

October 13, 2005

Minority Report

On October 4, 2005 a vote was held within the TWU Bargaining Committee to take the Telus offer to the TWU membership with a recommendation of acceptance out for ratification. I, Lila Hackett voted to reject the offer and registered my vote. As a result of voting in the minority, as I have been informed by Executive Counsel that I must file a minority report stating the reasons for my decision. I respectfully request that the membership accept my report as follows:

Since the beginning of bargaining our president Bruce Bell and this Committee has told the membership we were bargaining for a revised respectful collective agreement. We have told the membership that the job security language such as contracting out was “the hill to die on”. We have said that if the membership wanted to sell their jobs, they already would have. We have said that we would not tolerate demands that weaken the union, does not protect our members and guts our collective agreement.

Most members are aware of the history of the dispute and that the committee conducted 2 strike votes. At both of these meetings, the union told the membership that the company's language was unacceptable and that we were on the TWU collective agreement with some changes to give the company some of the flexibility they said they required. The priority was preserving language on job security and language that provides for quality of life for our membership. Those strike votes were strongly supported by the membership in that the count was over 80% in favour on both occasions.

In the months and weeks leading up to the July 21, 2005 work stoppage, President Bell told the members that we could not accept the company's final offer and that we wouldn't even bring it out for a vote. He claimed that by taking the offer out to a vote we could negatively impact our bargaining position because what last passed across the table would set the new starting point. He said that it would take a labour dispute to keep our job protection language. He said it could be a long one lasting up to six to nine months. This was accepted by a majority of the membership and they stood solid.

After the July 21, 2005 lockout the Company embarked on a vicious campaign against our members. Everything from intimidating, coercing and bribing members in Alberta to cross the picket lines to hiring AFI security to harass members in BC and Alberta who walked the picket lines. The Union told members that were fired by the company on trumped charges that we would all go back together.

The union also embarked of a course of action receiving the support of many unions, the BC Federation and the Alberta Federation of labour. Many government officials were asking the Minister of Labour Joe Fontanna to intervene in our dispute and the pressure was continuing to build. In the meantime, calls for province wide days of protest were also on the increase. Politically we had support, we were building momentum and were getting closer to where we needed to be to get a resolve. We had many strategies in place and many more that had not yet been utilized. Unfortunately, those strategies were interrupted and set back due to our capitulation to the company's demands.

During the week of September 19 through 23, 2005 I received calls from members advising me that President Bell was telling people that we were on the company's offer with some changes to it. I advised these members that the committee had not even met since the lockout so they must be mistaken and that I was certain we were still on the position of a revised respectful collective agreement.

On September 24, 2005, I was advised that Bell had attended a meeting along with Buzz Hargrove in Toronto with Darren Entwistle, Judy Shuttleworth, and Steve Bedard and that bargaining was to resume in Toronto with a small representation of the Bargaining Committee. I was concerned with this turn of events for a couple of reasons.

First the meeting took place without the Bargaining Committee's knowledge or input and was, in my opinion, a violation of General Policy # 28 "No paid officer or Union representative shall meet with management on Union business without another paid officer or representative with them as a witness." I believe that since no other TWU representative was present that these discussions compromised the spirit of our ongoing commitment to the members in terms of transparency and accountability. Second I had been hearing from the members that Bruce was telling them that we were on the Company offer with changes.

Executive Council met and gave the Bargaining Committee spokespeople direction to go to Toronto to bargain but if the Company was still on their offer, they were to come back.

In Toronto there was a sense of urgency to have an agreement done while Darren was at the table along with Bruce Bell and Buzz Hargrove. Although we presented proposals I felt the company was of the opinion that we were on their offer with some changes and the fact we came to the table with proposals of considerable importance infuriated them. By the end of the week Darren left the table and said that we had wasted his personal time and he was going to prepare a press release.

I was satisfied with that result as I was feeling that what we had been through that week was not bargaining. I was looking forward to returning to Vancouver. It was later that night that we were informed that Bruce Bell and Buzz Hargrove went back and spoke to Darren without the rest of the committee and we were now going to continue.

The following week I felt increasing pressure put on the committee to move to the company's offer by Bruce Bell, Peter Massy and Buzz Hargrove by telling the committee the government was not going to help, we're running out of money, that other unions or federations would not help if we had no money, and other issues that I found hard to believe. As well, I was uncomfortable with Brother Hargrove's bargaining on our behalf since the TWU Constitution stipulates that bargaining should only be conducted by those given the authority to do so [Article XVI Section 1- c] "Collective bargaining with employers shall be conducted by the Bargaining Committee of the affected Bargaining Unit" and although the constitution allows for the President to appoint an alternate representative (Article XVI Section 1 - e) the constitution also clearly stipulates that the structure of the committee must be decided upon by the unit affected (Article XIII, Section 5). In my view, we hold elections for just that reason. This is not to say that I am

unappreciative of the assistance we received but rather that I was uncomfortable going forward in what appeared to be a gross violation of the democratic rules.

To bring this offer to the membership without even the most basic principles of unionism such as seniority rights was not an option for me. We still have no definition of core. We have no relocation or retraining committee to ensure that members whose work is contracted out are looked after. We have no way of guaranteeing that what Bell has done to its clerical workers just recently will not happen to us (Bell sought and received a \$5.00 per hour wage cut citing 'competitive factors' and threatening to outsource their work if it wasn't agreed to.) We have given up on all employees being treated in a just and equitable manner. We have given up the right for Alberta employees to be paid equally for exactly the same work as their BC counterparts until 2010. We have even given up the 'maintenance of membership' clauses which stipulate that you must belong to the union in order to work for Telus or that you must be a Rand employee. The list goes on.

During this dispute we have asked the members to take on some very big challenges and we committed to do the best for them. I do not believe this is the best we can do. I do not believe the fight must end or that we can do no better by continuing to fight. I do believe there is a better agreement to be had.

That is why I voted no.

Respectfully,

Sister Lila Hackett

President Local 50

Elected Member of the TWU Bargaining Committee