

# TEAM TIMES

TEAM • IFPTE Local 161 • Fall/Winter 2010

## President's Report



*Misty Hughes-Newman*

Now that negotiations have concluded and the agreement has been ratified, I'd like to share some of my thoughts on this new contract.

Although negotiations were shorter this time than last, they proved to be no less demanding. It was very difficult to push for improvements to working conditions, benefits and wages when the company was insisting on nothing but cuts, concessions, and more concessions.

All through the negotiations we heard loudly and clearly from you, the members. The company heard, too. The feedback you provided, through focus groups, surveys, one-on-ones, and responses to e-mails, gave us teeth at the table. The company was aware that we had done our homework and the issues we raised at the table were important to members. Your displeasure with the company's demands, particularly the proposal to cut PLDs, gave us the mandate to hold firm.

The "Hands off our PLD" tent-card campaign resonated with members and other CEP and IBEW employees alike. Many members called to pick up cards or printed their own, and at one point there were over 1300 cards displayed in the workplace in just about every company office across Manitoba. The company's proposal to cut PLDs was on the table right till the end, but we made it clear to the conciliator that losing the PLDs would likely result in job action.

I know some members were very disappointed with the 0% base pay raise in the first two years of the new agreement. The negotiating committee had many hard discussions about what we could realistically expect our members to do to get an

increase on the base, and what the chances were of improving the company's offer if members were to strike. In the current economic climate we reluctantly concluded that the costs of strike action would be greater than the potential benefits, as there was no clear likelihood that we would gain anything on that issue.

I'd like to thank the members of the Bargaining Committee Tom Milroy, Gene Moreau, Mike Barker, Erin Spencer, Amanda Kiss, Cian Whalley, Chris Myers, Qwin De Brant, and Charlie Hendren for their valuable feedback and contributions to the development of our negotiating positions. I especially thank the other members of the negotiating committee Sean Conway, Ed Maxwell, Bob Linsdell and Dee Gillies (from the IFPTE), for their teamwork and perseverance over the course of the negotiations.

The new contract is presently being proofread, and will be printed and distributed in the near future. ♦

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## Members Ratify Contract



*Members vote to ratify contract. See more page 6.*

# Gluttons for Punishment

## TEAM Members Share Their Thoughts on Workload and Overtime

Last year TEAM asked members to identify workplace problems. A recurring response was excessive workload. Numerous members said they felt obliged to work longer hours than the 37.5 defined in the collective agreement. Further, many reported that they were not being compensated for the overtime they needed to complete their work. They reported feeling burnt out, frustrated and unable to find an acceptable work-life balance.

To get a more accurate picture, TEAM sent out a detailed "Hours of Work" questionnaire to all members in March. Two hundred fifty-one responded, with many also taking the opportunity to write candid comments about work conditions.

Here are some of the statistical findings:

- 91% of respondents said they regularly work longer hours than the 37.5 they are compensated for.
- Actual weekly hours average about 42, or roughly one extra hour per day for each respondent.
- Only 14 of the 251 respondents reported working just the 37.5 hours defined in the collective agreement, taking all allowed breaks, including lunch.
- Of the remaining respondents, all of whom reported working more than 37.5 hours, 76% said they rarely or never claim overtime.
- The yearly value of the unclaimed overtime of those responding to the survey was roughly \$3 million. Extrapolated for all members, the yearly unclaimed overtime total could be over \$15 million.

Many members said they didn't know they could claim overtime hours. Others said that they were told by their supervisors not to claim overtime, or were informed that overtime was not allowed in their departments.

*"This option has never been offered to me."*

*"Was told it is part of my salary"*

*"I didn't know I could claim overtime. I figured as a salaried employee, I'm not entitled to OT."*

*"I was under the assumption that management does not get paid overtime."*



Regular workload, not emergency situations, was the reason usually cited for overtime. Seventy-five per cent of respondents said they could not complete their work during regular hours. Seventy per cent said that they felt obligated and sometimes required to work extra hours for no compensation to meet deadlines.

*"Just trying to keep up. One of our staff has passed on, and I have inherited some of his work. But even with the extra time being put in, I am no longer keeping up. Valuable work activities are being left undone. This will cause problems down the road."*

*"I probably am too hard on myself and work more than I think, but feel guilty all the time... managers look and speculate on whether or not "work" is being done. So then I feel I have to put in more hours and work through breaks."*

These comments suggest chronic understaffing in certain departments and an onerous workload for the remaining staff. To be fair, a few members were not bothered by the extra hours, and said uncom-

pensated overtime was acceptable to them.

*"We are not allowed overtime. I work late or through breaks to get the job done. The customer comes first, our internal issues are not their problem, it's ours! If it takes me longer to do something due to systems, resources, and/or workload issues, that's my problem, not the customers."*

*"My own choice to keep up."*

Most were less sanguine, however, and said their hours of work and workplace environment were unacceptably stressful. Seventy per cent of those who provided comments about work-life balance reported that the extra hours had affected their sense of well-being, their family life, or their health.

*"Trying to do more with less" is an unfortunate reality currently facing many organizations, including MTS Allstream. Consequently, many employees often find themselves having to work long, frequently unpaid, hours just to keep up with the day-to-day demands of the job."*

*"It causes extreme stress both at work and at home knowing that there doesn't seem to be any relief in sight. In my opinion, the prognosis is bleak and it appears that it is only going to get worse ... it's not a good environment to be working in."*

*"Yes, unable to have home life or interferes with social activities I may have planned."*

*"Attending lunch meetings does not allow for an adequate break in the workday. This is especially not appreciated when overtime is not paid for working through lunch."*

*"Tired and irritable, blood pressure problems, can't sleep because of hectic day"*

*"Not sleeping or eating like I used to, headaches, it's affected my temperament with my family and at work."*

# Where do my Dues Go?

*Johanne Drabchuk*

Like many other TEAM members, I have often wondered exactly where my dues go. To find out, I asked to meet with Bob Linsdell, Executive Director of TEAM IFPTE Local 161 to ask him the question.

Bob first explained where the money comes from:

- The amount of dues paid per member is equal to one hour's pay per pay period.
- Dues are a tax deduction.
- All employees in the bargaining unit (including a small number of non-members) pay dues.
- The company pays dues for each contractor.
- Total dues from TEAM's 1200 members are approximately one million dollars per year

What I really wanted to know though, was where the money went. Bob showed me the books and broke it down:

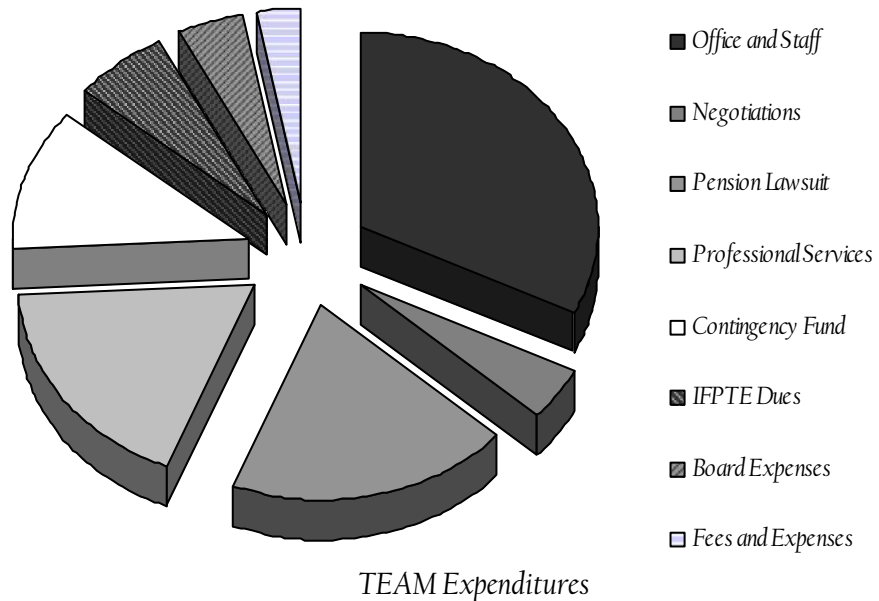
- The biggest portion, accounting for about 37% of dues, is for the operation

of the TEAM office, including the salaries of the staff members who provide member services. Services include advice to members, representation in grievances, representation in contract negotiations, pension representation, research, and member communications.

- The next biggest portion of dues is for legal and professional services. In the past this amount was been about 20% of the budget, covering negotiations,

advice, support, arbitration, grievances, and general labour relations. The legal services help members in trouble and help set precedents in arbitration. Currently the proportion of dues going to legal costs is about 36% because of the special expenses for fighting the pension lawsuit. TEAM, along with IBEW and CEP has been awarded a \$100 million judgement which the company is currently appealing. The special costs

*Continues Page 9* ➤



# At The Cost of a Pen



*Sean Conway*  
Member-at-large

By the time this article is published the ratification vote for the TEAM-IFPTE Local 161 collective agreement will be complete. On September 9, members ballots will be counted and the results known. The agreement is being recommended by the negotiating team.

During a ratification meeting I was asked to respond to a question. The Executive Director had taken a question from the floor and asked if I would come up to provide an answer. I walked on stage, stepped up to the microphone and looked up to see a few hundred faces staring

back at me, waiting for a response. Hey wait a minute, I didn't sign up for the public speaking part!

Being a participant in the negotiating process for the collective agreement started many months before coming to the microphone. It seems my application to help the union during collective bargaining had everything the local wanted. I was not a board member. I did not hold a position on the bargaining committee or the business office. I had only one qualification that really mattered; I was a member.

I had sent an email to the business office offering to help in negotiations. I was willing to work in whatever capacity they needed. After being interviewed, I was offered one of the five positions on the

negotiating team. I recall the introductions of the union and company representatives at the bargaining table. Names were mentioned with their titles: director, vice president, president, executive manager, international representative and one lone member-at-large. Can you guess who that was?

My personal belief is that trade unions exist to balance the power of the employer and the employee. I now have a life experience that supports my belief. Without unions, employees are at the mercy of the employer. I would like to believe in the inherent goodness of people, but life experience doesn't always support that tenet. Companies are motivated by self-interest only.

*Continues Page 4* ➤



## At The Cost of a Pen

◀ *Continued from Page 3*

The union executive made a bold decision in offering a seat on the negotiating committee to a rookie member at large. I am told the strategy provided the benefits the union was hoping for during the negotiation process.

During the months of the bargaining, a colleague who shall remain nameless presented a theory to me. Please forgive the blunt language. "If both sides at the bargaining table leave pissed, when they sign off on an agreement, then it is probably a fair deal. If one side leaves happy, then someone got screwed." I can't say if the theory is correct, but I was one of the TEAM representatives that sat at the negotiating table and saw evidence that the company was not happy with the eventual agreement.

My own opinion of the deal involves an apology. I apologize to the cleaning staff at the hotel for having to remove a pen from the urinal. I used the pen to ink my name on the negotiated settlement. Somehow, it must have fallen out of my

pocket.

Listening to the members in the ratification meeting I sensed their frustration. I believe they felt the same emotions I did during the months leading up to the meeting. Frustration, disillusionment, disappointment, anger, resentment, and determination were all emotions I had experienced over the months of bargaining. The lead negotiator commented to me on the final day of bargaining that he thought at times during the process I might throw in the towel and not return to the table. I think during those few minutes the members experienced the same emotions I did over the months. I felt real empathy.

I heard the membership express their frustration during the ratification meetings. I felt that frustration at the negotiating table after repeatedly hearing the company say "no" to every proposal without a hint of how to solve the problem.

I heard the membership make suggestions that we try this or try that. We did. I witnessed one individual on the union's

team who never accepted the word "no." When a proposal was rejected he would rewrite it and resubmit it. Facing another "no", he followed the instructions on the shampoo bottle: lather, rinse and repeat. The bottle instructions never say how many times. I lost count of how many times he would repeat the rewrite cycle. I can point to many improvements in the agreement that started with a "no" and were supposed to end with a "no."

Each proposal was championed by a specific member of the negotiating committee, but the committee worked together as a team to ensure that every proposal was defended as vigorously as possible.

As a member at large who has had the good fortune to be part of the team that negotiated and recommended the agreement, I think it is the best deal under the circumstances. Do I like it? Does it make me happy? If I could just remember what I did with my pen, I would write a note in my journal! ♦

## Pension Lawsuit Update

*Bob Linsdell*

*TEAM-IFPTE Local 161 Pension Representative*

MTS has applied for a Stay of Execution of the January 19<sup>th</sup> 2010 \$100 million award to pension plan members.

On June 17<sup>th</sup> the plaintiffs (TEAM, CEP, IBEW and the retirees) vigorously objected in court to the application. The Company stated that it was "good" for the money should it lose the Appeal, but that the judgement could not be executed since the judgement contemplates further proceedings regarding use of the \$100 million.

We argued that the Company has sufficient credit facilities to pay the money into trust pending a decision on distribution, or alternatively that the Company post security to guarantee that the money will be there when the Appeal is decided.

The Company responded that the cost to provide such security was excessive, being about \$4 million. A decision on whether the judgement is enforceable at this point is expected in the near future. Depending on the outcome, more court submissions may be necessary concerning the type of security MTS would have to post.

Despite stating at trial that the amount owing to pension plan members was \$100 million (\$43 million plus interest), the Company is now saying that the total amount owing is only \$94 million; a reduction to plan members of \$6 million. In light of this, a court hearing on the calculation of interest looks necessary.

The Company's Appeal of the \$100 million award to pension fund members will be heard December 13<sup>th</sup> to 15<sup>th</sup>, 2010. ♦



## Mr. Biggs Comes to Town

During the first week of September the IFPTE's Washington based Legislative and Political Director, Matthew Biggs, was in Winnipeg to meet with TEAM-IFPTE Local 161 and WAPSO-IFPTE Local 162 and hear the legislative concerns of the two Manitoba locals. In a question and answer session with the TEAM board, Biggs explained the role of the IFPTE in influencing legislation and political decisions.

On the legislative side, Biggs works with IFPTE locals and other organizations to lobby legislators who influence labour legislation. He recently met with US Vice-President Joe Biden and regularly meets with senior members of the Obama administration and representatives of other governments and organizations in the US and Canada. He emphasizes that it is mainly the members, not him, who do the talking and make the case to legislators. "This is a member driven union".

The target of each legislative campaign depends on the employer. For MTS, Biggs observes that the company is organized under a federal charter, so legislative programs need to be addressed at the federal level. For WAPSO (the City of Winnipeg Managers), the legislative jurisdiction is at the provincial and city level.

During his meetings with TEAM and WAPSO, Biggs made note of a number of current issues which affect members. One is the federal government's intention to remove the cap on foreign ownership of telecommunications companies. "I think that's a pretty radical type of change that would have a major impact on workers in the telecommunications industry." Biggs says he wants to hear what members think. If they are concerned, whether for or against, then he and the IFPTE will get involved in a parliamentary response. He also recommends that TEAM set up a sub-group to monitor legislative issues that affect members.

Biggs acknowledges that the IFPTE's legislative campaign losses outnumber successes, but says the IFPTE has been "quite successful" in influencing legislation at the federal and local levels in many cases. "That's what we did in Ontario with the Bill 100 campaign when they

tried to privatize energy" The IFPTE worked with the Society of Energy Professionals-IFPTE Local 160, and several other unions in a broad publicity campaign that led to the reversal of the policy, and preservation of public ownership.

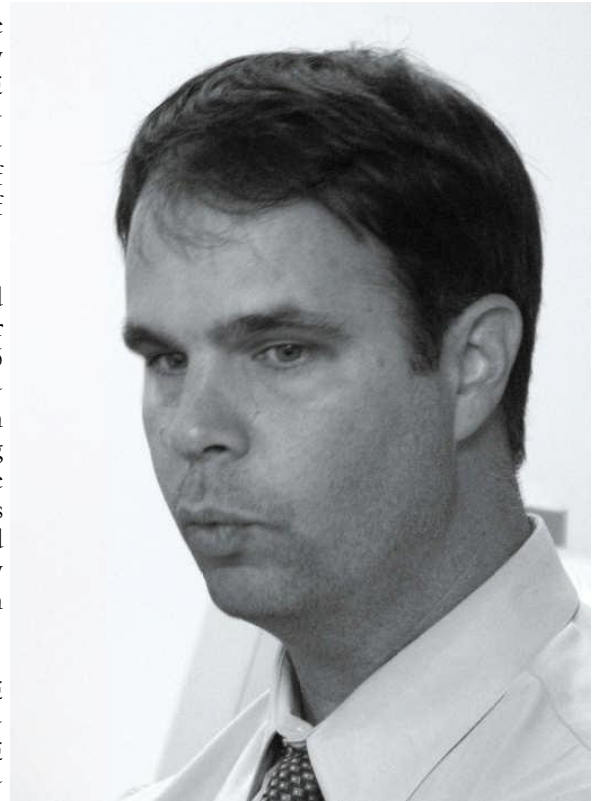
As another example, Biggs said that following an eight-year campaign, the IFPTE and 36 other unions representing Department of Defence workers in the US succeeded in repealing legislation which would have disbanded the unions. This was especially notable as it occurred during the years of the generally anti-union Bush administration and an anti-union Congress.

As another example, the IFPTE this year helped US administrative law judges who are IFPTE members to improve their pension plans. Because federal judges tend to start their careers late in life, they did not until now have an opportunity to accumulate a reasonable pension before retirement.

During his visit, Biggs also listened to the concerns of WAPSO members about the recent City of Winnipeg confidential contract giving ownership and management of two new waste treatment plants to Veolia, a multinational company headquartered in France. The IFPTE will be working with WAPSO to question and publicize the positions of the Mayoral candidates, including Judy Wasylycia-Leis and Sam Katz, on their intentions for ownership of City water resources.

The protection of pensions and the enactment of legislation outlawing bullying are two other Canadian legislative issues that the IFPTE is watching closely. Manitoba will likely enact regulations to protect employees from psychological harm including bullying this year, and the initiative may serve as a model in other provinces.

The second part of his job is political. Biggs helps raise funds in the USA for various PACs (Political Action Commit-



Matt Biggs

tees) to help elect candidates who support working people and unions. The IFPTE will endorse specific pro-labour candidates and contribute to their PACs. "We endorsed President Obama even when he was in the Primary".

While the amount of money that the IFPTE raises is miniscule compared to some other groups, it can be targeted for maximum effect to help specific candidates who are in close races.

The political part of his job can be controversial. "Obviously, some members are conservatives and some of them are liberals .... so we don't use any member's dues for political purposes." The IFPTE represents all members regardless of their political views. PAC funds are raised strictly from voluntary contributions.

Matt Biggs always welcomes feedback and ideas from members, whether about foreign ownership, pensions, bullying, or any other issue which might be addressed through legislative action. His email address is [mbiggs@ifpte.org](mailto:mbiggs@ifpte.org) ♦

# In Pictures: Negotiations 2010



**Left:** Bob Linsdell addresses members at the June 8<sup>th</sup> member information meeting at the Humphry Inn.



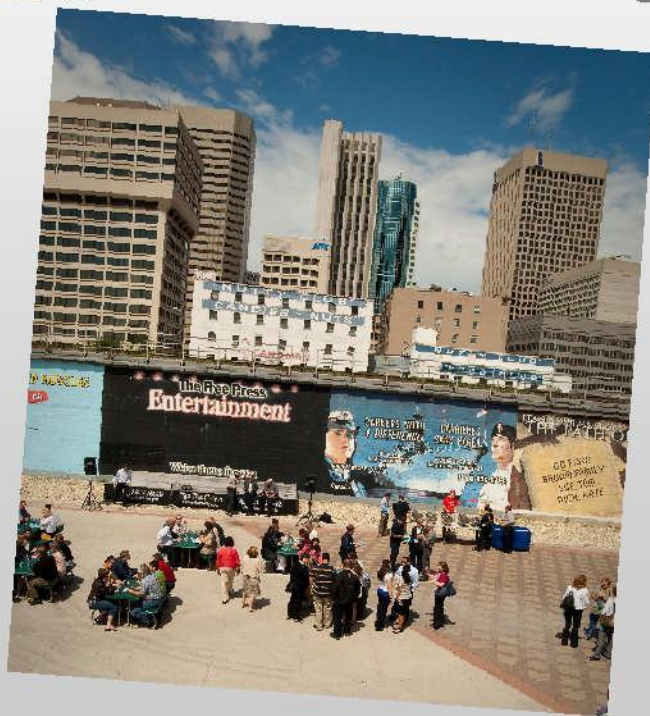
**Above:** The Negotiating Committee (L/R) Dee Gillies, Sean Conway, Bob Linsdell, Ed Maxwell, Misty Hughes-Newman.



**Below:** PLDs—the issue that members were willing to take job action to protect.



**Right:** Pension Protection Picnic June 29<sup>th</sup>. Members show their support for the negotiating committee.



**Right:** Members and observers at the ballot count, September 9<sup>th</sup>.





# The Eight-Hour Day

Stephen Gillies

Our collective agreement sets the work day at 7 1/2 hours. This conforms with Canadian eight-hour day regulations which prevail in every province. Where did the eight-hour work day, or any regulation of working days, come from?

Some of the earliest records on the subject, from 13<sup>th</sup> century Europe, suggest that the peasants at that time toiled from sunup to sundown—but with generous breaks for breakfast, lunch, dinner and naps. Oxford professor James Rogers estimates the average medieval work day as “not more than eight hours”. Work came to a halt during the holidays of Christmas, Easter, Midsummer, and numerous feast days, with holidays accounting for about one-third of the year. In effect, workers were regulated by the church calendar. The medieval work year totalled about 1700 hours - similar to the current Canadian standard.

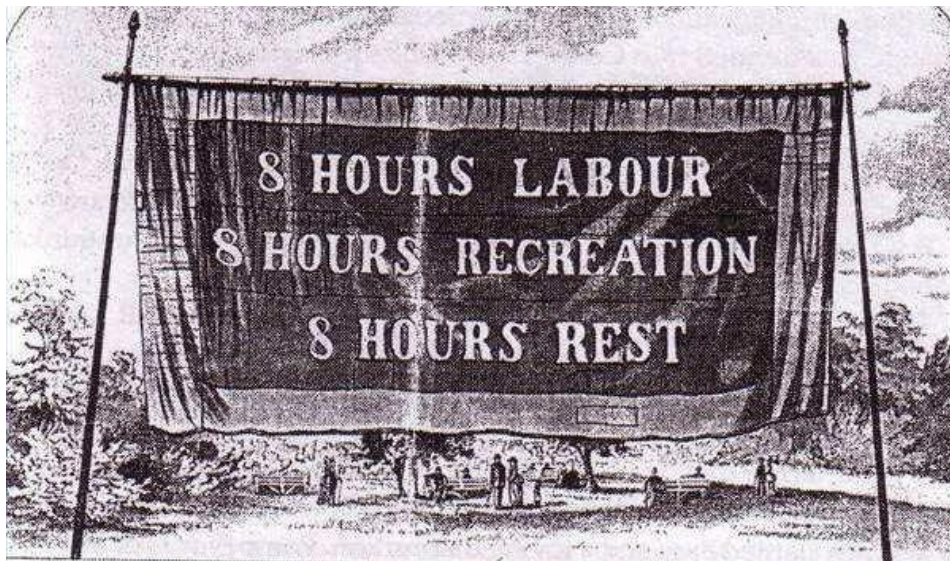
That life came to an abrupt halt in the 19<sup>th</sup> century, with industrialization. Unlike farms, factories could operate continuously. To maximize production and ability to compete in the market, owners imposed long working hours. By 1840, work days in England were typically 12 to 16 hours, with few holidays. Employees worked up to 3600 hours a year.

The 19<sup>th</sup> century trend to longer hours was eventually reversed because of labour legislation, not market forces. The initial issue that led to the legislation was child labour. The first factories had employed adults, but owners found they could cut costs by employing children instead. The justification for putting children to work was summarized by Charles Harding, President of the Merchants Woolen Company in the USA who said:

*“There is a certain class of labor in mills where there is not as much muscular exercise required as a child would put forth in play, and a child can do it about as well as a grown person ... There is such a thing as too much education for working people sometimes. I have seen cases where young people are spoiled for labor by too much refinement.”*

Predictably, tired children were injured or killed by mill machinery. During the same period, unemployment of adults rose as more jobs were given to children.

Trade Union Congress in England made the eight-hour day its goal. In the latter part of the 19<sup>th</sup> century, eight-hour working days were adopted by some employers in Western Europe.



19<sup>th</sup> century Australian illustration advocating 8-hour day

In response, reformers began to advocate the enactment of labour laws and began to organize to improve working conditions. At first, the focus was strictly on child labour. The Factory Act of 1833, (England), prohibited children under nine years of age from working in factories. Older children were limited to 12 hours. Owners were required to install protective fences around machinery and to provide two hours of daily schooling to child employees. Later, legislation was enacted to regulate the hours of work for women, not just children: the Ten-Hours Act of 1847 (England) limited the work day for children and women in factories to ten hours.

Popular sentiment advocating shorter work days for all grew during the 19<sup>th</sup> century, coming mostly from the workers themselves, but also some employers. Robert Owen built and managed a mill in Scotland with a policy of eight hours labour, eight hours rest, and eight hours recreation for all employees. With varying degrees of opposition, the idea gained acceptance internationally. In 1856, following a strike by building masons over working hours, Australia became the first country in the world to legislate an eight-hour working day. During the 1880s, the

twentieth century saw the continuing spread of the idea of shorter working hours. In 1914 the Ford Motor Company in Michigan cut the length of its shifts to nine hours— a radical idea at the time. Ford demonstrated that shorter days need not hurt productivity, and other companies followed the example. The Fair Labor Standards Act (USA) of 1938 made the eight-hour day the legal standard across that country. Part Three of the Canada Labour Code of 1973 defined the eight-hour day here.

The Canadian eight-hour work day, and the even shorter hours provided in the TEAM collective agreement did not happen by chance. History shows that in the absence of regulation, market forces tend to encourage long working hours that conflict with human needs. The regulation of working days was imposed in medieval times by the church and in modern times by federal legislation. ♦

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**Take your breaks**  
You've earned them!

## Contractors and Outsourcing at MTS

Roland Pokorny

In recent years MTS has frequently hired independent contractors rather than regular full time staff. In particular, the company has hired a significant number of IT contractors to do the work of IT employees, and has outsourced certain IT functions to a multi-national corporation, which has in turn assigned portions of MTS work to its offices overseas.

MTS is not alone. There are many companies which have pursued similar strategies, cutting internal training, parachuting temporary contractors into key positions, outsourcing other jobs, and generally ignoring home town job hunters. Why? The usual rationalization is that a new project requires special skills, and that the need will disappear when the project is finished. An other reason typically given is a need to fill in for a regular staff member who is temporarily absent.

From the employer's perspective, there may be other benefits to hiring contractors. Contractors may be exempt from overtime rules and they may not be eligible for collective agreement benefits. As well, unlike regular employees, contractors may be held responsible for absorbing cost overruns on fixed price projects.

From our perspective as TEAM members, though, the practice of hiring contractors for extended periods to do work which might be done by regular employees is something that cannot be welcome.

Even accounting for our bias, the potential harm from over-reliance on contractors is well documented by outside observers. In his recent article *Consultants: High-Priced Scourge, or First-Class Investment?* Winnipeg researcher Allan Dow points out that contractors tend not to pass on learning or experience to regular staff, have no loyalty to the companies they happen to be working for, and tend to move on whenever a better opportunity arises. Dow also notes that the core competencies of a company can quickly deteriorate if they are not continuously maintained and developed by in-house staff.

Further, there can be no assurance that confidential company information acquired by a contractor may not be used for personal gain.



The financial cost of hiring and maintaining contractors can be unsustainable. Author Stephanie Overby, writing recently in *The Consulting Journal* reports that consultants typically cost three to five times an equivalent employee's salary. Any saving from not having to pay benefits is quickly nullified if the contractor's employment continues for an extended period.

There can be another even greater risk. If an employer is found to have misclassified employees as contractors, it could be subject to substantial fines. As an example, in 2007 FedEx in the USA was fined over \$300 million by the IRS for claiming its delivery drivers were contractors. The fine applies only to 2002, and could rise to over \$1 billion if FedEx is found liable for misclassifying employees as contractors in other years.

While there are legitimate reasons for hiring contractors in certain cases, the

## Where Do My Dues Go?

◀ Continued from Page 3

of the case will continue until the appeal is completed, likely in the coming year.

- 6% of dues are for TEAM's affiliation with the International Federation of Professional and Technical Engineers. This affiliation gives TEAM full access to the the legal, legislative, organizing and financial resources of the IFPTE with 80,000 members and over 100 locals across Canada and the United States.
- A minimum of 13.5% of dues are invested in a contingency fund to ensure that TEAM has an immediate ability to cover expenses in case of a labour dispute or other emergency.
- The remainder of the budget, about 7% is for miscellaneous expenses such as Affiliation with the Manitoba Federation of Labour and Winnipeg Labour Congress, insurance, training for Board Members and staff, and meeting expenses including releases for Board Members.

I may not enjoy paying dues, but at least I now know where the money goes! ♦

greatest long term benefit to MTS and to the community is in hiring, training and developing excellent permanent employees. In particular, having a first class permanent local staff of highly skilled IT experts is good for the company and good for Manitoba. ♦

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### Did You Know?

According to Company policy, 305s and under, acting as 306s, do not qualify for the 306 VPP.



# Gluttons for Punishment

◀ Continued from Page 2

*"Negative impact on family. Decreases leisure time and increases stress levels."*

*"We are expected to stay late or come in early for meetings even when the people know our hours. If a failure occurs, we are expected to stay and fix it regardless of personal commitments."*

*"When you work right through a work day without breaks and at times lunch, you're exhausted when you get home and you lose out on family time. ... when you're on the go all day and then all night your health suffers, but unfortunately gets put on the back burner as you have no time to worry about it. Sooner or later you hit the wall. I know that I don't even take sick days as there is so much on everyone's plate that you can't expect someone else to pick up your work. We're all swamped! Reduce costs and increase productivity! You can't squeeze any more out of us! We're short staffed and over worked. Come on, give me a break!"*

The second major issue identified was compensation for overtime. A majority of TEAM members said that overtime is expected of them, but that management does not want to acknowledge the time. Dozens of members reported they were discouraged from reporting overtime because it was difficult or impossible to get approval for compensation from their managers:

*"Company policy is that all OT must be pre-approved, except emergencies. Poor project planning leads to a build up of work but no change in delivery date. For people who take pride in our work we have no option but to work overtime to deliver quality work and still meet milestones. The hassle and extra effort to explain why OT is necessary is embarrassing for us, and makes us feel guilty that we didn't work hard enough; but the reality is the outside factors such as poor planning and work overload leads to overtime. It's easier to just work the unpaid overtime to get the job done than to write up a justification to ask for permission for something that has little chance of getting ap-*

*proved"*

*"I get the impression from my manager that it is not acceptable to claim overtime. ... The manager sometimes acknowledges that I am working extra hours but I have never received direction to put in for overtime or to take time off."*

*"Do not need the 'look' from my manager...."*

*"It's easier than putting up with the nightmare management has set up to dissuade you from claiming."*

*"Part of the day to day just getting stuff done...Need the pay-check. We seem to be fighting a losing battle."*

The March survey clearly indicated that overtime is a problem for members, both for its ubiquity, and for the expectation that overtime be rendered without being recorded or compensated.

## Remedying the Problem

No TEAM member should feel the need, or be expected to work overtime week after week; that is a failure of management to manage staffing levels and employee workload. If overtime is required, no member should ever be asked or feel obliged to work it without compensation. We don't need new rules or new laws to solve this problem; we just need to live by what the Company has already agreed to in our Collective Agreement.

- TEAM members are required to work 37.5 hours a week (for full-time staff). They are not required to work additional hours for free.
- No TEAM member is exempt from claiming overtime.
- Variable pay, sales bonuses and pizza are not in lieu of overtime pay.
- A lunch meeting is worked time.
- Having no budget for overtime is not an excuse - it's a symptom of bad management.

If your assigned work causes you to work extra hours, let your manager know and enter the time in ESS. **Keep a log of your time and ensure your manager is aware of the work you are doing.**

To ensure compliance with the collective agreement provisions for overtime, we as TEAM members must be prepared to report infractions. Don't be intimidated.

If you are persistently subject to unreasonable workload demands, or if you have difficulty in receiving compensation for extra hours worked, contact the TEAM office for assistance. Our success rate for settling well documented and timely overtime claims is almost 100%. ♦

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## TEAM Board Welcomes New Member

*Misty Hughes-Newman*  
President

I am pleased to introduce our newest TEAM Board member, Amanda Kiss. Amanda is a Senior Business Analyst with qualifications in Adult Education and Business Administration, and is now in the early stages of learning Project Management. Amanda has natural leadership and mentoring abilities, and will have the opportunity to further develop those skills as a member of the TEAM Board.

I invite all TEAM members who have an interest in joining our Board or becoming involved with our committees and other TEAM activities to contact me. I'd be happy to provide you with information about Board operations, committees, and opportunities for education and training. ♦

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### **Missed a Memo?**

Visit the TEAM website at  
<http://www.teamunion.mb.ca>  
for news and events.

# Foreign Investment or Foreign Control?

Stephen Gillies

In recent years MTS Allstream senior management has become increasingly vocal about its desire for more foreign investment.

Speaking in June 2009 at the Canadian Telecom Summit in Toronto, MTS President Pierre Blouin said " ...we need to take down some of the barriers that prevent competition from entering Canada. This involves lifting the foreign ownership restrictions that stifle the flow of ideas and capital across our border." In June of this year he repeated the appeal at the 2010 Telecom Summit, saying "It is time to act!". He repeated the message again during the August 6th quarterly call to MTS investors. During that call, Blouin responded in the affirmative when asked if the possible foreign investment is to be focused on the Allstream division of the company.

The current federal government is similarly enthusiastic about removing restrictions on foreign ownership. In a precedent setting action, the Harper government overruled a 2009 CRTC decision which would have prohibited the licensing of a new foreign owned cellular phone company. The company, WIND Mobile, is financed by Egyptian billionaire Naguib Sawiris. His family company Orascom owns and controls telephone companies in over a dozen countries across Africa, Europe and the Middle East. During this year's parliamentary Speech from the Throne, the Harper government announced that "Our government will open Canada's doors further to venture capital and to foreign investment in key sectors, including the satellite and telecommunications industries, giving Canadian firms access to the funds and expertise they need."

The phenomenon of large companies buying smaller ones, then laying off staff and dismantling legacy operations has many precedents. Regarding the foreign takeovers of the former Canadian corporate giants Stelco and Inco, the Globe and Mail recently commented, "Despite what they may have promised at the time, foreign acquirers who scooped up Canadian assets in 2006 and 2007 are now slashing jobs and production — which is becoming a problem for Canada's industry minister, Tony Clement".

The list of former major Canadian corporations sold to foreign investors in recent years includes Nortel, Alcan Falconbridge, Labatt's, Molson, Hudson's Bay Company, ING Bank, MacMillan Bloedel, Eatons, Seagrams, Corel, CP Ships, B.C. Gas, Dofasco, Noranda. ATI, Tim Horton's, Bauer, CCM, Cooper and Four Seasons Hotels. In a 2006 open letter, preceding some of the sales on this list, Thomas Caldwell, chairman of Toronto's Caldwell Securities wrote "the loss of head offices and industrial leadership by Canada is one of the great corporate tragedies of our time."

Is there a clear reason that the present restrictions on foreign ownership of telecommunications companies need to be relaxed or eliminated? Some industry insiders think not.

In May, BCE's CEO George Cope said Canadians are already served by a very competitive telecom environment. He warned that allowing foreign ownership would not necessarily benefit consumers and would lead to stagnation in development of new services outside major urban areas. Speaking in Toronto, he commented "Do you think Summerside, P.E.I., would come up before Chicago? Not going to happen."

CEP union president Dave Coles is in agreement on this point. Speaking at a conference of telecommunications workers in May, Coles said "Profit-oriented companies will not be interested in providing access for rural and remote areas ... This must be achieved by consultation and regulation through the CRTC. Foreign ownership will undermine our abil-



Some other telephone companies also favour scrapping foreign investment and ownership rules. Michael Hennessy, VP of Regulatory Affairs for TELUS, says there should be no foreign ownership limits, " ...it's fair across the board and gets the government out of the business of picking winners and losers".

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On the other side of the fence, there are many warning voices. They say scrapping foreign ownership rules to raise quick cash has unintended consequences, opening a Pandora's box of buyouts and layoffs, and a weakening of national identity.

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# Foreign Investment or Foreign Control?

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ity to ensure access to telecom services for all Canadians, including in rural areas and the north."

Coles also raised another concern: "Privacy for individuals and security for the nation are both threatened by placing our critical telecommunications infrastructure into foreign hands. Missing in the whole discussion is the critical role that telecommunications plays in maintaining Canadian cultural sovereignty, and the overarching purpose of the Telecommunications Act, which is to 'perform an essential role in the maintenance of Canada's identity and sovereignty'."

Ian Morrison, spokesperson of FRIENDS of Canadian Broadcasting shares and am-

plifies the concerns of Coles. He believes that relaxation of foreign ownership rules is part of a larger agenda by the Harper administration to dismantle public broadcasting.

Broadcasting and telecommunications are increasingly intertwined in Canada, so deregulating one without the other may not be possible. Because cable and broadcast companies offer phone service (for example Rogers and Shaw) and telecommunications companies own broadcasters (for example BCE), it may be impossible to protect Canadian control of broadcast content even if foreign ownership rules for telecommunications companies alone were to be eliminated.

Closer to home, it is difficult to predict what the impact might be for TEAM members if MTS Allstream were to come

under the control of foreign investors. Would the existing rules for the Winnipeg location of the Head Office and Manitoba residency requirement for membership on the MTS Board be respected? Would local jobs be cut, or outsourced? Could MTS even continue to exist?

The possibility of foreign control of MTS Allstream and its consequences for the jobs of MTS employees, and for the ongoing contribution of MTS to the Manitoba economy deserves close scrutiny by every TEAM member. ♦

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### *Have a Work Issue?*

For confidential advice and assistance, contact Tom Milroy, TEAM Labour Relations Officer.  
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