



# *ON THE LINE*

*December 2008*

## *Phased Retirement*

*In the last ON THE LINE we had outlined the Phased Retirement Proposal and had meetings and votes scheduled for late November and early December. The Company was contacted during the week of November 18<sup>th</sup> to be sure that the Phased Retirement was still a go for the Company, and we were informed that the Company was not prepared to proceed with the proposal at this time due to changing market condition's.*

*We have heard comments that the Phased Retirement Proposal would have proceeded if the Union had not sat on it for as long as they did. Let me make it clear, even if the Company was prepared to proceed, and the membership voted in favor of the Phased Retirement Proposal, the parties still would not have signed off the agreement until Phased Retirement was passed by the Provincial Government which is expected in early January 2009.*

*If the Company contacts the Union and informs us that they are in a position to proceed with the Phased Retirement Proposal, we will immediately schedule meetings and a vote. If the membership has voted in favor of the proposal **and it has been signed off by the Government**, we will then review the new legislation, and if the legislation conforms to the agreed to Phased Retirement Proposal, we will then sign it off.*

*If anyone requires further clarification, please contact the Union Hall. 250-865-2223. [usw7884@telus.net](mailto:usw7884@telus.net)*

# **USW Local 7884 Web-Site**

*We are in the process of developing a Local 7884 Union Web-Site, our address is [usw7884.com](http://usw7884.com) where you will have a direct link to contact the Union Health & Safety Committee on any safety issues that are not being addressed at the mine-site. Remember, it is your responsibility to first bring your safety concerns to management in an attempt to make the site safe and if they are not addressed in a timely manner, or to your satisfaction contact the Safety Committee on the Health and Safety link.*

*The Web-Site will also have direct links to the Steelworkers Canada and USW International websites, and the Local Union News letters, Benefit links to the Manulife web-site, Pharmacare, Employment Insurance-Maternity/Paternity Benefits, Training/Apprenticeship links to the Industry Training Authority and the College of the Rockies. There is also a link to our Collective Agreement, the Health Safety & Reclamation Code, and our Benefit package. There will also be a direct link to the Teck web site, where you can get all the latest announcements and stock prices.*

*As I previously stated we are in the process of development, so please be patient. If you have any ideas on what we should include on this site, please click on the Contact us link and send us your suggestions.*

## **Monthly Union Meetings**

*Monthly Membership meetings are every third Wednesday of the month @ 5pm, **Get involved make a difference***

**Elkford Steelworkers Hall # 12 Water Street Elkford BC**

*The December Meeting will be cancelled due to the Christmas Shutdown*

# *Overtime and Stat Holiday Distribution*

*As the result from recent inquiries I think it is important to describe the distribution of overtime and stat holidays as per our Collective Agreement.*

*For, regular overtime it is to be distributed as equally as possible. Normally on January 1<sup>st</sup> a new list will start, with all workers at zero. When overtime opportunities arise the number of required workers will be asked. If they are asked and refuse then they are given the same amount of hours as if they had worked. As further overtime opportunities arise the Company will ask the workers with the least amount of hours and so on. Overtime hours run from January 1<sup>st</sup> thru December 31<sup>st</sup>. When opportunities arise and the Company attempts to phone workers at home with no success, the worker is given the number of hours as not available.*

*Overtime list's must be posted in the work area and updated on a regular basis, this is to allow worker's to review the numbers to see if they are accurate. This system is dependant on each worker policing his own hours. If a dispute arises contact your foreman and request an explanation, if the dispute is not resolved contact your Union Rep. All overtime work is subject to the worker being capable of doing the work and must be given to their respective job groups.*

*Casuals can only be offered overtime after the Company has exhausted the regular workers list.*

*Statutory Holidays are on a separate list, the stat holiday distribution list runs from May 1<sup>st</sup> of the beginning of the contract and runs to the end of the contract. All work performed on a stat is stat work and not overtime. The same rules apply as to entitlement as it relates to being qualified to do the job and being in that job group. At any time any worker can request to review the stat list for accuracy. Again, this is a self policing system that each and every worker should review on a monthly basis. All new workers are to be given the average hours of the job group on the date of hire. If you have any questions, or need further clarification, contact the Union Hall.*

## **More Shutdowns a Probability**

*As we are all aware the Coal Industry has taken a new direction. Due to the recent market changes and the resulting decrease in demand for coal, the Company is likely to have more shutdown days in the coming year. There are normally work opportunities during these shutdowns and those work opportunities are covered by the seniority provisions of the Collective Agreement. If however you schedule your vacation or floaters during a shutdown, the Company is not required to offer you work if work becomes available.*

*If you are forced to take your vacation, then the Company must offer you the available work in order of Bargaining Unit Seniority, within their department, on their shift, in their work area provided you can satisfactorily perform the required work without training or retraining and provided you are not already scheduled for your vacation preference inside the shutdown period and provided you have requested your vacation preference by February 15<sup>th</sup>.*

### **This is a List of What Each Worker Should Do**

- 1.) Schedule all your vacation by Feb 15<sup>th</sup>. If you do not the Company can schedule your vacation for you.*
- 2.) Keep a copy of your vacation request form noting any vacation the Company has forced you to take. For example: If you are scheduling your vacation preference prior to Feb 15<sup>th</sup> and the Company has a scheduled shutdown in March and instructs you, that you have to schedule your vacation within the shutdown period, then that would be classified as forced vacation.*
- 3.) Take notice of who is working the shutdowns, ask fellow workers etc. Write down notes with names and dates if something does not feel right.*

4.) *All vacation lists must be finalized by April 15<sup>th</sup> with copy forwarded to the Union. Once your vacation is approved it can only be changed by mutual agreement, meaning you and the Company.*

5.) *Leave an appropriate number for your supervisor to call if you want to work, if work becomes available.*

6.) *If you receive a call from the mine, take notes of when, and at what time.*

**Please call the Union Hall for any further inquiries.**

## **Using Bank Time During Dec/Jan Shutdown**

*We received many calls from members regarding the upcoming shutdown and the question of using bank time. I called the Company and discussed the possibility of workers who have bank time, being able to use that rather than using their regular vacation. I received a favorable response, and I thank the Company for that as the Collective Agreement states that the Company has the right to schedule regular vacation during temporary shutdown periods.*

*The response letter states: "The Company has opted to allow bank time to be used during the shutdown between December 23, 2008 and January 7, 2009 as you requested. This decision is on a without prejudice basis. The Company maintains all its rights under the Collective Agreement to schedule regular vacation during shutdowns."*

*If anyone wants to work anytime during the shutdown period you should notify your foreman and make a note, work will be offered by seniority as per the previous article, if you do not want to work and wish to use bank time, or vacation also notify your foreman, and take note. If anyone requires further information, or has been denied Bank Time, please contact the Union Hall and we will take immediate action. **USW 7884 Ph: 250-865-2223***

**Don's Cell # 250-423-1024 / Fred's Cell # 250-433-2192**

# *The State of the Coal Market*

*The slowdown in the economy and the Company's inability to sell their product is having a dramatic impact on all of the coal mines in the Elk Valley. All of the mines in the Elk Valley have extended their Christmas shutdowns, Laid off a majority of their contractors on site, and some sites have even laid-off all their casuals employees.*

*I have been having discussions with Richard Tremblay regarding the future at Fording River, if the economy does not shift. Richard was pretty vague in his responses to my questions, however the picture he painted was pretty dismal. One thing that Richard did say was that people should be cautious about big expenditures*

*Even though Richard did not say this directly, It is my opinion that if there is not a shift in the market within the first quarter of 2009, there will be a strong possibility of Casual layoffs, extended shutdowns in the spring and summer, and a possibility of lay-off's meaning a reduction of the full time workforce..*

*We don't want you to panic, however it is our responsibility to inform you of all the possibilities. There is also a possibility that the markets **will** shift, and the above noted responses will not occur. Look how the markets have changed since August. In August we were given a mid-contract bonus and the coal market was booming..*

*We will keep you updated on any and all new information that we receive. Do not listen to rumors, please contact the Union Hall if you have any questions.*

**250-865-2223**

**Don's Cell # 250-423-1024 / Fred's Cell # 250-433-2192.**

# **Fernie Credit Union Joins Union**

*Workers at the Fernie Branch of the East Kootenay Community Credit Union have joined the United Steelworkers to become a bargaining unit alongside workers at two other branches in Elkford and Cranbrook. The workers are tellers, membership representatives and loans officers. “By organizing the Fernie Branch and having all our members under one Collective Agreement, we have more collective bargaining power with the employer,” said USW Local 1-405 financial secretary Doug Singer. The Collective Agreement covers 50 workers from the three branches in Elkford, Fernie and Cranbrook.*

## **Santa Visits Union Hall**



*While making his tours around the world Santa stopped by the Union Hall and met all the young boys and girls, taking note of their Christmas wishes. Young Triston Hooper age 9 asked Santa to bring him a Play Station 3 on his way through Elkford on Christmas Eve.*

# **Safety Report:** by Graham Pointer

*Tis the Holiday Season again and with it comes winter the fun time of year. There is nothing that says "JOY", like a 240 tone truck sliding down a haul road. Hopefully everyone will be on the skid ramp soon, if not already. During the G-shift quarterly meeting an experienced truck driver said in front of the whole crew, that he had over 30 years truck driving experience, but that when his truck is sliding he is as out of control as a new driver! This was an excellent piece of advice to everyone. It does not matter how much experience you have, or think you have, a sliding truck is still out of control. You may be able to steer, but you cannot stop if required to avoid an accident. I know because I was a truck trainer for many years and was the passenger on the skid ramp many times. I saw first hand how different operators both experienced and new handle a truck out of control. No two operators are the same. Each has their own driving styles and level of skill. As you know no two trucks are the same, the suspensions, steering and braking response are all different. So protect yourself and your fellow workers. If you slide due to road conditions report it to your supervisor immediately and make sure that the other people on the haul are aware of the situation.*

*I could say don't drink and drive but you are all adults, and can think for yourselves responsibly. So have a good holiday season and have a Happy New Year. I hope it is still politically correct to say Happy New Year.*

*With the New Year will come new challenges along with opportunities for us all, some of the challenges are beyond an individual's control; the global economy, the price of coal, etc. But what you can control is yourself and what you do. It is getting ridiculous on the highway the last couple of years. I have seen more idiots on the roads than ever before! Every day on the way to work I see speeding, tailgating and passing on a solid line. I mean you're going to work, not to a life saving emergency. Yes, I am getting older, but I am not quite senile...yet...I don't think so...But then how would I know. Please think before you drive. Leave 5 minutes earlier, leave 2 seconds or more between you and the vehicle ahead of you, don't pass on hills or corners, wait for a dotted line. Like I said you are all adults, so don't drink and drive, think and drive.*

*Have a good time with family and friends and cherish the moments that you may spend with each. Some you may not like too much, but maybe some of them think the same of you. Enjoy the holidays.*

## **Improving Workplace Safety:** by Carman Draper, O.H.S.C./Safety Rep.

*According to the Bureau of Labour Statistics (B.L.S.) 5,702 fatal work injuries were reported in the U.S. in 2006. Fatal work injuries among workers 20 years old rose 18% between 2004 and 2006 to 166 cases. Workers 45 years and older are much more likely to die as a result of a fall. Older workers are also more likely to incur more serious non fatal injuries.*

*Proactive steps that employers and employees can take to improve safety of shift workers are as follows.*

- 1. Improve training, especially for young workers.*
- 2. Employees should be honest about their abilities and request help or training.*
- 3. Employers should verify employee qualifications and experience particularly in machining operation.*
- 4. Establish procedures for use in emergencies, fire, severe weather, injuries or accidents.*
- 5. Periodically review the health and safety standards, assess necessary improvements.*

## **Getting the Message:** by Otto Kliment, O.H.S.C./Safety Rep.

*After explaining the lockout practices to several people over the last few days I have found that the information on our practices has not reached a number of our workers. For some reason some people still seem to think that a “watchperson” maybe used in place of a lock. It is clearly stated in the Mines Act that this is **incorrect**. A “watchperson” can only be used if,*

- 1. the piece of equipment physically cannot be locked out (i.e. no place to put the hasp and lock)*
- 2. the piece of equipment needs to be running to do the work (i.e. changing the bucket).*

*Once the equipment is in the proper position and **prior to any other work** commencing it must be locked out. Other people seem to think that they have a better lockout procedure and are using their own system.*

*I would strongly advise those people to follow the procedure as it is outlined in the Mines Act and in the S.P. & P. These procedures are the only ones that are approved by the mines inspector. Any one using a different procedure may find themselves in a very uncomfortable situation. Please remember that the lockout procedure has not changed but the interpretation of a watchperson and what they are for certainly has.*

*The use of heavy equipment stands is another matter which needs to be mentioned. The Mines Act states that all equipment stands shall be engineered and a load rating tag must be attached to the stand. A warehouse stock number is not a load rating tag. For those that are unsure what a load rating tag is, it is the maximum allowable weight that may be placed on that stand.*

*You cannot determine if the stand is suitable for your application if you don't know how much weight the stand will hold. Stands which do not have a load rating tag on them should not be used. Before using a stand inspect the stand for damage, check the load rating tag to ensure that stand is appropriate for your job.*

*Information on other issues is ongoing. Ask your supervisor if you hear different versions of a procedure or unsure of what to do. If you still are not satisfied ask your safety rep. I would encourage the safety reps to stay in contact with their appropriate OHSC members. Ask questions, leave notes, whatever it takes to stay on top of any changes or new information. It is the only way that we are all going to be aware of what's going on.*

*If one crew does it one way and another does it another way we all need to know why this is happening. We may find better ways of doing things but we cannot have different people interpreting procedures or practices for themselves. Let's all get the official procedure and make sure **everybody** follows that same procedure.*

## ***Your Pension – Is It At Risk?***

*NO - One of the things that separates us from other big industry operations in Canada is we have a non-contributory Defined Benefit Pension Plan. Simply put, the employer pays 100% of the premium and assumes all the risk.*

*For most in Canada it is a warm handshake and if you're lucky a gold watch when you reach retirement. In today's workplace it is rare that unions are able to negotiate Defined Benefit Pension Plans. Only those such as politicians can expect to be so lucky. That's only because they get to make up the rules. Defined Benefit Pension Plans are like annuities in that they pay a set defined monthly payment retirees can count on no matter how long they live, and after their death their spouse will receive 66 2/3 of their pension for the rest of their lives.*

*With our pension the amount is tied into dollars on the base per/month per/year of service. We also have a \$21 bridge that is included in the calculation if you choose to retire early and ceases, at the age of 65 when you collect your Old Age Security. Also included is indexing, that will commence 3 years after retirement or at age 65, with health and extended health benefits.*

*Plans such as ours, the gurus (even right wing gurus) tell us are great for workers but a major burden to employers. Employers are responsible for honouring the "Pension Promise" whether or not the market co-operate. Many companies offer no pensions at all but encourage workers to maximize their RRSP's or buy into a defined contribution pension plan. If you have a choice between a defined contribution and a defined benefit pension, without a doubt, the latter is the better buy. Like RRSP's defined contribution plans require employees to make their own investment decisions. Unfortunately, study after study has proven the average worker is ill equipped to make good investment decisions.*

*With markets the way they are today, I would take it a step further, it is a role of the dice, regardless of where you are getting your investment advice. Money purchase plans are tied directly to the fortunes of the stock market. Defined Benefit Pension Plans put the risk on the shoulders of the company sponsoring the plan. Even if you consider yourself a knowledgeable investor with a risk tolerance hardy enough to stay in it for the long term, there are no guarantees. Talk to those who during the most recent stock market crash invested aggressively. Most lost 50% plus on that investment!*

*Our Defined Benefit Pension Plan is as close as your going to get to guaranteeing yourself a fixed income when you retire.*



## **Christmas Message 2008**: by Don Takala, President

*With the Holiday Season fast approaching Christmas Day is not far away. As President of USW Local 7884 and on behalf of the Executive Members and Staff, I would like to wish you, along with your families, the best of this joyous season. We hope this season will bring happy reunions, celebration and new memories to cherish as we approach the New Year.*

*Christmas centers on the birth of a child, and on the message of hope and peace. We hear that message in many ways at Christmas, and it never loses the power to lift our hearts. The holidays can also deepen our sense of gratitude for life, and for family and friends who fill our lives. We remember how much we have been given and how much we have to share.*

*We think of those among us who spend the holidays in sadness or solitude. We think of those facing illness or the loss of a loved one or the hardships of poverty and unemployment.*

*Whether you are watching "It's a Wonderful Life" for the 100<sup>th</sup> time or watching your children inhale the Christmas Spirit for the first time, may the spirit of the season be with you today and throughout the New Year.*

*In closing I would especially like to thank all of the Union Reps. For all their hard work. It is not an easy job representing the rights of the workers. It's hard work with little appreciation and I thank you all for your dedication, commitment and continued support.*

*In Solidarity,  
Don Takala, President  
USW Local 7884*