

UFCW  
February 7, 2017

Jeff Traeger:

Good evening everyone, my name is Jeff Traeger and I'm the President of UFCW Local 832. I want to welcome you all to the 2017 Winter Telephone Town Hall General Membership Meeting for members of UFCW Local 832 that is now called to order.

Also, I know it's February, but I want to take the chance to say Happy New Year to all of you on the line. With me in the studio tonight, along with our communications team of Blake Carruthers and Chris Noto, is your Secretary Treasurer Beatrice Bruske, your Director of our Legal Department Garry Bergeron, your Director of Education and Training Erin Selby, and a Special Guest Nellie Minville from our executive board who works at the St. Boniface Hospital.

Also with us is my Executive Assistant Marie Buchan. We've doing the Telephone Town Hall format for about two years now, and it continues to be a very popular way of connecting with our members. Over that time we've listened to you, and our activists, who have told us that they would prefer to have us spend less time on reading and reviewing reports, and more time bringing you issues of interests to all of our members and taking time to answer your questions.

To make that happen, we're trying a new format for our Town Hall meeting's starting tonight. Since there are three reports that need to be voted on at these meetings, those being the minutes of our previous meeting, the secretary treasurers report, and the president's report. We have posted those documents on our website at [ufcw832.com](http://ufcw832.com) for you to review.

Those documents have been posted for the last week, and will stay on our website in a folder that contains the archived documents of all of our previous Town Hall meetings. We're not going to read those documents tonight, but we will conduct three votes throughout the meeting to pass the approval of them. This will give us more time to hear from our guest, and to take your questions.

For all the members on the line that would like to ask a question, please press the \* key followed by the #3 and you'll be placed in a queue to ask your question. I would ask that you please remember that the purpose of this meeting is to discuss issues or ask questions about matters that affect all Local 832 members.

If you have a specific question about a grievance or an issue that affects your workplace alone, I would ask that you contact your full time Union representative whose name and contact information is available on the UFCW Bulletin Board in your workplace or online at [ufcw832.com](http://ufcw832.com).

Though tonight is our first quarterly Town Hall Meeting General Membership Meeting of 2017, and I want to thank all of you who have participated in these meetings for making them such a success. If you know of any members who

haven't participated from your workplace, please ask them to try calling in for one meeting just so that they can stay more connected to their Union.

Our agenda tonight begins with voting to approve the minutes of the last meeting held December 13, 2016. While we're completing the results of that vote, we will have a presentation by Gary Bergeron, our Legal Department Director, who will be speaking about attendance management programs, which is an issue that could potentially affect all any UFCW member and is often misunderstood.

We will open the line for questions following Gary's presentation, and then we'll call for a vote to approve the Secretary Treasurer's report. While that vote is taking place, we'll hear from a member of our executive board, Nellie Minville, who works at the St. Boniface Hospital which is headed into a very tough round of negotiations with her employer who is the new government of Manitoba.

After we hear from Nellie, we will again open the line for questions. And finally, we'll call for a vote to approve the president's report, and while that takes place we will hear from your Director of Education and Training Erin Selby, who will tell us about some exciting new initiatives taking place at our training centers and about our upcoming activist conference this April.

I'll begin by making a motion to approve the minutes of our last meeting which took place on December 13th, 2016. It has been moved, and seconded, so please vote Yes by pressing the #1 on your keypad, or No by pressing the #2 on your keypad. Once again, to get in the lineup to ask a question simply press the \* key followed by the #3, and you will be placed in the queue.

Since we will be opening the phone lines up for questions soon, please get in the queue now if you have a question, again by pressing the \* key followed by the #3. I will now turn it over to Gary Bergeron to talk about attendance management programs. Gary.

Garry Bergeron:

President Traeger, or as we commonly call you Jeff. Jeff asked me to put together a short presentation regarding an aspect of absenteeism programs that seems to come up regularly with our members. What I did was look at some of the issues that come up on a regular basis, and what I'm going to look at, we only have a brief ten minutes here, so I'm going to cover two types of absenteeism that I are usually covered in the absenteeism program.

The two types of absenteeism that are covered in the absenteeism program or the attendance management program are what's Culpable Absenteeism and Non Culpable Absenteeism, or is also called Innocent Absenteeism. Before that, I should probably provide you with a brief definition of what an absenteeism program is and how they work.

I would suggest that most of our members, certainly the larger members, have absenteeism programs through their employer, but not all do. Generally speaking, absenteeism programs are programs put in place by employers for the purpose of monitoring high absenteeism levels.

On an absenteeism program, an employer will review with an employee who has been missing a fair amount of work, the absenteeism levels with the employee so as to raise the employees awareness of the problem as well as the employers concerns. They will also use this time to offer assistance, such as the employee assistant program and EAP program, and or training where appropriate.

The first step in any such program is the communication to the employee of the employers attendance expectations, and the further communication to employees of the potential consequences of the failure to live up to these expectations.

Also, particularly with respect to Non Culpable Absenteeism, or Innocent Absenteeism, this provides the opportunity for both the employer and sometimes the Union to understand the employees attendance difficulties and to accommodate or otherwise consider adjustments that might benefit all parties.

Usually if an employee's absenteeism record does not improve, there will be several more steps in the program where the parties meet again, reiterating the employers position, pointing out the need to improve on levels of absenteeism, and eventually warning the employee that termination could occur if the absenteeism is not reduced.

Just so you know though, any absenteeism program that your employer has must comply with the collective agreement in place, must be reasonable in its application and meet any applicable legislation. In particular, Manitoba, well in all of them, the Human Rights Code.

This whole fact that it must comply with the collective agreement and Human Rights Code that's a whole different topic, and we could talk about that for hours, but that's not what we're doing today.

Anyways, as stated in the beginning, there are two types of absenteeism covered by an absenteeism program. You have Culpable or Non Culpable Absenteeism. Culpable is fairly easy to explain, if the cause or the reason for the absenteeism could and should have been addressed and collected by the employee, then it falls into the Culpable category. Basically, absenteeism that's the employee's fault.

Examples of Culpable Absenteeism would be being late for work, leaving work early, not calling in, not notifying the employer about the absence in a timely

manner. I know that there's quite a few of our members an hour or two before the shift, there's a designated time to provide the employer enough time to replace them and if they don't, they could be disciplined.

Abusing a lead policy by using it for reasons not intended such as being at the Jets game tonight when you're supposed to be on sick leave, but I am here. Anyways, employees will likely be disciplined for reasons such as these. Culpable Absenteeism is fairly straightforward, but we still have the right to grieve the discipline imposed, usually for various reasons such as it didn't happen, or the discipline imposed was too harsh and the like.

Then you have what is referred to as Non Culpable Absenteeism, or Innocent Absenteeism, and that's not your fault. The whole issue is a bit more complex. Examples that fall into the Innocent Absenteeism category would be your sick, your suffering from some illness, your suffering from a disability, you have occurrences of a family crisis, family leave and the like.

These types of situations fall into the Non Culpable category, as in they are not your fault. Now, let's be clear. This is actually the most important part of this lecture, of this brief diatribe. If the absences are not your fault because you are legitimately ill or disabled, then you cannot be disciplined for these absences.

The employer cannot impose such things as written warnings, suspensions or the like, cannot place you on the progressive discipline track if your absences are innocent. It's against human rights, it's against the Human Rights Code to discipline you for being sick. It's not your fault.

That being said, we do have instances where employees are sick but fail to bring in a medical note to prove that they were indeed ill. Some collective agreements or absenteeism programs, at some point, require that an employee provide medical documentation. This requirement usually kicks in when you have been off for a specific or extended period of time.

You have numerous absences in a short period of time, or you've been off for an extended period of time so the next time you're off sick you'll have to bring in a doctor's. That employee would have been advised of the necessity to bring in the note at some early time, and also advised of the consequences of not bringing the note.

Next time the employee's off claiming to be sick, and does not provide the medical note when we discern, will result in the employee being disciplined by the employer. Let's be clear, in that situation you're not being disciplined for being ill and missing work, but rather for failing to bring in the medical note. That is a legitimate reason for discipline.

Anyways, the case law's evolved over time. When certain serious situations of excessive Innocent Absenteeism, this may result in the termination of the

employment relationship. This type of termination is not viewed as disciplinary in nature. It's not viewed as discipline, the fact that you're losing your employment for excessive Innocent Absenteeism.

What you have is an employment relation which is basically contractual. The employer has hired an employee to work for them, therefore an employer should have the right to the performance they are being paid for. In certain situations, it has been recognized that an employer should have the power to replace an employee on a job, notwithstanding the blamelessness of the employee.

The concept is that if an employee cannot report to work for reasons which are not his or her fault, he or she imposes losses on an employer who is also not at fault. However, after certain stages reach the accommodation of the legitimate interests of both the employer and employee, requires a power of justifiable termination.

What it comes down to is that Innocent Absenteeism can result in dismissal. However, prior to an employer being allowed to let you go for Innocent Absenteeism, the employer must establish two things. That there has been undue absenteeism in the grievors past, and that the griever is incapable of regular attendance in the future.

I kind of view this as a three prong test. You have a past, present, and a future. Has there been a serious problem with absenteeism in the past, is it ongoing, on what is the future prognosis of the employee to return to work on a regular basis in the foreseeable future.

A quick example: an employee because of a medical condition has been off work for a lengthy period of time. We're not talking for a few days here, we're talking months if not years, so this has been ongoing. At some point the employer can ask for a medical report, asking when they can expect you back at work. Also, an important point, what they can do to accommodate your return to work.

Duty to accommodate still exists and is applicable in cases of an Innocent Absenteeism. So the doctors report comes back, and state's in the foreseeable future you will not be coming back to work, even if the employer can accommodate your disability or usually if they can accommodate your disability, the doctor's saying they're not coming back in the foreseeable future or any time soon.

At that point, they've established that you've had problems with Absenteeism in the past, it's still ongoing, and in the foreseeable future you will not be returning to work. In cases like that, Innocent Absenteeism may result in you losing your position. Unfortunately, even though it's not been your fault, you can lose your job.

Another important point is that if, by terminating your employment for Innocent Absenteeism, it results in you losing your benefits that you're entitled to under the collective agreement, then they can't do it. They have to keep you on. Let's just say you're an employee collecting LTD, and to collect the LTD their Long Term Disability you have to be an employee.

If they let you go for Innocent Absenteeism you're no longer an employee, so you won't be entitled for your long term disability anymore. In situations like that, the employer cannot let you go, so you're safe. Now, each absenteeism management program is slightly or sometimes greatly different from each other.

The above statements were general, so if you have been placed by the employer into their absenteeism program, contact your Union rep. Review the situation with them. See if you deserve to be on it, don't wait until you're in the final stages of the program to contact us, and certainly if you have been terminated for Innocent Absenteeism or even Culpable Absenteeism for that matter, contact us immediately.

That may have been a bit too speedy, but questions?

Jeff Traeger: We've got a few questions on the line now, but Gary really good advice at the end there, and that is the sooner that we know that you're on an attendance management program by your employer in the workplace, the easier it is for us to give you the proper advice to make sure that it doesn't end causing you to lose your job.

I noticed that the vote to approve the previous minutes has passed, so we're going to open up the phone lines now and we're going to take a few questions. We'll start with Fred from Brewers Distributor Ltd here in Winnipeg. Hi Fred, how are you?

Fred: I'm not too bad how are you?

Jeff Traeger: I'm doing well thank you. What's your question?

Fred: My question is do we still have representation from the Union for appeals for compensation claims? When you have a good claim there and it's denied. I had Rob Hilliard once and he was great getting me an appeal and winning it. Now, do we still have that venue?

Jeff Traeger: The answer is yes, and no. We still do workers compensation appeals on any claim that would represent a precedent setting claim or a claim where it's clear where the employers actions are egregious. We have Phil Kraychuk, who is our Health and Safety Director.

As a matter of fact, he's doing a compensation appeal this week, but he does a triage on the cases and we make sure that since our resources are limited, that we take on the most important cases here, and then we also have our reps who are trained to help with the first step of the appeal process, which is to send it to the review office.

If it's relatively simple in nature, something like someone's pay was wrong and there appeal has to be filed in order to get that corrected, we refer them to the Worker Advisory Office at Workers Compensation Board. But for a case that is, as I said precedent setting, we then absolutely do make sure that we handle it here at our office.

We've got another call from Brewers Distributor Ltd. This one is from Dale. Dale, go ahead.

Dale: Hi Jeff, how are you doing?

Jeff Traeger: Not bad, how are you?

Dale: Very good, thanks. We're going into negotiations soon, and I was wondering about Blake Carruthers. Has he negotiated before? And, also, what is his background?

Jeff Traeger: Sure, okay. Blake Carruthers, I'll start backwards. Blake Carruthers came to us as our Communications Director about a decade ago, and he was running his own business doing communications. He also had a lot of experience working with some UFCW Locals out in Ontario.

For about a decade, he ran our Communications Department, but he also spent some time going through training and doing some negotiations on smaller contracts for us. About last fall, he moved into the negotiations role with us, just recently finish ratifying a contract for a couple hundred members at Vantage Foods.

One of the things that we do because negotiations, Dale, is such an important part of the service that we offer for our members, of the things that we make sure we do we have a Director of Communications Martin Trudel.

Then all three of the people in the leadership roles with the Local, myself, Beatrice Bruske, and Marie Buchan all continue to do negotiations, but we have regular meetings with our negotiators to make sure that if they have any questions or if they're running into any tough issues at the bargaining table that those are discussed with the leadership and with the director.

Every negotiator at the Local has to come to me and get approval to agree to any concessions in bargaining, so we keep a really close eye on it, but I can tell you that the work that Blake's done in our negotiations so far has been very

good. Lots of good feedback from members, and I'm sure with the support that Blake has heard at Local 832 that he's going to do a great job at bargaining your contract.

We will move on to Barbara, from Store 4867 Sobeys. Go ahead. Hi Barbara, how are you? Barbara, are you there? We're going to move on to Beverley then. Is Beverley there?

Technical glitches in the studio here. Okay, we lost both the callers. Now we're going to move on to our next guest, but before we do that I'm going to make a motion to approve the Secretary Treasurers report which is online [ufcw832.com](http://ufcw832.com). That report is for the eleven month period ending November 30th, 2016.

Beatrice Bruske: Seconded.

Jeff Traeger: Thank you Bea, it's been seconded here in the studio. Please press #1 on your keypad to vote Yes, and #2 on your keypad to vote No. If you have a question about the Secretary Treasurers report or anything else at all, please press the \* key followed by the #3 and we'll gladly take your question. Currently, we have no members in the queue.

I'm going to turn it over to Nellie Minville, whose here in studio with us to give her presentation. Go ahead, Nellie.

Nellie Minville: My name is Nellie, I have been employed with St. Boniface Hospital for 42 years in various departments throughout the hospital. I have also been involved with the Union as a Shop Steward and also as an Executive Board Member for the last twenty years.

This will be my third occasion on the negotiating committee. The previous set of bargaining was extremely difficult, and it required a considerable amount of time to arrive at an agreement. This round of bargaining will prove to be equally, if not as perplexing.

In fact, I feel it will be much more so due to a more challenging government that has implemented a stricter agenda, and has determined that financial changes need to be made. The implementation of this has already been noticed in the workplace, starting with cutbacks of overtime in non-clinical areas.

I'm sure there will be many more cutbacks to come in the future. It will be a difficult fight to maintain the items that we do have. Our plan is to face the challenge, fight for what we have fought for and acquired and hopefully acquire more for our members.

We will all be working above and behind to acquire the best deal that we possibly can. At this time, we are going through all the proposal submissions and

trying to finalize the proposals that we are going to bring forward. We are hoping to begin meeting soon with management.

I hope that everyone will continue to give us the support that we need to get our contract ratified. Thank you.

Jeff Traeger: Excellent. Thank you very much for that Nellie. I know it's going to be a tough round of negotiations, and I'm sure that at the end of the day we'll come out on top as we always do.

I see on the screen that the vote to accept the Secretary Treasurers report has been passed, and we don't currently have any questions in the queue. So before moving on to our next guest, I'm going to make a motion to approve the President's report.

Beatrice Bruske: Seconded.

Jeff Traeger: It has been moved and seconded. Please press the #1 on your keypad to vote Yes, and the #2 on your keypad to vote No. If you have a question about the President's report or anything else at all, please press the \* key followed by the #3 key and we will gladly take your question.

I'm now going to turn it over to your Director of Education and Training Erin Selby to speak to you about the new initiatives happening at the training center. Erin.

Erin Selby: Thank you Jeff, I'm really excited to be joining everyone tonight. There's a lot of things going on at the training center, but I want to start with talking a little bit about Web Campus. If you've been on our website, you may have noticed this word Web Campus and not been quite sure what it is.

This is an online learning tool that's been developed and is maintained by UFCW's national office in Toronto. If you go on it, you can kind of scroll through and take a look at all the different courses that are offered there. There are literally hundreds of courses offered, and they're constantly putting new ones on.

I can tell you first hand, I've tried a few of them. They're really interesting. You can do some really practical ones that maybe are related to your workplace, things like learning how to handle biological hazards, or perhaps you want to know about Food Safety.

There's also things for personal development. You can learn something like how to plan for your retirement, or maybe you just want to learn a new skill. Floral design, or how to take better pictures. There's lots of courses on that sort of thing as well.

The other thing that's interesting about it is everything is free. Everything is free for our members, and some of the courses that are online and free, you can do them anytime on your own time. They're actually recognized as credit at universities and colleges.

Right now, Athabasca University in Brock University are just among some of the ones that will recognize the credit that you've done online, and you will actually earn a credit towards a university or a college degree, which is pretty exciting stuff. There's also the ability to go on and do some of the training for Shop Steward or Health and Safety diplomas.

Of course, we always like to see you at the training center. It gets a chance for us to see you in person, and really a good opportunity to mix with other Shop Stewards or people who are in Health and Safety Committees from other workplaces.

Sometimes that's not going to be practical, so if you want to you can head on to Web Campus. You can choose to do a number of courses on there, and that will go towards your diploma either as a Shop Steward or Health and Safety.

Again, it's free for members. Check it out, I did the Floral Design one and I learned a heck of a lot from it. You'll find it's pretty interesting. If you're curious to check it out, you can go to our website [ufcw832.com](http://ufcw832.com). You'll see something that says Web Campus, just click on it.

If you have any questions, don't hesitate to phone the training center and we'll chat with you about that as well. A couple of other things going on that I wanted to share with you as well, we have been revamping and rewriting and doing all kinds of new things with the courses.

If you haven't been to the training center in the last year or so, come back and see us because there might be some new things you haven't seen before. We have a diploma series for Shop Stewards, a new diploma series for Health and Safety. Don't worry if you've already done the courses under the old system, we're not going to take that away from you, we'll just add it into the new system.

We'll grandfather anybody who's been training for some time. If you go again onto our website at [ufcw832.com](http://ufcw832.com), you can check out all the things that are included in the new diploma. I did want to also mention to folks that Grade 12 Semester has started already in Brandon and in Winnipeg. That again is free for our members.

If you're interested in that, the classes have just started but we'll be starting again in September. Give us a call at the training center in Winnipeg or Brandon if you'd like some more information about how you can take some Grade 12

courses. Although you can get your Grade 12 diploma with us, you can also do some other courses as well.

Maybe you need to do something from Grade 10 or Grade 11, if you speak with our Education Director Ans Norman, he can help you figure out where's the best place for you to start. We've also just started up our semester for English as an additional language both in Winnipeg and in Brandon.

A number of classes going in both places. In Brandon, we've just added conversation circles. For people who maybe don't want to sit in the classroom and do something that formal, or perhaps you're at the point with your English as an additional language that you're looking to get a little bit more practice, and how you would use your English in day to day life.

The conversation is a little bit more casual, there is an instructor there as well to help guide you. It's a great way to practice, so don't hesitate to contact the training centers in Winnipeg and Brandon for more information about English as an additional language.

The thing that we've been talking a lot about and, I have to say I'm getting pretty excited about and I'm happy just to be sharing it with you tonight, is the upcoming Activist Conference. From April 18th-20th, we are going to have our Activist Conference here at the Fairmont.

We will have an early registration on April 17th, but all the details are going to be up on our website very soon. You'll see that this week, you'll also see your letters in the mail for those of you who are Activists, Shop Stewards, Health and Safety Committee members. You'll be seeing an enrollment letter coming in the mail very soon.

There's a lot of interesting things happening. Several different speakers that will be coming to share some of their experience with us, and a few different workshops for you to choose from as well. In particular, one that I wanted to share with you is a workshop geared specifically to our younger members.

Now, we'll open the door to anybody who wants to join us and have some conversation, but we're really going to try to gear one particular workshop for young members. We're going to talk about issues that will probably matter more to folks who will be under 35, and really hope that you can join us for that.

As I said, we're going to have a number of speakers joining us and a number of different workshops, but I did want to mention some of our special guests that will be part of our conference. Esther Lopez will be joining us. Esther is the International Secretary Treasurer for UFCW International.

She's done a lot of work on diversity, and we're really honored to have her joining us at the conference. Another special guest, this name might be pretty

familiar to you. Premier Gary Doer, not our current Premier but our former Premier Gary Doer will be joining us as well.

If you don't know, Gary's got a really strong Union background as well, so he understands what's important to folks in our Union and I'm really excited that he'll be able to join us and share some of his ideas.

Again, if you want more information, we will have that on the website this week, or you can always talk to your rep for details about the activist conference and I hope to see you there, or at the training center very soon.

Thank you.

Jeff Traeger: Excellent, thank you very much Erin. We've got three questions on the line. Before we run to those though, I'm going to get Blake to give us an update on a couple of events, he and Marie both, to give us a couple of updates on some upcoming events at the local.

Marie: We have our Executive Board elections coming up in 2017 for the three year term of office which will be running from January 2018 to December 31st of 2021. General Membership meeting's and all of the community's for nominations and elections will be held as physical meetings rather than Telephone Town Hall's.

All of the information with regards to nomination meetings will be posted in each of the workplaces, as well as advertised in the magazine and on our website, so keep an eye out for that later on this spring.

As well, we have a [inaudible 00:32:03] that has come to our Brandon office. She actually started on Monday. Similar to our Winnipeg office, where Jeff Bergeron is our dedicated Leaf Representative, we've added the same position to our Brandon office this week.

Our newest Union Representative, her name is Claudia Colocho, and she'll be providing assistance and relief for our current staff reps in Brandon, as well as having a small territory of her own to service. Join all of us in welcoming Claudia to the UFCW 832 team.

Jeff Traeger: Okay, so now we're going to go on to Fred, from BDL. Second question of the night for Fred. Go ahead, Fred.

Fred: The guy before talking about the absences, especially at our work since we've got a lot of older employees that are having some problems with their bodies now with kidney's and stuff like that. I'm just shocked that it's against the Human Rights to give you letters and fire you, but yet they got that out that they can basically can you.

It's just surprising that a long-term employee once he has some issues, maybe diabetes or something, you can get legible letters from his doctor no problem that they can still can you if they wanted to. Is that true, though?

Jeff Traeger: I've got to give it back to Gary Bergeron to take your question.

Garry Bergeron: No, they can't just can you. Can, as you put it, or terminate you. If someone has diabetes, the employer has a duty to accommodate somebody up to the point of what's called Undue Hardship under the Human Right's Code. In situations of employment, they can't discriminate against you if you're ill or disabled.

That being said, there is this point of Undue Hardship, so if the illness in any situation, and they're on a case to case basis, but if in somebody's situation that their missing a lot of work because of their illness and its ongoing and a doctor's report says it's not going to get any better.

In situations like that, an employer may be allowed to let you go. You know, it's unfortunate but that's pretty well the way it is. We would fight it and we would look at it, but if you're missing lots of time, and what exactly is lots of time is something you would have to look at, but if you're missing lots of time and it's not going to get any better in the future, that would be considered Undue.

That possibly could be considered Undue Hardship and the employer may be able to let you go.

Fred: Wow.

Garry Bergeron: We'd have to know the exact situation, but generally speaking that's the general rule.

Fred: Okay.

Jeff Traeger: From what I understand about it Fred, it's a Non Culpable discharge that they usually call a frustration of the employee/employer contract. That the employer agrees to bring you to work and pay you, and your part of the deal is to attend work.

You can make a whole whack of exceptions for a variety of different illnesses, but if it's over a long period of time the arbitrators have a rule that employers have a right to do that.

Garry Bergeron: This is where hopefully a Long Term Disability program would kick in, or if it can get related back to the work itself caused the injury than WCU would cover it.

Jeff Traeger: Alright, so now we're going to move on to Dave, from the Adult Inpatient Unit. I believe that's out at St. Boniface, right?

Dave: Yes.

Jeff Traeger: Dave how are you tonight?

Dave: Not bad, Jeff, how's yourself?

Jeff Traeger: I'm hanging in there, thanks.

Dave: I was just wondering, because I'd heard, are the membership able to access LTD over the age of 60? Because it's well documented everywhere that people are having to work longer and longer well past that age. This is pretty much ageism, which is against the charter, isn't it?

Jeff Traeger: Well, you know I think there's a grievance outstanding on that, but I've Marie Buchanan in studio, and Marie is the Chair of the Secretary of the St. Boniface Hospital LTD plan, so I'm going to let Marie answer that particular question.

Marie: Hi there. First of all, in the Trust Agreement in the documentation, that is correct that the eligibility for protection is for full and part time members of the hospital for under the age of 60.

That would be something that we would have to look at as trustees to see if we can increase the age, and it would be based on obviously the amount of money that's in the Trust, and how we can fund that.

There is a current grievance that's outstanding. It's a longstanding grievance that has to do with the amount of money that's coming in, and whether or not contributions are being provided for those over the age of 60, because the collective agreement talks about that the benefits are applied to all members for the actual amount that's being received, versus who's covered.

It is correct that for right now, the Trust only covers those who are under the age of 60.

Dave: How is that not ageism then?

Jeff Traeger: Well you know something Dave, I would say that Federally somebody who is over the age of 71 can't contribute to or gain benefit from RRSPs, and a lot of the other LTD plans that we have set an Age 65 limit, and I'm going to tell you that I think it is fairly ageist.

I think that's a correct way of putting it, and I also agree with what you said off the top was that people are having to work longer, and longer, in order to make ends meet especially if they're a single income family, right?

Maybe it's something that we have to look at when we're dealing with Long Term Disability Plans and lobbying government as well.

Dave: 71 is a bit more reasonable, but I mean the expectation seems to be that we should be able to retire at 60, but we're taxed to death in this country, this province, and particularly in this city. So, I mean 60 is getting to be increasingly unreasonable.

Jeff Traeger: Yeah, well as I said I'm not necessarily arguing with you but Marie's got the context hear with her, so we're trying to give you the right answer but we may also agree with the position you're taking.

We've got another caller on the line, one more from John Moore at Grant Park Red River Co-Op. How are you doing John?

John: I'm doing good, how are you?

Jeff Traeger: I'm doing fine thank you.

John: In a previous Union magazine, there was an article written by your legal team about a Sunset Clause, and I was wondering if you would be able to elaborate on what a Sunset Clause is, and how many companies under the UFCW contract enjoy that coverage?

Jeff Traeger: Gary wrote the article, so I'm going to turn it over to Gary to answer your question. Go ahead, Gary.

Garry Bergeron: I'm sure Deb wrote that article. It's the other lawyer. Sunset Clause is usually in a collective agreement with regards to discipline. If you've been disciplined in the past, at some point whether it's twelve months, eighteen months, twenty four months and I've seen them as high as thirty-six months.

If you don't re-offend then the discipline comes off your record and can't be used against you in the future at a future arbitration. That's basically what a Sunset Clause is. How many of our employers have that in their collective agreement? A lot, but I really couldn't give you a percentage.

We have over a hundred collective agreements. It's something at negotiations that we always try to get in, we try to get it reduced any time we can.

Jeff Traeger: One of the things I will tell you John about Sunset Clause where discipline is removed from your file, is that it is a double edged sword. We've had one employer council come to us and say if you have a two year Sunset Clause in the collective agreement, than you can't claim that one of your members has 25 years of perfect service, or perfect undisciplined service because his record is effectively expunged beyond the two years.

Arbitrators actually determined if that was correct, and quite often an arbitrator will offer mitigation of a penalty for somebody that's got a good long length of

service, but when they have a Sunset Clause in there they don't necessarily agree to do that, so it is a double edged sword.

I'm going to turn it back over to Bea for a moment. Go ahead Bea.

Beatrice Bruske: A [inaudible 00:41:34] coming up which will [inaudible 00:41:35] the 8th to the 19th at the Indian and Metis Friendship Centre at 45 Robinson Street. If you are a member of the NDP and a UFCW member and you're interested in attending this convention, please contact your full time Union rep who will make sure that you are registered as a UFCW Delegate.

Also coming up very shortly is the first annual Security Sector Conference which will be held at our training center on February 22nd. It is to talk about the industry and to strategize some of the issues that are occurring in the industry and that our members are often faced with.

We will be having special speakers coming in from the Winnipeg Police Service, a criminal lawyer to discuss issues pertaining to security work. Our Health and Safety Rep will be providing a presentation on security officer's health and safety issues. Somebody from the Justice Department will be there to speak about licensing, and the Union rep and negotiator for that industry will be there to discuss servicing and negotiations issues.

Jeff Traeger: Alright, thank you very much Bea. I see that we have no further questions. I want to thank all of you for joining us on our February Town Hall GM. We will be conducting our next General Meeting on Tuesday May 16th, 2017 by Telephone Town Hall as well, beginning at 7:00 P.M.

Also twice this year you will see physical meetings taking place in your communities as we will be conducting elections for our executive board members. Thank you again for participating in tonight's Town Hall, and for participating in your Union.

We are now adjourned.