

MINUTES: Executive Meeting

Tuesday, December 13, 2011

1. Call to Order

Meeting called to order by Debbie Cole at 2 p.m.

In attendance: Rob Bostelaar, Debbie Cole, Tony Cote, Gord Holder, John Hua, Jonathan Rotondo and Peter Bennet (observer).

Absent: Blair Crawford, Jacquie Miller, Jeff Parks, Julie Oliver, David Reevely, Delta and DLR reps.

2. Approval of Agenda

M/ by Jonathan Rotondo to approve agenda. S/ by Tony Cote. CARRIED.

3. Secretary's Report

(a) Good Standing Report: Except for unit chairs from Delta and DLR, all current executive members in good standing.

(b) Adoption of Minutes: M/ by Tony Cote to adopt the November 15, 2011 Minutes. S/ by Rob Bostelaar. CARRIED.

(c) Correspondence - Northumberland News contract ratified by members of CWA/SCA Canada Local 30248. One message from CWA/SCA Canada Director Martin O'Hanlon encouraged members to support online campaign in support of CBC. Another message from Martin O'Hanlon asked for feedback from members about future goals, suggestions, etc., for CWA/SCA Canada. Thank-you letter from John Hua (CTV Ottawa) for basket delivered following birth of son, Oliver. Third message from Martin O'Hanlon advised that SIF rebate from CWA should be received at local office before holiday season; ONG executive will have to determine what to do with these funds, though CWA and CWA/SCA Canada have suggested they be designated for organizing.

(d) Congratulations and Condolences:

- Donation to Canadian Cancer Society in memory of Rosemary Parsons, mother-in-law of Peter Bennet (Citizen/Building Services).

- Basket to John (CTV Ottawa) & Terry-Lynn Hua - baby boy, Oliver Lynden.

- Donation to Canadian Cancer Society in memory of deceased member Connie Defalco-Blanchette (Citizen/Editorial - LTD).

Two members have had relatives pass away recently; ONG office to monitor obituaries for details on memorial donations.

4. **Treasurer's Report**

(a) Financial Report: (attachment) ONG President/Treasurer Debbie Cole distributed report for first two months of the current fiscal year. Expenses were less than revenue for November, including rent, which included a rebate from Minto related to common-area costs for calendar 2010. The ONG Defence fund was valued at \$1.568 million as of Nov. 30.

(b) Dec. 5, 2011 Executive vote results of draft 2010-11 Financial statements: Executive had voted (email, see attached list) unanimously in favour of the draft financial statements, which then allowed the auditors to produce the final statements. Copies of the audits of the financial statements were to be available for members at Dec. 14 annual general membership meeting. No concerns were raised by the auditors. New international reporting standards for large non-profit organizations do not apply to the ONG, according to the auditors. ONG Secretary Gord Holder had asked (before email vote) about the variance in defence fund arbitration costs in 2010-11. President/Treasurer Debbie Cole reported that the downward turn in arbitration expenses was chiefly because of the award of legal costs to the ONG with regard to a case involving an LTD claim by one member.

5. **Unit Reports**

a) CTV Ottawa:

Co-chair Jonathan Rotondo reported that things were relatively quiet at that unit. One member who had experienced a non-work injury leading to time off work had returned on a part-time basis for a few weeks. The company was still staffing the web reporter position eight hours per day, using casual employees, meaning there was an extra body for some part of the day.

The election of Unit Co-chairs was set for Dec. 14.

b) DLR International:

No report.

c) Delta Reprographics:

(a) Contract Bargaining: ONG executive assistant Pat Cavalier reported that CWA/SCA Canada staff rep Dave Wilson had said he was still waiting to hear back from company owner. President/Treasurer Debbie Cole and Secretary Gord Holder had talked with Dave Wilson about the idea of proposing a one-year extension of the previous agreement, with a signing bonus.

d) Ottawa Citizen

(a) Photographers Grievance update: Unit Chair Jacquie Miller was not at the meeting, but had submitted an email report. She reported that ONG had not yet received a response from the Citizen regarding the scoring of the pay-equity assessments that had been completed. If there is not a reply by early in the new year, ONG executive will remind company of its commitment to complete the process.

(b) Editorial - LTD/Sick leave/Return to work for two members: One situation seems so far to be working out. According to the email report from Unit Chair Jacquie Miller, that member had returned to work on Nov. 30 on a modified work schedule on the advice of ONG legal counsel. The Citizen had refused the member's doctor's letter specifying certain accommodations regarding the return to work, saying that, according to its medical experts, such accommodations were "preventative," not prescriptive, and therefore not required. ONG legal counsel advised member she had no choice but to return to work or face dismissal. However, once at work, the member seemed reasonably confident that her newsroom supervisors would be helpful and reasonable. The member has had a long, complicated struggle with Citizen HR and has been dealing directly with ONG legal counsel. She may well file some sort of human rights complaint. For now, though, she had returned to work and seemed hopeful that things would work out.

Other member's return to work from LTD not working out well at all. Unit Chair Jacquie Miller and President/Treasurer Debbie Cole had discussed the issue with Citizen HR. President/Treasurer Debbie Cole called ONG legal counsel on Dec. 12, and the lawyer was working on the file. A response was expected within days.

An email report from Jacquie Miller said the member had been told last spring by his manager that the Citizen wanted him to work an evening shift. That request, along with other work-related stress, contributed to the member's deteriorating health. He was on sick leave for six months. He returned to work Nov. 7 on a six-week modified work program that was to start with part-time hours in the afternoon/evening and end with full-time work on an evening shift.

The return to work has been marked by a lot of confusion between Manulife, the Citizen and the member's doctors. The member was only told a couple days before he returned to work that the Citizen wanted him to work an evening shift (1 to 9). He was surprised and upset by this since he had a doctor's note saying working nights would compromise his health. Apparently that note/information never made it to Manulife, who came up with the return-to-work schedule based on the Citizen's request that the member work evenings.

Jacquie Miller talked with the member and a Citizen HR rep several times. Jacquie advised the member to get a doctor's note specifying that he should not work nights, and send it to Manulife. He did that on, but it took more than a week for him to get the cardiologist to write another letter, which was sent Nov. 17. As a result, Manulife was reconsidering the member's medical assessment, including what shift he is able to work. It was unclear how long that would take.

When the member returned to work, he initially was working into the evenings, based on his six week return-to-work schedule, and becoming increasingly stressed. During week two, Jacquie Miller was so concerned about the member's obvious and apparent stress that she spoke to his supervisor, and the member was allowed to leave work immediately. A few days later, the supervisor told the member to work from 1 to 5 p.m. until Manulife concluded its reassessment.

Throughout three weeks of discussion, Citizen HR insisted that the Citizen had not seen and did not want to see the member's doctor's note because it contained detailed diagnostic information the Citizen was not entitled to have access to. (True; in fact, ONG once won an arbitration on a case in which the Citizen was demanding detailed medical information about an employee it was trying to deny sick leave.)

The member in the current case became increasingly stressed about the uncertainty surrounding his shift, and it is still unclear when Manulife will complete its reassessment of his medical condition. Thus the member obtained another doctor's note without diagnostic information, saying simply that working nights would compromise his serious medical condition. The member sent that note to Citizen HR on Dec. 1.

A couple days later, the Guild sent a letter to Debbie Bennett asking the Citizen to confirm that the member would be on a day shift, effective immediately, based on that note and regardless of what Manulife medical assessors decided. No reply as yet.

Jacque Miller also asked Citizen HR rep to clarify whether the member should continue working 1 to 5, or come in earlier in the day and work the full number of hours specified in his return-to-work schedule. (His pay had been lower than it would have been if he'd worked all the hours set out in his return-to-work schedule. He was only paid the Citizen rate for the hours he worked, and a reduced LTD rate for the remaining hours in each eight-hour shift.) Again, the Citizen HR rep had not responded yet. The members return-to-work schedule had him back on full-time hours starting Dec. 12.

If the Citizen ended up refusing to put the member on a day shift, Jacque Miller suggested filing a grievance and obtaining a legal opinion.

(c) Editorial - Letters Editor: Unit Chair Jacque Miller and President/Treasurer Debbie Cole spoke to Citizen HR about the position in early December. The member, who had been in a temporary position, but was continuing to do the job well past the scheduled expiration of the temporary appointment, was doing a job log that would be used to assess the position. ONG reps were to arrange a further meeting with the company. The Citizen had proposed a top-up of salary from the member's previous position (E-8) to the letters editor classification (E-2) for part of each week.

Another member who had been performing administrative duties related to the Citizen's letters page was also affected. That member was to be off work for December. ONG to re-evaluate her situation after she returned.

(d) Vacation Entitlement former term employee: ONG and company have agreed that former term employee hired on full-time basis would begin to accrue vacation entitlement from the original date of hire as a temporary employee.

(e) Assistant City editor: ONG letter to company, requesting that all future postings be made as required under the contract, had led to the posting of the position.

6. **Arbitrations**

7. **Committees**

- (a) Personnel
- (b) Communications
- (c) Health & Safety
- (d) Grievance
- (e) Guild Awareness / Mobilization - Christmas cookies were to be distributed to ONG members on Thursday, Dec. 15.
- (f) Finance
- (g) Organizing
- (h) Elections
- (i) Bylaws
- (j) Retirees - Tony Cote reported on the Congress of Union Retirees of Canada health-care campaign on Nov. 30-Dec. 1 in Ottawa. Second day involved lobbying of 110 MPs and Senators on Parliament Hill. Reception was reportedly good. CURC plans to continue this lobbying effort in the coming years.

8. **Internal Guild**

- (a) ONG Website - no report.

- (b) Postmedia Network Caucus: No conference call recently. An email from CWA/SCA Canada Deputy Director/Treasurer Lois Kirkup was to be redistributed to ONG executive members.

9. **Outside Issues**

- a. Operation Christmas Cheer (attachment): M/ by Tony Cote, S/ by Gord Holder. To donate \$50.00 to Operation Christmas Cheer. CARRIED.

10. **Other Business**

11. **Lost Time Notification:** Lost time for Peter Bennet (observer), Rob Bostelaar, Debbie Cole, John Hua, Jonathan Rotondo.

12. **Upcoming Meetings:**

- Next Executive Committee meeting was set for **12 noon on Tuesday, January 17, 2012.**

13. **Adjournment**

- M/ by Gord Holder to adjourn at 2:55 p.m. S/ by Jonathan Rotondo. CARRIED.