

9346 News

July, 2011

Vol. 11, Issue 3

President's Report

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- Christopher Nand**
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As you are all aware by now, Arbitrator McPhillips ruled in favour of the Union in regards to the Vacation entitlement grievance.

Some of our members were not too happy with losing vacation days, but our C.B.A. is very clear on the language. Article 5.05 reads as follows: "Employees who have acquired seniority shall have that seniority maintained but not accumulated during: (c) Strikes." and article 10.01 (b) states "For those employees whose seniority was maintained but not accumulated in accordance with article 5.05, vacation entitlement will only be equal to the total number of days worked for which seniority accumulated."

Arbitrator McPhillips - Award May 24th, 2011

The Union's Policy Grievance in this matter is upheld and a declaration is hereby issued that the vacation entitlement for employees this year will be pro-rated to account for the loss of 67 days due to the labour strike which occurred between January 30, 2011 to April 8, 2011.

Elkview Coal had sent a letter to the Union for its support to hire international trades people that would enable them to be part of the Valley Wide Labour Market Opinion from Service Canada, which would enable them to apply for work permits.

I discussed this at length with my Executives and sent a letter back to the company stating that the Local had no interest in signing any agreement of this nature. We feel that this is a band aid solution to a problem that management saw coming years ago but, did very little to rectify.

I can't speak for the other Unions in the Valley but, our experience is to oppose this type of employment.

If Teck wants to look for solutions that

recognizes the labour movements contributions to solutions, then they need to sit down and talk about apprenticeship programs, trades, and equity programs for Canadians to break into the good paying, family, and community supporting jobs.

Your Local held a 4 day safety Rep School in June - Level I on June 8th and 9th and Level II on June 27th and 28th.

Participants: Mark Milley, Peter Rosner, Jeremy Pitt, Jason Maclejewski, Pat Good, Dennis Gandner, Mike DeMarchi, Andrew MacIntyre, Heather Kelloway, Adrian Dunn, Jo-Anne Monfee, Troy Cook.

The new Shop Stewards attended a 2 day Stewards School in Cranbrook on June 4th and 5th.

Participants: Dave Gagne, Jamie Krish, Mandy Harvey, Brandee Duff, Brenda Walsh, Scott Liddle, Alex Hanson, Stefan Falzon.

On behalf of this Local I would like to thank all the new Shop Stewards and Safety Reps for stepping forward to help better address the issues of this membership.

With the ramp up in production we are seeing a lot of new hires this year working along side of us. Most of these people have little or no experience in the mining industry. I would like to give a little reminder to the experienced workforce - Please help these individuals adjust safely to this new work environment - Like you have all done in the past.

Remember - You can make the difference! The Union is YOU! Have a Safe Summer!

In Solidarity,

Christopher Nand - President

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NOTICES

WOS – “SCHOOL SUPPLIES FOR KIDS” BOXES ARE IN PLACE SUGGESTED DONATIONS FOR ELEMENTARY STUDENTS:

Exercise Note Books, Wax Crayons, Duo tang folders, White Erasers, Pencil Crayons, Fiskar Scissors, Metric Rulers, Pencil boxes/cases, Kleenex Boxes, Red/Blue Pens, Interlined Books, HB Pencils, Glue Sticks/Bottles, Large Ziplock Bags, Pack Sacks, Gift Cards, Lunch Bags, Water Thermos, Felt Markers

SHOW YOUR UNION CARD

If you have or know of any Local businesses who wish to participate in this program please have them contact Sarah at the Union Hall at 250-425-0131.

Here are the participating businesses.

1. The Cottonwood Tree (Fernie)

- Health Food store
- 10% off products

2. Sparwood Hose & Fitting

- 5% off

3. Intermountain Services

- \$100 off purchase of a seacan
- 10% off rental

4. NAPA

- 10% (applies to all mine employees)

5. Cummins Western Canada

- 5% off

. BOARDSTIFF - in Fernie, BC

- 10% off

7. Ski Base - in Fernie, BC

- 10% off

8. Fernie Sports - Fernie, BC

- 10% off

9. Elk River Guiding Company - Fernie, BC

- 15% off

10. W.E. Insurance (Home and Auto)

- Call 1-800-663-4200 in BC
- Call 1-877-787-7021 in all other Provinces.

11. W.E Tax Services

- Call 1-800-845-1181

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LOCAL 9346 "WOMEN OF STEEL"

It is with great pleasure and excitement that we inform all the sisters and brothers that our Local 9346 has formed a Women's Committee. The Committee is open to all the sisters to become involved in and to attend the meetings. Times and place of the meetings will be posted on our Union board at work and on Facebook. The purpose of the Women's Committee is to:

- Help build solidarity and mutual respect amongst our membership
- Encourage our brothers and sisters to work together and help get our Local more involved in community activities
- Organize activities for our members and their families
- Educating and encouraging women to take on more active and leadership roles within our local

We would like to have a female shop steward on each crew. To date A, C, and D have/ or are in the process of having female shop stewards. We are encouraging that a woman from B crew step forward.

The first project your Women's Committee is working on is, organizing a drive to collect "School supplies for Kids". We have informed the company of our drive and requested that they participate by allowing us to place donation boxes on the 1st and 3rd floors so that ALL employees of Elkview Coal can be involved. The company was very pleased to accommodate our request.

The donation boxes will have a list of items attached that can be donated. We are asking that everybody get involved and let's all work together to make "School Supplies for Kids" a success. The drive will end the first week of September. The committee will contact the Women's shelter and the Schools in Fernie, Sparwood, Elkford, and the Pass to ensure that the Supplies go to the Kids that

need them.

The Women's Committee will be offering Educational Courses – FREE to any of the sisters that are interested. Right now we are offering a "Women of Steel Development" course. This course gives female workers the tools and skills needed to fight for and achieve equality and take leadership roles in our workplaces and in our Union. Any sisters interested please email hjkelloway@yahoo.com. We need 15 participants to have this course at our Local Union office.

Also, we would like to let everyone know that there are several apprenticeships coming up at work. This is a great opportunity for anyone that is interested in obtaining a Trade. Talk with your Foreman or get in touch with HR Department on the 3rd floor.

To keep updated on your Women's Committee please join us on Face book. It's "Local 9346 Women of Steel". All brothers and sisters are encouraged to join. All written updates will be on pink paper at the Union office, at work on the union board and in our Local's newsletter.

We are requesting that all our brothers get involved in our events. With the brothers' support and participation we will be successful in building solidarity and trust within our Local.

If anybody has any questions or concerns please contact me.

hjkelloway@yahoo.com

250-425-0796

Face book In solidarity

Sister Heather J Kelloway

'Unions need Women and Women need Unions'



Summer School

First of all I would like to thank this membership for allowing me to attend the District 3 Summer School in Kimberley. The course I took was advanced grievance handling "To go or not to go to arbitration". The material was interesting and educational so being involved in the labour movement education has always held a high priority with me. When it comes to this topic you certainly have to give credit to the United Steelworkers as they are a very progressive union and also put a high priority on educating their representatives. Despite what differences I have with the USW in other areas I will give credit where credit is due. Also, most of the instructors come from the rank and file from Locals such as our own and they are very passionate about the work they do. So when you ask where are your dues going it is to areas like this. The instructors come from workplaces just like ours and are very experienced people they don't just read from a book and it shows by the interaction they get in each class. On day four of our school we were fortunate enough to have an arbitrator attend our class and give his views from their standpoint and field a few questions. It was very interesting to get the opinion of the very type of person who will make the final decision if we were to take a case to arbitration. Later in the day a class performed a mock arbitration hearing that utilized the services of the arbitrator. Of course it was not a serious display of what would actually occur but even with the added humor you got the jest of what takes place. What the whole process reaffirmed to me is the value of knowing the facts, doing your research, and do not prejudge any person or situation. After this is taken into account it is important to try and reach an equitable solution that works for both parties. Full credit to arbitrator Ronald S. Keras for his sense of humor and professionalism. I like to refer to the arbitrators as the Gary Batman of the NHL (no insult intended). The referrers (management) will keep the flow of the game (work) going. If something has occurred beyond the rules (company policy, CBA, law, human rights etc.) and the decision is disput-

able then we need a third party. The arbitrator (Gary) will review the process that led to the decision and make the final call.

Also, during the week we had two members, one from Chile and the other Peru attend the school and spoke of their experiences. We know the plight of workers in Central and South America, our issues pale in comparison. On a somber note we have lost five steel workers in the past three weeks in Canada, three in mining and two in forestry. Unfortunately, the latest fatality occurred Thursday morning and the announcement was made that evening at the banquet, it was then that I witnessed how compassionate the members who attend these schools are. Getting involved in the labour movement or representing your workplace is not for everyone. I know there are people working here that are quick witted and some of this would be a natural fit for them. Then again, I have been told that anyone smart enough to do this work is smart enough to stay away from it. You see I have to really work at this, hopefully you will show up before I retire.

"By failing to prepare you are preparing to fail" – Benjamin Franklin

In Solidarity

Peter Rosner

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Leadership for Action

I would like to say thank you to our Local Union and the District 3 Office for providing me with the opportunity to attend the United Steelworkers Summer School that was in Kimberley from June 12-17, 2011. The course that I enrolled in was "Leadership for Action". The course was very educational and can be very helpful to anyone that would like to become an effective and successful leader in the Community, at the Workplace, and certainly within the Union.

Throughout the week the topics that were presented were:

1. Leadership Styles o Autocratic and Democratic
2. Power and the Ethics of Leadership
3. Effective Union Building Leadership
4. Reaching out and Communication
5. Building Activism
6. Strategic Planning and Campaigns
7. Sustaining Leadership

The course was designed to help develop leadership skills and build on strengths to communicate effectively with members to build Solidarity. The sessions focused on leadership styles, presentation skills, strategic planning, campaign management, mentoring, problem solving, and conflict resolution.

The week also provided me with the opportunity to meet and interact with Brothers and Sisters from other locals throughout Western Canada. It was great to hear about things that were happening at other Locals - some good - some bad. I found this to be a very important part of the school for me because it provided me with fresh ideas to bring back to my Local and use them to build Unity and Solidarity within our Union.

Thanks Local 9346 and District 3 Office.

In Solidarity,
Sister Heather J. Kelloway

HEALTH AND SAFETY UPDATE

June was a very busy month in the Health and Safety department. On June 7&8th we held the first two days of a four day Health and Safety school which finished up the last 2 days on the 28th&29th and saw 14 safety reps receive training, This was a new course that is put on by District 3 and the Reps who attended gained some new tools and information to aid our members. I thank all the Reps who attended and donated their time to help make the school a success.

I also had the privilege to travel two Revelstoke to watch our Mine Rescue Team compete and win the Provincial title as well as the Bench task. I do thank all the Mine Rescue Teams for their dedication and suggest that all employees take the time to find out who they are and to thank them as well. It truly takes dedication and sacrifice by the team members of all crews to ensure they have the skills to respond when a crisis arises. Elkview was also awarded the John Ashe Award at the awards banquet, Larry Davey Ernie Canlas and myself accepted this award, but is earned by you the employees of Elkview and is quite an accomplishment. It shows that by working together and watching out for each other we can all go home to our families at the end of each day.

On the week of June the 12th I attended a week long summer school hosted by USW District 3. At this school I learned of the challenges faced by other jurisdictions, and was able to offer some advice, as well as receive it. It was also the time that I heard of the two Steelworkers killed out on the West Coast as well as the young man who lost his life in the potash mines of Saskatchewan in an underground accident. These three lives as well as the two from Voses Bay since April 28th, The Day Of Mourning, show that we can not rest on our accomplishments. We should never let our guard down for these five fine men never had the intention to perish on the job.

Finally I would like to ask everyone to take extra care while of the job. This is the time of year we are all out enjoying summer activities with our families, and summer fun presents its own dangers.

Mark Milley
OHS CHAIR USW9346
JOHSEC CO-CHAIR ELKVIEW

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A Health and Safety View from the Outside

Recently I had the pleasure of taking the four day Safety Rep School - June 7, 8, 28, and 29th. I am grateful to Local 9346 for the opportunity to have shared and learned about the Health and Safety Policies and Procedures that are in place - because of people that care about the safety of others - it is amazing to see how far Health and Safety Policies and Procedures have advance and continue to advance. There is a lot to learn about keeping people safe, especially at a mine your size - A few of the things I learned about where the policies and procedures that need to be followed, the chain of command, legal issues, how to determine and resolve health and safety issues, how to deal with management, and what it really takes to be a Safety Rep - these are very important people, they are the ones that help ensure proper Health and Safety Procedures are in place so that You go home safe.

Many of you may not know this but, your Safety Reps have a lot of responsibilities, they *volunteered* to help keep you safe, and they put in a lot of their own time to help keep YOU - their sisters and brothers - SAFE. They take training courses to keep themselves up-to-date on the proper procedures for Health and Safety concerns. Your Reps do routine checks to try and catch Health or Safety hazards before they can become an issue. There is also a lot of other work involved, that you don't see - paperwork, follow up work, research, and more - that they do to resolve safety issues, sometimes these matters can takes weeks to resolve - you can't rush safety. Safety Reps deserve your respect and cooperation - it's not just a title - they take Your Safety very seriously! If you have any concerns or just have some questions - I found your Safety Reps to be very pleasant, approachable, and knowledgeable - talk to them you might be surprised as to how much they know.

The most important things that I learned taking the Safety Rep School are: you need to stick together and you need to respect and appreciate your co-workers - everyone needs to do their part when it comes to staying safe and staying healthy. It is *not* just up to the Safety Reps to ensure yours and everyone else's safety - they cannot be everywhere at one time - it is every-

one's responsibility to look out for each other. If you know that something is not safe or it has been locked out, than you are aware of the safety hazard and you need to take responsibility for your safety and the safety of others, therefore; you shouldn't do the task and you shouldn't let someone else do the task either - if it's a safety issue it needs to be dealt with - before someone gets hurt. Being a unified group, sticking together, and remembering that the people you work with are not your enemies, they are your sisters and your brothers - you need to keep in mind that everyone needs to go home - everyone needs to stay healthy and safe! Sticking together on Health and Safety issues is a must if you want to see change where yours and your co-workers Health and Safety is concerned, Solidarity will help resolve Health and Safety issues faster, improve working conditions, and ensure everyone goes home safe and healthy.

Remember your Safety Reps are people just like you - they want to keep all of you going home safe and going home healthy. What can you do to help to ensure that you keep going home safe!

I would once again like to thank Local 9346 for the opportunity to learn about Health and Safety Policies and Procedures, the instructor and the Safety Reps were all wonderful to learn with. This course has made me more aware of Health and Safety everywhere I go.

Thanks,
Jo-Anne Monfee
Office Administrator
USW Local 9346

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Grievance Report

Troy Cook



47/09 – not paid 4 hrs. – Resolved
54/09 – Unjust Discipline – Resolved
12/10 – Unjust Discipline – waiting for third stage response
16/10 – unjust discipline – Resolved
17/10 – Training Labourers to load front end – in abeyance until after Bargaining
18/10 – Unjust discipline – second stage meeting scheduled for December 20, 2010
20/10 – Unjust discipline – waiting second stage meeting
21/10 – Policy – Company not following job posting procedure – Resolved
22/10 – Policy – not using tradesman – resolved

25/10 – Duty to Accommodate – Received first stage response – NEED TO RESPOND



26/10 – Policy – not training senior operators – resolved
27/10 – Policy – Lead hand's operating pit production equipment – resolved
29/10 – Unjust Discipline – waiting for second stage meeting.
30/10 – Unjust Suspension – waiting second stage response
31/10 – Unjust Discipline – waiting second stage response
32/10 – Policy – Contracting out – **received 3rd stage response – NEED TO RESPOND...either go to arb. Or withdraw**

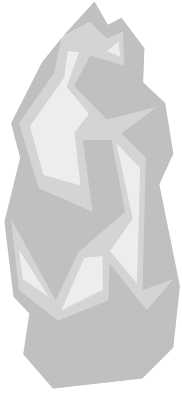
33/10 – Drug test – waiting for second stage meeting
34/10 – Unjust Termination – waiting for arb. dates.
35/10 – Unjust discipline – received first stage response – **need to respond**
36/10 – unjust discipline – received 2nd stage response – **need to respond**

37/10 – Denied at first stage – NEED TO RESPOND

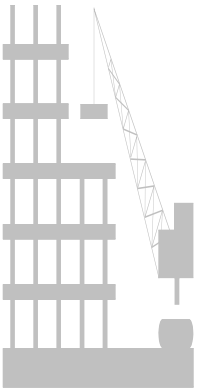


38/10 – unjust discipline – waiting first stage response
39/10 – Unjust Termination – referred to arb. waiting for dates
40/10 – harassment – received 2nd stage response – **need to respond**
41/10 – unjust discipline – received first stage response – **need to respond**
42/10 – unjust drug test – Resolved
43/10 - not used
44/10 – unjust discipline – received first stage response – **need to respond**
45/10 – unjust discipline – waiting for 2nd stage response

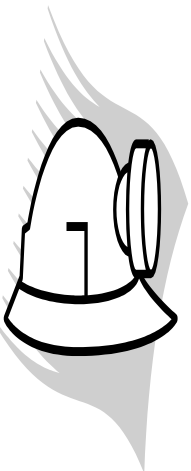
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46/10 – unjust discipline – waiting first stage meeting
47/10 – unjust discipline - waiting for 2nd stage response
48/10 – waiting for paperwork
49/10 – waiting for paperwork
50/10 – Waiting for paperwork
51/10 – Jr operator training over senior operator - resolved
52/10 – Jr man working ahead of senior employee - Resolved
53/10 – unjust discipline – Resolved
54/10 – Policy – Safety Policy and Procedures not available to employees – waiting for 3rd stage meetings

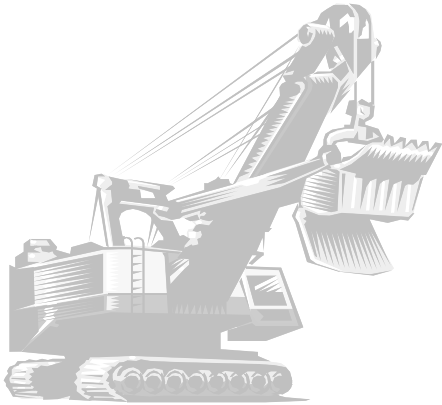


01/11 – Waiting for paperwork
02/11 – resolved
03/11 – Duty to accommodate – Waiting 1st stage meeting
04/11 – Unjust termination – Resolved
05/11 – Jr over senior - resolved
06/11 – Trades retention bonus – Waiting 1st stage meeting
07/11- Policy – Vacation – awarded
08/11 – Not allowed to cancel vacation while on bereavement – waiting 1st stage meeting
09/11 – Proper pay not being paid for position – waiting 1st stage meeting
10/11 – Group Grievance – not cancelling vacation while on strike – waiting 2nd stage meeting



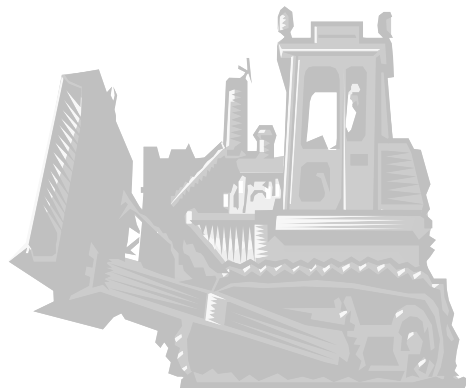
11/11 - Improper pay while attending school - waiting 1st stage meeting
12/11 - Policy - Contracting out - waiting 1st stage meeting
13/11 - Policy - special assignments recalled - not paid bonus - waiting 1st stage meeting

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NOTICES BY EMAIL.

Anyone who would like to get newsletters, meeting dates, and notices emailed to you, please forward your e-mail address to:
admin@usw9346.ca



EFAP PROGRAM

The Employee and Family Assistance Program is still available for Elkview employees and their families to use.

This EFAP Program provides confidential counseling and information for you and your family if you need it. They deal with things such as childcare, workplace stress, health information, financial information, individual counseling, eldercare, substance abuse, legal information, family counseling, and couple counseling.

When you first call, you'll speak with a qualified EAP Support Specialist who will assess your situation, risk, needs and preferences and guide you to the assistance best suited to resolving your issue. The specialist will ask you a series of questions, including the name of your employer to ensure you're covered.

Though the specialist collects information including your name,

employer, address, reason for calling, etc. this information remains completely confidential and is never released to your employer. Information gathered provides *general* statistical data - **without ever singling out individuals or identifiable groups** - to help Shepell-fgi understand EAP user's needs and provide the best, most relevant service possible. EFAP is there to direct you to the right assistance in the format you're most comfortable with, whether it's connecting you to a specialized program, linking you to a counseling appointment or sending you a self-directed resource package.

For crisis situations the EAP Support Specialist ensures you receive immediate help, while urgent counseling matters are given an appointment within 24-48 hours.

EFAP CAN BE REACHED AT 1-800-268-5211

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OFFICE HOURS

9:00 - 12:00 p.m.

1:00 - 5:00 p.m.

Monday - Friday

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Fax: (250) 425-0086

E-mail: admin@usw9346.ca

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Union Hall Contact Information

Local Union Executive Committee Members

Christopher Nand - President

Dave Sheets - Vice President

Horst Gandner - Recording Secretary

Samuel Samy - Financial Secretary

Russell Primrose - Treasurer

Peter Zazzara - Trustee

Heather Kelloway - Trustee

Peter Rosner - Trustee

Ewan Gordon - Inside Guard

Russell Ullman - Outside Guard

Mark Milley - OHE&S Com. Chair JOHESC Co-Chair

Sandi Oakes - Guide

Troy Cook - Grievance Committee Chairperson/WCB

Committee Chair