

## Summary Report 2010 PSAC Representation symposium

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Ottawa April 26-29<sup>th</sup>

- This is a new conference for the PSAC
- Representation from all components, members and staffers, nation wide
- Intent: how to build the union, skills development, issue awareness, show how to stand up and see the power of collective action
- Early recognition and resolution of issues
- Representative work is political action, the job you save may be your own some day

Speakers:

John Gordon:

- The Federal gov't is trying to make public service workers pay for the recession they did not cause
- "Hands off my pension" 70,000 signatures on the petition
- Social justice Fund helping in long term reconstruction in Haiti

Dukens Rafael:

- General Secretary of the confederation of the Public and Private Sector Workers of Haiti
- Offered heart felt thanks for the support given by the PSAC social justice fund

Plenary: Building the Union

- Arbitration- not as easy as it looks, get the details clear as soon as grievance is filed as some take a long time to get to arbitration, try to solve the problem as close to the source as possible
- Mediation may help before arbitration gets scheduled, resolution of the grievance may come even during the arbitration hearing
- The decision once given at arbitration still may not solve the root cause in the local, must keep lines of communications open
- Griever must tell the truth to avoid a negative decision that will weaken credibility
- How to build at the local level: find out the problems, get the staff involved by speaking up and bringing issues to management and requesting resolution
- Employees need to see the pay off from involvement
- Find the problem, speak up in numbers, solve it and communicate it, there is a cascade effect from positive outcome, especially items outside the collective agreement
- Must have commitment from members to bring their issue forward, confront management if needed, threaten to grieve, petition

## How to be an effective Representative:

- There are many ways to provide representation
- Meet quickly to discuss members' issue/grievance
- Get detail, interview witnesses, gather all documentation
- Try to solve the problem locally, grievance take a long time, must file them if local problem solving doesn't work
- What does the member want as resolution
- Build relationship with member, trust is needed
- Principals: preparation and credibility, may allow for early resolution to problem
- Lots of detail given as how to handle an arbitration process
- Be open minded and rigorous during the process
- Allow a time for member to get his/her anger and frustration off their chest before meeting with management to avoid confrontation, it doesn't work, don't lecture management, you get what you give
- Work with employees who don't want their names brought into a complaint, they need time but they need to be educated what their rights are!!!!!!

## Work shop:

### Union Advocacy

- Role of the steward as advocate discussed
- How to be an effective advocate: member involvement, listening skills, investigate complaints, document, problem solve at the closest to the issue, prepare the grievance and present it
- Take grievance to next level, document clearly, watch time lines
- Discussed member to member conflicts and duty to fair representation
- Resources discussed, use those at the UNW office

### Day two April 28<sup>th</sup> The National Day of Mourning

- Over 1000 deaths on the job in both 2007 and 2008
- "Success is no accident" study published copy of the report at [www.policyalternatives.ca](http://www.policyalternatives.ca)

### Plenary session: Current issues and challenges Lisa Addario Legal Officer Membership Programs Branch

- OH&S is being challenged in the work place, systematic roll back of "Right to refuse dangerous work"
- Changes in the process to make the right to refuse complaint, being dismissed at the local level too quickly, PSCA challenging the proposed changes
- "Duty to accommodate" lots of examples discussed, options available if member involves the union's help early in the process instead of being faced with a letter telling the member to return to work or resign/retire
- Physical fitness testing challenged to ensure employer is clear the necessity for the skill

- Employer must prove undue hardship in a return to work accommodation
- Employer shopping for medical opinion they want, and rejecting member's personal physician's report in order to force members back to work too early or to the wrong situation

#### Workshop Return to Work:

- Presentation available on the web
- Document handed out: Duty to accommodate, Disability Insurance
- Injury/accident identified, investigate the cause, work to prevent recurrence
- WCSS covers what you are entitled to, hand outs given
- Make detailed notes as to what happened in the accident or injury, it will be important detail if heard at a higher level
- Disability overview: employers pressuring members to return to work too quickly or wrong job, employers releasing employees for inability to do the job, and violation of Human Rights
- Key to keep members involved in the process, it may be a long process, member is off work, and could also become depressed with delays and attacks on their confidence

#### Workshop Job content and Classification

- Be very detailed about what you do on the job in order to have success in getting job reviewed and reclassified
- The workshop was geared to the Federal public service

#### Workshop Harassment, Discrimination and Human Rights

- These are big issues
- Workplaces are much more diverse now
- Demographics are changes
- Aboriginal youth is a large emerging group
- Aging workers can lead to disability impacting their work abilities
- Harassment is a form of discrimination
- Employer is obliged to provide an harassment free workplace

#### Employer must 1. Stop, 2. Investigate, 3. Restore the environment

- Employer has policies on harassment, collective agreement has clauses
- What to do if the employee does not want to complain openly but wants the union to help
- Must get creative, educate members of their rights, help them to understand they are important, empowerment, get creative, use alternative dispute resolution or mediation to decrease the pressure, bring this up at Joint consultation

Thursday April 29

#### Workshop Dealing with Difficult People

- What a difficult person is
- Identify common types of difficult people
- Gain an understanding of peoples' motivations and needs
- Learn how to deal with difficult people
- Recognize areas for personal development
- What is difficult behaviour: the behaviour bothers you personally, but may not bother everyone, may not be constant and isn't universally negative
- What is a difficult person: some who exhibits difficult behaviour in a way that bothers MANY people, MOST of the time, and is most often unhelpful or disruptive
- Types of difficult people: bully, gossip, know-it-all, complainer, people pleaser, martyr
- What motivates, how to recognize and how to deal successfully with these people was discussed and is covered in a hand out
- Recognition is key to success in interaction and there are ways to acknowledge and focus the individual in a positive way

#### Panel Emerging trends in Human Rights Law

- Human Rights (HR) issues now occupy 50% of arbitrators workloads
- HR in the workplace is an important phenomenon to be aware of
- If you want to get the measure of a society, go to the workplace and see who is getting the good jobs and the worst jobs
- Emerging issues of addictions, privacy of medical information, family status, and mental illness were discussed

#### Closing remarks from President John Gordon

- Look at representation broadly
- Grievance is one way to help member
- Collective action is important
- Members who are involved, know your rights and collective agreement
- Take early action to solve problems, creative thinking locally can avoid a protracted grievance process