for the rights of another person and it could have been fairly said that "you should have known better."

Sometimes, employers will discipline employees for alleged harassment resulting from relatively minor comments that cause little harm to co-workers. In such cases, this Union may be able to challenge the discipline as unjustifiable, as it has successfully on a number of occasions in recent years.

What to do?

Whether you feel you are being harassed in the workplace or you have been accused of harassment yourself, you should contact your Union representative first for advice before doing anything else!



In Solidarity,

Steve Rogers, Legal Counsel

Victory Square Law Offices

PORT MCNEILL REPORT

By Shelley Siemens, Business Agent



GET RID OF THOSE ERRONEOUS LETTERS ON YOUR FILE- THEY MAY BITE YOU IN THE BUTT LATER!

The operations in the North and Mid-Island are a continual cycle of grievances. I would like to point out to everyone again, and I cannot stress this enough—when you receive a letter from your employer, make sure that the information contained in that letter is accurate. I have been seeing a trend of letters where the employer has it loaded with inaccurate, incriminating information and find out later that our members did not agree with the information but thought nothing of it, and they did not address it at the time.

Leaving the inaccurate information on their file because it is just a letter and not disciplinary thinking it is no big deal. This creeps up on you through the progressive disciplinary process as the employer builds a case against you by compiling letters and then they surface biting you in the butt. Then it is a big deal because you did not address it at the time this has a negative effect and makes it a tougher argument for the Union to defend you. If you do not agree with all of the information on your letters no matter how insignificant it may seem, make sure you challenge them! Contact your Stewards and grieve to have that letter removed from your file or have corrected to be accurate.

WHEN YOUR EMPLOYER TELLS YOU IT'S NOT A GRIEVANCE

There are times when you will go to your employer and discuss your grievance with them and they will say, "it's not a grievance." Do not take this answer as being accurate. Make sure you contact your shop stewards and run it past them. If there is contract language in the Collective Agreement and they are not following it, it is likely a grievance. If you ask an employer, they will always tell you it's not a grievance. **DON'T BELIEVE IT!** Just agree to disagree and find a steward and grieve it anyway. It is not up to the Company to determine if you have a grievance or not, it is up to the Union.

EDUCATION

This past October the Union put on a very small Stewards Level 1 course. This required a little bit of planning, and with COVID-19 best practices in place, it was very

successful. Congratulations to all the new Stewards!

As the regulations and the laws change so does the structure of our course outline. The Union at all levels has been busy working on building online courses that should be coming out in the new year that are interactive, and we think that you are going to like them. This will give members the opportunity to be able to enjoy education from the comfort and safety of their home and it opens up the opportunity to have more members attending at one time.

Our USW website Education Module will soon be updated with a calendar of the scheduled 2021 online courses. If there is a course that you are interested in, please either fill out the Education Request form on our



New Stewards Level 1 completed in October 2020.

(From L to R: Kelsey Law, David Ryves, Kevin Schedel, Instructor Shelley Siemens, Evelyn Ridsdale, Lesly Whiteway, Brad Wilcox, Damita McKinney, Terry Leerholm)

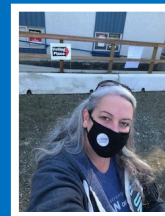
Web Page or contact your Business Agent and let them know you are interested in attending any of the listed courses. If you want to check it out, here is the link to our USW Website Education Page: <https://www.usw1-1937.ca/local-union-education.html>

I want to wish everyone a very Merry Christmas and all the best in the New Year!

In Solidarity, Sister Shelley Siemens

Strathcona Regional District Recreation Complex

By Gillian Tew, Trustee/Co-Chair of WOS



At the end of March my workplace, Strathcona Gardens Recreation Complex, closed due to the global pandemic. I worked for two weeks after everyone else because I am a cleaner and was required to do a deep cleaning. I was lucky enough to still have daycare at that time, unlike some of my coworkers, who had their daycares shut down and were left in a tough bind.

When the deep cleaning was done and I was laid off, the first couple of weeks were not too bad. Like everyone else with young kids, you know they just could not understand why they could not see their friends. They wanted to know why they could not hug their friends or touch people they knew. It made my heart hurt.

Over the two months I was off, a lot of things happened throughout our lives, locally and globally. Much adapting was done in our personal lives. It was challenging.

I am the Vice-Chair on my site and with other Committee Members, we met with management weekly on Microsoft Team meetings (similar to Zoom) getting updates and working on plans to get people back to work. The longer I was off, the harder it was to get in the swing of things being at home with my daughter and then trying to focus on work strategies.

In June 2020, I was thankful to return to my job, although it was stressful after being off for nine weeks in my closed little bubble. It was not easy but I was glad to get back to a little bit of normalcy. Having to open my daughter up to everything in the community was hard and dealing with the tensions at work with people stressing every day had me exhausted by the end of each workday.

I give credit to my employer as my workplace has taken COVID-19 very seriously and has gone above and beyond with cleaning standards making sure everyone felt as

safe as possible under the circumstances. Employees felt heard if they did have an issue. We had morning meetings every day to update plans and check on everyone's mental health. We were trying to be as normal as possible under abnormal circumstances. Strathcona Gardens Rec Complex started small with only one arena dry floor open. Not more than 16 patrons were allowed in at a time. We had super stringent cleaning procedures.

As things were going well the complex started planning more openings. We had three courts of pickleball, eight workout pods of 480 sq. ft. each for personal space and we started Chronic Disease Management Programs, with six people per group to start. Tension rose as more people came back to work and more public came into the complex. Opening up a higher chance of contracting the virus. Touch wood, and thank you for all of our vigilance with health measures, it has all gone pretty well.

With further public health measures put in place over the last couple of weeks, we have pulled back on the number of classes and activities that we were offering. Some staff has had their hours reduced again.

It is hard on all of us not knowing what tomorrow will bring or if we will get shut down again. Christmas fast approaching adds to the stress. People not following rules makes it even more stressful.

We are all in this together, no one wants to shut down, so please do your part to help stop the spread of COVID-19, and stay safe.

Hopefully, we will get a Christmas miracle and we will all be able to be with our families this year.

In Solidarity,
Sister Gillian Tew



My reason to be safe.

Cowichan Valley School District 79

By Aaron Henry, Chairman

USW members in Cowichan Valley School District 79 have elected a new Shop Committee for the upcoming term. Impressively, we had 10 members nominated and seven seats to fill through the election process. One person declined the nomination. For the Safety Committee, we had six members nominated for three positions. We had representatives from all departments apply. The interest in helping out the workforce is fantastic.

The last three years have been interesting. We had a transition of management and members bringing new ideas to the workplace. We seem to have gotten back to being a more cohesive unit when interacting with management. It is important to keep the history of language and contract changes that have happened so that we can follow the correct path. It is invaluable to preserve documentation relevant to any discussions pertaining to decisions/changes which may affect the workforce. The only thing that can hold us to a consistent path is documentation.

The Committees have been integral in supporting and assisting with many workplace issues including mental health issues, management relations, short and long-term insurable benefits, payroll concerns, confidentiality issues, and claims of harassment. The best way a Shop Committee can function effectively is by being educated, knowing our role, and "seeing" the bigger picture. The importance of wording is everything. Our role is to consider management's point of view and to also know our views may differ and that is okay. Ultimately the contract governs our workplace conditions.

As of late, we have had past precedence used as an argument against us. We have a temporary COVID-19 agreement in play that requires engagement from the Union, and ongoing morale issues in the workforce. Health and safety are at the forefront with much interaction between all Union groups within our sector. COVID-19 has heightened everyone's awareness by bringing the safety of each individual to the front of the line. All members are doing their best to stay safe.

The Shop Committee is working well with our HR Department on a weekly basis as well as the Health and Wellness Team. We are having great interaction and input with our Custodial, Maintenance, and

Transportation Supervisors and the Health and Safety Officer regarding COVID-19 protocol.

Recently, we have had issues of members against other members and the complexities of when a member engages in contact with a manager. There have been a growing number of individuals calling directly to managers with their concerns, rather than utilizing Shop Stewards or Safety Reps. Some believe that if an employee has not finished their 40 days probation that it is a good idea to report their "opinion" of other employees/members. This is unacceptable. If a person is employed with the District and is a USW member, they need to do their specified job and allow a manager to do theirs. It is not acceptable for Union members to be reporting on fellow employees for the purposes of discipline. This could cause a hostile and toxic work environment. It is up to management to manage the workforce; to monitor, evaluate, and discipline an employee's work if deemed necessary. It is not up to a Union brother/sister to be checking up with self-directed reporting. We do not hire, fire, or discipline other members! This is a concerning issue that must change.

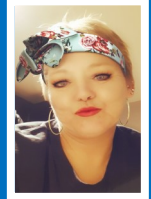
In Solidarity, Brother Aaron Henry



Aaron Henry, Chair of SD79, delivers a cheque to the Cowichan Valley Basket Society via the USW Humanity Fund.

SODEXO, CEDAR VALLEY LODGE

By Damita McKinney, Shop Steward



Hello fellow Brothers and Sisters! My name is Damita Jo McKinney. I am pleased to have the opportunity to represent workers at the LNG site in Kitimat. I have 30 years in the camp and accommodation industry and am proud to have served in a variety of roles.

Unfortunately, I made an error in judgment and am being punitively punished by Fluor (the site owners) not my employer, Sodexo. Fluor has a 'Consequence Committee' that has decided to pull my site access for weeks on end. I had a suspension for poor judgement, but three months without work is over and above what is fair. I have been off since September for showing up to work with alcohol on my breath. I was not impaired. I worked for two hours prior to anyone speaking to me. I was given a breathalyzer, not sealed, not calibrated which registered so high I would have had to have been drinking all the way to work and the whole time I was cleaning rooms, which I was not. A second reading should have been given on the breathalyzer which it was not. I was not asked to do a urine test, and the tester later said I refused to give one when he realized he forgot to ask. There were no witnesses to document that I did not refuse a urine sample. The site people failed in so many ways. The site owners are not my employer. It is like running a business on leased land. Fluor has the ultimate say on who can access their site. Such authority wielded punitively under the premise of keeping the site safe from the likes of me, is absurd.

Yes, I should have stayed home when I smelled like liquor. My grandmother had passed away the night previous and in my grief, I drank several shots of hard liquor, which I never usually drink. I was in bed by 9:00 pm and was up at 4:30 am to catch my bus to get to work by 6:00 am. There are cameras on the bus, so they know I was not drinking there. There are also cameras everywhere on-site, so it is clear I was not drinking at work. For my body weight, the level I blew at was almost impossible. I would have had to have been drinking the entire time I was at work. Sodexo does not believe I was drinking at work. They advocated to bring me back. Fluor continues to flex their muscles and has advised I can return to work on January 7, 2021.

A word to all of you going through a loss or other difficult patch, do not do as I did. Apparently, if I had lied and said I had a problem with drinking I would have been returned to work sooner. I had my required appointment with a Substance Abuse

Professional and did not know that if I lied and said I had a problem, I would get back to work quicker. Instead, the Substance Abuse Professional reported no issues and only advised I be tested prior to a return to work. I was retested, passed everything and then Fluor decided they needed a consequence committee meeting on my behavior because my being kept from the worksite for two months was not enough punishment for them. The employer wanting my return to work holds no weight apparently. How Fluor came up with a January 7, 2021 return is beyond me.

My Business Agent has worked with Sodexo in getting a return to work and a few weeks of pay compensated. Sodexo had scheduled me to return on December 9, 2020, but Fluor denied me; like I am a giant safety risk (I have never had one drug or alcohol incident in my entire career). Sodexo agreed to pay my wages until I was granted site access from Fluor...thinking I would get access that week. Now we are uncertain about the compensation as Sodexo did not realize it would be so long and are hesitating. We are trying to hold them to their word.

One moment of grief turned into three months without work, on top of the loss of my grandmother. Try paying the rent with no money, it is a challenge. Fluor is making an example of me, and I hope other Sodexo employees can learn from my heavily punished error. In my opinion, Fluor has kept a good worker out of work for over three months. A one or two-day suspension would have been lesson enough.

It takes a power-hungry person who tries to ruin a hardworking middle-aged woman over the grief of a family member and smelling like liquor. They said my incident was safety-sensitive. I am a housekeeper and I cleaned six rooms before anyone bothered to talk to me. If they smelled alcohol on me at 6:00 am and then waited for two hours and approached me at 8:00 am, (like they did) then you cannot say it is a safety-sensitive matter. The rooms I cleaned were immaculate by the way.

I hope to see you all safe and well in the New Year. Have a great Christmas holiday.

In Solidarity,
Sister Damita Jo McKinney

EXCLUSION OF VACATION ENTITLEMENT & SEVERANCE UNDER “SIMPLIFIED” EI

Interim Order Number 8 from the Employment Insurance Act, published on September 16th, provides clarity on how vacation entitlements and severance are treated under Simplified EI. “Simplified EI” refers to the temporary rule changes to the EI program that will be in effect from September 27, 2020, until September 25, 2021.

The order specifically excludes vacation entitlements and severance from a claimant’s earnings. Previously, these payments were considered part of a worker’s earnings. Section 36 of the EI regulations contain specific rules about how these payments are allocated within a claimant’s qualifying period. The old (normal) rules allocate vacation and severance to a claimants’ earnings in such a way that they are equal to normal weekly earnings. That is, if a worker were entitled to \$1,000 in severance and their weekly earnings were \$500, the EI program would not begin for an additional two weeks, because the \$1,000 in severance would be allocated as two weeks of regular earnings. The consequence of the old (normal) rules is that EI claims can only begin once vacation and severance are exhausted.

Under Simplified EI, vacation and severance will be excluded from earnings as defined in the EI regulations.

The relevant section of the interim order is paragraph 153.193. Copied are paragraphs and included footnotes identifying sections of the EI regulations that the interim order references.

It should be re-iterated that the Simplified EI rules are not permanent. They are set to expire on September 25, 2021.

(Shared by Mathew O’Reilly, USW)

[Deductions from Benefits \(Interim Order No. 8\) and Exclusions from Earnings](#)

153.193 The following are to be excluded from the earnings referred to in section 35 of the Employment Insurance Regulations:

- (a) any pay or earnings referred to in subsection 36(8)1, (9)2 or (19)3 of those Regulations if
 - (i) the claimant’s benefit period begins on or after September 27, 2020, or
 - (ii) the pay or earnings are declared to the Commission on or after September 27, 2020, and would otherwise

have been allocated under Section 36 of those Regulations to a week beginning on or after September 27, 2020; and

(b) any of the following portions of payments that are paid to a claimant as an insured person for the first week for which benefits are payable if their waiting period has been waived under subsection 153.191(1):

(i) the portion of any payments referred to in subsection 37(1)4 of those Regulations that does not exceed 95% of the claimant’s normal weekly earnings from the employment to which the payments relate, and

(ii) despite paragraph 38(1)(a)5 of those Regulations, the portion of any payments referred to in subsection 38(1) of those Regulations that does not exceed the claimant’s normal weekly earnings from the employment to which the payments relate.

[36 \(8\): Vacation Pay](#)

(8) Where vacation pay is paid or payable to a claimant for a reason other than a lay-off or separation from employment, it shall be allocated as follows: (a) Where the vacation pay is paid or payable for a specific vacation period or periods, it shall be allocated (i) to a number of weeks that begins with the first week and ends not later than the last week of the vacation period or periods, and (ii) in such a manner that the total earnings of the claimant from that employment are, in each consecutive week, equal to the claimant’s normal weekly earnings from that employment; and

[36 \(9\): Severance](#)

Subject to subsections (10) to (11) all earnings paid for payable to a claimant by reason of a lay-off or separation from an employment shall, regardless of the period in respect of which the earnings are purported to be paid or payable, be allocated to a number of weeks that begins with the week of the lay-off or separation in such a manner that the total earnings of the claimant from that employment are, in each consecutive week except the last, equal to the claimant’s normal weekly earnings from that employment.

*The above-referenced sections are only some of those that may be helpful and are from the Employment Insurance Act published September 16, 2020, in the Canada Gazette, Part II, Volume 154.

FORESTRY WORKERS - ACT NOW!

Thousands of USW members could lose their jobs if wrong decisions are made affecting the future of the forestry employment industry in British Columbia.

We need to tell Premier John Horgan that walking the walk on labour values means saying NO to damaging policies that harm workers and their families.

It takes LESS THAN ONE MINUTE to send a letter so your voice is heard in Victoria. PLEASE ACT NOW!

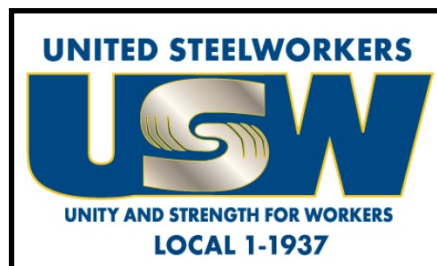
USW Wood Councils support healthy jobs in forestry. We are asking Premier Horgan to stand with us in favour of UNITY AND STRENGTH FOR WORKERS. The message contained in the letter is pre-written and ready to email to the Premier's office. All you need to do is fill in your name and address and click on the "Send Letter" button.

Visit USW Local 1-1937 webpage, and under the tab 'NEWS & EVENTS,' click on EVENTS. This will take you to the 'Letter to John Horgan'. Click on 'Letter to John Horgan' and you will be able to read and email the letter to Government. The

letter in part is asking that:

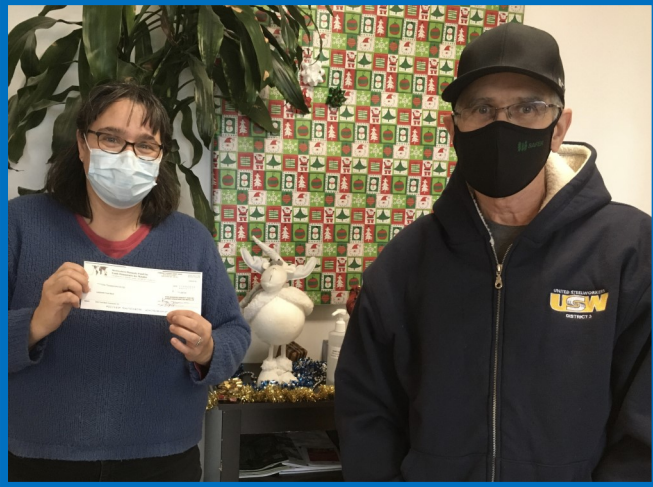
- Further restrictions on harvesting rights in the working forest be avoided because they ultimately result in layoffs and hinder the growth and viability of the Industry.
- Steps be made immediately to define and secure the Working Forest so that our jobs can be protected for generations to come.
- You acknowledge that the first and often only casualty of these types of initiatives (the Old Growth Report) are workers, families, and the small, rural, resource-dependent communities in which they live; with the result that you take the necessary steps to prevent this.
- The Government fully consults First Nations, workers, industry, and other stakeholders in the sector. That consultation needs to be in-depth, meaningful, and must have extensive knowledge and understanding of the socio-economic importance of our renewable resource as a guide to any decisions that are made.

PLEASE DO YOUR PART TODAY BY VISITING THE USW LOCAL 1-1937 WEBSITE <https://www.usw1-1937.ca/letter-to-john-horgan.html> AND SEND YOUR LETTER.



As the year is coming to a close the Officers, Business Agents, and Support Staff of USW Local 1-1937 would like to wish all of the Membership a safe and happy holiday season and a healthy and prosperous new year. Your support for your Union this past year has been greatly appreciated. We will face many challenges in the new year; however by working together we can overcome any issue we face.

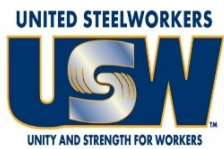
In Solidarity, United Steelworkers Local 1-1937



USW Retiree John Mountain presents a cheque to the Ladysmith Food Bank via the USW Humanity Fund.



Business Agent Shelley Siemens delivers a cheque to Harvest Food Bank via the USW Humanity Fund.



Business Agent Jason Cox delivers a Humanity Fund cheque to the Courtenay Food Bank.



Business Agent Chris Cinkant delivers a cheque to Loaves and Fishes Nanaimo, via the USW Humanity Fund.

Welcome To United Steelworkers Local 1-1937

We Are A Large Geographic Local Union Representing Workers In All Areas And Sectors Of Coastal British Columbia Including All Of Vancouver Island, All Coastal Islands Including Haida Gwaii And The Mainland Coast Area From The Alaskan State Border South To The Washington State Border.

IWA-Canada (Industrial, Wood And Allied Workers) Merged With The United Steelworkers In 2004.

Our Local Union Was Created Through The Amalgamation Of Former I.W.A. Local Unions That Merged Together Over The Years, Including Locals 1-71, 1-80, 1-118, 1-217, 1-363 And 1-85.

USW Locals 1-80, 1-363, And 1-2171 Merged In 2009 To Form What Is Now Local 1-1937. In 2017 Local 1-85 Of Port Alberni Merged With Local 1-1937 To Create One Local Union Servicing All Of Vancouver Island And The Coast Of British Columbia.

The Moniker 1-1937 Was Chosen As The 1 Represents The Historic Region 1 Of The Former International Woodworkers Of America (IWA) And 1937 Represents The First Year That IWA Locals Were Chartered In British Columbia.

Today, USW Local 1-1937 Proudly Represents Approximately 6200 Men And Women On The Coast Of British Columbia Working In All Sectors Of The Economy

