



## VANCOUVER and DISTRICT LABOUR COUNCIL

### REGULAR MEETING TUESDAY, MARCH 17, 2015

1. **LOCATION:** Maritime Labour Centre, 1880 Triumph Street, Vancouver, BC

2. **CHAIRPERSON:** Terry Engler, 1<sup>st</sup> Vice President

3. **ADOPTION OF PREVIOUS MINUTES:**

*MSC that the minutes of the February 17, 2015 meeting be adopted.*

4. **CREDENTIALS:**

The following credentials were received since the last meeting: (\* = recredentialled, A = alternate)

CUPW

Heather Andrews

Caroline Boback \*

Marie Cuenca \*

Angelito Decena \*

Edem Etuk \*

Joseph Henderson-McCance

Rebekah Mahar \*

Jeannette McConnell \*

Louise Sloan \*

CUPE Local 454

Richard Carter

Hugh Cullinan \*

Nancy McLean

TSSU

Matthew Greaves

*MSC to obligate/seat the delegate(s).*

5. **GUEST SPEAKER:**

Stephen Portman, TAPS (Together Against Poverty Society)

TAPS is a legal advocacy group out of Victoria that provides legal representation to people having disputes with landlords, people on income assistance in disputes with the government, and this past June started to represent non-unionized workers in Employment Standards Act disputes with their employers.

The project started for Stephen when he was 10 years old in Nanaimo. His father was a baker at Robin's Donuts and at Overwaitea Foods. His father came home one day after going to get his paycheque and was furious – Robin's Donuts was closed without notice, and the door locked against the employees, who were all owed their pay. At this young age Stephen understood that this situation was a problem, but fortunately both his parents also had union jobs. His father's anger was more for his co-workers. Within a few hours his father had a number of co-workers at their home working on a solution. They called the police to deal with "wage theft" but the police said there was nothing they could do. His father then told Stephen that, without a union, there was no recourse for such a situation. Many of those co-workers later lost their homes and came to rely on soup kitchens to feed themselves and their families.

Twenty years later, Stephen is working at TAPS and sees the same situations time and again and would have to tell people; “sorry we don’t deal with employment situations - we can’t help”. TAPS decided they needed to change that and to assist with employment related problems for non-union workers.

Under the *BC Employment Standards Act*, if your employer doesn’t pay you, you have to go to that employer and explain to them how they broke the law and ask them to give the money to you via a 16 page document called a “self-help kit”. If within 15 days they don’t comply, then it can go to mediation, from there to a determination hearing, to an employer standards tribunal, and from there to BC Supreme Court. How often does your average worker pursue that? How often do workers take a fraction of what they are owed in settlements just to avoid that process? At TAPS they see it again and again; workers are encouraged in mediation to accept less than they are entitled to and willing to because they have rent due, bills to pay, and families to feed. Now in Victoria, TAPS advises the employer that they have until a certain date to pay in full, or else TAPS is coming after them. More often than not, they get the money back with some sort of apology. And if the employer doesn’t pay up, TAPS provides strong and aggressive advocacy.

How did this project happen? After some fruitless attempts to garner support and funding, they partnered with the Victoria Labour Council, that although unable to substantially help financially, were able to endorse the project. Through this the United Way came on board and ultimately a host of other unions. Thanks to this support they have enough funding to have an advocate working 5 days a week to support workers in their fight against unscrupulous employers for the next 2 years.

From June 2014 to February 2015, they served 256 workers in the Victoria area. It has been incredibly successful and is an incredibly valuable resource for workers. It is also valuable to the labour movement. The labour movement does so much, there are so many fights that have to be fought, but unions can’t be expected to save everyone. What makes this a powerful ally is that it creates champions in workplaces. So many workers come to TAPS feeling defeated and leave empowered. They are told that while TAPS can fight for the minimum due to them under the law, as weak as it is, but for more than they need to look to unions to organize workplaces or find unionized employment. They see employers present and future in a different light. It is a different way of reaching communities and showing workers the value of being organized.

Stephen shared an example of a case they recently handled:

*A young woman came to Canada. She had suffered a head injury that left her slightly brain damaged only in that it slowed her down and left her fine motor skills a bit shaky. She managed to obtain work fairly quickly, but when a new manager came in he accused her of using drugs on the job because of her poor penmanship and because she worked slower than others. He told her she had to speed up or else she’d be out of work. She couldn’t speed up so she quietly stayed for 1 ½ hours after work every day to keep up with her co-workers quota – she was already being paid less than everyone else.*

*Eventually, the abuse became too much and she asked to be transferred to a different store. Soon after, the young woman was asked to meet with her boss’s boss in a restaurant. She agreed, and over coffee he asked her to write a letter saying that she no longer wanted to work at the store. She explained that she didn’t want to quit, just to be transferred. He said “sure, sure, just write the letter.” She wrote the words but didn’t sign it, and thought that the transfer would proceed. When she arrived to work at the new site she was told that she quit and to get out. She was referred to TAPS by a mental health worker. TAPS contacted the employer who turned it to*

*their lawyer. There was no mediation and after 7 months it went to a determination hearing, about half way through, their lawyers caucused and asked to talk with TAPS. They didn't want to go forward as it became increasingly clear that TAPS had a case and that it was going to get very expensive for their client. Ultimately they agreed to pay her the lost wages, plus damages for injury to dignity, and offered her another job with a raise.*

*This is just one story. They hear similar stories every week.*

This is the work they are doing in Victoria and this is the work they want to see being done in Vancouver and in every corner of BC. This model is likely not the one that would be used in Vancouver, it's a different community, but TAPS does want to help establish a template. They are working on creating a package to help duplicate the forms and materials that they use, to duplicate their best practices, and to create a manual. Katy Cooper has helped draft a document of rights for non-unionized workers. They want to adapt this for any and all communities that want to do this kind of work and Stephen hopes that the VDLC does.

## **6. PRESIDENT'S REPORT:**

Joey Hartman reported on VDLC activities since the February 17, 2015 meeting.

### Fire at the Maritime Labour Centre

The Maritime Labour Centre auditorium should be ready to use as of Friday March 13, in advance of the March 17 VDLC meeting. The VDLC office will take a little longer, but should be back in operation by March 20.

### VDLC Education

The most recent offering was an advanced course on discipline and discharge with Carmela Allevato with 14 participants – mostly senior stewards and union staff reps. Evaluations were very positive.

### 2015 Queen Alexandra School Fundraiser

The tentative date is Wednesday, September 30, 2015 with Bill Fletcher Jr. confirmed as the keynote speaker.

### Coop Radio

A meeting on February 19 with Coop Radio resulted in a plan to carry out a pilot project committing to 20 minutes of content for 8 weeks for the show "Union Made" plus other ideas for labour content and profile on Coop radio.

### May Day

The VDLC and BC Fed have decided to have the march start at Clark Park at 5:30 pm and a rally at Grandview Park around 6:15

pm on May 1. The theme will be Fight for \$15.00 (minimum wage). Discussions are underway regarding the possibility of an event to follow at the WISE Hall.

### Labour History of BC Book

The original author is unable to complete the project due to health issues so the oversight committee with representation from the BC Labour Heritage Centre, the BC Fed and SFU is in process to select another author.

CLC Election Preparedness Conference

The conference was held in Vancouver on March 13 and 14 with over 200 trade union activists in attendance.

**7. CORRESPONDENCE: NIL**

**8. EXECUTIVE RECOMMENDATIONS:**

a) *MSC that the following recommendation be adopted:*

Subject: Spending Approvals

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL approve the following expenditures:

- Mohamed Harkat legal defense fund – Donation of \$100.00
- Better Transit & Transportation Coalition – Donation of \$200.00
- Amos Gvirtz Tour – Donation of \$100.00

b) *MSC that the following recommendation be adopted:*

Subject: BC Minimum Wage Announcement

BECAUSE the BC government announced on March 12, 2015 that they would increase the minimum wage to \$10.45 (a lift of 20 cents) on September 1, 2015, and will index the minimum wage to CPI on every September 1<sup>st</sup>; and

BECAUSE over 120,000 British Columbians earn the minimum wage (i.e. 6.4% of waged workers) and over 500,000 earn less than \$15.00 per hour (i.e. 24%), and of these, 60% are women, 12% are seniors and 58% are aged 25 or older; and

BECAUSE this announcement will do nothing to lift those lowest paid workers out of poverty, but rather will only guarantee that hundreds of thousands of British Columbians will continue to live in poverty for years to come; and

BECAUSE indexing a poverty wage only entrenches people in poverty, whereas indexing a Living Wage would maintain a fair standard of living also provide economic stimulus to local businesses; and

BECAUSE 65% of the employers paying the minimum wage have 20 or more employees and nearly half have 500+ employees,

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL continue to promote and participate in the Fight for \$15 and Living Wage for Families campaigns because “work should lift workers out of poverty, not keep them there”; and

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL FURTHER write to Premier Christy Clark to express the labour movement’s dismay and condemnation of her government’s completely inadequate minimum wage adjustments, noting that they will keep low waged workers in poverty and reinforce a stagnant economy.

c) *MSC that the following recommendation be adopted:*

Subject: Bill C-51 (Anti-Terrorism Act, 2015)

BECAUSE the conservative Federal government has introduced Bill C-51, the Anti-Terrorism Act, 2015; and

BECAUSE C-51:

- gives CSIS and the RCMP far-reaching new powers and exacerbates an already serious lack of oversight and review of these and other agencies tasked with national security work.
- lowers the threshold for preventative arrest.
- allows CSIS to contravene the Charter of Rights and Freedoms and other Canadian laws.
- gives CSIS and the RCMP the right to intervene in peaceful advocacy, protect and dissent that may be deemed “unlawful”.
- threatens privacy and places a chill on constitutionally protected free speech; and

BECAUSE the labour movement across Canada is opposing Bill C-51 we have a responsibility to speak out for Muslim and other communities who could be targeted as a result of this bill and who are already being targeted by the rhetoric being used to justify it; and

BECAUSE Bill C-51 is vague and may allow that peaceful work stoppages, wild cat strikes, and other forms of nonviolent civil disobedience may be deemed unlawful and susceptible to far-reaching interference by the RCMP and CSIS; and

BECAUSE this bill introduces a new criminal offense for ‘advocating’ or ‘promoting’ the commission of a terrorism act—terms that could be interpreted very subjectively and could impact freedom of speech, freedom of opinion, freedom of the press and academic freedom; and

BECAUSE both CSIS and the RCMP have a history of targeting the labour movement, intervening to break strikes, spying to undermine and disrupt organizing efforts and collecting information on labour activists,

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL join with the Canadian Labour Congress and others to speak out against the regressive Bill C-51, Anti-Terrorism Act, 2015.

d) *MSC that the following recommendation be adopted:*

Subject: Support for Amos Gvirtz tour of BC re: Palestinian-Israeli Situation

BECAUSE Amos Gvirtz will be touring BC from April 26 to 28 as part of a cross-continent tour entitled *Don't Say We Did Not Know* regarding the treatment of the Palestinian citizens of Israel and, specifically, the Bedouin in the so-called "unrecognized villages" of Israel's South, whose inhabitants are denied access to state infrastructure like water, electricity, sewage, education, health care and roads in an effort to “encourage” them to give up their ancestral land and settle in seven "planned towns" which serve as repositories for cheap labour for neighbouring Jewish communities; and

BECAUSE the Vancouver and District Labour Council has passed several resolutions in support of peace in the Middle East and the rights of the Palestinian people in particular,

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL join other sponsors to promote the Amos Gvirtz tour of British Columbia and will donate \$100.00 towards the costs of the tour.

**9. REPORT OF UNIONS:** (in order reported)

a) HEU North Shore Community Local – Reported by Graham O’Neill

From August to September this year HEU will lose approximately 935 members as Aramark has lost the cleaning contract for Vancouver Coastal Health and many extended care facilities in the Vancouver Coastal Health Area. Due to Bill 29 there are no longer successorship rights; while the new contractor, Compass, says they will try to hire Aramark’s employees if possible, there are no guarantees.

HEU is holding a rally for public healthcare on March 31. Please check HEU.org for specific events and for events acknowledging the 1 year anniversary of the end of the Canada Health Accord.

b) CUPE Local 391 – Reported by Gerard Batty

On Valentine’s Day, CUPE Local 391 members attended the rally for locked-out workers of Southern Railway who are members of CUPE Local 7000; they also attended the Black History Month event held at Strathcona Elementary School; and will be attending the March Against Racism on March 21.

In Local 391 the employer is falling back to a strict legal definition of sick leave. They have a clause that allows people to use sick leave to arrive late or leave early for medical/dental appointments. The employer is now saying that if a member is working, then has an appointment they aren’t “sick” and aren’t entitled to sick pay; the employer makes exceptions for specialist appointments and appointments that are unavoidable. Brother Batty will be grieving this as a misapplication of a past practice if the employer continues to deny sick leave for up to 2 hours to attend appointments. Please take this as a warning: we must define what sick leave is in our collective agreements – if necessary including appointments for medical purposes as sick leave.

c) TSSU – Reported by Matthew Greaves

The TSSU will be holding a strike vote March 24 to 26. Their members have been without a contract since April 1, 2014.

d) ETEA Local 1 – Reported by Charles Boylan

Local 1 is dealing with “new boss syndrome” since ILSC was purchased by a U.S. multinational corporation. A committee has been struck to review how negotiations and ratification votes are conducted with the aim of strengthening the unity of the membership.

ETEA, outside of Local 1, is having a serious problem dealing with several newly organized schools by the Loyalist Company. Loyalist has closed two of its schools and sent students to its non-union school.

The attack on ESL teachers is being resisted. FPSE carried a campaign for ESL teachers laid-off at VCC due to provincial government cuts to provide free ESL classes. On Thursday, April 2 a panel discussion “Stand Up for Standards Private & Public” with Karen Shortt (VCC), Kevin Dragan (ETEA), and VESTA will be speaking after a meet and greet at 6:30 pm.

Bill 7, the *Private Training Act* is being passed with no input from or consideration for private school educators.

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The following reports were made by not submitted for the minutes:

- a) Unifor 2200 – Reported by Mary Gold
- b) CUPE Local 2950 – Reported by Karen Ranalletta

*MSC to adopt the reports of unions.*

**10. REPORT OF COMMITTEES:** *(in order reported)*

- a) Solidarity in Action – Reported by Stephen Von Sychowski  
The committee joined CUPE 7000 members from Southern Rail at their rally. There is an ongoing strike at SSAD Hardox, members of MWBIU Local 1 could use support on their line. The committee has also heard that there was a 91% strike vote at Langara with their Faculty Association, FPSE Local 14.

Anyone that would like to be added to the contact list please let Stephen know. The committee now has a Facebook page – VDLC Solidarity in Action. The Facebook page doesn't just advise of actions locally but also of events of solidarity internationally, letter writing campaigns, and much more.

- b) Women's – Reported by Fruma Sloan  
Women Transforming Cities has 2 events coming up: a Café on March 30 Aging and Women in the City; and a community series, with discussion on women and girls in the media, March 25.

Thank you to everyone for making the IWD dinner a success. The committee is seeking input and suggestions for next year.

Sister Sloan attended a Black History Month event hosted by the National Congress of Black Women Foundation. It was a reminder of the need to build and foster relationships with other human rights organizations.

- c) Young Workers' – Reported by Erin Searle  
Next meeting March 19 at the W.I.S.E. Lounge. There has been an influx of new members which is exciting. They will be discussing the new transit plebiscite.

*MSC to adopt the reports of committees.*

**OTHER REPORTS:**

- a) CLC – Reported by Ron Stipp  
Thank you to everyone who attended the election preparation conference. There are pledge cards on the tables with information on upcoming events, on the issues, and more. March 20 the CLC will be announcing their target ridings – NDP incumbent ridings and a few growth ridings as well. Affiliates will be provided with lots of research and data to work with.

Four key issues are being focussed on: good jobs, retirement security, healthcare and childcare. The CLC will be rolling out their campaign very quickly with social, digital, and print media. Handouts will begin going out at the beginning of April. Everyone will be invited to telephone town halls, talking about how to get involved. This is a different tact than used in the past, not only will this be coming down through the affiliates, but the CLC will be hiring around 60 organizers; pledge cards will be circulated to help with member-to-member campaigns; and a tour where people will be invited to a rally-like event. This

campaign and tour will lead into the summer, there will be a short break in July, and then full election swing from mid-August through the election in October.

b) UN Commission on the Status of Women – Reported by Cheryl Burns

There were about 109 labour activists from around the world, 25 from Canada, present. Being the 20<sup>th</sup> anniversary of the Beijing declaration, it was a much larger commission than usual, with nearly 8,000 women. Unlike most years, there is typically a document drafted before the commission and then negotiations happen in the commission. This year it was negotiated by about 40 countries before the commission and passed as a political declaration on the first day. Canada was not an official representative at the negotiation table although we had a voice. The declaration was weak. NGOs weren't allowed at the table. The UN is a very complicated machine and the internal linkages are difficult to understand. The women's sector seems to have been taken over by some very conservative women and there is not a lot of representation on LGBTQ issues. However, there were a lot of amazing women from around the world. By the end of the week attended by Sister Burns the word was that "We aren't working to achieve women's equality, we are working to smash patriarchy".

*MSC to adopt the reports.*

## 11. UNFINISHED BUSINESS:

The following constitutional amendment was introduced at the February 17, 2015 meeting:

*MSC that the following recommendation be adopted:*

a) Subject: Constitutional Amendment

THE VANCOUVER AND DISTRICT LABOUR COUNCIL WILL adopt the following amendment to the VDLC Constitution & By-Laws, subject to approval by the Canadian Labour Congress:

*Election of Officers – amend Article 6, Section 2 to add a requirement for attendance at 50% of the executive meetings in the previous twelve (12) months in order to be re-elected as an executive officer, and re-write the full section for clarity.*

*The existing Section 2 reads: "Each Officer shall be a member in good standing of an affiliated organization. No delegate shall be eligible for election to office unless they have at least twelve (12) months' previous experience as a delegate, and have attended at least fifty percent (50%) of the Labour Council meetings in the twelve (12) months up to and including the meeting where the election will be conducted. However, if a candidate did not attend fifty percent (50%) of the meetings during the previous twelve (12) months because they have been absent due to a prohibited ground for discrimination in the BC Human Rights Code, their eligibility will be determined by the period one year prior.*

The revised Section 2 would read:

*"To be eligible for election to a position on the VDLC executive a member must have:*

- a) Served at least twelve (12) months as a delegate to the labour council as a member in good standing of an affiliated organization; and*
- b) Have attended at least fifty percent (50%) of the Labour Council meetings in the twelve (12) months up to and including the meeting where the election will be conducted; and*

*c) In the case of re-election, have attended at least fifty percent (50%) of the Labour Council Executive Board meetings in the twelve (12) months up to and including the meeting where the election will be conducted.*

*However, if a candidate did not attend fifty percent (50%) of the meetings during the twelve (12) month eligibility period specified in (b) and (c) because they have been absent due to a prohibited ground for discrimination in the BC Human Rights Code, their eligibility will be determined by the period one year prior.*

**12. ELECTION:**

Nominations opened for 2 open Member-at-Large vacancies. First call for nominations presided over by CLC Representative Ron Stipp.

The following nominations to Member-at-Large were accepted:

Laura Cipolato	UFCW Local 1518
Neil Munro	Heat & Frost Insulators Local 118

Second and final call for nominations will be held at the April 21, 2015 meeting followed by elections.

**13. NEW BUSINESS:       NIL**

**14. NOTICE OF MOTION:       NIL**

**15. GOOD AND WELFARE:**

- COPE AGM was held and the party is refreshing itself after the fall election. There are 5 new members on the Executive. There is a transit plebiscite meeting on March 29 and a fundraiser March 21.
- Suggested that VDLC get on Twitter
- Just Film Festival at Langara – Thursday through Sunday, March 19 to 22
- BC Health Coalition
  - Brian Day is challenging the fundamentals of our healthcare system. The case was supposed to be heard in September but Day managed to get it delayed in order to negotiate with the government; that seems to have failed. They were set to go to court at the beginning of March but now it's delayed until May. Please keep watch for actions.
  - National Accord Day March 31 – looking for organizers from across BC
  - National Pharmacare Plan is in the media – take a look and write in
- Friday, April 10 – a panel on the situation in Greece and the EU.
- November 14, World Peace Forum Teach-In

*MSC to allow non-delegate Lisa Barret to speak*

Vancity elections are coming up, it is important to get involved to help form the board that makes decisions that affect and shape our community. Look closely at your candidate bios and be sure who you are voting for. Lisa Barrett is running for Vancity Board, a union member and labour supporter she hopes to be able to count on support of labour Vancity members. If you aren't a member of a credit union, join one, and if you are a member Vancity, please remember to exercise your right to vote.

**16. MEETING ADJOURNED:** *MSC to adjourn at 9:03 pm.*

**17. NEXT MEETING:** [TUESDAY, APRIL 21, 2015](#), 7:30 pm,  
Maritime Labour Centre, 1880 Triumph Street.

**Pizza Educational**  
**Tuesday, April 21, 2015, 6:00 pm**  
**Right to Strike – Precedent Setting Case**  
**with Craig Bavis, Victory Square Law**

In January 2015 Canada's Supreme Court recognized workers have a right to strike in the Saskatchewan Federation of Labour vs. Saskatchewan case.

kmr  
cope378

For full size of event flyers to post please visit our events page on our website – [www.vdvc.ca](http://www.vdvc.ca)

**MAY DAY MARCH & RALLY**  
**FRIDAY MAY 1ST, 2015**

**FIGHT FOR 15**



**Gather: 5:00 pm—5:30 pm | March: Clark Park at 14th and Commercial Drive**  
**Rally: 6:15 pm—Grandview Park—1657 Charles Street, Vancouver, BC**

After the rally, join us for May Day Punkrockeoke at the Wise Hall  
Doors open at 7:00 pm. Food Carts available for Dinner

General Admission: \$10

First 50 low-wage workers (self-identifying) get in for free.

Bring a sticker from the May Day March and Rally and get \$2 off cover at the door.



**NATIONAL DAY OF MOURNING**  
**April 28, 2015 - 5:00 pm**



Vancouver Art Gallery  
750 Hornby Street  
(Georgia side)  
Vancouver, BC

**200** workers died in BC in 2014.  
1 worker death is too many.  
*"Fight for the living, mourn for the dead."*

For more information, please contact Nina Hansen at [nhansen@bcfed.ca](mailto:nhansen@bcfed.ca).

