
ATS Local 2245 CAW Minutes – Convention 2008 September 19/20, 2008

The ATS 2245 CAW Convention was called to order at 9:05 am on September 19 at the Delta Halifax, NS, by Jim Nauss-Master of Ceremonies.

Robert's Rule of Order will be used.

Attendance: Delegates: Darcy Balaneski
John Baldwin
Mike Bechtel
Chris Beilman
Jim Carroll
Jonathan Charbonneau
Denise Chiasson
Ghislain Cormier
Bob Cymbalisky
Bernie Doucette
Justin Earl
Bill Ezzard
Ross Fisher
Fred Gagnon
Todd Harvey
Jim High
Yvon Larouche
Len Leonard
Dave Ligertwood
David Longman
Randy Luty
Randy MacKenzie
Mark Markovic
Dean Martin
Gordon Mohr
Phil Roszell
Shaun Rowbotham
Frederic Roy
Leslie Skinner
Ken Stack
George Stonehouse

Mark Wilkinson
Gregg Wright
Scott Young

Guests: Evan Nicholson
David Lloyd
Michael Holland
Cullen Wood
Joel Fournier
Ron Smith
Shawn Wood

Officers: Derek Yakielashek
Ruth Beilman
Jim Nauss
Yan Tremblay
Wayne Lorenzen

Trustees: Gary MacAdam
Alex van Amerongen

Introductions: Derek Yakielashek
Opening Remarks: DY
CAW harassment policy will be in place.

State of the Union Address: DY

Welcome and Bienvenue to Halifax, Nova Scotia the site of the Air Traffic Specialists Local 2245 Triennial Special Convention.

A lot can happen in two years, and this certainly has been a very busy two years. As Flight Service Specialists have come to expect, change is inevitable and in these times, as we move into the 21st century, you either change with it or you get left behind.

As you are aware, this Local continues to change as it evolves and prospers. In fact the main reason we are here is to discuss, debate and decide on a course of action that could be one of the most pivotal points in this Local's history, that being the possible restructuring of this organization.

As a result of extra training and changes we have made for the trial period, membership services have improved. Because of these changes, we have been able to improve the relationship between the Employer and this Local. Because of the paid time now being allotted, both for full-time and part-time VPs, we have been better able to respond to membership concerns. Since the beginning of the trial period, no one has communicated with me to say they cannot contact their VP.

This is not to say we solve everything overnight or with one phone call, although it has happened. But there is no doubt problems are being solved ever faster, and we will endeavor to improve further.

This past June, the Local cleared a backlog of 40 grievances that the Company has been stone-walling, one going back to 2003. This local now has only 1 outstanding grievance from 2007, and only 7 grievances to date; 3 at Level 2, all filed in 2008 and 4 grievances at Level 1, all from 2008. This is a first in our history that the majority of grievances originating in the current year. Much of this is due to the hard work done by the VPs during the trial period.

As we look ahead, we must also look at history to effectively decide how to move forward.

In the last five years, we have managed to secure a reserve in our budget. Through sound fiscal management, the use of technology, careful examination of expenses and penny-pinching we have managed to put away this reserve. For the first time in this Local's history, and even back to the days when we were independent, we have real money in the bank.

Who remembers the days when a "special" levy was enacted to "temporarily" build a war chest that seemed to go on beyond the original time span?

Mais cette Section locale planifie bâtir sur les processus déjà en cours. Nous planifions un développement dans les domaines de la formation et de l'éducation. Vous nous avez entendu dire cela par le passé, maintenant nous avons les ressources pour progresser et être plus agressifs dans notre approche. L'avenir est maintenant. En plus de subventionner notre exploitation, il y a des plans en cours pour créer un cours de formation orienté sur la Section locale de un ou deux jours pour les nouveaux délégués d'atelier.

The Local plans to hold Leadership seminars for FSS specific positions and profiles. This will be geared to introduce, educate, and support people who are interested in leadership roles in the FSS world.

We plan to introduce a new committee in the following days to better encourage and support membership participation in the collective bargaining process.

Plans are also underway for regional conferences via FIR where union officers can meet with their managerial counterparts to discuss both theoretical and operational applications of such things as staffing requirement, staffing numbers and multipliers, disability management and other Labour Relations and Human Resource matters.

The Local wants to recognize long-serving stewards and officers for their dedication and service.

We want to expand and provide more support for the CISM program.

We want to provide Local-specific Occupational Safety and Health training.

These are all initiatives that the membership has demanded and as a democratic organization, we listen and react.

Just as we change, so does the Employer. As personnel changes at Nav Canada so do ideas, thoughts, processes and opinions. Of course, staffing is always at the forefront. In fact, according to requirements, FSS are currently overstaffed. That is a matter of opinion however. Now we see sites that are finally being staffed properly, conducting efficient operations and the appropriate leave allotments, but the Company sees the opportunity to cut.

Politically, things are getting tougher as well. Should a Conservative government get elected again with a majority, there will be next to nothing standing in the way of Nav Canada doing what they want. A Conservative government has never been one to view issues on the side of safety at the best of times and this will not get better with no one watching.

It is still a constant struggle to ensure that FSS are recognized for our contribution to general and commercial aviation and the air navigation system. Our participation in various regulatory, government and Company working groups and committees ensures that our goals and commitments are heard and implemented.

We are being heard. We are being seen. We are making our mark. While the job is far from over, there are certainly improvements over where we were 10 years ago.

I would like to thank all seven vice-presidents who debated and discussed and voted unanimously over a year ago to test the Local's restructuring. This could not have been accomplished without their guidance, insight, dedication and trust.

I would like to thank the three current vice-presidents for being thrown into the breach, who have made this effort successful on an operational, organizational and fraternal basis. I realize that it was a steep learning curve, but you persevered and from the results can see what your hard work and drive has accomplished.

I would like to thank Ruth for all of her hard work to organize the convention.

Finally I would like to thank my wife Dori for her patience, understanding and support these past years. Thanks for putting up with me.

Once again welcome and bienvenue to Halifax. Have a good convention.

Instructions on how to complete the Convention Expense Claim: Ruth Beilman

Break

Financial Secretary Treasurer's Report: RB
Motion to accept report: Jim Carroll
Seconded: Les Skinner
Carried.

By-law Proposal #10: Be it resolved that in future contract proposals be released to the general membership at least by just after they are relayed to the NAV Canada bargaining team. The details of the proposals are to be as specific as possible.

Motion to accept: Jim Carroll
Second: Les Skinner
Defeated

Discussion points: No requirement for a by-law as this is already the current practise. Negotiation team will publish only non-sensitive material. Specific details can be obtained from negotiation team members.

By-law Proposal #4: Be it resolved that CAW local 2245 (ATSAC) Establish Bargaining committee separate from but reporting to the Board of Directors. The exact makeup will be decided at this convention.

Motion to accept: Les Skinner
Second: Cullen Wood
Defeated

Discussion points: Rather than amend the by-laws, put into place an elected Contract Committee to further involve and expand the collective bargaining process to the general membership. The membership of this committee will have members from every discipline that a FSS occupies. Extensive and thoughtful discussion over pros & cons.

Amendment on Proposal #4: If consensus cannot be achieved each member shall have 1 vote, except FIC and AAS who shall each have 3 votes.

Motion: John Baldwin
Second: Bob Cymbalisky
Defeated

Amendment on Proposal #4: There shall be 6 elected members as stated, plus one junior member elected with less than 5 years seniority as a non-voting observer.

Motion: Michael Holland
Second: Denise Chiasson
Defeated

Amendment on Proposal #4: Delete last line of policy which indicates a seat shall be given to a representative from Quebec region if one is not successful during the eligible elections.

Motion: David Lloyd
Second: David Longman
Defeated

Proposal of options for voting:

- 1) One vote per member (1 vote for whatever discipline you chose)
- 2) One vote per discipline (ie: 6 votes)
- 3) One vote for your specific discipline only
- 4) One vote per discipline that affects you (ie: anywhere from 2 to 4 votes)

Motion: Bob Cymbalisky
Second: Les Skinner
Option #1 carried.

Discussion points on Election Process for Contract Committee. Very extensive discussions to ensure the voting process is thorough and fair.

Motion that the Contract Committee Policy remain under the authority of the Executive Board.

Motion to accept: Cullen Wood
Second: Bernie Doucette
Carried

Motion that the Contract Committee Policy as discussed, written and voted on.

Motion to accept: Bernie Doucette
Second: Shaun Rowbotham
Carried

Lunch

CISM Presentation – Evan Nicholson.

Roll Call – DY
A minute of silence for those FSS who have fallen while on active duty.

Investment Report: RB

Motion to Accept report: Bob Cymbalisky
Second: Randy McKenzie
Carried

By-law Proposal #2: Be it resolved that “The organization of the Local Union shall be divided in “Regions”.

A Region is a geographical area that may include members of a single unit or multiple units. There are currently three Regions:

- Eastern
- Quebec
- Western

The members in each Region shall elect a Vice-President.

New Regions may be designated and existing Regions may be realigned by a constitutional amendment at Local Union Conventions.

Eastern region consists of all the units located in the provinces of Newfoundland and Labrador, Nova Scotia, New Brunswick, PEI and Ontario. It also consists of all stations located in the territories of Yukon, Northwest and Nunavut.

Quebec region consists of all units located in the province of Quebec.

Western region consists of all units located in the provinces Manitoba, Saskatchewan, Alberta and BC.

Some units may be attached to regions that they are not located in geographically. This is allowed when allocated on a workload/administration purpose and is up to the discretion of the Executive Board.”

Motion to accept: Cullen Wood

Second: Les Skinner

Carried

Discussion points. Delegate from Whitehorse asked if his site could be moved into Western region for time zone, logistical and geographic reasons. This could be done and would be discussed at the next Executive Board meeting. History, workload, funding arrangements, membership services and future progress all thoroughly discussed.

September 20, 2008 (Day 2)

National Representative Report: Joel Fournier

By-law proposal #8: Be it resolved that “The supreme governing body of the Local Union shall be the delegates at a convention. A special convention shall be held on September 19, 2008 and Local Union Conventions shall be held every three (3) years thereafter. Notice of the precise time and place of a convention, as determined by the Executive Board, shall be sent to each work unit. The Union Local Executive Board may advance or delay the Convention by 6 months.

Motion to accept: Cullen Wood
Second: Les Skinner
Carried

By-law proposal #6: Be it resolved that “The voting members of the Executive Board shall elect the First Vice-President from the regional Vice-Presidents and Financial Secretary Treasurer.

Motion to accept: Shaun Rowbotham
Second: Mike Bechtel
Carried

Discussion points: Allows all Executive Board members to run and brings it in-line with other CAW locals.

By-law proposal #9: Be it resolved that "A quorum shall constitute of the President (or First Vice-President) and a minimum of two other members of the Executive Board.

Motion to accept: Les Skinner
Second: Denise Chiasson
Carried

Discussion points: Requirement to re-adjust numbers to reflect a quorum.

By-law proposal #11: Be it resolved that “In the future the contract negotiations remain clear of terms which will reflect negatively on the future pension of the members.”

Motion to accept: Bob Cymbalisky
Second: Les Skinner
Defeated

Discussion points: The issue that resulted in the proposal was as a result of circumstances brought about during the collective bargaining process including precedent, the pattern and possibility of third-party involvement. It ties the negotiating teams hands by putting demands in your by-laws as the Employer or a third-party is not bound by them and may actually use them against you.

By-law proposal # 3: Be it resolved that “Between Conventions, the management, direction and control of the affairs of the Local Union, including control over the Local Union’s funds, properties, other assets and raising of revenue, shall be vested in the Executive Board. In addition, the Executive Board shall have the authority to determine and approve policies and procedures that it deems necessary to promote the interests of the Local Union. The Executive Board shall have authority to affiliate the Local Union with any body within the National Union. This includes the changing of the Regions for short and/or temporary duration.

Motion to accept: Fred Gagnon
Second: Les Skinner
Carried

Discussion Points: The authority to temporarily re-align the regions always existed under this by-law. The addition of the last sentence only clarifies that authority in case regions require a change due to any unforeseen or sudden circumstances.

By-law proposal #5: Be it resolved “If the position is full-time, the annual salary shall be at the top increment of FSS-06 + 10%, plus any allowances the member was entitled to prior to election in office.

If the position is part-time, there shall be an allowance of 10% of the top increment of a FSS-6.

Motion to accept: Randy McKenzie
Second: Bernie Doucette

Amendment to by-law proposal #5: The allowance shall be 15% of top of FSS-6 for part-time.

Motion to accept amendment: Fred Gagnon
Seconded: Jonathon Charboneau
Amendment carried.

Discussion points. The higher percentage allows for better prorating for the size of the membership where it allows a part-time VP.

Amendment to by-law proposal #5: All allowances and premiums included for all executive board members

Motion to accept: George Stonehouse
Second: Dean Martin
Carried

Break

Request to rescind the previous amendment for proposal #5 with regard to all allowances and premiums.

Motion to rescind: Cullen Wood
Second: David Longman
Carried

Discussion points: Because this amendment was only brought forth this morning, the President requested that the convention delegates rescind their previous motion. This amendment has not been discussed with the general membership via their elected delegates, nor has it been examined by the XB to assess the feasibility, budgetary and fraternal concerns that may be present. While acknowledging the authority and

wisdom of the convention body, Derek suggested that perhaps this issue be either tabled or rescinded so that all of the previous concerns could be examined.

Vote on proposal #5 in its entirety.
Motion to vote: Les Skinner
Second: David Lloyd
Carried

By-law proposal #7: Be it resolved that “If the position is full-time, the annual salary shall be at the top increment of FSS-06 + 10%, plus any allowances the member was entitled to prior to election in office.

If the position is part-time, there shall be an allowance of 10% of the top increment of a FSS-6.

Motion to accept: Shaun Rowbotham
Second: Chris Beilman

Amendment to by-law proposal #7: The allowance shall be 15% of top of FSS-6 for part-time.

Motion to accept: Fred Gagnon
Second: Gord Mohr
Carried

Discussion points. The higher percentage allows for better prorating for the size of the membership where it allows a part-time FST. Brings it in-line with other union officers.

Vote on proposal #7 in its entirety.
Motion to vote: Cullen Wood
Second: Michael Holland
Carried

Board of Trustees Report - Gary MacAdam

Motion to accept: Shaun Rowbotham
Second: Justin Erle
Carried

By-law proposal #1A and #1B: Be it resolved that “The dues for members are set at 1.8% of the top increment of the regular annual salary of the member’s substantive position. The dues shall be reviewed at each Local Union Convention;” and Be it resolved that “Effective January 1, 2010, the dues for members are set at 1.6% of the top increment of the regular annual salary of the member’s substantive position. The dues shall be reviewed at each Local Union Convention.”

Motion to accept Proposal #1A: Denise Chiasson
Second: Shaun Rowbotham

Carried. Therefore, #1B is nullified.

Discussion points: The dues are set at an affordable, industry standard that meets the needs of the Local and the membership. It is a level that is used so that the dues amount does not “peak and valley” continuously. It enables the Local to budget accordingly and provide the types of services and training that has been discussed at this convention. A .1% reduction may result in a small decrease on a monthly basis to the membership but equates to a large reduction to the monthly dues of the Local. For clarity, the CAW Constitution outlines a minimum amount a Local can charge for dues. The amount stipulated in that constitution is by no means a CAW standard.

NCJC Report: Wayne Lorenzen

Motion to accept report: Shawn Rowbotham

Second: Les Skinner

Carried,

Discussion points: Frustration expressed both by the membership and the Local over the NCJC, council bargaining and how best to further the memberships concerns.

Report on Committees - Ruth Beilman

Motion to accept report: Michael Holland

Second: Len Leonard

Discussion points: A call for volunteers will go out shortly.

Thanks for the rides and the members from Halifax FIC that volunteered their time to help out - Ruth Beilman

Motion to adjourn Convention: Jim High

Second: Ken Stack

Carried