



## WHY WORK/LIFE BALANCE MATTERS

By now you've seen our demands for your collective agreement and you have seen that we are at the table negotiating better provisions for us all. The common theme of improvements to work/life balance is very intentional.

We are asking for more flexibility in hours of work, additional family-related provisions, reduced work-week and increased vacation time amongst others. These are all items I know our members support. But why is this concentration on work/life balance important?

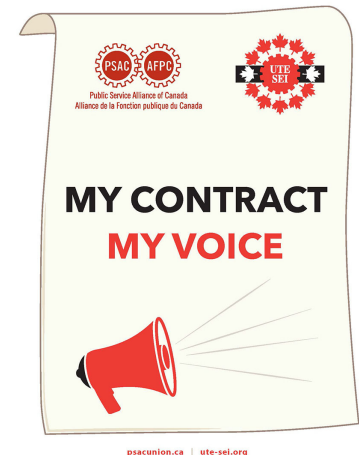
While we don't anticipate entering economic discussions until after the non-economic demands are addressed, we cannot ignore the impact of events that occurred in the past. On economic issues alone, there is no debate that our increases have been far from cost-of-living or inflation and to make matters worse, we had the 1% rollback in 2010. You may recall that wages had been frozen in the nineties and recently we lost our severance pay. All of this negatively affects your salary today. Therefore, it is important that we continue fighting for better non-economic improvements in addition to salary.

It has long been proven that productivity and morale improve with enhanced work/life balance. Additionally, studies have pointed to public service burnout and absenteeism because of work stress and external stress impacting the workplace. We also have the anxiety and stress of worrying that we are paid properly on a bi-weekly basis. None of these pressures help improve our work/life balance.

This is precisely why we are seeking increased flexibility and paid leave in many articles of the collective agreement.

The Canadian Centre for Occupational Health and Safety website has highlighted the need for more flexible work arrangements, and greater family leave to decrease stress and increase productivity and job satisfaction. This benefits not only the members, but the organization they work in. The Canadian Mental Health Association website also points to available options to improve work/life balance such as flexible start and finish times and the ability to telecommute.

We need to start thinking about relieving the pressures put on us daily through both non-economic and economic means. The demands on members both at work and at home require adding tools in our collective agreement to help out. As usual, we can do this together.



**Adam Jackson**  
**2nd National Vice President**

**SI VOUS PRÉFÉREZ RECEVOIR CETTE PUBLICATION EN FRANÇAIS,  
VEUILLEZ VOUS ADRESSER À VOTRE PRÉSIDENT- E DE SECTION LOCALE**



In our last newsletter you were provided with information on the second step in the CRA Staffing Recourse – Decision Review - DR.

The CRA Staffing Recourse system was put in place with three basic levels of recourse.

- Level I – Individual Feedback (IF)
- Level II – Decision Review (DR)
- Level III – Independent Third-party Review (ITPR)

This Article will discuss Independent Third-party Review (ITPR) and is the third in a series of three of articles explaining the various staffing recourse levels.

### **Level III – Independent Third-party Review (ITPR)**

ITPR is the final level of recourse available in the staffing process. It is **only available to** individuals who are in the pool of a particular staffing process and when permanent appointments are being made.

ITPR is a review of an employee's concerns of arbitrary treatment following IF. ITPR, if available, is conducted by an Independent Third-party Reviewer and can be requested only after IF is completed. (see the **December 2017 Article on Individual Feedback**)

To file for ITPR you must use the RC 117 form and file it within 9 days of receiving your IF response. On this form, again, you must state how you believe you were treated arbitrarily. If you encountered a situation similar to the examples shown in the December 2017 issue of Union News regarding IF or you specifically saw something you considered to be arbitrary, you certainly should include that when completing the form. Unfortunately, most times until you've had the opportunity to review other information, it is difficult to provide specifics which could be relevant to the member's assertion that they were treated arbitrarily.

The ITPR process is somewhat different than the previous two forms of recourse. Once you file the RC 117 and your ITPR request is accepted by the CRA's Staffing Recourse Section, your file is assigned to one of UTE's Labour Relations Officers (LRO) at the UTE National Office. Once your LRO has received disclosure of all relevant documents and completes their review, they will discuss with you, what if any specific allegations of arbitrary treatment will be submitted. If your LRO decides to proceed, a full hearing will be held in front of an Independent Third Party Reviewer. The ITPR process is fully outlined in section 5.11 in the Procedures for recourse on staffing.

We hope this series of article on CRA Staffing Recourse Levels has been useful. The previous levels of recourse are contained in past issues of the newsletter and are available on the web under Union News <https://www.ute-sei.org/en/news-events/union-news>.

*Gary Esslinger*  
**Communications Committee**

## MESSAGE FROM THE NATIONAL PRESIDENT

Sisters and Brothers,

I hope you all had a great summer and a good time with your loved ones. Time flies and we are leading our lives at a frantic pace. Sometimes, you have to take the time to stop, rest and enjoy life. The summer period is the ideal time to do so. For my part, I took a few weeks of vacation to unwind and recharge my batteries. That's a good thing because we have a lot of work to do and the fall will be busy.

As you know, unfortunately, some of our members continue to experience various payroll problems due to the failure of the Phoenix system, despite the fact that there is a steady decrease in the number of cases to be processed. We find some consolation in the fact that there are far fewer problematic cases at the CRA than there are in other federal departments whose payroll is handled by Public Services and Procurement Canada (PSPC). Despite this, the situation is unacceptable. The federal government must find a way to pay its employees properly and in a timely manner. Prime Minister Trudeau said that his government was open to exploring all possible options to correct this situation.

Well, that's perfect! Because we have an interesting proposal for his government. Indeed, UTE firmly believes that there is a better way to pay CRA employees through its own Corporate Administrative System (CAS). For almost 20 years, the CRA has been partly using the CAS for payroll administration, with no major complications, and paying its 40,000 employees accurately and on time. The "offloading" of 40,000 employees, and two collective agreements, would reduce the burden on the Phoenix system for the rest of the public service. We believe that if improvements were made to CAS, this would allow the CRA to pay its employees directly. To implement this change, federal legislation would be required to authorize CRA to pay its own employees.



Over the summer months, we followed up regularly with the employer to ensure that CRA respected its commitment to pay our members, within a maximum of 150 days, the retroactive payments that they were entitled to receive following the decision rendered on March 14, 2018 by the Binding Conciliation Board on the provisions to reopen our last collective agreement. We also asked our members and their families to sign "**CAS Can Do It**" cards that we will deliver to the Prime Minister's office. We are asking that his government provide the CRA with the necessary human and financial resources to make improvements to the CAS system. Thanks to the hard work of our Locals and the excellent participation and support of our members, the campaign went very well and is a great success.

I obviously cannot leave you without mentioning that we are back at the bargaining table to try to get you significant improvements to your collective agreement. We recently distributed a poster with our slogan "My Contract, My Voice". We ask you to place this poster prominently in your workplace so that the employer knows how supportive our members are of their bargaining team. We also produced a video that can be found on the UTE and PSAC websites. I invite you to go and look at it.

Let's stand together and show CRA and Treasury Board that we are serious and that they must respect us! This time, we won't wait four (4) years before signing a new contract! Let's go get what we deserve!

In solidarity,

*Marc Brière*  
**National President**

## CRA STAFFING REDESIGN PROJECT

On January 31, 2018, the Agency Management Committee approved the creation of a Staffing Redesign Project and accordingly, a Project Management Office from the CRA's Human Resources Branch was created to oversee this project. Both UTE and PIPSC at the National level were invited to participate in an Integrated Project Team (IPT) to consult and provide input into this project, along with representatives from Resourcing and every Branch and Region of the CRA.

The IPT has been given the mandate to review and make recommendations on any and all aspects of staffing. This includes competencies, assessment, screening, mobility banks, employment equity, performance management, appointments with and without competition and with or without an advertised process, pools, selection processes, language proficiency and recourse. The IPT has been encouraged to "think outside the box" and to think creatively in identifying irritants and proposed solutions.

The IPT has met on a couple of occasions, and has been mandated to conduct engagement (feedback) sessions with employees, Union representatives, Team Leaders and managers, Executives and members of the Young Professional Network, to solicit a wide array of views and to attempt to identify solutions and efficiencies. Union representatives have also been invited to the employee sessions. These sessions have already commenced in some offices and will continue throughout the Fall of 2018. Other tools, including the Agency's WIKI page and surveys are also being used to capture information.

UTE, while guarded in our approach, embraces the opportunity to participate in this ground-breaking and substantial venture. Surely, this Project and its results will affect each and every one of you, our members. We encourage you to participate in this Project to the extent possible and to voice your concerns about the current CRA Staffing Program. We ask that you attempt to offer positive and specific ideas on ways and means to improve staffing and recourse in the Agency. This is your opportunity to be heard and to influence effective staffing and meaningful recourse in the CRA.

In closing, rest assured that while UTE has adopted a collaborative and consultative approach with the employer with respect to this initiative, we will continue to participate only as long as the views of employees and UTE are being heard and seriously considered. Moreover, we will remain vigilant that efficiencies are not advanced to the detriment of employee rights and interests.

Should you wish more information, please feel free to speak with one of your Local Union representatives.

**Shane O'Brien**  
**Senior Labour Relations Officer**



*WISHING EVERYONE A  
HAPPY THANKSGIVING*

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## PRE-RETIREMENT LEAVE

This article was inspired by a Facebook post on the St. Johns TC, Local 90001 page.

Pre-Retirement Leave PRL is paid leave similar to vacation leave that members are entitled to once they reach certain years of service and age requirements. For clarity PRL is not the same as Pre-Retirement Transition Leave.

Employees eligible for PRL, can accrue 5 days (37.5 hours) of paid leave each year up to a maximum of 25 days (187.5 hours).

Your first 5 days of leave are credited to you on the date that you become eligible and are available to you the following day on the Employee Self Service portal (ESS).

For part-time employees this leave is pro-rated, thus an employee working for example 30 hours a week, they would receive 4 days pre-retirement leave.

The problem is that unless employees first meet specific eligibility requirements and report this to the Client Compensation Service Centre (CCSC) they will not start receiving this leave.

### Eligibility Requirements

For an employee to be eligible for PRL they **must not** be in receipt of pension benefits and have the following age and years of service which is now also dependant on pension plans start date.

Employees who became members **on or before December 31, 2012** must be:

55 years or older with 30 years of pensionable service

**OR**

60 years of age or more with at least 2 years of pensionable service

Employees who became members **on or after January 1, 2013** must be:

60 years of age or more with 30 years of pensionable service

**OR**

65 years of age or more with at least 2 years of pensionable service

This leave can be provided retroactively for prior years when you would have been eligible but had not advised CCSC upon your eligibility.

### The problem

Unfortunately, many members are not aware of the requirement and responsibility of employees to advise CCSC of their eligibility. This results in potential delays or even situations where employees might not receive this leave.

### The process

As noted members must advise CCSC of their eligibility and they must provide proof of being eligible to receive a pension. This proof can be obtained by using the Compensation Web Application or by receiving a copy of their pension statement from the Pension Centre. This information can then be mailed or emailed directly to CCSC.

Once received employees will receive credits annually to a maximum available on the anniversary date when they first received the credit.

Hopefully this information will ensure that all our members are applying for and receiving this benefit at their earliest opportunity.



*Gary Esslinger*  
**Communications Committee**

## LATE HOUR PREMIUMS, SHIFT PREMIUMS AND OVERTIME

The National Office has been receiving numerous questions from the membership regarding the above benefits. Hopefully the information below will clarify the issues.

### Late Hour Premium

As per article 25.12 (b) of our collective agreement, a Late Hour Premium of \$7.00 per hour is payable to any employee who is a **day** worker and required by the employer to work hours outside the normal work day of 7:00 a.m. and 6:00 p.m. This premium is payable for any hours worked before 7:00 a.m. or after 6:00 p.m.

If the employer requires our members to work outside the core hours of 7:00 a.m. and 6:00 p.m. **they must consult with UTE Nationally**. They also must consult with your local executive for fact finding and implementation of the new hours.

The employer must provide 7 days notice to our members if their schedule is to be changed. If 7 days notice is not provided, members will be paid time and one-half (1 ½) for the first seven decimal five (7.5) hours and double (2) time thereafter for the first day of work.

### Shift Premiums

As per article 27 of our collective agreement, a shift premium of \$2.25 per hour is payable to any member of UTE who is a **shift worker** and works any hours between 4:00 p.m. and 8:00 a.m. This would include overtime hours.

This premium is not paid for hours worked between 8:00 a.m. and 4:00 p.m.

### Overtime

As per article 28 of our collective agreement overtime is paid for each completed period of fifteen (15) minutes of overtime worked.

Overtime must be authorized in advance by the employer.

**On a scheduled work day**, overtime is payable at time and one-half (1 ½) for the first seven decimal five (7.5) consecutive hours worked and double (2) time for all overtime worked in excess of seven decimal five (7.5) consecutive hours of overtime worked.

**If a member works on their first day of rest**, overtime is payable at time and one-half (1 ½) for the first seven decimal five (7.5) hours worked and double time (2) for any hours in excess of seven decimal five (7.5).

**If a member is required to report to work on their second or subsequent day of rest**, they are entitled to receive double (2) time for the hours worked.

**If a member works variable hours of work (compressed work week)**, overtime shall be compensated for all work performed in excess of an employee's scheduled hours of work on regular working days or on days of rest at time and three-quarters (1 ¾).

If you have questions related to the late hour premium, shift premium or your overtime entitlements please see a local executive member.



**Andrea Holmes**  
Labour Relations Officer

## WHEN WILL THEY EVER LEARN

In a decision published the week of September 10, 2018, an adjudicator representing the Public Service Labour Relations and Employment Board ruled in favour of an employee of the Canada Revenue Agency who was unable to attend work as a result of a fierce snowstorm which occurred in 2015 on Prince Edward Island.

As previously published in our newsletter on many occasions, the position of the union and substantiated by many adjudicators, is that our collective agreement contains a clause (53 .01) which provides

for leave with pay to employees who were unable to report to work in situations such as those in this incident. The provision is that certain criteria must have been met which has been reiterated on many occasions by adjudicators.

Still the Canada Revenue Agency time and time again ignores this and denies leave to members who have clearly met the requirement. Unfortunately, many members accept these decisions and do not fight for their rights by challenging the employer. Those that do, more times than not, are successful in receiving leave with pay for the time missed rather than having to take vacation or in this instance, unbelievably, the employer allowed the employee to take sick leave.

In the adjudicator's ruling the Agency was ordered to reinstate the employee's sick leave and provide them with 3.5 hours of leave with pay. The pay in this case was worth approximately \$100. While it is understood that in certain situations where no precedents exist any employer may be reluctant to grant leave that they perceive may establish an adverse precedent. However, where precedents do exist and the facts in the case are similar and meet established criteria the employer should do the right thing. To quote Magali Picard, National Executive Vice-President of the Public Service Alliance of Canada, "We have won these cases in the past. It is hard for me to understand ... Why they would penalize an employee when it is something completely out of their control".

By taking this rigid and somewhat ill-informed position the employer, and ultimately Canadian taxpayers, incur substantial and unnecessary costs.

*When will they ever learn...*

This article is meant to serve as a reminder to members that with winter fast approaching, you may encounter a similar situation. If after making reasonable attempts to get to work, you are unable to do so, the collective agreement mandates that the employer consider these situations when brought to their attention. Should you be denied the granting of leave with pay under Article 53.01, please consult with a local union representative.



**Communications Committee**

## 2018 CRA CHARITABLE CAMPAIGN

As usual, the CRA will be holding its Workplace Charitable Campaign this fall.

Once again, the UTE is wholeheartedly supporting this campaign.

UTE national officers will participate in the launch and promotion of the 2018 Charitable Campaign with representatives from the CRA.

I strongly encourage the Regional Vice Presidents and our Locals to participate as well.

The Public Service Alliance of Canada (PSAC) is working with United Way representatives to ensure that the unions and their members will be given the recognition they deserve for their contributions to the GCWCC.

Naturally, we encourage our members to be generous by continuing to contribute to charities. They can donate through the CRA's 2018 Charitable Campaign or directly to the United Way or to the UTE's charitable organization of choice, namely International Children's Awareness (ICA) Canada (see below).

***Together, let's keep making a difference in the lives of those who desperately need it!***

For further details about this, please contact one of the members of your local executive.

### INTERNATIONAL CHILDREN'S AWARENESS (ICA) CANADA

International Children's Awareness (ICA) Canada is a small, non-profit organization dedicated to the long-term development of countries in need. At any one time, ICA has multiple projects on the go and is attempting to obtain funding to undertake other projects. ICA's projects help small communities and families in developing nations.

ICA is a registered Canadian charity (registration no. 887858660RR0001). The organization is staffed entirely by volunteers, which means that all donations go towards the projects, not to salaries or administration costs.

**We would like to ask our members to support this worthy organization by donating directly to ICA Canada or as part of the 2018 CRA Charitable Campaign.**

Yours in solidarity,

*Marc Brière  
National President*

### UNAUTHORIZED ACCESS

If the access you are about to make at work does not relate to the duties of your job: Don't do it! You may think you are providing service to the public, but it could cost you your job. We continue to have members disciplined for unauthorized accesses, up to and including termination.

### JUST DON'T DO IT

### REGARDING FACEBOOK TWITTER AND ALL THAT STUFF

Even inadvertent or seemingly innocent postings could cause you a world of grief.

### BE CAREFUL OF WHAT YOU POST

### CHANGE OF ADDRESS

Please note that all address changes should be done via e-mail to Louise Dorion ([dorionl@ute-sei.org](mailto:dorionl@ute-sei.org)) or via the national web site. If you do not have access to an e-mail, please pass it on (with your PSAC ID) to a local representative or mail it directly to the National Office at 233 Gilmour Street, Suite 800, Ottawa ON K2P 0P2.



## THERE IS NOTHING SO STABLE AS CHANGE

I was sitting down recently for a telephone conversation with my 89-year-old grandmother who lives just outside of Toronto, when she began to voice her displeasure at no longer being able to access counter service and receive tax related information in person from the CRA. She recounted stories of going into her local office and knowing the agent by name, and about just how easy it was to get the information she needed. “Now they want me to use a computer... well I don’t have a computer Nathaniel!” she said rather angrily. She wasn’t kidding. My Nana isn’t exactly what you would call a technical expert, though she does bake some of the best cookies and banana bread that you will ever taste. And she wasn’t wrong about the profound changes that have occurred to the way we as Canadians interact with the CRA.



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All of this got me thinking about how technology is changing not only the way that we interact with the public, but also how it is changing the jobs that we do, and even the jobs that we are needed for. A recent study conducted by the Brookfield Institute for Innovation and Entrepreneurship at Ryerson University in Toronto found that more than 40 percent of the Canadian workforce is at high risk of being replaced by computers and new technology over the next two decades. More recent breakthroughs in the areas of advanced robotics and artificial intelligence mean that automation is moving into areas that where previously occupied by human beings. The nature of the work that we do as CRA employees is such that large portions of our membership are particularly susceptible to being affected by these changes. Furthermore, the study found that Canada’s younger workers and, to a lesser extent older workers as well are more likely to be vulnerable to effects brought on by changing technology and greater automation within the economy. Sean Mullin, executive director of the Brookfield Institute, reflected on what impact the study may have; “We hope these findings can help contribute to an important debate about how Canada should prepare for the effects of automation and computerization on our labour force”. Regardless of which side of the argument you find yourself regarding what impacts these incredible technological changes will have on our labour force and the jobs we do, it is clear that changes are not simply on the horizon... they have already started.

So what role does the labour movement, and specifically large public sector unions have to play in preparing for, and mitigating some of the profound impacts that these changes will have? How do we position ourselves to protect our members? And finally, are we already too late?

According to Sam Gindin, an intellectual and activist best known for his expertise on the labour movement and the economics of the automobile industry, the digital age has already transformed the way we work, and “Some would say that artificial intelligence, robots and automation are destroying it.” More troubling still is Gindin’s take on how unions have adapted to, and reacted to these changes;

“The unions haven’t come to grips with this. They’re floundering. They’re getting hammered... Now the question is: can they just defend people? And they can’t.”

Thankfully this is simply not the reality for UTE members. As an organization we have been, and will continue to be proactive in defending our members' interests and ensuring that as the technological landscape changes, their jobs and ability to earn a living is protected. Through initiatives such as our Technological Change Committee, UTE is continually working to protect our membership. Our Union lobbies the Employer continually to ensure that greater notice of planned technological change is given, and to ensure that the necessary training is provided to our membership to ensure that the negative impacts of these changes are offset. Moreover, our Union will never allow the Employer to lose sight of the profound human impacts that these types of changes can have.

According to Bob Dylan "There is nothing so stable as change", and while this is certainly true when it comes to technology and its impact on our lives and the way we work, there is also nothing as stable as our Union's commitment to protecting our members!

*Nathaniel (Nate) Angus-Jackman  
Communications Committee*

## SCHOLARSHIP AWARD RECIPIENTS 2018

The national \$2,500 scholarships for 2018 are awarded to:

National **Diana Gee** scholarship: **Frédéric Maltais**

The other national scholarship is awarded to: **Rachel Gillespie**

The regional \$1,000 scholarships for 2018 are awarded to:

The **Al Rollins** Atlantic Regional Scholarship: **Kendra Cousins**

The Quebec Regional Scholarship: **Annabelle Cloutier**

The **Jean Bergeron** Montreal Regional Scholarship: **Julia Escobar**

The National Capital Regional Scholarship: **Amélie Viau**

The Northern and Eastern Ontario Regional Scholarship: **Arielle Kaplan**

The **Nick Stein** Southwestern Ontario Regional Scholarship: **Austin Ellwood**

The Greater Toronto Regional Scholarship: **Zachary Boudrahem**

The Prairies Regional Scholarship: **Cherilyn Vezina**

The **Don Davoren** Rocky Mountains Regional Scholarship: **Aditi Gupta**

The Pacific Regional Scholarship: **Isabelle Wallace**

**Congratulations to all of our winners!**

