



# *on* THE *move*

December 2008

**VEOLIA STRIKE**  
NEW MEMBERS TAKE  
ON TRANSIT GIANT  
PG. 8

**RUNNING MAN**  
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GOES FOR RECORD  
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**LABOUR DAY**  
THE 2008 PARADE  
& A HISTORY OF  
LABOUR'S DAY  
PG. 18



## Charlie Johnson

He led our union during tumultuous times  
and took the public heat in stride.

*"The membership has spoken. Now I am going to follow their wishes."*

# A professional administrator who is committed to the goals of unions

**S**usan Luft is the new Office Manager for Local 113. She comes to the position with a varied background, working on behalf of unionized workers for the better part of a decade.

Susan was a research lawyer with the law firm of Green & Chervcover, which practices exclusively in the area of union-side labour law. She managed the articling student program and research department at the firm and performed a variety of administrative functions. In this capacity, Susan has worked closely with Local 113, including organizing speakers for a number of Can-Am Conferences. She has also published a number of legal articles on issues relating to unionized workplaces.



Her commitment to the labour movement is long-standing. As a law student, Susan worked at Parkdale Community

Legal Clinic in the Workers' Rights Division, assisting non-unionized employees with employment-related issues. She has also worked in public relations and fundraising for two hospitals.

On a personal note, Susan is an avid photographer. She recently moved from Nova Scotia where she lived for a short period of time and where she studied photography and worked on a number of commercial photography assignments. You can see some of her work at [susanluft.com](http://susanluft.com).

During her off time, Susan likes to spend time outdoors, camping in the summer and skiing or snowboarding in the winter. She also keeps busy with her young daughter, Hena.

"Susan brings a tremendous range of skills and experience to the Local," says President Bob Kinnear. "She is a proven professional administrator and understands the complexity of the issues we face. Just as important, though, is her lifelong commitment to working people and their unions.

"We are very fortunate to have Susan on board."



**Take Our Kids to Work is a national program established in 1994. Since then, nearly two million Grade 9 Canadian students have spent a day in their parents' workplaces. On November 5, these children of ATU 113 members participated in the program and came away with a better understanding of what their parents do every day to support their families. We urge all our members who will have kids in Grade 9 next year to participate. It's a great experience for all concerned.**

**on** THE **move**

March 2004

Editor-in-Chief **Bob Kinnear**

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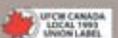
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# Even with jobs, we will be personally affected by the coming economic downturn

**Bob Kinnear**  
President/  
Business Agent



We all hope the political leaders in Canada come up with plans that avoid a long and deep economic downturn. I am not holding my breath waiting for these geniuses to figure out what to do and neither should you, but we should

keep our fingers crossed. Even if we as transit workers have relatively secure jobs, a bad economy is bad news for us.

We've been through this before. When people lose their jobs, transit revenues go down, putting more strain on the TTC budget. The pressure quickly flows downhill to us on the front lines, as management flails around trying to save nickels and dimes. Maintenance projects are put on hold or reduced in scope, which directly affects our Maintenance members. Operators have to deal with more passengers who are having difficulty putting together enough of their own nickels and dimes to make fares. Confrontations become more likely as more people vent their anger and frustration at the only representatives of the "government" they can interact with personally – TTC Operators and Collectors. And it is an unfortunate statistic that the crime rate rises along with unemployment.

Add to all this the distinct possibility that our own families can be affected by a worsening economy. Spouses or other family members can be laid off. Our children who are struggling to get a higher education may not be able to afford to go to college or university – something that can affect the rest of their lives.

## More transit is essential

Earlier this month, Conservative Prime Minister Stephen Harper suspended Parliament because the Opposition parties were going to defeat him and form a coalition government of Liberals and NDP. How you personally feel about this is your business. Our union would never tell you how you should vote or what your political views should be. But it is important to know that the economic program of the Conservative government contained virtually no support

for public transit across Canada. The Liberal-NDP accord, by contrast, called for "substantial new investment" in infrastructure projects such as public transit.

It is perfectly obvious to our members that Toronto's public transit system has been in decline for many years due to political neglect. We can no longer boast about having one of the best transit systems in the world. The big plans that have been announced in recent months for expanding the system are just that: plans, not action. The money just isn't there. So we will continue for years to see our passengers packed like sardines in our vehicles, resentful of their high fares and cursing us when our buses have to pass them by because there is no room left. Our Maintenance members will continue to have to work minor miracles to keep the aging fleet safe and reliable, even though the deteriorating roads will take an even greater toll on the vehicles.

## Our work saves lives

Then there are the heavy environmental and health costs of discouraging people from taking public transit through high fares and poor service. The Ontario Medical Association has said that thousands of people die prematurely every year because of the health effects of smog, most of which is caused by private vehicles spewing out pollution from tailpipes. A lot of that pollution is the result of traffic congestion – your car pollutes even when it isn't moving. Taking even 10 per cent of cars off the road would greatly reduce congestion and therefore pollution. Public transit saves lives and improves the quality of life for everyone in our city, even those who do not use it. We need more of it and I for one will be supporting the politicians who not just talk about the necessity of transit but have the courage to ask taxpayers to fund it.

## Challenging year ahead

2009 is going to be a challenging year for our union. The big issue of privacy rights related to alcohol and drug testing will unfold in unpredictable ways. Safety issues will continue to be on the front burner, especially the question of whether or not the vehicle plastic shields will be optional or not. Our firm position is that they must be optional. But all unions, not just our own, are going to face difficulties this coming year. So we need to stick together and support our brothers and sisters in other unions in their struggles to get through the tough times that are clearly coming. We're all in this together.

# Why we oppose TTC plan on drug and alcohol testing

On September 18, the Toronto Transit Commission adopted new drug and alcohol testing measures but gave management a year to work out the details with the union. Although a bare majority of the Commissioners vetoed the idea of random testing, they agreed to everything else management wanted.

- **Incident-based testing:** If there's an accident, no matter what the cause, management would have the power to force a test on you. If you refuse, you're fired and that goes on your record for life.
- **Suspicion-based testing:** The same thing applies if you report for work and "seem" impaired. The power to force a demeaning test on you because he suspects you may be impaired is coming to your supervisor real soon. Won't *that* improve morale!
- **Pre-employment testing:** How stupid do they think people are? "Hey guys, I'm going to get my TTC physical tomorrow, let's have a few joints and a case of beer to celebrate." Management tries to justify this useless testing by saying it "would send a strong signal that we do not tolerate impairment at the TTC." What morons! Do they really think people applying for a TTC job would not know this already?

The union is going to fight this ill-advised management plan. We are totally opposed to giving police powers to TTC management. We do not trust them to be neutral and professional, let alone competent in the administration of such a policy. If there is an accident or even evidence of impairment without an accident, the police have the power



**Have you pissed off your supervisor lately? Guess what you have to do now? All in the interests of "public safety."**

to require testing and lay charges. We do not object to that. Our members are also at risk from impaired motorists. We support police efforts to keep our streets safe and if that involves a legally-ordered test to one of our members, so be it.

## Canadian civil liberties group also opposes plan

As to the other situation: members reporting for work in a suspicious condition (whatever *that* means), we also reject the need for alcohol and drug testing. A lawyer from the Canadian Civil Liberties Association told the Commissioners there are several non-invasive ways to test for impairment that are more accurate and reliable than bodily fluid testing.

People can be unable to work safely for reasons that have nothing to do with alcohol or illegal drugs, the CCLA pointed out. Severe personal stress

or sleeplessness are two common examples. Drug tests or breathalyzers won't catch these kinds of impairment, less invasive tests could. If someone is unable to perform their work safely, they should be assigned other work or be sent home on sick leave.

## "What are you worried about?"

We know that most of the general public will say the obvious thing: "Hey, if you've got nothing to hide, what are you worried about?"

Well, we're worried about giving incompetent and power-tripping managers the power to regulate our private lives and treat us with every day suspicion and contempt. We're worried about the reliability of these tests and the ways they will be administered. We're worried about the expansion of police powers into the hands of those who have trouble doing their actual jobs, which describes many TTC managers.

This issue will continue to play out in the months to come. We ask all members to pay attention to the debate and support the union's determination to protect your rights, your dignity and the respect you are owed for the valuable public service you provide.

## Kinnear slams TTC plan

In a media scrum after the Commission decision to adopt testing, Bob Kinnear gave the union's position in clear terms. "We will not enter into anything that is arbitrarily rammed down our throats by Gary Webster. Without agreement from the bargaining unit our members will not subject themselves to that invasion of privacy."

## Union dues ensure the union can effectively defend our members

This is not a topic that requires a lot of discussion, but I believe it is important that you understand the process that is taken to allow the union to operate its business. Union Dues increase by the percentage gained in the collective agreement and the increase in the ATU International Per Capita Tax each year. The increase is in conjunction with the date that members receive their wage increase.

This year the increase was delayed because the contract was not final until Mr. Burkett, the Arbitrator, rendered his decision on the contract. Union

Dues are to be paid retroactive to April 1st 2008 and the retroactive payments are made on the same pay that members receive their retroactive wages.

All members contribute \$5.00 per week to the ATU Local 113 Defence Fund in addition to the regular weekly dues payments. Once this fund reaches \$4 million dollars the contributions stop and start again when it falls below \$3 million dollars. This contribution remains constant and does not increase even though it is classified as union dues and is tax deductible.

**Les Moore**  
Secretary-Treasurer



The cost to the Local's Defence fund this contract was substantial due to strike pay and the Interest Arbitration, Legal and Administration costs.

All dues paying members receive a summary of their dues payments on their T4 form from the TTC.

On a go forward basis ATU Local 113 union dues will be \$18.10 per week which includes the \$5.00 Defence Fund contribution.

## New York bus driver stabbed to death over a transfer

Edwin Thomas, a 46 year old New York City Bus Operator was murdered on the job on December 1, 2008. Witnesses on the bus told police that a young man entered the bus and attempted to pay his fare by swiping an invalid MetroCard in the fare box two or three times. Even though the card was rejected, the man sat down without saying a word. Later, he approached Thomas and asked for a transfer. "You didn't even pay. Why should I give you a transfer?", Thomas said. Outraged, the man punched



**Edwin Thomas**

Thomas in the head twice before exiting the bus but immediately returned and stabbed him several times in the chest, then fled. Two male passengers chased the assailant but could not catch him. Other passengers tried to assist Thomas but he was pronounced dead by the time he arrived at the hospital.

The Transit Workers Union Local 100 immediately offered a \$12,000 reward in the case, which was matched by New York's Metropolitan Transit Authority (MTA) and the New York Police Department for a total of \$36,000. Less than 24 hours after the stabbing, police took into custody 20-year-old Horace Moore, who eventually confessed to the crime. He was charged with second-degree manslaughter. Moore had a long record as a juvenile offender and had previously spent time in custody.

Edwin Thomas had worked for the MTA for seven years. Co-workers described him as a hard worker who did a lot of overtime. He leaves behind an 18-year old son and a 16-year old daughter.

Upon hearing the news, Local 113 President Bob Kinnear called TWU Local 100 President Roger Toussaint to express his shock and concern. Kinnear, along with Secretary-Treasurer Les Moore and Executive Board member Ian Mackay went to New York to attend the funeral and to extend the condolences and solidarity of Local 113 members to Thomas's grieving union and family.

This was the first murder of an on-duty New York transit worker since 1981.



**Les Moore and Bob Kinnear in front of the hearse carrying Edwin's coffin. Nearly 1,000 attended the December 8 funeral in New York City.**

# Pension fund management a major responsibility

Paul Callaghan  
ABA Maintenance



We all go to work each day thinking of doing our job and returning home safely. We all think of our families and household needs. And we all

trust that our pension will be there at the end of our careers at the TTC. The issue of my pension was always there in the back of my mind, as it is in most members' minds, I am sure. As a new Director of our Pension Fund I want to share what I am learning with my fellow union members.

The directors have the "Fiduciary Responsibility" to ensure that every penny of pension you have earned is there for you to collect. The bar is raised high for us so that the pension fund is dealt with in a most professional way. We do have insurance but personal charges and fines are a possibility in the pension field, as it is highly regulated by the government, which is proper.

As directors, the daily market numbers and the constantly changing value of the Canadian dollar mean a great deal. One day the market has a large drop, then the next couple of days recovering some back, then back down again – a real roller coaster ride!

One of the key responsibilities of the directors is to choose the money managers who will invest our funds in various ways: stocks, bonds and real estate. Kevin Morton and I sit on the Investment Committee along with two directors from the Commission side.

Our role is to do the initial leg work and interviews of money managers or hedge fund managers and then report back to the full Board of Directors.

The learning curve of a Director is a steep one. There are many things to consider as you listen to presentations from money managers who would love the opportunity of investing your funds, maybe 100 million dollars or more into bonds, real estate or alternatives.

Part of the learning curve is the new terminology that is used in the business. The graphs of investment companies and the benchmarks which are plotted for comparison and investing purposes take time to read and understand. That's why it is important to attend the educational conferences, in order to learn more about the investment side of the pension world. Many other topics come up in these conferences such as legal responsibilities and understanding the different roles that bonds (long and short), stocks and commodities play in developing a more secure portfolio that



**The average TTC pensioner collects hundreds of thousands of dollars from the pension fund. With longer life spans and earlier retirement, there is a great demand on fund investments to perform well yet be safe. Good management of the fund is essential to ensure that all the promised benefits are there for every pensioner, now and in the future.**

grows in value with minimal risk. The Directors are always looking at ways to invest in alternatives to improve our fund. With the right alternatives, our returns will produce a better rate of return than our bonds.

I greatly appreciate my fellow Maintenance Board members filling in and carrying the ball forward on the grievances that are scheduled while I perform my duties as a Director. This Maintenance Board works well together and due to the high rate of grievances and arbitrations may not be able to spend as much time on the property as we would prefer. But we are always working for the best possible results for our members. In closing I would like to wish all our members a Happy Holiday season and all the best for the New Year.

## Government pensions part of your retirement income

In addition to your TTC pension, your retirement income will include your Canada Pension Plan (CPP) and, for most, the Old Age Security (OAS) Pension.

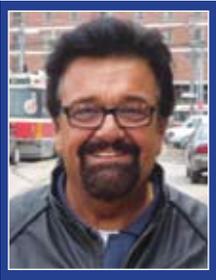
You and your employer contribute equal amounts into the CPP, up to a maximum that goes up slightly every year. When you retire at age 65, your Canada Pension is based on the number of years you contributed and your lifetime earnings. In 2008 the maximum monthly Canada Pension was \$885. You can retire as early as 60 and get Canada Pension but it will be a reduced amount.

The Old Age Security pension maximum monthly payment in 2008 was \$517. If your total income is over a certain level (about \$65,000 in 2008) your OAS pension is reduced proportionately. It disappears altogether if your net income is above \$105,000.

Both the CPP and OAS are fully indexed to the cost of living.

# Management will never understand that our members are the TTC's most valuable assets

Paul Prosser  
ABA Transportation



Remember back in 2000 making this statement during a Divisional presentation: "You are amazing people doing an amazing job

under impossible conditions!" Although true in 2000, it is certainly more to the point in 2008. Here's a list of just some of the conditions you have to endure:

- Drivers targeted for public abuse and humiliation because of poor scheduling, lack of equipment and an aging fleet. Drivers being both physically and verbally assaulted!
- Collectors being overworked under horrendous conditions. Bearing the brunt of public wrath every time there is a fare increase.
- Clerical understaffed and under constant management pressure.
- Wheel Trans Operators putting up with impossible schedules. Old worn

out equipment, being forced to work unwanted and unwarranted overtime on a daily basis.

- Wheel Trans dispatchers and reservationists being constantly pressured to provide rides and fix schedules without the equipment or personnel to satisfy either request.
- The Patton building, working in a prison-like environment, old equipment and, as everywhere else, constant unreasonable pressure.

The bottom line is you are great people doing a great job! So why doesn't your employer realize that you and you alone are their most valuable asset? All the Awards of Excellence, BST, etc mean nothing unless your employer buys into the fact that you are their most valuable asset! But they don't! Do you really need to be reminded that they believe drivers and other employees are addicts and drunks! What else am I led to believe when they want to randomly select individuals for urine and blood tests? Of course they would lead you to believe that only those that met the criteria would be tested! Now what the

hell does that mean? A manager is going to determine this and make a medical opinion on the fitness of an employee! Makes me think the old saying must be true: "Dummy to Doctor in 15 minutes."

The employer's harassment, over the sick and injured is ongoing! How many times are we waiting for much needed monies from SBA only to be rudely told it's under review and we need more information?

Better working conditions and a better working environment should be our mutual goals. So let us unite, for the fight that really counts!! Remember as a collective we will accomplish more when we fight and protest about the real problem: your employer, not your Union! In the next few years, never will the words "United We Stand and Divided We Fall" be truer.

It is indeed time for a change! Time to change our focus! Time to change our attitude!

Time to come together as one!

*I want to wish the Membership a safe and happy holiday season.*

## News Flash! Driving a Bus is Stressful!

"For a portrait of a driver in purgatory, consider urban bus drivers. Few drivers face as much traffic or are as affected by changes in their commuting schedule. The hassles they endure are legion, from the simpleton car drivers who accuse them—irony of ironies—of "causing" congestion to passengers yelling at them for being late. Despite the size of the buses they drive, they are struck by other vehicles at a higher rate than are passenger cars. And what happens to them? Studies

of bus drivers in various countries have shown they have more stress-related hormones in their system than other people—including *themselves* before they started driving for a living. The worse the traffic, the higher the hormones. Medical ailments send more than half of them into early retirement. No wonder Ralph Kramden of *The Honeymooners* was always so grouchy!" From the 2008 book **Traffic: Why We Drive the Way We Do (and What It Says About Us)** by Tom Vanderbilt.



The popular 1950s TV sitcom, *The Honeymooners*, featured Jackie Gleason as the chronically stressed-out bus driver Ralph Kramden. Audrey Meadows played his long-suffering but sometimes sarcastic wife Alice.

# Strike against world's largest private transit company ends in stalemate

Last April, the 170 Viva bus drivers in York Region joined Local 113. Negotiations for a first collective agreement dragged on throughout the summer, but not with York Region. The Viva bus system is operated by Veolia Transportation, the world's largest privately-owned transit corporation. (See box.) Viva usually runs 90 rapid-transit buses on five routes, including Yonge St. and Highway 7, with links to the TTC at Don Mills, Finch and Downsview stations.

Wages were a big issue. Viva rates were substantially lower than in Toronto,

doctor's certificate is standard in all other transit agreements in the GTA and major transit systems in Canada.

"Veolia's policy is to financially penalize sick workers unless they put a burden on the public health care system and risk infecting others while doing so," ATU 113 President Bob Kinnear publicly declared. "This unreasonable rule actually creates a public health hazard. It's either ignorant or shameful, Veolia can take their pick."

On September 20, a settlement was reached that was recommended by

in the benefits program, for which the workers paid 50% of the premiums. The premiums went up but the coverage seemed no better.

The strike dragged on for two weeks before another vote was held at the request of many members. This time the settlement was accepted but it is obvious that labour-management relations will be strained for some time to come at Veolia.

"The workers have made their point and will now return to work," announced Kinnear. "Unfortunately, the company's bully tactics are not going to help repair labour relations, which have been deteriorating for the last couple of years."

The negotiating committee consisted of Ana Hoffman and Kathy Devos with President Bob Kinnear and Executive Board members Frank Grimaldi and Rocco Signorile.



Picket lines for the first-ever VIVA bus strike went up at Finch Station, where other York Region bus lines (not on strike) connected with the TTC.

Brampton and Mississauga. Another issue was the split shifts of up to 14.5 hours a day, which meant virtually no home life for the workers. But the big stumbling block was the employer's refusal to allow paid sick days, even if the worker had a contagious condition, such as the flu. The employer insisted that workers must visit a doctor for a sickness certificate even for short-term illness.

A small annual allowance of paid sick days without the requirement for a

the committee. Among other things, it provided public sector standard wage increases and allowed for a small number of paid sick days over the three year contract, something the union planned to build on in future negotiations.

The members, however, rejected the settlement by 61% and a strike began on September 25. About 35,000 commuters who lived in York Region but worked in Toronto were affected. One of the things that helped trigger the strike was management's sudden unilateral change

## Veolia: They're Everywhere!

Veolia Transportation employs 72,000 workers worldwide and has transit operations in dozens of cities around the globe, on every continent, including Mumbai, Seoul, Paris, Madrid, Berlin, Stockholm, Warsaw, Boston, Denver, Las Vegas, Los Angeles, Miami, Phoenix, Pittsburgh, San Diego, Sydney, and many others.

The company is a division of the French-based multinational company Veolia Environment, a massive conglomerate that employs 300,000 people worldwide and had revenues of over \$50 billion last year. Veolia is also big in private water and waste management systems and is, naturally, a very aggressive promoter of the privatization of public services. Their only foothold in Canada is in York Region, one of the very few privately-run public transit systems in the country.

## ATU 113 member a Marathon Man

It's been only a year since he began running but Rick Ball has his sights set on breaking a world record at the 2009 Boston Marathon.

An ATU 113 member for the past 20 years, this TTC subway mechanic lost his left leg below the knee in a motorcycle accident in 1986 when a load of lumber fell off a truck and struck Rick, sending his motorcycle spinning out of control.

After his accident Rick took up cycling, "I found cycling never bothered my leg and that's how I got my fitness level up. So, when I started running, I was in pretty good shape," said Ball.

Last year, Ball started running after being fitted with a new high-tech carbon fiber prosthetic leg.

Ball says, "I can feel every pebble with this new leg so I had to learn how to walk and run on it."

Last year, Ball ran in his first marathon in Mississauga and qualified for the 2009 Boston Marathon in April with a time of 3 hours 17 minutes. However, Ball not only qualified for the prestigious marathon, he did so in the able-bodied division. Always looking for a challenge, Ball now wants to break the world record for amputee marathoners of 3 hours and 4 minutes currently held by American Amy Winters.

Running nearly 80km a week in preparation for next year's Boston Marathon, Ball doesn't let his passion interfere with spending time with his wife Stacey and their two young sons Brayden and Carter.

"I usually train in the morning when the kids are in school" said Ball.

He finished well up in the pack in October's Toronto Marathon while wearing an ATU ball cap and a decal of the 113 logo on his prosthetic leg. "I'm a proud ATU member," Rick declares. "Everyone has been very supportive, especially Bob Kinnear. I get a lot of positive reinforcement and support from my co-workers. People often come up to me and tell me that I have inspired them to take up running," said Ball.

To support his running, Rick has a number of corporate sponsors and hopes to become an ambassador for Ossur, makers of the high-tech orthopaedic devices that enable him to run.

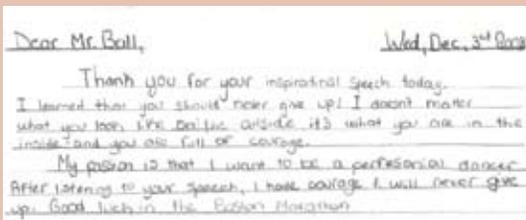
What are his plans after setting a world record? "I am planning to start doing sprints and short-distance running and my long term goal is to run in the Paralympics in 2012."

*You can see several short news clips about Rick. Go to [YouTube.com](http://YouTube.com) and search "Rick Ball."*



### Inspiring Kids to Pursue Their Dreams

Rick Ball has been nominated for Orillia Athlete of the Year and he makes the time to visit local schools to talk to kids about pursuing their dreams even if there are barriers to overcome. After his talks, he often gets notes from the kids, like the one from Sammi B, below.



**"Thank you for your inspirational speech today. I learned that you should never give up. It doesn't matter what you look like on the outside, it's what you are on the inside – and you are full of courage. My passion is that I want to be a professional dancer. After listening to your speech, I have courage. I will never give up. Good luck in the Boston Marathon."**

**Talk about bouncing back from adversity! Rick Ball lost his leg in a freak accident not of his causing. When he's not doing his job as a Subway Mechanic, he's training for the Boston Marathon 2009 where he hopes to set a new world record in his division**

## A leader who always stood up for the members



On Friday, October 24, 2008, many friends, family and old union colleagues of Charlie Johnson joined the Local 113 Executive Board at an east end church to say farewell to the President/Business Agent who led the union through several tumultuous years. There were eulogies that evoked both tears and smiles delivered by Local 113 President Bob Kinnear, retired Local 113 Executive Vice-President Paul McLaughlin, a very close friend of Charlie's, and retired ATU International President James LaSala, who made the trip to Toronto to honour "a great leader of working people." The Executive Board lined the steps into the church as Charlie's coffin entered and left, and he was saluted by a TTC Honour Guard on his way to his final resting place.

**Charlie Johnson finished his career as a Streetcar Operator after leading the union for many years.**



**Charlie with wife Marion, who was also born on Prince Edward Island.**



**Charlie Johnson leads ATU 113 members in the Labour Day Parade in the mid-1980's.**



**Local 113 Executive Board members line the church steps at Charlie's funeral.**

### Charlie Johnson Chronology

- 1930 – Born in Charlottetown, P.E.I.
- 1956 – Moved to Toronto with his wife, Marion, and joined the TTC as an Operator in the Eglinton Division.
- 1967 – Elected to the Executive Board.
- 1973 – Won election as Business Agent, which at the time was a separate position from President.
- 1977 – Elected as first Local 113 President/Business Agent.
- 1980 – Returns to the ranks after losing election to Dominic Bonazzo.
- 1983 – Regains top position in election and remains President/Business Agent until 1988.
- 1989 – Returns again to ranks as a Streetcar Operator in Roncesvalles Division after losing election to Ray Hutchinson. Retires soon afterwards.

### Speaking of Charlie...

*From eulogies at Charlie's funeral*

"He treated everybody with dignity and respect, even those who openly berated him on the shop floor or the Union Hall. He would just smile and either say, 'Well you're certainly entitled to you opinion' or he would move on to the next speaker."

*Paul McLaughlin*

*Former Executive Vice President  
ATU Local 113*

"Charlie was a totally reliable man of his word and he kept his cool during the most difficult and contentious of times. He was one of the very best local union presidents I have ever known, and a great friend as well."

*James LaSala*

*Former International President  
Amalgamated Transit Union*

"Charlie always stood up for the members no matter how unpopular it made him with the public, which is sometimes tough to do...I know I speak for all of your fellow members, Charlie when I say: Rest in Peace, brother. You've earned your place in our history and in our hearts."

*Bob Kinnear*

*President/Business Agent  
ATU Local 113*

# Charlie Johnson, the Pope and the Queen

In the long hot summer of 1984, the threat of a TTC strike could not have come at a more dramatic time. The CNE was on, Pope John Paul II was coming to town for a Mass at Downsview expected to draw half a million people, Queen Elizabeth was scheduled to visit two weeks after that, and the Gardiner Expressway was closed for repairs.

But a strike seemed inevitable. The Conservative government of Bill Davis had declared that public sector wage settlements must be capped at 5% per year. The members wanted 7% to match the inflation rate. On top of that, a big issue was the plan by GO Transit to replace Local 113 member drivers with fewer employees who would be paid less. This would mean that about 230 members employed by the TTC subsidiary Gray Coach to drive GO transit vehicles could lose their jobs.

The TTC's final offer was rejected by the members on July 25 and a strike date of August 13 was established. Mediation produced an acceptable deal on the GO Transit issue but there was no movement on the 5%. Johnson and the Executive Board recommended

the settlement as the best they were going to get in the circumstances. The province would not budge on the 5%, Johnson said, because there were hundreds of thousands of other public sector workers coming to the table over the next few months. On August 15, however, the new deal was rejected by 52% of the members and a new strike date was set for September 12, just two days before the much anticipated Papal visit.

In an unprecedented move, Ontario's Minister of Labour Russell Ramsay demanded that a second ratification vote be taken, arguing that due to a turnout of only 75% of members, only about 37% of the entire Local 113 membership actually voted to reject the contract.

With the pressure from the Premier and Cardinal Carter, who was appealing to avoid the worldwide embarrassment that would result from a transit strike during the Papal visit, Johnson publicly declared that "this is not the year for a showdown." Charlie knew that Davis would not hesitate to end the strike with legislation and feared that an arbitrated settlement might be worse

than what they had. He also worried that public anger over the union's disrupting visits of both the Pope and the Queen would take years to subside. The members did not agree, though, and the second vote, on August 22, saw exactly the same result – 52% against.

Rather than wait for the strike, Premier Davis recalled the Legislature for a special session that outlawed a strike and forced the dispute between the TTC and Local 113 to final and binding arbitration. The Papal and Royal visits proceeded as planned. The arbitration award was nearly identical to the rejected settlement.

## Charlie Johnson quotes during the 1984 dispute

"I feel sorry for the public but I am paid to represent the members of my union, and if that means going on strike now or somewhere down the road then that's what I'll do."

"The membership has spoken. Now I'm going to follow their wishes."

"The membership is extremely upset and they are justified. They are saying to hell with Davis, we want more money. They've said 'we don't give a damn, we are going to strike'."

"I fought then and I'm still prepared to lead the members in a fight, but I get cautious when the government has all its guns pointed at us."

"Union politics being what they are, the popular position is to reject the offer and say we deserve more. We do deserve more, but this is not the year for a showdown."

## TTC strike now set for 2 days before Pope's visit

By Bill Walker Toronto Star

At a stormy union meeting yesterday, about 600 Toronto Transit Commission workers voted to change the date of their planned strike to Sept. 12 — two days before Pope John Paul II arrives in Toronto.

With about 500,000 people expected to use public transportation to go to the Downsview Mass on Sept. 13, a transit strike could jeopardize the entire event.

### Crimes down but violence up across Ontario

The transit workers' move came four days before a second vote — requested by Labor Minister Russ Ramsay — on a tentative contract, a contract that union members have already rejected by a 52 per cent margin. A strike now appears certain.



Although he disagreed with the 52% of members who voted to strike right before a Papal and Royal visit, Charlie said it would happen because "the members have spoken." The government sent the dispute to arbitration, outlawing any strike.

# 2008 SETTLEMENT HIGHLIGHTS

The 2008 Negotiations/Settlement/Rejection/Strike/Legislation/Arbitration saga will be yet another chapter in the long and often controversial history of our union. Here are the highlights of the end result.

## WAGES

### General Wage Increase for all members

3% per year, compounded, effective April 1st of each year.

*What does that mean in "new money?"* Based on a 40-hour work week at the average TTC rate, the amount of new money will be: Year 1: **\$1664**; Year 2: **\$3370**; Year 3: **\$5117**; Total for the 3-year contract: **\$10,151**. Add **\$5117** more for every year after that. So, if you are 20 years from retirement, the total new money from this settlement is close to **\$100,000**. That doesn't include any future negotiated wage increases. And your pension will be increased proportionately. The above amounts do not include Overtime, Shift Premiums, Job Evaluation or "GTA Clause" adjustments, if made.

### Shift Premium

Increase current shift premium from \$.52 per hour to \$.75 per hour. (44% increase.)

### Wage Progression

Reduce current wage progression from 30 to 24 months. (Worth thousands of dollars to newer members)



## CLERICAL/CHECKER/REVENUE

### Clerical Regulation Updates

- Amend "Filling of Vacancies" to reflect agreement regarding System Seniority Transfers
- Overtime when a Clerk transfers from one Division to another



### Traffic Checkers Agreement

New Article in Collective Agreement. Highlights:

- Requirement to complete counts and hand in within three working days
- New Overtime Regulations for clarity in overtime assignment
- Increased mileage allowance & Off-Day calendar

### Revenue Operations

- overtime, vacation selection and work selection based on Commission seniority
- protection for grandfathered positions from any Transportation Master Sign-Up or Mini-Bump
- one week job rotation for all positions within the Processing Section

### Contract expires March 31, 2011.

During the government-imposed mediation talks, the TTC argued for a four-year term, saying it would bring more "stability" to labour relations. They offered a 3% wage increase for the 2011-2012 period, plus minor benefit improvements. The union was adamantly opposed to the extra year and won that argument.

## BENEFITS

### Dental

- Restorative - \$1,000 to \$2,500
- Implants - \$2,500 rolling five year period
- Orthodontic - \$3,000 to \$4,000  
Active members now included

January 1, 2009

### Vision

- Vision or Laser Eye Surgery - \$275 to \$300
- \$50 for Routine Eye Exam up to once 2 years

### Physiotherapy/Chiropractic

- Increase from \$800 to \$1,000
- Chiro cap per visit - \$15 to \$35

### Insulin Pumps

- \$5,000 to \$6,600

January 1, 2009



## MAINTENANCE

### Skilled Trade Allowance

Increase current skilled trade allowance from \$.10 to \$.35 for each regular hour paid.

### Seniority

- Maintenance Employees now permitted to transfer to Operators' Group.
- Definition of Established Vacancy at Section 7.3 broadened to include As Per Schedule ("APS"), Various, Swing, and Duncan Pool shifts, off-days, and location

### Contracting Out

Increase the penalty from \$5000 to \$10000 and permit the Union an additional meeting to discuss reasonable suggested alternatives to contracting out work. Grant the Union access to additional information regarding contracts through the Commission's Materials and Procurement tender website.

### Vacations

- Increase single day vacations to maximum of 3 weeks for employees with 4 or more weeks of vacation and a maximum of 2 weeks for those with 3 weeks of vacation or less.
- Half day vacations (Trial basis, with some limitations)

### Janitor and Servicepersons Hours of Work

- Day shift Janitors: 7am to 3:30pm
- Afternoon Shift Janitors: 3pm to 11:30pm
- Night Shift Servicepersons: 10:30pm to 7:00am (Applies to Cost Centres 744 and 745, with some limitations)

### Increases in Safety Footwear and Clothing Allowances

**NOTE: There are many more items in the settlement and this summary is not the official contract language. For the full text of the settlement, go to the union's website, WeMoveToronto.ca.**



## OTHER

### WSIB Top-up

Top-up to the WSIB loss of earnings benefit if employee was injured while performing regular duties, the workplace incident is an unforeseen, extraordinary event and the employee's application for loss of earning benefits was approved by the WSIB. The top-up will be 7% of net average earnings as determined by the WSIB. Top up subject to regular deductions. WSIB Review Board (3 ATU, 3 TTC) to determine entitlement, with arbitration option if no agreement.

### Supervisors Not To Perform Bargaining Unit Work

Bargaining unit work will only be performed by bargaining unit employees unless otherwise agreed in writing by the parties or to prevent imminent harm to employees, the public or Commission property.

### No Contracting Out

The Commission will not initiate any contracting out of Wheel Trans, bus, SRT, streetcar or subway service during the term of the current collective agreement unless otherwise agreed by the parties.

### Religious Holiday Accommodation

Employees entitled to a leave of absence without pay on the day of religious observance, with some conditions, including 10-days' notice.



## OPERATOR/COLLECTORS

### GTA Clause

TTC Operators will receive the highest average hourly wage rate in the GTA (GTA: GO Transit, Mississauga Transit, York Region Transit, Durham Transit and Brampton Transit) from the time of the award to March 31, 2011. TTC Operators will receive \$.05 more on a hourly basis than the highest paid property in the GTA during this period.

### Job Evaluation

Complete the Operator/Collector job evaluation arbitration hearings by December 31, 2009.

### Collectors Shortage Allowance

Increase shortage allowance to \$617.00.



## WHEEL-TRANS

### Modal Split

Bus/Cab ratio 50.1% between January 1, 2010

### Reporting and Signing-In Allowance

15 minutes reporting time and 10 minutes signing-in time

### Hours of Work and Shift Schedules

Shifts will not exceed 13 hours, 20 minutes. Shifts commence at the garage and exclude report and sign-in allowances.



# Rocco's hair loss a win for United Way and Meagan's Walk



**GOING....** Hair stylist Pino Pelesca made a "house call" to Roncy to do the deed, braiding Rocco's hair before the big snip.



**GOING....** Fellow Board member Frank Grimaldi made an additional contribution for the privilege of cutting one of the braids.



**GONE....** As the final cut was made, ABA Transportation Paul Prosser cracked "I'll bet there's a tattoo on his scalp that says 'Union Made!'"



## The \$5000 Haircut

Denise Bebenek hugs Board Member Roncesvalles/Russell/Wheel-Trans/Veolia Rocco Signorile, who raised \$5000 from many generous sponsors (who also wanted to see what he looked like without his signature black mane.) Denise is the mother of Meagan Bebenek (inset), a vivacious and courageous 5-year-old who died of brain cancer at the Hospital for Sick Children in 2001. The following year, Denise organized the first annual Mother's Day 5-kilometre Meagan's Walk, which has raised to date over \$1.3 million dollars to support research into this number one cause of cancerous deaths in children. Half of the money raised from Rocco's haircut at the Roncesvalles Division went to the Meagan's Walk charity, the other half to the United Way. Thanks to all the members who contributed.

# Concrete pour no longer contracted out



Prior to 2005, when resurfacing any yards or loops, the TTC would contract out the entire job. Contractors were doing excavating and all three pours. The union made it an issue in the 2005 negotiations and as a result, we won the vital part of these projects. Local 113 members have efficiently done several streetcar way sections, including this one at Hillcrest. Thousands of hours of work have gone to our members instead of contractors. Left: Streetcar Way Track Welder Danny Bavero on the job.



**Phil Quibell**  
**Eglinton/Bloor-Danforth**  
**Subway**

**L**eadership. It's tough whether you're the leader of a country or a union.

Unless there is strong support with brothers and sisters and elected peers flanking you to be there through hard times, even the easiest thing can be the hardest to get done.

Our local has been through tough times recently. There are those who would rather mislead than lead and undermine what we would try and accomplish. To those people I would say if you can do a better job then step up to the plate and take on that leadership role.

Let me put the cards on the table. If the second of the command of any entity does not follow the direction of the leadership, there is only one credible thing to do. That is to take over the leadership or step down.

I know this is a strong statement but I'm tired of people who call themselves good union supporters but in fact are putting their own personal political agenda ahead of the best interests of the membership.

I would hope that as we move forward and we deal with these problems we can rebuild our stature in the community and the local.

We are a strong union. Never lose sight of that because united we stand, divided we fall.

That's just my ten cents worth.



**Jim Boyle**  
**Birchmount/Malvern**

**A**s operators we deal with fare disputes, equipment failures, emergencies, accidents and conflicts between passengers. We act as community watchers and other issues, all in a day's work. This is plenty of responsibility to bear and it is a bad idea to add to our stress by fighting with one another. It is alarm-

ing to hear a large number of operators are trying to resolve personal issues with other operators and then being disciplined for it. Violence and harassment is a serious matter at the TTC – and it should be. Everyone has the right to a harassment-free workplace. If you lose your head and take out your anger on another employee, it could cost you your job.

When working on a line together, accountability, credibility and teamwork live together. If you have a problem with another employee or operator, please do not approach them. Contact your Shop Steward or Board Member and explain the situation. Remember: United We Stand, Divided We Fall. At this time of year, you often hear the phrase: "Peace on Earth." That's a lot to hope for but let's at least have peace among ourselves in all the Divisions.

Wishing you and your family a Happy Holiday and a safe, healthy, prosperous New Year.



**Frank Grimaldi**  
**Arrow Road/Queensway/**  
**Mount Dennis/Operator-**  
**Collector – Job Evaluation**

**I** will always remember 2008 as the Year of Turmoil. We had two contract negotiations (TTC and VIVA), two recommended settlements, two strikes and two agreements that were finally confirmed.

The most disappointing event of this year was the two day strike at TTC. Your Negotiating Committee worked very hard to achieve the best possible contract short of a strike. Some people in this Local spent the majority of their time spreading destructive rumours in order to create chaos and achieve their goals. These rumours and lies were actually put in writing and created dissension and mistrust among our members.

I ask all our hard working men and women to assess what is being said, look at who is saying it and make your own judgment. If you need more information call your Board Members and get the right answers and explanations. After all, you do pay them good money!

It's a sad day when our members are misled to the point where the actions taken result in delayed wage increases and benefit improvements as well as handing our future to a third party.

Remember that the people you have elected to represent you are accountable to you every three years. It is then that you can either show support or vote to effect changes.

I have personally taken many inquiries from members at Queensway and Arrow as well as members from other Transportation divisions as well as Maintenance. When provided with the right information, I have great faith in the judgment of our members. The Truth always speaks for itself.

I thank all of Transit Workers 113 members for being vigilant when it comes to the business of Your Local.

You do, however, Deserve Better!!



**Bill Chrisp**  
**At-Large Maintenance**

**I**f you are reading this article it is more than likely that you are one of the 3,200 maintenance employees at the TTC. If that's true it is also likely the case that since you were hired you have worked midnight shifts, statutory holidays, emergency overtime, shifts with mid-week off days, and have

been required to take non prime time vacation. You have worked hard and you have performed physically and mentally demanding or dangerous work. You have improved your technical skills over the years and taken endless internal and external training. Many of you will have bid for and risen to the challenge of higher wage rate positions. You have mentored junior employees, assisted co-workers and made employee suggestions for improving the workplace without being requested to do so and without any recognition. Many of you have been injured on the job and some of you have suffered permanent injuries. A few extraordinary workers among you will have taken time out of your lives to act as Local 113

shop stewards to safeguard the interests of your fellow union brothers and sisters.

All the while you were giving your best in your jobs you could feel heartened to know that, as part of the Maintenance Department, your contribution at the TTC mattered. You knew you were helping to keep the TTC the most efficient transit system in North America. Without you there would be no system.

So why then is TTC management blind to your value and contribution and treating you with disdain? Let me give you just three examples:

First, as the Board Member at Large, I have seen a disturbing trend of TTC managers at all maintenance locations picking-on, bullying, harassing and discriminating against our members. When the Union acts on this information, the TTC invariably denies any wrongdoing or even more outrageously defends their behaviour as simply “managing the workforce.”

Second, do you recall in the late 1990’s when the TTC created an aggressive attendance management program which was really a campaign designed to bully and harass sick and disabled employees to come back to work before they were medically able? The Union challenged the TTC’s practice and effectively dismantled their unlawful program. The TTC is now at it again and has advised that they will be utilizing field nurses to “encourage” (code for “harass”) sick employees while they are trying to recover at home.

Third, as you all know, the TTC has recently vilified maintenance employees in the media with statements suggesting there is a serious drug and alcohol problem on property. Their recommendation is to implement drug and alcohol testing and override your constitutional rights. Training is already under way for supervisors to essentially become drug and alcohol sniffing dogs.

So is there anything YOU can do about the way management is choosing to mismanage and vilify you? The answer is contained in the old catchphrase “united we stand, divided we fall.” There is strength in numbers. Unlike non-unionized workers who must fear for their job security every day, you do not have to be bullied by management and suffer in silence. You also don’t have to stand silently by when you see your fellow co-workers being mistreated.

Every day you go to work take a stand against management mistreatment. Attend union meetings and share your stories and voice your concerns. Talk to your shop steward, complain to your local politician, write letters to the editor, be bold and have a grievance filed about your treatment, take notes of bad behaviour displayed by management.

You deserve to be treated with dignity and respect and honoured and valued for the hard work you do. While the TTC seems fixated on denigrating you, never forget that you are an elite maintenance group and the entire Maintenance Board recognizes the efforts you make. The TTC would literally stop running without you. You know the same cannot be said about middle management, particularly when they have time to spend their working hours harassing their workforce and acting “Scrooge-like” as we enter this holiday season.

Speaking of the holidays, I look forward to seeing some if not all of you in December to extend my wishes to you and your family for a safe and happy holiday season. To those of you who I may miss in my travels to various locations, I would like to take this opportunity now to extend this very same greeting.



## **Pino D'Armiento** ***Plant Department***

This being contract year was a challenge that I took with great seriousness and responsibility. I am proud to represent the Maintenance department. In my 21 years in Maintenance I have had the pleasure of working in many areas of maintenance, on all shifts, and off days. We are a

strong and united group.

In our new contract we were successful in bringing back the old start times for janitors. The contract now reflects and honours the start of shift for reasons such as work productivity and family reasons.

In the track areas, we continue to fight the issue of day positions, off days, and shifts. It is important to remind the company of the importance of day positions and the benefits it offers.

The Contracting out battle continues. Thanks to our front line shop stewards and all the members who continue to keep us informed on the contracting out issues. We have been successful on many fronts, we will not give up.

The job evaluation process and job descriptions are currently in discussions with the company. It is important to ensure that the job evaluation process is kept updated so that it correctly reflects the duties and responsibilities of each job.

I encourage all members who would like to upgrade their education, to take advantage of the GED grade 12 courses offered by the company. This is a good way to broaden your job opportunities.

All your concerns are taken seriously. I invite you to remain in full communications with your union representatives. We need all our union brothers and sisters to keep us informed as to what is happening on the lines.

Union meetings are an ideal place for you express your concerns and comments. I have noticed a growing number of you who are coming out to Union meetings. This is encouraging to us as we are here to represent you the member. We must all remember that all of us combined are ATU Local 113.

I continue to represent you to the best of my abilities. United we stand.

**Got an issue you think the union as a whole should be addressing? Come to a Membership Meeting and have your say. Get answers from the Executive. We are a democratic union.**



**William Fowlie**  
**Equipment "E"**

The Mount Dennis garage opened for business on November 23, 2008. This is now the TTC's eighth bus operating garage (including Lakeshore). Brother Frank Grimaldi, Executive Board Member Transportation Arrow Road/Queensway/Mount Dennis and myself are looking forward to working

for all the new hires in both Transportation and Maintenance) and educating them on their rights, benefits and the Union's expectation of "solidarity". Mount Dennis is located off Black Creek in the West end. If you are interested in going to see Mount Dennis, contact myself or Superintendent Ken Titley for arrangements.

Negotiations on the recent contract was a difficult and frustrating process. Sixty five percent of our members rejected the offer. We then proceeded to mediation/arbitration. The Executive and the Local's Counsel, Mr. Ian Fellows, put strong arguments forward to the Arbitrator. The Commission also put forward strong arguments, one being if the rejected offer was ALTERED they would want a fourth year attached. Mr. Fellows did a tremendous job in arguing that in no way was the Local was interested in the fourth year. The Arbitrator's award was favourable. Skilled trade premium went from 25 to 35 cents but more important was the Warranty Language (Job Security). We, the Maintenance Executive Board, are satisfied with the gains made from the Arbitrator's decision. For more information on what the Executive Board negotiated, go to the Local's website WeMoveToronto.ca.

From the Fowlie family to all our union brothers and sisters, have a happy and safe holiday season and all the best for 2009.



**Clarke Smith**  
**Collectors/Clerical/TCT**  
**Wheel-Trans Admin Revenue/**  
**Service Planning**

Human Rights are the most important things that I have had to deal with since becoming a Board Member. I have had to deal with a Human Rights issue in each department that I represent and every time it is usually an innocent

comment that has been made by someone while working and they have not even realized that they have said it until they are called into the office.

The TTC is very aware of the Human Rights Code and seems to be their most important issue. Every time an employee is called into the office, the Respect and Dignity pamphlet is produced and a warning is given to the employee. Please be careful of anything that you say because it could be taken out of context or it could simply offend your brother or sister.

Comments that were ok five to ten years ago are no longer to be said in the workplace. A simple joke or a comment about someone that has already been talked about could get you in the office so it's better not to say anything. I know this makes for a boring day but it seems to be the way of life in today's workplace.



**Ian Mackay**  
**Wilson Bus/Subway**

I would like to take this opportunity to say how proud I am to represent the operators at the Wilson Bus/Subway Division. My shop stewards Frank Malta and Dimitri Gazes and myself are always more than willing to assist you. So please don't hesitate to call.

As you are all aware, we have just concluded arbitration on the contract that was rejected.

I believe that the maintenance board rejected the contract on issues that could have and should have been resolved in negotiations by them. Politics was involved in an attempt to make our President look bad – Unsuccessfully!

We survived arbitration in a good position, keeping the GTA clause ensures that the hardest working transit workers in the GTA –YOU– will be paid what you deserve.

You should be proud of your position and the work you do and now you can always be assured that you will be paid accordingly.

To bring you up to date on the speed control situation, I was recently on a fact finding trip to check speed control on other subway properties. The company is already testing speed control on the Sheppard line and it seems to be the direction the TTC is heading towards. Phil Quibell, board member for Bloor/Danforth subway and myself are closely monitoring the situation to ensure that your interests are being looked after.

Once again, thank you for your continued support



**Rocco Signorile**  
**Roncesvalles/Russell/**  
**Wheel Trans/Veolia**

Spitting the single most disgusting Sact perpetrated on our members on a fairly frequent basis. The majority of these incidents are a result of fare disputes.

I know members take a lot of pride in doing their job one of which includes collecting fares, far be it for me to tell you not to collect fares because I myself was a tough fare collector.

However over the past few years it seems to be almost common place that this type of assault is happening and what makes it worse is who knows what diseases some of these cowards are carrying.

One of my members had been spat at and some contact was made in the mouth, the coward was apprehended and turned out they were HIV positive. As a result my member had to take some tests just to make sure he didn't catch the disease. Imagine coming home to your family and telling them that news.

There is also the chance of catching innumerable diseases from hepatitis to the flu all this for a fare.

A fare based on a structure that the TTC is watered down to the point of non existence.

My streetcar divisions are the perfect examples. You have the POP system on Queen Street from 7am to 7 pm, if you think passengers adhere to that rule you're crazy and who do they

take it out on when the driver doesn't open the door? Who else!  
On St. Clair you have 2 hour transfers that you might as well call day passes, as soon as a driver questions the transfer: conflict.

The so-called assault task force determined that they use discretion at busy school pick up stops when asking for student cards, well duh why issue student cards if you can't ask for them. Meanwhile students are more apt to spit at a driver when stopped.

I can go on, my point in all this is in many cases when one of the above scenarios occurs it can result in a spitting incident and therefore an exposure to disease and humiliation.

So don't do it!

Like I said before far be it from me to ask drivers to be less diligent at collecting fares. I was just as stringent as the next guy, all I'm saying is as these types of assaults are increasing and the types of disease we can be exposed to increases as well, is it worth it?

You're a fare advisor NOT a fare enforcer.

P.S. the TTC does not consider a spitting assault as a Priority 1 Assault, go figure.



## Scott Gordon Equipment "E"

After putting behind us a tough ride through the recently settled contract we can now focus on the main task of improving our working conditions. Although there are several areas that require improvement, I would like to focus on the issues that seem to be creating the most conflict to our members.

The TTC has recently set their focus on safety in the workplace and hired a group known as BST. Although their intentions are good it would seem that all their attention is focused on making this transition work while forgetting that there are several other contributing factors in the workplace that have a direct effect on our members, their attitudes, and the way they perform their daily tasks. I believe, at this point in time, that the two biggest contributing factors in the workplace that affect the way our members perform their duties are MANPOWER and SENIORITY.

Manpower has always been an issue on the shop floor at the TTC as they continue to look for ways to reduce costs at the expense of putting forth the excellent product that our Members are capable of producing. A key contributing factor is their lack of backfilling vacant positions which in turn causes their staff to panic, cut corners, and **'do whatever they have to'** to get service out on time. It's at this point they go to our members and start cutting **'deals'** that of which will allow them to **'get by'** and maintain service at the expense of our valuable jobs! It is imperative that we, the membership, understand that when we cut deals for short term gain **we all suffer** in the end.

Superseding seniority is one of the resolutions they seem to be using more often to offset their manpower situations. We have worked years at creating and maintaining seniority and the TTC tends to ignore the fact that it's the key link to any Union. They seem to share the view 'it gets in the way of our right to manage'. They continue to shuffle manpower with no regard to seniority. It is the Union's position that if they are not willing to call in the appropriate manpower to fulfill a shift and perform

the work as scheduled then at least let us have some input as to how we will handle these delicate situations instead of **'do it and grieve it'** the most detrimental term to a union member which leads directly to animosity and ultimately poor and unsafe working conditions. There has to be **'A BETTER WAY'**.

We must remain focused and utilize our resources to educate those around us who are new or have become complacent as to the end result of the decisions we make on a daily basis.  
**YOU are the Union and YOU can make a difference!**

On a happier note, I would like to take this opportunity to wish all of you and your families all the best over the holiday season.



## Bill Merlin Hillcrest

Arbitration as such, it may be perceived as the culminating step of a more general procedure commonly known as the grievance procedure, which entails discussions between the Company and the Union with a view to their negotiation of a settlement of the dispute. Those differences which are not settled by

negotiation are ultimately subject to an authoritative final decision, not as in society at large by the courts, but rather by an arbitrator. In much the same way as in the judicial process, the arbitrator in this context adjudicates upon specific, concrete disputes which he resolves by applying the legal regime established by the collective agreement to the facts which he finds on the basis of the evidence and arguments presented to him.

This is a view of one article of our collective agreement under Administration of Discipline..

"The commission may impose the specific penalty of discharge for any of the following offences.

- a) Theft from the commission: save and except theft of goods having a nominal value.
- b) Consuming an intoxicating beverage, or drug for other than medical purpose, while on duty.
- c) Being impaired while on duty by reason of consumption of an intoxicating beverage, or drug for other than medical purpose.
- d) Being in possession of an intoxicating beverage, or drug for other than medical purpose, while on duty."

This article followed: **Arbitration**

The arbitrator shall not be entitled to make any decision inconsistent with the provision of this agreement, nor to alter, modify, add to or amend any part of this agreement.

The Executive Board of Local 113 methodically discusses all Grievances brought before it, for consideration for arbitration. The Board has a responsibility to the member and also, accountability to the general membership.

When a member is accused of violating a specific penalty clause and the Company has substantial information to corroborate their case, at times the member may have admitted to the violation. All this must be taken into careful consideration, before rendering a decision. The final conclusion is made in the most democratic fashion through the membership, who holds the say. An objectionable ruling will not only affect the member concerned, it can have a lasting affect on membership long after the arbitration is decided. A typical arbitration costs between \$20-\$25,000, so the decision to proceed is no small matter.

*Along with pictures of the ATU in the 2008 Parade we present a brief history of Labour Day itself.*

The North American Labour Day Parade tradition began in Toronto in the spring of 1882. A U.S. union leader – Peter J. McGuire, co-founder of the American Federation of Labour – was invited to Toronto to speak at that first parade. He took the idea back with him and New York held its first Labor Day Parade in September 1882. The idea spread quickly.



As far back as the 1850s, many cities had organizations called “Eight Hour Leagues” that lobbied for laws for shorter hours. They even had a stirring song that opened every meeting: “Eight hours for work, eight hours for rest, eight hours for what we will!” was the oft-repeated chorus. League meetings became the soil in which many unions germinated and League picnics became annual traditions. In 1886, the newly-formed American Federation of Labour (in Canada, the Trades and Labour Congress) adopted the 8-hour day as its primary objective and the Leagues gradually withered away. The idea of a summer get-together survived.



After a Royal Commission was appointed in 1889 to investigate wretched working conditions in Canada, the government of 4th Prime Minister John Thompson (ever heard of him?) established Labour Day as a national public holiday in 1894. Although this gesture was appreciated by labour, it was the *only* recommendation of the Royal Commission that the Tories adopted. What a surprise.



When the Tories established Labour Day, the Liberal newspaper *The Globe* (today's *Globe and Mail*) didn't like the whole idea. From an editorial:

"The establishment of this holiday...is recognition of a working class as a distinct element of the community. Recognition as a distinct and separate working class, having a legal holiday on their own, is certainly opposed to the democratic spirit in Canada".

The *Globe* of that day also opposed the vote for women, child labour laws, workers' compensation, immigration, and, of course, unions.



**ABOVE:** In their Sunday best, people flocked to Queen Street to see the Toronto Labour Day Parade in its early days. From the women's clothes, this picture appears to be from about 1900. ATU 113 was founded in 1899.





**Thanks from a grateful passenger**

*The union recently received the following email:*

I want to offer a belated but heartfelt thanks to the diligent driver who returned a bag I left on a TTC bus. On Saturday, September 26 at about 11 a.m. I took the Bay 6 bus southbound and got off at Wellesley. Shortly afterwards, I realized I must have left a bag on the bus containing a book, prescription and a \$50 gift card inside. Since I knew the bus would eventually return northbound, I waited at a bus stop and checked all the buses along the route. All the drivers were polite, patient and helpful. One offered to put a call out to the buses on the route and the driver of bus 7900 put my bag aside. I was thrilled and relieved to get my items back within 45 minutes, with everything intact. I thought my mistake would cost me time and money in replacing the items, but thanks to an alert TTC driver, my day had a happy ending.

*Maryanna Lewyckyj*

*Editor's note: We thanked Maryanna for taking the time to convey her gratitude for the helpfulness and politeness of our members. Would the Operator of Bus 7900 on that day and time please come forward?*

**Giant-sized recognition of ATU 113**



For the third year in a row, ATU 113 has been one of the most generous sponsors of the Toronto Argos Stop the Violence Foundation. The Foundation is dedicated to reducing violence and encouraging positive choices among the youth in our community by providing education, awareness and mentorship programs. At an Argos game at the Rogers Centre, the generosity of the union is acknowledged by the stadium announcer as the message above was displayed on the Jumbotron.

**City Councillor leads neighbourhood recovery effort after propane plant explosion near ATU 113 office**

In the early morning of Sunday, August 10, 2008, the Sunrise Propane plant just three blocks from the ATU 113 office suddenly exploded in a ball of fire. Thousands of residents were evacuated. Two weeks later, the popular Toronto Councillor for the area, Maria Augimeri, (centre), led a walk through the community involving firefighters, police and emergency medical service personnel so that the residents could meet and thank these first responders. Several Local 113 members joined the walk and met some of the union's neighbours.



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