



Customs and Immigration Union
Syndicat des douanes et de l'immigration

Report of the Fourth National Vice-President CIU 16th Triennial National Convention October 2011

Introduction

It is my considerable honour to be reporting to you at this 16th triennial convention as the fourth National Vice-President. This is my third CIU (formerly CEUDA) convention and the level of solidarity that has always been displayed is stunning to me. The 2008 convention where I was elected seems like yesterday and a life time ago at the same time.

It has been a busy and productive three years. In this time, together we have faced many hurdles, enjoyed many victories, and consoled each other through tragedy. An instance of the latter being when Brother Tim Bown passed away at work, on his very first shift at the port of Roosville. Brother Bown is included with a number of members who's passing we mourn during this term.

This term we have enjoyed great success through solidarity, when the FB members achieved their first contract, which I might add was outstanding!

During these three years, it has been a great pleasure and honour to have worked with the National Board of Directors (NBoD) and my brothers on the National Executive. All have provided me with guidance and inspiration and for that I owe them all a debt of gratitude. I have had the honour of overseeing a number of branches and regions, which are listed below in no particular order.

Windsor

Ace and his members have had a challenging 3 years. We have gone through a new RDG, various changes to upper management, and in fact a complete change in the regional reporting structure with the former Windsor St Clair district being amalgamated with the Niagara / Fort Erie region to form the newly established Southern Ontario Region. This hasn't been without challenges. But together, Ace and I have met each of them head on. We enjoy a diplomatic, if somewhat contentious relationship with management and they are respectful of our strength, unity and placement in the work place. Branch 18 is functioning well, with a strong executive, leading a powerful membership. Some of our current struggles faced by the branch have to do with a significant deficiency in the regions ability to deliver on its official language requirements. This has presented challenges in everything ranging from scheduling, to overtime, to recruitment. We have fought hard to show management that recruitment is the only way to truly correct this problem and that burning out our bilingual Officers is not the answer! Finally, I would like to commend Brother Essex and his steward body for their poise and professionalism in dealing with a number of sensitive and private issues in this term. With positive intervention from myself and Ace, we have been able to overcome a number of very difficult situations and produce a strong united front for the way forward.

I would also like to mention that Windsor 1st VP, Mike Fummerton, was elected to PSAC Ontario Council at the recent Ontario Convention, and he sits on this council with 3 other CIU members giving CIU a record 4 members on regional council! Trust me when I say that this did not go unnoticed by anyone at the Ontario Convention.

Sarnia

The Sarnia Branch has also had its share of work this term. With Brother Coene at the helm, this Branch has worked through similar challenges to Windsor regarding the reorganization and official language requirements. A significant grievance campaign regarding the employer's handling of the official language requirements was launched in Sarnia, and quickly caught on in other locations. Thanks goes out to Brother Coene for his efforts in this. Sarnia has also worked through a Director change this term and although it's still a relatively new change things seem to be fairly positive. Finally, Sarnia has moved their commercial operation into a brand new facility recently. This facility is state of the art, and our members are no longer tripping over each other. A few wrinkles are still being ironed out, however, it stands to be a positive change.

Niagara Falls

The Niagara Falls Branch and Brother Milligan have been busy throughout the term. Freddy and his team, like Sarnia, Windsor and Fort Erie are also adjusting to the new reporting structure. This restructuring saw the new Regional Director General (Rick Comerford) take over, and included 10 affected members. Thankfully all were placed. Freddy and his team have overcome most hurdles including scheduling and a number of contentious union management issues. These sensitive issues cannot always be reported on, but suffice it to say, we have worked through them, and as always, for the most part we have come out strong and on top. Thanks to Freddy, Shelly, and the rest of their team.

Fort Erie

We struggled through some very significant challenges with their Variable Shift Schedule Agreement's (VSSA). The Employer and the Union differed on interpretation of the newly minted article in the collective agreement. After considerable work, including intervention right to the top of the CBSA, I am very happy to report that these members enjoy schedules that are enviable and allow them the work life balance that they deserve.

As with many of the other regions, sensitive issues with Professional standards took up a lot of our time. These investigations are becoming more and more prevalent and this is due to changes in a number of levels of management at CBSA. I'm sure that third party investigations like those carried out by Professional Standards will become the norm in the future.

London / Kitchener

The London / Kitchener Branch is the smallest of my regional responsibilities. Brother Matuzic keeps these members fully apprised of their rights, and keeps management on their toes. The classification battle of the Inland Immigration Officer is never far from Mike's mind, and at the time of writing this, we are preparing a letter drop and information picket in this regard.

I'd like to thank Brother Matuzic for his participation in the Policy Safety and Health Committee in the first half of this term.

While this covers off just a sampling of the regional issues that were faced in the last 3 years, it is just that, a sampling. I carry out the duties of Co-Chair of the Regional union management consultations for all of these regions, and couldn't possibly touch on the vast and varied issues that we have faced. Suffice it to say, I along with the aforementioned Branch Presidents, have met each of these issues head on, and fought the good fight regardless of how insurmountable they seemed.

Toronto Pride Parade 2011

It is with great PRIDE that I report that I attended this year's Pride celebration in Toronto. Sister Karen Church invited me to this annual celebration, which I gladly attended. I can honestly say that it was one of the proudest events of my life, to march by over a million people with members from our Gay, Lesbian, Bisexual and Transgender (GLBT) community. I thoroughly enjoyed myself and will absolutely make this an annual event for me and my family. Below is a picture of myself, Sister Karen Church, and Brother Mark Cosford, the lone CBSA Officer to march in uniform. Although we had a number of CIU and PSAC members march and ride our float, Mark was the only member to do so in uniform and he marched with other uniformed police agencies. I know you all join me in telling Mark how proud I am (and we are) of this significant event.



I also have been assigned four portfolios. Two (2) are considered major and two (2) minor portfolios. Below I will report on each of these.

Health and Safety

Health and Safety is by far the busiest and most time consuming of all of my portfolios. I spend a great portion of every day on this topic. As it is one that touches every single member we have, it is very close to my heart. I have the honour of co-chairing the Policy Safety and Health Committee (NPSHC). This is a National Committee that oversees health and safety issues throughout the country, and I co-chair this Committee with Camille Therriault-Power, Vice President of Human Resources for the CBSA. This Committee is made up of Headquarters senior management, and three (3) unions (CIU, PIPSC *Professional Institute of the Public service of Canada*, and PAFSO – *Professional Association of Foreign Service Workers*). The CIU members are myself as Co-Chair, Sister Leanne Hughes, and Brother Brett Evans. This Committee functions exceptionally well, and is a valuable vehicle for bringing the members issues to the ears of Senior management. While I obviously can't touch on all of the issues we have dealt with, there are a few key issues that are certainly worthy of mention.

Doubling-up

In fall of 2006, Brother George Scott and Brother Ron Moran formed part of a working group on this topic. Their hard work formed the basis of the doubling-up policy, which was released to the field in late September 2008. Brother Scott was sure to emphasize the importance of this initiative when I took the reins in October 2008. This initiative required significant numbers of new hires, huge investment in infrastructure, and a change in the thinking of upper management. I am absolutely ecstatic, and so proud to report that despite three (3) years of hurdles, and occasionally having to remind the employer about the Prime Minister's commitment to this program, by the end of this calendar year an additional 20 more BSO's will be hired, bringing the total of new hires in this initiative to 400 and thus completing the commitment of the Government. By summer of 2012, no Officer in this country should ever be placed in a work alone situation again! I would like to thank both Brother George Scott and Brother Ron Moran for their foresight and hard work in getting this program off the ground.

Work Refusals

The NPHSC continues to monitor each and every work refusal that is carried out in the field. These issues get the attention of the employer very quickly and have resulted in safer working conditions for our members in a number of modes from Postal to Marine.

Training

Although the online based health and safety training would perhaps be better as a live training module, it is still considered a useful tool and has to date been delivered to over ten thousand members. This number climbs at every NPHSC meeting and will continue until every current employee is trained.

H1N1

One of the first crisis to be dealt with after starting my tenure was the outbreak of then known as “Swine flu”. This outbreak led to wide spread concern for both our members and the public’s safety. I am confident that the NO memo sent out with safety precautions for our members that went beyond those prescribed by the employer, contributed to a safer environment for our members and Canadians at large.

Lab 1070’s (Hazardous Occurrence Reporting)

The Committee reviews the numbers and causes of all lab 1070’s in each reporting period. I am happy to say that I was actively involved in a change to how these important documents are collected and reported, that will increase the benefit that already exists.

Radio Communications – E-COMM

The background on this topic is as follows: The members in the Vancouver area of BC working out of the Pacific region enforcement center, have long enjoyed the benefit of using a police based radio system, that is shared by a number of police, enforcement and first responder agencies. The benefits of this are many, not the least of which is push button contact with not only back up, but the police agencies that you will be counting on in the event of something going wrong with this very dangerous work. The employer decided in 2010 that they were discontinuing their inclusion to this system due to cost. The costs were in the opinion of the members staggeringly low when you take into consideration the health and safety benefits for our members. The members at PREC would have no part of this, and their efforts combined with those of Sister Sue Neumann, brought this issue to me and the NPSHC. I am quite proud to announce that despite the employer going so far as to purchase replacement MIKE radios, this E-COMM system has never been interrupted, the Employer is committed to an extension of at least September 2012 and has committed on the record to “an eye for permanent inclusion”. Truly a huge victory for our members. Special thanks to the members at PREC for their solidarity, and particularly Brother Adam Parsons, who created a 6 page document entitled “the Case for E-Comm”. This document has since been distributed to Enforcement Officers in a number of locations and is being used by third parties in risk analysis of our communications. This kind of work has contributed to the idea that one day in the not too distant future all of our Officers will use fully interoperable radios.

Name Tags

By now, most of you have received word through various forms of communication about the rollout of this initiative. In early 2011, Ron Moran, Jean-Pierre Fortin and myself were briefed on the rollout of metal name tags for all uniformed staff in the CBSA. At the time, all of us expressed our concern and extreme opposition to this initiative. In the following months, as word of it spread, I can only describe the members’ response as a loud and decisive outcry. I received over 250 separate emails from members, all of whom expressed their overwhelming opposition to this. Indeed members who had no history of union activism, stood together in solidarity against this proposal. This item has been an agenda item on National Labour Management Consultation Committee (NLMCC), NPSHC, and at least 3 offline meetings with management. We have, to date, not succeeded in stopping this attempt by the employer to “bring us in line with other uniformed enforcement agencies”, which we know will endanger our members. We will continue to oppose it up to and continuing on through the anticipated roll out.

Labour Management

One of my other major portfolios is Labour Management. I have spent a great deal of time ensuring and helping to facilitate functional Labour Management relations in each of the regions. My Brothers on the National Executive have been instrumental in this and I thank each of them for that. This has included review of Terms of Reference, occasional intervention, and policy interpretation.

I have also enjoyed the opportunity to take part in the twice yearly National Labour Management consultations. Our discussions at these meetings have been many, and it would be impossible to touch on all of the issues we have covered, however there are a couple that I feel should be mentioned.

Universal Identifiers

This is an issue that has been ongoing for years, and has transcended both the NLMCC and NPSHC. The issue being that "CBSA" is not universally recognizable to other Languages and cultures and that our members who work in enforcement environments inland (Inland Immigration, Criminal Investigations, and Intelligence) should have a more universally recognizable identifier such as "IMMIGRATION" or "CUSTOMS". This issue was referred back to the NLMCC by myself and after much debate was referred to the Uniform and equipment working group, of which I am a member. This group is made up of union and management reps from all over the country and meets a couple times a year. I am very happy to report that at the last meeting of this working group, the members unanimously agreed that the identifier is a problem. I am confident that we are finally on the right track to correcting this huge health and safety issue.

Official Languages

At the last two NLMCC, the employer introduced their current challenges regarding official language delivery and the Office of the Commissioner of Official Languages (OCOL). The CBSA has received failing grades on this delivery standard and has identified a significant deficiency in bilingual Officers. The Union has pushed hard to ensure that this deficiency is corrected properly through recruitment, and not by placing restrictions on, over working and burning out our current bilingual Officers.

Terms of Reference

Many of you will recall that we had a mandate from the Board to not sign Terms of Reference for the NLMCC due to the employer's refusal to help with the costs associated with travel. This mandate went back to 2006. I am very proud to announce that I have been successful in negotiating a travel budget of \$10,000 (ten thousand) dollars per calendar year, to be used by the Union to offset the costs associated with travel to and from union management consultations. While I recognize that this may not cover all travel associated, it will certainly provide significant help. As such, I am pleased to report that the NBoD has mandated the National President with signing the National Terms of Reference, and they may have been signed by the time you read this.

Youth Activism

This portfolio is one that was newly formed as one of my first orders of business as a newly elected National Vice-President. We have made such advances as forming a CIU youth activist Facebook page and having a section of our website devoted to these young workers, the future of our Union. I have also done such things as a youth meet and greet at convention, and will attempt to continue to build this network of young activists that are so vital to our Union.

Technological Change

This portfolio has been fairly busy as well, especially considering it was meant to be minor portfolio. I have attended many meetings, briefings and even the occasional consultation on different rollouts of technological changes within the Agency. I will touch on some of them below.

E-Manifest

By now E-Manifest has been rolled out in a few different areas in the country. It has been over all considered a success and has dramatically reduced the amount of actual paper we use and has cut down on work by our members as well. The goal is continued rollout and this endeavour should definitely be considered the way of the future.

Cell Phones in the work place

This topic was shared by myself and Brother Pellerin-Fowlie at different times throughout the term. It came as a result of multiple instances of corruption in the work place in many different regions. The consistent application in these instances was the use of cell phones. As such, the employer mandated that employees, while on duty would not be permitted to use or even carry personal cell phones with them. This initiative was opposed by the Union, and ultimately it was agreed that, although the policy was still in place, the employer would not actively enforce it unless non compliance was obvious. The employer would not be undertaking pro-active efforts to ensure compliance such as search of members and their belongings. It was also agreed that members may use personal cell phones in non public areas, on their own time (breaks, lunch).

Audio Video Initiative

This policy is being rolled out as we speak. The first notion of this began early in my term when we were made aware of the anticipated rollout by then VP Human Resources, Paul Burkholder. After multiple meetings and statements of our opposition, the program was put on hold for over 2 years. It has once again reared its ugly head. Although the most recent meetings would be more aptly described as briefings rather than consultations, the employer has agreed to consider Joint Learning Program (JLP) live training on the rollout in the hopes that this will quell many of the concerns brought forward by the Union. I can assure you, that at every available opportunity, I have stated our overall opposition to this program. The Employer has insisted that this program will benefit our members and protect them, however, only time will tell how truly intrusive it is for our members.

Finally, I would like to close this report by saying it has truly been an honour to represent, fight for and meet so many of our Union's members in the last three years. This Union is made up of incredible people, doing an incredible job. I look forward to continuing to fight the good fight on behalf of our members in the future, regardless of what capacity or title I may carry.

This report is hereby respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. McMichael', written in a cursive style.

Jason McMichael
4th National Vice-President