



Vancouver Island

Quarterly Newsletter

Since 1902

Leed The Responsible Future Of Construction

Green buildings are buildings that use valuable resources like energy, water, materials, and land more efficiently than buildings that are simply built to code; they are kind to the environment and provide healthy, comfortable, productive living spaces. For the construction industry the principles which LEED (Leadership in Energy and Environmental Design) Construction stand upon, whether it be for regulatory reasons, the cost of energy, the impact of construction and deconstruction debris or environmental consciousness, are all growing in importance. As well as the intrinsic social benefits, the compelling incentive for building owners and developers to invest in Green buildings is the financial benefit of operating a more efficient building over the life-cycle of the building as opposed to just considering the construction costs.

LEED provides for a list of five measurable environmental categories: Sustainable sites; Water efficiencies; Energy and Atmosphere; Materials and Resources; and Indoor environmental quality. After a building is complete in our area the project team would submit the documentation to the Cascadia Council Branch office in Vancouver, who would then certify the project as Silver, Gold or Platinum based on the number of points they can achieve when lined up with the measured values as indicated above. LEED construction is rapidly spreading across Canada in commercial, institutional, industrial and multi-unit residential new construction and major renovations, as the leading standard

for measuring a buildings environmental performance, and Vancouver Island construction contractors are stepping up to the plate. The Victoria Docks Green project is the first community in North America to work towards certification at the highest attainable level. Once complete will house 2,500 people on 15 acres of mixed use (residential, commercial, hotel) lands. Some of the LEED factors are using onsite clean energy to power the buildings, onsite sewage treatment and use of storm water to keep the landscaping green, and bike paths which link the community residents to the City. Other LEED projects just finishing up or ongoing around the Island at this time are the Engineering and Computer Sciences Building, Social Sciences and Math Building, and the Mearns Centre all at the University of Victoria, the Parkside Residences, Royal Oak School, Pacific Sports Institute, Malispina School of Management, BC Ferries Ticket and Retail Building at Departure Bay and the Oliver Road Recreation Centre in Nanaimo.

Meanwhile the Canadian Home Builders are also facing the challenges from carbon footprints with new and renovated single family dwellings, they are looking at many green building practices and lobbying for financial incentives to help pay for going green with the LEED principles. With 175 green residential buildings in 2006 and over 900 expected by year's end in 2007 as many would anticipate BC culture is quickly embracing the concept of reducing our impact on the planet.

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News/Notes:

- Attention Shipyard Retirees: 2008 Luncheon Dates Gorge Vale Golf Course
March 6th September 4th
June 5th December 4th
- Manulife RRSP Meetings:
Campbell River Coast Discovery
5:30 PM February 6, 2008
Victoria Pro Patria Legion
5:30 PM February 14, 2008

Business Manager's Report



Philip M. Venoit
Business Manager/Financial Secretary

I hope you all had a safe and enjoyable Christmas Holiday, with batteries recharged and ready to go. We started out the year with calls from all over the Island and beyond for dispatch, and the work forecast for 2008 is looking even busier than 2007, this is great news for our members working in the construction and marine sections.

At the 4th quarter Health and Welfare Trustee Meeting we were able to increase the benefit amounts beginning January 1, 2008 for those members who are on the construction, private shipyard and motor winder's Health and Welfare Plans;

- Vision Care: from \$200 to \$300 every 24 months
- Life Insurance Plan: from \$45,000 to \$70,000
- Accident Death and Dismemberment Plan:

- from \$0 to \$70,000
- Long-Term Disability Plan: from \$1,000 to \$1,500 per month, and
- Basic Dental: coverage from \$2,000 to \$2,500 per family per year, now with the inclusion of orthodontic work.

The Motion to reduce Market Recovery has come back from the International Office unchanged, this is a huge shift from the International's position as over the past years when local unions proposed shutting this organizing tool down the International Office has denied them, but with the Local 230 proposed formula based on market share they have accepted the Bylaw change verbatim. Our market analysis which was also a requirement of the Motion, established the Local 230 market share at just above 66% which sets the 2008 established rate at 2%, I've sent out the notice to the Construction Labour Relations Association and to all Local 230 signatory construction contractors to change the rate of remittance immediately.

I would like to congratulate Concert Properties and our members working at Canem Systems who wired the Belvedere as being recognized at the CARE Awards for the "Best Condominium Development" on Vancouver Island, this was a "closed shop" Building Trades project and we can all wear a little pride for this project, as a note Concert also won Awards for the "Best Sales or Showroom" and "Customer Service" as well!

Canada's Temporary Foreign Worker Program (TFWP) allowed a labour broker to

lure 11 skilled trades' workers, now known as the "Filipino 11" to Canada for non-existent jobs. Each of these workers had to come up with more than \$10,000 in administrative fees to the broker to come to Canada some sold their homes or took out loans on the promises of jobs paying \$23 an hour. Once these 11 were in Canada they were sold to unscrupulous employers, kept isolated in a rural farmhouse and forced to do menial work being paid a fraction of what they were promised. This is the story of 11 of the tens of thousands of TFW's coming to Canada.

At the Camosun College Program Advisory Committee it was expressed to me that the BC Safety Authority is currently looking at implementing a FSR upgrade course on a 3 year cycle in line with each new Electrical Code.

Our Retirees who are turning 71 before December 31, 2007 must wind up your Registered Retirement Savings Plan (RRSP). The age requirement was raised effective in 2007 from 69 to 71. You can convert your RRSP into a Registered Retirement Income Fund (RRIF), or another income option such as an annuity. If you fail to wind up your RRSP, the entire value of your Plan could be considered income for tax purposes.

As a final note, much of our work over the past year and more future work especially in the resi-sector is reliant on a higher than normal apprentice ratio in the crew mix, remember to nourish these fellow Brothers and Sisters. Don't be irreplaceable, if you can't be replaced, you can't be promoted!

Sector Report

Appliance Repair – The Technicians at Direct Energy ratified a 2 year agreement giving them a 3% increase in both years and a 1 time \$3.25 wage adjustment (increase), we also agreed to two classifications of "Installer" and "Helper" with the hopes Direct Energy will have the ability to negotiate National contracts with folks like Whirlpool, Electrolux, and Samsung, etc. to install all new appliances on Vancouver Island.

Cablevision – See page 4.

Construction – See front page.

Dockyard – We formally withdrew the Notice of Motion we described in the last Newsletter, although we believe the Motion has merit and therefore should be discussed, debated upon and considered by the Council in the pursuit of best serving our collective membership however, after discussing the possible impact of the motion with our Delegates and Local 230 Executive Board members we believe it is best to withdraw the Motion at this time so we can collectively

head to Arbitration as one cohesive group. Since, President Hugh Price has tendered his resignation and Des Rogers from Local 9 Shipwrights has stepped in to fill the President position on the DTLC.

Motor Winders – We're currently looking to resolve some training issues with the Winders, and we've brought on the General Electric Winders into our group RRSP.

Municipal Government – We've had spent 3 days negotiating with the Greater Victoria

A Supreme Decision: Collective Bargaining As A Constitutional Right -- by Elaine Bernard/Our Times/CALM

It's not often that labour celebrates a decision by the courts, but a June ruling by the Supreme Court of Canada, in a case involving health care unions and the British Columbia government, is a notable exception.

Proclaiming collective bargaining as a "constitutional right" supported by the Charter of Rights and Freedoms, the Supreme Court has rendered a landmark decision.

The decision is 135 pages, but is well worth the read for its analysis and review of the history of the Court's thinking

on freedom of association and collective bargaining. In an important reversal, the Justices declared that earlier court decisions refusing to recognize freedom of association as including the right to bargain collectively "do not withstand principled scrutiny and should be rejected."

This sudden recognition by Canada's highest court of collective bargaining as a fundamental right may breathe new life into ailing labour rights in Canada. As well, it may put provinces and the federal government, always quick to introduce legislation limiting and undermining collective bargaining rights of workers, on notice that the Court has a new-found appreciation of the role of collective bargaining in promoting the core values of "human dignity, equality, liberty, respect for the autonomy of the person and the enhancement of democracy."

This case arose out of a January 2002 attack by B.C.'s Liberal government on the rights of unionized health care workers. The government gutted health care workers' collective agreements and placed limits on the unions' future ability to re-establish rights lost through the unilateral government action.

The Court's decision is a much delayed victory that sends health care workers and

their union back to the bargaining table. The Court has suspended its decision for one year "to allow the government to address the repercussions of this decision," but it

has done nothing to redress the tremendous loss experienced by B.C. health care workers. With about 8,000 workers having been fired so far and thousands more having had their wages and benefits slashed b a r g a i n i n g promises to be very contentious. And the Court

reminds us that collective bargaining is "a limited right," a "right to a process" and not a guarantee of "a certain substantive or economic outcome."

In recognizing collective bargaining "as the most significant collective activity through which freedom of association is expressed in the labour context," the Court reversed 20 years of Supreme Court decisions. The Justices argued that workers coming together to negotiate their terms and conditions of employment has a long history in Canadian labour relations. Quoting numerous labour scholars and historians, the decision reviews that long legal battle to establish labour and bargaining rights for workers in Canada. In a ringing endorsement of bargaining expressed in the language of human rights, they conclude that, "the right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work."

Future decisions on labour relations issues may be possible because of the Court's explicit and detailed rejection of the argument from earlier Charter labour cases that collective bargaining and the right to strike are "modern rights" created by legislation, and not "fundamental freedoms." In this B.C. case, the Court contends that "long before the present statutory labour regimes were put in place, collective bargaining was recognized as a fundamental aspect of Canadian society." Legislation did not create collective bargaining, but legislation eventually came to protect bargaining because of its "fundamental importance" to society. One might make the same case for the right to strike.

Unfortunately, this case did not involve the right to strike and so it remains an open question whether the Supreme Court, in a future case, will recognize "the right to strike" as a constitutional right. Like collective bargaining, the right to strike "is consistent with, and indeed, promotes other Charter rights, freedoms and values" and therefore deserves to be recognized and protected by the Charter.

Elaine Bernard. A labour educator from Canada directs the Labor and Worklife Program at Harvard Law School. Our Times is an independent, pro-union Canadian magazine dedicated to promoting worker's rights and social justice.
www.ourtimes.ca



Main Entrance to the Royal Jubilee Hospital during the week long strike/political protest.



Canem Systems Nanaimo Branch Manager Brother Les Hodgson presents his father Jack Hodgson his 50 year Long Service Pin.

Co-ops Like CRTV Are Undervalued

Recently, Shaw Cable the largest Cablevision provider in western Canada offered to purchase little Campbell River Television (CRTV) on Vancouver Island. CRTV is a co-operative with over 13,000 subscribers who make up the general membership of the CRTV Association, and a Local 230 bargaining Unit. Shaw cable is known to Local 230 as an employer whose interests are to be a non-union employer. Shaw offered \$3,000 to every subscriber (member) to sell the little cablevision station that offers more (52) channels than Shaw (33) for half the cost. What Shaw didn't expect is that the appeal of the \$3,000 carrot was barely enough to raise 5 hands of the 500 in attendance of the AGM. Shaw undervalued and misunderstood the appeal of the CRTV Co-operative

About 800 million people around the world belong to co-operatives; another 100 million work in them, while in British Columbia there are about 700 co-ops with 1.8 million members, and if we were to look a little closer at co-ops on Vancouver Island we would find the biggest dairy Island Farms, some of the largest financial institutions like Coast Capital, and Van City which was voted the 2006's Top Canadian workplace by Canadian Business magazine. While (Saanich) Peninsula Co-op goes head to head with the largest foreign owned multi-national oil and gas companies, however while these corporate entities are driven by profits, Peninsula Co-op distributed a record \$2.7 million in rebates to their members in 2006.

The appeal of Co-operatives is about building our communities. Since most co-ops are community or regionally based, the revenues and expenses from co-ops are actually reinvested in the community, and that's just what CRTV does by providing service to the School District and training opportunities to

high school kids, and providing local community content and broadcasting.

Campbell River TV is a jewel in the Islands crown of co-operatives, it has had the prestigious place of providing the cheapest cable service in all of North America for decades, it has allowed all revenues to CRTV to stay and be spent in Campbell River, all the while providing some of the best cable service in any community.

By staying as a Co-op, as we understand it their will be a \$10 increase to be spent in new infrastructure which can help Campbell River residents realize further savings in telephone and other services and once the infrastructure improvement costs are paid down cable rates can fall as well and Campbell River residents can continue to receive the cheapest and best services available by investing in her CRTV & Tel Co-operative.



Sector Report (Continued)

Labour Relations Association to renew the Collective Agreement on behalf of our members at the City of Victoria.

Private Marine – We formally presented our proposals for the private Marine section and delivered them as outlined in the correspondence to the Boilermakers so they can create a master list of bargaining proposals to go forward to Victoria Shipyard.

The Metal Trades has allowed Victoria Shipyard enough time to get the company up and running it has been over a decade since it's start up and it's overdue to finally begin strengthening this Agreement.

Provincial Health Care – See page 3.

Railway – we've spent 6 days negotiating with Southern Railway who have now been

operating the E&N Railway for over a year and they have re-signed for a further year with the Island Corridor Foundation however they are looking for a long-term Collective Agreement which could help secure our members future.

Electrical Wholesale – with the busy construction market Westburne have hired in both Nanaimo and Port Alberni locations.