



RUN RICK!
Rick Ball to
Paralympics
in London. **2**



BIG RALLY!
Stop the Ford
Crazy Train
says ATU. **17**

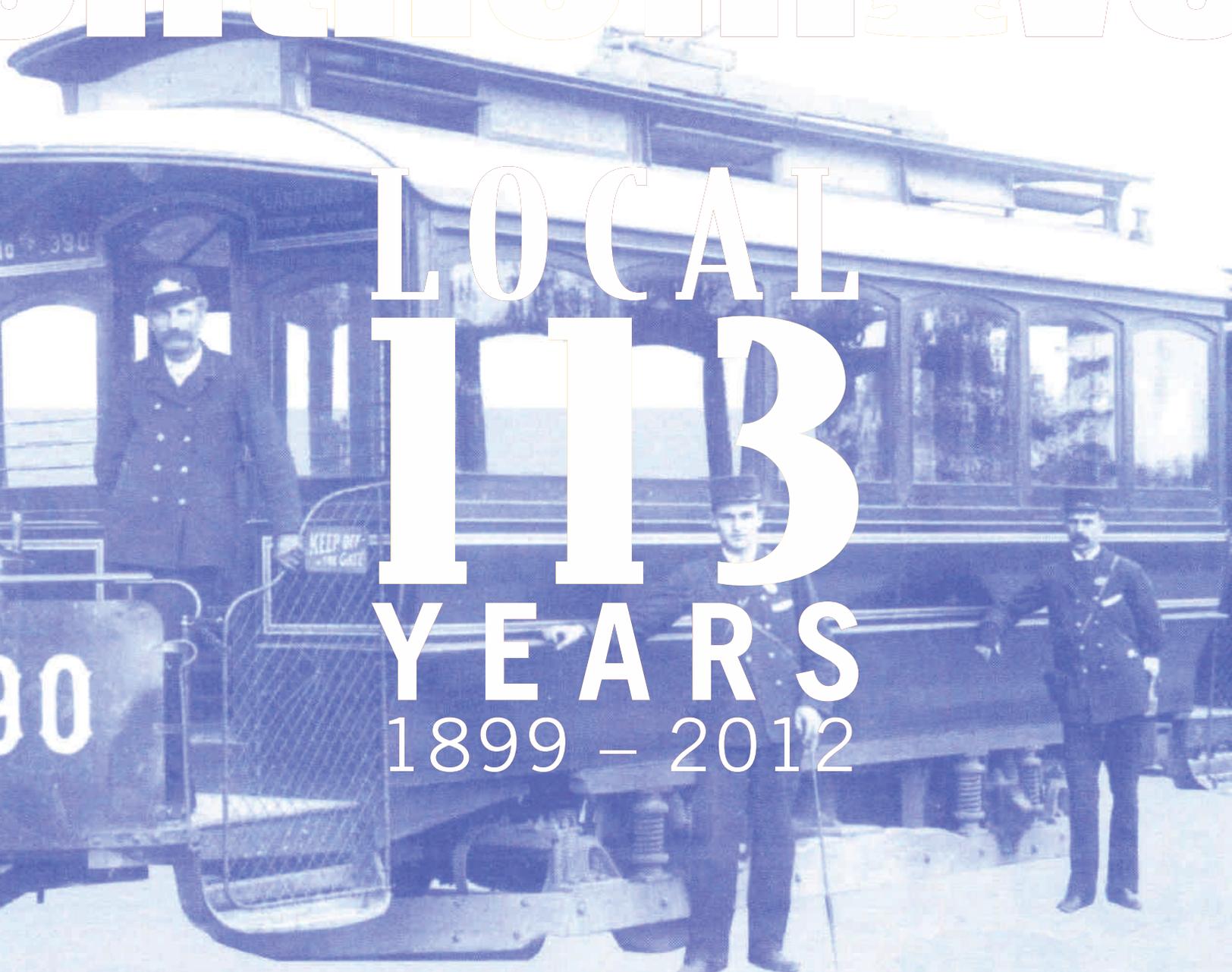


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win our longest
strike ever. **18**



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On the move



LOCAL 113 YEARS 1899 – 2012

After two brave but unsuccessful attempts to organize Toronto's transit workers in the 1890's, Division 113 of the Amalgamated Street Railway Employees was finally – and firmly – established in 1899. Through good times and bad, we have stuck together, sometimes struck together, and grown together with the great city we serve.

ATU MEMBERS IN THE NEWS

Unstoppable Rick Ball on Team Canada for the 2012 London Paralympic Games



Rick Ball with his Parasport 2011 Ontario Male Athlete of the Year award.

Local 113 Member Rick Ball had an unforgettable 2011 as he prepared for the 2012 London Paralympics that will begin in late August. The 46-year-old Subway Mechanic first gained international fame in 2009 when he ran the Boston Marathon in a record-breaking time for single-leg amputees: 3:01:50. The following year he shaved over four minutes off in Ottawa to set a new world record of 2:57:47. He also holds the world records in his class for the half-marathon and 10K runs.

Last year Rick made the rare transition from long-distance runner to sprinter and represented Canada at the 2011 Para Pan-American Games in Mexico. He did not win a medal in his debut in the 400 and 200-metre races at those games but received 'elite' status as a carded athlete through 2012 by Athletics Canada and was named 2011 Ontario Parasport Male Athlete of the Year, one of many awards and recognitions he has received.

Rick is a major sports celebrity in the Caribbean twin-island nation of Antigua and Barbuda, where he headlined last November's Trans-Antigua half-marathon and is helping the tiny country establish its own paralympic program. As he often has in his hometown of Orillia and many other places, Rick has given a lot of time speaking to Antiguan children and has inspired several disabled youth to take up athletics and never give up on their dreams.

"I am deeply indebted to Bob Kinnear and all my brothers and sisters in Local 113 for their tremendous support," Rick has said many times to many people. "They were behind me 100% when I first started competing, before Boston, before everything. I never would have come this far without them, not even close."

on the move

March 2012

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TTC's woes clearly not the fault of workers, but we get blamed anyway. Can this mess be turned around?

Bob Kinnear
President



As I write this, Gary Webster has just been fired as TTC Chief General Manager by Ford loyalists on the Commission. What happens now is anyone's guess but it is not likely to be pretty.

Everyone knows that I am not the president of Gary Webster's fan club. When it comes to labour relations, he has made many mistakes, as I have told him often and not always quietly. But for the Ford regime to axe him for political reasons is a bigger mistake

than all of Webster's shortcomings put together. It is the latest (and possibly greatest) mistake in a long line of political blunders that have turned one of the world's premier urban public transit systems into an increasingly second-class service.

It started with Ontario Conservative Premier Bill Davis and then Metro Toronto politicians. In the early 1970s, Metro Council dropped the TTC's two-zone fare system so that people in the suburbs did not have to pay extra to commute to and from downtown Toronto. Prior to this, the TTC operated at a profit

After Conservative Premier Mike Harris stopped all provincial funding to the TTC, it went into a deficit tailspin that it has yet to recover from.

and all the money went into continuously improving the system. But expanding service into the suburbs without significantly raising fares meant the TTC had to run at a deficit. Premier Davis made a deal with Metro that the Province would fund 50% of the TTC's operating deficit and 75% of the new capital costs to expand the system.

Successive Liberal and NDP governments made good on the 50% operating deficit deal but began to cut back on capital funding. This meant the TTC could not keep up with Toronto's rapidly-growing population. Then along comes Conservative Premier Mike Harris, who gave the big finger to Toronto and stopped all TTC funding. The system went into a deficit tailspin that it has yet to recover from. Service deteriorated. Wait times increased. Vehicles got much more crowded. Fares went up much faster than the inflation rate.

Who got blamed for this? We did. The front-line workers took the brunt of the public's growing dissatisfaction with an underfunded system. Customer complaints rose when stressed-out drivers didn't

have the time to politely explain to every frustrated passenger why the bus was late or why the fares just went up again. Assaults began to skyrocket. By the early 2000's, assaults rose so much that a TTC task force was formed to look into the problem. Nothing came of that because there was no money to address the issues of overcrowding and rising fares, the two main causes of assaults. It wasn't until the 2006 showdown ("We will no longer engage in fare disputes with our customers") and a brief, spontaneous system-wide shutdown incident that the Commission started to take assaults against us seriously, leading to the installation of protective shields, as well as a program of following up on the criminal cases and supporting our members throughout the legal process so that they were no longer sent alone to court to face their assaulters without legal advice and other assistance.

Under the McGuinty Liberals, the TTC continued to be cash-starved and transit workers continued to be the whipping boys for public anger over rising fares and deteriorating service.

Still, the system continued to be cash-starved under the McGuinty Liberals and the service problems only worsened. So did the fate of transit workers, who continued to be the whipping boys for public anger at rising fares and deteriorating service. A single photo of our late brother, George Robitaille, who nodded off late one night at an empty McCowan Station because of the heavy medication he was on for the heart condition that eventually killed him, touched off a



TTC Chair Karen Stintz (left) was an ally of Mayor Ford until she led a successful revolt of City Council against Ford's subways-only plan. Ford couldn't fire her so he had his hatchet men on the Commission fire CGM Gary Webster in retaliation. High political drama, yes, but still no improvement to the system.



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OFFICER REPORTS

Bob Kinnear Officer Report – continued from page 3

media-fuelled frenzy of public retaliation against all TTC workers. (That photo of George ran more times in the Toronto media than the fall of New York's Twin Towers on 9/11.)

The media war on transit workers made it easy for newly-elected mayor Rob Ford to engineer the legislative theft of our collective bargaining rights (see page 8). So we have been doubly victimized by the political neglect of the TTC.

Good luck to Gary Webster's successor. How are you going to competently run North America's third largest transit system and kiss the Mayor's incompetent ass at the same time?

Back to Webster's firing: The Ford brothers were humiliated by TTC Chair Karen Stintz, who led the City Council revolt against Ford's edict that all new money for transit expansion in Toronto has to go underground, even though that meant no relief for the poorly-serviced Finch route and other areas. Ford couldn't fire Stintz (only Council can do that) but the Commission could fire Webster, whose sin was to tell the truth: the numbers do not support Ford's subway plan. So five of the nine TTC Commissioners called a special meeting to do the execution.

No tears need be shed for Webster. He ends his long career as a respected martyr to transit sanity, a big payout and a good pension.

But what will happen to the rest of us? We will continue to be the frontline victims in the political wars that have stalled transit expansion in Toronto for nearly 20 years. The union has taken no position on the below vs. above ground transit expansion. We figured that's not our department. We just want something to happen.

But it just may be that we have to drop our neutrality and wade into the public debate about the shape of the future of transit in Toronto. The present situation is intolerable for everyone but our first obligation is to our members. We are tired of taking the blame for all the amateurs and so-called "tax-fighters" who have either bungled or starved public transit, often both. Stay tuned for further developments.

Good luck to Gary Webster's successor. How are you going to competently run North America's third largest transit system and kiss the Mayor's incompetent ass at the same time? All I can say right now is that we as a union will offer our full cooperation to this brave individual as long as they make it clear from the outset that the TTC's most valuable assets are its employees, who will be treated with respect and dignity and who will be fiercely defended against cheap shot attacks from media and politicians alike.

We want to help turn this sad state of affairs around and make Toronto a great transit city once again. Not just for ourselves but for the city we love.

Toronto Sun apologizes for calling Kinnear a 'mob boss.'

Apology

In articles we wrote and published in the Toronto Sun and its website on Dec. 18, 2010 and Jan. 2, 2011, entitled "TTC

Union Needs to be Curbed" and "Rob Ford's big fight: Levy," we stated that Bob Kinnear, the President of the Amalgamated Transit Union, Local 113, is a union mob boss.

untrue and we retract it without reservation. We regret this error and apologize to Mr. Kinnear. The Sun did not intend to imply that Mr. Kinnear is in any way, shape or form associated with organized crime.

We acknowledge this statement is



Mayor Ford's faithful attack dog at the Toronto Sun, Sue-Ann Levy (left), stepped over the line into libel when she wrote that Bob Kinnear was a "union mob boss." This was not only a libel against Kinnear but the union as a whole, which Levy characterized as a "mob," implying organized crime. A stiff letter from the union's law firm persuaded the Sun to retract the accusation and apologize. The item ran at

the bottom of page 2 (right), under a doctored picture of Ontario Conservative Leader Tim Hudak wearing a beer can hat. Levy herself never apologized.

Apology

Union Needs to be Curbed" and "Rob Ford's big fight: Levy" we stated that Bob Kinnear, the President of the Amalgamated Transit Union, Local 113, is a union mob boss.

We acknowledge this statement is untrue and we retract it without reservation. We regret this error and apologize to Mr. Kinnear. The Sun did not intend to imply that Mr. Kinnear is in any way, shape or form associated with organized crime.

York Region Viva members' long struggle for respect and fairness an inspiration to us all

Rocco Signorile
Secretary-Treasurer



In all my 25 years on the job, whether driving a streetcar out of Roncesvalles Yard or representing the sisters and brothers of Local 113 these past 11 years, nothing could have prepared me for these past three months in York Region.

The members endured the longest strike in our Local's history. It's somewhat ironic that they have only been part of 113 just a short time but went through our longest struggle.

The strike began on October 24th, 2011 with strength and resolve. It ended on January 26th, 2012, with an even stronger strength and resolve, but now with satisfaction.

They set out to battle a multinational company with annual revenue in the tens of billions of dollars. It was like David versus Goliath; they slew their giant and received a contract they were happy with and something they can build upon.

The company and region combined together and threw everything at them, from court injunctions to rolling their own Viva buses onto the road. Yet these members, showing the resolve of Unions of old, endured all this and grew stronger.

The daily challenges were many and difficult: the cold and wet days and nights on the picket lines; the confrontation with hired goons and strikebreakers; the animosity and intimidation tactics; court injunctions, and most of all the financial struggles, made more challenging by the uncertainty of how long the strike would last. Their courage in the face of these challenges was awesome and inspiring.

This fight showed everyone that private companies in a public model does not mean that workers will not rise up to gain better wages and benefits (you hear that Mr. Ford?). So this fight was also for our brother and sisters in Toronto, to warn City Hall to watch out before they think of privatizing the TTC.

In the great tradition of trade unionism, the sisters and brothers in Toronto – and all the ATU – supported the members in York Region. They dug deep and kept them afloat. The members of Local 113 can be proud of what they did for their sisters and brothers to the north, as should Bob, Manny, Frank, Scott and the rest of the Board who came out to the picket lines and gave me the time and support whenever it was needed. It was so important that the members see and talk with their leadership.

A special thanks to our Office Manager and the caring, hard-working staff in our office who helped us get things together for the strike.

In all, I enjoyed every moment I spent with these members, wherever and whenever I was needed. It was a thrill to be there for them and to represent them on behalf of the Board and the rest of the Local. I am both humbled and proud to have been part of this chapter in our great Local's history. *(See page 18 for the full story.)*

Finally this story wouldn't have been written without our Stewards in York Region, Kathy deVos, Dave Clarke and Cliff Gourlie, the strike committee of Alastair Suttar, Sean Qayum, Odeal Bernard, Josephine Calleja, Michael Francis, Desmond Courtney and Teresa Giasson.

When we look back at this moment in time, it will always be with pride. Thank you all.

2011 A ROLLER-COASTER YEAR FOR THE UNION

Manny Sforza
Executive
Vice-President



Well 2011 was certainly a fast-paced, fun-filled newsworthy year. As a Union, we dealt with a variety of challenging issues. Negative media coverage continued and was with us throughout the year. I believe we will continue be plagued with this negative attention for many years to come. For some reason the media in Toronto love to hate our members, despite the amazing work they perform daily by moving close to 1.5 million riders safely and efficiently.

Legislation that took away our right to strike – an essential aspect of free collective bargaining – took effect soon after our bumbling, bombastic Mayor and his cronies at City Hall voted in favour of making the TTC an "Essential Service." Politicians from across the Province jumped on the bandwagon, even those outside of the GTA area. That same sentiment, of course, did not resonate months later when our members at YRT voted in favour of striking and hanging tough for three months for a fair contract. Apparently the transit riders north of Steeles are less important to the McGuinty government, who failed to act or intervene when offered to settle the dispute in arbitration.

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ASSISTANT BUSINESS AGENT REPORT

System expansion and Metrolinx present both threats and opportunities for Maintenance

Scott Gordon
ABA Maintenance



I am pleased to announce that we were successful in organizing another group of Maintenance employees within the previously organized Veolia Transit group. This group of employees, made up of mostly Coach Technicians, will be a great addition to our membership and they have already proven themselves showing their strength and solidarity over the last few

months while joining the Viva Operators on the York Region Transit picket lines, standing up for the rights of ALL Transit Workers. (See page 18 for full story.)

As we head into the third and final year of the this term, a period that has brought significant changes to the working conditions that we have become accustomed to, it looks like 2012 will also be a very important year.

The TTC has initiated tendering processes on several job classifications, which could potentially lead to the Contracting Out of our Work. The only possible justification for this would be that, in their opinion, it will “cut costs” and save the city money. What they are not considering is that our members have acquired special skills when it comes to working on or around transit vehicles and properties. The training that our members have taken over their

The training that our members have taken over their years with the TTC is not available to the public and is specific to the transit industry.

years with the TTC is not available to the public and is specific to the transit industry. To pull in groups of individuals from the street to perform work that took our members years to perfect could be disastrous and, in this writer’s opinion, the TTC would be taking a MAJOR step backwards as it relates to the safety of the rest of their employees. The current system only works as well as it does because they introduce only one employee at a time, after much training, into an environment full of experienced employees that will take them under their wings and give them the necessary tools to perform our highly specialized jobs. By bringing in outside workers to perform our work, the present working conditions, which seem to be extremely low at present, will fall to depths unheard of and will surely cause nothing but friction and animosity amongst the current workforce. I believe we all know where that leads.

Now, more than ever before, we need to come together and protect what generations of Brothers and Sisters have struggled to obtain – and maintain.

On another note, after spending a significant portion of our time cleaning up outstanding grievances it would seem that, after the implementation of the new ‘Operator Excellence’ program right at Contract time in 2011, we have fallen right back to where we had started. Through the last six months we have had to deal with an increase in penalties imposed on our members for infractions that would have normally been dealt with through the progressive disciplinary process. After recent meetings with senior staff within the TTC it would seem that our efforts to reduce those unwarranted penalties have moved things in the right direction; only time will tell.

We need to protect what generations of Brothers and Sisters have struggled to obtain – and maintain.

As of press time, we are in arbitration with the TTC for our new collective agreement. Formal negotiations with the TTC seemed to take forever, to go nowhere. It appears to me that management was simply ragging the puck, waiting to see what happened in negotiations with the City workers in CUPE. If so, they were wasting everyone’s time for no purpose. Mayor Ford took away our right to strike and at the same time he took away the City’s ability to negotiate with us and compare our contract terms and conditions with other public employees. The sword cuts both ways, something Ford was warned about last year but chose to ignore. As far as the TTC is concerned, their focus seems to be on opening a door that would allow them to show their appreciation for all your hard work by bringing in outside contractors to perform that work. Local 113 will continue to fight against this folly, which would be ultimately as bad for riders and taxpayers as it would be for our members.

PROTECTING OUR WORK?



We need to be as tenacious as bulldogs to protect our work. It is also in the public interest that TTC Maintenance be staffed by fully qualified and highly experienced transit workers.

Unprecedented challenges marked 2011 but we emerged as strong as ever.

Frank Grimaldi
ABA Transportation



2011 – What a year!!

In all the years that I have been involved with unions, I have never seen anything like the past several months: Discipline process, essential service legislation, pension problems, stalled negotiations at TTC, contracting out of our jobs, and a nasty three month strike at York Region. And those are just the highlights. It was a non-stop year that continued into the first two months of 2012.

The strike in York Region was finally settled for two of the three contractors. The 220 Local 113 members who work for Viva (which is operated by Veolia) were the first to settle. We did well with our issue of benefits being paid by the contractor. ATU Local 1587 members at Miller Transit settled a few days later. The third contractor, First Student, lost the contract with York Region and the 100 members of Local 1587 who used to be employees of that company are now out of work and applying for their own jobs with the new contractor. (See page 18.)

Contracting Out is becoming one of the most important issues to face Local 113. Even though Maintenance seems to be the target

at this time, we are all going to be affected by it if we don't stick together. Maintenance and Transportation must fight as one. We are brothers and sisters and we must act as a close-knit family would.

Contract negotiations are taking a lot longer than expected although the resolution of the Pension issue contributed to the long process. It took almost eight months to reach an agreement on our pension's solvency issue but the outcome was well worth the wait. We were finally able to resolve the issue, making possible a three-year update and indexing. This will mean many thousands of dollars in new money for each of our retiring members. Remember this when you get your first pension cheque. The amount of that cheque would have been considerably less had it not been for our union looking out for the members long after they ceased to become active.

TTC management introduced the "Operator Excellence" program in the spring. As we all know, this has caused numerous problems; many members have been adversely affected. Please have your cell phone off when you are in a bus, streetcar, subway, or any other TTC vehicle. Don't expose yourself to loss of wages and major stress to you and your family.

The Union will fight for you but it is impossible to argue against Safety Critical issues.

Remember, the public is watching you and the media loves to beat up on transit workers. **PROTECT YOURSELF!**

LAW TO PROTECT TRANSIT WORKERS GAINING STEAM

In early December, 2009, an ATU Local 569 member, Tom Bregg, was driving his Edmonton Transit bus when an intoxicated 25-year-old Gary Mattson got on without paying the \$2.50 fare. Being a conscientious worker, Bregg tried to collect the fare and told Mattson he would have to leave the bus if he didn't pay. The bus surveillance video shows Mattson viciously punching Bregg in the face twice, knocking him unconscious. He then dragged Bregg's limp body off the bus and stomped on his head 15 times. The horrific assault can be viewed on YouTube. (Search: Edmonton Bus Driver Beating.) Brother Bregg lost the sight in his left eye and suffered severe facial and brain injuries. Coincidentally, a Local 113 member, Jaime Pereira, also lost sight in his left eye when he was deliberately shot in the face while driving his TTC bus in October, 2005.

Fifteen months after the assault, a Member of Parliament for Edmonton, Brent Rathgeber, introduced a private member's bill in the House of Commons: the *Public Transit Operators Protection Act*. The essence of the bill was to amend the Criminal Code to make assaults on transit workers an aggravating circumstance in sentencing. Rathgeber named his legislative initiative "Bregg's Law."

When Parliament was dissolved for the May 2011 election, Bregg's Law died on the order paper. But after a recent CBC television report on transit assaults, Rathgeber has promised to reintroduce his bill and claims to have government support.

Incredibly, the Workers' Compensation Board of Alberta threatened to kick Bregg off benefits, claiming that he had recovered from the mental trauma of the attack, even though he will never drive a bus again. Local 569 President Stu Litwinowich, fought hard for the permanently injured member and retained an independent psychiatrist. The WCB accepted that expert's advice that Brother Bregg had not recovered and his benefits were protected. We'll keep you posted on the progress of "Bregg's Law."



2011: The Year We Lost Our Most Basic Right

Since our union's founding in 1899, virtually all of the gains we have made at the bargaining table came about because we had the right to withdraw our labour. Though we used that right sparingly, with an in-service record of over 99%, it was taken away in 2011 by politicians looking for an electoral advantage.

Taking on the City's unions was a major plank in Rob Ford's mayoralty election agenda and there is no doubt that helped get him elected. The TTC strike of 2008 and the 2009 city workers strike (particularly the garbage workers walkout) were very fresh in the public mind during the 2010 municipal election. Ford got right to work on that pledge immediately following his swearing in ceremony on December 1st. Step one was to get the new Toronto Transit Commissioners, led by Councillor Karen Stintz, then a strong Ford ally, to endorse a plan to take away TTC workers' right to strike. While several councillors and TTC bureaucrats - including Chief General Manager Gary Webster - argued that mandatory arbitration would eventually cost the city more and that it would do nothing for labour peace, Ford pushed ahead, knowing that a large majority of the population still resented the 2008 midnight strike. At the first Council meeting of the new administration, Ford easily got majority support to ask the provincial government to declare the TTC an "essential service." (See box: *How They Voted.*)

Immediately following the Council meeting, Liberal Premier Dalton McGuinty indicated that he would support Toronto's request. Ironically, that same Liberal government refused to declare the TTC an essential service following the 2008 strike, despite many calls to do so from both municipal and provincial politicians. What was different this time? The Ontario general election was scheduled for October 2011, less than a year away. The Liberals were in trouble in several Toronto ridings. The new mayor threatened to unleash the so-called "Ford Nation" to defeat McGuinty if he did not bend this time. A cynical political calculation won out over the rights of workers.

Ford pushed hard to get the necessary legislation in place before the collective

agreement expired on March 31, 2011. This would require short-circuiting the usual legislative process. Under normal circumstances, a law changing a fundamental and long-standing right would take at least six months to work through the debates in the Legislature and province-wide public consultations. Ford would have none of that inconvenient

order to give the Legislature sufficient time to fully consider the many ramifications of a law that took away a basic right of workers, one that was supposedly protected by an International Labour Organization treaty to which Canada was a signatory.

"I have sent a letter this morning to the Minister of Labour, the Honourable Charles Sousa, informing him that ATU Local 113

"You can take away our rights, but you cannot take away our voices. We will continue to protest this legislation and the anti-worker sentiment it reflects."

Bob Kinnear, at the Standing Committee hearings on Bill 150

democracy. He wanted TTC workers' full collective bargaining rights taken away and he wanted it *now*. He told McGuinty that if TTC workers struck before a law was passed, the Liberals would bear the consequences.

To counter this argument, Local 113 President Bob Kinnear held a press conference on February 3 to announce that the union pledged not to strike this year, in

will not strike or disrupt Toronto's transit system in any way during this year's contract negotiations, even if we still have that right under the law," announced Kinnear. "We will negotiate in good faith to reach a voluntary agreement with the TTC, as we usually do. Remember that there have been only 13 days of service interruption due to work stoppages in more than 30 years. We have been on the job

99.9% of the time for more than a generation."

Sousa, who had been elected in 2007 a traditionally Conservative Mississauga riding with significant help from ATU, ignored Kinnear's letter and refused to even meet with him to discuss the matter. On February 22, the Minister introduced Bill 150, the *Toronto Transit Commission Labour Disputes Resolution Act, 2011*.



Strange bedfellows? Ontario Premier Dalton McGuinty had, as a matter of principle (he said) opposed declaring the TTC an essential service following the 2008 strike. He did an about face in early 2011 after newly-elected Mayor Rob Ford, an avowed Conservative, threatened to campaign against the Liberals in the upcoming provincial election if McGuinty did not take away TTC workers' right to strike. Ditching his principles did not help McGuinty, who lost several seats in Toronto. Ford campaigned against him anyway. As the saying goes: "I'm a Liberal and I've got principles. And if you don't like them, I've got others." Photo: Vince Talotta/GetStock.com

The short bill made the TTC an “essential service” which only meant one thing: transit workers could no longer strike. The only ray of hope, a tiny one, was that a mandatory review of the legislation would take place after five years.

Kinnear publicly mocked the Liberals for claiming they had to introduce the bill because the City of Toronto had requested it. “That same city asked for \$150 million for TTC funding this year, which the government has denied,” Kinnear said. “So we’re not talking about a principle here, are we?”

“The Liberal government says this bill is about “essential” services but it won’t put one bus on the road. This is a purely political move and has nothing to do with improving services for riders on the TTC.”

Several unions came out publicly to support ATU Local 113’s position: CUPE Ontario, the Canadian Autoworkers, the Elementary Teachers’ Federation of Ontario, the Toronto and York Region Labour Council, the Ontario Nurses’ Association, the Ontario Federation of Labour, and the National Union of Provincial Government Employees. (See page 10.)

As expected, the Liberals rushed Bill 150 through the Legislature. Public hearings were held on one afternoon at Queen’s Park. Speakers were limited to five minutes. Only the New Democrats voted against the legislation. NDP Leader Andrea Horwath: “We think the government

is doing the wrong thing by removing a fundamental right from the women and men of this city who provide transit services to the people of Toronto. We think that the government has taken the wrong track on this legislation, and we will vigorously speak against it, as we believe that the government has lost its way in regard to what it once bragged about as having respect for workers in this province.”

On March 30, the Liberals and Conservatives voted to pass Bill 150. Local 113’s Executive Board and Stewards packed the public gallery to stare down reproachfully at the Liberals as they caved

in to Mayor Ford’s threat to campaign against them in the fall election. (Ford did anyway, and the Liberals lost seats in Toronto, taking away their majority in the Legislature.) Sousa encountered Kinnear in the Queen’s Park lobby right after the vote.

“I had no choice,” the Minister apologetically explained.

“You had a choice, Mr. Minister,” Kinnear replied. “You made your choice. You took away our right to bargain with the only things we have to bargain with: our labour and our skill. Don’t come to me now and say you had no choice. Live with it, as we have to.”



A politician with actual principles. NDP Leader Andrea Horwath and her caucus in the Ontario Legislature were the only ones to vote against Bill 150, knowing that it would be an unpopular position with most Torontonians. In the October election, however, the NDP did not lose any of their Toronto seats and actually gained one. Photo: EK Park

WE WILL NOT FORGET HOW THEY VOTED

On December 16, 2010, at the first City Council meeting following the election, Mayor Rob Ford proposed a motion to request the Government of Ontario for legislation to strip TTC workers of their right to strike. The names of each Councillor and their Ward numbers are:

IN FAVOUR – 28

Paul Ainslie (43), Michelle Berardinetti (35), Raymond Cho (42), Gary Crawford (36), Vincent Crisanti (1), Mike Del Grande (39), Frank Di Giorgio (12), John Fillion (23), Doug Ford (2), Rob Ford (Mayor), Mark Grimes (6), Doug Holyday (3), Norm Kelly (40), Chin Lee (41), Gloria Lindsay Luby (4), Giorgio Mammoliti (7), Josh Matlow (22), Mary-Margaret McMahon (32), Peter Milczyn (21), Denzil Minnan-Wong (34), Frances Nunziata (11), Cesar Palacio (17), John Parker (26), James Pasternak (10), Jaye Robinson (25), David Shiner (24), Karen Stintz (16), Michael Thompson (37)

OPPOSED – 17

Maria Augimeri (9), Ana Bailão (18), Shelley Carroll (33), Josh Colle (15), Janet Davis (31), Glenn De Baeremaeker (38), Sarah Doucette (13), Paula Fletcher (30), Mary Fragedakis (29), Mike Layton (19), Pam McConnell (28), Joe Mihevc (21), Ron Moeser (44), Gord Perks (14), Anthony Perruzza (8), Adam Vaughan (20), Kristyn Wong-Tam (27).

ESSENTIAL SERVICE DEBATE

Unions that supported ATU Local 113 during the essential service debate

Many unions stepped up to publicly defend Local 113 members' right to strike. Here is a selection of leaders who did so and what they said

"The proposed provincial legislation to declare the TTC an essential service is deplorable, offensive and entirely unnecessary. The right to withdraw one's labour is one of the few points of leverage workers and the unions that represent them have to negotiate fair terms of employment. It is a crucial tenet of labour relations in this province."

Ken Lewenza, President, Canadian Auto Workers. (210,000 members)



"The people of Toronto want continuity of service, something the unions have offered. Responsible government means sitting down, talking and putting the public's interest before ideology. The unions have demonstrated a willingness to do so, and the only obstacles to that appear to be Rob Ford and Karen Stintz. Queen's Park should be involved in improving TTC service, but not by stripping workers of rights they've had for generations. It won't improve service one bit."

Fred Hahn, President, Canadian Union of Public Employees. (220,000 members)



"Restricting fundamental collective bargaining rights of transit workers just to appease the new anti-union administration at Toronto city hall is a slap in the face to all unions in Ontario and across Canada."

James Clancy, National President, National Union of Public and General Employees. (340,000 members)



"I am in opposition to any attempts to strip the right to strike from public transit workers. Toronto Transit Commission workers have only used the option to withdraw their labour as part of the process of negotiating their working conditions on 13 of the last 10,950 days (0.12 per cent of the last 30 years)."

Linda Haslam-Stroud, RN, President, Ontario Nurses' Association. (55,000 members)



"You upend the collective bargaining process at your own peril. Free collective bargaining gives workers a stake in the outcome of bargaining, and without this, you remove the possibility for a smoothly running system. Imposing agreements on workers, who will most certainly take action if their working conditions become deplorable, is not the solution. Labour peace and productivity are a two-way street that requires both honourable conduct and truth. Neither of these is to be found in Bill 150 or in this government's initiative."

Sid Ryan, President, Ontario Federation of Labour. (850,000 members)



"Because it may inconvenience us," is no reason why you should take away our basic labour rights, anymore than you would dream of taking away the basic civil rights of Ontarians."

John Cartwright, President, Toronto and District Labour Council. (120,000 members)



"This bill is not about an essential service or potential strike, it's a political move to appease Toronto voters who put Mayor Rob Ford into power. By removing the right to strike of thousands of workers in this province, the government is turning its back on collective bargaining rights that are one of the few supports protecting workers during these tough economic times."

Sam Hammond, President, Elementary Teachers' Federation of Ontario. (75,000 members)



ALWAYS ON STRIKE? HISTORY BEGS TO DIFFER.

After the founding of the TTC in 1921, it was 31 years before the first strike in 1952 (19 days). Another 18 years went by before the second strike in 1970 (12 days). The 1974 strike lasted 23 days, the 1978 strike 8 days. Thirteen years passed before the 1991 strike (8 days). There was a two-day strike in 1999, a half-day "incident" in 2006 and a two-day strike in 2008. Since the founding of the TTC 91 years ago, we have been on strike a total of 75 days, an in-service rate of 99.8 per cent.

International President visits Local 113

Local 113's unanimous support for Larry Hanley as ATU International President put him over the top in the hotly-contested election at the 2010 International Convention in Orlando. In March, 2011, Hanley visited Toronto to thank the members and consult with the Local's leadership on how the International could be of greater assistance to the Local in the months and years to come.



1



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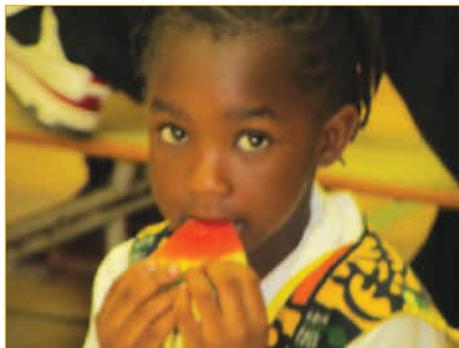
3

1. It was standing room only when Larry Hanley came to the Local 113 General Membership Meeting last March. 2. Hanley spoke about the fierce challenges facing transit workers throughout North America: government cutbacks to transit funding, privatization, and the need to reach out to our natural community allies: transit users, other unions and progressive social and economic activist groups. 3. Bob Kinnear introduces Hanley to TTC Chief General Manager Gary Webster. The trio had an impromptu discussion about the pending essential services legislation outside the Ted Reeve Arena. 4. Hanley stayed on after the membership meeting to have his picture taken with several Local 113 members.

LOCAL 113 IN THE COMMUNITY

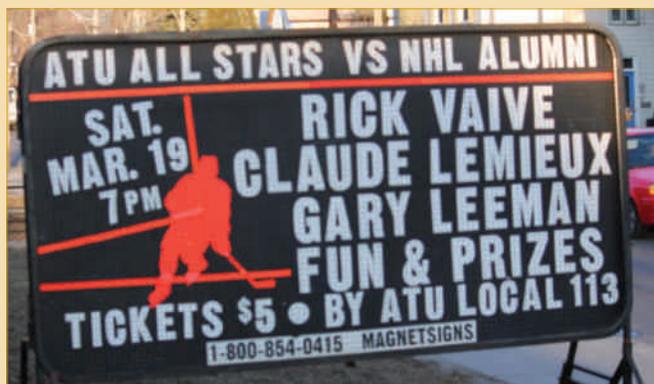
113 helps feed Toronto kids in Africentric school

As Mayor Ford's administration threatened cutbacks to the City's child nutrition programs, Local 113 stepped up its efforts to provide hot pre-school breakfasts to children in less-advantaged neighbourhoods. The Children's Breakfast Club organization asked the Local to sponsor an entire kitchen in one of the city's neediest areas, which contains Toronto's first Africentric school on Sheppard Ave. near Keele. A plaque noting the ATU contribution is posted in the school. At right, Secretary-Treasurer Rocco Signorile holds up the plaque, accompanied by Board member Paul Haynes and President Bob Kinnear.



ANNUAL HOCKEY MATCH-UP RAISES \$40,000+ FOR MS RESEARCH

For over 25 years, the TTC All-Stars have faced off against NHL Old-Timers at Ted Reeve Arena and once again this year got the customary drubbing from the likes of Rick Vaive, Claude Lemieux and Gary Leeman. All proceeds go to support Multiple Sclerosis research at Toronto's Mount Sinai Hospital. Over \$800,000 has been raised to date from this annual event.



Casey Cizikas, a star player on the silver medal-winning Team Canada in the 2011 World Junior Championships and now a New York Islander, signed autographs at the game. Casey is the son of Local 113 member Peter Cizikas, who works in Roncesvalles Surface Track.

DOCUMENTARY FILM SHOWS IMPACT OF SUBWAY SUICIDES ON TTC OPERATORS

It is unusual enough for a married couple to both be TTC Subway Operators. What makes Shelley and Kevin Pett sadly unique is that both have been in the Operator's seat when a person committed suicide. Last year, they shared their experience with a documentary film crew from Humber College. They made the difficult decision to speak publicly about these human tragedies to provide a perspective on suicide that is seldom discussed.

"Everyone forgets the operator lives with this for the rest of their lives. You forget about the poor witness on the platform, and the poor drivers," said Shelley. The Petts have been married 16 years and have four children.

The 10-minute movie was shown as part of last year's Toronto Hot Docs Festival. It was shot in the studio, at the Petts' home and on the TTC. To view it, go to YouTube.com and search for "Chance Encounters."



MOUSELAND FABLE STILL MAKES SENSE AFTER 50 YEARS

by Bill Merlin, Hillcrest



The Story of Mouseland was made famous by Tommy Douglas, father of Medicare and the first leader of Canada's New Democratic Party. It was a political fable expressing the view that the Canadian political system offered voters the choice of two parties, neither of which represented their interests.

Although hard-working mice made up the majority of voters in Mouseland, they voted in black cats, which represented the Conservative Party. Life was hard under the black cats, so they voted in the white cats, which symbolized the Liberal Party. Things got even worse. So they bounced back and forth between electing the black and white cats until one mouse says: "Why don't we elect mice?" He was accused of being a "Bolshevik" and was imprisoned. Douglas concludes by saying "You can lock up a mouse or a person, but you cannot lock up an idea." In this case, the idea is that the government should represent the interests of the majority, not the fat cats.

There are several versions of Mouseland on YouTube. One of them was made by the United Food and Commercial Workers over 20 years ago and is introduced by Douglas's grandson, the actor Kiefer Sutherland. The seven-minute video is well

worth a watch. The soundtrack is Douglas's speech to the founding convention of the New Democratic Party in 1961.

A young Kiefer Sutherland introduces a YouTube version of "Mouseland," the famous political fable narrated by his grandfather, Canadian political legend Tommy Douglas.



Local 113 has been a past supporter of CARE Canada and the annual "Walk in her Shoes" march to raise awareness and funding to help women and girls in impoverished nations. This year, CARE is challenging Canadians to walk 8,000 steps a day for 8 days in solidarity with the women and girls who walk such distances every day in the developing world. For more information on this year's event, go to care.ca/walkinher shoes.

LOCAL 113 IN THE COMMUNITY

Community outreach key to building relationships



Ward 18 City Councillor Ana Bailão (at left, with Bob Kinnear) held a Saturday event last June to raise funds for a community kitchen in Dovercourt School. Local 113 donated \$400 and handed out tee shirts and cold drinks from the new ATU events tent. Under the canopy are L-R: Bob Kinnear and Executive Board members Paul Haynes, Pino D'Armiento and Sec-Treas Rocco Signorile with Lillian "Mama" Mieres (*Roncesvalles*) Phildene Haynes (*Wilson*) and Anika Lattibeaudere (*Roncesvalles*). Since becoming President, Kinnear has made community outreach a union priority, to help counter the non-stop negative media about TTC workers. (See below)

NO NEGATIVE NEWS ABOUT TTC WORKERS TODAY? NO PROBLEM, WE'LL JUST MAKE SOMETHING UP!

So hungry are Toronto's media for negative stories about TTC workers that they will print or broadcast *anything* that makes our members look bad. Whether it's true or not is irrelevant. Thus it was with last June's story about a passenger who was 'shocked' to see a TTC employee urinating against the wall of Runnymede Station during rush hour, in plain view of hundreds of passers-by. The Toronto Sun, which is a sucker for anti-worker stories (and also stories about bodily functions, so this was a double hit) broke the 'news' and the rest of the media went wild. Right-wing radio talk show hosts stoked the outrage. It was a top story on the evening TV news. The TTC Chair apologized to the public. Turns out it never happened. The passenger misinterpreted what he actually saw, a TTC worker checking his phone at waist level. The truth, however, was scarcely mentioned. For a CITY-TV interview with Bob Kinnear on the story, go to: <http://www.citytv.com/toronto/citynews/video/142610>.



“And another thing...” Our President speaks for us

He's the most recognized union leader in Toronto and also the most quoted in the media. Maybe that's because he often speaks out on TV and radio and gives numerous deputations at meetings of the Toronto Transit Commission and City Council committees. Here are some selections from Bob Kinnear's public statements in 2011 on behalf of Local 113, and one from 2012.

As for the recommendations in the KPMG report, I hope the taxpayers didn't pay too much for this cut and paste collection of very old ideas. Basically it says cut service levels and contract out whatever you can. You must be all slapping your foreheads and saying: "Now why didn't we think of that!"

City Council Executive Committee, July 27

As taxpayers we pay less than the cost of half a cup of coffee a day for the third largest public transit system in North America. But some people complain, complain, complain that it's too much. And then they complain, complain, complain, when they're stuck in gridlocked traffic. So you Commissioners get sucked into all this complaining and either don't have the courage or the math skills to tell people the truth. There is no magic here folks. If you want a transit system like we used to have, a system that was the envy of the world, you have to pay for it, like everything else.

Toronto Transit Commission, December 14



My second question is directed at the Chief General Manager, who has been at the TTC for more than three decades. I don't expect the Chair or any of the Commissioners to know this but Mr. Webster should. Which of the following three factors causing impairment is most likely to be responsible for an accident: drugs, alcohol or sleep deprivation? In case anyone is wondering, a few minutes research on Google will give you the answer. Fatigue and sleep deprivation is the number one killer in the transport industry, by far.

Toronto Transit Commission, October 19

The Chamber of Commerce says we are the most congested city in North America, which costs us billions of dollars a year in lost productivity for business. The Board of Trade says we need over \$50 billion in transit expansion over the next few years to avoid becoming a permanently gridlocked city. The Ontario Medical Association says hundreds of people a year die from smog-related causes and untold thousands more suffer short of dying. If these organizations do not move you to reconsider these cuts to public transit, there is nothing I can say except that you are out of your collective minds.

City Council Executive Committee, September 19

It is really simple-minded to think that you are saving taxpayers money by cutting public transit services. Because those taxpayers are going to spend more time and money getting to and from work and school and medical appointments and on and on. These costs will be the hidden taxes that you impose on the people of Toronto in the name of tax cutting. Cutting transit is a shell game. You may fool some of the people some of the time but you won't be able to fool all of the people all of the time.

Toronto Transit Commission, September 16

I stand with you in total opposition to the Ford plan to "privatize everything that isn't nailed down." Those are his words not mine. The Fords and their spineless minions plan to turn our high quality public services over to profit-hungry corporations that will turn decent jobs that allow you to raise a family into insecure, poverty-level jobs that will offer no hope for the next generation.

Rally for Respect, Dundas Square, April 9

York Region Chairman Bill Fisch has repeatedly refused to consider arbitration. We do not understand why. There is nothing to fear from an arbitrator who is acceptable to both the union and the companies. And it would end the strike immediately. Chairman Fisch said from the outset that he does not want to get involved in this dispute. But is non-involvement the sign of a leader? Does a leader wash his hands of a serious problem and do nothing? A true leader would get involved in finding a solution, instead of just blaming others.

Message to York Region Residents, December 1

Mr. Ford should get his facts straight. He obviously doesn't know that it was private contractors that put together the St. Clair line. In fact, it was in excess of 20 contractors. It was not TTC workers. This is typical. It's a favourite tactic of the Fords to blame the unions for everything. They have no idea how public transit works in this city. I'm not even sure they know how to get on the TTC.

In response to a CITY-TV reporter telling Kinnear that "Councillor Doug Ford blames the TTC union for cost overruns on the St. Clair line." February 21, 2012

LOCAL 113 IN THE LABOUR MOVEMENT

“Rally for Respect” starts major pushback against Ford cuts.



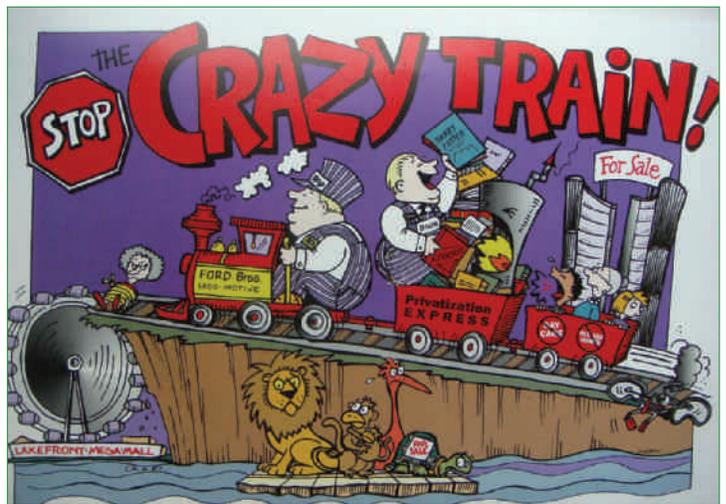
On April 9, thousands of union members and civic activists converged on Dundas Square for the first rally of the year to protest the Ford regime’s plans for city service cuts and privatization. ATU 113 President Bob Kinnear fired up the massive crowd with an impassioned “We want our city back!” speech. The ATU’s anti-privatization signs (below, left) were the hit of the rally as were the ATU’s red “Stop the War on the Working Class” t-shirts (below). The march down Yonge and across Queen to City Hall was one of the largest Toronto protest demonstrations in decades.



Stop the Crazy Train!

September 26: As a deeply divided Toronto City Council debated the Ford cuts, a large and loud demonstration in Nathan Phillips Square could be heard inside the council chamber. Streetcar Operator Kenny Morgan (right), a Vietnam war veteran, addressed the rally with a powerful speech challenging the mayor: *“Mayor Ford, you may call these cuts efficiencies. I call them bullshit!”* The Square was a sea of Local 113’s “Stop the Crazy Train” signs, which became instant collector’s items. The cartoon summed up the Ford brothers’ plans for privatization and public service cutbacks and mocked Ford’s campaign promise to “stop the gravy train” at City Hall. Once in office, Ford had trouble finding all the gravy but continued to insist it was there, somewhere.

Although at the time of this rally, Ford seemed dominant, his control of City Council began to slip. He was dealt two major defeats in early 2012 when Council voted to restore many budget cuts and defied him on his uneconomic “subways only” transit plan.



“Loco – Motive” engineer Rob Ford drives the Privatization Express off a cliff as his laughing brother Doug fuels the train by burning books. Doug Ford became a national laughingstock when he famously asked “Who’s Margaret Atwood?” after Canada’s best-known author came to the defence of Toronto’s libraries, which Ford declared he would “close in a heartbeat.” That’s a defiant Atwood tied up on the tracks.

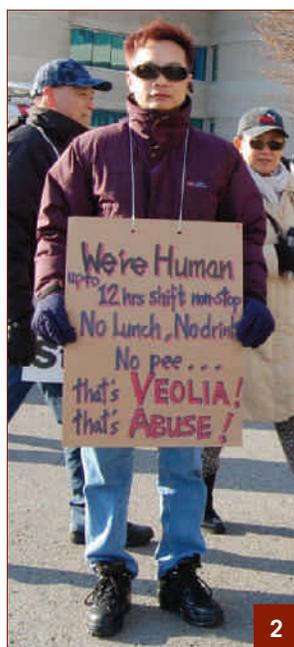
YORK REGION TRANSIT STRIKE

Viva workers win longest-ever Local 113 strike

The 220 Operators and Maintenance workers who work for the Veolia-operated Viva bus service in York Region bravely took on one of the world's largest privately-owned transit companies just as the snow began to fly. It became the longest strike in the 113-year history of Local 113. Shoulder-to-shoulder with fellow striking York Region Transit workers in Local 1587, the Viva workers endured bitter weather, frustrated commuters, indifferent politicians and, most trying of all, prolonged financial uncertainty. Three months after their strike began, they ended it by ratifying a settlement recommended by their bargaining committee – a settlement worth many thousands of dollars more in pay and benefits than the company's pre-strike offer. Just as important, however, is the lifelong gift of respect and dignity that they earned through their courage and solidarity. They will occupy a place of great honour in our history. Because when they stood up for themselves, they stood up for us all.



1



2

1. Turnout on the picket lines was uniformly great, enhancing the spirit of solidarity.
2. The handmade sign sums up the feelings of Viva workers, who were looking for respect and dignity above all.
3. Full page ads in York Region newspapers showed the letter from Local 113 President Bob Kinneer and Local 1587 President Ray Doyle to York Region Chairman Bill Fisch asking him to listen to residents and order the private bus contractors to submit the dispute to arbitration. Fisch refused, falsely claiming that the Region did not have the authority.
4. The fortress-like York Region Headquarters in Newmarket, site of several rallies and pickets during the strike.

Bill Fisch, you can end the York Region transit strike today

The following letter was received by the Office of York Region Chairman and CEO Bill Fisch on Wednesday, November 9, 2011.

Dear Chairman Fisch:

A telephone poll last week of 2,107 York Region residents showed 71 per cent agreement with this statement:

"The York Regional government should intervene in the YRT labour dispute by demanding that the bus companies and the union stop the strike right away and have their differences settled by arbitration."

You have previously said that the Regional government has "no role" in trying to resolve this dispute. You should reconsider. The gap between the union and the YRT contractors is too great. There is no resolution in sight. In such circumstances, arbitration is the way to go. It's a fair process and it will end the strike.

The union has communicated to Veolia, First Student and Miller Transit that we are willing to arbitrate all three collective agreements in front of neutral arbitrators who are acceptable to both parties. Should the contractors agree to this in writing, **the union will end the strike right away and abide by the arbitrator's decision.**

3



4

Three months on picket line wins thousands of dollars more in wages and benefits over Viva's pre-strike offer

October 24: Strike begins. Days earlier, Viva workers had voted unanimously to reject the company's final pre-strike offer. Local 1587 members at Miller and First had voted to reject their offers as well, by 85% and 95%, respectively. Service stops on 60 per cent of the routes in York Region.



1

November 8: Union offer to arbitrate rejected despite huge public support

Towards the end of the second week, the union proposed to the contractors that the dispute be sent to binding arbitration. As expected, they refused. The union then commissioned an independent poll of York Region residents on this issue. 71 per cent supported arbitration as a way to end the strike. York Regional Council Chairman Bill Fisch refused to order the contractors to arbitration, claiming that the Region did not have that authority.



2

November 17: President Hanley comes to Rally. ATU International President Larry Hanley came to a mass rally and addressed the strikers from the steps of Regional Headquarters. "Your fight is our fight," he told the cheering members. "The resources of the International Union are behind you. I salute your courage, your determination and your solidarity. We *will* win this strike."

December 4: Fisch press conference fails to get talks moving. In response to growing political pressure generated by a mass phone call from Bob Kinnear to over 100,000 York Region residents explaining the union's offer to arbitrate, Chairman Fisch holds a press conference to once again claim that the Region could not interfere in the dispute. The media begins to question an increasingly defensive Fisch and the employers continue to stonewall, refusing to return to the table with new offers.



3

York Region Transit officials thought the strike would last two weeks at best, figuring the workers would cave in quickly. 1. This notice greeted commuters at the bus stops along Hwy 7 and Yonge St. 2. ATU International President Larry Hanley came to support the strikers and tell the local media about Veolia's poor record of labour relations in the U.S. 3. One of several rallies at York Region headquarters. 4. Danforth Subway Steward Otis Leow brought a message of strong solidarity from TTC brothers and sisters.

December 12: "Occupy the Buses" tactic throws Region for a loop. Early in the strike, York Region Transit tried to mitigate the impact of the strike by running buses with management drivers along the major routes served by Viva. In an innovative twist that echoed the world-wide "Occupy" movement, dozens of strikers paid full fare and crowded peacefully onto the buses, leaving little or no room for additional passengers. The tactic caused confusion in management.

December 14: March up Yonge Street to Council Meeting. York Regional Police closed off a two-kilometre section of Yonge Street in Newmarket as hundreds of strikers marched to a York Region Council meeting.

December 19: Fisch claim that "Region has no authority over the contractors" exposed as false.

The union's lawyers unearth the hidden contract between York Region and Veolia. The contract gives the Region the unlimited authority to issue directives to the contractor "to remedy any condition or situation which, in the Region's opinion, is detrimental to the delivery of the Services." Fisch's persistent claim that the Region had no authority to order the contractors to arbitration was clearly false. The union made the new information public, once again turning up the heat on the politicians.

December 22: Court rules that picketing and bus "occupation" can continue. York Region applied to the Ontario Superior Court of Justice for an injunction to severely limit union picketing and to stop the bus "occupation" by strikers. The court ruled that picketing of bus terminals, garages and York Region Headquarters could continue and dismissed the Region's attempt to stop the bus occupation tactic. The strikers were fully within their rights to ride the buses under the same terms as all other passengers.



4

December 23: Viva workers refuse to even vote on company's last offer. Under pressure to end the strike before Christmas, Viva sent a little-improved offer to settle to the union. Shouts of "No deal! No deal!" shook the room as Bob Kinnear read out the company's proposal. A motion from the floor to "not even vote on this piece of crap" was met with loud cheers and a unanimous show of hands.

YORK REGION TRANSIT STRIKE



Rank and file leaders were vital to keeping the strike together and the members motivated. 1. Alistair Suttar and 2. Odeal Bernard were two of Local 113's 7-member Strike Committee. 3. Terry Tsuji was a Local 1587 activist who was both militant and compassionate. 4. York Region Chairman Bill Fisch tried to pretend he was not involved in the dispute but ended up a political loser because he did nothing for York Region commuters. 5. A flyer handed out to Local 113 members at Veolia Southwest, which was not on strike because they were in mid-contract. 6. Bob Kinnear continuously called out Bill Fisch for his hypocrisy and lack of responsibility. 7. A full page ad in York Region newspapers at the end of the long strike.

January 6: Miller workers repudiate company's new "final offer" in labour board-supervised vote. Under Ontario labour law, the employer can ask the labour board to conduct a one-time only secret ballot vote of the bargaining unit on its "final offer." Miller Transit did just that but their gamble failed. The members of Local 1587 voted to reject the offer by 83 per cent.

January 16: First Student loses contract in Region's unsuccessful bid to influence Viva vote.

In a shocking move, York Region suddenly cancelled its contract with First Student, the smallest of the strikebound contractors. Technically, the 92 Local 1587 members were no longer on strike as they lost their jobs when their employer lost the contract. The timing of the cancellation was no coincidence. The next day, Viva workers were scheduled to vote on their company's "final offer" in another labour board-supervised vote taken at the request of Veolia. The Region was attempting to scare the workers into accepting the offer rather than risk losing their jobs. It didn't work. The vote was three-to-one to reject the offer. The union immediately filed labour board complaints against York Region and launched a campaign to require the new contractor to hire the displaced First workers. (As of press time, these cases are still pending.)

January 24: Settlement at last!

Three months to the day after the strike began, a tentative settlement to end the Viva bus strike was reached when Veolia agreed to increase its portion of the health care benefits package by 50 per cent, a



concession that would save union members thousands of dollars over the life of the four-year contract. Wages would rise by nearly 11 per cent within three years. Two days later, the membership ratified the settlement by 77 per cent. Within an hour of that ratification, Local 1587 reached a settlement for a five-year deal with Miller Transit. Operators in both groups would be making over \$25 an hour by the end of their respective contracts.

Viva workers celebrate rejecting the company's final offer on January 17 in a labour board-sponsored vote asked for by Veolia. One week later, they ratified a better deal negotiated by the union.



WE'RE GLAD TO BE BACK!

LET'S WORK TOGETHER FOR A TRULY PUBLIC TRANSIT SYSTEM

Dear Fellow York Region Residents:

Everyone is relieved that the bus strike is now over. If you were affected by the loss of service, we understand your frustration at being caught in the middle of a labour dispute you did not cause.

The strike should not have lasted three months, however, it could have been - should have been - settled quickly.

In early November we offered to end the dispute immediately by sending it to a neutral arbitrator. This was not a radical idea. Many public sector contracts are settled through arbitration: police, fire and health care being the major examples. In those cases, arbitration is mandatory. In our case, it was voluntary, even better.

Public opinion on this issue was clear. In an early November poll, over 70 per cent of York Region residents said they wanted Regional Council to demand that the private contractors and the union end the dispute through arbitration. Regional Chairman Bill Fisch claimed he did not have the authority to do this. We read the contracts with the private bus companies as showing otherwise. Under these contracts, the Region has the authority to issue directives of any kind to remedy any situation that is detrimental to the delivery of transit services. We believe an impasse in negotiations to settle a lengthy strike gave the Region the authority to issue a directive. Should there be any doubt on this score, the recent sudden cancellation of the **First Student** bus contract shows who's really in charge.

Okay, the past is the past. We're very glad to be back at work, serving our riders. Let's move on. But let's also learn from what happened.

York Region's for-profit privatized transit system should be independently reviewed to determine if it really is better than a non-profit public system. York Region has the highest fares, the highest taxpayer subsidies and the lowest (by far) employee compensation in the GTA. Whose interests are being served by this arrangement?

We will work cooperatively with any public interest group and any political leader to move towards a public transit system that is truly accountable to the people it serves. Every public transit system faces challenges. But when the quest for private profit gets in the way of addressing those challenges, it's time for a change.

The men and women of York Region Transit

A Message to our ATU Brothers and Sisters at Veolia Southwest from Locals 1587 & 113

YRT is a gold mine. The companies get the gold; transit workers get the shaft.

Dear Fellow ATU Members,

For too long, Veolia, First Student and Miller Transit have been getting a free ride from the hard-working employees who are dedicated to public service.

Their total labour costs at YRT are 40% lower than those of surrounding municipalities, such as Brampton, Mississauga, Toronto and Pickering.

\$50 billion

2010 revenues of the Paris, France-based company, Veolia, from the Viva bus and Veolia's other activities, Veolia is the 20th largest employer in the world. It operates

The 2011 John Lorimer Memorial Scholarship Winners

The John Lorimer Memorial Scholarship was established in 1964 for the children of active or retired ATU 113 members who are entering or attending university. In that first year, three students received the scholarship in the amount of \$400 each. To date, over 1000 scholarships have been awarded for a total value of over \$1,000,000. Each of this year's 40 winners have received \$1500 to assist them in their university course of studies. We congratulate them and their justifiably proud parents.



Cynthia Akram
McMaster University
Nursing
Parent: **Farzad Akram**
Revenue Operations



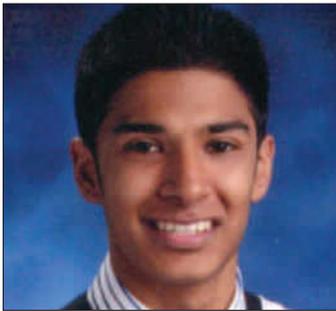
Jessica Allegretto
Ryerson University
Early Childhood Education
Parent: **Frank Allegretto**
Arrow Road Garage



Omar Bayat
York University
B.Sc. Spec. Hons. Kinesiology
Parent: **Yacoob Bayat**
Wilson Bus Garage



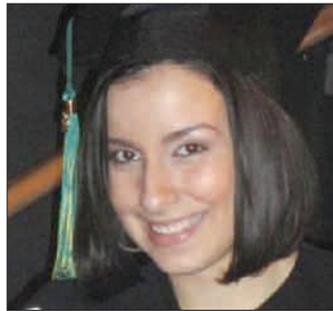
Zubair Bayat
York University
B.Sc. Spec. Hons. Kinesiology
Parent: **Yacoob Bayat**
Wilson Bus Garage



Manjinder Bisla
Wilfred Laurier University
BBA
Parent: **Satvinder Bisla**
Wilson Bus Garage



Timothy Biswas
University of Toronto
Business
Parent: **Brian Neville**
Harvey Shop



Tamara Bozin
York University
Bachelor of Arts—Public Politics
Parent: **Branko Bozin**
Mt Dennis Traffic



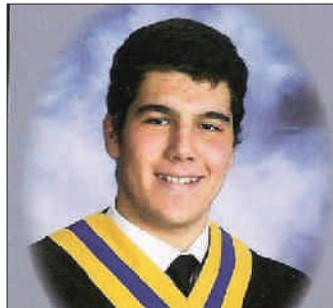
Bo Chai
Western University
Science – Bachelor's Degree
Parent: **Fanglun Chin**
Eglinton Traffic



Ke Dai
University of Waterloo
Bachelor of Computer Science
Parent: **Jin Song Dai**
Veolia –YRT



Andrea Di Marino
York University
Bachelor of Arts – English
Parent: **John DiMarino**
Arrow Road Division



Antonio Di Minno
University of Toronto
Commerce & Humanities
Parent: **Leonardo Di Minno**
Duncan Shop



Camellia Dinyarian
University of Toronto
Life Sciences
Parent: **Mina Dinyarian**
Danforth Division (Collector)

2011 SCHOLARSHIP WINNERS



Joshua D'Souza
University of Toronto
Accounting – Rotman Commerce
Parent: **Joseph D'Souza**
Malvern Garage



Andrea Falotico
Ryerson University
Nutrition and Food
Parent: **Andrew Falotico**
Lakeshore Garage WT



Amin Haider
University of Toronto
General Engineering
Parent: **Muhammad Safir**
Arrow Rd Traffic



Paniz Bastan Hagh
University of Toronto
Life Sciences
Parent: **Jafar Bastan Hagh**
Eglinton Traffic



Austyn Hitchen
Laurentian University
Business Administration
Parent: **Mark Toich**
Harvey Shop – Truck Repair



Dawn Kalina
University of Waterloo
Honours Arts & Business
Parent: **Bill Kalina**
Wilson Division



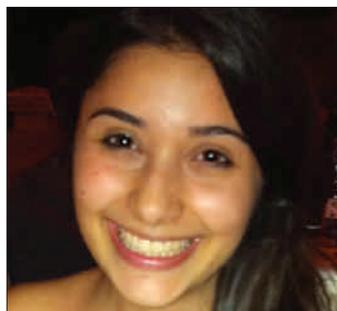
Adam Ladak
McMaster University
Life Sciences
Parent: **Karim Ladak**
Greenwood Yard



Janice Lee
University of Toronto
Life Sciences (Physiology)
Parent: **Edward Lee**
Malvern Garage



Alex Nuo Li
University of Waterloo
Business Admin Co-op – Mathematics
Parent: **Hua Li**
Lakeshore Garage WT



Katerina Maragos
University of Toronto
History/Politics
Parent: **Christos Maragos**
Janitors – Lawrence Station



Jessica Nancoo
Ryerson University
English – Arts & Contemporary Studies
Parent: **Vishnu Nancoo**
Roncesvalles Traffic



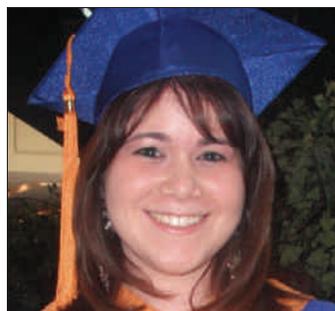
Carly Orser
Trent University
Teacher Education Stream – Arts
Parent: **Barry Orser**
Malvern Traffic



Christopher Owen
York University
Bachelor of Science
Parent: **Martin Owen**
Safety Liaison Local 113



Francesco Palermo
University of Toronto
Economics
Parent: **Marco Palermo**
Duncan Shop



Daniela Protomanni
York University
Business & Society
Parent: **Angelo Protomanni**
Birchmount Garage



Isha Sachdeva
University of Toronto
Humanities
Parent: **Pardeep Sachdeva**
Mt Dennis Traffic



Elena Shen
 Univ. of Western Ontario
B.Sc. Hons Biology/B.Ed. Teacher Education
 Parent: **Qiang (John) Shen**
RSEM Greenwood



Ahalya Somaskandan
 University of Toronto
Behavioral Neurobiology & Genetics
 Parent: **Ganesa Somaskandan**
Arrow Rd Traffic



Vincent Spano
 University of Toronto
History
 Parent: **Vito Spano**
Malvern Garage



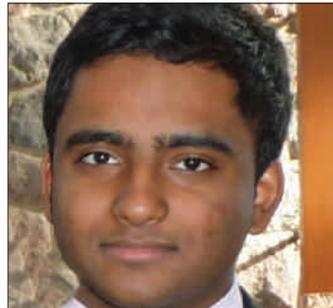
Kristen Stolarz
 University of Guelph
Psychology – Honours
 Parent: **Eric Stolarz**
Arrow Road Traffic



Yujing Sun
 University of Toronto
Life Sciences
 Parent: **Ruoyuan Sun**
Mt. Dennis Traffic



Adam Thomas
 University of Toronto
Industrial Engineering
 Parent: **Alex Thomas**
Malvern Traffic



Jerry John (Thuthiakattu)
 University of Western Ontario
Bachelor of Medical Science
 Parent: **Wincy John (Thuthiakattu)**
Plant Buildings



Samantha Tisi
 University of Toronto
Social Science
 Parent: **Antonio Tisi**
Russell Carhouse



Russell Yamauchi
 University of Waterloo
Honours Political Science
 Parent: **Robert Yamauchi**
Veolia – VIVA

No picture but still a winner:
Stephen Cooper
 University of Toronto
B.Sc./Life Science
 Parent: **Neil Cooper**
Wilson Traffic



John Lorimer was President of Local 113 in 1948-49. The first scholarships in his name were awarded in 1964 to three children of members and were worth \$400 each.



DOUBLE WINNER!

Ellen Ding is Local 113's first double scholarship winner. In addition to the Lorimer Scholarship, she is also a winner of one of six ATU International Union's Bruce Foster Memorial Scholarships, which are worth \$5,000 each. Foster was the first African-American elected as an ATU International Vice-President. He served in that post from 1971 to 1986, when he retired. Ellen is studying Political Science at the University of Western Ontario. Her parent is Hai Ding (Eglinton Garage). Congratulations, Ellen and Hai!

OFFICER REPORTS

2011 A ROLLER-COASTER YEAR FOR THE UNION

Manny Sforza EVP Report – continued from page 5

Collective bargaining has certainly changed forever now that we have lost our right to strike, thanks to the hypocrites at Queens Park. Our TTC negotiating committee was prepared to meet daily. Management, however, took a very relaxed approach to the process and we were not able to come to a resolution. As I am sure you are all aware, Mr. Kevin Burkett has been assigned to arbitrate our contract, and we anticipate a decision from him in the upcoming months.

Management at the TTC suddenly lost focus on running a Transit Organization in 2011 and launched a senseless attack on our members with respect to discipline. Individuals were being interviewed for the most ridiculous and minor infractions. Most recently, being in possession of reading material (including TTC'S own Coupler) was a dismissal offence. Drinking water and biting into a chocolate bar became a crime! Supervisors were busy riding undercover (not Stintz) looking for the most ridiculous of things. Hey, how about getting back on the streets and running the lines and looking out for fare evaders. Perhaps even responding to calls and backing up our members occasionally when dealing with rude and abusive riders, amongst other ways you could be actually helpful to the system.

On a positive note, 2011 was a great year when it came to the Pension Fund. After years of lobbying for solvency exemptions, we took action. Our local was proactive. We approached the Provincial Regulator. After months of negotiations, meetings, and changing our pension plan to a "Jointly Sponsored" plan, we were granted the exemption. As a result, we were able to provide a three year update for our members and an increase for our Pensioners. That was the proudest moment for me so far as a Director of the Fund.

Accommodation of our members has been my biggest priority since being elected. I am happy to report that we have seen some improvements in this area. The company has made some changes in their process and is slowly beginning to recognize their legal responsibility. However, some locations are still a little slow in recognizing their obligations, and it isn't until the Union files for Mediation or Arbitration, that the message seen to get through. We continue to have members compensated for remaining at home unnecessarily, or having their cases handled poorly. Several members have also received awards at mediation for being out of work far too long, including one member who remained at home for over a year, when he clearly could have returned much earlier. I will keep you updated on cases that are proceeding to arbitration.

January 2012 saw changes to our Benefit Provider and Manulife quickly lived up to their reputation of being vigilant and document-driven when it comes to processing claims. Although we did anticipate some issues during the transition period, I am aware of some additional administrative problems that have occurred with claims transferred from Great West Life. Extra staff has been assigned at the TTC Benefits Section to handle inquiries and concerns, and the call center at Manulife has been flooded. I would ask that you be patient, as claims will clearly take longer than normal to process during the early part of the 2012. Information packages were mailed to all members and posters are at all work locations listing contact numbers for both Manulife and the TTC Benefit Section.

Finally, a word about political matters. The tone at City Hall since the Ford takeover has taken a disturbing, undemocratic turn. There are many examples but here is one I went through personally. During a recent Labour Rally at City Hall, while the contentious budget was being debated by City Council, I witnessed the Ford administration's abuse of power first-hand. I was with a very small group that wanted to sit in the gallery to watch representative democracy in action. While attempting to access Council chambers we quickly realized that the doors to the stairwell had been locked. When we attempted to use the elevator we found that it had been blocked from stopping at the chamber floor. Through persistence we were eventually able to get the elevator to the correct floor. When we exited we were met by security personnel advising us that the council chamber was filled to capacity. We advised them very politely that the TV monitors clearly showed many empty seats. We were still not allowed entry. We waited patiently for 30 minutes, during which time 25 observers left the chamber. We asked again why we were still not allowed in and were told in a loud tone: "You are not getting in." We asked for a supervisor who arrived shortly after and when we explained that 25 people had left and seats were empty, he responded loudly: "Let me be clear! You are not getting in!" As I exited City Hall that night with police-lined barricades on the inside, I realized how our City has drastically changed with our Moronic Mayor Ford at the helm. When members of the public are faced with police and barricades entering and exiting our "City's" Hall, and are barred from witnessing democracy in process, then it is no longer a democratic society.

HARPER GOVT. SAYS DEDUCT CPP FROM DISABILITY BENEFITS

Members in receipt of TTC disability benefits will see their cheques shrink a bit soon, thanks to the Harper Conservative government's Bill C-13. The ironically-named *Keeping Canada's Economy and Jobs Growing Act* requires employers to now deduct Canada Pension Plan contributions from employer-paid disability benefits. Taking money away from people who cannot work is apparently Prime Minister Stephen Harper's way of growing the economy. Thanks, Steve!

Labour Day Parade 2011



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1. Leading the Local 113 Labour Day Parade contingent for the first time was a special banner, a gift from ATU Local 1181 in New York, the largest ATU local in the U.S. Its members work mainly in the school bus sector. 2. Local 1182 President Michael Cordiello leading a November 2011 rally at New York City Hall against contracting out of school bus services. 3. Executive Board members Cliff Piggott, Pino D'Armiento, John Di Nino, Ian Mackay, Bob Kinnear. 4. A young First Nations spirit dancer.



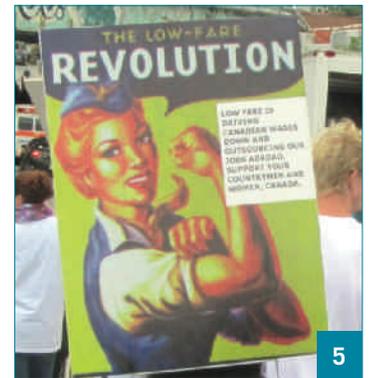
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5. Flight attendants are struggling against emerging low-fare airlines, which compete by lowering wages and benefits. 6. Toronto Public Library Workers Union President Maureen O'Reilly, led a successful public campaign that prevented any library closings or reduction in open hours. T-shirt sentiments abound at every Labour Day Parade. 7. A librarian; 8. A member of the Alliance of Canadian Television and Radio Artists (ACTRA); 9. A homage to Jack Layton, who had died less than a month earlier; 10. The parade route passed by suitably named Workman Way.



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ACROSS THE BOARD



Cliff Piggott

Arrow Road/Mount Dennis/Veolia

We are embarking on a new year with new challenges and I am happy to advise that some old issues have been successfully concluded.

The Board of Directors of the Pension Fund Society in particular, Bob Kinnear and Frank Grimaldi, have been able to resolve the matter of solvency that hampered the Board's ability to update the pension and acquire indexing for pensioners. By getting relief from solvency, the Pension Fund Society was able to acquire a 3-year update and has made it possible to have updates in the future, which had been a problem that existed for years.

In 2011 the TTC was deemed an essential service. Also, in 2011, the Commission introduced the Operator Excellence Program. The program defines the rules and guidelines that all uniformed members should follow. Any member who is unclear of the meaning of these rules should contact their Board Member or Shop Steward to get clarification.

On a lighter note, 2012 has started with the settlement of the Veolia strike and the GTA clause. Both of these settlements are indications of the hard work and commitment of the Union to maintain a strong united front.

In conclusion the Executive Board is hoping to bring contract negotiations to an end sometime in the spring after which we will turn our focus and energies moving forward with other projects.



Carmen Lint

Birchmount/Malvern

This past year has been extremely busy for the Executive Board. We saw the government declare us an essential service which took away our right to strike and our leverage in collective bargaining. This now extended the settlement of a new contract longer than we traditionally

are accustomed to. We should see closure to this sometime in the spring.

In March, the Commission came up with the Operating Excellence Policy. During this time, Local 113 has seen an increase in discipline and more severe than in the past. The plainclothes rides are not letting up. If you have any questions concerning the Operating Excellence Policy, please contact me or your Shop Steward right away.

The Viva strike has been settled and congratulations to our brothers and sisters to the north of the city. They deserve a big pat on the back for enduring a long strike like that. It was really heroic, the way they turned down the company's "final offer" in a labour-board supervised vote, not knowing if they would have their jobs afterward. They won in the end because they stuck together and supported their union, just as their union supported them. Unity is not one way to win fairness and justice at work, it is the only way.

On another high note, we recently got a favourable arbitration decision on the GTA clause. It adds up to a lot of money for our members, who deserve it. We work in very stressful conditions on a daily basis, with a lot of hostility from the media and right-wing politicians. It is great that we negotiated that clause years ago.

Going forward, please remember if an incident occurs, tell your union representatives immediately, not months later, so that we can deal with the matter promptly. The old saying is true: "A stitch in time saves nine." Ignore that at your peril. The sooner you get the union on your side, the better off you'll be.



Ian Mackay

Wilson Bus/Wilson Subway

Brothers and Sisters: It is difficult to cover all the issues we face today, there are a few.

Where have all the morale building programs gone? i.e. BBQ's, retirement celebrations, special milestones, etc.

They seem to have gone to Mount Dennis with Ron Smale and the retirement of Ed Korpan, along with their philosophy of "Help assist and support." It appears to have been replaced with "Delay and Deny." This is having a very negative impact on morale at Wilson Bus Division.

It is a very difficult time to be an operator at T.T.C. Between "secret shoppers," AKA "spies" and empowered customers who seem to have an agenda to discredit and undermine our operators, just doing your job is tough.

It is not all negative, though. We won our arbitration for the GTA Clause. Our operators deserve to be the highest paid; they certainly have the most difficult job. I don't think anyone could disagree with that. The Union continues to fight for fair treatment for all members.

In the subway, the new T.R. trains are riddled with problems such as reverser switch, brakes gliding, door problems, cab doors opening. Hopefully these issues will be resolved soon.

A special thanks to the Shop Stewards, Health and Safety teams, BST and other support teams.



Paul Haynes

Roncesvalles, Russell and Queensway

Dear brothers and sisters. Let me start by wishing all a very happy new year. May all your wishes come true in this year. With all that's been going on within the organization it is hard for anyone to understand the trials and tribulations that the executive board is going through. However, we will continue to fight the

fight and eventually we will overcome.

There is a fight being waged on all fronts against us, from City Hall and beyond. It is apparent that the powers that be are doing their utmost to destroy all we've managed to win throughout the history of this great union. Some of you even went as far to say that we've been declassified – we've lost our power, and so on. The old way of doing business as usual is something of the past. When you have a mayor whose sole purpose is to destroy the unions, then the fight has to take a different form. His main objective is to contract out any and, if allowed, everything he can. The magic words being used at City Hall is that the gray train has to stop. However we know that what he says and what he does are very different. As an example: When the mayor stated that he was an ordinary man, it couldn't be further from the truth. The mayor and his brother were never ordinary people. On the contrary, they were born into a privileged family. They never had to worry where their next meal was coming from. Never had to worry if they had enough money to pay the rent. We, on the other hand, have to work hard for our money and we do so every day. Be it snow, sleet, rain or shine, we are out there doing a hard day's work for a decent pay. It's not as simple as our customers make it out to be. The only reason that the job looks easy to our customers is that our fine sisters and brothers make it look easy. We are professionals and hence we do a great job day in and day out. We do this because we are dedicated individuals who enjoy what we do and we do not apologize for making a good and decent wage for it.

We here at the Board have to fight these battles differently now. And although you might not see it immediately, the results speak for themselves. You may have noticed that the GTA clause that was part of the collective agreement, signed by the Commission and consequently rejected by them, was challenged by the union and we were victorious at arbitration. Looking back at a few other examples I can tell you that when Mr. McGuinty introduced the OHIP increase, our collective agreement was clear. It stated that any such increases would be paid by the commission. They fought us all the way to the Supreme Court and lost. We have a tremendous Executive Board here and from the President on down we are fighting like mad to get our members the best possible agreement there is to be had.

In my previous letter I asked that if a situation arose that made anyone uncomfortable, that we would like to know about it and instead of reporting it to management, we would address it and also do our best to rectify the problem. Alas, it has not always been the case. So here once again I'm asking that should a situation arise to please give us an opportunity to resolve a problem before you take it to management. In closing I'll say this phrase that seems so lame to some but is nevertheless true: UNITED WE STAND and DIVIDED WE FALL. Keep the faith and together we shall overcome. Until the next time, keep doing the fine work you're doing and God bless you all.



Pino D'Armiento Plant Department

There are many challenges facing our union, despite our strength. We cannot afford to let our guard down, even a little. Every day brings fresh

problems as well as the reoccurring ones.

Contracting out is a huge issue. Protecting our work continues to be our top priority. The Union is in constant battle with management over ongoing breaches to our contract. No matter how often we win our cases, management repeats the same violations over and over again. Perpetual vigilance and strong response is the price we must pay to protect our jobs, but that's only the first of our challenges.

Management's disciplinary process has gone way past the point of harassment. You sometimes have to check the calendar to remind yourself that we're not in the 14th century, with management treating employees without dignity and respect for human rights. To make matters worse, those in lower management are

avoiding making disciplinary decisions they have the authority to make. This is causing important issues to not be resolved in a timely and acceptable manner. Justice delayed is justice denied.

There is only one way to respond to the ongoing abuses against our membership: remain United. What does that mean, in practical terms? First of all, police our contract – YOUR contract. Inform your shop steward or board member when you learn of *any* situation or comment that goes against our collective agreement. Let us know right away when you are asked to perform outside your duty or when you have been overlooked on overtime. Remain strong. Question decisions that don't seem right. Perform your duties to the best of your ability and don't give the company opportunities to complain about your work.

Every member's Health and Safety is at the top of your Union's concerns. Management continues to put our members' safety at risk. No job is that urgent that it should be done unsafely. Even police and firefighters have strict safety procedures. Under the Occupational Health and Safety Act, you have the absolute right to refuse work that you believe to be unsafe for you, for another worker, or for a member of the public. There is a legal process that must be followed if you refuse unsafe work. You are protected by the law, so use it to protect yourself.

If you are off sick, protect yourself with documentation. I know it's a hassle when you're sick, but don't neglect it. Get help if you need it. When booking off sick, complete your SBA/medical forms and get your doctors' notes filled out and in order. Members are being relieved for culpable absenteeism due to their failure to provide the necessary documents. Fighting such cases takes a lot of time and resources and results cannot be guaranteed. Look after the paperwork so that you can recover without fearing for your job.

Remember Brothers and Sisters to trust your Union. Trust in our strength, by working together and looking out for each other we continue to build a unity that is unbreakable. Management is only interested in protecting themselves; do not make the mistake of allowing the company to resolve situations on your behalf. I assure you they are not looking after you. It is very important that you document any and all situations that you deem are forms of persecution against you caused by management. Write down and keep documentation ready, this is one of the greatest ways to prove to management that we are always ready to protect ourselves.

I will continue to work in your best interests and to represent with pride the Maintenance Department. United we stand.



Mark Bertoia Bloor-Danforth Subway/SRT/ Eglinton/Wheel- Trans Transportation

Dear Members:

A heartfelt thank you goes out to Shop Stewards, Jody Kerr, Otis Leow, and Donald MacLeod for their dedication to our members in these very trying times. It is very much appreciated.

The attack on our membership and this great local is unprecedented. Management has said by their actions, that they do not respect the hard work that we do, they do not respect us or the Collective Agreement.

We are far from alone in this. Labour is under attack by the extreme right all over North America. Strength through unity will be our only path to victory. Some realities never change.

A thank you to our top officers for assisting me on a number of workplace issues in my divisions.

Members, please remember the most important thing in this world is you and your family. May the god of your choice watch over and protect you.



John Di Nino Equipment 'E'

We have had many challenges in the last year and are facing many more in the years to come.

The political spectrum has changed in our City, Province and globally. Right wing politicians are making every attempt to destroy and nullify all of the gains that Unions have made for working class people over decades. Our Unions are clearly under attack. We need our membership to understand that it is not the Unions who are allowing this, but rather the politicians who are initiating this **attack**.

There is not a more important time than now to stand behind your Union and support their initiatives. More importantly, negativity with regards to your Union is not a good thing. It only builds confidence and power in our enemies' eyes. Standing in solidarity we can effectively fight our enemies.

This year, Local 113 will celebrate its 113th anniversary. It is through the perseverance and fight that our forefathers took on that has allowed us to achieve our successes. Our visions should be to continue fighting for what we believe in and continue to support your Union, so that we may persevere for another 113 years. Remain strong and united and we will succeed.

Ask questions. Get information. Speak your mind.
Attend Local 113 Membership meetings.

ACROSS THE BOARD



John Wales
Collectors/Clerical/
TCT/Patten/Traffic
Checkers/Wheel-Trans
Administration

A New Year, a new Commission? Well, we can only hope. As 2011 came to an end, I couldn't help but reflect on what an outstanding example the Commission (TTC) is for negativity, unwarranted disciplinary actions, and to be frank, a general lack of support to the thousands of workers that together have made the TTC the number one public transit system in North America.

Perhaps the Commission should sort through the "lost and found" box to see if they can find their common sense, guidance and leadership skills. This was not an issue for the Union; we always had leadership, guidance, and common sense. However, I digress. Why should I continue to waste time pointing out the shortcomings of the Commission?

So, onward and upward, welcome 2012. With a New Year comes new changes. Management changes may bring fresh ideas to the table; changes that will affect our members.

As you may know, the Commission launched electronic fare collection at some subway stations. Although this is just a trial, we need to be aware that this may take a few years to fully implement. Station Collector duties may change with the new technology, but they will continue to do what the Commission's machines cannot. They will always be the eyes and ears of the system. Perhaps this new method of fare collection can also be a forum for the Commission to actually listen to the concerns I continually present to them for you. Concerns such as unsanitary collector booths, poor air quality and most importantly your safety.

Any changes to Station Collectors may also cause a change to Revenue Operations. Currently, Revenue Operations is slated to be part of Transportation. Talks of this merger have been ongoing for over a year. Should Revenue Operations proceed with the proposed location transfer, this may be the deciding factor on possible changes.

Early into the new year, we have seen changes in Divisional and Wheel-Trans clerical duties. We now have five new non-signing division positions, a new training program (even though I still have training questions that need to be answered), as well as wage groups and job descriptions that need to be resolved.

There is also a possibility that Traffic Checkers and Ticket Agents may see changes in the future. As always I will provide the members with news regarding changes as I get them.

I would be fully remiss if I did not take this opportunity to thank Mr. Frank Grimaldi (ABA), and Shop Stewards, Mr. John Brown, Mr. Paul D'Oppido, Mr. Clark Smith, Mr. Steve Piniotes, Ms. Elaine Doucette, Mr. Tony Iannaci and Mr. Tim Merriles for all of their work and commitment. Without them, 2011 would have been even harder.



Bill Chrisp
Maintenance At-Large

Even though the future direction of the TTC is very much in doubt

these days, one thing is not in doubt: maintenance will always matter. Whether Ford gets his way and everything gets put underground or the Stintz plan wins out and we get LRT routes aboveground, *someone* is going to have to maintain the vehicles, tracks and stations. Naturally we think it will be TTC employees but that is not a foregone conclusion. We will have to fight to keep all future maintenance in-house.

The main problem we face is Metrolinx, the provincial government transit agency. Metrolinx has the legislative authority to decide how the maintenance will be handled on any properties that they own or control. For example, if Metrolinx owns or controls the Eglinton crosstown line that is being built, they could decide to contract out the maintenance on the lines and vehicles. Why would they do this? The only rational reason would be to save money. But would it actually be cheaper to set up an entirely separate maintenance workforce, with new facilities and all the expensive machinery required? That is very unlikely. First and foremost, there is

a growing shortage of skilled tradespeople in the transit sector. In fact, there is a shortage of skilled tradespeople in practically every industrial sector. The oil sands companies in Alberta, for example, have to pay huge money to get the people they need and even then, there are not enough Canadians to fill the gap. They are recruiting from all over the world.

Here in Toronto, we have a transit maintenance workforce that is second to none, anywhere in the world. But that does not mean that the bean counters in provincial government offices will understand that it takes decades to build up the body of expertise we have in our TTC shops. It is entirely possible that someone may try to make a "business case" for contracting out Metrolinx maintenance work.

Let me assure you, brothers and sisters, that Local 113 is very aware of the challenges and we are taking all necessary steps to protect our work – work we already have and work that will come in the future. Your solidarity and support will, as always, be key to our success.

A report by Executive Board Member Bill Merlin, *Hillcrest*, is on page 13.

BUYING A CAR?

We don't take advertising in our magazine even though we have had queries. So this is not an ad, just recognition of a business that treats working people fairly. Word of mouth among several members in the Whitby area is that John Young of Gus Brown Pontiac Buick is a good guy to deal with and can usually get you a better deal on than most other places. If you're planning on buying or leasing a GM vehicle, shop around and then give John a call or send him an email. No guarantees but worth checking out. 905-433-7548.

Email: johnyoung@gusbrown.com.

Any other tips from members about good business people who respect unions and treat workers fairly are welcome.

ATU Local 113 Making Strides with Recent Decisions and Charter Challenge

By Manny Sforza
Executive Vice-President and Benefits Specialist

Our Local has recently filed a Constitutional challenge under the Charter of Rights with the WSIB Tribunal. In this case, a female worker who was sexually assaulted by a coworker submitted a claim for mental traumatic stress. Her claim was denied because the adjudicator felt the assault was not “objectively traumatic” as required under the Post Traumatic Stress Policy. We asked for reconsideration and forwarded submissions, including several examples of Criminal court decisions where men were sent to prison for similar circumstances, arguing the assault was in fact “objectively traumatic.” WSIB still rejected her claim stating this case did not meet their requirement for Mental Traumatic stress. Somehow, they don’t believe being sexually assaulted is “sudden and unexpected” or “objectively traumatic” according to their ridiculous and rigid Policy.

Amongst other arguments, we are claiming that WSIB cannot discriminate against our member on the basis of her mental disability, and therefore violates her equality rights under section 15 of the Charter. The case is currently being reviewed by the Attorney General of Ontario for his opinion on the matter and I will definitely provide updates.

We had a noteworthy decision last year with a case we took forward to the WSIB Tribunal. A member had slipped and fallen early one winter morning while walking to his bus. He actually took several single vacation days off for the rest of the week hoping he would get better, realizing that he had pre-scheduled vacation booked for the upcoming week. He did not book off because of an occupational injury, something I would never recommend. He eventually returned to work and attempted to continue working for several more weeks until he realized the pain was not going away. He finally saw his doctor and was diagnosed with a rotator cuff tear in his shoulder. His doctor then referred him to a specialist and he eventually had surgery.

He booked off for an occupational injury while awaiting surgery and his claim was quickly rejected. Problem was, he hadn’t seen a doctor until 39 days after falling at work, a major problem. (See your doctor immediately). We appealed his case at the WSIB level but they refused to overturn the original decision. We appealed to the WSIB Appeals Tribunal and the member eventually told his story as it happened. He testified how he was “old school and thought the pain would go away.” I remember the look in the Madam Chair’s eyes when he said those words. He went on to testify how the “employer frowned upon employees booking off, so he tried to work through it.”

We knew it would be a difficult case to win. So much time had passed before the member visited his doctor. WSIB and WSIAT typically take the position that, in such circumstances, the injury could easily have happened off the job. We waited several months for the decision, prepared for a negative result. But in her decision, the Chair of a three person panel wrote: “the worker was very credible and we accepted his explanation that he did not sustain any further injury after the initial incident”.

Finally, in another case related to Mental Traumatic stress, a member submitted a claim for a recurrence for a horrific incident which happened several years earlier while operating a vehicle. A number of similar incidents occurred over several weeks in the media which brought back terrible memories of the initial incident. The member booked off for only three short days and the Board rejected her claim. We appealed the decision vigorously, as we always do, and the folks at WSIB that make it a daily practice to deny claims still refused to overturn their original decision.

The Local filed an appeal to the Tribunal and incredibly enough early on in the process, someone with some common sense quickly realized that a drastic error had occurred at the WSIB level. We were then contacted by the Tribunal and a Conciliated Resolution immediately took place between the member and the employer, accepting the claim for post traumatic stress without requiring a hearing.

These decisions not only assist our members but all workers in Ontario that may have future claims with similar circumstances.

Remember: Submit an Occupational Report immediately following an injury or incident. Protect yourself! Secure witnesses and seek medical attention immediately. If in any doubt about how to proceed, contact your Board member.



Mental stress as a result of a traumatic incident at work can be disabling for some time and the victim should be entitled to WSIB benefits. However, it is a difficult area of compensation law because no one can see inside your mind and, as well, people react differently to the same types of trauma.

ATU 113 ON THE WORLD SCENE

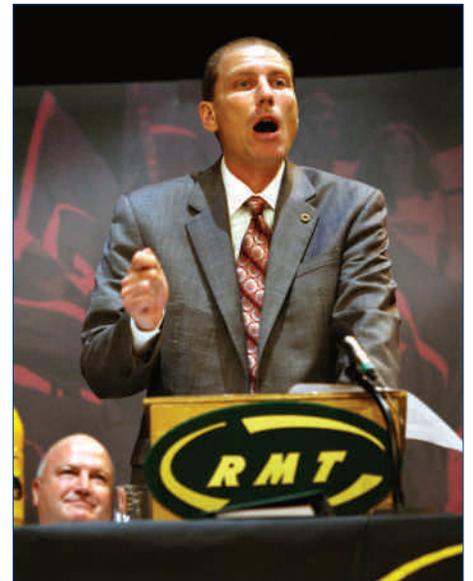
ATU brings message of solidarity to UK unions

Last summer, ATU International sent Local 113 President Bob Kinnear as its representative to a conference in Scotland of the Rail, Marine and Transport Workers' Union. He was accompanied by Glasgow-born Executive Board member Ian Mackay and ATU Local 1700 President Bruce Hamilton. RMT is known as the most militant union in the United Kingdom. During the ATU leaders' visit, British teachers' and public service workers' unions staged the largest one-day strike in nearly three decades to protest the government's proposed pension cuts. At the unions' request, Kinnear addressed a wildly cheering crowd of thousands of strikers in Southampton, 100 km southwest of London.



ATU representatives from Canada and the United States helped lead a massive protest march in Southampton, England, on July 1, 2011. Kinnear was loudly cheered when he brought greetings from Canadian workers: "We share your dreams of a better future and stand with you in your struggles."

As RMT's leader, Bob Crowe, looks on at the annual conference of the very militant union, Bob Kinnear delivers a powerful speech of international solidarity and declares: "There's an ocean that divides us but a history that unites us." The conference took place not far from Falkirk, Scotland, birthplace of Canada's Father of Medicare, Tommy Douglas.

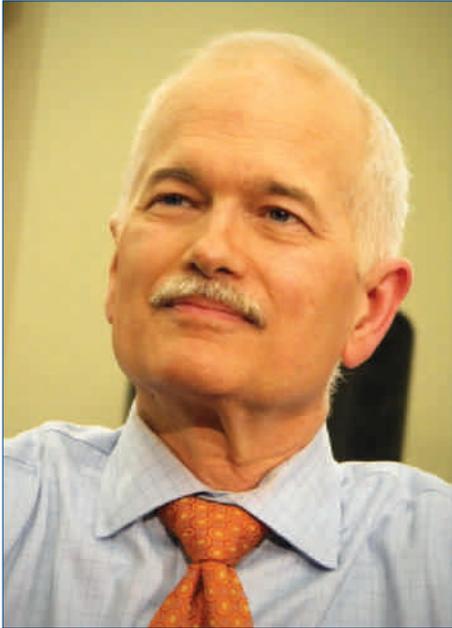


LOCAL 113 WOMEN LEAD THE CELEBRATION

International Women's Day is a global day celebrating the economic, political and social achievements of women past, present and future. In Toronto, ATU Local 113 led the 2011 IWD march along Bloor St. and down Yonge St. L-R: Debbie White, Carol Reardon, Executive Board member Carmen Lint, Eleanor McKnight (with the red hat) and Cathlena Mason.



In death, Jack Layton inspired Canadians to hope and work for a better future for all



“My friends, love is better than anger. Hope is better than fear. Optimism is better than despair. So let us be loving, hopeful and optimistic. And we’ll change the world.”

From Jack Layton’s Letter to Canadians, August 20, 2011

On May 2, 2011, Jack Layton achieved what had eluded every NDP Leader before him, from Tommy Douglas on down: he led the party to an historic 103 seats in Parliament and Official Opposition status. Less than four months later, on August 22, his death from cancer stunned the nation and led to an outpouring of public grief and adulation never before witnessed for a Canadian political figure. Within hours, Nathan Phillips Square in front of Toronto City Hall was blanketed with chalk-written personal memorials, flowers, flags, posters and other symbols of the loss felt from coast to coast. The large white wreath, above, was from our union; the yellow ribbon on it reads: Amalgamated Transit Union Local 113.



LOCAL 113 POLITICAL ACTIVIST

Long-time Local 113 member Paul Flynn and his wife, Jackie, went to the Ontario NDP 2011 General Election Campaign Launch at the Allstream Centre on the CNE grounds in late June. There they had a large display area from which they showcased and sold Local 113 products, from tee shirts to tool kits, with the proceeds going to the Children’s Breakfast Club. (See page 12.) Paul is Chair of the Local’s Political Action Committee and coordinated the union’s efforts in the cliff-hanger October 6 election, which resulted in a Liberal minority government, one seat short of a majority.

Local 113 early history shows power of solidarity

Local 113 was born in a time when there was even greater hostility to unions than now. Early meetings were held in secret, late at night, for fear of employer retribution. But eventually, through the sheer power of solidarity, the union came into the light and worked relentlessly to protect its members and improve their lives. We owe so much to these pioneers. Our job is to preserve and add to their great legacy.

1893 – 1897

First attempts to organize the privately-owned Toronto Street Railway Co. (TSR) thwarted by company's refusal to negotiate. Union disbanded twice.

1899

Division 113 of the Amalgamated Association of Street Railway Employees finally established and in continuous operation since. James McDonald was the first Business Agent until his death in 1907.

1902

Over 1,000 members engage in first strike against the TSR. Company calls out Militia and attempts to run system with scabs. Public sides with the union, which wins wage increase on third day of strike.

1919

In the same year as the Winnipeg and Toronto General Strikes, Division 113 members walk off the job and win the 8-hour day and a 41% wage increase.

1921

Union was instrumental in winning public support for the establishment of the Toronto Transportation Commission, which immediately became one of the largest publicly-owned and operated transit systems on the continent.

1927

Gray Coach Lines set up as an "over the road" unionized TTC subsidiary. Sold off in 1990.

1932

In a Depression-era version of today's Defence Fund, Division 113 members vote to put 1% of their earnings into a "relief fund" to keep laid-off members and their families off public welfare.

1940

In a Canadian first, Division 113 gets TTC to set up jointly funded and administered Sick Benefit and Pension Fund associations.

1952

First strike against the TTC begins with a January 3 midnight meeting at Massey Hall; strike lasts 19 days, the longest strike in the union's history until the 2011-12 York Region Transit Viva strike.

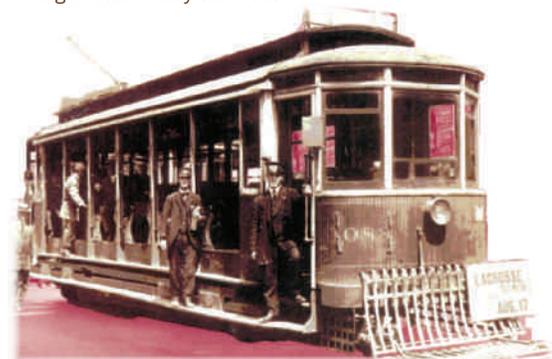
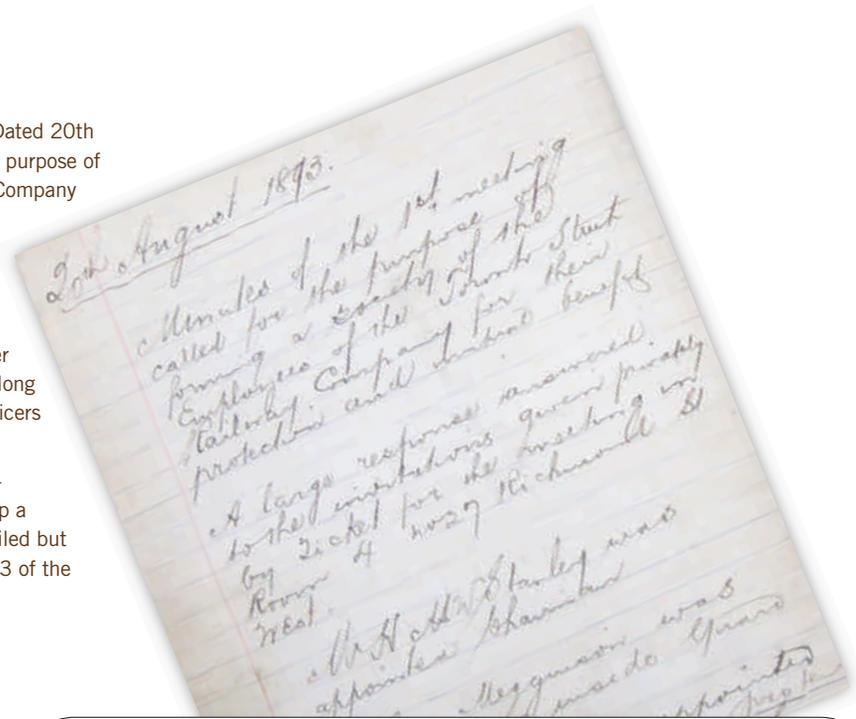
In the beginning...

This is the original minute book of the first meeting of our union. Dated 20th August, 1893, it reads: "Minutes of the 1st meeting called for the purpose of forming a Society of the Employees of the Toronto Street Railway Company for their protection and mutual benefit."

"A large response answered to the invitations given privately by ticket for the meeting in Room 4 in 27 Richmond Street West."

So, the notice of the meeting was a ticket secretly passed from hand to hand among the workers. The names and addresses of over 170 workers who attended were recorded in the following pages, along with discussion and resolutions relating to the constitution and officers of the new organization.

This first attempt at organization ultimately failed, as the privately-owned TSR refused to bargain with the Society and, instead, set up a company union. Another organizing attempt two years later also failed but the company union proved to be useless and in 1899, Division 113 of the Amalgamated finally took root.



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