

**REPORT  
OF THE  
NATIONAL PRESIDENT**

**Todd Panas**

*October 8, 2018 to March 15, 2019*

INTRODUCTON:

I want to express my gratitude to our members, elected representatives, stewards and staff for their efforts and commitment to the Strongest Component Union under the Public Service Alliance of Canada. I want to thank Shimen for her hard work within the National Office and her efforts to build a strong and united staff team.

I'm very proud to announce the appointment of Jayne Powers as our newest member of our National office team where she will serve as one of our Membership Administrators. Jayne brings both an administrative background along with her union representation at all levels which will only compliment our Union with our service delivery.

I also want to thank Michel Lépine for his service as RVP for National Capital Region and congratulate him on his new position as Service Officer for the Union of Veterans Affairs Employees. We wish him the best of luck with his new career in providing representation in a full-time capacity.

I certainly would be remiss not to acknowledge the great work of Julie Lavictoire as my Administrative Assistant. Julie delivers exceptional service in her role and goes over and above her duties to make our Union the best it can be. I could not do this job without her assistance and I deeply appreciate our wonderful partnership for the members.

The Phoenix pay system continues to plague our members with thousands of new files and existing files with no end in sight. Many departments now have access to PODS which allows them direct access to the Phoenix pay system where they can address many of employee files and make the necessary corrections. On February 28<sup>th</sup>, the PSAC and the Components organized a huge rally in downtown Ottawa, with hundreds of activists blocking the streets and departments on Laurier Ave. This was a very successful rally on the third anniversary of the launch of the infamous Phoenix pay system and I was extremely proud with the turnout of our members, activists and the National Board of Directors. I want to thank our RVPs, the Locals, activists/members and Shimen with coordinating our UHEW activists in the success of this rally.

The Public Service survey results have been released and again and they have shown very little improvements in the key areas of harassment, discrimination, fear or reprisal, and confidence in management making the necessary changes to the workplace culture. Past action plans have failed and there has been very little accountability for one's actions or their lack of.

Violence complaints are on the rise and management lacks the capacity on dealing with these complaints or understanding the meaning of zero tolerance. What I find very shocking with the many complaints we receive is our members have reached out to Senior Management on their own in hopes that someone would help or end the violence which has existed for many years - with no success. Management's response to these concerns is "more training"; however, shouldn't senior managers already have this training in their senior roles? I feel we need less training and need more action to deal with these systemic issues across all departments and agencies we represent. I am hopeful with Bill C-65 reaching Royal Assent in November 2018, the amendments to Regulation XX will bring stronger changes and accountability to management of timely action and that zero-tolerance approach. In the mean time, UHEW will continue to file Regulation XX as our recourse mechanism for harassment and violence within in the workplace.

Our Respect Campaign continues to evolve with more departments celebrating, promoting and implementing new initiatives within the workplace in order to change the work culture. We all realize that changing culture takes time, sometimes decades or even centuries but UHEW has taken a proactive role to convince the departments on this priority. We need to place all decisions through that respect lens and continue to hold all accountable for one's disrespectful actions. Last year many departments celebrated Annual Respect day and week on November 26<sup>th</sup> to 29<sup>th</sup> with many types of events in order to bring awareness of this very important campaign. During this week, UHEW launched its new initiative of "Fear of Reprisal" with both Health Canada and the Public Health Agency of Canada. Environment Canada Climate Change Canada, Department of Fisheries and Oceans, and Indigenous Services Canada will be launching their Fear of Reprisal campaign posters this year. We NEED to eliminate this fear which plagues the Public Service. All employees should be able to speak to or reach out to anyone in a safe place without fearing some sort of reprisal or retaliation at any level. We work in a proud public service, in a free democratic country like Canada and we work with professional adults - why do we have to face these fears? Why don't we have safe workplaces? Why doesn't management understand what zero tolerance means? UHEW will continue to advocate and promote these campaigns with the hope that someday we will achieve that quality of life in each and every workplace, which is what our members deserve.

PHOENIX:

As I stated in the introduction, Phoenix, the biggest disaster in the history of the Public Service, continues to place stresses on our members - not knowing whether they will get paid or paid correctly. This failed pay system now plagues all public sector unions as many have implemented a dues-in-arrears collection from their members, which has not been done as accurately as expected, due to the fact that we are dealing with a failed system. Members are now very upset with their Union, with poor communications and inaccurate information which has resulted in double jeopardy for them. We are now being blamed as contributors to the phoenix disaster and we must communicate to our members that we are a third party also affected by this failed system. We need to educate our members that Phoenix was a government initiative which has compounded into a Union problem with our members.

REPRESENTATION ACTION PLAN:

During the last cycle of Regional Conferences and at many Annual General Meetings, members have asked about the delays in their third level grievances. Departments and Agencies have also communicated their concerns with delays of these grievances as they also want to action these in a timely manner. I provided my thoughts on our challenges, the lack of controls and no real plan to deal with these long-standing grievances. I presented some ideas and a tentative action plan as a start to address these grievances which are the key priority of the Union of Health and Environment Workers. Our action plan started with Service Standards which were communicated last fall to all locals, elected officials and staff within the National Office. We followed this up with up to date job descriptions which Shimen and I are finalizing for our remaining staff. We also have developed goals and objectives for all staff and with respect to representation, each Service Officer will be required to present 12 to 15 third-level grievances per year, effective the 2019 calendar year. We will also be implementing annual performance appraisals for all staff to ensure our service delivery is on track, identify key training and to ensure we continue to provide the very best representation in a timely manner. We also have reinstated monthly Service Officer meetings to discuss common files, progress, and new ways to expedite the grievances. I understand that this action plan might not deal with that long-standing grievance of a specific member however, this is a start from having nothing in place to establishing some tangible measurements to evaluate performance and review any gaps.

UHEW STRUCTURE COMMITTEE:

I'm very proud to be part of this Committee and of its wonderful and important work from which their recommendations will help shape the future of this Component and bring our united Union together as one Family! It is impossible to continue to exist under our current structure, for both fiscal and organizational reasons. In essence, our current structure is two organizations in one and is posing divisions along departmental lines. Our Component need to evolve from these departmental lines into geographical ones. Departments will continue to change either by Order in Council, devolution or through government downsizing, which may and does, place us in jurisdictional disputes with other Components. A strong Union needs to be ready for these changes, since many of these are out of our control, as well as building a Union ready for the future. We also need to understand that this structure is a political one and that Regional Vice-Presidents are the stewards of their regions, where their main role is to oversee the Locals.

NON-COMPLIANT LOCALS:

We have Locals that have not been in compliance with our By-Laws; some also have fallen under the 10-member minimum requirement for which our By-Laws describes a review and decision mechanism within the Council. I understand that our Structure Committee doesn't have a mandate to deal with these small or inactive Locals and I also understand that our merger was not going to restructure Locals that were not in compliance as per our By-Laws. However, the Council has the authority to examine these Locals and we must adhere to our existing By-Laws, where the National office or Council may suspend Locals that are not in good standing or compliant and, the Council can also remove charters, re-allocate Locals having less than 10 members or place non-compliant locals in trusteeship. I have asked all RVPs to bring a plan of action to deal with these non-compliant locals or locals under 10 members in order to effectively find resolutions to allocate and unite these members in a sustainable local. This will need to be addressed before December 2019 or sooner as we will need a true reflection of the number of Locals per region and in preparation for our Convention with respect to delegate entitlement and our structure report.

VIOLENCE IN THE WORK PLACE:

As I eluded in my introduction, ending violence and harassment is UHEW's mission and priority and it starts with members filing Work Place Violence Complaints. We do not provide representation to the complainant or the respondent under any circumstance. We provide guidance and support under the process and respect to procedural fairness.

We only provide representation when there is discipline levied by management as a result of the findings of the report or follow-up administrative investigation. UHEW's challenges are management not accepting the violence complaint, acting in a timely manner to end the violence or find a competent person to conduct the investigation, conducting internal investigations or fact findings contrary to the law, and finally, not taking any actions with the recommendations within the report. UHEW understands that the Regulation XX complaint process has some flaws and doesn't always deal effectively with the alleged violence but we feel the amendments as a result of Bill C-65 will make this complaint process stronger for our members. UHEW continues to challenge all departments and agencies we represent with success under Regulation XX, but we are also in the learning process under this regulation and ultimately, we might have to challenge departments legally with the direct assistance from the PSAC.

#### UNION MANAGEMENT CONSULTATION COMMITTEES:

We need to assess and evaluate the effectiveness of these committees to ensure we are getting the best value for our members. It is evident that many departments lack the leadership and decision authority at the local and/or regional level. Most departments and agencies have delegated their decision authority to the Branch level and any Corporate issues are made Nationally or within Human Resources. We must assess whether we are actually making decisions that benefit our members or their quality of life. We also need to assess whether UHEW has agenda items, the duration of these meetings and if they can be attended via tele-conference call. We cannot justify sending two RVP's to the same meeting or attending a 90 to 120-minute meeting face-to-face. Regional Occupational Health and Safety meetings are not mandated by Law nor are they in the duties of RVP's and there is no operational requirement for the attendance of these meetings. This will help to lighten work loads and allow us to focus on building the capacity of our locals and providing better representation. The National office is not receiving very many agenda items of unresolved issues at the Regional/Local levels which is concerning and many of the agenda items are coming from top down or the National office.

#### PSAC COLLECTIVE BARGAINING:

The Fall 2018 offer from Treasury Board was the biggest slap in the face and worst offer since the 1990 to 1996 wage freeze by the Conservative government. This was not a respectful offer by the Liberals based on their commitment to work better with Unions and value the public service and their employees. A two-year wage freeze,  $\frac{3}{4}$  of a percent over the length of the collective agreement (4 years) with no retroactive pay and the contract wouldn't take effect until 365 days after signing - this after all what our members had to suffer with Phoenix was appalling to say the least.

The February negotiations realized a one percent per year offer with full retroactivity but we are far from what our members deserve. We need all members to reach out to their members of parliament and ask them if they value the great work of public service employees and if they support a fair wage increase with better benefits for all employees. We also need to remind these members of parliament of the failed Phoenix system and demand fair compensation for all employees. The Treasury Board Bargaining teams will be heading back to the tables during the last week of March and we need to give them our full support as we are united with them in order to achieve a better offer than the previous two offers. Mobilizing our members is the key and we need to exert more pressure on government and their elected officials to ensure we achieve substantial movement at the bargaining tables for our members. We need to demonstrate our support to the bargaining teams through emails, visiting the teams and conducting rallies where and when possible.

#### WORK PLACE INTERVENTIONS/JOINT TOWN HALLS:

I have cancelled my attendance for two town halls with ISC for the Quebec Region and the National Capital Region due to my frustration with the lack of action by Senior Management. I am not convinced that these joint meetings with both Union and Management are effective or results oriented. On paper, they look great as the action plans which follow, but these action plans are worth nothing if they are not executed by Management or have someone hold Management accountable for their actions or their lack of. It is my personal assessment that the troubled or toxic workplaces is the result from lack of leadership and the lack of accountability. Until we deal with these gaps, action plans and townhalls will be just be a venue for venting and plans for inaction. I also strongly feel that utilizing informal resolution processes or not filing grievances or formal complaints will never correct the workplace situation. We need to establish precedents and rulings where all parties are held accountable and to use these rulings to stop the abuses within these workplaces.

#### REGIONAL CONFERENCES:

We are approaching the second cycle of Regional Conferences and I feel these upcoming conferences are even more important than the first cycle for many reasons. Firstly, we are obligated to consult with our members and activists in regards of the recommendations found within the report of the UHEW Structure Committee as outlined in the 2017 Convention resolution. Secondly, we have a mandate for local development and training within our budget line item for regional conferences. As indicated in my emails to RVPs, it is essential that we build capacity at the Local, Regional and Regional Vice-President levels.

We need to focus on local development, roles of Local Officers, preparing budgets, running effective general and annual meetings, chairing meetings, rules of order, chairing elections, union-management consultation, resolution writing, and Occupational Health and Safety. Our Service Officers have performed great targeted training on grievances, duty to accommodate, Regulation XX however, they cannot provide training on local development and other areas due to the political nature of this training. The PSAC is in a better position to provide local development and other training within their mandate to locals and we need to tap into this expertise and training. Strong Components and Unions start with strong Locals and this must be our focus this cycle.

#### ROLE OF THE NATIONAL PRESIDENT:

The role of the National President is to represent the UHEW on national issues at the most senior departmental level and at the National Board of Directors, to chair and facilitate Council meetings, act as the Chief Financial Officer for the Component, interpret By-Laws, responsible for the political leadership at the Council, regional and local levels, approve travel and represent the Component at the National Union Management Consultation Committees. Saying that, I have represented or assisted with many local, regional and members files over the many years as National President. Yes, I have been successful however, I am not convinced that this was because of my title “National President” but more so due to my assertive negotiating style as a leader. Although these might be short term successes, I believe these interventions actually restrict or hurt the capacity of any organization. If we become too dependant on one person or leader to deal with all these issues, it becomes unsustainable as one cannot always rely on that style of leadership on an ongoing basis. Some regions rarely call upon the assistance of the National President whereas others require a more hands on approach. As National President, I need to fully understand why this is happening and how we can build the capacity and capability throughout our Union – Local and Regional. I will be stepping back from representing local and regional files as this is not the role of the National President nor does it help Locals and Regions build their competency. Successful organizations are not built by one person or CEO’s – they are built by the employees, the leaders and staff at every level of the organization through a collective effort. Please don’t take this the wrong way; my only goal is to help build a strong aptitude at every level of our Union and prepare us for the future. I believe this will only happen if I take a step back from my direct involvement in local and regional files.

UHEW CHAMPIONS:

I proposed this suggestion a few year ago where I thought it would be a good idea for us to have subject matter experts on various key issues that effect our membership such as duty to accommodate, disability management, Regulation xx, OHS, staffing complaints, administrative investigations, and other important areas. I certainly hope that we explore this initiative to make our Component Union stronger by building strong capacity and subject matter experts within our Union.

CONCLUSION:

We have passed our half-way point of our mandate with only three Council meetings left before our 2020 Convention and I personally thought we would have united as a closer family or union; unfortunately, this is not so. I can only assume that the lack of unity is due to our dual structure, which isolates and/or divides us while representing our former organizations. There are divisions within both the Council and the National office which is dividing our common goal, affecting the membership and the services we provide as a Union. I am hopeful for our future and that with the wonderful work and solid report by the Structure Committee and decisions made by the delegates at our 2020 Convention, we will become a truly united front under the Union of Health and Environment Workers and represent all members as one. We must focus on the leadership. We must elect leaders who volunteer and put their names forth for the right reasons. We must elect leaders who will be responsive to the membership and will challenge all levels of management for their actions or lack of. We need to remove all previous barriers and focus on the UNITY of this Component. Although changes will happen in 2020, we do not need to wait until then to ensure the success; we can all join and work together now, focus on the objectivity of this Component and become one cohesive Union for all our members.