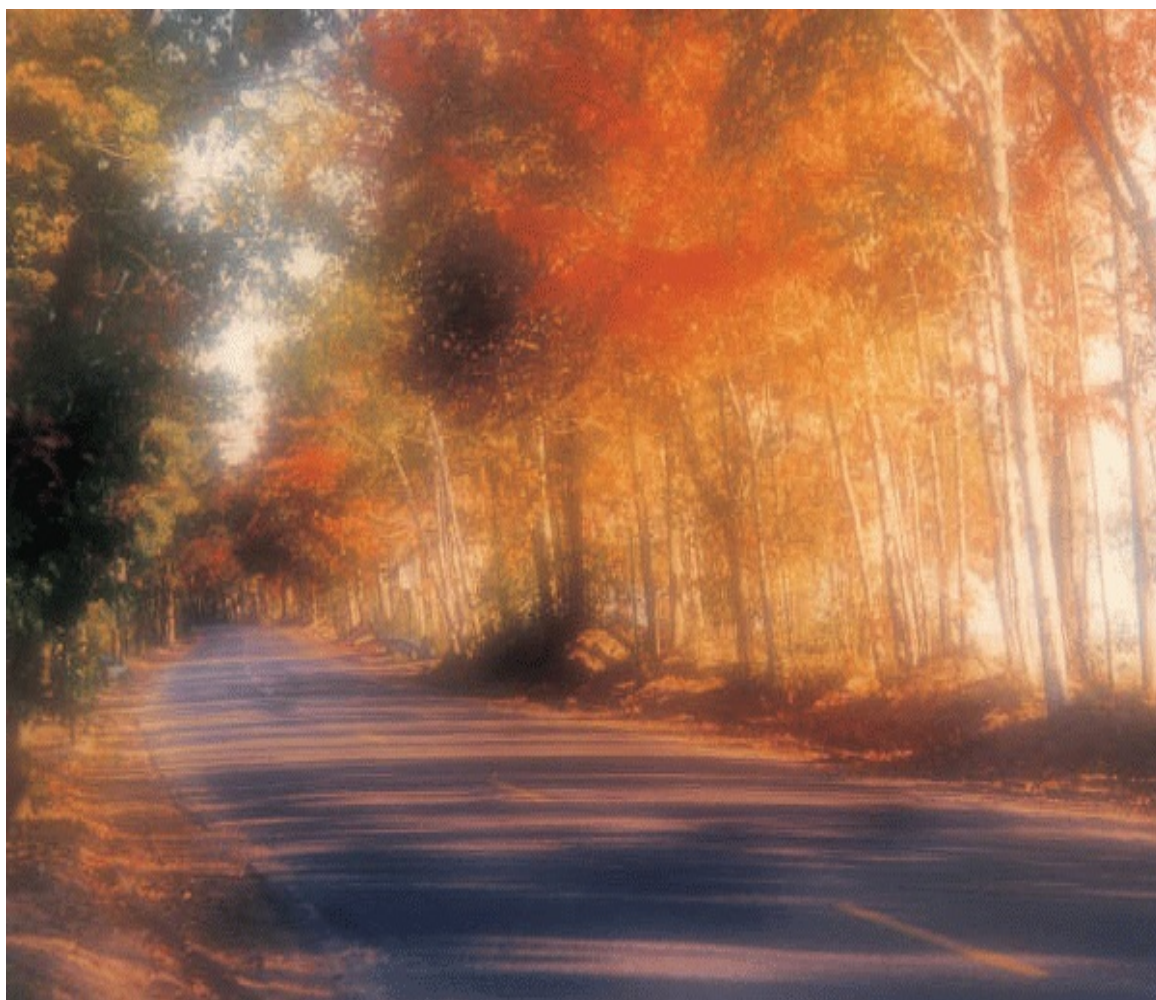


Canadian Postmasters  
and  
Assistants Association



l'Association canadienne  
des maîtres  
de poste et adjoints

# The Canadian Postmaster



March 2005

**ATTENTION**

*For National Annual Meeting  
and Branch Annual Convention  
location and dates,  
look on page 6.*



**Send us your demands  
for the upcoming  
negotiations. Our  
Collective Agreement will  
expire December 31, 2005.  
See on page 7.**

***Financial Statement***

A copy of the 2004 Financial Statement is available upon request.

Look on page 12.

*The Canadian Postmaster* is published two times a year by the Canadian Postmasters and Assistants Association.

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**National Vice-President**

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## President's Message



by Leslie Schous

Just as we welcome in a new year, the National Executive Officers welcome the opportunity to attend various conventions this spring and discuss issues and concerns with our membership. As usual, the National Officers will attend their "home" Branch Conventions as well as one or two other conventions as the National representative. We hope that you too, will welcome the opportunity to attend your Branch Convention and share your ideas with us.

Don't forget, our current collective agreement expires at the end of 2005 so if you have any demands that you would like to bring forth please do so as soon as possible so that the Negotiating Committee has the opportunity to review these demands prior to starting negotiations.

Financially we are doing a little better at National. As we were maintaining considerable funds in our chequing account, in order to pay all the Triennial expenses, we are very pleased with the fact that we did not have to dip into our reserves to cover this major expenditure.

Consultation with Canada Post continues on a regular basis however, we still need you to keep us up to date on happenings in your office. We strive to ensure that Canada Post respects the requirements of the Canada Labour Code for Health and Safety and that Branch committees are established and functioning. In parts of the country this is moving along quite well whereas, in some areas the Corporation seems to be stalling these meetings.

The Political Action Committee is still actively pursuing the "politicians" to ensure rural post offices are kept open. A more in depth report can be seen in this magazine.

We are also pleased to identify that a Memorandum of Agreement has been signed between CUPW and CPAA with regards to the RSMC issues. CPAA and CUPW will be establishing a committee to look at the issue of work in the bargaining unit. More information on this is also included in this magazine.

Once again, we hope to see you at your convention. As the days grow longer, and we long for winter to turn into spring, we look forward to the promise of new things to come...



## **Notice**

### **National Annual General Meeting**

October 1, 2005

10 a.m.

Residence Inn by Marriott  
161 Laurier Ave West  
Ottawa, Ontario  
Tel.: 613-231-2020 Fax: 231-2090

At this meeting, the members shall receive a report of the activities of the National Board of Directors of the Association as per our by-laws.

Any member wishing to attend, can call the toll-free number, 1-877-478-4838

#### **WHO COMPLETES THE SUPERVISOR'S ACCIDENT INVESTIGATION REPORT (SAIR)?**



*by Leslie Schous*

There seems to be a lot of confusion as to who is supposed to complete the “*Supervisor’s Accident Investigation Report (SAIR)*”.

Through the National Joint Health & Safety Committee it was mutually agreed upon by Canada Post and CPAA that the Local Area Manager (LAM), the Retail Business Manager (RBM), or their designated representative, is required to complete this document. IT IS NOT THE POSTMASTER’S RESPONSIBILITY. This was further confirmed at the National Joint Health and Safety Committee meeting held on February 4, 2005.

There has also been confusion in that Postmasters are being asked to sign off the SAIR form after it has been completed by the LAM or RBM. The Postmasters are not responsible for signing off this document.

Postmasters may be required to provide information to assist the Managers in completing the investigation and in the filling out of the SAIR. Please be sure to keep accurate records and any documentation you may feel is pertinent should a situation arise in your office that could ultimately end up as a Health and Safety issue.

2005  
Branch Annual Conventions

The following gives you the list of the location and dates of each Branch Convention for 2005. For more information, consult your Branch Newsletter.

**Newfoundland & Lab.**

Hotel Gander  
100 Trans-Canada Highway  
Gander, NL A1V 1P5  
**May 14 & 15, 2005**

**Maritime**

Holiday Inn Express Hotel & Suites  
2515 Mountain Rd  
Moncton, NB E1C 8R7  
**May 27, 28 & 29, 2005**

**Quebec**

Plaza Valleyfield Hotel  
40 Centenaire Ave  
Valleyfield, QC J6S 3C6  
**May 20, 21 & 22, 2005**

**Ontario**

Holiday Inn  
20 Fairview Rd  
Barrie, ON L4N 4P3  
**April 29, 30 & May 1, 2005**

**Manitoba**

Viscount Gort Hotel  
1670 Portage Ave  
Winnipeg, MB  
**April 29, 30 & May 1, 2005**

**Saskatchewan**

Travelodge Hotel  
4177 Albert Street  
Regina, SK S4S 3R6  
**June 3, 4 & 5, 2005**

**Alberta, NWT & NU**

Travel Lodge  
5003 50<sup>th</sup> Street  
Whitecourt, AB T7S 1N3  
**June 11, 2005**

**B.C. & Yukon**

Best Western Rainbow Country Inn  
43971 Industrial Way  
Chilliwack, BC V2R 3A4  
**May 15 & 16, 2005**

**National Annual Convention**

Residence Inn by Marriott  
161 Laurier Ave West  
Ottawa ON K1P 5J2  
Tel.: 613-231-2020 Fax: 1-877-478-4838  
**October 1, 2005**

## Resolutions and Demands

by Pat E. Fagan

Resolutions are a proposal to amend the By-laws.

It will soon be time to start planning to attend your Branch Convention and it is time to consider any changes that you would like to see made to our By-Laws. Any proposal for change must be made through the presentation of a resolution.

The most common way to present a resolution is at your Branch Convention, where a proposed change can be introduced, debated and voted upon. If passed, the proposed amendment would then be sent to the National Secretary-Treasurer. The resolutions are then given to the National By-Laws Committee who will ensure that the proposed change does not conflict with other By-Laws or other laws. The Committee will also combine any proposed amendments that have the same intent.

An individual member can also submit a resolution to change any By-Law. Such a resolution would have to be submitted and received at National Office at least 30 days prior to the opening of the next National Triennial Convention. It would then be forwarded to the National By-Laws Committee. All resolutions are then presented to the National Board of Directors for discussion and recommendation of concurrence or non-concurrence.

The resolutions are then presented at the next National Triennial Convention. Each one is presented separately as a motion, debated, and then voted upon. All amendments require a two-thirds (2/3) majority vote to be approved. Because we are an incorporated body, all amendments must receive approval from the Minister responsible for the Corporations Directorate, Industry Canada before they come into effect.

Demands are a proposal to change the Collective Agreement.

Our current Collective Agreement expires December 31, 2005, and preparations for the next round of negotiations will begin as early as June of this year. Actual negotiations are expected to begin late this year. This means that any changes that you would like to see should be submitted to the negotiating committee as soon as possible.

Demands for change can be submitted individually or through your Branch Convention. All demands received are submitted to National Office and turned over to the National Negotiating Committee for consideration for this next round of negotiations. Demands can be submitted at any time, however, in order to be considered for the next round of negotiations, they should be received by National Office by early September of this year.

## **REPLACEMENT HOURS**

*by Pat E. Fagan*

By the time that you receive this magazine, it will be spring and our thoughts will be turning to summer and vacations. One issue that always rears its head during the summer, due to vacation leave, is replacement hours.

The Corporation will no doubt try to reduce the use of replacement hours as much as possible. However, you must be aware that they have an obligation under Article 12 of the Collective Agreement to maintain sufficient levels of staffing. Staffing should be done based on the merits of the office and there must be sufficient staff to ensure that the work can be completed in an efficient and safe manner.

Clause 12.09 of the Collective Agreement states:

In the case of absences due to illness, special leave, vacation leave and leave without pay, the Corporation agrees to staff each office with a sufficient number of people as defined in clause 2.01(h).

You have the right to insist that the Corporation ensure that your office is sufficiently staffed to meet the demands of the workload in your office. Should they fail to do so, you have the right to seek redress. In all cases where the Corporation fails to provide sufficient staffing you should immediately contact your union representative as well as asking your Local Area Manager what work can be delayed or left unfinished.

You should not work through your rest periods or your lunch hour and you should not under any circumstances take work home as this could compromise your responsibility to ensure that the confidentiality and security of the mail, and related transactions are protected.

You are expected to work the hours that you are being paid for, but that is where your obligation ends. Working extra hours without pay could jeopardize your safety, health and employment.



## **UPDATE: CPAA – CUPW – RSMC – CPC**

*by Leslie A. Schous*

CPAA is pleased to advise our membership that a Memorandum of Agreement has been signed between ourselves and Canadian Union of Postal Workers (CUPW) regarding the outstanding issues concerning the RSMC's and their respective bargaining unit.

This memorandum acknowledges the Rural and Suburban Mail Carriers (RSMC) being established as a separate bargaining unit and it also shows respect for the boundaries maintained by CPAA and CUPW.

In particular, points No. 2 and No. 3 should alleviate the concerns being brought forth from the field regarding comments that CUPW is preparing to raid CPAA.

Further to this agreement, a committee will be established to address the work in the bargaining unit and the threshold between CPAA work and RSMC work. As stated in previous communications, CPAA holds the position that the work being done by our bargaining unit did not change when the RSMC members were declared employees. We are confident that this joint committee can work together to resolve any outstanding issues, as well as ensuring that the work is being done by the appropriate bargaining unit.

A separate memorandum of agreement was also discussed involving CPAA, CUPW and CPC however, that has not been finalized.

**MEMORANDUM OF AGREEMENT  
BETWEEN  
CANADIAN POSTMASTERS AND ASSISTANTS ASSOCIATION (CPAA)  
AND  
CANADIAN UNION OF POSTAL WORKERS (CUPW)**

*(Contacted G. Floresco on Feb. 7 to ask for a copy electronically... left him a message)*

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**Canadian Postmasters and Assistants Association (CPAA)**  
**AND**  
**The Canadian Union of Postal Workers (CUPW)**

WHEREAS CUPW and CPAA filed complaints under Article IV of the Canadian Labour Congress ("CLC") Constitution with respect to union representation of the Rural and Suburban Mail Carriers ("RSMC");

AND WHEREAS a Memorandum of Agreement and a collective agreement were concluded between CUPW and Canada Post Corporation for the RSMC's after the filing of the above-mentioned complaint;

AND WHEREAS CUPW and CPC recognize in this Memorandum of Agreement that a bargaining unit composed only of RSMC's is appropriate for collective bargaining;

AND WHEREAS CUPW and CPC also recognize in this Memorandum of Agreement that a bargaining unit combining RSMC's with other Canada Post employees would not be appropriate for collective bargaining;  
AND WHEREAS it is in the best interest of both CUPW and CPAA to resolve their disputes;

AND WHEREAS CPAA intends not to pursue the grievances filed with Canada Post and an unfair labour practice complaint filed with the CIRB with respect to the RSMC's.

THEREFORE, the Parties agree as follows:

1. CUPW and CPAA recognize that a bargaining unit composed only of RSMC's is appropriate for collective bargaining and that it would not be appropriate to include RSMC's in a bargaining unit with other employees of Canada Post;
2. CUPW and CPAA also recognize that the bargaining unit for which CPAA is currently holding bargaining rights is appropriate and that CPAA members shall not be included in a bargaining unit with other employees of Canada Post;
3. The parties agree to abide by Article IV of the CLC Constitution with respect to interference with the bargaining rights of the other;
4. The Parties also agree to withdraw the complaints they have filed under Article IV of the CLC Constitution that are pending before Justice Alan B. Gold;
5. The Parties further agree to establish a joint committee to work together on issues of common interest, to develop a better relationship and to build for the future. The committee will also deal with any jurisdictional dispute between the CPAA and RSMC bargaining units and try to resolve it as between CUPW and CPAA.

Original signed and dated as follow:

Date : January 21, 2005

*signed by: George Floresco*

\_\_\_\_\_  
Canadian Union of Postal Workers

Date : January 21, 2005

*signed by: Deborah Bourque*

\_\_\_\_\_  
Canadian Union of Postal Workers

Date : January 24, 2005

*signed by: Pat Fagan*

\_\_\_\_\_  
Canadian Postmasters and Assistants Association

Date : January 24, 2005

*signed by: Leslie Schous*

\_\_\_\_\_  
Canadian Postmasters and Assistants Association

## ***POLITICAL ACTION COMMITTEE UPDATE***

*by Shirley L. Dressler*

Canada Post continues to put offices under review across the country. The National Political Action Committee has recently created a package which will soon be available to branch officers to assist them in dealing with potential post office closures. This package contains various materials from historical background to examples of correct wording for legal petitions.

The Corporation apparently considers our rural post offices a burden and not viable. Offices that go under review are often closed with limited notice. It is crucial that we continue to fight these closures. We believe that the Corporation should be committed to following their mandate to provide universal postal service to all Canadians.

Our Political Action Committees in various Branches have been extremely successful with their campaigns. Community support has been very strong in many locations for keeping our rural post offices. Activities have included holding town meetings, mailing postcards and signing petitions. Their voices are being heard. The media coverage of campaigns by the branches has included not only newspaper articles, but also radio and television interviews with our Branch Officers. Political pressure has begun with questions being raised by Members of Parliament to the Honourable John McCallum, Minister responsible for Canada Post.

Your continued help and support are still required. Please contact your local union representative when you are aware of an upcoming vacancy in an office. We encourage everyone to contact their Member of Parliament to voice their support in keeping our rural post offices open. If you would like to know more about possible campaigns launched by your local branch, please contact them. CPAA remains committed to the fight to maintain post offices and postal services in rural areas.



## Workers' Compensation Board

by Pierre Charbonneau

### Duty to represent members

The national office acknowledges its duty to represent all employees of its bargaining unit fairly.

This is why we wish to communicate the procedures that have been put in place including a brief description of Article 37 of the Canada Labour Code, as well as legal advice on the subject.

### Article 37 of the Canada Labour Code

A union representative cannot act in a way that is arbitrary, discriminatory or in bad faith while representing employees in a bargaining unit when it comes to their rights under the collective agreement.

### Legal advice

The Association has no obligation under the Code to represent its members in cases held in front of a provincial Workers' Compensation Board. We have made a decision to represent members, within certain limits. The union may make a decision that the case should not be pursued further. Thus, the union may realize that an offer to settle is the best outcome the employee is likely to get. If the employee wishes to go further in the dispute, the union may tell the employee that it will be at his or her own cost and not at the Association's expense.

### Procedures

We will inform you in writing that the Association did its best to obtain a proposed settlement, which we consider to be the best outcome, under the circumstances. You will have the possibility to communicate additional information or arguments you think we should consider. We should be given the choice to accept or reject the proposal. If you choose to pursue the case, he or she must understand that it will be without the help of the Branch. If the employee refuses the proposal, the union should advise the Workers' Compensation Board or the Appeal Tribunal that the union no longer represents the employee.



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Order your 2004 Annual Financial Statement from CPAA

In order to reduce excessive printing and mailing costs, we are providing you with the option of receiving our most recent audited financial statement. The reports will be available at the beginning of April. In order to receive a copy of the 2004 audited financial statement, please complete the mailing information below and return it to:

CPAA, 281 Queen Mary, Ottawa ON K1K 1X1

(PLEASE PRINT)

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Name

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Address

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City – Province – Postal Code

## MEMBERS' ASSISTANCE PROGRAM DISABILITY INSURANCE CLAIMS

by Pierre Charbonneau

When Sun Life approves a claim for entitlement to Disability Benefits, the benefits will begin:

- ◆ After the completion of a 13-week elimination period;
- ◆ On the date your sick leave credits have been totally exhausted;
- ◆ The date your IOD leave ends;

whichever is the latest. Generally, the 13-week elimination period is a continuous period of total disability.

From our perspective, here are the steps to be taken when one member needs assistance with regard to his or her disability insurance claim:

- 1) The member must fill out the disability insurance claim and provide the required medical certificates.
- 2) The member must submit a Voluntary Authorization for Union Representation and Release of Medical Information, along with his or her disability insurance claim. (See copy of the form attached). This form allows the union to have access to the information pertaining to the member disability case.
- 3) The member must provide all documentation required by Sun Life Assurance.
- 4) The member must respect the appeal deadline further to Sun Life's decision. (Contact your Union Representatives)
- 5) If the final decision from Sun Life Assurance is negative, it is recommended that the union representative contacts the Benefits Administration's Office representative of his or her region. The Corporation indicated that at this point all efforts should be made to resolve the case. **It is the National Office position that we do not incur any expense for medical expertise.**
- 6) If after these procedures, Sun Life Assurance still denies the disability insurance claim; then, the file could be forwarded to the National Office for discussion with the Benefits Administration Office at the National level.

After all these steps, should Sun Life still maintain its refusal; then, it will be entirely the member's responsibility to decide whether or not, he or she wants to undertake legal procedures to obtain disability claim benefits.

**Voluntary Authorization for Union Representation and  
Release of Medical Information for Disability Insurance Claims Only**

**To be completed by employee and sent to Employee Relations Management with completed  
Disability Insurance application**

I acknowledge that, an agreement between Canada Post Corporation and the Canadian Postmasters and Assistants Association (CPAA) was reached where I may authorize a Union Representative to represent me.

Therefore, I authorize a Union Representative to represent me in the Disability Insurance appeal process. I hereby authorize Sun Life Assurance Company of Canada ("Sun Life" or the Insurance Carrier) to release to my Union Representative all information, including medical information, contained in my file with Sun Life Assurance Company of Canada.

I agree that a photocopy of this authorization or electronic version is as valid as the original and shall continue to have effect throughout the duration of my claim.

\_\_\_\_\_  
Name of Employee

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Employee Identification Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Work Location

\_\_\_\_\_  
Village, City, Town

*In Memoriam*

*From November 1, 2004 to January 31, 2005*



Mrs. Simone Lavoie  
Panet, QC

Mrs. Judy Sneddon  
Langham, SK

Mr. André Laflamme  
St-Damien-de-Buckland, QC

Our most sincere condolences to their relatives and friends.

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*by Leslie A. Schous*

CPAA regrets to inform you that **George Verbeke**, Past President of Saskatchewan Branch of CPAA, passed away on Saturday, January 22, 2005. George is survived by his wonderful wife Terri and their daughter Pat.

George served as Branch Director (1959 - 1973); Vice President (1973 - 1983) and President (1983 - 1987) of the Saskatchewan Branch of CPAA. Although George retired from Canada Post, he and his devoted wife Terri, often attended the Branch Conventions.

George's dedication to, and fondness of, CPAA was always with him. In 2002, I had the privilege of presenting George with the special anniversary plaque that was designed to commemorate the 100<sup>th</sup> anniversary of CPAA. As we reminisced about happenings and colleagues in CPAA, I was proud to have had the support and encouragement of this great ambassador for CPAA. CPAA has been extremely fortunate over the years to have Officers like George serving on our behalf.

We will miss George very much, his wonderful sense of humour, his love for life and his passion for CPAA. I am sure many of you will join me in extending our heartfelt sympathy to the Verbeke family.

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*by Denice Pharis, President of Alberta, NWT & NU Branch*

On Sunday, February 20, 2005, Mr. **Albert Bateman** of Lethbridge, Alberta passed away.

Albert started attending the Branch Conventions in 1960, where incidentally, he met Audrey, a fellow CPAA member who he eventually married. Albert made many long-time friends over the years and he will never be forgotten.

He served as Director (1964 - 1968, 1974 - 75, 1979 - 1981); Vice-President (1968 - 1969, 1981 - 1989); and President (1969 - 1974) of the Alberta, NWT & Nunavut Branch of CPAA.

On behalf of CPAA, we thank Audrey and his family for their support of Albert's journey with CPAA. As Branch President, I know what the family had to sacrifice and we thank Albert for his many years of dedication to his CPAA family.

# Group Life Insurance Plan

## **A – Life Insurance Benefit**

1. Commencing January 1<sup>st</sup>, 1992, all active members of the Association are insured for \$10,000 Group Life Insurance in accordance with the terms of Group Policy No. G-855, issued to the Association by *The Empire Life Insurance Company*, since January 1<sup>st</sup>, 1974.
2. The above amount is subject to a periodical review.
3. Such insurance will continue *in force* as long as the *employee is an active member of the Association*.
4. Such insurance will continue for as long as this policy is in force.
5. Such insurance will automatically terminate at the end of the month in which the member celebrates his/her 70<sup>th</sup> birthday.
6. New members are insured from the date on which *active membership to the Association begins*.

## **B – Total Disability Benefit**

1. The policy provides group insurance during continuous total disability as long as the following conditions apply:
  - a) you become totally disabled prior to your 65<sup>th</sup> birthday;
  - b) the disability is such that you are unable to perform any work of any kind;
  - c) you remain an active member of the Association.
2. The coverage does not extend beyond your 65<sup>th</sup> birthday.
3. If you cease to be a member while you are on disability and before your 65<sup>th</sup> birthday, you must consider the conversion outlined in C below.

## **C – Conversion Privilege**

1. This insurance can be converted to any individual plan of life insurance then issued by Empire Life.
2. To convert this policy, the following conditions must be in effect:
  - a) your active membership to the Association must terminate on or before your 65<sup>th</sup> birthday;
  - b) your application for conversion must be received by Empire Life Head Office within 31 days of termination of your active membership;
3. Presently, the maximum coverage available is \$10,000.
4. Conversion is available regardless of your health.
5. The privilege does not extend beyond 31 days following your 65<sup>th</sup> birthday, even though you may continue to work beyond that date.

## **D – Beneficiary**

1. A form is provided below to enable you to register a beneficiary to receive the insurance proceeds in the event of your death.
2. You may change your designated beneficiary any time.
3. If no beneficiary is named, the insurance proceeds will be paid through the administrator, executor, or assign(s) of your estate upon your death.

### **Certificate of Insurance**

1. *The Empire Life Insurance Company* certifies that the holder of this policy is insured for the sum of \$10,000 in accordance with the terms of Group Policy No. G-855:
  - a) as long as he/she is an active member of the Canadian Postmaster and Assistants Association; and
  - b) as long as he/she is under the age of 70.
2. The insurance is payable on death from any cause to the beneficiary last registered in writing with *Empire Life*.
3. If no beneficiary is registered with Empire Life, the insurance is payable to the deceased's administrator, executor, or assign(s).
4. The policy includes a Total Disability Benefit and a Conversion Privilege.
5. The certificate and the descriptive literature above are provided for information purposes only.
6. If any conflicts arise between the above and the terms of Group Policy No. G-855, the terms of the latter shall govern.

*Should you need any additional information about your insurance plan, please write to:*

**CPAA Group Insurance Plan**  
**Raymond A. Goulet, B.Comm., CFP, CLU**  
**390 Rideau St., PO Box 20559**  
**Ottawa ON K1N 1A3**

2005/02

*(Retain the above for your records)*

*(Remove when completed, and forward this portion to the address above.)*

### **Beneficiary Nomination Form (PLEASE PRINT)**

#### **Important notice regarding Group Life Insurance Plan**

- Before completing this form, you must have signed an Association Member's File.
- This form should only be completed **once**, unless you wish to amend it. (e.g. change in beneficiary or change in your name)
- When this form is completed by a member, he/she must have their signature witnessed by someone other than the named beneficiary.

I, \_\_\_\_\_ living in the Province of \_\_\_\_\_  
Member's full name Office Name  
 and insured under Group Policy No. G-855 declare that all proceeds payable under this policy at my death be paid to

\_\_\_\_\_ Beneficiary's full name \_\_\_\_\_ Relationship of Beneficiary to Member

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
City, Province

\_\_\_\_\_ Signature of Witness \_\_\_\_\_ Signature of Member