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Communications, Energy and Paperworkers
Union of Canada

April 2010

87-M Supports Bill

*Private Member Legislation Would
Stem Flight from Union Shops*

Ontario MPP Peter Tabuns has tabled a private members' bill designed to thwart newspaper companies who play a shell game with unionized work by moving it to a "runaway shop" located at a non-union affiliate.

"The key to competing in today's media age is content," said Tabuns (NDP Broadview Greenwood). "Yet media companies keep getting rid of content producers, often by centralizing production or shipping work to smaller companies with worse working conditions."



MPP Peter Tabuns

Tabuns wants the provincial Labour Relations Act amended so collective agreements follow jobs sent to other companies within the same corporate family. If passed, it would remove the financial

Continued on p.3

CRTC Rules Against Carriage Fees, Again

But Faint Hope for Broadcasters

The CRTC has once again turned down a request from TV broadcasters for mandatory cash payments from cable and satellite giants such as **Rogers, Shaw, Cogeco** and **Bell Canada** who pay nothing for distributing those broadcasters' TV shows to Canadians.

But the federal regulator expressed its sympathy for the money-losing broadcasters which include **CTV** and **CanWest** (and ironically cable titans Shaw and Rogers who also TV stations). The CRTC approved in principle the payment of "carriage fees" from the highly profitable cable and satellite distributors to the

Continued on p.3

Joe Matyas, Union Patriarch, Retires

Joe Matyas has retired after a 39-year career at the **London Free Press**, and nearly as long as one of the pillars of Local 87-M. He was honoured by his union friends at the Representative Council meeting in London on March 10th.

Joe joined the Free Press in 1971 after a short stay at the doomed **Toronto Telegram**, beginning a journalistic career that was highlighted by his exclusive interview with Margaret Trudeau, on the lam from home and husband in the discos of New York city.

After establishing himself as a writer, Joe entered union life by spearheading an organizing drive in 1988 at the Free Press. He lead his newsroom colleagues through a successful first contract strike, and then moved on to the Local 87-M executive committee.

Joe served as Local President from 1997 to 2000 and again from 2004 to 2005, steering the union through difficult times both with employers and internal politics. The great conciliator, Joe inspired those around him to demonstrate respect and empathy by his own indefatigable good will. He served on the union executive in various roles right up until his retirement last month.

Record Unit Chair Rob Reid, whose own union journey has closely paralleled Joe's, gave a heartfelt testimonial to Joe, quoting the bard Bob Dylan as he honoured Joe as "our north star, our moral compass."

Others in the crowd stepped forward to echo the sentiment before turning on the "Congratulations Joe" cake with age-inappropriate enthusiasm.



Ottawa Area Metroland Writers Join 87-M

A new unit of approximately twenty Ottawa-area **Metroland** journalists voted by 80 per cent on February 23rd to join Local 87-M.

The drive was lead by reporter Nevil Hunt and editor Blair Edwards of the Ottawa Regional Media Group, covering community newspapers published out of Renfrew, Arnprior, Perth, Carleton Place, Nepean, and Kemptville.

Labour Board Punishes Union Bashing, Certifies CEP

The Ontario Labour Relations Board (OLRB) issued an important and far-reaching decision that may fundamentally change the approach employers in Ontario take to future union organizing drives.

In its March 3rd decision, the OLRB ordered automatic certification for CEP after finding that the employer, **Boehmer Box LP** of Kitchener, threatened its employees during a CEP organizing drive, in May 2008, by directly and indirectly linking unionization with risks of plant closure and job loss.

CEP's case to the OLRB focused primarily on a series of union-bashing letters distributed by the employer in the days leading up to the representation vote.

The OLRB concluded that, as a result of the employer's misconduct, the true wishes of the employees were not likely reflected in the unsuccessful representation vote conducted on May 15, 2008. The OLRB further concluded that any other potential remedies to this violation of the Act including ordering a second representation vote, would not be sufficient to counter the effects of the employer's misconduct.

"This is a victory for the employees of Boehmer Box and for workers throughout Ontario who should be allowed to choose to form a union in their workplace free from employer threats, intimidation and coercion," says CEP's Ontario AVP Kim Ginter.

"Since the mid 1990s when the Mike Harris Conservatives declared war on workers and labour laws in Ontario, employers have become more and more outrageous in their attacks on employees attempting to unionize," says Ginter. "This decision makes it clear to employers that they can no longer cross the line and threaten the economic livelihood of their workers in order to prevent them from freely choosing for themselves, whether they wish to be represented by a union in their workplace".

Laidlaw Elected 3rd VP *Remainder of Local Exec Acclaimed*

Stuart Laidlaw of the **Toronto Star** has been elected as 3rd Vice President, as all other members of the Local Executive were acclaimed for a two year term.

Joining Laidlaw on the Executive are Brad Honeywill (**Toronto Sun**) President; Martin Mittlestaedt (**Globe**) Treasurer; Rick Koza (**The Record**) Secretary; Scott Burton (**A-TV**) 4th VP, Laura Czekaj (**Ottawa Sun**) 5th VP, and KH Wong (**Sing Tao Daily**) 6th VP. Paul Morse (**The Spectator**) 1st VP and Maureen Dawson (**The Star**) 2nd VP switched positions, and 3rd VP Joe Matyas retired, to be replaced by Laidlaw.

Laidlaw defeated Denise Cyr of the **House of Commons** 549 to 457 votes in the first online election in the Local's history.

In other election news, Local 87-M President Brad Honeywill has been elected to the **Toronto & York District Labour Council** executive. The Local has also elected its delegates to the **annual CEP media conference** in Montreal in mid-May: Brad Honeywill and Rob Lamberti (**Toronto Sun**); Maureen Dawson and Les Veszlenyi (**Star**); Stacy Reardon (**Now**); Denise Cyr, Scott Burton, Dan Pearce (**Simcoe Reformer**); and Local Rep Howard Law.

Contract Corner: Sing Tao Ratifies New Deal

The **Sing Tao Daily** membership has ratified a three-year contract including annual wage increases of 1.5% in 2010, and 1.5 to 3% in following years. The company backed down from its draconian proposals on benefits in favour of some reasonable cost control measures on the current plan. Wage upgrades were achieved for customer service clerks and full time printer helpers. Mileage increased to 48 cents and safety boots to \$160

Metroland members in Barrie and Midland also ratified a three-year contract last month with improved commission rates, automobile allowances and insurance, as well as a new cell phone bill reimbursement of \$25 monthly. New hires will enter a DC pension plan. If a new benefit plan is negotiated in the Editorial bargaining unit, staff at Midland or in the Barrie Advertising Departments can vote to accept or reject the new program,

Bargaining has also intensified throughout the **Sun Media** chain as bargaining units at nine newspapers enter conciliation, primarily engaged over the company's new cafeteria style group benefits plan. *See story, page 4.*

Tabuns Bill Fights Runaway Shops

Continued from page 1

incentive for work to be sent to cheaper non-union facilities.

Local 87-M President Brad Honywill said that companies like **CanWest** and **Sun Media** are “making a mockery of the labour law in this province.”

He pointed to two examples where Sun Media had moved work from union to non-union newspapers within a community. In one case, the company moved the employees one floor within the same building and switched the employer from the unionized Toronto Sun to the non-union Sun Media Corporation, even though the writers are doing much the same job.

Private member bills require all-party consent to become law, which is rare, but they draw attention to issues and remain an option in the event of a minority government.

CRTC Ruling

Continued from page 1

struggling broadcasters. Yet the CRTC, no doubt feeling the heat from the Harper government which has made no secret of its hostility to carriage fees, chose not to make the fees mandatory.

Not willing to give its endorsement of carriage fees any teeth, the Commission instead stunned the cable distributors by allowing broadcasters to pull their shows from cable and satellite if they can't persuade those distributors to pay a carriage fee. Since the broadcasters usually own the exclusive Canadian rights to many popular American shows, the ruling is bound to rattle the cable companies.

The CRTC's new model lets broadcasters “opt out” of the current arrangement which requires the likes of Rogers and Bell to transmit the TV networks' shows on a favoured spot on the dial, but without any carriage fees as compensation. If broadcasters opt out, they can try to sell their shows to the cable and satellite distributors for a carriage fee. And if negotiations break down? The broadcasters can go on “strike” by pulling their popular American-made shows from those distributors.

But CEP Media VP Peter Murdoch commented that the negotiation regime proposed by the CRTC still puts far too much power in the hands of the distributors. Five biggest cable and satellite companies, he noted, control 91% of television distribution market.

The distributors, emboldened by the Harper government's well known hostility to carriage fees, have roundly condemned the Commission's move.

If the cable companies have Harper in their pocket, the CRTC's brand new solution may be killed off by distributor intransigence.

Joining in this cross fire of criticism of the CRTC's ruling is the **CBC**, which emerged from the ruling completely empty handed when the Commission excluded the public broadcaster from the new “right to strike” environment, seemingly implying that CBC programming is an essential service. Only CTV expressed any form of enthusiasm for the Commission's half-loaf approach to resolving this long running feud between broadcasters and transmitting cable and satellite companies.

Lost in the sound and fury of the reaction to the Commission's carriage fee ruling was its decision to lower Canadian content from 60 to 55 per cent, a loss of 31,000 annual hours of Canadian programming. That, said CEP's Murdoch, is unacceptable.

Star Pagination Centre A “Paradigm Shift”

Layoffs of approximately 75 jobs are culling the ranks of unionized staff at the **Toronto Star**. However in a refreshing departure from the industry trend to escape unionized pagination, the Star is keeping its pagination operation in-house following intense negotiations with Local 87-M.

The new Star pagination centre will be “a true paradigm shift” for the big newsroom, say Unit Chair Maureen Dawson and Editorial Chief Steward Dan Smith. “This Page Desk is going to be about high-volume pagination,” says Smith, a 22-year veteran of the paper. “It will not be about agonizing over just-so headlines, rewriting ledes, artful page design and the other qualitative aspects of our previous way of producing pages.”

The Star union executive succeeded in keeping editorial pagination in-house, only a few weeks after Star Publisher John Cruickshank announced its outsourcing to **Canadian Press/Page Masters North America**. As a result of the reversal, no pagination will be contracted out and 34 jobs are saved. Thirty newsroom jobs will still be eliminated.

The pay of existing staff who stay in pagination jobs, or bump into them as a result of the restructuring of the newsroom will be protected and “green-circled” to include all future wage increases. The Star indicated its desire to hire future paginators at lower rates when contract bargaining begins at the end of 2010. In the meantime, new paginator hires will not be paid more than the third year rate.

The offshore outsourcing of most of the Star's pre-press operation will unfortunately go forward, resulting in a loss of 43 jobs.

US Chain Ends Wage Freeze

The US newspaper chain **Gannett Co.** has ended a one-year wage freeze for non-union employees, reflecting an improvement in business fortunes south of the border. The **New York Times** also rescinded its 5% salary cut for non-union staff. American newspaper losses, and salary setbacks for staff, have generally not been followed in Canada.

“Flex” Benefits Opposed *Sun Media’s Cafeteria-Style Plan Unfair, says 87-M*

The **Sun Media** “flex benefits” plan is being condemned by Local 87-M.

The main feature of the plan is to divide employees into separate pools of insured benefits, inviting younger and healthier workers into a bare-bones health and dental plan with a small break in employee monthly premiums, while jacking up premiums and user fees for a fully fledged plan that resembles the benefits to which most employees are already entitled.

“This plan compels all employees, young and old, healthy or not, to make a terrible choice between underinsuring their health, and the health of their family members, or forking out a lot more money for a decent plan,” said 87-M President Brad Honywill.

The Sun Media version of flex, or cafeteria-style benefits, gives staff four choices: a basic, intermediate or full plan for health and dental benefits, or the opportunity to opt out of health and dental entirely, obtain coverage under a spouse’s plan with another employer, and get a small cash reward from Sun Media for doing so.

By dividing the workforce into three different plans, Honywill explained, staff who have greater health needs ---because of precarious health, age or a significant number of dependents--- will choose the full-fledged plan offered in the flex package, driving up the “experience rating” of that plan by using it frequently. The younger or single staff who have opted for the bare-bones plan will no longer act as the important fiscal counterweight within the fully fledged plan. The premiums for the full-fledged plan will rise, steeply.

Honywill said that the option of a cheap basic plan may beguile younger or single employees, or those who can opt out in favour of their spouse’s coverage for a cash bonus. It won’t last long, he said.

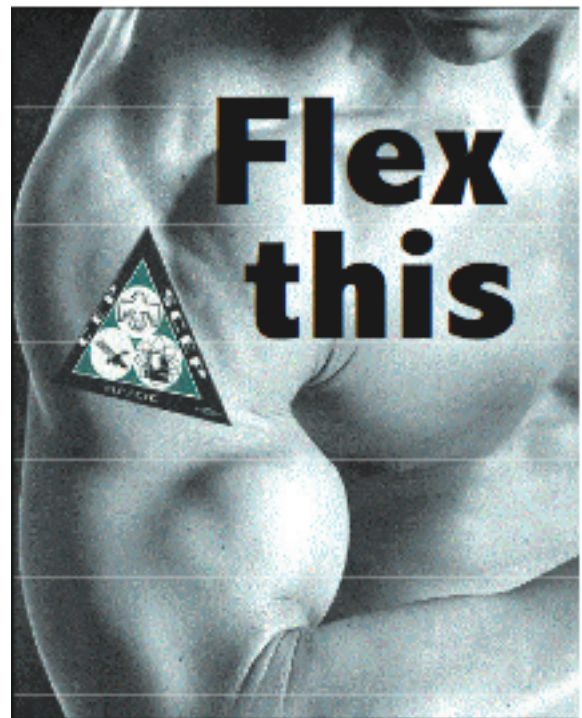
“It’s illusory. The salt in the wound in this plan is the company’s refusal to absorb a single dime of the

annual increases in fees from the insurance company, contrary to the current practice where the company covers between 75% and 100% of those increases. “Everyone in this plan, even those who are looking at a small rebate in the first year of the plan, are going to be losing ground to the tune several hundred bucks per year. That’s a big hole in your pocket.”

Local Rep Howard Law suggested that the eager corporate interest in cafeteria-style benefits is a troubling development. “These kinds of plans are designed by insurance companies to downsize coverage, to force most workers to chose between increasingly expensive health insurance or inadequate protection.”

“The truly anti-social nature of flex is its segregation of more frequent users into one plan with rising costs; the invitation to younger workers to underinsure; and the enticement to “opt-out,”” he said.

“This can only lead to one thing: underinsuring against illness and poor health. That’s reckless. The cost will be paid by other employers, by the government-funding of hospital care, and by people getting sicker.”



Flex, In Brief

- Staff buy one of three health plans using “credits” allocated by company.
- Basic, Intermediate and Full health plans: most staff must dig deep into own pockets and pay more if they chose to maintain current level of benefits (options 2 or 3).
- Options 1 and 2 have steep user fees on every health purchase, either 20% or 30%.
- 100% employee-paid long-term disability plan is mandatory.
- Basic Life insurance is mandatory.
- Short-term disability payments drop from 100 to 75% after two weeks.