



on THE *move*

Vol 1 Nº 2 • August 2005

WE MOVED TORONTO

**A GREAT PUBLIC
CAMPAIGN**

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NEARING
COMPLETION**

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END OF AN ERA

**THE LAST GM BUS
REBUILD**

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Contract '05

Down to the Wire

An aggressive bargaining style backed up by an innovative communications campaign wins Local 113 the best public sector settlement in more than a decade.

2005 CONTRACT GAINS PAVE WAY FOR EVEN BETTER FUTURE

During these first months of our new collective agreement, I have spoken with many members about how they view the gains we made. I have also, of course, heard their disappointment at the gains we would like to have made.

I appreciate all the feedback and I especially appreciate the openness and honesty with which it is delivered. Our members have no problem saying exactly what they think to my face and I would have it no other way. That feeling of equality and mutual respect between the members and their elected officers is important to our union. It made us strong in the past and will keep us strong in the future.

Overall, a large majority of the members I have spoken with believe we achieved a lot in this round of bargaining. A number have even admitted that they voted against the settlement but have now changed their views. They've had some time to think and talk about the totality of the settlement. They're right.

Take a look at our 10-year bargaining history (pages 7-8). The sheer volume of beneficial changes this time around is worthy of note. **And not one concession was made.** We did not take a single step back. We only went forward. The only question is this: could we have gone ahead even further, achieved even more, if we had gone on strike?

We have never been afraid to strike

and I am sure we never will be. But if you compare our settlement to others before ours, in both the public and private sectors, I do not believe we could have done better after a walkout. First of all, we recovered a significant amount

Bob Kinnear
President/Business Agent



of ground lost in the past. Secondly, we opened many doors: a shorter wage progression, double time for delay time, paid travel back to the Division, skilled-trade allowance (yes, I know it's only a dime, but we've opened that door), improvements in Comprehensive Medical benefits, big sick benefit gains, better clothing allowances and pension improvements. Thirdly, we negotiated more limitations to management strategies like unreasonable schedule adherence, APS, various maintenance regulations and contracting out.

Many of these issues have been around for decades with little or no progress realized. Now, we have them. We do not have to climb these particular mountains again. The next time around we will not be fighting to introduce these items, only to improve them.

The cost of this settlement to the TTC amounted to an average total of \$19,200

per member over the entire life of the agreement. Most of that will be in wages, the rest will be in better benefits, more

WE OPENED MANY DOORS WITH THIS AGREEMENT

secure pensions, and other improved working conditions. This works out to an average of 13% in wage and benefit improvements over the next three years. That is nearly double the total inflation rate over the last three years and it will almost certainly be much higher than the inflation rate over the next three years. And our Defence Fund of more than \$3 million is still intact for the future. We won this round of bargaining hands down and we will be even stronger the next time around as a result. I think we can all be proud of what we have achieved.

But if you disagree, by all means tell me. I'm listening.

I want to personally thank all of the members of the Bargaining Committee and the full Executive Board for a job well done. I would also like to express my thanks to Mr. Bill Reno and, as well, to Union Communications, for the excellent job with our media campaign, press relations, web site and telephone update system. We tried some new things this time and I've heard a lot of great reaction from members. Thanks.

on THE move

August 2005

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AMALGAMATED TRANSIT UNION
LOCAL 113

812 Wilson Avenue
Downsview, Ontario
M3K 1E5

Phone: (416) 398-5113

Out of Town: 1-800-245-9929

Fax: (416) 398-4978

www.atu113.org

SENIOR OFFICERS:

Bob Kinnear
President and Business Agent

Paul McLaughlin
Executive Vice-President

Les Moore
Secretary-Treasurer

Steve Anthony
Assistant Business Agent
Maintenance

Larry Davis
Assistant Business Agent
Transportation

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Bill Chrisp – Plant

Scott Gordon – Equipment "E"

Cosimo Lacaria – Hillcrest
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Revenue/Traffic Checkers/JMCT Clerks

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Phil Quibell – Danforth Subway/RT/Eglinton

WARDENS

Maintenance – **Pino D'Armiento**

Alternate – **Keith Hillyard**

Transportation – **Rocco Signorile**

Alternate – **Clark Smith**



Your most valuable union-negotiated benefit awaits you

Your pension is without a doubt the most valuable benefit that was negotiated on your behalf by this Union. In fact, the typical 35-year member who retires this year at age 60 will collect a total of well over \$500,000 in pension benefits from the TTC Pension Fund Society. If he or she has a surviving spouse, that figure could end up being much more. Then add to that half-million dollars or so the money you and your spouse will receive from government pension plans. The result: a very comfortable retirement for virtually all long-service ATU 113 members, thanks mainly to the union's efforts over the years to negotiate good pensions.

In the not-too-distant past, most workers had to work till they dropped because there was nothing waiting for

them on the other side of retirement. Most workers who made it to retirement age (or were fired because they could no longer keep up) were dependent on their families for support in their final years. That is why it used to be so common for three generations to live in the same household.

Les Moore
Secretary/Treasurer



As your Secretary/Treasurer and Director of the TTC Pension Fund, I strongly recommend that you take the time to learn more about your valuable

pension entitlement. Whenever I'm out on the property it always amazes me the questions that the members have about their pension benefits. On page 20, I've answered the most common questions I have heard.

TAKE THE TIME TO LEARN MORE ABOUT YOUR PENSION ENTITLEMENT

Your Union wants you to have a long and financially secure retirement and we will continue to work hard to ensure that the Pension Fund can provide all the benefits that you have come to expect.

New Ontario legislation would help us increase pension benefits

In the last issue of *On The Move*, we talked about enhancing our CMP Benefits in the (then) upcoming round of negotiations. We did make moderate changes to the plan, and they will be noted in the changes to the Plan Booklet.

We also negotiated future changes to the contribution formula for the Pension Fund. These changes take effect in January 2006. The increase was necessary to offset our huge liability. The pension fund is now paying out 5,550 pensions. It is a big concern that we now have a ratio of less than two employed members for every pension that is being paid. In September 1994, our fund was valued at \$1.4 billion. Today, even though

it is double that amount, at just over \$2.8 billion, we are still struggling to meet our commitments. The additional contributions will help with the

Paul McLaughlin
Executive Vice President



maintenance of the fund. However, we are still seeking other ways to enhance our returns.

Earlier this year, we wrote to the Honourable Greg Sorbara,

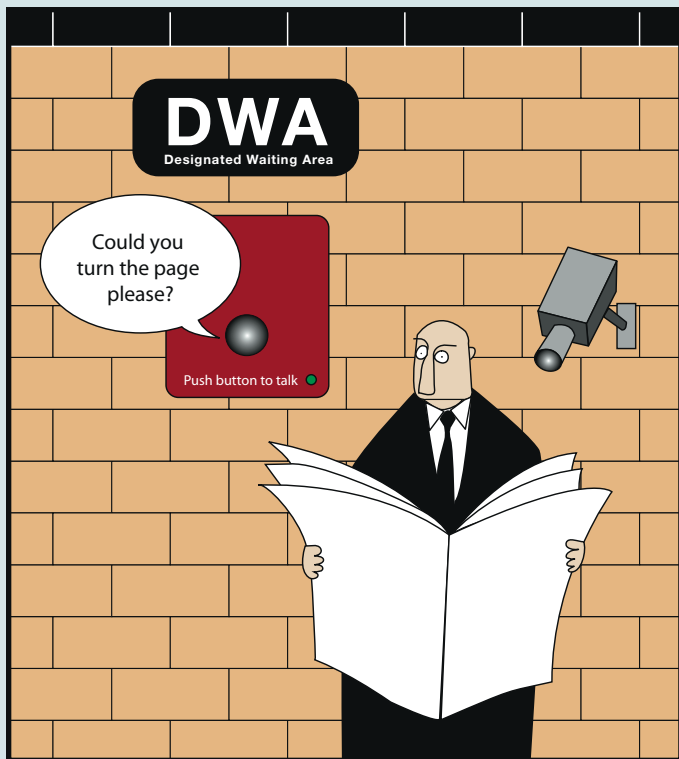
Minister of Finance and requested his intervention on a change to the Ontario Pension Benefits Act (PBA). We are the only province in Canada which still has 'Solvency' and 'Going Concern' legislation and it is seriously inhibiting our ability to pay cost of living indexing increases to our current pensioners. It is also making it difficult to update benefit entitlements beyond 2001. Other pension fund coalitions have also written to the Minister with the same concerns. We are optimistic that the Fall Budget will address the Legislation. We will certainly share any good news on this important matter with you as soon as it happens. Our goal is to ensure our members have long and financially secure retirements.

Union acting on terrorism threat

Acts of terror aimed at public transit systems are on the rise because they are easy and dramatic targets. In the past 18 months, hundreds of transit users have been killed by bombs in London, Madrid, Moscow and Israel. Toronto may not be high on the list of targets by international terrorists, but it would be foolish to think we are immune. And it's not just political terrorists we have to worry about. In China recently, a 42-year old terminally ill cancer patient turned into a suicide bomber out of despair and blew up a bus.

The union is taking action. We have communicated to authorities our willingness to work with the Commission and all levels of government and police forces in any program to reduce the threat of terrorism and the casualties that might result from an unstoppable attack. We are also contacting transit unions in other countries to ask for their advice in this critical area.

Most importantly, **the union will stand behind its members** when they act in the interests of system and passenger safety. If you see anything suspicious, it is far better to be safe than sorry, even if it involves delays or inconvenience. If you are disciplined for being cautious, we will back you up. And we're sure the public would be on the side of the union.



DIVISION REPORTS



Larry Davis
A.B.A. Transportation

One of the union's issues that caught the attention of the general public during the recent negotiations was the issue of discipline of Operators who arrived early at designated points on their route. After the April 1 Globe and Mail article on the issue of long service Operators being fired for arriving a few minutes ahead of schedule as few as four times in two years, TTC management was forced to defend what was clearly an unreasonable policy.

We got a lot of feedback on the We Move Toronto website on this subject. All of it was favourable to the Operators. The issue was also widely discussed on radio talk shows. "If you can't fit another person on the bus and the next stop is the subway station, it makes no sense to just sit there on the street for a few minutes," said one caller on CFRB. On CITY-TV, newscaster David Onley criticized the TTC for this policy and said he told his own children it made sense to get to the TTC stop a few minutes early.

This was a good example, one of many, of how the union's media relations advisors really helped us at the bargaining table. Management was forced to agree that the policy needed an overhaul. We have made much progress since the settlement and the number of disciplines for early arrival has dropped dramatically. If you have any problems in this area, contact your union representative right away. All we're asking for is respect and fairness.



Steve Anthony
A.B.A. Maintenance

We have a lot of issues in Maintenance and several of them were addressed in negotiations. We made substantial breakthroughs, in my opinion and I know a lot of you feel the same way. The APS issue was a big one. We achieved agreement to reduce the number of Various Positions and Increase the number of Fixed Positions. This is a "quality of life" issue that I know affects many of you. We hope to be able to report a lot of progress on this issue soon.

We also negotiated more money for the skilled trades with the additional premium and the licence reimbursement cost.

Another issue was the VEP Training. We negotiated into the agreement that if you have successfully completed Part 1, your seniority will count when it comes to selecting employees for Part 2.

Most important of all was the additional level of job security against contracting out that we won. Not only can you not be laid off as a result of contracting out, but for tradespeople, they cannot lose their position either. Still, we continue to fight all contracting out because there should be a lot more bargaining unit jobs. We are committed to going forward, not backward, in building this Local. Time and again, we have proven that it is more efficient and economical to use our members over contractors. We will continue to do so.

It's taken more than 25 years, but the Job Evaluation Plan is finally getting close to resolution

By Frank Grimaldi, Arrow/Queensway
and Rick Hughes, Wilson Bus/Subway



Frank Grimaldi

Rick Hughes



The Local 113 Job Evaluation Plan began in or around 1978 in the Maintenance Department. Despite warnings from our first Assistant Business Agent — Maintenance Brother Dennis Stokes that, in some situations, “job evaluation could result in job elimination” most maintenance positions have been reviewed during the course of the last quarter-century. Throughout this period, no transportation department positions were reviewed.

Since 2000, some positions in the Clerical Section have been evaluated as the result of the introduction of new technology and methods. By the time the Local entered negotiations for the 2002–2005 Collective Agreement, then-President/Business Agent Vince Casuti was determined that it was time for the Operator and Collector jobs to be reviewed. Research conducted by the Local indicated that such a review would result in upgrades if the Local 113 Job Evaluation Plan was used to evaluate the positions. However, at the conclusion of bargaining in 2002, the following language was agreed upon:

Subject: Job Evaluation — Operator Position
After the date of ratification, on a one-time basis only, the jobs set out below will be reviewed in accordance with the Local 113 Job Evaluation Plan or another appropriate job evaluation plan for this group of employees. The Union will be notified of the tentative timetable for review including the date when the reviews are expected to commence.

It is apparent from the above language that the negotiators of the 2002–2005 Collective Agreement left a gaping hole that afforded the Commission the opportunity to stall the process by insisting on using “another appropriate job evaluation plan”.



Bus Operator Louise Stewart (Birchmount) and Subway Collector Tony Filippi are two of thousands of members expected to benefit from the new Executive Board's push to resolve the long-neglected Job Evaluation issue.



Decision expected in fall

By all indications, we should receive a ruling from Arbitrator Herman by the fall of this year as to which job evaluation plan should be used. After that ruling is obtained, we will pursue an expeditious resolution of the evaluation process.

It is, and always has been, the position of this Executive Board that we will resolve this outstanding issue as quickly as possible, with a favorable outcome for our members. Recently, we settled a new Collective Agreement for the period from 2005 to 2008. Job evaluation was not discussed during negotiations. It was our position that this matter is before an arbitrator and we could not agree to resolve the issue if the settlement was costed against the new agreement. We refused to allow our ability to negotiate present improvements to be compromised by the settlement of a past dispute arising out of the previous agreement.

We thank the members affected by this issue for their patience and understanding and give you our firm commitment to obtain a favorable resolution to this matter during our term of office.

THE EXECUTIVE BOARD

Between the date of ratification of that Agreement and September of 2002, no action was taken. Moreover, after the Local sent the initial letter to begin the process, no further action was taken until the following August and a policy grievance was filed in September that led to a request for Arbitration in October of 2003.

After the 2003 Local 113 election, the new Executive Board assumed office in January of 2004 and discovered that nothing of substance had been resolved on this issue. The Executive

Board immediately pressed for Arbitration dates to get a determination that the Local 113 Job Evaluation Plan should be used. From that time until the present, the current Executive Board has resolutely pursued our objective. We have attended many days of Arbitration and heard testimony from dozens of witnesses. The Local has spent tens of thousands of dollars on this case.

ATU Local 113 Bargaining

	WAGES	PENSION	BENEFITS
2005	2005 – 2.75% 2006 – 3.0% 2007 – 3.25% PLUS \$200 LUMP SUM EACH YEAR PLUS 36-MONTH WAGE PROGRESSION REDUCED TO 30 MONTHS.	CONTRIBUTION INCREASE BY BOTH EMPLOYER AND EMPLOYEE: 2006 – 0.5% OF WAGES 2007 – 0.5% OF WAGES 2008 – 1.0% OF WAGES	VISION CARE: INCREASE TO \$275.00 (ALL REG. EMPLOYEES AND PENSIONERS) CHIROPRACTIC & PHYSIOTHERAPY: 10% INCREASE TO \$800/YEAR ORTHODONTIC: 50% INCREASE (FROM \$2000 TO \$3000) BEGINNING IN 2006 SPEECH THERAPY: 150% INCREASE BLOOD MONITOR PUMP (REG. EMPLOYEES, MAX \$5000)
2002	2002 – 3.0% 2003 – 3.0% 2004 – 3.0%	NO CHANGE	PHYSIOTHERAPY & CHIROPRACTIC: \$700/YR COMBINED TOTAL (EMPLOYEE & DEPENDENTS). CHIRO MAX: \$15/VISIT. SPEECH THERAPY: \$200 INCREASE HEARING AID BENEFIT: \$500 INCREASE DENTAL PLAN FOR PENSIONERS
1999	1999 – 2.0% 2000 – 2.5% 2001 – 3.0%	NO CHANGE	
1996	1996 – 0.0% 1997 – 0.0% 1998 – 1.0% PROGRESSION RATE INCREASED FROM 1 TO 3 YEARS.	UNREDUCED PENSION FOR MEMBERS WITH 29 YEARS OF SERVICE AND WHOSE SERVICE AND AGE TOTAL 80	VISION CARE: \$25 INCREASE PHYSIOTHERAPY NOW A REIMBURSABLE BENEFIT – MAX: \$500.00/YEAR

Additional Provisions in 2005 Settlement

- **Transportation Schedule Adherence:** Major changes to disciplinary procedures that will greatly reduce Operator penalties for early arrivals.
- **Reporting Requirements and Travel Time:** Surface Operators who take a vehicle into service from the carhouse or garage and who are subsequently relieved on the street at the end of the shift, will be paid travel time at the basic rate from the relief point back to the garage or carhouse for all time in excess of 29 minutes.
- **Delay Time:** Operators on scheduled or special crews will be paid double time for any extra time caused by being late when relieved or running vehicles into surface carhouses or garages when such delay is 10 minutes or over (surface) or 5 minutes or over (subway and SRT).
- **System Seniority Transfers:** Commission agrees to accommodate System Seniority Transfer (SST) bids prior to the placement of new hires.
- **Pay for BZ and CZ Licences:** Upon proof of payment, the Commission will pay the Ministry of Transportation licence renewal costs for Operators assigned to streetcar or subway divisions who are currently in possession of a valid "BZ" or "CZ" licence.

History: *The Last Ten Years*

SBA (SICK DAYS)	CONTRACTING OUT	CLOTHING ALLOWANCE	FOOTWEAR ALLOWANCE
<p>NO MEDICAL NOTE REQUIRED FOR FIRST FIVE DAYS (AS OF JAN 1, 2006) GIVES MEMBERS INCREASED FLEXIBILITY IN USE OF THEIR FIVE DAYS. WSIB - SBA ADVANCE: IF WSIB DOES NOT MAKE A FAST DECISION, SBA ADVANCE ALLOWED (3 DAYS IN EVENT OF ATTACK OR WITNESS TO SUICIDE; 10 DAYS IN CASE OF OCCUPATIONAL INJURY).</p>	<p>PENALTY ON THE COMMISSION FOR IMPROPER CONTRACTING OUT INCREASED TO \$5000. AN INCREASE OF 900% OVER PREVIOUS PENALTY.</p>	<p>INCREASE TO \$200 AS OF 2006 (OPEN VOUCHER) PLUS SEVERAL IMPROVEMENTS TO THE OPERATOR AND COLLECTOR UNIFORM — POINT SYSTEM INCLUDING ADDITION OF GOLF SHIRTS.</p>	<p>INCREASE TO \$145 TRACK PATROL AND MACHINISTS: \$290.</p>
	<p>PENALTY ON COMMISSION FOR IMPROPER CONTRACTING OUT: \$500.</p>		<p>INCREASE TO \$120/YEAR.</p>
<p>SICK BENEFIT BONUS HOURS ELIMINATED (2001)</p>			<p>INCREASE TO \$110/YEAR.</p>
<p>ANY EMPLOYEE OFF DUTY ON ACCOUNT OF ILLNESS OR INJURY MAY BE REQUIRED TO PRODUCE A DOCTOR'S CERTIFICATE.</p>		<p>\$135 ANNUAL VOUCHER FOR PRE-SELECTED WORK CLOTHING ITEMS FROM DESIGNATED SUPPLIER.</p>	<p>\$80/YEAR VOUCHER FOR THE PURCHASE OF SAFETY FOOTWEAR.</p>

- **Shortage Allowance for Collectors and Suppliers:** Increase the current shortage allowance for Collectors and Suppliers by \$20 to a total of \$540.
- **Bargaining Unit Work:** Bargaining unit work will only be performed by bargaining unit employees unless otherwise agreed in writing by the parties.
- **Transit pass for retirees:** Transit pass to any regular employee who retires at age 60 or older regardless of years of service.
- **VEP Training:** Maintenance employees who have successfully completed VEP Part I of the Rail Vehicle Technology Program will be selected for VEP Part II on the basis of seniority.
- **APS:** Reduce Number of Various Positions – Increase Number of Fixed Positions.
- **Maintenance Skilled Trade Allowance:** Beginning in 2006, premium of \$0.10 for each regular hour paid to maintenance employees who, because of their job requirements, have a recognized and current trade licence issued by the Province of Ontario (over \$200/year).
- **Licence Cost:** Maintenance employees required to hold trade licences or technical standards and safety authority certifications as per their current job descriptions will be reimbursed for the cost of retaining these licences.

Down to the Wire in a

TORONTO CAME WITHIN INCHES OF A TRANSIT STRIKE LED BY LOCAL 113'S YOUNGEST-EVER PRESIDENT



“TTC riders face chaos” screamed the Toronto Star headline on Saturday, April 9, less than 48 hours before the strike deadline of early Monday morning. “GTA braces for Rocket failure” warned the Toronto Sun. The Globe and Mail followed suit, with the strike dominating the front page. Every local TV news broadcast — CITY, CFTO, CBC, Global, CKVR, Omni — began with fast-talking reporters whipping up fears of the traffic gridlock, lost jobs, missed student exams, and other potential consequences of the first TTC strike in six years. Talk radio stations could talk of little else. The city held its breath.

The strike announced at the packed Friday afternoon press conference by a visibly tired Bob Kinnear seemed certain. Negotiations had been going throughout the night and all Friday morning. The Local 113 Executive Board meeting at which the Commission’s last offer was debated had been stormy. Ultimately, however, the Board’s vote to reject was unanimous.

Within minutes after the press conference had ended, Kinnear recorded a phone message that was broadcast to every member. “The Commission has failed to adequately address our concerns,” he said. “We are on strike as of the first shift Monday morning.” He then turned off his cell phone and went home for a few hours of badly-needed sleep.

At the same time, the phone lines between the Mayor’s office at City Hall and the Premier’s office at Queen’s Park began heating up. Back-to-work legislation was the main topic of discussion. Would the McGuinty government order strikers back to work immediately? How long would the legislation take to pass? What would happen if the union defied the order?

(In a private meeting between Kinnear and Ontario NDP Leader Howard Hampton a week earlier, Hampton had promised that the NDP would oppose back-to-work legislation. They could hold up such a law for at least two days, maybe more. “We believe in the right of workers to collective bargaining,” Hampton told Kinnear, “even when it is unpopular with the public.”)

On Saturday morning, Reg Pearson, Director of Labour Management Services at the Ministry of Labour, conferred

Trial by Fire



with his boss, Labour Minister Chris Bentley. During the past few weeks, Pearson had often been in the negotiating room with both union and management. A veteran of TTC negotiations going back more than ten years, Pearson knew the issues and the players better than anyone in the government. Bentley asked him if anything could be done to avert a strike. Pearson told the minister that the union had said no more negotiating until after the strike began. It was probably unavoidable at this point. We have to do everything humanly possible to prevent it, Bentley replied. Is there any more give on the TTC's side? Could they sweeten the pot in any way? What would bring the union back to the table?

Pearson called TTC negotiators. Details of that conversation are unknown, but given what later happened, there must have been some successful arm-twisting.

On Saturday night, Pearson called Kinnear.

"The TTC is prepared to make proposals on contracting out, operator schedule discipline and sick days," Pearson said.

"The Minister is asking you to return to the table. I think a settlement is possible."

"Those are major issues, alright, but the Commission has had plenty of time to make proposals on them," Kinnear shot back. "And they've had their real "final offer" in their back pocket for weeks, we have no doubt about that.

"It's this game they always play," Kinnear told Pearson with more than a hint of frustration in his voice.

"Make us look like the bad guys. Get the public riled up about the union. Then come through with a settlement they were willing to live with all along. We're tired of this game, which is why we had to issue the Friday deadline for an offer to avert the Monday strike. Now you're telling me they're playing this game again. We're not interested, Reg. Tell them we'll see them at the bargaining table next week."

Pearson paused for a bit, then pressed on. "Look Bob, you may be tired of the game but you know there's no way to avoid it. It's inevitable.

"You've done a great job on the public image of the union," he added. "You've handled yourself well. And you're real close to a settlement that is as good as any public sector union has negotiated in the last five years, at least. But all that could disappear with just one day of strike, you know that. Just hear what they have to say. The Minister is only asking that. He's not asking you to accept a deal your members can't live with."

"This is not a yes," replied Kinnear, "but let me ask you this: would there be any more money coming to the table? If there's not, let's not waste anybody's time. I need to get ready for a strike."

"You know I can't speak for the Commission, Bob. But my belief is that there is more there, in some



TTC Chair Howard Moscoe follows Local 113 President Bob Kinnear to the final session of bargaining that narrowly averted a strike. (Courtesy: Toronto Star)

form or other. It may be a question of what form it comes in. You've got nothing to lose by hearing them out," said Pearson.

"Not true, Reg," Kinnear replied tersely. "I've got my credibility and that of the entire Executive Board to lose. We said no more negotiating until after the strike begins. If we back off that position now, will anyone believe us in the future?"

"Bob, I appreciate that, I really do. But this is a personal request from the Minister and you have to weigh the consequences of a strike right now versus what you see as a potential credibility issue, which is at least three years away. God knows what will be happening three years from now but I think we can both predict what will be happening next week if there's a strike."

The phone line went silent for a few seconds. Kinnear knew very well what would happen if a strike began on Monday morning. The Liberal government might let the walkout go on for two or three days before introducing a back-to-work and binding arbitration law. Howard Hampton's NDP caucus could hold up the legislation for a few days, at most. But eventually it would pass. The Minister of Labour would have the power to appoint the arbitrator. Everything that had already been agreed to at the bargaining table would be shredded. The union would be back to square one, possibly with an arbitrator who was not very sympathetic with the union's many contract language issues.

Kinnear knew that if he outright rejected the minister's call to return to the table, he could not expect to get an arbitrator the union would like. He had to find a way to respond to the minister's plea without compromising the union's position.

"Okay, out of respect for the minister's request, I'll agree to meet tomorrow," Kinnear finally said. "But we will not go into the evening because our members have to know whether to report for work on Monday before they go to bed."



TTC chairman Howard Moscoe is optimistic that the city's streetcars, buses and subways will continue running on Monday.



Executive Board members Phil Quibell, Bill Chrisp and Paul Callaghan, carrying the two basic food groups of union contract talks. (Courtesy: Toronto Star)

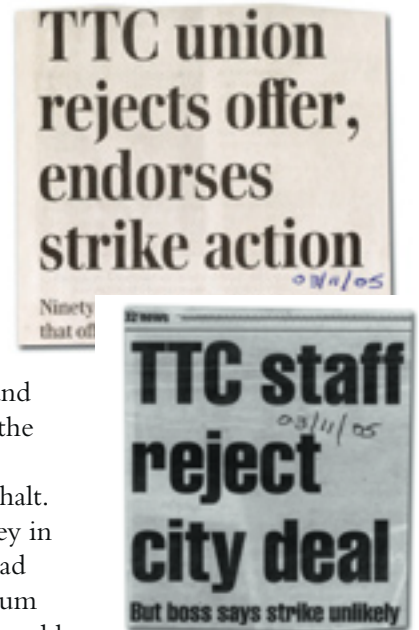
"And please tell the minister that on our key language and pension issues we will *not* accept what we left the table with on Friday. And there has to be more money. We have never been afraid of back to work legislation and if we have to make our case to an arbitrator, we are confident that it will be a good case."

"Thanks, Bob," Pearson said as he exhaled with relief. He was on the phone to the minister in seconds.

Sunday, April 10 was a chaotic day of several short, intense meetings, a series of individually small but, taken together, significant victories by the union. By mid-afternoon, Local 113 had won major concessions from the TTC on contracting out language, operator schedule discipline and millions of dollars more into the pension fund.

Then progress ground to a halt. There was still no more money in the pay package. The union had tabled a proposal for a lump sum payment of \$250 a year that would be on top of the wage increase offer of 9% over three years. The TTC said no. The wage offer was firm. "The well is dry," TTC Chair Howard Moscoe repeated often. He had taken over negotiations for the Commission. The union was equally adamant.

By 4:00 p.m., the day's victories for the union seemed





about to go up in smoke. In the Local 113 war room, the mood was solemn. There were quiet discussions about contacting picket captains and other strike details. In his mind, Kinnear began to compose the phone message that he would soon make to the members. After wrestling with that task for a few minutes, he thought: "It's still the afternoon. We should give this one more shot." He called the Executive Board together into the small meeting room where so many tough debates had been held over the past few weeks.

"Okay, so what's it going to be?" he asked. "I'm willing to go down that hall one more time but it's the very last time. I have to know what's acceptable and what's not acceptable so that I can say yes or no on the spot. What do you guys need me to come back with?"

After a brief discussion, the Executive voted unanimously to give Kinnear the sole power to make the deal himself. If he came back with a settlement, they agreed to accept it without a further vote. If he came back empty-handed, the strike was on.

Almost immediately after that decision, Pearson walked into the room.

"The Mayor is on the phone," he told Kinnear. "He'd like to talk with you." They walked down one flight of stairs to the negotiating room. Pearson and Moscoe left Kinnear alone in the room to speak with Miller.

As Kinnear had expected, Miller asked him to call off the strike but would not offer any more money. Kinnear listened politely until Miller had finished his plea. Then he responded.

"I'm sorry, Mr. Mayor, but it's not enough. If you're saying there's nothing more there, we're out of here. We cannot recommend what's on the table now. If our services are as important as you say they are, there has to be more there." The seven-minute call ended with both men expecting a strike. Seconds later, as Kinnear emerged from the room, Moscoe aggressively confronted him in the hallway.

"Okay, do you want a deal or do you not want a deal?" Moscoe shouted. "Are we in or are we out?"

"We're #@&%!★ out!" Kinnear shouted back. "It's over. We're outta here!"

"Are you going to shut down the city for \$250?" Moscoe yelled, jabbing his finger inches away from Kinnear.

"No, Howard, the question is: are you going to shut it down? It's your choice." Then, more calmly, Kinnear decided to take his very last shot at a settlement.

"There has to be a bonus of some kind. Tell you what: give us \$200 more per year and we're done. You want a deal? That's the deal."

Moscoe paused for two heartbeats, then said: "Okay, I'll get you the \$200, if that's what it takes," he said.

Kinnear eyed him cautiously. "The Mayor says there's no more there. He told me that himself just two minutes ago."

"I'll go over the Mayor's head," Moscoe said. "We can't let this happen."

Kinnear didn't believe Moscoe would defy Miller. But he thought to himself: "Maybe this is just part of the game. The Mayor tells me 'no more money' to see if we would cave. When we don't, more money mysteriously appears. Or maybe Howard is just blustering, as usual. Who the hell knows?" Out loud he said: "Howard, the Mayor's in charge, you know that and I know that. You can't go over his head because there's no one to go to. But that's your problem. Two hundred and it's a deal."

A few minutes later, Kinnear returned to the union room. He wasn't smiling as he waited for everyone to assemble. All eyes were on him, expecting a negative report.

"Two hundred dollars a year more," he said, scanning the faces around the table. "We've got a deal."

As the news settled in, the Board members began to smile for the first time in days. "Good job, Bobby, congratulations," several said as handshakes were exchanged.

"Congratulations to all of us," said Kinnear. "We're quite a team. We all did a good job for our members. Thank you for the support."

Twenty minutes later, the settlement was signed, a joint ATU/TTC press conference was broadcast live, and a city of 2.5 million people let out a collective sigh of relief that could have been detected by a passing satellite. Toronto had come within inches of a transit strike that would have lasted at least a week, possibly longer.

It had been a trial by fire for the first-term President in his first-ever set of negotiations. Because of his youth,

(Kinnear is the youngest President/Business Agent in the local's history) TTC negotiators may have underestimated him when they first faced him across the bargaining table. They would not make that mistake again.

On Thursday, April 14, the membership ratified the settlement by 60 percent.



A tired but relieved Bob Kinnear announces the tentative settlement on Sunday, April 10. (Courtesy: Toronto Star)

“Union Calling” a big hit with members

During the 2005 TTC talks, Bob Kinnear became the first local union leader in Canada to phone every member at critical moments during bargaining. Using a new service from Toronto-based Union Calling Inc., Kinnear recorded a message that Union Calling then later broadcast to all members.

It was an instant success. The first call – an appeal by Kinnear to turn down the TTC's first offer – resulted in the largest turnout in the Local's history and a 99.2% rejection. Six more calls were made during the last 4 weeks of talks.

According to Union Calling president **Robert Murdoch**: “Others have since followed in Bob's footsteps, including leaders from CUPE, IATSE and UFCW.”

ATU 113'S PUBLIC AND MEDIA AWARENESS CAMPAIGN DURING NEGOTIATIONS GETS TOP MARKS

We Moved Toronto

Bob Kinnear summed up the union's public image problem this way during a January meeting with the local's communications consulting firm, Reno Associates:

“The public doesn't understand how complex a system the TTC is. They don't know even a fraction of what our members do. And if they don't understand what we do, how can we expect them to understand our issues?”

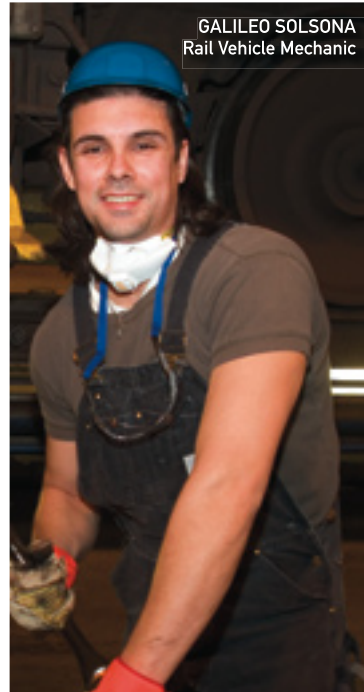
Kinnear's remark created the spark that led to one of the most talked-about union public relations campaigns ever mounted in Canada. Reno Associates partnered with another firm, Union Communications, to create the campaign. Within days, a new website — WeMoveToronto.ca — was being planned, complete with a short video that showcased dozens of Local 113 members on the job in both the Maintenance and Transportation departments. Photo shoots of members at several work sites were scheduled. A major system-wide ad campaign was in the works.

The plan called for a four-week campaign to begin in mid-March, ending in mid-April, when negotiations were expected to be concluded (or a strike would be underway). To drive traffic to the website, a free Monthly Metropass was randomly

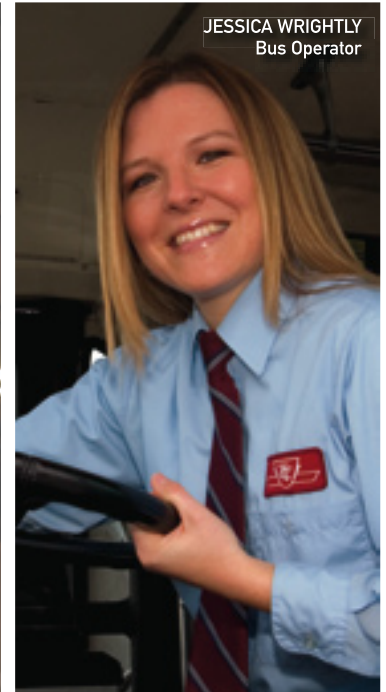
awarded each day to a website visitor who entered the contest. As part of each contest entry, an email urging more government funding to the TTC was automatically sent to Ontario Premier Dalton McGuinty and Prime Minister Paul Martin.

By any measure, the “We Move Toronto” campaign was a great success. Tens of thousands of people visited the website. Over half of them viewed the video. Many left positive feedback remarks. Every streetcar and bus contained at least one overhead ad showcasing a particular member, along with a short explanation of the value of their job. Every subway car had at least two ads. Large format posters of the same members were put on station platforms and in transit shelters around the city. There was considerable media comment on the campaign, virtually all of it favourable. Many Operators reported positive passenger reaction to the campaign.

At the same time, an intensive media relations campaign kept the union’s issues in the public spotlight like never before. President Kinnear was personally interviewed by newspaper, radio and TV reporters over one hundred



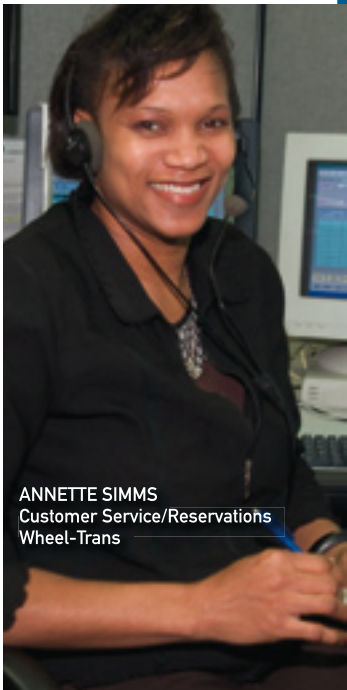
GALILEO SOLSONA
Rail Vehicle Mechanic



JESSICA WRIGHTLY
Bus Operator

I THINK YOU ARE DOING A GREAT JOB, AND AFTER READING SOME OF THE STUFF ON YOUR SITE I REALIZE THAT YOU AREN'T BEING TREATED FAIRLY. YOUR SITUATION SEEMS TO BE THE KIND WHERE THE WORKERS WORK REALLY HARD AND THE BOSSES AND EXECUTIVES ARE THE ONES WHO PROFIT THE MOST.

GREAT SITE, GREAT IDEA! COMMUNICATION, WHAT A CONCEPT!!



ANNETTE SIMMS
Customer Service/Reservations
Wheel-Trans

The We Move Toronto website was the first time a Canadian union set up a special website aimed at the general public during collective bargaining. Judging from the positive feedback from site visitors (blue balloons) it was a huge public relations success.



I LOVE THIS WEB SITE! LOVE THE TTC AND TTC EMPLOYEES. I AM A CYCLIST BUT USE THE TTC AT LEAST 4 OR 5 TIMES A MONTH. ALL THE BEST!



times, in addition to the massive exposure from the several press conferences staged by the union.

Following the contract settlement, the Local asked an independent media consultant to evaluate the effectiveness of the entire campaign. The resultant 70-page report by Bill Trbovich, who worked for years as a labour reporter for Global TV and the CBC, concluded that the campaign was “money well-spent.” (See box, next page)

“I want to thank all the members who participated in the campaign by allowing their names and faces to be used,” says Kinnear. “You made a big impression on Toronto. Even [TTC Chair] Howard Moscoe now understands that our members are a ‘rainbow coalition’ of the many skills necessary to keep Canada’s largest city moving every single day.”

I'M A YORK UNIVERSITY STUDENT WHO RIDES TTC ALMOST EVERYDAY! DURING PAST FEW YEARS I HAVE GOTTEN TO KNOW SOME REALLY NICE PEOPLE WORKING FOR TTC. I HOPE THAT THEY ARE WELL TAKEN CARE OF AND FAIRLY TREATED BY THE CITY OF TORONTO.



KIM RODWAY
Upholstery Shop



DANNY CAMPOS
Bus Operator



MICHAEL O'MEARA
Wheel-trans Operator



JERRY CUOZZO
Air Bench Fitter

Additional ATU Local 113 Members Featured in the We Move Toronto Campaign:

Celime Bourque
SUBWAY OPERATOR

Mohammad S. Khan
SUBWAY OPERATOR

Eric Mak
WHEEL TRANS OPERATOR

Charles Providence
BUS OPERATOR

Tony Filippi
COLLECTOR

Kerri Lattimer
BUS OPERATOR

George Manakis
BUS OPERATOR

Luleta Rowe
JANITOR

Norine Findlay
WHEEL TRANS OPERATOR

Al Lewis
WHEEL-TRANS DISPATCH

Paul McLellan
AXLE FITTER

Louise Stewart
BUS OPERATOR

Joseph Harris
STREETCAR OPERATOR

Henriques Lue
COACH TECHNICIAN

Tony Meglio
MOTOR REPAIR

Nizar Visram
COACH TECHNICIAN

I THINK THAT THE PEOPLE WHO WORKED ON THE TTC ARE THE GREATEST. THEY HAVE A LOT OF PATIENCE AND UNDERSTANDING AND ARE VERY HELPFUL.

“The campaign delivered”

MEDIA CONSULTANT BILL TRBOVICH CONDUCTED A STUDY OF THE **WE MOVE TORONTO** CAMPAIGN. FOLLOWING ARE EXCERPTS FROM THE COVER LETTER TO HIS LENGTHY REPORT.

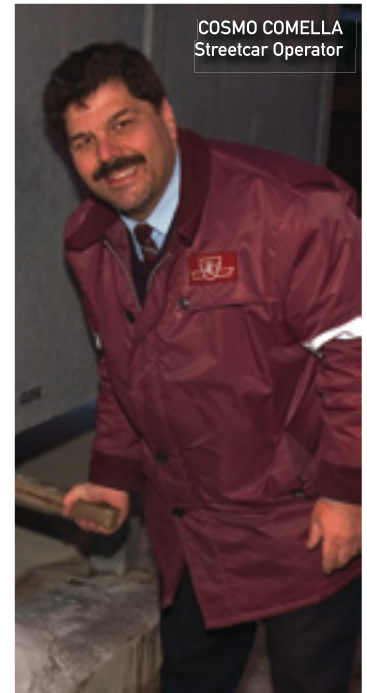
When asked to do an assessment of ATU Local 113's 'We Move Toronto' campaign, I think it can be best summed up in one word — successful.

As a former labour reporter who covered past TTC negotiations and strikes, I found that the profile of the ATU Local 113 leadership and membership has never been higher. The campaign delivered on a number of key areas:

- Media access to the Local president was unprecedented.
- The Local president conveyed a positive and professional image throughout the negotiations, which often was a welcome contrast to that of management.
- The public website offered visitors an alternative source of information about the negotiations and the value of public transit.
- The public awareness ad campaign put a face to the jobs performed by the membership.

When you study or view the media reports and coverage of the negotiations from start to finish, two things stand out; the extent of the coverage and the balance of the coverage. The facts speak for themselves; ATU Local 113 took great efforts to ensure that the media had access to the right information and the result was a higher positive public profile and a new collective agreement achieved without a strike. In short, the campaign was money well spent.

YOUR CAMPAIGN PUTS A POWERFUL FACE ON WHO THE TRANSIT WORKERS ARE AND HOW THEY PROVIDE SERVICE TO US RIDERS.



COSMO COMELLA
Streetcar Operator



DAVICHAND SUKHNANDAN
Body Repair



BOB NICHOLSON
Coach Technician

I AM NEW HERE IN TORONTO, I FIND IT VERY EASY TO USE TTC, IT ALWAYS COMES ON TIME COMPARED TO LONDON (UK) AND IS MUCH CHEAPER.

I ONLY WISH EVERYONE TOOK THE TTC EVERYWHERE AND WE COULD BAN CARS FROM DOWNTOWN ALTOGETHER! IMAGINE HOW CLEAN AND GORGEOUS OUR CITY WOULD BE THEN. CONGRATS TO THE GREAT STAFF OF THE TTC FOR KEEPING SUCH A BIG SYSTEM RUNNING SMOOTHLY SO WE CAN ALL LIVE A LITTLE BETTER.

Dr. Nick says:

Allergies are nothing to sneeze at



Hello Everybody! This is the time of year when many people come to Dr. Nick and complain about allergies. Complaining doesn't help. People with allergic reactions to anything should not waste time complaining. Sympathy will not help them feel better.

They need to develop a strategy to combat the symptoms that are causing their distress. First, they need to identify the allergens that are responsible for the release of histamines in their bodies. Your doctor can help you do this by testing you. In olden days, we used to call allergic reactions at this time of year hay fever. Although many people were allergic to hay pollen, not so many were actually allergic to hay. This is also true of ragweed. It is the pollen and not the plant that is the problem.

People with other allergies like bee stings, pet dander, peanuts or shellfish, can often successfully treat themselves by **avoiding the cause** of the reaction. This is often the best strategy to employ. Failing to avoid such allergens can lead to anaphylactic shock and even death. Many such individuals arm themselves with an EPI-Pen (ephedrine) to prevent the serious consequences of an accidental exposure.

People who are allergic to various plant and tree pollens, dust and molds are not so fortunate. Unless you are willing to lock yourself in a sterile environment, it is not likely that you will be able to avoid coming in contact with such allergens. Even worse, once you become allergic to one of these, you stand a much greater chance of acquiring other allergies because you can become sensitized.

So, WHAT CAN YOU DO?

First, you can limit outdoor exposure on dry windy days. These are the worst conditions for spreading the allergens. Next, if you must go outdoors then try to use a variety of medications to minimize the sneezing, runny nose and itchy eyes. Sticking to one type of antihistamine will not work for very long. The production of histamine in your body is nature's way of combating the invasion. You can trick your body however, by rotating different medications from time to time. Nose sprays can be very effective if used in moderation but the beneficial effect, while fast working, is time limited and, in many cases, can lead to a condition called rebound sinusitis. After the medicine wears off, you are actually more stuffed-up than you were in the first place.

Hydrochloride (HCL) based medication taken in pill or syrup form can also be helpful and long lasting but may cause drowsiness. Other allergy treatments sold over the counter at drug stores like Claritin or Reactine contain a different compound that can accelerate your heart rate as a side effect. You should see your doctor for advice as soon as you develop allergic reactions. Your doctor may prescribe other nose sprays and/or eye drops. You may even be a candidate for inoculation. Frequent washing of the hands and face will also help to remove traces of allergens.

Taking vacation during the worst periods of the year may also be a good idea. This is especially true if you are allergic to work! Good luck in finding a cure for that.



*Fans starved for hockey by the season-long lockout made this year's Annual TTC All Stars/NHL Old-Timers' match-up the best-attended ever. It was standing room only at Ted Reeve Arena on March 12 and all proceeds were donated, as usual, to the Multiple Sclerosis Research program at Toronto's world-famous Mount Sinai Hospital. This year's cheque for \$60,000 is held by L-R: **Rob Peacock**, Public Affairs Director, Mount Sinai Hospital Foundation; **Les Moore**, Local 113 Secretary-Treasurer, **Richard Ducharme**, TTC General Manager; **Paul McLaughlin**, Local 113 Executive Vice-President; and **Bob Kinnear**, Local 113 President/Business Agent. As usual, the TTC All-Stars lost to the wily old-timers but the real winners were the delighted fans and the researchers who are making great progress in the quest to find more effective treatments and, potentially, a cure for MS.*

John Lorimer Memorial Scholarship

Local 113 is a great supporter of higher education. More than 40 years ago, a separate scholarship fund was set aside in the honour of long-time member and officer, John H. Lorimer. The first scholarships were awarded in 1964. Three students received \$400 each.

The scholarship awards have grown considerably since then. Every year, at least 15 children of members receive \$1000 towards their post secondary education. More scholarships can be awarded if extra funds are available. The scholarships are awarded on the basis of secondary school marks.

If you have a child who is entering college or university this fall, he or she may be eligible for one of the John Lorimer Scholarships. Contact your Board Member for more information, or Secretary-Treasurer Les Moore.

John Lorimer was initiated into the union on September 1, 1916. He served as Board Member from Roncesvalles from 1942-43, Vice President from 1944-45, Secretary-Treasurer from 1946-47 and President from 1948-49. He retired from the Commission in 1959 and passed away in 1963.

LOCAL 113 MEMBER LIVES ON IN SCHOLARSHIP BEQUEST

Peter Bodnick was born and raised in rural Manitoba before coming to Toronto as a young man. He joined the Toronto Transit Commission in January 1943 as an Electrical Analyzer in the Danforth Division. He worked hard for his employer but was also a good union man, standing up for his rights and those of his brothers and sisters. Midway through his career, he moved to Greenwood as an Emergency Subway Repair Technician. He left in 1975 after 32 years of service and had nearly as long a time in retirement. He passed away last year in April. He was 91.

In his will, Brother Bodnick left a bequest of \$15,000 to Local 113, as a gesture of gratitude for not just the benefits but also the friendships he had gained from the union during his long career, and throughout his retirement as well.

The Local 113 Executive Board decided the money would be used to help children of Local 113 members who are attending a recognized trades course that will lead to a skilled trades licence. Although Peter was an electrician, the course can be in any skilled trade.

A \$1000 Peter Bodnick scholarship will be awarded annually for the next 15 years. In the event that there is more than one eligible applicant, a panel of board members chaired by the Secretary-Treasurer will choose the recipient. All recipients will get a copy of this article with their cheque, so that they will know something of the generous man who is helping them realize their goals in life.

God bless you, Brother Bodnick. You're still making the world a better place.

Contact your Board Member for more information, or Secretary-Treasurer Les Moore.



Peter Bodnick, Local 113 member from 1943 to 1975, left a bequest to the Local in his will that is funding scholarships for children of members who are studying a skilled trade.

LOCAL 113 "LIFERS"



Life Memberships in Local 113 of the Amalgamated Transit Union were presented to a number of recently-retired members at the Retirees' party held in March. Another party will be held in October. Along with the certificates, retired members receive a gift from the Local.



Bill Chrisp
Plant Maintenance

Recent developments abroad and the potential for similar terrorist acts here at home have focused our attention on the proposed cuts in the subway janitors section. Our janitors, who regularly police the stations, have been required recently to begin wearing TTC safety vests at all times when on the property to facilitate easy identification by the public. They have also received training in security issues such as recognizing suspicious packages. There has never been a time when extra vigilance was more necessary. If safety is a top priority, why would TTC Management ever conceive the idea to reduce the number of positions and increase the locations covered by each position, now or in the future? Simply put, this is silly. Our need for well-trained, vigilant employees has never been greater. Whether or not there is a Master Sign-up in the Plant Department is not the question. The question ought to be: how many more janitors do we actually require to adequately protect the public, our members and the integrity of the system?



Philip Quibell
*Eglinton Bus/Bloor-Danforth
Subway, SRT*

The following excerpt is taken from the website of the Associated Society of Locomotive Engineers and Firemen. This is the union representing the London, England transit employees.

“On train radios, the union was adamant that it is wrong to operate any tube without a fully functioning radio. Communications at the time of the incidents was a major concern. ASLEF therefore demanded that any train with a defective radio must be withdrawn from service, and said that partial or total failure of the radio system on the line must result in the service being withdrawn until the defect is rectified.”

At Local 113, we concur with the above statement, particularly when so much attention is being paid to the issue of calling stops. How can our members be held accountable for the failure of the equipment which they do not check before their shifts? When lives depend on effective communications, no defective communications equipment should be in service on our subway system or surface vehicles at any time!



Scott Gordon
Equipment "E"

The first half of the year has been a very busy time in the Rail Department with a lot of major issues in the process of being addressed. Management has taken a position on job qualifications that has affected many of our members to the point of creating animosity on the shop floor. This contributes to poor working conditions.

Some of the bigger issues that we are currently working to resolve include: Certification Program Arbitration (grandfathering); Job Evaluation (several positions); Subway Vehicle Technician (implementation, qualifications); Vehicle Repairperson Trainee Program (qualifications); Testing (a requirement or not?); and manpower shortages that are causing disruption among our members.

The Maintenance Board is currently working extremely hard to resolve these issues and with your support I'm sure we will be able to negotiate resolutions in a timely fashion.



Henry Urban
Equipment "A"

I share the opinion of many of our skilled trades people in regard to the recently negotiated skilled trade premium. Ten cents per hour is an insult to the hard working men and women who have devoted considerable time and effort to maintaining their trade qualification. However, a door long shut in our face has now been opened. It is not the amount that was the battle here, but getting management to recognize that any premium ought to be paid. We have been after this for a long time and our skilled workers should be looking forward to increases of this premium in the future. For the present, the additional \$208.00 per year is still more than the so called 'transit allowance'.



Paul Callaghan
Executive Board Member (At Large)

Some people call overtime the root of all evil, while others look for it each and every day. Either way, the Executive Board inherits the problems arising from overtime assignments. How could something as easy as following a list from the top to the bottom, and then returning to the top, be so difficult? The overpaid staff in TTC Management just can't seem to figure it out or simply do not care about doing a proper job.

The Union has been successful in our last two group grievances on overtime distribution. In the Track and Structures section (cost centre 733), we won the arbitration on teaching the employees the job and training was provided to all who wanted it so that the overtime available could be shared equally to all. We also won the arbitration on overtime in the Surface Track section (cost centre 735). The basis of this grievance was Operating budget vs. Capital budget. The Union's position was that overtime should be distributed by shift, location and classification and rotated fairly. Management disputed this, because they wanted to assign overtime based on who was included in one budget or the other, which would have disregarded seniority within the classification. The arbitrator ruled in our favour.

The Union is continuing discussions with the TTC about management errors when assigning overtime in an attempt to reduce our arbitration costs. Hopefully, we will be able to resolve this issue once, and for all time. We will continue to fight for our members in the Maintenance Department.



J. Rick Hughes
Wilson Bus/Subway

I would like at this time to express my heartfelt thanks to the members at Wilson Division for their patience and forbearance during my recent absences from the Division. As many of you know, I served on the negotiating committee during our recent contract renewal and since then, have been involved with producing this issue of *On The Move* as well as chairing the By-Law Committee of the Local. I expect to be spending more time at the division in the near future and I hope to see many of you at the Labour Day Parade.

Many thanks as well to our Shop Stewards, Ian Mackay (subway) and Marvin Murree (bus) who have well served the members at Wilson, especially in recent months.



Paul Prosser
Roncesvalles/Russell/Wheel-Trans

Assault Task Force: I have resigned because I am outraged that management is more worried about their public image than spitting assaults on our members. More aggressive action must be taken against people

spitting on or otherwise assaulting our members.

St. Clair service: The TTC has decided (for now) that during construction there will be blended service on this route: streetcars and buses.

Accidents: Switches are down and rear end collisions are up. Remember: you now get double time if you are late so do not let C.I.S. push you. If they do, give Frank Rocco or myself a call immediately! If you are involved in an accident or assaulted, call your Union Team ASAP. Do not depend on management to inform us.

Wheel-Trans: I will be attempting to reintroduce the 13-hour crews but there may be some hiccups as the workday may extend to 13 hours and 20 minutes. I would like your input with regards to this. The first selection has asked to move their signup time to 6-6:30 p.m. and I am not opposed to this — I just want to make sure that the crew finishing times are stable with regards to the 10-hour shifts. Please call Grant or myself with any problems.



Cosimo Lacaria
Hillcrest

Two of the most contentious and significant issues facing our members have resulted in grievances against the TTC. Some management personnel have decided to reassign duties.

These duties had been established among various groups of employees for many, many years and are considered a trade or skilled work. Management

then redistributed these responsibilities to other groups altogether different from the first groups for the sole purpose of eliminating jobs and members from the original groups.



Jim Boyle
Birchmount/Malvern

Many members have been asking me about the pending evaluation of the Operator/Collector positions. There is an excellent explanation of that process in this issue of the magazine (page 5).

All interested members should read the article as there is little that I could add on that subject. Instead, I would like to address the contradictory message of the Commission in stating that safe operation is a priority while pressuring our operators to maintain unrealistic schedules. This Union has always supported the concept that Safety Takes Precedence Over Times Shown On Schedule. There is no reward for an operator who places himself and/or the passengers at risk unnecessarily, except disciplinary action. Driving one vehicle safely is the chief responsibility of all operators. Ensuring the regularity of service headways is the responsibility of the Route Managers. Our operators have a hard enough time doing their own jobs well; they should not be attempting to do the work of Supervisors by taking risks to stay on time.



Kevin Morton
Clerical/Collectors/Revenue

All members of Local 113 must be aware of their legal and contract rights. This is vital. Many other organizations, including the Elementary Teachers' Federation of Ontario and Toronto Police Association provide each of their

members with a pocket guide to assist them in knowing their rights. I strongly feel this Local Union should adopt this idea. Therefore, I will be working with our legal counsel and Executive Board to develop and produce such a guide for our members. I am also concerned that too many of our members are foregoing their Contractual rights to Union representation through being misled by management as to the nature of interviews. Each member should have a signed letter in his/her file requiring Union representation at all meetings, including the following:

- Human Rights Unit (Collie Salmon, Almerinda Madeiros)
 - TTC Supervisory Staff and Management
 - Human Resources and Labour Relations
 - Workplace Conduct (Violence) Investigators (Anne Tyrrell, Gigi Malais)
 - TTC Special Constable Services (treat them like the Police)
- Always call the Union — *first!*

Q&A: Know your pension rights

When do I become a member of the Pension Fund Society?

Every full-time regular employee of the TTC, as a condition of employment, shall become a member of the PFS upon completion of six months of continuous service. It is very important that you fully review and complete a beneficiary card. This card confirms your spousal status and allows you to designate who will receive any pension benefits that may be payable to a beneficiary upon your death. It is very important that you keep this card updated.

When can I retire with no reduction?

The PFS bylaws allow you to receive an unreduced monthly pension if you leave TTC service after you meet one of the following criteria:

1. Once you have achieved 30 years of continuous or credited service, regardless of your age, or
2. Once you have achieved 60 years of age, regardless of the amount of service you may have, or
3. Once you have achieved 29 years of continuous or credited service and you are at least age 51.

You can retire as early as age 50 and with less than 29 years of service but your monthly pension payments will be permanently reduced. The amount of reduction will depend on your age and service.

What happens to my pension if I am fired?

Regardless of how you leave the TTC, even if you are fired, your pension is your earned right. Your entitlement will be calculated according to the PFS bylaws. Being fired does not change how your pension entitlement is calculated or paid.

Does my spousal status impact my pension?

Yes it does. The calculation of a pension refund, retirement pension, lump sum benefit or death benefit all take into account your spousal status at the time you leave the TTC, start a pension or die.

What is a "spouse?"

The PFS bylaws define a spouse as:

- (a) a person to whom a member is married;
 - (b) a person with whom the member is living together in a conjugal relationship;
 - (i) continuously for a period of not less than three years or
 - (ii) in a relationship of some permanence, if the member and his or her spouse are the natural or adoptive parents of a child, as defined in the Family Law Act, Ontario 1986.
- (This definition includes same sex partners.)

Please note that if you are married but become separated, you no longer have a spouse for purposes of pension. If your spousal status changes, it is important to keep your beneficiary information up to date.

What happens to my pension if my marriage/relationship ends?

The Family Law Act of Ontario states that all family assets must be equalized on marriage breakdown, including pension benefits.

Unfortunately, the law does not specifically state how to split pensions upon marriage breakdown, which leaves this issue open to interpretation and negotiations between spouses. The bottom line is that an Actuary is the only party that is qualified to provide a proper valuation on marriage breakdown.

Who pays for this valuation can also be a point of debate between the parties. Unfortunately, the pension office cannot provide calculated information for the purpose of determining the basis upon which the equalization of assets accrued during the marriage is calculated. The pension office can only provide you with a copy of your most recent pension entitlement.

When can my former spouse claim my pension?

Your former spouse cannot claim their right to your pension until you become entitled to payment, which is at retirement, termination of employment or death.

Survivorship Options

You have several options for how your pension is paid out while you are alive and to your spouse after your death. In many cases, a "survivorship option" will permanently reduce the amount of your monthly pension. The amount of the reduction will depend on your age and your spouse's age. There are other options, including guarantees of how long a pension will be paid to your beneficiary after your death. Contact the pension office for complete details on these options.

When can I get a pension estimate?

Once you are eligible for at least early retirement, age 50 or you have 28 years of service, you can request a pension estimate. All you need to do is call the pension office to make the request. They will ask you for your badge number, your spousal status and where you want the estimate mailed, home or work location.

The PFS can forecast your estimate up to six months in advance. You can also make an appointment to go into the pension office and review the estimate. You do not have to be retiring to do this and all information discussed is completely confidential.

Once you are eligible, it is recommended that you have an estimate completed once every 6-9 months as part of your pre-retirement planning.

If you still have questions about your pension after reading this, contact Secretary-Treasurer Les Moore or Executive Vice President Paul McLaughlin.

Ontario Health Premium Judicial Review



By Heather Alden
*Local 113 In-House
Legal Counsel*

Two years ago, when he was trying to get elected, Liberal

Leader Dalton McGuinty pledged in television commercials that “I won’t raise your taxes.” It was one of many promises he broke after he became Premier. In May, 2004, the Liberal government brought back Ontario Health Insurance Plan (OHIP) premiums, which had been abolished 19 years earlier.

The government tried to say the premiums were not a “tax” but that feeble explanation was laughed at. The premiums themselves, however, were nothing to laugh at. The minimum annual premium payable by a TTC worker would be \$300 and most would pay more.

Local 113 immediately demanded that the Commission pay the premium on behalf of its members. Amazingly, the Commission refused, even though Local 113 believes that Section 17 (Health Services) of the current Collective Agreement could not be more clear:

“The Commission agrees to pay on behalf of - all regular employees on the first of the month following completion of six months’ continuous service

- temporary employees on acquiring 12 months of cumulative service

100% of the total contributions required for the following coverages:

(a) Ontario Health Insurance Plan (O.H.I.P.)”

The union took the matter to arbitration and, in March of this year, won the case. That was not the end of

it, however. The TTC has taken the arbitration decision to “judicial review.” This means that a court is being asked to review the decision of the arbitrator. The court can uphold, overturn or change the award, or refer the matter back to the arbitrator. Millions of dollars a year are at stake.

Local 113 is not the only union to have taken its employer to arbitration over the new OHIP premiums. Some, like us, have been successful. Others have not, because of the particular wording of their Collective Agreements.

In a recent case similar to ours (Lapointe Fisher Nursing Home) the union won the arbitration but the employer (like ours) asked for judicial review. This case has already been argued before the Ontario Divisional Court, which has not yet handed down its decision. When this decision is issued, Local 113 will have a better indication of what way the court is leaning on this issue and whether our arbitration decision can survive judicial review.

The Divisional Court hearing date for the ATU/TTC case is December 6th. Argument is expected to take half a day.

VACATION DEFERRAL ARBITRATION

Since 1974, Article 1, Section 13 of the Collective Agreement has clearly provided that employees may defer all or part of their annual vacation from one year to the next. The actual wording of the agreement is as follows:

“Employees may defer all, or part (i.e. full weeks only) of their annual vacation entitlement from one year to the next, in accordance with the provisions governing vacation postponements contained in the policy on Vacation Regulations.”

In October 2004, the TTC stopped honouring this provision, claiming it conflicted with the Employment Standards Act. Naturally, the union grieved this and took the matter to arbitration. On June 2, Arbitrator Maureen Saltman ruled in favour of the union. She determined that our vacation provisions (including the provision permitting employees to defer all of their vacation) did not violate the ESA and must be honoured by the TTC. The arbitrator also ruled that she would deal with any unresolved cases where the Commission had denied any employee requests to postpone some or all of their 2005 vacation to 2006.

Arbitration costs, but pays

Arbitration expenses make up one of the costliest items in the ATU Local 113 budget, amounting to hundreds of thousands of dollars a year. But without the union’s ability to take grievances to arbitration, management would ignore the collective agreement whenever it suited the Commission.

It’s all about protecting what we have negotiated. Local 113 has an outstanding arbitration track record. Since the beginning of 2003, we have won more than 80 percent of all our cases, saving many members’ jobs and millions of dollars in wages and benefits.





Duncan shop north-side says farewell to 8853.

LAST GM BUS REBUILD ROLLS OUT OF THE HILLCREST YARD AND INTO HISTORY

The Bus Rebuild project reached a milestone just last fall with the completion of the work on GM Bus #8853. The bus was originally manufactured in January of 1983 and had accumulated many miles of service by the time it was scheduled for its final rebuild in November of 2004.



Pictured above are Coach Technicians Luca Rinaldi #17973, Trish Atkinson #50864 and Enzo Margiotta #50662.

It is amazing to realize that Luca with 15 years of service, Enzo with 8 years and Trish with 7 years have a total combined 30 years of service that only exceeds the age of the vehicle by 9 years.

Luca has been involved with the Bus Rebuild project since its inception in 1995 and has worked on nearly every GM bus in the TTC fleet. Trish, on the other hand is the most junior of the coach technicians to work on the project.

Trish came to the TTC after serving with the Canadian Forces as a mechanic and has worked her way up from the service line to become our first female coach technician.

It is indeed the end of an era when the first female coach technician at the TTC has the opportunity to work on the last GM bus to be rebuilt on the property!

THE END OF AN ERA



Boni Stafford and Pat Mullen with the crew.



Joe Romanko #7657 with 30 years service has seen them all come and go and now works on the last one along with Joe Mangion #11567 - 24 years who worked on the first of the rebuilds. They are joined in the above photo by table operator Brian Hughes #17270 — 17 years and fellow bodymen Don Stisi #12426 — 23 years and Dave Shields #50979 — 8 years. Bus 8853 is now due to return to Duncan Shop for finishing touches and inspection and will eventually find its way to Malvern Division as bus number 2353.



Almost time to go for final trim



Ready to roll. Plenty of life left in this baby.



December 15, 2004 – After body work and paint at Harvey Shop.

New 113 logo appears in nation's capital!

On February 8, 2005, Local 113 Executive Board Member Jim Boyle – Transportation (Birchmount/Malvern) accompanied a group of four busloads of children and the directors of the Toronto Children's Breakfast Club to Ottawa to meet and have breakfast with the Honorable Paul Martin, Canada's Prime Minister. As evidenced by the front of the T-shirts, Local 113 supports Black History Month. Well done Jim!



Above: Jim Boyle and friends
Left: Paul Martin courting future voters



Make Labour Day 2005 a Family Event

This year, bring your kids along to the Labour Day Parade and into the CNE. There will be streetcars they can ride in, including the Peter DeWitt. Help build bridges between the generations. Take this opportunity to show

them how large Toronto's labour movement is. Explain that union members like you have been marching in this parade, along the same route, for well over 100 years. Make them proud to be part of a union family.

